

New Thinking for a New Century – Building on the Barton Legacy

Hon Joel Fitzgibbon MP

It's probable that the names George Washington, Benjamin Franklin and Thomas Jefferson are better known to Australians than the name Edmund Barton. Yet Barton was as leading a figure in the creation of our own federation, as were the three famous Americans in the drafting of the US Constitution.

It's also likely that only a small minority of residents in the Hunter know that Barton was the first Member for Hunter.

Both issues beg the question - why?

I suspect the answer lays partly in the nature in which Australians secured "independence" from their imperial masters. Of course, I use the word independence loosely.

I would also suggest that school curricula may also be to blame, which would also largely be a plausible explanation for Barton's relative obscurity in the Hunter. It's a great shame because along with the likes of Henry Parkes, Alfred Deakin and Samuel Griffiths, Edmund Barton gave birth to our nation.

Unlike Washington, Barton never had to fire a shot in anger to achieve his aims. But the path to an Australian constitution and the Constitutional Conventions which forged it were no less a challenge than the Philadelphia Convention which Washington chaired. Both processes ended in compromise. In the United States they call it the Connecticut Compromise. In Australia we call it the Australian Senate.

Like his infamous nemesis, former NSW Premier, George "yes-no" Reid, Barton at first glance is a bit of an enigma. He was a protectionist but declared his support for "free trade". His Party's support for Federation was at best, lukewarm. Yet Barton was one of its key and earliest champions.

But this is not so puzzling when seen through the prism of the political construct of the late 1800s. In those days, political parties were no more than loose arrangements and certainly, Party discipline was nothing like that which we know today.

Barton was a self-made politician who, like Bob Hawke, Kevin Rudd and Abraham Lincoln, failed in his first attempt to enter parliament. His resilience was further tested when the Queen's representative, Lord Hopetoun, inexplicably called upon Sir William Lyne – who had been a somewhat less than an enthusiastic supporter of Federation – to form the first and interim Commonwealth Government.

In an embarrassing end to what was to become known as the "Hopetoun Blunder", Lyne was forced to return the Commission having failed to secure the necessary support to form a government, paving the way for Barton. In a move typical of his style and approach, Barton invited Lyne to be part of his first administration as Minister for Home Affairs.

Barton also had an early lesson on the potential consequences of bad decisions. In 1879, he umpired a cricket game at the Sydney Cricket Ground between New South Wales and an English touring side captained by Lord Harris. After a controversial decision by Barton's fellow umpire, the crowd spilled onto the pitch, leading to international cricket's first riot.

He honed his oratory skills on the stump, usually going head-to-head with George Reid and often in front of a gathering of thousands of Sydney-siders.

Barton never lived in the Hunter. But three things made it familiar. It was in Newcastle he met his wife while playing cricket for Sydney University. Second, he'd travelled the local court circuit as a barrister. Third, he had formerly represented the State seat of Hastings and Macleay which he won in a by-election having lost yet another contest with George Reid in the electorate of East Sydney. Hastings Macleay encompassed parts of the Hunter Region.

Of course in those days, parliamentary representation was not remunerated so it was not uncommon for city-based people with the means, to represent country areas. But don't think for a moment he didn't pay attention to his electorate because on January 17, 1901, with fellow protectionist and by then Commonwealth Ministers William Lyne, Alfred Deakin and Charles Kingston by his side, Edmund Barton delivered his national campaign Speech at the Maitland Town Hall. To rousing applause he set out his vision and agenda. A new National Capital and two new and important institutions in the High Court - which he fought so passionately for - and an Inter-State Commission.

He pledged a tariff for the raising of sufficient money for the operations of the Commonwealth so as to obviate the need for federal taxation, leaving that form of revenue raising exclusively a matter for the states. He described it as a tariff; "maintaining employment and not ruining it, a business tariff which will yield the sums we need without discouraging production".

And of course, he promised a "White Australia", a reassurance which enjoyed the enthusiastic approval of the newspapers which covered the event.

The promise on tariffs was a promise to sustain what we now describe as the "Australian Settlement" - which was built on the high terms of trade Australia enjoyed off the back of highly priced commodities like wheat, gold, wool, which in turn paid for a high tariff, which was then afforded by arbitrarily set wages.

Barton and his colleagues saw the world through very different eyes than we do today. While some of our Founding Fathers - including Barton and Deakin - were born in Australia, Westminster was always going to be their model for an Australian Parliament. Just as their loyalty to King and Country guaranteed that Australia would be a Constitutional Monarchy.

They were a mix of British Patriotism and Australian Nationalism - a nationalism which much more than racism - drove their racist tendencies. Their main quest was "one nation", a phrase miss-used to our great expense just short of a century later.

