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ARTICLE FOR AVI MAGAZINE

APRIL 2012

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THE HON. MICHAEL KIRBY AC CMG*

For almost as long as I can remember, I have been volunteering. Going back to school days, I was a joiner. I joined in activities with other students. Doing so helped me to get on. I made important friendships. Many of these have lasted all my life. More importantly, by being a joiner, I was able to discover and develop my own talents. I came to know my strengths and weaknesses. I minimised the latter and tried to maximise my abilities. This cannot be done, sitting in a room on one's own, reading a book or studying a screen. To discover the real inner you, everyone has to engage with other people.

Like many things in life, my world as a global volunteer started by accident. One day, unusually for me, I stayed home from university lectures because I was unwell. Into our law class came students inviting nominations for election to the student law society. As a lark, allegedly because I was the shyest boy the class, one of my fellow pupils, Murray Gleeson, nominated me in my absence. I was thereupon elected to the student law society. Thus began my glorious career in Australian student politics.

* The Hon. Michael Kirby AC CMG, past Justice of the High Court of Australia, is a patron of AVI. This article draws on the author's remarks at the ceremony in Canberra on 21 February 2012 to mark the 60th anniversary of AVI.

Murray Gleeson later went on to become a judicial colleague, serving as Chief Justice of New South Wales and later Chief Justice of the High Court of Australia. He often joked about the "juggernaut" of student politics he launched that day. Somehow or other, I went on to become the President of the Sydney University Students' Representative Council and was elected to the university Senate to represent the undergraduates. It was in these activities that I got to know some important and influential friends.

In late 1962 I was chosen to be a leader in an Australian student delegation to visit Nigeria, Ghana, Singapore and Malaya. Never will I forget our journey in the back blocks of Nigeria, soon after that country's independence from Britain in 1960. Travelling by third class railway carriage into the hot and humid inland of Africa opened my eyes to the big world beyond Sydney, Australia. Before this journey, I had never been further than Katoomba. Yet here I was, interacting with students in the matters that engaged us at that time. I was confronted with sharp criticisms of the "White Australia" policy that was then in force. The African students demanded to know what Australia was doing for education of Aboriginal students. At the time, I had to confess that not a single indigenous person had ever graduated in more than a century from Australia's fine universities.

Witnessing, and engaging closely with, the students of overseas countries taught me to look closely at my own land and its strengths and weaknesses. Specifically, it taught me to re-examine my own values. I realised that many of those values were based on racist assumptions that virtually everyone in Australia at that time accepted. Nothing like

travel, dialogue and debate to broaden the mind. I began to think new and dangerous thoughts.

When I returned from Africa to Sydney, my days were spent as a busy young lawyer. But I decided to study for an economics degree at night. This, I believe, made me more aware of the practicalities and costs of the law. Justice, it seemed, came with a big price tag. Often, it was not available for the poor and disadvantaged.

So I started to volunteer my services for the Council for Civil Liberties in New South Wales (CCL). Squeezed into my busy work schedule were hundreds of cases, done *pro-bono* for students and other citizens who claimed their liberties had been infringed. Many a student charged with fare evasion got off lightly as a result of my advocacy. Some of these went on to fame and fortune as judges and I hope they remembered. Even more memorable were the cases of the CCL. These involved contested disputes about police shooting; public demonstrations; conscientious objection to military service in Vietnam; and Aboriginal empowerment. As a volunteer lawyer, I took part in defending university students who had travelled to Walgett in in-land New South Wales to 'liberate' the cinema there. Up to that time, Aboriginals had not been sold tickets to the upstairs section of the cinema. It was the student protests, and the subsequent court case, that helped Walgett to change its rules. A small blow was struck for racial tolerance in Australia.

My participation in university affairs at my own alma mater led on to my appointments, first to the Council of the University of Newcastle and later as Chancellor of Macquarie University in Sydney. It seemed that I could not get universities, and their endless government by committees, out of

my blood. Defending academic independence and integrity was, by this time, second nature to me.

When, in the 1970's, I was a judge, I had to perform many interesting tasks. For 10 years (1975-1984) I was seconded to chair the Australian Law Reform Commission. This was a new body established by Federal Parliament to modernise and update the law in Australia. By this time, there was no way I could perform my functions in law reform without close involvement with civil society organisations and the types of people I knew from my CCL days. By then, I realised that it was stirrers and shakers who caused trouble that were often the change agents in a relative complacent and prosperous society. We needed them to shake things up. I engaged with them, secured their ideas, and sometimes helped to translate them into laws, enacted by Parliament.

