Three thousand people crammed into Sydney Town Hall on Monday, September 20, and another 1500 outside, launched a movement for an Australian Republic with a new, democratic constitution.

Continued resentment over the coup of November 11, 1975, was not unexpected. At every public appearance since then, Governor-General Sir John Kerr has faced a demonstration of some kind, even if small. Stirrings among wide circles over the undemocratic nature of the Constitution and many institutions established under it were known to exist.

But the depth and breadth of the feeling for change was a cause for surprise all round - causing pleasure for those who wanted change, including the organisers of the meeting, and a mounting dismay by those who fear it and want the coup legitimised and/or forgotten.

If the movement lives up to its initial promise and spreads to every state, as this writer believes it will, it could become one of the few movements in history around a country’s constitution which has not been mainly the property of wealthy and powerful elites.

This possibility arises for several reasons. One of them is the peculiar historical circumstances in which bourgeois democracy took shape in Australia and the new, also ‘peculiar’, circumstances of last year’s constitutional coup. The historical circumstances which gave Australian bourgeois democracy certain colonial characteristics (analysed in more detail in Comment, ALR No. 50) were that the British ruling class, having learnt its lessons from the American revolution, was much more prepared to give in to demands for Australian independence in return for retaining influence on Australian political affairs. This influence could be exerted directly through institutions such as the governors and indirectly through
being able to shape more easily the formation of the Australian political elite and its ideology. (For example, having been ‘given’ independence, this elite never lost, for a long time, its apron string mentality towards the ‘Mother Country’).

These factors, together with others like the existence of a number of different states trying to preserve an independent identity, exerted their influence when the Federal constitution was drawn up. The result was, and is, an undemocratic constitution, even by the restricted standards of other bourgeois democracies. And it was precisely these undemocratic hangovers from the colonial past (whose existence was unknown by many and forgotten by others) which were brought into play by the conservative establishment forces when they perceived the need last year.

The immediate cause of the movement arises from the jolt given by the unexpectedness and outrageous audacity of the coup. The resolution of the 25th National Congress of the Communist Party of Australia last June estimated this aspect as follows:

“By its actions in November 1975, the ruling class weakened its own institutions and its ideological hold over the people. It succeeded in obtaining the government it wanted, but at great future cost. Widely held views on the democratic content of the Constitution, rights of the House of Representatives, neutrality of the Governor-General and responsibility of the media have been shattered. The experience of November 11 raises new demands for constitutional and parliamentary reforms and for control of the media.”

But, more deeply, the springs of the potential of the movement lie in the new stage of the crisis of world and Australian capitalism which other documents of the CPA analyse as embracing every aspect of economic, political and social life. Faced with these manifold and intractable problems, a growing and generally dominant section of the ruling class is gravitating towards repression as a means of overcoming the problems.

This trend in ruling class politics is strengthened, if anything, by recognition of the fact that those “below” are looking in the direction of expanded democracy, and increasingly bucking against impersonal, bureaucratic and authoritarian institutions and control over their lives.

In the ‘fifties and early ‘sixties, Marcuse’s phrase “repressive tolerance” was an apt description of the situation in many developed capitalist countries - what was “repressive” for those who wanted change was the fact that they were tolerated and could be contained because they had so little impact.

From 1968 onwards, that period rather rapidly faded and, in Australia under Fraser at any rate, is being increasingly replaced by “repressive intolerance”. The developing movement for constitutional change is one of the forces working in the opposite direction.

It is in these circumstances that a broad national debate about, and a movement for, a new democratic constitution is taking place. As so often in history, a backward, outmoded feature of a particular society has become the cause and catalyst of a movement for change whose potential goes far beyond the simple removal of the backwardness.

Once a debate about a new constitution begins, especially if it takes on a mass character, all sorts of questions open up which the various ruling class, establishment and conservative forces would prefer to see left well alone. Such questions include, among others: What is democracy? How can democracy be extended, power decentralised and decision-making placed more in the hands of those affected by the decisions? Can political democracy function properly without economic and industrial democracy, i.e. without real popular control over the important levers of economic and social life, in particular, over the means of production, distribution and exchange? And can there be proper democracy without popular control over and access to the means of information, communication and education? How might such popular control and access be achieved and what are the obstacles to obtaining them?

In what ways can the fine sentiments of a democratic constitution best be guaranteed and carried out in practice? What social structures will be most likely to provide real avenues for the actual exercise, by ordinary people, of the rights, freedoms and liberties written into the constitution? And what ideas and values promoted by society and guiding education and culture within it will most encourage ordinary people to make use of the avenues provided, to really participate in affairs rather than remain passive bystanders?
The answers to any or all of these questions point in the direction of a self-managed socialism which more and more in today's conditions poses itself, on the democratic issues as on others, as a real and necessary alternative to the three 'models' hitherto developed in advanced industrial societies: bourgeois democracy, fascism and bureaucratic socialism.

Serious and detailed answers to these questions are required from the proponents of self-managed socialism as much from its opponents. If a national debate really takes place around the constitution the case for self-managed socialism will need to be presented in a new way, alongside existing ways which must themselves continue and be made more concrete. In developing this case the general features of advanced capitalist societies, the historical experiences of the various bureaucratic socialist societies and the specific features of Australian capitalist society will all have to be taken into account, as should the opinions, reactions and contributions of workers and the other participants in the movement.

