

Lewis Jones  


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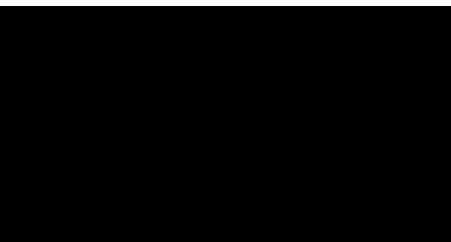
Dear Sir/Madam,

I am writing today to make a submission to the Inquiry regarding *The Referendum (Machinery Provisions) Amendment Bill 2022*, specifically pertaining to the changes made around abolishing funding for the official “yes” and “no” campaigns.

Attached is a brief letter discussing how cancelling public funding for these campaigns in favour of a “civic education” campaign risks misinformation, a poorly-structured debate, and a populace which may not trust the government to run referendums freely or fairly.

If you have any further queries or concerns surrounding my submission, please do not hesitate to get in touch.

Kind regards,



Lewis Jones

PS That we have only been given two weeks to make this submission, during the festive season, is shocking. It's as if the committee does not want submissions.

# Submission – The Referendum (Machinery Provisions) Amendment

By Lewis Jones

## The Importance of The Constitution

The importance of our constitution cannot be underestimated. It is our country's founding document, the basis on which all other laws, powers and responsibilities are granted. Without it our federation would be on shaky ground.

It is for this reason that the hurdles to change the constitution are so high. As Sir Robert Menzies described it, changing the constitution is one of the Labours of Hercules. And for good reason – such changes have the potential to change our nation radically and indelibly.

Radicals in our society may see this as an impediment and a barrier, I see it as a critical part of maintaining balance and providing some stability to otherwise fragile concepts – democracy, equality in front of the law, and the right to free speech. You only need look at our neighbours to realise these values do not grow on trees.

## Equal Funding for “Yes” and “No”

As part of ensuring a free and fair referendum, in the past the “Yes” and “No” cases of any Referendum must be equally funded, and for good reason.

That any proposal must firstly pass Parliament means by nature, it must be sensible. We will not ever see a referendum about dressing up as Clowns on Tuesdays, or pants-optional Fridays, because such absurd proposals would never pass the federal Parliament.

Each case deserves to be heard equally. If a change is being brought by a government, and the referendum requires such onerous barriers for change, surely this means that the populace should be equally educated on both sides, yes?

The current model, which provides an official pamphlet sent to all voters, recognises two official sides, and provides public funding for both sides, provides a fair and even platform for both platforms. It provides a base level of understanding to all electors on what is involved, provides a platform for MPs and Senators from each side of the campaign to put together a base level of information on the proposal, and minimises the risk of misinformation by providing this from an official print-led source.

If for some reason an elector does not have an electoral address, this information could simply be made available at booths or online. Minor access issues do not justify throwing the baby out with the bathwater.

As an aside, the Albanese government has already shown disregard for this model by committing to make contributions to the ‘Yes’ campaign tax deductible while not allowing similar concessions for the ‘No’ campaign.

## The Risks of a ‘Civic Education’ Campaign

First of all – if a ‘civic education’ program promises to provide a balanced view of the Yes and No cases, isn’t it simply better to yet the ‘Yes’ and ‘No’ cases make their own cases, rather than have the government do it for them?

A cynic would say that the government is concerned that the ‘No’ case might actually make good points, and hence a ‘civic education’ program avoids ‘No’ voters making valid points, but I would hope such thoughts remain something of conspiracy, not reality.

If it is about ‘good manners’, as the Prime Minister claims, it would not be difficult to require all content to be well mannered. In fact, typically poorly mannered content loses elections. I doubt, for example, the ‘No’ case in the upcoming referendum will make its case by supporting abhorrent concepts such as racism. ‘Bad manners’ tend to come from the fringes of the political spectrum, and not those championing change in Parliament.

Having debunked the benefits of ‘civic education,’ now is the time to look at the risks.

By moving to a ‘civic education’ model, we create a body which by its nature, has to be impartial. How does one do this – hire more public servants? Establish a bipartisan committee? Both options are fraught with danger, and may struggle to maintain impartiality. Look no further than the ABC for an organisation which is meant to be ‘impartial’ but struggles to do so. In turn, such an education campaign may be poorly structured, confuse, or skew results in a way which disadvantages one side.

Secondly, how do we educate the voters on each choice? Will the ‘civic education’ campaign become a de facto ‘Yes’ campaign, with the ‘No’ campaign being relegated to having no funding at all? Who will be responsible for fact-checking the claims of each side outside the ‘civic education’ team? And what message does this send to voters – that the government believes we are too stupid to make our own choices?

And finally – look at our general election. There are always two (or more) sides campaigning for your vote. There is no such thing as a ‘civic education’ campaign as there is no way to make a single-sided campaign unbiased.

## Conclusion

Democratic ideas are at their most robust when they can be argued freely, fairly and without hindrance or impediment from government. Equal funding for the “Yes” and “No” question, when on such an important matter regarding our nation’s constitution, should be a foregone conclusion.

To subject the nation to a ‘civic education’ campaign implies we are nothing more than a bunch of drones incapable of making up our own minds or rejecting abhorrent content. The Australian population are better than this and deserve to be treated better than this.