

FRUIT FLY, FREE SPEECH AND ACADEMIC JUSTICE IN ADELAIDE

THE FRUIT FLY PAPERS

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Introduction

This case history describes the attempt to dismiss my husband, Professor Clyde Manwell, from the University of Adelaide, and the aftermath. The case history is presented in two parts: an updated version of the original *Fruit Fly Papers*¹, and the then Vice-Chancellor's *Statement* on the evidence relating to the dismissal charges, together with his view of a number of controversial events.² The case has also featured in other published items.³⁻⁹

At times we were critical of the way the Vice-Chancellor handled matters. However, in updating this case history, it is now possible to say that it is greatly to his credit that he finally admitted that the charges contained "a number of errors"¹⁰ and that, without being asked, he attempted to ameliorate the damage by providing funds for our research.¹¹

I am aware that the Vice-Chancellor was under pressures which made it difficult for him to find a fair solution quickly, before local gossip, intrigue and publicity had resulted in polarisation. The problem was that the author of the dismissal complaint, Professor H. G. Andrewartha, was then (and still is) an eminent Australian scientist with great influence, both locally and nationally. For many people at the University of Adelaide it was expedient to assume that the dismissal complaint was correct. Had more of our colleagues within the University provided the Vice-Chancellor with the kind of information which was placed before the Committee of Three in 1972, or which came out in the Supreme Court case in 1975, the situation could have been settled with far less acrimony and damage. Instead, after an initial approach to the Staff Association made it clear that no significant help could be expected from that quarter¹², and after learning the extent to which the complainant was able to influence the investigative processes within the University, it became necessary to use the laws on defamation.

Accordingly, in re-examining this case history I am interested not only in presenting the historical development, together with some discussion of the issues that arose along the way; I am even more interested in making observations that will help others. Since the sacking attempt in 1971 we have received many requests for assistance from other academics or scientists whose jobs have been threatened.

In analysing this case history the former Vice-Chancellor's *Statement*¹³ is especially important. First, it provides an administrator's-eye view of the case. Second, it provides a model for how an administrator should report the facts relating to a set of sacking charges that had been officially received. Such a statement might be unnecessary where an administrator refuses to receive a complaint, although that is debatable, especially where any gossip or publicity has occurred. But, once a complaint is officially received, then the reputation of the person against whom the complaint has been made becomes clouded in the eyes of at least part of the university community. Sacking complaints are rare in scientific and academic institutions. Some episodes in our case histories reveal examples of where other staff have committed serious offences without being considered for dismissal. Thus, the very fact that a sacking complaint is considered at all by the higher administration is grievously damaging. The highly competitive nature of the intellectual professions means that an individual's reputation is a major determinant of his or her livelihood. This is *not* to inhibit

valid criticism, either of inadequacies in teaching or in research. Indeed, it is precisely because it is necessary in scholarship to engage occasionally in critical comments that it is so important to protect the jobs of academics and scientists from unfair or inaccurate allegations. For everyone, whatever his or her occupation, unfair attacks on the reputation violate a fundamental human right.¹⁴

Fruit Fly in South Australia

Since 1947 it has been realised that outbreaks of Mediterranean Fruit Fly ('Med-fly') and Queensland Fruit Fly occurred occasionally in Adelaide and in some other parts of South Australia.¹⁵ In 1947 the attempt to eradicate fruit fly began, with some 1300 people employed in removing fruit and in spraying.

Part of the problem is that fruit fly outbreaks may arise in three different ways, and expert opinion is not in agreement as to their relative importance. First, fruit fly can be brought in by people transporting contaminated fruit from interstate. There have been complaints that the fruit fly inspection stations at state borders (and at airports) are not fully effective. Second, fruit fly, like many other insects, can be carried long distances by winds; the prolonged periods of northern or eastern winds may help to disperse fruit fly, especially Queensland Fruit Fly. Third, on occasion some low-level breeding populations of fruit fly become established in South Australia, although the extremes of hot and cold weather in this state probably eliminate most of these populations eventually, or at least keep fly numbers low until favourable weather allows enough successful reproduction to reach outbreak levels.¹⁶

Since the 1950s, the South Australia Department of Agriculture has maintained a fruit fly detection system consisting of a grid of several thousand traps baited with what is hoped to be a suitably attractive lure for the two species of fruit fly. Although secrecy surrounds much of the fruit fly program, I have been informed by sources within the Department of Agriculture that, if five or more flies are found in a single trap upon the periodic inspection, an outbreak is declared. There are good reasons for attempting to eradicate fruit fly: they attack many species of commercially valuable fruit, and also some vegetables; they often damage 10–50 per cent of the crop in other states, and many countries will not import fruit from other parts of Australia because of widespread infestations.

In South Australia the attempts to eradicate fruit fly have involved a varying combination of two approaches. On some occasions the emphasis has been placed on 'denying the enemy resources'. Gangs of men came around and stripped all the fruit from residents' trees. It has been argued that only ripe fruit should be removed and that green fruit should be left so as to prevent the dispersal of egg-laying fruit fly.¹⁷ However, much of the emphasis is placed on pesticides. Usually the immediate outbreak area is cover-sprayed. Adjacent areas are bait-sprayed. The latter involves placing about a cupful of a bait-plus-pesticide solution on a few trees or bushes on each property.

As so often happens in pest control or eradication programs, the situation becomes ruled by the interests of professional pest-controllers (including scientists in the employ of the government), pesticide manufacturers, and politicians.¹⁸ Inspection of the Parliamentary Debates for South Australia, or letters to the editors of local newspapers, reveals that the eradication measures have had adverse effects on non-target organisms; for example, cows have died after being sprayed for fruit fly and a funeral procession was disrupted by the rowdy behaviour of a spray gang.¹⁹

The fruit fly program, with its repeated attempts at eradication, has become a major bureaucracy in the South Australia Department of Agriculture, a source of funds and favours for a few South Australian academics, and a dependable solution to periods of local unemployment (except in recent years when the program's costs had to be contained).

It was in 1971, when a fruit fly outbreak occurred near our residence, that Professor Manwell and I learned at first hand some of the abuses of the program. As the Department of

Zoology had poor facilities for keeping animals, we kept at home a collection of ducks and chickens to supply eggs for research and teaching, including studies on the effects of low levels of pesticides on the developmental appearance of certain molecular markers. Although we were supposed to be in an area that received only the bait-spraying, on two occasions fruit fly gangs not only invaded our animal pens and drenched some of the poultry, nests and plants with pesticide, but also broke down the fencing and trampled many plants. On one occasion the supposed supervisor of the spray gang was caught peeping in a window when the shower was running.

When Professor Manwell complained about such behaviour, he received more than the usual bureaucratic runaround. A letter from Manwell to the Department of Agriculture, asking for information about the fruit fly program, was not answered but was turned over to the Head of the Department of Zoology, Professor H. G. Andrewartha.

After consulting various experts about the local fruit fly program (and finding that some of them were even more critical about it than we were), and after reading the relevant literature, we made a number of public criticisms about the program, which can be summarised as follows²⁰:

1. Privacy and safety of residents cannot be ignored in programs of pest control or eradication.
2. Spraying, if necessary at all, should be confined to spraying the combined bait-pesticide mixture in small quantities on *street* trees. As the object in the *bait*-sprayed areas is to attract fruit fly *to* the poison, it is not necessary to enter people's property at all. This procedure, of spraying pesticide-bait combinations on street trees has been adopted with considerable success (and public approval) in parts of New South Wales. It is also a more efficient method. Instead of gangs of men entering each property, a single spray operator (often mounted on the back of a vehicle) can place the small shot of pesticide-bait spray on each street tree, thus allowing a wider area to be covered in a given time. A modification of this procedure involves spraying a sex-attractant-and-pesticide mixture on a piece of fibre-board and hanging up pieces of this impregnated fibre-board at suitable locations. The advantages of these New South Wales techniques are that less pesticide is used, the risks to pets and people are greatly reduced, and invasion of privacy is unnecessary.
3. Alternative methods of eradication should be considered. In particular, the sterile male method of eradication had been claimed to be effective in dealing with localised outbreaks of fruit fly.²¹ It was also suggested that research should be done to find more effective attractants, for while the yeast protein hydrolysate bait is attractive to many fruit flies, even better results might be obtained by using sex pheromones.
4. The quarantine to prevent fruit fly infected fruit from being brought into South Australia from other parts of Australia should be made more effective. The inadequacies of the checkpoints, often unmanned and easily evaded, had been a subject of complaint in the state Parliament.

Reaction to Criticism of Fruit Fly Spraying

Our criticisms were quite ordinary. Most of them had been made before. However, it appears that this was the first time any scientists had publicly expressed doubts about the local program. No longer could the South Australia Department of Agriculture fob off complaints with the excuse that the program was scientifically sound.

From the public, including, quite surprisingly, some in the lower ranks of the fruit fly sprayers, we received a number of horrifying examples of the abuses that had occurred. While many in the spraying gangs had behaved themselves, others had caused unnecessary damage to gardens and property. There was also dissatisfaction with the expense of the program. In particular, in recent years fruit fly outbreaks were becoming more common.

Clearly, the programme had not eradicated fruit fly, despite some success in curbing individual outbreaks.

After our public comments, the initial attack in the state Parliament came from the political right, notably D. N. Brookman and H. K. Kemp, both good friends of Professor H. G. Andrewartha, at that time Head of the Department of Zoology at the University of Adelaide. Brookman's attitude is exemplified in the following quotation:

I should like to be assured that firm action will be taken against people who have such wrong ideas as to set themselves up as interpreters of civil liberties.²²

A week after the initial attacks in the South Australian Parliament, and the day after a second attack on the fruit fly criticisms, Professor Andrewartha sent a letter to the then Vice-Chancellor. That letter, as well as much subsequent correspondence, was published later in full in *On Dit*, the student newspaper. Professor Andrewartha's first letter of complaint dealt only with Manwell's fruit fly criticisms; for example, he says:

... Manwell is a physiologist and cannot claim professional expertise in population ecology. Population ecology is my specialty and I think that the University should inform the Minister of Agriculture...²³

Professor Andrewartha referred to Manwell's criticisms as "intemperate", an adjective the Vice-Chancellor repeated in his letter to the Minister for Agriculture, written three days after Andrewartha's letter. The Vice-Chancellor's remarkable letter is quoted below in full:

You will be aware that a member of the staff of our Zoology Department, Professor C. Manwell, has been in the "news" with some frequency over the last few weeks. In view of this I am enclosing for your information a copy of a letter to me from Professor H. G. Andrewartha, who is the Head of the Department.

Professor Manwell is of course entitled to his views; but I want you to know that his *often intemperate remarks*, and criticisms of your staff, are not supported by the University. The University would not wish Professor Manwell to be treated differently from any citizen. [emphasis added]

Professor Manwell only received a copy of this letter a year after it was sent. When he challenged the Vice-Chancellor to present examples of "often intemperate remarks", the Vice-Chancellor did not reply to the challenge. This is hardly surprising, for Manwell, a newcomer to the University of Adelaide, had not been involved in any other controversy, public or private, and had met the Vice-Chancellor on only two brief and pleasant occasions.

The last sentence in the Vice-Chancellor's letter probably refers to Manwell's request to the Department of Agriculture not to spray in the immediate vicinity of the experimental animals. Such an "exception" would have been entirely compatible with even the existing program, for the animals were confined to the back part of the yard and, normally, the bait-pesticide spray was delivered to only one or two fruit trees on a property. There had been far more damaging exceptions to the fruit fly spraying reported in Parliament, for example, commercial growers in fruit fly areas who avoided spraying entirely or who shipped fruit out of the area of the "outbreak".

On 19 April 1971, Professor Andrewartha again wrote to the Vice-Chancellor. This time he alleged that Manwell had flouted "the scholarly precept that one should teach within one's area of professional competence", that for four lectures in Zoology 1, Manwell had "placed much emphasis on the sociological, political and technological aspects of contraception"; that he "lacks judgment and perspective" because "he distributed to the class 12 quarto pages containing 49 references to books and articles"; that he set fifty "true or false" questions in Zoology I examinations; that the book *Molecular Biology and the Origin of Species*, written by Manwell and Baker, contains some errors in statistics, and that:

Manwell's public statements about the Department of Agriculture's campaign to eradicate fruit fly... included statements that were unscientific. These statements embarrassed me because, from their form, it was far from clear that Manwell was speaking only for himself. He gave the University as his address and his status as Professor of Zoology...

Professor Manwell first learned of the nature of the charges on which dismissal from the University was sought when a reporter from the *Advertiser*, a local newspaper, telephoned me. A year later a member of the University Council revealed that he too had been asked by a newspaper reporter about the planned sacking long before the news finally broke in *On Dit*.

Vice-Chancellor's Response

By the middle of May 1971 the Vice-Chancellor sent Manwell a copy of Andrewartha's second letter of complaint, as required by the University Statutes on dismissal. Manwell wrote a reply denying the charges and pointing out significant errors. He also showed the Vice-Chancellor certain evidence, such as the carbon copy of the original letter to the newspaper about the fruit fly spraying, proving that, contrary to Andrewartha's allegation, the letter had been written from a private address. Indeed, the possibility of unauthorised editorial alteration of the address on the published letter should have been apparent to any reader, for the editor had left the name of the suburb of the residence (St. Peters) below the inserted "Professor of Zoology, University of Adelaide". The University is located in the city proper and not in St. Peters, or any other suburb.

