

EULOGY

The Hon Dr Peter Nygh, AM

I feel humbled and yet privileged to have been asked to say these few words in honour of Peter and in recognition of the contribution that he made to the lives of each one of us, to Australia, and to the welfare of the world community. He gave so much and had so much yet to give.

Testament to the part that Peter played in this regard is seen in the large gathering here today, and as it appears from where I stand, there are family and close family friends, friends from his days at university as a student, undergraduate, postgraduate and teacher, friends from the legal profession, friends and associates from the Family Court of Australia, other courts and the Refugee Review Tribunal, fellow compatriot members of the International Law Association, and international associates, including those from the Institute of International Affairs.

Peter was born in Hamburg, Germany on 16th March 1933. In the same year, he left Germany for Holland with his parents where they lived in The Hague and then Rotterdam. He attended the Erasmus Gymnasium, a selective high school some 400 years old. When he was eight years old his mother died. In 1946, his father remarried an Australian, Muriel Poole, of which marriage two daughters were born, Jane and Ann. It was in the year when Ann was born that Peter's father died. Peter was then 16. Two years later in 1951, Muriel brought her family, two boys and two girls, to Australia. Six years later Peter met Jill whom he married in 1961. They had four children, Nicola, Libby, James and Anneke. Libby died when she was only a baby. Anneke passed away consequent upon a car accident in June 1999.

Following their marriage in 1961, Jill and Peter spent time in Sydney, United States, Tasmania and Germany before settling in due course in Sydney where it would have been hard to find a warmer family group. Life for the Nygh family was blessed and filled with active endeavour. Peter spoke often of his sisters and relatives in America, England and Europe. However, in 1992, tragedy struck when Jill passed away without knowing her grandchildren, Kerrin and Callum who knew Peter as 'Opa'.

Much of what has been said may not have previously been known to many of us as our contact with Peter may have been in the various constructive facets of the activities in which he played a part and influenced our lives. His involvement with academia was as a student and not surprisingly, as a teacher. Much of his working life was spent as a teacher, an occupation at which he excelled.

Having completed his secondary schooling in Holland, Peter attended Sydney University Law School and on graduation served articles with a firm of solicitors, William Arnott & Poole. He practised at the Bar from 1957-1960. In 1964, he was awarded a Fullbright Scholarship, travelled to the United States, attended the University of Michigan and in due course, obtained a Doctor of Legal (Juristic) Science from that University. In 1971, he received the Von Humbolt Scholarship and attended the University of Koln, Germany for a year. In 1987, he gained a Doctor of Laws degree from the University of Sydney for his published works, especially *Conflict of Laws* now in its 7th edition.

Whilst practising as a barrister, in 1960 Peter obtained an appointment at the University of Tasmania as a lecturer. He was proud of the fact that Father Michael Tate, as he now is, one time minister in the Federal Parliament and Ambassador to The Netherlands and The Holy See, was one of his students. In 1965, he moved to the University of Sydney where he became a professor in 1969. In 1973, he was appointed Foundation Professor and Head of the School of Law at Macquarie University. From 1993 to recent time, he obtained appointments as Visiting Professor at Bond University and the University of New South Wales. Lately he obtained an academic practising certificate at the New South Wales Bar and was involved in appellate work before the High Court of Australia.

Peter was an ardent supporter of and participant in the activities of the International Law Association, its Executive Council and its Australian branch. He was Secretary of the Australian branch for more than ten years and President from 1994-1998. He was a member of the Executive Council of the world body from 1976 and Chairman of the Organizing Committee for the 1990 World Conference held in Australia. He was editor of the International Newsletter and Chairman of and Rapporteur on a number of international committees. Recently, in April 2002, he was a significant participant in the New Delhi

Conference of the Association. All members would ask me to acknowledge Peter's contribution to the present standing of the Association.

Peter was appointed a Judge of the Court in 1979 and an Appeal Judge in 1983. He retired from the Court in 1993. He was very highly regarded by the Court and his judgments were looked upon, if not always as highlights of judicial policy-making or entrepreneurship, as embodiments of sound and well-reasoned decision-making. He was very much missed by the Court on his departure from it.

Peter was appointed as Principal Member of the Refugee Review Tribunal for two terms serving from 1998-2001.

Peter represented Australia at The Hague Conference on private international law and was Rapporteur to the Convention on recognition and enforcement of foreign judgments. Most recently, he had been invited to deliver a series of lectures for the General International Law Course at the Academy of International Law at The Hague, this to have been in July 2002. He said that this would have been the summit of his career. But Peter needed no new summit. He had already climbed the hills and mountains of life and reached the very top.

Peter served as Principal Member of the Refugee Review Tribunal for two terms serving from 1998-2001. In the 2002 Australia Day honours, he was awarded membership of the Order of Australia for his contribution to international and domestic law. More specifically, the award to him was partly in recognition of his contribution to refugee affairs. It was at the time of the induction ceremony on 10th May that the awareness of his illness became apparent. He passed away on 19th June 2002.

We thank you, Lord, for the life of Peter and for the beneficial influence he had on each one of us and on our country. May his soul rest in peace.

Rodney N Purvis
June 2002