Chapter 3  Gross Moral Turpitude: the Orr Case

SYDNEY Sparkes Orr studied at Queen’s University, Belfast, in the late 1930s. His application for the chair of philosophy at the University of Tasmania in 1952 recorded that he won prizes in logic, philosophy, ethics, political philosophy, metaphysics, history of philosophy, Greek and mathematics, and that he was awarded an MA with first class honours. None of that was true. He was awarded a pass MA. His PhD thesis, on ‘The Socratic theory that virtue is knowledge’, was twice rejected by the examiners, and never completed. In 1944 he was made temporary assistant lecturer at the University of St Andrews, with the understanding that the following year he would be confirmed in a lectureship. This did not take place, after difficulties over complaints from female students and failing to follow the syllabus. After some time on unemployment benefits, he took the Antipodean exit traditional for men in his situation.¹ He was appointed to a temporary vacancy in philosophy at Melbourne University in 1946, and became permanent when the American philosopher appointed to the post was found shot dead in Brisbane.

When Orr’s wife arrived in Melbourne to join him, she found him living with a 21–year-old social worker he had met at a Student Christian Movement conference. The three agreed to live together, and the arrangement continued until the second ‘wife’ became pregnant and Orr demanded she live elsewhere. She soon left perma-

nently; Mrs Orr stayed on. Orr alienated his professor and students, who resented his ravings about Communists and his frequent references to his belief that he was the illegitimate son of Edward VIII. His standing at Melbourne University is clear in a report later provided to the security services by the Registrar:

Disposition: Peculiar. Not a good mixer with equals — opportunist, very mercenary, attitude towards students aggressive and uncharitable, particularly when marking papers. Very emotional. Always talking, often to his own ultimate disadvantage. Frequently sought concessions over fellow lecturers. Quite selfish. Egotistical. Probably schizophrenic ... Was in charge of “CLEAR THINKING” section of lectures. Was placed last in list of preference for promotion to Senior Lecturer. When informed over 'phone that he had not obtained the Senior's posting, fainted.

Around the time he came to Australia, Orr wrote two philosophical articles. The first was an attack on the logical positivist and linguistic tendencies of current English philosophy, a rambling work with an excess of exclamation marks. It appeared in the *Australasian Journal of Psychology and Philosophy* adjacent to John Mackie’s article, ‘The refutation of morals’, whose conclusion is in no sense less extreme than its title suggests, and is an example of the tendencies Orr saw himself as combating. The second, a contribution to a discussion on the metaphysics of Plato’s *Republic*, is a much superior work. It again establishes Orr’s opposition to the relativist currents of the day. The concern of the true thinker, he says, is ‘to reproduce the nature of cosmic order in his own environment, and not merely to amuse himself by clearing up concepts ...’ These two articles proved to be his last published philosophical works. He continued to promise a book reinterpreting Plato’s theory that ‘virtue is knowledge’. This saying is correct, Orr said, only if it is understood that Plato intended ‘knowl-

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edge’ to cover a far wider field than is commonly supposed (in particular, it bears a close relation to Love).\(^7\)

This is the background to Orr’s appointment as first professor of philosophy at the University of Tasmania in 1952.

The University was autocratically ruled by its Chancellor, Sir John Morris, who was also Chief Justice of Tasmania. He wanted no moral relativists or atheists in the chair. He was contacted by Sir Frederic Eggleston, the grand old man of Australian liberalism and author of a book on political philosophy of which little notice had been taken by professional philosophers.\(^8\) Eggleston believed there was a conspiracy to fill all the chairs in Australian philosophy with men who had replaced the traditional weighty concerns of philosophy with ‘mere logical techniques’. They were analysts of language only, ‘arid, neutral and relativist on all great moral and intellectual issues’. What was wanted instead was a philosopher ‘capable of displaying some qualities of intellectual leadership in these critical times’, and filling the moral vacuum that would otherwise be occupied by Communism.

