

Constitutional

Conversation

No.10 — WINTER 2022



NOW LET'S SEE SOME REAL ACTION



New government must progress reforms

By **DAVID MUIR AM**

Chair  **Real Republic Australia**



Prime Minister, Anthony Albanese, made it plain on election night in May that his priority for constitutional reform will be recognition of First Nations' and implementation of the Uluru Statement from the Heart.

The Real Republic Australia supports giving priority to this overdue reform. We also support in principle the Statement from the Heart.

But we also believe we should not stand still when it comes to other reforms to benefit Australians, including the transition to a republic with a genuine directly elected Head of State.

Our suggestions, in addition to a republic and First Nations' recognition, include:

- four-year, fixed, and synchronised terms for both houses of Federal Parliament,
- breaking the constitutional nexus that demands the lower house is twice the size of the Senate,
- cutting the number of Senators for each state while retaining two apiece for the NT and ACT,
- eliminating by-elections with a referendum question creating a Senate-style casual vacancy system for the House of Representatives,
- constitutional recognition of local government,
- instituting a fairer process for changing the Constitution.

We have released our "roadmap" for reform that involves a new concept we have called an

Australian Constitutional Assembly that would involve average voters in the process of assessing proposed constitutional reforms.

Three significant reports by cross-party committees of the previous 46th Federal Parliament have outlined other issues that should be addressed by MPs elected in May to serve in the 47th parliament.

The committees all made a series of recommendations that mirror some of those we have put forward for consideration.

On the following pages we examine some of the key proposals made by the committees and how they reflect the ideas we have been advocating.

Significantly, one committee has suggested that a new committee of both houses of parliament – a Joint Standing Committee on Constitutional Matters – be established to review the Constitution and examine proposals for reforms including the idea of staging regular constitutional conventions with public involvement.

This could be a big step forward in reforming our constitutional arrangements.



Inside this edition:



REPUBLIC DEBATE ELEVATED:
Sydney MP leads debate
Page 5



EX-PATS AND THE REPUBLIC:
A view from the UK
Page 6

WHO'S WHO IN EUROPE:
Pro-republic organisations



Page 7



SETTING AN EXAMPLE:
WA's Constitutional Centre
Page 10

IMPERFECT RECALL:
Setting the record straight
Page 11



CONTINUED NEXT PAGE:

Plenty of scope to set the reform ball rolling

FROM PREVIOUS PAGE:

Another committee pinpointed the need to improve the knowledge Australians have of our Constitution – not just among school students but among voters of any age as well.

Civics education needs improvement and facilities like the Constitutional Centre of Western Australia (See story on page 8) as well as more similar publicly accessible physical or online resources would help develop a better

level of understanding throughout the community.

While our nation and parliament consider recognition of our First Nations, the Real Republic Australia will continue fostering public debate on our republic model and our other ideas for constitutional reform.

We think the best chance of success for any constitutional change is if Australians are involved in the process for change.

That's why in coming months we will be releasing a discussion paper outlining our model and the way a republic and other real reforms might be achieved through our Australian Constitutional Assembly process.

There are plenty of ideas for beneficial constitutional changes.

We hope the new Albanese Government has the drive and foresight to set in train a process to achieve them.

RECOMMENDATIONS

OUR VIEWS

The [Joint Standing Committee on Electoral Matters](#) was responsible for the customary [review](#) of the conduct of the previous federal election in 2019 and [tabled its report](#) in December 2020. The committee [made 27 recommendations](#) including:

- a constitutional referendum to break the nexus between the number of Senators and the number of Members of the House of Representatives,
- asking the Committee to inquire into the size of the House of Representatives, with consideration to the growing average size of electorates and growing demands of the electorate.
- asking the Committee to inquire into the length of Parliamentary terms with a view to introducing non-fixed four year terms for the House of Representatives (and consequently eight year terms for the Senate) to bring the Commonwealth Parliament into line with State Parliaments,
- asking the Committee to inquire into alternatives to byelections for replacing MPs in the House of Representatives, and possibility of declaring a seat vacant when the sitting MP resigns from or leaves the party under which they were elected.

[Section 24](#) of our [Constitution](#) requires the number of MPs in the House of Representatives to be “as nearly as practicable” twice the size of the Senate. This has seen Senate numbers in each state grow from six to 12 since Federation with the Territories having two Senators each — 76 in total. Unless the nexus is addressed, and as Australia’s population grows and the lower house expands we could see 100 or more Senators. We do not believe we need 12 Senators for each original state. The Real Republic Australia believes that either freezing Senate numbers at 12 per state and two for the territories; setting a lower fixed number of say 10 and two; or even returning to the original six Senators for each state with the NT and ACT keeping their two — making 40 in all — would be appropriate and would save taxpayer funds.

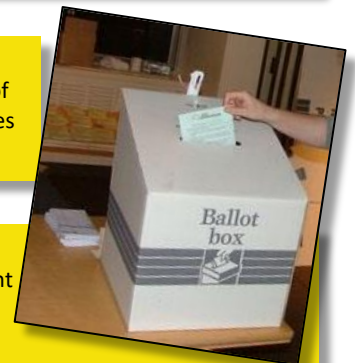
The Real Republic Australia believes that if Senate places are cut, that number could be transferred to the House of Representatives and allocated across states and territories to give better representation of local communities.

We advocate fixed election dates and synchronised four-year terms for both Houses of the Federal Parliament to deliver greater certainty, to save taxpayer funds, and to end political game-playing by prime ministers when calling elections.

In the past 30 years there have been 11 federal elections. With four-year fixed terms three elections would have been avoided. With elections now costing taxpayers [almost \\$400 million including public funding of parties](#) the potential savings are huge.

We believe an eight-year term for Senators is too long. Not only should both Houses of Parliament have fixed, four-year terms, but they should be synchronised, with all federal MPs elected on the same day. This would mean an end to six-year terms for Senators and no more half-Senate elections.

We think that even the current six-year term is too long because the mandate of a government can now be frustrated by Senators elected years before. Synchronising Senate and House of Representatives elections with four-year terms for both would also mean cost savings.



The Real Republic Australia believes the House of Representatives should adopt the casual vacancy system of the Senate. This would help avoid the cost of by-elections between general elections, now running at [around \\$2 million per by-election](#). Party-endorsed MPs would simply be replaced as happens now for the upper house. Arrangements could be made to accommodate independent MPs to nominate a potential successor at the time of their election.