The Vice-Chancellor wanted a "preliminary investigation" of the charges, chaired by a Supreme Court Justice and with two academics as the jury. Manwell agreed to the general procedure but strongly objected to the restricted selection of four academics nominated by the Vice-Chancellor, all close friends of the originator of the complaint. Details of the procedure in selecting academic jurors by the Vice-Chancellor deserve careful description. The Vice-Chancellor maintains that Professor Manwell agreed to two Professors of biological sciences: Professors *Bennett* (Genetics) and *Elliott* (Biochemistry) (written statement by the Vice-Chancellor to the Commission of Inquiry, dated 10 September 1971). Professor Manwell maintains that he did not agree to those names and had insisted that the jurors should be further removed from the individual who had originated the complaint. Whether or not there was agreement is now immaterial, in the light of other aspects of the times and names. At the meeting between the Vice-Chancellor and Manwell, early on 4 June, the Vice-Chancellor had already obtained approval from Andrewartha of the academic jurors selected to investigate his complaint and had already received a letter from Andrewartha, dated 1 June, which contained the following passage:

...I...wanted to remove Manwell and Baker from the list because I am thoroughly convinced that this is a most unsuitable textbook for undergraduates. I sought the advice of Professor *Bennett* and Professor *Elliott* on this specific point and they reinforced my own opinion. [emphasis added]

It seems remarkable that of all the academics available, the Vice-Chancellor would nominate as academic jurors the two people that Professor Andrewartha stated were in agreement with him.

Also remarkable are the dates of various occurrences: Manwell's copy of Andrewartha's letter of 1 June bears the following record from the office of the Vice-Chancellor: "Copy sent to Professor C. Manwell 4 June 1971". In other words, it was sent in the campus mails on the same day that Manwell had a 9 a.m. meeting with the Vice-Chancellor. Thus, the crucial information — that Professor Andrewartha had already consulted Professors *Bennett* and *Elliott* and had already received what he, Andrewartha, interpreted to be a reply favourable to that portion of his complaint — was not made available to Manwell at the time he was asked to agree to the limited choice of jurors (already approved by the originator of

the complaint), although the Vice-Chancellor was already in possession of that information.

It is easy enough to prove that in academic discipline procedures the selection of jurors is expected to conform to the typical procedures of law. For example, we quote from the "Rights and Responsibilities" document, prepared under the Chairmanship of the Deputy Vice-Chancellor of the University of Adelaide at about the same time as this episode occurred. Under the heading of "Impartiality", that document states:

No one should sit as a Chairman or member [involved in disciplinary proceedings] if he is subject to any bias in favour of or against the person charged with misconduct, or if the circumstances are such as to be likely to lead fair-minded persons to suppose that he might be so biased. . . the principles governing a challenge for cause to a juror in a case before the Supreme Court of South Australia should apply to a challenge to the Chairman or a member of a Board.

The Committee of Concerned Scholars assumed that these aspects of the "preliminary investigation" were all unfortunate mistakes and did not assign blame to individuals; however, the Committee understood why Professor Manwell then sought legal advice outside the University.

The Commission of Inquiry

On 3 September the University Council set up a Commission of Inquiry under Clause 10 of Chapter IV of the Statutes on dismissal. Originally it was planned to hold the entire proceedings in secret. Peaceably, but firmly, four hundred students and some staff members, after hearing Professor Andrewartha's letters of complaint read to them by student leaders, opened the "star chamber" to the public. By December 1971 the Council of the University of Adelaide accepted the Commission of Inquiry's dismissal of the complaint, quoting from the Commission's report:

The complaint against Professor Manwell, in the form in which it has been referred to us by the University Council, does not appear to have been formulated with close attention to the wording of the University Statutes and the vagueness, in this sense, of the complaint has caused the Commission some difficulty and concern . . .

. . . we cannot find within that letter [of complaint] allegations which if proved true, would show that Professor Manwell had grossly or persistently neglected his duties or that he had been guilty of serious misconduct in or about the performance of his duties such as would constitute grounds for dismissing him under clause 9 of Chapter IV of the University Statutes.

Accordingly, we see no reason for us to proceed further with this inquiry and we recommend that the University Council should not regard or treat this complaint as a basis for dismissing Professor Manwell.

Academic Justice at Adelaide?

Judging from the above passage, one might assume that academic freedom and justice were returning to the University of Adelaide after some initial difficulties. That view would, however, be overly optimistic.

There are other ways of removing an academic besides sacking. The most effective method is to try to drive him out by interfering with his research and teaching, and to submit him to other types of harassment. The University Council had little alternative but to accept the judgement by the Commission of Inquiry, which it had itself appointed. However, the Council left Professor Manwell under the authority of the Department Head who had attempted his dismissal. In effect, this was the administration's way of passing a guilty verdict against Manwell.

Leaving the victim under the jurisdiction of the Head of Department who had sought dismissal on inadequate charges generated intrigue and ill-feeling, which is still evident years later. The Council's attention was drawn to a similar case which occurred at about the same

time at the University of Lancaster in the UK. In that situation the governing body of the University of Lancaster resolved the problem sensibly and fairly by removing the staff member from the authority of the Department Head who had initiated an inadequate dismissal complaint.²⁴ At the University of Adelaide, there had apparently been a similar conflict involving the very same Head of Department who had attempted to get Manwell sacked, and that conflict had been resolved by transferring the staff member in question to another part of the University. However, this information, although known to some members of the administration, was withheld from us at the time. This matter will be discussed more fully later in this chapter.

After the Commission of Inquiry rejected the dismissal complaint, the Council appointed the "Committee of Three" (which was later called the "Committee on Residual Problems in Zoology" or "Committee to Resolve Residual Problems in Zoology"). The committee consisted of the then Deputy Vice-Chancellor, the then Chairman of the Education Committee, and a third individual who was simultaneously the President of the University of Adelaide Staff Association and a Member of the University Council (and who subsequently was promoted to Reader and who also became Deputy Chancellor).

Rather than resolve residual problems in zoology, the actions of the Committee of Three exacerbated them. Manwell's legal advisers led him to believe that the Committee of Three would clear his name of the errors in the dismissal complaint. Without fully informing Manwell, the legal advisers lifted the libel writ so that, presumably, the Committee of Three would not be violating a possible *sub judice* situation.

The Committee of Three, reporting to the University community through a widely circulated document, failed to report on the accuracy of the charges (although Manwell and I presented much of the evidence, which was ultimately accepted by the Vice-Chancellor) and failed to report on the variety of subsequent harassments Manwell endured, some of which were contradictory to the original sacking charges (discussed later). Furthermore, before the sessions held by the Committee of Three, Andrewartha was allowed *carte blanche* in introducing new charges. Although there was supposedly an agreement that both sides would receive copies of all documents involved in the charges, despite repeated requests Manwell was not given copies of certain documents referred to by Andrewartha.

The Committee of Three's report attempted to explain the situation as simply a personality clash arising as a consequence of "a difference in background" between Manwell and Andrewartha. The Committee of Three produced no evidence to support that conclusion — and ignored a not inconsiderable amount of evidence to the contrary. The upshot was that, by its failure to report on much of what was placed before it, plus some very revealing testimony, the Committee reinforced the University establishment in judging Manwell guilty. Furthermore, by failing to probe the examples of the harassment of Manwell, his wife, his students and his prospective students, the committee allowed a tacit understanding that these people were "fair game" for subsequent victimisation.

Manwell's situation was made more precarious by the fact that his legal advisers did not pursue the failures of the Committee of Three more strongly. Again without fully informing the client, there was an unexplained delay of nearly a year in the reintroduction of the libel writ. As a result, the accuracy of the charges could not be tested in such a way as to clear Manwell's name until four years after the original sacking attempt. In South Australia, at the same time, other defamation cases (including one brought by another academic) had reached the Supreme Court within nine to twelve months. Indeed, had the delay not occurred, and had the case been pursued more vigorously, it is likely that it would have been settled out-of-court, for much of the evidence against the charges rested on documents (although, as will become evident later, the testimony of witnesses brought some interesting facts to light).

There can be no doubt that the harassment of Manwell reached a low level after the frustrated sacking attempt. Manwell was denied honours students and was not allowed to give his advanced course — in spite of the fact that the Department Head who had sought

dismissal had admitted in correspondence to the Vice-Chancellor that Manwell's advanced teaching was "well received".

A student with a first-class honours degree from another Australian university was turned down for a Commonwealth scholarship at the University of Adelaide. He had made it clear that he had wished to do research under Manwell's supervision. Normally a student with a first-class honours degree is automatically given a Commonwealth scholarship.

A Question of Madness?

Roy and Zhores Medvedev, in a book bearing this title, have documented how dissenters in the Soviet system can be defined as "insane" and can thus be removed or discredited.²⁵ There is evidence to suggest that this policy is used in some Australian universities. Perhaps the most sordid aspect of the dismissal of Professor Sydney Sparks Orr from the University of Tasmania was that the administration based much of its evidence on Orr's dreams, recorded in psychoanalysis, to indicate that he was mentally unbalanced.²⁶

A few weeks after the Council of the University of Adelaide accepted the report of its Committee of Three, a member of the University Council, who was attached to the Department of Zoology as a Reader, stated that Manwell or his wife needed to see a psychiatrist, and presented them with a list of three names, including the Professor of Psychiatry at the University of Adelaide. Later the same member of the Council wrote Manwell a letter to that effect, using the official stationery of the Department of Zoology, University of Adelaide.

Although Manwell brought this matter to the attention of the Council of the University of Adelaide, no disciplinary action was taken. In terms of professional qualifications in psychiatry there is no evidence that that particular member of Council, who was, as already mentioned, a Reader attached to the Department of Zoology, was within his professional position in querying the mental health of a colleague and his wife.

One cannot help but note the contradiction: one of the major charges against Manwell incorrectly alleged that he had written a letter to the editor of a local newspaper from his official University position. In contrast, a member of the Council (and of the local establishment) can use official University stationery when attempting to refer a colleague and/or his wife to a psychiatrist.

Academic Intrigue as an Expression of "Personality Conflict"

As in another South Australian case — the Institute of Medical and Veterinary Science versus Coulter, discussed elsewhere in this book — the fundamental question must be asked: Why "the paralysis of conscience" which allows the tolerance for suppression, victimisation on false charges, and indifference to questionable behaviour? In this section evidence is presented for the role of personality conflict, and the consequent general demoralisation, as a contributing cause. In the next section evidence is presented for the role of vested interest, the desire to suppress criticism of possible sources of patronage.

The data available on intra-university personality conflict do not allow one to prove conclusively that the situation at the University of Adelaide is worse than at most other universities. However, there is evidence that there has been serious conflict and demoralisation quite apart from this episode.

First, the very fact that the Committee of Three chose to explain the sacking attempt as a petty personality squabble, despite contrary evidence, suggests that either such an explanation readily came to their minds as a result of their knowledge of other cases within the University or that such an explanation would be readily accepted by the majority of Adelaide academics, presumably on the basis of their own experiences. In arguing the case for a University Ombudsman, a former Registrar of the University of Adelaide mentioned that staff grievances imposed "a heavy burden of work on the Vice-Chancellor".²⁷ That former Registrar provides no data as to the number of complaints, or the percentage resolved

satisfactorily, but does present information indicative of serious staff demoralisation in terms of alcoholism, and states: "The Director of the Health Service will confirm that this is not a negligible problem among University staff (as, no doubt, among the staff of any large employer)."

Since the frustrated sacking attempt, a powerful group within the University Council has sought to make dismissal easier — and finally achieved those aims in 1983. Quotations from the Council's own document provide evidence of the prevailing authoritarian attitudes.²⁸ The reason for changing the tenure statutes is given as "...that the Council should not be unduly restricted in its governing of the University". Especially revealing is the following passage: "...Statutes and Regulations...bind not only the University community *but also the Council*...Rules are promulgated by Council alone and, while binding on the University community, can be changed *or over-ridden* by Council..." (emphasis added). However, perhaps the most striking aspect of this Council document, announcing that the dismissal statutes would be changed, was a section dealing with "ineffective academic staff" suffering from "drug dependency (including alcohol dependence)". Although, as in the Registrar's document, no data are presented to show how serious the problem is, the fact remains that drink and other drugs are perceived by the University Council as being such an important problem among the academic staff they govern that this problem is discussed extensively in such a document, whereas all other problems of academic misconduct, whether sexual harassment, lack of publication, poor teaching, or plagiarism, are ignored.

Few would deny that the abuse of alcohol and other drugs is evidence of poor morale, as well as that the presence of drug-abusing staff is likely to affect the morale of more temperate staff (and students).

Like other closed professional groups, academics rarely criticise their colleagues before the general public, however much they might argue in private or in the columns of some professional journals. For academics to use the newspapers as a means of protest about university conditions is a sign of total frustration. Around the time of the attempt to sack Manwell, two senior academics made public their dissatisfaction with university conditions.

The Head of the Department of Microbiology, Professor Derrick Rowley, was quoted extensively in an interview with a reporter from a local newspaper.²⁹ Rowley complained of the "intolerable" state of medical education and the "run-down morale" of staff at the University of Adelaide, adding:

The better staff tend to go elsewhere, and the poorer ones tend to stay and hasten the decline.

At about the same time, the Professor of Philosophy, John Smart, who held one of the two existing Foundation Chairs at the University of Adelaide, resigned to take a Readership elsewhere, blaming "the intrigues of university politics" and saying:

University administration is not as gentlemanly as it was and people are suspicious about each other.³⁰

Other writers, including a former Vice-Chancellor, provided evidence of staff conflict and dissatisfaction.³¹ In a sense, such comments can give a misleading picture, and there is a need for a quantitative survey of staff opinion about a number of different aspects of their work environment. In terms of publication and citation the University of Adelaide ranks well above most other Australian universities.³² Nevertheless, the above quotations do show that there is serious dissatisfaction and demoralisation among some staff at the University of Adelaide. In any organisation where there is rivalry and authoritarianism, the resulting intrigue means that it is easy for a crisis to be precipitated accidentally. The escapism, whether into drugs and drink, or into productive research, means that there is no effective protest against unfairness in procedures or victimisation using false charges.³³

Suppression of Criticism of Possible Sources of Patronage

The South Australia Department of Agriculture, which runs the fruit fly eradication program, is a source of research funds and facilities for certain members of the University of Adelaide. The Department of Agriculture and the University of Adelaide are closely linked by statute, although this linkage has been reduced in recent years. In 1950 the Waite Agricultural Institute of the University of Adelaide received £33,000 for research on fruit fly. At the same time as the dismissal attempt was being made, the South Australia Department of Agriculture was offering, through Parliament, research funds for one of Professor Andrewartha's supporters in the Department of Zoology.