The general idea that a certain kind of technical philosophy leaves a moral vacuum which tends to be filled by irrational and emotionally charged movements may be a defensible one, but Eggleston’s proposed remedy was not a happy choice. Through the Student Christian Movement, he believed he knew a man of honesty and courage who fitted the bill, Sydney Sparkes Orr. Further, he could give advice on the other three candidates, Kurt Baier and Quentin Gibson of the Melbourne linguistic school, and the Sydney Andersonian, John Mackie. ‘Have you read Mackie’s paper on the refutation of morality?’ he wrote. ‘It is a typical example of the superficial way in which present day students dispose of questions of such importance.’ Other advice on Orr was, indeed, not so favourable. In particular, his head of department at Melbourne, Alexander Boyce Gibson, ranked him well below the other three candidates, and added that Orr could not work with those who did not agree with him, and was deficient in both discretion and dignity.

But it was too late. Morris’s mind was made up, and Orr’s appointment went through.\(^9\) It was reported that a ‘down-town’ member of the selection committee had asked Orr whether he thought businessmen had something to learn from philosophy; not much, he

\(^7\) University of Melbourne Report of Research and Investigation 1950, p. 115; J. Tate, ‘Note on the Platonic studies of Mr. S.S. Orr’, in Eddy, Orr, pp. 691–4; Polya & Solomon, Dreyfus, p. 91.


said, but he had found that philosophers had a lot to learn from businessmen. As a joke of the time had it, Orr was the only candidate with the necessary disqualifications.

On taking up his duties, Orr proceeded to alienate most of his students. He fought with the man he appointed as the only other member of the Philosophy Department, a Serb Kantian named Milanov whom he had also made use of as his personal psychoanalyst. And of course he fought the administration. He joined an already existing opposition to his benefactor Morris, and wrote on their behalf an extreme letter in the Hobart Mercury, demanding a Royal Commission into the affairs of the University. The Commission was set up and reported, calling for change in the personnel running the University. That did not happen.

During 1955 Orr began an affair with a student in his second year ethics course, Suzanne Kemp. Her diary, later tendered in court, describes Orr’s technique:

Someone had told him — jokingly — that I had a crush on him, and that had made him decide to say something to me. It was his duty to tell me, in case he was leading me on unconsciously. He should tell me and so free me — that was what was moral in it. Because he believed in my maturity — a deep questioning behind my eyes — that I was past crushes. That he believed something more than the desire to discuss philosophy was behind his relationship with me. I gave him peace &c., he was emotionally involved — what had never happened to him before ... Then he talked of his mother, who he said, didn’t love him ...

By the beginning of 1956, the University authorities were considering various complaints against Orr, notably from Milanov and from a student who claimed Orr had implied that good marks would only be forthcoming in return for help with the design and decoration of his house. Then Suzanne told her father about the affair. Up to this

13 The Dismissal of S. S. Orr by the University of Tasmania (Hobart, 1958), p. 35.
point, the story has similarities with that of Anderson and Ruth Walker, but Reg Kemp was a different kind of man from Ruth’s father, of whom nothing was heard. Accompanied by Suzanne’s boyfriend, he went round to Orr’s house and assaulted him. Orr fell to the floor, then pulled himself onto a chair and denied everything. Kemp, he said, was a brute who had reduced his daughter to a mental state bordering on schizophrenia, for which he, Orr, was treating her. He accused Kemp and the boyfriend themselves of sexual relations with Suzanne, and threatened writs for assault and defamation the next morning. Kemp complained to the University. Orr tendered his resignation, though denying that any affair had taken place. The University Council, at a meeting at which Reg Kemp was allowed to speak but Orr was not present, refused to accept it and insisted on dismissing him instead. After further internal hearings confirmed the Council’s decision, he appealed to the Tasmanian Supreme Court. Miss Kemp stood up well to four days of cross-examination. The Court found for the University. Orr appealed to the High Court of Australia, and lost.