In the interests of greater public accountability and integrity the Real Republic Australia would support investigation of a system to declare vacant seats where an MP quits their party.

CONTINUED ON
THE NEXT PAGE

RECOMMENDATIONS



The [Senate Legal And Constitutional Affairs References Committee](#) conducted an inquiry into Australia's nationhood, national identity and democracy in 2019 and 2020 with its report tabled in February 2021. The committee made 18 recommendations for federal government action including:

- making the teaching of history and active citizenship compulsory in school years 9 and 10 and conducted by appropriately trained teachers, increasing the time dedicated to civics and citizenship education to at least 30 hours per year, redesigning the civics and citizenship module of the Australian National Curriculum to make it more engaging for students, and reviewing the new module five years after its implementation to assess its effectiveness,
- funding annual national excellence in teaching awards incorporating grants, scholarships and teaching placements, in Australian history and civics, and First Nations' history and civics,
- increase the number of school children accessing trips to Australia's democratic and cultural institutions through the [Parliamentary and Civics Education Rebate](#) program,
- prioritising recommendations of the [Referendum Council](#) and the [Uluru Statement from the Heart](#).
- consulting with the [National Youth Commission](#) on ways to greater youth input into political processes of the federal parliament, and to promote democracy among Australia's youth.

The House of Representatives [Standing Committee on Social Policy and Legal Affairs](#) last year conducted an inquiry into constitutional reform and referendums and presented its report in December 2021. Among its 10 recommendations the Committee urged action by the incoming federal government to:

- expand the National Schools Constitutional Convention program to include more students every school year,
- commission a study through the Attorney-General's Department to assess Australians' awareness of the Constitution, referendums and constitutional matters with the results used to shape initiatives to increase public literacy about the Australian Constitution,
- implement a public awareness and education program on the Constitution and Australia's democratic system using online and social media resources with the goal of increasing the use of existing resources already available to the public through the [Australian Constitution Centre](#), the [Australian Electoral Commission](#), and the [Parliamentary Education Office](#),
- establish a new joint committee of both houses of the federal parliament – the Joint Standing Committee on Constitutional Matters – to review the Constitution and examine proposals for reforms including the staging of more regular constitutional conventions with public involvement,
- modernise the referendum process by making relevant changes to the *Referendum (Machinery Provisions) Act 1984* in line with other committee recommendations prior to any referendum on the question of constitutional recognition of Indigenous Australians.

OUR VIEWS



The [report](#) on the latest citizenship survey conducted in 2019 by the Australia Curriculum Reporting and Assessment Authority ([ACARA](#)) showed young people's understanding of our system of government, the rights and legal obligations of citizens, and the social values that underpin Australian society [has plateaued](#) compared with the 2016 and 2013 surveys.

Every three years ACARA tests a representative sample of year 6 and year 10 students on their skills, knowledge and understanding of Australia's system of democracy and government.

The 2019 survey showed 38% of year 10 students tested reached what ACARA said was a proficient standard of understanding the importance of our democracy and appreciating our national values – a proportion similar to the 2016 outcome (38%), lower than 2013 (44%) and 2010 (49%), and on par with 2007 (42%) and 2004 (39%). Year 6 students performed better, with 53% deemed to have reached or exceeded a proficient standard of knowledge – an outcome not significantly different from previous reports.

The Real Republic Australia supports in principle the Uluru Statement from the Heart and the need for a referendum to enshrine recognition of First Nations in our Constitution. We believe the issue must be resolved by the new 47th Federal Parliament.



We believe, as evidenced by the ACARA survey mentioned above, there is a need to engage and inform young Australians and raise their level of skills and knowledge about our system of democracy and government. This should be a task involving all three levels of government across our nation.

The Real Republic Australia believes that Australians of all ages would benefit from being better informed about our system of government because an understanding of our democratic processes and institutions is vital to a strong and well-functioning society.

The January 2021 attempt at the US Capitol to overturn the lawful process of endorsing the November 2020 presidential election result was a lesson in the value of civics and citizenship education in any nation's education system. Citizens feeling alienated from government, or who do not know how government works and how they can play a role in our democratic system may decide to simply opt out of participation.

Or they may become open to being manipulated by self-interested individuals who peddle half-truths or full-blown lies or who promote responses that ultimately threaten our democracy.

If we are to progress as a nation – hopefully as a republic with a directly elected head of state – Australians need to know how their government works and their own rights, obligations, and responsibilities.

We have suggested a system of Australian Constitutional Assemblies to assess reforms by involving a representative sample of voters, not a government-appointed convention.

Therefore we would welcome a new parliamentary committee focussed on constitutional review and reform and the updating of legislation covering referendums.

Integrity push matches our model

The new Albanese Government's stated aim to establish a federal anti-corruption agency is a welcome development.

The Real Republic Australia proposal for a directly elected Head of State reflects our own commitment to improving standards of transparency and accountability in Australia's public life. Our model will be outlined in the discussion paper we release in coming months.

We suggest that the codified powers of an independent, non-partisan Head of State should include the power to make appointments at the leadership levels of federal integrity and anti-corruption agencies including officers of the Federal Parliament such as the Auditor-General of Australia and Commonwealth Ombudsman.

At the moment that responsibility rests with politicians in the executive government who are in effect appointing "Caesar to judge Caesar". This is an untenable state of affairs and is no small reason why our politicians are held in such low repute.

Some people may object to giving our Head of State an integrity oversight role, claiming it is wrong for such a person to have what could be seen as executive powers.



But we believe people would have greater confidence in a system whose key players are not given their jobs by the very same politicians they are meant to police.

In addition, we propose that the Head of State should be required to consult both the Prime Minister and Leader of the Opposition when making appointments to integrity bodies such as the proposed anti-corruption agency.

It is not unprecedented for a directly elected Head of State to be given roles and responsibilities which may not be given to a constitutional monarch or their vice-regal representative.

The [President of Finland](#) is directly elected by Finnish voters and, like the President of

Ireland, is part of a system that includes a parliament in which sits a prime minister heading a cabinet in charge of the executive arm. But unlike the Irish President, the Finnish Head of State plays a lead role in foreign affairs.

Section 93 of the [Constitution of Finland](#) says: "The foreign policy of Finland is directed by the President of the Republic in co-operation with the government."

It outlines other roles in foreign affairs for the President and the executive but also makes it clear that the President is obliged to work with or consult the government or parliament.

