

INDIANA UNIVERSITY

COMMENCEMENT ADDRESS 2009

THREE LESSONS FROM IU: WHATEVER IT TAKES

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The Hon. Michael Kirby AC CMG

INDIANA UNIVERSITY
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The Hon. Michael Kirby AC CMG

On the award of the honorary degree of Doctor of Laws

ON A LONG JOURNEY

No-one has come to this ceremony from further away than I have. To be here, I have crossed half the world. Tomorrow, our festivities done, I will traverse the remaining half. Yesterday I flew over my own continental country, Australia. I transited Asia, with its ancient civilizations and dangerous conflicts. I crossed Europe and the Atlantic to Chicago to arrive on time in peaceful Bloomington. Aussies are tough. Neither distance, nor jet lag, nor fears of a pandemic, nor even the delays en route, when a passenger, drunk and disorderly, had to be offloaded from the flight out of Bangkok, could keep me away. It is a great day to be at imaginative IU.

Australians (and we still claim part of President Michael McRobbie) have repeated instruction in the size and diversity of our world, every time we go anywhere. Unless we visit the penguins in Antarctica, our travels teach us, in a very physical way, the size and diversity of the world. But, as well, its inherent interconnections. Today, we are all interrelated – by our genetics, by technology and by the universal values of human rights spelt out in Eleanor

Roosevelt's Declaration of 1948. These are the realities that bind human beings together as never before.

I offer congratulations to the new graduates of Indiana University. I am proud to be with you on this occasion and to give this address. It is a very American thing to call this ceremony a "Commencement". Everywhere else in the world it is just called a Graduation. But Americans look forward to the new life beginning today. This is a feature of American optimism and 'can do'. Just now with climate change, economic downturn, armed conflicts and swine flu we need all the can do we can muster.

Clearly, this is an occasion in which to consider the lessons we have learned from Indiana University. They are many. But I will single out three and tell you how they have impacted on me, personally, living in far away Australia.

INTERNATIONALISM

The first lesson is that, as citizens of the 21st century, we must all think in global terms. We must all be engaged with the world. All of us now have a stake in the international community. No nation, however strong and wealthy, and no individual however brainy, is immune from global forces today. Let's face it, Australians and Americans can sometimes be a bit parochial. Well, now that is over. We are all part of the globe. My presence is a tangible symbol of that truth.

The technology that brought me to this place was substantially American. The planes, the satellite navigating systems, the radio frequencies, computers, telecommunications. Universities, if they are to flourish, cannot be comfortable little backwaters of their own traditions, whether in Bloomington, Indiana or Sydney, Australia. That is why all universities of world repute now reach out to bring their services, teaching, research and ideas, to communities far away. IU does this by its strong outreach to China, the Republic of Korea,

and the region and I especially welcome the promise of new links between IU and the Australian National University in Canberra.

Each one of us must think big, for it is in the wider world that opportunities will be found to rescue our economies from the economic downturn and our world from its problems that may temporarily endanger the prospects of this year's graduating class. History teaches us that such problems are cyclical and temporary. For the long term, all of us today can be optimistic and confident.

Graduates of this university turn up everywhere, sometimes unexpectedly. A few weeks ago, on Palm Sunday, I was in Hong Kong for a law conference. In the evening I attended a performance of the *St. John Passion* of J.S. Bach at St. John's Cathedral. The principal role was sung by a graduate of this university, Dr. Stephen Ng. It is not only in physical sciences, medicine, microbiology and technology that a university can reach out to the whole world. Music too is an international language. It taps universal emotions. It reaches deep into the human spirit. We can all be proud of the global standards attained at IU – in the physical sciences, the social sciences, sport, art, libraries and music. World-class performance is the gold standard we aspire to. This is truly a university of high aspirations.

RATIONALITY AND COURAGE

There are two other qualities that we have learned in our time at this university. These lessons will sustain us through life and make us good citizens of our own countries and also good citizens of the world.

One is rationality. Universities search for truth and sometimes truth, when discovered, is inconvenient and puzzling. This university seeks truth through the scientific method. It tests propositions against the observed facts of the external world. It questions previous dogma. It places a premium on empirical research whether in chemistry, physics or the social sciences, including law.

The world of rationality and scientific enquiry is the world that we embrace. Others may reject truth and free enquiry. But those values are the approach of IU.

Sometimes this approach obliges us to exhibit a third quality: courage, together with determination, persistence. And to do so in the face of great odds. A university that embraces such qualities deserves to be in the front rank of global universities.

MY DEBT TO IU, KINSEY AND WELLS

But enough of these abstractions. Let me bring these qualities down to earth – to a concrete level. Let me tell you when, in my far-away country, I first heard about Indiana University.

It was back in the early 1950s. Long before most of the graduates, or even many of their parents, were born. In distant Australia, I began to read in the media of a scientist in the United States who was making the headlines. His work was widely covered in Sydney. I refer to Professor Alfred Kinsey of IU.

