

Occasional Address

*Graduation ceremony for the
College of Human and Social Futures*

University of Newcastle

13 April 2021

Justice AS Bell, President of the Court of Appeal,
Supreme Court of New South Wales

Chancellor, Vice-Chancellor, members of the Council, members of the academic staff of the University, families and friends of the soon to be Graduates, and most importantly, the 207 graduands (which is what you are immediately before graduating!).

Let me first and very importantly acknowledge the Pambalong clan of Awabakal people and the Woromi people, traditional custodians of the lands on which the University's Newcastle campuses are located, and pay my respects to Elders past, present and emerging as well as all first nations people.

Let me also acknowledge the important work of the Wollotuka Institute and also, within my own discipline, applaud the University of Newcastle Law School's Indigenous Law Early Entry Scheme. There have been too few indigenous lawyers in the legal profession and such programmes recognise the vital role indigenous lawyers can, do and should play in our community. It is vitally important that indigenous students are encouraged to study and practice law as part of an increasingly and appropriately diverse legal profession.

It is a great honour and privilege to be asked to participate in this significant ceremony. This is my second visit to Newcastle this year. My earlier visit, together with the Chief Justice and two other senior judges of the Supreme Court, was for the admission of new lawyers to the legal profession. On that occasion, we were all struck by the pride the newly admitted lawyers felt in their city, their University and their new profession. We were also struck by a similar and genuine pride that the academic representatives present at the ceremony had for their students' achievements.

Today is no less an occasion for pride for you the graduates, for your families and friends, and for your teachers, and I address my remarks of course, not only to the law graduates but also those graduating in business, the arts, humanities and social sciences and education. To have entered university and then mastered your diverse disciplines means that you are all not only extremely intelligent but equally if not more importantly, diligent and determined. It is a great achievement. Well done!

I propose to focus my remarks today on a single concept or quality which I hope that you will strive for and carry with you into whatever career you pursue. That concept or quality is clarity.

Clarity is an attractive word and quality, deriving from the Latin “clarus”, meaning clear. When someone says that the light has a certain clarity, they mean that you can see things more clearly than usual, or see things that are not normally

noticeable. Clarity of thought and expression are qualities that a university education should foster.

I wish to touch upon clarity of purpose, clarity of thought, clarity of expression and finally, moral clarity.

Let me start with clarity of purpose. It is obviously highly desirable before you embark on any task, to have an idea as to what you wish to achieve, and to keep this goal uppermost in your mind. The same goes for a job or career. But let me offer this advice in terms of the careers that lie ahead of you: be open to possibilities that may not necessarily have occurred to you. A law degree, for example, can be a passport to a huge range of different and interesting careers which do not necessarily involve the practice of the law and long gone are the days where you will have a single job for life.

Clarity of purpose is important but only once you have found what suits, challenges and interests you. You have a long and

exciting journey ahead of you. So I urge you all to be open to the opportunities that present themselves to you on your respective journeys. Don't assume, however, that because today you are taking a degree in a particular discipline that that is where you will end up. Seize the opportunities and then work out how to make the most of them.

Next let me turn to clarity of thought and clarity of expression. They are closely related. They are the opposite of woolly thinking, cliché, jargon and gobbledeygook.

In my career as a judge, I read and listen to many barristers. The quality and clarity of what they write and say varies enormously. The best barristers are not those with the biggest vocabularies or the loudest voices. They are those who have a clearest understanding of the case and who can then translate that clear understanding to clear expression. The finest wordsmith will soon be seen through if he or she does not have a clear understanding of the matter, and a person with a clear

understanding of the matter will not be of much assistance to their client or the Court if they cannot communicate that understanding to the judge or jury. This applies to any discipline and profession.

Clear thought is the product of a sound technical understanding of the subject matter with which you are dealing and a mastery of the facts. My late father was an economist and public broadcaster. Economics is sometimes known as the dismal science. It lends itself to jargon. When he died, I observed to someone who knew him well that I was always impressed by how he was able to make his subject seem intelligible to those, like me, not versed in the technical detail of economics. His colleague said that that was because he knew his subject very well. That made sense to me. Unless you do have a detailed and sophisticated understanding of a subject, your ability to distil its essence so as to be able to express it clearly to others will be limited.

Some years ago I sat on the Rhodes Scholarship selection committee. We awarded the scholarship for New South Wales to a young scientist who specialised in food engineering. Apart from excellent marks, what was most impressive about this young man was his ability to communicate with *great clarity* his field of specialisation to a committee largely comprised of non-scientists so that we could understand and appreciate the real significance of his research and its potential.

In whatever field you pursue, clarity of expression built on clarity of thought is what you must strive for. It is what will impress your employers and best assist your clients.

Finally, let me say something about moral clarity. The world and life, as you will continue to discover, is complex and challenging. There are, of course, moral relativities, especially in a pluralist and multicultural society, and it is important that there be room for multiple points of view.

But there remain some essential values which are critical to a mature and civilized society. They include honesty, integrity, tolerance and respect.

Whether he was a cause or a symptom, all of these values took a battering during the recent Trump Presidency. There was an absence of moral clarity. Unfounded claims abounded. Standards of decency and respect in public life were abandoned. Startling propositions were permitted to be made seemingly without criticism for much of the time. Democracy was threatened grievously. Truth and fair reporting and criticism based upon objective facts was routinely dismissed as “fake news”.

Far from there being moral clarity, a deliberate obscuring of moral values began to corrode the fundamental features of communities and society as we had hitherto known it. And Australian society has not been immune from some of these corrosive influences.

It is essential that, as university graduates, steeped in respect for learning and critical thinking, you display moral clarity in all of your endeavours. Stand up for your beliefs, speak out against injustice, harassment or discrimination; do not tolerate the cutting of corners or the taking of morally problematic shortcuts. Respect institutions and your fellow citizens.

You have all been privileged to attend a great university whose role in this community and indeed well beyond it is a most important one. As its most recent graduates, remember the importance of striving for clarity in all of what you do in the future.

After a year – 2020 - to forget but never to be forgotten, I congratulate you all and wish you the very best of luck for your future careers.