Whether the above questions are posed in the coming debate and what mass support develops for the various different answers to them depends very much on the degree and manner of participation in the debate by the supporters of self-management socialism. To stand aside on the grounds of the 'constitutionalist' and liberal-democratic starting point of the debate would be elitist and wrong. Any real mass movement always begins at the level of consciousness and perception of the problems of those involved and the wider layers of the concerned and interested. Where it goes from there depends on both objective circumstances and events and on the quality and content of the arguments put by the various groupings within the movement.

The debate itself must also take place in a democratic spirit. Any moves by any force within the movement to impose views or exclude the views and participation of others can only harm the movement as a whole. The correctness and credentials of the different proponents will be judged on the manner as well as the content of their intervention in the debate and on their preparedness to actually engage in debate with other sections.

There is also the question of whether the debate becomes widespread among ordinary people, taking place in factories and other workplaces and in local communities as well as in seminar rooms and lecture theatres. Socialists and the labor movement will have something to contribute in this direction. A key point here is whether workers and others see the importance of the debate and the connection of the democratic issue to their other conditions and interests. Doubtless those with a narrow traditional and reformist view of what working class interests are will try to prevent workers taking an interest and participating in the debate. But if the workers and other oppressed people are to become a creative and political force they must take an active interest in this and other debates.

Constitutions in themselves are, of course, merely words written on paper. They can be interpreted or twisted to suit those in power, or ignored, depending on the circumstances. (For example, the Stalin Constitution of 1936 - agreed by many of different political views to be one of the most democratic in the world - did not prevent the gross abuses of, and crimes against, socialist democracy and ideals and rights and civil liberties which actually occurred. Similarly, the American Constitution and Bill of Rights have not in fact prevented gross inequalities and deprivation of rights in capitalist America). They usually fail to recognise the dependence of political on economic power, the difference between proclaimed rights and the conditions for actually exercising them, and the largely fictitious nature, in these circumstances, of the impartiality of the laws and institutions they embody.

But, after all, constitutions are social and political rather than purely legal things. What can be done with, or to, a constitution depends on political activity and contention rather than legal interpretation (which itself is in fact far from being the value free, "objective" and "impartial" activity that polite convention assumes).

A movement for constitutional change is therefore to be judged not only on the desirability of the aims it proclaims, but also on the degree of involvement of large numbers of people in affirming and achieving those aims. For this establishes a climate of opinion about what should or should not be done, what
should or should not happen in the society. Such a climate of opinion, the degree of hegemony of ideas achieved, is a real and vital political force.

Of course, different social classes and strata place different meanings on constitutional categories and words, reflecting their different situations and interests. But once again, the more people there are involved in defining and struggling for their view of things, the more will high-sounding phrases be freed from their glibness and given concrete meaning in mass consciousness.

The resolutions passed at the September 20 meeting set the initial framework for the constitutional debate. They were:

† Now that representative democracy is becoming even more limited it is essential to Australian political freedom that Australians be ready to engage in extra-parliamentary activity.

† The present monarchic constitution is being used as a threat to democracy. It should be replaced by a democratic constitution. To this purpose there should be a broad national debate followed by a people’s convention to draft a new constitution for submission to the Australian people.

† The new Australian Constitution should declare that all public power in Australia emanates from the Australian people and that only the Australian people should have the right to dismiss the government they have elected. If there is to be a ceremonial Head of State, he or she should have no political power.

If there is still to be an Upper House of Parliament it should be an efficient House of Review with no political powers over legislation or the dismissal of governments.

† To symbolise its maturity as a nation, Australia should become a Republic.

† The new Australian Constitution should declare that Australian democracy is founded on freedom of opinion and information, and on a universal and equal voting system fairly reflecting the political wishes of Australians.

† The new Australian Constitution should include a Bill of Rights proclaiming the rights to citizen action, to individual liberty and privacy, to work, to adequate living conditions, and to non-discrimination on racial or sexual grounds, or on the basis of nationality or belief.

† We support the petition now circulating that demands the resignation of the present Governor-General on the grounds that he did not have the right to dismiss a Prime Minister who maintained the confidence of the House of Representatives and that his continued presence is a cause of division among the Australian people.

† This meeting endorses the formation of a movement to work towards the objectives stated in the previous resolutions.

All these resolutions are worthy of support. The meaning of most of them is clear enough, though there may be many different views as to what “universal and equal voting system” will most fairly reflect “the political wishes of Australians”, for example.

But there are a number of key points whose concrete meaning and actual realisation in practice pose many questions.

These are especially:

* that all public power in Australia emanates from the Australian people

* that Australian democracy is founded on freedom of opinion and information

* that, under the proposed Bill of Rights, citizens have the right to work and to adequate living conditions. (Other aspects of the Bill of Rights, such as non-discrimination, are no less important, but those most discriminated against have already done a lot to clarify what they actually require).

Analysis of these points, already established as aims of the movement, and how they might be realised, is a suitable place to begin working out the detailed case for self-managed socialism and the answering of the questions posed above.

- B.A.