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## DR H.V. EVATT — PART ONE: A QUESTION OF SANITY

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*Nemo Repente Fuit Turpissimus.*

In his memoirs, Bill Hayden, Treasurer in the Whitlam Government and Foreign Minister in the Hawke Government, noted of Dr H.V. Evatt (1894-1965), High Court judge (1930-40), Attorney-General and Minister for External Affairs in the Curtin and Chifley Governments (1941-49), Deputy Prime Minister (1946-49), first Australian President of the General Assembly of the United Nations (1948-49), leader of the Labor Party and Opposition (1951-60), and Chief Justice of New South Wales (1960-62):<sup>1</sup>

“The remarkable thing is that for having left a legacy of political ruin and desolation, where he was sup-

posed to have created a government, he became canonised as another martyred hero of Labor, an enduring party icon.”

This article is a two-part examination of the public career of Dr Evatt. The first part, entitled “A Question of Sanity”, analyses the synergy between Evatt’s personal and political pathology from the perspectives of forensic psychology and historical-political analysis.<sup>2</sup> The second part, “A Question of Loyalty” (to be published in the next issue of *National Observer*), assesses whether Evatt’s aberrant destructive behaviour was caused solely by his unstable mental state or whether there was a more sinister explanation of his motives. In answer-

1. Bill Hayden, *An Autobiography* (Sydney: Angus and Robinson, 1996), p. 83.

2. The terminology in this article is in accordance with *The Diagnostic and Statistical Manual of Mental Disorders Fourth Edition Text Revision DSM-1V-TR* (Washington DC: American Psychiatric Association, 2000). Peter Crockett’s *Evatt, A Life* (Melbourne: Oxford University Press, 1993) is arguably the finest biography of an Australian political leader.

ing this latter question, supportive information has been derived from Australian Security Intelligence Organisation (ASIO) personal and subject files, and the Australian collection of approximately 2,900 deciphered Soviet KGB/GRU encrypted messages known as Operation Venona (1943-80), which identified Soviet agents by revealing their true and cover-names, tradecraft and running of espionage nets. Department of External Affairs declassified correspondence and studies of Soviet intelligence operations in Australia by Australian scholars also facilitate a more historically accurate narrative.<sup>3</sup>

#### THE PARADIGM LABOR ICON

Evatt is the paradigm Labor icon. The first vice-president of the H.V. Evatt Memorial Society, Professor Manning Clark, described Evatt, a committed atheist, as a “man with the image of Christ in his heart”.<sup>4</sup>

Evatt casts a long inter-generational shadow. He was an icon to Senator Gareth Evans during his period as

Foreign Minister.<sup>5</sup> Justice Michael Kirby of the High Court remarked: “As a young schoolboy I admired Evatt for the struggle against the Communist Party Dissolution Act”, but added tellingly:<sup>6</sup>

“I knew nothing of his titanic temper, his outrageous suspicions, the flaws in his personality and the flaws in his judgement that are so well documented as to be incontestable. ... His temper would often lead to extreme unforgivable rudeness to those about him.”

H.C. (Nugget) Coombs expressed the conventional progressive wisdom on Evatt: “[His] major contribution to Australian history” was “his resistance to the McCarthyist hysteria about the threat of Communism”. Evatt allegedly “saved Australia from McCarthyism hysteria” by winning the Communist Party Dissolution referendum on 22 September 1951.<sup>7</sup> Kylie Tennant claims he was the founder of an “independent” (i.e., anti-US, anti-British) “pro-Australia policy”.<sup>8</sup>

3. Desmond Ball and David Horner, *Breaking the Codes: Australia's KGB Network, 1945-1950* (Sydney: Allen & Unwin, 1998), is based on newly-released archival sources and meticulous scholarship.

4. J.B. Paul, “Labor's Petrov Legend: A Suitable Case for Interment”, in Robert Manne (ed.), *The New Conservatism in Australia* (Melbourne: Oxford University Press, 1982).

5. Senator the Hon. Gareth Evans QC, “Herbert Vere Evatt: Australia's first internationalist”, transcript of 1995 Daniel Mannix Memorial Lecture, Melbourne, 31 August 1995; and Keith Scott, *Gareth Evans* (Sydney: Allen and Unwin, 1999), pp. 224-7.

6. Justice Michael Kirby, “Speaking to the Heart: Justice Kirby Opens the Mary Alice Exhibition”, Evatt Foundation, transcript, no date.

