

Introduction—Speakers, Deputies and the Clerks: The Revealing Light of Biography?

Stephen Wilks

Carty Salmon, William Aston, and Bronwyn Bishop have something in common, as do Walter Gale, Ernest William Parkes, and Alan Turner. The first three were Speakers of the Australian House of Representatives, the most important legislative chamber in the nation. The second trio are yet more historically obscure—Clerks of the aforesaid House. The research project that has led to this book has shone a belated historical light on the men and women who have served as Speaker, Deputy Speaker, or Clerk of the House since Federation in 1901, with implications for these offices today.

The Speaker is, as related in that unsnappily titled but otherwise magnificent work of reference *House of Representatives Practice*, ‘a Member of the House ...[who]... upon election to office becomes its principal officer’, fulfilling functions ‘constitutional, traditional and ceremonial, statutory, procedural and administrative’. Best known is that the Speaker presides over the debates in the House, ensuring that these are conducted according to standing orders. A Speaker is also obliged to defend the rights and privileges of the House. The Clerk is the senior parliamentary officer ‘responsible for administering the Department of the House of Representatives and advising the Speaker and members on parliamentary law, practice and procedure’. Both positions are venerable in the extreme; in Westminster, the first Speaker designated as such was appointed in 1377, and the first record of a Clerk of the House of Commons dates to 1363.

‘Order, Order!’ is the first full study of past Speakers, Deputy Speakers, and Clerks. It was conducted by the National Centre of Biography, part of The Australian National University’s School of History, and funded by the Department of the House of Representatives. The result is sixty-five biographies written by an array of skilled contributors. Entries approximate the style of the *Australian Dictionary of Biography*

(*ADB*), but are considerably longer than the typical *ADB* entry, and include living subjects. The core of each entry is the subject's service as Speaker, Deputy Speaker or Clerk, but they also provide a balanced account of the whole person.

To the extent that these three offices have previously been studied at all, focus has usually been on the rather abstract assessment of the political standing of the Speakership alone. Stephen Redenbach's 1999 La Trobe University thesis, 'Servant of Two Masters? An Exploration of the Speaker's Role in the Australian Commonwealth Parliament', did incorporate a distinct biographical element and, perhaps not coincidentally, is a particularly strong study. '*Order, Order!*' has a yet greater emphasis on what individual lives can reveal. Delineation of any hitherto largely unstudied holders of high office is likely to lead to surprising findings. In this case, it appears that fairly early in the Commonwealth's history a largely unstated understanding was established which balances competing pressures of tradition, fairness, and party politics.

Since Federation in 1901 there have been thirty-two Speakers, thirty-three Deputy Speakers (some of whom went on to become Speaker), and seventeen Clerks. (The latter include the unctuous George Jenkins, who acted in the position for just two months in 1901 before perfunctory thanks from Prime Minister Barton presaged his being handed back to the Victorian parliament.) The Speakership is no sinecure; imagine sitting in the Speaker's chair at the head of the House of Representatives chamber during question time, trying to manage 150 other parliamentarians as they clamorously compete for the attention of their peers and the TV cameras. A Deputy Speaker acts in the Speaker's absence; confusingly, prior to 1994 they bore the unmemorable title of Chairman of Committees. Our sixty-five biographical entries cover all holders of any of the three offices who were no longer active in parliamentary politics or as a parliamentary officer at the time of publication.

A truly effective Speaker can determine the tone of the House. Like a good sports umpire, the most capable had such a seemingly light but sure touch that they tended not to be noticed. Among the best were Frederick Holder (Speaker 1901–09), William Watt (1923–25), George Mackay (1932–34), John McLeay (1956–66), Harry Jenkins (2008–11), and Tony Smith (2015–21). Speakers are chosen by the House, but in practice it is nearly always merely formalising a selection made by the nominee's parliamentary party. It is rare for a Speaker not to be a member of the governing party. The main exceptions were Holder, the United Australia Party's Walter Nairn (1940–43), who carried on for two years following the advent of John Curtin's Labor government, and Peter Slipper (2011–12). And, yes, all Speakers do after retirement have an official portrait painted—but not their deputies, nor the Clerks.

Independent and impartial?

Discussion of Speakers invariably raises issues of independence and impartiality. *House of Representatives Practice* is uncharacteristically stern in proclaiming that they ‘must show impartiality in the Chamber above all else’, through ‘a completely objective interpretation of standing orders and precedents’ that necessitates ‘the same reprimand for the same offence whether the Member is of the Government or the Opposition’. Much, not surprisingly, depends on the individual and on political circumstances. Bronwyn Bishop (2013–15), for example, showed rare rigour in ejecting opposition members from the chamber during question time.

