Chapter Thirteen

Concluding Remarks

The Honourable Ian Callinan

This is an opportunity for me to make some personal observations, if I may, as well as to sum up. I think we have had an interesting and particularly diverse conference. The papers covered a very wide range of topics. Let me say something briefly about each.

Bill Cox gave us a particularly profound insight into the way in which the reserve powers of a State Governor may be exercised. It was valuable to hear those views from a person who had made a study of them and been involved in that office in the exercise, both actual and potential, of those powers.

We were similarly fortunate to have some equally valuable insights from Michael Field. His paper gave us a view of the difficulties of governing, and of the compromises made in minority government – the realpolitik of actually being there and having to govern. I was amused by his account of how his cabinet would receive submissions, quite detailed submissions, from the Greens. On some occasions, the cabinet acted upon them. Then Mr Brown, a week later, would make a public statement contradicting the stance that had earlier been taken. You really have to feel a great deal of sympathy for anybody having to govern in those circumstances

That paper related well to Scott Bennett's informative account of the Hare-Clark voting system. It also illustrated the compromises involved in the exercise of power and raised for me the consideration of at what point is a compromise to be made.

Compromise is inevitable in a democracy. That is the whole idea of a democracy, that nobody has too much power, and that there are checks and balances both practical and legal.

It seemed to me that under the Hare-Clark voting system, perhaps compromises are made too early. They are really made early by the voters. Now that *sounds* more democratic. The voters have more say, but what happens in practice is that a mixed parliament emerges in which it is very difficult for power to be effectively exercised at all. Now we all want to see power carefully curtailed, and no extremes of power, but it needs to be possible to exercise power. Under the Hare-Clark system, power is exercised, I am inclined to think, too early. Under other systems of voting – perhaps, especially, preferential voting – the compromises are made in the parliament. The deals have to be done there, in the upper and lower Houses. If you do not control the upper House, therefore, legislation is not going to pass without some changes to it. The ultimate threat, of withholding supply, may or may not be carried out. But those are the points at which the compromises are made.

Paul Pirani's paper was on the workings of the Australian Electoral Commission. One of my briefs, just before I took silk, was in about 1977. I was to appear for the Australian Electoral Commission in Brisbane in a Royal Commission conducted by Justice McGregor, a Federal Court judge, which related to – even by Mr Malcolm Fraser's standards – a spectacular piece of political miscalculation. The boundaries were being drawn for a new electorate in Southeast Queensland. It was a time of great expansion in Southeast Queensland. Eric Robinson, the Minister for Finance, was an influential member of the Liberal Party, and a member of the House of Representatives. The Liberal Party in Queensland was divided, and some people thought Mr Robinson had too much factional power. There were three members, who were not ministers – one of them was Mr Kevin Cairns – who were at war apparently with Mr Robinson. The idea began to circulate in party circles – this is what I was

told – that Robinson had in some way improperly influenced the drawing of the boundaries of the new electorate.

It was a total misconception. Robinson had nothing to do with it at all except that the new electorate happened to adjoin his electorate. In any event the Inquiry was set up on that false basis. Apparently these three members went to see the Prime Minister, Mr Fraser, and convinced him that there was a possibility of impropriety. It does not seem as if the Prime Minister seriously examined those things in detail at all before he established the Royal Commission.

Royal commissions have a habit of turning round and biting their instigators. And that is exactly what happened.

It was the case in which I think Murray Gleeson, QC, had a first major brief as a silk. He was Counsel Assisting. Mr Tom Hughes, QC, acted for Robinson. The redistribution panel under the Electoral Commission, for whom I was acting, was constituted in those days – and quite sensibly so – by the State Electoral Officer, the Commonwealth Electoral Officer and by a senior retired Commonwealth public servant – in this case, a man who had been a distinguished airman during the Second World War and had also been, I think, a senior official in the Department of Civil Aviation – all people of impeccable propriety and competence. People in these offices conventionally constituted the commission's panel for redistribution and naming purposes. There were, however, all these rumours swirling around that they may have allowed themselves to be improperly influenced, and that Robinson had done it. It was internecine war within a political party and not a matter of any real public interest. Nonetheless, as I say, Mr Fraser established a Royal Commission to inquire into the affair.

