

February 5 2009

The Secretary,
Finance & Public Administration Committee,
Parliament House,
Canberra, ACT 2600.

Plebiscite for an Australian Republic Bill 2008

Angus Harker-Smith

In response to the invitation to make a submission on this bill, I wish to put the following to the Committee for their consideration:

Any proposal to make the Commonwealth into a republic represents the most drastic and fundamental change to Australia's political landscape since Federation. This change is so great that it requires the informed consent of the Australian people. A plebiscite can not provide the people the necessary information to make an educated decision.

The founding fathers understood that the Constitution was not to be a static document; that change was necessary, and desirable, from time to time. By ensuring in Section 128 that any change required the consent of the majority of people in the majority of states they avoided the potential problem of the Constitution being used as a political football by the Parliament and the wishes of some states overriding the wishes of other states. Furthermore, by creating such a burden of verification in this majority, it ensured that changes to the Constitution were not made lightly or frivolously; that change would have to be, as Quick and Garran put it, "desirable, irresistible and inevitable".

If a republic is desirable, irresistible and inevitable it will have no problem passing a referendum that conforms to S128. The Australian people had the opportunity to make an informed decision on this issue in a S128 referendum less than ten years ago and rejected it in a landslide. There is no evidence that John Howard rigged the referendum to fail to "break the nation's heart". Nor is there any evidence that many republicans held off because they wanted a direct election model. The 1999 Referendum simply shows that the Australian people, the final arbiters of the Constitution, are wisely conservative about untested change. They have proven their wisdom in all previous referenda.

Any simple plebiscite question will be inherently populist and frivolous and can never convey the sheer depth of changes to the Constitution that a republic referendum question would. It would have a shallow popular appeal, probably exaggerated by simplistic nationalistic sentiments that the question would, undoubtedly, convey. If successful, it would be a devious way to write a blank cheque on the Constitution in haste and by stealth without the informed decision to back it up.

If a republic is so desirable then the special interest groups, political parties and organisations that are campaigning for Republic Mark II ought to develop a new model that is equal to or improves the current system. Then place this model before the Australian people in a S128 referendum so they can make an informed decision. Anything less is against the spirit, and possibly the letter, of the Constitution.

Australians deserve better.

Yours sincerely,

Angus Harker-Smith