

SAINT THOMAS MORE SOCIETY

Remarks 19 June 2026

The Honourable Robertson Wright SC

- 1 You do me great honour by awarding me life membership of the Society. There is, however, a risk in allowing me to speak tonight. Saint Paul advised in his first letter to Timothy, Chapter 3 verse 6:

“He must not be a recent convert, or he may become conceited and fall under the same judgment as the devil.”

or, as befits a presentation to many members of the Latin Church, I should perhaps rather quote the Vulgate which is in the following terms:

“non neophytum ne in superbia elatus in iudicium incidat diaboli”.

- 2 There is, however, no risk that I would be appointed a bishop, which was the immediate context for Saint Paul’s advice to Timothy.
- 3 Perhaps with Saint Paul’s comment in mind, Richard Perignon asked me to say something about what he described as my “conversion journey”. I am not sure I had a journey. Nonetheless, as a neophyte or at least a recent convert to Catholicism, this is probably the only subject on which I would be adequately qualified to speak to this gathering including, as it does, many distinguished scholars, experienced lawyers and keen law students, the vast majority of whom are cradle, if not veteran, Catholics.
- 4 As a Protestant, I was permitted to be an associate member of the Saint Thomas More Society for a number of years before being able to be a full member, as a practising Catholic lawyer. Although the benefits of being a full member rather than an associate member of the Society are enticing, it must be conceded that those benefits did not play a large role in my conversion to Catholicism.

- 5 What happened was very simple really and hardly deserves the description of a “journey”. There was no crisis of faith; no doubt as to the truth of Christianity; no stunning moment of revelation.
- 6 My childhood was spent in semi-rural Queensland and I believe I was validly baptised by a Methodist minister in a little country church. When proof of my baptism was required, however, I did not even know where to start to find the baptismal register for that circuit. In the absence of proof, I was conditionally baptised as part of my reception into the Catholic Church in 2022.
- 7 My recollection of early churchgoing is that the small wooden church building was dusty and completely undecorated except for a plain wooden cross on the back wall above an elevated lectern used for preaching, a small table with a vase of flowers on it and an old pedal organ. There were no images - graven, painted, printed, sculpted or even in stained glass. There were about five rows of pews and the building was full if there were 35 or 40 people there. The services were often led by a lay preacher and consisted of a hymn, belted out on the pedal organ (and I use the verb “to belt out” advisedly), bible readings selected by the preacher, *ex tempore* prayer by the preacher, a hymn, a sermon, more *ex tempore* prayer, a benediction and a final hymn. The congregation and the preachers were genuine and often enthusiastic. They studied the Bible closely and earnestly tried to live by its precepts. There was a sincere goodness about these people.
- 8 My experience of churchgoing changed when I went to school in Brisbane, at the Church of England Grammar School, known as Churchie. In true Church of England fashion, the school had two chaplains, one an Anglo-Catholic and the other an Evangelical. As I understand it, this was because the Anglo-Catholics and Evangelicals disagreed about many things. The broad middle church was unrepresented on the chaplaincy staff. At Churchie, for the first time, I experienced Anglo-Catholic liturgy, which was dignified and beautiful, both visually and musically. The chapel choir was made up mainly of choristers from the Cathedral in Brisbane because Churchie was also the Cathedral Choir

School. My abiding recollection from this time was the beauty of the liturgy, which, looking back now, was not really Protestant and was not quite Catholic.

- 9 When we moved to Sydney, we started attending the local Anglican parish and I was confirmed there. I continued an Anglican, being more or less regular in my attendance at Matins or at Holy Communion on Sundays, through school and then at University at Saint Paul's College, the Anglican college at Sydney University. I also experienced the Church of England at first hand when I studied in Cambridge in the early 1980s and came to understand why a friend of mine, who became an Anglican clergyman, described the Church of England as "a most seductive institution".
- 10 I was married in Saint John's Anglican Church on top of the hill in Camden and attended the local parish in Gordon with my growing family for many years. I was a member of Parish Council, a Church Warden and a member of the Synod of the Anglican Diocese of Sydney. My experience of parliamentary style synodal government perhaps prompted, or at least, hastened my conversion.
- 11 There were two aspects to my becoming a Catholic. The first was that, given the arguments raised during Synod sessions, I began to question Protestant assumptions and explanations for rejection of Catholic doctrine. To take but a few examples, it was hard to accept the Protestant explanations for why the bread of life discourse in Chapter 6 of Saint John's Gospel did not mean what it said, why Jesus's statement in Saint Matthew's Gospel Chapter 16 verse 18 that Saint Peter was the rock on which He would build His Church did not mean what it said and why the woman clothed with the sun referred to in Chapter 12 verse 1 of Revelation was not the Blessed Virgin. In the end, the explanations of, and justifications for, doctrinal positions given in the Catechism of the Council of Trent convinced me.
- 12 The second aspect arose out of reading the *Confessions* of Saint Augustine. Although he wrote more than 16 centuries ago, he was so easy to relate to. One passage spoke to me and it is appropriate to quote it initially in Latin

because to do so allows Saint Augustine to speak directly to us in his own living language:¹

“Et ecce ades et liberas a miserabilibus erroribus et constitues nos in via tua, et consolaris et dicis: currite, ego feram et ego perducam et ibi ego feram.”

