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[TO:
Redistribution Committee for Tasmania
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Submission

Recognising Andrew Inglis Clark

The case for renaming the electorate of *Denison* (Tasmania) to *Inglis Clark* or to *Clark*

Bob Holderness-Roddam
[redacted]

27 November 2016

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Submission: Change electorate name from *Denison* to *Inglis Clark*

Introduction

This submission argues that the electorate of *Denison* be renamed to *Clark* or to *Inglis Clark.* The submission presents some background information regarding Governor Denison and Andrew Inglis Clark. It also points out that there are precedents for changing the names of Tasmanian electorates (Darwin to Braddon, 1955 and Wilmot to Lyons, 1984).

So far as I am aware, this change in electorate name was first promoted by the late former Premier W.A. 'Billy' Nielson in a Hobart Mercury article on Monday 27 August 1984.

A subsequent proposal was made by Dr Peter Jones, in a letter to The Mercury on 4 November 2007, in recognition of the tremendous contribution that Andrew Inglis Clark made to public life in Tasmania. The Hon. Duncan Kerr MP repeated this suggestion when speaking at the declaration of results for the 2007 Federal election for his seat of Denison. (Hobart Mercury, 13 December 2007.)

The submission includes several statements in support of the proposed name change (Appendices II, II and IV and a petition, appendix V).

Governor Sir William Denison

Governor Sir William Denison is a surprising choice for an electorate name, given his anti-democratic position whilst serving as Governor of Tasmania.

The son of a wealthy Yorkshire merchant who bought his way into the English aristocracy with the purchase of *"the Ossington estate from an old Nottinghamshire family, the Cartrights, in 1768. The Denisons in fact typified the wealthy English merchants who bought gentry status"* (Davis and Petrow 2004, p. 5)

Denison was strongly opposed to democracy. In 1848 he reported to the English authorities that, *"There is an essentially democratic spirit which actuates the large mass of the community and it is with a view to check that spirit, of preventing it coming into operation, that I would suggest the formation of an Upper Chamber."*

He opposed the Anti –Transportation League, established to stop the transport of convicts to the State, on economic grounds. (Similar arguments were advanced against the cessation of the North American slave trade!).

Contributing the biography of Denison to the *Australian Dictionary of Biography*, Currey (1972) points out a couple of examples where Denison's judgement was questioned by the Colonial Office in London.

> 'In 1846 the Legislative Council had enacted "the Dog Act" (10 Vic. No 5), but its validity was successfully challenged in the Supreme Court in November 1847. Denison was disquieted when told that this decision adversely affected fifteen other revenue-providing local statutes and exposed about twenty more to legal challenge. All these could have been amended at once had the Legislative Council been able to function, but Denison decided to suspend his two judges and appoint "others in their places". The puisne judge, Algernon Montagu, had already exposed himself to criticism and was dismissed on 30 December, but Pedder defended himself successfully before the Executive Council. At a public meeting on 15 January 1848 "the arbitrary and

> unconstitutional proceedings of the Lieutenant-Governor and his Executive Council" were vehemently condemned, and a petition was submitted to him for transmission to the Queen. … Grey was content with a stern rebuke: he ascribed Denison's conduct to "mistakes of judgement in a crisis of very unusual embarrassment" and avowed confidence in his ability." '(Currey, 1972)

Currey continues on, to describe how Denison authorised government payments, even though the Legislative Council had rejected his budget. This resulted in a more severe rebuke from Grey at the Colonial Office in London: 'You are to distinctly understand that the course you have followed must not again be adopted should a similar case arise. You have taken upon yourself to contravene the fundamental law that renders the consent of the Legislature to the Estimates absolutely necessary.' (My underlines.)

Grey did not accept Denison's recommendation for a bicameral parliament, instead opting for a Legislative Council with eight appointed members and sixteen elected. 'Denison duly drafted a bill for the election of sixteen representatives, distributing them in a manner calculated "to neutralise the radical tendencies of the towns". (My underlines.) Currey, 1972.

Given that parliamentary electorates are a significant part of our democratic society, I can not see how those who would support Denison's continued recognition by using his name for this electorate can justify their position. Denison was no democrat!

Andrew Inglis Clark

The literature

Until quite recently Andrew Inglis Clark was relatively unrecognised for his considerable contribution to the cultural, legal and political life of Tasmania and Australia. As late as July 1999 the Hobart *Mercury's* Newspapers in Education section carried a story, *Youthful energy in push for Federation.* A photograph accompanying the article was captioned, '*The three lawyers responsible for the drafting of the Australian Constitution: left, Sir John Downer, Edmund Barton and Richard Edward O'Connor*'. (Hobart Mercury, p. 31, 28 July 1999.) Significantly, Andrew Inglis Clark was not mentioned – yet we now know that he played the key role in drafting Australia's constitution.

Sir Guy Green, former Chief Justice of the Tasmanian Supreme Court and former Governor of Tasmania states '… it is also apparent that – at least outside Tasmania – Clark's stature has not been adequately recognised. …

> 'In any appreciation of Clark's contribution it is understandable that emphasis should be placed upon his work as a founder of the Constitution, the sponsor of much reforming legislation and the man who introduced the Hare-Clark electoral system to the world. But it should not be overlooked that as well, Clark was a poet, an editor, a very able barrister, a Vice-Chancellor of the University of Tasmania and, according to some, the best sawmill engineer in Tasmania. …' (Green 1995, 82.)

Andrew Inglis Clark is the subject of several journal articles and monographs, particularly:

- Neasey, F., 'Andrew Inglis Clark Senior and Australian Federation' *Australian Journal of Politics and History*, vol. 15, 1969, pp. 1-24.

- Neasey, F M and Neasey J *Andrew Inglis Clark.* University of Tasmania law School, Sandy Bay, 2001
- Reynolds, J. 'A.I. Clark's American Sympathies and his Influence on Australian federation', *Australian Law Journal*, no. 32, 1958, pp. 62-74.
- Reynolds, H. *Clark, Andrew Inglis (1848–1907)* in Australian Dictionary of Biography, Volume 3, (MUP), 1969

Clark's life and achievements spawned a weekend conference at the University of Tasmania (1991) which became the basis of an edited monograph, *An Australian Democrat: The Life, Work, and Consequences of Andrew Inglis Clark* published by the Centre for Historical Studies at the University of Tasmania (Haward and Warden eds.1995).

A further publication *A Living Force: Andrew Inglis Clark and the Ideal of Commonwealth,* was produced by the same publishers in 2001 (Ely, with Haward and Warden eds.) Six of the contributors were common to both publications. The list of contributors to these publication speaks volumes for Clark's contribution to his state and the nation. I have included brief details of the contributors to these volumes as an appendix (IV) to this submission. (This by way of demonstrating the depth of contributions to these two volumes. It should not necessarily be taken as support for this submission by those contributors.)

Clark also features prominently in La Nauze, J.A. '*The Making of the Australian Constitution*', Melbourne University Press, Parkville, 1972, and in Botsman, P. *The Great Constitutional Swindle: A Citizen's View of the Australian Constitution.* Pluto Press, Annandale, NSW. 2000

More recently the Department of the Senate has published the proceedings of a conference held at Parliament House, Canberra on Friday 8 November 2013 in the Papers on Parliament series, no. 61: '*The Truest Patriotism': Andrew Inglis Clark and the Building of the Australian Nation* (Laing, R. and Headon, D. eds., 2014).