7. H.C. Coombs, *The Whitlam Phenomenon* (Melbourne: McPhee Gribble, 1986), p. 56.

8. Kylie Tennant, *Evatt: Politics and Justice* (Sydney: Angus and Robertson, 1970), passim.

In fact, Evatt's opposition to the 1951 Communist Party Dissolution Referendum was opportunistic, as Bill Hayden noted: "His first instinct ... was to pass the Bill uncontested as he feared a forthcoming national election".<sup>9</sup> The Labor Party parliamentary executive, however, forced him to oppose the Bill. Although the former Labor Prime Minister (then Opposition leader) Ben Chifley was opposed to him representing the Communist-led Waterside Workers, Evatt did not see any impropriety and claimed he had Chifley's approval. He lied.<sup>10</sup>

Since Evatt's death in 1965, only a single scholarly biography of Evatt has been published.<sup>11</sup> Evatt-inspired conspiratorial accounts of historical events — such as the Petrov Defection, ASIO, the timing of the 1954 federal elections, the Labor Party split and — have gained the status of historical truth. However, the "progressive" account of Evatt's career overlooks Evatt's psychopathology as the prime factor in these political crises. Most writers on Evatt can fairly be described as "progressive" and depict him as a victim of political conspiracies, an ardent nationalist and fighter for human rights against McCarthyism. They accept as history his grandiose, narcissistic self-image and paranoid interpretations of events.

Dr John Wear Burton, Jnr, Evatt's one-time private secretary and foreign policy adviser and Secretary of the Department of External Affairs (March 1947 to June 1950), even refers to a conspiracy of "the gnomes of Melbourne", a reference which would be humorous if not taken seriously by many commentators. Unwittingly, many historians have undergone a transferential effect, accepting Evatt's conduct as "normal" in the context of his supposedly being the subject of Cold War "victimisation".<sup>12</sup>

Evatt lived in a period in which the nosologies of mental illness were ill-defined and many complex disorders had not been identified. Evatt's polymorbidity was dismissed by his supporters as a function of the "Doc's genius" or "his legendary scholarship". His complex symptoms were dismissed as "eccentricities" and his academic achievements taken as proof of his "genius". Since the release of documents concerning the Petrov affair and the publication of books basing the study of Evatt on archival research, a new picture is emerging in which he was not the victim of his circumstances so much as of his mental states.

9. Hayden, op. cit., pp. 79-80.

10. Fred Daly, *From Curtin to Hawke* (Melbourne: Sun Books, revised edition, 1984), pp. 103-4.

11. Peter Crockett, *Evatt: A Life* (Melbourne: Oxford University Press, 1993).

12. Manning Clark is the most factually incorrect interpreter of Evatt. See J. B Paul, "Labor's Petrov Legend: A Suitable Case for Internment", in R. Manne (ed.), *The New Conservatism in Australia* (Melbourne: Oxford University Press, 1982).

Burton referred to Evatt's "almost split personality" and specifically to Evatt's rapid mood changes. As Secretary of the Department of External Affairs, Burton experienced Evatt's mood change on a daily basis: "He [Evatt] was the beaming idealist or the hatchet man".<sup>13</sup> He said that Evatt could be:<sup>14</sup>

"... the most charming person and he was a delight to be with on occasions. Yet he was about the rudest person you could come across. ... [T]here would be quick switch: one never knew what to expect. ... This duality, these extremes, and the quick switch from one to another, is ... the secret to understanding his whole personality, and indeed his political career."

Even Evatt's wife "saw this kind of duality. ... In later days this duality became accentuated. It was almost a split personality; you had to remember which Evatt you spoke to last time..."<sup>15</sup>

Justice Kirby of the High Court ad-

mits "it would not have been easy to live with a man ... rude to others yet infatuated with human rights. There is more than a hint of a bi-polar disorder in Evatt's make up".<sup>16</sup> Evatt's confidante, Sam Atyeo, noted: "He could ... for the most trivial things, be thrust into the blackest moods with constant aggressive manner".<sup>17</sup>

#### EVATT'S TREACHERY TO CHIFLEY

Evatt's fundamental pathology was a phenomenon defined in psychoanalytical terms as the "compulsion to betray". To Evatt, betrayal offered the best chances of "winning". Evatt plotted against every Labor Prime Minister. Hasluck recalled, "Evatt did not always tell his Prime Minister what he was doing and sometimes he gave a version of his activities that was either incomplete or incorrect in detail".<sup>18</sup> Curtin's biographer notes, "Evatt's conspiracies could have been a danger to Curtin had Evatt been more politically astute ... his thirst for power with his erratic character did not help

13. Tennant, *op. cit.*, p. 212.

14. Interview with John Burton, cited in Nicholas Whitlam and John Stubbs, *Nest of Traitors: The Petrov Affair* (Brisbane: Jacaranda Press, 1974), p. 35.

