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PARLIAMENT OF AUSTRALIA

THE JOINT COMMITTEE ON
FOREIGN AFFAIRS AND DEFENCE

OBSERVATIONS AND HISTORY
OF THE COMMITTEE

May 1978



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REPORT TO THE PARLIAMENT ON THE OBSERVATIONS OF THE
JOINT FOREIGN AFFAIRS AND DEFENCE COMMITTEE

The first calendar quarter of 1978 has been spent in re-assessing the Committee's work during the 30th Parliament, and coincidentally examining its development over a quarter of a century. As a result of the general survey, the Committee has proceeded as follows:

- (a) The sub-committee examining Australian Territorial boundaries, including the problems of the concept of the Exclusive Economic Zone, was re-established in order to complete the examination of its terms of reference.
- (b) The sub-committee examining the matter of Human Rights in the Soviet Union was re-established.
- (c) A new sub-committee to examine the problems of Southern Africa is established and
- (d) A new Defence sub-committee is established, with specific terms of reference, to examine the massive problems set out in the "White Paper" on Defence.

The Minister for Defence the Hon. J.D. Killen, M.P., agreed to post a Liaison Officer to the Committee to provide a link between the Committee and Defence. The Foreign Affairs Department already has a Liaison Officer attached to the Committee. Experience over the years has demonstrated the need for these links.

At this juncture, it is thought proper to indicate to the Parliament that the operations of the Joint Committee represent a slow but methodical progress from 1952, when the Committee was established, to the present. It is not a measurement of time to be gauged in years. The principal change is to be measured from the previous hostility by echelons of the Executive Government to acceptance of the role of Parliament in foreign affairs and defence. The attached appendix sets out the pressures and counter pressures that took place over the years 1952 to 1978.

In all that time, the varying components of the Executive and Parliament have been careful to avoid the minefield of Crown Privilege and Parliamentary Privilege. The Committee re-affirms that this policy is the essence of the Westminster system. Within the Committee there has been a genuine endeavour by members of all parties to adopt a bipartisan approach in their deliberations and reporting, on subjects coming within the fields of foreign affairs and defence. This endeavour has been singularly successful.

The Committee asserts that no foreign affairs or defence policy is soundly based unless it is sustained by an informed Parliament and thus an informed electorate. The Committee notes that there is a great broadening of general understanding as to foreign affairs but a far less understanding of the role of the defence arm of government. The two elements constitute a paradox that is not easily understood: the paradox is that foreign policy is the focal point in the totality of the national interest in dealings with other nations whereas the primary function of the defence arm is to sustain the national interest when required to do so.

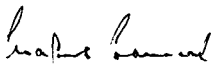
The end of the Vietnam War is a useful reference point in history (but no more than that) which marks Australia's entry into a period shrouded in uncertainty, because the stable reference points of the pre-Vietnam era have disappeared. The effects of these greatly changed circumstances in Asia and the world are difficult to evaluate, but they clearly offer opportunities and have difficulties for Australian foreign policy.

The Committee notes that in general terms, reports of parliamentary committees tabled in the Parliament are rarely responded to by Ministers of State who are responsible for policy which has been subjected to a scrutiny by a parliamentary committee. This Committee is of the opinion and recommends it to the Parliament for consideration, that the Standing Orders of both Houses should be looked at in order that, upon the tabling of a Parliamentary Committee's report to the Parliament, the responsible Minister should reply to the report within a fixed period of say, twenty or thirty sitting days. The Committee draws attention to the similarity between this suggestion and a practice of the House of Commons in Westminster whereby Command Papers are tabled in response to certain

committee reports. It is also recommended that sufficient time should be provided in the parliamentary programme for adequate debate on committee reports.

Attached to this report is a brief outline of the role of the Committee since 1952 for the interest of the Parliament and the parliamentary records.

By order of the Committee



Magnus Cormack, Senator
Chairman

Attachments:

- | | |
|------------|--|
| Appendix 1 | Brief History of the Committee
1952-78 |
| Appendix 2 | Members and former members of
the Committee 1952-78 |
| Appendix 3 | Chairmen and Deputy Chairmen of
the Committee 1952-78 |

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THE JOINT COMMITTEE ON FOREIGN AFFAIRS (AND DEFENCE)
1952-1978

Origins of the Committee

The need for a Parliamentary Committee on Foreign Affairs which would give a comparatively large number of Senators and Members of the House of Representatives an opportunity to discuss and to become informed on international affairs was accepted by all major political parties in Australia in the years after the second world war. The Rt Hon. R.G. Menzies proposed the establishment of such a committee in his policy speech for the 1949 general election and this proposal was included in the Governor-General's speech at the opening of Parliament in 1950.

