

Big government is watching you

[Alan Moran](#)



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Sexual issues have come to dominate the news cycle. This week's headlines have been dominated by Christine Holgate. Last week sexual harassment formally become a ground for dismissal in Australian workplaces, with both parliamentarians and judges subject to the Sex Discrimination Act, in measures unveiled by Scott Morrison and Attorney-General Michaelia Cash in response to Sexual Discrimination Commissioner, Kate Jenkins' Respect@Work report on workplace sexual harassment.

Like walrus being driven off a Siberian cliff by a handful of polar bears, ministers in the Morrison government are scrambling to avoid femocratic attacks on real or imagined male bad behaviour.

In doing so, they may be changing our politics forever.

We are seeing a panicked government reaction to two highly publicised events.

The first is the Brittany Higgins matter where, astoundingly, we have not heard anything approaching an explanation why parliamentary security admitted two drunk people to one of the most secure offices in the nation in the dead of night, let alone a proper canvassing of the appointment of a defence minister — the person charged with ensuring the nation's security from aggression — who became so distressed by this event and her actions that she was forced onto sick leave.

The second, of course, concerns the allegations against former attorney-general Christian Porter, allegations that can now never be properly tested and the details of which stretch credibility.

By contrast, no concern was raised about these actions by supposed “feminists” in the Labor and Green parties when conservative MP Nicolle Flint announced she would stand down at the next election after being vilified and harassed over an extended period by green left activists. Flint's decision to quit politics might put into question her suitability for the pressures of high office. But it also begs questions about why she was not afforded protection from the harassment and why the harassers have not been prosecuted.

The sexualisation of politics and outrage about male misbehaviour was extended to a peculiar gaggle of gays, a previously protected species, for offensively exhibiting themselves, with juvenile disrespect, masturbating on a (female) minister's desk.

The response to these publicised alleged and actual acts of sexual misconduct is a new push for active discrimination in favour of women for political advancement. And we are to have a slew of new laws designed to tilt the legal basis by which right and wrong is determined in favour of hurt feelings.

These new laws will damage the precepts of stability and consistency that underpin the rule of law. They will do nothing to redress the harm that has resulted from decisions of judges, who, like those presiding over Stalin's show trials, are appointed for their political reliability rather than judicial knowledge and wisdom. The incarceration of the nation's leading religious figure, Cardinal Pell, for an alleged sex crime the committal of which was physically impossible, was a criminal act by the judges concerned. Even though it undermines trust in the system, this has gone totally unpunished.

In the economies that work most productively governments' prime role, aside from defence and international relations, is to hold the ring under which individual transactions take place. Secondary roles include helping to alleviate poverty, providing education, deciding immigration policy, assisting with health, and addressing issues like drug and alcohol policy, legitimate sexual/marital relationships, and so on.

Today's concept of government with a growing pre-eminent role in individuals' affairs rests on an elevated view of the modern belief that democracy legitimises state actions. This is despite the many examples of failed states with democratically elected but interventionist governments, exemplified by Argentina, Cuba and Venezuela, failed states where governments remain popular and are re-elected in ballots that are more-or-less free.

Australia's constitution, like that of many other successful states, was based on that of the US. Most Australian politicians are however unaware of the mistrust the US Founding Fathers, informed by their knowledge of history, had in democracy. They saw the Constitution as handcuffing government from dominating our lives. Harold Pease explains

The word "Democracy" is not in the Declaration of Independence, the Articles of Confederation, the Constitution, or the Bill of Rights. Even the Pledge of Allegiance is "to the Republic for which it stands."

Benjamin Franklin defined democracy as “two wolves and a lamb voting on what to have for lunch. Liberty is a well-armed lamb contesting the vote.” For Thomas Jefferson, “A wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned.”

The contrast could not be starker between these views and today’s dominant concepts that put politics front and centre.

Rather than seeing Constitutional restraints on the executive branch as benefits, modern activist politicians see them as impediments to be removed when they become inconvenient. A “bonehead idea” is how Joe Biden, 28 years ago described packing the Supreme Court to remove Constitutional barriers. Now he has announced a commission to examine this. US Democrats regard it as unfair that the implementation of their interventionist policies is hampered.

Australia has gone even further. There are examples of Constitutional restraints being adopted by parliaments that are designed to lock in constraints on individuals pursuing commercial opportunities. Thus, the Victorian Government, supported by the Liberals, has placed a constitutional ban on the use of fracking for mining natural gas.

For 200 years we have seen an almost unbroken upsizing of government, actuated by politicians’ appeals to the immediate self-interest of voters. It is difficult to see how this can be reversed in modern democratic states increasingly shorn of constitutional restraints. The reality behind the fears about democracy held by the framers of the US Constitution is that half of the people are responsible for much less than half of the output (one “Pareto distribution” has 20 per cent of people producing 80 per cent of the wealth).

The media has helped voters to assume that the correct distribution of purchasing power is close to equal and in more recent years the elites in the media and the political

class generally have prosecuted their preferences for an enhanced valuation of environmental values with real or, like a suppression of carbon dioxide, no value.

The media role has been vastly amplified in promoting this. Twitter, in particular, has demonstrated an ability to suppress criticisms of those political figures its collegiate supports and even to deplatform the President of the United States. Such extreme powers of social media will be curtailed by the politicians at the apex of the political class including by making them, like other media, liable under the law for false and harmful statements made through its network.

But this will hardly dent the ongoing increase in the size of government – an increase given additional impetuses by the COVID crisis and an emerged ideology that places little value on spending constraints, which many see as hampering the need to create “infrastructure”, newly defined to encompass welfare, education and elimination of sex and race-based disparities.