

Melbourne Exhibition Building, 8:00 p.m. Friday 23rd September, 1977.

Public Meeting: "What Sort of Constitution do we Want?"

Words and Spirit - the new Constitution must contain both

There are many fine words and concepts in the Constitutions (as written) of both the U.S.A. and the U.S.S.R.

Let us briefly examine these influential countries and their Constitutions in words and deeds.

The U.S.A. is a very rich country; it is a country where a degree of liberal-minded intellectual freedom exists and even flourishes. Yet, this country is virtually dominated by huge and ever-growing giant corporations whose tentacles reach out over the entire globe.

These big and medium-sized corporations are controlled by small numbers of people who need answer to no-one save themselves and the largest shareholders and the law, which is often made to suit them in any case. Decisions made by these small numbers on the corporation boards often affect tens of thousands, even millions. Decisions about what is made and how; about prices, what to do with waste products, where to site enterprises and who to employ - all of these decisions are subject to very little if any democratic control or participation or even consultation. Decisions of the giant oil companies and how they influence the affairs of whole nations is perhaps the most glaring though certainly not the only example.

This raises the question for us of whether a democratic constitution can ignore the fundamental issue of economic power and its relation to political power. Is it really possible to extend and develop our democracy in significant ways if economic decision-making remains in the hands of a few who use this power to exercise undue influence on political affairs and in fact in all areas of society to some extent or other. Conversely, those who have little or no economic power find it difficult to exercise to the full the rights they formally have. If you are unemployed or frightened of losing your job you may not care to exercise democratic rights if to do so would displease your boss or others on whom you depend for economic security. The whole economy then must become an arena for a massive extension of popular control, both at enterprise level and at the level of national planning and decision-making. This does not mean handing over to centralised bureaucratic control but developing truly democratic and participatory forms for making the many economic decisions which so affect the lives of us all.

Those these multi-nationals affect the economic, cultural and social life of the people, they have scant regard for the people as a whole. They impact political decisions of other countries' governments. Some quick unanswerables: Chile, 1973, Vietnam, Watergate, the C.I.A., Australia 1975.

At the same time we see the oldest socialist country reaching 60 years of age this month. This country is the U.S.S.R.

A country where much progress has been made in many ways, including living standards, since the days of the demonic Czarist regimes. Yet Party and bureaucratic State rigidity, the denial of dissent, insufficient genuine expression at community, factory, grass roots levels, actually means socialism in the U.S.S.R. is stultified and serves as a poor model for those millions of people disenchanted with capitalism in its various forms. The Soviet model of socialism, and variants of it, lack sufficient socialist freedom to attract people in countries like ours who have won democratic rights in long struggles.

So words, though very important, are not enough.

Any constitution, worth its salt, must have a spirit. This spirit must not only respect the important words used, but must go far further and consistently express a human dignity on every single issue.

A new ingredient which must now be observed is ecological respect for other species and for nature as a whole. This is not yet fully understood.

Egalitarianism, a sadly neglected word, must surely be one of the cornerstones of a new constitution - for a republican constitution.

Surely there must be a desire to narrow the differential between the highest and lowest incomes, for any industrialised society must be measured on the living standards of its bottom echelon.

The cultural and social progress of human beings can be so much richer when the basic economic requirements are satisfied.

Any constitution which pays lip service to political, racial, sexual equalities, but whose spirit is lacking will have a relatively short life. So the first insistence must be that the new constitution is true in both word and spirit.

A Constitution for human needs - not private greed

Is it possible for such a constitution to give primary consideration to people - meaning the entire population of working folk? Or will we have further encroachments by private corporate power, as well as the growing encroachment of the public bureaucracies, many of which dove-tail with trans-national corporations and national corporations to enhance the already awesome power of the multi-national companies. Will these corporations and bureaucracies continue to decide for all of us what they consider is best for us.

Appreciating the undisputed lack of impartiality in the narrow and tightly controlled media in Australia how can we be confident that differing views existing in our community can be ventilated.

The new constitution must allow for the open presentation of all views

This can only be achieved by democratic public intervention and participation by people determined to establish genuinely independent publicly funded media institutions, free from the domination of private interests and controlled by media workers, but always accountable to the public at large.

The evaporation of the restricted independence of the ABC in the last two years is a classic example of how corporate power backed by the corporate power "government of Fraser", works to manipulate all manifestations of independence, no matter how little that degree of independence might be..