Politicisation of the Speakership stretches back to the early Australian Commonwealth. Westminster convention has long held that the Speaker on appointment ceases to be an active member of a political party, and subsequently can stand at general elections without facing opponents from other major parties. Holder sought to emulate this ideal by establishing the Australian Speakership as politically neutral in both name and fact, resisting what he described as ‘an almost overwhelming desire to step out of the Chair and tear off the gag’. He remained Speaker amid the rise and fall of ministries during the unstable years immediately following Federation, only to become the first of two Speakers to die in office. Yet even Holder’s elevation to the Speakership had been at the behest of Barton, who wanted insurance against his joining George Reid’s Free Traders. When the House of Representatives sat for the first time on 9 May 1901, Holder was duly elected unopposed, although a free-trader from Queensland, one Bruce Smith, sounded the infant parliament’s ‘first discordant note’ by describing Barton’s stratagem as ‘wholly unbecoming to the new order’.

One of the medically qualified members who tended to the stricken Holder after he collapsed in the chamber was his successor as Speaker, Carty Salmon (1909–10). Alfred Deakin’s anointing of his friend and fellow Protectionist Salmon is seen as the decisive point in determining that the Australian Speakership would not maintain the Westminster ideal. The choice was essentially Deakin’s own and was, with misgivings, endorsed by the party room before being put to a vote in the House. This led to one of the early House’s angriest debates, with tempers not being aided by the incongruous sight of the Clerk, Charles Gavan Duffy, reluctantly presiding over the chamber during the interregnum between Speakers. At one point, Labor members ‘simply flew at the poor Clerk’, reported the *Sydney Morning Herald*. The failure of Holder’s extended effort to embed the concept of a wholly neutral Speaker was also due to the hardening of the party system, notably the 1909 ‘Fusion’ of the non-Labor Protectionists and Free Traders.

Who were the Speakers and Deputy Speakers?

Speakers are typically individuals with a strong personal presence in the party room and the chamber, and with long experience of parliament. Barring Holder, all had at least five years' experience in the House at the time of their appointment, and twenty-two had ten years' or more. Most seemed unlikely to attain the ministry—not necessarily on grounds of lack of ability, but often due to insufficient party political standing. The Speakership was to be the highest office they would hold. Examples are the tough ex-soldier from Tasmania, George Bell (1934–40), and the first female Speaker, Joan Child (1986–89). Some harboured ministerial ambitions that exceeded their peers' evident estimation of them, such as Aston (1967–72).

Several Speakers were past senior ministers for whom placement on the backbench seemed likely to invite trouble; a suitably face-saving appointment was required. Holder was a former premier of South Australia who dearly wanted to be part of the first federal ministry, but Barton handed the one spot available for a South Australian to Charles Kingston instead. Watt was a former Victorian premier and federal treasurer who had acted as prime minister for sixteen months in 1918–19 when Billy Hughes was overseas, making him a candidate for the unwanted title of 'best prime minister we never had'. There was also former treasurer and opposition leader Billy Snedden (1976–83). Interestingly, all three proved excellent Speakers; indeed, the Speakership partly restored Snedden's political reputation.

A particularly interesting few raised a similar problem of reputedly being unduly opinionated and unpredictable, such as the pioneering Laborite from Queensland Charles McDonald (1910–13, 1914–17). Another was the former Country Party leader Archie Cameron (1950–56), recalled wearily by one of his Clerks, Frank Green, as 'a queer mixture of generosity, prejudice and irresponsibility'. A couple of others, Bishop and Ian Sinclair (1998), were party elders for whom a dignified last position was considered fitting.

Deputy Speakers are an even more mixed bunch. A few hailed from the decidedly eccentric wing of their party room. James Fowler (1913–14) was a bleakly serious Scot who persisted in calling for the selection of ministers by parliament rather than by the governing party; as a frustrated writer, he once hopefully mailed a film synopsis to Cecil B. DeMille. The peripatetic James Garfield Bayley (1926–29) was a schoolteacher, surveyor, advertising manager, film censor, and possibly the first Australian to undertake postgraduate study at Stanford. As a pronounced Americanophile (note his given names), each 4 July he called on the prime minister to send congratulations to the United States president. With characteristic perversity, he was one of the few opposition members to lose his seat when the Scullin government was heavily defeated in 1931. Two talented Deputy Speakers from Western Australia, Joe Berinson (1975) and Ron Edwards (1989–93), were held back from the ministry

by their lack of factional support. Berinson served as Deputy Speaker for a few months before his belated elevation to Gough Whitlam's cabinet, only to lose his seat soon after. He clawed his way back into public office to serve with distinction in Western Australian governments.