15. Whitlam and Stubbs, *op. cit.*, p. 39.

16. The Hon. Justice Michael Kirby, AC CMG, "Speaking to the Heart", speech on 18 July 2003, at opening at the Mary Alice Evatt exhibition.

17. Crockett, *op. cit.*, p. 13.

18. Paul Hasluck, *Diplomatic Witness* (Melbourne: Melbourne University Press, 1980), p. 20.

his campaign.”<sup>19</sup> Chifley’s biographer has noted Chifley’s skilful management and exploitation of Evatt’s vanity, his “small-boy reverence” for him and references to him as “my learned friend”.<sup>20</sup>

#### EVATT’S POLYMORBID PROFILE

Evatt was polymorbid. His narcissism demanded he be the centre of attention. He demonstrated a schizoid indifference to others and lack of empathy. His paranoid defensiveness saw any criticism as a form of narcissistic injury emanating from a suspicious or conspiratorial source. His morbid suspicion of others, combined with his Machiavellianism, impulsivity, ruthlessness and mood disorders made his actions unpredictable. He had bizarre beliefs, including seeing days of the week in colours.<sup>21</sup>

The “great jurist” had a psychopathic contempt for procedural rules, which he interpreted as mere obstacles to his “winning”. Evatt’s psychopathology ranged across many domains. His rages reflected his incapacity to contain his mood states. His

morbid suspicion bordered on paranoid delusion. He had no concept of “other minds”, and his inordinate self-reference and disdain for his appearance demonstrated schizotypal features.

Few dared question his mental status due to his inordinate prestige. Party colleagues and Department of External Affairs officers and personal staff also feared his wrath. Many hoped to benefit from his impulsive promises of promotion. Given his range of pathologies, Evatt was unfit to be the leader of a political party, let alone Prime Minister.

Evatt’s *schadenfreude* was evident in his delight in humiliating junior officers: in his biographer Crockett’s words, there was a “malevolence of verbal assault, cold neglect, authority brutally exercised and delight in the misfortune of others”. He once laughed at seeing a public servant “vainly chase after a train” from which Evatt had told him to alight for a brief errand”.<sup>22</sup>

Evatt’s private secretary Allan

19. David Day, *John Curtin — A Life* (Sydney: HarperCollins, 1999), p. 404. Day notes Evatt had tried to undermine Curtin’s leadership. Curtin kept him at bay by dispatching him on a number of overseas missions. There was less time to engage in political meddling, even had he wanted to. David Day, *Chifley* (Sydney: Harper Collins, 2001), p. 437. Curtin distrusted Evatt, advising Sir Owen Dixon as Australia’s Minister to Washington to bypass Evatt and report directly to Curtin: Philip Ayres, *Owen Dixon* (Melbourne: Miegunyah Press/MUP, 2003), p. 167.

20. Day, *op. cit.*, pp. 437–8.

21. Crockett, *op. cit.*, p. 9.

22. *Ibid.*, p. 21.

23. Allan Dalziel, *Evatt the Enigma* (Melbourne: Landsdowne Press, 1967), p. 47.

Dalziel recalled:<sup>23</sup>

“Evatt could be quite cruel, often extremely rude, and downright arrogant in the treatment of subordinates. Sometimes it was a car driver, an airport attendant, a junior departmental official or member of his personal staff, a loyal Labor League official in his electorate, who would feel the full force of his mental storms and on occasion these outbursts would be completely without reason.”

As Evatt was personally disorganised, he was reluctant to make travel plans; sometimes he hardly knew himself when he would go away. His personal staffs were often driven to desperation by his last-minute demands and orders.<sup>24</sup> He rarely allowed enough time for travel between home, office and the airport,<sup>25</sup> and reportedly enjoyed urging superhuman efforts from his drivers. The strain was too much for the drivers, and in the end none would work for him.<sup>26</sup>

Labor veteran Fred Daly recalled informing him that some of his col-

leagues' feelings were hurt as speaking plans were changed to suit him. Evatt replied, “Why worry, their feelings are of no concern”.<sup>27</sup> The individuals and groups who worked to maintain his vote in the electorate of Barton from 1940-58 were never thanked; he visited the electorate under sufferance and left without expressing any gratitude.<sup>28</sup>

A former university acquaintance of Evatt informed Dalziel: “Always remember that with Evatt there are no medals for loyalty.”<sup>29</sup> According to Fred Daly, “Evatt knew no loyalties, was distrustful and suspicious of almost everyone. He had few firm friends.”<sup>30</sup> Evatt's seclusion and “near friendlessness in the law and politics” have been noted by many commentators.<sup>31</sup> Former federal Labor parliamentarian Clyde Cameron told Evatt: “You are judging everybody by your standards. If you weren't so treacherous yourself, you wouldn't think that other people were treacherous!”<sup>32</sup> As Evatt was intrinsically disloyal, he constantly suspected others of disloyalty.

