

Phillipa Weeks 1953 – 2006¹

Eulogy

Ian, Pat, Jack, members of the Weeks and Hancock families, colleagues, and friends of Phillipa.

Can I say first to Phillipa's family how much we share in your loss. All of Phillipa's wonderful qualities you experienced within the family were also very much a part of our privileged experience of Phillipa as a friend and colleague. Many of us change, chameleon-like, according to the circumstances, but I have no doubt that Phillipa was a constant—universally all of the things you knew her as. She was also universally admired, respected, and loved. I was leaving work late last Friday, the day Phillipa died, and Vlad, our law school cleaner of eleven years, asked me why I was looking so downcast. I explained that Phillipa had died earlier in the day, after battling cancer for a little over a year. (You won't be surprised, by the way, if you knew anything about Phillipa's work habits, that she would have been well-known to the after-hours inhabitants of the building!) 'Oh', said Vlad, visibly distressed. He paused for a moment of reflective silence of the kind one has in these situations. Then, in his distinctive Macedonian English, he said, 'she was very good person'. He knew, from the merest acquaintance. And she was good—good at what she did, and intrinsically good. Her outer self and her inner self were a perfect match.

How meagre, though, is the English language, or indeed the spoken word in any language, when it comes to capturing a person's essential qualities. Vlad captured it in the single deep and multi-layered word, 'good'—but, like all of us in the last few days, he was really expressing raw emotion. The emotions are impossible to suppress, but I am going to try to put into words how all of us feel about a very, very special person.

I speak both in a personal capacity and a representative capacity. Indeed, I am deeply honoured, and a little overawed, that Phillipa and Ian should together have asked me to give this eulogy. I do so particularly on behalf of everyone who is part of the ANU community, of which Phillipa was not merely a part but, in everything she did and every breath she breathed, its very definition, its moving force, its lodestar. We pride ourselves at the ANU on having a particularly collegial law school. We didn't create this by consulting a rule book. We needed only to observe and emulate Phillipa

Weeks—effortlessly and naturally being herself. She was the most wonderful colleague, and an inspiration to all those around her. With a little help from my colleagues, who, with many of our students, have flooded me with their tributes and stories of their personal experiences, I am going to tell you why.

First, though, I just want to remind you that, despite the picture of near perfection that I am going to paint, and which I passionately believe, she was, after all, human. I recall an incident in the relatively recent past when, having taught a class in the Coombs Lecture Theatre, she forgot to turn off her lapel microphone. Thus, her entire private conversation on the walk back from Coombs to the law school was unwittingly broadcast for the edification of the somewhat startled students leaving the lecture theatre, as well as an equally startled group entering for the next class. I doubt that the incident rivalled the famous occasion when a Play School presenter on ABC Television said what she really thought of her little charges when she believed—incorrectly—that she was off camera. Even if Phillipa said what she really thought, and I have no reason to think that she didn't, her comments would without doubt have displayed the same generosity, wisdom, patience, respect, integrity, and compassion that she always displayed. Her students loved her, not just because she was an outstanding teacher with a great command of her subject and unrivalled skill in communicating it, but because she cared.

That came home to me so strongly in the flurry of over 50 emails I received within hours of announcing Phillipa's passing last Friday. Those emails included, by the way, condolences from over a dozen other Australian law schools, underlining that Phillipa was an icon not only at ANU but also in the academic community generally. They came also from Canada, they came from the UK, and they came from New Zealand. But what really struck me about the emails from students, and from colleagues remembering their own experiences as ANU students up to 20 years ago, was their mention of Phillipa's practice of writing personal notes of congratulation and encouragement to all of those who had performed well. This clearly continued to make as big an impression on current students as it did on past students. A final year student writes: 'I remember doing Lawyers, Justice and Ethics with Phillipa in my

first year, and receiving a personalised letter from her congratulating me on my mark. It was by no means the best mark in the course, yet her words of encouragement really made me feel special—I still have that letter. I think it was this sort of gesture which epitomised the kind of special person that she was.'

