

EULOGY

delivered in honour of

Professor MICHAEL WHINCOP

12/12/1968-25/6/2003

by Charles Sampford*

Uniting Church, Passage St, Cleveland

2nd July 2003

Eulogy means ‘speaking well’. At this time, it falls to two of us to ‘speak well of his life’ or, more elegantly, to make a speech in commendation of the life of a departed friend. I am honoured and desolated to be asked to do so on behalf of his many academic friends.

There is much in Michael’s life to ‘speak well of’. There is much to commend. The iron vice of logic reminds us that the better the life commended, the greater the loss to the mourners left behind.

Shelley told us that he wanted to be remembered at his summit. It is easy to remember his highs – there were so many of them. However, I cannot help thinking that he was not at the summit but at the top of a very steep spur which he had scaled very rapidly. Any downs from there were only saddles on the way to even greater heights. But we will never know.

How to sum up his life as an academic and professional. The one word that comes to mind is ‘star’.

I first heard about Michael from Christine Parker, my then Research Assistant. She told me about this very bright guy whose politics she disagreed with but whom she really enjoyed debating a wide range of issues. I told her that we were interested in the quality of thought, not the political conclusions it drew. Michael applied for a job as a lecturer. His CV showed that he had two university medals and a coursework masters in which he had a GPA of 7.

From the first time I met him, it was clear that he had a very keen intellect – an intellect that he sought to constantly exercise and expand.

* Foundation Professor of Law, Griffith University, President, International Institute for Public Ethics, Director, Key Centre for Ethics, Law, Justice and Governance

EULOGY FOR PROFESSOR MICHAEL WHINCOP

A constantly questioning mind.

As we all know, he was a very keen student of economics and its application to law. However, he did not think that it provided the answer to everything. What was remarkable was the way that he acknowledged many of the criticisms of the simplistic econometric work that gave economics such a bad name. He was very interested in more sophisticated economics such as the new institutional economics and Stiglitz work on the effect on markets of asymmetric knowledge. He could explain some complex ideas with great clarity and complete dispassion. Just as important, he recognized that economics could not provide the answer to everything and was interested in the importance of ethics and trust.

From the first month he was in the law school, I enjoyed discussing and sharing our different perspectives on institutions and learning from each other. He was that rare and extremely valuable bird, a interdisciplinary economist.

One of the most arresting things he said was when we were discussing the role of markets and the assumption that every value was commensurable with money. He turned to me and said – of course time is the one incommensurable value. You cannot trade it and no amount of money can really buy it. It makes us all think how we use our time.

In the current circumstances, this may have a degree of tragic irony. He gave up that which he had in great abundance.

It is something that I reflect on. If only I had given him more time to remind him how valued he was. If only I had known he was in need of boosting. It is something for all of us to reflect on in this fast moving world in which so many are adding to their CVs rather than building their relationships.

He was an extremely hard worker – a perfectionist, meticulous in every detail. His footnoting was thorough and painstaking. Lynette Farquhar, the manager of the key centre, who has had a great deal of practice proof reading errors in key centre documents, told me that he was able to proof read his own work, rendering it virtually error free.

Strangely enough, one of the few errors she picked up was his reference to himself as Associate Professor soon after he achieved his dream of a professorial position.

His great intellect, his hard work and his ability to interact with the ideas of others made him an academic star.

In nine and a half years as an academic he sought and gained all the glittering prizes that Australian academics seek

- He completed half a dozen books and over 50 articles and chapters
- He completed a PhD
- He won a total of five ARC grants totalling nearly three quarters of a million dollars – and had a perfect track record. Every grant, first time.
- He had visiting positions at Cambridge, George Mason and University of Pennsylvania
- He was promoted three times, to senior lecturer, associate professor and then full professor – the last promotion a mere eight years from his first appointment.

I was privileged to be his referee on all those occasions and was astounded at the rapidly expanding CV. I pointed out that, by the time he was promoted to professor, his achievements in terms of grants and publications exceeded the majority of Australian law professors.