“And behold, You are near, and deliver us from our wretched wanderings, and establish us in Your way. And You comfort us and say: ‘Run; I will carry you, I will lead you through and there also will I carry you’.”

13 I started to run, and He led me and carried me there.

14 It all could be put in this way. Although a measure of goodness, a measure of beauty and a measure of truth could be found with the Methodists and the Anglicans, that did not compare to the fullness of goodness, the fullness of beauty and, most importantly, the fullness of truth, which is only to be found in the Catholic Church, established by our Divine Lord himself who is the way, the truth and the life. But, there was even more to be discovered in the Church’s great treasury. It was only after being received into the Church that the plenitude of the graces that flow through the sacraments and the richness of the intellectual discourse of the Church’s great doctors, saints, philosophers and thinkers were made manifest to me.

15 Saint Augustine, my confirmation saint, summarised it very well when he said in his magnificent Latin prose:²

“Sero te amavi, pulchritudo tam antiqua et tam nova, sero te amavi! ... vocasti et clamasti et rupisti surditatem meam: coruscasti, splenduisti et fugasti caecitatem meam: fragrasti, et duxi spiritum, et anhele tibi, gustavi et esurio et sitio, tetigisti me, et exarsi in pacem tuam.”

“Late have I loved you, O beauty so ancient yet ever new! Late have I loved you! ... You called, you shouted, and you burst open my deafness. You flashed, you shone in radiance, and you drove away my blindness. You breathed forth your fragrance, and I drew my breath and sighed for you. I tasted, and now I hunger and thirst. You touched me, and I burned for your peace.”

16 This, as you may have anticipated, brings me to a question about the Saint Thomas More Society. Why, even as a Protestant, did I consider membership

¹ Saint Augustine, *Confessions*, Bk VI Ch 16.

² Saint Augustine, *Confessions*, Bk X Ch 27.

of the Society worthwhile and, as a Catholic, do I consider membership important?

17 The specific objects of the Society are to provide opportunities for members to acquire a deeper understanding of the principles of Christian ethics and morality in relation to the profession of law and the constant application of those principles in their everyday practice. These objects are vital for the health of the legal profession and for the well-being of society. The breadth and depth of the Catholic intellectual tradition provide a treasury of riches which assist the lawyer to practise the law diligently, skilfully and faithfully with judgment and a properly formed conscience.

18 Let me illustrate the importance of understanding the interaction of Christian ethics and the law with just one example. The rule of law is one of those things that almost everyone accepts is a “good thing”, notwithstanding that the precise content of the rule of law has been said to be hotly contested.³ The Australian Parliamentary Education Office describes the rule of law in simple terms as follows:⁴

‘The “rule of law” is the principle that all people are equal before the law and must obey the law. The rule of law means that laws apply to everyone, including the people that make them. To make sure everyone knows the law and their rights, laws should be easy to find out about, easy to understand and enforced.’

19 Sir Victor Windeyer, speaking extrajudicially in 1961, noted the following aspects of the rule of law:⁵

‘... the rule of law means, among other things, that no man can lawfully be punished except for an offence against the law; that all persons, whatever their station or status, are subject to law; that all should be able freely to assert, and by the processes of law to vindicate, rights under the law.’

³ *Graham v Minister for Immigration and Border Protection; Te Puia v Minister for Immigration and Border Protection* (2017) 263 CLR 1; [2017] HCA 33 at [82] (Edelman J).

⁴ <https://peo.gov.au/understand-our-parliament/how-parliament-works/system-of-government/rule-of-law> (accessed 11 May 2026)

⁵ Windeyer, “A birthright and inheritance”: The Establishment of the Rule of Law in Australia”, in Debelle (ed), *Victor Windeyer's Legacy: Legal and Military Papers* (2019) 80 at 99.