Professor George Williams AO addressed the 46th. annual conference of the Presiding Officers and Clerks in Hobart, presenting the inaugural Andrew Inglis Clark lecture on Tuesday 7 July 2015. This is available online at http://www.parliament.tas.gov.au/video/Poc-Andrew%20Inglis%20Clark%20Lecture%20Professor%20George%20Williams.mp4

I shall be referring to some of these works in order to illustrate the argument for recognising Andrew Inglis Clark by renaming the electorate of *Denison* after him.

The Australian Constitution

Although the role played by Andrew Inglis Clark in developing the Australian Constitution has received belated recognition, the research by scholars such as J. Reynolds, J.A. La Nauze and F.M. Neasey clearly demonstrates that Clark played a pivotal role in the development of our Constitution. This was largely through his interest in, and extensive knowledge of, the Constitutions of the USA and Canada.

Notes from La Nauze, J.A. '*The Making of the Australian Constitution*', Melbourne University Press, Parkville, 1972.

> '... But none of this recently compiled federal literature compared in significance with the forbiddingly formal document prepared in February 1891 by Inglis Clark of Tasmania and Charles Cameron Lewis of South Australia.' (La Nauze 1972, 24)

Clark sent his draft document to other delegates at the 1891 Convention including Henry Parkes and Edmund Barton in NSW and to South Australia (La Nauze 1972, 24).

La Nauze proceeds to describe Clark's draft in some detail pointing out where he had drawn upon the Constitution of the USA, British North American Act (Canadian Constitution), the Federal Council Act and the various constitutions of the Australian colonies. He states that Kingston's draft '*is a rearranged version of Clark's draft*'. (La Nauze 1972, 24-26)

La Nauze describes the process used by Sir Samuel Griffith to compile the 1991 draft Constitution. 'He first went right through Clark's draft, marking the clauses which, perhaps with some small adjustments, would certainly or possibly be needed, and that meant nearly all of them.' [My underline.]

> 'There was now enough material, in Griffith's marked copy of Clark's draft and his own manuscript versions of new clauses, to allow the pulling together, according to the arrangement he indicated, an incomplete first draft of the Bill. … He again went through Clark's draft, noting those clauses previously marked which had not yet been included in his own draft, and perhaps newly marking others which might be useful.' (La Nauze 1972, 49-50)

From the description of Griffith's first draft, La Nauze moves onto the deliberations of the Constitutional Committees, starting on 26 March 1891. This included the Easter trip on the Queensland Government's yacht, *Lucinda* on Broken Bay in the estuary of the Hawkesbury River on 28 March. (La Nauze 1972, 62)

La Nauze states that contemporaries gave the credit for drafting the Constitution to Sir Samuel Griffiths, asking rhetorically, 'Do these opinions, which historians have tended to reflect, do injustice to Griffith's collaborators, and especially to Clark?' He then continues, 'In some respects they clearly do. The existence of Clark's draft, unlike that of Kingston's, was never entirely forgotten in later accounts of the emergence of the text in 1891, but it was just mentioned, not described, until Reynolds reprinted it in 1958. In 1969 J.M. Neasey compared it in detail with the final draft of the 1891 constitution, and deduced that "the genesis of most provisions in the 1891 Draft Bill in corresponding sections of Clark's draft … is clear enough" and that there was a strong probability that "Clark's draft served as the first draft of the 1891 Bill". (J.M. Neasey, 'Andrew Inglis Clark Senior and Australian Federation, *Australian Journal of Politics and History*, vol. 15, no. 2 (1969), p.8 and comparative table, pp 21-24. The article is a revised version of an earlier paper of 1967.) [My underlines.]

'Clark's preliminary services were thus considerable, it would be entirely appropriate, if Australians should ever come to honour the makers of their Constitution, that a copy of his first draft should be exhibited, in company with copies of Griffith's working papers, in an hermetically sealed, helium-filled glass case. …'

'If Clark's role was unduly neglected in later years, contemporaries did at least tend to place him as second only to Griffith in the actual framing of the Draft Bill, …' (La Nauze 1972, 74-75)

'The draft of 1891 is the Constitution of 1900, not its father or grandfather.' (La Nauze 1972, 78) [My underline.]

Botsman (2000, 54/5) exhibits a Diagram (1), The Evolution of the Australian Constitution, which gives a succinct 'section by section analysis showing how 88 sections (92%) of Clark's 1891 Bill for Federation were the foundation stones of the current Australian Constitution'. I have included this as Appendix III.

Clark as Attorney-General of Tasmania

Inglis Clark served as Attorney-General for Tasmania for two periods, 1887-1892 and 1894-1897. He was highly regarded by his peers, 'Mr Inglis Clark, Attorney-General of Tasmania, was also a self-made man and in his case he had won a high standing in his profession by sheer talent and industry. … he was nevertheless a sound lawyer, keen, logical and astute. … He brought in consequence a highly trained mind and a large fund of legal and constitutional knowledge to the work of this and succeeding Conferences.' (Alfred Deakin, *The Federal Story*, p. 30)

Ch. 4, p. 38. Petrow, Stefan in *Andrew Inglis Clark as Attorney-General* states:

> 'Clark's work as Attorney-General was in many ways more impressive than his contribution to the federation movement, his studies of constitutional law, or his later work as a judge of the Tasmanian Supreme Court. In the number and range of Bills he saw passed into law, he can lay claim to being the most capable and productive nineteenth-century Attorney-General, not just in Tasmania, which he certainly was, but also Australia. …' (Petrow, 2001, 38)

A few pages later Petrow continues:

> "Clark's wide-ranging legislative programme required him to be conversant with many areas of law. Wanting to reduce the number of Acts on the statute book and remove anomalies, he embarked on a programme of modernising and consolidating the laws on subjects that were '*scattered through several Acts of the Legislature*'.[81] …
>
> "Perhaps no Australian Attorney-General was better prepared for his task. In 1891 the South Australian Q.C., JH Symon, at any rate, thought that '*no man in Australia, on the bench or off*' had made a '*more profound study of jurisprudence*.[83] The one-time Professor of Law at the University of Tasmania, William Jethro Brown, some years later praised Clark for his '*extraordinarily comprehensive view of the law*'[84] Clark saw the law as '*the reflection of national thought, opinion, and aspiration*'. He '*stood not for the dead-letter of the law, but for the living spirit*' and brought to the law '*a wide culture and a high ideal of justice*'. According to the *Colonist,* Clark aimed to place Tasmania '*in the foremost ranks of the colonies so far as just and enlightened laws are concerned*'.[85 ..." (Petrow, 2001, 49)

Castles (2001, 261) states that Clark is one of the small group of Australians in the Biographical Dictionary of the Common Law:

> 'This dictionary details the contributions of those regarded as making the most notable contributions to the development of the law in Anglo/American tradition. Clark is recorded with the names of others, like his friend Oliver Wendell Holmes, junior; standing with other great names in the history of the law like Bracton, Coke and others. …"

The Hare-Clark Electoral System

To many, Clark's enduring legacy as Attorney-General was the introduction of the *Single Transferable Vote* method of proportional representation, known locally as Hare-Clark. Indeed, to invoke sporting terminology, Hare-Clark would have to be in serious contention for the electoral equivalent of the Brownlow medal as the *best and fairest* electoral system yet devised.

