

CHAPTER VII.

THE GOVERNMENT AND CONSTITUTION OF
SOUTH AUSTRALIA.

DESPOTIC GOVERNMENT.—CONSTITUTIONAL GOVERNMENT.—THE
MOTHER COUNTRY—YOUNG COLONIES NEED THE PROTECTION
OF THE MOTHER COUNTRY.

WE have in last chapter seen the necessity for taxation for those expenses of government which are for the good of all. Next comes the question—**What is the government?** and how is the getting in of the revenue and the expending of it regulated? In all countries in old times, and in many half-civilized countries now, the kings and emperors order what taxes they please, and collect them how they please. They would often let their favorites off from paying taxes, and would not spend them for the good of the people, but on their own magnificence and extravagance. Very often under their despotic government, the money was squeezed out of the poorest, rather than the richest, of the people. But in our days, among all civilized people, it is the rule that the people themselves should decide how they are to be governed, and what laws they are to obey, and how the money for carrying on the business of the country should be raised and how it should be spent. The manner in which the people thus govern themselves varies in different countries, for each country has a different **constitution** or form of government. In the United States of America, and in France, they have neither king nor emperor. These great countries are **republics**.

South Australia, as you all know, is part of the largest island in the world, and is a colony belonging

to the British Empire. It was founded in the year 1836. It has been settled by British subjects, who have emigrated from England, Scotland, and Ireland. Foreigners may come to it freely, and indeed there are a great many Germans who have made South Anstralia their home. They must, however, be **naturalized** as English subjects before they can exercise all the rights of citizens. Any foreigner has a right to the protection of the law, and to claim the settlement of any dispute he may have by our courts of justice; but he cannot vote for members of parliament, or serve on a jury, unless he swears allegiance to the British Sovereign and to the British law as administered in the colonial courts.

A colony in some things depends upon the mother country, and in others has liberty to manage its own affairs. In the early days of South Australia, if it had not been that Great Britain was the greatest maritime power in the world, our little settlement might have been taken possession of by some other European nation, who would have made our English colonists swear allegiance to their king or emperor, as the English seized upon the French and Dutch colonies in the great war which was ended at Waterloo in 1815. The protection of a strong power like that of England is absolutely necessary to a young colony, even when, as in South Australia, it does not need help against warlike native tribes.

I.—Constitution of England.

QUEEN.—LORDS.—COMMONS.—NECESSITY FOR REPRESENTATIVE GOVERNMENT.—ALL THREE UNITE TO MAKE THE LAWS.—HOUSE OF COMMONS THE STRONGEST POWER IN ENGLAND, AND WHY IT IS SO.—MONEY BILLS IN ENGLAND.—QUEEN ACTS THROUGH HER MINISTERS.—MINISTERS MUST SATISFY THE HOUSE OF COMMONS.

Our supreme authority is, therefore, the British Government, which is a **limited monarchy**—that is,

the sovereign does not rule despotically after his own pleasure, but **must rule according to the laws** which the people have framed. The office of the sovereign is **hereditary**—that is, it descends from father to son, and when there is no son the eldest daughter succeeds. There have been four queens in England—Queen Mary, Queen Elizabeth, Queen Anne, and Queen Victoria, our present sovereign.

The Queen is the fountain of honor, and the head of the State. Peace and war are declared in her name; crimes are punished by her authority; money is stamped with her image; all laws made by parliament require her signature before they are brought into operation. But the Queen herself has to be obedient to the laws of Great Britain as well as the poorest of her subjects. Laws are made and the affairs of the country are managed, not according to the Queen's pleasure, but by the united will of the **the Queen, the Lords, and the Commons**. The Lords are of different titles—dukes, marquises, earls, viscounts, barons, and bishops. They have received these titles from the Queen, or have inherited them from their ancestors. They sit together in the House of Lords, and discuss the affairs of the country.

