

**2024 NATIONAL CONFERENCE OF THE
AUSTRALIAN LAW STUDENTS' ASSOCIATION (ALSA)
REMARKS BY
HER EXCELLENCY THE HONOURABLE BARBARA BAKER AC
GOVERNOR OF TASMANIA
GOVERNMENT HOUSE, TUESDAY 9 JULY 2024**

Good evening. It is my great pleasure to warmly welcome you all to Tasmania and to Government House to mark the start of your Annual ALSA Conference.

May I begin by acknowledging the Muwinina people upon whose land we gather. I acknowledge today's Tasmanian Aboriginal community as ongoing custodians of country. I recognise their deep connection to land, sea, and waters.

Tasmania has a rich legal history and a vibrant cultural scene, so it is a terrific venue for your conference, and I am not at all biased! We have just celebrated the 200th year anniversary of our Supreme Court, the oldest in the country.

But I thought that I would say a little about Tasmanian Andrew Inglis Clark, who has been fairly named "the primary architect of our constitution"¹, and who is remembered on the national stage for his contributions to the federal movement.

Andrew Inglis Clark was born of Scottish parents who emigrated to Van Diemen's Land in 1832. After joining his father as a mechanical engineer, in the family business, Inglis Clark turned to the law, at the age of 24.

He qualified as a lawyer in 1878 and was also elected to the lower house of Parliament. Defeated in 1882, he won back a seat in 1887, and was appointed as Attorney-General and held office until 1897. He became a Tasmanian Supreme Court judge in 1898.²

¹ <https://www.utas.edu.au/library/exhibitions/clark/work.html>

² https://www.aph.gov.au/About_Parliament/Senate/Powers, accessed 30/09/22 *Andrew Inglis Clark and the Australian Federation*, The Hon. Frank Neasey Papers on Parliament No.13 November 1991, pages 5,6.

Before judicial appointment, Inglis Clark was a determined liberal reformer in Tasmania. He introduced some 228 bills into Parliament on a range of subjects.³ Significantly, Englishman Hare's proportional electoral system was modified by Clark to achieve our Hare-Clark system of voting, used also in the ACT and New Zealand.

Inglis Clark was also a delegate to the Federal Council of Australasia meetings held in Hobart in 1888, 1889 and 1891. He was also Tasmania's one representative at the 1890 Federal Conference in Melbourne and the 1891 Federal Convention in Sydney.⁴

Significantly, Inglis Clark was fascinated by the United States of America and was deeply involved in the study of their political institutions, history and literature. As a young lawyer, he presided at a dinner celebrating the Declaration of Independence, visited his idol, Oliver Wendell Holmes, in Boston, and became captivated by the US Constitution.⁵ I wonder what he would make of the recent majority decision of the US Supreme Court that former Presidents are immune from criminal prosecution for official acts. I shall say no more.

In *The Making of the Australian Commonwealth, 1889-1900*, Bernard Ringrose Wise claimed, "... That our Constitution so closely resembles that of the United States is due in a very large degree to the influence of Mr I.A. Clark..."⁶

Before Federation, Alfred Deakin offered Clark one of the five judicial positions on the proposed new High Court of Australia. Clark accepted, only for the number of justices to be reduced to three, for cost-cutting reasons. Unfortunately, Clark missed out.

³ Stefan Petrow, Clark as Attorney-General in Papers on Parliament number 61 May 2024 quoted by John Williams, "Andrew Inglis Clark: Our Constitution and His Influence" p.83.

⁴ <https://adb.anu.edu.au/biography/clark-andrew-inglis-3211>, accessed 30 September 2022.

⁵ "Andrew Inglis Clark, Moby Dick and the Australian Constitution", Michael Tate, *Papers on Parliament* Number 61 May 2014 at page 1.

⁶ https://www.aph.gov.au/About_Parliament/Senate/Powers, accessed 30/09/22 Quoted from *Andrew Inglis Clark and the Australian Federation, The Hon. Frank Neasey Papers on Parliament No.13 November 1991*, page 3.

Nevertheless, Andrew Inglis Clark is remembered on the national stage for his contributions to the federal movement, and these contributions were recognised in Tasmania by the former electorate of Denison being renamed Clark in 2019.

In closing, I would like to thank the organisers, speakers, sponsors, and volunteers who have worked tirelessly to make this event a success. Your dedication and hard work are deeply appreciated.

I wish you a most successful and enjoyable ALSA Conference 2024. Now, please enjoy your reception.

Thank you.