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PART 2

**GOVERNOR-GENERAL'S OFFICE**

**Subject** GOVERNOR-GENERAL'S PERIODIC  
REPORTS TO THE QUEEN  
(MR. BILL HAYDEN)

PART 2



RELATED PAPERS

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INDEX CLASSIFICATION

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R. M. LANSLOWNE, Commonwealth Government Printer, Canberra



PERSONAL AND CONFIDENTIAL

Government House  
Canberra ACT 2600

6 February 1996

*Your Excellency,  
Madam,*

This will be my last report to you as Governor-General. As you know, I conclude seven years of service in this office at midnight on 15th instant. My comments are brief, solely because there is little new which needs to be reported.

I know the Official Secretary at Government House, Mr Sturkey, has submitted a report on the extraordinary announcement of the New South Wales Government, made by Premier Carr, that the new Governor, the Honourable Mr Justice Gordon Samuels, AC, QC, would be a part time office holder. This has provoked a political reaction which is causing much public resentment towards the Carr government.

There is quite a deal of complaint among Federal Labor members, now in the midst of a national election campaign, that Mr Carr's action will have a damaging effect on their electoral prospects.

On the election itself, Keating is endeavouring to pin down the Opposition Leader, John Howard, on policy commitments. Howard is shrewdly avoiding this and contrary to past experience with the media, which has always demanded policy detail from the leaders in an election campaign, the media is accommodating Howard's evasion of such commitments. There is still a feeling amongst some commentators that if Keating can locate even a small chink in the so far redoubtable defences of Howard's tactics of evasion, he will savagely exploit it and this could turn the tide in his favour.

My own hunch is that by the time of the election the vote for Labor will be much better than the polls are now suggesting. They are extremely bad for Labor at the moment. I still do not think Keating can win. The government has been in office for so long it looks tired, is uninspiring and, like any government in office for a long time, has quite a few negatives on the score board. What is remarkable is the nature of the campaign. The policy gulf between Labor and Liberal is almost non-existent now. The first week of the campaign mainly involved commentary on the nature and style of the respective political parties' election advertising.

1

PERSONAL AND CONFIDENTIAL



**PERSONAL AND CONFIDENTIAL**

In spite of that, when one speaks to the politicians of the respective parties, it is interesting to note they all passionately assert how necessary it is for the future salvation of Australia that their party be elected to government. They seem to genuinely believe this, too. I do not doubt that I was guilty of this, too, in my years in parliament, but at least I did believe in an alternative social system, Democratic Socialism. Like so many of my generation, I realize in these grey years that it was an uplifting ideal (as I understood it) but, in the light of human experience, not really practical. That, I still feel, is a shame.

Labor's problem is it has been in government for so long now it can no longer pretend to be the party of the outsiders fighting a rapacious establishment. It has been the very heart of the establishment, in fact, for 13 years. Should it go into opposition with this election its big challenge will be to recreate itself and to define itself meaningfully to a solid chunk of the electorate in order to retain its continuing relevance as a major party.

This age of the end of ideology (if one puts to one side the ideology of pure market force economics) has created real long term problems for Labor. As the difference between the parties continues to narrow, differences of substance in debate are replaced with a high pitch of personal disagreement. And behind all of this noise, if one releases oneself from the diverting political din, one notices there is very little that divides the Australian community in spite of its extraordinary ethnic complexity.

We really are a fortunate country, and I hope it stays that way, in spite of the best efforts of the politicians (and I do not exempt my past contributions in this area from this implied criticism).

I am sure that it has not escaped your attention that a change of government at this forthcoming election will have significant consequences for the Republic debate.

I should record one other matter. I have, I trust, given a candid and fair, if at times harsh judgement on Keating. I did that as a matter of duty to you. I get no joy from giving those assessments, or at the prospect that Keating looks like being defeated at the election. He has his minuses but he has his pluses too. He is, in my experience, an admirable person and has brought about a great deal of desirable transformation in our society and economy. More than that, I regard him as a personal friend, and I will be saddened by his defeat, should that happen.



PERSONAL AND CONFIDENTIAL

Madam, to conclude, I would wish to express my appreciation to you for the opportunity of having served you as your representative in Australian under the Constitution for the past seven years. It has been an unparalleled experience, which adds so much appreciated polish to an otherwise long but not terribly lustrous public life on my part.

*I have the honor to remain, Madam,  
Your Majesty's most obedient,  
humble servant  
Bill Hayden*

The Queen





BUCKINGHAM PALACE

PERSONAL AND CONFIDENTIAL

17th January, 1996

*My Dear Governor-General.*

The Queen has just returned to me your letter to her of 22nd December having read it with care and, as always, the closest interest. Her Majesty was grateful to you for what will be effectively, I imagine, the last in the series of informative, often amusing, and always succinct despatches from you to her. They form a fascinating record of your tenure in office. But you may be sure that they will not be revealed for many many years hence, unless it be to The Queen's own official biographer some years after her death.

The British political scene is a muddled one. It should, by rights, be dominated by Northern Ireland and by Europe, but we are, nowadays, such an introverted nation politically that all eyes seem to be on the infighting within the Tory Party and its struggle to eat into the Labour Party's huge lead in the opinion polls. The Election date, in my view, will be 1997, rather than 1996.

Her Majesty sends you and Mrs. Hayden her warmest good wishes for the New Year, with her sincere and heartfelt thanks for the way in which you have carried out your duties, arduous as they are, as her representative, loyally and devotedly and with the utmost distinction. The Queen hopes that you will both now have a chance to rest, relax and enjoy life to the full throughout a long and happy retirement. Her Majesty looks forward to seeing you at Windsor in April.

*Yours sincerely*  
*Robert Fellowes*

(ROBERT FELLOWES)

His Excellency the Governor-General of Australia.





Government House  
Canberra ACT 2600

22 December 1995

*Your loyalty  
Madras*

Australia is winding down for the Christmas/New Year recreation break. The politicians are, however, cranking up for a national election. It is uncertain when the election will be held, that is, whether it will be early in the New Year or towards May.

What is intriguing is the way in which Prime Minister Keating is out-performing the Opposition Leader, John Howard, in public opinion polling on the issue of who would make the better Prime Minister. Howard is adopting the tactic of maintaining a low profile, delivering what he describes as 'headland' speeches which appear to be heavy with rhetoric but light in content, and avoiding making any policy commitments. The assumption, apparently, is that the public are so dissatisfied with the Keating government that the Coalition parties do not have to present policies or confront the government, but rather keep out of the public view and allow dissatisfied public attention to continually focus on the Keating government.

This seems to me to be an extremely risky tactic and it could bring the Coalition parties undone. Quite intriguing is the way in which voting intentions of the public are revealed in credible opinion polls. There is approximately a 6% advantage in favour of the coalition parties on first preference vote basis. There is, however, a fairly large minority party and undecided vote of around about 16%. Allowing for the fact that Labor has won government on slightly less than 50% of the vote, then if it is able to gather a sufficiently large proportion of the distributed preference votes from minority parties and the undecided (as it has done in the past) it could just about win the election in a very tight finish.

Keating is the sort of Prime Minister who relishes a tough political fight, the more furious the conflict the more he enjoys it. He could pick up sufficient primary votes and preferences to win the next election. It all depends on how effectively the coalition parties' campaign and in particular present their policies to the public.

PERSONAL AND CONFIDENTIAL

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PERSONAL AND CONFIDENTIAL

I reported in my last despatch to you that I thought Labor would lose the election. I still feel that will be the case. In the State of Queensland and in country New South Wales there is a very large hostile vote looming against the government. Labor will pick up several seats in Victoria (largely because of Victorian hostility with the Kennett State government over a number of its policies). The other States seem to be fairly stable with perhaps the loss of one seat in Western Australia and another one in Tasmania by Labor. I find it hard to believe that enough seats can be won in Victoria to offset the enormous impending losses in Queensland and the several losses in rural New South Wales. I still think there will be a change in the government of Australia at the next election.

The economy is performing reasonably well with growth somewhere over 3%. Inflation, on the other hand, has been forecast over 4% in the year ahead and that is not good. What is good is that the current account deficit is projected as falling quite a deal. On balance I think the economy is going tolerably well but unemployment is jammed at 8% and there is no prospect of it coming down. The generally positive economic result, however, in my view, wont be enough to save the government for there is mounting evidence of an economic slowdown occurring from the Christmas period and into the New Year, i.e. in the crucial run up to the elections.. In any event, people are tired of government which they see as tired and remote. In short, the feeling is "it's time for a change".

*I have the honour to remain, Madam  
your Majesty's most obedient, humble servant  
Bill Hayden*

The Queen

PERSONAL AND CONFIDENTIAL





BALMORAL CASTLE

BY FACSIMILE

16th August, 1995.

*My dear Governor-General.*

The Queen has commanded me to thank you for your letter of 14th August and to say that she is content to give you permission to retire from the office of Governor-General of the Commonwealth of Australia on 15th February 1996.

*Yours sincerely  
Robert Fellowes.*

(ROBERT FELLOWES)

His Excellency the Governor-General of Australia.





Government House  
Canberra ACT 2600

Telephone No: (06) 2833533  
Facsimile No: (06) 2813197

**TO:** THE RIGHT HONOURABLE SIR ROBERT FELLOWES, KCB, KCVO  
PRIVATE SECRETARY TO THE QUEEN

**FROM:** THE HONOURABLE BILL HAYDEN, AC  
GOVERNOR-GENERAL OF THE COMMONWEALTH OF AUSTRALIA

**THIS MESSAGE CONSISTS OF THIS HEADER SHEET PLUS ONE PAGE**

**DATE:** 14 AUGUST 1995

**SUBJECT:**

-----  
I should be grateful if the enclosed message could be laid before Her Majesty The Queen. The original is being forwarded by the usual diplomatic bag.

*Bill Hayden*

14/08 '95 11:03

☎06 2813197

GOVERNMENT HOUSE

☑001

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\*\*\* ACTIVITY REPORT \*\*\*  
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Government House  
Canberra ACT 2600

14 August 1995

*Your Majesty  
Madam*

I respectfully ask that you will permit me to retire from the office of Governor-General of the Commonwealth of Australia on 15 February 1996.

*Please the honour to remain,  
Madam, your Majesty's most  
obedient, humble servant*

*Bill Hayden*

Her Majesty The Queen





BALMORAL CASTLE

*My Dear Governor-General.*

16th August, 1995.

I have returned from my Summer leave to find a request from The Queen to thank you for your letter to her of 17th July. Her Majesty was clearly fascinated by your views on the current state of play on the republican issue, and by your recent conversation with Mr. Keating on the subject.

Doug Sturkey sent me a copy of the interview with Michael Shmith. I thought your jibe at Malcolm Turnbull was exceptionally well timed and delivered!

We are basking here in the hottest Summer for decades. The weather at Balmoral is such as to make even Bill Heseltine jealous! There is a merciful lull in Tory Party strife and some old-fashioned aggro in the Labour Party ranks.

Plus ça change .....

*Yours sincerely*  
*Robert Fellowes*

(ROBERT FELLOWES)

His Excellency the Governor-General of Australia.





BUCKINGHAM PALACE

PERSONAL AND IN CONFIDENCE

26th July, 1995.

*My Dear Governor-General.*

As I promised, I got our legal experts here to take a look at the piece by Mr. Kennett. I enclose the results which are, to put it bluntly, sound but pretty dull and non-committal.

*Yours sincerely,  
Robert Fellowes*

(ROBERT FELLOWES)

His Excellency the Governor-General of Australia.



## CONSTITUTIONAL CHANGES NECESSARY IN ORDER FOR AUSTRALIA TO BECOME A REPUBLIC

### The Constitutional arrangements

1. Australia is a federation made up of the Commonwealth and six states. The Queen is the Head of State of the Commonwealth of Australia, and of each of the six States. At the federal level, she is represented by the Governor General; at the State level, by the State Governors.

2. Politically, Australia is a parliamentary democracy. In the words of the Report of the Republic Advisory Committee set up by the Australian Government in 1993:

"Australia is a State in which sovereignty derives from the people. The hereditary office of the monarchy is the only element of the Australian system of government which is not consistent with a republican form of government. The only constitutional change therefore required to make Australia a completely republican system of government is to remove the monarch. All the essential elements of our system of government - federation, responsible parliamentary government, the separation of powers and judicial review of legislation and government action - would be unaffected by such a change. So would all the important institutions of Australian government - the States, Parliament including the Senate, and the High Court."

3. The legal instruments which now form the constitution of the Commonwealth and the States were originally Acts of British Parliament. The State constitutions were enacted last century and pre-date the Commonwealth constitution. The latter is contained in the Commonwealth of Australia Constitution Act 1900; or more precisely, in section 9 of that Act. The Statute of Westminster Adoption Act 1942 and the Australia Act 1986 are also fundamental elements of the Australian Commonwealth Constitution.



### **Kennett's arguments**

4. Mr Kennett's article "Barriers on the road to a republic" raises several questions about how the change from monarchy to republic might be made. He argues:

- that it is evident from the language and context of the 1900 Constitution that it was not the intention that the amendment procedure in section 128 should be used to remove the monarchy;

- that the Crown is an "undying influence" in the constitutional arrangements of Australia and "implicit in the Constitution". To abolish the monarchy from these arrangements would be to replace the constitution by something entirely new, not merely to amend it;

- that for both of these reasons, the unanimous consent of the States would be needed to make the amendments necessary to create a republic;

- that although it would be legally possible to remove the monarchy at Commonwealth level while retaining it in some or all of the States, such an outcome would by common consent be "highly undesirable" and would present the federal government with a strong temptation to impose uniformity - an unacceptable intrusion into the powers of the States;

- that it is unclear what would happen to the reserve powers and conventions associated with the performance of the monarch's role.

### **Comment**

5. A country's constitutional law is closely bound up with the political life of that country. An outsider's view of the legal significance of a point of constitutional law is thus usually of



limited value. It is therefore for Australian constitutional lawyers to advise on the meaning of their constitution in its modern manifestation, and on the scope which may exist for amendment. On any issue of difficulty, differences of view are possible - perhaps even inevitable, given the political background against which such issues will be discussed. Ultimately, the arbiter of the law is the Australian High Court.

6. Nevertheless, Mr Kennett's article prompts several observations. First, the Acting Solicitor General of Australia has advised publicly that section 128 of the 1900 Constitution can be used to amend the Constitution so as to create a republic; that apart from the Constitution itself, the 1900 Act does not need to be amended; and that if, in any event, an amendment to that Act were necessary, that too could be achieved. The full text of the Acting Solicitor General's advice is in Appendix 8 to the Report of the Republic Advisory Committee.

7. Second, the Republic Advisory Committee concluded that it was "both legally and practically possible to amend the Constitution to achieve a republic without making changes which will in any way detract from the fundamental constitutional principles on which (the Australian) system of Government is based". Although several consequential amendments would have to be made to the constitutional legislation, the major issues involved were few.