Talk about an unlikely candidate for world fame! He was a shy taxonomist working here in the Crescent Area, eventually at Wylie Hall. He was a classifier. The object of his research was a species of bee – gall wasps. He was obsessed about classifying them. Millions of them, seven million in all, he catalogued. But then, he made one of those giant leaps of the human mind which was to have huge implications for the world and for me. He turned his attention from wasps to human beings. He began to classify the sexual experience of humans.

Kinsey's work, done here in Bloomington, described the variety in the human sexual response that was previously unmeasured. Huge efforts were made, in some parts of society, to discourage Kinsey from his research. Pressure and

threats were applied from politicians and other very powerful people. Many people felt embarrassed and hostile. But a great president of this university, Herman Wells (who was still alive when I first came here to speak to the Wells scholars), was firm, stalwart and courageous. In the face of all the pressure he said, in effect, that if Dr. Kinsey's research was a proper subject of scholarly enquiry, it would be done at Indiana University. Not everyone in those days of Joe McCarthy would have taken that stand. But Wells of IU did.

This insistence on the legitimacy of empirical research, objective enquiry, and the need for independence from external pressure is one of the great stories of university integrity of the last century. And it is a story of *this* university. More importantly, it is a story for the whole world, because Kinsey spoke to our species and not just to the United States; not just to Indiana; not just to Bloomington. So let us reflect on, and honour, Alfred Kinsey and Herman Wells on this auspicious day. They were Americans but also internationalists. They knew that what they were doing was important for the whole world. They were champions of rational and empirical enquiry: the hallmarks of a true university. And they showed courage and persistence. Their stand, here at IU, has helped to change the world. Not, maybe, in the greatest issue facing humanity. But certainly in an important issue that called forth the right approach so many years ago.

So how did this affect me? In the leafy suburbs of Sydney, looking quite similar in many ways to those of Bloomington, I came to puberty at about the time of Kinsey's research. I discovered that my sexual orientation was something I was supposed to feel thoroughly ashamed of. It was criminalised, as it still is in many parts of the world. It was something to keep a deadly secret and to hope that no-one would ever know. The secret was intended to deny me loving companionship, and fulfilment: most precious features of human existence. Yet far away in Bloomington, Dr. Kinsey was teaching that I was not alone. That this was just a variant of nature. It was like so many other variants. Nothing for special pride. But nothing for shame either. Just a fact. Just a part of nature's truth, revealed by science.

The change that has come over the world in the following fifty years is still to be accomplished in many countries. Indeed, as we know, many reforms still lie ahead of us in the United States and in Australia. But the journey had undoubtedly begun. And a most important part of that journey began here at Indiana University in Bloomington.

REPAYING THE DEBT

In far away Australia, for many years I observed the rule (as much in force then in my country as in yours) 'Don't ask. Don't tell'. I rose to high judicial office. I was decorated by the Queen. I became a judge of my country's highest court. It would have been quite easy really to keep the big dark secret hidden. Some still do. But my partner, now of forty years, Johan, originally from the Netherlands, said "We owe it to the next generation to speak the truth". So we have done so. Essentially, as Doctor Kinsey showed all those years ago, it was no big deal. Most people of kindness and goodwill – including now most religious people – are now coming to terms with this aspect of reality. It is all a journey of discovery and truth-telling. Truth ultimately conquers prejudice. The truth sets us free.

So a decade ago I came back to Bloomington to repay my personal debt to those famous people of the 1940s and 50s whose research here had offered a lantern of hope in the window, that shone its beams so far away in Australia. I was honoured to serve on the Board of Governors of the Kinsey Institute appointed by President Myles Brand. Recently, I was re-appointed and I am proud to serve IU in that capacity.

But let me tell you, the Kinsey Institute on Sex, Gender and Reproduction, headed by Professor Julia Heiman, is not always sufficiently loved and cherished and appreciated in some circles in some circles in Indiana. Maybe some people still feel ashamed, embarrassed. So I have come back to

Bloomington, once again, to tell them to get over it. And to tell you how important the research done in this place has been for me and for millions of people like me and their loved ones in the four corners of the world. For people you and I will never know. For people often threatened with violence and even death. For people who hide their face and who suffer stigma and who are outcasts, in a kind of international sexual apartheid. For people who are frightened, above all, frightened about their *own* reality. It is Kinsey and Wells of Indiana University who brought those people hope and dignity. I can tell you, it is a most precious gift. It has helped to change the world. Indiana USA and its great University can be proud of the contribution.

You can imagine what a moving moment it is for me, therefore, to be made a graduate of this university. I honour all of its schools and faculties. I especially honour its law school that I have come to know, as it climbs in excellence under Dean Lauren Robel, amongst the law schools of this nation. I honour all my fellow graduates and their families here present, most of them citizens of this free country committed to speaking the truth as revealed by science. But above all, I honour Alfred Kinsey and Herman Wells for their global outlook, their cool, rational empiricism, and their unfailing courage. We can be specially proud to be graduates of such a university. And in such a place on such a day, we can say with confidence to the world's problems – bring them on! For at IU we, acting together, will be part of the solution, whatever it takes. Alfred Kinsey! Herman Wells! In the presence of your successors, fellow citizens and latest alumni, I honour you. I repay my debt. I am proud to join your University. And especially so in the company of the graduating class of 2009.
