

**ADDRESS TO GRADUATES IN LAW AND BUSINESS MANAGEMENT ON
RECEIPT OF HONORARY DOCTORATE OF LAWS, UNIVERSITY OF
QUEENSLAND, 18 JULY 2012, 11.00 AM.**

Chancellor, Vice-Chancellor, Members of Senate, Members of Staff, Distinguished Guests, and most importantly new graduates from the Faculty of Business, Economics and Law, their friends and families.

I acknowledge the traditional owners of the land on which this fine institution is built: on this side of the Brisbane River, the Turrbal and across the Eleanor Schonell (Green) Bridge, the Jaggera. For tens of thousands of years before European settlement, they prospered in this bountiful area. No doubt they held ceremonies centred on rites of passage for young people, in many ways analogous to today's ceremony. Modern Australia is uniquely enriched by its ancient and resilient Indigenous heritage. I acknowledge the Elders, past and present, and delight in the thought that future Elders may be amongst today's graduates. I congratulate UQ on its support and encouragement of Indigenous students.

And thank you to Valedictorian, Andrew Wydmanski, for his entertaining Dr Seuss-inspired verses. Andrew will now be known as "The Grad who was Glad".

I am honoured to present this address and to receive this Honorary Doctorate from the Law School where I spent four happy and stimulating years in the 1970s. Little did I think then that I would be here, in this role, in 2012. If you new graduates can imagine yourselves, 36 years older, and presenting this address after receiving an Honorary Doctorate from your alma mater, you may have some understanding of my emotions today.

But this ceremony is, unashamedly, all about you. Congratulations! Your hard work and persistence, together with the support of families and friends and the efforts of UQ staff, have culminated in this commendable achievement. Your degrees are proof to the world of your intellect, discipline and resilience. Use them well.

Most of you belong to what has been labelled Generation Y. Gen Y-ers often have bad press, stereotyped by earlier generations as

self-centred, irresponsible and with a lack of understanding of how the world works.¹ Stereotypes are metal printing plates, not people. I have no time for stereotyping of people and nor, I think, does Gen-Y.

One of the many joys of my role as President of Queensland's Court of Appeal is that each year I have a new graduate as my associate, in recent times primarily from Gen Y. My associates and I work closely together and get to know each other well. Without exception, I have found them to have fine intellects, high ethical standards, diligence, and a sensible desire for work-life balance. They enjoy staying fit and have diverse cultural and sporting interests. In different ways, they have been both passionate about preserving the best of our present society whilst determined to improve it. Their tech-saviness in this digital age places them in an infinitely better position to achieve this than my largely Luddite baby-boomer generation. Gen Y-ers are compassionate and generous, locally and globally. Whilst they understandably aspire to financial success, prosperity and a little luxury, they wisely appreciate that a life well-lived is centred on loving personal relationships with family and friends – even if sometimes maintained through social media! I am entirely comfortable about Australia's Gen Y-led future.

And so I was dismayed to read last month² that the 2012 Lowy Institute Poll³ showed that just 39 per cent of Australians aged 18 to 29 consider democracy to be preferable to other forms of government. Almost one-quarter believed that it does not matter what kind of government Australia has. And an astounding 37 per cent considered that, in some circumstances, non-democratic rule can be best.

Sure, the poll was small: only 1,005 people. But according to its methodology there is a 95 per cent chance that its responses are largely representative of the whole population.⁴

¹ *Gen Y Characteristics: Stereotype of a Generation* (2012) HubPages <<http://lifeandluxury.hubpages.com/hub/Gen-Y-Characteristics-Stereotype-of-a-Generation>> at 17 July 2012.

² Rowan Callick and Sophie Gosper, 'What's Democracy done for me lately ask Generation Y', *The Australian*, 5 June 2012.

³ Fergus Hanson, *The Lowy Institute Poll 2012: Australia and New Zealand in the World, Public Opinion and Foreign Policy* (2012).

⁴ Above, p 31.