Staff members soliciting research support from agricultural interests might be worried about our public criticisms of the South Australia Department of Agriculture. Such statements might also worry staff members obtaining funds from questionable sources; for example military organisations — and another of Andrewartha's supporters was doing research involving burning and maiming large numbers of rats in a project funded by the military.

Interaction of the research support and personality conflict explanations is apparent. The privileged position of the Waite Agricultural Research Institute vis-a-vis the rest of the University of Adelaide is a source of resentment. For example, the Waite Agricultural Institute, quite apart from extra research funding from other sources, receives more than 10 per cent of the annual budget for the University of Adelaide but only carries 2–3 per cent of the actual teaching load. With the exception of two staff members known to us, the Waite Institute were staunch supporters of the South Australia Department of Agriculture and Professor Andrewartha.

Another type of interaction between research support and personality conflict may have contributed to the situation. When Manwell was on the staff of the University of Illinois he had occasion to report to the federal and state governments the misuse of his grant funds by two senior academics: an unauthorised payment of \$933.32 to a pregnant, unmarried student. No doubt those individuals felt some resentment over the fact that Manwell reported this to the authorities. In correspondence placed before the Committee of Three, Andrewartha made a vague allusion to this situation and mentioned having "confidential letters from two prominent American scientists". Although Manwell requested that the Committee of Three investigate this connection and, in particular, compel Andrewartha to produce this correspondence, the Committee did not do so. The dates and the nature of that correspondence would be important in ascertaining to what extent pressure for dismissal came from academics entirely unconnected with the University of Adelaide.

The corrupting effects of sources of patronage is the one common theme to be found in the diverse criticisms by radical³⁴ and conservative³⁵ academics: research funds, consultantships, and other forms of patronage bias the views and behaviour of some academics.

"Dear Professor Manwell, Rats in This Department Are Gassed"

For many academics who have sought assistance in contesting unfair dismissal attempts, blocked promotions or other administrative actions, there is the problem of shifting charges. The following pair of examples suggest that the shifting of charges might depend upon the nature of the audience. The first example is of a charge brought before the Committee of Three, which held a secret academic court. The second example is of a charge brought before the Supreme Court of South Australia, an open court attended by many members of the public.

As an example of Manwell's "misconduct", a letter from Manwell to Andrewartha, dated 24 August 1971, was produced before the Committee of Three. In that letter Manwell complained to Andrewartha about the Zoology Department's use of an unnecessarily cruel

method of killing rats, which were then given to first-year students for dissection. Manwell's letter was largely a quotation from the Universities Federation for Animal Welfare's Handbook, which opposes the use of gas and recommends an injection of barbiturate instead.³⁶ The fact that a staff member in the Department of Zoology had sought to use Manwell's supply of carbon monoxide for rat gassing suggests that the usual procedures involving town gas were not satisfactory. Indeed, a technician complained to Manwell about "the rodent Auschwitz". The response to Manwell's letter was an ultimatum: "Dear Professor Manwell, Rats in this department are gassed".

This example, presumably of a charge of insubordination on the part of Manwell, could actually be brought up within the University with complete impunity. However, this example was not brought up before the Supreme Court — even though Manwell had wanted it. Was this because Manwell's opposition to cruelty to animals, backed by the anti-gassing comments of the Universities Federation for Animal Welfare, might have received a more sympathetic hearing from the general public?

In the Supreme Court case, instead, a different charge appeared. This is described in Manwell's article in the student newspaper which detailed a number of the difficulties he encountered in giving a course on comparative biochemistry and pollution:

A major point of attack was my third year course. On two occasions that course was cancelled unilaterally by the then Head or a successor. In neither case was I presented with any academically valid explanations. Each time higher authority in the University did suggest that the course be reinstated. However, on both occasions the secret cancellation and subsequent appeal took sufficient time that the immediate objective, removing the course, was effected. On one occasion the attempt to delete the course from the Calendar, presumably at the galley proof stage, was bungled: the entry was deleted in one place and left in another, causing considerable confusion for students.

When in 1975 the defamation action reached the Supreme Court, we learned of a new tactic towards the environmentally-oriented course. After failing to establish the validity of any of the more specific allegations of a serious nature in the original sacking complaint, the defence attempted to make a new charge that I had allowed my wife to work in the third year course for a time greater than allowed in the conditions of her appointment (which was a temporary, hourly paid one). It was claimed that the students had received too much attention.

For "evidence", the defence presented a carbon copy of a document, purported to have come from the Registrar's Office. This document included both the official announcement of my wife's temporary appointment, followed by a passage limiting the hours to be worked.

I was asked in court if I had ever seen that letter. I had not. Fortunately, my wife kept the *original* of that letter from the Registrar. The original was presented by us in court. It simply announced the appointment. It did not bear the incriminating typed passages on what was purported to be the carbon copy of the same document. We were also fortunate in that there had already been placed in evidence a letter from the then Head of Department who had admitted that the third year course had been well received by students. The former Head had attributed the success of the course to my wife's efforts (a statement with which I fully agreed). She had, after all, come in to work at the last minute at the former Head's request when the regular demonstrator left in mid-year to accompany her husband.^{37, 38}

Neither during the Supreme Court case, nor when Manwell's article was published, were we given any explanation for the discrepancy between the top copy and the carbon copy of what was supposed to be the same letter. It seems such a state of affairs is acceptable in South Australia. The nature of the charge, presumably corruption involving money, was likely to be considered more impressive in a public hearing. The facts that I was working at Andrewartha's request, when the demonstrator he had appointed left with virtually no notice, and that he had never complained about the amount of time I spent preparing

materials for the teaching of a revised course for which the Department of Zoology was poorly equipped, were further contradictions to this charge.

Contradictions

These are not the only contradictions for which a final answer needs to be given. Other contradictions in the treatment Manwell received at the University of Adelaide need to be explained.

In the sacking complaint Andrewartha had criticised Manwell's first-year teaching. However, as mentioned in the previous section, Andrewartha had later admitted that Manwell's advanced teaching was well received. Why then did the administration of the University allow Andrewartha to remove Manwell's advanced teaching and to assign Manwell to much more first-year teaching? Andrewartha even attempted to assign Manwell to teaching statistics — despite the complaints about the use of Chi-square statistics in the book. Did the administration really believe the accuracy and importance of Andrewartha's complaint? Was the administration prepared to tolerate any sort of victimisation after the failed sacking attempt, even if it was in direct contradiction to the sacking complaint? Why did the administration fail to give Manwell any relief from his teaching duties in order to prepare his defence before the Commission of Inquiry and the Committee of Three?

Of particular interest is the fact that, despite the Committee of Three's report, which was not favourable to Manwell, Professor Andrewartha was still not satisfied. I quote from Andrewartha's letter of 1 May 1972 to the Council of the University of Adelaide:

I ask the Council not to receive the Report on Residual Problems in the Department of Zoology...

On reflection I do not now believe that the Committee's denigration of me was malicious. I think that it may have been a mere consequence of the pre-established need to whitewash Professor Manwell and that it may have crept in almost unnoticed by the Committee while it was absorbed in this task...

I urge the rejection of this Report but at the same time I have a constructive alternative which I would like the Council to consider at the appropriate time. I have written the details of my proposal to the Vice-Chancellor, leaving it to his discretion to bring the matter forward at the appropriate time.

I believe that the solution which I have proposed to the Vice-Chancellor is practicable and has a reasonable chance of success; I hope that it may be accepted. But I do not believe that it is the most moral solution to the problem. I believe that the most moral solution to the problem... would be for the Council to acknowledge frankly that the abortive "Inquiry" that was held in 1971 was no inquiry at all, and to take steps to conduct a proper inquiry under Chapter IV of the Statutes. If I were invited by the Council I would be prepared to present a complete complaint technically worded and fully documented.

In this connection I would remind the Council that on April 19th, 1971 I wrote a short 4-page letter to the Vice-Chancellor which I thought (and I believe that the Vice-Chancellor held the same opinion) would serve to open a full Inquiry into Professor Manwell's relations...

Andrewartha's letter to the Council of the University of Adelaide is a surprising document, to say the least. Nowhere in the Committee of Three's report can I find any passage that would qualify as "denigration" of Andrewartha. As discussed previously, the Committee of Three's report did not "whitewash" Manwell.

In one sense the report was unfair to Andrewartha as well as to Manwell. Had the Committee of Three's published report included a verbatim transcript of all the testimony, as well as copies of all documents, it would have been much clearer to the Council and to the remainder of the University community that *other* staff members of the University of Adelaide had misinformed Andrewartha. The failure of the Committee of Three to report

what actually took place allowed those who had supplied the misinformation to get away with it — and in some cases to continue to cause trouble.

Andrewartha's letter to the Council of the University of Adelaide, quoted above, shows that he did not accept the judgement of the Council's Commission of Inquiry or the Council's Committee of Three. For the Council to ignore such apparent insubordination is revealing. It was also grossly unfair to Manwell. The Council's act, of leaving Manwell under the administrative control of Andrewartha, branded Manwell as guilty, both to the remainder of the University community and to the international community of scholars.

And, some at least in the University administration were aware of an important precedent — which only became public knowledge during the court case in 1975: Manwell's predecessor, the previous Second Professor of Zoology, a distinguished Australian, testified in court that he had had a serious conflict with Andrewartha and that this was resolved fairly by the University administration when they transferred him from the control of Andrewartha to a personal Chair in the Waite Agricultural Institute of the University of Adelaide (although he continued to do some teaching in the Department of Zoology).

Without access to the secret records of the University administration, it is impossible to know who in the administration was aware of this precedent, or whether or not there was any opposition to the victimisation of Manwell. As the previous Second Professor of Zoology came from an almost identical background to Andrewartha, the reason for that conflict cannot rest in the Committee of Three's attempt at explanation: "a difference in background". As the conflict between Andrewartha and the previous Second Professor of Zoology took place before Manwell arrived, not even in the University of Adelaide was it reasonable to blame him for the situation.³⁹

There is also evidence, which only became public in 1977, that the University Council may not have been in agreement over the victimisation of Manwell. A member of the local establishment, who was then a member of the University Council, made an unprecedented critical analysis of the Council's inadequacies in an article in a local newspaper:

Urgent matters going to the true heart of university interests, such as the dispute involving the Zoology Department (which scandalously, was allowed to drag on for four or five years) and the way a certain chair was filled recently after two years of politicking, tend to be swept under the carpet due to pusillanimity and the workings of the committee system.⁴⁰

That member's central theme is of vital importance, for it suggests that the problem is more the fault of the system than of individuals: the University Council "never has enough time to make well informed, well debated decisions" because a few special interest groups have ways to get their business before the Council.

The Standard of Discipline — or the Double Standard?

As discussed elsewhere (Introduction; Charges and Cross-Examination) it is difficult to prove suppression. Even if personality conflict (a common occurrence in some academic institutions) is not a significant factor prior to the attempt to discipline a dissident, it is certain to occur after any unfair attempt at discipline. An important complicating factor is that often there are a number of individuals involved in a sacking attempt. The author of a sacking complaint may really believe that he is honestly describing grievous and accurate charges against the work performance of the dissident. The problem is that other individuals, often keeping discreetly in the background, have given the author of a dismissal complaint information that is slanted. Such inaccurate information from other individuals can arise in at least four different ways:

1. A motive of suppression, to discredit the dissident.
2. A motive of personal dislike for the dissident — or a motive of personal dislike for the author of the sacking complaint. In the latter situation the motive for supplying

misinformation against the dissident is to entrap the author of the dismissal complaint into bringing incorrect charges, with the possibility of subsequent exposure.

3. A desire to please some vested interest. This might be in order to obtain research funds, or to advance in the hierarchy.
4. Just sheer incompetence in bringing incorrect information to the attention of a superior.

Suppression motives can show finer distinctions. There may be the desire to protect some specific agency or individual. There may be a more generalised dislike of criticism, or "boat-rocking". In a provincial institution there is often a dislike of any critic, although tolerance may be extended on the basis of local connection or on the basis that the criticisms are not really a threat which might effect reform.

Providing certain criteria for suppression are met, the existence of a double standard in discipline adds credibility to the interpretation of events as being *suppression*. Let us now look at certain features of this case history, and then let us compare it with other examples of the standard of discipline at the University of Adelaide:

1. Complaints about the dissident act are made to the dissident's superiors, not to the dissident himself. In this case, Manwell's letter to the fruit fly section of the Department of Agriculture was not answered — but was turned over to Professor Andrewartha, Manwell's immediate superior. Note also that neither the South Australia Department of Agriculture, nor the parliamentarians who criticised our public comments on the fruit fly program, deigned to provide unpersonalised and reasoned criticisms of our comments for the media. In addition, the South Australia Department of Agriculture has been involved in other suppression cases.⁴¹

2. In the official letters of complaint, alleging unsatisfactory performance, certain activities which had occurred *before* the act of dissidence were not complained about until *after* the act of dissidence. In this case, Andrewartha complained in his second letter to the Vice-Chancellor, dated 19 April 1971 (and used by the Commission of Inquiry as the sacking charges), that Manwell had lectured on Human Biology instead of Mechanisms of Evolution in the previous years in the first-year course — although the Vice-Chancellor's *Statement*⁴² makes clear that this situation had been accepted, and presumably approved, by Andrewartha in official Zoology Department documents. Indeed, in the court case in 1975 it was brought out that another staff member, from the Department of Genetics, had lectured upon Mechanisms of Evolution, had set reading in a book with that very title, and had set examination questions on that topic. At the University of Adelaide such a fundamental contradiction was apparently entirely acceptable.⁴³

3. Charges laid against the dissident are inadequate in substance or are erroneous in specific examples of alleged misconduct. In this case, the Council's own Commission of Inquiry considered the charges to be inadequate by the standards set in the dismissal statutes. The Vice-Chancellor's *Statement*⁴⁴ reports that the specific allegations of any significance are erroneous.

