



Jonathan Stone investigates his father Julius Stone's papers, held in the Library's Manuscripts Collection

Sometime in February 1942, a Sunderland flying boat made a routine landing on Sydney Harbour. It carved a long landing wake across the waters of Rose Bay and then taxied to the bay's south shore, where seaplanes still moor. Among the passengers was a young English migrant, a poor-boy-made-good, from the slums of Leeds. He had been the first from his primary school to go to high school, and had then won a scholarship to Oxford University to read Law, rapidly earning the highest degrees available.

Tackling a new country was something of a family tradition, for the young man's parents had earlier fled the anti-Semitism of czarist Russia, and he himself had taken his young family to New Zealand a few years before arriving in Australia, when holocaust had loomed in Europe. Not yet 35, but already a veteran of elite law schools in the United States and three years as dean of law at Auckland, Julius Stone had intellect, vision and energy. His instincts were contemplative and analytical, and he had come on a quiet mission to an appointment at the University of Sydney. He could not have anticipated the whirlwind of public, academic and governmental issues into which he would quickly be drawn.

This whirlwind was driven partly by the *force majeure* of world war. Japan was poised to take Singapore, Australia was braced for invasion, and issues of wartime morale and productivity had become acute. Adding to the maelstrom was a local academic war. Senior figures of Sydney's legal profession, wanting a different sort of professor to teach the next generation of lawyers, moved to have Stone's appointment rescinded almost before he arrived. Years of controversy followed this unprecedented move, before his appointment as Challis Professor of International Law and Jurisprudence was secure. I once asked my father why he had stayed to battle it out in Sydney, when he had many opportunities elsewhere. 'There were good people supporting the integrity of the university's

# Into a Maelstrom

ONE MAN'S VIEW OF  
MID TWENTIETH-CENTURY  
AUSTRALIA



opposite page:  
Unknown photographer  
Julius Stone, lecturer at the Hague  
Academy, 1956  
Papers of Julius Stone  
Manuscripts Collection  
MS5166, box 175

left:  
Unknown photographer  
Julius Stone (second from right) with  
other undergraduate students at  
the World Union of Jewish Students  
conference, 1927  
Papers of Julius Stone  
Manuscripts Collection  
MS5166, box 175

below left:  
Fielding, Leeds  
Julius Stone's graduation portrait  
from Oxford University, 1933  
Papers of Julius Stone  
Manuscripts Collection  
MS5166, box 175

below right:  
Forbes & Co.  
Academic robes, D.C.L. (Oxon.),  
belonging to Julius Stone, 1933  
silk robes  
Manuscripts Collection  
MS5166

processes,' he replied. 'I would have been letting them down.' He had become a test case for the independence of the university from professional elites.

Equally unexpectedly, the struggle at the University of Sydney drew him to the centre of Australia's home-front war planning. Among the 'good people' was A.A. Conlon, a veteran undergraduate of the university. Conlon's intellect and charisma had led to his appointment as the student member of the university senate and, soon after, as university manpower officer. At a key point in the challenge to Stone's appointment, Conlon had advised:

Look Jules—those who would have you out are putting it about that you are a socialist. That's no doubt a distortion of your interest in sociological jurisprudence. But, if you count the Labor appointees to Senate—well, if we just quietly let on that you are a socialist, we will have the numbers.

And thus, as far as anyone knows, a majority of the senate was persuaded; the student outmanoeuvred his elders. (For the record, Stone was politically neutral throughout his career.)

Friendship grew between Stone and Conlon, based on common values, respect for the other's intellect and natural affection. By April 1942, Stone had been recruited to the Army's Directorate of Research and Civil Affairs, headed by Conlon; and, by May, he was vice-chairman of the prime minister's Committee on National Morale (CNM), also headed by Conlon. In these bodies, Stone

worked with poets, lawyers, public servants and intellectuals of national stature. CNM members held army rank (Stone was a major and, later, lieutenant-colonel), but served without pay and kept their daytime jobs.

Some of the issues considered by the CNM were farcical, at least in retrospect. In early 1943, Stone wrote to Conlon concerning 'the only two major street brawls which have occurred in Sydney in the past six months':

The first occurred at Bondi Junction on Boxing Day (1942), when the temperature was over 100 [Fahrenheit]. All the hotels in the district except four, close to each other at Bondi Junction, had sold out of beer, and an enormous number of drinkers from surrounding districts had assembled at these four. Later in the afternoon



the beer at these four hotels also ran out, and the publicans say that most of the gentlemen present changed to gin and brandy. Police at Bondi say that this unholy mixture of drinks was reflected in the quality of the subsequent brawling, in which nearly 2000 men took part ... I cannot see any morale implications other than to suggest that the beer supply be increased and this, I fear, is not the PM's wish.

The second brawl was on the following day, in George Street, near the central railway, when Military Police again attempted to arrest four drunken soldiers ... Here again it appears to have been only a question of drunkenness.

Other papers dealt with weightier matters; the CNM was a creative think tank. Advice went to the prime minister on the management of enemy propaganda, Vichy and Free French politics in Algeria, the demography of university students, how 'talking films' might be used to stiffen morale, and on public resentment of a perceived wartime growth of bureaucracy. The CNM also emphasised that education would strengthen the people's understanding of the wider aims of the war and that returned soldiers would deserve and require 'strenuous Commonwealth activity in the field of education'. The prime minister responded and, as early as

November 1942, the minister for post-war reconstruction, J.J. Dedman, announced to the vice-chancellors of Australia's universities a remarkable series of commitments:

The Commonwealth has decided ... to make ... financial assistance available for ... [matters] ... which the Commonwealth definitely needs.

