

MAGNA CARTA

Statement

HON CHARLES SMITH (East Metropolitan) [10.05 pm]: Earlier this month, on 15 June, Hon Aaron Stonehouse and I marked Magna Carta Day in our own solemn celebration. As members may be aware, “Magna Carta” is medieval Latin for “Great Charter”. It was first sealed in 1215 by King John of England, under sufferance, on the green fields of Runnymede on the River Thames in England. Magna Carta is the foundation stone of constitutional and parliamentary government in Great Britain and in commonwealth countries such as ours. Initially drafted by the Archbishop of Canterbury to broker peace between the King and a group of rebel barons, the landmark Magna Carta promised the protection of church rights, protection for the barons from illegal imprisonment, access to swift justice, and limitations on feudal payments to the Crown. Most famously, its thirty-ninth clause gave all free men the right to justice and a fair trial. Some of Magna Carta’s core principles are echoed in the United States Bill of Rights and in many other constitutional documents around the world, including those in Australia.

In the seventeenth century, opponents of King Charles I used Magna Carta to regulate the arbitrary use of royal authority. Sir Edward Coke asserted —

Magna Carta is such a fellow, that he will have no sovereign.

In 1628, Sir Edward helped to draft the Petition of Right, which limited royal power and made explicit reference to Magna Carta. Magna Carta is widely seen as instrumental in helping to develop and codify British liberties, which were subsequently transplanted to Australia with the commencement of British settlement. All Australians today enjoy certain rights, freedoms and protections thanks to Magna Carta. Of course, the liberties first outlined in Magna Carta are just a few of the many great things that Australia has inherited from Britain—the others being the Two Ronnies and Benny Hill!

I know that recognising our British heritage and its positive legacy is unfashionable among those on our contemporary left; in fact, it tends to trigger them into apoplectic states of frenzy. Only today I learnt that a senator from the Australian Greens is trying to stop the reading of the Lord’s Prayer in Canberra. I find that personally unacceptable and insulting.

To back up what I have just said, I quote historian Geoffrey Partington, who said —

Post-1980 multiculturalist policies have tried to convince non-British immigrants that, despite their many successes in Australia, they are disadvantaged by any celebration of the pre-1950 past which is dismissed as irrelevant to the new national identity of Australia. A new orthodoxy has rapidly been established in which all ‘ethnic’ traditions are to be valued and prized, except the old British–Australian tradition, whose faults are subjected to withering irony or bitter abuse.

Nevertheless, despite what the left and multiculturalists say, the inescapable reality is that we owe a great deal to our British heritage. Our liberties, our system of government, our institutions, our language and literature, much of our culture and most of our population are derived from the British Isles. As members of a Westminster-style Parliament, it is more than appropriate that we acknowledge the role of Magna Carta.