Royal Commission into Antisemitism

SUBMISSION 2

Constitutional Reform as a Protective Factor:

The Naturalised Crown Model and Social Cohesion

Submitted by: Robert Vose

Date: March 2026

Submission Package:

- **Executive Summary** (4 pages)
- **Full Submission** (37,000 words)
- **Appendices** (supporting documents)

Background:

Developed over 25+ years since 1999 referendum; includes 2003 submission to Parliamentary inquiry into a republic; current Naturalised Crown model finalized late 2025/early 2026.

Core Argument:

Constitutional reform can be a protective factor against antisemitism when it strengthens social cohesion through democratic participation and institutional stability. This submission proposes the Naturalised Crown model and documents critical process integrity concerns affecting informed consent in constitutional reform.

This submission is made in response to the Royal Commission's Terms of Reference requesting examination of protective factors and measures to strengthen social cohesion.

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EXECUTIVE SUMMARY

Submission 2 to Royal Commission on Antisemitism

Constitutional Reform as a Protective Factor: The Naturalised Crown Model and Social Cohesion

Author: Robert Vose
Date: March 2026
Full Submission: 37,000 words with appendices

Core Proposition

Antisemitism flourishes where people are strangers to each other—where Jews, Muslims, immigrants, and other minorities remain "the other" rather than known fellow citizens. The best protection against hate is not just laws after the fact, but institutions that create regular opportunities for Australians to see each other's humanity.

This submission argues that constitutional reform can be a protective factor against antisemitism when it strengthens social cohesion through democratic participation and institutional stability.

Specifically, we propose the **Naturalised Crown model** as an alternative to the Australian Republican Movement's (ARM) Choice Model currently under development. We also document serious process integrity concerns that affect the informed consent necessary for constitutional change—concerns particularly relevant to protecting minority communities who depend on fair democratic processes.

The Naturalised Crown Model

The model is elegantly simple: **keep the Crown (the institution and conventions that work), replace the monarchy (the hereditary British person), and preserve everything else.**

How It Works:

- **Federal rotation:** Each State holds elections in turn (7-year cycle)
- **One-year non-renewable term:** Prevents power accumulation
- **Gender alternation:** Structural diversity (male/female/male/female)
- **"Campaign in your own voice":** Personal storytelling through community gatherings—backyard BBQs, coffee shops, community halls, yarning circles
- **Zero constitutional power:** Purely ceremonial, like the King currently

- **Constitutional continuity:** Governor-General and State Governors continue unchanged with all reserve powers

Social Cohesion Impact:

Every seven years, each State holds elections where diverse Australians—including those from communities most vulnerable to hate—campaign by sharing their stories, values, and vision for service. The Crown's protected status creates a space where these voices are heard with respect.

Within one generation, almost every Australian will have a personal connection to the institution:

- Over 70 years: 1,400-3,500 Australians campaign across all States
- Plus families, friends, supporters, community members involved
- Almost everyone will know someone who participated

Everyone will have stories:

- "Sarah from our synagogue campaigned—she shared her grandparents' Holocaust escape story at a community hall gathering."
- "My daughter's teacher ran—she held gatherings at her home, neighbours brought food, we talked about what country we want for our kids."
- "That guy from uni won Victoria's turn—he came to our local cafe every Saturday, no performance, just presence."

When you've shared a drink with someone and heard their story, they stop being "the other" and become "one of us." This is how prejudice crumbles—not through laws alone, but through human contact over shared food and conversation.

The symbolism is profound: Australia's first major constitutional assertion came in 1931 when PM Scullin appointed Sir Isaac Isaacs—a Jewish Australian—as Governor-General over King George V's objections. The fight against antisemitism is woven into Australian constitutional independence from its earliest moments. Democratising the Crown honours Isaacs' legacy: merit over birth, inclusion over exclusion.

Constitutional Context: The Federal Structure Problem

Australia's constitutional structure is unique. Unlike New Zealand or Barbados (one monarch/president represented by one governor-general), Australia has a **one-to-many structure**: one Crown represented by seven vice-regal officers (Governor-General plus six State Governors).

The ARM Choice Model ignores this reality. It proposes replacing the Governor-General and monarch with a directly-elected President but offers no answer for the six State Governors. This creates three impossible options:

1. **States remain constitutional monarchies** (constitutional asymmetry)
2. **State Governors become subordinate to Commonwealth President** (destroying federalism)

3. **Break relationships entirely** (no coherent constitutional structure)

Each option either fractures the federation or subordinates States to Commonwealth control. The Naturalised Crown model preserves federal unity by maintaining the same structure across all jurisdictions—one Crown, represented by seven independent vice-regal officers.

AUKUS Sovereignty Risk

The constitutional asymmetry poses a real geopolitical threat. The United States is establishing major military installations in Western Australia under AUKUS. If the ARM model creates a Commonwealth republic while States remain under the monarchy, Western Australia—which voted 68% for secession in 1933—could have constitutional justification for a separate path.

With US strategic interest in maintaining base access, WA's economic self-sufficiency from mining wealth, and historical separatist sentiment, the risk becomes real. Federal unity must be actively maintained through constitutional coherence.

Process Integrity Concerns: The 1999 Pattern Repeating

The Royal Commission's Terms of Reference request examination of protective factors. **Process integrity in constitutional reform is a protective factor**—minorities depend on fair democratic processes when they cannot rely on majority goodwill.

The 1999 Referendum: Complete Information Control

In 1999, the Australian Electoral Commission printed and distributed a 72-page visual pamphlet showing the complete "proposed law" to change the Constitution. This was **required by Section 128**—voters must see the actual legal text they're voting on. The visual format made complex constitutional changes comprehensible.

Key finding: When Australians saw the full text, they voted NO (55%). The ARM's "minimal" claims were exposed as false—the changes were extensive and complex.

Then the AEC removed these pamphlets from public archives. For 25+ years, researchers and the public had no access to the very document that enabled informed consent in 1999. (Full submission documents this pattern and includes recovered pamphlet pages.)

2026: The Pattern Intensifies

Six critical process issues are now documented:

1. **1999 visual text removed from archives** (recovered only recently)
2. **2022 government attempt to remove AEC pamphlets** from future referendums (opposed in JSCEM Submission 6)
3. **2023 Voice referendum as machinery testing** (information control validated)
4. **2024-25 social media ban for under-16s** (contradicts 2022 position on youth civic participation)

5. **January 2026 anti-hate inquiry filtering** (7,000 submissions → ~600 published, 90%+ filtered)
6. **20-year plebiscite promise quietly abandoned** (1998-2024 ARM/Labor/Senate promises)

The Abandoned Plebiscite and Suppressed Third Option

For 20 years, the ARM and Labor promised "non-binding plebiscites to choose the model, then referendum on the chosen option." This was the compromise to address public desire for direct election versus concerns about specific models.

If Albanese proceeds directly to referendum, the model is predetermined without public consultation. The timeline squeeze (announce months before 2027-28 election) ensures no time for alternatives. Only the ARM Choice Model will be "ready"—because its full text has been concealed for 15+ years.

Three-way political reality suppressed:

1. Monarchists (~30%): Keep British Crown
2. Moderate reformers (~50%): Want Australian Head of State, evolutionary change → **Naturalised Crown**
3. Revolutionary republicans (~20%): Complete break → **ARM Choice**

Both ARM and monarchists oppose the Naturalised Crown (for opposite reasons), ensuring the moderate majority has no natural home. Tony Abbott will likely lead the NO campaign—ARM's dream opponent (knighted Prince Philip 2015). The false binary is engineered: "ARM or monarchy only."

Constitutional Paradox: Implied Freedom

Australia lacks a comprehensive bill of rights. Constitutional protection for minorities depends primarily on **implied freedom of political communication** derived from representative government requirements. But if the referendum process itself undermines informed consent through information control, the very foundation of that implied freedom is compromised.

The Commission may wish to consider: Can implied freedom be maintained if the referendum processes that validate the Constitution systematically exclude alternative proposals and filter public submissions?

Political Context and Urgency

Prime Minister Albanese stated he will not hold a referendum "while he is prime minister." This requires careful parsing:

- A referendum could be called concurrently with the 2027-28 federal election
- During the caretaker period, technically Albanese wouldn't be "prime minister" in an active sense
- **Earliest possible date:** 7 August 2027
- **Latest possible date:** 20 May 2028

The public should not assume constitutional reform is postponed indefinitely. The ARM Choice Model could be put to referendum as early as 2027, potentially with minimal public debate and no comprehensive examination of alternatives or federal impacts.

This Royal Commission represents a critical opportunity—potentially the last before a referendum is announced—to examine alternative models and ensure the democratic process includes all voices, not just those with 15+ years of strategic positioning.

Requests for Royal Commission Consideration

The Commission is respectfully invited to consider:

1. **Alternative models for strengthening social cohesion** beyond the ARM-monarchy binary
2. **Process integrity concerns** affecting informed consent in constitutional reform
3. **Submission filtering patterns** and their impact on democratic participation
4. **Federal structure implications** of proposed constitutional changes
5. **Protective factors for minorities** when institutional design promotes regular cross-community contact

The full submission (37,000 words with appendices) provides comprehensive documentation, constitutional analysis, and detailed model specifications. This executive summary highlights key themes relevant to the Commission's mandate.

Conclusion

The Naturalised Crown model offers what the Terms of Reference request: a protective factor through institutional design that strengthens social cohesion. When diverse Australians regularly campaign for Head of State by sharing their stories over food and conversation in community settings, prejudice crumbles through human contact.

When a Jewish Australian, Muslim Australian, or immigrant Australian becomes Head of State—even for one year—they demonstrate that this nation's highest institution belongs to all of us. Over generations, this builds exactly the kind of intergroup understanding that protects against antisemitism and all forms of hate.

The Crown in right of the Commonwealth was born on 3 September 1939 when Australia declared war on Nazi Germany—standing for human rights and against fascism. Making that Crown democratic means every Australian can embody our stand for human dignity and rule of law.

Process integrity matters. Alternative models deserve examination. The moderate majority deserves representation. This submission provides all three.

Contact: Robert Vose
Supporting Materials: Full submission with appendices available
Date: March 2026

Submission 2 to Royal Commission on Antisemitism

Constitutional Reform as a Protective Factor: The Naturalised Crown Model and Social Cohesion

Author: Robert Vose
Date: March 11, 2026
Background: 25+ years of development since 1999 referendum

Part 1: Executive Summary

Submission to the Royal Commission on Antisemitism

Constitutional Reform as a Protective Factor: The Naturalised Crown Model and Social Cohesion

Submitted by: Robert Vose
Date: March 2026
Background: Developed over 25+ years since 1999 referendum; includes 2003 submission to Parliamentary inquiry into a republic

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Antisemitism flourishes where people are strangers to each other—where Jews, Muslims, immigrants, and other minorities remain "the other" rather than known fellow citizens. The best protection against hate is not just laws after the fact, but institutions that create regular opportunities for Australians to see each other's humanity.

This submission argues that constitutional reform can be a protective factor against antisemitism when it strengthens social cohesion through democratic participation and institutional stability. Specifically, we propose the Naturalised Crown model as an alternative to the Australian Republican Movement's (ARM) Choice Model currently under development.

The Core Proposition

The Naturalised Crown model creates exactly the kind of institution that protects vulnerable communities. Every seven years, each State holds elections where diverse Australians—including those from communities most vulnerable to hate—campaign for Head of State by sharing their stories, values, and vision for service. The Crown's protected status creates a space where these voices are heard with respect. The regular rotation ensures this happens continuously, building understanding across communities over generations.

This is not incidental to the model—it's the point. The Crown in right of the Commonwealth was formally born on 3 September 1939 when Australia declared war on Nazi Germany, standing for human rights and against fascism. Making that Crown democratic means every Australian can embody our stand for human dignity and rule of law. When a Jewish Australian, Muslim Australian, or immigrant Australian becomes Head of State—even for one year—they demonstrate that this nation's highest institution belongs to all of us.

The symbolism is profound: Australia's first major assertion of constitutional independence came in 1931 when Prime Minister Scullin appointed Sir Isaac Isaacs—a Jewish Australian—as Governor-General over King George V's objections. The fight against antisemitism is woven into the fabric of Australian constitutional independence from its earliest moments. When we complete that journey by democratising the Crown, we honour Isaacs' legacy: merit over birth, Australian engagement over external direction, inclusion over exclusion.

The Constitutional Context

Australia's constitutional structure is unique among Commonwealth nations. Unlike New Zealand, Barbados, or Ireland—which have a simple one-to-one relationship (one monarch or president represented by one governor-general)—Australia has a **one-to-many structure**: one Crown represented by seven vice-regal officers (the Governor-General plus six State Governors).

This federal structure is not merely administrative—it's fundamental to our constitutional identity. The ARM Choice Model, like the 1999 referendum model before it, ignores this reality. It proposes replacing both the Governor-General and monarch with a directly-elected President but offers no answer to what happens to the six State Governors. This creates three impossible options:

- **States remain constitutional monarchies** (creating constitutional asymmetry)
- **State Governors become subordinate to Commonwealth President** (destroying federalism)
- **Break relationships entirely** (leaving no coherent constitutional structure)

Each option either fractures the federation or subordinates States to Commonwealth control—outcomes fundamentally incompatible with Australian federalism.

The AUKUS Sovereignty Risk

The constitutional asymmetry created by the ARM model poses a real geopolitical threat. The United States is currently establishing major military installations in Western Australia, South Australia, and the Northern Territory under the AUKUS agreement. If the ARM model creates a situation where the Commonwealth is a republic but States remain under the monarchy, Western Australia—which voted 68% for secession in 1933—could have constitutional justification for a separate path.

With US strategic interest in maintaining base access, WA's economic self-sufficiency from mining wealth, geographic isolation, and historical separatist sentiment, the risk of secession under US protection becomes real. Federal unity is not automatic—it must be actively maintained through

constitutional coherence. The Naturalised Crown model preserves that unity by maintaining the same structure across all jurisdictions.

The Young Crown—Evolution Not Destruction

The British Crown is nearly 1000 years old—weighed down by centuries of tradition, resistant to change.

The Australian Crown is barely 40 years old—formally born in 1939, retroactively through the Statute of Westminster Adoption Act in 1942, and independent in the states since 1986. In constitutional lifecycle terms, it's a infant, still being shaped, still evolving, still discovering what it means to be Australian.

We're not dismantling an ancient institution. We're shaping a young one. The Australian Crown has already evolved dramatically multiple times in its short life. Democratising it isn't destroying tradition—it's continuing the evolution of an institution still in its formative years.

The monarchy may not survive another generation. The democratic Crown, once established, could thrive for centuries—because participation creates ownership, and institutions people own outlast institutions people merely observe.

How the Naturalised Crown Works

The model is elegantly simple: **keep the Crown (the institution and conventions that work), replace the monarchy (the hereditary British person), and preserve everything else.**

Key Features:

- **Federal rotation:** Each State holds elections in turn (7-year cycle)
- **Gender alternation:** Male/female/male/female ensuring structural diversity
- **One-year non-renewable term:** Prevents power accumulation
- **"Campaign in your own voice":** Personal storytelling, not policy platforms, through interpersonal contact not media blitzes
- **Zero constitutional power:** Purely ceremonial, like the King currently
- **24-month service:** 6 months apprentice + 12 months Head of State + 6 months mentor
- **Constitutional continuity:** Governor-General and State Governors continue unchanged with all reserve powers

The election process naturally selects for people with high emotional intelligence and ability to connect across diverse communities. Wealth alone cannot buy victory—candidates must genuinely relate to ordinary Australians from all backgrounds. The process favors bridge-builders, not power-seekers.

The Misunderstood Crown

One of ARM's greatest strategic advantages is widespread public ignorance about what the Crown actually is. Most Australians—including many parliamentarians—believe the Crown simply means "the monarch" (the person). They don't understand:

- The Crown is divisible (has been at least since 1942/1986)
- The Crown has five distinct aspects (only two are monarchical - Sue vs Hill 1999)
- Australia has seven divisible Crowns (Commonwealth + six States) with vice-regal representatives.
- Body politics, such as the ACT and NT, can also be identified as Crowns, even if they share the Governor-General along with the Commonwealth as their vice-regal representative.
- The Crown evolved completely since 1901 while the Constitution remained largely unchanged

Examples of this misunderstanding:

- Senator Lidia Thorpe protested against the "colonising Queen" when sworn in, not realising she was swearing allegiance to the Crown in right of the Commonwealth—which is Australian, not British
- Victorian Parliament tour guides cannot explain what the Crown in right of Victoria actually is
- Most constitutional debates conflate "getting rid of the monarchy" with "reforming the Crown"

This ignorance allows ARM to present their model as simple ("replace the King with a President") when in reality they're proposing to dismantle the entire constitutional structure that unifies the federation.

Social Cohesion Benefits

The Naturalised Crown model creates seven distinct mechanisms for building social cohesion:

1. **Regular democratic participation:** Every State engages every 7 years
2. **Personal storytelling platform:** Candidates share their experiences and values
3. **Protected civic space:** The Crown's special status creates respectful environment
4. **Humanisation of minorities:** When diverse Australians win, stereotypes break down
5. **Federal equity:** All States participate equally
6. **Service orientation:** Championing causes, not pursuing power
7. **Constitutional stability:** Maintains proven institutions while democratising

The election becomes a national conversation about values, identity, and what we stand for as Australians. Jewish Australians can campaign on Holocaust education. Muslim Australians can share integration stories. Indigenous Australians can speak about reconciliation. Immigrant Australians can demonstrate the Australian dream. Veterans, teachers, doctors, farmers—all can tell their stories in a protected space where society agrees to listen with respect.

The Naturalised Crown provides what the failed Voice referendum could not: a constitutional platform for ALL Australians to be heard, including Indigenous Australians, without singling out any group as above or below others. Where the Voice proposed separate constitutional recognition for one group—creating division even in its attempt to address disadvantage—the Naturalised Crown offers universal access to Australia's highest symbolic platform. An Indigenous Australian from the Northern Territory can campaign and win on equal terms with any other Australian,

sharing their story, championing their causes, representing the nation. The same for Jewish Australians, Muslim Australians, immigrant Australians—anyone.

This universality is the key to both its constitutional soundness and its social cohesion benefit. It doesn't divide Australians into categories. It recognises that all of us—regardless of when we arrived, where we came from, or what we believe—are equally Australian and equally entitled to participate in our highest institutions.

Over time, this builds exactly the kind of intergroup understanding that protects against antisemitism and all forms of hate.

Everyone's Institution—Personal Connection

Here's what makes the Naturalised Crown fundamentally different: **within one generation, almost every Australian will have a personal connection to it.**

Estimated mathematics of participation:

- Roughly 20-50 candidates in first round per State, 5-8 in second round
- Over 70 years: Each State sees 200-500 people campaign
- Across all seven jurisdictions: **1,400-3,500 Australians campaign over a lifetime**
- Plus their families, friends, campaign supporters, community members involved

In a nation of 26 million, with 1,400-3,500 direct participants plus their networks of hundreds or thousands each...

...almost everyone will know someone who participated.

Everyone will have a story:

- "Sarah from our synagogue campaigned. We had drinks and snacks at a community hall event and she shared her grandparents' Holocaust escape story. Twenty of us, just listening, connecting."
- "My daughter's teacher ran. She held gatherings at her home—neighbours brought food, we talked over wine about what country we want our kids to grow up in."
- "That guy from uni won Victoria's turn. During his campaign, he came to our local cafe every Saturday. You could just drop by, have a coffee, chat. No performance, just presence."
- "Our neighbour became the first Indigenous Head of State from SA. He hosted yarning circles in parks—sharing stories over a cuppa, people from all backgrounds learning about each other."

The institution becomes part of OUR story, OUR identity, OUR connection to the nation. This is civic nationalism at its finest—belonging through participation.

The deeper power: breaking atomisation. Atomisation—isolation and loneliness—is a precondition for hate and extremism. When people are disconnected, unable to trust their neighbours, they become vulnerable to scapegoating narratives. The Naturalised Crown campaigns counter this through the simplest human ritual: sharing food and drink together. Community hall gatherings. Backyard BBQs. Coffee at local cafes. Beer at the pub. Small groups where people share meals, stories, vulnerabilities. When you've shared a drink with someone and heard their

story, they stop being "the other" and become "one of us." This is how prejudice crumbles—not through laws alone, but through human contact over shared food and conversation.

Contrast with monarchy: How many Australians have personal connections to the Royal Family? Vanishingly few. It's "them" not "us."

Contrast with ARM: 11 politician-nominated candidates every 5-10 years. Still distant, still elite.

When people feel ownership, when the institution is woven into family stories and community identities, they protect it fiercely. **This is how you build an institution that lasts centuries.**

The monarchy may die within decades. The democratic Crown could thrive as long as Australia exists—because it will BE Australia, in the most personal sense.

The Templates—Imperfect People Serving Well

Concerns about "What if elected person isn't charismatic enough?" are addressed by looking at the first three monarchs under the Australian Crown:

George VI: Severe stutter, not eloquent, thrust into role unexpectedly—yet served with dignity through WWII. Character matters more than polish.

Elizabeth II: Became Queen at 25 with no training—yet served 70 years and became beloved. Dedication creates respect over time.

Charles III: Controversial past, scandals, less popular—yet still fulfills ceremonial duties adequately. The role doesn't require sainthood.

If these imperfect people could serve as Head of State, elected Australians chosen for emotional intelligence certainly can. We're not seeking perfection—we're seeking humanity, empathy, and ability to connect across difference.

3 September: Australia's National Day

The first inauguration is proposed for 3 September 2032—the 93rd anniversary of Australia's constitutional independence. This date already holds multiple layers of meaning:

- **1939:** Australia declared war on Nazi Germany (choosing to stand for human rights)
- **1942:** Statute of Westminster Adoption Act backdated (formal independence)
- **1996:** Designated as National Flag Day (already official, under-celebrated)
- **Early September:** Wattle Day (1 Sept) for the start of Spring and Father's Day (first Sunday)

This natural clustering in early September—nature (wattle), family (Father's Day), constitution (flag and Crown)—represents a forward-looking Australian civic nationalism that welcomes rather than excludes. It offers an alternative to 26 January that celebrates what we stand for, not where we came from.

The seven-pointed Federation Star on our flag represents the same seven divisible Crowns that form our constitutional structure. Holding the inauguration of an Australian head of state on the National

Flag Day completes the symbolic convergence: flag, Crown, and democratic participation united on the anniversary of our stand against fascism.

The ARM Choice Model's Fatal Flaws

The ARM model suffers from six critical problems:

1. **Federal coordination gap:** No answer for State Governors
2. **Politicians as gatekeepers:** Only politicians can nominate candidates
3. **Power accumulation risks:** 10 years with codified reserve powers
4. **No federal equity:** Sydney/Melbourne dominate national vote forever
5. **Social cohesion as afterthought:** One election every 5-10 years among political nominees
6. **Constitutional disruption:** Eliminates GG role, changes power structures fundamentally

Most critically, ARM has never explained what happens to the six State Governors and the federal structure. This is not a minor detail—it's the central question of Australian constitutional reform. Any model that ignores our one-to-many federal structure is incomplete at best, dangerous at worst.

Political Context and Urgency

Prime Minister Albanese stated in September 2025 that he will not hold a referendum "while he is prime minister." He repeated this assertion when news of the arrest of Andrew Mountbatten-Windsor became public. This requires careful parsing:

- One of the first statements by Prime Minister Albanese in his first term was that he will hold a referendum on the Voice to Parliament during that first term, and a second referendum on a republic.
- During Albanese's first term there was an Assistant Minister for the Republic, Mr Matt Thistlethwaite MP. This role has been discontinued in the second term.
- A referendum could be called concurrently with the next federal election (2027-28)
- During the caretaker period of an election, technically Albanese wouldn't be "prime minister" in an active sense
- **Earliest possible election date**: 7 August 2027
- **Latest possible election date**: 20 May 2028 (for half-Senate and House of Representatives
- This anticipates his approach for introducing the complex *Combatting Antisemitism, Hate and Extremism Omnibus Bill* —announced late, with less than three days of public submissions to an inquiry, and moving quickly to vote into law in Parliament (see Submission 1 to this Royal Commission)
- A similar pattern of denying major reform until the last minute was followed with the announcement of this Royal Commission which Albanese initially said would not take place

The public should not assume constitutional reform is postponed indefinitely. The ARM Choice Model could be put to referendum as early as 2027, potentially with minimal public debate and no comprehensive examination of alternatives or federal impacts.

This creates urgency for the Commission's work.

Critical Issues of Process and Constitutional Legitimacy

Beyond the substance of competing constitutional models, this submission raises serious concerns about the process by which constitutional reform may occur:

1. Professional Campaign Advantage and Resource Asymmetry

ARM has employed professional political consultants (CT Group/Crosby Textor) since at least 2005. The author participated in an ARM-sponsored focus group in Canberra in 2005 led by Mark Textor from CT Group - Republic Gathering 1 - firsthand evidence of this professional infrastructure. This creates a massive resource asymmetry: ARM benefits from decades of professional message testing and strategic communications expertise, while alternative proposals like the Naturalised Crown depend on fair process and informed public debate.

2. Voice Referendum as Machinery Testing and Historical Pattern

The Voice referendum (October 2023) may have served dual purposes: its stated constitutional aim, and testing/updating referendum machinery for a subsequent republic referendum. The government attempted to remove AEC YES/NO pamphlets in 2022 (Referendum Machinery Provisions Amendment Bill 2022) to replace them with government-controlled "education" campaigns. Parliament rejected these changes. The author opposed this removal in a 2022 JSCEM submission, arguing that AEC pamphlets reach 90%+ of voters while digital media reaches only 31-34%.

Historical pattern: The 1999 republic referendum YES/NO pamphlet included full constitutional text with visual strikethrough deletions and additions—seeing these changes was central to informed voting and exposed that the "minimal" claim was false advertising. The AEC website describes it as a "72 page printed document" but now provides access only to a 38-page PDF, missing the constitutional text (34 pages) that showed voters the true scope of changes. By removing this from archives, the AEC has eliminated the evidence that would allow future voters to fact-check marketing claims about "minimal" changes. This 25-year pattern shows incomplete information provision is not new—the 2022 attempt to remove pamphlets entirely would have eliminated this critical visual evidence completely.

3. Social Media Ban Contradiction

In 2022, the government argued digital media was appropriate for referendum information (seeking to remove physical AEC pamphlets). In 2024-2025, the same government banned social media for under-16s based on harm concerns. This contradiction exposes that the 2022 machinery modification attempt was about information control, not modernisation. If social media is dangerous enough to ban for minors, how can it be appropriate for constitutional referendum information?

4. Section 128 Full Text Requirement

Section 128 requires voters to approve "the proposed law for the alteration thereof"—complete, final constitutional text, not general principles. ARM likely has full constitutional text prepared, at least since 2009. At the Republic Gathering 5 in Melbourne in May 2009, Grant Parker representing ARM discussed a "vanilla model" which he said had been prepared pro-bono by lawyers from Holding Redlich, but this has not been published for public scrutiny. There may have been further

developments of proposed alterations to the Constitution for an ARM republic model, however, no draft text has been made public. This strategic concealment allows ARM to control the timing of revelation to minimise critical analysis and comparison with alternatives. The Naturalised Crown model has a complete draft constitutional text publicly available, demonstrating superior transparency and respect for democratic process.

5. Submission Filtering and Information Control

This submission requests that the Royal Commission investigate whether parliamentary committees systematically filter submissions to public inquiries, including inquiries on constitutional matters, hate speech legislation, and other significant policy issues.

Recent documented evidence suggests this is occurring: The inquiry into anti-hate speech legislation received arguably thousands of submissions (possibly 7,000+) during a two-day inquiry period over the January holiday period, yet fewer than 600 submissions were published. This represents a filtering rate exceeding 90%, raising serious questions about transparency and democratic accountability.

If committees are filtering submissions on a systematic basis—suppressing minority views, alternative perspectives, or critical analysis—this undermines informed public debate on matters of national importance. For constitutional referendums specifically, filtering that denies voters access to alternative constitutional models may violate Section 128's implicit requirement for informed consent and could invalidate referendum results.

The Commission is requested to:

- Investigate filtering practices across all parliamentary committees (not just constitutional inquiries)
- Obtain statistical data on submissions received versus published over the past 10 years
- Examine specific cases: Voice referendum inquiries, anti-hate legislation inquiry, and any planned republic referendum inquiries
- Determine whether filtering patterns correlate with political sensitivity, position taken, or government preferences
- Recommend transparency standards to ensure democratic accountability

6. Constitutional Paradox: Implied Freedom and Referendum Validity

This submission presents a constitutional paradox: If the High Court rules that the implied freedom of political communication does NOT apply to referendums, this may itself provide grounds to invalidate referendum results—because voters would lack constitutionally protected access to unfettered debate necessary for informed consent under Section 128. Either the implied freedom protects referendum debate (making filtering unconstitutional), or it doesn't (making referendums themselves constitutionally suspect without protection for informed consent). Either way, information control creates constitutional liability.

These process concerns are addressed in detail in Parts 6 and 10.

Why This Submission Matters

This submission is about giving the Crown a fighting chance to put its case forward to the Australian people—not as a museum piece of stuffy old medieval tradition, but as what it actually is:

- **The Crown IS our body politic** (the Commonwealth and States as constitutional entities)
- **The Crown IS our system of government** (the structure through which democracy operates)
- **The Crown IS democratic to its core** (responsible government, ministerial accountability, rule of law)

The problem is that most Australians—and most parliamentarians—don't understand this. They think "the Crown" simply means "the British monarch" (the person). They don't know about divisibility, the five aspects, the evolution from 1901 to 1986, or the one-to-many federal structure.

This ignorance hands ARM a massive strategic advantage. They can present their model as simple ("replace the King with a President") when in reality they're proposing to dismantle the entire constitutional structure that unifies the federation. The public cannot make an informed choice between alternatives when they don't understand what currently exists.

The Crown deserves a fair hearing. Not to preserve British connection—that's already gone. Not to maintain hereditary privilege—that should end. But to present the case for **evolutionary democratisation** rather than revolutionary replacement.

Once naturalised, the Crown can become thoroughly Australian—owned by Australians through participation, shaped by Australian values through democratic selection, embodying Australian diversity through rotating State representation. When people feel ownership of an institution through direct participation, they protect it fiercely. **This is how you build an institution that lasts centuries.**

The monarchy may not survive another generation. But the democratic Crown, once established, could thrive as long as Australia exists—because participation creates ownership, and institutions people own outlast institutions people merely observe.

This submission asks the Royal Commission to ensure the debate is informed:

- Not to advocate for any particular outcome
- Not to delay inevitable change
- But to ensure Australians understand what they're choosing between

If, after thorough examination, Australians choose the ARM model with full understanding of federal implications—so be it. Democratic choice made with open eyes is legitimate.

But if Australians choose without understanding—without knowing what the Crown actually is, without seeing a democratic alternative, without examining federal consequences—that's not democratic choice. That's decision-making based on misconception.

The Crown—properly understood as Australia's body politic and system of government—deserves the chance to make its case before being dismantled.

Not as medieval relic. Not as British connection. But as **the evolutionary path that preserves what works while democratising what doesn't.**

That's what this submission offers: a comprehensive alternative that respects Australia's constitutional structure, maintains federal unity, creates social cohesion, and completes our independence.

The Commission can ensure this alternative gets a fair hearing—not preference, just fairness.

That's all we ask.

Recommendations

We respectfully recommend that the Royal Commission:

Primary Recommendation: Public Hearings on Constitutional Arrangements and Social Cohesion

Hold public hearings in 2026 specifically examining how constitutional arrangements impact social cohesion, with particular focus on proposals for constitutional reform currently under development.

