

# Thou must heed the Bible, ScoMo: pride goeth before destruction, and a haughty spirit before a fall

When the usually restrained Simon Birmingham let fly with dismissive arrogance this week the Morrison government's attitude was exposed: it just doesn't care what voters think.



FINANCE MINISTER SIMON BIRMINGHAM (IMAGE: AAP/JOEL CARRETT)

If you had to say what the Morrison government stands for, you'd struggle, right? Casting back over the time since 2018 when Scott Morrison became prime minister, I can come up with only two assertions of principle which his government could really claim to have planted firmly in the sand.

The first is sovereignty, reflected in the government's continuing devotion to the notion of sovereign borders and Morrison's peculiar romance with the idea that Australia's destiny will be made solely in Australia. That comes out in various contexts, be it trade, foreign affairs, climate change or COVID-19.

The second is the rule of law. It is only a recent attachment for the government and has been deployed by it only in defence of the alleged sexual offences of its own members. However, it's been shouted loudly and often enough to qualify as a mantra.

So there it is — somewhat motley, but one can cobble together something from the pieces. As a coherent statement of ideology, it would be that Australia is a self-contained sovereign nation of laws, which the Morrison government is dedicated to preserve. Burkean conservatism with a whiff of nationalism.

The key to this philosophy, in theory, is that the body politic (enshrined by the constitution federally, and the grace of Her Majesty at state level) is sovereign in its right and power to

make laws which we are bound to obey by our citizenship and from the arbitrary or unequal application of which we are protected by the rule of law.

There is an assumption that needs to hold for that neat arrangement to not collapse in on itself. Because you might notice that the only thing keeping it up is our willingness to go along with it.

The assumption is that the people entrusted with the keys to the castle keep will keep some kind of vague faith with the rule of law. Parliament has immense power to make laws; judges to interpret them, resolve disputes and punish guilt; ministers to wield the power of the state in myriad ways, including by spending its money.

You might see where I'm going with this. If power is not matched by responsibility, at least the pretence of it, then it has no legitimacy whatsoever, and eventually the proletariat will notice.

Which brings us to Simon Birmingham, the member of the Morrison cabinet you'd think least likely to blow up democracy. Addressing the latest and largest of his government's epic adventures in corrupt pork-barrelling, the \$660 million car park fund that disappeared into Coalition seats just before the 2019 election, Birmo broke from the usual defensive playbook — no rules were broken — with the refreshingly honest line: "The Australian people had their chance and voted the government back in."

It didn't have the pithy eloquence of Ned Kelly's "such is life", but full marks for chutzpah. If he'd flipped the bird at the Australian electorate it would have had no different meaning.

I suspect Birmo would never have thought to say something so outrageously arrogant and dismissive if he wasn't serving under Morrison, for whom the attitude is first and second nature. That he did tells us something profound about this government: it no longer cares what we think. It's not even pretending any more.

Which reminds me of another ruler who had a similar conceptualisation of his role in the order of things and an equal unconcern for how it looked.

King Charles I, who ruled England (and would have ruled us except we hadn't been invaded yet) from 1625 to 1649, was one of history's more renowned proponents of a theory of sovereignty and the rule of law known as the divine right of kings. As his dad, King James I, had put it: "[The monarch is] the absolute master of the lives and possessions of his subjects; his acts are not open to inquiry or dispute, and no misdeeds can ever justify resistance."

The right was divine because the king sat "on the throne of God".

Most ancient and feudal societies felt the same about their monarchs, or at least were compelled to do so. It's where the idea of "absolute" monarchy comes from, to take it in a more secular direction; sovereignty, the right of the state to govern itself and make laws which the people are obliged to obey, exists literally in the person of the king or queen. That person being indivisible from the power they wield, it'd be a logical impossibility for them to be also subject to the laws they make.

Anyway, that's what Charles thought, right up to the moment when they took his head off. So did Louis XVI of France, Nicolas II of Russia, and Gaddafi of Libya.

Charles' dad had produced another, more famous book, the King James version of the Bible. He probably wasn't being self-consciously ironic when he translated Proverbs 16:18: "Pride goeth before destruction, and a haughty spirit before a fall."

The thing is, they never see it coming.

---

ABOUT THE AUTHOR

## Michael Bradley

CRIKEY COLUMNIST [@MARQUELAWYERS](#)

Michael Bradley is a freelance writer and managing partner at Sydney firm Marque Lawyers, which was created in 2008 with the singular ambition of completely changing the way law is practised.