Is such a constitution possible under a capitalist system. Many can argue strongly and cogently that because of the inherent predatory expansionist nature of even the most sophisticated form of capitalism, even allowing for the proven resilience of capitalism, capitalism is incapable of sufficient change precisely because of its nature which is essentially one of profit and of growth.

As a socialist I am critical of many aspects of existing socialist countries, yet I believe if we can learn from the mistakes of socialism without forgetting the inherent problems of capitalism, a new, more humane form of socialism can be ushered in.

Alexander Dubcek, forestry worker in Czechoslovakia, once said "let us have socialism with a human face". I think we should suggest an addition to the human face, and say yes, but also an "ecological heart." A socialist society with both a human face and an ecological heart is coming close to the central problem of industrialised society today.

Nevertheless whilst the current social system exists surely we must work to civilise it, to humanise it, to improve it.

So if the new constitution allows the extension of the peoples' social and cultural as well as their political and economic rights and restricts the power of the business corporations then such a constitution must be worthy of support.

Genuine National Independence a Pre-Requisite for a New Constitution

1972-1975 saw the emergence of Australia as a country with a degree of independence as we cut many ties with Whitehall, loosened the worst features of the blind U.S.A. alliance, though in my opinion insufficiently.

We recognised the existence of 1,000 million people in China, We withdrew from Vietnam, the saddest chapter in Australia's international experience. Australia was reported in the northern hemisphere of the world for the first time in a quarter of a century as a country not blindly bowing at the alter of our "rich and powerful friends" but as a middle sized country asserting some welcome independence.

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In a new constitution this independence must be further developed and spelt out.

The most economically and militarily powerful countries must not be allowed to dictate to smaller countries. The more the smaller countries assert their independence the greater the chance for all countries' progress. This certainly includes the possibilities of self-determination by every country desiring self control of their own affairs no matter how small that country might be.

The New Dimension - Recognition of the Ecological Crisis; The Need for redistribution and wiser use of energy and resources

The New International Economic Order must be made to live.

The need for narrowing the gap between the richer and poorer countries, eventually towards world egalitarianism must not become a dream but a reality if the world is to experience any real stability.

The constitution must spell out both our national independence and our international responsibilities as well. The present world crisis of capitalism highlights the rapacious nature of that social system, not only in the manner in which the trans-nationals exploit workers in highly industrialised countries but when it suits them they transfer whole industries to less industrialised countries where exploitation can be even greater.

The finite nature of the worlds resources is now evident.

In industrialised countries in the last 30 years we have witnessed indiscriminate destruction of precious non-renewable resources. Rampant consumerism with the worthless production of many commodities often forced on the population with unsavoury saturation advertising methods. There is gross inbuilt obsolescence. All of this in the holy name of "progress". "Development" and "economic growth" are other abused words. "Progress", "development", "economic growth" for whom? The people as a whole? No, of course not, only for the private avaricious gain for the rich minority.

Any forward looking new constitution must place great stress on ecological sanity and greater public control. Remembering we are custodians of the earth, not owners, we cannot continue to destroy resources and use energy in the manner we now do. We cannot blindly say that economic "recovery" necessarily means further economic growth. We must ask ourselves economic growth for whom. Which part of economic growth is desirable and socially beneficial for the people as a whole.

Socially useful, meaningful, full employment for All - A Constitutional Must

Unemployment is a blight. No society can have a future unless all people are usefully employed. Besides unemployment, we have mal-employment.

How ignorant have industrialised countries been in believing that if people have work, any work, they are reasonably satisfied. Workers are beginning to question the social consequences of their labour. Whether the end product they make is socially useful or socially useless.

A constitution with an ecological respect must allow for workers' direct participation in this crucial decision making aspect on the social product, provided of course there is always public accountability required. For example, whether the world goes nuclear or not must not rest in the hands of the trans-national nuclear corporations.

It must rest with the people. For those of us who favour a non-nuclear world, we are not solely concerned about the radioactive waste problem but about the whole ethic of nuclear power, for it epitomises the relentless greed of the energy companies for maximum profit before the nuclear industry now terribly heavily subsidised by public money collapses. There is also the already immoral nuclear arms race which vested interests such as the defence industry promote. It affects us all yet there is no popular control.

There is a mentality, carefully nurtured, that huge company profits and a continually rising GNP are essential if the peoples' standard of living is to be maintained. A new constitution must allow those people who want to see a redistribution of our resources and wealth under public control and wiser production of energy used for human needs to express their ideas for a quality of life which cannot only be measured in quantitative terms.