Proposed five-day hearing structure:

Session 1: The Crown in Australia Today

- Constitutional experts explain what the Crown actually is
- History of divisibility (1901 → 1942 → 1986 → present)
- Common misconceptions addressed
- Why understanding matters for informed public debate
- Constitutional monarchy advocates

Session 2: Federal Structure and Constitutional Reform

- Australia's unique one-to-many structure
- How other federal systems handle head of state
- Risks of constitutional asymmetry
- AUKUS and sovereignty considerations
- State perspectives

Session 3: The ARM Choice Model

- ARM presents their proposal
- Constitutional experts analyse federal impacts
- Social cohesion assessment
- Questions from Commission
- Proposed ARM Choice Model constitutional text changes to be made public

Session 4: Alternative Models

- Naturalised Crown model presented
- Other proposals (if any)

- Comparative analysis by experts
- Federal equity and social cohesion benefits

Session 5: Social Cohesion and Institutional Design

- How institutional design impacts community bonds
- Role of democratic participation in building understanding
- Protected spaces for diverse voices
- Historical examples (successful and unsuccessful reforms)

Invited participants:

- Constitutional law scholars (Anne Twomey, George Williams, etc.)
- ARM representatives
- Constitutional monarchy proponents
- Naturalised Crown proponents
- Federal experts from other jurisdictions
- State Premiers or representatives
- First Nations constitutional experts
- Former Governors-General/Governors
- Political scientists specialising in social cohesion

Outcomes:

- Official transcript becomes part of Commission record
- Expert submissions published
- Findings included in Commission's final report
- Public education through media coverage
- Documented alternatives for future reference
- Evidence base for Parliament

Additional Recommendations:

2. **Recognise social cohesion through institutional design as a protective factor against antisemitism**
3. **Acknowledge the risks of constitutional asymmetry and federal disunity**
4. **Note that genuine alternatives to the ARM Choice Model exist and should be examined**
5. **Recommend that any constitutional reform process include comprehensive public debate about federal structures**
6. **Consider the Federation Continuity Act as urgent priority before any referendum**
7. **Possibly Recognise 3 September as an Australian national day, born from our stand against fascism and the start of the Australian Crown (but this might be too controversial at this stage)**
8. **Emphasise that constitutional reform must strengthen, not weaken, social cohesion**

Conclusion

The fight against antisemitism requires many tools. Laws, education, and enforcement all matter. But institutions that create regular opportunities for Australians to see each other's humanity—that listen to diverse stories in protected spaces—may be the most powerful tool of all.

The Naturalised Crown model offers exactly such an institution. It preserves what works in Australia's constitutional system while democratising it. It maintains federal unity while ensuring State equity. It creates zero new powers while building maximum social cohesion.

Most importantly, it embodies the values the Crown in right of the Commonwealth was born to defend on 3 September 1939: human dignity, democratic participation, and standing against hate.

From Sir Isaac Isaacs in 1931—appointed as the first Australian-born, Jewish Governor-General over the King's objections—to the democratic Crown proposed for 2032, the thread is clear: merit over birth, Australian engagement over external direction, inclusion over exclusion.

When we democratise that Crown, we complete our independence and strengthen the bonds that protect all Australians—including our most vulnerable communities. Over time, almost every Australian will have a personal connection to the democratic Crown—a schoolmate who campaigned, a colleague's child who won, someone from their community who served. This transforms the institution from "them" to "us," creating the kind of civic nationalism that both includes all Australians and protects vulnerable minorities.

The choice before Australia is not between monarchy and republic.

It's between constitutional reform that weakens social cohesion and constitutional reform that strengthens it. Between reform that fractures the federation and reform that preserves its unity. Between reform that concentrates power and reform that disperses it. Between reform that excludes and reform that includes.

This submission argues for the latter—and requests that the Royal Commission provide the platform for this critical examination to occur before Australians are asked to vote.

The Commission has a narrow window to make a lasting contribution. Public hearings in 2026 could ensure that when Australians vote on constitutional reform, they do so with full understanding of what they're choosing and what alternatives exist.

This creates an authoritative record for democratic deliberation—ensuring that when constitutional reform is debated, Parliament and the public have access to expert analysis, documented alternatives, and thorough examination of federal implications. The Commission's findings would provide essential context for one of the most significant decisions in Australia's constitutional history.

Part 2: Social Cohesion and Antisemitism—The Foundational Link

2.1 Why Social Cohesion Matters

Antisemitism does not emerge in a vacuum. It thrives in conditions of social fragmentation, where communities remain strangers to one another and where "the other" can be easily demonised. Research consistently shows that strong social bonds, institutional trust, and opportunities for intergroup contact are protective factors against prejudice and hate.

When people know each other—when they have heard each other's stories, understand each other's values, and recognise each other's humanity—it becomes much harder to sustain stereotypes or support violence against them. This is the foundation of social cohesion: not enforced uniformity, but genuine understanding across difference.

For Jewish Australians and other minority communities, social cohesion is not an abstract benefit—it's a matter of safety. When Jewish Australians are known neighbours, colleagues, and fellow citizens rather than a distant "them," the ground for antisemitism becomes much less fertile. When Muslim Australians, immigrant Australians, and Indigenous Australians are similarly integrated into the fabric of national life, hate finds fewer footholds.

The Role of Personal Narratives

Social psychology research demonstrates that personal narratives are among the most powerful tools for breaking down prejudice. When people hear firsthand accounts of lived experience—when they understand the fears, hopes, and values of someone from a different community—empathy increases and stereotyping decreases.

This is why platforms that enable diverse voices to share their stories in protected, respectful environments are so valuable. They create the conditions for genuine human connection across lines of difference. They transform "the other" into "one of us."

Atomisation as Precondition for Hate

Hannah Arendt's analysis of totalitarianism identified atomisation—the isolation and loneliness of people unable to trust or genuinely connect with each other—as a key precondition for extremist movements. When people are alone, vulnerable, disconnected from their fellow citizens, they become susceptible to conspiracy theories and scapegoating narratives.

Atomisation makes "the other" frightening because there's no personal experience to counter the fear. When people have no genuine contact with Jewish Australians, Muslim Australians, Indigenous Australians, or immigrant Australians, stereotypes fill the void. Hate groups exploit this isolation by providing belonging through shared hatred.

The antidote to atomisation is simple human contact—not abstract education, but actual relationship-building through shared experiences. Sharing meals and drinks together, sharing

stories, engaging in honest conversation in safe spaces. These everyday human interactions rebuild the bonds of trust that protect communities from extremism.

This is why institutional design matters. Institutions that create regular opportunities for such human contact—that bring diverse Australians together to share food, stories, and common purpose—build cultural immunity against hate.

The Limits of Legal Approaches

Laws against hate speech and hate crimes are essential. They set boundaries, deter bad actors, and provide recourse for victims. But laws alone cannot build the positive connections that prevent hate from taking root in the first place.

Anti-discrimination laws tell us what we cannot do. Social cohesion initiatives create conditions for what we can do—connect, understand, and build shared identity across our diversity. Both are necessary, but the latter is often neglected in policy discussions.

2.2 Constitutional Arrangements and Social Cohesion

Constitutional arrangements might seem distant from the daily experiences that build or erode social cohesion. But institutions shape culture, and culture shapes behaviour. The design of our highest institutions sends powerful signals about who belongs, whose voices matter, and how we relate to one another as citizens.

Institutions as Cultural Teachers

Every institution teaches. A hereditary monarchy teaches that leadership is determined by birth, not merit or democratic choice. A purely appointed presidency teaches that ordinary citizens should not directly choose their highest representative. A directly-elected but narrowly-designed presidency might teach that only certain regions or demographics truly matter.

In contrast, institutions that are deliberately designed to ensure diverse participation, that create regular opportunities for democratic engagement, and that model inclusive values can actively teach and reinforce social cohesion.

The Symbolic Power of the Head of State

The Head of State, even when purely ceremonial, carries enormous symbolic weight. They represent the nation to itself and to the world. They are the living embodiment of our constitutional order. Who holds that position—and how they came to hold it—sends powerful messages.

When a Jewish Australian, Muslim Australian, Indigenous Australian, or immigrant Australian becomes Head of State, it communicates something profound: this nation truly belongs to all of us. The highest symbolic position is not reserved for any particular ethnicity, religion, or background. Anyone can represent the nation.

Moreover, the process by which they won that position matters. If they won because they told their story effectively, connected with diverse communities, and demonstrated values that resonated

broadly—that teaches something very different from winning through political party machinery or inherited privilege.

Constitutional Reform as Opportunity or Risk

Constitutional reforms that create regular opportunities for democratic participation, that build diverse representation into their structure, and that encourage personal storytelling rather than partisan division can significantly strengthen social bonds.

Conversely, reforms that concentrate power, ignore diversity, or deepen existing divisions can weaken social cohesion. Reforms that create constitutional asymmetry between different parts of the federation can fracture national unity. Reforms that favor certain regions over others can reinforce resentments and divisions.

This is why the debate about Australia's constitutional future matters for the fight against antisemitism. The institutions we choose will either help Australians see each other's humanity or make it easier to ignore. They will either create spaces where diverse voices are heard or reinforce existing power structures. They will either model inclusion or exclusion.

Why Constitutional Transparency Matters for Social Cohesion

The Constitution is the ultimate law in Australia. Social cohesion fundamentally depends on the rule of law and human rights protections for all Australians. When constitutional arrangements are transparent, understood, and genuinely endorsed by the people, they strengthen the bonds of shared citizenship. When they are opaque, rushed, or imposed without adequate public understanding, they weaken those bonds.

Substantial changes to the Constitution are not ordinary political matters. They affect all sections of our society—including vulnerable minorities who depend on constitutional protections against discrimination and the rule of law for their safety. Such fundamental changes need to be adequately transparent and visible to the public. The proposed changes need to be understood and debated openly, with sufficient time for all Australians to grasp what is at stake.

Ideally, we would expect a Constitutional Convention before any republic referendum—a forum where competing models could be presented, examined by experts, debated publicly, and refined through deliberation. This is what happened before the 1898-99 referendums that created the Commonwealth. Open discussion of options, transparent comparison of alternatives, time for public understanding.

That is not happening now. Despite prospects for a republic referendum being openly discussed—Prime Minister Albanese's stated timeline was the Voice in the first term, then a republic—there has been no Constitutional Convention, no comprehensive public examination of competing models, no transparent comparison of ARM's Choice Model against alternatives like the Naturalised Crown.

This lack of transparency is problematic for social cohesion. When major constitutional changes are developed behind closed doors, when alternative models are not given fair hearing, when professional political consultants control messaging rather than open debate informing the public, when constitutional text is concealed until the last moment to minimise scrutiny—these practices undermine trust in the democratic process itself.

And this is directly relevant to preventing the kind of politics that indulges in stigmatising minorities, including through antisemitism. When people feel that important decisions are being made without their genuine informed consent, when they feel manipulated or excluded from processes that should belong to them, resentment builds. Demagogues exploit this resentment, channelling it toward scapegoats—often minorities. "They're not listening to you. They're rushing this through. Who benefits? Who's really in control?"

Transparent, open, deliberative constitutional processes that respect the intelligence and sovereignty of the people strengthen social cohesion. They model the inclusive, democratic values that protect minorities. They demonstrate that the system belongs to all of us, operates fairly, and deserves our trust and participation.

Rushed, opaque processes that appear designed to minimise scrutiny and control information flow weaken social cohesion. They breed cynicism, resentment, and susceptibility to conspiracy theories—exactly the conditions in which antisemitism and other forms of hate flourish.

This is why this Royal Commission may find it valuable to examine not just the substance of competing constitutional models, but the processes by which constitutional reform is occurring. Fair, transparent processes that give all Australians access to complete information and adequate time to understand their choices are themselves protective factors against the erosion of social cohesion and the growth of extremism.

Australia's Implied Freedom and the Importance of Process

Australia is one of the few democracies in the world without a bill of rights. Unlike the United States, Canada, New Zealand, or the United Kingdom (post-Human Rights Act 1998), Australia has no comprehensive codified protection of fundamental rights and freedoms.

This makes the few constitutional protections we do have even more precious. Among the most important is the implied freedom of political communication, recognised by the High Court in cases like *Australian Capital Television v Commonwealth* (1992) and *Lange v Australian Broadcasting Corporation* (1997).

The implied freedom is not a personal right to free speech. Rather, it protects the system of representative and responsible government established by the Constitution. It ensures that voters can discuss political matters freely so they can make informed choices about who governs them. Without this freedom, democratic government cannot function properly.

But here's the critical point: the implied freedom's protection depends entirely on the processes used for political communication and decision-making. It's not enough that people can technically speak—they must have access to complete information, adequate time to understand it, and genuine opportunity for informed deliberation. The freedom protects the system, and the system only works if processes are fair, transparent, and respect citizens' capacity for informed judgement.

Recent precedents have shown that the standard for constitutional processes is not as good as it should be—and standards appear to be slipping:

- **Voice referendum machinery modification attempt (2022):** Government sought to remove neutral AEC pamphlets in favor of government-controlled messaging. This would

have reduced access to balanced information at the exact moment when informed consent was most critical. Parliament rejected it, but the attempt revealed concerning priorities.

- **Rushed legislative processes:** Multiple significant constitutional and quasi-constitutional changes have been introduced and passed with minimal consultation or public debate (as noted in Part 10.1 regarding this Royal Commission itself and anti-hate speech legislation).
- **Limited transparency in constitutional development:** ARM has apparently had constitutional text prepared since at least 2009 but has not published it for public scrutiny, controlling the timing of revelation to minimise critical analysis.
- **Professional message testing replacing open deliberation:** Use of political consultants (like CT Group) to craft messaging that tests well in focus groups, rather than facilitating genuine public understanding of constitutional complexity.

These trends are concerning precisely because Australia lacks a bill of rights. In countries with constitutional rights protections, courts can strike down processes that violate fair hearing requirements, access to information rights, or procedural due process. In Australia, we have only:

1. **The implied freedom** (which depends on processes being fair and transparent)
2. **Section 128** (which requires informed consent but doesn't specify process standards)
3. **Democratic conventions** (which can be eroded if not actively defended)

When process standards slip—when transparency gives way to strategic concealment, when deliberation is replaced by professional messaging, when information control becomes the norm—we lose one of our few constitutional protections.

And for vulnerable minorities, including Jewish Australians, this matters enormously. The rule of law, democratic accountability, and constitutional protections are what stand between minorities and majoritarian oppression. When constitutional processes become opaque and manipulated, when people lose faith in the fairness of the system, minorities are among the first to suffer.

This is not abstract constitutional theory—it's about the practical protection of human rights in a country without a bill of rights. Process integrity is one of our primary safeguards. When it erodes, social cohesion erodes with it, and the conditions for extremism and hate strengthen.

The Royal Commission may wish to examine whether current constitutional reform processes meet the standards necessary to protect the implied freedom's systemic role and to ensure that Section 128 referendums are based on genuine informed consent. In the absence of a bill of rights, these process protections may be all we have.

2.3 Federal Unity as Foundation for Social Cohesion

Australia's federal structure is not merely an administrative arrangement—it's fundamental to our national cohesion. The federation recognises that Australians have multiple identities: we are Victorians and Australians, Queenslanders and Australians, Western Australians and Australians. Federal unity respects these multiple loyalties while maintaining national coherence.

Federalism as Unity in Diversity

The genius of federalism is that it allows for both diversity and unity. States can pursue different policy approaches suited to their populations while remaining part of a unified nation. This is constitutional recognition of the reality that Australia is diverse not just in ethnicity and religion, but also in geography, economy, and political culture.

When Sydney, Melbourne, and Canberra dominate national discourse—when regional and remote Australia feels ignored—resentments build. When constitutional arrangements ensure that all parts of the nation participate meaningfully in national institutions, those resentments are mitigated.

The Risks of Constitutional Asymmetry

When constitutional reform threatens federal unity—by creating asymmetry between Commonwealth and States, by ignoring State sovereignty, or by failing to maintain the bonds that hold the federation together—it threatens social cohesion itself.

A fractured federation is a weakened nation, and weakened nations are more vulnerable to division and hate. If some States feel they are being forced into constitutional arrangements they did not choose, or if they feel their sovereignty is being eroded, federal unity frays.

This fraying has real consequences for minority communities. In a unified nation, national standards for protection of rights apply everywhere. In a fractured federation, minorities might be protected in some jurisdictions but not others. National cohesion provides a bulwark against localised hate—but only if the nation remains genuinely unified.

The AUKUS Context

This is particularly relevant in the context of current geopolitical realities. The AUKUS agreement brings significant US military presence to Australian soil, particularly in Western Australia, South Australia, and the Northern Territory.

Constitutional arrangements that maintain federal unity are not just nice-to-have—they're essential for sovereignty and security. If constitutional reform creates conditions where Western States might legitimately claim separate constitutional status, the presence of major US installations provides both justification and international support for such claims.

A seceded Western Australia, with its economic self-sufficiency from mining wealth and its historical separatist sentiment (68% voted to secede in 1933), would be a geopolitical nightmare. But more immediately relevant to this Commission: a fractured Australia would be a less cohesive Australia, less able to protect the rights and safety of minorities in all jurisdictions.

Federal Unity Protects Everyone

When States feel respected within the federation, when no region feels dominated or ignored, when constitutional arrangements ensure equity across jurisdictions, the bonds of national identity strengthen. These bonds protect minorities everywhere.

A united nation is better equipped to uphold rights and resist hate than a fractured one. When constitutional identity is shared across all jurisdictions—when the Crown represents the same thing

in Queensland as in New South Wales, in Western Australia as in Tasmania—that shared identity provides a foundation for shared values including protection of minorities.

This is why any proposal for constitutional reform must be examined for its federal impacts. Does it maintain unity or create fracture? Does it respect State sovereignty or erode it? Does it ensure equity or concentrate power? The answers to these questions have direct implications for social cohesion and, consequently, for the safety of vulnerable communities including Jewish Australians.

Part 3: The Crown in Australia—Constitutional Evolution

3.1 Federation to Statute of Westminster (1901–1942)

When the Australian colonies federated on 1 January 1901, they created a unique constitutional structure. Unlike unitary states, Australia was born as a federation of sovereign States united under a single Crown. This Crown—the British Crown—was represented by the Governor-General at the Commonwealth level and by Governors in each State.

The federal structure established by the Constitution was distinctly Australian from the start. The Commonwealth Constitution recognised State sovereignty within their spheres, protected State boundaries and constitutions (sections 106, 107), and required State consent for changes affecting them. The Senate was designed to represent States equally, regardless of population.

From 1901 to 1939, however, the Crown itself remained British. The monarch, acting on the advice of British Ministers, exercised powers with respect to both the Commonwealth and the States. The Governor-General and State Governors were Imperial officers appointed by the King on British ministerial advice, often without consulting Australian governments. Constitutional conventions developed within this British Imperial framework.

Yet even in this period, the seeds of Australian constitutional identity were growing. The High Court established itself as the ultimate arbiter of the Constitution (not the Privy Council). The Commonwealth exercised increasing autonomy in external affairs. The States jealously guarded their constitutional prerogatives. The structures were British, but the political culture was becoming distinctly Australian.

3.2 The Statute of Westminster Adoption Act 1942

On 3 September 1939, Australia declared war on Nazi Germany—but not as an independent act of sovereignty. Prime Minister Menzies, a committed anglophile, described it in his radio broadcast as Australia's "melancholy duty" to follow the British Empire into war. Australia entered World War II as part of the Empire, following Britain's lead.

However, the war itself transformed Australia's constitutional reality. The experience of fighting a global conflict forced Australia to assert practical independence in ways that legal

formalities had not. Most significantly, Australia increasingly aligned with the United States rather than Britain for strategic defense. The fall of Singapore in 1942 made clear that Britain could not defend Australia, and the nation turned to American partnership for survival.

The Statute of Westminster Adoption Act 1942 formalized this transformed reality. By adopting the Statute and backdating it to 3 September 1939, the Parliament connected Australia's legal independence to the war period—not because the war declaration itself had been independent, but because the war had demonstrated in practice that Australia was operating as a sovereign nation making its own strategic choices.

What the 1942 Act achieved:

From 1942 forward, when the monarch exercised constitutional functions with respect to Commonwealth matters, she or he acted on the advice of Australian Ministers, not British Ministers. The Governor-General ceased to be an Imperial officer and became the Queen's representative for Australia, acting on Australian advice.

The Crown in right of the Commonwealth was born not from the 1939 war declaration (which followed Britain), but from the 1942 legal recognition of the practical sovereignty Australia had asserted during the war through strategic realignment with the United States and independent operational decisions.

This was the first step in the evolution of the divisible Crown—the recognition that the same monarch could act in different capacities for different nations. When the the monarch appointed the Governor-General after 1942, he or she did so as King or Queen of Australia (though that term wasn't yet official), not as King or Queen of the United Kingdom.

The Continuing Anomaly

Crucially, however, this change did not extend to the Australian States. State Governors continued to be appointed on British advice. Reserve powers with respect to States (such as disallowance of State laws, reservation of bills for Royal Assent) continued to be exercised by the Governor on British ministerial advice under the British Crown.

For 44 years, the Crown remained bifurcated: Commonwealth matters under the Australian Crown (advised by Australian Ministers), State matters under the British Crown (advised by British Ministers). The States, though constituent parts of an independent sovereign nation, remained colonial dependencies of the United Kingdom in constitutional law.

This anomaly persisted because changing it would have affected the federal balance. If Commonwealth Ministers had advised the Queen on State matters, States would have been subordinated to the Commonwealth. If State Ministers had advised directly, each State would have become a separate realm on equal footing with the Commonwealth. Neither outcome was acceptable to the federation.

3.3 The Australia Acts 1986

The constitutional anomaly of States as British dependencies finally ended on 3 March 1986 when the Australia Acts (Commonwealth) and (UK) came into force. These substantially identical Acts,

passed by both the Commonwealth and UK Parliaments, terminated the last vestiges of British constitutional authority over Australia.

The Australia Acts accomplished several critical things:

1. **Terminated British ministerial responsibility:** From 3 March 1986, British Ministers ceased to advise the Queen on any Australian matters, Commonwealth or State
2. **Established direct State advice:** State Premiers gained the right to advise the Queen directly on State matters (primarily appointment/dismissal of Governors)
3. **Ended reserve powers:** Most royal reserve powers with respect to States were abolished or transferred to State Governors
4. **Severed appeals:** Abolished remaining appeals to the Privy Council
5. **Confirmed State sovereignty:** States were no longer dependencies; they became fully self-governing within the federation

The date 3 March is significant. Just as 3 September marks Commonwealth independence (1939/1942), 3 March marks State independence (1986). These two dates bookend Australia's constitutional journey from British dependency to independent federation: Commonwealth first, then States following 46 years and 6 months later.

Significantly, the Australia Acts also removed from State Constitutions various references to British seals (the Signet, Great Seal of the United Kingdom) and requirements that Governors obey instructions from British Secretaries of State. These weren't merely symbolic—seals and instructions indicated constitutional responsibility. Their removal marked the end of British authority.

The Question of Federal or State Crowns

After the Australia Acts, a question remained: did Australia now have seven separate Crowns (one for Commonwealth, six for States), or one federal Crown with the Queen acting in different capacities?

British Crown Law Officers in 1984 considered this question when advising on the Acts. They noted that creating seven separate realms might have "wider constitutional implications than might be desirable." They suggested instead "developing a concept that in relation to Her limited powers in relation to the States She would, as in Commonwealth matters, act in right of Australia, the federal division of powers in that country being reflected in Australian arrangements whereby advice on certain exclusively State matters comes from the only Ministers in that country competent for such matters, namely State Ministers."

In other words: one federal Crown, different advisers depending on subject matter. This remains contested among constitutional scholars, but the practical effect is clear—after 1986, only Australians advise the Queen on Australian matters, whether Commonwealth or State.

3.4 Sue v Hill (1999)—Judicial Recognition

The High Court's decision in *Sue v Hill* (1999) 199 CLR 462 provided judicial recognition of the Crown's divisibility and Australia's complete constitutional independence from the United Kingdom.

The Court held that Britain is now a "foreign power" for purposes of section 44(i) of the Constitution (which disqualifies any person who "is under any acknowledgment of allegiance, obedience, or adherence to a foreign power" from sitting in Parliament). This meant that dual British-Australian citizens were disqualified—Britain was constitutionally foreign to Australia.

In reaching this conclusion, the Court examined the nature of the Crown and identified five distinct aspects. Constitutional scholar Anne Twomey later elaborated on this analysis in her definitive 2006 book *The Chameleon Crown: The Queen and Her Australian Governors* and her 2008 paper "Responsible Government and the Divisibility of the Crown."

The five aspects identified by the Court are:

1. **The Sovereign's regalia** (symbols, ceremonial dress, royal emblems)
2. **The body politic** (the State or Commonwealth as a corporate entity)
3. **The international personality** of a body politic (how it appears on world stage)
4. **The "government" or "executive"** (the administration, civil service)
5. **The office of the Sovereign** and the capacity in which the Sovereign acts

This fivefold distinction is crucial for understanding what the Naturalised Crown model proposes to change. Of these five aspects:

Three are constitutional and institutional: the body politic (Commonwealth and States as entities), international personality (Australia as a sovereign nation), and executive government (the administration of laws). These continue unchanged.

Two are monarchical: the regalia (British royal symbols) and the office of the Sovereign (hereditary British person). These are what the Naturalised Crown proposes to replace with democratic Australian equivalents.

The Naturalised Crown is surgical—it removes only the hereditary monarchical aspects while preserving all the constitutional and institutional aspects that make the system work.

3.5 Why Change Is Now Necessary

The case for democratising the Crown is not merely nationalist sentiment or republican ideology. There are concrete, practical reasons why the current arrangement is becoming untenable.

Reputational Damage to the Institution

The British Royal Family has suffered significant reputational damage that affects Australia's constitutional arrangements. The Prince Andrew/Jeffrey Epstein scandal exemplifies the problem.

When the brother of the King is credibly linked to a convicted sex offender and human trafficking operation, when he must step back from royal duties due to scandal, when he settles a sexual abuse

lawsuit rather than face testimony, this compromises the moral authority of the institution Australians are expected to respect as our constitutional foundation.

Our constitutional head of state should be beyond reproach. The dignity and respect required for the position cannot be maintained when those connected to it are embroiled in serious scandals. Prince Andrew is not the first such embarrassment, nor likely the last. Royal history includes abdications, divorces, scandals, and controversies that Australians had no say in and cannot remedy.

The Structural Problem of Hereditary Power

This is not about Prince Andrew specifically—it's about the structural problem of hereditary power. A hereditary system offers no quality control. We get whoever the genetic lottery provides, regardless of character, ability, or suitability.

The inability to remove unsuitable individuals from constitutional roles is antithetical to democratic values. If an elected Head of State behaved inappropriately, they could be held accountable through democratic processes. A hereditary monarch and their family cannot be dismissed by Australians, no matter how their conduct undermines the dignity we expect in our constitutional symbols.

This structural flaw becomes more acute as generational change accelerates. The monarch who served Australia reasonably well for 70 years has been succeeded by a new King who many Australians have less connection to. The next generation brings further distance. Eventually, Australians will be asked to swear allegiance to people they neither chose nor perhaps respect.

The Question of Relevance

Beyond scandal, there is the simple question of relevance. When Australia faces constitutional questions, economic challenges, social divisions, or national crises, how relevant is the view of a British monarch living in London? When Australia needs symbolic national leadership during disasters, conflicts, or controversies, how effectively can that leadership be provided from the other side of the world by someone with no lived experience of Australian conditions?

The Crown as an institution serves important functions. But the particular person occupying that institution increasingly fails to serve Australia's needs. This is not a criticism of individuals—it's recognition that hereditary British monarchy is structurally unsuited to representing modern, diverse, independent Australia.

3.6 The Chameleon Crown—Bedrock Has Moved

Anne Twomey titled her 2006 masterwork *The Chameleon Crown* for good reason. Like a chameleon, the Australian Crown has continuously adapted to Australian conditions, changing its appearance to suit its environment while maintaining its essential structure.

This adaptability is the Crown's great strength. Unlike written constitutional provisions, which require referendums to change, the Crown has evolved dramatically through convention, practice, and gradual legal development. The bedrock has moved while the structure built upon it remained stable.

Constitutional Evolution vs. Constitutional Text

Australia's Constitution is famously difficult to change formally—only 8 of 44 referendum proposals have succeeded. Yet beneath this rigid structure, the Crown—the constitutional bedrock on which everything rests—has undergone complete transformation:

1901–1942: British Imperial Crown

- Single unified Crown under British control
- Governor-General and State Governors as Imperial officers
- British Ministers advise on all Australian matters
- Australia constitutionally subordinate to UK

1942–1986: Bifurcated Crown

- Commonwealth Crown becomes Australian (advised by Australian Ministers)
- State Crowns remain British (advised by British Ministers)
- Constitutional anomaly: States as dependencies within independent nation
- Two different Crowns operating in one federation

1986–Present: Australian Divisible Crown

- All Crowns become Australian (only Australians advise the Queen)
- Commonwealth Ministers advise on Commonwealth matters
- State Ministers advise on State matters
- Federal Crown with different advisers for different functions

2032 (Proposed): Democratic Australian Crown

- Hereditary person replaced with elected Australian
- British regalia replaced with Australian symbols
- All constitutional functions continue unchanged
- Federal structure preserved, now fully democratised

The bedrock has rotated 180 degrees while the structure built upon it has remained largely unchanged. This is constitutional evolution at its finest—profound transformation through continuity rather than disruption.

Why Evolution Worked

This evolutionary approach succeeded because it:

- **Preserved stability:** No sudden ruptures in constitutional practice
- **Maintained continuity:** Each change built on the previous one
- **Respected federalism:** Changes accommodated State sovereignty
- **Avoided unnecessary risk:** Kept what worked, changed only what needed changing
- **Built consensus:** Gradual change allowed public adaptation

The Naturalised Crown continues this evolutionary approach. It represents the next logical step in a journey that began in 1939, continued through 1942 and 1986, and possibly reaches completion in 2032.

ARM's Revolutionary Alternative

In contrast, the ARM Choice Model represents a revolutionary break. By eliminating the Crown entirely and replacing it with a differently-structured presidency, ARM proposes disrupting the evolutionary path Australia has followed for 85 years.

The question is not whether the Crown should continue in its current form—it should not. The question is whether we continue its evolution democratically or rupture it entirely. Evolution has served Australia well. Revolution introduces unnecessary risks.

If successful, the ARM Choice Model would create a constitutionally anomalous situation: a person in NSW would have an elected President as head of state at the Commonwealth level, while retaining King Charles III as head of state at the State level. This bicephalous arrangement—two heads of state for the same person in the same polity— leaves unresolved the fundamental question of State Crown succession that any republican model must address.

The Lesson of the Chameleon

The chameleon doesn't become a different creature when it changes colour—it remains a chameleon, adapted to new conditions. Similarly, the Crown doesn't cease being the Crown when it becomes democratic—it remains the constitutional structure that unifies the federation, now adapted to democratic values.

This is the insight Twomey captured with her title. The Crown's genius is its adaptability. The question is not whether it should adapt further—it must. The question is whether we adapt it thoughtfully (the Naturalised Crown approach) or discard it entirely (the ARM approach).

History suggests adaptation serves Australia better than disruption. The bedrock has moved before and can move again—gradually, purposefully, democratically.

3.7 The Young Crown—An Infant Not a Relic

The British Crown: Nearly 1000 Years Old

The British Crown traces continuous lineage to the Norman Conquest of 1066. Nearly a millennium of tradition, precedent, accumulated symbolism. This is an ancient institution, set in its ways, resistant to change, carrying the weight of centuries.

The Australian Crown: Barely 40 Years Old

The Crown in right of the Commonwealth was born 3 September 1939. Its "birth certificate" was the Statute of Westminster Adoption Act 1942. The final umbilical cords to Britain were cut with the Australia Acts 1986—a mere 40 years ago.

In constitutional lifecycle terms, **the Australian Crown is a baby**—not even middle-aged. It has no centuries of ossified tradition. It's still being shaped, still evolving, still discovering what it means to be Australian.

This is profoundly liberating.

We're not dismantling an ancient institution with a thousand years of accumulated practice and precedent. We're shaping a young one that's already demonstrated remarkable capacity for evolution and adaptation.

The Australian Crown has changed more in its 85 years of existence than the British Crown changed in the previous 500. From British Imperial Crown (pre-1942) to bifurcated Crown (1942-1986) to fully Australian divisible Crown (1986-present)—this institution has proven it can evolve rapidly and successfully.

Youth Means Adaptability

The British Crown cannot easily change—too much history, too many precedents, too many vested interests, too much accumulated "this is how we've always done it." The Australian Crown can evolve readily—it already has, dramatically, multiple times in its short life.

A 40-year-old institution can become democratic more easily than a 1000-year-old one. We haven't had time to build the fossilized traditions that resist change. We're still in our formative period.

Democratising the Crown isn't destroying tradition. It's continuing the evolution of an institution still in its formative years. When a baby is growing, changing shape rapidly is normal and healthy. So too with the Australian Crown.

3.8 Sir Isaac Isaacs—Independence Through Merit

While constitutional lawyers debate when Australia truly became independent—1939, 1942, or 1986—many identify an earlier symbolic moment: the appointment of Sir Isaac Isaacs as Governor-General in 1931.