> 'Clark's Electoral Bill 1896 proposed the modest reform of introducing the Hare system in the urban electorates of Hobart and Launceston. Clark said now that it was '*always bad in reform to attempt too much at one time*' [101] He wished to try this system on '*a small scale and test its practicability*' [102] Clark tried hard to promote the benefits of the system to the House of Assembly. The greatest argument in its favour, he said, was that it gave '*real and perfect representative government*'. [103] Representative government was supposed to be '*government of the people, by the people, and for the people*', but in Tasmania it meant in practice '*government by party, or by the majority*' for the majority. Clark argued that '*neither representative government nor the British Constitution was built upon the rule of the majority*'. [104] Nor was it always true that '*the majority had the preponderance of judgement and intelligence*'. The minority deserved '*the right to challenge the majority'* and force it '*to prove that it had a preponderance of judgement on its side*'. Clark wanted to employ '*the intelligence and judgement of the whole community as to what should be law*'. His proposed system of representation '*provided for the representation of everybody – a single vote was not wasted*'. [105] It was representative government '*in its fullest and most perfect form*'. He quoted John Stuart Mill's '*emotional eulogy*' on the Hare system. [106] Parliament accepted his arguments and sanctioned the trial of the Hare system in Hobart and Launceston.' (Petrow, 2001, 53)

Hare-Clark was eventually adopted for all Tasmanian House of Assembly elections and has been used since 1909.

Justice of the Tasmanian Supreme Court

Writing the entry for Clark in the *Australian Dictionary of Biography* Reynolds states 'In June 1898 Clark was appointed a puisne judge of the Supreme Court of Tasmania and senior judge on 1 May 1901. Chief Justice Way of South Australia congratulated him: "You take with you the learning, the judgement, and all the moral qualities needed to maintain the prestige and usefulness of your high office." Clark was knowledgeable in all branches of the law, but pre-eminent as a constitutional lawyer and jurist. His *Studies in Australian Constitutional Law was published in Melbourne in 1901.* ...' (Reynolds, H, 1969, 400)

Clearly Justice Way's confidence in Clark's abilities as a judge were not misplaced. Sir Guy Green, writing in *A Living Force*, summarised his contribution thus:

> 'Clark's judgements reveal him as a thoroughly competent, professional and fair judicial officer. Whilst the quality of Clark's judicial work was undoubtedly enhanced by the extent of his experience in public affairs, intellectual and academic circles and society generally, his judgements are models of detachment and give no grounds for suggesting that as a judge he ever allowed himself to be improperly influenced by the political, moral and social values to which he privately adhered.' (Green, 2001, 293)

In the 1993 High Court judgement re *Theophanous v. Herald and Weekly Times Ltd.* Sir William Deane quoted Clark's *Studies in Australian Constitutional Law* 'and enthusiastically endorsed its author's insistence that the constitution must function as a 'living force' in Australian life. (Roe, 2001, 4)

Foundation of the University of Tasmania

As if his other achievements were not enough, Clark also played an important role in the foundation of the University of Tasmania.

Davis, R, *Clark and the University of Tasmania* states:

> 'John Reynolds perhaps exaggerated in declaring the establishment of the University of Tasmania '*largely ... a result of his [Clark's] efforts in close association with a young Opposition member, Neil Elliott Lewis.*' [16] Clark's implicit support as Attorney-General was nevertheless of considerable importance during the crucial debate. Despite his qualified contribution to the constitutional establishment of the University of Tasmania, Clark's personal erudition and intellectual force ensured that he would play a leading role in the new institution. He was duly elected by parliament to the University Council, attending his first meeting on 24 January 1892.' (Davis, 2001, 173)

Precedents for electorate name changes in Tasmania

The electorate of Braddon was formerly known as Darwin. It was renamed in 1955 in honour of Sir Edward Braddon, one of the leaders of the Federation movement in Tasmania, a former member of the Tasmanian Parliament and also member of the first House of Representatives (Australian Broadcasting Commission website).

The records for this redistribution seem to be spread over several sources, so research is still a work in progress. However, I enclose my provisional notes, **Change of electorate name from *Darwin* to *Braddon*, Tasmania in 1955** as a separate document.

Similarly, the electorate we know as Lyons was renamed from Wilmot in 1984, in honour of Joe Lyons, Premier of Tasmania 1923-28 and Prime Minister of Australia 1932-39, as well as his wife, Dame Enid Lyons, who was elected to the House of Representative 1943-51, and was the first woman to reach cabinet rank, serving in the Menzies Cabinet, 1949-51. (Australian Broadcasting Commission website).

This change is more easily traced, with the records being held as a hard copy and with microfiche copies of submissions available in the Archives Office of Tasmania. I have summarised this in **Notes from Redistribution of Tasmania into Electoral Divisions [1984]**, attached as separate document.

New electorate name: *Clark* or *Inglis Clark*?

Whilst there is clearly a preference for single word names for federal electorates; I suggest that *Inglis Clark* is more appropriate than *Clark*. My reasons are:

1. Clark was commonly known as Inglis Clark, and the electorate so-named would unambiguously be recognised as being named for Andrew Inglis Clark. As pointed out by the Hon. Peter Heerey AM QC, Clark is a very common surname in Australia. Indeed, the Hobart phone directory has well over 300 Clarks, and there are 31 places named Clark in Tasmania (roads, streets, rivulets, hills, points, lagoons, etc.) Some, such as Lady Clark Avenue in Claremont and Clark Dam are clearly named for the former Governor Sir Ernest Clark (1933-1945) and Lady Clark.
2. Whilst in the minority, two word electorate names are used for some current and former federal electorates. The best example would be Kingsford Smith, so-named in recognition of the pioneering aviator. The other current two word electorates are Eden-Monaro, New England, North Sydney, Port Adelaide and Melbourne Ports.

Summary

Even those who may oppose the adoption of *Inglis Clark* or *Clark* in lieu of *Denison* for the electorate name have to concede that A.I. Clark played a significant role at both State and National levels. He gave us our Federal Constitution, and a raft of reforming legislation whilst serving as Tasmania's Attorney-General (including what is arguably the best electoral system bar none for Tasmania's House of Assembly). Whilst serving as a Tasmanian Supreme Court judge he made decisions which are still cited in the modern High Court, and he played a leading role in the establishment of the University of Tasmania.

Not bad for the son of Scottish immigrant parents, whose health as a child was so poor that his mother home-educated him until his high school years.