A resolution to establish a committee on foreign affairs was introduced into the House of Representatives by the Minister for External Affairs, the Rt Hon. R.G. Casey in October 1951 and after considerable debate was passed by both Houses in February 1952.

The Opposition had proposed amendments to the terms of reference of the committee in both Houses as they did not consider them broad enough. The view put forward in favour of wider terms was that the committee as proposed would be an instrument of the Minister for External Affairs rather than the Parliament. The alternative proposal was for a committee which "would have power which it can exercise of its own volition", acting as "a source of information to Parliament and therefore public opinion".

The Government of the day, favouring a more gradual approach, viewed the committee as an aid to the Minister for External Affairs and argued that, while the restrictions placed on the committee were necessary for reasons of national security, they would in many cases prove more formal than real. In the

absence of resolution of these conflicting attitudes the Australian Labor Party refused to nominate members to the new committee - this persisted until 1967.

During the period 1952 to 1967, largely in response to requests from the committee to the Minister for External Affairs, numerous changes were made in the terms of reference, which overcame many of the earlier Opposition objections. In 1967, the Minister for External Affairs, the Rt Hon. Paul Hasluck, after consultation with the Chairman of the Committee, Senator Cormack, secured the acceptance of terms of reference acceptable to all parties and in that year Opposition Members joined the Committee.

1952-1967

The original terms of reference placed considerable power over its deliberations in the hands of the Minister for External Affairs. The Committee could consider only "... such matters as are referred to it by the Minister ...", who decided what information, "persons papers and records" should be made available to the Committee. The Committee could only meet in private and, finally, all reports were forwarded to the Minister who decided whether or not they should be tabled in Parliament and printed.

The terms of reference of the Committee were altered frequently in this period - some restrictions were removed while others were modified to place more power in the hands of the Committee. After 1953 the Committee could seek the Minister's permission to meet in public, and in a major change in 1954 the Committee was given the power to "consider foreign affairs generally" as well as specific references from the Minister. The terms of reference of 1956 no longer required Ministerial approval for persons to be invited to give evidence to the Committee although the restrictions on "papers and records" remained. In 1957 and 1959 two changes contributed to giving the Committee greater continuity. It was given power to consider the minutes and records of the joint committee in the previous session, and in 1959 the "life" of the Committee was extended from one session to the full term of the House of Representatives. In the same year the Committee and its sub-committees were permitted to meet at venues other than Parliament House and in 1964 the power of individual members to dissent from Committee reports was permitted.

In parallel with these developments in its formal powers the Committee had quietly established its "educative" role. From its inception the Committee's meetings provided an opportunity for briefings by, and questioning of, senior officers from External Affairs, representatives of other countries, visiting academics, journalists and various subject specialists. In addition to the briefings large numbers of papers, journals etc. were tabled in the Committee for the information of members. The Committee also made extensive use of sub-committees in inquiring into specific subjects. Sub-committees could exercise a continuing surveillance of a topic, e.g. that on Antarctica established in 1956, or be of relatively short duration and deal with a specific topic.

Thus by 1967 the Committee had a clearly developed role as a discussion group, but despite modification of its terms of reference, its freedom to inquire into foreign policy issues remained circumscribed.

1967-1978

After 1967 and until 1973 changes made to the terms of reference of the Committee were mostly procedural in nature. The Committee continued its programme of briefings and set up a number of sub-committees studying such subjects as Australia's foreign aid programme (1972, reported 1973), the Middle East (1968, reported 1969) and Australia's relations with Indonesia (1970, interim report 1973). In contrast to earlier practice the majority of Committee reports in this period were tabled in Parliament.

Following the change in government in 1972 the terms of reference of the Committee were revised in March 1973. The Committee's area of interest was widened to include defence, and it has since been known as the Joint Committee on Foreign Affairs and Defence. Henceforth it could take up matters on its own initiative, receive references from either House of Parliament and from both the Minister for Foreign Affairs and the Minister for Defence. The Committee and its sub-committees were free to send for persons, papers and records, move from place to place and to report directly to Parliament. In addition the Committee was to be provided with the necessary staff, resources and facilities to carry out its inquiries. These are substantially, the terms under which the Committee operates at present.

