

**“FORTUNATE VOYAGER” BOOK LAUNCH
SIR NINIAN STEPHEN BIOGRAPHY
BY PHILIP AYRES**

**THURSDAY 5 SEPTEMBER
SUPREME COURT LIBRARY, MELBOURNE**

Sir Ninian Stephen and Lady Stephen, Bob Hawke, Louise Adler, publisher and Philip Ayres, author.

I am delighted to have been asked to help launch Philip Ayres biography of Sir Ninian Stephen. Philip is now extraordinarily well known as a biographer. He works hard and studies his subject, and in easy terms, provides a significant historical record. Congratulations Philip on another, and this time, very important biography.

Not too many people would ask me now, why I asked Sir Ninian if he would give up the law and become Governor-General of Australia. Work in the law gave him the qualifications and the background that were important

attributes in filling the role. Now, much more than at that time, people are aware of his many high and important qualities.

The office of Governor-General was still a sensitive one. Sir Zelman Cowen had done much good work, in difficult circumstances, after John Kerr's retirement. There was still work to be done, a work in progress. The foundations laid by Zelman had to be built on and made more permanent. None of that is to take anything from Zelman's own achievement.

It was Sir Ninian Stephen's intrinsic qualities that made it possible for him to contribute so much to that office, to make sure it was firmly re-established, as one of high esteem and enormous importance, to all Australians.

Finding a person for the office of Governor-General was not an easy task. I ruled out any close friends, because that

would have been an impediment. I ruled out anyone who had any close association with politics, that too, would have been a problem.

What was perhaps the most important quality? Respect.

Respect, not only of working colleagues, not only of people in the profession, but something more than that, respect for the quality of the person. A high reputation was necessary.

A capacity to understand and to relate to Australians, wherever they may be, wherever they came from, whatever their background, and to deal with people fairly and openly, would be essential.

Sir Ninian's own sense of calm and confidence, which had grown with the years, were important qualities and made it possible to overcome virtually any situation. He understood differing points of view and had the capacity, demonstrated particularly in his latter part of his career, of bringing people with sharply opposing points of view, sometimes

passionately held, together. A quality, that is all too rare, not only in Australia, but in today's world. All of this, added to a sense of respect.

Sir Ninian's judgements, his opinions, shone with a clarity, with a regard for the law, and with a clear sighted logic that would make them essential reading for any serious student of the law.

These qualities, taken overall, made him more than fitted to be a brilliant Governor-General. The qualities that Sir Ninian has shown throughout his life, have clearly been enhanced by his marriage in 1949 to Valerie Sinclair. They have been an inseparable pair. In more recent times, Sir Ninian has done much work outside of Australia, entailing a great deal of travel, and sometimes many months outside of this country. It was always a condition of his later employment, that Valerie would be part of the deal. We, who know them both, could well understand why that was an unbroken rule.

Those who studied the law in English speaking countries, would certainly have read Sir Ninian's judgements from the High Court. So, his international reputation would have preceded anything that he achieved as Governor-General. He had already made a remarkable contribution, to the development of Australian law. The law is not static. It is not rules set in stone. The law has a living dynamic, almost a character of its own, but a character defined by the quality of the best advocates, and the best jurists, and of the words they write in their opinions and in their judgements.

Sir Ninian's judgements not only reflected the great knowledge of the law, but also a great capacity for the exercise of sound judgement. A different quality and one which is indeed, increasingly rare, in today's world.

Judgement is the arbiter of man. Sir Ninian's judgements exhibited wisdom. A wisdom that goes beyond knowledge and beyond intelligence.

Sir Ninian was one of the first to fully recognise, the importance of debates concerning human rights and civil liberties. Especially, of the courts role in protecting those basic rights which have developed, often with pain and difficulties, since the time of Magna Carta.

Sir Ninian's skills and international reputation, were underlined in an emphatic way. When he chaired, for nearly two years, mediation between different warring parties in Northern Ireland. His mediation, created breakthroughs that led to the Good Friday Accords, critical to peace, in Northern Ireland. How to bring warring parties together, how to earn the trust of both sides, how to lead them to discussions, and then to sufficient agreement, to enable solutions to be reached. Such an achievement, indeed, involves skills and wisdom. A sense of calm and purpose, of the highest order.

Sir Ninian's pursuit of the Rule of Law, in efforts to create a better world, led him to the Hague, undertaking foundation work for the Yugoslav War Crimes Tribunal. He mediated on behalf of the Commonwealth in Bangladesh. He led missions for the United Nations Secretary General into Cambodia and for another international body, the International Labour Organisation in Myanmar. With recent events in Australia, we might understand better, the importance of his role, on the Ethics Commission of the International Olympic Committee, until just a year or two ago. His activities span the world.

The things Sir Ninian did of great importance and of enduring value, were not tasks that he had sought, they were tasks that he had been asked to do, and asked to do, because of the very quality of the man.

Our culture is diverse, it is broad and deep. A diversity, that Sir Ninian Stephen always understood and recognised. Sir

Ninian and Valerie Stephen are accompanied by members of their family. A family, which has shown many of the qualities that Ninian and Valerie have together, are shared and continued through later generations.

Writing a biography is a daunting task. Writing a biography, and doing justice to Sir Ninian Stephen, is perhaps, even more so. The biography is an important work. It will be studied by students, researchers and read by many people, who simply want to learn something, about a most remarkable Australian.

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