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THE UNITED STATES AND THE AUSTRALIAN CONSTITUTION: INFLUENCE
OF US CONSTITUTIONAL MODEL ON DEVELOPMENT AND
INTERPRETATION OF THE AUSTRALIAN CONSTITUTION

Kathleen Morris and James Allsop AO

Over the past two centuries the United States’ Constitution has played an important role in inspiring and shaping the content and development of Australian constitutional law. This article explores the extent of that influence by considering the key discussions of the Australian constitutional framers, undertaking a brief comparison of the text of the two Constitutions, and reviewing the High Court’s approach to the use of American precedents over the past century. 309

REASSESSMENT OF ROBERT MENZIES’ CONTRIBUTION IN THE ENGINEERS
CASE

Gerard Carney

The recent discovery of Sir Robert Menzies’ handwritten notes made for and during his appearance as counsel in the Engineers’ Case in 1920 provides a unique insight into the six days of that hearing, of which no transcript exists. They also allow a reassessment of his role as a young 25-year-old barrister, opposed by a formidable line-up of counsel representing the States. This article attempts to piece together the line of argument each day, as well as something of the atmosphere in the High Court and the personalities of the other counsel. 331

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