The Committee currently maintains a programme of weekly meetings when Parliament is sitting, at which the day to day business of the Committee is conducted, reports are considered and issues discussed. Four sub-committees are also in operation, three dealing with foreign affairs matters and one with defence. The subjects being considered at present are:

- . . Australian territorial boundaries,
 including Antarctica
- . . Human Rights in the Soviet Union
- . . Defence
- . . Southern Africa

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APPENDIX 2

THE JOINT COMMITTEE ON FOREIGN AFFAIRS (AND DEFENCE)
MEMBERS AND FORMER MEMBERS OF THE COMMITTEE
(1952 - 1978)

Senators

BISHOP, the Hon. R.	16.4.70 - 2.11.72 25.3.76 - *
BRANSON, G.H.	1.4.65 - 26.8.65
BULL, T.L.	28.8.65 - 26.9.69
BUTTFIELD, Dame Nancy	27.8.55 - 16.8.62 14.8.68 - 19.8.71
CARRICK, the Hon. J.L.	19.8.71 - 11.11.75
COLE, G.R.	29.2.56 - 30.6.65
COOPER, the Hon. Sir Walter	16.8.62 - 31.10.66
CORMACK, the Hon. Sir Magnus	26.8.65 - 19.8.71 25.3.76 - *
DRURY, A.J.	19.5.67 - 11.11.75
DURACK, the Hon. P.D.	25.3.76 - 26.8.76
GIETZELT, A.T.	10.9.75 - 11.11.75
GORTON, Rt Hon. Sir John ⁽¹⁾	5.3.52 - 14.10.58
HANNAN, G.C.	16.8.62 - 30.6.65 19.8.71 - 2.11.72
LAUGHT, K.A.	16.8.62 - 13.5.69
McCALLUM, J.A.	5.3.52 - 4.11.55 27.8.59 - 30.6.62
McINTOSH, G.D.	23.8.74 - 11.11.75
McMANUS, F.P.V.	26.8.65 - 11.4.74
MAHER, E.B.	5.3.52 - 30.6.65
MATTNER, the Hon. E.W.	27.8.59 - 16.8.62 26.8.65 - 29.6.68
MAUNSELL, C.R.	16.4.70 - 11.11.75
MILLNER, B.R.	16.5.73 - 11.4.74
MULVIHILL, J.A.	19.5.67 - 29.9.69
PEARSON, R.W.	29.2.56 - 27.8.59
PRIMMER, C.G.	16.5.73 - 11.11.75
ROBERTSON, A.R.	25.10.56 - 30.6.62

(1) elected to House of Representatives 24.2.68

SCOTT, D.B.	25.3.76 - *
SCOTT, the Hon. M.F.	26.2.59 - 26.8.65
SIBRAA, K.W.	25.3.76 - *
SIM, J.P.	21.5.69 - *
VINCENT, V.S.	25.10.56 - 27.8.59
	16.8.62 - 9.11.64
WHEELDON, the Hon. J.M.	16.4.70 - 10.9.75
	25.3.76 - *
WILLESEE, the Hon. D.R.	19.5.67 - 26.9.69
WORDSWORTH, R.H.	5.3.52 - 30.6.59
WRIGHT, the Hon. R.C.	26.8.65 - 31.10.66
YOUNG, H.W.	26.8.76 - *

Members of the House of Representatives

ALLAN, A.T.	8.11.67 - 30.4.69
ANDERSON, C.G.W.	15.3.61 - 2.11.61
ANDREWS, T.W.	8.6.55 - 4.11.55
ARMITAGE, J.L.	1.4.76 - *
ARMSTRONG, A.A.	19.5.67 - 29.9.69
ASTON, Sir William	10.3.59 - 2.11.61
	23.4.64 - 31.10.66
BARNARD, the Hon. L.H.	19.5.67 - 29.9.69
BEAZLEY, the Hon. K.E.	19.5.67 - 29.9.69
	1.4.76 - 10.11.77
BERINSON, the Hon. J.M.	16.5.73 - 11.9.75
BLEWETT, Dr N.	14.3.78 - *
BOSTOCK, W.D.	29.2.52 - 4.11.55
BOWEN, the Hon. Sir Nigel	16.5.73 - 11.7.73
BROWN, N.A.	1.4.76 - 10.11.77
BRYANT, the Hon. G.M.	16.4.70 - 2.11.72
	1.4.76 - *
BURY, the Hon. L.H.E.	16.8.62 - 1.11.63
	14.9.71 - 2.11.72
CALDER, S.E.	12.8.69 - 2.11.72
CAMERON, Dr the Hon. D.A.	17.9.52 - 4.11.55
CAMERON, D.M.	16.4.70 - 2.11.72
CHANEY, the Hon. F.C.	24.5.56 - 8.11.56
	11.3.59 - 2.11.61