This appointment is profoundly significant for this Royal Commission on Antisemitism.

Who Was Sir Isaac Isaacs?

- **First Australian-born Governor-General** (all previous GGs were British aristocrats)
- **Jewish Australian** (son of a tailor who immigrated from Poland)
- **Appointed on merit** (former Chief Justice of the High Court, legal giant)
- **Appointed against the King's wishes** and British establishment resistance

The Constitutional Battle

Prime Minister James Scullin wanted an Australian as Governor-General. He chose Isaacs—the most distinguished Australian jurist, a man of unquestionable ability and integrity.

King George V opposed the appointment. The British establishment opposed it. They wanted a British aristocrat, as tradition demanded. Scullin refused to back down. Australia, he insisted, would choose its own representative based on merit, not British preference.

The King relented, under constitutional pressure. Isaacs was appointed in 1931.

The Symbolic Significance

This was independence in action—Australia asserting its right to choose its own representatives based on ability, not birth or British direction. And the person who marked that assertion of independence was a Jewish Australian.

Merit over birth.
Australian choice over British direction.
Inclusion over exclusion.

These principles defeated King George V's objections in 1931.

These same principles underpin the Naturalised Crown model today.

For This Royal Commission

The symbolism is profound: Australia's first major assertion of constitutional independence came through appointing a Jewish Governor-General over British objections.

The fight against antisemitism is woven into the fabric of Australian constitutional independence from its earliest moments. When Scullin chose Isaacs, he chose a man whose Jewishness made him unacceptable to the British establishment—and chose him anyway, on merit.

When we complete that journey by democratising the Crown, we honour Isaacs' legacy:

- Merit over birth (elected over hereditary)
- Australian engagement over external direction (democratic selection over British succession)
- Inclusion over exclusion (anyone can serve, regardless of background)

Isaacs proved that a Jewish Australian could serve with distinction as the monarch's representative. The Naturalised Crown will prove that any Australian—Jewish, Muslim, Indigenous, immigrant—can serve with distinction as our democratically chosen Head of State.

3.9 Constitutional Evolution Continues

The journey from 1901 to 1986 demonstrates that profound constitutional change is possible without referendum, through gradual evolution of practice, law, and convention. The journey from 1986 to 2032 proposes to complete that evolution by replacing the last undemocratic elements with elected equivalents.

This is not radical change—it's conservative completion of a process Australia began:

- In 1931, when Scullin chose Isaacs over the King's objections
- In 1939, when we declared war on fascism
- In 1942, when we formalised Commonwealth independence
- In 1986, when we severed the last constitutional ties to Britain

The Crown born on 3 September 1939 standing against Nazi Germany was already Australian in spirit. The task now is to make it Australian in form—democratic, diverse, and chosen by the people it represents.

Part 4: The Misunderstood Crown—Public Ignorance as ARM's Strategic Advantage

4.1 The Problem: Widespread Confusion

One of the ARM's greatest strategic advantages is widespread public ignorance about what the Crown actually is. This is not a criticism of the Australian public—the Crown is genuinely complex, and public education on constitutional matters has been minimal. But this ignorance allows ARM to frame the debate in misleading ways.

Most Australians—including many parliamentarians, journalists, and even some lawyers—believe the Crown simply means "the monarch" as a person. They don't understand that:

- The Crown is divisible (different Crowns for different realms)
- The Crown has five distinct aspects (only two are monarchical)
- Australia has seven divisible Crowns (Commonwealth + six States) with vice-regal representatives
- The Crown evolved completely since Federation while Constitution text remained largely unchanged
- "Getting rid of the monarchy" is not the same as "reforming the Crown"

This conflation of "Crown" with "the person of the monarch" is understandable—it's how most people were taught in school, if they were taught about it at all. But it's constitutionally incorrect and leads to dangerously simplistic thinking about constitutional reform.

4.2 Senator Thorpe's Protest—A Case Study in Misunderstanding

A vivid example of this confusion occurred when Senator Lidia Thorpe was sworn into the Australian Senate. During the oath-taking ceremony, she protested loudly against the "colonising Queen" and made clear her objection to swearing allegiance to the British monarch.

Her protest was politically powerful and emotionally resonant, particularly for Indigenous Australians who view the Crown as a symbol of colonial dispossession. But it was also constitutionally confused.

Senator Thorpe was not swearing allegiance to the British Queen. She was swearing allegiance to the Crown in right of the Commonwealth of Australia—which is Australian, not British. The oath she took was:

> "I, Lidia Thorpe, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her heirs and successors according to law."

The words "according to law" are crucial. The "law" in question is Australian law—specifically, the Constitution of Australia and the laws made under it. The Queen Elizabeth mentioned is the Queen in her capacity as Queen of Australia, not Queen of the United Kingdom.

This distinction is not semantic hair-splitting. It's constitutionally fundamental. After the Australia Acts 1986, British Ministers have no authority over any Australian matters. When the Queen acts with respect to Australia, she acts solely on Australian advice under the Australian Crown. She is Australian in that capacity, not British.

Senator Thorpe's protest—while politically understandable—demonstrated that even sitting Members of Parliament don't understand the Crown's divisibility. If parliamentarians don't understand it, how can the general public?

What Thorpe Was Actually Protesting

Ironically, Senator Thorpe should have been protesting the fact that the person representing the Crown in right of the Commonwealth is hereditary and British by residence. That's the legitimate grievance—not that the Crown itself is "colonising" (it's Australian), but that the person embodying it is not chosen democratically and doesn't live here.

The Naturalised Crown model addresses exactly this complaint. It would change the oath to:

> "I swear that I will be faithful and bear true allegiance to the Crown in right of the Commonwealth of Australia as represented by [elected Australian name], according to law."

Same Crown, same constitutional structure, but now represented by an Australian chosen by Australians to serve for a fixed term. This is what Senator Thorpe should be advocating for—but she can't, because like most people, she doesn't understand what the Crown actually is.

4.3 Victorian Parliament Tour Guides—Ground-Level Ignorance

During a recent tour of the Victorian Parliament, tour guides were asked to explain the Crown in right of the State of Victoria. They couldn't. They fell back on explaining "the Crown" as meaning Queen Elizabeth and her successors, with no understanding of:

- The divisible Crown in right of Victoria (separate from the Crown in right of the Commonwealth)
- The Governor of Victoria's role as representative of that Crown
- The fact that Victorian Premier advises the Queen on Victorian matters
- The constitutional evolution that created this structure

These are not ignorant people—they're educated guides employed by Parliament itself. But they've never been taught about the Crown as a constitutional structure. Like most Australians, they know "the Queen is our Head of State" but little about the nature of the Australian Crown beyond that.

This is emblematic of a broader problem. The institutions that should be teaching Australians about their constitutional structure—parliaments, schools, universities—have largely failed to do so. The result is a population that lacks basic constitutional literacy.

4.4 The Media's Role in Perpetuating Confusion

Media coverage of constitutional issues routinely conflates the Crown with the monarch-as-person. Headlines speak of "removing the Queen" or "getting rid of the monarchy" without any acknowledgment that these phrases mean something quite different from constitutional reality.

When ARM proposes their Choice Model, media reports it as "electing our own President instead of having the Queen." This framing ignores entirely that:

- The "Queen" is already Australian in function
- The Governor-General already exercises most Crown powers on Australian advice
- What's actually being proposed is elimination of the Crown, monarch and GG roles, with State Governors being left in limbo
- The federal structure would be fundamentally altered

The media can be forgiven for this—if parliamentarians and parliament guides don't understand the Crown, why would journalists? But the effect is to present ARM's proposal as simple ("replace Queen with President") when it's actually complex and risky ("eliminate the Crown as federal coordinator").

4.5 ARM's Strategic Exploitation of Ignorance

ARM understands and exploits this ignorance brilliantly. Their messaging is carefully calibrated to avoid explaining constitutional complexity:

- **"We should have an Australian as Head of State"** (We already do—the Governor-General, who exercises all practical Crown functions in Australia, and the monarch does not have an official passport or nationality)
- **"Replace the Queen with a President"** (Ignores that "the Queen" as we experience her is represented by the GG, not the person in London)
- **"Australians should choose our Head of State"** (Sounds democratic, obscures what's actually being eliminated and replaced)
- **"The monarchy is a relic of colonialism"** (Emotionally powerful, constitutionally confused—the Crown evolved completely since Federation)

These are effective political slogans precisely because they resonate with popular misunderstanding. They make ARM's proposal sound simple, obvious, and uncontroversial. "Why wouldn't we have an Australian as Head of State?"

The problem is that once you understand what the Crown actually is, ARM's proposal looks much more complicated and risky. You start asking questions like:

- What happens to the State Governors?
- How do seven jurisdictions coordinate under a new structure?

- What powers will the President have?
- How do we prevent presidential-parliamentary conflicts?
- Will this disrupt the constitutional conventions that currently work well?

These questions require constitutional knowledge to even formulate. Without that knowledge, ARM's simplistic framing wins by default.

4.6 The Monarchy vs. The Crown—A Critical Distinction

The greatest conceptual confusion is between "the monarchy" (a hereditary system of rule) and "the Crown" (a constitutional structure and set of relationships).

The monarchy refers to:

- Hereditary succession
- Royal families and aristocracy
- British historical connections
- The regalia and ceremonial trappings

The Crown refers to:

- The constitutional office of Head of State
- The body politic (the State or Commonwealth as entity)
- The relationship between executive, legislature, and people
- The federal coordination mechanism

You can replace the monarchy without eliminating the Crown. That's exactly what the Naturalised Crown proposes—democratic selection replaces hereditary succession, but the Crown's constitutional function continues unchanged.

ARM, by conflating the two, makes it seem that eliminating the monarchy requires eliminating the Crown. This is false—but only someone who understands the distinction can recognise it as false.

The rules of succession for the monarchy are codified as Acts of the UK Parliament (Bill of Rights 1689, Act of Settlement 1701, Act of Union 1707). Yet even the rules of succession can be changed, as the precedent started with the CHOGM Perth Agreement in 2011 demonstrates (Succession to the Crown Act 2013).

The Naturalised Crown would also have rules of succession, coded into a new section in the Commonwealth constitution. It is just that these new rules would be democratic and the term of office would be fixed, rather than for life.

4.7 Why This Matters for the Commission

This widespread ignorance has direct implications for the Commission's work:

1. **Informed consent:** Australians cannot give informed consent to constitutional change if they don't understand the current system

2. **Social cohesion:** Constitutional reform that fractures the federation or eliminates stabilising structures can damage social cohesion, even if voters approve it due to misunderstanding
3. **Democratic legitimacy:** A referendum won through exploitation of ignorance lacks democratic legitimacy
4. **Reversibility:** Constitutional changes are very hard to reverse—getting it wrong due to public misunderstanding has long-term consequences

This is why public education must precede any referendum. Australians need to understand:

- What the Crown actually is
- How it evolved to become Australian
- What different reform proposals actually do
- What risks each proposal carries
- What alternatives exist

Without this foundation, the referendum debate will be ARM's emotionally resonant but constitutionally confused slogans versus the status quo's defenders struggling to explain complexity.

4.8 The Education Challenge

Properly educating Australians about the Crown is difficult because:

1. **It's genuinely complex:** Multiple aspects, historical evolution, federal dimensions
2. **It contradicts school-level teaching:** Most people learned the King and Crown are identical - as it may have been when the British Crown was indivisible
3. **It requires nuance:** Can't be reduced to slogans
4. **It lacks emotional resonance:** Constitutional structure doesn't stir passion like "Australian Head of State" does
5. **Media isn't equipped:** Journalists lack the constitutional background to explain complexity

But the difficulty doesn't excuse the failure to try. If we proceed to a referendum without public education, ARM's simple but misleading message will defeat any attempt at reasoned constitutional debate.

4.9 The Commission's Educational Role

This Commission has an opportunity to contribute to public education through:

- **Public hearings that explain the Crown** (televised, transcribed, reported)
- **Expert testimony that clarifies confusion** (what is the Crown, how does it work, what are we actually voting on)
- **Comparative analysis that demonstrates alternatives** (show Australians there are options beyond ARM's proposal)
- **Plain language summaries** of constitutional complexity (make the complex accessible)
- **Media engagement** that corrects common misunderstandings

The hearings we propose in our recommendations would serve this educational function. By bringing constitutional experts together to explain the Crown publicly, the Commission would create a resource that could inform future debate.

Without such education, Australians will vote on constitutional reform without understanding what they're actually changing. That's not democracy—it's a referendum on marketing effectiveness.

Part 5: The Nature of the Crown of Australia Today

5.1 Five Aspects of the Crown (Sue v Hill 1999 / Anne Twomey)

As discussed in Part 3.4, the High Court in *Sue v Hill* (1999) identified five distinct aspects of the Crown. Constitutional scholar Anne Twomey later elaborated on this analysis in her definitive 2006 book *The Chameleon Crown: The Queen and Her Australian Governors* and her 2008 paper "Responsible Government and the Divisibility of the Crown" (Sydney Law School Research Paper No. 08/01, available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1301166).

The five aspects are:

1. **The Sovereign's regalia** - symbols, ceremonial dress, royal emblems
2. **The body politic** - the State or Commonwealth as a corporate entity
3. **The international personality** of a body politic - how it appears on the world stage
4. **The "government" or "executive"** - the administration, civil service
5. **The office of the Sovereign** and the capacity in which the Sovereign acts

This fivefold distinction is critical because different reform proposals affect different aspects:

What the Naturalised Crown Changes:

- **Aspect 1 (Regalia):** British symbols → Australian symbols
- **Aspect 5 (Office):** Hereditary British person → Elected Australian

What the Naturalised Crown Preserves:

- **Aspect 2 (Body Politic):** Commonwealth and States as entities (unchanged)
- **Aspect 3 (International Personality):** Australia as sovereign nation (unchanged)
- **Aspect 4 (Executive):** Government administration (unchanged)

What ARM Changes:

- **All five aspects** - eliminates entire Crown structure, creates new presidential framework

The surgical precision of the Naturalised Crown—changing only the two monarchical aspects while preserving the three constitutional aspects—is its great virtue. ARM's approach of eliminating everything and starting fresh is its great risk.

5.2 Distinguishing Monarchical from Constitutional Aspects

Understanding which aspects are monarchical and which are constitutional is essential for evaluating reform proposals.

Monarchical Aspects (Can and Should Change)

The Regalia:

- British royal symbols (crown, orb, sceptre)
- Royal coat of arms
- British royal titles and styles
- References to British sovereignty
- Imperial imagery and symbolism

These are artifacts of British monarchy. They have no functional constitutional purpose. Replacing them with Australian equivalents (perhaps symbols from nature like the wattle, or democratic symbols) would not affect how the constitution operates.

The Office of the Sovereign:

- Hereditary succession
- British residence of the person
- Lack of democratic accountability
- Inability for Australians to remove unsuitable individuals

This is the monarchical aspect that offends democratic sensibilities. Having the office filled hereditarily by people Australians did not choose and cannot remove is incompatible with modern democratic values.

Constitutional Aspects (Preserve)

The Body Politic:

- Commonwealth as a corporate entity
- Six States as sovereign bodies within their spheres
- Territories as self-governing entities
- The federation as a whole

These entities continue to exist regardless of who represents them symbolically. The Commonwealth doesn't cease to exist if we democratise the Crown—it remains the same legal entity with the same powers and limitations.

International Personality:

- Australia as a sovereign nation
- Treaty-making capacity

- Recognition by other nations
- Participation in international organisations

Australia's international personality is not dependent on having a British monarch. We already act internationally as an independent nation. Democratising the Crown simply formalises what's already true in practice.

The Executive:

- Public service
- Government departments
- Administrative apparatus
- Implementation of laws

The machinery of government continues regardless of who sits at the ceremonial top. The public service doesn't need to be recreated because we democratise the Crown—same departments, same functions, same people.

5.3 The Federal Structure—Seven Divisible Crowns

Australia's constitutional structure involves seven divisible Crowns:

1. **Crown in right of the Commonwealth**
2. **Crown in right of New South Wales**
3. **Crown in right of Victoria**
4. **Crown in right of Queensland**
5. **Crown in right of South Australia**
6. **Crown in right of Western Australia**
7. **Crown in right of Tasmania**

Each State has passed legislation defining the Crown in right of that State. For example:

- **Queensland:** Crown Proceedings Act 1980 - "Crown means the Crown in right of the State of Queensland"
- **New South Wales:** Crown Proceedings Act 1988 - "Crown means the Crown in right of New South Wales"
- **Victoria:** Interpretation of Legislation Act 1984 - "Crown means the Crown in right of Victoria"
- **Tasmania:** Crown Proceedings Act 1993 - "State Crown means the Crown in right of this State"
- **South Australia:** Crown Proceedings Act 1992 - "State Crown means the Crown in right of this State"
- **Western Australia:** Crown Suits Act 1947 - "Crown means the Crown in right of the Government of Western Australia"

These are not merely administrative distinctions. Each Crown is a separate legal entity capable of entering contracts, owning property, and being sued. The Crown in right of NSW can sue the Crown in right of the Commonwealth in the High Court.

The Relationship Structure

These seven Crowns are unified by being represented by the same person—currently the King. But that person acts in different capacities for different Crowns:

- As King of Australia (Commonwealth capacity)
- As King of New South Wales (State capacity)
- As King of Victoria (State capacity)
- And so on...

Each Crown has its own vice-regal representative:

- **Commonwealth:** Governor-General
- **Each State:** Governor

These representatives exercise the Crown's powers within their respective jurisdictions. They act on advice of their respective governments (GG on Commonwealth advice, Governors on State advice).

This is the **one-to-many relationship** that is unique to Australia's federal structure and that ARM has never addressed.

5.4 Australia's Unique Federal Challenge: One-to-Many Relationship

The Database Analogy

Think of constitutional structures in database terms (Entity-Relationship Models):

One-to-One Relationship (Most Commonwealth Realms):

- One Monarch → One Governor-General
- When you remove the monarch, promote the GG to President
- Simple, clean, no complications
- Examples: New Zealand, Barbados, Ireland (when it transitioned)

One-to-Many Relationship (Australia):

- One Monarch → Seven Vice-Regal Representatives (GG + 6 Governors)
- When you remove the "one," all seven relationships break
- You cannot simply promote the GG because what happens to the six Governors?
- This is Australia's unique problem

The Nigeria Exception

Only one other Commonwealth realm has ever attempted a similar structure. Nigeria from 1960-1963 had:

- One Governor-General (federal)
- Three Regional Governors (for Northern, Western, and Eastern regions)

This lasted exactly three years before Nigeria became a republic in 1963. The federal-regional tensions under this structure contributed to later conflicts including the Nigerian Civil War (1967-1970). Nigeria is not a useful precedent.

Australia is otherwise unique among Commonwealth realms in having a persistent one-to-many federal structure with independent State Crowns.

Why This Matters

When ARM proposes replacing the King and Governor-General with a President, they're addressing only the "one" side of the one-to-many relationship. They ignore the "many" (six State Governors).

This creates three impossible options:

Option 1: States Stay Monarchies

- Commonwealth becomes republic
- States remain under the Crown
- Constitutional asymmetry between federal and State levels
- Legal chaos: which Crown applies to federal-state interactions?
- Provides constitutional justification for State secession

Option 2: State Governors Subordinate to President

- President has authority over all seven jurisdictions
- Destroys federalism (States become administrative units)
- Violates constitutional guarantee of State sovereignty
- Centralizes power in Commonwealth contrary to federal principle

Option 3: Break Relationships Entirely

- Each State has its own president?
- Seven separate republics?
- How do they coordinate?
- What's the relationship structure?
- ARM has never explained this

The Naturalised Crown Solution

The Naturalised Crown solves this by maintaining the one-to-many structure while democratising the "one":

- **Before:** Hereditary British person → GG + 6 Governors
- **After:** Elected Australian → GG + 6 Governors

The structure remains identical. The seven vice-regal representatives continue their roles unchanged. The only difference is that the person they represent is now chosen democratically by Australians rather than hereditarily by British succession.

This is why the Naturalised Crown is a least-change option. It replaces only what must be replaced (the hereditary person) while preserving the entire federal structure that makes Australia work.

5.5 Why the Federal Question Cannot Be Ignored

ARM's failure to address the federal structure is not a minor oversight—it's a fatal flaw. You cannot reform Australia's Crown without accounting for how the reformed structure handles seven separate jurisdictions.

The 1999 referendum failed partly because it didn't address this. The minimalist model proposed replacing the GG with a President appointed by Parliament. But what about State Governors? The model was silent. Many voters recognized this gap even if they couldn't articulate it precisely.

The ARM Choice Model makes the same mistake. It proposes a directly-elected President but offers no explanation of:

- How State Governors relate to this President
- Whether States need their own reform
- How federal coordination works
- What happens to State reserve powers

Without answers to these questions, ARM's model is incomplete. An incomplete constitutional reform is worse than no reform at all—it creates ambiguity, conflict, and potential fracture.

The Commission's Role

In evaluating how constitutional arrangements affect social cohesion, the Commission will likely need to consider federal unity. A reform that:

- Creates constitutional asymmetry between Commonwealth and States
- Undermines State sovereignty
- Breaks federal coordination mechanisms
- Provides justification for State secession

...will damage social cohesion by potentially fracturing the nation itself. Federal unity is a prerequisite for national social cohesion. The Commission is in a unique position to prioritise this in any recommendations.

Part 6: The ARM Choice Model—Current Proposal and Structural Flaws

6.1 What the ARM Proposes

The Australian Republican Movement's Choice Model, announced in January 2022, proposes:

Nomination Process:

- Each State/Territory parliament nominates 1 candidate
- Federal parliament nominates up to 3 candidates
- Total of up to 11 candidates on ballot

Election:

- National popular vote
- Compulsory preferential voting (like House of Representatives)
- All Australian voters participate

What It Replaces:

- Both King AND Governor-General eliminated
- President takes over GG's role
- President has "limited powers to ensure smooth functioning of Government"

Powers:

- Reserve powers codified in Constitution
- President appoints Prime Minister (person with majority support in House)
- President calls elections if no one can obtain majority support
- No individual authority over policy/governance

Term:

- 5 years
- Renewable once (maximum 10 years)
- Separate from general elections

ARM's Claims:

- 73% would vote yes for this model
- 92% Australians open to republic idea
- "Australian Choice" - people choose from nominated candidates
- Based on Irish model (successful)
- Achieves majority support across all demographics

6.2 Structural Flaws Repeated from 1999

Flaw 1: Ignores Federal Structure (Again)

The ARM model makes the same fatal error as 1999: **it ignores the six State Governors.**

Questions ARM Cannot Answer:

- What happens to State Governors under this model?
- Do States remain constitutional monarchies while Commonwealth becomes republic?
- Do State Governors become subordinate to Commonwealth President?
- Does each State need its own referendum?
- How do seven jurisdictions coordinate under new structure?

ARM's website, media releases, and constitutional amendments draft are silent on these questions. This is not an oversight—it's an acknowledgment that there are no good answers within their framework.

The Three Impossible Options:

Option A: Constitutional Asymmetry

- Commonwealth has elected President
- States remain under Crown with monarchical Governors
- Two different constitutional systems in one nation
- Legal chaos in federal-State interactions
- Provides justification for State secession (especially WA)

Option B: Subordination

- State Governors become subordinate to Commonwealth President
- Destroys federalism (reduces States to administrative units)
- Violates section 106-107 protection of State sovereignty
- Centralizes power contrary to federal compact
- States will resist this at referendum

Option C: Seven Republics

- Each jurisdiction has its own president/head of state?
- Seven separate elections?
- How do they coordinate?
- What's the relationship structure?
- ARM has never explained this

Flaw 2: Politicians as Gatekeepers

Despite marketing as "Australian Choice," only politicians can nominate candidates:

- State/Territory parliaments nominate 8
- Federal parliament nominates up to 3
- Total of 11 politician-selected candidates

This is still a "politicians' republic" - the exact criticism that killed the 1999 model.

Ordinary Australians cannot run. No matter how qualified, connected to community, or inspiring—if politicians don't nominate you, you're not on the ballot.

This gatekeeping means:

- Political networks matter more than merit
- Party connections determine who's nominated
- Backroom deals decide the shortlist
- Voters choose from pre-filtered options

Compare to Naturalised Crown:

- Any citizen can run in State elections
- No political gatekeeping
- States control their own processes
- Open, democratic access

Flaw 3: Power Accumulation Risks

10 Years with Codified Reserve Powers:

- 5-year term, renewable once
- President appoints PM, calls elections
- Reserve powers written into Constitution
- Elected by popular vote (claims democratic legitimacy)

Recipe for conflict:

- President: "I was elected by all Australians, I represent the people"
- PM: "I have majority support in Parliament, I represent the people"
- Who wins in a crisis?
- An nationally elected President may claim a mandate as opposed to the Prime Minister

Historical precedent suggests elected presidents expand their power:

- Start with "limited" powers
- Gradually claim broader authority based on democratic mandate
- Eventually conflict with Prime Minister
- Presidential-parliamentary systems are unstable (see France, Weimar Germany)

Contrast with Naturalised Crown:

- Head of State has ZERO powers
- All reserve powers stay with GG/Governors
- One year term, non-renewable
- Cannot accumulate influence
- Pure figurehead (like King currently)

Flaw 4: No Federal Equity Guarantee

National popular vote means Sydney/Melbourne dominate forever:

- NSW + VIC = 57% of Australian population
- Capital cities = 71% of population
- Nothing guarantees regional/State representation

Likely outcome:

- Nearly every President from Sydney or Melbourne
- Eastern seaboard dominates permanently
- Regional Australia shut out
- WA, SA, TAS never see "their" President

This reinforces exactly the resentments that fuel separatist sentiment.

Contrast with Naturalised Crown:

- Federal rotation guaranteed (7-year cycle)
- Every State gets their turn

- Cannot skip States or favour populous ones
- Structural equity built in

Flaw 5: Social Cohesion as Afterthought

ARM sees social cohesion as incidental outcome of "having an Australian" as Head of State. No design features to promote it:

- One election every 5-10 years (not regular participation)
- 11 politician-selected candidates (not diverse community voices)
- National campaign (favours wealth, celebrity, media access)
- Preferential voting (party preferences matter)
- No storytelling emphasis (policy debates likely)

Contrast with Naturalised Crown:

- State elections every 7 years (regular participation)
- Open access (anyone can run)
- "Campaign in own voice" (personal storytelling required)
- First-past-post (no party machinery)
- Protected space (Crown conventions create respectful environment)

Flaw 6: Maximum Constitutional Disruption

ARM eliminates entire Crown structure:

- GG role gone
- Crown as coordinator gone
- Must codify all reserve powers (risky)
- Changes entire executive structure
- No guarantee conventions transfer to presidency

This is maximum change, maximum risk.

Contrast with Naturalised Crown:

- Minimum change (only person, not structure)
- GG continues unchanged
- Crown as coordinator continues
- Reserve powers stay with vice-regals
- All conventions preserved

6.3 What ARM Gets Right (And Why It's Not Enough)

ARM is correct that:

- Australia should have democratically chosen Head of State
- Hereditary British monarchy is outdated
- Australians should participate in selection
- Current system lacks democratic legitimacy

But their solution introduces more problems than it solves:

- Federal structure ignored
- Politicians still gatekeep
- Power accumulation risks
- No federal equity
- Constitutional disruption

Getting the diagnosis right doesn't mean the treatment is correct.

6.8 Professional Campaign Infrastructure and Resource Asymmetry

ARM's advantage extends beyond institutional recognition to include professional political consulting infrastructure developed over decades.

ARM's Professional Political Consulting Since 2005

The author of this submission has firsthand evidence of ARM's professional campaign infrastructure. In 2005, the author participated in an ARM-sponsored focus group in Canberra led by Mark Textor from CT Group (formerly Crosby Textor), one of Australia's premier political consulting firms. This focus group tested messaging, explored attitudes toward constitutional reform among republicans, and explored communication strategies.

CT Group/Crosby Textor is known for:

- Professional message testing and focus group research
- Strategic communications for political campaigns
- Work with conservative political parties in Australia and internationally
- Sophisticated understanding of voter psychology and messaging

ARM has had access to this professional expertise for at least 20 years (2005-2025). This means:

- Decades of message refinement through professional testing
- Understanding of what resonates and what doesn't
- Strategic timing of revelation and messaging
- Avoidance of arguments that test poorly in focus groups
- Emphasis on simple, emotionally resonant messaging

The "Capture" Question

A legitimate question arises: Does ARM serve its members, or do the consultants' messaging preferences drive ARM's positions?

Professional consultants tend to favor:

- Simple messaging (complex constitutional arguments don't test well)
- Emotional appeals (easier to communicate than institutional analysis)
- Avoiding technical detail (loses audiences in focus groups)

- Minimizing alternatives (comparing options creates confusion)

This may explain ARM's approach:

- Simple message: "Australian Head of State, yes or no?"
- Avoiding federal complexity (doesn't test well in focus groups)
- Not publishing full constitutional text (too complex for messaging)
- Ignoring alternatives like Naturalised Crown (complicates simple story)

The strategic question: Is ARM's simplification driven by genuinely believing their model is best, or by professional consultants advising that complexity loses voters?

Resource Asymmetry

ARM advantages:

- 30+ years of institutional development
- Professional consultants since at least 2005
- Message testing through focus groups
- Strategic communications expertise
- Likely substantial funding
- Likely government support
- Media relationships (Richard Fidler led RG1 with Mark Textor)
- Control over timing and revelation

Naturalised Crown situation:

- Individual developer (25+ years of work)
- No professional consultants
- No focus group testing
- No strategic messaging budget
- Limited resources
- No government support
- Dependent on fair process for hearing
- No control over timing

This asymmetry means:

- ARM can afford strategic concealment (reveal text when messaging is optimal)
- ARM can control information flow through professional communications
- Alternative proposals must rely on substance and transparency
- Fair process becomes critical when resources are unequal

Voice Referendum Proved Professional Consulting Has Limits

The Voice referendum YES campaign had access to professional consulting and substantial resources, yet:

- Lost 60% to 40%
- Failed in all six States

- Failed despite government support
- Failed despite professional messaging

This proves that:

- Professional consulting cannot fix fundamentally flawed constitutional design
- Australians make informed judgements despite sophisticated messaging
- Simple messaging doesn't overcome structural problems
- The "right" campaign strategy cannot compensate for bad policy

Lessons for republic referendum:

- If ARM's model has structural flaws (federal coordination gap, power accumulation, no State equity), professional messaging won't save it
- Voters will recognize problems even if message-tested campaigns try to obscure them
- Transparency and substance matter more than professional communications
- Alternative models (like Naturalised Crown) have chance if given fair hearing

The "Fair Hearing" Principle

The resource asymmetry creates obligation for fair process:

If ARM has:

- Professional consultants
- Decades of message testing
- Strategic communications expertise
- Likely government support
- Control over timing

Then alternative proposals must have:

- Fair opportunity to be heard
- Access to parliamentary inquiry processes
- Publication of submissions (no filtering)
- Inclusion in public hearings
- Neutral presentation in official materials (AEC pamphlets)

This is not "preferential treatment for alternatives"—it's *balancing the playing field* when one side has massive institutional and professional advantages.

The Royal Commission can contribute to this balance by:

- Ensuring Naturalised Crown model is examined in public hearings
- Requiring ARM to publish full constitutional text
- Examining resource asymmetry as fairness issue
- Recommending transparent processes that don't favor institutional power

6.9 Section 128 Full Text Requirement and the Three-Question Threshold

The Constitutional Barrier Most Haven't Recognised

Section 128 of the Constitution requires that voters approve "the proposed law for the alteration thereof"—the complete, final, exact constitutional text, not general principles or concepts.

This creates a fundamental barrier that may determine which constitutional models can legally proceed to referendum.

The Three Threshold Questions

Any genuine consideration of replacing the monarchy requires answering THREE distinct questions:

Question 1: Monarchy vs Australian Head of State
"Should Australia keep the British monarchy or have an Australian Head of State?"

- This is what most people think a republic referendum is about
- But this is only the FIRST question

Question 2: Crown Institution—Keep or Abolish?
"Should Australia keep the Crown as an institution (with Australian occupants) or abolish the Crown entirely?"

- This question is SEPARATE from Question 1
- Can have Australian HoS WITH Crown (Naturalised Crown model)
- Can have Australian HoS WITHOUT Crown (ARM abolition model)
- Fundamentally different constitutional structures

Question 3: Selection Method
"If we choose an Australian Head of State, how should that person be selected?"