Professor La Nauze states, 'Though the Constitution was formally the child of the Conventions, the 'framers' in these respects were not the eighty-four delegates of 1891 and 1897-8 but Clark, Griffith, Barton, O'Connor, Isaacs, Higgins, Symon and a few others.' (La Nauze 1972, 275)

Four of these - Barton, Griffith, Higgins and Isaacs are commemorated in electorate names. (The W.A. seat of O'Connor is named for Charles O'Connor 1843-1902, Engineer in Chief of Western Australia appointed 1891, not Richard Edward O'Connor.) R.E. O'Connor is, however, commemorated by the Canberra suburb of that name;.

Andrew Inglis Clark is long overdue for similar recognition. Indeed, that he has not been accorded such recognition thus far is a national disgrace!

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Appendix I

Forward by The Hon. Justice Peter Heerey, Federal Court of Australia to Neasey, F.M. and Neasey, L.J., "*Andrew Inglis Clark*", Pub. University of Tasmania Law School, Hobart, 2001

Foreword

This book tells the story of Andrew Inglis Clark (1848-1907), lawyer and judge, politician, reformer and republican, poet and intellectual and, in the opinion of one well qualified to speak,[3] the primary architect of the Australian Constitution.

The architectural metaphor is apt. While one needs more than an architect to construct a building, and as Clark himself would be the first to admit, others contributed mightily, this book convincingly shows that the plan and structure of our Constitution, how it looked and how it was to work, came from the pen of Andrew Inglis Clark. And if they came as well from his scissors and his paste pot, the result is none the worse for that.

It was Clark who chose the American rather than the Canadian model and who accommodated the former with the Westminster system of responsible parliamentary government. At a level of greater detail, it is Clark to whom we owe the present structure of Chapter III, including the constitutional entrenchment of the High Court and the provision for parliamentary creation of federal courts below the High Court.

* * *

There is also a story about the story of Andrew Inglis Clark. Despite his well documented role in the draft of 1890 and the Convention of 1891 and his intense collaboration thereafter with Griffith, Deakin, Barton, Kingston and others, he has until recent times been almost written out of history. Quick and Garran hardly mention him.[4] It is true that the classic work of La Nauze,[5] published in 1972, gives Clark his due. However the extent of his undeserved obscurity amongst lawyers, let alone the community at large, is illustrated by a conversation I had some two or so years ago with one of Australia's leading Silks, a man with an outstanding High Court practice. He cheerfully admitted to never having heard of Inglis Clark. I shall not otherwise identify him, except to say that he comes from the Mainland.

In 1964, on the occasion of his address on retirement as Chief Justice of the High Court, Sir Owen Dixon, in the course of reminiscing about Sir Samuel Griffith, said that he

> was, of course, in the Convention of 1891: he and Sir [sic] Inglis Clarke [sic] were probably the two dominant legal figures in that

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3 Deane J in *Theophanous v Herald and Weekly Times Ltd* (1994) 182 CLR 104, 172.
4 *The Annotated Constitution of the Australian Commonwealth* (1901).
5 *The Making of the Australian Constitution* (1972).

> and the Constitution owes its shape more to them, probably, than to anybody.[6]

Dixon goes on to give a striking picture of Griffith. As the present book shows, Griffith and Clark were inseparable fellow workers, yet somehow after 60 years Griffith remained a vivid and remembered figure, while Clark, although properly acknowledged, is in the shadows, with gratuitous knighthood and misspelt surname.

Fortunately this historical injustice has in recent times received some rectification, and not only in the handsome tribute paid by Sir William Deane. In the new five dollar note Clark appears along with Barton, Forrest, Deakin, Kingston, Griffith and Parkes. The present work, fittingly published in the centenary year of Federation, will contribute greatly to this rehabilitation.

The long forgetting of Clark may have something to do with the truncated appearance of his life and career, like a play without the final act or a football match ending at three quarter time. This was partly bad luck and partly bad management, primarily of others, but to some degree of Clark himself. For reasons never quite convincingly established, he declined to nominate for the Convention of 1897. His appointment to the Tasmanian Supreme Court in 1898 put an end to his active political career but he notably abstained from endorsing a vote in favour of federation because of his fear that Tasmania would suffer grievously in financial terms because of the inadequate compensation for its loss of customs revenue, which formed a far higher proportion of revenue than in the other Colonies. He was proved right in this, as in so many things. But as this book persuasively argues, for once pragmatic politicians were probably right in the long run in their support of the Federation model that was established, if the choice was Federation on the best terms available or not at all.

Then there is the missed opportunity of appointment to the High Court. In 1903 there should have been five members, but there were only three (had it not been for Clark's insistence on entrenchment of the High Court in the Constitution there might well not have been a High Court at all). Of the three seats Clark should have got the third after Griffith and O'Connor, but suddenly Prime Minister Barton decided to take the seat himself and that was that. In 1906, when the Court was enlarged to five, Clark should have been appointed, but was not. This was probably mainly due to his failing health but also in part to Victorian parochialism. This book entertainingly reproduces some of the criticisms of the Melbourne press and the Victorian Bar, including the comment by *The Argus* that Clark had 'made a hobby of constitutional law and become a master of American and Canadian cases bearing on federal issues' in

a context which somehow suggests that this was regarded as a disqualifying feature.

Since longevity is often a feature of the lives of High Court justices, a wistful might-have-been is the prospect of Clark sitting on the High Court into the late 1920s or even beyond and sharing the bench with Sir Owen Dixon. We would have had an overlap of the judicial careers of one who lived into the age of television and commercial jet travel with one whose father built the Penitentiary at Port Arthur.

* * *

As far as I am aware, Foreword writing is governed by no strict rules, contravention of which will result in the delinquent writer suffering penalties such as being barred from further Foreword writing, either for a specified period or, in especially serious cases, for life. In part perhaps a Foreword is a kind of dignified advertisement. Browsers in a bookshop may be encouraged to buy the volume because of the tantalising promise of the contents revealed by the Foreword. Or to a reader who has purchased or otherwise lawfully obtained the volume, the Foreword may offer both confirmation from some worthy person that the decision to buy or borrow the book was a wise one and a pointer to what is in store for the reader.

Taking advantage of this self-bestowed freedom, I shall mention shortly a few of the themes that emerge from this book. But, as the advertisements say, there is also much, much more.

As already mentioned, Clark has proved to be extraordinarily prescient. To take but a few examples, his proposal to abolish appeals to the Privy Council was not achieved, in the case of appeals from the High Court until 1975[7] and for State court appeals until 1986.[8] Likewise his inclusion in ss 71 and 77(i) and (ii) of a provision for the creation by Parliament of federal courts below the High Court did not find concrete expression (apart from the Court of Conciliation and Arbitration) until three-quarters of a century had passed, with the creation of the Federal Court and the Family Court in the mid 1970s.

In both instances Clark's foresight was based on deep historical understandings of the way nations develop. The degree of independence from Great Britain which Australia has achieved[9] would have seemed unthinkable to most people in the 1890s, and long thereafter, but Clark foresaw it.

Likewise Clark knew that a system of federal courts below the Supreme Court had operated in the United States since the *Judiciary Act* of 1789 and thus was as old as the Constitution itself. So Clark's provision for vesting federal

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7 *Privy Council (Appeals from the High Court) Act 1975* (Cth).

8 *Australia Act 1986* (Cth).