But over and above such utilitarian reasons there is, in the view of the Government, a need to ensure that higher education is preserved. University studies in *all* courses should continue because it is good in itself ...

On behalf of the Government, I would say to students—'Stay where you are unless the Government directs otherwise ... you are at the University because the Government says you should be there ... if you can better serve the Nation elsewhere, you will be notified.'

The Government has decided to appoint ... a small Commission of three, responsible to myself. The Chairman will be Professor R.C. Mills and the names of the others will be announced very shortly.

These policies reflect Conlon's viewpoint as university manpower officer. Mills and Conlon had worked closely together for some years, and papers in the National Library's Manuscripts Collection show that Stone drafted the 'constitution and functions' of the commission.

As the war ended, the influence of the universities commission became more concrete. Mills, as its chairman, came to chair the regular meetings of the vice-chancellors of Australia's six universities, including a three-day meeting in 1946 (26–28 February). Minutes of Tuesday 26 February show that Mills introduced members of a 'Commonwealth Interdepartmental Committee in Education', explained its origins and brief (the vice-chancellors, apparently, had not known of it) and then announced that the government:

has accepted the idea of a University of Canberra which is to be mainly a post-graduate research University, and this Committee is charged with the implementation of that idea. The proposal which the Committee has generally approved is that there be established a University of Canberra, with its Act, governing body etc with power to establish Institutes of Research, such as Medical Research, Physical Science, Social Science, Pacific Affairs ...

This was the announcement of today's Australian National University. The Act which established the university was passed the following August, and the university's interim council was chaired by R.C. Mills.

After the war, Conlon returned to the University of Sydney as a medical student, and Stone as a professor of law. Over the next 30 years, Stone published and taught intensively in international law and jurisprudence, but also became a household name through broadcasting. From the early 1940s through to 1972, he delivered

Unknown photographer  
Julius Stone with Dr Edward  
McWhinney, Professor of Law,  
Indiana University, 1972  
Papers of Julius Stone  
Manuscripts Collection  
MS5166, box 175



over 600 broadcasts, in programs such as the ABC's *Notes on the News* and *News Commentary*. Manuscripts of many of these talks (530) are held by the National Library, at MS 5166; the remainder, with some overlap, are held by the National Archives in Sydney.

The earliest papers, dated mid-1942, are a set of eight talks with titles including *The Common Cause*, *American Democracy's New Deal*, *Constitution and Liberty in Soviet Russia*, *China at Our Side*, *Appeasement's Defeat* and *These Peoples Will Prevail*. They are thoughtful and well-crafted talks but, by peacetime standards, strongly partisan. The time for nuanced commentary came in July 1945, when, though the Pacific theatre was still active, the war in Europe was won. Something freed Stone up to speak—though I can find no specific mention of an announced end of censorship. By the end of the month, he had given eight broadcasts, by the end of the year 50 and, by the time he had finished broadcasting, almost 700.

Each talk was an essay, substantive and critical. In a talk titled *Two State Trials of Today*, for example (given the day after declaration of the British general election of 1945), Stone linked Churchill's electoral 'trial' with the trial of another hero (or ex-hero), Marshal Pétain, charged with treason for his accommodation of the Germans as leader of Vichy France. Stone argued that, despite Churchill's consistent, courageous and victorious anti-fascism, the British electorate turned their war hero out of office because his party had never fully rejected its 1938 appeasement of the Nazis, nor purged itself of the appeasers.

This quality of analysis persisted through the three decades of broadcasts that followed, showing a mind committed to rational analysis, yet aware of the passions which drive international affairs—free of ideology, yet hopeful; critical, yet creative. Stone analysed the affairs of the day as they occurred: the birth of the United Nations; the death of Joseph Stalin and the rise and fall of his successors; General MacArthur's brilliance and overreach in Korea; the stirrings of war in French Indochina; the emergence of a European community; the Petrov affair that shook Australia; and the dark days of American McCarthyism. The broadcasts trace many threads of human frailty and achievement, among

them the vigour of American democracy and the English genius for gradual reform. Stone's last broadcast, on 31 January 1972, was a comment on manoeuvrings for a ceasefire in Vietnam. Stone retired in 1972, but continued to write prolifically and to take public stands on issues, usually ones of justice and process. But, in those later years, he no longer made broadcasts.

When Conlon, by then a practising psychiatrist, died in 1962, Stone spoke of his friend's conviction that the salvation of humanity lay in the extension of the power of the mind, and of his willingness to face the worst, without abandoning his aspiration for the best:

He searched the horizons of the world and probed for depths of human insight and was not content to let his generation ignore the endless vistas of past human experience.

Julius Stone's broadcasts reveal that the same could be said of himself. They provide a powerfully analytical, and ultimately hopeful, insight into international and Australian affairs in the mid twentieth century.

JONATHAN STONE is the second of Julius and Reca Stone's three children, who are collectively working towards bringing their father's radio broadcasts to publication. Manuscripts of Julius Stone's broadcasts are held at MS 5166, Boxes 160–162; Boxes 339–341 contain papers of the Prime Minister's Advisory Committee for National Morale



Unknown photographer  
The conferment of Stone's Master of Laws degree at the University of Leeds by the chancellor, the Duchess of Kent, 1973  
Papers of Julius Stone  
Manuscripts Collection  
MS5166, box 175