As the evidence unfolded, it became more and more obvious that nobody had done anything wrong. But there has to be culprit – Royal Commissions are expensive – otherwise the money is not properly spent. It is, rather often I fear, the trap of needing to have a culprit into which a Royal Commissioner can fall. Senator Withers, the Minister in charge of electoral administration, became the culprit. For his political power and ruthlessness, he was sometimes referred to as the toe cutter. It turned out that, perfectly properly, he had rung the Chairman of the Electoral Commission and said words to the effect, "When you are giving a name to that electorate, you might care to consider X." There was no reference to boundaries. Everyone agreed that the name of the electorate was entirely without any political significance. And that is all he did.

Even so, Justice McGregor found, contrary to the submissions of every counsel who appeared in that inquiry, including I think, Mr Gleeson, QC, that Mr Withers had been guilty of impropriety. That was the end of Mr Withers's ministerial career. He was forced to resign. His resignation weakened the Fraser Government because he was regarded as a powerful "machine man", a political enforcer. It is an interesting piece of political history which came to my mind listening to Paul Pirani.

Years later I appeared in a challenge to the result in the Mundingburra electorate. There had been considerable ineptitude on the part of the State electoral office there: among other things, in failing to get voting papers on time to Australian soldiers who were serving, I think, in Africa. I was acting for the candidate who had missed out and who subsequently won at the by-election ordered by the Court of Disputed Returns because the challenge succeeded. As a consequence, the Coalition returned to government in a minority government, for some two or so years with the support of an Independent, Ms Liz Cunningham. There had really been considerable inefficiency on the part of the State electoral office because, as it turned out, there were enough votes, among those serving soldiers – perhaps soldiers tend to be conservative – to affect the outcome. Indeed, when they had their votes in the by-election for that electorate later, it became obvious that they were largely voting for the conservatives.

Let me say something about Dr Margaret Kelly's paper on the repeal of the Bill of Rights in Victoria. I was struck by her reference to Deakin's statement, "What are states' rights anyway?". That was not the only disingenuous statement that Deakin made from time to time. I could easily answer the question, and so could Deakin, of course.

What are States' rights? States' rights are the rights that the colonies insisted on retaining as the price of a federation. States' rights were the rights to exercise all of the powers which were not expressly given by the Constitution to the central government. There is no difficulty about the question at all. It was the price that the people of the colonies accepted and paid for, and the condition of the division of power, and the renunciation by them of some of their powers.

People forget that at the time of federation some of the colonies often had their own navies. They were small navies. They also had their own military forces. Again, there were all sorts of cross-continent or inter-colonial agreements to the use of them, and as to various other matters. But the idea that there were no States' rights, and that States' rights should be disparaged or diminished over the years is a startling proposition.

In any event, almost all of us would agree, I think, that Dr Kelly had the right idea about Bills of Rights. I have nailed my colours to the mast. I really do not like the idea of judges exercising any more power than they presently exercise. Indeed, I think on occasions, the High Court has exercised too much power. I have been there. I have sat there. I understand the dispositions and, dare I say it, understand the egos of some judges of the Court over time. I myself was often concerned with the amount of power I had. A degree of humility is important. Sitting there, having the final say on so many matters, does not always do what it should for humility.

On another occasion I gave a paper opposing a Bill of Rights to a conference. An English Law Lord, now a judge of the UK Supreme Court, also spoke at it. He was very much in favour of the exercise of the power conferred by the European Charter, a Bill of Rights. In my paper, which preceded his, I baulked at the idea of me determining what I saw as essentially political questions. I said, "I do not think I am qualified to do this. I do not think I have the right to do this, and I do not think the people with whom I sit are as well qualified as parliamentarians, or have the right to do it either." Lord Walker saw no problems about this at all. He said, "I can do this;" he added, "We can do this." And I thought, "Well, if ever I need confirmation that my view is right, that is it." So much for Bills of Rights!

Ben Jellis gave a paper on the Howard High Court. I would not have described the Court on which I sat as the Howard High Court. Ben's paper fitted neatly with the paper by Dr Murray Cranston regarding United States Supreme Court appointments.

There is much about the American political process that I admire. But their manner of making judicial appointments is quite different from ours. The United States Supreme Court itself does different work from the High Court of Australia. The work of the High Court, while I was a member, probably consisted of about twenty per cent criminal work and it was usually not "Human Rights" type of criminal work. It was rather different from the criminal work that the United States Supreme Court does – for example, whether the death penalty should be applied or not. (I might say I am totally opposed to the death penalty. I just do not believe in death penalties for the reason that the system is fallible. That is, however, another matter.)