9 To the extent of the United Kingdom being characterised as a 'foreign power' for the purposes of s 44(i) of the Constitution: *Sue v Hill* (1999) 199 CLR 462.

jurisdiction in State Courts was not something sacred and eternal,[10] warranting the mysterious description 'autochthonous',[11] but a practical temporary solution until Australia could acquire the logical structures of twin-sovereigned federalism: federal and State judiciaries, as well as federal and State legislatures and executives.

Clark had an immensely influential and productive life, but his achievements did not come from any advantage of power, wealth or privilege. His political career finished before political parties emerged in Australia in their modern institutionalised form. So Clark was not dependent on any power base, or faction within a party. He came from Tasmania, then as now the smallest and poorest of the Australian polities. He was certainly not an Establishment figure. Nor was he a darling of the local media. On his first venture into politics in 1878 the Hobart *Mercury* – which, especially under Editor H R Nicholls, was to prove a lifelong critic – said that 'his proper place was amongst the Communists'. At a time not long after the excesses of the Paris Commune, this was no light jibe.

Clark's achievements therefore must be largely attributable to the sheer force of his intellect and character. He does not even seem to have had a great deal of what we would call today charisma. Deakin famously described him as 'small, spare, nervous, active, jealous and suspicious in disposition and somewhat awkward in manner and ungraceful in speech'. One suspects this may have been more than a little unfair. In the words of John Reynolds,[12] Clark 'loved the company of his fellow man who had something of interest to say, irrespective of their station in life'. Although a 'tolerant non-smoker and non-drinker' he held informal smoking parties at his home 'Rosebank' in Hampden Road, Battery Point. Nevertheless, in the end what counted with Clark were his ideas, the imagination and learning with which he conceived them and the tireless vigour with which he propagated them.

One striking feature of Clark's intellectual life was his internationalism. Spending his life away from the two major cities of Australia and dependent on the limitations of 19th century communications technology, he nevertheless seemed to be more aware of the world outside Australia than his Constitution-making contemporaries. This book relates how at the 1898 Convention debate arose as to whether the clause which later became s 75(v) (conferring jurisdiction on the High Court to grant mandamus, prohibition or an injunction against an officer of the Commonwealth) should be struck out. Clark, following proceedings closely from Hobart, telegraphed Barton to remind him

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10 Sections 71 and 77(iii).

11 *R v Kirby; Ex parte Boilermakers' Society of Australia* (1955-1956) 94 CLR 254, 268.

12 John Reynolds, 'Premiers & Political Leaders' in F C Green (ed), *A Century of Responsible Government in Tasmania 1856-1956* (1956), 178.

of the United States Supreme Court decision in *Marbury v Madison*.[13] Barton wrote back thanking Clark and saying,

> none of us had read the case mentioned by you, or if seen it had been forgotten [sic] – it seems to be a leading case. I have given notice to restore the words on reconsideration of the clause.

The clause was duly restored by Barton – although without public acknowledgment of Clark. 'None of us' must presumably have included Griffith, Kingston, Deakin *et al*.

Enthusiasm for the ideas of the American Republic never died for Clark. With his friends he would hold dinners on the 4th of July and toast the Republic. In his home he kept the Stars and Stripes in an honoured place, along with a portrait of Mazzini, the leader of the Italian Risorgimento.

In his overseas travels in 1890 he visited Genoa to see Mazzini's tomb, an experience which touched him deeply and resulted in a poem of several hundred verses, traversing the great names and events of Italian history. As this book says:

> [I]t is not surprising that [Mazzini] should have been high among Inglis Clark's heroes and exemplars. The Italian's ardent life-long pursuit of republican ideals and his belief in the essential goodness and perfectibility of humanity were exactly the qualities Clark most admired.

As for the United States, he visited that country three times and struck up a friendship with Oliver Wendell Holmes Jnr, with whom he corresponded. In 1903 the *Harvard Law Review* published a substantial article by Clark on the Australian Constitution.[14]

Conformably with the frankness and candour which befits the Foreword writer, I should disclose that this work does not fall into the genre of psycho-biography, full of salacious but speculative and uncorroborated detail and the internal thought processes of the subject. This is due not only to the author's good taste but to the fact that Clark was a devoted husband and father to a large family, a number of whom went on to have distinguished careers themselves. They included Andrew Inglis Clark Jnr, who sat on the Tasmanian Supreme Court from 1928 to 1952.

Intriguingly, in the light of the misdescription by Sir Owen Dixon already quoted, Clark Jnr turned down the offer of a knighthood, saying that if he accepted it, his father 'would turn in his grave'.

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13 1 Cranch 137 (1803); L Ed 60.

14 'The Supremacy of the Judiciary Under the Constitution of the United States, and Under the Constitution of Australia' (1903) 17 *Harvard Law Review* 1.

Another son, Carrel Inglis Clark (1888-1953), wrote a series of essays on the centenary of the Tasmanian Supreme Court in 1922 and 1923 which have recently been republished.[15] In it he gives a touching vignette of his father, who was worried about the prospects of his son, who had left school without passing any public examination:

> He persuaded me (I can see him now with his arm upon my shoulder pacing around the 'Rosebank' asphalt paths in his slippers with a light stone cap) that with my fondness for history and poetry, I should join the press.

Perhaps the media of those days was more cultured that it is now, or perhaps this was an example of Andrew Inglis Clark's 'belief in the essential goodness and perfectibility of humanity'.

* * *

This book is substantially the work of the late Frank Neasey (1920-1993) and has been completed by his son Lawrence.

Frank Neasey was a distinguished Tasmanian legal practitioner. He taught for many years as a part-time lecturer at the Law School of the University of Tasmania and sat on the Supreme Court of Tasmania from 1963 until his retirement in 1990. Like the subject of this book, Frank Neasey was in the late 1970s under close consideration for appointment to the High Court.

Those who, like myself, had the pleasure and privilege of being taught by Frank Neasey, and knowing him as an advocate and judge, will recognise in this book his scholarship and erudition, his clarity of thought and expression, and his humanity.

So this book is a fitting memorial to its author and to its subject, Andrew Inglis Clark, one of Tasmania's greatest sons, and a founder of our nation.

Peter Heerey

Judges Chambers

Federal Court of Australia

Melbourne

June 2001

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15 Richard Ely (ed), *The Supreme Court of Tasmania: Its first Century 1824-1924* (1995), reviewed in (1998) 72 *Australian Law Journal* 315.

Appendix II

Statements in support – from the 2008 submission

The Hon Justice Peter Heerey

'I strongly support the proposal to change the name of the Denison electorate to Inglis Clark.

I agree with the sentiments in your pamphlet (not least those relating to the unsuitability of Governor Denison as a hero for modern times; in any case, he has had a good innings).

I repeat what I wrote in my Foreword to the Neasey biography, which I would ask to be incorporated with this letter.

Inglis Clark must surely rank with Joe Lyons as the outstanding Tasmanian participant in the life of our nation.

Please feel free to make such use of this letter as you see fit.'

The Hon. Sir Max Bingham QC

'... I wholeheartedly support your proposal.

Clark was really a great Tasmanian, and an important Australian. I would be delighted to see my old electorate named after him.

