

Malcolm Mackerras AO

4 March 2011

Ms Julie Dennett
Secretary
Standing Committee on Legal and Constitutional Affairs
The Senate
Parliament House
Canberra ACT 2600

Dear Julie

I refer to the fact that there lies on the Senate table the measure titled "Australian Capital Territory (Self-Government) Amendment (Disallowance and Amendment Power of the Commonwealth) Bill 2010". Being an acknowledged expert in this area you have written to me to ask for a submission and I thank you for the compliment. However, I should mention that I am no longer an Associate Professor since I have retired. I am now simply "Mr Malcolm Mackerras AO".

I support the Bill but I acknowledge that there is a political problem with it. In my opinion that problem is the fault of the ACT Greens. They could have indicated that this extra power could be given to the ACT Legislative Assembly without the slightest intention to use it in the short term. Had they done that the Bill could have easily passed through both houses of the Commonwealth Parliament.

Instead of that the ACT Greens have indicated their intention to use the power to press for what they call "marriage equality". That is a sickening phrase. There is nothing wrong with the current arrangements for civil unions in the ACT. Regrettably, therefore, the intention of the ACT Greens to abuse this power has created the circumstance whereby certain federal politicians, aided by journalists who suck up to them, can create the impression that

the Bill is about euthanasia and so-called "gay marriage" when really it is about the status of citizens of territories compared with that of citizens of the states.

The way I describe it is to say that the ACT should be compared to Tasmania. Both have roughly the same population. Both have a lower house elected by the same electoral system. Therefore, both have a representative parliament.

There are some politicians (for example, Tony Abbott in his disgraceful book *Battlelines*) who think the status of the states should be lowered to that of the territories. I am of the opposite view. I think the status of the states should remain unchanged but that of the territories should be raised to be more like that of the states. This Bill does that and should, therefore, be supported.

Yours sincerely

Malcolm Mackerras