8. Finally, an underlying theme of Mr Kennett's article is the tension between federal demands and the wishes of the States. Whether amendment of the constitution to create a republic would necessarily lead to encroachment on States' rights under the constitution is pre-eminently a matter of internal Australian constitutional law and politics. But it should be observed that the republican/monarchy debate is one thing; the federal/State powers argument quite another, and quite separate.



PERSONAL AND CONFIDENTIAL



Government House  
Canberra ACT 2600

17 July 1995

*Your loyalty  
Madame,*

I promised you I would write to you about the aftermath of the Prime Minister's statement on republicanism. In the interim I did send some media commentary to Buckingham Palace which was relevant to this topic.

The issue caused a brief flurry but has disappeared from view under an avalanche of bad press for the Government on a wide range of issues. In fact, the positive results the Government had been hoping to pick up in the electorate from the recent budget, a new Prices and Incomes Accord and a statement on republicanism, have been completely neutralized by commentary of Senate obstruction of certain budgetary measures which weaken the Government's economic strategies; some bad economic statistics, in particular the dreadful current account deficit; and an unbelievable succession of embarrassments occurring in the area of foreign policy. There have been some welcome statistics too, from the Government's point of view. On employment and retail sales. These seem to have left the public unmoved. At this point I detect great hostility to the Government and it may be a case that nothing can save them.

My own strong feeling is that many of the people who respond to opinion polls saying they would support a republic are also saying to themselves, but this is not covered in the polling process, 'but not yet'. The Australian community is too disturbed about the state of the economy, there is a high level of opposition to the Prime Minister's personal style (reflected clearly in polling) and they are uncertain about the future, hence the tendency on the part of the public to feel the republic issue has been put forward as a stunt to direct their attention away from the central issues which worry them.

1.

PERSONAL AND CONFIDENTIAL



I have a hunch that Keating's enthusiasm for the republic issue may have diminished to some degree. He was surprised, when I recently spoke to him at Government House, and pointed out that his proposal for a two-thirds vote of the Parliament to appoint or dismiss a President, under his republic proposal, had inherent difficulties for a Government. It could mean that a Government with a majority of votes nonetheless could not sack a President whom the Government found fractious. This would be because the minority of votes held by the Opposition was sufficient to deny the Government the two-thirds majority required for sacking.

The Opposition Leader, Mr Howard, put forward a proposal for a citizen's convention and a number of associated steps as an alternative to the Government's statement. This was consistently criticised by the media as fudging the main issue. I think public opinion polls have demonstrated the public were less impressed by the media - who it seems to a man and woman were pro-republic - and more impressed by Howard. This was an effective political tactic by Howard and if he were to win the next election and followed that strategy it would quickly defuse the republic issue. Will he win the next election? It is still too early to make a confident forecast on this. The polls have him personally and his party ahead of the Prime Minister and the Government. Keating, on the other hand, points out, in private at least, that the polls at this point are no worse than the polls at almost the same point prior to the 1993 election which he won. That may be true. On the other hand, he does not have the heaven sent gift of a general sales tax which Hewson (the then Opposition Leader) presented to him. Then, over the weekend, a completely unanticipated reversal occurred for the Queensland State Labor Government. There was a swing of between 6% and 7% against it. In some Government held electorates it was as high as 10% to 12%, and at some polling booths in those electorates exceeded 20%. Mostly the swings were against Labor for local reasons. It is difficult to not see, also, a message for Canberra and Prime Minister Keating in this result. If I were forced to "risk my arm" and make a forecast at this stage, I would say that the Opposition is going to win the election.

2.

PERSONAL AND CONFIDENTIAL



I am coming across people who are indifferent to mildly committed on the republic issue who are hostile to Keating. The gravamen of their anger is roughly expressed as - as one businessman of some past sympathy to Labor in Canberra actually put it - "I don't want Keating shoving down my throat who I'm going to have as President". There is quite a bit of that, as I say. It would seem that Keating's statement may have created a two-edged sword both of which cleave him; the monarchists and those who demand the right to choose.

*Have the honour to remain, Madam,  
Your Majesty's most obedient, humble  
servant*

*Bill Hayden*

The Queen

3.

PERSONAL AND CONFIDENTIAL





WINDSOR CASTLE

OFFICE OF THE  
- 4 JUL 1995  
GOVERNOR - GENERAL

22nd June, 1995.

*Her Excellency the Governor-General*

Thank you for your letter of 2nd June with which you enclosed a copy of Mrs. Betty Churcher's letter about the exhibition of The Queen's Pictures. I have laid Mrs. Churcher's letter before The Queen. Her Majesty was glad to know that the exhibition has been such a success and has asked if you would convey her sincere thanks to Mrs. Churcher for her courtesy in writing as she did.

*Yours sincerely,*  
*Robin Janvrin*  
(ROBIN JANVRIN)

*Concise*  
*Ask as to draft for me*  
*[Signature]*  
*5/7*

His Excellency the Governor-General of Australia.





Government House  
Canberra ACT 2600

Telephone No: (06) 2833533  
Facsimile No: (06) 2813197

TO: THE RIGHT HONOURABLE SIR ROBERT FELLOWES, KCB, KCVO  
Private Secretary to The Queen

FROM: BILL HAYDEN

THIS MESSAGE CONSISTS OF THIS HEADER SHEET PLUS 4 PAGES

DATE: 20 June 1995 TIME: 10.30am

SUBJECT: REPUBLICAN DEBATE

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Following my fax of yesterday, the following articles from the Melbourne Herald Sun, the Australian and the Sydney Morning Herald may be of interest. In particular, the article by Niki Savva in the Herald Sun is, I think, a reliable analysis of issues etc.

*Bill Hayden*



# Republic votes hard to earn

HOPES that the republic would enable Paul Keating to establish ascendancy over John Howard remain unfulfilled.

The issue, presented as a contest of visions and a test of leadership strength, has failed to find a positive register with voters.

This is the message from the major polls, which show Labor has failed to break free of its opponents.

Depending on the poll, the gap on a two party preferred basis is anything from 6 to 10 per cent. And on the key question of preferred Prime Minister, Mr Howard is either ahead or roughly equal.

The gap is wider than the 4 per cent deemed bridgeable during a cam-

## COMMENT



By NIKI SAVVA

paign by Labor's Gary Gray and will bolster the arguments of those pressing for an election later rather than sooner.

The decision by the French to resume nuclear testing in the Pacific appears to have cost the Government dearly. Its response was seen initially as too soft and out of step with public outrage.

The controversy probably helped stall gains Mr Keating made on the republic.

Gareth Evans undermined the strength of the

Government's protests, giving the Opposition an opening to embarrass Mr Keating and exploit public sentiment.

Now the Left is demanding action similar to that recommended by the Opposition, leaving Mr Keating looking even more out of step.

Mr Keating also did not help himself when he called Mr Howard an "old tart".

He has to make up his mind. Is he the eloquent statesman to lead us into the 21st century as an independent nation or a bitchy gutter fighter?

Or has he made up his mind, after firing his biggest shots, that his best strategy is to destroy Mr Howard by painting him as an unprincipled floosie?

He did better yesterday

when he produced a leaked document from the Shadow Minister for Regional Development and Infrastructure, Senator Ian Macdonald.

This extraordinary piece of paper suggested the Coalition should announce "a lot of major long term visionary matters but without committing ourselves to actually proceeding with them".

In the end a big picture issue such as the republic might not provide Mr Keating with the breakthrough he needs.

It might be things such as the Macdonald paper and other policies or non-policies which the Coalition devises — that is if he doesn't trip himself.

NIKI SAVVA is national affairs editor



# Howard's lead reflects ability to judge the community mood

LAST Thursday in Hobart, Paul Keating reflected with familiar humility on the Government's achievements of the last few weeks, saying, in effect, that it didn't get much better than this.

Rattling off a list of big ticket achievements, the Prime Minister remarked: "That's more in one month than the Tories did in the whole of their governments." Just as important to Labor insiders as the Budget surplus, the super strategy and the rest has been the Prime Minister's demeanour. Keating has been engaged, confident and, perhaps most remarkably, measured.

His problem, and the question



BY POLITICAL EDITOR  
MICHAEL GORDON

exercising the minds of Labor strategists, is why this performance is not reflected in the opinion polls, which continue to reveal a deep reservoir of disenchantment.

As today's Newspoll shows, the Government still trails the Coalition by eight points and Keating has slumped on the question of who voters believe would make the better prime minister. He now trails John

Howard 34 points to 41. How can it be so? The two events that have dominated public affairs in the last fortnight have been the republic and the French decision to resume nuclear testing in the Pacific.

The tentative conclusion from the polls is two-fold. First, it is that Howard's clumsy initial response to Keating's republican blueprint has done little to change voter perceptions.

Second, the Coalition has capitalised on Gareth Evans's early failure to reflect the full force of public outrage to the French. Whether Howard's approval rating will be further enhanced by his attempt to continue the

His "jellyback diplomacy" jibe would have appeared more genuine had he not, in response to the French announcement last Wednesday, displayed the same degree of "technical balance" that he has since found so reprehensible in Gareth Evans.

But what is clear from News-poll is that the Liberal leader has so far proved the more adept at reading community mood.

The polls are saying the electorate is inclined toward a change in government, but not yet persuaded to embrace the alternative. That means the election will be later, not sooner.

Report, tables — Page 2

<b>STATE OF THE PARTIES</b>	
ALP	40% (steady)
Lib/Nat	48% (+1%)
<b>BETTER PM</b>	
Keating	34% (-6%)
Howard	41% (steady)

point scoring yesterday — at the risk of undermining the protest Evans was about to express directly to the French — is less certain.



## Keating's support dwindles to 34pc

By political editor MICHAEL GORDON

THE Prime Minister, Mr Keating, has slumped behind the Opposition leader, Mr Howard, on the question of who voters believe would make the better prime minister, according to the latest Newspoll.

Mr Keating dropped six percentage points to trail Mr Howard 41-34 after being virtually level on the question a fortnight ago.

And the Government has failed to narrow the Coalition's lead on the question of voting intentions, with Labor steady on 40 points and the Coalition up one point to 48 per cent.

Support for the Australian Democrats was unchanged on 7 cent, with "others" down one point to five.

The poll, taken exclusively for *The Australian* last weekend, is the first since the Government unveiled its preferred model for an Australian republic on June 7.

It also follows political debate over the French decision to resume nuclear testing in the Pacific, with the Opposition accusing the Government of failing to adequately reflect the level of concern in the community. While the Government

has not made an impression on the Coalition's lead in Newspoll since the May 9 Budget, its position is comparable to the same period before the last federal election, when the Government trailed by an average of eight points.

In the four-month period from March to June in 1992, Labor's support averaged 38 points and the Coalition's 46.

Mr Keating's satisfaction rating has also dropped in the past fortnight from 35 points to 31, with voter dissatisfaction with the way Mr Keating is performing increasing from 56 to 59 points.

Mr Howard's satisfaction rating is also down, from 48 to 46 points, and his dissatisfaction rating is up five points to 40.

Mr Keating's 34 per cent rating on the question of who voters regard as the better prime minister is his lowest since March, when the Government was humiliated in the Canberra by-election.

Mr Howard's 41 per cent rating is unchanged, suggesting he has not suffered any loss of support as a result of his position on the republic.

### NEWSPOLL

If a federal election for the House of Representatives were held today, which one of the following parties would you vote for? If uncommitted, to which one of these do you have a leaning?

	ALP %	Lib/Nat %	Democrats %	Others %
Elective March 13, 1993-	44.8	44.3	3.8	7.1
April 7-9, 1995	39	50	6	5
April 21-23	40	44	9	7
May 5-7	41	47	7	5
May 19-21	39	48	6	7
June 2-4	40	47	7	6
June 16-18*	40	48	7	5

\* 6 per cent "uncommitted" and 1 per cent "refused" excluded

+ Excludes Northern Territory

ARE you satisfied or dissatisfied with the way Mr Keating is doing his job as Prime Minister?

	Satisfied %	Dissatisfied %	Uncommitted %
April 7-9, 1995	34	57	9
April 21-23	33	55	12
May 5-7	36	53	11
May 19-21	34	56	10
June 2-4	35	56	9
June 16-18	31	59	10

ARE you satisfied or dissatisfied with the way Mr Howard is doing his job as Leader of the Opposition?

	Satisfied %	Dissatisfied %	Uncommitted %
April 7-9, 1995	51	31	18
April 21-23	47	34	19
May 5-7	51	34	15
May 19-21	49	35	16
June 2-4	48	35	17
June 16-18	46	40	14

WHO do you think would make the better prime minister?

	Keating %	Howard %	Uncommitted %
April 7-9, 1995	38	44	18
April 21-23	41	39	20
May 5-7	41	39	20
May 19-21	39	44	17
June 2-4	40	41	19
June 16-18	34	41	25

These surveys were conducted on the telephone by trained interviewers among electors throughout Australia in city and country areas. Telephone numbers and the persons within the household were selected at random. The data have been weighted to reflect the population distribution. The latest survey was based on 1149 interviews among electors. Copyright of all times remains with Newspoll.



Tuesday, June 20, 1995

# Voters want Howard but don't expect it

**By TONY WRIGHT**  
Political Correspondent

The Australian electorate still wants the Coalition to win the next Federal election, but paradoxically, the same electorate expects Labor to retain power, according to the latest Herald-McNair poll.

The poll shows that despite the Keating Government firing its two big shots — the Budget and the republic blueprint — it still has not managed to blast a convincing hole in the Howard Opposition's lead.

Although Labor has managed to reduce the Coalition's lead in the primary vote by 4 percentage points during the past two weeks, there is still a substantial 10 per cent gap in the Coalition's favour. In fact, the trend since the Budget early last month shows the gap widening.

Furthermore, Mr Howard remains by far the preferred Prime Minister, although his rating dropping 2 percentage points in a fortnight, while Mr Keating's remained unchanged. The gap between Mr Howard and Mr Keating as preferred Prime Minister is 9 points.

On voting intention, 38 per cent of the 2,056 respondents said they would vote Labor (up 2 points in a fortnight) and 48 per cent said they would vote for the Coalition (down 2 points).

The figures mean that Mr Howard's Opposition would easily win an election held now.

Yet the poll finds a stark difference between voting intentions and the expected outcome of the election. Voters who expect Labor to win the next election far outweigh those who back the Coalition's chances: 48 per cent to 38 per cent, with 13 per cent who can't choose.

Analysis of the figures shows that Labor supporters are far more likely than Coalition voters to have faith in their chosen party's electoral chances. Of those who intend voting Labor, 75 per cent believed Labor would win. But of those intending to vote for the Coalition, only 60 per cent believed their party would gain power.