Speakers are usually judged by a combination of ability to assert authority over the House and perceptions of their non-partisanship. TV coverage, being highly selective, can give an unduly poor impression of their stewardship. A biographical approach brings out more fully and fairly the importance of personal skills. The pioneering political correspondent D. H. Maling (writing as 'Ithuriel') reflected in 1901 that 'it is pleasant to hear [Holder's] sonorous tones giving out a prompt ruling' as he sought to uphold Westminster practice. Another commanding presence was Watt, who overcame outrage over Stanley Bruce's summary removal of Elliot Johnson (1913–14, 1917–23) to be remembered by Green as 'probably the best Speaker of the House we ever had', aided by 'a great sense of humour which he often used to break tension'. John McLeay, the longest-serving Speaker, was so cool and even-handed that Arthur Calwell claimed that had Labor won the 1961 election it would have retained him in the chair. That Sinclair, a short-serving Speaker, was also among the more capable suggests the merit of the poacher-turned-gamekeeper principle.

Some showed unexpected skill in the Speaker's chair, such as Slipper and Mackay—the latter, probably not coincidentally, being a former auctioneer. A very few others distinctly didn't. Salmon failed to impose his will on the chamber and was burdened by the circumstances of his selection. Child unluckily had to manage simultaneously an ascendant Bob Hawke and a rising Paul Keating. A few deputies, such as Bayley and Edwards, would have made excellent Speakers but for their losing their seats. Significantly for political perceptions of the Speakership, no incumbent has used the office as a stepping stone directly into the ministry. The two Speakers who subsequently attained ministerial office only did so following an appreciable gap, Norman Makin (1929–31), who became minister for the navy and munitions nine years later, and Gordon Scholes (1975), appointed defence minister after seven years.

And the Clerks?

Speakers have usually worked closely and effectively with the Clerks of the House. One of the very few exceptions arose from Joan Child's seemingly instinctive dislike of Alan Browning, wryly recalling in her memoirs 'the occasional robust discussion'. The Clerks are invariably individuals of high calibre. They head the Department of the House of Representatives, which appears to have largely resisted the wider decline of the public service (noting that the department operates under its own legislation, the Parliamentary Service Act 1999). Paradoxically, this may be as it is particularly close to the parliamentarians, and so well placed to win their confidence. There is

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a very low degree of tolerance of mistakes in the House; the Clerk must be able to offer sound advice to the Speaker at an instant's notice. Like a good Speaker, they make it look easy.

Service as a parliamentary officer is not exactly monastic, but many past Clerks were spotted and recruited young into parliamentary service, and then groomed over many years. One, Jack Pettifer (1977–82), as a boy during the interwar years actually lived in Parliament House with his family, his father being the caretaker. Several Clerks were deeply religious, such as Pettifer (Baptist) and Doug Blake (1982–85, Catholic). Frank Green was the only Clerk to make himself widely known to the general public. His unique courting of publicity extended to commenting in the media on his friendship with members of the Communist Party. Green's memoir *Servant of the House* became a major source of political anecdotes, most famously that of an anxious John Curtin pacing the grounds of the Lodge by night during the darkest days of World War II. The first female Clerk, Claressa Surtees, was appointed in 2019.

Cross-sectioning the House

'*Order, Order!*' also presents a detailed and fairly wide sample of members of the House of Representatives since 1901. The main development over time is the appearance of women members, hence there having been three female Speakers since 1986, Child, Anna Burke (2012–13), and Bishop. The pre-parliamentary occupations of Speakers are evenly spread, and include seven lawyers, six farmers, and six trade unionists (Sinclair counting as both a lawyer and a farmer). The office only recently started to reflect the rise of the professional party activist turned parliamentarian in the persons of Tony Smith and Milton Dick.

Surveying the ups and downs of individual Speakers also provides some guide to the decline of parliamentary behaviour. Angry debates could and did break out at any time from 1901 onwards, such as that sparked by Salmon's nomination. But these typically were spontaneous, triggered by a perceived injustice in the House, including where a Speaker was thought to have unfairly stymied opposition members. From the 1970s onwards we see Speakers, supported by the Clerks, increasingly having to preside over highly orchestrated set-piece attacks on the government, with matching ripostes by ministers.