The way in which the United States Supreme Court reasons is to look, amongst other things, but in particular, at the number of States that have the death penalty. It is almost as if it were undertaking a legislative process. The Court says, "Well, there are now enough states in favour of the death penalty to indicate that is the right view and that therefore is the way it should be." However you look at it, I do not think you can see that as a judicial exercise.

Whenever I had a criminal appeal, I wanted to read the whole record. Sometimes that would be thousands of pages because one of the questions is: has there been a serious miscarriage of justice? And you can only answer that by knowing what the evidence is, and what the summing up was. That is just sheer, hard legal drudgery. It is not a political exercise. That is the sort of work the High Court does. Often there are discrete, neat legal questions in criminal law, but the ultimate question is, miscarriage of justice or not. The United States Supreme Court does not do that. The Supreme Court does not do commercial work as the High Court does. The Supreme Court does not do

administrative law to the same extent as the High Court does. Certainly the Supreme Court does do some, but overwhelmingly the work of the United States Supreme Court is Bill of Rights type of work.

The work of the High Court of Australia, on the other hand, is essentially legal work by legal method. The High Court of Australia is a court of general appeal; that is how the Constitution reads and that is what it is. And although members of The Samuel Griffith Society and politicians probably tend to be much more interested in the constitutional work of the Court, about eighty per cent of the work is not constitutional.

The fact that it is not constitutional is very, very important. The legal discipline involved in doing conventional legal work does, I think, have an impact upon the legal method of the High Court. I like to think it does. I hope it does. It makes the process much more of a true legal process than the process that the United States Supreme Court goes through when it decides its human rights cases.

The point can be underlined in this way. Never once has anybody ever asked me – Australian lawyers do not speak in these terms – how I voted in a case. People will ask, "Well, what did you decide in that case?" In the United States, the question is, "How did you vote in that case?" That says a great deal.

That brings me to the appointment of judges. The first point to remember is that in the United States, most States – I think it is something like 45 or more – elect their judges. Federal and Supreme Court judges are appointed but they are all subject to a confirmation process. In some of those States when the judges are not elected, usually to an appeal court or to fill a vacancy, there is a kind of confirmation process in a subsequent election.

The confirmation process in the Senate is one of the most excoriating processes I have ever seen. I happened to be in the United States when the Bork confirmation hearings were taking place in 1987. I watched them in fascinated horror. I thought that was an experience that I could not have gone through. It was altogether too agonising. I felt so sorry for Bork. I felt sorry for his family. I thought, frankly, the price was too high to pay. I do not think it achieved anything. The candidates try to be very reserved in what they say. The process is designed to bring out their legal, political, social, racial, feminist, religious and other philosophies. They are damned if they do bring them out; they are damned if they do not.

Australia does not have that. I think that our process is better. Appointment is by the Executive. The Executive is answerable to the Parliament. Judicial appointments can be debated in the Parliament. If a government appoints the wrong candidate, then the Government has to suffer. I do not see any problem with that. At the moment I myself am serving on a committee that makes recommendations to the Federal Attorney-General about appointments to one court. I had some reservations about doing it but they are only recommendations to the Attorney-General and ultimately to the cabinet. The Federal Executive Council makes the appointments and has the responsibility for them. That is still a better procedure than the American process.

In the United States the confirmation hearings themselves are so political that it would not be surprising for the judges to act politically. There are two illuminating books; one is called *Closed Chambers*, by Edward Lazarus; the other, *The Brethren*, by Bob Woodward and Scott Armstrong, and both are written in breach of protocol by former clerks (associates) of the judges of the United States Supreme Court. They discuss what happens in the process of reaching decisions there. Usually there is one majority decision and one minority decision. All sorts of compromises are made. One has the impression that judges endlessly negotiate, by and through their clerks and by circulating memoranda, and in direct discussions. It has the effect of a lobby in parliament – you vote for me on this issue and I will be with you on something else.

Let me assure you that, in all the time I was on the High Court, nobody ever suggested anything like that, and nobody would have dared to do so. I would be confident that it has rarely or never happened during the history of the High Court.