24. Tennant, *op. cit.*, p 261.

25. Crockett, *op. cit.*, p. 25.

26. Whitlam and Stubbs, *op. cit.*, p. 37.

27. Fred Daly, *From Curtin to Hawke* (Melbourne: Sun Books 1984), p. 112.

28. *Ibid*, p. 112.

29. Dalziel, *op. cit.*, p. 31.

30. Daly, *op. cit.*, p. 153.

31. Crockett, *op. cit.*, p. 13.

32. Bill Guy, *A Life on the Left — A Biography of Clyde Cameron* (Adelaide: Wakefield Press, 1999), p. 117.

## EVATT'S MORBID SUSPICION

Cameron described Evatt as "a very suspicious man. He expected that everyone was trying to stab him in the back",<sup>33</sup> while H.C. "Nugget" Coombs recalled that "Evatt had a tendency to suspect everyone around him on the most trifling of evidence".<sup>34</sup> Paul Hasluck remarked that Evatt displayed a genuine affection for "children, but once anyone passed the age of four he started to become suspicious of them".<sup>35</sup>

Evatt's self-image was that of a genius. The following exchange between Arthur Calwell and Evatt demonstrates his grandiosity. Calwell remarked: "Doc, you are bordering on being a genius". Evatt interrupted: "What's this 'bordering on'?"<sup>36</sup> Evatt here was not engaging in banter, as one might be presume. He once said: "If I ever came to the realisation that other men know more than I do, I

think it would kill me."<sup>37</sup>

Given his spectrum of disorders, how did Evatt become a High Court judge, Attorney-General, Minister for External Affairs, and Opposition leader? An omnivorous reader with a photographic memory and a keen intelligence, he quickly mastered legal subjects that were of personal interest to him, and he turned his psychopathic traits (particularly duplicity) into political assets, but, though he had many tactical victories and maintained leadership of the Labor Party, he lacked a strategic sense that would ensure political victory. He was locked in to the moment by his manic political style. Fred Daly recalls: "Evatt wanted the Prime Ministership and accordingly knew no rules" — a marked sign of psychopathy.<sup>38</sup> Nugget Coombs notes: "It was difficult to judge what his own convictions were. He seemed opportunist and even unprincipled."<sup>39</sup>

33. Clyde Cameron, *The Confessions of Clyde Cameron, 1913-1990* (Sydney: Australian Broadcasting Corporation, 1990), p. 119.

34. H.C. Coombs, *Trial Balance: Issues of My Working Life* (Melbourne: Macmillan, 1983), p. 28.

35. Paul Hasluck, *Diplomatic Witness: Australian Foreign Affairs 1941-1947* (Melbourne: Melbourne University Press, 1980), p. 33.

36. Daly, *op. cit.*, p. 109.

37. Tennant, *op. cit.*, p. 96.

38. Daly, *op. cit.*, p. 120.

39. *The Whitlam Phenomenon* (Melbourne: Mc Phee Gribble, 1986), p. 56. Similar views on Evatt's lack of political motivation are noted by Paul Hasluck who could not recall any clear principles or motivations that guided Evatt's approach. Robert Porter, *Hasluck — A Political Biography* (Nedlands: University of Western Australia Press, 1993), p. 20. Walter Crocker expressed puzzlement over Evatt's "rooted convictions, if any": Crocker, *Australian Ambassador* (Melbourne: Melbourne University Press, 1971), p. 113. Clyde Cameron recalls: "I don't think he had any commitment to one political point of view or any public philosophy". Guy, *op. cit.*, p. 114.

All politicians engage in political promises and policies to win support. Evatt's promises were however, unsustainable as they were grandiose, and were perceived, both by the electorate and by elements in the Labor Party, as economically irresponsible, and were in part responsible for his electoral defeat in 1954.

Evatt lacked social skills and subjected others to interrogative inquiries as in a courtroom, rather than converse or exhibit any degree of empathic listening. Fred Daly recalled: "He had scant regard for the feelings of others."<sup>40</sup> Evatt hung up on callers abruptly and without warning, as if the caller no longer existed. He phoned contacts late at night, seemingly oblivious to the time and their feelings.<sup>41</sup> To Evatt, life was a courtroom, constantly in session. As Alan Renouf observed: "No period of Evatt's life was calm".<sup>42</sup>

#### MARY ALICE EVATT

Without the soothing understanding of his wife, Mary Alice Evatt (1898-1973), Evatt would have decompensated and most likely been institutionalised. His wife was often a maternal substitute. Evatt's life-long hypochondriasis led to enmeshment with his

wife. Husband and wife shared the burden of illness. Evatt lacked the capacity to "contain" or "hold" his overwhelming emotional states, which were often diverted into rages or conversion disorders, into hysterical symptoms.