Indeed, the only group that actually believed the Coalition could win are those aged more than 55 years: 43 per cent of them thought the Coalition would be the next Government, and 35 per cent thought Labor would retain power.

Despite the reduction in the Coalition's lead over the fortnight and the voters' expectation of a Labor election win, the nationwide poll will clearly disappoint Mr Keating.

He was hoping for a solid boost following his announcement of the Government's blueprint for an Australian republic on June 7.

Mr Keating's supporters believed his "state of the nation" address on the republic, coupled with Mr Howard's confusing and rapidly changing position on the subject, would produce an unambiguous shift in the poll trend.

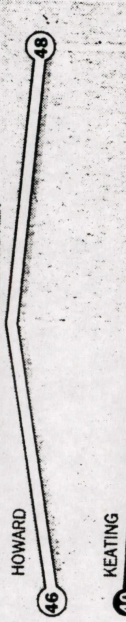
Some observers believed speculation about an interest rate fall and the quick disappearance of publicity about Mr Howard's "head-land" speech should also have helped Mr Keating significantly.

But the poll trend over the past six weeks shows the Government's fortunes have waned. The Government has been closely watching the polls to detect a shift in the



HERALD AGB MCNAIR POLL FEDERAL VOTING INTENTION

PREFERRED PRIME MINISTER



PARTY	March 1993 election		May 1995		June 1995		June 16-18 1995		
	19-21	24	19-21	24	16-18	16-18	16-18	16-18	
Labor	44.9	39	36	38	40	36	47	42	
Coalition	44.3	47	50	48	49	48	33	40	
Democrat	3.8	4	4	4	4	4	4	4	
Greens	-	4	5	5	4	4	6	10	
Independent	-	4	4	4	4	3	5	4	
Other	7.4	3	2	1	1	2	2	2	
		<b>Two-party preferred</b>							
Labor	-	46	44	45	47	44	59	53	
Coalition	-	54	56	55	53	56	41	47	
		<b>55+</b>							
Labor	-	40	36	40	36	40	36	40	
Coalition	-	49	48	49	48	49	48	49	
Democrat	-	4	4	4	4	4	4	4	
Greens	-	4	5	5	4	4	6	10	
Independent	-	4	4	4	4	4	3	5	
Other	-	7.4	3	2	1	1	2	2	
		<b>Two-party preferred</b>							
Labor	-	46	44	45	47	44	59	53	
Coalition	-	54	56	55	53	56	41	47	
		<b>55+</b>							
Labor	-	40	36	40	36	40	36	40	
Coalition	-	49	48	49	48	49	48	49	
Democrat	-	4	4	4	4	4	4	4	
Greens	-	4	5	5	4	4	6	10	
Independent	-	4	4	4	4	4	3	5	
Other	-	7.4	3	2	1	1	2	2	

Two weeks later, on the week-end of May 19-21, the two-party preferred gap between the major parties was 8 points: 54 per cent of voters intended voting for the Coalition, and 46 per cent favoured Labor.

The latest two-party preferred figures stretch the gap to 10 points: Coalition 55 per cent and Labor 45 per cent.

However, Mr Keating's personal rating has improved, while Mr Howard's has fallen. Mr Keating's performance as Prime Minister receives the approval of 37 per cent (up 2 points) and disapproval from 55 per cent (down 1 point). Mr Howard's performance as Opposition Leader gains the approval of 53 per cent (down 4 points) and suffers the disapproval of 37 per cent (up 6 points).

## ABOUT THE POLL

**Date:** June 16-18.  
**Pollster:** AGB McNair.  
**Sample size:** 2,056.  
**Margin of error:** Approximately 2 per cent.  
**Method:** Telephone.  
**Questions:** "If a Federal election for the House of Representatives was held today, which party would receive your first-preference vote — ALP, Liberal, National, Democrats, Greens, Independent, other?"  
**If undecided:** "Which party do you have a leaning towards at present?"  
**If minor-party support:** "At a Federal election you will be required to vote for all candidates in your electorate in order of preference. Given this, will you give a higher preference to the Labor Party candidate or the Liberal/National Party candidate?"  
**"How strongly do you approve or disapprove of the performance of Mr Keating as Prime Minister? Do you strongly approve, approve, disapprove or strongly disapprove of his performance?"**  
**"How strongly do you approve or disapprove of Mr Howard as Opposition Leader? Do you strongly approve, approve, disapprove or strongly disapprove of his performance?"**  
**"Who is your preferred Prime Minister, Mr Keating or Mr Howard?"**  
**"The next Federal election will be held sometime in the next 12 months. In respect of who you said you would vote for, please tell me which party you think will win the next Federal election?"**





BUCKINGHAM PALACE

OFFICE OF THE  
- 4 JUL 1995  
GOVERNOR - G

*My dear Gorman. General.*

20th June, 1995.

The Queen was very interested to read your letter of 19th June, and the newspaper articles accompanying them. The legal points raised by Mr. Kennett are noteworthy and I will set the experts to work here on them.

The only point I would make in return is that The Queen and you have very much the same view of the hideous possibility of certain States wishing to retain their Monarchical ties while the remainder of the Commonwealth of Australia becomes a republic. I have no doubt that Her Majesty would be most reluctant to see such moves being made. I can imagine no more divisive way of using what was designed to be a unifying element in the Constitution.

*Yours sincerely  
Robert Fellowes.*

(ROBERT FELLOWES)

(ROBERT FELLOWES)

His Excellency the Governor-General of Australia.

*Keep on  
copy to  
me to report  
5/7*





Government House  
Canberra ACT 2600

Telephone No: (06) 2833533  
Facsimile No: (06) 2813197

**TO:** THE RIGHT HONOURABLE SIR ROBERT FELLOWES, KCB, KCVO  
Private Secretary to The Queen

**FROM:** BILL HAYDEN

**THIS MESSAGE CONSISTS OF THIS HEADER SHEET PLUS 4 PAGES**

**DATE:** 19 June 1995 **TIME:** 4.00pm

**SUBJECT:** REPUBLICAN DEBATE

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19/06 '95 16:03

06 2813197

GOVERNMENT HOUSE

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\*\*\* ACTIVITY REPORT \*\*\*  
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CONNECTION TEL		0171 839 5950
CONNECTION ID		
START TIME	19/06 15:58	
USAGE TIME	04'51	
PAGES	5	
RESULT	OK	





Government House  
Canberra ACT 2600

19 June 1995

*Your Majesty,  
Madam,*

I thought you might be interested in the following which cover two newspaper articles in quite recent copies of the Australian newspaper. The general thrust of Mackay's article very much parallels my own instinctive thinking on this subject. In fact, the substance of what I wrote for a work to be published soon after my retirement, on the topic of republicanism, pretty much follows what Mackay is saying. As I said before, I think there is a long way to go before we have a republic.

The second article by the Victorian Premier, Mr Jeff Kennett, is extremely interesting. I presume he had some input from his Attorney-General's Department. You might like to have your own advisers consider the validity of the points he raises.

Once again, some of the points he makes are ones I have thought of. For a republic to be comfortably worn as a new political garment in this country I just don't believe the majority vote over all carried in the majority - not all - States would be acceptable. When the issue is debated it will generate enormous political strains. There would have to be a majority vote in every State for it to have moral authority. Moreover, I don't think a 51% vote is quite enough to establish moral ascendancy for the issue. That would leave too much dissent and alienation in the community.

There is another matter which is not being addressed at all at the present time. It would be a ludicrous situation to have the Commonwealth of Australia a republic and certain States standing out in opposition holding on to their monarchical ties. Then there is another complication. States can change their constitution by an Act of Parliament. We could easily see one government declaring its State a republic and an incoming government shortly after annulling the declaration and redeclaring a commitment to the monarchy. In short, the national referendum on the issue would also have to cover the situation of the States. This would then complicate the political debate as the issue of States rights would arise.

PERSONAL AND CONFIDENTIAL

1.



In a week or two time I will send you a more considered view of where the debate is once a clear picture has emerged.

For the moment it appears that Opposition Leader Howard has taken on a tricky role. My hunch is he will handle it quite OK. While seeking to avoid criticism for being inflexible and out of touch with modern community attitudes, by adopting a multi-choice proposal he has at the same time, I believe, shrewdly judged the situation, and by doing this support for republicanism will become so fragmented the proposal will be defeated. He is, of course, generally unpopular with journalists for having done this.

As I mentioned in an earlier fax to you, the current crop of Australian journalists seem to very much belong to the heartland of the "chattering class" and to a man - including those who are female to use an earlier form of biblical expression - seem to be republicans.

*Please the honour to remain, I remain,  
your Majesty's most obedient, humble  
servant.*

*Bill Hayden*

The Queen

PERSONAL AND CONFIDENTIAL

2.



# THE REPUBLIC WE HAVE TO HAVE?

What the vast majority of Australians seem to want is that, if and when we establish a republic, the new system should feel the same as the old. That's why the debate has generated so little excitement



HUGH MACKAY

In the very night when the Prime Minister was presenting his republic proposal to the House of Representatives, I was sitting in a suburban lounge room, listening to a group of Australians talking about the state of the nation. My research colleagues and I were similarly occupied over the following days, in city and country, as part of our current survey of the mood of the Australian community. So you might think I'm right up to date with Australians' struggle to come to terms with the republic: tuned in to the very latest nuances of passion, pro and con.

Struggle? Peace? Hardly. The most notable thing to be said about that battle of fieldwork — affording an opportunity to listen to Australians' deepest and liveliest concerns of the moment — is that the republic rated scarcely a mention. In some of the group discussions we conducted during that week (unstructured and non-directive discussions, in which we simply ask people to talk about any subject that interests or concerns them), the republic was spoken on the subject. Not a single word.

In other discussions, there were passing references to the republic; brushes with it on the way to more pressing matters; light-hearted comments about its inevitability and incontestability. This is not to say there are any lack of interest in the Keating proposals — or about the unfolding Howard counterproposals — and, of course, research on the subject is far from over.



disarmed us (helped along, it must be said, by the behaviour of the Queen's offspring).

But it would be a big mistake to assume that the more relaxed mood signals support for the Keating proposals in their present form. The community may have abandoned the idea — and the inevitability of the change — but not the notion of being a pushover on the sticky issue of how the head of State should be appointed. The message of the polls is loud, clear and consistent: unless the voters are provided with some means of electing their own head of State, they'll reject the whole shebang.

(The subject of the whole shebang is an important issue... and my own hunch has long been that people would accept an election which gave them the right to make the final choice from a short list of nominations — say, three — determined by a joint sitting of the two Houses of Parliament.)

Insistence on the right to elect the head of State is a rejection of voters' determination to have a say in the choice of their state as much as possible. That same determination fuels another conviction in this electorate: that the power exercised by the governor-general in November 1975 should be retained.

Whether codified or not, the so-called reserve powers strike most voters as a necessary safeguard against any corruption or distortion of the parliamentary system. The fact that the government gave its endorsement to Sir John Kerr in the election that followed the dismissal of the Whitlam government. While many present and former politicians are declar-

ing that "1975 must not be allowed to happen again", the voters themselves actually seem to be more inclined to the opposite view: they would be deeply reassured by the knowledge that the machinery still existed to ensure that 1975 could, indeed, happen again.

Of course, a famous conservative election (federally, we've only done it twice in the past 45 years) and we resist radicalism. At first glance, therefore, it may seem rather surprising to find so many Australians ready to make the switch from monarchy to republic. In fact, the key to understanding this is not the voters' attitude towards the change, this doesn't look like a particularly significant switch. If it were, they would be opposed to it.

ALTHOUGH the constitutional truth is that we are contemplating a republic, the public's mood is as acquiescent as it is precisely because it is focused on the simple preference for "our own head of State", rather than "borrowing" England's monarch and sharing her with a number of other countries. It is more about symbolic independence than about classic republicanism, and it is not Most of the time, the voters of the change do not even seem to be anti-royalists. (Indeed, it's even possible that some of them would be perfectly happy with an Australian royal lineage, if only the right founding family could be identified.) That's why we're not likely to see fighting in the streets over this issue, nor the army being called out by one side or the other. In the end, there aren't really two sides

the question doesn't seem to be as big as that. What the vast majority of Australians seem to want is that the new system should feel the same as the old. That's why there's so little excitement about it. It's the change you have when you don't really want to have to change at all. This is when the symbolism is compelling. This is when the Prime Minister has correctly recommended that we continue to be known as the Commonwealth of Australia, but he would do well to rethink the title of the head of State, as well. I suspect that most voters would prefer to support a republican head of State, but the "governor-general", partly on the assumption that the States — whether or not they, too, become republics — will retain the title of "governor", and partly because the term "president" itself carries a lot of baggage.

We may think benignly of Ireland's republicanism, but in a sense, we're really close to "generalisation" — with connotations of power beyond the scope of a traditional governor-general. Many Australians dislike the very word "president", and feel as threatened by it as they do by the r-word. The less change — to substance or symbol — the easier will be the transition.

Given the fact that the administration why would we continue to resist the appointment of a head of State by the prime minister (as at present), or sitting of the two Houses of Parliament? Isn't that a contradiction of their wish to change as little as possible? Indeed it is, but it is a contradiction that is easily understood in the present climate of cynicism and mistrust. It is the author of

Hugh Mackay is the author of *Myself and Australia in 1975*. The *Mind and the Machine* series in *Radio Australia* is a weekly series of interviews with leading figures in Australian politics. **PART 2**



# Barriers on the road to a republic

The Keating path to a republic is a minefield of constitutional and legal obstacles. These issues and the co-operation of the States are at the centre of a fair and proper debate

**T**HE recent statements about a republic by Paul Keating and John Howard mark in some official sense the beginning of a national debate on Australia's future constitutional arrangements.



JEFF KENNETT

I welcome wide-ranging debate on this issue. But I also look forward to hearing, from enthusiastic proponents of constitutional change, clear and concise statements on not only the benefits they believe will flow from such change but how, in fact, change can occur if it is agreed upon.

While the concept of a republic may be inevitable, making it occur — even if overwhelmingly supported by the Australian public — is far from certain. The idea may be Keating's gift, but delivering change, I submit, can only be the gift of the States and their respective Constitutions.

The Labor government in 1986 made that a reality with the passage of the Australia Acts.

Nearly two years ago, I outlined in a speech to the Samuel Griffith Society my thoughts on constitutional reform proposals as they then existed. This, of course, was prior to the release of the report of the federal government-appointed Republic Advisory Committee. Keating's statement setting out his Government's position has clarified in some respects the parameters within which the debate will now be conducted. The Prime Minister and most commentators would describe this as the "minimalist" change which would see a referendum held in 1997 or 1998.

The concerns expressed and questions raised by me two years ago have not, on the basis of the statement by Keating, been allayed or addressed.

