



Sir Ronald Wilson: A Matter of Conscience

By Antonio Buti

Reviewed by Jonathan Dobinson, ALRC

A Matter of Conscience—Antonio Buti's detailed biography of Sir Ronald Wilson—comes at a time when non-Indigenous Australia continues to struggle with its past and present treatment of Australia's Indigenous peoples. This biography is timely because it presents a portrait of a man, who at times appeared unaware or unmoved by social justice issues, but who later became a passionate advocate for the truth about the stolen generations and the reconciliation process.

Although a modest and frugal man, Wilson lived a very public life. His various appointments included Crown prosecutor, solicitor general, High Court of Australia justice, president of the Uniting Church, president of the Human Rights and Equal Opportunity Commission (HREOC), Royal Commissioner and university chancellor. Wilson always undertook whatever role he had seriously and gave it all his attention. The author suggests, however, that such an attitude opened him up to criticism and created some perceived or actual tensions in his various roles and tasks during a long period of professional, community and religious service.

The first half of the book details Wilson's childhood, service during the war, law student days, family life, and his role as a prosecutor with the Western Australian Crown Law Department. Wilson has been credited with changing the nature of criminal prosecution in Western Australia, bringing a new level of professionalism and confidence to the role. Others, however, have noted his 'fearsome reputation' as a prosecutor, and criticised his 'win at all costs' attitude. Buti focuses on Wilson's role as a prosecutor in the sensational Darryl Beamish and John Button murder trials, which makes for interesting reading.

Buti spends less time examining Wilson's time on the High Court of Australia. Wilson has said that his time on the High Court was the most unsatisfying time for him professionally. He preferred the role of advocate (he refused his first invitation to join the High Court bench) and often felt like an outsider, being the first High Court justice from Western Australia in an institution filled with judges from the eastern states.

While many of the High Court justices at that time were considered to be centralists, Wilson was clearly perceived to be a states' righter and a legal positivist (or black letter lawyer). Buti examines Wilson's approach in a number of cases, including his dissenting judgments in the *Koowarta* and *Mabo (No 1)* cases. In both these decisions, Wilson's overriding concern was the maintenance of the Australian federal system. This was despite his concern, for example in *Mabo (No 1)*, that 'a deep sense of injustice may remain'. Wilson always defended these decisions as being correct as a matter of law, although he wished he could have decided differently. Wilson left the High Court before the decision in *Mabo (No 2)*, which he welcomed.

A central theme in Wilson's life was his Christian faith and church. Wilson helped found the Uniting Church, over which he presided while also serving as a High Court judge. He maintained that his religious faith did not influence his decisions as a lawyer or judge. Buti suggests, however, that while not consciously influencing his judgments, Wilson's belief system would have shaped his interpretation of the law.

As a leader of the Presbyterian Church, Wilson was responsible for overseeing Sister Kate's Home for Children, a church home used to house and raise Aboriginal children. During the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children (the 'stolen generations inquiry'), allegations emerged of cruelty, and the sexual abuse of children at the home. Wilson was not responsible for the day-to-day management of Sister Kate's, and was unaware of the bad treatment of Aboriginal children there. However, he was always open about his involvement with the home during the stolen generations inquiry. Despite this, it would become a matter of controversy, and would give him cause for deep reflection.



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Buti argues that it is the stolen generations inquiry for which Wilson will be best remembered. It was also a defining point in Wilson's life. Mick Dodson, Wilson's co-chair of the inquiry, notes that you could almost photograph the change in Wilson as a result of the inquiry hearings. Wilson opened his heart to the members of the stolen generations, who trusted him with their stories, and became determined to share these stories with other Australians and to advocate for compensation. Wilson continued to do this until his death in 2005.

Many will remember the furore over the inquiry report, *Bringing Them Home*. Some of the loudest criticism came from the Howard Government which refuted the report's view of history, and refused to say 'sorry' for the great injustice done to the stolen generations. Despite this criticism, *Bringing Them Home* continues to be widely praised both in Australia and internationally. The report launched a major political and community debate in Australia, and remains a key document in the debate over justice, reconciliation and public policy in relation to the first Australians.

Some commentators have claimed that *A Matter of Conscience* distorts the complexity of Wilson by using an overly simplistic narrative. While the narrative is simple, the biography is ultimately successful. It is well researched and suggests the complexity of the man—Buti notes that after his death, even Wilson's wife questioned whether she ever knew him. Ultimately, the Sir Ronald Wilson the reader gets to know is a man to be admired, not only because of his capacity to change, but because of the lesson he taught us as a nation—listening is the key to understanding, understanding is the key to acknowledgement, and acknowledgement is the key to reparation.

It is heartbreaking that Wilson did not live to hear the Australian Government's apology to the stolen generations on 13 February 2008.

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