

**AUSTRALIAN COUNCIL FOR THE DEFENCE OF  
GOVERNMENT SCHOOLS**

**Press Release 960**

**RICHARD ELY**

On 22<sup>nd</sup> November 2022 a celebration of the life of Dr Richard George Ely, a foundation member of the DOGS in both NSW and Tasmania, was held at the Mernda Mayfield Presbyterian Church in Melbourne.

The following is the text from his eulogy:

IN A MORE LEISURED CULTURE THAN THAT IN WHICH HE FOUND HIMSELF, RICHARD ELY WOULD HAVE BEEN CALLED A SCHOLAR AND A GENTLEMAN – A CHRISTIAN GENTLE MAN. AND SO HE WAS. HE WAS SWEET NATURED, KNEW NO GUILF, AND NEVER BORE A GRUDGE.

BUT HIS PLEASANT Demeanour AND GENTLE DISPOSITION BELIED AN IRON CLAD DETERMINATION TO WALK A STRAIGHT ROAD ON WHATEVER COURSE HE CHOSE TO TAKE.

HE WAS INFINITELY CURIOUS AND WOULD FOLLOW A RESEARCH LEAD AROUND THE WORLD IF NECESSARY, WALKING THE STREETS OF ANY NEW CITY HE VISITED IN ORDER TO FEEL ITS HISTORY IN HIS BONES.

RICHARD HAD A CODE OF STRICT HONESTY AND WAS INCAPABLE OF TELLING EVEN A WHITE LIE WHEN IT WAS DIPLOMATIC TO DO SO. WHEN THE GOING GOT HARD, AS IT DID WHEN HE ATTRACTED OPPOSITION OR EVEN MALICE IN HIS LONG LIFE, HE WOULD ASK HIS LORD TO GIVE HIM THE STRENGTH TO DO HIS BEST AND CONFRONT THE CONSEQUENCES.

HE DID HIS BEST AND HAS GONE TO HIS REWARD.

**HIS LIFE STORY:**

Richard, born on 29 November 1934 was the much loved only son of Nita and Robert Ely and the only grandson of Maria and George Ely. He was born during the depression and raised during the Second World War in Bellevue Hill Sydney. He was an only child until the arrival of his sister, Marie, when he was fourteen years of age. He attended the Sydney Grammar School Preparatory school and Scotch College.

The war was never far away. One of his earliest memories was the unexploded bomb from a Japanese submarine which landed outside his home during the War.

His father was a wool valuer and spent time away from home on the pastoral properties of NSW. When at home he was a man about town, a member of many clubs and an enthusiastic golfer.

Richard, a gentle quiet lad, realised that he was not the son his father expected when he was practising his bowling for school cricket. He broke a window. Instead of punishing him, his father appeared relieved, amused, even pleased.

But he was the grandson his paternal grandmother understood. Maria Jane Ely was a businesswoman from a pastoral family in Warnambool - the Cust family. Centuries before her ancestors had left Yorkshire with Cromwell and settled in Antrim, Northern Ireland. One of them, an apprentice boy of Derry, had closed the gates against King James 11. Nine members of the Cust family who were allegedly related to the aristocratic Brownlow family, had left Antrim in the nineteenth century and settled in Australia. Richard's great grandfather Robert Cust was one of them.

When his grandmother, Maria Jane, the daughter of Robert Cust, was dying, she called Richard to her bedside and said only three words. He treasured these words all his life. *"Always straight, Richard"*.

Richard's father died of a sudden heart attack at the age of 49 leaving Nita a widow, Marie a baby of 18 months, and Richard a schoolboy of 15. The father had lost a great deal of money in card games and the little family was impoverished. Although his aunt Hazel initially covered the school boarding fees, Richard left Scotch College and went to work, - first in an Advertising Agency and then in the Perpetual Trustees. He also tried his hand at being a jackaroo and enjoyed his National service in the air force at Point Cook.

As a teenager, Richard searched the streets of Sydney enthusiastically and found – the chess club. He became the Junior Chess Champion of New South Wales, then went on to become the Chess Champion of Queensland, a Chess Master, and a representative of Australia in correspondence chess. It amused him that a convict from Bogga Road Gaol was on the Australian team while an English representative was the modern equivalent of the Colonial Secretary.

As a worker about town, Richard also found St Stephens in Macquarie Street and joined the youth group there. When he visited Melbourne from his Point Cook days, he attended the Scots Church in Collins Street.

After his grandmother Ely died, he inherited some capital and a small private income from the Cust Warnambool estate. This enabled him to go back to study at the Ultimo technical college. Here he met inspiring public school teachers, did well in his Leaving Certificate and obtained a Commonwealth Scholarship to Sydney University. He enrolled for an Arts degree and theological studies with a view to entering the Presbyterian Ministry. He and his girlfriend, Robin Card were active in the Student Christian Movement and Richard became the editor of their magazine.

During his studies at Sydney University he lived in the tower room of St Andrews College, overlooking the playing fields of the University, and was much influenced by the philosophy of John Anderson and the ancient history lectures of Edwin Judge. After completing his first degree, he embarked on research into the writings of Philostratus of Tyana, a travelling teacher. He compared these documents with the Acts of the Apostles. He was startled by the authenticity and power of the Biblical text.