- Direct election, parliamentary appointment, hybrid models, round robin of states, etc.
- ARM's "Choice Model" addresses this question
- But Questions 1 and 2 must be answered first

What Section 128 Requires (and Prohibits)

Section 128 REQUIRES:
✅ Voters approve complete, final, exact constitutional amendment text
✅ Full text showing every changed section, every new provision
✅ All details finalised BEFORE referendum
✅ No post-referendum drafting by Parliament

Section 128 PROHIBITS:
❌ Voting on general principles without specific text
❌ "Approve concept now, draft details later"

❌ Leaving constitutional details to Parliamentary drafting after referendum
❌ Staging decisions across multiple referendums (questionable validity)
❌ Choosing between options without seeing full text for each

The Naturalised Crown Advantage

The Naturalised Crown model has a draft COMPLETE CONSTITUTIONAL TEXT ready and publicly available:

✅ **Chapter X, Sections 129-139** - Full constitutional amendments, exact wording
✅ **Federation Continuity Act** - Complete transitional legislation
✅ **Explanatory Memorandum** - Detailed legal analysis
✅ **Background Paper** - Constitutional justification

Example of actual constitutional text:

Section 129 — The Naturalised Crown

1. Since time immemorial, the peoples of Australia have lived in sovereignty. We recognise and honour the Aboriginal and Torres Strait Islander peoples of Australia.
2. The people of Australia agree to express our sovereignty by electing Australians to serve a fixed term as Head of State under the Crown of Australia.
3. Commencing on 3 September 2032, successors for the Crown of Australia shall be chosen of the people, by the people, and for the people of Australia.
4. The Head of State shall be ordinarily resident in Australia.

Naturalised Crown Answers All Three Questions in One Package

Question 1: Australian Head of State?
✅ YES - Democratically elected from Australian citizens

Question 2: Keep or Abolish Crown?
✅ KEEP Crown as institution (body politic, system of government)
✅ REPLACE British monarchy with Australian democratic occupants

Question 3: Selection Method?
✅ Democratic election every year
✅ Rotation among States (7-year cycle)
✅ Complete procedural details in Sections 136-139

All three questions answered in SINGLE, COMPLETE constitutional amendment package that voters can approve as exact text.

6.10 Strategic Concealment and Democratic Transparency

ARM Almost Certainly Has Constitutional Text Prepared

Evidence suggests ARM has had full constitutional text since at least 2009:

- Republican Movement discussions around 2009 referenced a "vanilla model"
- 30+ years of campaigning suggests constitutional drafting has occurred
- Professional consultants (CT Group since 2005+) would require full text for strategic planning
- Legal experts supporting ARM would have drafted amendments by now

The question is not whether ARM has constitutional text, but why they haven't published it.

Why Strategic Concealment?

The earlier constitutional text is revealed, the more time for:

- Critical legal analysis identifying problems
- Expert examination and scholarly criticism
- Public debate highlighting risks and alternatives
- Media coverage of controversial provisions
- Detailed comparison with alternatives (like Naturalised Crown)
- Opposition organizing and building

The later constitutional text is revealed, the less time for all of the above.

Result: Strategic late revelation to minimise scrutiny and rush to referendum.

Why This Is Worse Than Lack of Preparation

Lack of preparation = incompetence

- "They haven't done the work"
- Suggests amateurism
- Political criticism, not constitutional violation

Strategic concealment = manipulation

- "They have the text but won't show it"
- Deliberate denial of information voters need
- **Violates democratic principles of informed consent**
- **Potentially violates Section 128 requirements and the freedom of political communication**

Deliberate concealment is MORE problematic because:

- It's intentional information control
- Denies voters time for informed understanding
- Manipulates constitutional processes
- Demonstrates lack of respect for democratic transparency

The "Minimal" False Advertising Exposed by 1999

ARM frequently describes their model as a "minimal" republican change. This marketing language has been consistent since the 1990s, designed to reassure voters that constitutional disruption will be limited.

But the 1999 referendum exposed what "minimal" actually means when voters saw the constitutional text:

The 1999 AEC pamphlet (72 pages) included the full constitutional text with visual strikethrough deletions and underlined additions. **Seeing page after page of constitutional sections being altered—crossed out text, new insertions, dozens of amendments—made the scope undeniable.** The visual representation exposed that "minimal" was marketing spin, not legal reality.

The author of this submission voted in the 1999 referendum. Seeing the actual constitutional changes with all the crossouts and additions was shocking and central to the voting decision. What ARM called "minimal" was revealed through the visual text to be extensive constitutional surgery across multiple provisions.

The AEC has now removed this constitutional text from public archives (AEC website describes the 72-page YES/NO pamphlet but provides only 38 pages). This elimination of visual evidence means:

- Future voters cannot fact-check "minimal" claims against 1999 precedent
- ARM's marketing cannot be verified against historical constitutional text
- The gap between marketing ("minimal") and reality (extensive changes) is hidden
- Section 128 informed consent is undermined when text is separated from claims

If ARM conceals constitutional text for current model, while historical precedent showing what "minimal" really means has been removed from archives, voters have no way to evaluate the claim. "Minimal" becomes whatever ARM says it is, with no visual evidence to contradict the marketing.

This is why constitutional text must be published early and preserved permanently: To allow voters to see through marketing claims and understand actual scope of changes. The 1999 visual text exposed "minimal" as false advertising. Removing that evidence from archives helps ARM use the same marketing today.

Compare the extent of changes to the constitution for the 1999 referendum compared to the Naturalised Crown. The Naturalised Crown only needs one existing section modified (Section 59 about the powers of the head of state) and adds the details of election and office as a new Chapter and sections. The Naturalised Crown is truly minimal. Seeing the proposed changes to the constitution for the 1999 referendum makes a startling impact.

The Abandoned Plebiscite Promise and Predetermined Model Selection

For over 20 years, proponents of constitutional change promised that plebiscites would determine the form of any republic model. John Howard stated at the 1998 Constitutional Convention that if delegates couldn't agree on a model, plebiscites would be held to determine public preference. The 2004 Senate report "Road to a Republic" recommended "holding a series of plebiscites to allow the public to choose which model they preferred, prior to a final draft and referendum." The ARM's official position for over two decades was that a "non-binding plebiscite on the model" should precede any referendum. Bill Shorten in 2017 pledged a compulsory plebiscite in Labor's first term if elected.

These promises appear to have been quietly abandoned. If Prime Minister Albanese proceeds directly to a referendum without prior plebiscites, the model will have been predetermined without public consultation on its specific form. The ARM Choice Model would become the only option presented to voters—selected not through democratic process, but through internal ARM decisions informed by professional polling (CT Group) rather than public plebiscites. The ARM Australia Choice model is the only republic model that could be taken to a referendum without any preceding Plebiscites or constitutional conventions. Albanese raising the topic of a referendum on a republic could only infer that model.

Opinion polling consistently shows Australians want to directly elect their head of state. The 1999 referendum failed because it proposed parliamentary appointment, which voters rejected decisively. Direct election models poll at approximately 75% support among republicans. ARM has interpreted these polls as evidence that their Choice Model—which involves public voting for up to eleven nominated candidates—represents what Australians want.

However, "direct election" is not a single concept. There are multiple ways to structure direct public involvement in selecting a head of state:

- **Popular national vote** (single nationwide election)
- **Electoral college systems** (States choose electors who select president, as in the US)
- **State rotation systems** (like the Naturalised Crown—States elect candidates, annual rotation)

The plebiscite process was supposed to let Australians choose WHICH form of direct involvement they preferred. By abandoning this process, ARM claims the general polling support for "direct election" as a mandate for their specific variant—without actually asking Australians to choose between different approaches.

The question polls answer is: "Do you want direct involvement in choosing the head of state?" (Yes ~75%)

The question plebiscites were supposed to answer is: "WHICH form of direct involvement do you prefer?" (Never asked)

If a referendum is announced concurrent with the 2027-2028 federal election without prior plebiscites:

- No time for the promised plebiscite process
- No time for Constitutional Convention to develop alternatives
- No time for alternative models to be developed, scrutinised, and gain public awareness
- ARM Choice Model becomes the only available option—not because it's the best form of direct election, but because strategic concealment prevented alternatives from being ready
- Timeline squeeze ensures monopoly position

The pressure campaign is predictable: "This is your one chance in 25 years. Vote Yes to ARM's model or lose the republic for another generation. Yes may be imperfect, but it's the only option available. If you vote No, we won't see another referendum until 2050."

The resource asymmetry compounds the problem. The Voice referendum demonstrated massive funding imbalance: over $400 million was available to the YES campaign (through government advertising, advocacy groups, and corporate donations) versus minimal funding for the NO side. The same pattern can be expected for a republic referendum. Combined with professional campaign infrastructure (CT Group since 2005), government advertising budgets controlled by a pro-republic government, and media saturation favouring the YES case, this creates enormous pressure to accept the only model on offer.

This is monopoly by strategic timing, enabled by years of concealment. If ARM had published their constitutional text in 2008-2009 when the "vanilla model" was reportedly developed by Holding Redlich lawyers, alternatives would have had 15-18 years to develop, be scrutinised, refined, and gain public awareness. The Naturalised Crown has complete constitutional text ready, but without the professional campaign resources, media connections, or institutional support that ARM's strategic concealment preserved exclusively for their own model.

The choice presented to voters becomes false: "Yes to ARM's predetermined model" or "No to republic entirely"—not "Yes to ARM model" or "Yes to better alternatives," because better alternatives weren't given the time to be properly developed, professionally promoted, and presented to the public as viable options.

This continues the pattern of information control documented throughout this submission:

- **AEC pamphlets:** Promise neutral information → Attempt removal → Control messaging
- **Plebiscites:** Promise public model choice → Abandon quietly → Impose predetermined model
- **Constitutional text:** Promise transparency → Conceal until late → Control scrutiny timeline
- **Submissions:** Promise consultation → Filter 90%+ → Control public input
- **Historical precedent:** Provide complete text in 1999 → Remove from AEC website archive → Prevent verification of "minimal" claims

The formula is consistent: Promise democratic process → Abandon without announcement → Impose predetermined outcome → Control information about the change → Claim democratic legitimacy based on the imposed outcome.

The Suppressed Third Option and Engineered False Binary

The actual political spectrum on constitutional reform has three positions, not two:

1. **Monarchists (~30% of electorate):** Maintain status quo with British Crown and hereditary succession. "If it ain't broke, don't fix it." Emphasise stability, tradition, and proven system.
2. **Moderate reformers (~50% of electorate):** Want Australian head of state but prefer evolutionary change that keeps proven constitutional structures while replacing hereditary British monarchy with democratic Australian selection. Want change that's safe, tested, and preserves what works.

3. **Revolutionary republicans (~20% of electorate):** Support complete break from Crown structures in favour of presidential systems. Willing to accept greater constitutional disruption for symbolic break with monarchical past.

The Naturalised Crown model is designed for the moderate majority—Australians who want an Australian head of state without the risks of revolutionary constitutional change. It keeps what works (Crown structures, conventions, reserve powers, federal balance, separation from politics) while fixing what doesn't (hereditary British person). This evolutionary approach—changing the person, preserving the institution— should appeal to the largest segment of the electorate who want reform but fear revolution.

However, both ARM and monarchists would oppose the Naturalised Crown—for opposite reasons:

ARM opposes it because:

- It "keeps the Crown" and their entire organizational identity depends on "abolishing the Crown"
- Their name is literally "Australian Republican Movement"—they cannot support keeping Crown structures
- The Naturalised Crown's evolutionary elegance and superior federal structure expose the inadequacies of their revolutionary approach
- Its appeal to moderate majority threatens their claim to represent all republicans

Monarchists oppose it because:

- It "removes the British monarchy" and replaces hereditary succession with democratic selection
- It's too much change for their "if it ain't broke, don't fix it" position
- Loses connection to British royal family and Commonwealth traditions
- Democratizes what they believe should remain above politics through hereditary principle

The result is suppression of the option designed for the majority, forcing a false binary choice between extremes. Both sides prefer to eliminate the moderate option and force voters to choose between their positions, each believing they'll win a two-way contest.

The predictable NO campaign leadership compounds ARM's strategic advantage. Opposition will likely be led by traditional monarchists such as Tony Abbott (who notoriously awarded a knighthood to Prince Philip in 2015) and Australians for Constitutional Monarchy. They will present the same arguments that have been losing ground since 1999: appeals to British tradition, royal heritage, and "if it ain't broke, don't fix it" conservatism. The ACM will talk up the value of the Crown, but they are still tied to monarchy.

This is ARM's dream opposition. Tony Abbott and monarchist arguments will not convince moderate Australians who want constitutional evolution toward an Australian head of state. Post-Epstein scandal, post-Charles's diminished popularity compared to Elizabeth II, and with younger generations feeling little connection to British royalty, monarchist arguments have lost their potency. The NO campaign becomes easy to frame as "old vs new," "past vs future," "colonial dependence vs independent Australia."

Moderate republicans who might prefer the Naturalised Crown will be forced to hold their noses and vote YES for ARM's model as the "lesser evil" compared to monarchists they find unconvincing. The binary becomes: "Imperfect republican change vs. outdated monarchism"—not "Which form of republican change do you prefer?"

Without the Naturalised Crown in the public debate, the moderate majority has no natural home. They must choose between:

- ARM's revolutionary presidential model (which many see as risky, poorly designed for federation, and unnecessarily disruptive)
- Status quo defended by monarchists (which they see as outdated, colonial, and increasingly embarrassing given royal scandals)

Neither reflects their actual preference for evolutionary reform that keeps constitutional stability while achieving an Australian head of state. But with timeline squeeze preventing the Naturalised Crown from gaining visibility, professional campaign resources monopolised by ARM, and both ARM and monarchists working to exclude moderate alternatives from debate, the option designed for the majority disappears from public discourse.

This is the final element of ARM's strategic monopoly:

1. **Conceal constitutional text 15+ years** → Only ARM ready when referendum announced
2. **Abandon promised plebiscites** → No public choice of model
3. **Timeline squeeze** → Announce months before election, no time for alternatives to develop visibility
4. **Resource dominance** → $400M+ YES campaign (Voice referendum precedent) vs unfunded opposition
5. **Predictable opposition** → Monarchists/Abbott unconvincing to moderate majority
6. **Suppress third option** → Eliminate Naturalised Crown from debate entirely through lack of visibility and resources
7. **Engineer false binary** → ARM or monarchy (no moderate alternative presented)
8. **Capture moderates by default** → Support ARM as "lesser evil" vs unconvincing monarchists
9. **Claim mandate** → "All republicans support this" (by systematically eliminating alternatives)

ARM wins not because their model is best for Australia's federal constitutional structure, but because better options designed for the moderate majority were systematically excluded through strategic concealment, timeline manipulation, resource monopolization, and the convenient opposition of both revolutionaries and traditionalists to the evolutionary middle path.

If the Royal Commission can hold a mini-Constitutional Convention in 2026 to examine alternative models—particularly the Naturalised Crown—BEFORE any referendum is announced, it breaks this monopoly. The moderate majority would finally hear about an option designed specifically for their preferences. The three-way political reality (monarchists/moderates/revolutionaries) would be visible to the public. Debate would reflect actual choices available, not engineered binaries that force voters toward predetermined outcomes.

Without Royal Commission intervention to create visibility for alternatives in 2026, the Naturalised Crown—the model most likely to appeal to mainstream Australia based on polling showing preference for evolutionary change over revolutionary disruption—will never be heard. The debate will be ARM vs monarchists, revolutionary change vs no change, with moderate Australians forced to choose between options neither truly prefers, while the evolutionary option designed specifically for them remains unknown to the public and excluded from serious consideration.

This exclusion serves ARM's strategic interests perfectly, but it does not serve the Australian people's right to genuine choice in constitutional reform. If this burdens the implied right of political communication for such an important topic as constitutional change, this could be deemed unconstitutional.

The Transparency Asymmetry

Aspect	Naturalised Crown	ARM
Constitutional text	Available to the public	Concealed 15+ years (despite existing)
Transitional provisions	Federation Continuity Act public	Unknown - not published
Legal analysis	Explanatory Memorandum public	Unknown - not published
Approach to scrutiny	Invites analysis	Avoids through concealment
Timing control	No control, maximum transparency	Controls revelation for strategic advantage
Respect for voters	"See exactly what you're approving"	"Trust us, we'll show you when ready"

This asymmetry is not accidental—it's strategic.

Section 128 and Informed Consent

Section 128 gives the people—not Parliament, not ARM, not consultants—final say on constitutional change.

But the people can only exercise this power meaningfully if they are INFORMED.

Being informed requires:

1. Access to complete constitutional text (not just concepts)
2. Sufficient time to understand it (not rushed decision)
3. Opportunity for critical analysis (expert scrutiny, public debate)
4. Access to alternative proposals (fair comparison)
5. Freedom from manipulation (neutral information, not controlled messaging)

If ARM deliberately conceals constitutional text until immediately before referendum:

- Voters don't have sufficient time for understanding
- Critical analysis is rushed or impossible
- Alternative proposals don't get fair comparison
- Information flow is controlled for strategic advantage

Request to Royal Commission

The Royal Commission is respectfully requested to:

1. **Require ARM to publish full constitutional text immediately**
    - If ARM has text prepared (as evidence suggests), it should be published NOW for public scrutiny
    - This is necessary for informed consent under Section 128
    - Concealment should not be permitted to continue
2. **Establish minimum disclosure period**
    - Recommend 12-month minimum between publication of constitutional text and referendum
    - Prevents last-minute reveals designed to minimise scrutiny
    - Ensures adequate time for expert analysis and public understanding
3. **Examine whether concealment violates Section 128**
    - If constitutional text exists but is strategically concealed until immediately before referendum
    - Does this deny voters constitutionally required access to complete information?
    - Could this invalidate referendum result if challenged?

The Democratic Standard

Australians deserve to see the exact constitutional text they would be approving—not concepts, not principles, but the actual words that would become the Constitution.

They deserve adequate time to understand it, analyse it, compare alternatives, and make informed choices.

Strategic concealment denies them this. It treats Section 128 processes as political tactics rather than exercises in democratic sovereignty.

The Naturalised Crown model demonstrates the transparent alternative: full text available, inviting scrutiny, hiding nothing, respecting voters' intelligence and right to informed choice.

That's the standard for constitutional democracy. That's what Section 128 requires.

Part 7: Geopolitical Risks—AUKUS and Constitutional Asymmetry

7.1 AUKUS and US Military Presence

The AUKUS security partnership (Australia, United Kingdom, United States) announced in September 2021 represents the most significant change in Australia's defense posture since World War II.

Key installations under construction/expansion:

- **HMAS Stirling (WA):** Submarine base expansion for US nuclear submarines
- **Tindal Airbase (NT):** Major expansion for US B-52 bombers and fighters
- **Naval facilities (SA):** Support infrastructure for AUKUS submarines
- **Multiple locations:** Communications, logistics, maintenance facilities

Scale of commitment:

- Multi-decade partnership (through 2050s)
- Hundreds of billions in investment
- Permanent US military presence
- Strategic importance to US Indo-Pacific strategy
- Critical infrastructure on Australian soil

Geographic concentration:

- Western Australia (submarine base)
- Northern Territory (airbase)
- South Australia (naval support)

Notably: All three States are NOT in the eastern seaboard population centers that would dominate a national popular vote for President.

7.2 Constitutional Asymmetry Under ARM Model

The ARM model creates potential for constitutional asymmetry: Commonwealth republic, States possibly remaining under Crown.

Why this matters with AUKUS:

If ARM referendum succeeds at federal level but:

- States aren't consulted
- State Governors' status unclear
- Western Australia resents eastern domination
- Constitutional crisis emerges

...then WA has constitutional justification for claiming separate status.

The argument WA could make:
"The Commonwealth changed its constitutional structure without addressing State Crowns. We remain under the Crown in right of Western Australia. We have our own Governor. The King is our head of state. We're constitutionally distinct from the Commonwealth. We have the right to determine our own future."

7.3 Western Australia Secession Risk

Historical precedent:

- 1933: WA referendum on secession passed 68% to 32%

- Only failed because UK Parliament wouldn't legislate it
- Grievances: Eastern states dominate, WA resources exploited, no respect for WA interests
- Sentiment never fully died

Current factors making secession thinkable:

Economic self-sufficiency:

- Mining wealth (iron ore, gold, lithium, rare earths)
- Could sustain independent economy
- Major trading relationship with China/Asia
- Resource revenues far exceed population share

Geographic isolation:

- 4,000km from Sydney
- Closer to Singapore than to Sydney
- Distinct regional identity
- Perth is its own world

Political culture:

- Different from eastern states
- Resents "Canberra" control
- Strong State identity
- History of separatist sentiment

Constitutional ambiguity:

- If Commonwealth becomes republic but States' status unclear
- WA could claim it remains under Crown
- Different constitutional structures = different polities
- Section 128 requires State majorities - WA voted No in 1999

7.4 The US Factor

Strategic interest in WA:

- HMAS Stirling critical to US submarine strategy
- Tindal Airbase critical to US air operations
- Cannot afford instability in WA
- Needs base access guaranteed

If WA claimed independence:

- US might support it (base access more important than Australian unity)
- Similar to how US supported Timor-Leste separation from Indonesia
- International recognition could follow
- WA as independent nation hosting US bases = secure for US interests

- US may even be tempted to encourage WA/SA/NT to secede from the Federation in return for military protection by the US. This would give the US nearly exclusive access to half a continent for mining, critical minerals, and a nuclear waste repository site.

This is not far-fetched:

- Scotland came close to independence (2014)
- Catalonia attempted it (2017)
- If constitutional structure unclear, secession movements gain legitimacy
- US strategic interests sometimes override diplomatic niceties

7.5 Why Federal Constitutional Unity Matters

Federal unity is not automatic—it requires:

- Constitutional coherence across jurisdictions
- Respect for State sovereignty
- Mechanisms for federal coordination
- Shared constitutional identity

ARM model threatens all of these:

- No coherence (Commonwealth changes, States ignored)
- No respect for States (unilateral Commonwealth action)
- No coordination mechanism (eliminates Crown as coordinator)
- No shared identity (different structures = different polities)

In peacetime, with no external pressures, this might just cause confusion.

But with AUKUS, with major US installations, with billions at stake, with States feeling ignored...

...constitutional ambiguity becomes constitutional crisis becomes potential secession. The United States would be only too happy to step in and prevent a civil war.

7.6 The Sovereignty Risk

Even if WA doesn't secede, constitutional asymmetry weakens Australian sovereignty:

- If States have different constitutional status than Commonwealth
- If federal coordination is unclear
- If external powers (US) have strategic interests in specific States
- Then those external powers can play States against Commonwealth

This is not paranoia—it's realpolitik.

The US prioritises base access and access to critical minerals (as with Greenland). If accessing bases means supporting WA autonomy, or dealing with WA separately, or recognising different constitutional arrangements, the US will do it.

A unified, coherent constitutional structure protects sovereignty.

A fragmented, ambiguous structure invites external interference.

7.7 The Federation Continuity Act: Recognizing the Crown of Australia

The **Federation Continuity Act** (see Appendix A) is a declaratory framework designed to foster understanding of how the Crown operates within Australia's federal system.

Understanding the Crown in the Federation

Australia's constitutional system operates through the Crown in right of the Commonwealth and the Crown in right of the States. While constitutional scholars debate whether this represents "one federal Crown" or "seven divisible Crowns," the practical reality is clear: **the office of Head of State has always been occupied by a single natural person across all jurisdictions.**

The Federation Continuity Act articulates this existing constitutional practice in neutral, descriptive terms. It does not amend the Constitution, does not prescribe any particular outcome, and does not take sides in theoretical debates about the Crown's nature. Instead, it recognises what actually exists.

The Federal Cooperative Pattern

The Act is designed to be enacted through **cooperative federalism** — the Commonwealth and all six States passing substantially similar legislation. This pattern reflects how federal coordination has historically worked in Australia: States and Commonwealth acting together on matters affecting the Federation as a whole.

By enacting the same declaratory framework, all seven jurisdictions would formally recognise:

- The Crown operates in relation to both Commonwealth and States
- The office of Head of State is currently occupied by one person across the Federation
- Changes affecting the Head of State have implications for Commonwealth and States together
- Continuity and coordination are important federal principles

The Key Principle: One Head of State for All

Section 5 of the Act articulates the critical principle:

> "Australia's constitutional arrangements have proceeded on the basis that the office of Head of State is occupied by a **single natural person** across the Federation."

Section 6(4) reinforces this:

> "In considering changes, regard should be had to the importance of maintaining a **coherent and broadly consistent form** for the office of Head of State across the Commonwealth and the States."

This principle prevents constitutional fragmentation. Whether Australia remains a monarchy or becomes a republic, whether the Head of State is hereditary or elected, the **same person should**

serve as Head of State for all Australian jurisdictions — not different arrangements for Commonwealth versus States.

What This Means for Reform Proposals

ARM Choice Model creates constitutional bifurcation:

- Commonwealth: Elected President (new office)
- Six States: King Charles III (existing office)
- **Result:** Two different heads of state for Australians = violation of federal coordination principle

Naturalised Crown maintains constitutional unity:

- Commonwealth: Elected Australian (democratised Crown)
- Six States: Same elected Australian through rotation
- **Result:** One head of state for all Australians = consistent with federal coordination principle

Status quo (current monarchy):

- Commonwealth: King Charles III
- Six States: King Charles III
- **Result:** One head of state = current constitutional practice the Act describes

The Educational Purpose

The Act is **not a legislative weapon** to block particular proposals. It is a **statement of understanding** about how Australia's federal constitutional system works.

Its value lies in:

1. **Clarifying existing practice:** Most Australians don't understand how the Crown operates federally
2. **Establishing common ground:** Provides neutral framework before heated referendum debates
3. **Highlighting federal implications:** Any change to Head of State affects all jurisdictions, not just Commonwealth
4. **Articulating continuity principle:** Changes should preserve federal unity, not fragment it

Timing and Process

The Act is intentionally framed for consideration **when no referendum is imminent.** Foundational questions about federal coordination are best examined calmly, not during referendum campaigns.

If the Commonwealth and States were to enact this framework **before** any republic referendum, it would:

- Create shared understanding of existing constitutional arrangements
- Establish that "one Head of State" is a federal principle worth preserving
- Provide benchmark against which reform proposals can be measured
- Encourage proposals that maintain federal unity rather than fragment it

What the Act Does NOT Do

The Act is declaratory, not prescriptive. It:

- **Does NOT** amend the Constitution
- **Does NOT** prescribe monarchy or republic
- **Does NOT** require any particular outcome
- **Does NOT** give rise to legal rights or obligations
- **Does NOT** limit Commonwealth or State legislative power
- **Does NOT** block reform proposals

It simply articulates **what exists now** and suggests that **federal coordination** and **one Head of State** are principles worth maintaining in any future arrangement.

Why This Matters for AUKUS Context

The earlier discussion of WA secession risk and constitutional asymmetry shows why federal unity matters. The Federation Continuity Act addresses this by **naming the principle** that should guide reform: maintain one Head of State across the Federation.

If ARM's model were adopted, creating a Commonwealth President while States retained the King, it would establish **structural constitutional asymmetry** for the first time in Federation history. Western Australians would have:

- Federal President (Commonwealth tier)
- King Charles (State tier)
- Different constitutional arrangements from Commonwealth

This bifurcation could serve as constitutional justification for claims that WA is already operating under different constitutional structures — making secession arguments easier to advance.

The Federation Continuity Act doesn't prevent this through legal prohibition. It prevents it by **establishing clear understanding** that federal unity — one Head of State — is a foundational principle of Australia's constitutional system that should be preserved regardless of what form that office takes.

Part 8: The Naturalised Crown—Completing the Evolution

8.1 Natural Progression of Constitutional Development

The Naturalised Crown represents the completion of a journey Australia began in 1939:

1931: Isaacs appointed GG on merit over King's objections (assertion of Australian choice)
1939-1942: Commonwealth Crown becomes Australian (independence through action and law)
1986: State Crowns become Australian (completing federal independence)

2032: Possibly the person representing those Crowns becomes an Australian and is elected into office (democratising the final element)

This is constitutional evolution, not revolution. Each step builds on the last. Each change adapts the Crown to Australian values while preserving its constitutional function.

8.1A Evolution Keeps What Works

Evolution works by keeping what functions well and replacing defective or suboptimal parts with improvements. Beneficial adaptations persist. Harmful features are selected against. The organism continues, adapted to new conditions.

The Naturalised Crown follows this evolutionary principle precisely.

What works stays:

- The one-to-many federal structure
- Seven vice-regal representatives (GG + 6 Governors)
- All constitutional conventions about reserve powers
- The Crown as body politic (Commonwealth and States as entities)
- The Crown as international personality (Australia's sovereignty)
- The executive government (administration of laws)
- 120+ years of accumulated constitutional practice

What doesn't work is replaced:

- Hereditary succession (no quality control) → Democratic election (merit-based)
- British person (external, disconnected) → Australian (internal, connected)
- Royal regalia (British symbols) → Australian symbols
- Monarchical office (birth determines role) → Democratic office (election determines role)

This is not destruction—it's adaptation. The Crown continues. The structure persists. The functions remain unchanged. Only the hereditary and British elements—the parts that no longer serve Australia's needs—are replaced with democratic Australian equivalents.

In biological evolution, this would be called "conservative innovation"—preserving the core structure while adapting surface features to new environmental conditions. The skeleton remains; the skin changes to suit the climate.

In constitutional evolution, we call it "continuity through reform"—maintaining institutional stability while democratising the non-functional elements.

This contrasts sharply with the ARM Choice Model, which proposes revolutionary change: eliminating the Crown entirely, creating a presidency with different structure, breaking 120 years of constitutional practice, and leaving federal relationships undefined.

Evolution has served the Australian Crown well—from British Imperial Crown (1901) to bifurcated Crown (1942) to divisible Australian Crown (1986). Each change preserved what worked while adapting what didn't.

The Naturalised Crown continues that evolutionary path. It's the next logical step in a journey that began in 1939, not a radical break from it.

The bedrock has moved before. It can move again—gradually, purposefully, preserving what functions while improving what doesn't.

This is how institutions endure: by evolving, not by refusing to change.

8.2 Replacing Only the Two Monarchical Aspects

Of the five aspects of the Crown identified in *Sue v Hill*:

REPLACE:

1. The Sovereign's regalia (British symbols → Australian symbols)
2. The office of the Sovereign (Hereditary British person → Elected Australian)

PRESERVE:
2. The body politic (Commonwealth and States as entities)
3. The international personality (Australia as sovereign nation)
4. The executive government (administration of laws)

This surgical precision—changing only what must change—is the model's core strength. We preserve the constitutional architecture while democratizing the symbolic apex.

8.3 The Democratic Crown—How It Works

8.3.1 Federal Rotation

Seven-year cycle:

- Year 1: the Territories acting collectively for the Commonwealth
- Year 2: New South Wales
- Year 3: Tasmania
- Year 4: Victoria
- Year 5: South Australia
- Year 6: Queensland
- Year 7: Western Australia.
- Repeat

A suggested organising principle is to alternative states with larger and smaller populations.

Each State runs its own election according to State-determined process (within constitutional minimums):

- NSW might have gala fundraisers and high-profile campaigns
- Tasmania might have community forums and grassroots selection
- WA might emphasise regional/remote representation
- Each State's culture reflected in their selection

This diversity IS federalism:

- States do things their way
- Federal respect for State sovereignty
- Rotating perspectives (different State values showcased each year)

8.3.2 Gender Alternation

Male-Female pattern:

- Year 1 (Territories): Female
- Year 2 (NSW): Male
- Year 3 (Tasmania): Female
- And so on...

Not a quota—a structural pairing:

- Always have male AND female in public view
- Current Head of State + apprentice OR mentor
- Models equity at highest level
- Creates natural balance

8.3.3 One-Year Non-Renewable Term

Why one year:

- Prevents power accumulation
- No time to build political base
- No re-election pressure (complete independence)
- Service orientation over career advancement
- Regular rotation shows many Australians, not one dominant figure

Why non-renewable:

- Serves once in lifetime, that's it
- Can never run again (even in different State)
- This locks out power-seekers
- Ensures fresh faces continuously

8.3.4 "Campaign in Your Own Voice"

What this means:

- Personal storytelling, not policy platforms
- "Who you are" not "what you'll do" (because you'll do nothing—no powers)
- Champion causes (Holocaust education, veterans' support, mental health, environment)
- Share values and life experience
- Connect with diverse communities

Why this builds social cohesion:

- Jewish Australian campaigns: shares Jewish experience, Holocaust history, values
- Muslim Australian campaigns: shares integration story, challenges faced, contributions

- Indigenous Australian campaigns: speaks about Country, reconciliation, cultural continuity
- Immigrant Australian campaigns: demonstrates Australian dream, integration success
- Veterans, teachers, nurses, farmers: all tell their stories

The public learns:

- Who their fellow Australians are
- What challenges different communities face
- What values different people hold dear
- Why diversity strengthens rather than threatens

This is civic education through personal narrative—the most powerful form.