Some commentators blame this poll result on the disappointing behaviour of politicians. Others suggest it is because, as democracy has become more common place, it is not as valued.⁵ Perhaps those polled saw the satire, "Yes, Prime Minister", presently at QPAC's Playhouse, which would turn anyone off democracy!

Whatever the reasons, I urge you to discard cynicism and become an ambassador for democracy: a parliament elected by universal suffrage; the rule of law applied by an independent and impartial judiciary assisted by an independent and impartial legal profession; and an efficient, honest and accountable executive, including the public service and police force.

As Winston Churchill stated almost 65 years ago:

"Many forms of Government have been tried, and will be tried in this world of sin and woe. No-one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of government except all those other forms that have been tried from time to time."⁶

You and I have not had to struggle to preserve Australia's democracy, unlike my parents' generation who lost their youth, and sometimes their lives, in this cause. Modern day heroes for democracy include South Africa's Nelson Mandela; China's Wei Jingsheng and Fang Lizhi; the Middle East's Nabeel Rajab; Burma's Aung San Suu Kyi [chee], and their tens of thousands of supporters.

Last month in Oslo, Aung San Suu Kyi [chee] finally received the Nobel Peace Prize she was awarded in 1991 "to honour [her] for her unflagging efforts and to show the [Nobel Committee's] support for the many people throughout the world who are striving to attain democracy, human rights and ethnic conciliation by peaceful means". In delivering the Nobel Lecture, she noted that she was "fortunate to be living in an age when the fate of prisoners of conscience anywhere has become the concern of people everywhere, an age where democracy and human rights are

⁵ Benjamin Hersovitch, 'Why democracy is a victim of its own success', *Canberra Times*, 28 June 2012.

⁶ Winston Churchill, (Speech delivered to the House of Commons, 11 November 1947) in Robert Rhodes James (ed), *Winston S Churchill: His Complete Speeches 1897-1963* (1974), vol 7, p. 7566.

widely, even if not universally accepted as the birthright of all."⁷ During her long years of imprisonment under the Burmese junta, separated from her children and her dying husband, she drew strength from the preamble to the Universal Declaration of Human Rights, citing this extract:

"... disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspirations of the common people, ...

... It is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law"

When asked why she fights for democracy in Burma, she explained it is because democratic institutions and practices are necessary for the guarantee of human rights.

Her words are a salutary reminder to those of us who have become blasé. Like the clean air we breathe and the safe water we drink, we take our democracy for granted. Clean air, safe water, democracy: each is wonderful yet fragile. Were we to lose any one of these things, our lives would be hugely diminished.

Despite the publicised poll results, I apprehend that when Gen Y Australians seriously reflect on questions of governance, you do value our democracy, its institutions and practices, and the human rights they guarantee. Less publicised aspects of the Lowy poll provide considerable support for this view. An overwhelming majority of Australians (95 per cent) strongly agree that the right to a fair trial is important. Ninety per cent strongly agree that the right to vote in national elections is important. And 84 per cent consider the right to freedom of expression is important.⁸

I am confident that democracy in Australia and human rights throughout the world will flourish under the stewardship of

⁷ Aung San Suu Kyi, 'Nobel Lecture' (Oslo, 16 June 2012).

⁸ Fergus Hanson, *The Lowy Institute Poll 2012: Australia and New Zealand in the World, Public Opinion and Foreign Policy* (2012), p 14.

privileged Gen Y-ers like you. I urge you to eschew cynicism about democracy in Australia and to effect positive change by speaking out publicly and lobbying; or perhaps by joining a political party; or, as you gain experience, even by becoming a member of parliament. Australia needs clever, good-hearted, responsible people like you in public life!

I wish each of you personal happiness and professional satisfaction. I urge you to use your degrees conferred today and the doors they open to nurture and improve Australia's democratic institutions and practices and to protect human rights of the vulnerable, here in Australia and throughout the world. I wish you every success. Enjoy the journey.