

An Australian Republic by Greg Barns and Anna Krawec-Wheaton. Melbourne: Scribe Short Books, 2006, pp. vii + 135, \$22.00, paperback, ISBN: 1 920769 951.



This short and polemical attempt to kick-start the movement for an Australian republic is the joint work of a seasoned campaigner and the author of a doctorate in political science. They identify three conditions necessary for the successful push to remove the monarchy. The first is widespread republican enthusiasm across the community. The second is the central role of the Australian Republican Movement, which Barns formerly chaired. The third is the securing of general agreement among politicians, constitutional experts and the media on the aims and tactics to be adopted. Some would feel that there is an element of special pleading about the second, urged in the form of ‘why the republic can’t live without the ARM’ (p. 18). Many would describe the third as ‘elite consensus’: the authors use the second word rather more than the first. The authors hope that Peter Costelloe might revive the issue on taking over as prime minister. John Howard’s resolve to fight another election postpones this prospect, but the hope may be delusive. The problems the Liberal party encountered in replacing Menzies may incline any successor to avoid divisive initiatives.

This revealing book contains three major flaws. However, many of its minor arguments and asides are also puzzling, and a collage may convey the flavour of unsupported assertion that runs through the text. It is hard to see how the resignation of Dr Hollingsworth from the office of governor-general in 2003 impinges on the argument for a republic, except perhaps to demonstrate that it is easier to get rid of an unelected but damaged head of state than one who could claim a popular mandate. Nor is it easy to grasp how the marriage of Mary Donaldson to the Crown Prince of Denmark strengthens the case for a president in Canberra, although the transmutation of another Australian into HRH Princess Michael adds to the case for a republic in Britain. The claim that republicans focus ‘on the right of all Australian citizens to aspire to the nation’s highest office’ (p. 37) seems overblown given that the governor-general has been an Australian for over forty years. The authors assert that:

...changing from a monarchy to a republic would mean a huge shift for those who benefited from the status quo (p. 40).

But who are these people and how do they benefit? Does Yarralumla contain some hidden army of parasitical Gold Sticks and Ladies of the Bedchamber who face unemployment? An Australian head of state will probably still process around the country, throwing garden parties for shire councillors and their partners. Tabloid journalists will continue to make a living from the peccadilloes of Anglo-German princelings.

The authors are selective in their use of examples from overseas. They are excited by the potential for mobilising new sources of support shown by the 2004 US presidential run made by John Dean — but Dean did not even win his party’s nomination. They note the process by which New Zealanders adopted a form of proportional representation, MMP, through an ascending series of consultative and binding votes. Given the familiar Australian indifference to New Zealand, this is indeed commendable, but they play down the fact that proportional representation has changed New Zealand politics in ways that even the doomsayers could hardly have foreseen: the present foreign minister, for instance, is not bound by cabinet solidarity. Like the Australian republic, MMP in New Zealand was probably unavoidable and in most respects an improvement on the system it replaced. But it is myopic to ignore the lesson that major reforms have unforeseeable side effects.

However, these lesser blemishes pale alongside this book’s structural shortcomings. The first, the authors’ attempt to cope with the problem that they lost in

1999, is so bizarre that it merits quoting at some length. They begin by charging the Howard government with ‘significantly altering the referendum process.’ In 1996, Labor had proposed ‘a referendum preceded by an indicative plebiscite designed to test the public’s support’. Instead, the coalition opted for a referendum ‘based on choosing the preferred model for a republic.’ (p. 21) Note here the phrase ‘significantly altering’. A party which lost the 1996 election proposed one course of action. The parties which won adopted another. Normal constitutional conventions assume that policies advocated by the losing side do not get put into effect. Here, it seems, the winners should have accepted the procedure advocated by the party which the voters had rejected.

What was so wrong about asking Australians to select a preferred form of republic? The answer is breathtaking and, incidentally, factually tendentious. It was:

a choice that demanded some knowledge of constitutional and legal technicalities. Many Australians were not adequately qualified or prepared to make that decision, nor were they interested in constitutional issues. In other words, the public was cheated of a republic. By changing the emphasis of the referendum process, those in positions of power surreptitiously abdicated their responsibility by shifting that responsibility onto the public. (pp. 21-22)

I am reminded of the hard-pressed candidate in a legendary American election who alleged that his opponent and spouse were guilty of practising matrimony. Australia has been governed by a system in which the people decide whether to change the constitution, and everyone is required to vote. It seems a bit late to start complaining that some people have a weak grasp of the issues. It is unlikely that the Australian electorate of 1967 would have spontaneously aroused itself over the status of Aborigines, but they were persuaded to vote in favour of conferring rights of citizenship upon indigenous people. Many Australians were probably unexcited by the issue of regulating casual senate vacancies, but in 1977 they agreed to amend the constitution on this point. In both cases, the politicians outlined the pros and cons, and the people decided. Republicans have only themselves to blame if they failed to win the argument in 1999. It is both arrogant and distasteful to accuse the Howard government of practising that most hideous of abominations, democracy.

