

A Personal Submission to the Senate Committee considering the Plebiscite for an Australian Republic Bill 2008

The author is an employee of Australians for Constitutional Monarchy – an organisation also making a submission to this enquiry.

SUMMARY

The Plebiscite for an Australian Republic Bill 2008 should be allowed to lapse for the following reasons.

The Inherent Value of the Australian Constitution

There is no advantage to changing the system of government. When Australia federated the picture of the world was very different. While many other countries have endured civil disorder and worse, Australia has always enjoyed peaceful change of government from one political party to another. One can simply list countries that have suffered following the adoption of republican systems of government: Greece, Italy, France, Germany, Russia & its subsidiary states, China, Vietnam, Cambodia, Chile, Argentina, Portugal. The list goes on and on.

The reason for Australia's stability lies in the Australian Crown. The crown occupies a position above politics. And yet binding convention means the Crown in Australia through the persons of the Governors and the Governor-General cannot just act willy-nilly. The people's elected representatives advise on the exercise of that power. Day to day it looks like the PM or Premier is in charge. But at the back of his or her mind is the knowledge that they have not been given power like some republican President or governor. It does not belong to them – not even for an instant.

Constitutional Good Order

A plebiscite on a constitutional matter can have only one purpose: to subvert the requirement of the Australian Constitution (s.128) that all constitutional change be submitted to a referendum with all the details in advance. If a plebiscite passes but a subsequent referendum fails then the constitution will suffer from a vote of no confidence in one of the world's most successful constitutions.

The question posed is inherently meaningless. What is a republic? Cardinal Moran at the time of federation described Australia as having the "most perfect form of republican government". The recently retired justice of the High Court Michael Kirby calls our system of government a "crowned republic". We all know what republicans mean by calling for "a republic". But even a plebiscite question has to be clear enough so that there is no room for doubt. I would recommend at a minimum that the question be rephrased to "Would you like to get rid of the Australian Constitutional Monarchy?" Republicans have little common ground between them and a dislike for the monarchy is all that unites them.

Plebiscites are an exercise in blank cheque politics. We all sign the cheque and then special interests get to write in the sum involved. If the plebiscite goes ahead with a general election

we will be faced with the extraordinary spectacle of political parties giving detailed manifestos for the next three years but no detail for a proposed constitutional change that will have an indefinite effect.

There is a further problem. Nothing in the Bill or supporting documentation indicates that anyone has thought about the role of the states. Indeed Senator Brown states that a simple majority of voters will suffice to pass the plebiscite. For a Senator from a small state that is an extraordinary disenfranchisement.

No Favouring of Partisan Interests

The Australian tax payer is being asked yet again to do the hard work of a vocal and excessively influential minority- the republican movement. It is up to republicans to decide on a model to put to the Australian people. They must not use public funds to do their research for them. They decided on the model in 1998 (Constitutional Monarchists abstained from the final; vote at the Constitutional Convention in that year) and the people decided in 1999. They said no.

How many more times will we have to say no before they get the message?

Thomas Flynn