4. Supporters of the dissident, or even neutral parties whose comments do not support victimisation, are themselves harassed. In this case, two of the three academic witnesses for Manwell at the court case complained to us of being threatened by other academics. Manwell's students, or prospective students, complained to us on numerous occasions about harassment. At one stage in the affair, a group of students attempted to get matters aired before the Faculty of Science — but that attempt too was suppressed. A letter from a victimised prospective student was shown to the Committee of Three, apparently without effect.⁴⁵ As the dissident's wife, I have been repeatedly subjected to victimisation within the University, except for the period when the then Vice-Chancellor, after the publication of his *Statement*⁴⁶ was still in authority within the

University. During that time the pledge that he made — “I will do all I can to help everyone in the University to work harmoniously together” — was kept.⁴⁷ His example kept those who had benefited from Andrewartha’s sacking attempt in their proper place. When the then Vice-Chancellor left the University of Adelaide, the harassment returned.

5. Violence and threats of violence are used; “frame-up” situations are created. The situation at the University of Adelaide has some remarkable parallels with the Orr case at the University of Tasmania⁴⁸ and with the O’Brien case at the University of Western Australia.⁴⁹ Manwell received repeated threats of violence from unidentified individuals. On several occasions in the University, situations were encountered which appeared to be set up — with violence having an unanticipated outcome in one instance. While the general climate of victimisation revealed in this case history is such as to induce a feeling of paranoia, certain incidents involving known supporters of the sacking attempt, or individuals who profited from the sacking attempt, cannot be interpreted as being innocent. It is important to emphasise that we have no evidence that Andrewartha himself was involved in any of these situations; indeed, most of them occurred after he had retired from the University. Furthermore, we believe that he would strongly disapprove of the behaviour of certain of his supporters. The use of violence seems to have become necessary to cover up for the original error and suppression. If the matter were simply one of a mistaken belief that justifiable charges for sacking existed, then as soon as evidence against the charges was accepted by the higher administration, that should have been the end of it. Instead, there is an obsessive desire to destroy the dissident, a desire that knows no limits. This overreaction is one of guilt — guilt from having been revealed as having profited from the promulgation of falsehood.

6. There is selective violation of privacy; information about an intended sacking becomes circulated as a means for discrediting the dissident. In this case, the first indications of the sacking attempt and our first knowledge of the charges came via a reporter from a local newspaper — hardly the proper procedure for handling sacking complaints as specified in the University’s statutes. It is not known who was responsible for the leaking of this information.⁵⁰ It contrasts with the effective secrecy imposed by the University administration in other instances where the University community had much more right to the information, as in an example provided below. The selective use of privacy is shown by the fact that the Commission of Inquiry was to be a “star chamber” affair, until the threat of a riot in the Council chamber caused a change in the original decision.⁵¹ Clearly, privacy would have been very much to Manwell’s advantage in the initial stages of the affair. However, once the gossip started, then a public hearing, with the charges and the evidence, would always be to the benefit of an innocent individual. As the criticisms Manwell made about the fruit fly spraying could not be easily countered, the news of the sacking attempt, and the *lack* of news about the inadequacies of the charges, would be the most effective strategy for suppression.

Finally, what about comparative standards of discipline at the University of Adelaide? Can the affair be explained as a result of an attempt “to run a tight ship”? Given the concern over discipline expressed in some of the Council’s communications, such as the examples given earlier in relation to attempts to make dismissal easier⁵², can the situation be explained as a consequence of the desire to impose the highest standards of behaviour?

One of the more disillusioning aspects of the entire episode was the number of occasions when other staff members, or students, told us of serious misbehaviour occurring in the University. It is not, however, necessary to divulge these allegations, some of which may well have been incorrect or exaggerated. It is sufficient to mention two publicised examples where the offenders have had the opportunity to deny the allegations.

Inadequacies in the teaching of another staff member in the Department of Zoology

were such as to provoke a revolt by the normally docile students of Zoology II, most of whom signed a petition alleging "the inability of the Department of Zoology to mount a course of adequate quality".⁵³ There is no evidence known to us that Andrewartha or anyone else took any disciplinary action over a situation which gave the Department considerable bad publicity. Was that because Manwell had nothing to do with the Zoology II course at that time?

The other example is more recent. It did not involve the Department of Zoology in any way. It supplies, however, an important counter-example to the high-standards-of-discipline hypothesis. This second example is best presented in the words of aggrieved students:

Late last year a woman student at Adelaide University had a harrowing experience when a male lecturer followed her through the campus at night.

In spite of her attempts to fend him off, the lecturer involved put his arm around her and tried to kiss her. The woman had just separated from the friends with whom she had spent the evening and she, and the academic involved, were completely alone.

To protect the identity of the woman student neither she nor the lecturer will be named, but for her it was a terrifying experience which she will not easily forget.

This lecturer had for a long time taken an interest in a student club connected with his department. On the night when the woman was harassed he had arranged for the club members to hold a function in the University Staff Club on the Hughes Plaza.

... as the evening drew to a close, the staff member began talking about her grades. He tutored her in one of her subjects and he mentioned a possible discrepancy in her marks.

She took this seriously and as she left with her friends she was worried about her academic performance. She separated from the group to go to her car and was followed and harassed by the academic.

When she reached her car she let herself in, believing that the worst of it was over.

However, he stood in front of her car preventing her from driving off. She wound down the window to tell him to go but he seized the opportunity to open the car door and force his way in. He made her drive to the Law School car park where he had left his vehicle. He was persistent. Even then he was still trying to kiss her.

Eventually she succeeded in pushing him out and was left distraught and upset and very worried about her marks...

It is instructive to consider what happened to the harasser whose episode was described above. He is still teaching in this University. Although complaints were made and some form of admonition was eventually delivered to him, he has not had to pay for the degrading way in which he treated one of his students.

Liz Burdon and
On Dit staff⁵⁴

There has been no denial of any part of the description of this case of violent sexual harassment, coupled with an attempt to manipulate the student's grade. Furthermore, it has been impossible to obtain an official statement explaining the case and justifying the way it was handled. The students reported that the sexual harasser "is still teaching in this University". However, an "off-the-record" comment from an administrator (who does not wish to be identified) was that the offending staff member had been allowed to resign for reasons of "health". That suggests that resignation did not come until *after* students "blew-the-whistle" in the newspaper. Even worse, there are persistent rumours that this staff member was paid handsomely to take early retirement. The excuse is that he had a "drink problem".

The combination of carefully calculated secrecy and the failure to invoke the dismissal statutes is a blow, whether to student morale, to the high-standard-of-discipline hypothesis, or to many Australian academics. The failure to let justice be *seen* to be done has meant that

all staff members who have recently left the University in early retirement, or to go elsewhere, are among the candidates for the inevitable speculation and gossip.

“Another Entomological Vietnam”

What then of the issue that precipitated this case, the fruit fly problem in South Australia? In 1972, the year following our public criticisms of the fruit fly eradication program, there were four outbreaks, including one in the affluent suburb of Burnside. The South Australia Department of Agriculture began using a more toxic organophosphate pesticide in some of the cover-spraying.⁵⁵ There were not only reports of extensive bird kills, but also complaints of cats being taken ill or found dead. In an upper-middle class suburb there was no shortage of vocal opponents to the “overkill” aspects of the fruit fly program. Another staff member of the Department of Zoology, and his wife, experienced fruit fly “eradication” at first hand and made their opinions, which were similar to ours, a matter of public record:

Mr Dunstan’s [the then Premier of South Australia] views on fruit fly spraying . . . are inconsistent with his alleged concern for the environment, which apparently only extends to trivialities.

As pointed out in leaflets now being distributed by the Stop the Spraying Campaign (which bear the name of the Campaign and its address and are therefore not anonymous, as he claims), the present fruit fly eradication programme is destroying birds and beneficial insects, and is exposing householders to a poison . . .

We fully agree with Mr Dunstan and the Department of Agriculture in their insistence that fruit fly must be controlled.

On the other hand, we deny that the present eradication programme is the most suitable for SA [South Australian] conditions.

There is a perfectly unobjectionable alternative — the sterile male method — which does not involve the use of poisons, or any risk to human health or the environment and which is being used in other parts of the world.⁵⁶

Also in 1972, the Environmental Interdisciplinary Committee, a group of individuals who represented different South Australian professional bodies, including medicine, chemistry, engineering and other sciences, held its own investigation of the fruit fly program in Adelaide. Its report⁵⁷ reached almost identical conclusions with those written by us a year earlier, although we were not involved in preparing the report, nor in its approval by the Ecological Society of South Australia.

As the years have passed, it has become gradually apparent that the fruit fly situation in Adelaide is getting worse, not better. In the period 1947 to 1971, before we went public on fruit fly, outbreaks occurred in fewer than half of the years. Since 1971 outbreaks have occurred in every year but one. The repeated claims by politicians and by the South Australia Department of Agriculture, that they are winning the war against fruit fly, do not agree with the facts. What is especially ominous is that the overall trend in outbreaks-per-year seems to have risen in the 1970s despite the increasingly unfavourable weather for fruit fly: prolonged droughts, cold winters and hot, dry summers.

A few of the South Australian politicians are beginning to realise that there is “no light at the end of the tunnel”. One of the parliamentarians who had been so eager to attack Maxwell in 1971 complained in 1974 that the outbreak was “the largest ever” and then even advocated biological control (if in a form that was inappropriate to the problem!):

I have been interested in the biological control of fruit fly for many years. Officers can get bugs to do the work for them, and the bugs enjoy doing it. The method is cheaper than spending much money on chemicals, which pollute the air.⁵⁸

But, worse was to come. By 1979–80 there were 11 outbreaks in one fiscal year, including, for the first time, winter outbreaks. Thus, our 1971 predictions, of more pesticide resistant fruit fly and more climatically tolerant fruit fly, were confirmed. Although not yet recorded from South Australia, and, hopefully outside its range of temperature adaptation, Oriental Fruit Fly, a species that attacks over two hundred different varieties of fruit and is a major pest in many parts of the world, had been reported as having invaded over one-third of the Northern Territory. The need for action against fruit fly at a federal level, to develop sterile male eradication programs, and the prediction of “another entomological Vietnam” continued to be ignored.⁵⁹

Further cracks in the monolithic local fruit fly dogma appeared when one Member of Parliament found that “a delicious and attractive peach” was “a mouthful of maggots” and complained of:

... the shocking indifference of both Ministers of Agriculture in this Labor Government for the way in which they have ignored my request for information and reassurance about the retention of our road-block system during the time that this Government has been in office.⁶⁰

Lynn Arnold, representing the Labor government, replied rather facetiously:

As to whether or not they [road block inspections] are very effective technically, it is not absolutely convincing... it is more the perceived effectiveness on those who pass by... It is a difficult thing to assess short of interviewing fruit flies coming through and asking them whether they are deterred by the road block.⁶¹

However, the Labor government appeared to reverse its earlier decision to drop the road-block inspections at the borders. Certainly, with the present understanding of the fruit fly problem, it would be extremely unwise to stop the border inspections. In fact, the rather lax standards should be tightened up. Nor need one begin “interviewing fruit flies” to monitor the effectiveness of the road-block inspections. It is likely that molecular markers can be used to tell where fruit fly immigrants are coming from.

The lax standards for fruit fly inspection at the borders (and the airport) are not the only signs of a poor attitude towards the fruit fly problem in South Australia. The failure to cope with fruit fly has had the unfortunate consequence that some people take the program as a joke. In 1981 a beer company was using fake fruit fly inspectors in a television commercial. The Minister for Agriculture admitted that such a humorous advertisement could damage the fruit fly program because: “We do have some credibility problems in this area...”⁶² However, the Labor government, ready enough to tolerate, if not condone, the suppression of academic critics, was not prepared to suppress such powerful vested interests as local advertising agencies or breweries.

The reader may wonder why South Australia did not follow the trend and use sterile males to eradicate fruit fly, a method that has been successful in other places since the 1960s.⁶³ The South Australia Department of Agriculture began to raise sterile males, but, for reasons which have not been fully explained, the programme was a failure:

Unfortunately, the sterile males that were bred in captivity under sheltered conditions could not survive when turned out into the wild and they could not excite their wild sisters sufficiently to be of any use.⁶⁴

Yet, in Western Australia sterile males have been successfully produced with sufficient libido to, in the first field trials, almost eradicate a vigorous and long-standing population of Med-fly.⁶⁵

Why have the politicians, public servants and scientists in the South Australian government been unable to accomplish what others in many countries, and now Western Australia, have been able to do: eradicate isolated populations of fruit fly?

The answer rests in our case history: in South Australia it has been easier to suppress

discussion and dissenting views than to suppress fruit fly populations. In Western Australia residents were able to get compensation through the courts for damage done in overly enthusiastic pesticide-based eradication programs; accordingly, there has been a more effective drive to reduce pesticide usage and to adopt the highly specific sterile male method.

Although the Council of the University of Adelaide accepted the report of its Committee of Three (or Committee on Residual Problems in Zoology) it declined to accept one suggestion by its Committee which was the essence of scholarly responsibility:

We [the Committee of Three] believe, from the several interesting discussions we had, that the fruit fly problem is of considerable scientific importance and interest. We feel it would be useful to arrange a discussion on this topic in the University under the aegis of the Department of Adult Education.