CHIPP, the Hon. D.L.	23.4.64 - 31.10.66
CLEAVER, R.	15.3.62 - 1.11.63
COATES, J.	16.5.73 - 11.11.75
COHEN, B.	16.4.70 - 2.11.72
CONNOLLY, D.M.	23.8.74 - 11.11.75
CORBETT, J.	23.8.74 - 11.11.75
COSTA, D.E.	19.5.67 - 29.9.69
CRAMER, the Hon. Sir John	16.4.70 - 2.11.72
CROSS, M.D.	19.5.67 - 11.11.75
DAVIES, R.	19.5.67 - 29.9.69
DAWKINS, J.S.	23.8.74 - 11.11.75
DOBIE, the Hon. J.D.M.	14.3.78 - *
DOWNER, the Hon. Sir Alexander	29.2.52 - 27.3.58
DRUMMOND, the Hon. D.H.	29.2.52 - 2.11.61
DUTHIE, G.W.A.	16.5.73 - 11.4.74
ENGLAND, J.A.	15.3.62 - 31.10.66
FAILES, L.J.	24.5.56 - 31.10.66
FAIRBAIRN, the Hon. Sir David	18.8.60 - 16.8.62
	16.4.70 - 7.4.71
FALKINDER, C.W.J.	23.4.64 - 31.10.66
FORBES, Dr The Hon. A.J.	10.3.59 - 1.11.63
	16.5.73 - 17.5.75
FRASER, Rt Hon. J.M.	15.3.62 - 16.3.66
FRY, K.L.	23.8.74 - 10.11.77
GARLAND, the Hon. R.V.	1.4.76 - 13.9.77
GILES, G.O.	19.5.67 - 29.9.69
	23.8.74 - 11.11.75
GRAHAM, B.W.	27.3.58 - 14.10.58
HAMER, D.J.	16.5.73 - 11.4.74
	1.4.76 - 10.11.77
HAWORTH, the Hon. W.C.	10.3.59 - 31.10.66
HOLTEN, the Hon. R.M.	15.3.62 - 31.10.66
HOWSON, the Hon. P.	15.3.62 - 20.8.64
HUGHES, the Hon. T.E.F.	23.4.64 - 29.9.69
JACOBI, R.	1.4.76 - *
JESS, J.D.	15.3.62 - 29.9.69
JOSKE, the Hon. Sir Percy	1.3.56 - 2.6.60
KATTER, the Hon. R.C.	16.4.70 - 11.4.74
	14.3.78 - *
KELLY, the Hon. C.R.	23.4.64 - 31.10.66

KENT HUGHES, the Hon. Sir Wilfred	1.3.56 - 2.11.61
KEON, S.M.	8.6.55 - 4.11.55
KERIN, J.C.	16.5.73 - 11.11.75
KILLEN, the Hon. D.J.	20.8.64 - 29.9.69
	16.4.75 - 11.11.75
KIRWAN, F.M.	16.4.70 - 2.11.72
KLUGMAN, R.E.	16.5.73 - *
LLOYD, B.	2.3.72 - 2.11.72
LUCHETTI, A.S.	16.5.73 - 11.4.74
LUCOCK, P.E.	1.3.56 - 15.3.61
	16.5.73 - 11.11.75
McCOLM, M.L.	10.3.59 - 2.11.61
MacKELLAR, the Hon. M.J.R.	7.4.71 - 11.4.74
MACKINNON, E.D.	1.3.56 - 1.11.63
McLEAY, the Hon. Sir John	16.4.70 - 14.10.71
MARTYR, J.R.	13.9.77 - *
MORRISON, the Hon. W.L.	16.4.70 - 2.11.72
NEIL, M.J.	1.4.76 - *
NIXON, the Hon. P.J.	19.5.67 - 8.11.67
OLDMEADOW, M.W.	16.5.73 - 11.11.75
OSBORNE, the Hon. F.M.	29.2.52 - 4.11.55
PEACOCK, the Hon. A.S.	19.5.67 - 29.9.69
	21.8.73 - 11.11.75
REYNOLDS, L.J.	16.4.70 - 2.11.72
ROBERTON, the Hon. Sir Hugh	29.2.52 - 4.11.55
ROBINSON, the Hon. I.L.	1.4.76 - 10.11.77
RYAN, R.S.	29.2.52 - 26.8.52
SCHOLES, G.G.D.	14.3.78 - *
SHIPTON, R.F.	1.4.76 - *
SHORT, J.R.	1.4.76 - *
SIMON, B.D.	14.3.78 - *
SNEDDEN, Rt Hon. Sir Billy	15.3.62 - 1.11.63
STALEY, the Hon. A.A.	14.9.71 - 2.11.72
STREET, the Hon. A.A.	16.4.70 - 14.9.71
SULLIVAN, J.W.	1.4.76 - 10.11.77
THOMSON, D.S.	14.3.78 - *
TIMSON, T.F.	1.3.56 - 14.10.58
TURNER, H.B.	24.5.56 - 14.10.58
	15.3.62 - 2.11.72

