



**The Federal Redistribution 2008**  
**Tasmania**

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**Public Comment on Objection Number 2**

Bob Holderness-Roddam

**6 Page(s)**

TO:

Redistribution Committee for Tasmania  
2<sup>nd</sup>. Floor AMP Building  
86 Collins Street  
HOBART TAS. 7000

# ***Justice for Andrew Inglis Clark***

## **Response to Objections to Proposed Redistribution of Tasmania's Federal Election Boundaries:**

### **Renaming of Electorate Name from Denison to Inglis Clark or Clark**

A submission in response from:

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## Recurring Themes

When one reads the responses, one notes a number of recurring themes running through the submissions. These include:

### ***1. A.I. Clark was a significant architect of Australia's Constitution, and deserves to be commemorated:***

*"Having just attended a Local Government constitutional recognition forum in Canberra I believe one of the significant architects of this nation's constitution deserves significant recognition at this level. His support for a democratic Australia is truly worthy of a memorial of this type."*

**Ald. Rob Valentine, Lord Mayor of Hobart (writing as an individual)**

*"Al Clark was one of our founding fathers, as such it is a national disgrace that he does not have an electorate named after him. ...*

*... This is a great opportunity to raise awareness of the contribution of Inglis Clark.  
... "*

**Ms Rachel Fanning**

*"A.I. Clark was one of our founding fathers, as such it is a national disgrace that he does not have an electorate named after him."*

**Ms Wendy Stothers**

*"A.I. Clark was one of our founding fathers, as such it is most unfortunate that he does not have an electorate named after him." "*

**Mr Gordon Goward**

*"... Inglis Clark argued that power should not be exercised by an unelected group and fought to widen suffrage.<sup>8</sup> He is also widely acknowledged as a significant architect of the Australian Constitution, a constitution which must be seen as one of the most resilient governing documents of any democracy in the world.<sup>9</sup>*

**Australian Labor Party**

*"... Hobart born Andrew Inglis Clark, who has made an enormous contribution to our State. He was in part responsible for the establishment of the University here, a member of the House of Assembly, Attorney-General, a member of the Supreme Court and a strong advocate of many progressive issues, including votes for women and making Australia a Republic, and of course he put in place the Hare-Clark system that we use in Tasmania."*

**Mr John Biggs**

*"... Inglis Clark was one of the founders of modern day democratic Australia with a strong voice for the rights of the people, equality and justice before the law, and supporter of creation of the most representative electoral systems in the world. ...*

*"... Inglis Clark was one of the drafters of the Australian Constitution; in fact some would say the primary drafter as his original version received very few changes in subsequent revisions. He was an advocate for progressive government at a time when so many of the leadership of this state were seeking to repel democratic ideas and he was in favour of innovations such as giving women the right to vote ..."*

*"Inglis Clark played a critical role in the story of Australian federation and the transition from a near-forgotten colonial outpost to the country it is today. ..."*

**Corey James Petersen**

*“Andrew Inglis Clark was born and buried in Hobart. It is one of those strange quirks of history that it seems to have in the main ignored this fine man who played a large part in writing our constitution. It is high time Inglis Clark was acknowledged. He was one of our founding fathers! That an electorate be named after such an important Australian who contributed so much is long over due, and it is entirely appropriate and fitting that the electorate be Denison.”*

**Elizabeth Perey**

**2. Denison was not a democrat – he tried to limit democracy in Van Diemen’s Land:**

*“... Denison was a particularly anti-democratic person, in marked contrast to the [sic] Inglis Clark. What an irony that one of our electorates is named for a person who was committed to limiting democracy.”*

**Mr Colin Berry**

*“I understand that Denison himself was not known for his support of democratic principles. He was, I believe, opposed to the abolition of transportation.”*

**Mr Gordon Goward**

*“Sir William Denison was Lieutenant-Governor of Van Diemen’s Land from 1847 – 1855, before moving on to other appointed positions within the British Empire. During his time in Tasmania, he choose to administer the colony without an elected Legislative Council, dismissed judges with which he had disputes, and published papers which spoke most unfavourable [sic] of Tasmanian colonists making him deeply unpopular ...”*

