



**For Independent Australia**

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## A ROADMAP FOR A REPUBLIC AND OTHER REAL REFORMS

The Queen's Birthday holiday is an ideal time for Australians to contemplating the relevance of our system of constitutional monarchy and the fact our head of state is a British monarch. DAVID MUIR suggests they might also consider a new proposal setting out a pathway for achieving an Australian republic as well as other constitutional reforms.

AUSTRALIANS IN ALL STATES and territories except Queensland and Western Australia mark the [Queen's Birthday](#) on Monday 14 June with a public holiday even though her actual birthday was back in April.

WA marks the event in September and Queenslanders must wait until October.

However most Australians decide to spend their day off, the [Real Republic Australia](#) suggests they might like to spend a few moments considering a possible "roadmap" to involve them in a plan for long-term reform of the [Australian Constitution](#) including the transition to a republic.

Achieving an Australian republic will take considerable effort as it involves [changes to our Constitution](#) which have, since Federation in 1901, been made only rarely.

Of the 44 referendum questions put to voters in that period, just eight have succeeded.

Part of the reason for the low strike rate is the "double majority" the [Constitution itself demands](#) for any changes to its contents.

That means a referendum question must secure a majority of "yes" votes across the nation including all states and territories, but also secure a majority of states voting "yes".

Another factor in the failure of most referendum questions has been the partisan politicking that has accompanied proposals for constitutional change.

If one party or one side of politics floats an idea, the other side often feels compelled to oppose it.

We need a way to extract that sort of game-playing from the process if we are to achieve real reform.

Right now the COVID-19 pandemic gives us a solid reason for examining whether or not our Constitution is fit for purpose if and when another potentially fatal threat appears.

Our federal and state and sometimes local governments have all argued at various stages of the pandemic response about the roles and responsibilities and whether they are meeting their obligations. We have seen [court challenges](#) to quarantine orders and border closures.

We suggest there is a way to efficiently and effectively examine the constitutional implications of the pandemic and arrive at decisions on whether to adjust our Constitution to ensure it is fit for purpose if and when the next pandemic or other biological threat hits.

The Real Republic Australia proposes the establishment of a framework we call the Australian Constitutional Assembly which can engage Australians in a process leading to beneficial reforms of the way government operates.

The system we suggest can be used in an ongoing program of constitutional reform including the delivery of a republic.

Our plan calls for a series of separate Australian Constitutional Assemblies – modelled on the [Citizens' Assembly](#) process used in Ireland – with each Assembly formed by resolution of the Federal Parliament.

Each Assembly would consider one constitutional reform proposal, or more if the proposals are related, and would have 12 months to conduct an inquiry and make recommendations on what changes to our Constitution might be needed.

A federal government would then need to address the recommendations and explain why a particular issue would be put to a referendum or why no reform would be attempted.

As happens in Ireland with their Citizens' Assemblies, each Australian Constitutional Assembly would have 99 members sourced by professional market research techniques in a bid to broadly represent the characteristics of the Australian community. An independent chair would be appointed by the Federal Parliament.

We suggest that no member of any legislative body would be entitled to join an Assembly – a feature that reinforces the fact that the Constitution is not the property of politicians but belongs to the people of Australia.

We believe this is an effective way to consider and achieve constitutional change because it can help extract partisan politics from the current process and makes it harder for governments to dismiss or ignore suggestions made by a representative sample of the Australian community.

We suggest that an initial Australian Constitutional Assembly should consider lessons from the COVID-19 pandemic and determine if any adjustments should be made to federal and state government powers to ensure future pandemics can be handled swiftly and effectively.

The Australian Constitutional Assembly process can also help deliver an Australian republic.

The same system of putting Australians in charge of the process could be used but, if the parliament deemed it appropriate or necessary, an Assembly bigger than 100 people could be established.

The Real Republic Australia has always advocated an Australian republic with a directly elected head of state

The failure of the so-called “politicians republic” at the [1999 referendum](#) – having politicians in Canberra choose a head of state for us – simply will not wash. Nor will any hybrid model between that and a direct election model.

While a republic is a central issue for us we also want to see a process established that can be used to engage Australians in long-term constitutional reforms to deliver better and more efficient and effective government.

Other beneficial reforms that could be secured through the Australian Constitutional Assembly process include:

- eliminating costly by-elections with a referendum question creating a Senate-style casual vacancy system for the House of Representatives
- four-year, fixed, and synchronised terms for both houses of Federal Parliament to stop prime ministers gaming the system by picking election dates, cutting the number of elections now [costing more than \\$300 million](#), and ensuring government mandates are not hostage to Senators elected years earlier
- breaking [the constitutional nexus](#) that demands the lower house is twice the size of the Senate – a reform that if not taken would one day see a lower house of 300 MPs and around 150 Senators

- cutting the [number of Senators](#) for each state while retaining two apiece for the NT and ACT, and
- constitutional [recognition of local government](#).

The Real Republic Australia supports constitutional recognition of First Nations' people in the Constitution but we would not seek to use the Australian Constitutional Assembly process to address it because the [Uluru Statement from the Heart](#) in 2017 initiated the latest public debate on the issue.

Whichever party forms or leads government after the next federal election will decide on the Statement from the Heart's recommendations and the resolution of the longstanding and urgent issues involved should not be deferred or delayed.

***David Muir AM is chair of the Real Republic Australia and was a delegate to the 1998 Constitutional Convention in Canberra after being elected on the team of former Brisbane Lord Mayor Clem Jones favouring a republic with a directly elected head of state.***