One day he strolled around the Sydney University quadrangle, and heard the organ in the Great Hall. It was there, in the organ loft, he met Jean Miller playing Bach. He had many lady friends, but he decided that with this unusual girl from the Western Suburbs of Sydney, he would never be bored. They married on 24 February 1962.

Richard received a scholarship to Queensland University and the couple studied there in the mid sixties. He did a Masters in the philosophy of history and he and Jean wrote papers that were well received on Benedetto Croce, Herbert Butterfield and Karl Popper.

At this point Richard and Jean became interested in History as the History of Ideas and History as the Story of Liberty.

Richard's course was set.

As a result of a paper published in the philosophy of history he was invited to do further research at Cambridge, but at this stage the Ely family had expanded to include Robert and Linda. Richard accepted a post at the University of Tasmania where he worked in the History Department for the next thirty years.

In the 1970s, Richard and Jean both received a PhD from the University of Tasmania, and Richard produced a large number of articles and books, but the most influential was and is his work on Section 116, the religious liberty clause of the Constitution. This is entitled '**Unto God and Caesar**'. This book has become a classic in discussions on the subject and stands poised for the next High Court Hearing on Section 116. In the course of his research for this book Richard also discovered a largely forgotten Andrew Inglis Clark, the Taswegian architect of the Australian Constitution. He described how, together with Henry Bournes Higgins, Clarke was a firm believer in the separation of Church and State and their success in getting Section 116 inserted into the Constitution.

In the following decades Richard wrote and published extensively on Inglis Clark, as well as the ideas of civic Protestantism and Britishness.

As a scholar, he always followed questions and documents where they led him. In 1978 he followed – around the world - a character he and Jean met in the sidelines of their research. This was a gentleman called Henry Foran. Henry had the gift of the gab, but was on the edges of the Constitutional Convention, a Domain Demosthenes, and a renegade public school teacher who took his children into the bush. Richard followed him back to his family in Kilkee, Western Ireland. The story told there by his family descendants was that he had been persuaded to leave his homeland for his own good after he deposited six prostrate Protestant policemen on a dray outside their station. Richard, greatly amused, further researched and published his intriguing story. In Ireland he established a relationship with the Attorney General of the time and discussed the relationship between Australian Rules and Gaelic football.

In the 1980s Richard joined Ken Inglis from the ANU in collecting and collating research on the Anzac war memorials in Tasmania. He also spent time in both Bloomsbury, London and the ANU on research. In 1986 he and Jean published a book of Justice Lionel Murphy's dissenting judgements and placed it in the judge's hands one hour before he entered his final coma.

As he retired from teaching in 2000, Richard was involved in a large Conference on Inglis Clark at the University of Tasmania. He also fulfilled a

promise to a Baptist Minister friend, Pastor Salter. This farmer turned Minister was involved in Egypt and Posiéres in the First World War. Richard produced a book with commentaries on Salter's letters from the front. '*At the Edge of Time*'. In it he developed his ideas on 'command assumptions'.

Richard was a prolific historian. His extraordinarily long list of publications in learned historical Journals and books is listed on the Tasmanian University website at [http://ecite.utas.edu.au/rmdb/ecite/q/ecite\\_view\\_author/170](http://ecite.utas.edu.au/rmdb/ecite/q/ecite_view_author/170)

Although Richard was always first and foremost a scholar, he always supported Jean in her activism, most particularly her support of public education and her work as a community lawyer. A vivid memory is the way, in 1998 he stood doggedly with thousands on the picket line during the waterside workers strike - as Jean left the lawyers tent and played her drum. Richard may have been bored during the night, but not in the morning . A small group of fresh faced young policemen arrived, their commander read the riot Act. Then - thousands of builders labourers in hard hats arrived from down town hemming in the police. There were swift negotiations , army style, as the policemen fled.

In his final years, Richard became involved in saving a heritage precinct in Mernda and was a stalwart supporter of the Mernda Presbyterian church. His final work on the precinct was placed into his hands a few weeks before his death.

Richard was a family man, a loving, encouraging, and thoughtful father to Robert, Linda and Andrew James, a supportive husband for Jean, and a doting grandfather to Madeleine, Oliver, Angus, Bridget, Lachlan and Alexander. He was also a fond uncle to Graham, David, Christine, Donald, Louise, Diane, Suzi and Kate. He did not recover from the loss of his son Robert in 2020, but was touched when his sister, after many years , contacted him with her memories of Robert.

Although he initially disappointed his own family because he did not pursue wealth in his youth and retrieve the family fortunes, he was not stupid in the ways of the world. After all, he was a chess master. And the grandson of Maria Jane. He was not a poor man and he gave generously of his substance to his family, his friends, the persecuted, the disadvantaged, and his many causes.

Richard has fought the good fight; he has run his race; he has kept the faith. The grief of his family is tempered by the knowledge that he has passed the Edge of Time and has gone to his Great Reward.

And we can hear Richard's parting words....

“Lots of Love”.

**LISTEN TO THE DOGS PROGRAM**  
**855 ON THE AM DIAL: 12.00 NOON SATURDAYS**  
**<http://www.3cr.org.au/dogs>**