There is also a sense gained of what were the roughest periods in parliamentary history. One was 1913–14 when Joseph Cook's government clung to office with a one seat majority in a House presided over skilfully by Elliot Johnson, whose heterodox past was rumoured to have included service as a mercenary in South America during the 1879–84 War of the Pacific. Johnson was again in the chair during 1919–22 when Hughes hung on as prime minister in the lingering wake of the first Labor

split and the destabilising rise of the Country Party. Mackay and Bell were Speakers following the Labor split of 1931 that led to a conservative government headed by the ex-Labor premier and minister Joseph Lyons. 1969–72 was not only a time of decline in reverence for tradition but was also marked by a reinvigorated Labor Party which sensed victory at the next election; a harried Aston struggled accordingly. During the ensuing Whitlam government, Jim Cope (1973–75) failed to constrain an aggressive opposition effectively led in debate by the Country Party trio of Doug Anthony, Peter Nixon, and Sinclair, and resigned in dramatic circumstances when Whitlam declined to support him on the floor of the House. And that's not to mention the hyper-partisanship that dogged the Rudd-Gillard years.

An Australian model?

Salmon's elevation marked a decisive break with Westminster practice, but what came in its place? Is there an Australian model of the Speakership? Yes, in a word, but one based more on tacit assumption than express definition. While certainly falling short of the Westminster ideal, the Australian Speakership does not appear as resolutely politicised as can be assumed. That one Speaker, Neil Andrew (1998–2004), took some offence at a perceived suggestion of the Speakership being dominated by the governing political party is significant. He thought that such deference had been overstated, and argued that the Australian Speakership is counterbalanced by an impartiality that has firm roots in the Australian 'fair go' cultural ethos, unlike the more formal-based British model. Lack of formal independence does not necessarily equate to lack of impartiality.

'Order, Order!' seems broadly consistent with Andrew's view. Its entries suggest that most Speakers (and their deputies) have indeed sought to balance party loyalty with wider expectations of the office, albeit with the occasional outlier. They have been expected to maintain their party identity, yet also to strike a workable compromise between partiality to their own government and keeping favouritism within tolerable bounds. That most post-Holder Speakers have done so is reflected in the fact that only a few, such as Cameron, brought upon themselves persistent opposition attacks and calls for resignation. Most instead usually kept party favouritism to a level compatible with the functionality of the House. Such qualified non-partisanship was probably helped by the Speakership not usually having served as a career stepping stone.

This pragmatic compromise was reached surprisingly early on. Holder's eight-year experiment with Westminster practice had weak foundations as this model was not strongly supported in the colonial legislatures from which many of the new federal members hailed. Labor's antipathy to Salmon left the nature of the Speakership still unresolved during his tenure. It appears that it was the immediately following Speakerships of McDonald and Johnson that served to consolidate the aforesaid

Australian model. McDonald, in particular, so effectively overcame early fears about his likely partisanship that he was applauded by his constituents in Charters Towers for affirming that, as Speaker, 'he endeavoured to follow out the one golden rule, to be fair to both sides'. He was a keen student of parliamentary procedure, with George Pearce noting his having diligently 'tabulated references to and rulings of the Speakers and Presiding Officers of practically every Parliament in the British Empire'. Johnson's record as Speaker was recognised by later commentators as also being 'excellent' and 'perfectly able'.

Some incumbents tried to uphold this balance by being prepared to censure senior members of their own government. Bell in 1937 ruled against a demand by Lyons that Labor's Eddie Ward withdraw an allegation of misuse of public funds. (The ruling was overturned at once following a motion moved by Lyons.) Snedden once 'sat down' his personal nemesis, Malcolm Fraser, primly reminding him that his behaviour and that of Whitlam 'should reflect their status as a leader in the national parliament'. Snedden was an unusually ardent and late advocate of the adoption of Westminster conventions; significantly, this was to little avail. Occasional calls since to embrace Westminster convention have also been without result. Bob Halverson (1996–98) tried to reform question time such as by allowing supplementary questions, but lacked the requisite authority in the party and parliament for this to stick.

Australian Speakers, therefore, operate within distinctly non-Westminster parameters, but good ones – and I repeat that most have performed competently or better in the position—are far more than mere creatures of party. Andrew's blunt, perhaps slightly overstated, rendition of the essentials of what is usually an implicit understanding remains unusual. And how very Australian this all seems!—a pragmatic compromise reached more through early trial and error than observance of tradition. Will this model, if something so rarely expressly delineated can be described as such, continue to stand up to the remorseless encroachment of party politics? I am uncharacteristically optimistic about this, given its deep roots in our admittedly little appreciated parliamentary history and in wider Australian culture. That said, this largely workable conception of the Speakership is something that we should not take for granted, but instead be prepared to defend against creeping partisanship.

This introduction was originally published in a slightly different form on the website of the Australian Policy and History Network in September 2021.

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This text is taken from '*Order, Order!*: A Biographical Dictionary of Speakers, Deputy Speakers and Clerks of the Australian House of Representatives', edited by Stephen Wilks, published 2023 by ANU Press, The Australian National University, Canberra, Australia.