Why should the University Council suppress such a proposed discussion? Why did the University community accept such censorship without any visible signs of protest?

Such is the march of folly into "another entomological Vietnam". But, the consequences of the acceptance of suppression extend far beyond the politics of pest control and eradication. The pattern of suppression and scapegoating in an institution of higher education, run by the cream of local society, has grievous implications for the entire society. It is to the information-processing leadership, the scholars, the judiciary and the politicians, that the community looks for the standards of justice.

References

1. C. M. Ann Baker (ed.), *Fruit Fly Papers* (Committee of Concerned Scholars, privately published 24-page document, 1973). The updated version of the *Fruit Fly Papers* keeps intact approximately one-quarter of the original document. Some general sections discussing academic problems have been deleted because they overlap material presented elsewhere in this book. With the passage of time additional information became available, both on the fruit fly problem in South Australia and on the sacking attempt. The 1975 court case was settled before judgement, when the University administration finally agreed to publish the facts concerning the dismissal charges (and to publish those facts *without* the previous condition that Manwell resign in order to have his name cleared of false charges!). The 1975 court case provided important insights not available at the time the original *Fruit Fly Papers* were prepared. I express my gratitude to the original members of the Committee of Concerned Scholars. I thank the then editors of *On Dit* and the members of the University community who opened the "star chamber" trial to the public and who liberated (or violated, depending on your point of view) documents which helped to prove my husband's innocence. I thank also the members of the international community of scholars who wrote to the University, or to newspapers, protesting the treatment we received.
2. G. M. Badger, "Statement concerning the complaint by Professor H. G. Andrewartha against Professor C. Manwell", *Lumen* (University of Adelaide), 3 June 1975, pp. 3-6, reproduced in this volume on pp. 113-120.
3. Judy Chase, "Fly in funding ointment", *Times Higher Education Supplement*, 26 April 1974, p. 13.
4. G. M. Badger, "The fruit fly papers", *ibid.*, 21 June 1974, p. 22.
5. C. Manwell, "The fruit fly papers", *ibid.*, 18 October 1974, p. 23.
6. A. E. Shields, "The fruit fly papers", *ibid.*, 3 January 1975, p. 8.
7. Clyde Manwell, "Peer review: a case history from the Australian Research Grants Committee", *Search* 10, pp. 81-6 (1979).
8. Clyde Manwell, "An open letter to the president of FAUSA", the *Australian (Higher Education Supplement)*, 27 May 1981.

9. Clyde Manwell, "How to get rid of environmentally oriented teaching", *On Dit* (University of Adelaide student newspaper), vol. 50, no. 9, Fifty Year Memorial Issue (7 June 1982), p. 16.
10. See note 2 above.
11. This was not only a generous act by the former Vice-Chancellor, it was good administrative policy. It made it clear to certain of the supporters of the sacking complaint that they should behave, for the victim was not without some influential support within the institution. At the same time, it meant that the supporters would not have their own access to funds within the Department squeezed. It should not be forgotten that where a Department Head (or Chairman and his clique) have control of departmental funds it is not difficult to find reasons to reduce the shares given to disfavoured individuals; worse, if some get less, others will get more and, accordingly, easily rationalise (or exacerbate) the situation. The use of more "statutory" means for allocating resources, i.e., that each staff member gets an equal share, and that expenditures for teaching are set on a per student basis, would reduce the prizes to be gained by scapegoating and intrigue, and thus would reduce the tensions within some universities.
12. It is important to distinguish between the actions of some of the members of the executive of the Staff Association in 1971–75 and some of the earlier members of that executive. One official of the Staff Association at the time Professor Manwell asked for assistance told him: "Sorry, there is little we can do for you as we have never had a case like this before". Later we learned that another prominent official of the local Staff Association was a consultant for the Department of Agriculture's fruit fly program and also a protégé of the author of the sacking complaint! However, a distinguished academic who had earlier been a Staff Association official not only correctly predicted the response of those who were at that time members of the "inner circle" of the local Staff Association, but also warned: "Get a lawyer. You do not realise your danger". He then went on to point out how the smugness of Adelaide provincialism would not be bothered by the fact that the charges were false and that others had been driven out of the University of Adelaide in a similar way.
13. See note 2 above.
14. Article 12 of the Universal Declaration of Human Rights reads: "No one shall be subjected to arbitrary interference with his privacy... nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks." A. H. Robertson, *Human Rights in the World* (Manchester University Press, 1972), p. 187.
15. Several species of fruit fly (Tephritidae) are serious pests in Australia, with the introduced "Med-fly", *Ceratitis capitata*, and the native Queensland Fruit Fly, *Dacus tryoni*, being the major pest species. See R. A. I. Drew, G. H. S. Hooper and M. A. Bateman, *Economic Fruit Flies of the South Pacific Region* (Queensland: Plant Quarantine and Entomology Branch, Department of Primary Industries, 1978; a second edition with a few changes was published in 1982). For the first discussion of fruit fly in South Australia, see H. G. Andrewartha, *Fruit Fly* (South Australia Department of Agriculture, eight-page pamphlet, 1947) and D. C. Swan, *Fruit Flies* (South Australia Department of Agriculture Bulletin 409, February 1949).
16. Queensland Fruit Fly have a relatively limited temperature tolerance: see A. Meats, "The bioclimatic potential of the Queensland fruit fly, *Dacus tryoni* in Australia", *Proceedings of the Ecological Society of Australia* 11, pp. 151–61 (1981). A few days at 35°C is sufficient to sterilise adults and immatures; summer temperatures in South Australia can exceed 40°C. Nevertheless, there is evidence to suggest that in the last

- hundred years Queensland Fruit Fly have extended their range into much of eastern New South Wales and the extreme eastern part of Victoria; thus, presumably, there has been some evolution of tolerance to greater extremes of temperature, possibly as a consequence of hybridisation with another member of the genus *Dacus*: see C. E. Birch and H. G. Andrewartha, "Queensland fruit fly: a study in evolution and control", *New Scientist* 28, pp.204-7 (1966).
17. M. A. Bateman, "Area control as a tool in integrated pest management systems", in P. J. Cameron, C. H. Wearing and W. M. Kain (eds), *Proceedings of the Australasian Workshop on Development and Implementation of Integrated Pest Management* (Auckland, New Zealand: Entomology Division of DSIR, 1982), pp. 162-72.
 18. Robert van den Bosch, "The pesticide Mafia", *Ecologist*, vol. 10, March issue, pp. 78-82 (1980); Mary Louise Flint and Robert van den Bosch, *Introduction to Integrated Pest Management* (New York: Plenum Press, 1981). See also: Paul Ehrlich and Anne Ehrlich, *Population/Resources/Environment* (San Francisco: Freeman, 1972, second edition); and David Pimental (ed.), *World Food, Pest Losses, and the Environment* (American Association for the Advancement of Science, Selected Symposium No. 13, 1978). These more recent publications basically confirm the politics of pest control as claimed by earlier environmentalists, who were often the targets of suppression, e.g., Rachel Carson, *Silent Spring* (Boston: Houghton-Mifflin, 1962); Frank Egler, "Pesticides in our ecosystem", *American Scientist* 52, pp. 110-36 (1964); Frank Egler, "Pesticides in our ecosystem: communication II", *BioScience* 14, pp. 29-36 (1964); Richard Rudd, *Pesticides and the Living Landscape* (University of Wisconsin Press, 1964); Harry Rothman, *Murderous Providence: A Study of Pollution in Industrial Societies* (London: Rupert Hart-Davis, 1972). A meeting of the Entomological Society of America censured not only Frank Egler for his *BioScience* article but also the editorial board of *BioScience* for publishing it. Many members of the Entomological Society of America receive research funds from pesticide companies or the US Department of Agriculture, a bureaucracy captured by agribusiness interests. It was later revealed that the issue of *BioScience* containing Egler's excellent paper only arrived at subscribers' addresses at the time the Entomological Society of America was having the meeting at which it passed the vote of censure: thus, it is doubtful if most of those voting had the opportunity to read the article before voting: see C. L. Judson, "Pesticides, politics and peace" (letter), *BioScience* 15, p. 159 (1965).
 19. Baker, op. cit.
 20. Some of the local news-reporting of our comments was incomplete or distorted. A detailed description of our criticisms was published in *On Dit*: Clyde Manwell and C. M. Ann Baker, "Use and abuse of science. I. The fruit fly programme in South Australia", *On Dit*, 17 March 1971, pp. 10-12.
 21. An American authority on fruit fly eradication recently concluded: "The medfly has been eradicated from the continental U.S. six times — with applications of pesticides. However, such applications are undesirable in urban areas. Fortunately, the SIRM [Sterile Insect Release Method] against medflies has been well developed and tested in Hawaii, Cyprus, Spain, Italy, and Central America". He then describes how Med-fly were eradicated by the use of sterile males when an outbreak covering 100 square miles in Los Angeles County occurred in 1975 (an area much larger than any Adelaide Med-fly outbreak I know of): see L. E. LaChance, "Genetic strategies affecting the success and economy of the sterile insect release method", in: Marjorie A. Hoy and John J. McKelvey, Jr. (eds), *Genetics in Relation to Insect Management* (New York: Rockefeller Foundation, 1979), p. 9. The sterile male method is not a panacea. A later outbreak in California turned into a disaster when inadequately sterile males were released. That, however, was not the fault of the method itself but inadequate "quality control",

- which should always check radiation dosage and percentage sterility (as well as mating competitiveness). I have been informed of the fact that one fruit fly outbreak in Adelaide went temporarily out of control because of an error in diluting the pesticide. For theoretical reasons which need not be discussed here, the sterile male method is intrinsically much more suitable for complete eradication than is pesticide application: see, for example, the classic paper by E. F. Knipling, "Sterile male method of population control", *Science* 130, pp. 902-4 (1959); also, T. P. Bogyo, A. A. Berryman and T. A. Sweeny, "Computer simulation of population reduction by release of sterile insects, I", *International Atomic Energy Authority Panel Proceedings*, pp. 19-25 (1971).
22. D. N. Brookman, in *Parliamentary Debates* (South Australia, 3 March 1971), p. 3721. For other attacks, see C. R. Story, *ibid.*, 3 March 1971, p. 3701; H. K. Kemp, *ibid.*, 11 March 1971, p. 3963. Brookman and Kemp were then well-known ultra-conservatives. Kemp had attempted to introduce legislation to broaden the grounds for dismissal of academics. Brookman had also been a member of the Council of the University of Adelaide.
 23. This quotation reveals more than just the cult of the expert. It reveals how misinformation flows through the University bureaucracy. Some individuals persuaded Andrewartha that Manwell's (and my) criticisms were an attack on his expertise. First, as the discussion of fruit fly in the text and the notes of this chapter show, no single expertise, including "population ecology", is the whole story. If any speciality is important in understanding problems such as the emergence of resistance to pesticides, or the emergence of pre-mating isolation (which can cause the breakdown of a sterile male eradication program), it is mechanisms of evolution together with molecular biology. Second, my own expertise involved agriculture, including working for the Ministry of Agriculture, Fisheries and Food (England and Wales). Manwell had specific expertise with orchard pests and had done research over many more zoological topics than just "physiology". As the Vice-Chancellor was ultimately to admit, "Professor Andrewartha did not give detailed particulars of any allegedly unscientific statement either in his formal letters of complaint or with me in correspondence" (quoting p. 4 of his *Statement*: see note 2 above). Thus, Andrewartha never particularised his objections to our criticisms, despite having had every opportunity to do so — including four weeks of examination and cross-examination in the Supreme Court of South Australia in 1975. In fact, there was little difference in even the details of the scientific views by Manwell and Andrewartha on fruit fly. In our presence Andrewartha had made some strong criticisms about the way the South Australia Department of Agriculture carried out the fruit fly eradication program. Andrewartha had been co-author of an article recommending the use of the sterile male method against Queensland Fruit Fly (see Birch and Andrewartha, note 16 above). Although it was popular in Adelaide to ascribe the cover-spraying to Andrewartha's advice to the Department of Agriculture, that is incorrect; Andrewartha did not advocate cover-spraying in his original article (see note 15 above). The cover-spraying appears to have been the idea of Sir Thomas Playford, a former Premier of South Australia: C. R. Story in *Parliamentary Debates* (South Australia, 14 August 1974), p. 447.
 24. This refers to the attempted sacking of Dr David Craig from the University of Lancaster, basically over allegations of Marxist bias in teaching and examining in 1971-72. When it was found that the Head of Department's allegations were not such as to warrant dismissal, the administration of the University of Lancaster protected Craig's research and teaching by removing him from the authority of the Head of the Department, thus defusing further conflict. The University of Adelaide administration could not easily have been unaware of this case, for it received widespread publicity in

