

JOHN D M SILVESTER

8 April 1935 – 18 January 2011

John Silvester, a Kenyan lawyer and Rhodes Scholar, died in Nanyuki, Kenya, on 18 January 2011.

He was born in Kenya, in the hey-day of the British ascendancy. His father was District Commissioner of Nairobi, having been there with the colonial administration since 1913.

John completed his schooling in Kenya, at Kenton College and the Prince of Wales. His outstanding potential won him a place at Jesus College, Oxford, to read law, and a Rhodes Scholarship to take him there. In response to a tender inquiry from John's mother, the Warden of Rhodes House at the time observed that John was maturing 'admirably' – he was doing well academically, showing common-sense, sensitivity and a sense of purpose, taking a full part in the life of the place, and making 'an eager but never obtrusive contribution'. It was the pattern of things to come.

John graduated in 1956 and was called to the Bar at the Inner Temple in 1958. He returned to Nairobi to begin his legal career with the firm of Archer & Wilcock, and was admitted as an Advocate of the High Court of Kenya in 1959.

In 1961, he joined Hamilton Harrison & Mathews, and in 1963 he became a partner. He remained with HH&M for the rest of his professional life, becoming Senior Partner in 1985, retiring from the partnership to become a Consultant in 1995, and finally leaving the firm in 1997. His sound judgement and creative flair as a commercial lawyer combined with his quick wit, impeccable manners and natural charm made him a great asset, and he was instrumental in helping HH&M become one of the leading law firms in the country. His kind and inspirational mentoring is gratefully remembered by many young advocates who followed in his footsteps.

John's admission to partnership in 1963 coincided with Kenya's independence from colonial rule. The African politicians and general populace were generous in their readiness to embrace all in the new order, and John was ready to accept the challenge of change. He quickly adopted Kenyan citizenship, proud to be a *mwananchi* - a son of the soil - and he became fully and passionately committed to achieving the ideals of a multi-cultural nation in his particular field.

The first decades after independence were a heady time for all involved. Kenya began to establish itself as a major presence in sub-Saharan Africa. President Kenyatta's shrewd foreign policy of non-alignment and his adoption of a Western-capitalist model for economic development led to a rapid inflow of aid and investment. John was in the thick of it, with his legal expertise constantly in demand, and an expanding portfolio of company directorships.

John's commitment to the new Kenya was patent in every aspect of his working life, but a singular achievement was his leadership of the campaign to regain for Kenya the Rhodes Scholarship. John had been the last recipient of this award in 1953, at a time when it covered Uganda and Tanganyika as well as Kenya. It was discontinued by the Rhodes Trust on the basis that there were not enough candidates in the region, of sufficient ability. John's skills as an advocate were critical in convincing them otherwise. A Kenya Rhodes Scholarship was reintroduced in the early 1980's.

John was Secretary of the local Rhodes Scholarship selection committee from 1984 to 1999, and oversaw the addition of a second Rhodes Scholarship for Kenya in 1991. High-flying young Kenyans can continue to enjoy the exceptional educational opportunity he once enjoyed, and will continue to be in his debt.

John worked prodigiously, but he carried his professional responsibilities lightly. He worked to live, not the other way round. As a young man he was blessed with the dashing good looks of a matinee-idol, so it was only a matter of time before he got his girl. He was a student in the UK when he met

Sue McDonogh, the daughter of Kenya farmers, training as a nurse at St Thomas's. They were married on New Year's Day 1960.

Their children were the great joy of their marriage - Kate, Peter and Tom. John had the natural ability to make kids feel as important as adults, giving them the same focused attention as he would his most high-powered clients. Ever-mindful of the value of a good education, he gave his children the best he could afford. He encouraged each of them to do their own thing and was proud of their different achievements, as he was – in due course – of their families. Kate qualified as a doctor and now works in the UK, as a high-level manager in the NHS. Peter runs a safari business in Kenya, and Tom is a rancher there.

John's interests were wide, and pursued with the zest he brought to everything, whether it involved bombing off to see motor racing in Nakuru, adding to his library of Africana books, or exploring Swahili culture at the coast and the diversity of the coral reefs. But his greatest passion was for the African bush.

The call of the bush for the white man in Africa is something easily mocked by those who have never known it. It is no less real for that, as writers from Karen Blixen onward have testified. John was always quick to dispel sentimental whimsy with an accurate, pragmatic put-down, but he would go misty-eyed when describing the view from the top of Ol Donyo Lengai.

To understand why, you would have to see the view for yourself. And John would be the person to take you. He was keen to introduce family and friends to wild places – provided they took on board first the special storage system he had for the car, to ensure the right bit of kit was to hand. Any crisis or breakdown would be turned into a lighthearted adventure, and there was never the least doubt that John would bring everyone safely home.

Once a year, he would go off on his own – off the radar, into uncharted territory - going on foot, when the roads gave out. There he would tune himself into the rhythms of nature, and contemplate the dark side of the moon. When his time was up, he would reappear on the dot - re-energised, and ready to take his place again, in the modern world.

Leaving HH&M in 1997 was unsettling for him. John ended his marriage, and moved to Spain. In 2002 he married Heather Carr. For a few years he enjoyed with her a Mediterranean life-style. But Africa called him back, as it will always call back a true son of the soil.

John's health was failing when he returned to Kenya in 2009. He stayed with his family, then persuaded Heather to come and join him. Together they bought a plot of land at Tigithi, where they started to build a house. It was to face Mount Kenya, with a perfect view of the peaks.

The house was nearing completion when John was suddenly taken ill. He died soon after, and was cremated in the Hindu crematorium in Nanyuki – a multi-cultural grace-note which would have delighted him. Those majestic peaks, so often shrouded in mist, were out bright and clear on the day. His ashes will be scattered at their base, at the head of the Sirimon track. Facing death, as in life, John knew where he was going. He will rest with those peaks evermore.

He is survived by his wife, Heather, and by Sue, his 3 children, and his 4 grandchildren.