We might argue and debate expressions or particular propositions. I remember once, when I wrote a judgment, Justice Dyson Heydon came to see me about it. Unfortunately I had used the cliché, "resonate". Dyson said to me, "I will join your judgment if you substitute some other word for 'resonate'." This you can see was intense bargaining. I said to Dyson, "I was about to join your judgment in such-a-such a matter but I will only do that if you substitute 'continuing' for 'on-going'." Dyson said to me, "I feel like a man who had been caught with his fly undone." And that was the only ever bargain Dyson and I made.

Robert Ellicott, QC's speech was seductive but not, with respect, convincing for me. Indeed, I thought that his proposal was not a viable solution. I would be surprised, indeed, I would also be disappointed, if anybody in this room were not saddened by what is the great tragedy of Indigenous life in this country. Nothing that has been tried seems to have worked. There are still so many disadvantaged Indigenous people. There are almost as many theories on how that position should be changed. Some people are strongly in favour of intervention. Some people are in favour of other things. Nothing seems to have worked.

I do not think that the sorts of statements which Mr Ellicott would include in the Constitution – as well-intentioned as they are – would achieve anything. Indeed, they could be worse than achieving nothing. They are aspirational statements. They are not appropriate for the body of a document which has to be construed. The fact that they might be in the body of the document would mean they would have to be given operation in the way in which a preamble might not, although I would be concerned that it would not matter where you put them, they might still give an opportunity to an expansionist Court to do all sorts of things with them.

Leaving all that aside, it seems to me the greater mischief is that arguments about semantics serve to be a distraction, a diversion from the tragedy of Indigenous life in this country. It is rather like 200 000 or so people walking across the Sydney Harbour Bridge on Reconciliation Day. It may have given all those people a warm feeling, but I suspect it did absolutely nothing for the day-to-day life and despair of Indigenous people generally. Of course, Indigenous people should be recognised for their much longer connexion with the country than western people who have come here. But I myself am more interested in practical solutions than I am in what I think are symbolic ones. It was an interesting speech and it was an expression of a new and interesting point of view.

Justice Heydon spoke on a topic very dear to my heart – constitutional and legislative facts. The dangers in the use of legislative facts are in some ways even greater than the dangers in the use of constitutional facts. One of the speakers yesterday mentioned a case of *Brodie v Singleton Shire Council*. The common law had developed in the United Kingdom and Australia to this point, that statutory authorities (or, as they called them, highway authorities, which really meant local authorities, bridge-building authorities and the like), were liable only for misfeasance and not nonfeasance. That is to say, they were liable for bad execution, which caused injury on roads and the like, but they were not liable for injury as a result of, as it were, the gradual deterioration of those works. The principled basis for that distinction was that there was only a certain amount of revenue available to be spent and nobody would ever have enough money to keep everything in a hundred per cent condition all the time. It was a distinction criticised by a number of people, but through the cases, by the processes of the common law, it had worked out over the years. There were difficulties in marginal cases as there are in other areas of the law but, by and large, we knew what the position was.

In *Brodie v Singleton Shire Council,* the High Court said we are going to get rid of that distinction. I was in dissent in that case. I preferred the distinction to be maintained. The Court relied on a whole lot of legislative facts about what local authorities could do and could not do, in effect how they could and should spend their budgets. What I foresaw was that courts would be substituting themselves for the elected local authorities. The courts would be determining how the budget was to be spent, which I thought was wrong in principle. It also had this practical consequence, that the courts would have to hear longer cases because the local authority or particular authority would need

to call officials to explain and justify the budget allocations. That was exactly what happened. It is not surprising that some, if not all, the States promptly enacted legislation, with some improvements – to restore the well-settled and accepted law to largely what it was. It was an example of overreach by the Court. And it was done in reliance in part at least upon legislative facts.

Let me just say one thing about constitutional facts. I was taught at university, as we all were, that the *Communist Party* Case was a landmark of freedom. We never critically examined the case when I was at the university. And in academia it is rarely critically examined. It is simply there and it is said to be a great case. It was a case decided by a Court that one would say was on the conservative side philosophically. The only dissentient was Sir John Latham, the Chief Justice. But the decision nonetheless needs careful analysis. I am not unhappy with the result because I react strongly to the idea of a ban of a political party – any political party.

As we know, the Communist Party was never banned, it never got control of any government in Australia, and it was never, as it turned out, a real threat to democracy in this country.