But this does not represent the full extent of the charge sheet against the cunning prime minister. He ‘effectively sidelined’ the question of national identity, thereby removing ‘a powerful and compelling mechanism for re-enforcing [*sic*] unity and cohesion’. As a result,

the Yes campaign was faced with presenting an argument that was essentially constitutional, one that was unlikely to resonate in the hearts and minds of the people. (p. 76)

Once Howard was able to separate the identity issue from the republican debate he was able to control the process. (p. 80)

This is political science run mad. Every referendum campaign is conducted on two levels. If it was proposed to make the constitution guarantee fine weather, there would still be a need to discuss whether the amendment provided for adequate rainfall. But a referendum campaign operates simultaneously at a higher level of debate, with both sides seeking to mobilise a vision of Australia itself. In 1951, H.V. Evatt successfully

blocked an attempt to outlaw the Communist party, a move which had initially scored a seventy-three percent opinion poll rating, because he was able both to persuade and to inspire, demonstrating not only that the Menzies proposal was dangerously worded but also that it reflected an unpleasantly narrow view of what the country was all about. Mugabe and Putin can control the process of public debate, but not John Howard. Republicans lost in 1999 because they failed to project an inspiring vision of a presidential Australia. Portraying the hapless Howard as some kind of political Superman only adds to their self-humiliation.

The authors' inability to face up to the implications of their own defeat in 1999 is underlined by the unreality of their proposed path to future victory. They favour the approach of deliberative democracy, which assembles cross-sections of volunteer voters to act as a combined teach-in and drafting convention. When such an assembly of 347 people was convened in Canberra in 1999, support for a Yes vote rose from an initial fifty-three percent to seventy-three percent after informed discussion. Evidently, deliberative democracy has the potential to mobilise those citizens who are prepared to take part, but can it refresh those parts of the body politic that other devices have failed to reach? (In their sketch of a deliberative assembly, the authors make their sole passing allusion to the six States, whose constitutional relationship to the distant Crown is at the very least a complicating factor.) The authors see deliberative democracy as the key to producing a choice of republican models to be put to a future popular vote, a device that they describe as 'tactically clever' (p. 96). Politicians should 'renew faith in Australian democracy by placing their trust in the electorate to make the judgement.' (p. 124) These are the same politicians who, we have been told, had "surreptitiously abdicated their responsibility by shifting that responsibility onto the public" in 1999. The Australian people 'want a choice — they want to believe that the republic is theirs to devise and own' (p. 96). Evidently they have moved on since 1999, when they were 'not adequately qualified or prepared to make that decision, nor were they interested in constitutional issues'. But surely all this public participation will be in vain, for some future Howard figure will 'control the process'. Next time round, apparently not. The Australian people will be out to show that they are just as smart as their New Zealand cousins when it comes to voting for constitutional change. 'They could ignore the manoeuvrings of the political elite, study the factual material and the arguments put before them' — in which idealised world they would of course vote for the direct election model which happens to be the authors' preference. (p. 97) In simple terms, democracy is fine if you convince yourself that you are bound to win. But democracy is a fraud and a farce if you have lost.

The second endemic flaw in this book relates to its attitude to those republicans who venture to espouse rival ideas. Indeed, the reader is left with the feeling that one advantage in making Australia a republic would be to remove the ego-ridden and quarrelsome ARM from the scene. While the tag 'rebels' does appear in inverted commas, other terms of endearment vary from 'passionate republicans of sorts' (p. 46) through to 'spoilers' (pp. 49, 89, 92), who were 'used by the monarchists' (p. 85). Their tactics are 'clumsy' (p. 90), and their criticisms feigned. Yet the authors recognise that 'conservative republicans' — it is not clear whether the adjective refers to political orientation or minimalist reform — are 'an essential part of the equation of political success for the cause' (p. 87). They are, it seems, so vital that they should shut up and fall into line. The irony is that, whereas in 1999, it was supporters of direct election who broke ranks to oppose the parliamentary election model that was on offer, the authors now denounce those, like Greg Craven, who

equate direct election with ‘constitutional strychnine’. Not only has Craven had the temerity to clash with Barns but, worse still, he seems incapable of accepting:

...any possibility that on the issue of a republic comprising a directly elected president there might be a need for compromise on his part. (p. 54)

