

Introductory Remarks

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Ladies and Gentlemen, Welcome!

Those of you who were here last night, as most of you were, will know that we made a splendid beginning to our Inaugural Conference, with a magnificent address from Sir Harry Gibbs to launch the Society, and a most stimulating – as well as highly entertaining – Inaugural Address from the Honourable Peter Connolly.

But that is just the beginning.

It would of course be invidious to say that "the best is yet to come".

But I do promise you that what is yet to come will be in no way overshadowed by what we have already enjoyed.

At the outset, let me say something, very briefly, about the origins of the Society – if only because, last night, many people have asked me about that.

It is a long story, and I won't bore you with the details of those origins; but I will make two comments about their nature.

Many years ago my late father warned me to stay away from doctors, bankers and lawyers.

Now despite that injunction, I have always personally had a great respect for "the law" - and initially, for lawyers.

Gradually, however, over the years, it was borne in upon me that there are lawyers and lawyers people like Sir Harry Gibbs

or Peter Connolly

or S.E.K. Hulme (from whom we shall shortly be hearing)

and, on the other hand, people like (say) the late Lionel Murphy.

And as I began to observe developments like the Rocla Pipes case (involving, if I recall correctly, the corporations power); and the Koowarta case (involving, if I recall correctly, both the Aboriginal affairs power and the external affairs power;) and the Tasmanian Dams case (where the interpretation of the external affairs power came, so to speak, to its first full flowering); it began to be borne in upon even my legally untutored mind that something was going on here which made a MOCKERY of that section of The Constitution which governs the process of constitutional amendment.

Now precisely because I do have a respect for the law, it seemed to me regrettable - and even, in the longer-run, dangerous – that these fellows on the High Court were rapidly eroding my respect for it (and them).

They had, to pick up Peter Connolly's great anecdote last night about Sir Samuel Griffith's encounter with the hard drinking men of Western Queensland, mounted a camel (the Constitution) which did not belong to them – but to US – and were sedately riding off into the West (or for all I know, the East) – where they might want to live, but where neither they, nor more importantly we, live at present.

Now my second point about the nature of the Society's origins is best summed up in the words of a Frenchman writing in the 1830s, long before even those "horse and buggy" days of which the latter-day detractors of our Constitution are so fond of speaking.

Alexis de Tocqueville, in his famous work Democracy in America, has a chapter on "Public Associations" in which he had this to say:

"Americans of all ages, all conditions, and all dispositions, constantly form associations,If it be proposed to advance some truth, or to foster some feeling by the encouragement of a great example, they form a society." (Emphasis added).

There is much more, but you see what I mean

Ladies and gentlemen, The Samuel Griffith Society is now launched "to advance some truth", and "to foster some feeling" in defence of our Constitution.

Having quoted a great Frenchman, let me conclude by quoting a great Englishman, namely William Shakespeare, whose character Henry V, in his great speech on St. Crispin's Day before the field of Agincourt, had this to say:

"That he which hath no stomach to this fight,

Let him depart; his passport shall be made..... "

And further, to adapt that speech's closing words:

"And gentlemen in (Melbourne) now abed,

Shall think themselves accursed they were not here, "

Today, of course, we should have had to say "gentlepersons", but let that pass.

Today's programme begins, fittingly, with a bracket of two papers under the general theme of "Nine Decades of Achievement", to be presented by Hugh Morgan and S.E.K. Hulme, Q.C. respectively; and it is therefore now my pleasant duty, as well as privilege, to introduce the first of them, Hugh Morgan.