

AC PAPER NO.1: TWO PLEBISCITES OR NINETEEN?

When PM, Mr Rudd proposed **two** national plebiscites and a referendum (*3 polls) on an undefined republic should he have a second term. He didn't. But this paper is offered in case the Government reverts to this procedure as it did on other matters.

PLEBISCITES

- *What are they? - Do you know?* **MOST HAVE NO IDEA, WHATSOEVER.**

(Virtually 100% of those asked shake their heads and look blank)

One voter "Knew". He said "It's a cross between a pleb and a socialite".

It is therefore essential for an **informed** vote, for the Government to spend more taxpayer dollars in explanation of what a plebiscite is, and its lack of power to change anything.

THE FOLLOWING MAY HELP IN THE MEANTIME:

- It's an opinion poll on an undefined change. How can anyone vote for or against an unknown?
- A plebiscite can change **nothing!** Only a Federal s.128 Referendum can change our constitution. *See overleaf.* But AC Paper no. 2 purports to say 5, if not 7, are necessary.
- Our Constitution and the Referendum (Machinery Provisions) Act 1984 make no mention of the word "Plebiscite".
- Question: You would not change your car to a different model without first seeing the new model. So why would you change our over-100-year-old proven successful system of government without seeing the new model?

Summary

AC understands that Plebiscites, in addition to being generally not understood by the electorate, are legally and technically unconstitutional, ineffective and are an irresponsible waste of taxpayers' money.

"This approach of voting first and answering questions later is exactly backwards ... A full open debate is needed before voting. If this doesn't happen, then [Congress] should vote no." – US Congressman Hastings on proposed US Plebiscite (HR 2499), April 2010. (AC's underlining.)

Former Prime Minister, the Honourable Keating originally proposed that, after the first plebiscite approved "a republic" in principle, Parliament could develop a referendum model – "But sadly I do not believe it would be workable today." (Quoted in Malcolm Turnbull's *Fighting for the Republic* (Sydney: Hardie Grant Books, 1999; on p. 248.)

See over for comments by leading republicans.

***** In addition to those 3 polls, each of our 6 States citizens undeniably have a democratic right to vote to change or not change to an (unknown) State or Territory republic. So $6 \times 3 = 18 + 3$ Federal polls = 21 polls (including 19 plebiscites) will likely be needed to determine a republican re-shaping of Australia "Labor assumes that the process would take about a decade" (p24, *Constitutional Politics* UQP 2002 co-authored by former ARM leader Prof. John Warhurst). Q: will those States which vote NO to "a republic" then secede** from the Commonwealth of Australia? Even if the two plebiscites at a national level are to go ahead, we are still faced with not **one** referendum, but **seven (plus arguably 19 plebiscites – see AC Paper no. 4.)** What process will follow to implement (or not implement) such costly and numerous procedures? The public needs answers to these questions – now, well before any vote.

** as referred to by republican Chief Justice French (then of the W.A. Supreme Court) on 8 May 2008: "It would be a bizarre dichotomy indeed to have a Republican nation with one or more of its States operating under a monarchical constitution."

AC asks what is the point of a plebiscite asking "Do you want a republic?" when the answer has no legal effect on any change or when we have no published model to examine?

A plebiscite is unconstitutional – and like a very large open cheque.

P.T.O.



Here are some quotes by respected republican experts on a Plebiscite.

Prof. George Williams:

“A plebiscite is a glorified opinion poll; it does not have any constitutional significance whatsoever.”

(Senate Legal and Constitutional Committee *Hansard*, Tues 13 April 2004.)

“Whatever its political merits, the plebiscite is a bad idea.” (*Weekend Australian* 19 April 2008.)

Prof. Greg Craven:

“It is futile to think a plebiscite will solve the problem.”

“Their plan for a festival of republican plebiscites combines the buoyancy of the Titanic with the transparency of a rigged horse race.” (“Fix is on for the people’s republic”, *AFR*, 27 July 2004, p.59)

“Plebiscites are ‘technically unconstitutional’ (*Centre for Independent Studies* 1992 Spring Edition)

“Holding a plebiscite on what kind of republic Australia should have is a recipe for disaster.” (*AFR*, 11 May 2009.)

Malcolm Turnbull:

“Let the ALP do their plebiscite thing IF they get elected.” (Teleconference: 10/6/2004.)

“A referendum is the only way.” (Teleconference: 10/6/2004.)

Later – “Or a number of referenda”

CEO: Republican Party of Australia, P. Consandine: **“Preposterous”** (*AFR*, 23 Oct. 2000)

Senior Journalist Paul Kelly: **“Yet it is futile to think a plebiscite will solve the problem.”** (“Plebiscite is no sure path to a republic” *The Australian*, 20 November 2002.)

Senator Bob Brown: **“It’s a waste of public money for an indicative plebiscite, which would be binding on no one.”** (*Radio National* 20 Jan. 2011.)

Dr John Hirst: **“It [a cascade of plebiscites] is a true enemy of the Republic.”** (2011 *National Republican Lecture* to the Australian Republican Movement.)

If those who seek constitutional change do so believing it will benefit all Australians, they must in some transparent way establish that a demonstrable and public majority of them supports a particular alternative republican constitution. It must represent the various aims of the approximately 19 or more opposing factions and models (see AC Paper No. 3).

Also, in spite of the support for Civics Education by 2 republican-instigated Senate Inquiries, the ARM and the Government, they have seemingly done **nothing at all** for Civics Education. The 2010 Budget cut \$18.4m from the Australian Learning and Teaching Council. Go to <http://www.crownedrepublic.com.au> for the **sole** such project under way.

If republicans were confident they had a better (republican) system of government for all Australians – they would:

1. Publish it for all to see and examine, and
2. Shout it from the roof-tops and put it directly to a referendum. (Later: or a number of referenda.)

Why won’t they, and why should those (a clear majority from the 1999 referendum) who oppose an Australian republic pay for such non-legal plebiscite processes? A better – or any republican model does not exist.

As we go to press we are advised that ARM still proposes a number of plebiscites. This appears to be inconsistent with the views expressed above. AC believes the electorate is entitled to ask why. We also have unconfirmed reports that the word “republic” is to be removed from ARM.

AS WITH ALL OTHER VOTING, VOTE NO UNLESS YOU KNOW THE FULL DETAILS OF WHAT YOU’RE VOTING FOR!