8.3.5 Campaign Funding and Support

A practical question arises: Who pays for these campaigns?

The answer requires balancing several principles:

- Keep campaigns accessible (not just for the wealthy)
- Prevent corruption or undue influence
- Allow community support (grassroots fundraising)
- Enable tasteful sponsorship where appropriate
- Maintain transparency and accountability

Government Support (Basic Infrastructure):

Electoral commissions (Commonwealth and State) provide the core infrastructure:

- Electoral roll maintenance and voting facilities
- Publication of candidate information
- Oversight and transparency reporting
- Access to public venues like community halls

This ensures anyone can run, regardless of personal wealth.

Individual and Community Fundraising (Controlled and Monitored):

Candidates can raise funds for their causes, but this needs to be carefully controlled and monitored to:

- Prevent wealthy candidates from dominating through sheer spending power
- Ensure transparency (public disclosure of funding sources)
- Prevent corruption or undue influence
- Keep campaigns grassroots and community-connected

Community fundraising methods might include:

- Community dinners and local fundraising events
- Small individual donations from supporters
- Volunteer time and community support
- Sausage sizzles at polling places (a very Australian tradition)

Sponsorship (Tasteful and Transparent):

Community organisations could sponsor specific events (debates, forums, meet and greet) where:

- Sponsors are acknowledged but don't dominate messaging
- Full transparency is required
- No conflicts of interest permitted
- The focus remains on candidates and community, not corporate brands

Example: A local business association sponsors a candidates' forum, gets acknowledged in the program, but has no role in format or content.

The Philosophy:

These campaigns should be:

- **Accessible:** Anyone can run without being wealthy
- **Community-funded:** Supported by ordinary Australians, not corporations
- **Transparent:** All funding sources publicly known
- **Corruption-resistant:** Proper controls and monitoring prevent buying influence
- **Tasteful:** Sponsorship acknowledged appropriately, not dominating

The goal: Ensure that warmth, authenticity, and ability to connect—not wealth or corporate backing—determine success. This keeps the democratic character of the institution pure while enabling practical campaign operations.

The specific rules, spending limits, and enforcement mechanisms would need to be developed through proper legislative processes, but the principles are clear: democratic access, transparency, and protection against corruption.

The prize of winning the right to serve one term in office is highly desirable, and worth the effort to play by the rules. They can be the face of Australia for a year.

Campaign Style: Breaking Atomisation Through Human Contact

The fundamental difference is not scale, but quality of human interaction.

Totalitarianism scholar Hannah Arendt identified atomisation—the isolation and loneliness of people unable to trust or genuinely connect with each other—as a precondition for totalitarian movements. When people are alone, vulnerable, disconnected from their fellow citizens, they become susceptible to extremist narratives that promise belonging through scapegoating "the other."

The Naturalised Crown campaigns are designed as an antidote to atomisation.

Sharing Food and Drink Together

The mode of interaction is deliberately informal and human:

Not rallies or speeches, but conversations over whatever people are comfortable sharing—coffee, beer, soft drinks, tea, juice, water. Candidates aren't performing - they're present, available, chatting.

- Community hall events: Bring a plate, have a drink, meet the candidates
- Candidates at local cafes: Drop by, have a coffee, ask questions

- Pub gatherings: Beer, wine, soft drinks—whatever suits
- BBQs and picnics: Snags, salads, drinks—informal gatherings where candidates mingle
- Home gatherings: Small groups, someone's living room, whatever the host offers
- Cultural community events: Share food and drink appropriate to that community

The food and drink matter—but it's the ritual, not the specifics. Sharing a meal or drink together, whether coffee at a cafe, beer at a pub, soft drink at a community centre, or tea at a hall, is an ancient human bonding ritual that transcends cultures. It signals: "We are safe together. We trust each other enough to eat and drink together. We are not enemies."

Being There to Talk With, Not To

The emphasis is on presence and availability:

Candidates aren't making stump speeches. They're there to listen, to answer questions, to share their story when asked, to be a real person you can chat with.

"What made you want to do this?"
"Tell me about your family."
"What worries you most about Australia's future?"
"What gives you hope?"

These are the conversations that happen in small groups, over shared drinks or food, when there's no performance pressure and no media filtering.

Building Trust Through Repeated Contact

In communities where candidates return multiple times - to different venues, different groups, different contexts - people start to see them as real:

"She came to three different events. Each time, same warmth, same authenticity."
"He remembered my name from the first event to the second."
"She spent twenty minutes talking with my elderly mother about her experiences during the war."

This repeated, genuine contact builds trust. Not trust in what candidates promise (they can't promise anything - no powers), but trust in their humanity, their character, their ability to connect across difference.

Why This Breaks Down Prejudice

When you share a drink and conversation with someone, hear their story, laugh at their jokes, commiserate about shared frustrations - it becomes very hard to maintain that they're "the other" or a threat.

When the Jewish candidate talks about her grandparents' Holocaust survival over coffee in a community hall, and then asks about your own family's story, you're not dealing with "Jews" as abstract category - you're dealing with Sarah, who makes good jokes and cares about education and whose grandfather's trauma still echoes through the family.

When the Muslim candidate shares a soft drink at the community center and talks about balancing faith with modern Australian life, and listens to your own struggles with maintaining values in a changing world, you're not dealing with "Muslims" as foreign threat - you're dealing with Ahmed, who shares your concerns and your hopes.

This is how atomisation breaks. This is how trust rebuilds. This is how prejudice crumbles.

Not through grand speeches or media campaigns, but through the simple human act of sitting together, sharing food and drink, talking honestly, recognising each other's humanity.

Creating Spaces of Trust

The campaigns create temporary spaces where Australians can trust each other again:

- No partisan warfare (it's not about policy)
- No scapegoating (candidates share their own vulnerabilities)
- No performance (just people being themselves)
- Protected by Crown conventions (must treat with respect)
- Built around food and conversation (oldest human bonding rituals)

In an age of social media toxicity, partisan division, and increasing isolation, these become rare spaces where Australians can simply be fellow citizens together.

For the Royal Commission on Antisemitism

This matters profoundly for your mandate. Antisemitism (like all forms of hate) thrives in conditions of atomisation. When people are isolated, lonely, unable to trust their neighbours, they become vulnerable to conspiracy theories that blame "the Jews" or "the Muslims" or "the immigrants" for their pain.

The antidote isn't just laws against hate speech. It's creating regular opportunities for Australians to share food and drink together, share stories, build trust across difference.

The Naturalised Crown campaigns do this structurally, repeatedly, across the entire nation, every year. Over generations, this creates a culture of connection rather than isolation - exactly the cultural immune system that protects against hate.

8.3.5 The Two-Round Election

Round 1 (Open):

- Anyone meeting basic requirements can enter
- State-organised publicity events
- Diverse candidates emerge
- Public engagement broad
- Top 3-7 advance to Round 2

Round 2 (Selection):

- Refined field of candidates
- More intensive campaigning

- Focus on candidates with demonstrated ability to connect
- Winner is person who best resonated across State

Why two rounds:

- Round 1: Invitation to diverse participation
- Round 2: Selection for genuine connecting ability
- Prevents early frontrunner domination
- Allows dark horses to emerge

Voting method:

- First-past-the-post (NOT preferential)
- No party preference deals possible
- Vote for the person, full stop
- Simplicity reduces political gaming

8.3.6 The 24-Month Public Service Journey

Each person serves exactly 24 months:

6 months as Apprentice (e.g., 3 March 2038 - 3 September 2038)

- Works alongside current Head of State
- Learns protocols, ceremonial duties, conventions
- Represents Australia in apprentice capacity
- Builds relationship with acting head of state

12 months as Head of State (3 September 2038 - 3 September 2039)

- Represents Crown for all seven jurisdictions
- Purely ceremonial: opens buildings, awards medals, hosts events
- Zero constitutional powers
- First 6 months: supported by outgoing mentor
- Second 6 months: supports incoming apprentice

6 months as Mentor (3 September 2039 - 3 March 2040)

- Guides new Head of State
- Passes on institutional knowledge
- Supports smooth transition
- Completes service

At any time: exactly two people in public service

- One Head of State (constitutional role)
- One Apprentice OR Mentor (supporting role)
- Usually one male and one female
- From different States or Territories
- The time in office is extremely short, and most people will experience their time serving in office as a whirlwind. This is a structural advantage.

Key dates:

- **3 March:** Entering/leaving public service (Australia Acts anniversary)
- **3 September:** Assuming/leaving Head of State office (Statute of Westminster Adoption Act anniversary)

8.3.7 Constitutional Conventions Preserved

Critical point: Head of State has NO POWERS.

All constitutional work continues with GG and Governors:

- Governor-General exercises Commonwealth Crown powers
- State Governors exercise State Crown powers
- Reserve powers stay with vice-regals
- Government formation, advice, assent—all unchanged
- PM advises GG (not Head of State)
- Premiers advise Governors (not Head of State)

The Head of State is purely ceremonial:

- Like the King currently
- Ribbon-cutting, medal-giving, event-opening
- National representation, symbolic unity
- Inspiration and celebration of Australian values

Constitutional conventions transfer seamlessly:

- All conventions about vice-regal behavior continue
- GG/Governors remain non-political
- Reserve powers exercised same way
- Nothing changes except the person the vice-regals represent

This is why it's a least-change option.

8.4 Safeguards and Risk Mitigation

Any institutional design must anticipate what could go wrong. The Naturalised Crown includes multiple layers of protection against potential failures.

8.4.1 If Someone Unsuitable Is Elected

The one-year term is the primary safeguard. Even a poor choice serves briefly. But if truly problematic behavior emerges:

Parliamentary removal mechanism with low threshold:

- Either House of Parliament can pass a resolution of no confidence
- Simple majority sufficient (not the supermajority typically required for constitutional officers)
- State Governor or GG immediately assumes duties until next scheduled election

- Federal structure provides continuity—State Governor or GG is always available as backup

This is more responsive than monarchical succession (where we're stuck with whoever inherits) and more accountable than fixed-term presidencies (where removal requires high bars like impeachment).

Example scenario: Head of State engages in scandal six months into term. Parliament passes resolution. State Governor steps in. Electoral cycle continues as planned for next State's turn. Crisis contained, continuity maintained, democratic accountability demonstrated.

8.4.2 Constitutional Entrenchment of Key Features

Critical safeguards written into Constitution (requiring referendum to change):

- **One-year term, non-renewable:** Prevents power accumulation even by popular leaders
- **Federal rotation cycle:** No single State can dominate
- **Gender alternation:** Ensures structural diversity
- **Zero constitutional powers:** Head of State remains ceremonial
- **Electoral eligibility criteria:** Citizenship, age, residency requirements

These cannot be altered by legislation or convention. Even if a charismatic Head of State wants to extend their term or accumulate power, **they would need to win a referendum**—extremely difficult under Australia's double majority requirement.

This protects against the slow erosion of safeguards that has undermined many democracies. The rules are locked in constitutionally.

8.4.3 If Campaigns Become Toxic or Divisive

The Crown's conventions and norms provide powerful constraints. For 120+ years, Australians have understood that the Crown stands above politics. This expectation doesn't disappear with democratisation—it shapes how campaigns are conducted.

Candidates who engage in partisan attacks, divisive rhetoric, or toxic behaviour violate deeply-held expectations about what the Crown represents. **Voters will punish this.** The election naturally selects for candidates who embody the Crown's traditional non-partisan, unifying character.

Moreover, the campaign structure itself resists toxicity:

- Small interpersonal gatherings (not mass rallies)
- Personal storytelling (not policy platforms)
- Community-based (not media-driven)
- Short campaign period (3-4 months)
- Limited to single State (not national shouting match)

Toxic behaviour is easier to sustain through media and mass events than in face-to-face conversations over coffee. When candidates must look voters in the eye across a table, civility tends to prevail.

8.4.4 Learning from Monarchy's Dark History

Democratising the Crown includes the monarchs in Australian constitutional history. This becomes educational advantage, not embarrassment.

When Australians learn about their Crown's evolution, they learn about:

- **Henry VIII:** Absolute power, tyranny, despotism—and why we moved away from that
- **Charles I:** Beheaded for claiming divine right—teaching about limits on power
- **The Glorious Revolution:** How Britain transitioned from absolute to constitutional monarchy
- **George III:** Lost America through obstinacy—teaching about colonial overreach
- **Edward VIII:** Abdicated rather than give up marriage—showing even kings constrained by duty

This history isn't discarded—it's **recontextualised as lessons in why democratic safeguards matter.** Australian schoolchildren study these monarchs not as "our rulers" but as examples of why we built constitutional protections and why we eventually democratised the Crown.

The narrative becomes: "We learned from centuries of monarchical abuse that power needs constraints. We developed constitutional monarchy to limit power. Now we complete that journey by democratising the Crown entirely while keeping all the protections we built."

This is more sophisticated than ARM's approach of simply rejecting all monarchy as irrelevant. **The history teaches us why our safeguards are necessary.**

8.4.5 Media Manipulation and Digital Age Challenges

Concern: In era of social media, disinformation, and 24/7 news cycles, can campaigns really remain interpersonal and grounded?

Three factors resist media manipulation:

1. **State-based campaigns, not national:** Harder to run national media campaign when you're only competing within one State. Local newspapers and community networks matter more than Sky News.
2. **Crown's special status:** Media knows public expects respectful treatment of Crown-related matters. Tabloid coverage that works for politicians doesn't work when subject is "next Head of State"—public backlash would be severe.
3. **Electoral commission controls:** Official information pamphlets, debate formats, and campaign period all managed by independent electoral commission. Not a free-for-all.

But yes, this is a genuine challenge. Media will cover campaigns. Social media will have opinions. Disinformation is possible.

The counter is cultural: Strong public education about Crown conventions and expectations. Clear messaging from electoral commission. And ultimately, faith that Australians can distinguish between substantive storytelling and media circus—the same faith we have in all democratic processes.

If we don't trust Australians to make this choice wisely despite media noise, we shouldn't trust them with any democratic choices. This is no more vulnerable to manipulation than Senate elections, which also require voters to assess character and values.

8.4.6 What If Federal-State Coordination Breaks Down?

Concern: What if a State refuses to participate? What if State and Commonwealth disagree on candidate suitability?

Constitutional framework prevents this:

Federation Continuity Act (Appendix A) establishes:

- Mandatory participation by all jurisdictions
- Dispute resolution mechanisms
- Commonwealth-State consultative committee
- Process for addressing disagreements

But ultimately: Each State controls its own election. Commonwealth cannot force particular outcomes. Federal structure is preserved. If an election in a state or the territories is constitutionally deemed to be invalid, the state's Governor or the GG for the territories automatically assumes the role of head of state for that round.

If State truly refused to participate: Constitutional crisis, yes—but no different from State refusing to recognise Governor-General's authority now, or refusing to comply with federal laws. Federal structure assumes good faith participation. That assumption continues.

If disagreement on candidate suitability:

- State elects candidate according to its laws
- Commonwealth cannot veto (preserves State sovereignty)
- But Commonwealth Parliament can remove through no-confidence vote if truly problematic
- Safeguards operate after election, not before

This respects federalism while maintaining accountability.

8.4.7 Summary: Defense in Depth

The Naturalised Crown uses **defense in depth**—multiple overlapping safeguards:

1. **One-year term:** Primary protection against prolonged poor leadership
2. **Parliamentary removal:** Democratic accountability mechanism
3. **State Governor backup:** Continuity guaranteed
4. **Constitutional entrenchment:** Key features cannot be easily changed
5. **Crown conventions:** Cultural expectations constrain behaviour
6. **Campaign structure:** Interpersonal format resists toxicity
7. **Federal rotation:** No single State or region dominates
8. **Electoral commission oversight:** Professional, independent management

No single safeguard is perfect. But multiple safeguards working together create robust protection.

Compare to current system: Monarchy has zero accountability mechanism. We simply hope each hereditary successor is suitable. History shows this often fails (Edward VIII, George IV's scandals, current controversies).

Compare to ARM model: 5-10 year terms accumulate power. Removal mechanisms unclear. Politician nominees may lack democratic legitimacy.

The Naturalised Crown is actually more conservative (in safety sense) than either alternative. Short terms, multiple safeguards, constitutional protections, federal backstops—this is careful institutional design, not reckless optimism.

8.5 Maintaining the One-to-Many Structure

Before:
Hereditary British person (1) → GG + 6 Governors (7)

After:
Elected Australian (1) → GG + 6 Governors (7)

The structure is identical. The relationships unchanged. Only the person at the apex is democratised.

This solves the federal coordination problem ARM cannot solve.

All seven jurisdictions continue under the same constitutional structure. No asymmetry. No subordination. No fracture. Perfect continuity.

8.6 The Templates—Imperfect People, Dignified Service

One concern about democratising the Crown is: "What if we elect someone who isn't eloquent, or charismatic, or polished enough?"

The first three monarchs who have represented the Crown in right of the Commonwealth provide useful templates—and reassurance—about what we seek in an elected Head of State.

George VI (1936-1952) — "The Reluctant King"

Who he was:

- Never expected to be King (became King only because his brother Edward VIII abdicated)
- Had a severe stutter (famously depicted in the film "The King's Speech")
- Not naturally charismatic or eloquent
- Lacked confidence in public speaking
- Thrust into role during national crisis (WWII looming)

Yet:

- Served with dignity through World War II
- Held Britain together during the Blitz
- Became respected for his dedication and character
- His very struggle with the stutter made him relatable and human

Template: You don't need to be perfect or eloquent. Character and commitment matter more than polish. A Head of State who struggles but perseveres, who is genuine rather than slick, can inspire precisely because of their humanity.

Elizabeth II (1952-2022) — "The Dutiful Servant"

Who she was:

- Became Queen unexpectedly young (age 25, when father died suddenly)
- No formal training for the role
- Served 70 years—longest reign in British history
- Evolved with times while maintaining dignity
- Made mistakes (Diana's death response) but learned from them

Yet:

- Became beloved through consistency and dedication
- "Duty" was her watchword
- Adapted monarchy to changing society
- Earned respect through seven decades of service

Template: Dedication to service, respect for conventions, and adaptability create respect over time. You earn the role through how you serve it, not through who you were before. A 25-year-old can grow into it. A 70-year-old can still serve it. Age doesn't matter—commitment does.

Charles III (2022-present) — "The Imperfect Heir"

Who he is:

- Controversial past (Diana scandal, affair with Camilla)
- Waited 73 years to become King (oldest heir in British history)
- Less popular than his mother
- Known for interfering in politics as Prince
- Carries baggage from previous scandals

Yet:

- Still serves the constitutional role adequately
- Has toned down political activism as King
- Performs ceremonial duties competently
- The institution functions despite his imperfections

Template: Even imperfect people with controversial pasts can fulfill ceremonial duties. The role doesn't require sainthood. It requires showing up, being dignified, and respecting the conventions. If Charles can do it despite his baggage, elected Australians certainly can.

What These Three Teach Us

If these three people—with their various imperfections, struggles, and controversies—could serve as Head of State, then elected Australians chosen for their ability to connect with people can certainly do it.

We're not looking for perfection. We're looking for humanity, empathy, and the ability to relate across difference.

- George VI's stutter didn't disqualify him—his character made up for it
- Elizabeth's youth and inexperience didn't disqualify her—she grew into it
- Charles' controversies haven't disqualified him—he performs the duties

The "Campaign in Your Own Voice" election process will select for emotional intelligence and bridge-building ability. Those who win will have demonstrated capacity to connect with diverse communities. They won't be perfect—but they don't need to be.

They need to be genuine, empathetic, and committed to service. That's what the process selects for. That's what the role requires.

And here's the crucial difference: If an elected Head of State truly fails at the role, they serve only one year. If they're unsuitable, the damage is limited. If they're brilliant, they inspire for that year and then make way for the next Australian to serve.

With hereditary monarchy, you're stuck with whoever you get for however long they live. With democratic election, you get fresh chances every year to select someone who embodies the best of Australian values at that moment.

8.7 Institutional Longevity—Outlasting Monarchy

The Monarchy's Twilight

The British monarchy, despite nearly 1000 years of history, may be in its final generations. Public support is declining, particularly among younger people. Scandals (Prince Andrew), controversies (Harry and Meghan), and the fundamental incompatibility of hereditary privilege with democratic values all suggest the institution's days are numbered.

Perhaps it has decades left. Perhaps one or two generations. But not centuries.

When Queen Elizabeth II died after 70 years of service, much of the monarchy's remaining legitimacy died with her. She had *earned* respect through dedicated service. Charles, however adequate as King, lacks that earned authority. He inherited the role, as William will inherit it from him—and with each generation, the question "why should we accept hereditary privilege?" becomes harder to answer.

The trajectory is clear: hereditary monarchy is an anachronism in modern democracy. It survives on nostalgia and inertia, not on any defensible democratic principle.

The Democratic Crown's Dawn

In contrast, a democratic Crown—born from Australian values, shaped by Australian participation, serving Australian needs—could persist for centuries.

Why?

Because participation creates ownership.

When institutions belong to "them" (a royal family in another country), they can die with them. When institutions belong to "us" (the people who participate in them), they become part of our identity and we defend them.

Historical precedent supports this:

- **The US presidency:** 235 years and counting, despite its flaws
- **The Swiss rotating presidency:** 175 years of seven-member Federal Council with annual rotating president
- **The Irish presidency:** Largely ceremonial, directly elected, thriving since 1938
- **Republican governments generally:** Outlast monarchies when well-designed

Democratic institutions, when well-designed, can outlast monarchies precisely because they:

- Adapt to changing values (elected representatives reflect current society)
- Include rather than exclude (anyone can aspire to serve)
- Create ownership (participation generates loyalty)
- Earn legitimacy continuously (each election renews democratic consent)

Why the Australian Democratic Crown Could Last Centuries

The Naturalised Crown has features that promote institutional longevity:

Regular renewal through rotation:

- Every year, fresh face representing the nation
- No time for institution to become stale or associated with one person's failings
- Continuous regeneration

Built-in diversity:

- Gender alternation ensures balanced representation
- State rotation prevents regional domination
- "Campaign in own voice" welcomes all backgrounds
- Every Australian can see themselves potentially serving

Widespread participation:

- Over 70 years, perhaps 1,400-3,500 or more Australians will campaign
- Plus families, friends, supporters, community members
- Almost everyone will have personal connection
- Ownership spreads across entire population

Constitutional stability:

- Zero powers = zero risk of institutional creep
- Conventions preserved = proven practices continue
- Federal structure maintained = respects Australian political culture
- Evolutionary not revolutionary = builds on what works

The Australian democratic Crown could be the institution our great-great-grandchildren inherit—not despite being democratic, but *because* it is democratic.

It will evolve as Australia evolves. It will include as Australia becomes more diverse. It will belong to Australians in a way the British monarchy never could.

And that's how you build an institution that lasts centuries.

The monarchy may not survive another generation.

The democratic Crown, once established, could thrive for as long as Australia itself exists.

That's not just constitutional reform—it's constitutional wisdom. Building for centuries, not decades.

Part 9: Social Cohesion Benefits—Why This Matters for Antisemitism

9.1 Regular Democratic Participation

Every 7 years, each State engages:

- Not one-off event
- Regular civic ritual
- Continuous over generations
- Builds expectation of participation

Benefits:

- Democratic muscles exercised regularly
- Civic engagement becomes normal
- Young Australians grow up expecting to participate
- Creates habit of democratic expression

For minorities:

- Regular opportunity to be visible
- Regular platform for diverse voices
- Regular reminder that "all Australians" includes them
- Regular breaking down of stereotypes

9.2 Personal Storytelling and Humanisation

The power of narrative:

- When Jewish Australian campaigns, sharing family Holocaust history
- When Muslim Australian campaigns, sharing integration challenges
- When Indigenous Australian campaigns, sharing cultural continuity
- Public listens (these are candidates for Head of State)

This humanises "the other":

- Stereotypes break down when you hear personal stories
- "Jews" becomes "Rachel, whose grandparents fled Nazis"
- "Muslims" becomes "Ahmed, who started successful business while maintaining faith"
- "Indigenous Australians" becomes "Sarah, who bridges ancient culture and modern Australia"

You can't hate people whose stories you've heard and can relate to.

Research in social psychology consistently demonstrates that personal narratives are the most effective tool for reducing prejudice. When we hear someone's story—their struggles, their hopes, their humanity—empathy increases and stereotyping decreases.

The "Campaign in Your Own Voice" process creates exactly this kind of exposure, at scale, regularly, across the entire nation.

9.3 Protected Civic Space

The Crown's special status creates protected environment:

- Centuries of convention: treat Crown with respect
- Cannot attack Head of State or candidates personally
- Must engage with dignity
- Benefit of doubt extended to participants
- People see candidates serving and supporting the community and the causes they sponsor, and most people will respect that.

This protection extends to candidates:

- When someone campaigns for Head of State, they're in protected space
- Society agrees to listen respectfully
- Even if inexperienced or imperfect, treated with dignity
- Creates safe space for vulnerable voices
- This is a natural extension of the conventions around the Crown

Particularly important for minorities:

- Jewish Australians can speak about antisemitism in protected space
- Muslim Australians can address Islamophobia in protected space
- Indigenous Australians can discuss dispossession in protected space
- Society's commitment to respect the process = commitment to respect these voices

This is the opposite of the toxic environment of social media or polarised political debate. The Crown's protected status creates an expectation of civility and respect that society largely upholds.

When a Jewish Australian campaigns for Head of State, they're not just another voice shouting into the void—they're participating in one of the nation's most respected civic processes, and that participation confers protection and demands respect.

9.4 Federal Equity Built In

Every State gets their turn:

- Cannot skip States
- Cannot favor populous regions
- Structural guarantee of equity
- Also makes it easier for a double majority to win a referendum

Benefits:

- Regional Australia sees themselves represented
- No permanent domination by Sydney/Melbourne
- State diversity showcased
- Federal respect modelled
- Also simultaneously downplays the gravity of the head of state role and makes the people more approachable
- The Prime Minister remains the undisputed head of government

For social cohesion:

- When all States participate equally, all Australians feel ownership
- Federal equity = national unity
- Unity protects minorities everywhere

This is particularly important in Australia's federal context. When NSW or Victoria dominates (as they do in population-based elections), resentment can build in other States. That resentment can fracture national unity, and fractured nations are less able to protect minorities.

The rotation ensures that every Australian, regardless of where they live, knows their State will have its turn. A Tasmanian can be Head of State. A South Australian can be Head of State. A Western Australian can be Head of State. This federal equity creates national cohesion that protects everyone.

9.5 Selection for Bridge-Builders

The process naturally favours people who can connect across difference:

- No policy platforms to hide behind
- No party machinery
- Pure personality and values
- Must appeal to diverse State population

Winners will be those who:

- Show high emotional intelligence
- Demonstrate empathy and warmth
- Bridge different communities
- Make people feel valued

This creates Head of State who:

- Can genuinely represent all Australians
- Has demonstrated ability to connect with diverse people
- Embodies inclusive values
- Models the social cohesion we seek

Even if a wealthy person wins, they will have won because they successfully connected with ordinary people across their State. The process forces everyone—regardless of wealth, education, or status—to demonstrate the same core ability: making diverse people feel seen and valued.

This is exactly the trait we want in a Head of State whose role is to unify the nation symbolically. The election process is a 6-12 month audition for that unifying role, and only those who pass the audition win.

9.6 Modelling Inclusive Democratic Values

Every year, Australia sees:

- Different Australian as Head of State
- Different background, ethnicity, religion
- Different region, State, community
- Different story, values, cause

This teaches:

- Australian identity is open to all
- Leadership is not reserved for any particular group
- Anyone can represent the nation
- Diversity is strength, not threat

For children:

- Jewish child sees Jewish Head of State: "I could do that"
- Muslim child sees Muslim Head of State: "People like me belong"
- Indigenous child sees Indigenous Head of State: "My culture is valued"
- Immigrant child sees immigrant Head of State: "This country is mine too"

This is powerful modeling that counteracts extremist narratives. When hate groups say "you don't belong," the child can point to the Head of State and say "someone like me represents all of Australia. I do belong."

This isn't abstract—it's visible, tangible proof of inclusion at the highest symbolic level.

9.7 The 3 September Ritual

Holding inauguration on 3 September:

- Anniversary of stand against Nazi fascism
- National Flag Day (already official)
- Early September cluster (wattle, Father's Day, flag)
- Forward-looking national day

Creates annual civic ritual:

- Not just election year
- Every 3 September: new Head of State sworn in
- Nation watches transition
- Celebrates democratic values
- Remembers what Crown stands for (human rights, rule of law)

Particularly meaningful for Jewish community:

- Crown born fighting Nazis
- Annual reminder of that stand
- Democratic Crown = continued commitment to human dignity
- Jewish Australians part of institution born opposing antisemitism

Every year on 3 September, when the new Head of State is inaugurated, Australia renews its commitment to the values the Crown was born defending: standing against fascism, protecting human rights, upholding rule of law.

For Holocaust survivors and their descendants, this annual ritual connects the fight against antisemitism to Australia's constitutional identity in the most direct way possible.

9.8 Contrast With ARM Model

ARM model's social cohesion is incidental. Naturalised Crown's is engineered:

Aspect	ARM Choice	Naturalised Crown
Frequency	Every 5-10 years	Every 7 years per State (more regular participation)
Access	Politicians nominate	Anyone can run
Campaign	Policy/politics likely	Personal storytelling required
Selection	National popular vote (eastern states dominate)	State rotation (federal equity guaranteed)
Duration	5 years renewable	1 year non-renewable
Diversity	Incidental	Structural (gender alternation, State rotation)
Protected space	None	Crown conventions create it
Building bridges	Not emphasized	Central to process
Personal connection	Distant (11 candidates)	Close (everyone knows someone who participated)

9.9 Personal Connection—Everyone's Institution

This is perhaps the most powerful social cohesion benefit, and the one that distinguishes the Naturalised Crown most dramatically from both monarchy and the ARM model.

The Mathematics of Participation (Secondary to Quality)

The numbers matter less than the quality of interaction, but for completeness:

Over a 70-year period (one human lifetime):

- 10 complete seven-year cycles
- Each State holds 10 elections
- Assume roughly 20-50 candidates in first round per State, 3-7 in second round
- There may be many more people taking part. Its difficult to predict actual numbers.
- Over 70 years: Each State sees 200-500 people campaign
- Across all seven jurisdictions: 1,400-3,500 Australians campaign over a lifetime
- Plus their families, friends, campaign supporters, community members involved

In a nation of 26 million, with 1,400-3,500 direct participants plus their networks of hundreds or thousands each...

...almost everyone will know someone who participated.

But the real point isn't the scale—it's that almost everyone will have experienced or heard about those moments of genuine human connection. The shared drinks and food events. The backyard BBQs. The cafe chats. The pub gatherings. The small meetings where people felt safe enough to be honest with each other.

Those experiences create the stories that spread through communities. Not "I know someone who was on TV" but "I sat with her in a community hall, shared a cuppa, heard her story, told mine." That's the connection that lasts.

Everyone Will Have a Story

Think about what this means in practice - not as statistics, but as human experiences:

- "Sarah from our synagogue ran. I went to one of her community hall events. We had drinks and snacks and she talked about her grandparents' escape from Poland. I'll never forget sitting there, just listening, twenty of us in that little hall."
- "My daughter's Year 3 teacher campaigned. She held a gathering at her home - just neighbors and parents. We brought food, had wine, talked about what kind of country we want our kids to grow up in. She didn't win, but those conversations changed how we saw each other."
- "That guy I went to uni with won Victoria's turn. During his campaign, he came to our local cafe every Saturday morning. You could just drop by, have a coffee, chat. No performance, no speeches. Just him being present."

- "My cousin campaigned. I went to three of her events - community center, church hall, someone's backyard BBQ. Each time, just people talking honestly over food and drink. She lost in the first round, but those gatherings brought our community closer together."
- "Our neighbor became the first Indigenous Head of State from SA. During his campaign, he hosted yarning circles - sitting in parks, sharing stories, having whatever people brought to drink. People from all backgrounds came. We learned about each other."
- There will also be larrikins and all sorts of people. But that is who we are.