**Australian Labor Party**

*“Governor Denison was arrogant, unpopular and on record as saying: ‘There is an essentially democratic spirit, which actuates a large mass of the community, and it is with a view to check the development of this spirit that I would suggest the formation of an upper chamber.’*

**Mr John Biggs**

*“... Denison was a colonial Governor whose only connection with Tasmania (I guess he would have known it as Van Diemen’s Land – yes, another name change that occurred) was decades before federation.*

**Corey James Petersen**

**3. There are several precedents for changing electorate names – including two in Tasmania:**

*“As pointed out by others, several electorate names have been changed in the past, and this particular change is a very worthy one ...”*

**Mr Colin Berry**

*“The guidelines regarding electorate name changes did not prevent the change from Darwin to Braddon, nor Wilmot to Lyons.”*

**Ms Wendy Stothers**

*“The guidelines regarding electorate name changes did not prevent the change from Darwin to Braddon, nor Wilmot to Lyons.”*

**Ms Gordon Goward**

*“Furthermore, of the 63 of the first Parliament’s named Federal Divisions, 25 have seen name changes or have been abolished. ...*

*“In Tasmania, two of the five Divisions have been re-named: Darwin was changed to Braddon in 1955, and Wilmot was changed to Lyons in 1984.<sup>6</sup> In both cases the name changes were made to honour leading Tasmanians who made a significant contribution to the advancement of Tasmania and Australia’s democracy. These were both changed by a resolution of the Parliament, showing that such re-naming is acceptable to the Parliament.”*

**Australian Labor Party**

*The assertion that ‘any change would be divisive, disruptive and very electorally unpopular’ is totally unsubstantiated theatre on Hodgman’s part. In Tasmania both Braddon and Lyons were known by previous names (Darwin and Wilmot respectively). Furthermore, the AEC website shows that 48 other Federal electorates have been renamed since Federation. The sky hasn’t fallen in yet!*

**Bob Holderness-Roddam**

**4. *The redistribution understated the support for the name change, by failing to recognise letters of support with other submissions:***

*“The redistribution committee erred in its claim that there were six submissions in support, given the letters from six distinguished Australians included with the Holderness-Roddam submission and the four in response to the initial submissions. There were sixteen submissions in support of the proposal. ... There were not two submissions against the proposal, only one (submitted twice) by the Hob. Michael Hodgman QC, MHA”*

**Ms Wendy Stothers**

*“The redistribution committee erred in its claim that there were six submissions in support. There were, I understand, sixteen submissions in support of the proposal.”*

**Mr Gordon Goward**

*“... and only one person raised an objection”*

**Mr Peter Jones**

*“... the total count of individuals who have supported the movement to change the name to Denison at 44. This includes seven past or present Denison MPs, and representatives of all tiers of government.*

*“This is in stark contrast to the lack of submissions which have been produced in opposition to the proposal. At this point, only one submitter, the Hon. Michael Hodgman QC MP, has registered formal opposition, despite the Redistribution and this proposal receiving a significant amount of media attention.”*

**Australian Labor Party**

**5. *Support for the proposed name change came from people of all political persuasions:***

*“... there were proposals for the name change across party lines”*

**Mr Peter Jones**

*"The case made by the Australian Labor Party, and by numerous other submitters of various political persuasions, is that the contribution made by Andrew Inglis Clark to Tasmania and Australia over a lifetime far outweighs that made by Sir William Denison during his stint as an appointed Governor."*

**Australian Labor Party**

*"The proposed name change is not politically inspired. The initial proposal was from Peter Jones, who is not a member of the ALP."*

*"As the author of submission no. six, I have to admit to being a former member of the Liberal Party (Trevallyn branch, 1969). I have never been a member of the Australian Labor Party."*