In the options paper published by the Prime Minister's Republic Advisory Committee, the committee attempts unsuccessfully to deal with these very difficult and complex issues in 32 pages of a 540-page report and appendices. The committee's perfunctory approach raises more questions than it solves.

I look forward to seeing a clear, unambiguous response to these issues, among many others already raised.

First, to create a republic, the Constitution must be amended.

Section 128 of the federal Constitution allows for such amendments. It requires the Commonwealth Parliament to pass an amending Bill setting out the changes proposed, and then requires a majority of Australians and a majority of the States to agree.

Not for one minute do I believe that the founding fathers of the Constitution contemplated this section would be a vehicle for removing the monarchy.

It is not surprising, therefore, that it turns out to be entirely unsuited for the task, so much so that eminent constitutional lawyers of the calibre of Sir Robert Garran, H. B. Higgins, and professors Harrison Moore, Darrell Lumb, Geoffrey Sawer, Colin Howard and P. H. Lane have all raised serious doubts whether the Constitution could (or should) be amended in this way.

Even those who believe it can

lematic and likely to lead to High Court challenges. The problem arises because "the Constitution" is not an Act, but is contained within an Act. To be precise, the Constitution is in clause nine of the Commonwealth of Australia Constitution Act 1900.

An examination of its developments shows that this was deliberate. The problem is that without some imaginative interpretation, section 128 may amend the Constitution, but not the covering clauses of the Act — clauses one to eight.

These other sections clearly envisage the continuation of the Crown. Whatever arguments are made about the continued relevance of these sections, clause two provides for the continuation of the monarchy and prevents indigenous monarchies being instituted.

A number of distinguished Australians versed in constitutional law — including Sir Zelman Cowen, Colin Howard and Darrell Lumb (and even Senator Gareth Evans) — have referred to the words "insoluble federal Commonwealth under the Crown" which occurs in these covering sections, noting it gives rise to serious problems facing the proposal to create a republic. It was probably envisaged by the founding fathers that alteration of these provisions would have to be carried out in the United Kingdom. However, it is suggested that the Commonwealth closed off that possibility when the Australia Acts 1986 were passed in the UK and federal Parliaments.

**I**T is argued that the effect of those Acts is to ensure that the UK cannot amend the Constitution, and any amendments to the covering clauses must be carried out under section 15 (1) of the Australia Acts with "the unanimous participation" of State Parliaments.

As the Australia Acts could not, and do not, give any further powers to section 128 despite the obscure wording of section 15 (3) of those Acts, we are left in a position that appears to fit the original intention of the founding fathers to enshrine the Westminster system.

If this analysis is correct, then Keating's proposals cannot be carried out without the agreement of all State governments.

The Prime Minister's committee recognises this problem. It admits that all State Parliaments would be required to agree, noting that, if they did not, the Commonwealth may have to rely on a "somewhat complicated" — and it might be said somewhat problematical — option suggested by the acting solicitor-general.

Second, alongside the section 128 barrier there is another of equal height.

Fundamental to the Consti-



Crown, the legislature and the judiciary. The Crown has remained the unifying influence. All judges, ministers and public servants are servants of the Crown, not in the sense of servitude but in the sense that each owes a duty beyond self to the nation as a whole.

The Crown is therefore implicit in the Constitution. It is argued that to remove the Crown is not to amend the Constitution but to change it for another. This cannot be done by section 128. Constitutional commentators such as Sir Robert Garran, Geoffrey Sawer and Darrell Lumb have also raised the problems and difficulties associated with this barrier.

Whatever the legalities of the argument to change Australia into a republic, instituting fundamental change of the same legal dimensions that was achieved by revolution in the United States requires much more than the support of 51 per cent of the population and four of the six Australian States.

This barrier is also not properly addressed by the committee.

A third barrier concerns the position of State constitutions and State governments.

While the Crown in right of the Australian federal government is the same as the Crown in right of each of the States, each is separate. Each State has a separate Crown, legislature and judiciary. There are seven separate parties to the Australian federation.

Section 106 of the federal Constitution preserves the Constitutions of the States and section 7 (1) of the Australia Acts preserves the monarchical system of the States.

Paul Keating has stated that, under his proposed changes to

up to each State to decide how in future it would appoint its respective head of State.

Putting aside whether Her Majesty would be willing to place herself in such an embarrassing position, the general view of constitutional lawyers is that an Australian republic with some or all States remaining as constitutional monarchies would be highly undesirable. However, as Lumb points out:

"The republican amendment could do this directly or indirectly by requiring that the head of State be an Australian citizen and not represent or be appointed by an official outside the country. This would be a demonstrable intrusion into the Constitutions of the States and will conflict with the Australia Acts ... it should be seen ... by the people of every State for what it is: not only an attack on our Crown but also an assault on our federal system of government."

On this particular point, the eminent constitutional lawyer Sawer said: "The answer is much disputed and without judicial authority even in the way of dicta."

**A**LSO to be remembered is that States have their own constitutional restrictions on removing the monarchy. Victoria requires an absolute majority in both Houses. Queensland requires a referendum. Western Australia has both these limitations.

The Prime Minister's committee notes the disagreement of legal experts on the effect on State Crowns of attempts to abolish the Crown in right of the Commonwealth. It says that, to avoid legal problems, the amendments should deal with State

contrary to Keating's recent statement. It admits change may not be able to be "forced" on the States. The committee is unable to predict the outcome and refers to two "less than ideal solutions".

There are also major legal difficulties, such as the possibility of express limitations on section 128 and whether this section can be used to amend itself.

There is the question of what happens to the reserve powers and conventions associated with the performance of the monarchy's role as head of State if the monarchy is removed from the Constitution.

A debate that pretends these questions do not exist will not be an honest debate.

Claims of "minimalist" change without reference to the great deal of time-consuming work, conflict and anxiety any attempted amendment would cause are misleading. Apart from those addicted to change at any price, Australians asked to agree to constitutional change cannot be expected to give a reasoned response unless they are in a position to balance the cost of changes against the value of the benefits that are being alleged.

Even if the barriers referred to above could be overcome, it has been asserted that there would need to be a minimum of 30 alterations to the Constitution to achieve Keating's so-called "minimalist" amendments.

These are just some of the many complex and important issues that must be addressed and responded to by those arguing constitutional change.

It is important that debate on this matter be considered and fair to all sides.

Let the debate continue.





Government House  
Canberra ACT 2600

7 June 1995

My dear Private Secretary,

Attached is a letter to The Queen from the Prime Minister, the Honourable P.J. Keating, conveying the text of a speech which he will deliver to the House of Representatives tonight on the question of an Australian republic.

Yours sincerely,

A handwritten signature in blue ink that reads "Bill Hayden".

The Right Honourable Sir Robert Fellowes, KCB, KCVO,  
Private Secretary to The Queen,  
Buckingham Palace,  
LONDON

FAX: 0011 44 171 8395950

*Sent by fax 638pm on 7/6/95*





PRIME MINISTER  
CANBERRA

The Honourable Bill Hayden, AC  
Governor-General of the Commonwealth of Australia  
Government House  
YARRALUMLA ACT 2600

Dear Governor-General

I will announce in the Parliament today the Government's preferred options for the introduction of an Australian republic and head of state. I have attached a copy of my Parliamentary statement for your information.

I request that you keep the contents of the statement under embargo until its delivery at 7.30pm this evening.

The Government's proposals have one clear objective, that of securing an Australian head of state without fundamentally changing Australia's system of government.

I have written to all Premiers and Chief Ministers advising them of the Government's proposals.

I request that you convey, at your earliest convenience, the enclosed letter and statement to Her Majesty The Queen informing her of the Government's announcement.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P J Keating', written in a cursive style.

P J KEATING





PRIME MINISTER  
CANBERRA

7 JUN 1995

*Your Majesty,*

Later today I am announcing the Government's preferred options for the introduction of an Australian republic and head of state.

I thought it important that you should be in a position to know what I will be saying to the Parliament on this important subject.

Much of it will reflect that which you gave me the opportunity of conveying to you at Balmoral in 1993.

I hope and trust that you will believe I have treated your role appropriately and in accord with the commitments I made to you on that occasion.

I have written to the Governor-General asking him to also convey these proposals to you; but I wanted to communicate independently and avoid any undue delay in transmission.

Please be assured of my own and the Government's highest esteem for you.

*Yours sincerely*

P J KEATING

Her Majesty The Queen



**SPEECH BY THE PRIME MINISTER, THE HON P.J. KEATING, MP  
 AN AUSTRALIAN REPUBLIC  
 THE WAY FORWARD  
 HOUSE OF REPRESENTATIVES  
 7 JUNE 1995**

It is the Government's view that Australia's Head of State should be an Australian - that Australia should become a republic by the year 2001. Tonight I shall describe the means by which we believe this ought to be done.

Honourable members will recall that to fulfil an undertaking given during the last election campaign, on April 28 1993 the Government established a Republic Advisory Committee to prepare an options paper which would describe the minimum constitutional changes necessary to create a federal republic of Australia.

The Republic Advisory Committee was chaired by Mr Malcolm Turnbull and comprised Dr Glyn Davis, Miss Namoi Dougall, the Hon Nick Greiner, Dr John Hirst, Ms Mary Kostakidis, Miss Lois O'Donoghue, the Hon Susan Ryan and Professor George Winterton.

I take this opportunity to thank them. They consulted widely throughout Australia, carried out their work with dedication and energy and delivered to the Government and to posterity a most valuable document.

In the eighteen months which have passed since the release of the Report, the idea of an Australian republic has come to occupy a central place in our national political debate: not only in this Parliament but within the political parties, in major representative and community bodies, in schools and universities, communities at large and, I daresay, around countless Australian dinner tables.

In the process many Australians have come to favour a Republic. Just as many, perhaps, now believe it is inevitable.



Many may regret the prospect of change and be unsure about the means by which it can be achieved, but recognise that sooner or later we must have an Australian as our Head of State. That one small step would make Australia a republic.

Governments can wait for opinion to force their hand, or they can lead. They can wait for the world to change and respond as necessity demands, or they can see the way the world is going and point the way.

We are approaching the 21st century and the centenary of our nationhood. As never before we are making our own way in our region and the world. For us the world is going - and we are going - in a way which makes our having the British monarch as our Head of State increasingly anomalous.

The fact is that if the plans for our nationhood were being drawn up now, by this generation of Australians and not those of a century ago, it is beyond question that we would make our Head of State an Australian. Any suggestion that the British monarch should fill the role would not be entertained. This is not because our generation lacks respect for the British monarchy, or the British people, or our British heritage, or the British institutions we have made our own, or our long friendship with the British in peace and war. On the contrary, Australians everywhere respect them, as they respect The Queen. But they are not Australian. It is so obvious, that if we were just now drawing up our constitution, we probably would not even feel the need to say that the Australian Head of State will be Australian - it would go *without* saying.

That it does not go without saying today is an accident of history. We are attached to Great Britain by long threads of kinship and affection which, to a considerable extent, are embodied in the warmth of our regard for Queen Elizabeth. Many Australians may well feel that to substitute an Australian for the monarchy constitutes in some way a rejection of these ties. I think all of us can understand these feelings.



But the creation of an Australian republic is not an act of rejection. It is one of *recognition*: in making the change we will recognise that our deepest respect is for our *Australian* heritage, our deepest affection is for *Australia*, and our deepest responsibility is to *Australia's* future.

Nothing in the creation of an Australian republic will alter the facts of our heritage and our affections. Indeed our relationship with Britain may well become the more thoroughly "modern relationship" which the British Prime Minister expressed a desire for two years ago. The development of a mature and modern relationship will certainly not be inhibited by recognition of the truth. We are friends with separate destinies to carve out in the world. We are not as we once were, in a parent-child relationship.

The people of modern Australia are drawn from virtually every country in the world. It is no reflection on the loyalty of a great many of them to say that the British monarchy is a remote and inadequate symbol of their affections for Australia. And we can be equally sure that in the 21st century the British monarchy will become even *more* remote from even *more* Australians.

Australia occupies a unique place in the world and makes a unique contribution to it. Our destiny is in no-one else's hands but our own: we alone bear the responsibility for deciding what the nature of our government and society will be, what advantage we will take of our human and material resources, what kind of place our children will inherit.

It is not a radical undertaking that we propose.

In proposing that our Head of State should be an Australian we are proposing nothing more than the obvious. Our Head of State should embody and represent Australia's values and traditions, Australia's experience and aspirations. We need not apologise for the nationalism in these sentiments, but in truth they contain as much commonsense as patriotism.



39

This is a point worth making: this republican initiative is not an exercise in jingoism; it is not accompanied by the beat of drums - or chests. It asserts nothing more than our unique identity. It expresses nothing more than our desire to have a Head of State who is truly one of us. It changes nothing more than what is required to make clear and unambiguous our independence and responsibility for our own affairs.

It is a small step, but a highly significant one. The government believes that at this stage of our history it is a logical and *essential* one. And it can reflect that stage in our history. An Australian Head of State can embody our *modern* aspirations - our cultural diversity, our evolving partnerships with Asia and the Pacific, our quest for reconciliation with Aboriginal Australians, our ambition to create a society in which women have equal opportunity, equal representation and equal rights. In this decade we have a chance which few other countries have; in declaring ourselves for an Australian republic, we can give expression to both our best traditions and our *current* sensibilities and ambitions.

At present, under the Constitution, Australia's Head of State is The Queen and her "heirs and successors in the sovereignty of the United Kingdom". Anyone reading the Australian Constitution who is unfamiliar with the practical realities of Australian government would assume that the role of the monarch was central.

In fact, the involvement of the British monarch in Australia's affairs is now very limited. The Queen's role as Head of State is in most respects carried out by the Governor-General. Of the responsibilities The Queen retains, the most notable is her appointment of the Governor-General which, by convention, she does on the advice of the Prime Minister.

We are not quite alone among the countries of the world in having as our Head of State someone who is not one of our own citizens, but we are in a very small minority - and a majority of the countries in the Commonwealth of Nations are republics with their own Head of State. Of the 185 members of the United Nations, only 15 do not have their own Heads of State - and 14 of those 15 are former British Dominions.



The Queen of Australia is also Queen of the United Kingdom and 14 other countries in the United Nations.

Notwithstanding that The Queen is Australia's Head of State and fulfils that duty conscientiously, when she travels overseas she represents only the United Kingdom. Her visits abroad often tend to promote British trade and British interests - they do not promote Australia's trade and interests.

This is, of course, right and proper for the Head of State of the United Kingdom. But it is not right for Australia. The right Head of State for Australia is one of us, embodying the things for which we stand, reminding us of those things at home and representing them abroad. We number among those things fairness, tolerance and love of *this* country. It is a role only an Australian can fill.