All this from a 34 year old in his tenth year as an academic. I was looking forward with enthusiastic anticipation to seeing what he would do with the next 30 years. One of the great tragedies is that we will never know.

The list of achievements should not be a mere listing on a CV – glittering prizes to be sought for self and not shared.

He was not just a lone intellectual

- He was a committed, effective and innovative teacher.
- I remembered his innovative approach to mooting in Taxation a course to which I contributed during the mid 1990s. As Shelley related, he continued this commitment right up to the last class he gave at U Penn.
- He held a number of administrative and managerial posts and was, at various times, Deputy Director of NILEPA, Head of the undergraduate law program, Deputy Head of the School of Law, and then Director of one of the most successful emergent programs in the Key Centre – Business Ethics and Regulation.

He did all this without any braggadocio. He remained quietly spoken – certainly, I do not remember him ever raising his voice. He was proud of his achievements but he had that essential academic quality of always questioning his work – always re-examining his assumptions, reasoning and conclusions.

Like any true intellectual, he was intensely committed to his intellectual craft and he devoted all the brain behind his towering forehead to the task at hand. However, he lightened it with the tool and leveller of talent – a dry wit that he could direct as readily at himself as he could those that harried him.

EULOGY FOR PROFESSOR MICHAEL WHINCOP

Wit was the weapon that generally allowed him to protect himself from open conflict with others. It helped to cocoon him from other threats. It was one of those devices that allowed him to keep his own thoughts private when he wanted to.

... For Michael often seemed a very private person.

He was very private and kept his various world's apart – indeed rigidly separate. He had a life in his family, a life in the law school, a life in the Key Centre and, his life as 'manwoody' in the chat room based around the fantasy novels 'A song of ice and fire'. He engaged with each of those spheres and then withdrew into another of those worlds. He had a life in each which he shared with others therein and then moved to another – with only Michael having grasp of them all.

One thing is clear. Whichever world he was in, he was widely and deeply respected for his intellect and it was common to hear praise of his personal qualities.

The chat room displays the following comments: 'a great man, very knowledgeable on whisky (although there were disputes as to the relative merits of Laphroig, Talisker and Highland Park, knowledge of opera, a great moderator, an utter gentleman, 'erudite',

This emphasizes the fact that he had some very important personal qualities. He was completely loyal at a time when loyalty to me was not in his interests. He always acted with great dignity and integrity and he was one of the few people I felt I could trust without the slightest concern.

Alas his was a star that burned too brightly in its ascent and consumed itself in its flames – or perhaps, seeing itself in the mirror was dazzled and tragically set off course. The tragedy is that, for some reason, the star was blinded from his own insight about the incommensurability of time.

We will never know the answer to that question. For our own part, we remain dazzled by the brilliance of its ascent and shocked as it explodes – leaving the night sky suddenly dark – and darker for the passing of the light.

I have confidence in this description. Not only did he appear as a star in our own world – he appeared as such in others. One of the chat room contributors concluded: 'we shouldn't feel worse – we should feel lucky, and blessed, for having known such a bright star, however briefly.'

All this reminds us of that the better the life celebrated the more we feel the loss of its passing.

This is where I find solace in the words of an Italian poet, Ugo Fugloli, sent to me by an Italian friend on the death of my father.

Does he not perhaps live on beneath the earth,
if with gentle thoughts in the minds of his loved ones
he can awaken the muted harmony of the day?
This bond of loving feelings is heavenly,
a heavenly gift of humankind.
And often, through this bond,

It is through 'the gentle thoughts in the mind of his loved ones' that

'we live on with our departed friend
as our departed friend lives on with us.'

Which just goes to show, that if you want to express a deep emotion – go to a poet, not a philosopher – and any philosopher worth his salt will refer you to a poet.

All I can say is: Don't think of the darkness that follows a shooting star – for all such stars die. Think of the light we saw and the way it touched us all. Then he will live on in us in the way that our lives are better for having known him.