

Ms. Christine McDonald,
Secretary,
Senate Standing Committee on Finance and Public Administration,
Parliament House,
Canberra,

RE: Inquiry into the Plebiscite for an Australian Republic Bill 2008

Submission re Plebiscite.

Thank you for your invitation to submit comments in relation to the proposed plebiscite. As a Ph. D. in Government, retired Associate Professor in Management and Politics (Southern Cross University), author of two books on the forthcoming Republic and Convenor of the study group *Republic Now!* I certainly welcome the move to get the Republic back on the public agenda.

I have also discussed the Republic issue with several other pro-Republic groups in recent years, known as the Republic Gatherings. There have been four such Gatherings over a weekend, the most recent one in May 2008. The ARM initiated these meetings acknowledging that there were several other pro-Republic groups that have a different approach as compared to the ARM's.

The approach of the ARM, and also of the current ALP Government, can best be described as Minimalist. It concentrates heavily on the Head of State issue. This suggests that a mere change from the Queen to an Australian Head of State with symbolic powers and functions can establish a Republic. Although those who hold this position will usually agree that there is more to be discussed this phase, they hold, can be pursued at a later date; should not clutter up the first step; and/or would alarm or confuse a lot of voters who would then vote against it. Thus there is no specific strategic plan to move towards constitutional change of any other kind, no mention of a process of plebiscites and referendums and extensive involvement by the people in that process.

Republic Now! provides a strategic plan for a process towards the overhaul of the Constitution and sees the Head of State issue merely as a first step. The approach is one towards a Maximalist Republic. That has been explained more fully in my 2006 book *How about OUR Republic?* BookSurge of which I am submitting a copy for the Committee's perusal.

In this submission I will concentrate on the first issue of that process. However, the way this first issue is approached already provides an insight

as to how subsequent steps could also be approached, with maximum impact.

There are several associated questions that will arise in the voters' mind together with the first one, as proposed in the Bill. This should be properly anticipated in order to gather maximum information so that a subsequent referendum can be formulated accurately, thus maximising the chance of acceptance of the referendum.

I do not believe that a single proposal as presented under item 5 of the Bill:

“Do you support Australia becoming a republic?”

provides much opportunity to gather additional relevant information. Also, it does not provide opportunities for learning, education and the generation of media attention so that a much wider discussion can take place, as it should. One of the problems of 1999 was, as research in the PM's own Department as well as at ANU (RSSS) has shown, that the public had far too little information.

If handled in this way, that is just one single question, a worst case scenario could be that, because of its severe limitations, this plebiscite could actually be rejected! Why risk such a disastrous outcome?

Many voters may well be inclined to vote YES to the proposal, probably over 60%, but they will also ask, as they did in 1999: *What kind of Republic?* And/or *What kind of Head of State?* Many people may say, " I do not support a Republic UNLESS we have a directly elected President". Or "UNLESS we have a symbolic President and not one like in the U. S." Or "UNLESS a directly elected President has been nominated by means of intermediate college".

It is particularly in a plebiscite that the public mood can be gauged reasonably accurately and comprehensively but the Government need to ask multiple questions. This is extremely important especially because Section 128 of the Constitution has proved to be such a major obstacle in the way of having constitutional referendums passed in Australia.

This single question does not provide opportunity for making these points and yet they are important when it comes to formulating Referendum questions. So let me formulate eight questions directly relating to the Head of State issue and five others suggesting that the Government is STRATEGICALLY PLANNING for other constitutional change and is asking the voters to think about this ahead of time. Surely, at the end of the process the Australian voters should OWN the Australian Constitution and that

could only happen if they are extensively involved in consultations about it.
Here goes:

Question 1: As formulated

Question 2: Regardless of your answer to Question 1
would you be in favour of a Head of State
(a) elected directly by the people OR
(b) elected indirectly by the politicians

Question 3: Regardless of your previous answers
would you be in favour of a Head of State
(a) with strong executive powers (as for instance in the US) OR
(b) with symbolic powers and functions
comparable to those of the Governor-General

Question 4: RE: Nomination of the Presidential
candidates.
Who should nominate Presidential candidates?
(a) Voters, based on a minimum number
(b) Federal politicians
(c) Federal and State politicians combined
(d) 50 senior judges
(e) A nomination college

Question 5: What should be the minimum age of a
President? circle please
35 40 45 50 55

Question 6: What should be the maximum age of a
President? circle please
70 75 80

Question 7: What should be the duration of the
Presidential term of appointment?
Years:
4 5 6

Question 8: Should it be possible to re-elect a President for
another term?

YES

NO

Other very important plebiscite and referendum questions for the future of the Australia could be, *for example*:

1. Are you in favour of appointing a Constitutional Commission charged with the task of rewriting the entire Constitution?
2. Are you in favour of adding a clause to Section 128 of the Constitution, which would enable 1% of the population to propose a Citizen Initiated Referendum for a constitutional amendment?
3. Are you in favour of replacing the states with a two-tier system of government based on a national government and a second tier based on local government with regional administrative adjuncts?
4. Are you in favour of replacing the current dominant single-member district system with a Proportional Representation - system as is used in most western democracies. *(Actually this is not a constitutional question but nevertheless an important referendum question)*
5. Are you in favour of abolishing certain dysfunctional aspects of the Westminster system, such a fusion of the Government and Legislature and the need for members of the Government to be elected to that Legislature?

The general strategy to involve the public meaningfully and increase the chances of successful referendums should be to offer multiple questions in plebiscites, then formulate the referendum questions based on the responses.

When to put the first multiple question plebiscite?

The sooner the better! The idea that Australia should wait with re-visiting the Republic issue until the Queen abdicates I find bizarre, to say the least, **there is no need for that at all**. Even the Queen herself has apparently encouraged Australian politicians to move ahead. At the time of the Commonwealth Games, when she was here just two days, she is claimed to have asked "what took Australia so long".

However, as it is the Rudd Government's intention to take up the Republic issue again only in its second term, assuming that there will be a second term, the most opportune and least costly moment would be to present the plebiscite at the same time as the 2010 federal election.

However, the wording of the proposal should be in the public arena long before that,

I would say at least six months so that a proper public debate can take place. The shallow debate of the 1990s will hopefully not be repeated. In particular the Minimalist approach needs to go and voters should be informed more broadly about the very serious problems of Australia's archaic Constitution.

Klaas Woldring, Ph. D.

15th December, 2008