

The Secretary,
Finance and Public Administration Committee
Department of the Senate
PO Box 6100
Parliament House,
Canberra 2600.

Submission: Plebiscite for an Australian Republic Bill 2008

Dear Mr. Secretary,

As a concerned and interested Australian citizen, I would like to make a submission to the Finance and Public Administration Committee on the *Plebiscite for an Australian Republic Bill 2008* sponsored by Senator Bob Brown.

This Bill is one of fundamental importance to the future stability and success of our entire national structure of government, and hence the well-being of our great nation, as it seeks to undermine the most fundamental document at the heart of our political and legal structure – our *Commonwealth Constitution*, presumably with a view to replacing the *Constitution* with an alternative document based on a republican form of government.

As such, it deserves the widest possible public scrutiny and participation, particularly if the Federal Government decides to proceed with the Bill. This is not the sort of issue that can be dealt with by stealth. All Australian citizens deserve to be informed of what is being proposed, and why, and what specific issues with our *Commonwealth Constitution* this Bill is seeking to address.

Whilst it is regrettable that there is a large degree of public ignorance in Australia about our *Constitution*, its origins, structure and provisions (and this level of ignorance is directly attributable to the fact that Australian children are not taught about our *Constitution* in sufficient detail at school, but that is another issue), it remains an indisputable fact that our *Constitution*, which was adopted by vote of the people at referenda in the 1890s after being very carefully crafted by the brightest legal and political minds of the day to suit the special conditions of Australia, has been an outstanding success in the sense of providing political, social and legal stability for over a century – a stability which is the envy of the world.

Truly Australia has been the ‘lucky country’, and we owe our good fortune, in large measure, to this brilliant document which has proved so well adapted to upholding our democratic way of life – our *Commonwealth Constitution*. The founding fathers of the Federation movement who wrote our *Constitution* were not ignorant of the alternatives. They were very aware of the republican form of government, most notably practiced in the United States of America, and after considering the various alternative models of government they wisely rejected the republican option and decided on the Commonwealth model for Australia, with a non-political Constitutional Monarchy at its apex. They also wisely decided that the appropriate mechanism for altering the *Constitution* should be by referendum, with a majority of

voters in a majority of states being required to vote in favour of a referendum before it could succeed.

Such an enduringly successful model of government should not lightly be altered or interfered with, only in clear cases of dysfunctionality, and indeed the Australian people have proved wisely resistant to attempts to do so, rejecting all but 8 of 44 referenda proposing changes to the *Constitution* over the past century. Logically, it follows that any suggestion that the entire *Constitution* should be revised should be based on very sound evidence that the entire structure has become in some way dysfunctional.

This Bill, which proposes a plebiscite be put to the Australian people posing the question “Do you support Australia becoming a republic?” is therefore already flawed on several grounds. Firstly, it fails to provide any clear evidence to support the notion that our entire existing *Commonwealth Constitution* has become in some way dysfunctional. Secondly, it seeks to undermine the *Constitution* whilst bypassing the only legal means of altering it – by referendum.

If such a plebiscite question were to be put to the Australian people and were to succeed, then our existing *Constitution* would stand in the position of having been undermined, with a cloud cast over its continuing legitimacy, but no clear alternative would have been selected to replace it, and indeed the plebiscite result cannot, of itself, effect any changes to the *Constitution*. If, on the other hand, the plebiscite question were to fail, then the whole exercise would have proved an unjustifiable and irresponsible waste of precious taxpayers’ money in a time of economic crisis. It’s a lose-lose situation.

It is less than ten years since Australia voted on this question at an actual referendum, and on that occasion the proposal to replace our existing *Commonwealth Constitution* with a particular republican form of government was overwhelmingly rejected by the Australian people. There is clearly no value in putting the same proposal to referendum again, and so it is incumbent on those who would seek to change our *Commonwealth Constitution* into a republican one to detail which specific alternative model of government they are seeking to implement. Only when these details are made public can the Australian people make an informed and mature decision as to whether our present *Constitution* has become dysfunctional, and if so, whether the proposed alternative republican model would redress the situation without losing any of the inherent demonstrated advantages of our existing system, and such a decision should be taken using the only legal mechanism for altering our *Constitution* – the referendum.

There is nothing to be gained by seeking to alter our *Constitution* via mechanisms other than the referendum, such as plebiscites. It is wasteful, and it is a road to nowhere. Furthermore, mechanisms to alter our *Constitution* should not be lightly invoked – they are not there so that a minority of citizens who do not like our present governmental arrangements can keep asking the same question again and again at enormous expense in the hope that one day they will get the answer that they want.

It is the duty of those of us amongst the Australian citizenry who do have an awareness of the history, structure and provisions of our *Constitution* to defend this

rock of our national stability against ill-conceived and frivolous attempts to undermine it by means which seek to bypass the only legal means for altering it. We owe this not only to our wise forefathers who crafted such a brilliant document, and those previous generations who repeatedly voted against referenda to alter it, but also to our present fellow citizens who are not sufficiently aware of the issues at stake, and to future generations who have as much right to live under such a stable, democratic and prosperous form of government as we have been privileged to enjoy.

Our national form of government, under a Commonwealth Constitution, has proved to be strong and vibrant, democratic and tolerant. It should be vigorously defended. Those who prefer a republican form of government would do well to reflect on the state of affairs in other nations around the world which actually have a republican form of government. Some, like the United States and France, experience ongoing political gridlock with the executive and the legislature frequently at loggerheads. Others, like Zimbabwe, slide further and further into turmoil and chaos. It is not the right road for Australia.

I would therefore urge the Committee, Mr. Secretary, to give serious consideration to the points I have made, and to weigh very carefully what is at stake in a proposal of this nature before deciding whether to proceed with consideration of this Bill. It is risky, it is unnecessary, it undermines confidence and stability without substituting an alternative structure, and given the dire economic situation which the world today now faces, and into which Australia will soon be drawn, this is emphatically not an appropriate time in which to be putting the stability of our political and legal structures at risk. This is a time for putting individual preferences aside, and for putting the nation first.

Thank you for your kind consideration of my submission.

Yours sincerely,

Bob Wright