
To:

The Standing Committee on Finance & Public Administration

I wish to support Senator Madigan in his initiative with his
Citizens Initiated Referendum Bill 2013

It is sorely needed.

I am the author of the new index to the Annotated Constitution of the Commonwealth of Australia by **Quick & Garran** published by Angus & Robertson in 1901.

The parent of our current Constitution.

Please find attached a letter of recommendation by Mr Justice Kirby of the High Court.

I note the bill has been read for the first time.

So at this stage it is able to be edited.

Since **1901**, there have been **44** referendums, only **8** have carried!

This is appalling!!!

Internationally embarrassing.

That we have such '**feet of clay**'.

Set in concrete.

Unable to move.

Due in large part to the **people** not understanding the consequences of voting **YES**.

So they vote **NO**.

That was reason for writing a new index, to make the document more accessible.

It is an absurd **conundrum** that in order to incorporate **CIR** into the **Constitution**, you need to instigate a referendum vide **sec.128** in order to incorporate it!

In order to have a **referendum**, you have to have a **referendum!!!**

And how to do that, given the extraordinary complexity of the parliament without impossible difficulty?

Given it is the exclusive prerogative of the parliament to order such a referendum.

I'm assuming the Bill, attempts to circumvent this **impasse** by Federal legislation (without initially changing the **Constitution**) by mandating the Parliament enact such a referendum, that will in time itself lead to **Constitutional** change.

Historically the **Constitution** was only ever a preliminary document, to get the country up and running.

The founders never imagined, that it would still be virtually unchanged after 112 years!

Robert Garran who lived until 1957 remarked, '*if only I had known the problems sec.92 would pose, I would never have included it*'.

The unintended consequences of unintended consequences.

The requirement of 1% of 13,021,230 **electors** as at 2012, equates to 130,212 signatures.

That's a lot.

Why limit yourself to percentages?

I lived in Switzerland for seven years.

The Swiss model is 50,000 signatures out of a population of around seven million i.e. 0.7%.

It would appear to be based on that.

Logistically that's very cumbersome.

What about using social media to ask the people what they want.

You could poll the entire population via their mobile phones.

And have an answer in **seconds**.

There are as many mobile phones as there are people.

Far more accurate and reliable than checking electoral lists by hand.

The required 3% check is only 3900.

The idea of filling out forms harks back to the days of the '*tyranny of distance*', where you needed a representative to physically go to Canberra.

Times have radically changed.

Our Parliamentary system is historically **archaic**, invented hundreds of years before the **telephone**.

I would like to see a system where you simply, '**go to the audience**'.

Government by the people.

The wisdom of the crowd.

Two heads are better than one.

22 million are better than two.

I suppose you have to crawl before you can walk.

And these are just ideas.

But they are my ideas.

We have a good **Constitution**, we don't need to throw the baby out with the bath water.

However it is in serious need of a '**make over**'.

Incremental change.

We don't need a **Republic**.

What ever that means?

We need a parliament **accountable** to the people.

With the power of **recall**.

Everything else are just labels and semantics.

Yours

Sincerely

Greg Cugola