The subsequent long-drawn-out history of the Orr case is of little concern to the history of Australian philosophy, and there are three books on it already in addition to the vast amount of print expended on it at the time. Most academics on the mainland took the case to be more about questions of the correct procedures for dismissing academics, and whether the relation of universities to academics was that of master to servant. Orr himself was an embarrassment to both sides. His opponents were wrong-footed by his earlier attack on the administration, which gave credence to the view that his dismissal was a payback by his enemies. And his supporters were continually embarrassed by his outrageous behaviour, and revelations about his earlier private life and his lying about his qualifications. They found themsel-

16 The Dismissal of S.S. Orr, p. 12; Polya & Solomon, Dreyfus, p. 117.
18 One good—that by Pybus (fn. 1) and two bad (those of Polya and Solomon, fn. 3, and of Eddy and Orr, fn. 25); not counting R.D. Wright’s unpublishable roman à clef, ‘The Cuckoo’, on which see McPhee, ‘Pansy’, pp. 125–6.
ves suppressing evidence of his sexual abuse of students years earlier in Scotland.

The involvement of philosophers in the affair was substantial. Most supported Orr, though not all for the same reason. Anderson, as we saw, believed Orr should not have been dismissed even if he had seduced his student, and Ruth Walker suggested in all seriousness that the *Australasian Journal of Philosophy* ought to publish something ‘of a philosophic character’ as to why dismissal for seduction was wrong. The Sydney ‘Push’ philosopher George Molnar maintained

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Orr should have taken a principled stand on sexual freedom. The issue ought to have been 'the freedom to behave sexually as one is moved, without interference and persecution by moralists who administer public institutions.' Unusually, the 'moralists' provided a coherent explanation of what was supposed to be wrong with Orr's behaviour. The Tasmanian Vice-Chancellor stated his case in the context of a clear philosophical view about education, a conservative alternative to the Andersonian ideal of academic life as constant 'criticism':

The act of seduction seems to me especially despicable if a professor misuses his position as a teacher to aid him in his purpose, as it is clear from Miss Kemp's diary that Orr did in their private discussions on the subject of free love ... [A university] must afford young men and women every opportunity within its command not only to stretch their mental powers but, both by formal study and by rubbing shoulders with each other and with mature and emotionally-balanced teachers, to learn to understand, and enshrine in their own lives, the highest principles of human behaviour, and thus to become in themselves mature human beings capable of living in a progressive free society with integrity and respect for the rights of others. In their main duty, which is the search for truth, academics must certainly be prepared fearlessly to assess ethical values as part of truth. But it is not enough that they should do this as an intellectual exercise: in carrying out their grave responsibility to their students — in all their personal relations with them — they are under obligation to be strictly moral in their own actions, and careful not to desecrate their trust.

But most philosophers believed in Orr's innocence. In this they showed themselves markedly inferior to the legal profession as evaluators of evidence on matters of fact. Besides the careful work by counsel and judges in the two court cases, the evidence was considered in detail by the lawyers John Kerr and Hal Wootten. Their report revealed that Orr's 'reasons' for demanding a reopening of his case were all gross misrepresentations of the evidence submitted in court. They ended by suggesting that the courts were 'at least entitled not to have their decisions and actions grotesquely misrepresented by people who claim moral and intellectual leadership in the community.' The Tasmanian Vice-Chancellor also commented on the

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‘many philosophers, including teachers of logic and scientific method’ who had chosen to believe Orr on little more than a cursory glance at a fraction of the evidence.\(^{21}\)

Despite this, philosophers and many other academics maintained that the evidence of his guilt was at least insufficient, and hence that he had been denied natural justice. The usual comparison with Socrates was of course not neglected.\(^{20}\) The Australasian Association of Philosophy declared the Chair black.\(^{26}\) There were some efforts to find Orr a job elsewhere, but, whatever could be said of their evaluation of matters of fact, philosophers were fully aware of Orr’s incompetence in philosophy. David Stove recalled:

I knew him, but only in the sense that everyone in the (then small) profession knew him. That is, they knew enough to put on an appearance of being in deep conversation with someone else if, at a conference, they saw Siddie coming. He was an absolute pariah, before he became a martyr. Stupid, devious, boring, and, to add to his charms, a Christian of the purest “creeping Jesus” kind. He had the kind of Scotch-Irish accent which some women find irresistible, and which makes all men feel for their wallet, to make sure it is still there.\(^{22}\)

David Armstrong at one point proposed to offer Orr a tutorship at Sydney University, but his colleagues jumped on the idea.\(^{28}\) Philosophy teaching in Tasmania was undertaken by several visiting lecturers, and by Milanov, who stayed at the University for some years, working on such topics as ‘Punishment as a form of social control’.\(^{29}\)

Orr died in 1966, shortly after accepting a monetary settlement from the University of Tasmania.