This type of codification of powers means a Head of State in an Australian republic could be vested with duties such as being responsible for appointments to the senior ranks of federal integrity and anti-corruption agencies or offices.

There is an urgent need to inject trust back into our nation's governance and our proposals in relation to the oversight role vested in our Head of State can help achieve that goal.

HOPING FOR A REPEAT OF THE 1967 VOTE

The Real Republic Australia backs Prime Minister Anthony Albanese's plan to hold a referendum in his first term on constitutional recognition of our First Nation's.

We would hope the referendum would achieve the same level of public support given to the 1967 referendum initiated by Harold Holt's government that sought voter approval for powers to allow the federal government to make laws for indigenous people and to have them counted in the national census.

The referendum question easily met the "double majority" required by the Constitution to pass.

It secured almost 91% national support and recorded majority "yes" votes in all states.

Residents in the Northern Territory and the ACT were not given the right to vote in referendums until another referendum was passed in May 1977.

The 1967 national "yes" vote remains the highest of any referendum.

However, at on the same referendum day Australians failed to support a proposal to break the Constitutional nexus that ensures the House of Representatives is always "as near as practicable" twice the size of the Senate.



1967 REFERENDUM RESULTS

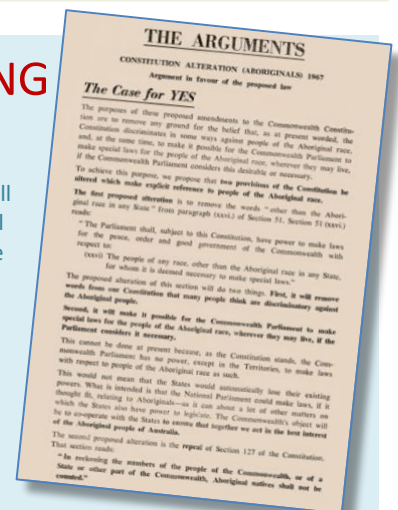
STATE	YES		NO		INFORMAL VOTES
	VOTES	%	VOTES	%	
NSW	1,949,036	91.46	182,010	8.54	35,461
VIC	1,525,026	94.68	85,611	5.32	19,957
QLD	748,612	89.21	90,587	10.79	9,529
SA	473,440	86.26	75,383	13.74	12,021
WA	319,823	80.95	75,282	19.05	10,561
TAS	167,176	90.21	18,134	9.79	3,935
TOTAL	5,183,113	90.77	527,007	9.23	91,464

A CONVINCING ARGUMENT

Since Federation when a bill authorising a constitutional referendum has passed the Federal Parliament the government of the day has often produced an official document outlining both the "yes" and "no" cases on the question being put to voters.

There are [no strict rules](#) requiring such a document and on occasions an official pamphlet has not been published.

In the case of the 1967 referendum on indigenous rights the Holt Government produced an official pamphlet outlining only the "yes" case, justifying its move by pointing out that no MP had voted against the referendum bill.



Republic advocate in new ministry

The MP responsible for advancing an Australian republic in the new Albanese Government has declared an approach that reflects the Real Republic Australia's view that public debate of the issue needs to be a feature of the current term of Federal Parliament.

Matt Thistlethwaite, the Labor MP for the Sydney-based seat of Kingsford Smith since 2013 has been appointed by Prime Minister Anthony Albanese as Assistant Minister for Defence, Veterans' Affairs, and the Republic.

In 2015 former Labor leader Bill Shorten appointed him shadow assistant minister for the republic.

Since being sworn in to his new roles in Mr Albanese's new government, Mr Thistlethwaite has confirmed to various media



outlets that the republic would not be dealt with until after the constitutional recognition of First Nations which meant it was likely to be an issue for a referendum in the second term of an Albanese Government.

He said he wanted to spend the current term discussing the idea and informing Australians about current constitutional arrangements and the possible models for an Australian republic.



Matt Thistlethwaite (above) and being sworn in by Governor-General David Hurley (right)



"We should begin the discussion now, so we're ready to go in a second term of an Albanese government," he said.

"I want to see if we can make this into an issue that unites Australians, not divides us. It's about learning the lessons of 1999, avoiding the division around the model and finding a method of uniting."

Mr Thistlethwaite said he had no favoured model but wanted to avoid the situation in 1999 when republicans were divided on the model that was put to a referendum.

He said the end of the Queen's reign and the beginning of the reign of Prince Charles would be the time to start "a serious discussion" on a republic.

Groundwork needed now for future success

We accept that the priority for the new Albanese Government and the 47th Federal Parliament is to be constitutional recognition of our First Nations' people.

OUR VIEW



Matt Thistlethwaite is right to say the republic will be a reform priority if the government is returned in 2025. He is also right to say we must avoid the divisions on a republic model that were evident in the lead-up to the failed 1999 referendum.

A referendum question posed to voters needs to be approved to make any changes to our Australian Constitution such as having our nation transition to a republic.

The Constitution itself sets the bar very high for a referendum to succeed. To be passed a referendum question needs a national majority of "yes" votes across all states and territories but also a "yes" vote in a majority of the states (excluding the NT and ACT).

This so-called "double majority" is one reason only eight referendum questions have passed out of the 44 put to voters since Federation.

The last referendum questions voters approved were put to them in 1977 by the government of Malcolm Fraser and the last referendum was held in 1999. Younger voters probably consider both events to be ancient history.

That's why Mr Thistlethwaite makes sense when he suggests that we should use the current parliamentary term to inform Australians about our existing constitutional arrangements even though we won't be voting on a republic question until somewhere between 2025 and 2028.

Whatever well-informed discussion we can have between now and then will be a sound investment in improving the chances of a republic referendum's success.

That's why the Real Republic Australia will soon be releasing our own discussion paper on our model for a directly elected Head of State. That's also why we continue to publish this newsletter to inform Australians about our Constitution and the need for one of our fellow Australians as our nation's directly elected Head of State.

We do not support the old model of a "politicians' republic" previously rejected by voters in 1999. Nor do we support models that are just variations on it like the one proposed earlier this year by the Australian Republic Movement that inserts every politician in the nation into the process by restricting the candidates offered to voters

to a shortlist approved by MPs in federal and state parliaments.

That is nowhere near direct election.

We are confident of voter support for a directly elected Head of State.

But the model that goes to a referendum must be seen to belong to Australians, not any particular pro-republic group or individual.