Evatt's perceptive and gifted wife tried to neutralise the effects of his engendered political crises. At the chronic stage of her alcoholism during the 1940s, she was partly drunk or drunk by noon. Justice Kirby commented perceptively:<sup>43</sup>

"It cannot be said that repeated unpleasant storms passed Mary Alice without having an impact on her. This sensitive artistic woman was subject not only to his truly awkward, eccentric behaviour over the many years.... At one stage, in the 1940s, it led to a period when Mary Alice came to drink heavily as a way of coping with the stresses of the life with Bert at the centre of seemingly endless monsoons."

Crockett also notes, "Evatt's bad temper often reared at times against his wife — an unruly release of terrible wrath."<sup>44</sup> Evatt inquired about treatment for his wife by Alcoholics

40. Daly, *op. cit.*, p. 153.

41. Dalziel, *op. cit.*, p. 73; Crockett, *op. cit.*, p. 155.

42. Alan Renouf, *Let Justice be Done — The Foreign Policy of Dr H.V. Evatt* (Brisbane: University of Queensland Press, 1983), p. 19.

43. Kirby address, *op. cit.*; Barbara Dale, "Evatt, Mary Alice", *Australian Dictionary of Biography 1898-1973* (Melbourne: Melbourne University Press, 1990), pp. 114-115.

44. Crockett, *op. cit.*, p. 19.



Anonymous, but chose to protect his political interests and her problem which became one of his many pathogenic secrets.

Evatt's fantasy was that all good objects were transitory, and he was haunted by images of death expressed in his fear of flying and his hypochondriasis. Consolation was only achieved by winning academic prizes and the ultimate prize — becoming Prime Minister of Australia.

#### EVATT'S FEAR OF FLYING

War-time flying was particularly hazardous, but Evatt, as Nugget Coombs noted, "had a pathological fear of flying",<sup>45</sup> which was comic but symbolised all his fears and anxieties. Evatt feared death on every flight. He often arrived late and was frequently booed by passengers. He obtained special permission to have his wife accompany him on flights, regardless of her feelings and safety. He offloaded a staff member to reduce the plane-load, and on one occasion carried fishing-lines in case the plane crashed and he had to survive at sea. He was known to demand the replacement of a plane if he judged it too small, dangerous, had too few engines or faulty tires, or

he had not witnessed it being refuelled.<sup>46</sup>

He could not entrust his life to the professionalism of ground crew, flight staff and pilots. He demanded weather reports from the Air Ministry as he disbelieved media reports. At times he required oxygen support and sometimes paced the aircraft anxiously. He suffered panic attacks and made bizarre comments on the crew's abilities.<sup>47</sup> In present times, he would have been removed from the aircraft, subject to mental status testing, and forbidden from boarding a plane.

Coombs cites Evatt's delusions that the plane was on fire, a delusion noted by other officials who accompanied Evatt on official flights. Prime Minister Chifley was content to smoke his pipe, and Coombs often slept during long flights.<sup>48</sup>

#### EVATT: THE "CHILD UNDER THE TABLE"

Evatt's fear of death, exemplified by his fear of flying and hypochondriasis, remained through his life. Evatt was seven years old when his father died. He lived with unresolved traumatic grief, intensified by the death of his two brothers in World War I.<sup>49</sup> He believed

45. H.C. Coombs, *op. cit.*, p. 36.

46. Crockett, *op. cit.*, pp. 25-26.

47. *Ibid.*

48. Coombs, *op. cit.*, p.36.

49. L. Dowdney, "Childhood Bereavement Following Parental Death", *The Journal of Child Psychology and Psychiatry and Allied Disciplines*, 41, pp. 819-830 (Cambridge: Cambridge University Press, 2000).

he too would not live a full lifespan.<sup>50</sup>

As the noted English expert on child development, John Bowlby has noted, the death of the father is a significant marker in the personality development of a child. Suppressed grief is a pathogenic factor and increases the risk of psychiatric disorders in later life. Furthermore, the unresolved anger and grief of the child at the death of the father, and at a developmental stage where he cannot express grief through language, is repressed and directed onto others, in the form of projective identification — that is, projecting his bad feelings onto others and blaming others for his bad feelings.<sup>51</sup>

