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Research Director
Legal, Constitutional and Administrative Review Committee
Parliament House
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LEGAL, CONSTITUTIONAL AND
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COMMITTEE

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Griffith Law School
Nathan campus, Griffith University
170 Kessels Road
Nathan, Queensland 4111
Australia
Telephone +61 (0)7 3875 5339
Facsimile +61 (0)7 3875 5599
www.griffith.edu.au

Dear Sir/Madam

PREAMBLE for the QUEENSLAND CONSTITUTION?

Thank you for the letter of 17/6 inviting comment on the Constitutional Review Commission's recommendations about a preamble.

I should say at the outset that although I am a researcher in electoral law, and have written and taught on the law concerning legal and political institutions for the last decade, this is not a subject in which 'expert' opinion is any more valuable than anyone else's.

My comments should also be prefaced by noting that although I cannot see the point in even bothering to attempt a preamble for the Queensland Constitution, I am not opposed to symbolic civic action as such. (On the contrary I have just finished a study of 'ritual and aesthetics' in the way we structure elections and voting.)


But it seems clear to me that a preamble in any state's constitution is fatuous. Not so much because it would be a waste of parliamentary time and public money, as because:

- States in Australia are not organic entities. They are artificial administrative entities, the legacy of colonial border-drawing. There is nothing unique or community-binding in Queensland political history that deserves or ought to be glorified in a preamble.
- Unlike Australia as an island-nation with a unique indigenous history, there is nothing in any State history or identity worth extolling in pseudo-legal rhetoric.

How many people even know *one* fact about the substance of our State constitutions? It would be much more profitable to put time and effort into new and vibrant ways to improve general civic knowledge.

Again, I have no qualms with governments promoting symbolic and poetic means to generate a spirit of place, particularly if this can be done in a reflective way. But I'd rather see this done in substantial (eg by promoting literature about special aspects of regional landscape, history, ethnicity in the State) rather than token ways.

regards


Graeme Orr
Senior Lecturer, Law
Griffith University
g.orr@griffith.edu.au