To achieve that we suggest a process that includes a nationwide non-binding plebiscite posing two questions to voters – one to test the strength of support for a republic, and a second question testing support for various models, with the model gathering strongest support going forward to a referendum.

Asking only the first threshold question risks almost certain defeat as those opposed to a republic would campaign for a "no" vote on the basis that voters shouldn't sign "a blank cheque".

We need to work hard to ensure voters better understand all of the issue involved in a shift to a republic.

That means embracing and encouraging discussion now so that a republic referendum has the best chance of success later.

A VIEW FROM THE HEART OF THE MONARCHY



For more than 20 years Melbourne-born JOHN PRYCE has lived and worked in the UK where he follows and encourages the campaign for an Australian republic while also observing up close the debate over the value and the future of the monarchy in Britain. He believes there are opportunities for republic advocates in Australia to tap support among ex-pats like him in the UK.

Living and working for over 25 years in Europe and the United Kingdom, I have endured the vacillations of promoting an Australian republic to the ex-pat community in the home of the British Monarchy.

The following opinions and observations are from my own personal experiences.

Without a finite definition of an “ex-pat”, estimates of the size of Britain’s Australian community have varied considerably over time. In recent times Brexit and the pandemic have taken their toll but the headcount is generally accepted at around 100,000.

In the 2019 Federal election, 13,000 votes were cast at Australia House, London, so politically the UK-based “electorate” is not insignificant.

Keeping the republic discussion high on the agenda within the Australian ex-pat community remains a challenging, ongoing task. Being away from home for extended periods often results in other priorities taking precedence.

Brexit and the pandemic have produced a less-predictable employment environment which has added to the already distinguishing characteristic of the community, that is, semi-permanency.

A desire for regular European travel reinforces this characteristic and increases the complexities in establishing connections and longer-term commitments from potential republic supporters.

Attitudes towards a republic vary considerably across the community with most (but not all) of its members being loosely identified with one or more of the following groups:

- Government – High Commissioner, Agents-General and associated expat staff.
- Business – “captains” of industry and middle management, especially in finance and banking.

- Professional – legal and accounting, health sector, teaching.
- Academia – university staff and students, research.
- Entertainment, culture and hospitality – including travellers/backpackers.
- Sport – management/administration and active participation.

Representatives of Australian governments (federal and state) are in the strongest position to encourage an active republic debate but to date they have failed to do so.

Their views and freedom of action are generally defined by their superiors in Canberra and the state capitals and being located within a reasonable proximity to Buckingham Palace seems to mesmerise the representatives of the Australian people and most (but not all) are reluctant to express a personal view.

Polite discussion about the Royal Family in the context of a future republic is not common.

In addition many are “political appointees” and with a change of government back in Australia, a change of representative in London often follows shortly after, adding yet again to the transitory nature of the community.

The business and professional groups are generally more open to republic discussions.

Senior management often offer their views “off the record”, with one eye on the royalist connections of the City of London. However, middle management, being a younger age group, generally express support for a republic, but are less certain on timing.

Currently there is a project under way to form a pro-republic business network establishing a dialogue between Australian companies and their UK connections.

Most business/professional personal employment contracts are initially for two to three years with extensions not uncommon.

Post-Brexit Britain is endeavouring to increase the recruitment of Australian teachers and nurses. With most recruits being under 30, these occupations offer a future source of republic supporters.

Australian staff and students are well-represented across Britain’s universities and other higher academic institutions and are traditionally a solid source of support for the republic.

Many remain connected to their Australian-based institutions or have joined with their linked UK-based organisations.



Clive James, Germaine Greer, and Barry Humphries as Edna Everage

The challenge for the republic movement is to reach out and retain these connections when individuals return to Australia. Currently this is not happening.

Discussion on the monarchy and the future of the Commonwealth feature prominently in debates across university campuses, but focus specifically on an Australian republic is less common.

In the fields of entertainment and culture, a group of Australian ex-pats continue to leave an enduring presence. Barry Humphries, Clive James, Germaine Greer and Robert Hughes helped spawn the counter-culture of the “Swinging Sixties”.

Surprisingly only the late Robert Hughes was a declared supporter of a republic, with Germaine Greer concentrating on her concept of an Aboriginal republic.

Perhaps being from the last pre-war generation influenced their views on a republic-v-monarchy resulting in more radical views on society rather than politics.

CONTINUED NEXT PAGE



OPPORTUNITIES FOR SUPPORT IN THE UK

FROM PREVIOUS PAGE:

High-profile Australians engaged in entertainment and culture offer a huge potential to promote the republic but this has not as yet materialised.

The hospitality sector employs many young Australians especially travellers and backpackers.

While they are often sympathetic to the republic cause, travel plans and tight budgets limit their involvement.

Sport cuts across all groups. Britain is littered with numerous Australian sportspeople taking part in all facets over a multitude of sports.

Again high-profile individuals (such as Eddie Jones of England Rugby) offer potential spokespeople for the republic cause.

However, there is often a reluctance to speak out as pro-republic advocacy can be equated with anti-monarchy sentiments

which sits uncomfortably in most English (as opposed to British) sporting organisations.

This is a prime reason Australian sports people located in Britain do not figure prominently in speaking out for a republic.

In social conversation about a republic the monarchy tends not to dominate the conversation to the extent it does in Australia where inevitably recent afflictions of the royal family are raised.

Interestingly the British media is far more vitriolic towards the royals than the ex-pat community or the Australian media.

For the vast majority of Brits an Australian republic is not a subject that demands great attention – the general attitude being if that’s what Aussies want then they should get on with it!

There is a grouping on the far right of British politics that promotes the rebirth of Empire

and oppose any member of the Commonwealth replacing the Monarch with their own Head of State. Tony Abbott is a regular visitor to this grouping.

However, British goodwill towards Australia is largely centred on traditional sporting and cultural links rather than the Commonwealth and/or memories of Empire. A republic will not change existing British-Australian relations in any meaningful way.

In summary, the Australian ex-pat community presents a unique opportunity to create a high-profile, international billboard for the republic cause.

To get this process under way requires leadership and initiative from supportive individuals within the representatives of government.

Once the impetus is created support from high-profile individuals across the other groups making up the ex-pat community will follow.

Umbrella group for European advocates

The advocacy group [Republic](#) is a leading voice in the ongoing debate in Britain over the future of its constitutional monarchy.