These aren't abstract political figures. These are people you shared meals with, shared stories with, connected with as fellow human beings.

Breaking Atomisation Through Shared Experience

The deeper significance isn't the numbers - it's the quality of human interaction these campaigns create.

Atomisation and loneliness are preconditions for hate. When people are isolated, unable to trust their neighbours, disconnected from their communities, they become vulnerable to extremist narratives that promise belonging through scapegoating "the other."

Hannah Arendt identified this pattern in the rise of totalitarian movements: atomised individuals, lacking genuine human connections, susceptible to conspiracy theories and hate.

The Naturalised Crown campaigns are structurally designed to counter atomisation:

Sharing Food and Drink Together

Not rallies. Not speeches. Community gatherings where people share food and drink together—whatever suits the setting and culture.

This matters profoundly. Sharing a meal or drink together - whether coffee, beer, soft drink, or tea - is an ancient bonding ritual that transcends cultures. It says: "We trust each other. We are safe together. We are not enemies."

When you've shared a drink with someone, heard their story, shared a laugh, talked about your common concerns - they stop being "the other" and become "one of us."

The Conversations That Build Trust

At a community gathering:

Candidate: "My grandparents fled Poland in 1938. Made it to Australia with nothing. That's why I care so much about refugees - I know what it means to need a safe place."

Attendee: "My family came here from Vietnam after the war. We also had nothing. But people helped us. That's what makes this country special."

Another attendee: "My great-grandparents were here before white settlement. We lost so much. But I still believe in what we can become together."

These conversations - honest, vulnerable, human - don't happen on TV or social media. They happen in small groups, over food and drink, when people feel safe enough to share truth.

Creating Spaces of Trust

In an age of social media toxicity, partisan warfare, and increasing isolation, the campaigns create temporary spaces where Australians can trust each other again:

- No partisan policy fights (it's not about politics)
- No scapegoating (candidates share their own vulnerabilities)
- Protected by Crown conventions (society agrees to treat with respect)
- Built around food and conversation (oldest human bonding tools)
- Small enough to feel safe (not anonymous masses)

These become rare spaces where strangers can become fellow citizens.

Why This Protects Vulnerable Communities

This is how prejudice crumbles. Not through laws or education programs alone, but through simple human contact over food and drink.

The Personal Connection Multiplies

Each person who attends these gatherings goes home and tells others. The direct experience of connection spreads through social networks - not as propaganda, but as authentic testimony: "I met them. They're real. They're one of us."

This is how a culture of trust rebuilds, one conversation at a time.

This transforms the entire relationship Australians have with their constitutional system.

Contrast With Monarchy

How many Australians have a personal connection to the Royal Family?

Vanishingly few. The institution is distant, closed, untouchable. It's "them" not "us." We observe it on TV, we read about it in newspapers, but we don't participate in it, we don't know anyone in it, we don't own it.

Even people who admire the monarchy do so from a distance. It's not THEIR institution in any meaningful sense.

Contrast With ARM Model

The ARM model proposes 11 candidates (nominated by politicians) in a national election every 5-10 years.

How many Australians will personally know any of those 11 candidates? Very few. These will be politically connected people, celebrities, high-profile figures. Distant. Elite. Not "us."

Yes, Australians get to vote for one of them. But that's a far cry from knowing someone who participated, or having a friend whose child ran, or seeing your community member campaign.

The Democratic Crown as Personal Identity

When your schoolmate campaigns, when your colleague's child wins, when someone from your community serves—**the institution becomes part of YOUR story, YOUR identity, YOUR connection to the nation.**

This is civic nationalism at its finest:

- Belonging through participation
- Identity through shared institutions, not ethnicity or religion
- "Australian" defined by democratic engagement, not birthright

A Jewish Australian in 2065 might tell their grandchild: "When I was your age, Mrs. Cohen from the synagogue ran for Head of State. She talked about education and values. She didn't win, but hundreds of thousands of people heard her perspective. That's when I really understood that being Jewish and being Australian weren't separate—they were both part of who I could be."

Over Time, This Creates Deep Loyalty

Not because we're told to respect the Crown (as with monarchy), but because **the Crown IS us**—our neighbors, our children, our communities.

This Is How You Build an Institution That Lasts Centuries

The British monarchy may not survive another generation. It's losing public support, facing scandals, struggling with relevance. Why? Because people don't own it. It belongs to "them"—a family in another country.

The Australian democratic Crown, once established, could thrive for as long as Australia itself exists. Why? **Because it will BE Australia, in the most personal and powerful sense.**

That creates loyalty that transcends political divisions, economic challenges, social changes. That creates an institution Australians will defend fiercely, because it's theirs.

And for vulnerable minorities—Jewish Australians, Muslim Australians, Indigenous Australians, immigrant Australians—this personal ownership is profoundly protective.

When your neighbor's Jewish friend served as Head of State, when you voted for the Muslim candidate from your community, when your child's Indigenous teacher represented the nation—you can't easily support hate against those communities.

They're not "the other." They're "us." They're people you know, whose stories you've heard, who've represented you at the highest level.

This is social cohesion engineering at its most elegant and powerful.

Not forced. Not artificial. Just the natural outcome of democratic participation at scale, over time, across communities.

Everyone will have a story. And those stories will bind us together in ways no law or policy ever could.

9.10 Learning from the Voice Referendum

The Voice to Parliament referendum of October 2023 provides important lessons for constitutional reform and social cohesion.

What the Voice Proposed

- Constitutional recognition specifically for Aboriginal and Torres Strait Islander peoples
- A body to make representations to Parliament on matters affecting Indigenous Australians
- Separate constitutional status for one group

Why It Failed

- 60% of Australians voted No
- Failed in all six States
- Seen as divisive even by many who supported Indigenous rights
- Created categories of Australians with different constitutional status
- "All Australians should be equal" argument resonated powerfully

What This Tells Us

Australians support inclusion and recognition. They do not support constitutional division into categories where some groups have special status others don't.

The Naturalised Crown learned this lesson. It provides a platform for Indigenous voices—and all other voices—**without singling anyone out as constitutionally separate.**

How the Naturalised Crown Addresses What the Voice Couldn't

For Indigenous Australians:

- When NT or another State with significant Indigenous population holds election, Indigenous candidates can campaign
- "Campaign in your own voice" means sharing Indigenous experience, culture, connection to Country
- Protected civic space means respectful platform for discussing dispossession, reconciliation, truth-telling
- When Indigenous Australian wins and serves as Head of State, represents entire nation while bringing Indigenous perspective

Universal Not Particular:

- Same opportunity available to all Australians
- No special categories
- No constitutional division
- Everyone equal before the process

The Critique of the Voice That Doesn't Apply Here

Voice critics said: "Why should one group get special constitutional recognition?"

With Naturalised Crown: There's no special recognition—just equal access. Indigenous Australians aren't constitutionally separate; they're constitutionally equal participants.

Voice critics said: "This divides Australians into categories."

Naturalised Crown: Unites Australians in shared democratic participation.

Voice critics said: "Why them and not others?"

Naturalised Crown: Everyone. All of us. No exceptions.

A Platform for Indigenous Voices, Among Others

The failure of the Voice doesn't mean Australians don't want to hear Indigenous voices. It means they don't want constitutional separation.

The Naturalised Crown provides what many Voice supporters actually wanted: a way for Indigenous Australians to be heard, respected, and represented at the highest level—not as a separate category, but as full and equal Australians.

When an Indigenous Australian from the Northern Territory campaigns for Head of State, sharing their story of cultural continuity, dispossession, resilience, and hope—millions of Australians will listen. Not because Indigenous Australians have separate constitutional status, but because they're participating in a shared Australian institution.

That's reconciliation through inclusion, not division.

Jews, Muslims, Indigenous, Immigrants—All Equal

The beauty of the model is its universality. It doesn't pick winners and losers. It doesn't say "this group deserves special recognition." It says everyone deserves equal opportunity.

- Jewish Australian can speak about Holocaust and antisemitism
- Muslim Australian can speak about integration and faith
- Indigenous Australian can speak about Country and culture
- Immigrant Australian can speak about the Australian dream
- Veteran can speak about service and sacrifice
- Teacher can speak about education and future

All on equal terms. All with equal access. All equally Australian.

This is the constitutional equality the Voice lacked and the Naturalised Crown provides.

The Voice Referendum as Machinery Testing and Information Control

The Voice referendum may have served dual purposes: its stated constitutional aim, and testing/updating referendum machinery for a subsequent republic referendum.

What the Voice Achieved Operationally

Beyond its constitutional goal, the Voice referendum:

- Updated electoral rolls comprehensively (first referendum since 1999)

- Trained AEC staff in modern referendum procedures
- Tested digital and postal voting infrastructure
- Measured regional voting patterns and demographic splits
- Refined YES/NO campaign mechanics
- Identified effective messaging strategies (through professional consulting)
- Provided lessons on what resonates with Australian voters

If this was preparation for a republic referendum, the machinery is now ready and lessons learned.

Government Attempt to Remove AEC Pamphlets (2022)

In December 2022, the Albanese government attempted to fundamentally alter referendum information distribution through the Referendum (Machinery Provisions) Amendment Bill 2022.

The Bill proposed to:

- Remove the requirement for AEC YES/NO pamphlets (Section 11)
- Replace neutral AEC pamphlets with government-funded "education" campaigns
- Shift from physical mail to every household to digital/online information
- Give government control over referendum information instead of impartial AEC

The author of this submission opposed this change in Submission 6 to the Joint Standing Committee on Electoral Matters (JSCEM), dated December 12, 2022. That submission:

- Presented evidence that AEC pamphlets reach over 90% of voters
- Showed digital media reaches only 31-34% of Australians for news content
- Documented public distrust of digital platforms and active avoidance by 66%+ of Australians
- Warned about conflict of interest: government supporting YES while controlling all information
- Argued physical distribution is essential for democratic equality

The third recommendation in that 2022 submission was particularly prophetic: Government should promise NOT to run a second referendum (republic) during the period when Section 11 was disapplied. The submission explicitly criticized ARM's Choice Model as "not fit for purpose" and called for a Constitutional Convention before any republic referendum.

Parliament rejected the government's proposed changes. The Voice referendum proceeded with traditional AEC YES/NO pamphlets distributed to every voter.

This attempt reveals government preference for information control over neutral distribution.

The Pattern: Incomplete Information Provision Since 1999

The problem of incomplete referendum information extends back to the 1999 republic referendum.

The AEC website describes the 1999 referendum pamphlet as a "72 page printed document" sent to all voters. However, the AEC website now provides access only to a 38-page PDF version—missing

the critical proposed constitutional text changes that would have shown voters exactly what they were voting on.

What's missing from the 1999 online archive:

- The full constitutional text showing proposed amendments (34 pages)
- Sections showing exactly which constitutional provisions would change **with strikethrough deletions and underlined additions**
- The complete legal text voters needed to evaluate the proposal

Why this matters profoundly:

The visual representation of constitutional changes—seeing the actual crossed-out text and additions—was central to informed voting in 1999. When voters received the 72-page pamphlet and saw page after page of constitutional text with deletions and insertions, the sheer scope of changes became undeniable.

This visual evidence exposed that calling it a "minimal" change was effectively false advertising. The ARM marketing called it a "minimal" republican model, but voters who examined the actual constitutional text with all the strikethrough deletions and additions could see it was anything but minimal. The visual impact of seeing dozens of constitutional sections being altered was shocking and fundamentally shaped voting decisions.

The author of this submission voted in the 1999 referendum. Seeing the actual constitutional text changes was a central consideration in that vote. The crossed-out sections, the added text, the scope of amendments across multiple constitutional provisions—this was critical information that allowed voters to see through the "minimal" marketing claim and understand what was really being proposed.

By removing this constitutional text from the publicly accessible archive, the AEC has eliminated the evidence that would allow future voters to:

- Understand what "minimal" republican models actually involve
- See the scope of constitutional changes required
- Compare 1999 proposal to future proposals (like ARM's current model)
- Make informed decisions based on actual legal text, not marketing claims
- Learn from historical precedent about the gap between marketing and reality

What this means:

- When ARM marketing calls their model "minimal" now, voters cannot verify this claim against 1999 precedent
- Historical referendum information is incomplete even in official archives
- Future researchers and voters cannot access complete 1999 referendum materials to understand what was really proposed
- The 2022 attempt to remove pamphlets entirely would have eliminated this critical visual evidence completely
- Marketing claims about "minimal" changes cannot be fact-checked against historical constitutional text

The pattern across 25 years:

- **1999:** AEC pamphlet distributed WITH full constitutional text showing actual changes (good for transparency) but full text not preserved in public archives (bad for historical accountability)
- **2022:** Government attempted to remove AEC pamphlets entirely (would eliminate any text distribution)
- **2024-2025:** Government banned social media but had argued it was appropriate for referendums (contradictory positions)
- **2026:** If attempted again for republic referendum (predicted information control)

This is not isolated incident—it's systematic pattern of incomplete or controlled information provision spanning decades.

The AEC's own public information campaign webpage (https://aec.gov.au/elections/referendums/1999_referendum_reports_statistics/Public_Information_Campaign.htm) acknowledges sending a 72-page pamphlet but provides access only to 38 pages. **When the critical constitutional text that exposed "minimal" as false advertising is missing from official archives, how can voters evaluate similar claims in future referendums? When marketing can be separated from legal reality by eliminating access to the actual text, "minimal" becomes whatever ARM says it is.**

Section 128 requires informed consent based on "the proposed law"—the actual constitutional text. If voters cannot access the text, or if the text is not distributed with the marketing claims, informed consent is impossible. The 1999 pamphlet got this right by including full text with visual changes. Removing it from archives undermines future informed consent.

The Social Media Ban Contradiction (2024-2025)

In 2022, the government argued:

- Physical AEC pamphlets are "outdated"
- Digital media and social media are "modern and appropriate" for referendum information
- Australians should receive constitutional information through online platforms
- Physical mailout to every voter is unnecessary expense

In 2024-2025, the same government legislated:

- Social media is SO HARMFUL it must be banned for Australians under 16
- Digital platforms pose serious risks requiring government intervention
- Age verification necessary to protect minors from social media exposure
- Social media cannot be trusted with vulnerable populations

The contradiction is stark and cannot be reconciled:

If social media is so dangerous that government must ban it entirely for under-16s to protect them, how can government simultaneously argue it's an appropriate medium for distributing critical constitutional referendum information to the entire population?

Either:

1. Social media IS safe and appropriate (then why ban it for minors?)
2. Social media IS NOT safe and appropriate (then why push it for referendums?)

Government cannot hold both positions simultaneously.

What This Reveals About Information Control

The social media ban legislation undermines the rationale offered in 2022 for removing AEC pamphlets. If digital platforms are problematic enough to ban for 15-year-olds (who cannot vote), they are problematic for constitutional education of 18-year-olds (who just aged out of the ban).

More likely explanations for the 2022 machinery modification attempt:

1. **Cost reduction:** Digital campaigns cheaper than printing/mailing 12.9 million pamphlets
2. **Information control:** Government "education" provides more control than neutral AEC pamphlets
3. **Strategic advantage:** Removing neutral information favors government's preferred outcome

The government's own subsequent legislation on social media safety validates the concerns raised in the author's 2022 JSCEM submission. Physical AEC pamphlets remain essential because:

- They reach over 90% of voters (vs 31-34% via digital)
- They come from trusted, impartial AEC (not government or commercial interests)
- They cannot be algorithmically filtered or manipulated
- They provide equal presentation of YES and NO cases
- They serve as lasting reference documents
- They discriminate against no one based on digital access, age, or platform

Implications for Future Referendums

If the government attempts similar machinery modifications for a republic referendum—removing neutral AEC pamphlets in favor of government-controlled messaging—the social media ban contradiction will be even more glaring.

The government cannot credibly argue that:

- Social media is too dangerous for 15-year-olds (who cannot vote)
- But appropriate for constitutional education of all voters (including 18-year-olds)

Parliament was correct in 2022 to reject the removal of AEC pamphlets. The same principles apply to any future referendum, including on a republic.

The Pattern of Information Control

Taken together, these elements suggest a pattern:

1. Voice referendum tests machinery (2023)
2. Government attempts to remove neutral AEC pamphlets (2022)
3. Government later bans social media as harmful (2024-2025), contradicting digital push

4. Professional consultants (CT Group) refine messaging since 2005+
5. ARM constitutional text likely prepared but concealed since 2008+
6. Possible submission filtering in parliamentary inquiries (examined in Part 10)

This pattern suggests preference for controlled information flow over open democratic debate.

For a republic referendum to have legitimacy under Section 128, voters must have:

- Access to neutral, complete information (AEC pamphlets, not just government messaging)
- Sufficient time for understanding (not rushed revelation of constitutional text)
- Fair hearing of alternatives (Naturalised Crown vs ARM, not filtered submissions)
- Constitutional protection for political communication (addressed in Part 10.12)

The Royal Commission may wish to examine whether current patterns of information control are compatible with Section 128's requirement for informed consent by the people.

Part 10: Political Context, Recommendations, and Conclusion

10.1 Current Political Environment

Prime Minister Albanese's Statement (September 2025):
"I will not hold a referendum while I am Prime Minister."

What this might mean:

- Technically true: no referendum during current PM term
- BUT: Referendum could be called concurrent with next election
- During caretaker period, technically not "PM" in active sense
- Or his successor (if Labor wins) could hold referendum immediately

Historical pattern suggests caution about taking this statement at face value:

- This Royal Commission itself was announced with minimal warning
- Anti-hate speech legislation introduced and passed rapidly with limited consultation
- Pattern of late announcement followed by rapid action
- "Not while I'm PM" may be semantic precision, not genuine postponement

The anti-hate speech laws are particularly instructive. They were introduced with considerable speed and limited opportunity for comprehensive public debate or consultation with affected communities. This demonstrates a willingness to move quickly on controversial matters when political opportunity presents itself.

Given this pattern, institutional safeguards that don't depend on government restraint are necessary. The oversight mechanisms recommended in this submission are designed to operate independently of government goodwill or political timing. They activate automatically and cannot be disabled by executive preference.

This means: Constitutional reform could happen as early as 2025-2026, potentially with similarly limited consultation period.

10.1A The Voice Referendum as Practice Run

The Voice to Parliament referendum (October 2023) may have served an additional purpose beyond its stated aim: testing and updating referendum machinery for a subsequent republic referendum.

What the Voice Referendum Achieved Operationally

- Updated electoral rolls comprehensively
- Trained Australian Electoral Commission staff in modern referendum procedures
- Tested digital and postal voting infrastructure
- Identified effective and ineffective messaging strategies
- Measured regional voting patterns
- Refined "Yes/No" campaign mechanics
- Updated constitutional referendum procedures not used since 1999

The Pattern

The Voice referendum:

- Announced mid-2022
- Held October 2023
- Failed decisively (60% No, all States voted No)
- Divisive issue that split along urban/rural, progressive/conservative lines

If this was indeed preparation for a republic referendum:

- Machinery is now ready
- Lessons learned about what messages work
- Electoral infrastructure tested and updated
- Public accustomed to recent constitutional referendum process
- Republic referendum could follow within 12-24 months

This Creates Additional Urgency for Public Hearings

If the Voice was a practice run, and a republic referendum is planned for 2027-2028, then:

- Public debate must happen NOW (2026)
- Commission hearings must occur BEFORE referendum called
- Educational groundwork must be laid while there's still time
- Alternative models must be examined before campaign begins

The Commission has perhaps 18 months to contribute to informed public debate before ARM's model is put to referendum with minimal examination of alternatives or federal implications.

Pattern Recognition, Not Paranoia

This interpretation is supported by:

- Albanese ruled out referendum "while he's PM" (semantic precision suggesting timing flexibility)
- Voice referendum updated machinery (ready to use again soon)
- AUKUS installations proceeding (creating pressure for constitutional certainty)
- ARM model developed and ready (waiting for political opportunity)

All signs point to a possible republic referendum in 2027-2028, potentially announced with little warning.

Time is of the essence if the Commission wishes its findings to inform public debate rather than arrive after the fact.

10.2 AUKUS Timeline Pressure

US installations being built NOW:

- HMAS Stirling expansion underway
- Tindal Airbase expansion underway
- Billions committed
- Long-term US presence being established

If constitutional reform creates ambiguity about State status:

- While major US bases being built in those States
- Creates opportunity for mischief
- Time-sensitive vulnerability

Federation Continuity Act must pass BEFORE referendum.

(The full text of the proposed Act is provided in **Appendix A: Federation Continuity Act**. The accompanying Explanatory Memorandum is provided in **Appendix B**, and the Background Paper in **Appendix C**. The proposed constitutional amendments are detailed in **Appendix D**.)

Otherwise:

- ARM referendum passes
- State Governors' status ambiguous
- US installations operational in States
- Constitutional crisis + geopolitical complications = disaster

10.3 The Commission's Narrow Window

If referendum is called for 2027-2028:

- Commission's final report likely late 2026
- May arrive before referendum called or held
- Too late to influence public debate if Royal Commission is completed

This creates urgency for public hearings in 2026:

- Get expert testimony on record

- Educate public before campaign begins
- Provide evidence base for parliamentarians
- Create citeable source on federal issues

The Commission can contribute to informed debate—but only if it acts quickly.

10.4 Recommendations

PRIMARY RECOMMENDATION: Public Hearings on Constitutional Arrangements and Social Cohesion

We respectfully recommend the Royal Commission hold public hearings in 2026 specifically examining how constitutional arrangements impact social cohesion, with particular focus on proposals for constitutional reform currently under development.

A possible program of public hearings could examine several core questions relevant to the Commission's work. These include the nature of the Crown in Australia today, the implications of constitutional reform for federal structure and State equality, the constitutional and social-cohesion implications of the ARM Choice Model, the existence of alternative models including the Naturalised Crown proposal, and the broader relationship between institutional design, democratic participation, and social cohesion.

Such hearings would allow constitutional experts, proponents of different models, federal and State perspectives, and other relevant specialists to place evidence on the public record. The principal purpose would be to create an authoritative evidentiary foundation for informed public debate before any constitutional reform proposal is put to the Australian people.

If the Commission considers hearings appropriate, the precise structure, witness selection, sequence of topics, and duration should remain a matter for the Commission's own judgment.

ADDITIONAL RECOMMENDATIONS:

2. Social cohesion through institutional design as a protective factor against antisemitism

The Commission may wish to consider acknowledging in its final report that:

- Institutions that create regular opportunities for intergroup contact strengthen social bonds
- Democratic participation in selecting national symbols can build bridges across communities
- Protected spaces where diverse voices are heard reduce prejudice
- Federal unity is a prerequisite for protecting minorities

3. Risks of constitutional asymmetry and federal disunity

The Commission may find it relevant to note that constitutional reforms which:

- Create different constitutional structures between Commonwealth and States
- Undermine State sovereignty
- Break federal coordination mechanisms
- Provide justification for State secession

...could pose risks to social cohesion by fracturing the nation itself.

4. Existence of genuine alternatives to the ARM Choice Model

The Commission is respectfully invited to observe that:

- Multiple approaches to constitutional reform exist
- The ARM Choice Model is not the only option
- Alternative models may deserve examination
- Public debate could benefit from comprehensive consideration of alternatives
- Referendum campaigns might proceed better with such examination

5. Comprehensive public debate about federal structures

The Commission may wish to recommend that before any referendum:

- Federal impacts be thoroughly analysed
- State consultation be undertaken
- Federal coordination mechanisms be explained
- Geopolitical implications be considered
- Public education about the Crown be conducted

6. The Federation Continuity Act

The Commission is respectfully invited to consider:

- Constitutional ambiguity about State Governors creates risks
- Federation Continuity Act addresses these risks (full text provided in **Appendix A: Federation Continuity Act**, with **Appendix B: Explanatory Memorandum** and **Appendix C: Background Paper**)
- Potential value in enactment before any Commonwealth referendum
- Role in preventing constitutional asymmetry
- Contribution to maintaining federal unity

The proposed constitutional amendments to implement the Naturalised Crown are detailed in **Appendix D: Proposed Constitutional Amendments**.

7. Recognition of 3 September as Australia's constitutional independence day

The Commission may find it appropriate to note:

- 3 September 1939: Australia declared war on Nazi Germany
- Crown in right of Commonwealth born from stand for human rights
- Already designated as National Flag Day
- Potential as forward-looking alternative to divisive 26 January
- Appropriate date for constitutional evolution to continue

8. Constitutional reform and social cohesion

The Commission may wish to emphasize that:

- Constitutional reform represents an opportunity to build cohesion
- Or presents risk of damaging it
- Design features matter significantly

- Federal unity is essential
- Democratic participation has value
- Institutional stability is important

10.5 Concrete Outcomes and Deliverables

If the Commission were to conduct such hearings, they could produce tangible outputs with clear timelines and accountability mechanisms.

Immediate Deliverables (Mid-2026)

1. Commission Special Report: "Constitutional Reform, Federal Continuity, and Social Cohesion"

If hearings were held, a potential deliverable could be:

- Published by August 2026 (or within 3 months of hearings completion)
- Submitted simultaneously to:
    - Commonwealth Parliament
    - All six State Parliaments and two Territory legislatures
    - Governor-General and all State Governors
    - Made publicly available online and in print
- Contains:
    - Findings from public hearings
    - Comparison of constitutional models examined
    - Federal implications analysis
    - Social cohesion impact assessment
    - Expert testimony synthesis
    - Recommendations for referendum process design
- Becomes the official public record on constitutional alternatives
- Citeable authority for parliamentary debates, media coverage, and public education

2. Draft Federation Continuity Act (Model Legislation)

Another potential outcome:

- Prepared in consultation with Commonwealth Solicitor-General and State Attorneys-General
- Published alongside the Special Report
- Ready for consideration and enactment by all jurisdictions
- Provides framework for coordinated federal approach to any Head of State changes
- Available for immediate introduction to Parliament
- Can be enacted before or concurrent with any referendum process

3. Public Education Resource Package

Educational resources could include:

- Plain-language guide: "Understanding the Crown in Australia"
- Visual comparison chart of constitutional models

- Federal structure explanation with diagrams and infographics
- Video explainers (suitable for schools, community groups, online distribution)
- FAQ document addressing common misconceptions
- Distributed through:
    - Australian Electoral Commission
    - Schools and universities (civics curriculum)
    - Public libraries
    - Community centers
    - Commission website
- Available in multiple languages for diverse communities

Process Commitments (Before Any Referendum)

4. Parliamentary Consideration Requirement

The Commission may wish to recommend that:

- Parliament formally table and debate the Commission's Special Report before introducing any referendum legislation concerning the office of Head of State
- Minimum debate period: 30 sitting days in the House of Representatives
- Senate also debate and vote on a motion acknowledging the Report's findings
- State Parliaments have formal opportunity to respond (minimum 60 days)
- Creates accountability: Parliament cannot claim ignorance of alternatives or federal implications

5. Referendum Design Principles

The Commission could consider establishing minimum standards for any referendum proposal:

- Should include explicit account of State Governor status and federal coordination
- Should demonstrate how Commonwealth-State constitutional relationships will function post-reform
- Should address geopolitical implications (particularly AUKUS context)
- Should provide for adequate public education period (minimum 6 months between legislation passage and vote)
- Should ensure alternatives were examined in public forum

These principles could become benchmarks against which Parliament and public can assess any referendum proposal.

6. Continuing Oversight and Public Commentary Authority ⭐

This could be critical for accountability.

The Commission might consider recommending explicit authorisation to:

Provide supplementary advice:

- If referendum process begins before full examination of alternatives has occurred
- If proposed referendum legislation ignores or contradicts Commission findings on federal implications

- If public education about the Crown is demonstrably inadequate
- If alternative models are being excluded or misrepresented in public debate

Comment publicly:

- The Commission (or designated Commissioner) could have authority to issue public statements on referendum proposals that:
    - Ignore federal structure implications
    - Create risks to social cohesion identified in hearings
    - Misrepresent the constitutional status quo
    - Exclude alternatives without justification
- This right to public comment could ensure the Commission's work cannot be sidelined or selectively quoted
- Creates ongoing accountability for political actors advancing referendum proposals

Practical mechanism:

- Commission designates one Commissioner (or panel) as Constitutional Reform Monitor
- Authorised to receive submissions and concerns from States, constitutional experts, community groups
- Can request briefings from Commonwealth Attorney-General on referendum process
- Issues public statements as needed (published on Commission website, distributed to media)
- Reports to Parliament on whether referendum process respects Commission's findings

This could prevent the Commission's work from being ignored. Without continuing oversight, the Special Report could be acknowledged then shelved. With explicit authority to comment publicly, the Commission remains a voice for proper constitutional process throughout any referendum campaign.

Long-Term Framework (Ongoing)

7. Constitutional Education Program

- Integrated into national civics curriculum
- Ongoing public education about federal structure, Crown divisibility, vice-regal roles
- Resources maintained and updated by Australian Electoral Commission
- Annual workshops for educators
- Community dialogue toolkits
- Survives regardless of monarchy/republic outcome

8. Federal Constitutional Coordination Mechanism

- Recommend establishment of Commonwealth-State Constitutional Coordination Committee
- Meets at least twice yearly
- Comprises:
    - Commonwealth Attorney-General (chair)
    - State Attorneys-General
    - Constitutional law experts (rotating appointments)
    - Parliamentary representatives

- Functions:
    - Monitor constitutional developments across jurisdictions
    - Address federal coordination issues as they arise
    - Provide advice on constitutional reform proposals
    - Ensure States are consulted on Commonwealth constitutional initiatives
- Makes federal cooperation routine rather than crisis-driven
- Prevents future constitutional surprises

Timeline Summary

April-June 2026: Public hearings conducted

August 2026: Special Report and Draft Federation Continuity Act published

September-December 2026: Parliamentary consideration and State responses

January 2027: Educational resources deployed nationally

Ongoing from 2026:

- Continuing oversight authority active
- Federal coordination mechanism operational
- Constitutional education program begins

Request 1: Investigation of Filtering Practices Across All Inquiries

The Commission is requested to investigate whether parliamentary committees systematically filter submissions across all types of public inquiries, including but not limited to constitutional matters:

1. **Selectively publish submissions**
    - Receive more submissions than they publish (potentially by large margins)
    - Filter based on content, position taken (supporting vs opposing government), or author credentials
    - Suppress alternative perspectives, minority views, or critical analysis
    - Apply different standards to controversial vs routine inquiries
2. **Pattern analysis across inquiry types**
    - Whether filtering correlates with subject matter sensitivity (constitutional, social policy, rights legislation)
    - Whether filtering correlates with political controversy (higher filtering for contentious topics)
    - Whether filtering correlates with position (opposition views disproportionately withheld)
    - Whether filtering rates differ between majority and minority government periods
3. **Transparency practices**
    - Whether committees disclose total submissions received vs published (many do not)
    - Whether criteria for selection/rejection are public and specific (or vague/discretionary)

- Whether decision-makers in filtering process are identified (committee staff, secretaries, members)
- Whether submitters are notified if their submissions will not be published

Request 2: Statistical Data

The Commission is requested to obtain data from parliamentary committees covering the past 10 years (2016-2026):

For each inquiry:

- Total submissions received
- Number of submissions published
- Number withheld from publication
- Reasons given for non-publication (if any)
- Subject matter of inquiry

Aggregated analysis:

- Trends over time in publication rates
- Comparative rates across committees
- Comparative rates for constitutional/electoral inquiries
- Correlation between filtering and political sensitivity

Specific focus on:

- Joint Standing Committee on Electoral Matters (JSCEM)
- Legal and Constitutional Affairs committees
- Any inquiries related to referendum machinery or constitutional reform
- **Anti-hate speech legislation inquiry (January 2026) - with specific investigation of reported 7,000 submissions vs ~600 published**
- Voice to Parliament referendum inquiries (2022-2023)
- Any planned republic referendum inquiries

Request 3: Constitutional Validity Question

Section 128 requires informed consent by the people. If parliamentary inquiry processes systematically filter submissions to shape public perception before referendums, this may undermine the constitutional legitimacy of the referendum result.

Questions for examination:

1. **Does Section 128 implicitly require unfettered public debate?**
    - Can the people give "informed consent" if alternatives are suppressed?
    - Is access to complete information a constitutional requirement?
2. **Can referendum results be invalidated retrospectively?**
    - If filtering is proven after a referendum passes
    - What evidence would be required?
    - What remedies would be available?

