

Electoral Reform

To Whom It May Concern,

it has come to my attention that electoral reform is once again in the government's spotlight. The Rudd government has promised a referendum on a possible republic and seems eager to engage the community in debate regarding a new political model. The current "Washminster" system was a great success in Federating the Australian colonies, uniting us as a people while maintaining smaller state governments that were practical prior to the recent advances in communications technology, however now our way of government seems outdated, unrepresentative, unaccountable and a misuse of valuable resources.

My ideas for a new political system in the following paper are certainly ambitious, but it is my sincere belief that Australians, particularly the younger generations, are both creative and progressive.

My proposals include

-An abolition of state and territorial governments. Australia is one of the most over governed nations in the world. We have a population of only 22 million and yet have three levels of government when nations five to six times our size such as Japan and France make do with just two: national and local. This abolition would end, once and for all, the federal-state blame game bringing back accountability to government. Moreover, having a national rather than a federal government would save resources and increase efficiency.

-Replacing a system of electorates based on geographical areas with one based on the age of citizens. The current model allows for the manipulation of

results both malapportionment and gerrymandering; a slight shift of electoral boundaries can create an entirely different outcome. My system is systematic; leaving no room for manipulation as it deals with the single dimension of time (age) rather than the two dimensions of length and width (geographical area). If someone has a local problem and needs to notify a local official, they would consult with their local government mayor.

Making the parliament's voting system a single transferable vote and implementing a separate preferential election for electing Australia's Chancellor

Systems of proportional representation always make Parliaments more representative; a microcosm of the voting collective's views. Truly democratic legislatures should indeed be a microcosm of societal convictions. Some have argued that such systems are unstable, as coalitions often need to be formed to construct governments. Fortunately with this model such concerns are unnecessary as the legislative (Parliament) and executive (Chancellor) branches of government are elected separately. The Washington system also elects their president and Congress independently and the United States remains the world's most powerful, and some have argued the most prosperous, country. This system allows for greater checks and balances and more stable government that does not rely on parliamentary coalitions.

-A monarch to add additional checks and balances and satisfactorily fill the role of Australia's head of state.

A country's head of state should never be elected. To elect a person to the position is to politicise what is a very important posting. A head of state is the embodiment of a country. He/she must represent the whole of society irrespective of political views and affiliations. Monarchy stands as the only legitimate alternative to an elected presidency. Australia should appoint its own monarchy as the Windsors (although arguably representative of the British) do not satisfactorily embody the Australian community. The roles of head of

government and head of state should never be combined or occupied by the same individual. In this system the head of state (monarch) and head of government (Chancellor) are two separate positions occupied by two separate individuals.

-A Constitutional Bill of Rights.

Bills of rights particularly constitutional ones protect and ensure a strong liberal element to the liberal democratic process. By protecting individual negative liberties constitutional bills of rights restrain democratic government tyranny; the tyranny of the majority. Unlike positive liberties which enslave government, the negative liberties which I have proposed simply restrain government from infringing upon individual rights and the encroachment of government into the private lives of citizens. As they have been specifically worded there is little room for misinterpretation by the unelected judicial branch.

Yours sincerely

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National political institutions

- Parliament
- Chancellor
- Supreme Court
- Constitutional bill of rights
- Monarchy

The composition / formation of National political institutions

Parliament

Parliament is Australia's main legislative institution. It will be composed of a single house (unicameral) of 308 MPs and one Chancellor. Each member position in Parliament will be democratically filled every five years however only 154 member positions would be voted upon each election. Hence Parliamentary elections will be held once every 2 and a half years. These elections will be fixed for the second Saturday of November and the second Saturday of May 30 months apart. Elections will use a single transferable regional age electorate vote system. That is Australia will be divided into 8 regions as so.

Appendix 1

22 age electorates will be divided between the 8 regions. Their allocation will be determined by the relative population size of each region. Each region will be guaranteed at least one electorate. If a region receives multiple electorates the divisions between them will be decided on age rather than geographical location. A list of voters within such a region will be created and ordered according to voter age; with the eldest appearing at the top of the list and the youngest registered voter appearing at the bottom. The list will then be divided into however many equally sized age electorates are required. If an electorate division needs to be created

between voters born on the same day of the same year the AEC should round the division up or down to the closest day of that particular year. Seven MPs will be elected from each age electorate using the $V/(S+1)$ formula to accurately elect MPs proportionally.