Republic is a member of the [Alliance of European Republican Movements](#) which was formed in 2010 as an umbrella group for pro-republic groups in a number of nations who retain monarchies.

Member organisations meet several times each year to discuss their individual efforts and strategies and one of its member organisations hosts an [annual convention](#).

Other AERM members include:

- [Republiek](#) in The Netherlands where King Willem-Alexander has been on the throne since 2013 when his mother Queen Beatrix, now Princess Beatrix, abdicated after a reign of 33 years.
- [Republikk](#) in Norway where King Harald V succeeded to the throne in 1991 on the death of his father King Olav V.
- [Republikanska Föreningen](#) in Sweden where King Carl XVI Gustaf has reigned since 1973.
- [Red Republikana](#) in Spain where King Felipe VI succeeded his father King Juan Carlos I who abdicated in 2014 amidst growing [scandals](#) involving the royal family.



A Republic advertisement in the UK (above) and republicans march in Spain (right)



AN EVEN DOZEN



There are 12 European countries, principalities, duchies, or city states with monarchies:

- Andorra
- Belgium
- Britain
- Denmark
- Liechtenstein
- Luxembourg
- Monaco
- The Netherlands
- Norway
- Spain
- Sweden
- The Vatican

Of the surviving European monarchies two have elected heads of state.

Nestled between France and Spain, the tiny landlocked principality of Andorra – 468 sq kms – operates under a system of co-princes, harking back to its origins in the 8th century after which it was ruled jointly by its larger neighbours.

Today it is a parliamentary democracy [but retains two princes](#) – the President of France and Bishop of Seu d’Urgell in Spain.

In addition to leading the Roman Catholic Church, the Pope is considered to be a monarch who also rules the State of the Vatican City.

Vatican City is the [world’s smallest independent nation](#) at just 0.44 sq kms with a current population of less than 1,000.

On the death of a pope a successor is elected by a conclave of Catholic cardinals.

Republics on the Caribbean agenda

Of the 12 Caribbean nations that are members of the Commonwealth, four have already changed to republics and more have expressed a desire to make the same move, some sooner than others. MARY YANG of the global political magazine *Foreign Policy* examined the current pro-republic climate in the region.

All six Caribbean countries that have indicated they plan to remove the Queen as their head of state — Belize, the Bahamas, Jamaica, Grenada, Antigua and Barbuda, and St. Kitts and Nevis — were colonised by the British. But when each nation gained independence from Britain during the second half of the 20th century, Queen Elizabeth retained her post as sovereign, and each country remained a member of the Commonwealth, a grouping of 54 nations that are mainly former British colonies.

All former British colonies-turned-republics, including Barbados, are still members of the Commonwealth. While a majority of member countries have historical ties to the British Empire, the last two countries to join, Mozambique and Rwanda, never experienced British colonial rule.

“The move towards republicanism is grounded in the belief that it’s time for former colonised nations to really live their independence and claim self-determination and not be under a monarchical system,” said Verene Shepherd, the chair of Jamaica’s National Commission on Reparations and chair of the United Nations’ Committee on the Elimination of Racial Discrimination.

The British royal family has not taken ownership of its past wrongs, Shepherd said.

Although [in a speech in Jamaica](#) in March Prince William expressed “profound sorrow,” saying slavery “should never have happened,” observers [noted](#) that he stopped short of apologising, which is what advocates in Jamaica have asked for.

Becoming a republic would enable each country to install their own head of state, as Barbados did last year.



Antigua and Barbuda’s Prime Minister Gaston Browne – backs a republic but not yet

For several countries like Jamaica and Grenada, removing the Queen as head of state would first require a constitutional change — a lengthy process that could delay officially becoming a republic for two to three years.

The governments of Jamaica and Grenada would need to call for a referendum, and the motion would require a two-thirds majority vote by the public for the change to pass — unlike Barbados where a two-thirds majority vote in its parliament was the only measure needed for the nation to swear in its first president.

Several Caribbean leaders [signalled intentions](#) for becoming republics as they met with members of the British monarchy during what was more or less [a public relations campaign](#) to “brighten up their image” in the so-called global south, said Arley Gill, Grenada’s ambassador to the Caribbean Community, or [Caricom](#), a regional grouping of Caribbean countries and territories.



JAMAICA: THE VALUE OF PUBLIC INVOLVEMENT

[See next page](#)

During the two royal visits in March and April, both meant as a celebration of the Queen’s 70-year reign, royals were met with protests and demands for reparations — a formal acknowledgement of the history of enslavement and payment for the damage done to Africans and their ancestors.

The Caribbean push to decouple from the British monarchy has also come during an “awakening of Black consciousness” across the world and in the Caribbean largely spurred by the Black Lives Matter movement in the United States, Gill said.

While the issues of becoming a republic and reparations are separate, global demonstrations provided a source of inspiration and encouragement to the reparations movement in the Caribbean region, said Don Rojas, director of communications and international relations for the Institute of the Black World 21st Century.

Caribbean countries where Britain's queen is still head of state.				
Antigua and Barbuda	The Bahamas	Belize		
Grenada	Jamaica	St. Kitts and Nevis	St. Lucia	St. Vincent and the Grenadines
Republic				
Caribbean countries that are part of the British Commonwealth but do not have the queen as head of state.				
Barbados Became a republic on Nov. 30, 2021.	Dominica* Became a Republic on Nov. 3, 1978.	Guyana Became a republic on Feb. 23, 1970.	Trinidad and Tobago Became a republic on Aug. 1, 1976.	

Source: *Foreign Policy* magazine 22 April 2022

“You’ve got rumblings of pro-republicanism taking place in almost all of the Caricom countries.”

What is likely to happen next? It depends. The decisions about becoming a republic are very much national decisions, said Hilary Brown, the program manager of culture and community development at the Caricom Secretariat.

In Jamaica, a committee has been created to oversee the process of making a constitutional change. (*See page 10*)

In Belize, the latest budget sets aside funds for a constitutional commission to look into the process to remove the Queen.

Politicians in Grenada have also called for a referendum to vote on becoming a republic.

Still, some countries have not expressed a desire to remove Queen Elizabeth. St. Vincent and the Grenadines is not among the six Caribbean nations that have in the past two months signalled an intention to become a republic. The government there called for a referendum vote in 2009 to remove the Queen, which failed to pass, and the prime minister has said he would not call for a second referendum.

