

## Justice Geoffrey Robertson QC



The degree of Doctor of Laws (honoris causa) was conferred upon Justice Geoffrey Robertson at the Education and Social Work ceremony held at 11.30am on 7 April 2006.

### Citation

Chancellor, I present Geoffrey Ronald Robertson for admission to the degree of Doctor of Laws, honoris causa.

Geoffrey Robertson is one of the world's foremost human rights lawyers. He is a legal historian of rare insight. He is a graduate in Arts and Law from this University.

To understand the origins of his achievements you must look back to the University of Sydney in the 1960s, a time when students were rebels with a cause, or two, a time which arouses nostalgia in many contemporary pillars of the establishment. Rigorous study was also a feature, with teachers of the distinction of Julius Stone.

It can properly be said that the Students Representative Council, of which he was President, launched his public career as a defender of 'the rule of law'. The SRC formed the basis of life-long international collaborations. With the then 'Student Senator', Michael Kirby, he campaigned successfully for reform of the University's arcane Proctorial Board, after a student had been sent down for distributing leaflets advertising a protest. He began writing widely on issues ranging from alleged miscarriage of justice in the murder trial of an aboriginal woman to the reasons why Rugby footballers should not go to South Africa. He has told a recent interviewer that as a student he realized that 'begging tyrants to be less tyrannical' would not work. So he studied the separate subjects of criminal law and international law because he thought that together they might.

He was not then to know that in later life he would be prosecuting General Pinochet or training judges to try Saddam Hussein.

After serving articles, to use an archaic terminology, with the firm then known as Allen Allen & Hemsley, and playing a little tennis, fate took him on a Rhodes Scholarship to Oxford. In due course he established and headed the 70-member 'Doughty Street Chambers', a new and soon to be famous human rights set in London, from where Robertson showed that private practice can indeed be conducive to an academic career; the Human Rights Research Centre of Kings College, University of London came to 'Doughty Street' - it was that way round.

He is an articulate analyst of the well-known tension between, on the one hand, 'state sovereignty' as incorporated within the 1946 Charter of the United Nations, and on the other, the universality of human rights which forms the foundation of the equally momentous 1948 UN Universal Declaration of Human Rights. As a leading advocate for the establishment of an International Criminal Court, his sympathies clearly lie with the primacy of universal human rights.

Geoffrey Robertson has taken the moral and legal dilemmas of the court-room to our living rooms, courtesy of BBC and ABC 'Hypotheticals'. He has practised in numerous jurisdictions across five continents, held numerous professorships, and authored numerous learned books. Two deserve special mention.

'Crimes Against Humanity – the Struggle for Global Justice' was published in 1999, to exceptional reviews. The London 'Observer' went so far as to call it 'the book to stop another Holocaust'.

But it is the more recent tome about an apparently obscure seventeenth century lawyer called John Cooke which illustrates Robertson's real genius for using historical analysis to address some very modern international legal dilemmas. In 'The Tyrannicide Brief', published last year, Robertson analyzes in some 400 pages of detail, the manner in which Cooke conducted the impeachment and trial of Charles 1, as a 'tyrant, traitor, murderer and public and implacable enemy to the Commonwealth of England'. 'In a nutshell', says Robertson, 'he made tyranny a crime'. It was the same doctrine which has brought Saddam Hussein and the late Slobodan Milosevic towards trial. The defence of Charles 1 is their defence:- 'By what legal defence do you try me'? Robertson's essential thesis is that tyranny is still not a criminal offence, condemned by the law of nations, as it ought to be. And there is as yet no UN Convention against tyranny.

Robertson says that it was a book that happened by chance. He had been asked to dispute a thesis proposed by his old friend, Michael Kirby, that Charles 1 did not receive a fair trial. The book resulted. The 1967 SRC has a lot to answer for.

So let us go back in time again – to Geoffrey Robertson's birth day on 30 September 1946. That was also

the day of judgement at Nuremburg. He now asserts that 'the measure of my life may be taken as a precise temporal measure of the inability of international institutions to deliver on the promise of that momentous day'. Fortunately for the world and its legal community, Geoffrey Robertson seems destined by birth never to give up.

Chancellor, I present Geoffrey Ronald Robertson for admission to the degree of Doctor of Laws, *honoris causa*, and I invite you to confer the degree upon him.