- academic circles. See, for example, *The Craig Affair* (London: Council for Academic Freedom and Democracy, 1972); Roger Grinyer, "Craig affair moves to climax", *Times Higher Education Supplement*, 28 April 1972, p. 1; "The Craig affair — documents from the CAFD file", *ibid.*, p. 7; Roger Grinyer, "Uneasy peace follows Craig compromise", *ibid.*, 5 May 1972, pp. 1, 24; E. J. Hobsbawm, "Accepting new facts of life in the universities", *ibid.*, 12 May 1972, p. 1. Several factors appeared to have contributed to getting fairer treatment for a victimised staff member at the University of Lancaster when compared with the University of Adelaide. Even though the Vice-Chancellor tended to support authority, he was prepared to admit that the administration was not without error: "Among the purposes of the college system was to prevent the university becoming soulless and monolithic, aloofly ruled by faceless bureaucrats. We have slipped too far in that direction". (Mr Charles Carter, Vice-Chancellor, quoted by Brian MacArthur, "Carter defends decision to force confrontation with students", *Times Higher Education Supplement*, 21 April 1972, p. 5). Although the AUT branch at the University of Lancaster let Craig down, the academic group of the ASTMS (Association of Scientific, Technical and Management Staff trade union) "struggled to the bitter end on behalf of myself and my victimized colleagues", quoting David Craig, "The solidarity of university teachers" (letter to the editor), *Times Higher Education Supplement*, 12 October 1973, p. 12.
25. Zhores Medvedev and Roy Medvedev, *A Question of Madness* (London: Macmillan, 1972). See also: Sidney Bloch and Peter Reddaway, *Russia's Political Hospitals: the Abuse of Psychiatry in the Soviet Union* (London: Gollancz, 1977); and, Amnesty International, *Prisoners of Conscience in the USSR* (London: Quatermaine House, 1980). For examples of the use of psychiatry to suppress dissent in the "free world", see: Thomas S. Szasz, *The Manufacture of Madness: A Comparative Study of the Inquisition and the Mental Health Movement* (New York: Harper and Row, 1972). Not too surprisingly, Szasz's views have not been popular with some politicians and professionals. Szasz himself describes one response to his earlier book, *The Myth of Mental Illness*: "Within a year of its publication, the Commissioner of the New York State Department of Mental Hygiene demanded, in a letter . . . , that I be dismissed from my university position because I did not 'believe' in mental illness". Quotation from pp. 11–12 of Thomas S. Szasz, "The Myth of Mental Illness: three addenda", *Journal of Humanistic Psychology* 14, pp. 11–19 (1974).
 26. W. H. C. Eddy, *Orr* (Brisbane: Jacaranda Press, 1961). See also, in the present work, the chapter "Not Merely Malice".
 27. A. E. Shields, "Report on University Personnel Officer/Ombudsman" (four-page document, dated 27 March 1981), pp. 1, 2. Not only have the former Registrar's cogent arguments for an Ombudsperson been ignored, but there appears to have been an attempt to keep the issue from being openly debated on campus. The document itself was distributed to us amongst material from the Staff Association but there is no indication on the document itself as to what its official status or sponsorship is.
 28. "Proposed changes to tenure statutes", *University of Adelaide Bulletin*, vol. 8, no. 5, pp. 1–16 (7 May 1982). See also: Clyde Manwell, "Comments on proposed changes to tenure statutes", a six-page document circulated among staff at the University of Adelaide. Earlier, the University of Adelaide Staff Association opposed the proposed weakening of the dismissal statutes, e.g., "... the changes would achieve nothing except possibly provide a new vehicle for the pursuit of academic vendettas", quoting E. C. Semple, M. Peay, P. Gill and J. F. Keeler, "UASA comments on Report of the Council Committee on Statute IV" (University of Adelaide Staff Association document, 1981), p. 5. The drink and drugs problem was also mentioned by an academic administrator from the University of Adelaide in testimony before the Senate

Standing Committee on Education and the Arts: proofs of the Official Hansard Report, hearings on *Tenure of Academics*, Adelaide, 11 February 1982, pp. 1757–8. Even FAUSA, in discussing “action taken on personal cases” claims that it is working “on a number of longer term projects, including the development of grievance procedures, . . . and the provision of alcohol rehabilitation schemes”: *Federation of Australian University Staff Associations Newsletter*, 10 September 1984, p. 4. Might not “the development of grievance procedures” reduce the need for “the provision of alcohol rehabilitation schemes”?

29. Derrick Rowley in an interview with Stewart Cockburn, “S. A. medical education intolerable”, *Adelaide Advertiser*, 20 October 1972, p. 5.
30. John Smart, quoted in “Philosophy professor resigns”, the *Australian*, 30 December 1971, pp. 1, 3.
31. A. P. Rowe, *If the Gown Fits* (Melbourne University Press, 1961); for a brief description of Rowe’s contributions to the University of Adelaide and the antagonistic response he ultimately generated, see the chapter “Paralysis of the Conscience”. A number of the quarrels among staff are described in W. G. K. Duncan and R. A. Leonard, *The University of Adelaide 1874–1974* (Adelaide: Rigby, 1975); interestingly, this reference does not examine the attempt to sack Manwell, nor does it mention earlier quarrels among staff in the Department of Zoology which occurred before Manwell arrived in 1969 to take up the second Chair of Zoology.
32. Clyde Manwell and C. M. Ann Baker, unpublished studies.
33. The key word here is “effective”. Members of the original Committee of Concerned Scholars interviewed a number of staff members and found that some claimed to have complained privately to members of the administration about the treatment Manwell received. In addition, over thirty individuals from outside Australia wrote letters complaining about the unfairness of the case. None of this had any apparent effect on an administration convinced that might was right. In contrast, there stands the reversal of the decision to hold a “star chamber” trial. Manwell’s requests that the Commission of Inquiry be open were refused by the administration. Nor was the Staff Association prepared to fight on Manwell’s behalf for this fundamental principle of natural justice. When, to everyone’s surprise, several hundred students opened the “star chamber”, the Commission of Inquiry quickly adjourned and voted that the trial would be open after all, as Manwell had originally requested. Thus, private appeals for fairness were not effective — but a mass show of solidarity, with the potential for violence, was. In other words, for protest to be effective, it must be public and command sufficient force to get a hearing — a sad reflection on an institution supposedly devoted to truth, fairness and rational argument.
34. Thorstein Veblen, *The Higher Learning in America: A Memorandum on the Conduct of Universities by Business Men* (Stanford: Academic Reprints, 1918, 1954 reprinting); N. Chomsky, “The responsibility of intellectuals”, in Theodore Roszak (ed.), *The Dissenting Academy* (London: Chatto and Windus, 1969), pp. 254–98; Ian Yates and Andrew McHugh (eds), *Roger Russell and Australia’s Universities: the Pentagon’s Trojan Horse?* (Melbourne: Australian Union of Students, 1974); David N. Smith, *Who Rules the Universities?* (New York: Monthly Review Press, 1974).
35. Robert Nisbet, *Degradation of the Academic Dogma* (London: Heinemann, 1971); Frank Knopfmacher, “University reform”, *Quadrant*, December 1969, pp. 41–50; Richard J. Barber, *The American Corporation: Its Power, Its Money, Its Politics* (New York: Dutton, 1970), especially chapter 7; Edward Shils, *The Intellectuals and the Powers* (University of Chicago Press, 1972).
36. Universities Federation for Animal Welfare, *Handbook on the Care and Management of Laboratory Animals* (London: UFAW, second edition), especially p. 367.

37. Manwell, "How to get rid of environmentally oriented teaching", op. cit.
38. In spite of harassment and a lack of support over the past twelve years, Manwell's comparative biochemistry and pollution course has, on average, trebled its enrolment. This has occurred over a period of time when interest in the environment has waned, and other environmental courses and programs have had declining numbers of applicants.
39. The full details of the conflict between Professor Andrewartha and the previous Second Professor of Zoology are not known to me. While the "personality conflict" or "difference in background" theory is popular locally, it should be stated, in fairness to all parties, that prior to the fruit fly incident and the sacking attempt, Manwell and Andrewartha got on well together, both professionally and socially. Manwell accepted his position as subordinate to the Head of the Department and did not contest the running of the Zoology Department. This is not just my opinion. The evidence for this statement rests in the absence of any specific allegations of earlier conflict in Andrewartha's letters of complaint.
40. Walter Crocker, "Hour on hour of petty detail", *Adelaide Advertiser*, 27 October 1977, p. 5. Crocker was the Australian ambassador to a number of countries and a career diplomat with the United Nations; he has written several important books on the problems of Asian and European countries. He was also Lieutenant-Governor of South Australia for many years.
41. For example, a representative from the S. A. Department of Agriculture complained about Coulter's criticisms of pesticide use: see "Paralysis of the Conscience" (p. 129).
In 1974 residents in an area of the Adelaide hills were subjected to extensive spraying of phenoxy-herbicides by the S. A. Department of Agriculture (and other government agencies). Some residents approached Manwell for help in terms of analysing samples for 2,4,5-T and the TCDD ("dioxin") contaminant. In turn, Manwell approached a knowledgeable organic chemist, who was much better equipped for such difficult assays. That organic chemist replied to Manwell (letter dated 11 March 1974):

I appreciate your views that it would be desirable to have independent tests on water and plants in the area to see if residues of 2,4,5-T are present.
Regretfully, however, I feel that I should not at any price undertake such tests, or indeed direct anyone in the Department at present under my care to conduct such tests.
My reasons for this stem from my complete lack of faith in certain government people who, in conjunction with their confraternity in the commercial sphere, tried very hard in a thoroughly despicable way last year to bring discredit upon me, following my criticisms of spraying activities in SA [South Australia] with 2,4,5-T and with amitrole.
If any tests conducted by me or anyone in my Department yielded positive results of an embarrassing nature to the same people, I fear that another smear campaign would be implemented and that rumours would be concomitantly circulated to the effect that we had "cooked" our findings.
42. See note 2 above.
43. Manwell had been placed in an especially delicate situation, for shortly after he arrived in Adelaide he was specifically warned by Andrewartha, who knew that Manwell had published some work in genetics, not to intrude on the territory of the Department of Genetics. Manwell, who was (and is) interested in population genetics and evolutionary theory, had, in fact, respected Andrewartha's warning. Certain students — and a staff member — from the Department of Genetics frequently came to Manwell (and to me) for advice and assistance in the use of electrophoresis to measure gene frequencies of biochemical markers in populations. They freely confessed that they did not dare admit to certain senior staff in the Department of Genetics that they had to seek advice from us.

44. See note 2 above.

45. I quote from the letter written by a student to Manwell (published later in *On Dit*, see note 9 above):

As you doubtless know by now I shall not be coming to work with you. I was refused a Scholarship by your University despite my first class honours... I venture to suggest that forces within your Department set out to deprive you of a student... I had earlier exchanged some rather bitter correspondence with [name of staff member deleted] which left me with no delusions as to the reception I could expect should I go to Adelaide. Fortunately, I was offered a scholarship to...

To close, I must admit to regret that I won't have the opportunity to work with you... The issues you chose to make a stand on are those which also concern me deeply...

46. See note 2 above.

47. See note 11 above.

48. Eddy, op. cit. See also the chapter "Not Merely Malice".

49. Roger Gale, "A new 'Orr case' brewing in the west?", the *Bulletin* (Sydney), 17 March 1983, p. 41; see also the chapter "Archives of Suppression".

50. See note 2 above.

51. See note 33 above.

52. See note 28 above.

53. See note 1 above.

54. Liz Burdon and *On Dit* staff, "Sexual harassment on campus", *On Dit*, vol. 51, issue 5, 11 April 1983, p. 11.

55. Around this time the S.A. Department of Agriculture began to use fenthion as a replacement for malathion in some of the spraying. More recently, there has been the admission of using the toxic, and highly persistent, organochlorine pesticide chlordane "to kill maggots in the soil": see "Fruit fly eradication — what happens in home gardens", South Australia Department of Agriculture Fact Sheet 45/81 (1982 reprinting). Chlordane has been banned from many uses in the USA because it is carcinogenic: Samuel S. Epstein, *The Politics of Cancer* (New York: Anchor/Doubleday, 1979, revised edition). The relatively low acute toxicity of malathion, or the somewhat higher toxicity of fenthion, is only part of the situation. Certain of the milder organophosphate pesticides, mild in terms of short-term toxicity tests, can give rise to dangerous long-term delayed effects: Ronald L. Baron, "Delayed neurotoxicity and other consequences of organophosphate esters", *Annual Reviews of Entomology* 26, pp. 29–48 (1981). Thus, the absence of major acute effects upon exposure is no guarantee that weeks or months later severe symptoms will not develop. Recent World Health Organisation statistics estimate that pesticide poisoning throughout the world seriously injures approximately one million people a year, with 5000 deaths. In South Australia pesticides and other agrichemicals are the second commonest cause of childhood poisoning. Such figures underestimate the role of delayed neurotoxicity and other symptoms whose onset occurs only long after exposure, for the morbidity and mortality statistics are based on observations of immediate acute toxicity.

56. D. A. Duckhouse and Sylvia Duckhouse, "Fruit fly poison", *Adelaide Advertiser*, 6 June 1972, p. 5. Earlier, Dr Duckhouse wrote: "It is high time that this costly programme, the product of a more poison-happy generation of scientists, was updated in line with current concern for conservation of the environment". *Adelaide Advertiser*, 29 April 1972, p. 5.

57. Environmental Interdisciplinary Committee, *The Fruit Fly Problem in Adelaide* (The Report to the Special Committee on Pesticides and Weedicides, 1972). The summary of its views is reprinted in its entirety in the reference in note 1 above.