I'm pleased to note your reference to the Neasey biography.

With best wishes.

Ps. You may quote me!'

The Hon. David Bartlett MHA

'I am very pleased to offer my support for this name change and strongly agree that Inglis Clark is a very worthy person to name the electorate after.

At the appropriate time, I will make a direct submission to the Redistribution Commission regarding supporting the name change and I will provide a copy of my submission to you.'

The Hon. Justice Michael Kirby AC CMG

'I support the proposal to rename a Federal electorate in Tasmania in honour of Andrew Inglis Clark.

Inglis Clark was one of the greatest of the Founders of the Australian Commonwealth. When one compares the Constitution that has served this country since Federation with the first draft that Inglis Clark prepared, it is astonishing to see the powerful influence that Andrew Inglis Clark had on the Founders of the Federation. In a sense, he bore out V I Lenin's aphorism that 'he who writes the minutes runs the organisation'.

Inglis Clark was no Lenin. He was a true Australian patriot, democrat, fine lawyer and later a judge. He is undoubtedly one of the greatest of all Tasmanians and one of the most influential upon our constitutional, democratic and federal life. His perception of the Constitution as a living tree is the best assurance of its survival and relevance. He is very often quoted in decisions of the High Court of Australia. I mean no disrespect to other famous Australians; but to name a federal electorate after Andrew Inglis Clark would be entirely appropriate. Amongst the Founders, the power of his ideas really stands out.'

The Hon Sir Gerard Brennan AC KBE

'Thank you for your letter advising me of a proposal to rename the electorate of Denison, substituting the name Inglis Clark. I wholeheartedly support the proposal on a number of grounds.

First, Clark was the architect of the principal provisions of our Constitution which melded the institution of responsible government with the American Federal Pattern. He had the insight to ensure that Australia should become a single law area by insisting on the general jurisdiction of the High Court of Australia to hear appeals from both the State and Federal courts. …

Secondly, Inglis Clark's contribution as a Founder of Federation has not been recognised comparably with the recognition given to Barton, Deakin, Griffith, Kingston, Parkes, Isaacs or Higgins. It is a reproach to our sense of history that Inglis Clark has not been more widely recognised and his name honoured.

Thirdly, he was a statesman who was not locked into the politics of his day – though he was active enough in that field. He looked to the future of the Federation … .

Fourthly, he had experience as a legislator and in his first ministerial term in the Tasmanian Parliament he introduced 150 Bills. In later life he was appointed a Judge of the Supreme Court of Tasmania. Had the Commonwealth Parliament not reduced the number of High Court Justices from five to three in 1903, he would surely have been one of the foundation members of that Court.

If the contribution to Australia and its history is any criterion for the naming of the electorate, a comparison between the contribution by Governor Denison on the one hand and that made by Andrew Inglis Clark on the other strongly supports the proposal to change the name. Those familiar with the constitutional history know him as "Inglis Clark" but for ease of reference it would be understandable that a renaming of the electorate might shorten the name to "Clark".

For these reasons I would support the proposal.'

The late Hon. Neil Robson AM (author of the 'Robson rotation' for ballots in Tasmanian elections)

'I was pleased to receive your letter re the proposed electorate change i.e. Denison to Inglis Clark.; and support your stand.

My reasons are, Clark was a Tasmanian, a member of the Tasmanian Parliament. A known Electoral Reformer and what he was supporting was the best electoral system in the world bar none. Which has been proved over the last 99 odd years since it was finally passed by the Tasmanian Parliament in 1909.

In my opinion Mr Denison could not have matched Inglis Clark in any of the points, which I believe are paramount. …'

Appendix III

Statements of support for the 2016 submission

Professor George Williams AO, *Dean • Anthony Mason Professor • Scientia Professor*,UNSW LAW

'Yes, I would be happy to support this. It would be wonderful to see him recognised in that way.

I am happy for my name to be added as a person supporting this, but will find it difficult to draft up a submission at that time as it coincides a lengthy period of overseas travel.'

The Hon Michael Kirby AC CMG– former Justice of the High Court

Dear Bob,

Thank you for your letter.

I readily agree. I have prepared a letter which I am sending the Australian Electoral Commission.

This is a matter of basic justice and harmony. I hope that this time the proposal succeeds. Let me know if there are any other ways in which I can help.

Sincerely,

Michael Kirby

Mr Alistair Scott (former Director of Local Government, Tasmania)

I'm very supportive of a change in the electorate name from Denison to Clark - on the basis that Denison was a mere British governor assigned here to serve the British crown, while Clark was a home-grown activist lawyer who played a big part in Tasmanian intellectual circles and in the development of the Australian Constitution. But there are other perspectives that at least should be recognised I think.

I do wonder at the vitriol directed at Denison who can be seen as a faithful servant of the British government, and who was not alone in arguing against the end of transportation. The debate over transportation was not a matter of Denison v patriotic Tasmanians (as John West might have us believe). Those arguing for the continuation of transportation included business people and landholders worried about the economic impact of ceasing transportation (I think they were probably right in this regard) as well as many emancipists offended at the anti-convict language of the Anti-Transportation League. The "convict stain" that Henry Reynolds has identified had much of its origins in the ATL's campaign, and had significant impacts on Tasmanian society for decades.

I think it also needs to be at least acknowledged that Clark, like many of his contemporaries, was opposed to Chinese/non-white immigration, contributing to the entrenchment of the White Australia Policy after 1901.

But his contribution to Tasmania and Australia was of course significant, and more than justifies the name change for our electorate.

Alistair Scott

Ms Noela Foxcroft

Hi Bob.

Thanks for this info. I will pass it on to those on my contact list that I think may be interested

I will certainly make a submission and try to get some signatures on the petition.

Will it be advertised on the AEC website?

Cheers

Noela

The Hon Peter Heerey AM QC

Re Inglis Clark

Dear Bob,

Thanks for your letter of 28th ult.

I suggest I might forward the enclosed (minus the light verse?) with a brief covering letter stressing the main points.

It come from my collection *Excursions in the Law*, Federation Press, 2014.

What do you think?

Personally, I would much prefer Inglis Clark rather than just Clark. Clark is a very common surname in Australia. Inglis Clark is quite distinctive of the particular individual.

I would be surprised if the critical issue between success and failure was the use of a double name. Anyway, it would be helpful to mention the precedents.

Can you give me the appropriate address to send the submission.

Ironically since my 2008 submission I served a term as Chair of the Australian Electoral Commission.

Happy to discuss generally.

Regards

Peter Heerey

Dr Andrew Lohrey [Former Speaker of the Tasmanian House of Assembly: 1979-1980 and Minister.]

My apologies for taking a while to respond.

We have been living out of the state for several months and our mail has taken a while to catch up with us.

I hope it's not too late but yes I support your proposal to change the name of Denison to Inglis Clark.

It would be a timely change and one that accurately reflects the democratic make up of the Federal Commonwealth.

From Ms Prudence Bonham . [Former Deputy Lord Mayor, Hobart City Council.]

I am indicating support for the proposal to change the name of Denison to Inglis Clark. Prudence Bonham, St South Hobart 7004

Cheers Pru

[Received 16 November 2016 per email.]