The House of Commons is what is called a **representative body**. That means that each member of it has been chosen by a great number of electors to represent their opinions and their interests. In a small community like what could be seen in early days in Adelaide, all the male inhabitants above the age of twenty-one could have assembled in Victoria-square and settled what laws they wanted, what taxes they chose to pay, and what public works were needed. But when there are a great many people in a town or country, the speakers could not make themselves heard by all the people interested, and there would be great difficulty in deciding whether there were more people for or against anything that was proposed. So the people in different districts choose

representatives to speak and act for them. When you read English history, you learn the gradual growth of the House of Commons, which is now the strongest of the three powers in the realm. It is composed of 650 representatives from all the counties and large towns of England, Scotland, and Ireland. There must be a new House of Commons chosen every seven years, but the Queen can **dissolve** the House sooner if she pleases. The 650 members meet in a large hall, and discuss public affairs, and settle all disputed points by putting them to the vote, and the **most votes or voices carry the day**. A new law can only be made, or an old one altered, by a bill for that purpose being read **three separate times in both houses** of legislature—the Commons and the Lords—and a majority in both houses voting for it. Sometimes the bill is very much altered in the House of Commons before it goes up to the Lords; sometimes it is very much altered in the House of Lords before they will pass it. When it has passed both houses, it goes to the Queen for her signature. She never alters it at all. The Queen has the power to refuse to sign a bill which she does not approve of, but for eighty years past the sovereign has not even threatened to refuse assent to a bill that has passed by a majority in both houses of legislature. When the bill is thus passed, and the Queen has put her name to it, it is an **Act of Parliament—a law of the land**. Sometimes a bill that is passed in the Commons does not please the Lords, and they refuse to pass it—or, as it is called, **they throw it out**. Perhaps the Commons may alter it next session of parliament to make it more pleasant, or they may pass it again unchanged by a larger majority; and, in general practice, the Lords have to give way at last, because the House of Commons represents the whole body of the people, while the House of Lords represents only their own order. There is one kind of bill that the **House of**

Lords does not alter, and that is **money bills**. The people have to pay the taxes, and their representatives have the right to settle how they should be raised and how they should be spent.

The Queen, though she is a very clever and active-minded woman, who understands public affairs well, cannot accomplish all the duties that fall upon her. She, like all other monarchs, does most of her business through her **official servants**, who are called her **ministers**. She appoints for each great department an officer of State, who not only looks after the treasury or the post office, or whatever he may be set over, but must sit either in the House of Commons or the House of Lords to answer any questions which may be put to him, or to explain what he and his fellow ministers are doing. And although the Queen herself may be quite satisfied with her ministers, unless they can command a majority in the House of Commons—that is, have more members in favor of them and their policy than are against them—they cannot continue to carry on the government. **They must resign**, and the Queen must choose a new set of ministers whom the people's representatives will be better satisfied with.

So that the **greatest power**, according to the English constitution, is the **House of Commons**, chosen by the people. Every man in England is not allowed to vote for that house. He must possess a certain amount of property, or pay a certain amount of rent for land or house, before he can claim to be put on the roll or list of electors.

II.—*Constitution of South Australia.*

GOVERNOR.—LEGISLATIVE COUNCIL.—HOUSE OF ASSEMBLY.—GOVERNOR REPRESENTS THE QUEEN.—SIX MEMBERS FORM THE MINISTRY.—MINISTRY MUST SATISFY THE PARLIAMENT. DIFFERENCE BETWEEN HOUSE OF LORDS AND LEGISLATIVE COUNCIL.—QUALIFICATION OF VOTERS FOR COUNCIL.—MANHOOD SUFFRAGE FOR ASSEMBLY.—ASSEMBLY REPRESENTS DISTRICTS.—SESSION OF PARLIAMENT.—RESIGNATION OF MEMBERS.—PRESIDENT AND SPEAKER TO KEEP ORDER.—MINISTERS PAID FOR SERVICE WHILE IN OFFICE.