3. **What standards should apply to constitutional inquiry processes?**
    - Should all submissions be published for constitutional matters?
    - What criteria for non-publication are constitutionally permissible?
    - Should special protections apply to inquiries preceding referendums?

Request 4: Relevance to Republic Referendum

This question is of immediate relevance:

A republic referendum is expected within 2-3 years. Any parliamentary inquiry into republic models will likely receive hundreds or thousands of submissions. If committees filter submissions to favor particular models (e.g., ARM Choice Model) over alternatives (e.g., Naturalised Crown), this could:

- Shape public perception unfairly
- Deny voters access to alternative constitutional options
- Undermine informed consent required by Section 128
- Potentially invalidate referendum results if challenged

The Naturalised Crown model represents a genuine alternative with 25+ years of development, complete constitutional text, and substantive analysis. If this model is filtered from parliamentary inquiry processes, voters will not have access to complete information about available options.

Request 5: Recommendations for Reform

If the Commission finds evidence of submission filtering that may compromise constitutional processes, it is requested to recommend:

1. **Mandatory publication standards for constitutional inquiries**
    - All submissions published unless defamation/privacy/genuine harm
    - Clear, narrow, publicly disclosed criteria for any non-publication
    - Independent review of non-publication decisions
2. **Transparency requirements**
    - Committees must publish statistics: submissions received vs published
    - Reasons for non-publication must be stated
    - Public register of all submissions received (even if content not published)
3. **Constitutional safeguards**
    - Presumption of publication for constitutional matters
    - Special protections for inquiries preceding referendums
    - Right of appeal to parliamentary privileges committees
4. **Retrospective audit of recent high-profile inquiries**
    - **Anti-hate speech legislation inquiry (January 2026):** Investigate reported discrepancy between thousands received vs ~600 published
    - Voice to Parliament referendum inquiries (2022-2023): Review submission practices
    - Publication of previously withheld submissions (with author consent and privacy protections)

- Analysis of filtering criteria actually applied vs stated criteria

Why This Matters for Democratic Process

Section 128 gives the people—not Parliament—the final say on constitutional change. If Parliament controls information flow through submission filtering, it effectively controls outcomes while maintaining the appearance of popular sovereignty.

Recent documented evidence shows this is not theoretical—it's happening now:

The anti-hate speech legislation inquiry (January 2026) reportedly received thousands of submissions (possibly 7,000) during a two-day holiday period, yet published fewer than 600. If accurate, this represents a 90%+ filtering rate on highly controversial legislation affecting fundamental freedoms.

If this filtering pattern extends to constitutional inquiries:

- Alternative constitutional models could be systematically suppressed (Naturalised Crown filtered from republic inquiry)
- Critical analysis could be withheld from public view (expert concerns about ARM model hidden)
- Public debate could be artificially shaped (only approved positions published)
- Voters denied information necessary for informed Section 128 consent

The people cannot give informed consent if:

- Alternative constitutional models are suppressed
- Critical analysis is withheld
- Evidence is filtered to favor government-preferred outcomes
- Public debate is artificially constrained
- 90% of submissions are hidden from public view

This request is made to protect constitutional integrity and ensure that any future referendum—and indeed any significant legislative inquiry—is based on complete, unfettered information available to all voters and the public.

Democratic legitimacy requires transparency. When committees receive 7,000 submissions and publish 600, democracy is not being served.

10.12 Constitutional Paradox: Implied Freedom and Referendum Validity

The Royal Commission is requested to examine a constitutional paradox that may have profound implications for referendum validity.

The Paradox

If the High Court were to rule that the implied freedom of political communication does NOT apply (or applies with reduced force) to constitutional referendum processes, does that very ruling provide grounds to invalidate referendum results on the basis that voters were denied

constitutionally protected access to unfettered political debate necessary for informed consent under Section 128?

Why This Matters in the Australian Context

Before examining the paradox, it's essential to understand Australia's unique constitutional position.

Australia has no bill of rights. Unlike most comparable democracies—the United States, Canada, New Zealand, the United Kingdom (post-1998)—Australia has no comprehensive codified protection of fundamental rights and freedoms.

This makes the implied freedom of political communication one of our few constitutional protections for democratic participation. Recognized by the High Court in *Australian Capital Television v Commonwealth* (1992) and *Lange v ABC* (1997), the implied freedom exists to protect the system of representative and responsible government. It ensures voters can discuss political matters freely to make informed choices about who governs them.

The implied freedom is not a personal right to free speech—it's a systemic protection for democratic government itself. And in a country without a bill of rights, this systemic protection may be all we have to ensure fair constitutional processes.

This is particularly critical for constitutional referendums under Section 128, which represent the highest exercise of popular sovereignty. If the implied freedom doesn't protect political communication during the very process where the people decide the Constitution itself, then Australians have virtually no constitutional protection for fair referendum processes.

In countries with bills of rights, courts could invalidate referendum processes that violate:

- Fair hearing requirements
- Access to information rights
- Procedural due process
- Freedom of expression protections

In Australia, we have only:

- The implied freedom (if it applies)
- Section 128 (requiring informed consent, but without specified process standards)
- Democratic conventions (which can erode if not defended)

This makes the paradox examined below particularly significant. In the absence of a bill of rights, if the implied freedom doesn't protect referendum processes, we may have no constitutional safeguard against information control and manipulation of the very process by which we amend our Constitution.

For vulnerable minorities, including Jewish Australians, this matters enormously. Constitutional protections—limited as they are in Australia—stand between minorities and majoritarian oppression. If those protections can be eroded through opaque referendum processes that face no constitutional scrutiny, minorities are left unprotected.

The Two Scenarios

Scenario A: Implied Freedom APPLIES to Referendums

If the implied freedom of political communication applies to referendum processes:

- Government filtering of submissions violates constitutional rights
- Removal of AEC pamphlets violates constitutional rights
- Information control measures can be struck down as unconstitutional
- Referendum results can be invalidated if conducted in violation of implied freedom

Scenario B: Implied Freedom DOES NOT APPLY to Referendums

If the implied freedom does NOT apply to referendum processes:

- There is no constitutional protection for political communication during referendums
- But Section 128 requires the people (not Parliament) to approve constitutional change
- The people can only exercise this power meaningfully if they are informed
- Being informed requires access to unfettered political debate
- Without constitutional protection for such debate, how can voters give informed consent?
- A referendum conducted without constitutional protection may itself be invalid

The Catch-22

Under EITHER scenario, information control undermines referendum validity:

- If implied freedom applies → filtering violates constitutional rights → referendum invalid
- If implied freedom doesn't apply → no protection for informed consent → referendum invalid

Government cannot escape constitutional liability by arguing that implied freedom doesn't apply to referendums, because that argument undermines the constitutional legitimacy of the referendum process itself.

Constitutional Minimums Regardless of Implied Freedom

Section 128 itself may require constitutional protection for political communication, independent of the implied freedom:

1. **Section 128 establishes popular sovereignty** (people have final say)
2. **Popular sovereignty requires informed consent** (uninformed consent is not genuine)
3. **Being informed requires constitutional protection for debate** (without protection, government can manipulate)
4. **Therefore, protection must exist** (either through implied freedom OR through Section 128 directly)

These minimums exist regardless of whether the implied freedom formally extends to referendums.

Why This Matters in a Country Without a Bill of Rights

Australia is one of the few Western democracies without a comprehensive bill of rights. Unlike the United States, Canada, New Zealand, or the United Kingdom (post-Human Rights Act 1998), Australians do not have codified constitutional protections for fundamental freedoms.

This makes the few constitutional protections we do have critically important. The implied freedom of political communication, recognized by the High Court since 1992, is one of our only constitutional safeguards. It's not a personal right to free speech, but rather a systemic protection ensuring that representative democracy can function through informed public discourse.

In countries with bills of rights:

- Courts can strike down processes that violate procedural fairness
- Citizens can claim violations of access to information rights
- Constitutional protections exist for fair hearing and due process
- Multiple overlapping rights protect democratic participation

In Australia, we have only:

1. The implied freedom (which depends on processes being transparent and fair)
2. Section 128 (which requires informed consent but lacks detailed process standards)
3. Democratic conventions (which can erode if not actively defended)

When process standards slip—when transparency gives way to strategic concealment, when deliberation is replaced by focus-group-tested messaging, when information control becomes normalized—Australians lose one of their few constitutional protections.

Recent precedents show these standards are indeed slipping:

- **Voice referendum machinery modification (2022):** Government attempted to remove neutral AEC pamphlets in favor of government-controlled messaging at the exact moment when informed consent was most critical. This would have reduced one of the few mechanisms ensuring balanced information access.
- **Rushed constitutional processes:** Significant reforms introduced and passed with minimal consultation (as noted regarding this Royal Commission and related legislation), demonstrating preference for speed over deliberation.
- **Strategic text concealment:** ARM has apparently had constitutional text prepared since at least 2008 but has not published it for public scrutiny, controlling timing to minimize critical analysis.
- **Professional messaging replacing public education:** Use of political consultants to craft messages that test well, rather than facilitating genuine understanding of constitutional complexity.

For vulnerable minorities, including Jewish Australians, this erosion of process standards is particularly concerning. In a country without a bill of rights, democratic process integrity is one of the primary safeguards against majoritarian oppression. The rule of law, constitutional conventions, and fair processes are what stand between minorities and the tyranny of the majority.

- **Submissions reportedly received:** Arguably thousands, possibly as many as 7,000 submissions from concerned citizens
- **Submissions published:** Fewer than 600 (less than 10% if 7,000 received)
- **Filtering rate:** Potentially exceeding 90%

This represents one of the most significant filtering rates in recent parliamentary history. If these numbers are accurate, the committee received and withheld thousands of submissions from public view. Questions that remain unanswered:

- What were the criteria for selecting which submissions to publish?
- Were submissions filtered based on position taken (supporting vs opposing)?
- Were critical submissions disproportionately withheld?
- Who made these filtering decisions?
- Were submitters notified their submissions would not be published?

Implications for Constitutional Inquiries:

If this filtering rate is typical of controversial inquiries, and if similar practices would apply to inquiries preceding constitutional referendums, the implications are severe:

- **Alternative constitutional models could be systematically suppressed** (such as the Naturalised Crown)
- **Critical analysis could be withheld from public view** (expert concerns filtered out)
- **Public perception could be deliberately shaped** (only committee-approved positions published)
- **Section 128 informed consent could be compromised** (voters denied access to complete information)

The same government that conducted the anti-hate legislation inquiry with this filtering rate is the government likely to conduct inquiries preceding any republic referendum. If similar filtering practices apply, voters would not have access to the full spectrum of constitutional options and expert analysis necessary for informed consent under Section 128.

When constitutional processes become opaque and manipulated:

- People lose faith in the fairness of the system
- Resentment and cynicism build
- Conspiracy theories flourish ("Who's really in control?")
- Demagogues channel this resentment toward scapegoats
- Minorities are among the first to suffer

This is why the constitutional paradox matters so urgently. In a country with a bill of rights, citizens could challenge information control on multiple constitutional grounds. In Australia, the implied freedom and Section 128's informed consent requirement may be all we have. If these protections are undermined by declining process standards, we have very little left.

The Royal Commission may find it valuable to recognize that examining constitutional reform processes is not peripheral to its mandate—it's central. Process integrity protects the implied freedom, which protects representative democracy, which protects all Australians including

minorities. When process standards slip, social cohesion erodes, and the conditions for extremism and hate strengthen.

Questions for Royal Commission

1. **Does the implied freedom of political communication apply to constitutional referendum processes?**
2. **If NO, does that mean referendums conducted without constitutional protection for political debate are inherently invalid because voters cannot give informed consent?**
3. **What are the minimum constitutional requirements for valid Section 128 referendums, regardless of the implied freedom's scope?**
4. **Can referendum results be invalidated retrospectively if information control is proven?**
5. **What standards should apply to ensure constitutional legitimacy of referendum processes?**

Implications for Information Control

This paradox creates a no-win situation for information control:

If government filters submissions, removes AEC pamphlets, or otherwise controls information flow:

- If implied freedom applies → unconstitutional violation → referendum invalid
- If implied freedom doesn't apply → no protection for informed consent → referendum invalid
- **Either way, information control creates constitutional liability**

This makes information control a high-risk strategy that may invalidate referendum results regardless of how courts rule on the implied freedom's scope.

Why This Matters Now

A republic referendum is expected within 2-3 years. The standards for constitutional legitimacy must be established BEFORE the referendum, not litigated afterward.

The Royal Commission can contribute to this by:

- Examining whether current patterns (Voice machinery changes, submission filtering, strategic text concealment) are compatible with Section 128
- Recommending standards for referendum information processes
- Establishing that constitutional protection for debate is required for valid referendums
- Clarifying that information control may invalidate results

The Democratic Standard

Section 128 requires more than mechanical compliance (double majority achieved). It requires that the people's choice be genuinely informed, made with access to complete information, free from manipulation.

If governments can control information flow without constitutional limits, Section 128 becomes a facade—the appearance of popular sovereignty without the substance.

The Royal Commission may wish to examine whether current practices meet the constitutional standard for informed consent, and consider recommending reforms to ensure future referendums have democratic legitimacy.

10.6 Conclusion

The fight against antisemitism requires many tools. Laws, education, and enforcement all matter. But institutions that create regular opportunities for Australians to see each other's humanity—that listen to diverse stories in protected spaces—may be the most powerful tool of all.

The Naturalised Crown model offers exactly such an institution. It:

Preserves stability:

- Keeps what works in Australian constitutional system
- Changes only the hereditary monarchical aspects
- Maintains all conventions and practices
- Ensures continuity through evolution

Maintains federal unity:

- Preserves one-to-many structure
- Ensures State equity through rotation
- Prevents constitutional asymmetry
- Protects sovereignty

Creates zero new powers:

- Head of State remains purely ceremonial
- All reserve powers stay with GG/Governors
- No risk of presidential overreach
- Cannot accumulate political influence

Builds maximum social cohesion:

- Regular democratic participation (every 7 years per State)
- Personal storytelling platforms
- Protected civic space for diverse voices
- Humanisation of minorities through visibility
- Federal equity modelled structurally
- Selection for bridge-builders
- Annual 3 September ritual unites nation

Most importantly, it embodies the values the Crown in right of the Commonwealth was born to defend on 3 September 1939: human dignity, democratic participation, the rule of law, and standing against hate.

When we democratize that Crown, we complete our independence and strengthen the bonds that protect all Australians—including our most vulnerable communities.

The choice before Australia is not between monarchy and republic.

It's between constitutional reform that weakens social cohesion and constitutional reform that strengthens it. Between reform that potentially fractures the federation and reform that preserves its unity. Between reform that concentrates power and reform that disperses it. Between reform that excludes and reform that includes.

This submission argues for:

- Evolution over revolution
- Unity over fragmentation
- Inclusion over exclusion
- Stability over disruption
- Social cohesion over political convenience

We request that the Royal Commission:

- Provide the platform for this critical examination through public hearings
- Contribute to informed public debate before Australians vote
- Document the alternatives that ARM has not presented
- Consider federal impacts that have been ignored
- Recognize the connection between institutional design and social cohesion

The Commission has a narrow window to make a lasting contribution. Public hearings in 2026 could ensure that when Australians vote on constitutional reform, they do so with full understanding of what they're choosing and what alternatives exist.

This serves the democratic process at a critical juncture—creating an authoritative record that ensures informed deliberation. When constitutional reform proceeds, Parliament, the media, and the public will have access to thorough expert analysis, documented alternatives, and consideration of federal implications. The Commission has the expertise and authority to provide this essential foundation.

Twenty-five years of work on this model, including submission to the 2003 Parliamentary inquiry, has led to this moment. The model is ready. The political moment is approaching. The Commission can help ensure the debate is informed.

What we ask is simple: give the Crown a fair hearing.

Not as a museum piece. Not as British connection. Not as medieval tradition.

But as what it actually is: **our body politic, our system of government, democratic to its core**—and ready to become thoroughly Australian through naturalisation.

The Crown deserves the chance to make its case before being dismantled. Not preference. Just fairness.

If, after thorough examination, Australians choose differently—that's legitimate democratic choice.

But they deserve the chance to choose with full understanding, not based on misconception.

That's what this submission offers: a fair hearing for the evolutionary path that preserves what works while democratising what doesn't.

We respectfully request that you act.

Robert Vose
March 11, 2026

Appendix 1 - Federation Continuity Act

(Proposed framework draft — capable of enactment by the Commonwealth and the States)

Preamble (Proposed Framing)

WHEREAS the constitutional system of Australia operates in practice as a democracy united under an Australian Crown, as expressed through the Crown in right of the Commonwealth and the Crown in right of the States;

AND WHEREAS the Crown in right of the Commonwealth and the Crown in right of the States are presently unified in practice by the concurrent occupation of the office of Head of State by the same natural person, thereby providing a single Head of State across the Australian Federation;

AND WHEREAS the office of Head of State is represented within the Australian Federation by the Governor-General of the Commonwealth and the Governors of the States;

AND WHEREAS the allocation of constitutional responsibility between the Commonwealth and the States has developed over time through the Constitution, statute, convention, and interpretation by the High Court of Australia;

AND WHEREAS it is contemplated that legislation in substantially similar terms to this Act may be enacted by the Parliament of the Commonwealth and by the Parliaments of the States, in order to reflect a shared and cooperative approach to matters affecting the Federation;

AND WHEREAS it is desirable, in the interests of constitutional stability and federal cohesion, that any future consideration of changes affecting the office of Head of State proceed in a manner that preserves legal continuity and the unity of the Federation;

IT IS THEREFORE DECLARED as follows:

Section 1 — Short title and application

1. This Act may be cited as the **Federation Continuity Act**.
2. This Act is intended to be capable of enactment by the Parliament of the Commonwealth and by the Parliaments of the States.

Section 3 — Recognition of existing constitutional arrangements

1. References in this Act to the Crown are references to the Crown as it operates in relation to the Commonwealth and in relation to the States, in accordance with the Constitution and constitutional practice.
2. Nothing in this Act is intended to assert or determine whether the Crown in Australia is federal or divisible in nature.
3. Questions concerning the allocation of constitutional responsibility between the Commonwealth and the States are determined in accordance with the Constitution as interpreted from time to time by the High Court of Australia.

Section 4 — Representation of the Head of State

1. Within the Australian Federation, the office of Head of State is represented by:
   (a) the Governor-General of the Commonwealth; and
   (b) the Governors of the States.
2. These offices together reflect the established vice-regal representation of the Head of State within the Commonwealth and the States.
3. Nothing in this section is intended to affect the powers, functions, or conventions governing those offices.

Section 5 — Principle of federal coordination

1. Although the Crown operates in distinct legal capacities in relation to the Commonwealth and the States, Australia’s constitutional arrangements have proceeded on the basis that the office of Head of State is occupied by a single natural person across the Federation.
2. In considering changes affecting the office of Head of State, regard should be had to their implications for the Commonwealth and the States as a whole.
3. This section is declaratory of constitutional practice and does not of itself give rise to legal rights or obligations.

Section 6 — Principle of continuity

1. In considering any change affecting the person occupying the office of Head of State, it is desirable that such consideration proceed on the basis that there is to be no disruption to the validity or operation of any existing law, instrument, or obligation, and that legal authority is to be taken as continuing without interruption.
2. It is further desirable that the rights, powers, and obligations exercised in right of the Commonwealth and in right of the States be taken as continuing in effect.

3. Any such change should be approached on the basis that continuity of the constitutional and legal order is to be maintained, notwithstanding the nature or extent of the change.
4. In considering such changes, regard should also be had to the importance of maintaining a coherent and broadly consistent form for the office of Head of State across the Commonwealth and the States.

Section 7 — Declaratory character of this Act

1. This Act is declaratory in nature.
2. This Act does not attempt to amend the Constitution.
3. This Act does not prescribe, require, or preclude any particular constitutional outcome.
4. This Act does not limit the legislative competence of the Commonwealth or of any State.
5. This Act is intended to provide a framework for consideration and coordination, and not to give rise to legal rights or obligations.

Federation Continuity Act - Background Paper

Introduction

Australia's system of government is founded upon the Crown. Since Federation, the nature and operation of the Crown in Australia have evolved through constitutional development, statute, convention, and judicial interpretation. While aspects of this evolution have been addressed by the High Court—most notably in *Sue v Hill* (1999)—the Crown in Australia remains an area that is often poorly understood outside specialist constitutional circles.

Public debate concerning the office of Head of State has tended to focus on outcomes—monarchy or republic—rather than on the federal framework within which any such outcome would need to operate. The **Federation Continuity Act** is intended to address that gap by articulating, in neutral terms, principles of federal coordination and continuity that describe Australia's constitutional system as it presently exists.

The Crown and the Federation

Under Australia's constitutional arrangements, executive authority is exercised in right of the Commonwealth and in right of each State. The Crown operates in distinct legal capacities across the Federation, while the office of Head of State is presently occupied by a single natural person.

At Federation in 1901, Australia was constituted under the British Crown, which operated as a single and indivisible Crown across the British Empire. Over the course of the twentieth century, the nature of the Crown in Australia evolved significantly through statute and constitutional development. The *Statute of Westminster Adoption Act 1942* (Cth), operating retrospectively from 3 September 1939, formally gave effect in Australian law to the divisibility of the Crown as it applied to the Commonwealth of Australia, reflecting constitutional developments that had already emerged in practice. The *Australia Acts 1986* (Cth and State) completed this transformation by removing the remaining constitutional links between Australia and the United Kingdom, resulting in the Crown in Australia operating exclusively as an Australian institution in relation to both the Commonwealth and the States.

Although the Constitution has proven difficult to amend through referendum, the character of the Crown in Australia—which forms the institutional foundation of the Federation—has changed profoundly in practice. These changes have occurred incrementally and largely outside public attention, yet throughout this evolution Australia's federal system has maintained continuity, stability, and democratic legitimacy as a constitutional monarchy.

Different constitutional theories describe these arrangements in different ways. The **Federation Continuity Act** does not seek to resolve those debates. Instead, it proceeds from the practical reality that changes affecting the office of Head of State may have implications across the Commonwealth and the States as a whole, regardless of how the Crown is characterised.

Lessons from 1999

Australia has previously considered constitutional change affecting the office of Head of State, most notably at the 1999 referendum. In the lead-up to that referendum, several States undertook preparatory work to examine the implications for their own constitutional arrangements and to ensure continuity of law in the event of change.

Had the 1999 referendum been successful, the Commonwealth would have become a republic with a President as Head of State, while the States would otherwise have retained the Queen as Head of State unless and until they separately amended their constitutions. For a period, Australia would therefore have operated under different constitutional arrangements at Commonwealth and State levels. While this outcome was legally manageable, it was not widely understood in public debate and highlights the absence of a shared, federation-wide framework to address coordination and continuity during constitutional transition.

Purpose of the Act

The **Federation Continuity Act** seeks to draw on these lessons by separating questions of process from questions of outcome. It provides a neutral, declaratory framework that:

- recognises the federal nature of Australia's constitutional system;
- emphasises continuity of law and institutions across the Federation; and
- encourages coordinated consideration of implications for the Commonwealth and the States as a whole.

The Act does not propose to amend the Constitution, nor does it of itself have that effect. It does not bind Parliaments or determine constitutional outcomes. Its purpose is to articulate common ground so that, should questions concerning the office of Head of State arise again, they can be considered with a shared understanding of the existing constitutional framework.

Timing

The Act is intentionally framed for consideration at a time when no referendum proposal is on the horizon. Experience suggests that foundational questions of federal coordination and continuity are best examined in advance, allowing for careful, informed discussion free from the pressures of an imminent constitutional vote.

Federation Continuity Act - Explanatory Memorandum

General Outline

The purpose of the *Federation Continuity Act* is to provide a declaratory framework describing key features of Australia's constitutional arrangements as they relate to the office of Head of State and the operation of the Crown within the Federation.

The Act is intended to be capable of enactment by the Parliament of the Commonwealth and by the Parliaments of the States in substantially similar terms. It does not amend the Constitution, does not prescribe any particular constitutional outcome, and does not give rise to legal rights or obligations. Its function is to articulate principles relevant to coordination, continuity, and federal cohesion in the event that changes affecting the office of Head of State are considered in the future.

The Act is framed in neutral terms and does not take a position on whether the Crown in Australia is federal or divisible in nature. It proceeds from the practical reality that Australia's constitutional arrangements involve the Crown operating in relation to both the Commonwealth and the States, and that the office of Head of State has implications across the Federation as a whole.

Financial Impact

The Act has no financial impact.

Notes on Clauses

Preamble

The preamble sets out the constitutional context within which the Act operates.

It recognises that Australia's system of government functions as a democracy under the Crown, as expressed through the Crown in right of the Commonwealth and the Crown in right of the States. It notes that, in practice, the office of Head of State is presently occupied by a single natural person across the Federation, providing a unified Head of State notwithstanding the Crown's operation in distinct legal capacities.

The preamble also recognises the role of the Governor-General and the Governors as representatives of the Head of State within the Commonwealth and the States, and acknowledges that the allocation of constitutional responsibility within the Federation has developed over time through the Constitution, statute, convention, and interpretation by the High Court of Australia.

The preamble further contemplates that legislation in substantially similar terms may be enacted by the Commonwealth and the States, reflecting a cooperative approach to matters affecting the Federation, and expresses the desirability of preserving legal continuity and federal cohesion when considering changes affecting the office of Head of State.

Section 1 — Short title and application

Section 1 provides that the Act may be cited as the *Federation Continuity Act*.

It also states that the Act is intended to be capable of enactment by the Parliament of the Commonwealth and by the Parliaments of the States. This provision is declaratory and does not impose any obligation on any Parliament to enact the Act.

Section 3 — Recognition of existing constitutional arrangements

Section 3 clarifies the manner in which references to the Crown are to be understood for the purposes of the Act.

Subsection (1) provides that references to the Crown are references to the Crown as it operates in relation to the Commonwealth and in relation to the States, in accordance with the Constitution and constitutional practice.

Subsection (2) makes clear that the Act does not assert or determine whether the Crown in Australia is federal or divisible in nature. This reflects the existence of differing constitutional theories and ensures that the Act remains neutral as to those debates.

Subsection (3) confirms that questions concerning the allocation of constitutional responsibility between the Commonwealth and the States continue to be determined in accordance with the Constitution as interpreted by the High Court of Australia from time to time.

Section 4 — Representation of the Head of State

Section 4 identifies the established vice-regal representation of the office of Head of State within the Australian Federation.

Subsection (1) recognises that the office of Head of State is represented by the Governor-General in relation to the Commonwealth and by the Governors in relation to the States.

Subsection (2) provides that these offices together reflect the established arrangements for representation of the Head of State within the Federation.

Subsection (3) makes clear that the section does not affect the powers, functions, or conventions governing those offices.

Section 5 — Principle of federal coordination

Section 5 articulates a principle of federal coordination relevant to the office of Head of State.

Subsection (1) recognises that, although the Crown operates in distinct legal capacities in relation to the Commonwealth and the States, Australia's constitutional arrangements have proceeded on the basis that the office of Head of State is occupied by a single natural person across the Federation.

Subsection (2) provides that, in considering changes affecting the office of Head of State, regard should be had to their implications for the Commonwealth and the States as a whole.

Subsection (3) confirms that the section is declaratory of constitutional practice and does not of itself give rise to legal rights or obligations.

Section 6 — Principle of continuity

Section 6 articulates a principle of continuity relevant to consideration of changes affecting the office of Head of State.

Subsection (1) provides that, in considering any change affecting the person occupying the office of Head of State, it is desirable that such consideration proceed on the basis that there is to be no disruption to the validity or operation of existing laws, instruments, or obligations, and that legal authority is to be taken as continuing without interruption.

Subsection (2) provides that it is further desirable that the rights, powers, and obligations exercised in right of the Commonwealth and in right of the States be taken as continuing in effect.

Subsection (3) provides that any such change should be approached on the basis that continuity of the constitutional and legal order is to be maintained, notwithstanding the nature or extent of the change.

Subsection (4) provides that, in considering such changes, regard should also be had to the importance of maintaining a coherent and broadly consistent form for the office of Head of State across the Commonwealth and the States.

Section 7 — Declaratory character of this Act

Section 7 confirms the declaratory nature of the Act.

Subsection (1) provides that the Act is declaratory in nature.

Subsection (2) provides that the Act does not propose to amend the Constitution.

Subsection (3) provides that the Act does not prescribe, require, or preclude any particular constitutional outcome.

Subsection (4) provides that the Act does not limit the legislative competence of the Commonwealth or of any State.

Subsection (5) provides that the Act is intended to provide a framework for consideration and coordination, and not to give rise to legal rights or obligations.

Conclusion

The *Federation Continuity Act* is intended to assist informed, coordinated consideration of issues affecting the office of Head of State within Australia's federal constitutional system. It does so by articulating principles drawn from existing constitutional arrangements, without seeking to alter those arrangements or to anticipate the outcome of any future constitutional process.

Appendix 2 - Proposed Changes to the Constitution to Naturalise the Crown of Australia

Written by Robert Vose
21 December 2025

Chapter X — A Naturalised Crown in Australia

Section 129 — The Naturalised Crown

1. Since time immemorial, the peoples of Australia have lived in sovereignty. We recognise and honour the Aboriginal and Torres Strait Islander peoples of Australia.
2. The people of Australia agree to express our sovereignty by electing Australians to serve a fixed term as Head of State under the Crown of Australia.
3. Commencing on 3 September 2032, successors for the Crown of Australia shall be chosen of the people, by the people, and for the people of Australia.
4. The Head of State shall be ordinarily resident in Australia.

Section 130 — Selection and tenure of the Head of State

1. The Head of State shall be an Australian citizen.
2. The Head of State shall be chosen by the people of Australia in accordance with this Constitution.
3. The Head of State shall serve for a fixed term of one year.
4. A person who has served as Head of State is not eligible to serve a further term.
5. The office of Head of State is to be exercised consistently with the established constitutional position of the Crown within the Australian Federation, as that position developed following the *Statute of Westminster Adoption Act 1942* and the *Australia Acts 1986*, including its exercise exclusively through vice-regal representative offices, and in a manner that preserves its non-partisan character.
6. The method of selection of the Head of State shall be such as to support the non-partisan character of the office.

Section 131 — Rotation of the office of Head of State

1. The office of Head of State shall rotate among the States of Australia and the Territories acting collectively for the Commonwealth.
2. Each State, and the Territories acting collectively for the Commonwealth, shall have the opportunity to provide a Head of State once in each complete cycle of rotation.
3. No State, or the Territories acting collectively for the Commonwealth, may provide more than one Head of State within the same cycle of rotation.
4. The order of rotation forms part of this Constitution and may be altered only in accordance with section 128.

Section 132 — Order of rotation

1. The order in which the States and the Territories acting collectively for the Commonwealth are to provide the Head of State is as follows:
   (a) the Territories acting collectively for the Commonwealth;
   (b) New South Wales;
   (c) Tasmania;
   (d) Victoria;
   (e) South Australia;
   (f) Queensland;
   (g) Western Australia.
2. The order of rotation set out in subsection (1) forms part of this Constitution.
3. The order of rotation may be altered only in accordance with section 128.
4. An alteration to the order of rotation does not of itself affect the term of office of a Head of State already appointed.

Section 133 — Treatment of newly admitted States

1. Where a new State is admitted to the Commonwealth under section 121 of this Constitution, that State shall, for the purposes of this Chapter, be treated as part of the Territories acting collectively for the Commonwealth.
2. A newly admitted State shall not be included separately in the rotation of the office of Head of State unless and until the order of rotation is amended in accordance with section 128.
3. Nothing in this section limits or affects the power of the Parliament to admit or establish new States under section 121.

Section 134 — Election mechanics

1. The Head of State shall be chosen by direct vote of the people of Australia.

2. An election for the office of Head of State shall be conducted only within the State, or within the Territories acting collectively for the Commonwealth, whose turn it is under section 131.

3. A person is eligible to be a candidate for election as Head of State only if that person:
   (a) is an Australian citizen; and
   (b) is qualified for nomination as a Senator or as a Member of the House of Representatives; and
   (c) is ordinarily resident in the relevant State or Territory at the time of nomination.

4. Voting at an election for the office of Head of State shall be conducted by a first-past-the-post method.

5. No system of preferential voting shall apply to an election under this section.

6. An election under this section shall be conducted in two rounds:
   (a) the first round shall determine a shortlist of candidates;
   (b) the second round shall determine the successful candidate from that shortlist.

7. The shortlist produced by the first round shall consist of no fewer than three and no more than seven candidates, being the candidates with the highest number of votes, including any candidates tied at the relevant cutoff point.

