

# Conferral of Honorary LL.D at the University of Buckingham, United Kingdom

## Justice Kirby Collection

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Alistair Alcock, Dean of the Buckingham Law School presented the HONOURABLE JUSTICE MICHAEL KIRBY for the degree of LLD, Honoris Causa at the Convocation on Saturday 4th March.

The Honourable Justice Michael Kirby is one of only seven Justices of the High Court of Australia, the equivalent of a Law Lord in this country or given the constitutional significance of the position, a Justice of the Supreme Court in the United States. He has also been a friend to this University, entertaining colleagues out in Australia and coming here for the Denning Symposium. Indeed if one wanted a close career comparison, it would have to be with the young Lord Denning, a bright star in the legal firmament, a believer in judicial activism. Michael Kirby has been described by the magazine 'Bulletin' as one of the ten most creative minds in Australia.

Michael hales from that most vibrant of Southern Hemisphere cities, Sydney, went to Sydney University and obtained an LLM with first class honours. To this he has already added honorary degrees from amongst others his alma mater and the National Law School of India, so he is working his way westwards.

As Deputy President of the Australian Conciliation and Arbitration Commission, he was the youngest appointment to federal judicial office in Australia. Since then, he has never been content with just one job. He also became the founding Chairman of the Australian Law Reform Commission, a Judge of the Federal Court of Australia, President of two Courts of Appeal, for New South Wales and the Solomon Islands and now one of the High Court Justices.

Lest you think that this latest position may mark a resting on his laurels, he is also the President of the International Commission of Jurists and has been involved in numerous Australian, OECD, UNESCO, WHO and other Committees. This is a man who gives as his recreational pastime in Who's Who - WORK.

That might suggest a certain narrowness of interests, but a quick scan of his website shows a man prepared to speak on the most amazing range of subjects - Economics, Genetics, HIV and AIDs, Religion, Tudor and Stuart History as well as the more obvious legal subjects from Company Law to the Future of the Jury: from the Legal Issues of the Genome Project to

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those of Same-Sex Relations.

It is said that you can tell the mettle of a man by his heroes. Though far from uncritical, one can certainly detect from Michael's speeches a certain admiration for two catholic Saints, Sir Thomas More and King Charles I and one Protestant hero, Martin Luther. All three were men of unbending principle who believed fervently in the law being a moral instrument. This is not a comfortable tradition, but let me quote from a recent article by this eminent judge:

Some of us may shy away from such absolutist positions. I am not sure that he himself would uphold it in completely unqualified terms. Certainly judges with such strong personal convictions, like Lord Denning and Michael Kirby, can find themselves torn between those convictions and upholding the law. In a speech on Thomas More, Michael said the following:

Troubling indeed. Yet the law and the rule of law have an intrinsic value - you only have to travel to parts of the world (as Michael has frequently) where law has broken down or has hardly ever existed to understand this. Robert Bolt in his play 'A Man for All Seasons' puts into the mouth of Michael's hero, Sir Thomas More, one of the most passionate defences of the law, with all its terrible imperfections, in the whole of the English language. They are words that should be etched into the minds of all the lawyers graduating here today.

More's impetuous future son-in-law, Roper has attacked More's legalism and in exasperation shouts: 'So now you'd give the Devil benefit of law'. More replies:

Justice Michael Kirby is that most remarkable of creatures, a man of conviction, an activist judge but a defender of the law.