Each and every Australian should be able to aspire to be our Head of State. Every Australian should know that the office will always be filled by a citizen of high standing who has made an outstanding contribution to Australia and who, in making it, has enlarged our view of what it is to be Australian.

In these and other ways, the creation of an Australian republic can actually deliver a heightened sense of unity, it can enliven our national spirit and, in our own minds and those of our neighbours, answer beyond doubt the perennial question of Australian identity - the question of who we are and what we stand for. The answer is not what having a foreign Head of State suggests. We are not a political or cultural appendage to another country's past. We are simply and unambiguously Australian.

If only by a small degree an Australian republic fulfilled these ideals it would be worth it.



Measured against other stages of our development it is a relatively simple and modest undertaking. A hundred years ago, despite their rivalries and the enormous distances which separated them, the Australian colonies came together and created a nation. In the course of a century we have evolved from a collection of British colonies; to a single nation of limited independence; to a Dominion in the British Empire; to a sovereign nation in all respects bar one. In the same century we have come through great trials of our collective courage and ingenuity.

As Australian democracy and society have evolved and developed, the practical character of Australian government has dramatically changed. For example, in the 1930s the Governor-General ceased to be the representative of the British government in Australia and became the representative of the British monarch alone. In the same decade it was accepted that the British monarch would act solely on the advice of the Australian government - not the British government - in relation to Australian matters; and Australia assumed responsibility for its own external affairs which had been previously the responsibility of the British government. In 1930 for the first time, an Australian became Governor-General.

With the abolition of all remaining rights of appeal to the Privy Council in London, in the 1980s Australian courts became the ultimate arbiters of Australian law. Also with the passage of the Australia Act, the Parliament of the United Kingdom relinquished the last vestiges of its power to make laws applying to Australia.

In every instance, there was controversy. Today it is hard to imagine why the changes were opposed.

And we are better for the changes. In the 1990s we are stronger, richer and better placed in the world than ever before. At every stage in our development there have been hesitations, but in the end we have always recognised necessity and where our interests lie. If at times we have been cautious about taking large steps forward, it cannot be said that we have taken any backwards.



That is what we seek with the republic: a small but important step forward - the first step in a process which began one hundred years ago. We think it is time to embrace the necessary change.

We therefore intend to ask the Australian people if they want an Australian republic with an Australian Head of State.

The change we propose has very limited implications for the design of Australia's democracy. It is the so-called "minimalist" option. All the essential Constitutional principles and practices which have worked well and evolved constructively over the last hundred years will remain in place.

I stress that these proposals represent the Government's *preferred* position. We do not suggest that it is the only position and not open to change. But it is a position reached after careful consideration of the Advisory Committee's report, and we believe it to be a wise position that will stand the test of time.

"Commonwealth" is a word of ancient lineage which reflects both our popular tradition and our Federal system, and we propose that the Australian republic retain the name "Commonwealth of Australia".

Under the proposals the role of the House of Representatives and the Senate will remain unchanged, as will the role and powers of the States. We will still be a Federation. In virtually every respect, our governmental arrangements will be exactly the same as they are now: the day to day handling of national government will remain with Ministers led by the Prime Minister; the Cabinet will continue to deal with the major issues; and Ministers will continue to be responsible to Parliament and the Australian people.

Our membership of the Commonwealth of Nations headed by The Queen will not be affected.

None of these things will change, but we will have an Australian as our Head of State, and we propose that he or she be described by the term "President of the Commonwealth of Australia".



The President will perform essentially the same functions as the Governor-General. As with the Governor-General, except in the most exceptional circumstances, these functions will be carried out on the advice of the Government of the day.

A former Australian Governor-General, Sir Zelman Cowen, made some remarks last week which I think bear repeating. They echoed those of a predecessor of his, Sir Paul Hasluck; and in fact I should think they contain a sentiment common to every Governor-General since Federation. Sir Zelman described the Governor-General's role as "the highest single expression in the Australian governmental structure of the idea that all Australians from all parties and all walks of life belong to the same nation".

An Australian Head of State would perform precisely this unifying role; and, it follows, would need to be of the same stature and integrity as we seek in our Governors-General.

A significant element of the Head of State's role is symbolic; performing ceremonial duties around the nation and abroad. This is the public aspect of the office: the means by which the Head of State represents Australia and, by his or her example and encouragement, provides national leadership.

The Head of State will also continue to perform the formal administrative duties given to the Governor-General by legislation and which are undertaken on the advice of the Federal Executive Council. The Head of State's duties here include formalising government regulations and appointing public officials.

The Head of State will assume the Governor-General's constitutional duties, most of which are, by convention, performed in accordance with the advice of the government of the day. These include summoning and dissolving the House of Representatives and the Parliament as a whole and issuing writs for Federal elections. The Head of State will also take over the Governor-General's role as titular Commander-in-Chief of the armed forces.



line with actual practice, we propose that the Constitution be amended to make clear that the Head of State will exercise these constitutional duties on the advice of the government of the day.

Finally, the Head of State will retain those very few powers now held by the Governor-General which, in the most exceptional circumstances, may be exercised without, or possibly contrary to, Ministerial advice.

These are the so-called reserve powers. The Republic Advisory Committee identified these powers as: the power to appoint the Prime Minister; the power to dismiss the Prime Minister and therefore the government; and the power to refuse a request by the Prime Minister to dissolve one or both Houses of the Parliament.

The Committee made the point that there are a number of principles or conventions underpinning our Westminster style of government and the practical operation of our Constitution. These principles, which are not currently set out in the Constitution, determine whether the circumstances exist for the Governor-General to exercise a reserve power and what action would be appropriate.

Theoretically, it would be possible to fully codify or write down these conventions, assuming one could foresee all the contingencies they might be required to meet. I have no doubt that a great many people would like to see the Head of State's discretionary, or reserve, powers tightly defined - as they are, for example, in the Irish Constitution - so as to oblige the Head of State to act in accordance with express rules in the Constitution, or Ministerial advice, in all circumstances.

The question is, then: should the reserve powers - which are imprecise and governed by precedent and convention - be codified? Should they be delineated, cut down or specified precisely in our Constitution, or should they remain as they apply now, by unwritten convention?

The advantage of codifying the conventions, whether in whole or in part, would be to bring a degree of clarity and certainty to the options open to a Head of State in different situations.



However, after careful consideration, the Government has formed the view that it is probably impossible to write down or codify these powers in a way that would both find general community acceptance *and* cover every possible contingency. As the system evolves there needs to be some capacity to respond to circumstances quite unforeseen today. Tightly defined rules can themselves have unforeseen consequences.

Were we to try, by Constitutional amendment, to set down precisely how the reserve powers should be exercised by the Head of State, those amendments, even if intended to be otherwise, could well become justiciable - that is capable of being adjudicated by the High Court of Australia and required to be adjudicated by the High Court.

Hence, codification would be likely to result in fundamental change to our system of government and alter the status of the High Court in relation to the Executive and the Parliament. Over time, Justices of the Court could well be drawn into arbitrating purely political disputes whose resolution should ultimately be in the hands of the electorate. The Court would thus be exposed to public pressure and, in the inevitable event that a party to a dispute was unhappy with its resolution, the standing and impartiality of the Court could be called into question.

For these reasons the Government believes that, on balance, whatever the immediate attraction of this course might be, it would not be desirable to attempt to codify the reserve powers; and that the design, processes and conventions at present governing their exercise by the Governor-General should be transferred to the Australian Head of State without alteration.



We are aware that with this option, there is a risk that Australian governments may occasionally find themselves in conflict with a Head of State who exercises political judgment without regard to the conventions. We are also, of course, conscious of the possibility of a repetition of the events of 1975, when a government possessing the confidence of the House of Representatives was denied supply by the Senate. But the question of the Senate's powers over supply is a very different issue from that of establishing an Australian Head of State. It is an issue that deserves to be addressed, but it doesn't need to be addressed at the same time.

If these reserve powers are to be given to a new Head of State, it is critically important that the authority and source of the Head of State's power is consistent with the national interest and the continued effective operation of our political system.

There has been considerable debate in the community about how the Head of State should be chosen. As things now stand, the Governor-General is appointed by The Queen acting on the sole advice of the Prime Minister.

It is clear that most people believe the Prime Minister should not have such exclusive power in appointing an Australian Head of State. The debate is principally between those who support popular election and those who favour election by the Parliament.

The desire for a popular election stems from the democratic sentiment which all Australians - including all of us in this place - share. However, the Government has come to the view that if a new Australian Head of State were to be elected by popular mandate, he or she would inherit a basis of power that would prove to be fundamentally at odds with our Westminster-style system of government.



should be recognised that a Head of State, whose powers derived from a general election, would be the *only* person in the political system so elected. His or her powers would be nominally much greater than those of all other Commonwealth office holders, including the Prime Minister and the Cabinet, who are, without exception, *indirectly* elected via large elected parties. With a popularly elected President, potential would exist for the representative and democratically elected parliamentary chambers, the repositories of the diffuse power of Australian democracy, to be gradually diminished, while the embodiment of the nation *and* great powers were vested in one person. That would constitute a very dramatic - and undesirable - change to a system which all of us agree has served us well.

Whatever differences of opinion may presently exist about the most desirable mode of his or her election, I think there is a consensus that the Head of State should be, in some sense, "above politics".

With this the Government agrees. The Head of State should be an eminent Australian, a widely respected figure who can represent the nation as a whole. This in fact has been the character of the role of the Governor-General and it should be protected and retained in the role of a Head of State.

Popular election guarantees that the Head of State will *not* be above politics - indeed it guarantees that the Head of State will be a politician. As Sir Zelman Cowen pointed out in his speech last week, a "direct election of a President would ensure political outcomes"; and he went on to say that people like himself and another former Governor-General, Sir Ninian Stephen, "would not have the resources or inclination to contest such an election". We cannot have a Head of State who is "above politics" if we subject candidates to popular elections - we will get instead politicians, political parties and political campaigns. And we will get a Head of State with an authority unheard of in our political system and discordant with some of the basic principles on which that system rests.



We therefore propose, as the Republic Advisory Committee suggested, that the Head of State be elected by a two-thirds majority vote in a joint sitting of both Houses of the Commonwealth Parliament on the nomination of the Prime Minister and the Cabinet. Such a joint sitting would be a unique occasion, bringing together all the political parties, and both Houses of the Parliament, in a spirit of bi-partisanship and cooperation. Obviously, before the vote was taken the non-government parties would have to be consulted to ensure that the candidate had their support.

It would be impossible for any government to dictate the outcome of this process. A two-thirds majority vote of both Houses would require bi-partisan support and ensure that the Head of State had the blessing of all the major parties. The RAC report makes the point that a two-thirds majority in the present parliament would require the votes of 40 more members than the Government presently has. In fact, no government since World War II has enjoyed a two-thirds majority.

A Head of State appointed by both Houses would be subject to *removal* by both Houses if it was the opinion of a two-thirds majority that his or her conduct was inappropriate. This is why, given the difficulties of codification I have described, and given that we believe the conventions governing the reserve powers will in large measure need to remain with the Head of State, it is imperative that his or her mandate does not flow from popular election, but from the representative power of the House of Representatives and the proportional power of the Senate.

The other brake on any wilful or misguided behaviour by a Head of State is that the process of removal should not be contingent on a specified set of facts or circumstances or conditions. The joint sitting would be unconstrained in its actions or in its decision by being able to consider squarely the behaviour of any incumbent.

A further inhibition to misguided or inappropriate behaviour is the proposal that either House may, by simple majority, initiate a joint sitting to remove or censure a Head of State.



The Government believes that, taken together - the authority and source of the Head of State's powers coming from the Parliament, removal by the same means as appointment, and the capacity to censure - these elements provide effective counter-weights to the substantial authority vested in the Head of State through the reserve powers.

In addition, in the light of the events of 1975, any Head of State determined upon a controversial course of action would do so in the knowledge that he or she would be confronted with the weight of public opprobrium, and will be at pains to ensure that every course of action is both warranted and capable of being defended.

The Government proposes that, consistent with the convention for Governors-General, the term of office for the Head of State be five years, and that Heads of State be permitted to serve one term only.

To prevent any attempt to influence Heads of State by offers of subsequent employment, we propose that outgoing Heads of State not be permitted to accept remuneration from the Commonwealth in addition to their pension until five years have passed since their departure from the office.

As an additional step to ensure that the office of Head of State is not politicised, the Government proposes that serving and former parliamentarians - Commonwealth, State and Territory - be excluded from candidature until five years have passed since their departure from parliament.

There are other detailed issues that will also need to be addressed. For example, arrangements for unexpected vacancies would broadly mirror those currently in place.

It is not our intention that the Government's proposals should affect the Constitutions of the Australian States. It would be up to each State to decide how in future they would appoint their respective Heads of State. It is reasonable to expect that if the Australian people opt for an Australian Head of State, the States would follow suit. But the question would be for each State to decide.



In this regard, we were interested that a committee commissioned to examine the issue by the West Australian government concluded that, if the minimalist approach proposed by the Republic Advisory Committee were to be adopted, the position of the States within the federation would not be substantially affected.

The Government is ready to have senior Commonwealth Ministers brief State governments on the proposals and we sincerely hope that all State Premiers will make constructive contributions to the public debate.

The Government puts forward these proposals to provide a basis for considered public discussion. The Australian Constitution cannot be changed in any way without a referendum, and to succeed at a referendum a proposed change must win the agreement of a majority of voters in a majority of States and a majority of voters overall.

The Government proposes to put the question of a republic to the Australian people some time in 1998 or 1999. Acceptance at the referendum will mean that Australia can be a republic by the year of the centenary of Federation, 2001.

Before the referendum, there will be extensive consultation with the people of Australia. But it should be clearly understood that nothing we can devise in addition to the due democratic processes will match those processes in the information they provide, the debate they stimulate or the power they give the people. The passage of the Referendum Bill through both Houses of the Commonwealth Parliament will be followed by an extensive campaign in which arguments for and against a republic will be put. And the people's vote - and the people's vote alone - will decide the issue.

In short, the Constitution requires that the Parliament, the nation's representative and deliberative body, alone can formally determine the proposals to be put to the people in a referendum. I stress this point. The Parliament *alone* can formally decide what is put in a referendum. At most, any suggested convention can only be a consultative device and, in obvious ways, an elitist one.



There have been calls for a constitutional convention, but the limitations of that procedure should be understood.

There were six Constitutional Conventions between 1973 and 1985 followed by a Constitutional Commission. It is not unfair to say that they were unproductive. And any future convention not limited to the issue of the republic and the Head of State, would be a convention going over the same old ground as all the others before it.

Some people have drawn comparisons with the constitutional conventions of the 1890s, but there is an essential difference between those and any current proposals. Here, we are attempting a modest *change* to the Constitution - in the 1890s they were attempting to *write* it. And among the things they wrote was the requirement that any change to the Constitution must be submitted to a referendum. That is the democratic obligation we are under today.