We naturally tend to remember Phillipa as a teacher and as a colleague, as these are the capacities that most revealed her remarkable personal qualities. It is those personal qualities on which I want to dwell. But they should not obscure the fact that she was also a very fine scholar. Of course, to secure a position in the ANU professoriate one has to be an accomplished scholar, and that may lead us to take Phillipa's contribution in this respect for granted. But there are scholars and scholars. Phillipa's scholarship stood out, for me—and I am speaking personally, as I read much of it, most recently her outstanding essay in the Faculty's book *Interpreting Statutes*²—in a number of ways. First, she was clearly a leader in her field of labour law—the tributes that have poured in from the labour law community leave no doubt of that. This is hardly surprising, given her brilliant record as a student: double firsts in Arts and Law and the Crawford Prize for her Masters dissertation. Secondly, though, her scholarship should not be thought of as compartmentalised and separated from the rest of her life. As I have said on another occasion, we are what we write—and Phillipa's writing shows all the hallmarks of her character that we loved so much: her grace, her insight, her compassion, her balance, and her judgment. These qualities transcended her writing, but, unsurprisingly, they are evident there too. Again, the tributes from her colleagues make that so clear. And I expect those qualities to continue to be evident in her last work, a book with Marilyn Pittard of Monash University to be published by ANU E Press,³ the final proofs of which she checked not long before she died.

I should add, on a lighter note, that, according to a story told by Charles Rowland, Phillipa was lucky to survive an encounter with Charles with her intellect intact. 'About 20 years ago,' Charles writes, 'I introduced her to sailing and succeeded in banging her over the head with the boom, twice in two minutes. It did not injure her, but it did hurt. She kept her courage and her cheerfulness, and she never blamed me, though it was my fault.' An early example,

1 Eulogy delivered by Australian National University Dean of Law Professor Michael Coper at the funeral of Professor Phillipa Weeks on Wednesday 9 August 2006 at the Holy Rosary Catholic Church, Watson, Canberra.

2 Phillipa Weeks, 'Employment Law – A Test of Coherence between Statute and Common Law' in Suzanne Corcoran and Stephen Bottomley (eds), *Interpreting Statutes* (The Federation Press, 2005) 166.

3 Marilyn Pittard and Phillipa Weeks (eds), *Public Sector Employment in the Twenty-First Century* (ANU E Press, forthcoming 2006).

I think, of Phillipa's great generosity of spirit, a quality she had, according to Sue Tongue, 'before the term was even invented'.

These anecdotes, or word-pictures, contain many memories. Fiona Wheeler has reminded me of Phillipa's close identification with her old, red, distinctively gurgling VW Beetle, which had been parked for so long under so many trees that it had developed what David Kinley called a bad case of black spot disease. Matt Rimmer and others have urged me not to overlook Phillipa's sporting prowess. 'Hailing from country NSW,' Matt says, 'Phillipa was bilingual in both rugby and AFL, and her dominance of the tipping competitions was unsurpassed.' Robert McCorquodale, Phillipa's predecessor as Associate Dean and Head of School and now at the University of Nottingham, remembers Phillipa as a wise and wonderful colleague, though he does observe that, when she assumed the role of Head of School, at least she did not have to face the problem he had of having to remove his predecessor's chaotic papers and aromatic soccer gear. Ian Holloway, another former colleague and now Dean of Law at the University of Western Ontario, writes, fittingly for a royalist, that 'Phillipa probably would not have cared for this comparison, but to me she was the Queen—absolutely the most noble and dutiful and loyal person I ever met.' He was then moved to quote some lines from Sir Walter Scott:

Now is the stately column broke
The beacon light is quenched in smoke
The trumpet's silver sound is still
The warden silent on the hill

I am not sure how Phillipa would have reacted to this lovely outbreak of romanticism from Ian Holloway—perhaps, like her reaction to Charles Rowland's carelessness with the boom, she would have said it was not really Ian's fault—but she was, as I said, in proofing mode shortly before her death, and I can just hear her saying, 'Ian, I think that last line should be "warder", not "warden"!'

Friends, I make light of tragic circumstances, but nothing I can say or do relieves the pain and sense of loss I feel and that we all feel. Phillipa was a wonderful person, who touched us all. I wish I could read to you every tribute I have received. It has been so hard for me to prepare this eulogy, because every time I sat down to read my emails, the tributes moved me to tears. Personal experiences of kindness, courtesy, and grace; of encouragement to others and modesty, even reticence, about herself; of inspirational teaching and extraordinary impact; relentless examples of her good sense and wonderful collegiality; of the genuine pleasure she took in what she did; of her wisdom, her

humanity, and her commitment; her integrity, her warmth, her humility and her sense of humour; her intellectual and moral stature; her professionalism, her positive approach, and her honesty; her selflessness, her generosity, her courage, and her dignity; her empathy, her unaffectedness, and her friendship. What an astonishing catalogue of saintly characteristics; what an antidote to cynicism and competition; what a role model; what a treasure.