**Bob Holderness-Roddam**

## **6. The proposed name change clearly fits the guidelines:**

*"... Andrew Inglis Clark clearly fitted the category of a deceased Australian – and Tasmanian – who had rendered outstanding service to his country, both as an architect of the Constitution and the Hare-Clark voting system, ..."*

*"The argument that every effort should be made to retain the names of original federation divisions ignores the fact that two of the previous [Tasmanian] names have already been changed ..."*

**Mr Peter Jones**

*"... the Report also cites the boundaries and the socio-economic nature as an additional reason for the dismissal of the proposed names change to Inglis Clark."<sup>2</sup>*

*"... There is no mention in the Guidelines, or anywhere else in the Redistribution Committee's public documentation, stating that changes to the names of Divisions are only to be considered when making major changes to a Division's boundaries. As stated in the guidelines:*

*'The guidelines are used in situations where divisions are to be created or where Divisions are to be abolished during a redistribution process and are offered to interested persons in the advertising of redistributions.'<sup>3</sup>"*

*"We believe that the Guidelines should be interpreted as Divisions being subject to potential name change proposals at the occasion of each redistribution. This is consistent with our understanding of Redistribution practices as published by the AEC through the Redistribution process."*

*"As is listed within the Guidelines that 'every effort should be made to retain the names of original Federation Divisions', and the Redistribution Committee Report also finds this to be a reason for dismissing the proposed name change."*

*"However, the Redistribution Committee has made a serious error on this point as Denison is not a Federation Division. The original Tasmanian MPs were elected 'at large' and the first named Tasmanian Divisions were not used until the 1903 election"<sup>5</sup>*

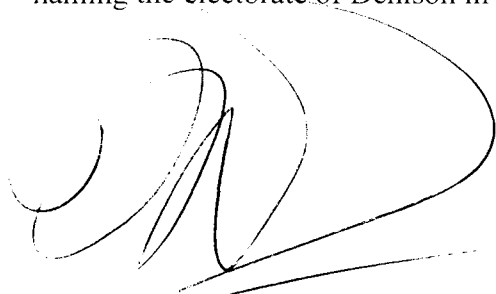
**Australian Labor Party**

## Summary

1. There is considerable support for renaming the Electorate of Denison to Inglis Clark, or Clark. This is demonstrated by the number of submissions and letters in support of these submissions. Significantly, much of this support comes from current and former senior members of the judiciary and from members of all the political parties currently represented in the Tasmanian Parliament. (These include a former Attorney-General and the current Premier!)
2. Andrew Inglis Clark played a most significant role in the development of democracy in Tasmania and in Australia. Specifically, he wrote the major draft of the Australian Constitution which was largely incorporated in the final version. He was also responsible for the introduction of the Hare-Clark system of proportional representation for House of Assembly elections. (This is widely regarded as the 'best and fairest' electoral system in the world.) Clark was also very influential in the foundation of the University of Tasmania.
3. Governor William Denison was not a supporter of democracy. Neither was he an Australian! The only way in which he fits the guidelines is that he is deceased!
4. There are several precedents for changing electorate names – including two in Tasmania:
5. The redistribution understated the support for the name change, by failing to recognise letters of support with other submissions:
6. Support for the proposed name change came from people of all political persuasions:
7. The proposed name change clearly fits the guidelines:

## Conclusions

- I believe it could reasonably be argued that 'naming rights' to an electorate is the equivalent of appointing that person as patron to that electorate. Viewed from this perspective, it must surely be more appropriate for the individual who drew up the principal draft of our Federal Constitution to be named as patron, rather than an appointed Governor from overseas.
- Andrew Inglis Clark was very much the 'behind the scenes' work horse, rather than the 'main ring' show pony. For this reason, his significant contribution to the development of our Constitution was overlooked until the late Justice Frank Neasey and others conducted their research.
- It is high time that A.I. Clark was accorded the justice he deserves by re-naming the electorate of Denison in his honour.

A handwritten signature in black ink, appearing to read 'Bob Holderness-Roddam', with a large, sweeping flourish extending from the end of the name.

Bob Holderness-Roddam