Their one nation was one in which trade would be free and in which customs duties would be the responsibility of just one body. One nation with a single defence force, and one system for postal and telegraphic series. And of course, a nation in which the Commonwealth would control an aged pension system which would apply equally to all residents regardless of geographical location.

Interestingly and unlike their American counterparts, Barton and his colleagues were content with their enumerated powers and to leave the balance of responsibilities to the states. This may or may not be fairly described as a mistake. Indeed they were in no position to achieve otherwise. But, it is an outcome which despite the High Courts work in expanding the powers of the Commonwealth in recent decades, is an outcome we still pay heavily for today.

It's a system that leaves us the most over-governed country in the world. Fourteen houses of parliament for 22 million people. In Tasmania they have an MP for every 8,000 electors.

The duplication, the inefficiencies, the buck passing and blame shifting costs our economy billions. Indeed, the Business Council of Australia puts it at \$9 billion annually. And I'm sure the current model frustrates even the most patient in our society – whether it be the individual trying to secure an answer to a health policy issue or a business trying to work across state borders and facing six to eight regulatory frameworks.

In the same way that Hawke and Keating's economic reforms unravelled the inefficiencies of Australian Settlement in the mid-1980s, it's time to unravel the compromises on the late 1890s. Wholesale constitutional reform in Australia is long overdue.

The starting point should be true independence. It is past time for an Australian Republic.

Unlike most Australians, I've been to my fair share of State dinners. I shudder every time I see a visiting head-of-state like the US President, respond to a toast to him or her with a toast to the "Queen of Australia". It's embarrassing. Surely we are sufficiently grown up to be masters of our own affairs. Surely it's past time we stood proudly as a mature, independent nation.

Further ideal reform would include the abolition of the states.

Also welcome would be an electoral system which acts on the principle of proportional representation, giving minor parties a voice in both houses of the National Parliament.

But one thing which has remained constant since the time of Barton is the conservative nature of our electorate. This combined with the high bar set by the mechanism for securing constitutional change - another legacy of the Founding Fathers – makes constitutional change in Australia about as easy as getting a politician to give up his job.

So our best hope lays in the Council of Australian Governments (COAG). The work of COAG has never been so important. That's why Kevin Rudd has pushed it to the top of the Australian Government's agenda.

Last December, in a break with previous practice, the Premiers agreed on the establishment of seven COAG working groups;

- health and ageing;
- the productivity agenda – including education, skills, training and early childhood;
- climate change and water;
- infrastructure;
- business regulation and competition;
- housing; and
- Indigenous reform.

Each working group will be overseen by a Commonwealth Minister, with deputies nominated by the States and Territories at a senior departmental level.

Further, COAG has agreed to begin changing the nature of Commonwealth-State funding arrangements by agreeing to focus more on outputs and outcomes rather than arguing about who's getting what share of the pie.

COAG has also agreed on the urgency of progressing the reform work program to increase the productive capacity of the economy, to address the inflationary pressures that are emerging, and to deliver a higher quality of service to the Australian community. This reform is backed by the Government's new investment funds – including Infrastructure Australia - which will ensure that economic investment goes where it is needed most, rather than where it provides the greatest political capital for the government of the day.

If successful, along with the funding initiatives which support them, the Prime Minister's initiatives to reform Commonwealth-State relations may prove to be his greatest legacy. I suspect Sir Edmund and his colleagues would be surprised to learn we've made so little progress on this front over the course of the last 107 years.

One area where much better progress has been made is in Defence - my own area of responsibility.

Barton certainly had an interest in Defence. In November of 1900, he drew up a list of what he believed should be the legislative priorities of a Commonwealth Government. Number one on that list was: "An adequate Defence Force". Australia's record on that front has been patchy over the decades since but there can be no doubt, we now well and truly punch above our weight.

It is important to remember the enormous job that confronted Barton. In January 1901 there was no parliament, no public service and no Commonwealth infrastructure. Barton would be somewhat surprised if he took a stroll around the corridors of power today and witnessed the sheer weight of staffing arrangements. He enjoyed no such luxury. Nor of course, did he have a \$300 billion Budget to play with.

At the time Australia had troops fighting on foreign soil. The Boer War in South Africa had ground down into guerrilla warfare. In 1899 Barton had fully supported the Australian troops who were volunteering to fight with the British. The Boer War served as an early test of the new Commonwealth's authority in Defence matters. In December 1901, in response to decisions by Canada and New Zealand to offer reinforcements, the Victorian Parliament carried a resolution in favour of further recruitment.

In the face of the new Constitutional arrangements, this constituted a provocative act which elicited a stern response from Barton, coming after he had earlier been forced to rebuke the Queensland Premier for a similar decision. Barton had found it necessary to make it very clear that any such action usurped Commonwealth powers.