There seem to be two reasons why the deviant heresy of 1999 is now proclaimed as the unassailable dogma of 2006. The first is an undocumented assumption that:

...it looks increasingly likely that a majority of Australians believe that the best form of republic is one where they have the right to elect the individual who would be president. (p. 123)

The confusion of tenses here suggests that the authors themselves are unsure whether this represents a majority view today or a predicted drift of future opinion. Elsewhere they speak generally of ‘the mood of the nation’ (p. 88) and assert that a ‘desire for some form of direct election exists in Australia today’ (p. 56). The fundamental error here is to confuse opinion polls (although none are cited) with educated public debate. Polls measure snapshot responses, not considered viewpoints. Thus pollsters often report majority support for the death penalty, but (outside the United States) intensive media debate will usually secure informed rejection of this obscenity. It is eminently understandable that people who live in a democracy will tell the polls that they wish to elect a head of state, especially if they envisage a president wielding real powers. It does not follow that this sentiment would transfer into a considered verdict after a referendum campaign. Indeed – and, if fairness, the authors note the fact if not its implications – there is a striking piece of evidence in the opposite direction. The 1999 Canberra deliberative assembly began with fifty percent of the participants leaning towards direct election. By the close, an astonishing three-fifths of these had changed their minds. Evatt was not deterred by opinion poll evidence that three-quarters of his fellow citizens supported banning the Communist party, and a more decent Australia resulted from his stand. Even if Craven is a former Liberal adviser, he has the right and, as a concerned citizen, arguably also the duty to argue his point of view.

But the second reason why republicans must rally behind direct election is that it is the preferred solution of the authors themselves. They assert that:

...there is no denying one fact: the case for a directly elected president is a good deal stronger on symbolic, nation-building, and national-identity grounds than the more conservative alternatives. (p. 90)

Note here those first six words, which are an example of an old rhetorical trick: argument weak here, shout. Elections are an expression of majority will, but they are also inherently divisive. In terms of national unity, everything depends on the extent to which a nation’s civic culture encourages the population to accept the legitimacy of winner. The secular religion of Americanism is strong enough to rally the people of the United States behind their president, despite bruising partisan contests every four years – even in 2000, when the candidate chosen through the notional electoral college system did not top the popular vote. But in presidential elections held in 2006 in Mexico and the Congo, the losers showed a marked lack of sporting good humour. Naturally, we should expect the Australian response to fall closer to the American end of the spectrum, but can we be sure? Significant sections of Australian society

declined to accord legitimacy the both Whitlam and Fraser, if for very different reasons, despite their election victories, while Barns and Krawec-Wheaton remain in denial about the 1999 referendum defeat. A moderately optimistic analogy might be found in Ireland, a country which Australia so often resembles. A largely ceremonial head of state is chosen by popular vote, although a restrictive nomination process makes it possible for the main parties to stitch up an unopposed return. Although the two most recent incumbents have shown some tendency to claim an independent mandate, the public at large is not much interested in the office and it hardly figures among symbols of national identity. It is worth noting that in the Canberra deliberative assembly, support for a non-political head of state (i.e., by definition, a non-executive presidency) rose from fifty-three percent to eighty-eight percent. If, unlike in Ireland, the right to nominate were widely disseminated, and the president chosen by a non-partisan body (if such a thing be possible in Australia), then it might be possible to evolve a suitably representative head of state by consensus from among a broader range of candidates. As with most political questions, the matter can be argued either way. The point is that dogmatic assertion of the 'no denying' type does not silence the debate.

Given the lack of charity shown towards dissenting republicans, it is hardly surprising that the third major blemish concerns the authors' attitude to the knavish tricks of Australia's monarchists. True, Queen-freaks only make a passing appearance, but it seems that the declared commitment to 'a tolerant and a diverse society' does not extend to 'factions [*sic*] who were against the republic' (pp. 39, 27) John Howard is criticised for defining the nation in a way that excludes whole groups, but republicans are in danger of denying any form of Australian identity to those fellow citizens who happen to subscribe to a constitutional position that was the mainstream, and at times the only stream, for the first century and three-quarters of European settlement. They are simply people with a 'seemingly endless destructive capacity' for running scare campaigns. (p. 110). With the republican cause at such a low ebb, such hostility is not surprising. Yet a longer perspective might suggest that the authors devalue their own cause by barring monarchists from the heart-warming phrase that closes the text, 'all of 'us'' (p. 126). Monarchy works best in communities where there is tacit agreement to overlook its inherent absurdity and treat it as a unifying symbol. Sometimes, such as in medieval Scotland or modern Belgium, it functions as almost the sole uniting bond for divided societies. But a Crown that has survived a referendum is on borrowed time, especially if its support base is vulnerable to generational change. Monarchists won in 1999, but the fact that there was a vote at all was a defeat for monarchy. From that point of view, Australia will one day become a republic. With greater confidence in their ultimate triumph, republicans might start asking how best they can help their opponents to come aboard.