The 1890s conventions were proponents of change - they were concerned with one question - how to create from the separate Australian colonies one indissoluble Commonwealth of Australia. So would any convention on the republic need to be a proponent of the republic, and concerned only with one issue - the best means by which the people of the Commonwealth of Australia can have an Australian as their Head of State.

The detail of the changes we propose may at first glance obscure the meaning of them.

The meaning is simple and, we believe, irresistible - as simple and irresistible as the idea of a Commonwealth of Australia was to the Australians of a century ago.

The meaning then was a nation united in common cause for the common good. A nation which gave expression to the lives we lead together on this continent, the experience and hopes we share as Australians.

The meaning now is still a product of that founding sentiment - it is that we are all Australians. We share a continent. We share a past, a present and a future. And our Head of State should be one of us.





BUCKINGHAM PALACE

PERSONAL AND CONFIDENTIAL

1st May, 1995.

*My dear Governor-General.*

The Queen was much interested by your letter of 13th April, with its usual pithy summing up of the political situation in Australia, and some fascinating comments on the world economy.

Here we await the VE-Day weekend, with some uncertainty as to how it will go. It is very hard to gauge public feeling about the nature of this exercise in nostalgia, this time without quite the same sentimental resonance which D-Day had last year. Given good weather, however, it should be successful. Meanwhile, the Private Secretary is sweating blood as he drafts two major speeches which The Queen has to deliver on the same subject to largely the same audience on two successive days!

*Yours sincerely*  
*Robert Fellowes*

(ROBERT FELLOWES)

His Excellency the Governor-General of Australia.





Government House  
Canberra ACT 2600

13 April 1995

*Your Majesty,  
Madam,*

The national political scene here is working out somewhat as I expected it might and outlined in my last despatch to you.

John Howard, in replacing Alexander Downer as Opposition Leader, is operating much more effectively this time round than on the earlier occasion when he occupied that office. His effectiveness seems to come from the fact that he is saying much less than was his inclination on the earlier occasion when he was Leader of the Opposition. This limits Prime Minister Keating's opportunities to target him. He is also jettisoning more extreme policy differences and making it more difficult for Keating to effectively target him in this area. He is, furthermore, taking some fairly savage blows from Keating without flinching. His predecessors tended to break up bit by bit under Keating's remorseless onslaughts. My impression is Keating is mystified about his old tried and proven formulae for destroying previous Opposition Leaders not working thus far.

It will be interesting to see how Keating proceeds in the near future, that is, whether he perseveres with his old practices or adopts something new.

It is fairly evident that the electorate is tired of the Government, is tired of sustained high unemployment, is alarmed at interest rates starting to rise again and, in particular, now that it can see Parliamentary Question Time on TV daily, is appalled by the "rough house" behaviour which passes for Parliamentary tactics.

My impression is that most other Western countries are experiencing the same disillusionment with political processes.

On the other hand, the economy is performing quite well, with the exception of a chronic current account problem. Growth was too high and consumption exceeded growth. So growth has been eased back to between

1.

PERSONAL AND CONFIDENTIAL



approximately 3½ and 4%. This is really quite strong by historical standards and should be sustainable in a non-inflationary way with the sort of annual work force growth and productivity currently available. Of dangerous significance is the push on the wages front. If that gets out of hand the Government will be in trouble. At this stage the trend is somewhat uncertain but there is a hardening of wage demands - after several years of restraint - which might have to be curbed. This could set the economy back.

On the other hand, the turmoil in the major international currencies could create problems. If the USA would take the appropriate albeit politically unpalatable measures to restore their economy, putting it on a sound basis instead of wanting the rest of the world to accommodate the soft lifestyle to which they have become accustomed in the past couple of decades, then some of the pressures on international currencies could be eased. This would give greater economic stability and be a plus for the government. I do not think the Americans will take the appropriate corrective action and that will be tragic, especially for America's role in the world.

In saying these things I am not unmindful of the disgraceful way in which the Japanese tend to lock up their markets from the rest of the world.

In short, there are a lot of economic/political uncertainties about at the moment. Nonetheless, my own feeling is that Keating has a much tougher fight this time round whenever it is the election is held.

*Thank the Queen to remain, Yours,  
Your Majesty's most obedient,  
servant  
Bill Hayden*

The Queen

2.

PERSONAL AND CONFIDENTIAL





BUCKINGHAM PALACE

PERSONAL AND CONFIDENTIAL

20th December, 1994.

*My Dear General*

The Queen has asked me to thank you for your letter of 7th December.

The media seem to be snapping at Mr Downer's ankle in the same way that they have been snapping, for 18 months or so, at Mr Major's. I would forecast, from this long distance, that they may have more success in the short term with Mr Downer than with Mr Major, though it is hard to see the Tory Party coming back off the ropes in time to win the next election. But you never know - look at Mr Bulger.

The drought sounds dreadful. Many farmers must be suffering real hardship and your letter makes me think how cossetted the farming community is here, as they collect their large cheques for growing nothing from the Common Agricultural Policy.

Christmas is coming - none too soon for politicians and the Royal Household, both of whom have had quite a difficult six months. Let us hope it has not come too soon for an England cricket team, whose ratings seem to be below those of the luckless Mr Downer.

*Yours sincerely*  
*Robert Fellowes*

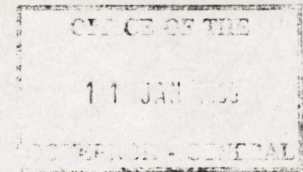
(ROBERT FELLOWES)

His Excellency the Governor-General of Australia.





BUCKINGHAM PALACE



22

13th December, 1994.

*My dear Governor-General.*

Thank you for your letter of 12th December enclosing the most interesting findings of the Civics Expert Group. "The total lack of knowledge" reminded me of the expression which George Brown used to use, "total ignoral", and which I always thought very expressive.

I agree with you that the Prime Minister could have found little comfort for the republican cause from these findings. For myself, I think that it must be some cause for concern both in Australia and the United Kingdom that so many Australians believe that a republic would "cut ties with Britain".

If you took similar soundings in this country about the constitution, the Royal Prerogative and The Queen's reserve powers, I fear you would have a similar or even more startling lack of knowledge. This lack seems to be shared by most of the Editors selling daily and Sunday newspapers!

*Yours sincerely*  
*Robert Fellowes*

(ROBERT FELLOWES)

His Excellency the Governor-General of Australia.



PERSONAL AND CONFIDENTIAL



Government House  
Canberra ACT 2600

7 December 1994

*Your Majesty,  
Madam*

I mentioned in my last report to you that there were deficiencies in the performance of Mr Alexander Downer as Leader of the Opposition, and that this would probably cause him to be displaced from that office. This looks quire imminent now. The media are baying for his 'political blood'. 'Loyal' members from within his own ranks are backgrounding the media in the most damaging way to Downer. The performance of the media is very partisan and many of the commentators are what are called 'players' out here, rather than being objective observers and reporters.

Downer's situation has reached the stage where no matter what he says the media generally condemn him. It would look as though his Deputy, Peter Costello, is not being considered as a replacement. Rather, John Howard, a former Leader of the Opposition, who tends to look back to the '50s for inspiration, is being mentioned constantly as Downer's successor.

Prime Minister Keating, who has been using Question Time in Parliament to destroy Downer politically, is now concurrently attacking Howard. If this works, the Liberals are in an absolutely dreadful political situation. Then there would be no credible leadership, and Keating would win the next election and most likely the one after that. Beyond that I do not care to speculate. I would note, however, that if Keating is able to destroy the credibility of both Downer and Howard, the Liberal Party has a genuine long term leadership problem on its hands and from my personal contacts in that Party, they are well aware of this problem.

On the other hand, it is only recently that Labor has been able to open up a reasonably wide gap in the opinion polls in its favour. This in spite of the fact that Downer's personal ratings in these polls has been consistently rock bottom for some months. My interpretation of this is the electorate substantially clung to the Liberals as an alternative in spite of Downer's poor performance because they want a change of Government.

1.  
PERSONAL AND CONFIDENTIAL



## PERSONAL AND CONFIDENTIAL

The Government does look tired; it appears to have run out of sparkle; it is not generating the sort of enthusiasm in the community that a newer Government could. Worst of all, most of its Ministers are behaving like bureaucrats and seem to have become absorbed into the mainstream of public sector administration rather than communicating policies to the community.

If my instincts on this are right, and Howard is able to successfully withstand Keating's assaults in Parliament and elsewhere, the Liberals may just edge ahead of Labour. If so, I think it would be a narrow margin but they would be ahead. Howard is a reliable, steady performer, and is not easily rattled. This could then give them a chance of success at the next election.

On the economic front, the economy is overheating. Growth is in excess of 6%. There have been a series of increases in interest rates and the Government is at least taking seriously advice that it must cut the deficit more substantially and that taxation increases must be part of the measures to restrain economic activity.

Overall, the community is in more buoyant spirits than for some time, except for the unfortunate people in the farm sector. For many of them, this is the fourth drought year in a row. The El Nino affect lingers and meteorologists forecast no rain before January, even if then. If the farm sector had been buoyant, incidentally, economic growth would have exceeded 7% and many problems would have been caused by that.

*Show the honour to remain, Madam,  
Your Majesty's most obedient, humble  
servant*

*Bill Hayden*

The Queen

2.

PERSONAL AND CONFIDENTIAL





Government House  
Canberra ACT 2600

9 September 1994

*Your Majesty,  
Madam,*

The political scene here is full of unexpected surprises. A few weeks ago the new Leader of the Liberal Party, Alexander Downer, and his Party were enjoying a huge popularity lead over Keating and the Labor Government. Suddenly, through a series of gaffes the ratings have reversed and Labor and Keating are ahead. In the meantime, speculation about Downer's leadership future has suddenly emerged. He could recover but I have a hunch, contrary to my earlier assessment of him, that his future is probably going to close in on him rather rapidly and there will be a new Leader replacing him sometime next year.

As things stand at the moment, Labor would win an election comfortably. The irony is the extraordinary high opinion poll ratings for Downer and the way they stood up in spite of early gaffes suggested strongly that people wanted to change the government. There was electorate fatigue with a government which has grown tired and unexciting after some thirteen years in office by the time of the next election.

The Liberals, however, have trouble with the leadership issue. Peter Costello is being proposed as a successor to Downer. He may make it to that office, but I doubt whether he would become Prime Minister. His public style is too harsh and I suspect he is seen as personally bitter and perhaps retributive. I do not think that will appeal to the public. The Party itself is too narrowly focused. It is a "dry economics" party and has driven from its ranks many of the prominent small "l" liberals. It accordingly is not representative of the community. This disability is emphasised by the way in which small, very right wing groups have been successful in having their views adopted by the Party or by important sections of it.

Unless the Liberal Party can take definite steps to re-ignite its energy, give it clear direction and establish its community representativeness, the future does not look very good. This, I know, is worrying the extra-Parliamentary officer bearers of the Party as it does many of its Parliamentarians. The rural based National party also has its own problems with rapid demographic changes in non-metropolitan Australia working very much against it.

PERSONAL AND CONFIDENTIAL



The historical curiosity is that Labor is spoken of widely, these days, as the natural party of government, the party which functions professionally and so on. From the 1950s to the '70s covering a period when I was active in it but, I trust, not because of that, it was the party of permanent opposition, a shambles of an organisation, the patriotism of which, because of its frequent extreme left wingism, was persistently questioned. If Labor came back, as it were, why not the Liberals? They well may but Labor has a different culture and functions differently to the Liberals. The first thing the Liberals need to do is make a decision that they do desperately want to become a government and therefore they will become a tougher more durable organisation which is going to be very professional in pursuing those goals. At this point their culture is against this happening. One still gets the impression they are dabblers and they expect government to fall to them according to some natural law of politics. The 1993 election was the one they should have won when the economy was in a very bad shape. The next election will be held in far healthier economic conditions and will be a difficult one for the Liberals.

On the economic front the economy is performing extremely strongly. If it were not for an awful and prolonged drought the performance would be even stronger, the \$A would be worth more and government would be seeking to brake sharply the momentum of the economy. Interest rates are going up with predictions of further increases. The next budget should reflect further braking of the economy with a reduction in the deficit beyond that projected by the government a few months ago.

*I have the honour to remain, Madam,  
Your Majesty's most obedient  
humble servant  
Bill Hayden*

The Queen

PERSONAL AND CONFIDENTIAL





Government House,  
Canberra ACT 2600

6 April 1994

*Your faithfully,  
Anastasi*

The political scene in Australia changes little. One minister, Mrs Kelly, was forced to resign when it became known publicly what had been known privately by her cabinet colleagues for a long time, namely, she was quite incompetent. Her besetting sin was not being incompetent but being found out. Another, Senator Richardson, who was a power broker in the New South Wales Labor Party machine departed both the Ministry and the Senate because, he said, he had had enough of politics. Whatever the cause it could not have been fastidious disapproval of the rather rough political tactics used in the Labor Party in that state for he was well practised and highly successful in the exercise of those unsubtle arts.

Dr Hewson, Leader of the Opposition, is under constant pressure from within his own party because of his perceived poor performance. He trails Prime Minister Keating in the personal popularity opinion polls. His colleagues should look more closely at the more important poll, the relative party ratings. His coalition has been persistently ahead of the government. The gap in favour of his party is starting to close. This adverse result comes more from the work of his own "supporters" than the efforts of the government.

Prime Minister Keating is in the ascendancy. The economy is displaying consistent signs of a sustained recovery. My own intuition suggests it may be recovering a little too strongly at this stage and supply bottle necks may lead to demand inflationary pressures. This means the government will have to reduce the domestic deficit by quite a bit more than they have announced or else adjust interest rates upwards before the end of the calendar year. The financial markets are trading on long term bond interest rates going up as policy settings now stand. The government and the Reserve Bank Governor are hectoring them for their lack of faith. I believe that the bond dealers are right at this time.



2.

If Keating can sustain non-inflationary growth of say better than 4%, progressively reducing unemployment, his prospects of winning the next election should be good. This is especially true if the Liberals keep undermining their leader.

I have enclosed a copy of a recent poll on the subject of Republicanism. As can be seen the Republican cause has fallen back.

*Share the honour to remain free,  
Your Majesty's most humble, obedient  
servant,  
Bill Hayden*

Her Majesty The Queen



# Support for republic stalls

*Austr-2-3 March 1994*

Are you in favour or against Australia becoming a republic? If in favour, is that strongly in favour or partly in favour? If against, is that strongly against or partly against?