58. C. R. Story, quoted in *Parliamentary Debates* (South Australia, 14 August 1974), pp. 447–8. This quotation suggests that Story does not understand the problem: the object is eradication, not control; predators or parasites may reduce a population but they almost never eradicate it, in contrast to the sterile male method: see the references by Knipling and by Bogyo and colleagues at the end of note 21 above.
59. Clyde Manwell, “Urgent”, the *Australian*, 9 April 1976, p. 8.
60. N. Lewis, quoted in *Parliamentary Debates* (South Australia, 21 September 1983), p. 985.
61. Lynn Arnold, quoted in *Parliamentary Debates* (South Australia, 19 October 1983), p. 1184.
62. B. A. Chatterton, quoted in *Parliamentary Debates* (South Australia, 19 November 1981), p. 2068; and 10 December 1981, p. 2618.
63. See notes 16 and 21 above.
64. C. R. Story, quoted in *Parliamentary Debates* (South Australia, 14 August 1974), p. 448.
It is true that South Australia has a special problem in that it is repeatedly invaded by two species of fruit fly (see note 15 above). Thus, sterile male cultivation would require raising colonies of both species. This would not be very difficult. The entire situation, however, argues strongly for assistance from the federal government. After all, “Med-fly” are probably coming from Western Australia and Queensland Fruit Fly are probably coming from the eastern states.
65. Kingsley Fisher, Research Officer in charge of the Fruit Fly Eradication Program, Carnarvon, Western Australia, personal communication to Clyde Manwell, 1984. The initial suppression of 98 per cent of the breeding population after three months’ flooding with sterile males is expected to be followed by complete eradication. These results are especially good when one considers that the population in Carnarvon is not completely isolated, for there is no way to ensure that people do not bring infected fruit from the large region of south-west Western Australia where Med-fly are numerous. Thus, there is the continuous risk of reintroduction. Planning for this program was first publicised in 1980: Robert Bennett, “Sterile flies may be the final solution”, the *Australian*, 30 April 1980, p. 2; see also: K. Fisher, “Fruit fly under attack from the sterile insect technique”, *Western Australia Journal of Agriculture* 22, pp. 51–2 (1981).

STATEMENT CONCERNING THE COMPLAINT BY PROFESSOR H. G. ANDREWARTHA AGAINST PROFESSOR C. MANWELL

G. M. Badger

Reprinted from Lumen, 3 June 1975, pp. 3–6.

On the 19th April 1971, Professor H. G. Andrewartha, Professor of Zoology and Head of that Department, wrote to me to make a formal complaint about the work of Professor C. Manwell of the same Department. At my request, Professor Manwell commented on the complaint in a letter dated 13th May 1971, and Professor Andrewartha commented on his reply in a letter dated 1st June 1971.

There was no suggestion either in the letter of complaint or in subsequent material that Professor C. Manwell has been involved in any matter involving moral turpitude. The complaint related entirely to teaching, research and administration and included a criticism of

Professor Manwell's public statement on the South Australian Department of Agriculture's fruit fly eradication programme.

In due course, the letter of complaint came before the Council of the University and later before a Commission of Enquiry established by the Council and set up in accordance with the provisions of the Statutes of the University. The Commission met in formal session and had before it the letter of complaint, together with certain documents which had originally accompanied it. The Commission had the assistance of Counsel who had been instructed by the University, and the two professors concerned were each represented by Counsel.

It was necessary for the Commission of Inquiry to consider whether the matters which had been alleged by Professor Andrewartha in his letter of complaint, assuming for the purpose of argument that they were in every case well founded in fact, amounted to such conduct on the part of Professor Manwell as was contemplated by the relevant Statute. After hearing argument from all Counsel, the Commission ruled that the matters alleged against Professor Manwell in the letter of complaint were not such as would justify any action under the Statute, even if proved. The Commission of Inquiry therefore made no investigation into nor finding about the matter which had been alleged.

The finding of the Commission of Inquiry, which was adopted by the University Council on 3rd December 1971 and subsequently published throughout the University was as follows:

"We cannot find within that letter" (referring to Professor Andrewartha's letter of complaint) "allegations which, if proved true, would show that Professor Manwell had grossly or persistently neglected his duties or that he had been guilty of serious misconduct in or about the performance of his duties such as would constitute grounds for dismissing him under Clause 9 of Chapter IV of the University Statutes. Accordingly we see no reason for us to proceed further with this inquiry and we recommend that the University Council should not regard or treat this complaint as a basis for dismissing Professor Manwell under Chapter IV of the University Statutes."

The Council recognised that there were problems in the Department, and it asked a small committee consisting of the Deputy Vice-Chancellor, the Chairman of the Education Committee and the President of the Staff Association "to hold discussions with both Professor Andrewartha and Professor Manwell, with a view to advising the Council on the most suitable course of action to be taken". This Committee has been variously referred to as "The Committee on Residual Problems in Zoology" or "The Committee of Three".

After receiving a copy of the letter of complaint by Professor Andrewartha, Professor Manwell wrote to me on 13th May 1971 setting out his version of the matters in the complaint. This letter went before the Commission of Inquiry. As the Commission had not found it necessary for the reasons they gave to enquire into the accuracy of the complaint, Professor Manwell wrote to me on the 3rd December 1971 requesting that he be given an opportunity of demonstrating what he claimed was the factual inaccuracy of the complaints made against him by Professor Andrewartha, and this letter was before the University Council. Professor Manwell did not challenge the right of Professor Andrewartha to hold and express opinions concerning his, Manwell's, scientific work and general capacity, nor did he seek that the University should investigate these matters but that there should be a finding upon the strictly factual allegations upon which the letter of complaint was based.

The Committee of Three held that it was impossible to find fully and finally on the whole body of facts as this would require invoking judicial powers including the power to subpoena and cross examine witnesses.

The report of the Committee of Three was received by the University Council on 9th June 1972 and subsequently published throughout the University along with a number of resolutions by the Council following its consideration of the report.

There has been a great deal of comment on the letter of complaint and related matters since that date. These are widely varying personal opinions on the factual merits, the quality and the relevance of the complaint itself and of the subsequent material generated and of the report.

It appeared to me from information given to me by the Committee of Three that Professor Manwell had been able to establish that a *prima facie* case existed that there were some inaccuracies with regard to factual material in the original letter of complaint. At the request of Professor Manwell, I therefore resolved to carry the investigation of factual material further, and, with the help of the University's solicitors and his solicitors, I made considerable progress. However, as will be explained later, the letter of complaint had become the basis of a libel action by Professor Manwell against Professor Andrewartha. In these circumstances, it was not possible to publish results of my own investigations while the matter was *sub judice*. The libel action did indeed come before the Supreme Court of South Australia on 13th May 1975; but after some days the parties agreed to a settlement out of Court, this settlement to involve the publication by me of my assessment of the matter. I understand that Professor Manwell believes that much of what he sought to achieve by his action was in fact achieved by the evidence presented in defence of his scientific work by scientists of repute and integrity.

The following comments are made in an attempt to correct the record as far as it seems possible to do so regarding the letter of complaint. I will then comment on some of the other matters.

Broadly, the complaint concerned itself with:

- a. specific allegations relating to Professor Manwell in teaching and administration;
- b. the book *Molecular Biology and the Origin of Species* (written by Manwell and Baker and published after the arrival in Adelaide of the authors);
- c. an allegation that in a private letter to a daily newspaper on the subject of the South Australian Department of Agriculture programme for the eradication of fruit fly in South Australia, Professor Manwell had embarrassed the Zoology Department by expressing some views that were unscientific and by giving his University address and title, thus suggesting (it was complained) that the views expressed might be taken to be those of the Zoology Department.

As to (b), both Professors agree that it is the function of the scientific community, and not of the University, to decide the scientific merit of scientific work. Professor Andrewartha has made his criticism and has pointed to an unfavourable review of the book. Professor Manwell has pointed to some commendatory letters from overseas scientists and to some favourable reviews of the book. Such differences of opinion are not uncommon in scholarly work. Professor Andrewartha, whilst maintaining that the book is unsuitable for use as an undergraduate textbook (as to which point there has been a contrary view expressed by another professor of the University), says that Professor Manwell's research and publications, including the book, are stimulating and of considerable value to scientists.

As to (c), Professor Andrewartha did not give detailed particulars of any allegedly unscientific statement either in his formal letters of complaint or with me in correspondence. As to the publication of his University address and title, I can only say that it is not uncommon for academics in this University to write to the Press upon matters of moment giving their academic address and title and that Professor Manwell has produced *prima facie* evidence in the form of a carbon copy of the letter to the Press that his University address was not used in the correspondence to the Editor and was apparently added in the newspaper office.

I turn now to the complaint insofar as it related to teaching and administration and deal with each specific complaint in turn.

As a background, I set out the scope of Professor Manwell's teaching duties. Professor Manwell was not assigned any duties by Professor Andrewartha, as Head of the Department, for the part-year of 1969, but as appears below he delivered in that year four lectures in the Zoology I Course by informal arrangement between the academic in charge of that Course and himself.

For 1970 his teaching duties were:

- a. Four lectures in Zoology I and participation in tutorials.
- b. A series of six lectures in Zoology II and certain practical sessions.
- c. A series of 24 lectures in Zoology III and certain practical sessions.
- d. Certain work with postgraduate students.
- e. He was required to set examination questions relating to his lectures in each of the above units and to mark the students' answers in Zoology II and Zoology III.

The letter of complaint was written in April 1971 before Professor Manwell had undertaken any of his lecturing duties for that year.

The letter of complaint made a number of specific allegations relating to a series of four lectures delivered by Professor Manwell in the Zoology I Course. The first was: "Having been asked to give four lectures in Zoology I on 'mechanisms of evolution' he chose instead to teach 'human biology', addressing himself chiefly to the 'population explosion' and its sociological consequences. He seems to have placed much emphasis on the sociological, political and technological aspects of contraception, and also on the psychological and sociological consequences of crowding." At the Commission of Inquiry, Professor Andrewartha stated that he was referring to lectures in the year 1970.

The history of this course of lectures is that it was first delivered late in 1969 after the arrival of Professor Manwell in Adelaide and following a verbal arrangement made between the Lecturer in Charge of the Zoology I Course and Professor Manwell. There was some discussion between them and it was understood that four lectures would be given but with some emphasis on the way in which man is affecting his own evolution. The course of lectures and assigned reading was the subject of a question (see below) set by Professor Manwell in the 1969 final examination paper.

In 1970, the series of lectures was incorporated into the official course programme, published within the Department, from which it is clear that Professor Manwell was to and did lecture upon Human Biology and not upon Mechanisms of Evolution. In 1971, the subject matter of the lectures was incorporated into tutorials in which Professor Manwell participated with others and at the request of Professor Andrewartha, Professor Manwell lectured on Mechanisms of Evolution.

Professor Manwell denies that the description of the subject matter of his lectures in the complaint is accurate; he has provided an outline of his lectures as he says they were delivered. This outline did not include items dealing with the "sociological, political and technological" aspects of contraception or any other aspects of contraception. Professor Manwell says he referred the students to portions of the textbook by Peel and Potts, *Text Book of Contraceptive Practice*, and told them that they would be examined on those portions of that textbook. He asserts that his lectures as given were within his area of competence. Professor Andrewartha does not purport to rely upon direct knowledge, or upon any first-hand account of the content of the lectures, but he holds the view that it was reasonable for him to infer the topics lectured on from the examination question. Professor Manwell, however, says that the examination question related both to the lectures given by him and to the set reading in Peel and Potts. There is, as far as I am aware, no documentary evidence to substantiate the description of the lectures contained in the complaint.

Professor Manwell maintains that he did not teach outside his area of competence, and I have no reason to doubt his judgment.

The next allegation is that Professor Manwell in choosing how much to teach "lacks judgment and perspective" in that in providing for four lectures in Human Biology in Zoology I he prescribed three substantial textbooks and he distributed to the class twelve quarto pages containing forty-nine references to books and articles. The three textbooks referred to by Professor Andrewartha are *Text Book of Contraceptive Practice, Population, Evolution and Birth Control* and *Population Resources and Environment*.

The situation as to textbooks is as follows. None of these textbooks appeared in the 1969 University Calendar Outline of Courses because the four lectures were not planned until about August 1969 in that year. Professor Manwell assigned part of the book by Peel and Potts *Text Book of Contraceptive Practice* as reading. The outline of courses in the 1970 Calendar did not include any of the three textbooks mentioned by Professor Andrewartha; but the Course Outline given to the students by the Lecturer in Charge included Peel and Potts as assigned reading.

The Outline of Courses in the 1971 Calendar included only two of the textbooks mentioned by Professor Andrewartha, namely Peel and Potts, and Hardin's *Population, Evolution and Birth Control — a Collage of Controversial Ideas*. Of these, only Peel and Potts had been suggested by Professor Manwell. Hardin had been suggested by the Lecturer in Charge of the Course. The four lectures in Human Biology were not delivered by Professor Manwell in 1971 due to the request by Professor Andrewartha referred to above.

Early in 1971, Professor Manwell spoke to Professor Andrewartha about using Ehrlich and Ehrlich's *Population/Resources/Environment*. Professor Andrewartha agreed that this textbook should be considered when the syllabuses for 1972 were being reviewed. Professor Manwell immediately instructed Professor Andrewartha's secretary to telephone the bookshop and tell them that Ehrlich and Ehrlich would be included among the reading for Zoology I in 1971; but Professor Andrewartha over-ruled these instructions. The Course Outline for Zoology I for 1971 did not include this textbook.

In summary it appears that Professor Manwell personally prescribed only part of one of the three textbooks mentioned by Professor Andrewartha and had suggested one other.

The allegation as to the distribution to the class of twelve quarto pages, containing forty-nine references to books and articles is correct. This was done as early as 1969. As to that, Professor Manwell says that he instructed the students that the books listed were not required reading and would not be examined upon (which does not seem to be in dispute) and that the purpose of the document was to stimulate interest by illustrating the scope of the available material.

The next complaint in relation to the Zoology I lectures was that Professor Manwell "flouted scholarly precepts of scientific method" in that for the final examination upon his lectures he set a question consisting of fifty statements each requiring a true/false answer. Professor Manwell did set such a question for the 1970 examination, but he says that he set precisely the same sort of question in 1969 without any criticisms or suggestion for alteration. I understand that true/false questions have previously been used in Zoology I. Professor Andrewartha expressed the view that some of the questions set could not be satisfactorily answered without qualification.

Professor Manwell tells me that this type of question is not generally approved by him, but was adopted in this case for special reasons and that he used quite different and traditional methods in Zoology II and Zoology III (as is the case).

Professor Manwell has pointed out that no student had to answer his question. The lecturer in charge of the course specified that students should answer either Professor Manwell's question or Professor Andrewartha's question on Ecology. Over half of the class opted for Professor Manwell's question.

