

2nd August 2021

Submission to the Inquiry on Constitutional Reform

I appreciate the work of the committee on this Inquiry. This is a fascinating and important area for consideration and discussion between Parliament and the Australian community. The Australian Constitution is an important and foundational document for the Australian nation. It is also good to review the document and the way in which we amend the Constitution (through discussion and referendums).

Learning about the Australian Constitution can be beneficial for people (particularly young people) to learn about the Australian system - which should be part of a broader civics education. Being politically engaged as a young student, I learned about the Australian Constitution through the Politics / International Studies elective subjects available at my high school from Year 10-12. I was grateful for these subjects and found them interesting, but civics education is something that could be emphasised more in the general curriculum so that more students are exposed to it. Even in these politics electives, I remember the teacher asking whether anyone had read the Australian Constitution and I was one of maybe two students in the class that had. I would be surprised if there were many people in the broader community that had glanced at the Constitution, let alone read it in full or understood what the document represented. The Constitution does arise in popular attention in high profile cases, most notably the S44 constitutional crisis on the eligibility of dual citizens to stand for Federal Parliament. Education and awareness of the Constitution should not exist in isolation, but as part of a holistic civics education. This puts the Constitution in context, and allows the document to illuminate parts of the Australian political system - such as the Houses of Parliament, division of powers between the States and Commonwealth (under Section 51), the role of the Governor-General or how referendums work.

The education system (and civics education programs) could be the main avenue to raise education and awareness of the Constitution. Young people and students are also the people who could benefit most from learning more about the Australian Constitution and the political system,

particularly as they come to vote for the first time in elections or potential referendums. Under Section 128 of the Constitution, the document may be amended by the Australian population (with approval by a majority of the public, along with a majority of states in favour of change). This could be an empowering realisation that the Australian Constitution is in the power of the community, which gives everyone the right to vote on approving or rejecting any changes. This provides an opportunity for people, including young people, to have their say directly on key issues.

There are opportunities for engagement between Parliament and the community and other stakeholders before holding a referendum. Citizen participation is a good principle, to involve a diverse range of members of the community and learned academics to make suggestions or give feedback on Constitutional proposals. The Parliament should be responsive to the views and passions of the community, including in suggesting areas of constitutional change. Indigenous Australians have notably been calling for changes to the Constitution, including removing some sections that are outdated and adding other sections such as a Voice to Parliament. Whether any of these suggestions would succeed depends on the vote of the Australian public, but I believe they deserve to have their chance to be voted on. It has been some 22 years since the last referendum (on the republic and preamble) and 44 years since the last successful change. Both the Australian community and Parliament have historically been cautious with constitutional change, but there is merit to continuously reviewing the Constitution and see what can be changed or amended to meet the needs and interests of contemporary Australians. Having referendums is also a great way to stimulate interest and engagement in the Constitution, including in the debate about what could be added. The referendum process shows that people have power to have their say about what the Constitution should say and there are good reasons to pay attention and learn more.

Thank you for considering my submission.

Kind Regards,

Benjamin Cronshaw.