Evatt was unable to mourn the death of his father. The only consolation was that there were academic prizes to be won and the surviving parent, his mother, to please. His mother insisted that “boys can always do better”, an injunction Evatt interpreted literally.<sup>52</sup> His mother, the dominant personality in the family of boys, was, however, emotionally detached. Her love was conditional — he

had to win academic prizes. Mother and son were enmeshed: she demonstrated the intrusive curiosity and boundary diffusion in the fine texture of other people’s lives that Evatt assumed in later life.<sup>53</sup> For example, Evatt and his wife stayed at the same hotel as their newlywed daughter on her honeymoon.<sup>54</sup>

Paul Hasluck acutely described Evatt as having the “outward and visible appearance of a man who was still emotionally a child.... There was always this strange and deeply disturbed child under the table”; “emotionally, he was often like a naughty child ... he so badly needed mothering”.<sup>55</sup> Peter Crockett notes that, “like a child, he expected the world to obey his capriciousness; drivers were compelled to disobey road rules, and committee regulations and procedures were flagrantly disregarded”.<sup>56</sup> Renouf claimed: “There was always something childlike in Evatt.... As one of the fathers of the UN, he could not conceive its failure in major part.”<sup>57</sup> As Hasluck perceptively noted, “He could not stop

50. R. Noyes et al., “Childhood Antecedents of Hypochondriasis”, *Psychosomatics*, Vol. 43 (July-August 2002), pp. 282- 288.

51. John Bowlby, *Loss: Sadness and Depression*, Vol. 3 (London: Pimlico Press, 1998), pp. 295, 351-353. Lloyd Etheredge, “Hardball Politics: A Model”, *Political Psychology* 1:1 (1979) pp 3-26, is especially relevant to Evatt as it outlines a model of a narcissistic personality disorder in the political context.

52. Tennant, *op. cit.*, p. 73.

53. Crockett, *op. cit.*, p. 134.

54. Crockett, *op. cit.*, pp. 14-15.

55. *Ibid*, pp. 80-1.

56. Crockett, *op. cit.*, p. 20.

57. Renouf, *op. cit.*, p. 287.

striving for the prize.”<sup>58</sup>

Evatt’s childhood seemed devoid of inner fantasy or play. Most children favour soft toys as transitional objects to effect transition from maternal dependence to individuation. Evatt’s transitional object was a textbook. His adult version of a transitional object was a rug which he used in court during the Bank Nationalisation case (1948) despite the clement weather. Dalziel noted that he covered himself in a rug when he was “deeply irate”.<sup>59</sup> The rug acted as a container which he used to control his rage states, an example of his regression to child-like states under pressure.

Paul Hasluck recalled: “He would get into awful rages when he could not get his own way.”<sup>60</sup> Evatt’s narcissistic rages in which he regressed into childlike helplessness and “exploded” with wrath were described by colleagues variously as “an Evatt storm”, a “release of terrible wrath”, “mental storms”, “a tempestuous eruption”, a “volcano in full eruption” and his being “white with rage”. Hasluck referred to them as “tantrums”.<sup>61</sup> Prime Minister Ben Chifley “gently mocked Evatt’s sometimes raging personality

by referring to him as *Ivan the Terrible*”.<sup>62</sup>

Evatt’s narcissistic rages represented the “return of the repressed”. He had not witnessed, received or developed any modulation of affection from his mother or experienced the ego-ideal or affirming love of a father. He developed the defensive mechanism of “splitting”, or dividing the world, into “all good” and “all bad” objects, in which he projected his negative feelings on to others and escaped the perils of scrutiny of his fragile self. Evatt was especially skilled in blaming others for any personal misfortune, real or imaginary. Many of his blame objects were innocent and their careers adversely affected.

His pathological sense of entitlement enabled him to flout the rules of ministerial conduct without guilt or remorse. He used his personal staff to spy on each other and report to him. For example, Sam Atyeo reported to him from New York on his staffer, William Roy Hodgson, and he ordered Alan Renouf to report on Hasluck.<sup>63</sup>

The cumulative effects of his psychopathology culminated in his year of greatest stress. By 1954 — the year

58. Hasluck, *op. cit.*, p. 81.

59. Crockett, *op. cit.*, p. 40.

60. Hasluck, *op. cit.*, p. 83.

61. These phrases are the most commonly used in memoirs of Evatt by former staffers.

62. Day, *op. cit.*, p. 438.

63. Renouf, *The Champagne Trail Experiences of a Diplomat* (Melbourne: Sun Books, 1980), p. 23.

of the Petrov case and his defeat in the elections which he expected to win and become Prime Minister — he had entered a psychotic universe of all-bad persecutory objects and was on the cusp of psychosis.<sup>64</sup>