But that is not really the point. The point was the extent of the defence power. Did the defence power extend, at that time, at that moment in time, to enable the banning of a political party?

On reflection, and when I had to re-examine it, as I did in *Thomas's Case*, the answer to the question would be, "I am not too sure". I am not too sure that the Latham view was not correct. He was a very worldly experienced man. Apparently he was a difficult personality. He had a lot more experience of world affairs than Sir Owen Dixon. Few would doubt that Sir Owen Dixon was the superior jurist. But Sir John Latham had been in public affairs, had been Attorney-General, Minister for External Affairs, and had almost been Prime Minister. He had all sorts of interests outside of the law, which Sir Owen Dixon did not have. He served as Minister to Japan. He had great knowledge of Asia, and probably a better knowledge of Asia than most Australian politicians of his generation. On the other side, Sir Owen Dixon had served as Minister to the United States during the war. Apart from his time in the early 1950s as a mediator for the resolution of the Kashmir question, that was his only direct involvement in public life.

If the way in which each of them looked at the constitutional facts is examined, you can see great differences. Sir Owen Dixon, as Justice Heydon pointed out, referred to, for example, the Berlin blockade, and to a number of other contemporaneous events. He concluded in the end that, in effect, the war was over, the occasion for exercise of the defence power to ban the Communist Party had passed or never existed.

Sir John Latham, on the other hand, said, "Look, we are still at war. Let us be realistic about this. We have to be more sophisticated about it. There is a Cold War and that Cold War can break out into a Hot War at any moment." He took a much more global view. He was aware, and it comes through in several passages, that almost all of Eastern Europe was controlled by a totalitarian communist power, the Soviet Union. The COMINTERN may have been disbanded, but it had been replaced by other subversive organisations.

There has been a very interesting book recently published, *The Family File* (2010), which I am in the course of reading. It is about the communist Aarons family. It tells how the Soviet Embassy delivered a suitcase of money to the Aarons family, who represented the Communist Party in Australia, and of that money being distributed for various clandestine purposes. We also know from the *Venona* transcripts that there were spies in Australia working under the aegis of the Communist powers against Australian and Western interests.

Some of those things were not well known at the time, but it is plain, if you read the judgments, that Chief Justice Latham had a better sense of these sorts of things than Sir Owen Dixon. That shows the latitude, which the use of constitutional facts may allow, and that is why we should be very, very cautious of the use to which courts should put them.

The interesting thing about the defence power is that, unlike other constitutional powers, it waxes and wanes. It rises and falls, expands and contracts, according to the emergent state. And just

as we have had really no adverse effects from the non-banning of the Communist Party, had it been banned, and when world conditions changed, the ban could have been, as it were, reversed: unlike the Kurt Vonnegut fantasy, referred to yesterday, using, I thought, the imagery of a conservative fantasy.

It was said yesterday that it was a conservative fantasy to think that, no matter what the State governments put or did not put in the *Work Choices Case*, the Court was not going to reverse the *Engineers' Case*: it would not have mattered what anybody had said from the Bar table, the result was almost preordained because of the legal philosophies of most of the Court.

But restoration, return, or review, is not entirely a conservative fantasy. The history of the *Engineers' Case* is that Robert Menzies, as he then was, was regarded as the most promising barrister of the Bar in Australia. He appeared for the winning side, for the union. Sir Owen Dixon appeared (later) unsuccessfully for the losing side. Sir Owen Dixon sat on the High Court later in a case of Victoria and the Commonwealth. The Court held there that constitutional power of the Commonwealth can only be exercised subject to the qualification that it not interfere with essential State functions. Now, that, I thought, was a case of Sir Owen Dixon achieving a result, in part at least, that he could not get at the Bar table. That case does serve as a basis, to put it at its lowest, for re-examination of the *Engineers' Case* and some of the following cases.

Let me give one practical example of the way in which legal and political affairs played out. The *Fraser Island Case* (1976) was one of the first, if not the first, big environmental case. It was also the first occasion, I think, in which the Commonwealth intervened in environmental affairs. A company was mining mineral sands on Fraser Island. The Green movement was just becoming very active and opposed the sand mining. It got the support of the Commonwealth, which banned the mining, notwithstanding that it was said on the other side that the regulation and ownership of minerals are matters for the State, matters currently relevant to the mining tax that is being debated now, and competition between State royalties and the Federal mining tax. I remember the judgment of Sir Ninian Stephen. He said that everybody knows [as a constitutional fact] that mineral sands are largely exported. Therefore the Commonwealth has an interest in them because of the trade and commerce and the external affairs and export powers. Therefore it can intervene in an environmental matter and stop a State mine. That really is the genesis of many Federal interventions, intrusions I would say –find some Commonwealth foothold really quite remote from the matter in question like the *Tasmanian Dam Case* (1983) Michael Field spoke about yesterday.

