

Tribute to Hal Wootten/Vote of Thanks

12 October 2021

UNSW Law

<https://zoom.us/j/9785128902>

Each year, since the inception of the Hal Wootten lecture in the law faculty, I have had the pleasure of listening to Hal give his unique vote of thanks to those who spoke in his honour. And so this evening it is a true privilege to be giving that vote of thanks to Jennifer Robinson and in doing so, to underscore Hal's vital message and life long contribution of 'living greatly in the law.' And I extend my appreciation for this honour to Hal's wife, Gillian Cowlshaw and his family.

Jennifer: to listen to you trace the magnitude of your work in the law along the many parallel contours of Hal Wootten's practice as lawyer, advocate, activist, and scholar highlights a clear intention by you to demonstrate that the rationale for law's function is its aspiration to justice. In considering the duties of an advocate, Samuel Taylor Coleridge wrote: *Legal studies and practice, ... sharpen, indeed, but, like a grinding-stone, narrow whilst they sharpen* (1831). What is apparent from your intent is a commitment to invoke the law to serve ambitious and expansive ends and to resist its contraction of rights and undermine its insular interpretations.

Whether using the law to advocate for the right of First Nations to self-determination in West Papua, to prevent and address Aboriginal deaths in custody in Australia, or defend freedom of speech despite the controversial origins of its content and the stance of its messenger, and protect future generations from the environmental negligence of their elders, you dare to name, to challenge, to hold up mirrors to ourselves, and to hold the shameless to account. And when, in the words of Hal, you have witnessed the law bear harshly on those least able to secure its protection, you have turned the law against itself and demanded its realignment with just conduct and appropriate redress.

As the cycles of impunity and indifference expand across our world, your struggle for accountability, which is so clearly at the core of your work, stands firm against the forces of profiteering, manipulation, denial and the insidious degradation of humanity. But it is, as you well know, a tough struggle as we witness the swagger of power corrode integrity and the depiction of accountability by those in high office as something extraneous and obstructive.

Your determined fight for accountability coupled with your deep humanity – which stands as an inspiration to us all, especially for emerging lawyers – was also fundamental to the practice of law by a former judge who delivered the Hal Wootten Lecture just over a decade ago. Justice Albie Sachs fought racism and the brutality of apartheid South Africa, and after years as a lawyer in exile, he returned as an inaugural judge of the new Constitutional Court after South Africa's historic democratic elections. Despite Albie's hope for the post-apartheid state, he had no hesitation in holding the new South African government accountable to its citizens when it veered from its democratic foundations and path.

And so I end my vote of thanks by wishing you, Jennifer, many decades of continuing "to live greatly in the law" and by sharing some words from a tribute to Hal penned by Albie Sachs when I shared with him the news of Hal's death:

Hal Wootten, it wasn't the name that I remembered, or even the Lecture I gave in his honour. It was his presence.
... He didn't belong anywhere in particular, but seemed to be comfortable wherever and with whomever he happened to be. I loved his company. I'm sure he had his fair share of sorrow, but always I felt his optimism about the immense potentialities of humanity in the wondrous and wounded place we call the World.
His superb intelligence didn't fight against his huge heart. The same can be said about his capacity to be the most supreme of idealists and the most hard-nosed of pragmatists, to be utterly human and totally part of Nature, all at the same time.
So as I write these words at the time of greatest sorrow, I feel the greatest joy. Hal will never be Emeritus to me.

Thank you for joining the 2021 Hal Wootten Lecture with Jennifer Robinson.

This event was presented by the Faculty of Law & Justice and UNSW's Centre for Ideas.

Goodnight.

Andrea Durbach
Faculty of Law & Justice
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