	Oct 1987	June 1991	Feb-Mar 1992	May 1992	April 1993	July 1993	Sept 1993	Nov 1993	March 1994
	total %	total %	total %	total %	total %	total %	total %	total %	total %
Strongly in favour	-	20	27	22	28	25	22	22	22
Partly in favour	-	14	17	19	18	21	17	17	17
Total in favour	21	34	44	41	46	46	39	39	39
Partly against	-	14	16	14	12	14	16	14	15
Strongly against	-	38	24	31	23	22	28	30	28
Total against	64	52	40	45	35	36	44	44	43
Uncommitted	15	14	16	14	19	18	17	17	18

March 1994

	TOTAL	ALP supporters	Lib/Nat supporters	Men	Women	18-49 years	50-plus years
Strongly in favour	22	37	13	28	17	24	18
Partly in favour	17	20	14	15	19	19	15
Total in favour	39	57	27	43	36	43	33
Partly against	15	14	16	14	15	15	14
Strongly against	28	15	44	24	32	22	40
Total against	43	29	60	38	47	37	54
Uncommitted	18	14	13	19	17	20	13

These surveys were conducted on the telephone by trained interviewers in all States of Australia in city and country areas. Telephone numbers and the person within the household were selected at random. The data have been weighted to reflect the population distribution. This survey was conducted on March 25-27, 1994, among 1200 people aged 18 years and over. Copyright at all times remains with Newspoll.

SUPPORT for the republican movement appears to have stalled at 39 per cent, with no rise in popular feeling in the past six months, the latest Newspoll shows.

Sentiment for, and opposition to, an Australian republic has solidified after some earlier volatility and a peak in backing for a republic after last year's federal election.

The lack of change in feeling since September comes despite the release of the options for a republic late last year and a visit from the Prince of Wales early this year when the republic versus monarchy debate received wide publicity.

According to the latest Newspoll, support for the republican movement has remained



at 39 per cent since at least September.

The level of opposition has also remained virtually unchanged for seven months on 43 per cent.

The latest figures show the support still well down on the peak last September of 46 per cent in favour and 36 per cent against.

It appears that after a strong reaction against the idea of a republic initially and a surge of support flowing from the election campaign and the highlighting of the issue by the Prime Minister, Mr Keating, the opposing camps have settled at about

40 per cent for the idea and 44 per cent against during the past five years.

Support is also falling into predictable patterns, with the strongest support coming from younger ALP voters and the most concerted opposition coming from older Liberal-National Party voters.

When the first Newspoll on the republic was taken in October 1987, there was a strong anti-republican feeling with 64 per cent against the idea and only 21 per cent for it.

During the next five years the proportions moved towards republican sympathy, and in March 1992 more favoured a republic - 44 per cent to 40 per cent against.

- DENNIS SHANAHAN





BUCKINGHAM PALACE

PERSONAL AND CONFIDENTIAL

23rd July, 1993.

*My dear Governor-General*

The Queen has asked me to thank you for your two letters of 9th and 12th July. You have shed some calm and rational light on the Mabo decision which was much needed here to help Her Majesty understand what precisely is going on.

You have a fascinating situation in the Senate which must make for a very uncomfortable life for the Government. Richard Farmer has not made it any more comfortable.

As to your enclosures, all are of interest (and one amusing!). Michael Goot's reflections give some useful background to the talks I have had with any number of Australians here in London over the last few months. It seems to me, to summarise these talks, and the widespread impression is gaining ground that the Prime Minister has recognised the practical problems involved in moving towards a republic and may well take it in slower time than had been hitherto contemplated. To me, the key word over which a question mark looms ever stronger is "inevitability".

I write this on the day when the Tory Government has tabled a Motion of Confidence in itself and in its handling of the Social Chapter of the Maastricht Treaty. This is a high risk strategy, but in fact the only sensible one which they could have taken in the light of the defeat last night in the House of Commons. As you can imagine, at the end of a long and heated session, tempers are frayed in the political world, and morale low, but the Government is likely to win this, and maybe the recess will pour some much needed oil on the troubled waters of this fractious and divided country.

*P.S. Regie just won handsomely.*

*Yours sincerely  
Robert Fellowes*

(ROBERT FELLOWES)

His Excellency the Governor-General of Australia.





## BUCKINGHAM PALACE

PRIVATE AND CONFIDENTIAL

21st July, 1993.

*My dear Governor-General.*

Thank you for your letter of 15th July. This is very helpful and I am most grateful to you for raising a flag over a danger which had, I have to say, already appeared to me as a cloud a little bigger than a man's hand.

Our normal policy, covering all discussions between The Queen and her Prime Ministers, is to make no comment whatever. Clearly, therefore, we would be best suited if the Prime Minister were to agree to follow our policy in this instance. Whether he will have the inclination or the fortitude to do so is, however, another matter.

I do not want to sound too anxious about this, and so I don't intend to raise the matter before his arrival at Balmoral (where incidentally the Private Secretary on duty will be Sir Kenneth Scott). But the first thing that Ken Scott will do, either with the Prime Minister's officials or with the Prime Minister himself, is to suggest that we stick to this policy. If there is no agreement, Ken will have to establish a form of words which both the Prime Minister and Buckingham Palace can use to cover the discussions. Clearly it would be out of the question for Ken to agree to a form of words such as you have suggested would be attractive for the Prime Minister. Such a form would indeed be open to every sort of misinterpretation - intentional or unintentional. Ken and I will be pondering over what we might settle for in the meantime.

*Yours sincerely*  
*Robert Fellowes*

(ROBERT FELLOWES)

His Excellency the Governor-General of Australia.





Government House,  
Canberra ACT 2600

22 July 1993

Dear Robert,

At the expense of cluttering your files further, the Governor-General has asked me to forward further cuttings on republicanism. The first is a statistical piece relating to a Newspoll survey; and the second a columnist's interpretation of that poll. Some interesting facts emerge: popular support for a republic seems to have stalled at 46% over the past three months; and 79% want an elected president whose popularity could become a thorn in the Prime Minister's side.

The Newspoll survey was published on 19 July. Yesterday the Republican Advisory Committee met with the Prime Minister; and later spoke to the media. Its conclusion that change is not so simple as substituting "President" for "The Queen" of "The Governor-General" in the Constitution comes as no surprise. Indeed, the Governor-General had put this to Mr Turnbull himself.

The picture now emerging is much more diffuse than the original champions of change would have had us believe. The awakening sense of realism is welcome. But, as we have said before, the wide range of interests (and prejudices) which are now on display in the public arena will increase the Prime Minister's difficulty in seeking to unite public opinion around one option. Indeed, there is some speculation that after the Turnbull committee has reported, the Prime Minister might have to refer the matter to yet another committee.

Some of the newspapers seem to sense this too. Murdoch's "Australian", which has championed the republican course from the outset, editorialised today that there is no hurry.

This seems like a responsible reaction to the Newspoll data. It is, however, at odds with the 56% purportedly in favour of action at, or before, the 1996 federal election, though I would not personally put much weight on this aspect of the survey.



11

My own view has always been that the more complicated the issue, and the more amendments which might need to be referred to a referendum, the less likely the public would be to agree to change. Now that the Liberal and National parties are formally opposed to change, and the so-called "minimalist" position has been admitted to be untenable by one of its chief sponsors, the prospects for republicanism are looking pretty dim.

We'll continue to keep you posted.

Yours sincerely,



Douglas Sturkey  
Official Secretary  
to the Governor-General

The Right Honourable Sir Robert Fellowes, KCB, KCVO,  
Private Secretary to The Queen,  
Buckingham Palace,  
LONDON ENGLAND



# 80pc want popular vote on head of State

By political editor GLENN MILNE

ALMOST 80 per cent of Australians questioned in our latest survey want any republican head of State to be elected by popular vote — a result at odds with the proposal by the Prime Minister, Mr Keating, for a "minimalist" republic.

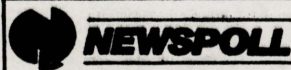
While popular support for a republic has remained stalled since April on 46 per cent, 79 per cent of people want a direct say in the election of any new head of State, only 10 per cent feel that the new head should be elected by parliament, with 2 per cent saying the prime minister should make the appointment.

The latest Newspoll, conducted exclusively for *The Australian*, shows that election of the head of State by all voters received strong support across all age and ethnic groups.

Forty per cent support the head of State having the same powers as the present governor-general — including being able to dismiss the prime minister and the government.

But a relatively high 32 per cent support the idea of the head of State having wider powers, like the United States president, while only 12 per cent favour a figurehead with no real powers.

The poll suggests that both Mr Keating and the head of the Government's



HEAD OF STATE SHOULD BE ... ?

	%
Elected by people	79
Elected by Parliament	10
Appointed by PM	2
Other	1
None	8

Republican Advisory Committee, Mr Malcolm Turnbull, are out of step with popular opinion on their preferred model for the republic.

Mr Keating and Mr Turnbull are advocates of the so-called "minimalist" position, a relatively simple substitution of an Australian head of State for the current governor-general and a cutting of ties with the monarchy.

In all other respects the head of State would retain the same powers as the governor-general.

The advisory committee is due to meet Mr Keating and the Attorney-General, Mr Lavarch, on Wednesday.

The poll also shows that most people think the issue should be settled well before Mr Keating's 2001 target.

Continued — Page 2  
More tables — Page 2

# 80pc want popular vote

From Page 1

Thirty per cent of respondents favour a referendum before the next federal election, scheduled for 1996, while 28 per cent would hold a vote on the republic to coincide with the election.

The next largest group, 15 per cent, believe the referendum should be delayed until after the next election but before the year 2000 and 10 per cent favour some time after 2000.

On the evidence of the Newspoll, Mr Keating is still short of achieving the bi-partisan support that will be necessary to win a referendum on the republic.

A majority of Labor supporters, 58 per cent, favour Australia becoming a republic, with 39 per cent strongly in favour.

Twenty-four per cent of ALP supporters are against the idea.

Only 34 per cent of Coalition supporters are in favour of Australia becoming a republic with 51 per cent opposed.

Not surprisingly, people born in England, Scotland or Wales are the least likely to favour a republic with only 36 per cent of this group in support.

Australian-born adults are more likely to support a republic with 44 per cent in favour.

The greatest level of support however, comes from people born outside Australia or Britain. In this group 63 per cent are in favour of Australia becoming a republic.



NOW thinking about whether Australia should become a republic. Are you personally in favour or against Australia becoming a republic? If in favour is that strongly in favour or partly in favour? If against is that strongly against or partly against?

	Total voters		ALP voters		L/NP voters		18-50		Place of birth	
	%	%	%	%	M	F	49 plus	Aust	UK	Other
Strongly in favour	24	29	12	30	19	21	24	29	35	23
Partly in favour	21	18	12	22	21	18	18	18	18	28
<b>TOTAL FOR</b>	<b>45</b>	<b>47</b>	<b>24</b>	<b>52</b>	<b>40</b>	<b>39</b>	<b>42</b>	<b>47</b>	<b>53</b>	<b>51</b>
Strongly against	12	10	10	11	11	11	11	11	11	11
Partly against	12	14	14	12	12	12	12	12	12	12
<b>TOTAL AGAINST</b>	<b>24</b>	<b>24</b>	<b>24</b>	<b>23</b>	<b>23</b>	<b>23</b>	<b>23</b>	<b>23</b>	<b>23</b>	<b>23</b>
Don't know	18	14	14	14	14	14	14	14	14	14

If a referendum were held on whether Australia should become a republic with a new head of State, should it be held ... ?

	Total voters		ALP voters		L/NP voters		18-50		Place of birth	
	%	%	%	%	M	F	49 plus	Aust	UK	Other
Before next federal election due in 1996	30	26	31	27	33	33	24	29	35	36
At the same time as the next federal election in 1996	26	29	26	26	26	29	20	29	18	15
After the 1996 federal election but before 2000	15	18	14	15	16	15	16	14	21	18
In 2000	9	13	6	10	7	7	11	10	3	5
After 2000	10	6	14	11	9	7	14	9	16	10
Never/Uncommitted	10	8	9	11	9	9	15	9	7	10

If Australia became a republic with a new head of State should that person ... ?

	Total voters		ALP voters		L/NP voters		18-50		Place of birth	
	%	%	%	%	M	F	49 plus	Aust	UK	Other
Be elected by popular vote of all Australian electors	79	80	80	76	81	79	78	79	82	73
Be elected by the federal Parliament	10	10	10	12	8	11	8	10	10	11
Be appointed by the Prime Minister	2	2	2	2	2	2	2	2	2	2
Other	1	1	1	1	1	1	1	1	1	1
None/Uncommitted	8	7	7	9	8	9	12	8	6	10

AND thinking of the powers that a new head of State could have, should the head of State ... ?

	Total voters		ALP voters		L/NP voters		18-50		Place of birth	
	%	%	%	%	M	F	49 plus	Aust	UK	Other
Have the same powers as the present governor-general and be able to dismiss the prime minister and the government	40	36	48	37	44	41	39	42	43	3
Have wider powers like a United States president	32	33	29	36	28	34	28	33	22	3
Be a figurehead only with no real power	12	14	10	13	11	12	12	11	23	1
Uncommitted	16	16	13	17	17	17	17	17	17	22



# Putting the republic to the vote

*EA F. J.*

**T**HE republican planning process has gone dangerously off the rails for the Government, and especially for the Prime Minister. Far from being an easy exercise in uniting the Labor Party and dividing the Opposition, the whole business is likely to blow up in Mr Keating's face.



**McGUINNESS**

This is partly because he appointed as chairman of the Republican Advisory Committee a zealot with a strong position of his own, and an apparently insatiable hunger for publicity. Malcolm (Spodge the kangaroo) Turnbull has also been provided with a committee some of the members of which see no reason why they should stop at the "minimalist" republican proposals the Prime Minister wants.

And they have been joined, and will increasingly be joined, by hare-brained advocates of everything from abolition of the States to abolition of the Senate, the High Court and any other checks and balances restraining authoritarian centralism.

More dangerous than that, from the PM's point of view, is, however, the clear dislike of the Australian electorate for a minimalist republican scheme which would merely shift more power into the hands of the prime minister of the day.

The poll conducted by Newspoll, the results of which were published in *The Australian* on Monday, is alarming for the Government. It makes clear there is not a strong majority for a republic of any form. While there is substantial support for a republic, this amounts to only 46 per cent of the sample (which, given the sample size and reliability of Newspoll's work is an excellent indicator of electoral support, with appropriate margins of error); and only 25 per cent of those are strongly committed. Against are 36 per cent, while there are 18 per cent uncommitted/don't know.

This break-up indicates that the Australian electorate, with its thoroughly justifiable suspicion of constitutional amendments with a hidden agenda, is likely to vote against a republic unless the proposal is clear, and along the lines it wants.

Just as interesting, given the Goebbels-like claim of bureaucratic feminists that it was the women's vote that decided the election in favour of Labor (it was not), is that opposition to a republic among women is stronger than among men - 39 per cent were

for it (men, 52 per cent) and 43 per cent against (men, 31 per cent). Magazines like *New Idea* are much more closely in touch with what Australian women think than is the ABC and its ilk.