#### EVATT'S REGRESSIVE RETURN TO BED

Evatt's most regressive consolation was his retreat to bed. A life-long insomniac, he slept only two-to-three hours each night and "spent an inordinate time in bed, whether he was well or ailing". His bed "was a haven from where he worked and even received surprised visitors".<sup>65</sup> In 1942, Prime Minister John Curtin inquired about Evatt's whereabouts and was informed by veteran journalist Alan Reid that Evatt was confined to bed and could not be located. Curtin replied, "I think you will find he's made a miraculous recovery." Curtin shrewdly assessed Evatt's exploitation of the sick role, and Evatt responded to his urgent telegram.<sup>66</sup>

Crockett notes that once, in the 1950s, Evatt "received reporters in bed, fully clothed and wearing muddy

boots; despite their surprise, he could see nothing unusual in his conduct".<sup>67</sup> A former staffer recalls that "Evatt was arguing the [Bank Nationalisation] case before the High Court.... One evening I recall seeing him propped up in his bed with papers scattered all over the place and the Crown lawyers dancing attendance, as he prepared his argument for the next day in Court".<sup>68</sup>

In 1950, when Evatt was fighting the Communist Party Dissolution Bill, two Communist Party leaders visited his home and he received them lying in bed with books and papers strewn all about. He asked: "And what does the [Communist] Party say?" The delegates assured him that the Communist Party's lawyers advised them "to follow his lead".<sup>69</sup> Evatt replied, "Good! We'll give them a really hard knock!", and jumped out of bed fully clothed.<sup>70</sup>

On a visit to the United States, the eminent jurist Owen Dixon's 14-year-old daughter recalled that Evatt "behaved like a pig" as he ate his breakfast in bed, propped up on the pillows and casting each completed page of

64. Crockett, *op. cit.*, pp. 227-8.

65. *Ibid.*, p. 25.

66. Gavin Souter, *Acts of Parliament: A Narrative History* (Melbourne: Melbourne University Press, 1988), pp. 357-8.

67. Crockett, *op. cit.*, p. 21.

68. Dalziel, *op. cit.*, p. 145.

69. Tennant, *op. cit.*, p. 265.

70. *Ibid.*, p. 265.

the morning newspapers onto the floor. The staff could clean it all up.<sup>71</sup> Another of his idiosyncrasies was his refusal to travel on an aircraft with an African-American crew.<sup>72</sup>

Evatt's "idiosyncrasies" were dismissed as the typical expression of the "Doc's brilliance", instead of masked symptoms. Cameron, an Evatt admirer, recalled:<sup>73</sup>

"He was quite unabashed about undressing in front of people.... He would just undress, leave his clothes on the floor and would sort of tread his way out of them and just leave them there.... Then he would take off his shirt and walk around in just his singlet, usually a woollen one, creeping up his backside. He would walk around, nonchalantly talking or pausing to read a paper ... quite unconcerned about his appearance."

Fred Daly, a senior Labor politician who worked closely with Evatt, described him as a "nightmare".<sup>74</sup> He recalled "he was a very careless dresser, and it was said that in the war-time years he sent for his tailor and could not care less whether he was

measured for his suits standing or sitting down, and usually had a haircut at the same time".

Frank Scully, a former senior Industrial Groups identity, recalls Evatt visiting the Trades Hall in Melbourne in the 1950s: "He had his briefcase upside down in his left hand, his overcoat by the sleeve in his right hand, his hat on the back of his head. His eyes were staring. One of the fellows said to me, 'He looks mad'."<sup>75</sup> His disdain for his presentation of self reflected his indifference to others.

#### THE ROYAL COMMISSION INTO ESPIONAGE

In 1954, the defection of Soviet intelligence officer Vladimir Petrov and the victory of the Menzies-led Liberal Party in the federal election of that year precipitated Evatt's paranoid psychosis and persecutory mania. His mental states became public and florid. For the first time, observers and commentators openly speculated about his sanity.<sup>76</sup> The historian of the 1955 Labor Party split, Robert Murray, notes: "Evatt was extremely disturbed.... A subject which had long been taboo started to be openly dis-

71. Philip Ayres, *Owen Dixon* (Melbourne: The Miegunyah Press/MUP, 2003), p. 165.

72. Crockett, *op. cit.*, p. 55.

73. Cameron, *op. cit.*, pp. 117-19.

74. Daly, *op. cit.*, p. 109.

75. Robert Murray, "An Activist in the Movement — An Interview with Frank Scully", *Quadrant*, 51, January-February 2007, p. 37.