I have made reference a number of times to Phillipa's collegiality, a quality that is vividly illustrated by the recurring nominations of Phillipa for the 'Dean's Cup', our annual law school collegiality award, in total defiance of my rule that it should go to a different person each year—indeed, last year it was suggested that it simply be awarded to Phillipa in perpetuity. I am very gratified to be able to say that this defining characteristic of Phillipa's was well recognised in the ANU community as a whole. I was so pleased that, at the law graduation ceremony last December, we were able to honour Phillipa's unsurpassed contribution to the ANU community while she was well enough to be there and to be a part of the celebration. Who could forget the spontaneous and sustained standing ovation? It gives me some comfort that we were able to tell Phillipa what we thought of her during her lifetime. No doubt she thought it was a lot of unnecessary fuss. But it wasn't. It was right and proper. And can I just add that amongst the emails I received last Friday was a particularly touching one from a colleague in the ANU central administration. As we struggle, this colleague wrote, to combine academic excellence with the values of collegiality, respect, responsibility, and care for others, Phillipa's example will remain inspirational. She saw these things effortlessly, he said, as integral parts of the academic whole, redefining academic integrity as a harmonious blend of all of these qualities.

I said that I am speaking both in a representative and a personal capacity. I worked very closely with Phillipa while she was Head of School for a record five-year term. No Dean could have wished for or invented a more supportive Head of School. Of course, we didn't always agree. I remember when I joined ANU in 1995 that I proposed to present a paper at a seminar on Back to Basics in Teaching and Learning provocatively entitled 'Lectures are a Waste of Time'. Showing all her skills of diplomacy and discretion, she persuaded me to transpose the first two words and convert my confrontational title into the less pre-emptive question, 'Are Lectures a Waste of Time?' Phillipa had of course shrewdly perceived that I was actually arguing for a more Socratic approach; and, without the slightest hint of triumph or point-scoring, she steered me gently into a

more Socratic way of doing so!

I know that Phillipa really valued her five years as Head of School. Indeed, her extraordinary selflessness and sense of duty was starkly underlined when she remarked that she was grateful that her illness cut only into her period of leave and did not interfere with her job as Head of School. You know, she and I never really articulated what it was that enabled us to work so well together—those of you who were at the Head of School handover function a year ago may recall that we both struggled to do so. In retrospect, I think it was a bit like a good marriage, the key to which is not the drafting of an extensive pre-nuptial agreement, or even achieving a clear division of responsibilities, but is rather the holding of shared values, shared deep values. I have already catalogued some of the values that Phillipa brought to the table. May those values live and flourish in our academic community as an enduring way of honouring Phillipa's memory.

Finally, may I mention that we cancelled all classes and meetings at the law school today, to enable people to attend this funeral and as a mark of respect to such a beloved friend and colleague. But it is deeper than that. A sad occasion like this demands that we stop and think about deeper things—why are we doing what we do, what are our goals, and what contribution can we make? The answer is different for every individual, but Phillipa's life—cut short as it was so prematurely and when she still had so much to give—stands as an inspiration. We mourn her loss, but we celebrate her life—a special person who always made others feel special. That is overwhelmingly how we will remember her.

I want to let Phillipa's husband, Ian Hancock, have the last word. Ian and I talked about Phillipa the other night, and he remarked how fortunate we were at the law school that Phillipa's skills of tact and diplomacy were deployed with us and not wasted on the Russians, as they might have been had Phillipa stayed with the Department of Foreign Affairs and Trade. I wish we could have heard a bit more from Ian today, but occasions like this are nearly always too much for the surviving partner. Ian told me that he had encapsulated his feelings in a single sentence in Phillipa's death notice, and that, finally, is what I want to share with you. These are Ian's words: 'Phillipa Weeks—my spouse and best friend, the shrewdest of critics, the calmest of partners, and the wisest of counsellors'.

Amen to that.

Michael Coper
9 August 2006