

# A toast for Leonie, a roast for the Bar

Thank you Mr President for a typically generous and gracious introduction. Already you have seen, Dame Leonie, that dining with the Bar is like dining with the Borgias. If you are not poisoned by the food, you are stabbed by your host.

This is a unique and timely occasion. In the two decades and more that I have attended these dinners, it has been uncommon for us to have a Guest of Honour who is literate, (that is, well acquainted with literature), let alone one who comes to us from a literary apogee, the Chair of Australian Literature at Sydney University.

I do not mean that we have had guests who have been unable to read or write, many have been able to do both.

Necessity demands that our guests be able to speak. Some have done so, at great length.

Tonight marks a change of course. Dame Leonie has been the Professor of Australian Literature at Sydney University since 1968. Prior to that she was for five years an Associate Professor at the University of New South Wales.

From such a distinguished background in the teaching of English it must indeed be a shock to step down tonight into this sink of illiteracy; to be met by our President, who adopts a smiling manner to hide among other vices, his awful English.

Do you feel, looking at us, that the Australian Association for Teaching English and the Australian Council for Educational Standards, of which august bodies you have for many years been a member, have still a long way to go?

It is said that in order to practise at the Bar an aspirant should be able to read. After all law lists are published every day to tell Counsel where to go, though nowadays you can get the Clerk to read them.

Members of the Bar certainly write in profusion. Some have had material published: Stein on *Locus Standi*; Young on Declaratory Orders are but examples.

An English barrister, Foskett, chose a more promising title, *Compromise*, which means, of course, to bring a person under suspicion by indiscreet action. Foskett is of the Midland and Oxford Circuit but, sadly, his book gives no insights into the high life at St Hugh's College, Oxford, in 1950 when Dame Leonie was teaching there and earning a Doctorate of Philosophy.

Alas none of these written outpourings of the Bar has attracted even bare reference in the ultimate authority, the *Oxford History of Australian Literature*.

Madam, as the Editor, can you explain this?

\* C.S.C. Sheller, QC, proposing the toast for Dame Leonie Kramer at the Bench and Bar dinner on July 5, 1985.

Perhaps it is not surprising. Two of the notorious authors of that crowd-pleasing paperback, *Equity: Doctrines and Remedies*, are members of the Bar.

They announced, in the preface to the first edition, to those who bothered to open the book, the forlorn hope that it would not be considered "difficult to read, disgusting to touch and impossible to understand". They knew what was inside.

That hope even they had to abandon by the time they wrote the preface to the second edition. By then others knew what was inside.

We barristers are no literary lions. William Charles Wentworth, one of the first barristers admitted in New South Wales, a founder of Sydney University driven from Australia by the unveiling in the Great Hall of a marble statue of him, wrote a poem called *Australasia*, which for some reason not clear to me, gained second place in a competition at Cambridge University. He alone of the Bar is mentioned in the *Oxford History*.

Mind you, the *Oxford History* was published in 1981, just before our colleague, Benjamin Sidney, sprang into print. But he does not count.

I am told Ben no longer practises at the Bar. He awaits his rightful place in the *History of Australian Literature*.

Judges have fared little better. Not for want of trying. Thirty five Justices and Chief Justices of the High Court have toiled for nearly 90 years to produce 150 volumes of short stories, novels, melodrama, no poetry and no recognition from the *Oxford History*.

Among the memorabilia adorning the walls of their palace in Canberra are no Medals of Honour from literary societies. However, in line with

modern practice, the Court plans to increase production over the next 90 years.

By contrast the Supreme Court can hold its head high in your presence. Mr Justice Barron Field, spelt "on" not "en", a judge well known to the New South Wales lawyers present, but for the benefit of others, named second of the judges of the 1814 Supreme Court of New South Wales. He was indeed unique. A poetic judge.

The Bar has slight regard for his literary achievements. Our historian has written that Barron Field's verse was not well received by the critics when it was published, and since then it has been more laughed at than read.

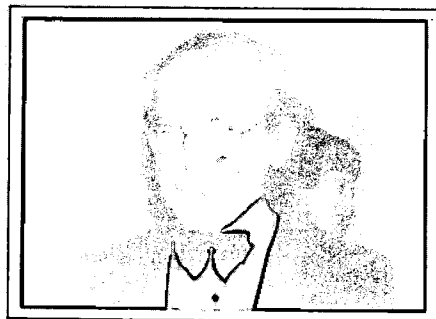
Disraeli, who somehow met Barron Field in Gibraltar, described his as a noisy, obtrusive, jargonical judge, ever illustrating the obvious, explaining the evident and expatiating on the commonplace — things nowadays not done on the Bench.

But the *Oxford History of Australian Literature* sees him in a different light. Lovingly it recounts that he published a tiny volume, modestly called *First Fruits of Australian Poetry*.