And in Antigua and Barbuda, Prime Minister Gaston Browne said that while his country [intended to become a republic](#), it is “not currently on the cards”.

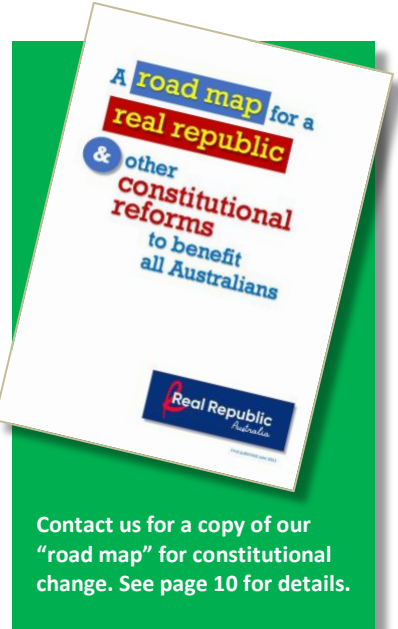
But for the most part, countries have expressed unity in their intention to remove the Queen.

“There’s a great momentum now for republicanism in the Caribbean. So it is for our leaders now to hit the iron while it is hot,” Arley Gill said.

This is an edited version of an article appearing in [Foreign Policy](#) magazine on [22 April 2022](#).

Public participation must be a major ingredient

The Real Republic Australia last year released a “roadmap” (at right) for achieving constitutional reforms that includes a proposed system of Australian Constitutional Assemblies to involve average voters in a long-term plan to discuss mooted changes and make recommendations on proposed referendums to government. In the Caribbean island state of Jamaica, where moves to transition to a republic are under way, political observer ROSALEA HAMILTON believes the involvement of voters should be an essential element in formulating her nation’s proposed new constitutional arrangements.



Contact us for a copy of our “road map” for constitutional change. See page 10 for details.



Population: 2.8 million Area: 11,000 sq kms Capital: Kingston
System of government: Westminster-style parliamentary democracy, constitutional monarchy, member of the Commonwealth
Parliament:
• **Senate 21 seats – 13 appointed by the government and eight appointed by the opposition for five-year terms**
• **House of Representatives 63 seats – MPs directly elected for five-year terms**
Last election: September 2020

The essential character of a “republic” is rooted in the idea of people sovereignty – a “government of the people, by the people, for the people,” according to Abraham Lincoln.

The word republic, rooted in the Latin word “rēs pūblica,” means “public thing”. A republican government is one where the nation is considered as a “public matter” and not the private property of a singular ruler (a monarch with absolute, divine power or a tyrant), or a family (the royal family), or a ruling elite.

Therefore, a key conception of a republic is a form of government where the nation belongs to the people who take active responsibility for the country as “owners”.

As owners, the people elect representatives to represent them and must make them accountable through appropriate oversight mechanisms.

But this sounds like a democracy! Is there a difference? Many democracies are republics and are referred to as “democratic republics” because the government operates on the principles of both a republic and a democracy.

The main difference is essentially the extent to which the people have power and can influence decisions that affect their lives.

Currently, Jamaica’s electoral democracy enables people to elect their representatives but limits the extent to which the people can influence and control the policymaking and legislative process. Further, there are limited opportunities for direct democracy where individuals can determine policy or law without their representatives.

This concept of a government by the people is often ignored as it is typically assumed that our current system of “representative democracy” is a government of the people and reflects the will of the people. But does it?

When the people’s representatives vote in Parliament, do they reflect the will of their constituents or the will of their political party?

This, among other weaknesses in Jamaica’s democracy can be improved in the process of becoming a republic if, and only if, the people see themselves as “owners” of Jamaica and choose to actively undertake the responsibility of ownership.

This includes holding representatives accountable and actively participating in

processes like making submissions to parliament, hearings, participatory budgeting, and, importantly, reforming the [Constitution](#) to reflect the people’s will.

Our 1962 independence Constitution is a British “Order in Council” signed by a British civil servant (WG Agnew) on behalf of the Queen and makes no reference to “the people”. By actively changing the Constitution to cement people sovereignty, it becomes a living, purposeful document relevant to the lives of the Jamaican people and enacted by the people’s representative in our Parliament.

Instead of focusing on people sovereignty by deepening and strengthening our democracy and restructuring government to enable people’s voices to be heard in the process of building Jamaica’s republic, the focus has been on removing the Queen as Head of State. This is a necessary imperative, but it’s not enough.

In the context of former colonies, like Jamaica, a government without a monarch as Head of State has become a popular interpretation of a republic. This was the focus in other Caribbean republics – Barbados, Dominica, Guyana, and Trinidad and Tobago – as well as other Commonwealth countries.

To be clear, a monarchy is a form of government where sovereignty is invested in one person. This was the dominant form of government in Europe from the end of the Roman era until around the 18th century.

The era of “absolute monarchy” was eventually replaced by the “enlightenment era” and republican ideas where concepts such as individual rights, freedom, and self-determination undermined the claims of divine rule by the monarchs.

Made in Great Britain

The Constitution of Jamaica was drafted by a bipartisan joint committee of the Caribbean island nation’s parliament in 1961-62.



It was approved in the UK, signed by the then Clerk of Her Majesty’s Privy Council, William Godfrey (WG) Agnew, (above) and included as the second schedule of the *Jamaica (Constitution) Order in Council 1962* under the *West Indies Act 1962*.

It took effect with the Jamaica Independence Act 1962 passed by the British Parliament which gave Jamaica political independence.

CONTINUED NEXT PAGE:

Workable Constitution relies on involvement

FROM PREVIOUS PAGE:

Over centuries, especially during the “independence era,” these liberating concepts became rooted in democracies and the norms of international law.

By 1960, colonial, monarchical rule was characterised as a “denial of fundamental human rights” by the United Nations General Assembly Resolution 1514 XV. The resolution also affirmed the “right to self-determination” by virtue of the right to freely determine political status as well as economic, social, and cultural development.

Thus, by August 1962, Britain had an international legal obligation to grant Jamaica full independence [as recently highlighted by Judge Patrick Robinson](#).

However, at independence, Jamaica chose to perpetuate the undemocratic, colonial, hereditary leadership of the Queen by establishing a “constitutional monarch” where the power of the monarchy was separated in the constitution. By Section 68, the Queen remained an executive head of state with weakened, ceremonial responsibilities delegated to the Governor-General.