8. The successful candidate shall be the person who receives the highest number of votes in the second round.

9. Where two or more candidates receive an equal and highest number of votes in the second round, the Parliament of the Commonwealth shall determine the successful candidate by a majority vote of both Houses.

10. The conduct of elections under this section shall be regulated by law, provided that such laws are consistent with this Constitution.

Section 135 — Gender alternation

1. The office of Head of State shall alternate between occupants who identify as female and occupants who identify as male for the purposes of this section.

2. A person elected to the office of Head of State in an even-numbered year shall be female.

3. A person elected to the office of Head of State in an odd-numbered year shall be male.

4. The alternation of gender under this section applies to each term of office and does not reset or vary by reason of:
   (a) a vacancy in office; or
   (b) the appointment of an interim Head of State under section 136.

5. The gender of a person serving as an interim Head of State does not affect the required gender of the person elected at the next election under this Constitution.

Section 136 — Vacancy and interim arrangements

1. If the office of Head of State becomes vacant before the expiration of a term, whether by death, resignation, removal, or incapacity, the office shall be filled on an interim basis in accordance with this section.
2. Where the Head of State was elected in respect of a State, the Governor of that State shall perform the functions of the Head of State on an interim basis.
3. Where the Head of State was elected in respect of the Territories of the Commonwealth, the Governor-General shall perform the functions of the Head of State on an interim basis.
4. An interim occupant of the office under this section shall serve only until the commencement of the next scheduled term in the rotation, and no interim service shall be taken to constitute a term of office.
5. The gender of an interim occupant under this section shall not affect the operation of section 135 or the gender alternation applicable to the next substantive term.
6. An interim occupant of the office shall perform the role subject to the same constitutional position, conventions, and limitations as apply to a substantive occupant.
7. Where an interim occupant performs the functions of the Head of State under this section, that occupant shall also perform any associated public service roles held by the departed Head of State under section 139 for the remainder of the relevant period.

Section 137 — Title and style of the Head of State

1. The Head of State shall hold the constitutional title *Australian of the Year*.
2. The Parliament may make laws prescribing additional styles, titles, or forms of address for the Head of State.
3. Any law made under subsection (2) shall not confer additional powers, functions, or authority on the Head of State.

Section 138 — Dismissal of the Head of State

1. The Parliament of the Commonwealth may dismiss the Head of State by resolution supported by a two-thirds majority of the members of each House.
2. A dismissal under this section takes effect immediately upon the passage of the resolution.
3. The dismissal of the Head of State does not require the assent of the Head of State or of any vice-regal representative.
4. Upon dismissal, the office of Head of State is taken to be vacant and section 136 applies, including in relation to any associated public service roles.

Section 139 — Transitional public service roles

1. A person elected to the office of Head of State shall, prior to assuming office, serve for a period of six months in a public role as an apprentice to the incumbent Head of State.
2. During the period of apprenticeship, the elected person shall not exercise the powers or functions of the office of Head of State and shall act only in a preparatory and representative capacity.
3. Upon the completion of a term of office, a former Head of State shall serve for a period of six months in a public role as mentor to the incoming Head of State.
4. During the period of mentorship, a former Head of State shall not exercise the powers or functions of the office of Head of State and shall act only in a supportive and representative capacity.
5. At all times there shall be no more than one person holding the office of Head of State.
6. Service in a public role under this section does not constitute service as Head of State and does not affect eligibility, term limits, or the operation of this Constitution.
7. A person serving in a public role under this section may be removed from that role by resolution of the Parliament of the Commonwealth supported by a two-thirds majority of the members of each House.
8. Removal under subsection (7) does not of itself affect the office of Head of State or the operation of any other provision of this Constitution.

Proposed revised Section 59 — Constitutional conventions of the Head of State

1. The Head of State shall exercise the functions of the office in accordance with the constitutional conventions governing the exercise of the Crown in Australia, as those conventions developed in practice following 3 September 1939 and as reflected in the *Statute of Westminster Adoption Act 1942* and the *Australia Acts 1986*.
2. In particular, the Head of State shall act in a manner consistent with the non-partisan, ceremonial, and restrained character of the Crown as it operated within Australia as a constitutional monarchy, including the exercise of its functions exclusively through established vice-regal representative offices.

Explanatory Memorandum - Constitution Alteration — A Naturalised Crown in Australia

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1. Purpose of the amendments

The purpose of these amendments is to complete the naturalisation of the Crown of Australia by providing for the selection of an Australian Head of State from among the people of Australia, while preserving the existing constitutional structure, conventions, and federal arrangements through which the Crown operates.

Australia already operates under an Australian Crown, distinct in law and practice from the Crown of the United Kingdom. This position has developed progressively following the adoption of the *Statute of Westminster* in 1942 and was completed in formal terms by the *Australia Acts 1986*. Under these arrangements, the Crown in right of Australia is exercised independently through Australian institutions and in accordance with Australian constitutional conventions.

These amendments do not abolish the Crown, create a presidency, or alter the system of responsible government. Rather, they address the remaining personal element of the Crown by ensuring that the Head of State is chosen from, resident in, and accountable to Australia, consistent with the existing legal and constitutional character of the Crown.

The amendments provide for a fixed-term Head of State, selected by the people, whose role is exercised in a non-partisan, ceremonial, and restrained manner, and exclusively through established vice-regal representative offices. The design of the office emphasises continuity, federal balance, and the prevention of any concentration of personal or political authority.

In doing so, the amendments align the identity of the person serving as Head of State with the constitutional reality that the Crown of Australia is, and operates as, an Australian institution.

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2. What does not change

These amendments are designed to preserve the existing constitutional structure of Australia. They do not alter the foundational principles of responsible government, federalism, or the established operation of the Crown within Australia.

In particular, the amendments do not affect the continuing existence of the Crown of Australia as the constitutional source of executive authority. The Crown remains an institution of Australian law, exercised in accordance with established constitutional conventions and through existing Australian offices.

The role, powers, and functions of the Governor-General and the Governors of the States are not altered. Vice-regal representatives continue to exercise the constitutional functions of the Crown

within their respective jurisdictions, including the operation of reserve powers, in accordance with established Australian constitutional practice and convention.

The amendments do not confer personal executive authority, reserve powers, or political discretion on the Head of State. The Head of State does not direct, advise, or instruct the Governor-General or State Governors, and does not participate in the exercise of executive government. All executive authority continues to be exercised by Ministers responsible to Parliament.

The system of responsible government is unchanged. The Prime Minister and other Ministers continue to be appointed, to hold office, and to be accountable to the Parliament in the same manner as before. The amendments do not create a separate source of democratic mandate capable of competing with, or overriding, parliamentary government.

The federal balance of the Constitution is preserved. The States retain their existing constitutional position, including their own vice-regal representatives and constitutional autonomy. The rotation of the office of Head of State among the States and the Territories is intended to reinforce, not diminish, the federal character of the Commonwealth.

The judiciary and the jurisdiction of the High Court are not affected. The amendments do not expand judicial power, create new justiciable political questions, or alter the role of the courts in interpreting the Constitution.

In summary, these amendments do not introduce a new system of government. They preserve the existing constitutional framework and conventions, while completing the localisation of the Crown by aligning the identity of the Head of State with Australia’s established constitutional independence.

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3. The Head of State as a restrained office

The amendments establish the office of Head of State as a deliberately restrained constitutional role. The design of the office emphasises continuity, stability, and dignity, while preventing the accumulation of personal, political, or executive authority.

The Head of State is appointed for a fixed term of one year and is not eligible for reappointment. This short, non-renewable term ensures that the office cannot become a source of ongoing personal influence or a platform for political ambition. The absence of any prospect of re-election removes incentives for campaigning while in office or cultivating future political support.

The functions of the Head of State are exercised in accordance with established Australian constitutional conventions and exclusively through existing vice-regal representative offices. The Head of State does not personally exercise executive authority, does not direct or advise vice-regal representatives, and does not participate in the day-to-day operation of government. All executive power continues to be exercised by Ministers responsible to Parliament.

The amendments further provide that the Head of State may be dismissed by a two-thirds majority of each House of the Parliament. This mechanism reinforces the restrained character of the office by

ensuring accountability while avoiding routine or partisan interference. The dismissal power is intended as a safeguard, not as an ordinary feature of political contest.

In addition to the term of office itself, the amendments establish a structured period of public service before and after holding office. Each person elected to serve as Head of State undertakes a period of apprenticeship prior to assuming office, followed by a period of mentorship after leaving office. During these periods, the individual does not hold the office of Head of State and does not exercise its functions.

This structure provides continuity of practice and institutional memory without concentrating authority in any one person. At all times, only one person holds the office of Head of State, and only one other person serves in a transitional public role. Fixed transition dates ensure orderly and predictable movement into and out of office.

Taken together, these features ensure that the office of Head of State is experienced as a form of temporary public service rather than as a position of enduring power. The design of the office reflects the non-partisan, ceremonial, and restrained character of the Crown as it has operated in Australia, while adapting its personal dimension to Australia's constitutional independence.

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4. Continuity, rotation, and federal balance

The amendments reinforce the federal character of the Australian Constitution by providing that the office of Head of State rotates among the States of Australia and the Territories acting collectively for the Commonwealth. This arrangement reflects the continuing constitutional equality of the States within the federation and ensures that no single jurisdiction, region, or population centre dominates the office over time.

Under the amendments, each State, and the Territories acting collectively, is afforded an equal opportunity to provide a Head of State within each complete cycle of rotation. The order of rotation is set out in the Constitution itself and may be altered only by constitutional amendment. This provides certainty, transparency, and stability, while preserving the capacity for future adjustment by the people of Australia.

The rotation mechanism is designed to support continuity without centralisation. The office of Head of State remains national in character, but its personal dimension reflects the diversity of the federation over time. This approach avoids the creation of a permanent national political figure and reinforces the understanding of the Head of State as a temporary custodian of a constitutional role rather than as a representative of a particular constituency.

The treatment of the Territories acting collectively for the Commonwealth recognises their constitutional status and ensures their participation in the rotation without disturbing the balance between the States. Provision is also made for the admission of new States, ensuring that the rotation system remains adaptable to the future development of the federation.

The rotation of the office complements the structured transition into and out of office described in earlier sections. Together, these mechanisms provide institutional continuity while preventing the

accumulation of personal authority. Continuity is achieved through predictable succession, apprenticeship, and mentorship, rather than through long tenure or hereditary succession.

In this way, the amendments preserve the stabilising features traditionally associated with the Crown—continuity, regularity, and restraint—while expressing them through a federal and democratic framework consistent with Australia's constitutional structure.

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5. Election mechanics and civic participation

The amendments provide for the Head of State to be chosen by direct vote of the people of Australia, conducted within the State, or within the Territories acting collectively for the Commonwealth, whose turn it is under the rotation established by the Constitution. This approach ensures that democratic participation is maintained while respecting the federal structure of the Commonwealth.

Elections for the office of Head of State are conducted in two rounds. The first round determines a shortlist of candidates, and the second round determines the successful candidate from that shortlist. This structure is intended to balance openness of participation with clarity of selection.

The first round permits broad participation and provides an opportunity for candidates to present themselves publicly. It is not intended to confer a political mandate or to function as a contest over policy or government. Rather, it serves as a preliminary process through which voters may become familiar with candidates and through which candidates may demonstrate qualities appropriate to a non-partisan and restrained constitutional office.

The shortlist produced by the first round must consist of no fewer than three and no more than seven candidates. This range is intended to prevent the election from collapsing into a binary contest, while ensuring that the final selection remains comprehensible and meaningful to voters. The second round determines the successful candidate by simple plurality.

The voting method specified by the Constitution does not involve preferential voting. The absence of preference distribution reflects the non-political character of the office and avoids the creation of negotiated or traded electoral outcomes inconsistent with a restrained constitutional role.

The conduct of elections is to be regulated by law, subject to the requirements of the Constitution. In the case of elections conducted within a State, relevant State legislation may govern electoral procedures, provided that it remains consistent with constitutional requirements. In the case of the Territories acting collectively, such legislation may be made by the Parliament of the Commonwealth. This approach preserves flexibility, accommodates local conditions, and respects federal principles.

While the election process necessarily involves public participation, it does not establish a competing source of political authority. Election to the office of Head of State does not confer a mandate to direct government, influence policy, or represent particular interests. The design of the election process reflects the limited and ceremonial nature of the office and is intended to select individuals suited to temporary constitutional service rather than political leadership.

6. Constitutional conventions and restraint

The amendments operate within, and rely upon, established Australian constitutional conventions governing the exercise of the Crown. These conventions have developed through Australian practice since the emergence of Australia as an independent constitutional monarchy and are reflected in the *Statute of Westminster Adoption Act 1942* and the *Australia Acts 1986*.

Revised section 59 affirms that the Head of State is bound by these conventions. The office is not a source of independent political authority and does not carry a personal discretion to intervene in the operation of government. The Head of State is required to act consistently with the non-partisan, ceremonial, and restrained character of the Crown as it has operated in Australia.

Under these conventions, the Crown functions as a stabilising institution rather than as an active political actor. Executive authority is exercised by Ministers responsible to Parliament, and the formal acts of the Crown occur through established vice-regal representative offices. The Head of State does not direct, advise, or seek to influence the Governor-General or the Governors of the States, and does not exercise reserve powers personally or indirectly.

The amendments do not alter the existence or scope of reserve powers as they are understood in Australian constitutional practice. Those powers continue to be exercised, where necessary, by vice-regal representatives in accordance with convention. The Head of State has no capacity to invoke, threaten, or encourage the exercise of reserve powers, and no authority to act outside the established framework of responsible government.

The requirement that the Head of State act in a restrained and ceremonial manner applies regardless of the circumstances of election or the level of public support received. Election by popular vote does not create a political mandate, nor does it justify public advocacy, policy commentary, or intervention in political debate. The legitimacy of the office derives from adherence to constitutional convention, not from personal popularity.

In this way, the amendments ensure that democratic selection of the Head of State does not translate into political power. The constitutional conventions governing the Crown continue to operate as the primary constraint on conduct, reinforcing continuity, neutrality, and restraint in the exercise of the office.

7. Implementation and summary

The amendments are intended to operate within Australia’s existing constitutional framework and to be implemented through established constitutional and legislative processes. The amendments take effect only upon approval by the people of Australia at a referendum conducted in accordance with section 128 of the Constitution.

Upon commencement, the amendments operate directly by force of the Constitution. No further constitutional alteration is required to give effect to the establishment of the office of Head of State, the rotation system, or the associated transitional public service roles. Consequential legislative measures may be enacted by the Parliament of the Commonwealth and by the Parliaments of the States to regulate electoral procedures and administrative arrangements, provided such laws remain consistent with the Constitution.

The amendments are designed to be durable and adaptable. By setting out core principles in the Constitution and leaving matters of detail to legislation, they preserve flexibility while maintaining clear constitutional boundaries. The treatment of the States, the Territories, and any future States ensures that the arrangements remain capable of accommodating the future development of the federation.

Taken as a whole, the amendments complete the naturalisation of the Crown of Australia. They align the identity of the Head of State with Australia's constitutional independence, while preserving the established conventions, institutions, and balances that underpin responsible government. The role of the Head of State is defined as one of temporary public service, exercised in a restrained and non-partisan manner, and embedded within a system designed to ensure continuity without concentration of authority.

The naturalised Crown of Australia has been deliberately structured to reflect the values that underpin Australian constitutional practice, including restraint in the exercise of authority, equality of citizenship, federal balance, and the peaceful transfer of responsibility. In this respect, it mirrors the role played by the monarchy in the United Kingdom, while expressing those values through Australia's own institutions and democratic traditions.

A Naturalised Crown in Australia - What this does / What this does not do

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What this does

- **Completes the naturalisation of the Crown of Australia** by providing that the Head of State is an Australian citizen, ordinarily resident in Australia, and selected in accordance with the Australian Constitution.
- **Preserves the Crown as an Australian constitutional institution**, exercised in accordance with established Australian constitutional conventions and through existing vice-regal representative offices.
- **Provides for democratic selection** of the Head of State by the people of Australia, within a constitutional framework that prevents the accumulation of political or executive power.
- **Establishes a fixed, non-renewable one-year term** for the Head of State, ensuring that the role is temporary and cannot become a platform for personal influence or political ambition.
- **Creates a structured system of continuity** through rotation among the States and the Territories, combined with defined periods of apprenticeship and mentorship before and after holding office.
- **Maintains federal balance** by ensuring that each State, and the Territories acting collectively, has an equal opportunity to provide a Head of State within each cycle of rotation.
- **Anchors the conduct of the Head of State** to Australian constitutional conventions, including the non-partisan, ceremonial, and restrained character of the Crown as it has operated in Australia.
- **Provides parliamentary accountability** through a two-thirds dismissal mechanism, ensuring a safeguard against misconduct without enabling routine political interference.
- **Allows electoral and administrative detail to be regulated by law**, preserving flexibility for the States and the Commonwealth while enforcing constitutional limits.

What this does not do

- **Does not abolish the Crown** or create a republic or presidency.
- **Does not alter responsible government**, ministerial accountability, or the role of Parliament.

- **Does not confer executive power, reserve powers, or political discretion** on the Head of State.
- **Does not permit the Head of State to direct, advise, or influence** the Governor-General or State Governors.
- **Does not weaken the States** or centralise authority in the Commonwealth.
- **Does not create a competing democratic mandate** or a political leadership role.
- **Does not change the powers of the High Court** or expand judicial intervention.
- **Does not require approval or permission from any foreign state** to take effect.
- **Does not rely on symbolism or ceremony for its legal operation**, which occurs solely by virtue of the Australian Constitution and the will of the Australian people.

In summary

These amendments preserve Australia’s existing constitutional system while completing the localisation of the Crown.
They align the identity of the Head of State with Australia’s constitutional independence, while maintaining continuity, restraint, and federal balance.

Figures

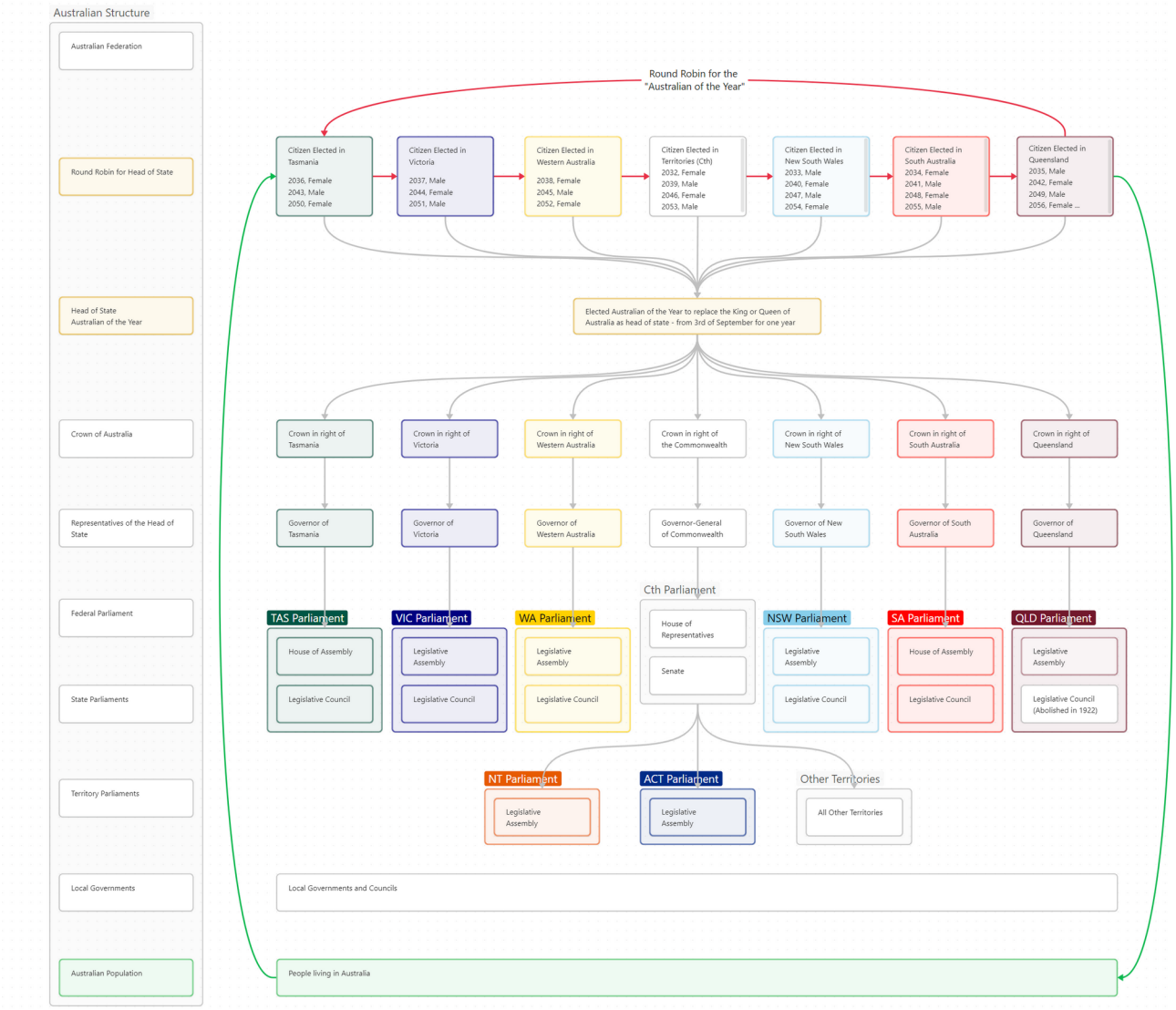

Figure 1 - Structure of the Naturalised Crown

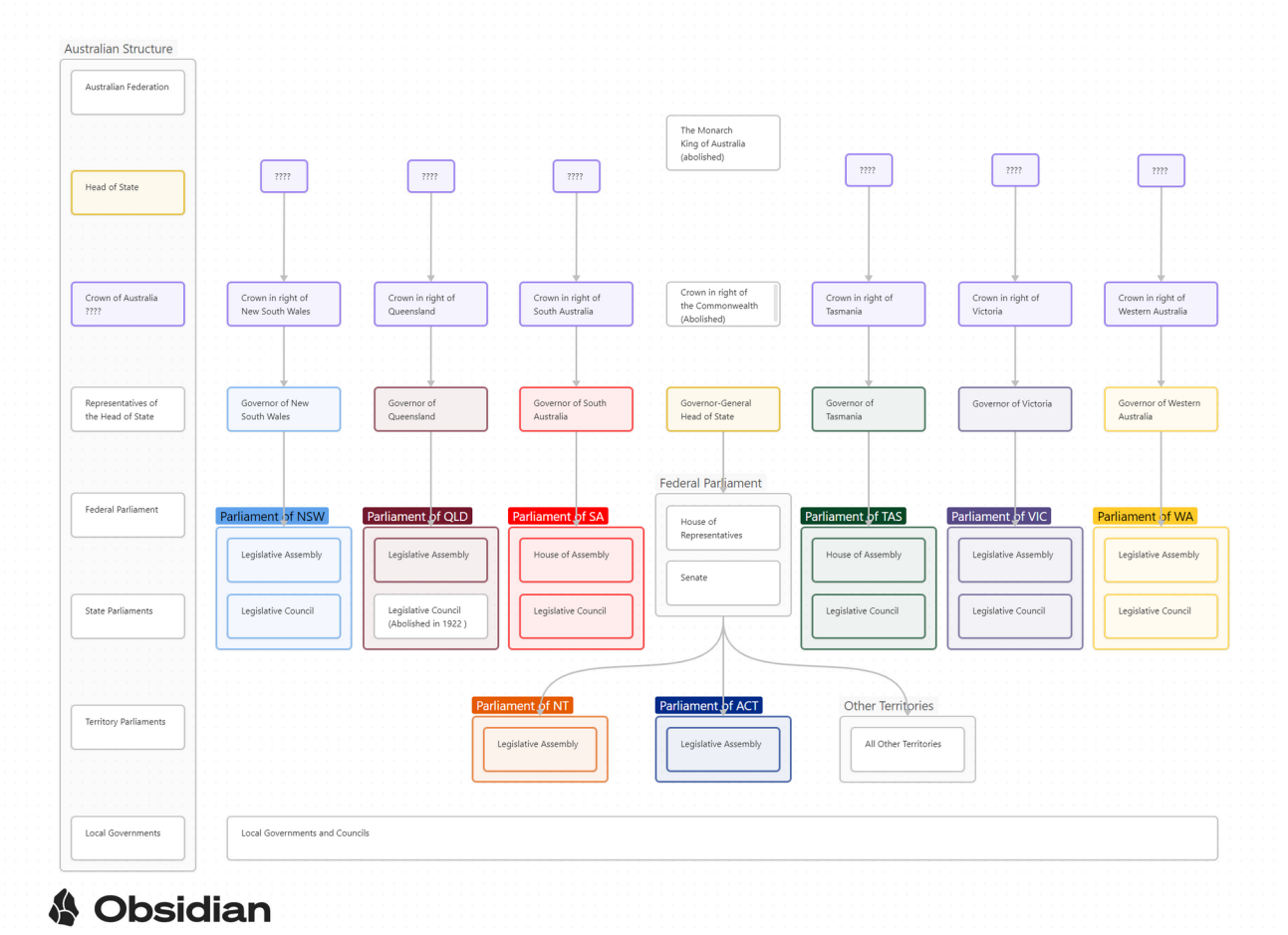

Figure 2 - Structure of the ARM Australia Choice Model

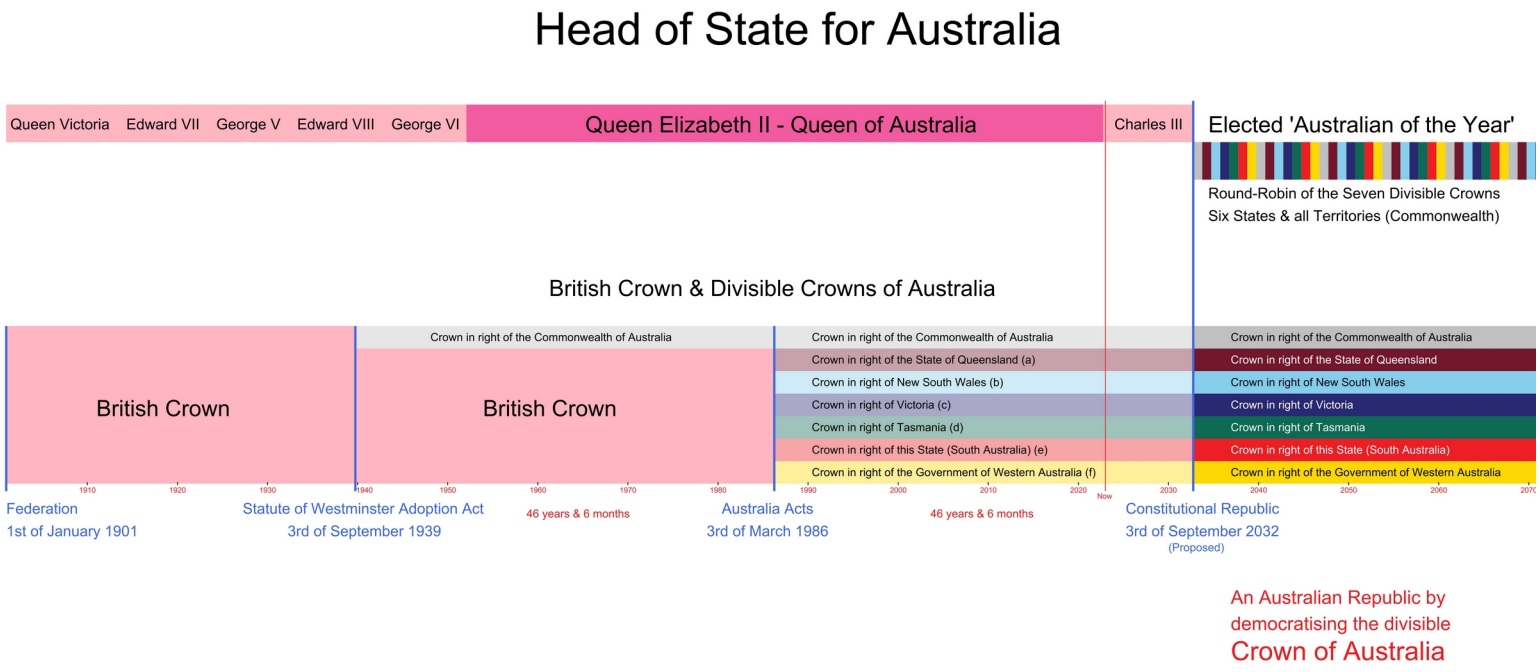

Figure 3 - Timeline of the Crown in Australia

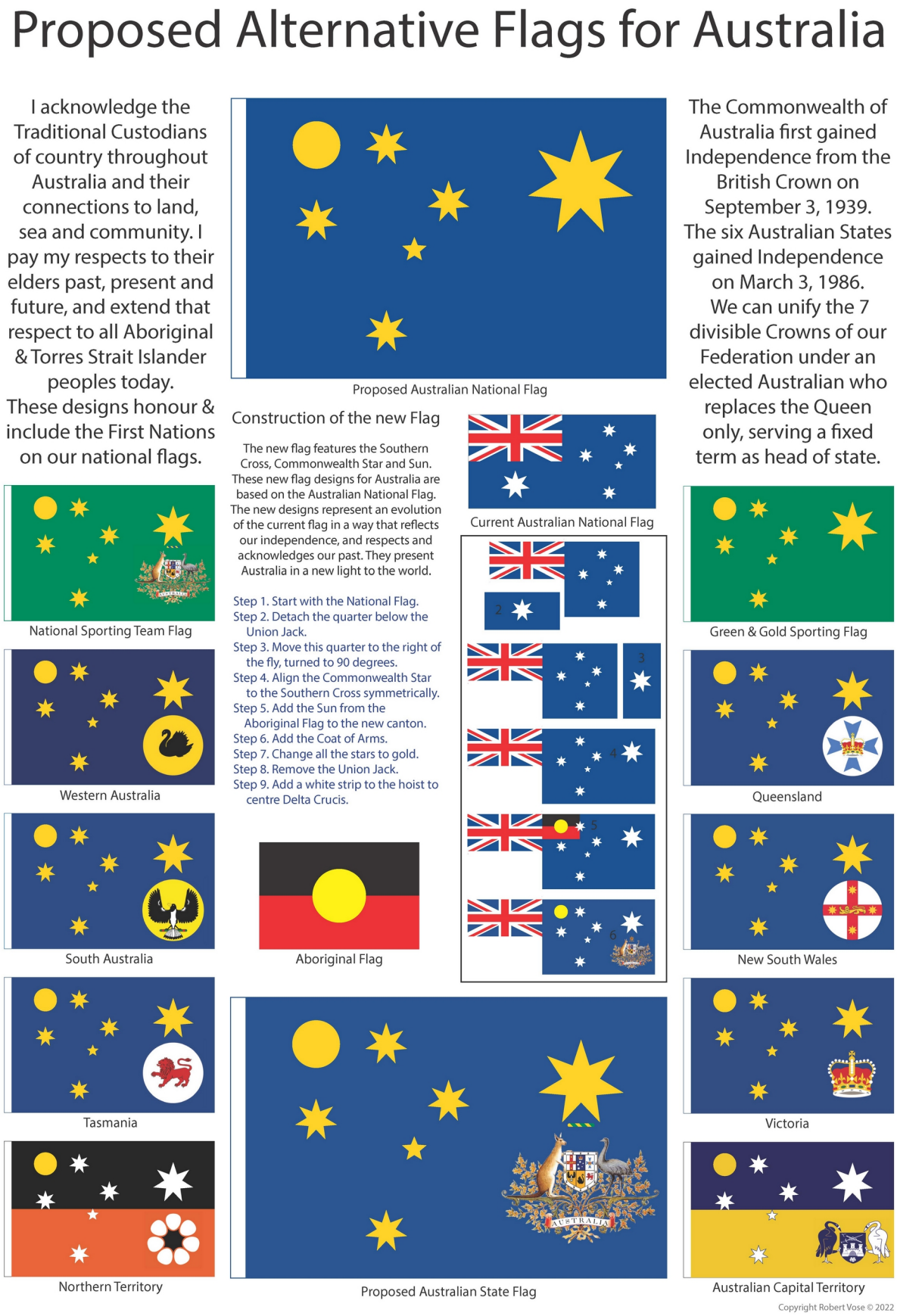

Figure 4 – Proposed Alternative Flags