The Defence Ministry got off to an interesting start with ten different ministers in ten years. John Howard by the way, had five over twelve years. That's an average life for a Defence Minister of 2.5 years. It's an average I'm hoping to change.

Interestingly Barton selected as his first Defence Minister Sir James Dickson, a man described as "singularly unmilitary" and who, according to one Barton biographer, Geoffrey Bolton, died of "excitement and diabetes" nine days later. This led to the appointment of Sir John Forrest to the defence portfolio. Forrest immediately declared to Parliament that he had taken office with the hope 'that the Department would not give me a great deal of work or trouble'.

According to the Oxford Companion to Australian History, Defence was not a popular topic in the first federal parliament because it was so expensive. Some things never change, just talk to Wayne Swan and Lindsay Tanner. Forrest's first Defence Budget totalled a princely £1 million. Securing passage of even this modest amount was considered an achievement. Forrest won the day by both arguing that he was asking for no more than the previous combined expenditure of the six States and promising to reduce the figure the next year.

So was born an Australian defence force. It first included a Commonwealth Naval Force and then an Australian Army. In 1909, the Government established the Royal Australian Navy, which absorbed the Commonwealth Naval Force. In 1912, the Army established the Australian Flying Corps, the pre-cursor to the establishment of the Royal Australian Air Force in 1921. This explains why you always hear those close to the action like me, always refer to the Navy, Army and Airforce in that order, the order of their creation.

This financial year the Australian Government will spend more on Defence than any previous Government. The \$22 billion allocated will service and provide capability for around 53,000 permanent Defence Force Members, 20,000 Reservists and approx. 20,000 civilians. Of the \$22 billion spend this coming fiscal year, around \$10 billion will fund and sustain the capability our Defence Force members need to do their job as effectively, efficiently, and as safely as is possible – ships, tanks, aircrafts and submarines.

The new Defence White Paper I commissioned in February will ensure that every dollar spent in defence is a dollar well spent. The Defence White paper is the document which guides Governments in their assessment of the current and future strategic environment, and how we can best defend our nation, its people and their interests, within our funding constraints.

The White paper the former Government was working from was developed in the late 1990s and released in the Year 2000. The world has changed so much since then.

- September 11, and subsequent terror events in Bali, Jakarta, London and Madrid;
- The wars in Iraq and Afghanistan;
- The emergence of WMD in the hands of non-state actors;
- The threat of nuclear capability in the hands of rouge states like Iran; and,
- Huge shifts in the global distribution of power including the rise and rise of China.

These are developments which demand new thinking.

In addition to the new White Paper, the new Government has appointed new Service Chiefs and has begun a drive to cut \$10 billion worth of inefficiencies out of the Defence bureaucracy over the next ten years for re-investment in higher Defence priorities. Of course, just last week we fulfilled a key election promise by bringing our combat troops home from Iraq. I'm confident this reformist and self-reliant approach to Defence would have met with Barton's approval.

While his tenure as Prime Minister was relatively short, Barton maintained a strong interest in defence issues long after he left the job. When war broke out in 1914 he argued strongly that Australian officers should play a significant role in the shaping of military policy and deployment, particularly with respect to Australian forces. This view was shortly confirmed by the events on the Gallipoli Peninsula and later, on the Western Front.

Of course, it is thinking of this type which has driven my own determination to ensure that Australia secures a say in the planning of the operations in which we're engaged, notably in Afghanistan. I was shocked on coming to the portfolio, to learn that Australia was being denied access to NATO planning documents for Afghanistan and therefore, denied any opportunity to be part of strategic planning.

Barton was an independent thinker who recognised and managed well the constraints of the fragility and challenges of the infant Commonwealth. We are right to be proud of his Hunter connections and the University's decision to honour him with the establishment of the annual Edmund Barton Lecture is an appropriate one and I want to thank all those involved in the initiative.

And it's an honour to have been invited to deliver the inaugural. I've developed a high regard for Edmund Barton. I also envy him and will close with this explanation of the source of that envy: The Maitland Mercury's coverage of Sir Edmund's Town Hall address reports a huge and supportive crowd. After a long and glowing assessment of the speech, it further reports that Mr John Gillies MP, moved the following motion;

"That this meeting, having heard from the Right Honourable Edmund Barton an exposition of the program adopted by the Commonwealth Government desires to express its appreciation of the address delivered by the candidate for Hunter, and pledges itself to use every endeavour to secure the return of the Right Honourable Edmund Barton as the first representative in the Federal parliament of the electoral district of Hunter".

The resolution, the Mercury reports, was carried unanimously!

Hon Joel Fitzgibbon MP is Member for Hunter and Minister for Defence. This is the inaugural Edmund Barton Lecture given at University of Newcastle on 3 July 2008