

**NATIONAL GALLERY OF VICTORIA**

1996 DOUG MORAN NATIONAL PORTRAIT PRIZE

OPENING OF THE EXHIBITION 19 SEPTEMBER 1996,  
MELBOURNE

**THE GIFT OF ART**

The Hon Justice Michael Kirby AC CMG

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OF PORTRAITS

A few weeks ago I received something of a shock. A Sunday newspaper had a headline "Get Rid of the Judges". Ashen-faced, I reached for the news item only to discover that it was a report of the response of many of those attending a major art exhibition as it toured provincial galleries. Apparently, the ordinary citizens did not think much of the judges' awards.

Like most judges, I spend my life surrounded by portraits. They are everywhere about us. In my new courthouse in the

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\* Justice of the High Court of Australia.

High Court in Canberra, there are portraits of former Chief Justices and Justices of the Court everywhere. In the cavernous number one courtroom in Canberra there is a huge portrait of Sir Samuel Griffith. Actually, it is a copy of the portrait steadfastly held by the Supreme Court of Queensland in Brisbane where Sir Samuel was Chief Justice before he was appointed the first Chief Justice of Australia. In all his crimson and ermine he looks down at us, his modern successors, and reminds us of the continuity of our service.

There too is Sir Edmund Barton, one-time Prime Minister of Australia who stood down from Parliament to become one of the first Justices of the Court, effectively deputy to Griffith. He is shown in street clothes, a handsome man with a steadfast gaze, disdaining the ceremonial trappings.

The troika is made up by Justice Richard O'Connor, like the other two one of the founders of the Australian Constitution. He refused a knighthood. He is one of the few Justices, before knighthoods were abolished, not to have accepted that royal honour. Like Griffith he has a fine beard and a strong sensitive face. In the boring moments of legal argument, it is easy to let one's gaze move from the Bar Table to the great Judges of the past: searching their visages as if for inspiration for, or at least diversion from, the problems at hand.

The foundation of the Commonwealth was a great moment for portraits. Tom Roberts' mighty canvas of the opening of the

first Commonwealth Parliament by the Duke of York (later King George V) was held for a time in the High Court in Canberra. But now, quite unreasonably, the Federal Parliament has reclaimed its treasure and it lies in a forgotten committee room where once it dominated the great public hall of the High Court.

It is hoped that another large portrait of the opening of the first High Court in Melbourne in 1903, will fill the void left by the departure of Roberts' brilliant work. There is something in the portrayal of the human face and body which fascinates us. We search in the detail for clues as to the personalities who are there displayed.

In my former position as President of the Court of Appeal of New South Wales, I was likewise surrounded by portraits. Not so much in my own Court, for there the only portrait was of Sir Bernard Sugerman, the second President of the Court of Appeal. Somehow, Presidents did not seem to attract the portraitist's brush.

But in the Banco Court in Sydney, a great legal theatre in the round, there are the portraits of the fifteen Chief Justices, going back to the earliest colonial times. The early portraits were very fine indeed. I noticed in one of the essays, explaining portrait painting in connection with the Doug Moran National Portrait Prize, that the early skills of Australian portraitists can be explained by the fact that many of them were themselves convicts, convicted in the Old Country for forgery. They were

fine draftsmen. In the age before photography, they had deft skills in portraying accurately the faces of their subjects. Doubtless in the case of judges, they put their best brush forward, as it were. I do hope that those who were convicts were occasionally rewarded with tickets of leave, for the portraits in the New South Wales Court are truly magnificent: stunning portrayals of the power of the judges of early days in Australia who literally decided matters of life and death virtually every working day.