Australia had signed up for World Heritage. Therefore, once the Franklin Dam area is declared a world heritage area, the Commonwealth can ban a dam, just as the Commonwealth minister, Mr Peter Garrett, recently banned the Traveston Dam in Queensland. Who knows: if there had been a Traveston Dam in Queensland there might have been more available water and not as much need to store as much water, that led to some of the dreadful floods in Southeast Queensland. You can see how Commonwealth powers are extended. The Court says these are constitutional facts, to gain some sort of foothold, albeit one remote from the point. One hopes there may be an opportunity in the future to try to restore Victoria and the Commonwealth to the authoritative position that I think it should command.

Michael Mischin spoke about local government and the possibility of its recognition in the Constitution. I would draw the same conclusions. But I only ever voted "Yes" in two referendums in my life. I voted "Yes" in relation to the race power to give the Commonwealth that power. And I voted "Yes" in favour of compulsory retirement of judges at the age of 70. I do not regret either. Would you want a judge to be judging your case when he or she is 90 years of age, as has happened in the United States? No, no. Every institution needs reinvigoration.

A suggestion was made that there were efficiencies in central control. I think anybody who has in the past flirted with that idea would have a different view now. Leaving aside all questions of whether it was good policy or bad policy to insulate homes and to build school halls, what we now know

demonstrates that there was gross inefficiency on the part of the central executive in giving effect to those policies. On any view, it was a failure, and that failure must in part be by reason of remoteness, of distance, from the task at hand. Central command economies are not more efficient. China's rising living standards seem to me to have a lot to do with the fact of some loosening and quite deliberate, conscious, perhaps slow, but loosening nonetheless, of central command.

I enjoyed Bob Carr's intervention to the effect that one of the few, but very exquisite, pleasures of State government is being able to dismiss recalcitrant local councils. I understand that entirely. We have problems with the demarcation of power in this country. I think it was an American politician who said, "all politics are local". You want them to be local, but not too local. I would not create another layer of uncertainty by giving local authorities more power and more recognition than they have.

Julian Leeser, when he was adviser to a federal minister, grumbled about having to deal with State governments. I have heard, I might say, ministers on both sides of politics express their frustration with dealing with State governments as if, in some way, if you could get rid of State governments all your problems would be resolved by dealing with regional and local authorities.

My instinctive response, but I was too courteous to say – perhaps I should not have been – would have been the Scalia response: "Get over it!" My sympathies lie with Bob Carr on the retention of the status quo. That is what conservatives are supposed to be, I suppose – in favour of the status quo.

There is something in what Lord Palmerston said in the nineteenth century. You might remember Lord Palmerston, a *bête noire* of Queen Victoria, who preferred the refined Lord Melbourne and later the much more seductive and arresting Disraeli. She disliked Palmerston. Palmerston said: "If it is unnecessary to change, it is necessary not to change." That is probably going a little too far, but not too much so.

This brings me to Amanda Stoker's paper. It may be politically incorrect to say what is the truth in this country, that it does not matter what your religion is, whether Mormon or Muslim or Hindu, or Christian or Judaic, or whether you are an atheist or an agnostic, our law has at least been influenced, heavily influenced, by Western values. And you ask what are Western values? Western values are generally Judaeo-Christian values. Those are good ethical values; they do not dominate our law or dictate it, but they heavily influence it. We seem to have reached the stage where it is politically incorrect even to suggest that.

Thank you all for your attendance. It has been a most stimulating conference, certainly the most interesting I have been to. I very much appreciate the attendance of experienced politicians – Bob Carr, Richard Court, Michael Field and Ray Groom. They added a dimension of reality and practice.

The Samuel Griffith Society, in supporting the Australian Constitution, subscribes fully to the ideal of democracy. Democracy itself depends upon a contest of values, views and ideologies. Nobody is a hundred per cent right. Thank you all for attending. I look forward to seeing all of you and more at the next conference.