The next allegation in the letter of complaint was a second instance of what was said to be teaching "outside his area of professional competence". The allegation was that in putting forward six subjects as suggestions for essays for Honours students, Professor

Manwell offered topics which were outside his area of competence and were an invitation to polemics. The background to this complaint is that all staff-members in the Department were asked to submit topics, the students being assigned three or four essay topics from a large number of topics which had been suggested to the Lecturer responsible for the Honours year by all the staff-members. Professor Manwell maintains that the topics suggested by him were not outside the area of his competence.

The list of topics enclosed in the letter of complaint in fact contained eight topics, two of which were used, one in a slightly modified form. There were fourteen Honours students. One student wrote an essay on the first topic in the list and two students wrote an essay on the second topic. These two students also wrote an essay on another topic suggested by Professor Manwell which was not contained in the list. Four other students wrote on topics suggested by Professor Manwell which were not contained in the list. All the topics upon which students wrote essays were approved by the Reader in Charge of the Honours Programme.

I certainly think that some of the topics suggested by Professor Manwell may have lent themselves to polemics, but this would doubtless be true of a large number of topics in many departments and it does not constitute a criticism of the topic if it is otherwise valid.

The next allegation was that Professor Manwell "does not collaborate well with his colleagues in academic matters", and three specific instances were given together with a general statement. The first of these specific instances is the same as the first allegation in relation to Zoology I lectures, namely that the lectures were delivered upon "Human Biology" rather than "Mechanisms of Evolution", and this has already been discussed above. The other specific instances given by Professor Andrewartha concerned a discussion at a staff meeting and the treatment of a request made by a staff-member to Professor Manwell. Professor Manwell has given his account of these matters. The allegations involve people other than the main protagonists and I can make no comment.

The next general complaint relates to "administration" and to Professor Manwell's membership of the Faculty of Science. The actual allegation was that during 1970 he was a member of the Faculty of Science and attended only two meetings; and that when asked to continue his membership during 1971 he declined "with some uncomplimentary remarks about the Faculty". The letter of complaint added that Professor Manwell had an unsympathetic attitude towards administration and was not well informed about it.

The facts as to the Faculty are as follows. Professor Manwell was appointed to the Faculty of Science by the Council of the University at its meeting on 5th December 1969. The Faculty records show that he attended meeting on 12th May 1970, 15th May 1970 (adjourned meeting), 9th June 1970 and 14th July 1970. There is no record that Professor Manwell was informed of his appointment and Professor Manwell says that he was first informed by Professor Andrewartha of his appointment on the day before the May meeting in 1970. Professor Andrewartha agrees that he spoke to Professor Manwell in May 1970 about his membership of the Faculty after having noticed that he had not attended earlier meetings.

Professor Manwell says he did not attend meetings in the third term because (as is the case) Faculty meetings were held at 2 p.m. on Tuesday afternoons and the time-table for his third term unit in Zoology III (approved by the Head of the Department) prescribed lectures and practical work from 2 p.m. to 5 p.m. on that day each week. The Faculty records indicate that Professor Manwell did not attend the meetings in August, or in November and December (after practical work for the year had been completed). In fairness, it should be added that many academics are irregular in their attendance at Faculty and other committee meetings.

Finally, as to membership of the Faculty of Science in 1971, Professor Andrewartha alleged that Professor Manwell declined membership and Professor Manwell says that he did not. On this there appears to be no way of making a finding.

I now turn to some of the other material which has been published over the last four years. Many of the published comments have been ill-informed. The letter of complaint itself was confidential and remained so as the matter was *sub judice* with respect to the University procedures and *sub judice* with respect to the libel action. It was not therefore possible for me, or for the University, to correct some of the misunderstandings.

In March 1971, Professor Andrewartha told me that he intended to submit a complaint about Professor Manwell's work and, early in April, he sent me a draft of his proposed complaint. I discussed this with him on 8th April 1971 in the presence of the then Deputy Vice-Chancellor and the then Registrar. In my view, the complaint even if proved was not sufficient to get Professor Manwell dismissed, and I said something to this effect to Professor Andrewartha. I also told him that if he did decide to send it to me I would send a copy to Professor Manwell to seek his comments; and that if the matter could not be resolved in this way I would endeavour to have it investigated as a complaint not involving dismissal. I returned the draft to him.

The letter of complaint was dated 19th April 1971 and was accompanied by a number of documents and other papers. I was absent interstate for most of the latter part of April and I did not send a copy of the complaint to Professor Manwell until 6th May 1971. In the meantime, Professor Manwell had heard from Professor Andrewartha that the complaint had been sent and he wrote me a note dated 5th May 1971 asking for the details and stating that he heard about the complaint from a reporter.

I do not know how this could have occurred. All I can say is that no reporter heard it from me. Professor Andrewartha and Professor Manwell have assured me that no reporter heard it from them.

Professor Manwell's reply to the letter of complaint was dated 13th May 1971; and Professor Andrewartha's reply to this was dated 1st June 1971. Both letters are referred to in the earlier part of this Statement.

The complaint was not resolved by this exchange of letters and I sought to find a procedure to resolve the matter. In view of the seriousness of the allegations, I asked a member of the University Council, who is also a Judge in the Supreme Court, to adjudicate — with the help of two biological assessors. I consulted Professor Andrewartha about the procedure and suggested two names for the assessors. He agreed. I consulted Professor Manwell in the same way. He agreed to the Judge. He specifically objected to one of the two assessors, and had some general reservations. I suggested several other possibilities. Two names eventually emerged. Unfortunately, Professor Andrewartha's letter of 1st June had not at that time been copied or sent to Professor Manwell. Accordingly, he did not then know that both persons had been mentioned in Professor Andrewartha's letter of 1st June as having been consulted about one aspect of the complaint. I did not myself see this as a difficulty as both proposed assessors have the highest integrity. Nevertheless, I later learned that Professor Manwell was indeed worried about this. Had he pointed this out to me immediately after receiving the copy of Professor Andrewartha's letter, I would have had no hesitation in seeking two alternative assessors who would have been acceptable to him. In the event, I did believe that the proposed committee was acceptable to both Professors and I wrote to the Judge and to the two biologists asking them to serve.

One of the proposed assessors wrote to say that he had once criticised Professor Manwell to a colleague. This letter has been seen by Professor Manwell's solicitors. In view of this, I decided that this particular staff-member could not be one of the assessors and sought to find another. I mention this because it has subsequently been alleged that I attempted to establish a biased Committee.

I attempted to consult Professor Manwell again about the composition of the Committee, but despite repeated efforts between 16th and 18th June I was unsuccessful. However, in view of the fact that Professor Manwell was upset by the content and tone of the complaint and believed that he stood in serious risk of being dismissed, I can understand

that he felt that he needed legal advice. On the 21st June he told me that he had in fact consulted his solicitors. On the 22nd June I wrote to Professor Manwell again asking for consultations, but by this time there had been a break-down in communication.

I was told much later that, on about the 16th June, Mrs. Manwell had been advised that her grandfather had died and Professor Manwell says that for some time thereafter he was pre-occupied with that bereavement.

On 2nd July 1971, I received a letter from Professor Manwell's solicitors. This letter asked a number of questions about the procedure I was proposing (all of which could, I believe, have been satisfactorily answered); but it went on to say that they had been instructed to issue proceedings against Professor Andrewartha for libel. On the same day, 2nd July 1971, Professor Manwell's solicitors also wrote to Professor Andrewartha requesting a withdrawal and apology, failing which, by the end of the week, a writ would be issued. The letter from Professor Manwell's solicitor, simultaneously seeking comments on the proposed procedure and declaring that instructions had been given for a writ to be issued, was the first communication from Professor Manwell's solicitors to the University. Published statements that the solicitors telephoned and wrote to me about the procedures are not correct. Nor is it correct to claim, as has been published, that "recourse to the laws of defamation" was considered only after attempts by the legal advisers "to effect investigations under fairer conditions" had failed.

I now come to the problem of a postgraduate student who wished to work with Professor Manwell. There has been a dispute over the possible acceptance of and awarding of a scholarship to this student. The then existing situation in the Department undoubtedly influenced the eventual result which was that the student did not come to the University to study.

I am convinced that there was no interference with the due processing of the application for the scholarship and the problems arose solely out of the situation in the Zoology Department.

In this statement, I have tried to set out the facts relating to the letter of complaint, and about some of the other material, as fairly and as accurately as I can. It is now published as a settlement to the dispute and I wish to record that settlement has been effected without payment to either side (except for legal costs). Professor Andrewartha, Professor Manwell and Miss C. M. Ann Baker (Mrs. Manwell) do not necessarily agree with all the comments I have made; but they do agree that the publication of this Statement and the discontinuance of the libel action, concludes the matter. Their signatures hereto confirm that agreement. For my part, I hope that those involved will try to put the dispute behind them. I will do all I can to help everyone in the University to work harmoniously together.

Postscript by Brian Martin

On 11 October 1983 I sent a copy of an earlier version of this chapter to the University of Adelaide inviting a response from someone representing the university, or anyone else appropriate, to be included in this book. On 21 October the Registrar of the University of Adelaide replied with some comments which were not for publication. On 29 November I sent a letter enquiring about a statement in the Registrar's reply. On 2 December the Registrar replied concerning this point, requesting that the information remain confidential. A year later, on 11 October 1984, I sent the Registrar a revised and enlarged version of this chapter, again inviting a response. The comments opposite were contained in the Registrar's reply dated 29 October.

COMMENTS ON *THE FRUIT FLY PAPERS*

F. J. O'Neill, *Registrar, The University of Adelaide*

There are two matters on which I wish to comment, firstly on safeguards for the proper management of research projects and secondly on the nature of our now suspended Early Retirement Scheme.

The University has two Committees which impinge on the nature and procedures for research as outlined in the article. The Outside Grants Committee was established in 1970 and has as its primary purpose to ensure that research work financed from sources outside the University should be appropriate to a University, be broadly acceptable to the University community and be unlikely to infringe the general freedom of enquiry of the University and of the staff concerned, and should not distort the normal teaching and research functions of any Department.

The Committee on the Ethical Use of Animals for Experimental Purposes was established in August 1973 and ensures *inter alia* that:

- (i) Care of all animals shall be in accordance with generally accepted laboratory practices, with appropriate consideration for bodily comfort, humane treatment, and sanitary environment.
- (ii) Experiments using animals should be designed to keep numbers to a minimum. Every effort must be made to avoid any unnecessary discomfort to animals. Procedures subjecting animals to discomfort shall be conducted only when such discomfort is unavoidable and is justified by the objectives of the procedure.
- (iii) Surgical procedures must be done under appropriate anaesthesia. Generally acceptable techniques to avoid infection and minimize pain must be followed throughout. The postoperative care of animals must minimize discomfort in accordance with generally accepted practices. If an animal has, in the course of an operation, been so injured that its recovery would involve serious suffering, it must be destroyed while still under the anaesthetic. The disposal of animals must be done in a humane manner.
- (iv) The use of animals by students shall be under the supervision of a qualified teacher and shall be in accordance with these principles. The qualified teacher is responsible for ensuring that these principles are followed, and shall have acknowledged them in writing.

In the light of the foregoing I am sure that you will agree that those insinuations regarding research mismanagement in this University cannot be substantiated.

I now turn to the nature of the suspended Early Retirement Scheme. This Scheme was established in order to encourage some tenured academic staff who were aged 55 years or more and who had more than ten years service to retire early in order that the University could operate within its reduced budget. All applications received were considered openly within the various committees of the University and those approved were publicly reported. Further applications under this particular scheme have now ceased, since the amount set aside has been fully committed to meet payments under the Scheme.

I refer you to my previous letter of 2/12/83 on the question of a retirement of a staff member due to ill health. This staff member *did not* participate in the Early Retirement Scheme outlined above.

REPLY TO THE REGISTRAR

C. M. Ann Baker

The Registrar's comments on "The Fruit Fly Papers" are, in a number of ways, most interesting. He does not deny the facts concerning the unfair treatment of a staff member at his institution. The Registrar's response is academic: "The University has two Committees . . ."

In regard to mistreatment of animals the Registrar has made an error where he refers to my comments as "insinuations". I did not make "insinuations". I presented *facts*, such as the existence of the exchange of correspondence concerning the gassing of rats in the Department of Zoology and the military-financed project by a supporter of the author of the sacking complaint (the project involving the burning and maiming of large numbers of rats). Perhaps the Registrar, out of fairness to the present Chairman of the Department of Zoology, should have mentioned that he was not involved in any way with the situations which were described. It is my understanding that, now, the RSPCA can investigate the animal facilities at any time it wishes, unannounced.

In regard to the University of Adelaide's standards of discipline, I am glad to see that the Registrar has *finally* made some sort of a statement for publication, however incomplete and inadequate, about the case of the sexual harasser whose actions were interpreted as attempted bribery over grades.

In his more recent letter the Registrar writes: "This staff member *did not* participate in the Early Retirement Scheme outlined above." I *did not* state that he did. My sentence in *The Fruit Fly Papers* is: "Even worse, there are persistent rumours that this staff member was paid handsomely to take early retirement." The Registrar can hardly deny that (a) the sexual harasser was allowed to retire early and (b) there are rumours that he was paid handsomely to leave quietly. Perhaps the Registrar will ultimately inform the public as to why the dismissal statutes were not invoked. Indeed, given the use of force, why did not the University assist in seeing that criminal charges were brought? There seems to be one law for outsiders and another law for insiders.

Given the Registrar's concern about the mistreatment of animals and the early retirement of sexual harassers, perhaps he could explain what action the University administration has taken over a seminar announced in the 30 July 1984 University of Adelaide Diary of Events, entitled "Acid-base regulation in *Crocodylus porosus* that are buggered"?