76. Robert Murray, *The Split* (Melbourne: Cheshire, 1972), p. 183.

cussed by members of the Caucus. For some time there had been reservations about Evatt's sanity. Now it was freely discussed, and some members sought the opinions of psychiatrist friends, without coming to any conclusion."<sup>77</sup>

Evatt resolved to represent his two staffers, Allan Dalziel and Albert Grundeman, who were publicly named by the Royal Commission into Espionage, without consulting the Labor Party caucus or his colleagues. He was typically unaware that his staff had no confidence in his ability and criticised him. Both his press secretary Fergan O'Sullivan — also named by the Royal Commission — and Dalziel "laughed at the suggestion of calling Evatt".<sup>78</sup>

Evatt was clearly out of control and was barred from the Royal Commission, which was unprecedented in Australian legal history. If Evatt had not been a former High Court judge, he would have been charged with contempt, and in mid-September he informed a Labor Party meeting he would not be appearing again. However, he attempted to do so and was refused.<sup>79</sup>

#### THE LABOR PARTY SPLIT

After the Labor Party's loss of the 1954 election and the Petrov Affair, Evatt needed new conspiratorial blame objects: he turned on B.A. Santamaria's "Movement" and the Australian Security Intelligence Organisation (ASIO). On 19 October 1955, Evatt made a speech attacking the Movement, typically without consulting his party colleagues. Bill Hayden notes it was "a desperate and inexcusably selfish effort to save his sagging leadership".<sup>80</sup> Dalziel claimed "there was little doubt that Evatt deliberately chose to precipitate the great sectarian split in the ALP".<sup>81</sup>

Brian Fitzpatrick, fellow-traveller and pro-Soviet propagandist,<sup>82</sup> corresponded with Evatt and contributed some key phrases to this parliamentary speech, which included his notorious reference to his letter to Soviet Foreign Minister Molotov, naively inquiring if allegations of Soviet espionage in Australia were true. Evatt defended this letter as a legal manoeuvre between an eminent jurist and a Soviet Foreign Minister whom he had previously met on official engage-

77. Murray, *op. cit.*, pp. 182, 169.

78. National Archives of Australia: CRS A6119, Allan John Dalziel (ASIO personal file), D/99/1, Vol. 4, Annex B, F.17.

79. Murray, *passim*.

80. Hayden, *op. cit.*, p. 79.

81. Dalziel, *op. cit.*, p. 143.

82. Andrew Campbell, "Double Lives: Three Australian Fellow-Travellers in the Cold War", *National Observer*, No. 71, Summer 2006/07, pp.46-9.

ments. As Renouf pointed out, Evatt was always willing to give the Soviet Union the benefit of the doubt.<sup>83</sup>

#### EVATT AS NSW CHIEF JUSTICE

Evatt led the federal Labor Party to another electoral defeat in 1958. The parliamentary party was relieved when finally, in 1960, Evatt was able to exchange his job as Labor leader for the position of Chief Justice of the New South Wales Supreme Court. After stepping down from the party leadership, he reportedly suffered considerable anxiety for 10 days at the bickering and delays over his new appointment.<sup>84</sup> He was finally sworn in on 15 February 1960 and retired on 24 October 1962. There were no accolades or expressions of welcome on his appointment, and he did not distinguish himself in his new position.

The noted Sydney legal identity T.E.F. Hughes recalls, "I doubt whether he appreciated his lack of capacity." Hughes recalls Evatt had no "grasp of the case in hand... his interpositions ... were often scarcely rational and seldom, if ever, relevant.... [A]ll the judgments in his name were delivered jointly. His contribution to them was nominal."<sup>85</sup> Many judgments were written for him (the facts of cases were written for him by a law student named Choong),<sup>86</sup> and it became publicly evident that he was no longer capable of focussing, and was drifting off. His resignation was gratefully accepted on 24 October 1965. He spent the rest of his days in a regressed state under the care of his wife and a nurse, watching television and repeating phrases, eventually dying on 2 November 1965.

83. Renouf, *op. cit.*, p. 112.

For a few years after World War II, Molotov was head of Stalin's Committee of Information (KI), whose responsibility it was to collate all sources of intelligence from both military and foreign intelligence services (see Ball and Horner, *op. cit.*, p. 119). Evatt did not realise he had written to the former effective head of Soviet foreign intelligence.

84. Daly, *op. cit.*, p. 152.

85. Speech delivered by the Hon. T.E.F. Hughes AO, QC to the Justices of the NSW Supreme Court, on 2 February 2006, at the opening of the 2006 law term. Reprinted in *Bar News* (Sydney), Winter 2006, p. 59.

86. J.G. Starke, in Crockett, *op. cit.*, p.370, footnote 22.

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