Although I am a child of judicial portraits, I have not had the training in painting appreciation which is the mark of a truly civilised person. In the Rijksmuseum, in Amsterdam, I have often seen how children are sat in their place before Rembrandt's great images. I have followed as they are instructed in the history of portrait painting and the theories of the portrait over the ages. How the setting and background is important as clues to the personality of the subject. How there was once a theory of the two sides of the face representing: the inherent schizophrenia of human personality. I wish that I had received this instruction in my early schooldays in Australia. I hope that from this exhibition, and those that will follow it, will represent a move to ensure that every Australian schoolchild is given the best possible preparation for appreciation of art in all of its magnificent variety. For this is what enriches the human spirit and makes life such rich and deep experience.

My journey through the catalogues which have recorded the Doug Moran National Portrait Prize show clearly me the wonderful examples of the portraitist's art that have been offered over the years. I look with admiration at the works of Clifton Pugh, Bryan Dunlop, Reg Campbell, Robert Hannaford, Penny Dowie and many others who have competed for this prize. It is a great treasury. We are fortunate to the extent that the prize has encouraged the artist.

#### OF PRIZES

Australia has a number of rewarding prizes for skills in painting and specifically portrait painting. The best known is undoubtedly the Archibald Prize. The Doug Moran National Portrait Prize was established by a fine citizen as a contribution to the bicentenary celebrations in Australia. The big prize money offered, of \$100,000, was certainly, at the time, the largest booty in Australia and possibly in the world. The rules are largely uncontroversial. The prize must be for the work of an Australian artist. But the rules also contain a requirement which proved, at first, quite controversial, namely that the portrait must be "a true likeness" of the subject.

Controversy has long surrounded portrait painting, given that the portraitist sees through his or her eyes and experience the visage of another human being and seeks to portray that visage in more than arid form. It has been explained that the object of the requirement of "true likeness" was to secure a

*genre* of portrait painting of the kind exemplified in Tom Roberts' "Mrs McNaughton", painted in 1893.

At first, the requirement of a true likeness attracted much criticism from those of an orthodox persuasion. Orthodoxy required unorthodoxy. But, as some of the contributions to this exhibition for the prize demonstrate, the rules have not been imposed with heavy-handed inflexibility. In any case, the prize has certainly brought out of the studio woodwork a large number of Australian portraitists whose work is of high quality. There was a huge number of entries for the first prize: something of the order of one thousand portraits were submitted. The subsequent prizes have also attracted hundreds of entries. So it has been this year.

The generosity of the donor also secured the support of Vice-Regal representatives, and successive Prime Ministers, as well as representatives of the arts community. After exhibition here, it is planned that the finalists will commence a tour of provincial art galleries where they will reach out to critical audiences. I applaud the judgment of Dr Timothy Potts and Mr John McPhee of the National Gallery of Victoria in offering this exhibition in this premier institution of the arts in Australia. They have disdained the critics who suggest that no limitation whatever should be put on art. In the mansion of art there are many rooms. Portraits with a true likeness certainly have their place. Political correctness in art or anything else is unattractive.

The badge of freedom is diversity. That includes the diversity of realism.

The quality of the winning entries in the past has always been ensured by the integrity and high professional standards of the selectors and the judges of the finalists. The selectors are always people with the highest credentials in the arts community. So it is this year with James Mollison AM and Judy Cassab AO, CBE. The fact that the judge who will select the final prize-winner is Mr Charles Soumarez-Smith, Director of the National Portrait Gallery in London, makes it abundantly plain that the prize winner is chosen by a person of impeccable credentials from a group of portraits selected by experts of the highest standing. It is this insistence upon excellence of judgment that has won for the Doug Moran National Portrait Prize a reputation that has stilled the early critics, many of whom now submit their own entries.

In fact, I think that the room marked "Portraits - A True Likeness" is rather like the chambers in which I spend my life in the High Court of Australia. There is a place for imagination, certainly. Indeed, it is a large place for great choices must be made where the canvas is empty or there is little guidance and so far little done. But this work of creativity and imagination must be performed within a discipline. Rules ensure that the worker is not entirely uncontrolled, such that any idiosyncratic efforts will be accepted. Australian judges, like entrants in the Doug Moran National Portrait Prize, must conform to certain

standards. Generally, as the history of our country demonstrates, the product is acceptable, even precious.

