

# COMMONWEALTH OF AUSTRALIA

## CONSTITUTION BILL.

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Mr. BLAKE (Longford, S.): I have heard with a glad heart the statement of the right hon. Gentleman the Secretary of State for the Colonies; for I was pained by the reflection that in the condition in which this question was left after the First Reading of the Bill, agreement on a question of transcendent importance should be marred by a seeming disagreement on a wholly insignificant point. The difference was almost microscopic when we analysed on the one hand the principles of action laid down by the right hon. Gentleman, and on the other hand the methods by which those principles were to be applied in dealing with this Bill. I think that, under the circumstances, it is our duty—at any rate I think it mine—to omit all consideration of how Clause 74 stood in the Australian draft, and how it stood in the Bill as introduced into this House, and, in fact, how it stands to day; because as it stands to-day I think that it has practically received the assent of Australia herself. If I may make an observation, it would be that there are one or two points in the view of expediency laid down by the Colonial Office in the course of the discussions with the Australian delegates in which I would have agreed with the Office, and questioned the arguments of the delegates, while there were many considerations in which I think the Colonial Office were wrong and the delegates right in these details. But I would add that while I was prepared to affirm, as I now affirm in the strongest sense, the absolute right of the Australian people to ask that there should be no appeal here in matters wholly internal and affecting their own constitution as between the States and the Commonwealth, if they so please, I am not sorry that, by the free communications which have taken place, there have been elicited some slight modifications in the expression of that view in the Act of Parliament. I speak from experience; because I know that in the country whence I come, while a different set of circumstances obtains and

there are different provisions, there is yet a written Federal constitution; and it was found with us that where bitter controversies had been excited, where political passions had been engendered, where considerable disputations had prevailed, where men eminent in power and politics had ranged themselves on opposite sides, it was no disadvantage, but a great advantage, to have an opportunity of appealing to an external tribunal such as the Judicial Committee, for the interpretation of the Constitution on such matters. Therefore I rejoice at two things: first of all, at the indication that there may be, under certain circumstances—I agree not very probable circumstances, for it is part of human nature to suppose that litigants successful in Australia would hardly consent that their action should be re-tried elsewhere—resort should be had to such a tribunal; and, in the second place, that an increase in the effective strength of that tribunal is also recognised as essential. And so I pass away altogether from that phase which might have been, but for the settlement which has been arrived at, the centre of discussion; and I turn to that which has become—as, in my opinion, it ought always to have been—the only subject of debate here, the great work which has been achieved and its immediate and remoter possible future effects. Now, some words upon that larger aspect might reasonably be expected from these benches to-day. It is natural that we, the representatives of the great bulk of the Irish people, should desire to express our cordial congratulations to that large proportion of the population of Australia which is of our race and blood; aye, and to that still larger proportion of the population which, though not of our race or blood, has extended to us a steady and important sympathy in the interest of our Irish national aspirations—that we should express our cordial congratulations to Australia at large, and especially to those Australians with whom we are kin, on the achievement of their great end. It is