

23 FEB 2009

LEGAL, CONSTITUTIONAL AND  
ADMINISTRATIVE REVIEW  
COMMITTEE

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Secretary  
Queenslanders for Constitutional Monarchy Assn (Inc.)  
P.O. Box 326  
ASPLEY, Q 4034  
16 February 2009



Secretary/Research Director  
Legal, Constitutional, and Administrative Review Committee  
Parliament House,  
George Street  
BRISBANE, Q 4000

### PREAMBLE TO STATE CONSTITUTION

Dear Secretary/Research Director/Committee:

This incorporated Association wishes to advise you that we do not desire nor require any preamble to be incorporated within the existing Constitution of the State of Queensland.

Several petitions are attached which express this same opinion, and I would appreciate you tabling them with the Committee.

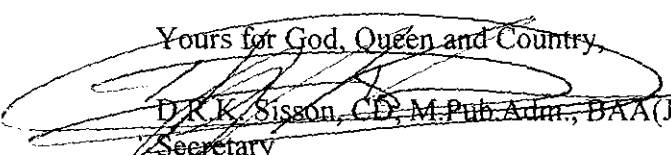
What should be uppermost in the Committee's deliberations is the question of the referendum power which should be applied to all parts of the constitution so that no change can be fiddled by politicians before such a referendum of all the people is taken and the approval of the people obtained.

That this is not the case in all aspects of the Queensland Constitution is to be deplored, and the Committee's work might be better employed in seeing how this can be achieved sooner than later.

A copy of an address by Mr. John Gierke is enclosed, and this might be of interest to Committee members as they deliberate.

Further on the question of the referenda power, a recommendation to address and introduce peoples' referenda, as applied in Switzerland, British Columbia, California, and elsewhere, would be a popular move to guarantee people power in government.

Yours for God, Queen and Country,

  
D.R.K. Sisson, CD, M. Pub. Adm., BAA(J), DipJ  
Secretary

ENCLOSURE:

# ADDRESS BY Mr. John Gierke

Legal Officer and  
Chairman of Legal Committee  
Queenslanders for Constitutional Monarchy Assn (Inc.)

Annual General Meeting  
QCM

COPY

ATTENDANCE: 50

LECTURN

MIKE

DRESS: Smart casual

Lighting & A/C

Black/white Board

Literature

Guests: Associated organizations, RSL Officers, Councillors, M/C QCM, Patrons.

Refreshments & Sit-down Dinner

## **Monarchy Entrenched in Australian Constitution By Australians To Give Us The Best of All Worlds**

**Paul Keating, one of our former Prime Ministers, was certainly correct when he said that there was nothing in the Australian Constitution about the Prime Minister, or the Cabinet.**

**Such references are not there because these offices, together with constitutional connections, were introduced through the adoption of the Constitutional Monarch in our historic document.**

**The document itself was drafted in Australia, and was indeed approved by plebiscites and votes by its colonial parliaments---many consider it the foundation document given by the people of Australia in peace, a superior class of document to that of the American constitution---a constitutional document achieved by deceit, revolution, terror and war aided by a foreign power, namely Bourbon France.**

**To maintain their American constitution, they had to endure and fight a major civil war which literally tore their country apart in bloodshed and suffering.**

**Not so in Australia! Our constitution is a peaceful Act of the British Parliament, and as such, had been interpreted by the Australian High Court in 1920. That was the Engineer's Case (Amalgamated Society of Engineers & Adelaide Steamships Co. Ltd. [1920] 28**

**CLR 129). As such, our constitution is a flexible and ever evolving instrument of good government.**

**The Act of the British Parliament transposed the Constitutional Monarchy in the United Kingdom, along with other aspects of its unwritten system of government, into Australia's system. That was the UK's contribution and gift to our constitution---not the absolute monarchy of William the Conqueror of 1066---but the monarchy as modified by a thousand years of reforms and changes into today's constitutional monarchy.**

**As the late Dr. Glen Sheil, a QCM patron and long-serving Senator for Queensland, so ably put it: "The Queen is monarch of Great Britain where she rules, but she is Sovereign of Australia where she reigns but doesn't rule." He added that Australia's Head of State is our Crown, and the only person vested by Australian Crown Powers is our Governor-General. Thus speaks the Australian Constitution.**

**It does not depend on the popularity or unpopularity of the constitutional monarch. It has a life of its own, and has been successful with six very different constitutional monarchs---some popular and some not so popular.**

**In over 100 years of its application in Australia, it has been eminently successful. Indeed, there has been only**

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**one “bleep”, and that was in 1975.**

**What was the outcome, you might ask? A great civil war as in the United States? Certainly not, but an election! And the business of government moved on! Very democratic! Very civilized! Very successful! Very Australian!**

**Over the century, Australians have been reluctant to endorse amendments to our constitution, and politicians should take this in consideration and leave it alone.**

**It has enabled Australians to act independently, with its own elected decision makers in Australia. Firstly, we declared war independently in both Great Wars, and secondly, we, through the Governor-General, independently dismissed a government which was, in the opinion of our Australian Governor-General, not acting in accordance with our Australian constitutional conventions.**

**It has had great input from Australians and defies categorization. It is an uniquely Australian concept. It suits us.**

**It is “sui generis”.....meaning “unique”, or of its “own kind”!**

**(18 November 2008)**