The real policymaking executive power was transferred to Cabinet as the “the principal instrument of policy” under the control of the prime minister, the chief executive head of government (Section 69).

In so doing, Jamaica, like other Caribbean

Legal obligations rule out key anniversary

Provisions in Jamaica’s Constitution will prevent a move to a republic by the 60th anniversary of its Independence from Britain on 6 August this year.

Another island nation in the region, Barbados, became a republic in November last year on its 66th anniversary of independence, but Jamaica’s Attorney-General, Marlene Malahoo-Forte, [said](#) a republic by August was impossible because the necessary major changes to “entrenched provisions” of the Jamaican Constitution could not be short-circuited.

She said a parliamentary resolution needed to be passed by two-thirds of MPs to formally propose a move to a republic followed by a referendum. Additionally, there was a requirement for a three-month period between when a bill to amend the Constitution was tabled and the commencement of debate.

countries, centralised power in the hands of the prime minister, thereby consolidating executive sovereignty instead of people sovereignty.

The retention of the Queen as Head of State at independence and beyond was due to the actions (and lack of actions) of Jamaica’s political leaders, led by Prime Minister Alexander Bustamante and Opposition Leader Norman Manley, as well as the people of Jamaica. According to Judge Robinson, Bustamante and Manley “exhibited a lack of confidence in the Jamaican people to govern themselves, free from any constitutional attachment to the British Monarch”.

This lack of confidence may well account for the length of time it has taken subsequent political leaders to remove the Queen as Head of State and for the absence of adequate mechanisms to empower the people of Jamaica.

Over the past 60 years, while some Jamaicans have continued various forms of anti-colonial resistance, many Jamaicans have accepted

“[a suh di ting set](#)” and have not demanded people sovereignty.

During this period, too many Jamaicans have acted as “tenants” or “squatters” rather than the real owners of Jamaica and, therefore, have allowed political elites to take ownership of Jamaica and to make decisions in their own interest and that of their supporters and funders.

It is time for Jamaicans to “Get up, Stand up” and take ownership of our country by building a real republic that shifts sovereignty from the executive (including the ceremonial powers of the Queen) to the people.

[Rosalea Hamilton](#) LLB PhD (Econ) is the founding director of the not-for-profit [Institute of Law and Economics](#).

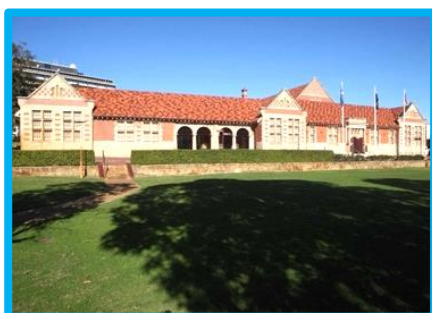


This article originally appeared in [The Gleaner](#) on 29 May 2022

Constitutional centre informs and educates

In 1997, after years of public debate about the state of civics education in Western Australia, the then state government decided to do something about it and established the [Constitutional Centre of Western Australia](#).

The centre – the first of its kind in Australia – is located in the Old Hale School, a



heritage-listed building near Parliament House in central Perth.

Its facilities include exhibition and seminar spaces, a theatrette, a parliamentary-style debating chamber, and permanent displays on the Australian Constitution.

The centre has a wide target audience ranging from school children to youth and adult community groups, higher education classes, migrants, teachers, and interested members of the public.

The centre delivers free programs and information in a variety of formats for children in [years one to 12](#) linked to the outcomes of WA’s humanities and social sciences curriculum with a focus on civics and citizenship.

The centre also publishes a free quarterly newsletter to [subscribers](#).



PHOTOS: The Constitutional Centre of WA

'Politicians' republic' argument still a killer



Delegates to the 1998 Constitutional Convention



A Bloody Good Rant – My passions, memories and demons
 By Thomas Keneally
 Publisher: Allen & Unwin
 400 pages
 RRP \$39.99

Chair of the Real Republic Australia, DAVID MUIR, offers a brief history lesson after reading noted Australian author and republic supporter Thomas Keneally's latest book.

The latest work of Thomas Keneally, *A Bloody Good Rant*, has a chapter entitled 'Our monarchical republic' which makes a bloody good read but has a gap or two leading to some misconceptions on republic advocacy since the 1998 Constitutional Convention.

In 1991 Keneally, then chair of the Australian Republic Movement, convened a meeting which he opened by reciting the Henry Lawson poem, *A Song of the Republic*.

In his book he cites the stanza calling for the "sons of the south" to choose between "the land that belongs to the lord and the Queen and the land that belongs to you". It is a reminder of republic aspirations of years gone by.

Keneally reveals that Malcolm Turnbull, who took over as ARM chair in 1993, relegated him to an unwinnable position on the ARM ticket in elections for delegates to the February 1998 Constitutional Convention.

Apparently this still offends Keneally to this day. Nevertheless Hazel Hawke appointed Keneally as her proxy, for one day, enabling him to address the Convention held over 10 days at Old Parliament House in Canberra.

History shows that Keneally is wrong in this assertion that direct electionists were just "wreckers"

Keneally claims in his book that the republic failed at the November 1999 referendum because of the slogan "Do not vote for the politicians republic" and acknowledges that the slogan showed great political skills. He also says he is unclear about its origins.

As a delegate elected to the Convention on the ticket of the late Clem Jones, Brisbane's longest serving Lord Mayor and an advocate of a directly elected Head of State, I can provide the answer.

I can confirm that the slogan came from the "no" case committee established by Prime Minister Howard which included our Real Republic Australia founder, Clem Jones.

The arguments mounted by that committee through direct-election republicans like Clem and noted NSW independent councillor,

mayor, and state and federal MP, Ted Mack, were acknowledged as being far more persuasive than any slogan the hardcore monarchists on the committee could devise.

Keneally says that direct-electionists took joy in scorning the ARM model, and that not one of them became an active campaigner for a republic either before or after their "brief wrecking job". However, history shows that Keneally is wrong in this assertion that direct electionists were just "wreckers".

In the run-up to the Convention there were a number of delegate tickets and individual candidates around the country who backed a directly elected Head of State including the Clem Jones team and people such as Ted Mack from NSW and Phil Cleary in Victoria.

The fact remains that the ARM-backed model that emerged from the Convention – appointment of a Head of State by a minimum two-thirds majority vote of MPs in the Federal Parliament – did not have majority support even among delegates.