Sheller QC

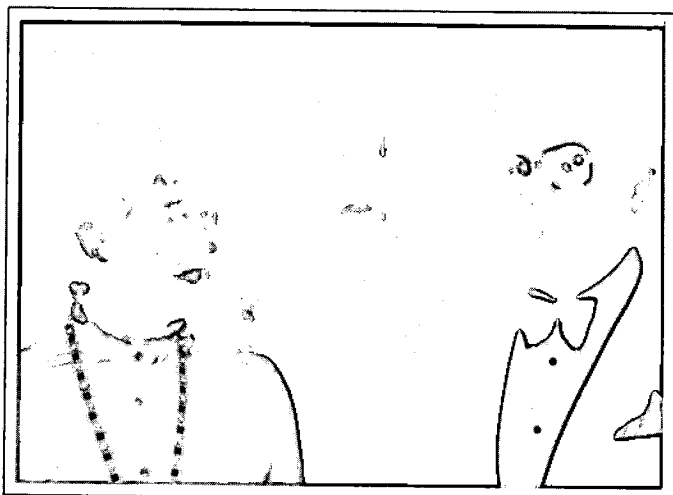
# At the Bench and Bar dinner



Judge Ducker



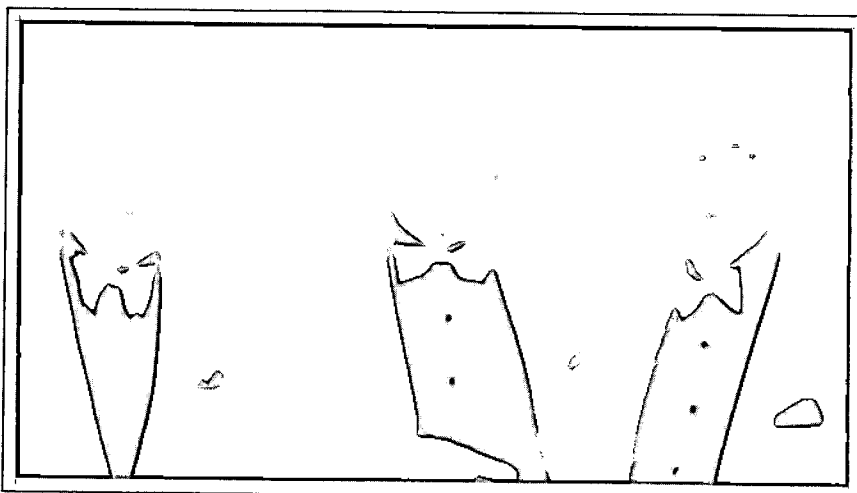
Kirkham QC and Poulos



Dame Leonie Kramer and Attorney-General The Hon. T.W. Sheahan



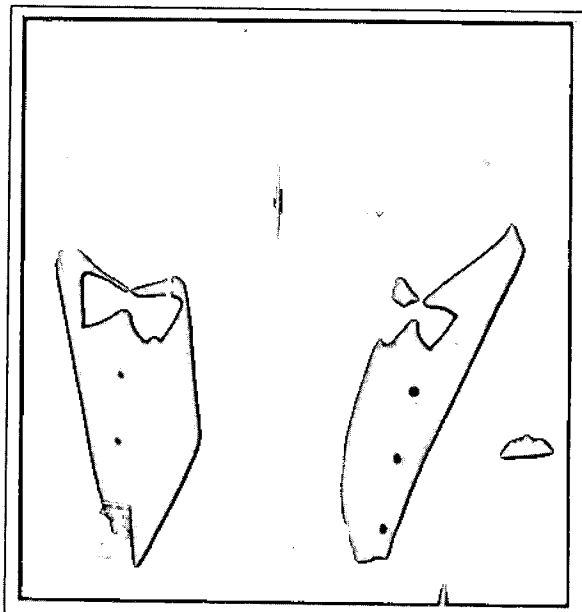
Bennett and Bennett QC



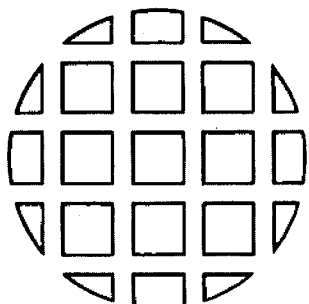
Byrne, Studdert QC and Chief Judge McGrath



Wright and Gyles QC



Murray QC and Mr Justice Gallop



# Mimet

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This is not the place to start a revival of Barron Field's poetry, if that were possible. That is for the Supreme Court to do. But I would like to read part — well the first line — of the poem for which, according to the *Oxford History*, he is best remembered.

The poem is called *The Kangaroo*. The first line consists of two words "Kangaroo, Kangaroo".

Call your poem *The Kangaroo* and then say nothing in the first line but repeat the title twice, is surely illustrating the obvious and explaining the evident, if not expatiating on the commonplace.

But who are we, poor lawyers, to challenge the authority of the *Oxford History of Australian Literature* and wonder how it has preferred such a poem to the treasure to be found in the *New South Wales Law Reports*?

Madam, the list of your achievements and the honours earned by you is long. You are Fellow of both the Australian College of Education and the Australian Academy of the Humanities. Melbourne University has conferred upon you an Honorary Doctorate of Laws and the Australian National University an Honorary Doctorate of Letters.

In January, 1977 you were appointed a Commissioner of the Australian Broadcasting Commission and on the first of January, 1982 you became its Chairman. At the time you were appointed a Commissioner you were one of the few women professors in Australia.

You yourself, however, judged it quite mad to appoint commissioners according to their sex. You were the first woman Chairman of the ABC and one of the very few women heads of large organisations in Australia, public or private.

In 1976 you were appropriately honoured with the Order of the British Empire, and in 1983 made a Dame Commander of that Order.

During your time as Chairman of the ABC, there occurred in May, 1983 a confrontation with members of the Government. To television audiences during that time you came across as a person of integrity and courage, and above all loyalty to those who worked with you.

I understand the Australian Council for Educational Standards is critical of "progressivism". Who would not be critical of such a hideous word and all it stands for? It ranks with President Reagan's "progressivity". I congratulate you.

Madam we welcome you here tonight. We hope that our company will give you as much pleasure as yours surely gives us.

## Slip of the List

*The Sydney Morning Herald's* need to contain the ever-growing Law List which it publishes each day, Monday to Friday, by abbreviating the names of cases listed for hearing, is understandable.

But sometimes this can give rise to an eyebrow or two. For example, among the cases listed recently for the Industrial Commission were the two following entries:

*Appln for an award Beauty rapists, etc., Awd  
... Appln and disp. re shit allow.*

We are assured these matters related to beauty therapists and shift allowances, respectively.