The tragedy of the Orr case affected a remarkable range of people. Being Orr cannot have been very enjoyable. Neither can being one of his relatives or partners. Beyond those most immediately affected, a large number of well-intentioned people wasted a vast amount of time, energy and money supporting Orr. Among the worst affected was the Sydney philosopher Harry Eddy, who had the misfortune to


\(^{24}\) D. Stove to author, 15/10/1991.


\(^{26}\) *University of Tasmania Research Report* 1957, p. 68.
have Orr living in his house for a year while Orr wrote most of the huge book on the case to which Eddy put his name.\footnote{Pybus, Seduction and Consent, pp. 156–62; M. Eddy, ‘Andersonian by marriage’, Heraclitus 58 (May 1997); pp. 1–4; P. Coleman, ‘Competing legends’, Sydney Review 52 (Apr 1993): pp. 11–12; on Eddy’s work, ADB vol. 14, pp. 75–6 and O. Harries, Liberty and Politics (Sydney, 1976), pp. 1–6, 149–51; another dupe in W.T. Southerwood, The Wisdom of Guilford Young (George Town, Tas, 1989), pp. 350–4, 407–8.} Eddy came to believe that Orr was a victim of a conspiracy by Communists, a good indication of how hard it was for so many to believe the alternative hypothesis, that the universe could contain someone as appalling and deceptive as Orr.

Still, the universe has ways of dealing with such people, a truth expressed well by none other than Orr himself, in his early article on Plato:

The principle which ensures that the perfection of the whole is subserved by every detail is conceived as the principle of Cosmic Justice … Any deviation from the balance is automatically compensated by counter-developments, moral and physical, elsewhere in the whole. The aggressiveness of any element in physical nature, as well as in human thought or society, is treated in general as a disturbance of the balance. And the word which Plato here uses to describe it is the same as that which he used in the Gorgias, where he also indicated that licentiousness, the lust for power or possessions, or, in general, immorality, is not merely wrong from the ethical point of view, but a violation of the very principle upon which the universe is constructed.\footnote{S.S. Orr, ‘The alleged metaphysics in the Republic’, at pp. 212–3.}

There remains one mystery about the Orr case. Was Orr in fact the illegitimate son of the Prince of Wales, later Edward VIII? Orr’s claim was always treated as a joke, and certainly the fact that Orr claimed it is no reason whatever to believe it. Still, given the Prince’s known habits, and the undoubted facial resemblance between the two, there is nothing implausible about it. Both men were a notably short five feet five inches.\footnote{Security file on Orr (fn. 4); C. Higham, Wallis (London, 1988), p. 55.}

The story might become more probable than not, if it were established that the Prince did visit Belfast nine months before Orr was born. It is difficult to discover if he did, despite the glare of publicity in which the Prince habitually moved. Officially, he did not visit that city in April 1914. Ulster in early 1914 was no fit place for an official Royal visit of any kind, since extreme loyalists were distributing arms in anticipation of the declaration of Home Rule and military action was expected at any moment. Part of the government’s response to the crisis was to have a number of naval vessels ‘exercising’ in the...
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The strait between Ireland and Scotland. Among them was the battleship *Collingwood*, on which the Prince of Wales spent a week in late April. He is reported visiting several locations on the Scottish coast opposite Ulster. The blockade was made more difficult by the fact that the crews, especially the younger officers, were enthusiastic supporters of the Loyalist volunteers. It is reported of some of the ships supposedly enforcing the blockade, ‘The vessels were saluted by the Volunteer signalling stations and their officers were regaled on shore with typical Ulster hospitality by the local Loyalist residents.’ Whether the crew of the *Collingwood* were able to participate in these displays of loyalty remains unknown.

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33 *Times* 23/4/1914, p. 8; 24/4, p. 11; 25/4, p. 11; 27/4, p. 10; 28/4, p. 7.