

To Be The Great Communicator

Windsor Hotel,
Melbourne, Victoria
14 May 2009.

On receiving, as co-winner, “Communicator of the Year 2009”
award presented by Royal Melbourne Institute of Technology

“COMMUNICATOR OF THE YEAR”

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The Hon. Michael Kirby AC CMG*

I HAVE A DREAM

I am proud to be named a co-winner of the RMIT Communicator of the Year Award. I am glad to share the title with Melina Schamroth, who has done so much in communicating the challenges posed by the recent terrible bush fires in Victoria. I like the name of her organisation “m.a.d. woman”, the letters based on “making a difference”. I hereby inaugurate the “m.a.d. man” organisation, with myself as life president. In Australia, one has to be slightly mad to attempt public communication. Since convict days, we have refined the sport of dragging down tall poppies. The media represent the modern means of torture for all aspiring communicators.

Despite the risks, I have long had a dream of being known as “the Great Communicator” in Australia. My website, *michaelkirby.com.au*, carries thousands of speeches, stretching back to my first ventures in public life in 1975. When I retired from the High Court in February, I was repeatedly labelled “The Great Dissenter”. This irritated me because it was misleading. It

*Past Justice of the High Court of Australia (1996-2009)

trivialised the disputes that inevitably arise in decisions in a nation's highest court if it is doing its job. Now, at last, my dream on re-badging is fulfilled; but only for a year.

THE MESSAGE NOT THE MEDIUM

Even great communicators have to be reminded occasionally that what matters is not just a talent to persuade. It is the content of the message. Adolf Hitler doubtless would have been named the "Great Communicator" of Germany in 1939. Ronald Reagan had undoubted skills in putting over his message simply and engagingly. Yet often, his message was over-simplistic. Sometimes, as we can now see, it ignored urgent problems. When AIDS hit America in 1983 during that Great Communicator's first term, he never once got those magic lips around the words 'sex' and 'prejudice'. Had he done so, many lives might have been saved. In Australia, politicians, on both sides, who were much less eloquent, joined together to say the right things. So in the end it is the message, not the medium that matters.

My efforts in communication over thirty-five years have mostly been concerned with the law. It might have been expected that lawyers would be expert communicators. In court rooms, many are. Yet experience teaches that lawyers are often poor communicators to the general public about the law. They know all the nuances and complexities. Often they are hesitant to say much about it for fear of over-simplification. If one can only see a dozen exceptions and qualifications to a proposition, it becomes difficult to explain the law in language that ordinary citizens can understand.

Nevertheless, the law does not belong to lawyers alone. This is why, from the time I led it in 1975, the Australian Law Reform Commission attempted to bring its projects into the public domain. Back then, this infuriated many judges and lawyers. I was often attacked. But I knew that, without popular understanding and support for reform of the law, nothing much would happen. So I set about engaging the community and representatives groups.

THE EASY RULES OF COMMUNICATION

Soon I gathered many supporters in the judiciary and legal profession. We learned that there were easy rules to be followed:

- Sunday night is usually a slow news time. Other stirrers and shakers are taking a nap. That was always a good moment to strike with a media release. Thirsty news desks soaked up our stories, so long as they had some news content.
- Big news times, like Budget Night, had to be avoided like the plague. Priorities have changed over the years. But the worst nightmare of a communicator with an important story to tell is still another level-crossing crash or a footballer in trouble.
- Abstract ideas get spiked. To be reported, a communicator must try to personalise the issue. Yesterday's stories on the Budget were often light in statistical data. It was the impact on Mr. and Mrs. Average, (with their very glum photographs) that made it into the media.
- Sometimes the greatest efforts of communicators run headlong into the policy of a media outlet. Just try to get stories critical of the editorial line on the Northern Territory Intervention, bills of rights and global

climate change into one well-known media outlet in Australia and even a Great Communicator will fail dismally.

- Embargos must be policed and realistic deadlines must be observed, given the time constraints under which media work.
- Communicators must also adapt to the constantly changing media. For good or ill, the medium now often shapes the message. Television, with its vivid visual images and simplicities altered the content of print media forever. Now the internet and opinionated blogs promise still further change. Impatience with detail and nuance reaches its zenith in twitter and tweak. The texting generation wants it short and simple. Great communicators have to adapt or perish.

For all this, the outlets in Australia for information and opinions have never been greater. At our fingertips are huge masses of information. The skills of communicators in the future will lie in their capacity to cut through the mass of details and to present new ideas in an attractive way.

Usually, this will involve offering a distinctive personal insight into a complex problem. Those who have read their Bible and Shakespeare will have a head start because of the treasury of vivid expression that is then available to them. Authentic messages work. Phoney efforts are bound to end up on the cutting floor.

DOWN WITH POMPOUS BORES

Last week, I spoke at the Commencement Ceremony of Indiana University in Bloomington in the United States where I received an honorary degree. There were two occasions each involving nearly 20,000 excited graduates, their

families and teachers. For once, I had to give the same speech twice. So I could watch the effect of the same words on a different audience. My message concerned the impact that Dr. Alfred Kinsey's research, conducted at that university in the 1950s, on public understanding about sexual differences throughout the world. And of how the university had stood up to powerful pressure that had tried to halt the research.

The morning speech was politely received. But following the afternoon one there was a standing ovation, reportedly for the first time in eight years. Messages of praise flooded in with stories of tears when I told about my own debt to Alfred Kinsey's brave research on homosexuality.

Yet not everyone liked the message. Returning home to Australia, I was told by one email that I was a "pompous bore" who had slapped the sender on the face in the presence of his family. Because his email bore the name "Sherlock Holmes" I wondered if he had actually been there or was penning his words from Baker Street, London. Communicators cannot always expect awards or standing ovations. The real prize is to plant new thoughts in receptive minds, remembering that often the presentation of upsetting information and opinions is needed to change the world for the better.

In a way, it is the recipient of a message who tells the communicator that he is a pompous bore who is most precious in a democracy. It is that person who sharpens our own thinking and pushes forward the art of conveying unpopular or novel ideas. In three decades of giving graduation speeches I never received such a message from Australians. We are still far too polite. We need to learn from the Americans and express our disagreements more vocally. Out of the

clash of conflicting communications comes the ongoing advance of civilization. So the Great Communicator often merges with the Great Dissenter. And on behalf of both, I thank you for this occasion.