- 20 When these concepts are considered, however, it becomes obvious that for the rule of law to be beneficial, the laws to be obeyed by everyone must be good or just. If all persons, including the state and the government, are required to obey bad or unjust laws, the rule of law can become an instrument of oppression and injustice. This situation has been arisen at various times in history and in various nations. In the present day, it can arise where persons are required to act against conscience and carry out, or promote or facilitate the carrying out of, intrinsically evil or gravely sinful acts.
- 21 Thus, it becomes essential to understand how to determine whether or not a law is just? Martin Luther King Jr confronted the necessity to answer this question on a properly principled basis during his campaign for civil rights in the United States of America. He provided his answer in his famous Letter from a Birmingham Jail:⁶
- ‘How does one determine whether a law is just or unjust? A just law is a man made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust.’
- 22 Even though a Protestant, Martin Luther King drew upon the deep resources of Catholic thought and learning to answer the question. As he, in effect, recognised when confronted by a potentially unjust law, a proper understanding of Catholic ethics and morality is vital to determining whether the law is unjust.
- 23 Catholic ethics and morality are also relevant to determining how to conduct oneself, as a lawmaker, or as a judge or a citizen when confronted by an unjust law.
- 24 In those regards, the circumstances that confronted our patron are instructive. Saint Thomas More is not only a saint but was also a lawyer, a judge, a Renaissance scholar and distinguished author, Speaker of the House of

⁶ M L King Jr, “Letter from a Birmingham Jail”, 16 April 1963, (https://www.africa.upenn.edu/Articles_Gen/Letter_Birmingham.html accessed 29 May 2026)

Commons, King Henry VIII's Lord Chancellor after the fall of Cardinal Wolsey, and an enlightened father who insisted his three daughters have the same education as his son. He was faced with a situation where he was required to comply with a law that he determined was unjust and contrary to the law of God.

- 25 In 1534, the English Parliament passed two important Acts: first, the *Act of Succession* (although it is referred to as the *Act of Succession* of 1533 (25 Henry VIII c 22) because at that time the year was taken to commence on 25 March⁷) and, secondly, the *Act of Supremacy* of 1534 (26 Hen VIII c 1). Under those Acts clergy and lay persons could be required to swear oaths accepting that King Henry VIII was head of the Church and Anne Boleyn's children were his only legitimate heirs.
- 26 Thomas More determined that in good conscience he could not swear such oaths and consequently he chose to remain silent and resigned his high office, gave up its emoluments and retired from public life. Renouncing the glittering prizes of the law was not, however, enough to save him. As was permitted, he was specifically required to swear the oaths. He refused and was committed to the Tower of London. Subsequently, an *Act of Attainder* (26 Henry VIII c 23) was passed by the Parliament against him whereby he was attainted for the offence of misprision of treason. For the king's purposes, however, even that was not sufficient.
- 27 On 1 July 1535, he was indicted for high treason under another Act passed in 1534, the *Treasons Act* (26 Hen VIII c 13), which stated in the legal language of the time that to disavow the *Act of Supremacy* and to deprive the king of his "dignity, title, or name" was to be considered treason. The charges in the indictment were in substance that Thomas More 'falsely, traitorously and maliciously' denied the King's supremacy of the Church in England.
- 28 The trial took place at Westminster Hall and the presiding judges included Baron Audley, who was the Lord Chancellor, the Lord Chief Justice Sir John Fitzjames, the Duke of Norfolk, the Duke of Suffolk, the Earl of Wiltshire (who

⁷ Significantly, the feast of the Annunciation.

was Anne Boleyn's father) and Viscount Rochford (her brother), as well as Thomas Cromwell.

- 29 In accordance with due process, a jury of London citizens was empanelled, the charges were read and evidence was adduced including that of Sir Richard Rich (subsequently Lord Chancellor under Edward VI). Rich gave evidence that Thomas More had maliciously denied the King's supremacy over the Church in a conversation between them in the Tower. It can be noted that this evidence was not supported by the other two persons present at the time of the conversation and More contended forcefully that Rich's evidence was false.
- 30 The jury took fifteen minutes to deliberate before returning a verdict of guilty of maliciously denying the king's supremacy of the Church in England. The Lord Chancellor then proceeded to sentence but More interrupted him, and asserted his right to be asked the usual question of why the court should not pass judgement. The Lord Chancellor, surprised, allowed him to speak.
- 31 Saint Thomas More submitted that the statutes under which he was charged were unlawful, and that therefore he should not be condemned under them. His speech catches at substantially the same concept of an unjust law as Martin Luther King Jr relied on some 428 years later. The saint said:⁸

'Forasmuch, my lord, as this indictment is grounded upon an act of Parliament directly oppugnant to the laws of God and his holy church, ... it is therefore in law amongst Christian men, insufficient to charge any Christian man '

- 32 That plea was unsuccessful. The Lord Chief Justice gave his opinion, replete with lawyerly double negatives, in the following terms:⁹

"If the Act of Parliament is not unlawful, then is not the indictment in my conscience insufficient."