IN South Australia we have a constitution very much like that of England, but instead of the Queen, the Lords, and the Commons, we have the **Governor**, the **Legislative Council**, and the **House of Assembly**. The Governor is appointed by the Queen for a certain term of years—generally five years—and she gives him authority to do a great many things here which she does in England. Like the Queen, the Governor summons the electors to choose their representatives. Like her, he **opens, prorogues, and dissolves** the parliament; and signs bills which have passed through the two houses of legislature, which then become Acts of the South Australian Parliament. Like her, he holds levées, when gentlemen come to pay their respects to him as the Queen's representative; and his wife holds what are called drawing-rooms for ladies. He attends public celebrations, openings of railways and public buildings. Like the Queen, he does most of the public business by means of a ministry, and appoints and dismisses them subject to the approval of the parliament. The official servants who compose the South Australian Ministry are six in number—the Chief Secretary, the Treasurer, the Attorney-General, the Commissioner of Crown Lands and Immigration, the Commissioner of Public Works, and the Minister of Education. These are called **the ministry** or **the government**, but they only keep their places

and the salary (which is paid by the general revenue) for the work they do, so long as they satisfy the parliament. When they find that they cannot carry their measures they resign, and the Governor sends for the chief of their opponents, and asks him to make up another ministry whom the parliament will support. Five of these six chief officers of State must be members of either the Legislative Council or the Assembly. The Attorney-General need not be a member of either House, though it is usual to choose one of the members of the House of Assembly.

There are some **points of difference** between the South Australian parliament of two houses and the Lords and Commons of England. We have no Lords here, and **both** the Council and the Assembly are **representative houses**. The Council is composed of eighteen members, who are chosen by all the men in South Australia that have property worth £50, or a lease of land for which they pay £20, or live in a house worth £25 a-year. One-third of the members go out every four years, so that each may remain twelve years in the Council. The House of Assembly is chosen by manhood suffrage—that is, every male over twenty-one may be put on the roll of voters. For the Assembly, the colony is divided into districts, returning one, two, or more members, and there is a general election every three years. The Governor, like the Queen, may, by the advice of his ministers, dissolve the House of Assembly before the three years are out, and call upon the electors to make a fresh choice. But the Queen cannot dissolve the House of Lords, and the Governor, under the present law, cannot dissolve the Legislative Council.

A **session** of parliament means its sitting to consider and settle public business. Parliament is **adjourned** from day to day; it is **prorogued** from one session of several weeks or months to another; at the end of three years, if not sooner, it is **dissolved**, and all the members of the Assembly cease to be representatives

for their several districts, although at a fresh election the old members may be chosen again. When any member **resigns** or gives up his position, there is generally a fresh election in his district to fill up his place by another representative.

Each house chooses some one to preside, and to keep order, and to settle matters of form which may be in dispute. He is called the **President** in the Council, and the **Speaker** in the Assembly; but these officers do not make speeches themselves, nor do they vote unless the voices are equal on both sides. The President in the Council, and the Speaker and the Chairman of Committees in the Assembly, are the only members who are paid for their trouble, but they are bound to attend every sitting unless they have a doctor's certificate that they are too ill. The six responsible ministers have a salary paid by government, but the ordinary members of parliament in both houses give their services to the country for nothing.

MONEY BILLS.—SOME BILLS REQUIRE THE QUEEN'S SIGNATURE.

—JUDGES.—CIVIL SERVANTS.—GOVERNMENT BOTH THE RULER AND THE SERVANT OF THE PEOPLE.—PUBLIC WORKS,

—RAILWAYS.

Money bills are introduced in the **lower house**—the Assembly—and the Council do not alter them, though they may refuse to pass them. As in England, all new laws or bills must pass the two houses three times, and be signed by the Governor, before they become Acts of Parliament. **Some bills are not law until they are sent to England** for the signature of the Queen, who may refuse to sign them if she considers them contrary to the interests or the constitution of the British Empire. South Australia, as a colony, must not make war on any nation with which Great Britain is at peace, or make a separate peace for herself with any country with which the mother country is at war. The Queen appoints the Governor, but he is paid out of the general revenue

of South Australia. The **judges hold their offices** for life, and can only be removed on account of bad behaviour. All the **civil servants**, or government officers, keep their situations while they do their work properly. The six responsible ministers are changed when they have not a majority in parliament, but none of the other people in the public service are removed.

