

UNIVERSITY COLLEGE DUBLIN HONORARY CONFERRING Bloomsday, 16 June 2014

TEXT OF THE INTRODUCTORY ADDRESS DELIVERED BY **PROFESSOR COLIN SCOTT, Dean of Law, UCD Sutherland School of Law** on 16 June 2014, on the occasion of the conferring of the Degree of Doctor of Laws, *honoris causa* on **Conor Gearty**

Born in Dublin and raised in Granard, County Longford, Conor Gearty's career may be characterised as bringing together a rare combination of talents as a rigorous scholar and a highly engaging communicator. His academic training included a BCL Degree from University College Dublin prior to undertaking a Masters and a PhD degree at the University of Cambridge. His skills as a communicator were revealed at an early stage, as he twice took the Observer Mace, the prize of the World Debating Championships, paired with the now Mr Justice Donal O'Donnell. Conor Gearty has effectively brought together his academic prowess with aptitude and a seemingly relentless appetite for engaging wide audiences on pressing and challenging issues, through his scholarship, his wide ranging contributions to traditional and new media and through his practice at the English Bar. He is a founding member of Matrix Chambers and a Bencher of the Middle Temple.

Conor Gearty's academic career has included posts at Emmanuel College Cambridge and King's College London, prior to his appointment as Professor of Human Rights and the first Raising Director of the Centre for the Study of Human Rights at the London School of Economics in 2002. He is a Fellow of the British Academy. Conor Gearty's scholarship is diverse and cosmopolitan. It was perhaps difficult to predict that a PhD in environmental law, under the supervision of the late Professor Sir David Williams, would lead towards early books on civil liberties and terrorism.

In the starkly titled *Terror*, published in 1991, Conor Gearty argued that, the term terrorism was being over-extended from its true meaning of indiscriminate attacks on civilian populations. Political violence targeted at state authorities may be equally problematic, he suggested, but different arguments may apply with respect to

democratic states, on the one hand, and tightly regulated violent subversion seeking the overthrow of authoritarian and repressive regimes.

A second key strand of work, addressing human rights, commenced with the jointly authored work with Keith Ewing on *Freedom Under Thatcher*, published in 1990. Conor Gearty's position is supportive of human rights, but critical of mechanisms for their vindication which permit judges to trump the decisions of legislatures. Thus, he is an advocate of the *political constitution*, distinct from legal constitutions such as that of the State in which he was raised. His initial position was that the determination of human rights claims is a matter for democratically elected politicians, and cannot be entrusted to a conservative judiciary which is likely to further entrench the existing inequalities of capitalist systems. Thus when the Blair Government proposed to incorporate the European Convention of Human Rights in domestic UK legislation 1998, he opposed the measure.

However, his evaluation of the operation of UK Human Rights Act 1998, led him to believe that the measure has, overall, enhanced the human rights position of the United Kingdom. When the Cameron coalition Government proposed the repeal of the measure he opposed that. This conclusion was based on the observation that political and judicial power in the 1998 Act had been well balanced. He noted in particular the mechanism of the declaration of incompatibility under which a court may declare a measure to breach convention rights, but in a non-binding manner. Such a declaration places responsibility, but not a duty, on Parliament to take the steps necessary to bring the state back into compliance. His acceptance of the merits of the 1998 Act was further supported by an evaluation of its impact, noting that on balance, it has enhanced the commitment to human rights in the UK, for example causing government to revisit the terms of repressive anti-terror legislation.

As significant as his scholarship, has been Conor Gearty's contribution as a teacher and communicator. The skill and commitment he brings to this is complemented by humanity, humour and inventiveness in reaching out. Always in demand for public lectures, he has appealed to a wider audience with book reviews and essays across publications which include the London Review of Books, the Tablet and the Guardian. The new media have offered further outlets for his communicative skills. Recent ventures have included a Web 2.0 project, The Rights Future, which comprised a series of videos and essays and online engagement with viewers and readers. A subsequent experiment involved crowd-sourcing a new British constitution. His appointment in 2013 to direct LSE's Institute of Public Affairs was an inspired choice, and he has stamped his

personality on this role with a series of underground discussions of unexpected topics, labelled LSE Guerilla lectures. A series of short Youtube interviews with LSE academic colleagues on the significance of their work are offered in a format referred to as the Gearty Grilling.

Conor Gearty, you are a true representative of the Republic of Conscience. Through your scholarship you have challenged received wisdoms. Your commitment to, and achievements in, communication have enhanced society's ability to reflect on vital matters of law, justice, society and democracy. You have used your position, your skills and your energy to enrich our public sphere. For this civilizing gift we honour you today.

Praehonorabilis Praeses, totaque Universitas,

Praesento vobis hunc meum filium, quem scio tam moribus quam doctrina habilem et idoneum esse qui admittatur, honoris causa, ad gradum Doctoratus utroque Jure, tam Civili quam Canonico; idque tibi fide mea testor ac spondeo, totique Academiae.