The relevant vote was nothing like an enthusiastic endorsement: 73 "yes" votes ; 57 "no", and 22 delegates abstaining.

In short, the wrong model – a "politicians' republic" – was put to voters in a "take it or leave it" manner. At the referendum in November 1999 Australian voters chose to leave it.

Part of the problem was that the Constitutional Convention spent too long on an ultimately pointless debate on the pros and cons of a republic versus the retention of the monarchy – a debate which was never going to change many minds.

Clem Jones recognised the balance should be in favour of more time debating possible republic models so that one with strong Convention support could emerge and he tried to fix the problem.

Just after morning tea on the very first day of the Convention, Clem called for the question on whether or not Australia should become a republic to be resolved by day three rather than by day 10.



Clem Jones



Ted Mack

The aim of the motion (*below*) was to allow more time for drafting an acceptable model for a republic. But his motion was lost and the Convention went on to spend most of its precious time on a debate that should never have absorbed as much time as it did.

republic—be determined at the end of day three rather than the end of day 10.
Dr CLEM JONES—I move:
 That the order of business be changed so that question 1, namely, 'Whether Australia should become a Republic', be determined at the end of day 3 rather than at the end of day 10.
 I will be very brief because I think everybody in the room probably has an idea on this

The tragedy of the events of 1998 and 1999 is that the preference of voters for a directly elected Head of State was clear well before the failed November 1999 referendum.

Historical [Newspoll figures](#) (see tables on next page) show that even immediately before the 1999 referendum, the model for parliamentary selection of a Head of State had less than half the level of support recorded for keeping the current system. Direct election had around 50% voter support – well ahead of the other options.

Support for the direct election of our Head of State was still far ahead of other options when another poll was taken again three years later in 2002.

Importantly, the Newspoll figures (*bottom table next page*) show that uncommitted voters or those opposed to a republic, when faced with the hypothetical inevitability of change, opted for a direct election model.

This suggests that monarchists faced with a choice of politicians appointing their Head of State or having a direct vote themselves will opt for a directly elected Head of State.

'Politicians' republic' never popular

FROM PREVIOUS PAGE:

Following the defeat of the referendum the Real Republic Australia was established and worked with the ARM and other groups in attending at least six republic gatherings (RG) around Australia. RG3 was convened by Clem Jones in Brisbane in 2006. The Real Republic Australia also attended the 2001 RG at Corowa in 2001.

Further, the Real Republic Australia joined the ARM for projects including a research project to obtain research quantitative and qualitative campaign data as well as in joint media events such as a news conference in front of Parliament House Canberra in 2009 on the 10th anniversary of the referendum.

In more recent times, the Real Republic Australia has turned its focus on meeting with Federal MPs and developing the national quarterly bulletin you are reading which is circulated to all federal and state MPs and other interested persons. We will also release in coming months a discussion paper on our model for a directly elected Head of State.

One suspects that Keneally would be most uneasy about the response to the most recent model published by the ARM being described as another "politicians' republic".

If he is uneasy, he has good cause.

Before and after polling tells the story.....

QUESTION: Now I'd like you to consider three broad possibilities for Australia in regards to a republic. One possibility is to change to a republic with a president who is elected by the people. A second possibility is to change to a republic with a president who is appointed by parliament. And a third possibility is to not change anything, keeping the Queen and the Governor-General in their current roles. Which one of these three possibilities would you yourself most prefer?

NEWSPOLL	SEPT	OCT	NOV
	1999	1999	2002
Change to a republic with a president directly elected by the people	50%	46%	46%
Change to a republic with a president appointed by parliament	14%	15%	12%
Not change anything, keeping the Queen and the Governor-General in their current roles	32%	36%	40%
Uncommitted	4%	3%	2%

Above and below: Extracts from Newspoll based on interviews with 1,200 voters across Australia on 1-3 November 2002

PREFERENCES FOR A REPUBLIC IF AUSTRALIA DECIDED TO BECOME A REPUBLIC

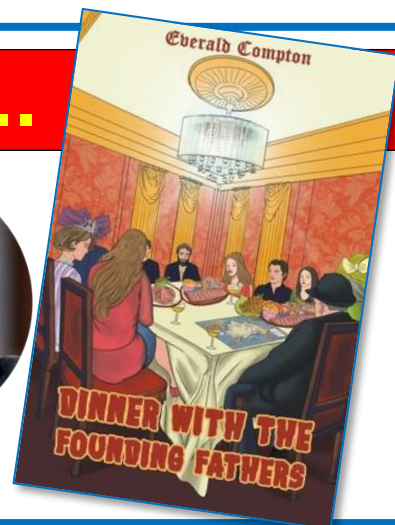
QUESTION ASKED OF THOSE CHOOSING 'NOT CHANGE ANYTHING' OR 'UNCOMMITTED': If Australians decided that Australia should become a republic, would you prefer to change to a republic with a president directly elected by the people or, a president appointed by parliament?

President directly elected by the people	79%
President appointed by parliament	18%
Uncommitted	3%

Plenty of food for thought.....

Activist, thinker, philanthropist, and author [EVERALD COMPTON](#) has imagined a number of get-togethers involving the framers of the Australian Constitution and some of our nation's more colourful political identities from the decades that followed Federation.

His book **DINNER WITH THE FOUNDING FATHERS** is an entertaining and provocative read for anyone interested in learning the lessons of our past that can help shape our future.



CLICK ON [THIS LINK](#) TO BUY YOUR COPY!

Our newsletter

Constitutional Conversation is published quarterly by the Real Republic Australia to promote debate about potential changes to the Australian Constitution including a republic with a directly elected Head of State.

The Real Republic Australia was founded by Brisbane's longest-serving Lord Mayor, the late Clem Jones (1918-2007) who led a team of Queensland delegates to the Constitutional Convention in Canberra in February 1998.

They and delegates from other states believed that only a model for a directly elected Head of State would be approved by voters at a republic referendum.

Unfortunately the failed 1999 republic referendum proved them correct. In line with his wishes, the Real Republic Australia continues to campaign for a republic based on the direct-election model with support from the Clem Jones Group.



Clem Jones



Contact us if you wish to receive a free copy every quarter.

Editor: Lindsay Marshall
lindsay@clemjonesgroup.com.au

PO Box 8198
Woolloongabba Qld 4102



[Facebook](#)



[Linked-In](#)



[Twitter](#)



[Instagram](#)