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Author: Rt Hon Sir Zelman Cowen  
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The publishing house responsible for the much praised biography of Chief Justice Sir Owen Dixon by Professor Philip Ayers has now released the autobiography of another distinguished Australian lawyer, Sir Zelman Cowen. Sir Zelman, one-time Dean of Law at the University of Melbourne (1951-1966) and twice a vice-chancellor, was appointed Governor-General of Australia in 1977. As he is the only academic lawyer to attain the highest constitutional office in Australia, his memoirs will be of interest to many lawyers. Some of the author's civilization has inevitably rubbed off onto members of the legal profession. The secret of his success was his lifelong fascination with ideas.

The memoirs are unusual. There is no violence, except for the memories of the bombing of Darwin and the planning of the

destruction of Admiral Yamamoto's plane during the author's war service. There is no account of a torrid hidden love affair. True, there is a hint of an early girlfriend but when the author married Anna Wittner in 1945, he began a lifetime partnership that brought enormous support to his public life and still does.

Zelman Cowen says that he originally wrote these memoirs for his family. Future generations of Cowens, and of Australians, will be glad to have this record. Through it, we come to know the public man better. As well, through public interpreters like Zelman Cowen, Australians discover their own distinctive features as citizens of a multicultural, pluralistic, liberal democracy.

The book tells the story of an intensely busy life. Rightly, the subtitle describes it as "A Public Life". One of the supposed advantages of an academic career is that it permits the scholar a high degree of privacy and quiet contemplation. But, from the beginning, Zelman Cowen was a restless person. From his earliest schooldays he was striving and accomplishing. This book tells of his accomplishments. There is proper pride in his many achievements, offices, functions, duties and opportunities. Yet the book becomes endearing because the journey is recounted with modest humour and a sense of standing outside and marvelling at the good fortune that repeatedly came his way.

There are plenty of stories of the interesting and powerful men and women whom the author met during his long and varied career. There is a description of Douglas MacArthur, briefly encountered in the midst of the Second World War, directing the armies from Brisbane. The recollection of a conversation with one who described how Hitler "smelled vile". The vivid pen pictures of great judges like Owen Dixon, Herbert Evatt, Felix Frankfurter, Tom Denning. The insider's account of politicians he came to know.

Zelman Cowen assumed the office of Governor-General of Australia in the wake of the greatest crisis that the position has faced. He describes the conversation with Prime Minister Malcolm Fraser in April 1977 that led to his being offered the keys to Yarralumla. He also describes a later conversation when he was invited by Mr Fraser (unsuccessfully) to stay in the office a further three years. He recounts the graceful gesture of Gough Whitlam, at his farewell dinner in Government House, rising to pay an impromptu tribute to his exemplary service in the office which Whitlam had come to question. I would have liked more such stories about the political comings and goings in those years in the Vice-Regal position. But either there were not enough of such encounters (as the author hints) or he is too discreet to describe them.

His greatest service to Australia was that he used his incumbency to bring a "touch of healing" to settle the sharp divide that had opened up over the actions of his predecessor, Sir John

Kerr, in dismissing Mr Whitlam as Prime Minister. It was a quiet brilliance and sensitivity that Zelman Cowen, the lawyer and public figure, brought to the office of Governor-General. For that service, and the calm it brought back to our central constitutional institutions, Australia owes him a large and continuing debt. Now, in these memoirs, we have his version of events, as he saw them. But more. For they are placed in the context of his life.

The opening chapters on his forebears, his childhood in the 1920s and his youth and his school and university days in the 1930s are particularly interesting. A lot is known about his public life. However, these early pages afford fresh glimpses into the human side of the public man. He explains how many migrants to Australia have no real idea of their ancestors. Many, like his family, fled persecution in Russia. The records that go beyond the memories of grandparents have been lost forever. So we have to make do with his description of his immediate family and the relatively humble circumstances of his earliest years.

He was born on the very day that Alfred Deakin, the inspired founder of the Commonwealth of Australia, died. In a mystical way, this coincidence of events foresaw his later part in the Commonwealth, including the role that he would assume as a scholar, explaining the mysteries of federal jurisdiction in Australian courts and the theology of the meaning of "matter" within Ch III.

