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The Secretariat  
Senate Legal and Constitutional References Committee  
Room S1.61  
PARLIAMENT HOUSE ACT 2600  
AUSTRALIA

To Whom It May Concern:

Please accept this correspondence as a submission to the Committee and its inquiry into the Australian Republic.

In writing to the Committee, I would like to discuss some particular issues of concern to me within the terms of reference for the inquiry. Specifically, they are a) possible alternative models for Republican governance, including the method of selecting an appropriately qualified Head of State, and b) the relationship that might exist between the Head of State and the executive, legislative and judicial branches of government. These issues are now discussed in brief:

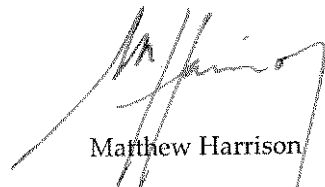
- I acknowledge the work of the *Australian Republican Movement* in developing its "6 models" paper that outlines the main forms of republican governance which have informed public debate on the issue since the 1990s. In my opinion, the document did not pursue any significant discussion on an *executive presidency* model, whereby the Australian President would sit at the apex of the Executive branch of government. This is not to suggest that an Australian Republic ought to copy the executive presidential models of other countries, like the United States, but rather that some creative thinking be applied as to how such a model might actually benefit the independence of the public service, add further to the *separation of powers*, and remove executive control from the government benches in the Parliament in Australia. I ask that the Committee considers such issues regarding an executive presidency.
- As Sir Zelman Cowan so eloquently described the role of Governors-General, the office of the Australian President ought to be one that seeks to be a *reflection of the nation unto itself*. I support the idea of an Australian President having to fulfil certain qualifications before nominating for, or accepting, the Presidency. Firstly, the candidate should fulfil the requirements pertaining to nominations for federal elections; I support the minimum age of the President being set at the age of voting franchise. However, I do not think it is always appropriate that Presidential candidates should have to resign their political affiliations, or that selecting a President be a process removed from those democratic practices embraced by our sophisticated society—one that believes in government for, by and of the people. I can see no valid arguments as to why an Australian President cannot be duly elected by popular vote of qualified electors; emotive concerns are often cited as reasons enough to avoid the

Presidential selection process being subject to public approval by popular election. I ask that the Committee investigates how the public might participate in the election of the President.

- I believe that the powers of the Australian President ought to be codified in the Constitution, and this is particularly important for any Republican model that places significant sovereign power in the hands of the President. The Australian Constitution ought to be redrafted by a convention of delegates before seeking public consultation on the new document and a referendum for change. Investigating the extent to which sovereign power may be vested in the Australian people could provoke some lively debate about the dismissal of Heads of State and Heads of Government under any new regime.
- Finally, I ask that the Committee considers seriously hearing evidence in Queensland and Tasmania. In the 1999 Referendum, these two States showed the strongest support for the status quo, and it is for this reason that a well rounded inquiry should seek to consult widely with these constituencies as for possible community concerns about constitutional change.

I wish the Committee well in its endeavours and hope its deliberations and final report will make significant headway in progressing the Republican cause to its logical ends—an Australian Commonwealth with an Australian Head of State.

Yours in democracy



Matthew Harrison