This government, which is the **ruler** of the people, is at the same time the **servant** of the people; for if the electors generally are not pleased with the way the ministry are conducting public business, they can at next election vote for people who will try to turn them out, and get the country's work done in a different way. It is for the interest of everybody that the country should be ruled as justly and with as little extravagance as possible, and every man has it in his power to make his influence felt. The business of the parliament is to talk over the affairs of the colony, and to carry out the wishes of the people in the matters of justice, police, education, land tenure, and public works. In a new country, which has a small population, a great many things are undertaken by government for the general good, which in England are left to be done by private persons or public companies, or paid for out of district rates. All the railways in England are made by joint stock companies, as the Glenelg railway and the tramways have been made here. These companies raise the money amongst their shareholders to buy the land and make the railways, and when a profit is made they share it amongst them; and if they do not make profit but lose, they share the loss. But here no company would run the risk of making railways that might not pay, and the government can borrow money to construct them from rich people in England at a reasonable rate of interest. These lenders are promised the **interest** of their money out of the revenue, which the government expect to be better on account

of the railways. Besides this, the government has still a great deal of land to sell, which will bring a better price when there is cheap and easy carriage by railway. The railway to the north has opened up a great deal of country which has sold well; but all railways are not reproductive. A railway running through good fertile land will partly pay for its construction by the carriage of its produce, and partly by the higher price of the unsold land. A railway between one populous town and another will pay through the number of passengers who want to travel. But a railway between one small town and another, where there are little goods to carry, may be a great convenience to the people in the little towns, but a great loss to the country which pays the interest on the money needed to make it, as well as wages to the people who work it.

III.—Duties of a Citizen in a Free Country.

PUBLIC SPIRIT.—RESPECT FOR GOVERNMENT PROPERTY.—PRIVATE INTERESTS, CLASS INTERESTS, AND LOCAL INTERESTS SHOULD NOT INTERFERE WITH THE BEST INTERESTS OF THE COLONY.

As every good scholar takes an interest in the general welfare of the school, and is proud when his fellow scholars distinguish themselves, so should every good citizen take an interest and pride in the land he lives in.

Every good citizen should feel what is called **public spirit**, and should take an intelligent interest in public affairs. He should get his name put on the roll of electors when he reaches the proper age, and should give his vote to the very best of his judgment. He should try in voting for the city council or the district council to get the best of the candidates who offer their services. He should be still more careful in giving his vote for the Assembly and the Legislative Council, for they deal with still more

important matters. A good scholar would be ashamed to break the desks, or make holes in the maps, or destroy any of the school property. A good citizen should look on it as dishonest and disgraceful to **destroy government property, to waste government money, or to cheat the government revenue.**

There is another point in which the duties of a citizen are a little more difficult. This is, that he should always study the best interests of the whole community, and not let his own **private interests**, his own **class interests**, or his own **local interests** come between him and what he thinks to be the best for all the people in the colony. This needs some explanation to make it clear.

If a man has a piece of land to sell which the government wants to buy, and he asks twice as much for it as he would ask from an ordinary buyer, he is trying to make all his fellow citizens pay more than it is worth for the advantage of his own **private interest.**

If he wants laws made to favor his own trade or business, so that all the people in the colony would have to pay more for what they want than they would without those laws, it would be his own **class interest** that would have the advantage, for all the people in the same trade or business would get more for what they had to sell.

If he wants government to go to great expense to make a railway or a jetty where there is not much traffic, or a handsome big school when there are few children, or any other unnecessary outlay, because it would be a convenience to the people in the district, and because it would cause a lot of money to be spent there, that would be his **local interest** that would come in the way of the general good.

Our private interest is naturally the strongest of all, but it can be watched by our own conscience, and is not encouraged by our neighbour whose own private interest is different from ours. It is different with class interests for the good of our business or trade—

for the good of the farmer, or for the good of the squatter, or for the good of the working man; and local interests for the good of the town or of the district. These are often supposed to call out the best kind of public spirit, and are encouraged and sympathised with by those who are nearest to us. A good citizen should try as far as he can to keep the general interests of all classes and all districts in view, and if every one in the colony did this there would be such a state of prosperity and happiness in South Australia as was never before seen anywhere. Every nation, however large, is composed of single individuals, and by the right action of each man and woman in it the best national progress is made.

