

# UNSW HONORARY DOCTORATE ADDRESS

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# UNIVERSITY OF NEW SOUTH WALES OCCASIONAL ADDRESS

Chancellor David Gonski, Professor George Williams, other members of the University, distinguished guests, graduands, your families and friends, my family and friends, ladies and gentlemen.

I acknowledge the Bedegal People of the Gadigal clan, the traditional owners of this land, and pay my respects to elders past and present. I confirm my support to all Aboriginal and Torres Strait Islander people, our First Australians, in that essential undertaking of meaningful constitutional recognition.

I congratulate all graduands on your very fine achievements.

I am honoured to receive this doctorate. I thank the university for inviting me to speak – and I thank George Williams for his generous words.

We come to know the world by what we do in it, by engaging with it – this ‘great, good world’ as Clive James called it.

And it is great and good.

My working life has had two aims - to build a successful law firm and contribute to society.

For my generation the chance to make a difference came with the community legal centre movement in the 1970s. What does it say about a society that claims to be fair and just when poor people have little or no access to legal services? And that’s how it was.

Then in the early 1980s, I met the Aboriginal people of Redfern and Catholic priest Ted Kennedy. Ted matched the world – he was great and good. He had committed every aspect of his being to the poor of Redfern, to homeless, destitute Aboriginal people. Meeting a rare human being, a giant like Ted, is the luckiest break a person can have. He changed my life.

The streets of Redfern were tough. It was uncomfortable and fairly inhospitable – a good place for a white middle-class family to learn that true hospitality is the hospitality offered to people who can never possibly return it.

These Aboriginal people opened my eyes. I saw in their faces the impoverishment, destruction, displacement and abandonment inflicted on our First Peoples. I saw the violence done to them, and why, when we speak of the ‘occupation’ of the continent or the ‘settlement’ of it, we are really speaking of conquest.

Tony Tobin and I started Gilbert + Tobin thirty-two years ago. We planned to build a strong firm and a good corporate citizen. Pro bono was to be part of our DNA.

Now it might be the way time bends our perspective, but I can only wonder at the dimensions of our self-belief. Did we succeed? I hope so.

I look on the enterprise with gladness. Not just for the work we did and do, not just for the people we might have helped along the way, but for all the people who had their start in the firm and who work at the firm now – the community of souls that a good, hard-working, creative organization is.

Success might be the first measure of an organization, but the collective effort required to achieve it also has the potential to meet important human needs – for satisfaction and reward, friendship, collective endeavour, happiness.

I would recommend such enterprises to anyone armed with energy, a good heart and a good idea.

But I constantly remind myself the house is never built. To maintain the spirit of the firm we envisaged all those years ago, we must provide a workplace where people believe they can do their best work. And so we need to reduce the pressure placed on lawyers as we meet urgent demands of clients, courts and regulators. While long hours have been typical for leading law firms, we must ensure that the welfare of our lawyers is not at risk and firms like Gilbert + Tobin remain highly attractive for young lawyers.

In this age of seemingly infinite advance there are worrying signs. Democracy and freedom are under threat everywhere. Our democratic, religious, legal, business, educational and media institutions are not trusted as they were – too often for good reason. Incursions into the freedoms we take for granted are almost commonplace. Knowledge, reason, expertise, decency and truth are devalued or disregarded.

New media informs humanity as never before – and misinforms to at least the same degree. Fake news and half-truths colour our judgements and drive poor decisions.

Free trade – and its benefits to the world – are under threat. Inward-looking nationalism and xenophobia are on the rise.

Economic inequality is growing and could well be exacerbated by automation. The state is becoming more interventionist, politics more polarised and society more fragmented. We seem unable to reach any agreed conviction about big issues like refugees, climate change, water, energy, population, the urban-regional divide, and the need to find a constitutional Voice for Indigenous Australians.

Reasoned debate no longer seems in prospect: but without it, how can we solve our problems? The institutional actors seem unable to work out the boundaries of their authority and influence, or to agree how best to respond to the challenges we face.

But this is no difficult summons – it's not much to ask that institutions – and the people who lead them, people like me – think more deeply about their impact on communities, and act accordingly.

And then we are faced with the uncertain impact of artificial intelligence and other technological advances, which will have the most profound impact on every aspect of our lives.

Within this somewhat grim scenario opportunity will abound. These technologies, while not all good, will yield terrific opportunities. New skills, new thinking, imagination and innovation will be paramount. And Australia, more than most, has the capacity to thrive in this new world order for the benefit of all Australians.

A few of you may join the public service. In a sense, all of you will join the public service. That's what the role of the legal profession is – a public service. That is the primary source of our power and privilege. How you think and act in this public service matters a great deal. Integrity and truth-telling must anchor you. That's what you owe the profession, the public and yourselves.

I place tremendous value on business and capital in our society and there is good reward here. Nations need strong, well-led, well-capitalised businesses. With them we grow: without them we shrink.

But business can do more. Take your ambition there, take your skills, your imagination and your appetite for risk and the road less travelled. Take a commitment to deploy our abundant human and financial capital to chart the way for a strong Australia. Take your character and the dictates of your conscience.

And take a muscular sense of what's fair – the community is demanding no less and that's where the law is headed.

My experience is that it gives firmness to the soul to regularly put ourselves in the path of the needy and neglected.

But it does not have to be the profoundly underprivileged. Of great value is any commitment to the service of others, to critical dialogue and advocacy – to the strengthening of communities, our economy, civil society and public life.

And the rewards are bountiful – more than the gym, more than weekends skiing and less burdensome than shopping. And along the way, you'll meet amazing people who will challenge you to grow and be better than yourself. These things enrich life and imprint the mind and memory indelibly.

Of course reading is essential, and not just business manuals. I'm inspired by the Sermon on the Mount and the injunction to Love thy neighbour. And it never did a lawyer any harm to read the likes of – Tolstoy, George Eliot, Mark Twain, Yeats – and the world's great texts of religion, history and philosophy.

For me, these words of Simone Weil, the French Jewish philosopher and political activist, have urgent demand:

*“The object of any obligation, in the realm of human affairs, is always the human being as such. There exists an obligation towards every human being for the sole reason that he or she is a human being, without any other condition requiring to be fulfilled”.*

My warmest congratulations to you all and best wishes for the future.

Danny Gilbert

