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Klaas Woldring books review

In 'Yes, we canrewrite the Australian Constitution' and 'How to improve Australia's Democracy' Klaas Woldring informs and excites interest in the untapped potential of our great nation if we can recognise that our Constitution really is an albatross around the neck of our country.

Even the title of his first mentioned book with the refrain, 'Yes, we can...' ,often used by President Obama in his US presidential campaign, evokes excitement.

Woldring usefully identifies the barriers to constitutional change, being the double majority voting requirement of section 128, the adversarial two party political system and the fact that the Prime Minister is the only gatekeeper to change, in this first titled book.

He then even more usefully points out the terrible deficiencies in the Constitution.

Shockingly there is no constitutional guarantee that our elections be conducted democratically and as Woldring points out a constitutional amendment to this effect failed at referendum in 1988.

Woldring also explains how our Constitution is an enormous drag on the prosperity of our nation through duplication and inefficiency in the allocation of powers between the States and Territories and the Commonwealth.

Also the pool for competent cabinet ministers is limited to elected parliamentarians rather than the wider population as is constitutionally allowed in the United States of America.

There are so many defects in the Constitution that a complete rewrite is seen as the only way forward. Woldring says the Constitution is 'frozen' and piecemeal tinkering and meliorism strategies are bound to fail.

Suggested ways forward include deliberative democracy with citizens' assemblies such in the Republic of Ireland or even the Governor General commencing the process for reform.

Woldring cites a Galaxy public opinion poll that identifies the majority of Australians favour having one set of national laws. (78% in 2013)

A little historical gem is that Andrew Clark, a reformist Chief Justice of Tasmania was responsible for the text of 89 out of 128 sections of the Constitution. Clark is often overshadowed by Griffith

and others who effectively settled the Clark draft when Clark was not able to attend the last Commission in Sydney and on the good ship Lucinda.

The second title by Woldring was written in the context of the COVID-19 pandemic which has highlighted constitutional inadequacies leading to the 'workaround' of the Constitution by the establishment of the national cabinet to achieve a co-ordinated national response of sorts.

This second book further develops the theme of necessary constitutional and electoral reform. The electoral reform is focused on the need for proportional voting to reduce the adversarial nature of Australian politics through the impact of the two party political system.

Reference is made to academic research that just 31% of the population trust the federal government. At the same time the researchers found a significant appetite for democratic reform.

Of course any discussion of constitutional reform is incomplete without reference to a Republic and Woldring does not disappoint on this issue.

Woldring concludes his discourse on necessary constitutional reform with the question about the 'Real issue' of what kind of republic and his assessment that the Australian Republic Movement (ARM) has been hindered in it's campaign for a Republic by it's minimalism in the model for a Republic and in regard to constitutional reform generally.

Woldring rightly points out that the people do not want a minimalist republic, as illustrated by polling over the years. The minimalist model was explicitly rejected in the 1999 referendum.

As former Australian Prime Minister Gough Whitlam conceded years after the 1999 referendum, the only way we will become a Republic is if the proposed model offers direct election by the people. This was a rare admission of error by Whitlam who previously opposed direct election.

Ultimately, of course, the people get to decide whether the model is acceptable or not through their own vote at a referendum, and have already rejected the minimalist model. Apart from this pragmatic reason, a direct election model is intrinsically the most democratic model.

The pathway to a Republic requires much education and information, as our education system has let us down with it's failure to teach citizenship to our schoolchildren, as confirmed by the recent review by the Australian Assessment and Reporting Authority. (ACARA) Many have no knowledge of our Constitution.

These books by Woldring will help to fill the gap in education in Australia and will assist in paving this pathway forward for constitutional reform including a Republic.

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