

Introductory Remarks

John Stone

Ladies and Gentlemen, welcome to this, the sixteenth Conference of The Samuel Griffith Society, and our third in Western Australia, where we were welcomed last night at our opening dinner by a characteristically robust address from one of our most faithful WA members, the Hon Bill Hassell. It is a particular pleasure both for Nancy and myself to return to our own home State, to which, after more than 50 years non-residence here, we still look in terms of our State loyalties.

At the outset I should mention, for the benefit of those who were unable to attend last night's dinner, that despite what is printed in your Conference program, our President, Sir Harry Gibbs, is not in fact with us on this occasion. I know that you will all regret as much as I do that, on medical advice, Sir Harry has been forced to cancel his earlier plans to attend. Accordingly, at last night's dinner our Vice-President, Sir Bruce Watson, who chaired that dinner in Sir Harry's place, read to the assembled guests the following expression of regret which Sir Harry had provided:

"I am grateful to Sir Bruce Watson for reading these remarks on my behalf.

"I very much regret that for medical reasons I am unable to be with you at this Conference.

"This is the 16th Conference held by the Society. That, in itself, is a matter for satisfaction. I have been able to attend all previous 15 Conferences. I have benefited from the many thoughtful and stimulating papers that have been presented on these occasions and from the discussion those papers have generated. I have, in addition, particularly valued the opportunity to meet the members of the Society who have attended the Conferences. I am disappointed that I shall not have that opportunity on this occasion.

"The present program is interesting and topical. I hope that you will derive pleasure and profit from this Conference and I apologise for my absence.

"I hope that I shall be able to see you at the next Conference".

I am sure that we all echo that hope.

Last night Bill Hassell spoke about "the state of the law" in Australia. At the risk of over-generalisation, I think it might be said that many of the ills to which he pointed in the legal profession (while acknowledging the sterling worth of many in that profession) could be said to apply equally to many other aspects of life in Australia today.

We are, after all, at war. Yet, perhaps because we have not yet been vividly reminded of that fact via the dread agency of actual losses on the battlefield, Australians give little sign of appearing to recognise that fact. Do we too have to suffer the kind of tragedy which the Spanish people endured last Thursday in Madrid before we confront the unpleasant realities of international terrorism today?

Anyone reading our newspapers, or listening to or viewing our electronic media, could only assume that this is a nation of whingers. More money – that is, more of our taxes – for Medicare? Not enough. More money for universities? Not enough. More money for schools? Not enough to satisfy the ideological leanings of the teachers' unions. More money for defence? Wasteful expenditure. An almost completely successful termination of the previous people smuggling rackets? A heartless deprivation of illegal immigrants' (sorry, asylum seekers!) human rights. And on, and on, and on.

So as well as an address on "the state of the law", perhaps we need papers, at some

future Conference, on the state of the media, the state of the medical profession, the state of the teaching profession, the state of academia (and what used to be called the humanities in particular). The question of course would then be, in what degree, unlike our address last night, would papers on these topics bear on the central purposes of this Society?

That is a large question, and you will be relieved to hear that I do not intend to pursue it further here.

In our Conference this weekend we shall, however, consider a number of issues that do bear upon those central purposes, and none more central than the role of the Senate. The Prime Minister's regrettable attack on that institution, which is the subject of our first three papers, may be excused by many as a reaction to frustration. And it is true that having to deal with a "dog-in-the-manger" Labor Opposition, an Australian Democrats party which has been effectively brain-dead for decades, and a couple of malevolent dark Greens whose only objective appears to be the destruction of the successful society whose fruits they meanwhile continue to enjoy, would make even a saint feel frustrated. That excuse is not, however, I regret to say, good enough. So we can only trust that – as in fact I do believe – the Prime Minister will, before very long, put this temporary folly firmly behind him.

We have not, however, come here this weekend solely to talk about the Senate. Later today, Professor Greg Craven, whom it will be a pleasure to welcome back once again to our proceedings, will give us a paper discussing at more length the judicial activism malaise to which Bill Hassell's more general remarks last night were chiefly directed. And this morning, in what I suspect will prove to be one of the most significant papers we shall hear this weekend, Dr Michael Connor will revisit the abysmal depths of *Mabo* and reveal to us that – if that be possible – they were even more abysmal than we thought.

If at some future time we were to have a paper on "the state of the media", one of the topics which such a paper might profitably pursue could be the pattern both of general ignorance and deliberate – even malicious – falsehood which our media display towards our system of constitutional monarchy. So it is appropriate that, later today, we shall have two papers on the role of the Crown. One will be from the indefatigable Sir David Smith, who will be as illuminating about the role of State Governors as he has already been, in this Society and elsewhere, about the role of the Governor-General. The other, from Professor Gregory Melleuish, will examine the topic more generally.

And that is just today!

It is now time to get this show really on the road, with our first paper, from the Clerk of the Senate, Harry Evans, entitled *Why the Prime Minister's Proposals would Dismantle the Constitution*. Our Chairman for this Session will be our Vice-President, Sir Bruce Watson; and before I hand over to him I would like you to join me in congratulating him, in the usual manner, on the very high honour bestowed upon him in the Australia Day Honours list, six weeks ago, as a Companion (AC) in the Order of Australia.

Thank you. I shall now hand over to Sir Bruce.