

## **InToWin Australia - “A Platform for Participation in Improved Political Performance”**

### **Chapter 3 – A building needs more than good foundations**

In Chapter 2, I talked about the core foundations of society – democracy, capitalism, liberty and equality. Staying with the “building our future” theme, these foundations are in turn reliant upon a mix of key inputs - education, cultural values, constitutional rights and government spending priorities. The architects of our society must incorporate these resources to provide us with strength - a fault in any of these inputs will create weaknesses under pressure.

So firstly -

#### **3.1 Australia’s Constitution**

In light of recent events you could be forgiven for thinking that our Constitution was mainly concerned with section 44 - disqualifying ineligible parliamentarians - and for setting the rules for marriage! It is of course much more than that. It is the foundation document of our nation, establishing the fundamental principles of parliamentary democracy and the separation of powers. It does this by granting legislative and operative powers to the Commonwealth Federal government and the various State governments, and by creating an independent judiciary.

Now I’m not about to commence a dissertation on the ins and outs of the entire Constitution. I’m not qualified, and I might fall asleep before you do! But I will look at the key sections relating to government powers.

Sections 51 and 52 of the Commonwealth of Australia Constitution Act grant the Commonwealth its legislative power, and limit the operations of that power to a defined list. Unfortunately the “limited” list is long (39 sub-sections currently) and open to a lot of interpretation. Add the fact that the States have their own Constitutions, empowering them to “make laws on any subject of relevance to that particular State”, and you can see how governments continue to expand. This also explains why Commonwealth and State governments often double up responsibilities and expenditures in a range of areas (education and health services in particular). The Constitution goes on to provide the Federal government with the right to borrow, the power to tax, the ability to print money - and if anyone complains, the power to build an army. How do you slow down that locomotive?!

I will discuss the impacts an overreach of power has had on government spending habits later, but thankfully, the Constitution does also grant you and me some powers. Governments must be elected – they must go to an election at least every three years (some States have moved their elections to four year terms). We have the power to throw them out, and initiate some evolutionary

change. We do regularly exercise this power, and for a short time it can make us feel like we are in control. But when you step back and take a look at the outcomes, our actions just seem to promote short-term thinking, and encourage politicians to focus more on re-election than on governing the country – to the detriment of us all.

That's enough of the Constitution for now. Next time I will look at government spending.