- 33 The Lord Chief Justice should not be criticised too hastily. For a judge, the Lord Chief Justice's position is far from unreasonable. To accept the unqualified

⁸ Sir Thomas More's Speech at his Trial. (<http://www.luminarium.org/renlit/moreddefense.htm> accessed 29 May 2026).

⁹ <https://tudortimes.co.uk/people/thomas-more-life-story/mores-trial> accessed 29 May 2026.

proposition that an unjust law is not a law is fraught with danger.¹⁰ For example, in New South Wales, a judge swears to do right to all manner of persons according to the laws and usages of this State without fear or favour, affection or ill will. What are the laws of this State? They include the statutes validly passed by the Parliament. Indeed, it would be troubling if a judge were permitted to refuse to apply the provisions of a statute validly enacted because he or she was of the view that the Act was unjust. To do so would, *prima facie*, be inconsistent with the judicial oath. It would also fundamentally undermine the rule of law by replacing it with the rule of individual judges' views as to the justice of the laws.

- 34 To preserve the rule of law as beneficial for society, it is the responsibility of the law makers in Parliament to make just laws. Pope Leo XIV recently touched upon the distinction between a law which is valid in form and one which is just or has true greatness. When addressing the Spanish Cortes on 8 June this year, his Holiness said:¹¹

“A law does not attain its true greatness merely by having been formally enacted; it attains it when, in addition to being valid in form, it can stand before the dignity of the person and pass that test without shame.”

- 35 As for a judge, what is to be done when faced with a law he or she considers unjust? The appropriate course will depend on all the circumstances. One course would be for the judge to recuse himself or herself from the particular case. If the laws are wide ranging and egregiously unjust, it may be necessary for the judge to resign rather than participate in a system which applies such unjust laws. In a less serious case, the judge might apply the law but make plain that the judge considered the law unjust and explain why. There may be other courses available depending on the circumstances.

¹⁰ It can be noted that Saint Thomas More's proposition was qualified in so far as it was limited to a law passed by Christians under which a Christian was indicted.

¹¹ Address of The Holy Father, Congress of Deputies (Madrid), Monday, 8 June 2026, <https://www.vatican.va/content/leo-xiv/en/speeches/2026/giugno/documents/20260608-spagna-parlamento.html> (accessed 9 June 2026).

- 36 For a citizen required to comply with an unjust law, Saint Thomas More himself illustrates two possible responses. Initially, he withdrew from public office and said nothing amounting to refusing to swear the oaths. By withdrawing and saying nothing, he sought to be true to his conscience while at the same time not contravening the Acts. Subsequently, however, when he was specifically required to swear the oaths, he was not given the option of remaining silent. As his conscience required, he did not comply with the Acts and refused to swear. He was fully aware of the consequences which would follow legally or otherwise from his refusal.
- 37 It is perhaps significant to note that the charge on which he was convicted was not refusal to swear the oaths but rather traitorously denying the king's supremacy based on the dubious evidence of Sir Richard Rich as to a conversation on that topic.
- 38 The consequence was that Saint Thomas More was sentenced to a traitor's death – to be hanged, drawn and quartered – but the king graciously allowed him to be beheaded. Being summoned to the scaffold on Tower Hill, he told the lieutenant who escorted him, "See me safe up, and for my coming down let me shift for myself."¹² He blindfolded himself and exhorted the assembled crowd to witness his end, the king's good servant but God's first.¹³
- 39 From Saint Thomas More and in his Society, we can learn not only how to discern what laws might be just or unjust but also what might be required of us, as law makers, judges, lawyers or citizens in relation to unjust laws.
- 40 On that basis, may I, a neophyte, commend the Saint Thomas More Society to you. And, through the Society, may you develop a deeper understanding of the

¹² W Roper, *The life of Sir Thomas More* (Burns & Oates 1905), p 101.

¹³ First reported in indirect speech in the *Paris Newsletter* (1535): *Après les exhorta, et supplia tres instamment qu'ils priassent Dieu pour le Roy, affin qu'il luy vouldist donner bon conseil, protestant qu'il mouroit son bon serviteur et de Dieu premierement*. See also: 'Henry VIII: July 1535, 1-10', in *Letters and Papers, Foreign and Domestic, Henry VIII, Volume 8, January-July 1535*, ed. James Gairdner (London, 1885), pp. 379-402 and *British History Online* (<http://www.british-history.ac.uk/letters-papers-hen8/vol8/pp379-402> accessed 29 May 2026).

true principles of Catholic ethics and morality and how to apply them faithfully in relation to your study, making, practice and application of the law.