The really surprising result of the poll, however, is that the public clearly does not want the minimalist position. (Nor does it seem to want any of the nonsense about abolition of the States.) A massive 79 per cent of the electorate want the president of an Australian republic to be elected by a popular vote of the whole electorate. And 72 per cent want such a president to have at least as much power (including the reserve power exercised on November 11, 1975, to dismiss an errant government and bring about a general election) as the governor-general has now, and perhaps even more, along United States presidential lines (32 per cent are in favour of wider powers).

This is not only a massive post-humous vote in favour of the actions of John Kerr when he was governor-general but also a dire warning to the republicans of the Keating camp that the electorate is not prepared to increase the discretionary, unchecked powers of the Parliament or the prime minister. Only 10 per cent were prepared to have the president elected by the Parliament, and a derisory 2 per cent would trust the prime minister to appoint a president (as, for all practical purposes, he now appoints the governor-general).

So if we are going to get a republic, it will be one in which a popularly elected president will have a fixed term of office and immense prestige, more than that of the prime minister, who, after all, is not elected by direct vote and can be replaced by the dirty machinations of the parliamentary party from which he or she comes. That president will have at least as much power as the governor-general. The latter's powers, with the exception of the reserve powers exercised in emergencies, are in practice now very limited. But that is



only because of the conventions of constitutional monarchy.

An elected president could very soon begin to flex his muscles and appeal to the clear words of the Constitution, thus beginning to enjoy some of the powers of a US president, who for all practical purposes is an elected monarch. This might not be a bad thing, provided limits to the powers of a president were established (as the US Congress can overrule a presidential veto with a sufficient majority). But it would drastically change our system of government.

It may be that a thorough and deliberate consideration of the form of a republic would lead to the Australian Constitution becoming even more like that of the US, and less like the corrupt Westminster model.

**A** PRESIDENT who was elected would mean a very great change in the nature of our election campaigns. Would, for example, the presidential election take place at the same time as a general election? If so, the limelight would very quickly divert to the presidential candidates, and the parties would have to put up candidates whom they could not control or remove once elected. There would be scope for the mavericks, too - a Ross Perot could arrive on the Australian scene, someone with sufficient personal wealth to buy TV and newspaper time and space. (Kerry Packer for president?)

Or, a model which the chattering classes would like more, a Mary Robinson could emerge, as she did in Ireland, from off the field and suddenly sweep the polls. Luckily for the Irish politicians, but unluckily for the Irish, Robinson has the total lack of power which Keating's minimalist model

would postulate. But she still has immense moral authority.

A fixed presidential term would also imply a fixed parliamentary term, so that the discretion enjoyed by prime ministers at present to pick the most opportune time for an election would be lost. This is a reform which most sensible people would enthusiastically applaud - as in NSW.

The remaining important fact revealed by the Newspoll was that a majority of the people want the issue of the republic to be decided before, or at the same time, as the next federal election (due in 1996). This means that if the Government finds some excuse to delay a referendum on the republic until after the next election, it will have to fight the election in the context of a substantial proportion of the electorate which will be very dissatisfied with the way the issue is being dodged. An Opposition promise to put the referendum to the people, even if it intended to advocate a no vote, could be an election winner.

All this also means that the selection of the next (and putatively last) governor-general is going to be a delicate matter. Bill Hayden's five-year term expires next February - that is, before a referendum or a general election (even if the Government decides to pull a double dissolution). Who could appropriately replace him, and who would be willing to do so?

It would possibly be the most sensible and uncontroversial decision for the Government to ask His Excellency to stay on for a couple of years. (I should say I have not discussed this with him, even privately.) For a younger, more ambitious, and less principled man or woman could well see the vice-regal post as the ideal jumping-off place for a presidential bid.

- Padraic P. McGuinness

OS.



# Turnbull warns of confusion on republic

By RACHEL HAWES

THE chairman of the Republic Advisory Committee, Mr Malcolm Turnbull, has called for the term "minimalist" to be abandoned in the republican debate because people do not understand what it means.

Mr Turnbull said yesterday the term was ambiguous and had not been clearly defined.

He said it was nonsense to think minimalism meant "you take a jar of Tippex and wipe out the Governor-General and the Queen and write in president".

Mr Turnbull urged the media to abandon the term because it meant "utterly different things to different people".

"Minimalism means . . . a head of State selected by Australians having the same powers of the Governor-General," Mr Turnbull said.

"Minimalism means maintaining our current system of government."

The committee also warned that the republican debate was in danger of becoming the "mother of all fear campaigns" due to widespread public ignorance over the implications of change in the Constitution.

Mr Turnbull said public discussions around the country revealed ignorance was high, which made the debate "susceptible to fear campaigns . . . designed to prey on ignorance".

As members met the Prime Minister, Mr Keating, to discuss the committee's progress yesterday afternoon, the executive director of Australians for Constitutional Monarchy, Mr Tony Abbott, attacked both the Government and the committee for an "unfair" debate and for "promoting the republican cause".

He said the Government had not created a level playing field because it was not providing funding for the defence of the Constitution and called for \$250,000 to cover costs.

He also accused the republic committee of engaging in advocacy instead of "looking at options".

Republic committee member and former premier of NSW

Mr Nick Greiner echoed Mr Turnbull's sentiments about the widespread public "confusion", adding it was not confined to members of the public but extended to politicians and members of the business sector.

"It is perfectly obvious from public meetings and from the utterances of my colleagues in the Liberal Party, that these sorts of issues are susceptible to the mother of all fear campaigns," Mr Greiner said.

"There is a great deal of confusion in the public mind."

Mr Turnbull told Mr Keating that since the committee's establishment in April it had held more than 20 meetings around the country, had received 500 submissions and distributed nearly 20,000 copies of its issues paper.

But more time was needed before the committee could present its options paper to "do justice to the submissions".

Mr Keating granted the committee an extension on its reporting deadline until September 30, and a corresponding extension to the cut-off date for public submissions until August 16.

Mr Turnbull said the options paper would not provide the answer to debate but would list options appropriate to establishing a republic.

Mr Turnbull said he had attempted to make the issue bipartisan by "keeping the politicians out of it" and rejected the results of a recent Newspoll which says most people do not want a politician as head of State and that 80 per cent favour direct election of a president.

"When the republican movement started . . . we hoped this would be a non-partisan issue and that party politicians would stay largely out of it and it would be a people's issue," Mr Turnbull said.

Meanwhile, Mr Abbott said the \$250,000 was needed to provide resources to help defend the Constitution and to create a "level playing field".

"It is unfair that the Government is funding republicanism . . . simple fairness seems to demand that both sides receive equal government funding," Mr Abbott said.

Editorial — Page 10



AUTUMN 22/7

## Republican debate gets interesting

BRIEFING the Prime Minister in Canberra yesterday, Republican Advisory Committee members expressed a fear that public confusion could make more difficult progress towards a republic. They suggest that more time and widespread education in constitutional reality are needed. They are right, and supporting evidence can be found in the latest Newspan on the republic.

Its results raise difficult but interesting questions. Almost 80 per cent of those surveyed said they wished a president of the republic to be elected directly by the people, and only 12 per cent wanted a president to be restricted to symbolic functions. Were such a presidency to be grafted on to our system of government, the results could be destabilising. Yet it seems certain that Australians as a whole do not want a republic to bring with it instability. The problem, therefore, is to reconcile popular understanding with the view of political and republican

leaders that the shift to the republic should leave essentially unchanged our stable system of government.

However, there is little consolation for monarchists in the present state of the debate. Despite a great deal of public, sometimes distorted, anti-republican rhetoric, the level of support for a republic has held at the 46 per cent recorded three months ago. As well, the apparent adventurousness of these Newspan respondents suggests that the public has moved to the second, more challenging part of the debate. That concerns not the desirability of a republic, but the type of republic most desirable.

A president directly elected by the people would have great legitimacy. And more than 30 per cent of the Newspan respondents proposed an Australian president should have the wide powers exercised in the United States. Another 40 per cent suggested our president should have the same powers as the present governor-general, including the reserve power to dismiss. If the presidency and prime-ministership were held by opposing parties, the potential for debilitating power struggles is clear.

But this is unlikely to be the situation expected or desired by the Newspan respondents. A better explanation of the Newspan results would be the remarkably high (but not necessarily well-informed) esteem in which the US presidency is held, especially in these post Cold-War days. It was always intended that progress towards a republic would be gradual, and that it would be accompanied by the maximum of debate. One counter-proposal that could be put to the Newspan respondents, and to Australians generally, would be for the president to be directly elected, yet, as in Ireland, have only symbolic powers, thereby reconciling popular participation with political stability. But this and other questions about the nature of an Australian republic are not likely to be settled quickly. There is no hurry.



# No minimalist position <sup>HGE</sup> <sub>22/7</sub>

**T**HE minimalist position on moving from a constitutional monarchy to a republic is more or less officially dead. As we said yesterday, even the so-called minimalist position requires substantial re-writing of the Constitution. Yesterday, the head of the Republic Advisory Committee, Mr Malcolm Turnbull, acknowledged that basic fact. It is nonsense to believe that all that is required for Australia to become a republic is to replace the words Governor-General and Queen with president in the Constitution. Agreement will have to be reached on such crucial issues as how the head of state will be chosen and what powers the head of state should have. That will involve

re-writing some of the fundamental parts of the Constitution. Mr Turnbull acknowledged much of this yesterday.

The fact that the minimalist position has now been shown to be untenable is a good thing because it means there is agreement between republicans and monarchists that substantial change will be required for Australia to become a republic. We have supported the move to a republic and we continue to believe in an Australia free of the anachronistic symbols of dependence. Knowing that the road to a republic will be more difficult than many of us at first realised does not mean we should not proceed along it.





Government House,  
Canberra ACT 2600.

16 July 1993

Dear Robert,

The Governor-General discussed the enclosed letter with me after it has been typed. I said to him that I thought that Buckingham Palace would very rarely issue a press release and that perhaps an agreed record of the discussion might serve the same purpose. Mr Hayden agreed and asked me to pass the thought on to you.

Yours sincerely,

A handwritten signature in dark ink, appearing to be "D. Sturkey".

Douglas Sturkey  
Official Secretary  
to the Governor-General

The Right Honourable Sir Robert Fellowes, KCB, KCVO,  
Private Secretary to The Queen,  
Buckingham Palace,  
LONDON ENGLAND



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15 July, 1993

The Right Honourable Sir Robert Fellows, KCB, KCVO,  
Private Secretary to The Queen,  
Buckingham Palace,  
LONDON.  
UNITED KINGDOM

*Sir Robert,*

I am writing this letter to you rather than to Her Majesty. I think the matter important, but I am not quite sure that I should be writing directly to The Queen offering gratuitous advice on how to handle a potentially sensitive matter which may arise during Prime Minister Keating's visit to Her Majesty in a few months' time. This thought is produced by a series of presumptions which might, or might not, prove valid in the course of experience.

After Keating meets with Her Majesty there will be, inevitably, a press conference. In response to an obvious question, suppose Keating says something like this: "I cannot go into the detail of my discussion with Her Majesty, but I can tell you she displayed no discomfort when I outlined our case for Australia becoming a republic. In fact Her Majesty made it clear that this is entirely a matter for Australia and I gather she would feel quite comfortable about an outcome in support of a republic. That is an entirely commendable view on her part. She accepts the democratically determined result".

Now there could be a variety of ways the comment could be crafted. Its intent, however, would be the same; namely to have the gormless members of the Australian press corps rush off with a sensational story that The Queen is comfortable about Australia becoming a republic. This account could easily evolve over a few editions having Her Majesty almost endorsing, at least, the proposal that Australia should become a republic. Alternatively, his staff might communicate this sort of account, or something like it, to the travelling Australian media as non-attributable background. That becomes, as you know from experience, "reliable sources close to the Prime Minister" etc.



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-2-

Would Keating do this, or something like it? I would not rule it out. He is a shrewd and tough politician. The issue of republicanism is a very handy one for him. If he can get it to really take off, it would be a gift from heaven for him. This would be more particularly so if he could hold a popular referendum on the issue at the next elections. Distractions like taxes, unemployment, performance of the economy and so on would tend to disappear.

I sincerely hope you do not now mind a few suggestions on the possible handling of this matter. It may be desirable to have available a carefully crafted few words which block off this option for Keating. Something which says, perhaps, that while it is not appropriate to comment on detail of the internal political differences evident in Australia - and the issue is now at contention between Labor and the Coalition parties - Her Majesty's role as Queen of Australia is a position and duty of great importance to her. That Australia is an important part of Her Majesty's sphere of responsibilities. There is undoubtedly a better word than "sphere" but I would avoid "realm" like the plague. Out here it tends to have provocative connotations suggesting, for some, Australia is still some sort of subject state or in a state of dependency.

I rather feel the words chosen should be said directly to Keating at the first relevant discussion between him and Her Majesty. How much further the statement is disseminated is a matter for judgement. I should have thought, however, a press statement welcoming Keating's visit, at the conclusion of the visit, and including the appropriate wording on the matter I have mentioned, might be appropriate. If your practice is not to release press statements then, of course, other means will have to be established for getting the point across.

Keating, of course, may not adopt this tactic, or any variation of it. On the other hand it is important, I would suggest, to be ready to head him off if there is detected any inclination, on his part, to move in this direction.

Yours sincerely  
Bill Hayden





15 July, 1993

The Right Honourable Sir Robert Fellows, KCB, KCVO,  
Private Secretary to The Queen,  
Buckingham Palace,  
LONDON.  
UNITED KINGDOM

*Dear Sir Robert,*

Knowing, I trust, that you have a good sense of humour, I have enclosed a cutting from the Sydney Morning Herald of 29 June, 1993. I rather felt after reading the article that this must be the first time ever that the local constabulary have been forced to make a refund for unsatisfactory performance, and to a brothel no less!

*Yours sincerely  
Bill Hayden*



## Brothel sponsored police

The police professional accountability branch is investigating a Wollongong brothel's \$800 sponsorship of the NSW police rugby league team.

Regency Companions, in Beatson Street, Wollongong, sponsored the team in return for advertising beside the team's logo on a Winfield Cup NSW Rugby League draw card.

The Police Commissioner, Mr Tony Lauer, has referred the sponsorship deal to the accountability branch, which will determine if police ethics have been compromised.

The president of the NSW police rugby league team, Sergeant Alex Ramsay, said the sponsorship was arranged by a public relations company, National Sports Marketing, without the team's knowledge. He said the cards had been destroyed.

The marketing company's director, Mr Stuart Cahn, said the salesman did not realise Regency Companions was a brothel.

He said the brothel's manager, Ms Ann Morton, had been offered a refund.