This means the abandonment of the false premise of humankind arrogantly boasting of conquering nature with high technology and science. Instead we should use our technological and scientific knowledge in the most appropriate forms always expressing a humility and an appreciation of the need to harmonise with nature and other species.

Any constitution which ignores the ecological problems confronting humankind will be replaced by a constitution which acknowledges this now apparent phenomenon.

A People's Convention must be broad - Reaching beyond the confines of Academia and Parliaments and involving people in all walks of life

Australia's best constitution will come about if all sections of our people are not only contacted but are actually involved in drawing up ideas for the constitution.

Lawyers, academics, professional business and union leaders, etc. are often well meaning, capable people. However if we cannot find the way to involve non professional people the success of the convention will be limited.

As we hold this important National Conference, it is timely to reflect on the importance of extra parliamentary actions, for a cursory examination

clearly demonstrates that it was extra parliamentary actions by people which impacted governments and compelled better laws to be passed.

The Australian Communist Party stands for preserving and extending the traditional democratic rights we have. No socialism can live up to the ideals of socialism if it does not provide the fullest civil and personal freedoms alongside the development of popular control of economic and social life. Therefore we want to see a new and democratic constitution, including a bill of rights which guarantees freedoms and liberties. At the same time we believe that only by an advance to socialism will be the possibility be provided for overcoming the obstacles to greater democracy such as concentration in a few hands of economic power.

The degree to which we involve the wide spectrum of people in no small way could determine how democratic our new constitution will be and the future direction of Australia.

- Jack Munday.

Appendix

In 1970, in the Statement of Aims adopted at its 22nd Congress, the Communist Party of Australia proposed the following basic points as essential for a democratic socialist society:

- * Promotion of humanist values as the basic social ethic
- * Social and co-operative ownership of the main resources, means of production, economic institutions and mass communication media
- * Socially owned enterprises should be under the control of Workers' Councils, elected and subject to recall
- * Development of the maximum degree of self-management and autonomy consistent with over-all co-ordination and planning in productive units, institutions, professions, etc., in order to:

Develop the self-activity and control over their own affairs of all members of society

Reduce and eventually eliminate the political and coercive functions of the State, combat bureaucracy and the remoteness from groups and individuals of the centres of power and control over their lives

Gradually bring to an end the state of affairs where work is all too often imposed upon the individual whose real life appears to exist only outside the place of employment, and substitute conditions under which creative labor is accepted as the pre-condition for living a full and satisfactory life

- * While such self-management should be the basis of all production, planning and social activity, the people as a whole would need finally to decide on plans, (e.g. fuel, water, transport), national goals, priorities, and measures for co-ordination, and possess the necessary powers (e.g. over financial policy, taxation, etc) to do so. Thus representative bodies would still be needed, including an elected

national assembly which would make final decisions on national issues, after widespread public discussion of major questions. As necessary, issues would be put to national referendum for decision.

- * Similarly, varying combinations of autonomy of the people in enterprises, localities, professions, etc., should be sought in discussion with those concerned and the nation as a whole to find the forms most suited to the particular case. For example, in the important field of the mass media it is necessary to combine the rights of the workers concerned, of the profession as a whole, the public organisations running the media, rights of access by minorities, and responsibility to society.
- * Recognising the powerful and ever-present tendencies for bureaucracy to develop, many measures in addition to those already mentioned are needed for better control of representatives and centralised bodies. Among these we propose for discussion:

Increased powers for local government. State governments might be replaced, where suitable and in accordance with the decision of the people, by regional government of socio-economic areas.

Proportional representation in elections.

Regular reporting by all representatives and the right of recall.

A network of elected ombudsmen - that is, people independent of governments and institutions with powers to make investigations into complaints of injustice, bureaucracy and violation of rights.

Rights of access by the public to officials and representatives.

The widest intellectual freedom, availability of information on public affairs, abolition of censorship and protection and extension of the rights to privacy, free speech and artistic expression, religion, assembly, association, strike, demonstration, travel, and other democratic rights.

The only limitations on liberty will be those made necessary by violation of the new laws by members of the dispossessed ruling class or others refusing to accept the new society.

- * The aim is to achieve equality of rights and opportunities of all citizens, based on the principle of "from each according to his ability, to each according to his needs". Although this could not be achieved immediately, a policy for drastically reducing existing inequalities should be introduced as one essential measure to help liberate and develop the potential of large sections of society who are today deprived, or have to devote most of their energies to the struggle for mere existence.