His description of the 1920s and 1930s evokes images of an Australia that was very different from what we know today. Ethnic outsiders were rare in that largely monochrome Anglo-Celtic world. Yet, even then, Zelman Cowen stood up. In his teen years, he wrote a prize winning essay *Pogrom*. As news of the persecution of Jews in Germany trickled into his classrooms, he felt an obligation to stand up against fascism and to interpret its evils, on a human level, to Australian school friends for whom it all seemed so far away. We need such interpreters in this land. The young Zelman Cowen saw the dangers of anti-Semitism and illiberalism as a teenager. He then began a lifetime of civic communication to educate his fellow Australians about them.

When we arrive at his university years, in Melbourne and at Oxford, we read of still further brilliant results; and his abiding fascination with new ideas and with the people who interpreted them. The memoirs are full of affectionate recollections of lifelong friendships. Those who did best in this connection were scholars and conversationalists - in short, people like Zelman Cowen himself.

After his stint as a postponed Rhodes Scholar in Oxford following the Second World War, he reached one of those turning points in his life. He was offered a fascinating post in a new Chair of a Department of American Studies at the University of Manchester. He turned it down. The book reveals many such turning points. Just at the critical moment something always turned

up to stretch him and to extend his service in new directions. It was like a series of miracles and happy chances. But he seized them all and made the most of every one of them.

When the pages of these memoirs seem to be sailing along in overly placid waters, suddenly there is a shock. It might be his revelation (at p 177) that in 1951 he was not opposed to a ban on the Communist Party as such. But he was opposed to altering the Constitution to grant large new powers to the central government to invade citizens' rights of free association. His belated conversion to the republican cause is also explained. He now supports "reluctantly" an elected presidency, if that is the only way Australia could take the step. There is an irony in this confession. It seems somehow unlikely that an Australian electoral process would ever deliver a contemplative scholar like him - more likely a sporting hero or a television news reader.

At various times in his life, Zelman Cowen faced tests of resolve and courage. He did so when he wrote *Pogrom* at school. He did so when he volunteered for war service. He did so as Vice-Chancellor of the University of Queensland when, in 1970, he faced student unrest in a State whose authoritarian Premier, at the time, rather enjoyed such confrontations and mobilised the dog whistles in attacking students, scholars and academic freedom. At that time he declared: "I stand for a self-critical, liberal, self-reforming campus

which insists upon and asserts the value of free and searching enquiry and freedom of speech".

In short, Zelman Cowen was a safe pair of hands. A non-confrontationist until it was absolutely necessary. A prudent public figure, always engaged with his society. Someone who came to all issues from a background of a firm commitment to the liberal values of the Australian Constitution and respect for fundamental human rights, dignity and diversity. For a Jewish intellectual, turned public man, nothing else was really possible.

Some readers would no doubt demand more action than they will find in these pages. Others would thirst for a murder or two; more romantic revelations; greater conflict; more excitement; an increase in raw humour; or endless sport. Such readers would probably not open this book. They would certainly not buy it. The life of an academic lawyer, turned public figure, would just not be their cup of tea.

But if your spirit is in harmony with the contemplative world of chamber music; is lifted by the soaring beauty and emotion of opera; if you savour the often elusive ironies common in a university dining hall or in a lengthy council meeting; if you delight in the nuances of law as it operates in society, then a journey with this distinguished man will be a joyful one. There is no hint in this book of spite, small-mindedness or unworthy belittlement. In fact, the book is like

a long civilised conversation with its author. Snippets of quiet humour. Memories of good discussions with some of the finest thinkers of the age. A cameo portrayal of a civilised time of an Australia we can probably not fully recapture.

The young Jewish boy whose first years were lived in a home with the curious name (popular at the time) of "Emoh Ruo" is our Australian version of log cabin to White House. The log cabin was a semi-detached cottage in Melbourne occupied by a family of foreign origin and culture. The White House at Yarralumla, in his time and since, threatened no one and meant only peace and healing, with justice, to all.

This book explains that the Cowens are long-livers. There may yet be a further chapter to supplement this story. If so, it will record the author's ongoing struggle with Parkinson's Disease until, in time, genetic science and human courage help us to conquer this enemy, just as other diseases have been tamed. If ever there was a champion to write this further chapter, on Parkinson's Disease, it is Zelman Cowen.

The photos are evocative and wittily captioned. The index is detailed and accurate. The cover and opening pages are pleasing, after the superior style of Melbourne University Publishing's Miegunyah Press. And through it all comes the secret of the author's success. Ideas. He knew that, in law as in life, they are

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the stuff that advances our species and disciplines and sharpens its search for law with justice.

Michael Kirby