

MR. DEER.

The Right Honourable the Prime Minister, Gentlemen:  
The Prime Minister is going to make a few remarks before we  
drink Sir Garfield's health.

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THE RIGHT HONOURABLE THE PRIME MINISTER.

Well, Sir, I don't want to do anything to lower the level of the principal toast of the evening but I am told that some of the more civilised among you, and I can see half a dozen, would be interested to know that the latest score (Mr. Lawry having mercifully been taken from us) is 6 wickets for 318.

We've been sitting over here with rather fluctuating company, as you know, and our conversation turned upon great men and, in particular, the glancing reference was made to the Duke of Wellington and I venture to put his name forward as one of the great men of history -- too many politicians having elbowed their way into that field -- and then I remembered that a man named Philip Guedalla wrote a book on Wellington. He called it "The Duke". I used to have the most handsome first edition of it but I had relatives and therefore I no longer have it. But Guedalla, in his preface to that book, said that Wellington's reputation had been rather damaged by the fact that he was too uniformly successful, that on the whole the English preferred their heroes to be associated with splendid failure -- hence Coruna and Rorke's Drift and all these matters of this kind. Well, judged by that standard, Gar Barwick is a failure. He's had uniform success, wonderful success, and has at all stages, I think, done great credit to this country.

It is rather a disposition among advanced thinkers to suppose that people who achieve a great post like this greatest of legal posts in the world, the Chief Justiceship of Australia, must be there because they have enjoyed privilege or influence, have been pushed here, nudged there. This is a rather vulgar conception. The fact is that all the people that you can think of very readily who have achieved these results have had something in themselves which, without influence, without wealth, without any of these adventitious aids, has brought them to these highest posts. Now, whatever they may say about Sir Garfield Barwick, the Chief Justice of Australia, they won't be able to accuse him of the vulgar error of being born a millionaire. Well, it is a good thing to be born a millionaire, so I am told, but he is a man who, from the very beginning, has forged his own career.

It was said about Birkenhead you know, and I think quite truly, that when he was invited to say what his coat of arms would be, when he went to the Lords, he said, "Well I think I would like to have" (his name being Smith) "Artificer suarum fortunarum". The smith of his own fortune. Now this was good -- it was a bravura, a statement that it was very good.

celebrated for his skill and if anybody supposes that the old legend of the brilliant idler still has some validity, let him forget it. The fact is that the men who have come to the top flight in this profession have come there by hard sweat and work, by having great natural talents, yes, but by hard work and he did his hard work and he achieved in due course a position at the Australian Bar which I venture to say has, if it's ever been equalled (which I doubt), has never been surpassed in the history of legal practice. He might have remained there, he might have gone on and on from one triumph to another but one day Bill Spooner (Bill's here tonight - you know, this dubious character whom I kicked out of the Cabinet), Bill who's always been a wise counsellor said to me, "What about Barwick?" And so I said finally, "Well, well, yes I might be able to talk him into going into Parliament." Well, the first problem how to find him; the courts were not sitting at the time. He was finally tracked down, "oh, movin' around on the south coast somewhere in some unseaworthy dinghy or something of that kind" and he came up to Sydney and I had a talk with him. Whether that had anything to do with it or not I don't know but in the long run, and in fact in the not so very long run, he decided he would come into Parliament. Well, nine months later he was my Attorney-General and, without making too low an obeisance because I no longer practise in the High Court and therefore I have to behave properly - within nine months he was my Attorney-General. He was, I venture to say, the greatest Attorney-General the Commonwealth, this country, has ever had.

Sitting in my chair in the Cabinet Room, a chair which I have bowed down now for a very great number of years and still having my ancient passion for the law, and still remembering a few vestiges of the law which I used to practise, I used to look across at him and marvel at the versatility of his knowledge, at the complete up-to-dateness of his knowledge and this wasn't confined to me because I found, before long, that all my Ministers, thank God, who used to come to me and say, "P. M. there is a question of law here, what do you think?" and getting some highly ambiguous reply from me, were all going to him and coming away refreshed. Really, as Gar looks back on his life, he can look back on his period as Attorney-General with immense pride and, if somebody says, "What is the reason for the pride?" I (if I am still alive) will be willingly called as a witness to support it because this was a very remarkable episode in his life.

Well then, as you know, he became Chief Justice of the High Court. I understand from the press that I threatened him and I said, "Look here, Barwick, unless you treat me properly I'll make you Chief Justice of Australia." Yes, well you know these are ludicrous ideas, although taken seriously occasionally by people who ought to know better! He was the obvious man to be Chief Justice of Australia and I wouldn't want any of the non-lawyers here tonight to suppose for a moment that being Chief Justice of Australia is just another post, that this is just another court, because, I say this with complete dogmatism, that for years and years now the High Court of Australia has been the greatest court in the English-speaking world; and now he presides over that court - this is a tremendous thing. I hope you don't mind me saying in a sort of melancholy way, I envy him this post - really I do. To be the head

with some of the finest judgments available to English-speaking lawyers: this is a tremendous task.

I don't mind telling you I was extremely sorry to lose him, that's elementary. I think if I had been in his place, still remaining with my old passions for the law, I would have said, "Yes, I would like to go to the High Court." I am sure I would have, I am sure I would have. But he, himself, had the most difficult choice in the world to make -- he was not only a distinguished Attorney-General but he had also become a very distinguished Minister for External Affairs. He had travelled around the world and more than once into the countries of our nearest neighbourhood; he had established among them a reputation for clear thinking, for knowledge and for plain speech. Don't let anybody suppose for one moment that it was part of his tactics to be sneaky or sly. Never to be rude, always to be firm and clear; this is a tremendous task and he achieved, I think, a most tremendous result. And so you will all understand that, when we decided that he should be offered the post of Chief Justice of Australia, there were some, like me, who sat down and rather bit their nails and said, "Well, this is a wonderful thing for the High Court, this is a wonderful thing for the law, but how we're going to replace a man of these talents is an entirely different question."

Now I say this to you, because I have enjoyed Gar's friendship and I have enjoyed my association with him in the Government and, as I repeat, I still retain a tremendous feeling for the law. Oh, I so wish I could get out of office to-morrow and go and appear before him and be, in a polished way, rude. This is an art that I practised, as Mr. Justice McTiernan will tell you, not without success. But looking back on it all, looking around the matter I just want to say to you, without being dull or tedious, that here is a remarkable record, here is a remarkable all-round achievement of service to the country and that, weighing it all up, delighted as I am with the work that he did in the political field, I am particularly delighted that into his hands, at a relatively youthful age, there should pass the chief responsibility for the preservation of the standards of a court which, believe it or not and you ought to believe it, is famous all around the world.

Now, Gar, I don't know, we are all men here and therefore I can't, I understand, refer to your wife -- he has a marvellous wife, her christian name I will conceal for the moment but, if he doesn't mind me telling you, he's always referred to her and addressed her as "Mibey" and therefore I, with that sense of the appetite which characterises me, have always called her "Angela". Would you tell her that, as we are dining you to-night, I am not, I am an un-paying and unwanted guest, but would you mind telling Angela that to-night as we thought of you with pride, we thought of her with affection.

Now we'll drink his health. The Right Honourable Sir Garfield Barwick, the Chief Justice of Australia.