From Ms Ann Greenwood

This is a little tricky for me as I strongly agree with your argument but I happen to have been born and partly brought up in West Yorkshire (or the West Riding as it then was) — born in Keighley (pron. Keethley) and later lived in Leeds before moving to Hampshire. However, I am willing to put aside my birth loyalties for a good cause, so please add my name (Judith Ann Greenwood) to your document supporting the electorate name change from *Denison* to *Clark* or *Inglis Clark.*

Many thanks

Ann Greenwood

[redacted]

[received 16 November 2016 per email.]

From Mr Phil Butler [Chair Glenorchy History Grouyp]

On the issue of Denison renaming – I recall having discussions with the late Mike Hodgman on the subject (usually over an Ale or two). He was generally supportive of recognition of Clark for his adaptation of Hare's voting system (Notwithstanding the 'undue' influence of those pesky greens) and of Clarks work on the Constitution, but could never forgive him his republicanism and his 'blind' obsession with the 'American' system.

My view is that though I do not share Clark's republican views time has dimmed the torch he carried. I believe that if we can't have a pronounceable Aboriginal name then Inglis Clark it should be.

Cheers

Phil Butler
[Received 20 November per email.]

LISA**SINGH**
LABOR SENATOR FOR TASMANIA

16 September 2016

Bob Holderness-Roddam
155 Main Road,
Austins Ferry, Tasmania 7011

Dear Bob,

I am writing to give my support to the proposal to change the name of the Denison electorate to Inglis Clark.

I do so in recognition of Andrew Inglis Clark's role as lead author of the Australian Constitution, and his consistent support of universal suffrage for women

Kind Regards

[redacted]

Lisa Singh
Labor Senator for Tasmania

152 MACQUARIE STREET, HOBART TAS 7000
GPO BOX 271, HOBART TAS 7001
www.lisasingh.com.au

P. 03 6223 1135
F. 03 6223 1250
E. senator.singh@aph.gov.au

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Appendix IV

Statement by the Hon. Matthew Groom in House of Assembly, 21 September 2016

ADJOURNMENT

Mr GROOM (Denison - Minister for State Growth):

I rise to lend my support for the proposal discussed recently in the media for the renaming of the electorate of Denison to Inglis Clark. I acknowledge commentary in recent days and the article in today's Mercury by Mr Bob Holderness-Roddam, who once again made the case for the renaming of the electorate of Denison, state and federal, to Inglis Clark. The argument put is an acknowledgement of the extraordinary contribution of Andrew Inglis Clark, and I support that proposal. It is my view that Andrew Inglis Clark is a person who has made one of the most significant contributions to the national political life of Australia from Tasmania.

Ms O'Connor - And to Tasmanian democracy.

Mr GROOM - And Tasmanian democracy. His contribution has not been appropriately acknowledged and I think it appropriate that we give consideration to this suggestion.

Andrew Inglis Clark was the author of the initial draft of the Australian Constitution and also the primary architect of the Federation's final detailed design. I made comment on this in an article I wrote some time ago - 'Andrew Inglis Clark: the Tasmanian case for the Federation' which was part of the Tasmanian papers written in conjunction with Island Magazine and Inglis Clark Centre for Civil Society at the University of Tasmania.

I wrote:

'In my view, no individual has left a greater imprint on our federal structure than Andrew Inglis Clark. It is no exaggeration to describe him as the father of our Federation.

As former High Court Judge, Michael Kirby, has said, 'In the daily work of the High Court over the century of its existence, the brooding spirit of Andrew Inglis Clark has never been far away. It was Clark who wrote the first draft of what became the Australian Constitution. In a sense Clark bears out Lenin's dictum that the person who writes the first draft rules the organisation. Clark put down the initial ideas for Australia's national governance. The end product never strays far from his inspiration'.

Not only was Andrew Inglis Clark central to the establishment of our Federation, but his contribution also extended to a wider array of legislative reform as a member of parliament and as a Tasmanian attorney-general. Beyond these achievements, he was also a respected Supreme Court judge and early Vice-Chancellor at the University of Tasmania.

By any assessment, Clark's contribution to both Tasmania and the nation has been truly extraordinary. It is in this context that I support the case for the renaming of the federal and state electorate of Denison, the electorate that I represent, to Inglis Clark.

I do not intend any disrespect to Sir William Denison, the Lieutenant-Governor of Van Diemen's Land from 1847 to 1855 and his contribution to the colony. I do believe, however, that Clark's remarkable contribution to Australia far outweighs Denison's relatively brief service. In my view the time has come for Andrew Inglis Clark to receive the proper recognition he so richly deserves.'

Accessed at: https://uk-mg42.mail.yahoo.com/neo/launch?retry_ssl=1#9839282782

To the Australian Electoral Commission Redistribution Committee for Tasmania

We, the undersigned, support the proposal to rename the electorate of Denison to either *Clark*, or to I*nglis Clark*

Name (please print)	Address	Signature
Tom Baxter	[redacted]	
Jane Tolman		
Michael Meredith		
Rodney Croome		
Kevin Wilson		
ROSA WALDEN		
TONY SMITH		
Max McConnell		
Dan Hird		
David Warren		
DENIS ABBOTT		
Kaylin Garrard		
Avery Holderness-Roddam		
Peter Holderness-Roddam		

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To the Australian Electoral Commission Redistribution Committee for Tasmania

We, the undersigned, support the proposal to rename the electorate of Denison to either *Clark*, or to *Inglis Clark*

Name (please print)	Address	Signature
Doug Fife	[redacted]	
Craig Chiven		
Carly Rowlan		
Tristan Dorwan		
Wayne Rossian		
Karen Dunn-Dun		
Ian Fielding		
Irene Dulks-Fowl		
Max McNorman		
Derek Walter		
Jenny Allford		
Maxine Pirrey		
Kris Gunning		
Anne Costin		

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To the Australian Electoral Commission Redistribution Committee for Tasmania

We, the undersigned, support the proposal to rename the electorate of Denison to either *Clark*, or to *Inglis Clark*

Name (please print)	Address	Signature
B Gunning-	[redacted]	
S Barnett		
D. Bertram		
S. Rue		
Q DALLEY		
S NADEN		
G BERRY		
G-Smith		
S HAYTHORNE		
J. Kunstaick F		
P. McQuilla		
Rick Smith		
C LURWOOD		
R Lohberger		