I was surprised during the week to see a report in the Melbourne Age concerning the new Court of Appeal of Victoria. It was solemnly recorded that Mr Justice Callaway of that Court, having formerly been reputedly the most conservative member of the Victorian Bar, was now actually writing judicial opinions described as "Kirby-like". I am not sure what this means. It must be some obscure Melbourne allusion. But if it means that his Honour's imagination is rushing into judicial nooks and crannies that were not earlier suspected, I am sure that the product is still "a true likeness" of the Australian law. In art at least there is certainly a place for uncontrolled fantasy and wild imaginings. For my own part, I much admire the surrealist work of James Gleeson and I have, an original, which I admire passionately in my new home in Canberra. But there is also a place for the *genre* of the true likeness, so long as that expression is given the broad construction which the inescapably personal character of art demands. I have no reason to think that it is not so in the Moran Prize.

#### OF THE DONORS

Sir Ninian Stephen, when Governor-General, wrote of the first prize offered in this series that art has always been dependent upon generous donors.

Doug Moran is such a man of generosity. And so is his wife Greta, herself a significant artist. I came to know them through their daughter, Mrs Kerry Jones, who asked me to open this exhibition. I am glad that I accepted because it taught me much about Australian portraiture and more about the generosity of the Moran family.

Doug began life in very harsh conditions. His father was a miner who was retrenched in the 1920s. The father had five children and times were hard. On one memorable occasion, a wealthy benefactor presented the family with a sack of vegetables just in time. He explained that he felt an obligation to give back something for the many blessings he had received in life. This is a principle that Doug Moran has accepted for his own life. He has gone on to professional and financial success. But he has remembered the need to give something back.

In his efforts to establish this prize he had the sterling support of the Tweed Shire Council. When the idea was first formulated in 1986, the Council supported it and offered the Tweed River Regional Art Gallery as a home for the works selected for the exhibition. The idea was one of encouraging regional art galleries. The staff of the Tweed River Regional Art Gallery organised the regional tour which takes the thirty finalists around the eastern States of Australia. It is a major artistic enterprise.

Just before I came to Melbourne I received word from the Right Honourable Doug Anthony CH, a fine Australian, of a further act of generosity which will ensure that the Doug Moran National Portrait Prize becomes a permanent feature of portrait painting in Australia. By a generous gift on the part of Doug Anthony and his wife Margot, a magnificent site has been provided which the Tweed Shire Council has accepted. It is hoped that a major gallery will be developed near Murwillumbah by the year 2000. This will become the permanent home of contributions to this exhibition series. One act of generosity has inspired another.

I congratulate the Moran family, the Anthony family, the Tweed Shire Council and now those responsible in the National Gallery of Victoria for providing this magnificent setting for the Doug Moran National Portrait Prize in 1996. There is no finer gallery in Australia than this. There are few more splendid rooms than the one in which we meet. It is a wonderful place illuminated by more than the fairy lights about which Melbourne people seem mildly obsessive at the moment and about which I am quite ambivalent. The real illumination tonight comes from the presence in the room of people of the spirit. Artists. Painters. Portraitists. People with an extra sense: an extra gift. In recent years I have become involved in work on the ethical and legal issues of the Human Genome Project. Perhaps on the unravelled DNA of these artists there is a special gene with a coded message that tells of the extra sense that certain people have. For some it is thought of as a sense given by God.

Perhaps it is. Certainly it is a capacity to see things that others do not at first see and to imagine beyond the mind of the ordinary: giving it back to illuminate the world in which the rest of us live.

The great Gustav Mahler used to say that, when writing his symphonies and songs, he felt that some external force was working through his hands as he hurried to put the notes on paper. So it may be with artists. They have a special gift, a divine spark. We who assemble in this gallery should do them honour. This Australian prize generously and fittingly rewards and encourages them.

With much pleasure I declare open the Doug Moran National Portrait Prize Exhibition for 1996.