WENTWORTH, the Hon. W.C.	29.2.52 - 2.11.61
WHEELER, R.C.	24.5.56 - 2.11.61
WIGHT, B.M.	24.5.56 - 14.10.58
YOUNG, M.J.	11.9.73 - 11.11.75

* Members of the current Committee

May 1978

APPENDIX 3

THE JOINT COMMITTEE ON FOREIGN AFFAIRS (AND DEFENCE)

CHAIRMEN AND DEPUTY CHAIRMEN

Joint Committee on Foreign Affairs

Chairman

Deputy Chairman

Mr R.S. Ryan, M.P. (Flinders)

5.3.52 - 26.8.52 *

Rt Hon. Sir John Gorton *

(Acting 3.9.52)

11.9.52 - 4.11.55

(Acting 1.3.56 - 7.3.56)

Senator E.B. Maher

5.3.52 - 4.11.55

The Hon. Sir Wilfred Kent Hughes, Senator R.H. Wordsworth

(Chisholm)

M.P.,

20.3.56 - 14.10.58

11.3.56 - 2.11.61

Mr P.E. Luccock, M.P. (Lyne)

11.3.59 - 14.3.61

The Hon. F.C. Chaney, M.P. (Perth)

14.3.61 - 2.11.61

Mr E.D. Mackinnon, M.P.

(Corangamite)

27.3.62 - 1.11.63

Dr the Hon. A.J. Forbes, M.P.

(Barker)

27.3.62 - 1.11.63

The Hon. P. Howson, M.P.

(Fawkner)

5.5.64 - 11.6.64

Mr L.J. Failes, M.P. (Lawson)

5.5.64 - 8.3.66

Mr H.B. Turner, M.P.

(Bradfield)

11.8.64 - 31.10.66

Mr J.A. England, M.P. (Calare)

8.3.66 - 31.10.66

Senator the Hon. Sir Magnus

Cormack

15.8.67 - 29.9.69

The Hon. K.E. Beazley, M.P.

(Fremantle)

15.8.67 - 29.9.69

* Senator J.G. Gorton while Chairman.

Joint Committee on Foreign Affairs (cont'd)

Chairman

Deputy Chairman

The Hon. Sir David Fairbairn, M.P. (Farrer) 16.4.70 - 26.3.71
The Hon. W.L. Morrison, M.P. (St George) 21.4.70 - 2.11.72
Mr H.B. Turner, M.P. (Bradfield) 27.4.71 - 2.11.72

Joint Committee on Foreign Affairs and Defence

Senator the Hon. J.M. Wheeldon 23.5.73 - 10.9.75
The Hon. Sir Nigel Bowen, M.P. (Kingsford-Smith) 23.5.73 - 11.7.73
Mr M.D. Cross, M.P. (Brisbane) 30.9.75 - 11.11.75
The Hon. A.S. Peacock, M.P. (Kooyong) 28.8.73 - 11.11.75
Senator the Hon. Sir Magnus Cormack 6.4.76 -
The Hon. K.E. Beazley, M.P. (Fremantle) 27.4.76 - 10.11.77
Senator the Hon. R. Bishop 14.3.78 -

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