

## ROBERT QUENTIN QUENTIN-BAXTER 1922-1984

What can I say about the life and work of Quentin?

The loss is *so* large — for dear Alison, for Quentin's many friends and colleagues in Wellington, New York, Geneva and many other places, for his students — oh, his students, and for the wider community.

We are *so* devastated by a death too soon — oh too soon.

The time is *so* sad.

My duty — which I am greatly honoured to have and which I am ill-equipped to fulfil — is to ask you to think about the good things Quentin has done, and about the great things that Quentin means and will continue to mean for us. For it is those good things, those great things, those continuing things that are the other side of the loss. They are the explanation of the devastation. They are the basis for our sadness.

I do not think though that Quentin would want it to be all gloom. I know that he wouldn't. I can almost see him saying with a smile "poor brute" — one of his terms of affection for colleagues faced with difficult tasks. I also remember his recent chiding of me for including in a letter which we were both to sign too many superlatives. But even he might begin to concede that they — or at least some — are right today. In all, as one of his closest colleagues said of him earlier this week, I need him — the consummate draftsman — to draft this.

I can for the most part leave to one side the basic facts, the central role which Quentin played in the law, in government, in the University, and on the wider world stage. They have been well rehearsed over the past two days.

Let me however mention two of the facts. They go to his great qualities of mind, judgment and good sense, and the second goes as well to another essential part of his life — his marvellous wife, Alison. The first is his part in the International Law Commission of the United Nations. That was honoured in New York yesterday by the legal committee of the UN General Assembly. His colleagues there, who included the President, Registrar and several other Judges of the International Court, referred to his great intellectual strength, his kindness, his honesty, his humour, and his achievement in handling perhaps the most difficult and demanding of the topics on the Commission's agenda. He was elected to that body on three occasions. Personal qualities are more than usually significant in that election. Three terms is a rare event and, I think, almost unparalleled for the citizen of a small state.

The second of the two facts is Alison's and his involvement in Constitution making in the Marshall Islands. It is a great tribute to their status, experience and skill in contributing to constitutional development in the Pacific that they were invited to undertake that task by an American territory. It is not as if the United States does not have qualified constitutional lawyers. And yet it was to New Zealand and to the Quentin-Baxters that the authorities in the Marshalls came. Quentin of course took pride and delight in the leading part that Alison played in that. As with so much over the last 30 years, that was a great team effort by two remarkable people.

Quentin's life and work is so much a whole that it is impossible to discuss it piece by piece without distorting the whole. As he did, we have to step back to get the broader picture — however difficult it is to do so soon.

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The immediate issue was always to be related to the broader picture. On the one side, Quentin would get annoyed with legal argument that had law as a separate, technical, arcane craft which was likely to be at odds with common sense or basic principle. On the other, the positive side, he was always trying to see new patterns, new connections, new ways, as well as the tested old ones, of dealing with the great big problems — the problems of the organisation and control of the power of the state, nationally and internationally; of our place in the world; and of our sense of nationhood. In the last little while — as seen in the public lecture on constitutional development which he gave earlier this year — he was looking ever more at the relationship *between* those big matters. We cannot, he said, understand our internal constitutional arrangements and strengths without considering the international standards to which we are committed.

That depth and scope was strengthened by Quentin's interests in philosophy. Karl Popper, from Quentin's Canterbury College days, appears to have been a major influence. In the lecture I have just mentioned, Quentin in struggling with the great issues of constitutional change spoke of instinctive adaptation to a changing environment. The role of intelligence is not, he said, to frustrate instinct. The two, I take it, go together and inform one another.

As a University colleague he was ideal — well almost. One of our colleagues from another Faculty has said that he was acute and modest, disciplined and generous, and kind — so kind, I agree. As a friend he was so warm, so interested, a wise and good counsellor, irreverent when appropriate (and even when not), and increasingly a friend of the children of his friends — and in turn interested in their activities. He was close to many of his students — one recently referred to him in a letter to her father as “that sweet man” and on his office door today is a note of thanks from a student to “my beloved professor” for all he had done.

There is much more I could mention — his enormous pains in composition, in the preparation of teaching and examinations, in the annotation of student writing. His drafting skills are, of course, renowned. Or I could mention his compassion, at times his burning concern to get things right as with the preparation of the letter calling for an inquiry into the shooting of Paul Chase.

But perhaps I can end with an eye to the future by referring to his enormous influence on those who worked with him. Perhaps I can be personal about this. There must be many like me who have had no greater professional influence than Quentin. I am sure that I am a much better lawyer as a result of that influence. I am probably better in other ways as well. Let me mention one small (if temporary) way. One day in the Hague Quentin looked at me in his quizzical way. I was more hirsute than I am now. he said we both needed haircuts. For once he was only half right. It was rare for him to be half wrong. But he was after all a diplomat. And of course we went and had our haircuts.

Quentin's great influence will continue. In that real practical sense is immortality. We should be very thankful for the enormous contribution of his life and work. We should strive, however inadequately, to follow his example. We should thank God for that life and that example. I do.

Old St Paul's, Wellington  
27 September 1984

Ken Keith