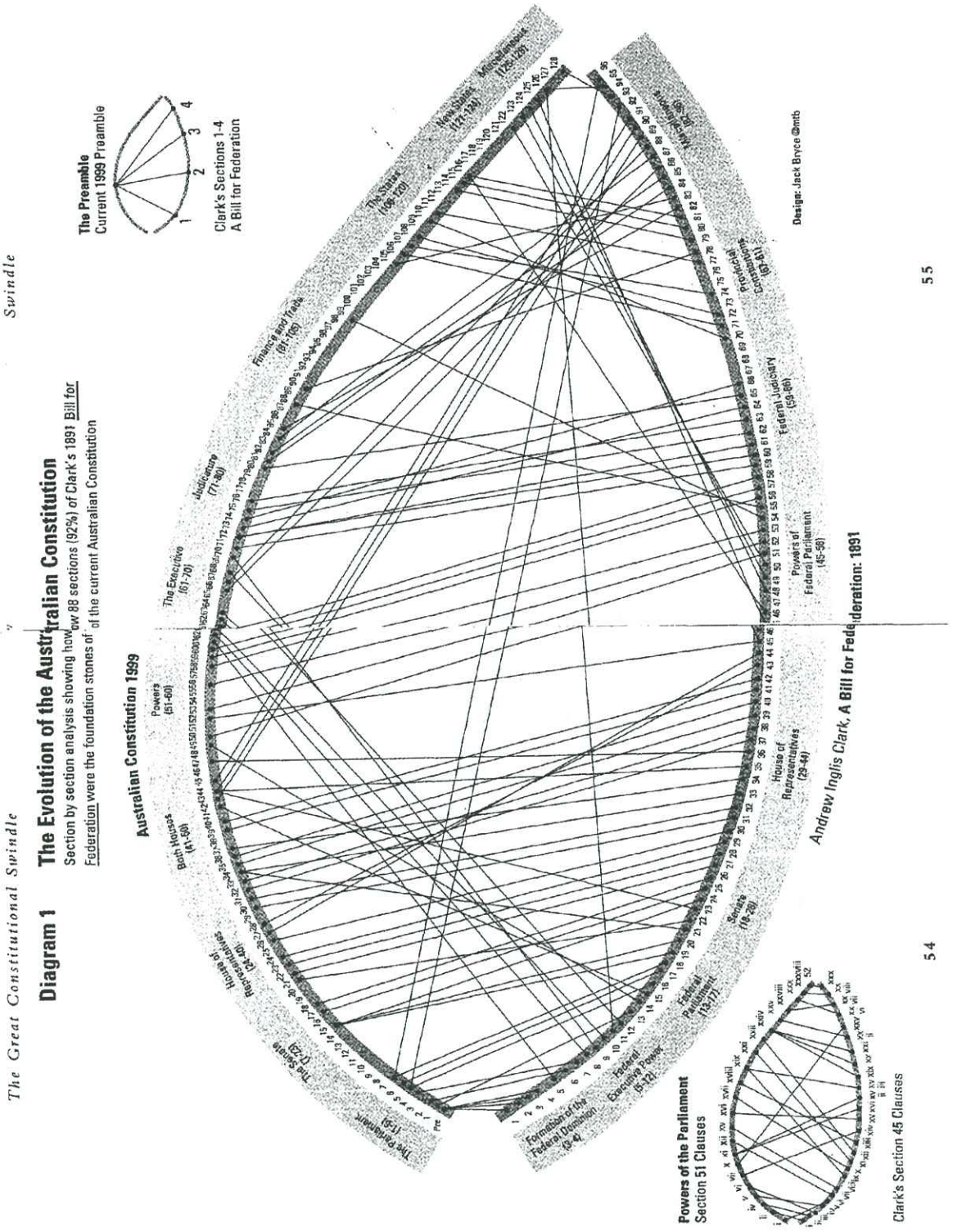
Appendix VI

Recognition of Australia's founding fathers

Name	Electorate	ACT Suburb
Sir Edmund Barton	Barton, NSW 1922	Barton (1928), formerly Telopea Park
Edward Braddon	Braddon, Tas. 1954	Braddon (1928) in Canberra Central
Andrew Inglis Clark	**NIL**	**NIL**
Alfred Deakin	Deakin, Vic., 1936	Deakin (1928)
Sir John William Downer	N/A	Downer (1960), in Canberra Central
Sir John Forrest	Forrest, W.A., 1922	Forrest, 1928
Sir Samuel Griffith	Griffith, Qld., 1934	Griffith (1928) formerly Manuka and South Blandfordia
Henry Bournes Higgins	Higgins, Vic. 1948	Higgins (1968) in Belconnen
Sir Isaac Isaacs	Isaacs, Vic., 1948	Isaacs, in Woden Valley
Charles Cameron Kingston	Kingston, S.A., 1949	Kingston (1928), formerly Eastlake
Richard Edward O'Connor	N/A	O'Connor, 1928
Sir George Houstoun Reid	Reid, 1922	Reid (1928), formerly South Ainslie
Sir Josiah Henry Symons	N/A	Symonston
Sir Henry Parkes	Parkes, NSW, 1984	Parkes, 1928

Appendix VII

Diagram from Botsman (2000, 54/5) Diagram 1, The Evolution of the Australian Constitution, which gives a succinct 'section by section analysis showing how 88 sections (92%) of Clark's 1891 Bill for Federation were the foundation stones of the current Australian Constitution'.



Appendix VIII

Contributors to *An Australian Democrat: The Life, Work, and Consequences of Andrew Inglis Clark* and/or to *A Living Force: Andrew Inglis Clark and the Ideal of Commonwealth.*

Note, the details are as published in the relative volumes. Inclusion in this list does not necessarily imply support for the proposal.

Scott Bennett	Senior Lecturer in Political Science, ANU
Alex C. Castles	Formerly Professor of Law, University of Adelaide
Michael Denholm	Curator, Australian Special Research Collection, University College Library, Australian Defence Forces Academy
Richard Ely	Honorary Research Associate, School of History and Classics, University of Tasmania; formerly Professor of History, School of History and Classics, University of Tasmania
Sir Guy Green	Governor of Tasmania, formerly Chief Justice of the Supreme Court of Tasmania.
Marcus Haward	Senior Lecturer, Department of Political Science, University of Tasmania
R.A. Herr	Associate Professor, Department of Political Science, University of Tasmania.
Malcolm Mackerras	Senior Lecturer in Politics, University of New South Wales, University College, Australian Defence Forces Academy.
Alex C. McLaren	Former Reader in Physics, Monash University, currently Professor, Research School of Earth Sciences, ANU; grand-nephew of Andrew Inglis Clark
F.M. Neasey	Late Judge of the Supreme Court of Tasmania and Research Scholar, University of Tasmania.
Michael Roe	Honorary Research Associate, School of History and Classics, University of Tasmania; formerly Professor of History, Department of History, University of Tasmania.
James Thomson	Part-Time Lecturer in Constitutional Law, Murdoch University
James Warden	Former Lecturer, Department of Politics, Monash University.
John Williamson	Senior Teacher, Fahan School, Hobart
Claire Young	An artist resident in Canberra.
Stefan Petrow	Lecturer in History, School of history, University of Tasmania.

Richard Davis	Honorary Research Associate, School of History and Classics, University of Tasmania; formerly Professor of History, School of History and Classics, University of Tasmania.
Michael Bennett	Professor and Head, School of History and Classics, University of Tasmania
Hon. Michael Kirby	Justice of the High Court of Australia
Henry Reynolds	Research Professor, School of History and Classics, University of Tasmania.
Dr James Thomson	Barrister and Solicitor, Western Australia.
Dr John Williams	Senior Lecturer in Law, Department of Law, University of Adelaide.

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For a detailed bibliography: http://www.utas.edu.au/clark/bibliography.html

Bob Holderness-Roddam