More importantly, it was at about this time that my interest in international volunteering was revived. It was not volunteering in the way most AVI volunteers perform their duties. Not for me were months of patient work in huts and villages in far away countries. My international volunteering was more *macro* than *micro*. It started with a request to take part in a body established by the Organisation for Economic Co-operation and Development (OECD) in Paris. This body was created to propose responses to the amazing new computers that were coming into use in the developed world by 1978. Working in conference rooms by day and exploring the beauties of Paris by night, I came to understand how international technology demanded new and co-operative approaches to regulation and the law.

Of course, I could have gone on simply performing my duties back in Australia. They were demanding, interesting and well paid. But they were not enough for my restless personality. I wanted to be engaging with people of different cultures, languages, laws, backgrounds and outlooks.

So began my career as a volunteer in international agencies. None of this work secured me more salary or financial benefits. I had the fascination for a world different from my own, ever since in took that train journey through Nigeria from Ibadan to Zaria in 1963. I supplemented my professional job, as a judge and law reformer, with active and voluntary participation in numerous international bodies.

Many of these have been in United Nations agencies, working throughout the world at ground level, to improve the way the global community grapples with global problems. Amongst the many international bodies on which I served were:

* The Global Commission on AIDS of the World Health Organisation, set up to advise governments worldwide on the most effective responses to the unexpected HIV epidemic;

* The United Nations Development Program asked me to volunteer to chair the Constitutional Conference in Malawi in 1994, helping that country transition from a single party regime to a multi-party democracy;

* Participating as Special Representative of the UN Secretary General for human rights in Cambodia 1993-6, to provide guidance to that country after the genocide of the Khmer Rouge;

* Participation in the Commission on Freedom of Association of the International Labour Organisation to guide South Africa to just and effective labour laws after the end of apartheid, 1991;

* Participating in the International Bioethics Committee of UNESCO in preparing *Universal Declaration on Bioethics and Human Rights* as a response to the amazing technology of the human genome project and the use of DNA, 1986-95; and

* Engagement with the Commonwealth Secretariat Eminent Persons Group, 2010-11, on preparing a *Charter of Rights* for the 54 member countries of the Commonwealth of Nations.

Not all of these and other voluntary activities have been crowned with success. Sometimes, as every volunteer knows, working in the international field can be frustrating and occasionally maddening. Organisational rules and impediments to progress are frequently frustrating. But nothing ventured, nothing gained.

In the kind of international activity in which I have volunteered, much depends on precious opportunities arising by chance. But I have discovered as many volunteers before and since have done, that those who work hard win respect. If they come to their tasks with attitudes of

inclusiveness and are guided always by universal human rights, they can win over the affection and respect of those they work with.

Volunteers, nationally and internationally, must observe high standards of integrity. They are subject to strict legal and ethical rules. Increasingly, today, they are required to undergo checks and scrutiny for their moral character and integrity[1]. Furthermore, internationally and nationally, there is no room for tourist volunteerism. Whether working with a civil society organisation or in a UN or transnational body, volunteers must develop professional attitudes. They must observe protocols on the good that they can do for others, not merely their own advancement. They should not displace from work others who are more worthy, particularly those from developing countries. The latter have a vital role to play in every activity in the international community. Racist, cultural, religious and other attitudes of superiority must give way to generous-spirited engagement with others[2]. Participation, transparency, respect and acceptance are the keys to success in international volunteering. Notice that I did not say 'tolerance'. That is such a condescending word. It means that a person puts up with others and does not truly accept them fully as an equal, entitled to human dignity.

It is this spirit of equality and human dignity that fires up millions of Australian volunteers, both nationally and internationally, every year. I suppose that if I am truthful, I must acknowledge my own personal quest for equality and self respect as a gay man is a motivating force for my engagement with others. To win their confidence and respect and to be

[1] J. O'Rourke, "Criminal checks for volunteers" *Sun Herald*, February 26, 2012, 10.
[2] Adele Horin, "Hands on Help can be Harmful", *Sydney Morning Herald, News Review*, January 7-8, 2012, 10.

truthful and win acceptance, is a great challenge for every member of a minority.

This is how big changes in the world are being secured for indigenous people, for racial minorities, for refugees, for prisoners, for handicapped people, religious minorities. And also for women, who are not a minority at all. Standing up for others and standing up for oneself can change the world, step by step. This is what volunteering has taught me. It is true at home in Australia. It is also true in the wider world. That is why I am glad and proud to serve a patron for Australian Volunteers International. My message remains the same as it was for me in 1962 when I set out on this journey. Be a joiner. Get engaged. Think beyond Australia. And make a difference in our world.