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Making Of The Australian Constitution

Cheryl Saunders, Adrienne Stone



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The Making of the Australian Constitution J. A. La Nauze, 1974 **The Making of the Australian Constitution** John A. La Nauze, 1974 **The treaty-making power in the Commonwealth of Australia** Günther Doeker, 2012-12-06 In the relation of states treaties are a matter of great importance The law of treaties and the study of treaty making procedures in municipal law systems have become both from a theoretical and practical point of view subjects of increasing interest The United Nations Legal Committee as well as the International Law Commission have published studies concerned with the relationship of international law and municipal law emphasizing national practices concerning the conclusion of treaties In the case of some countries such as Great Britain and the United States numerous studies of treaty making problems have been made but much less has been published in the case of many other countries such as Australia Canada or India In the case of Australia research on treaty making has resulted in comparatively few published articles in scholarly and legal journals and only a few comments in general legal treatises But no comprehensive legal analysis of the subject has as yet appeared This study aims to present a comprehensive survey and analysis of actual treaty making procedures and practices in Australia against the setting of the relevant constitutional and other legal norms of the Australian political system The analysis of treaty making will consider both normative and empirical legal aspects Basic constitutional norms legal principles derived from common and constitutional law and statutes will be discussed as well as the actual practices and procedures

used in the exercise of the treaty making power

Religious Freedom and the Australian Constitution Luke Beck, 2018-03-19 This book examines the origins of Australia's constitutional religious freedom provision. It explores on the one hand the political activities and motives of religious leaders seeking to give the Australian Constitution a religious character and on the other the political activities and motives of a religious minority seeking to prevent the Australian Constitution having a religious character. The book also interrogates the argument advanced at the Federal Convention in favour of section 116 dealing with separation of religion and government and argues that until now scholars and courts have misunderstood that argument. The book casts new light to show how the origins of the provision lead to section 116 being conceptualised as a safeguard against religious intolerance on the part of the Commonwealth. Written in an accessible style, the work has potential to influence the development of constitutional doctrine by the High Court through its challenge of historical assumptions on which the High Court's current doctrine is based. Given the ongoing political debates concerning the interaction of discrimination law and religious freedom, the book will be of interest to academics and policy makers working in the areas of law and religion, constitutional law and comparative law.

Responsible Government and the Australian Constitution Benjamin B Saunders, 2023-06-15 This book looks at responsible government under the Australian Constitution. It undertakes a detailed examination of the history leading to the incorporation of responsible government into the Constitution, examining the political history and constitutional ideas which informed the framers' views. It draws on this history to develop a theory of responsible government and explore its implications for the interpretation of the Constitution and the structure of modern government in Australia. The book fills a major gap in our knowledge of the intellectual background of the Australian Constitution by explaining the constitutional ideas that have shaped the text and structure of the Australian Constitution. It contributes to worldwide debates about constitutional interpretation by showing how rigorous use of history can lead to novel interpretations of constitutions without being tied to the dead hands of the founders.

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Issues for 1901 07 1901 20 include corrected statistics for the period 1788 to 1900 **Interpreting Constitutions** Charles J. G. Sampford, Kim Preston, 1996 Constitutions can be viewed as the road map of liberal democracies And like any road map they need to be constantly reconsidered and redrawn as the territory develops and changes The contributors undertake this re interpretation on a number of levels They examine first the theoretical approaches to constitutional interpretation and then move on to implied rights There then follows a consideration of the role of the judiciary and parliament in constitutional interpretation drawing upon a number of examples from around the world **The Australian Constitution and National Identity** Anna Olijnyk, Alexander Reilly, 2023-05-11 What does Australia s Constitution say about national identity A conventional answer might be not much Yet recent constitutional controversies raise issues about the recognition of First Peoples the place of migrants and dual citizens the right to free speech the nature of our democracy and our continuing connection to the British monarchy These are constitutional questions but they are also questions about who we are as a nation This edited collection brings together legal historical and political science scholarship These diverse perspectives reveal a wealth of connections between the Australian Constitution and Australia s national identity **The Foundations and Traditions of Constitutional Amendment** Richard Albert, Xenophon Contiades, Alkmene Fotiadou, 2017-07-13 There is growing interest in constitutional amendment from a comparative perspective Comparative constitutional amendment is the study of how constitutions change through formal and informal means including alteration revision evolution interpretation replacement and revolution The field invites scholars to draw insights about constitutional change across borders and cultures to uncover the motivations behind constitutional change to theorise best practices and to identify the theoretical underpinnings of constitutional change This volume is designed to guide the emergence of comparative constitutional amendment as a distinct field of study in public law Much of the recent scholarship in the field has been written by the scholars assembled in this volume This book like the field it hopes to shape is not comparative alone it is also doctrinal historical and theoretical and therefore offers a multiplicity of perspectives on a subject about which much remains to be written This book aspires to be the first to address comprehensively the new dimensions of the study of constitutional amendment and will become a reference point for all scholars working on the subject The volume covers all of the topics where innovative work is being done such as the notion of the people the trend of empirical quantitative approaches to constitutional change unamendability sunrise clauses constitutional referenda the conventional divide between constituent and constituted powers among other important subjects It creates a dialogue that cuts through these innovative conceptualisations and highlights scholarly disagreement and in so doing puts ideas to the test The volume therefore captures the fierce ongoing debates on the relevant topics it reveals the current trends and contested issues and it offers a variety of arguments elaborated by prominent experts in the field It will open the way for further dialogue *Australian Constitutional Landmarks* H. P. Lee, George Winterton, 2004-01-12 Australian Constitutional Landmarks presents the most

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