The great danger of focusing solely on the conditions for victory lies in the implied assumption of 'happily ever after'. Achieving the republic should be seen as a beginning as well an end, and it will be unhelpful to the institution if it cannot command the respect of an un-reconciled minority as future heads of state inevitably face the challenge of controversy. At the merely mundane level, Australia's vigorous tabloid press will seek to dish whatever dirt it can unearth on the tallest poppy of them all. If scandal should engulf a future president, the dignity of the office will not be enhanced by tut-tutting monarchist comparisons with the home life of our dear Queen. But far more menacing to political stability is the question of the reserved powers, which even a minimalist successor will inherit from the office of governor-general. In contrast to the authors' general wish to skate around awkward questions, they accept

that codification of the reserve powers is one issue ‘that cannot be dismissed in any discussion about the political strategy of a republican push’ (p. 99). In keeping with their predominant abracadabra! attitude to lions in their path, they see no difficulty in securing clarification. However, powers that are codified are by their nature powers that have been re-endorsed for practical use. Where those powers are discretionary, there will remain issues of judgment, and no amount of codification can remove the potential for controversy over whether and when they are invoked. Prior to 1975, any politicisation of the office of governor-general was inhibited by the concern that such action would embarrass ‘the Palace’. Since then, there has been a reluctance to reopen the wounds of the Dismissal. Declaration of a republic would finally eliminate the first consideration; codification would mean a fresh start in relation to the second. The precise circumstances cannot be foreseen, but it is highly likely that the reserve powers of the republican head of state will be invoked before long. Whatever the nature of the crisis, full-hearted acceptance of the republic by all Australians, ex-monarchists included, will be a desirable prerequisite for supporting or swallowing whatever its president feels compelled to do.

Utopian though it may sound, the best way not simply to achieve constitutional change but to avoid its becoming a sectarian triumph would be for republicans to show the confidence in eventual success and the generosity of spirit required to propose a Grand Compact. This would begin by recognising Queen Elizabeth II as head of state for the remainder of her lifetime. In return, Australia would automatically become a republic at the close of her reign, with the incumbent governor-general as president, with or without a change of style. For an interim period, say three years, any vacancy in that office would be filled by the nomination of the Executive Council (the constitution knows no prime minister) and promulgated by the chief justice. Meanwhile, parliament would convene a broadly representative constitutional convention which would draft alternative schemes of government to be put to a popular vote.

Republican acceptance of the status quo for the lifetime of the present Queen would make it easier for monarchists to accept the inevitability of change. This would of course require republicans finally to accept the legitimacy of the 1999 vote; people who claim to believe in the sovereignty of the people need to show they can accept the unpalatable fact that in a democracy, sometimes you lose. Indeed, once they are assured of ultimate victory, there is no reason why the ARM should not regard Queen Elizabeth II as having been endorsed in 1999 as the transitional crowned president of an Australian republic, to quote the old Fenian oath, ‘now virtually established’. There is, too, a practical reason for offering concession. The monarchist prayer, ‘long may she reign over us’, may well prove to be an actuarial prediction. Even with confrontational campaigning, it could take the movement five years to secure a second referendum. By which time Australians may well feel uneasy about sacking an old lady of eighty-five. It would be far less traumatic for one side to accept the inevitable and the other to agree to its temporary deferment. In all likelihood, Australians would awake one morning to learn that the bells were tolling in London and their country had become a republic while they slept. True, the bump-in-the-night transition would initially stack the odds in favour of a minimalist change but, with the central issue resolved in advance, members of the ARM could devote its activities to a medium-term campaign of public information without feeling the necessity to denounce one another as splitters and stooges.

Could the Grand Compact have a chance? Among politicians, the elite whom the authors seek to mobilise, it might prove surprisingly attractive. Conservatives like

to escape from those issues on which they know they are doomed to defeat; even John Howard hints that the monarchy may not outlast the present reign. Labor leaders might equally welcome the opportunity to slip clear of a Keating era deadweight. It is far more likely that the problem in launching such a compromise would lie with the narrow limitations of the republican movement. On the evidence of this book, there is a marked lack of the generosity of spirit, the vision and the desire for inclusiveness which might seek to accommodate Australian monarchists.

The combination of political science analysis and personal bitterness that is the hallmark of *An Australian Republic* simply does not convince. It is a book that can be recommended, if at all, merely as evidence that helps to explain why a political campaign for democratic sovereignty has become becalmed in one of the most socially egalitarian countries in the world.

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