Each parliamentary age electorate ballot will consist of 37 candidates; 33 party candidates from the seven parties with the largest memberships in that region and 4 independents. Voters will have two options either to number all 37 candidates in order of preference below the line or to number all 11 parties and independents above the line (seven parties, 4 independents) and allow each party to determine the preferential order of their own candidates (i.e. the top down vertical order in which the party's candidates appear on the ballot).

As seven MPs will be elected from each electorate a candidate must obtain the required quota of $1/8$ or 12.5% of the distributed vote. Voting will be compulsory. Voters will be required to receive a ballot from a polling station within their polling zone (council area). They must provide AEC workers with their voter registration details ie their full name, address and age. The polling stations AEC workers will then confirm these details and subsequently provided the voter with an appropriate age electorate ballot. Voters will then have the opportunity to fill their ballots and slip them into the appropriate ballot box.

Any prematurely vacant parliamentary member position will be filled by the former MP's named second. If the MP refused to formally name a second the position will be allocated by the Speaker of the house/vice chancellor to whomever he/she appoints.

Parliamentary candidate preselection

Parliamentary independent candidate preselection

For every electorate allocated to a region 4 independent candidates will be given the opportunity to run i.e. appear on an age electorate ballot. Only those independents with the largest official supporter bases will be granted this opportunity. The four eldest of these candidates will appear on the age electorate ballot for the eldest citizen's etc.

Parliamentary party candidate preselection

Only the seven parties with the largest official membership in a particular region will be eligible to select candidates to run in that region i.e. to nominate candidates to appear on each of the age electorate ballots of that region. Each of these seven parties will be guaranteed three candidate spaces for each age electorate. In each age electorate 12 more party candidate spaces will be distributed among the seven parties based on the relative sizes of those parties' memberships. Parties will decide in their own way the process of preselecting these candidates.

Chancellor

The Chancellor will be the head of the country's executive. He/she will decide which MPs will form the Cabinet and he/she will be ahead of that Cabinet. The Chancellor will be able to introduce and eject members to and from the Cabinet and rearrange it as he/she sees fit. The Chancellor will appoint an MP to the dual role of vice chancellor/Speaker of the house. The Chancellor may also sack members from cabinet and reallocate these positions whenever and to whomever he/she feels it appropriate. If the Chancellor is unable to continue in that role for whatever reason barring impeachment the vice chancellor will ascend to Chancellor and will in turn have to appoint an MP to be vice chancellor and (if the former Chancellor also forfeits his/her parliamentary seat) appoint another currently non-member of Parliament to fill the seat vacancy within Parliament. A Chancellor voted out of office

in a Chancerial election will be granted a seat in Parliament until the next Parliamentary election 30 months later. He/she will be eligible to contest a position in Parliament at this election, not the chancellorship. Only MPs who aren't up for re-election can contest the chancellorship. An incumbent Chancellor will be barred from running in the next Chancerial election if he/she has already served 5 consecutive terms in that office. After a Chancellor has completed 5 consecutive terms he/she will also be guaranteed a seat in Parliament for the next 30 months until the following Parliamentary election.

Chancerial elections

Elections for Chancellor will coincide with Parliamentary elections every 30 months. All voters in the country will receive the same Chancerial ballot in addition to their particular regional age electorate Parliamentary ballot. On the Chancerial ballot will appear the names of all candidates running for Chancellor. To cast a valid vote, voters will be required to number all the candidates who appear on the ballot in order of their preference. The preferential/alternative vote method will be employed to determine the vote winner. Votes for the candidates with the least votes will be redistributed according to preference until one candidate obtains the required quota of 50% plus one votes. The entire country will be considered a single electorate for these particular elections.

Chancerial candidate preselection

Independent Chancerial candidate preselection

Each independent MP not up for re-election in the coinciding parliamentary election will be permitted to run for Chancellor and appear on the Chancerial ballot.

Party Chancerial candidate preselection

Each Parliamentary party which has candidates not up for re-election in that particular coinciding parliamentary election will be entitled to preselect by their own means one of these MPs to be that party's Chancerial candidate. A Parliamentary party cannot preselect a new candidate if the incumbent Chancellor is a member of their party and is by his or her choice contesting this next election.

Constitutional bill of rights

Australia should adopt a constitutional bill of rights to protect the individual rights and liberties of Australians into posterity. The following 15 rights should be adopted.

- 1-The right to equality before the law (irrespective of race, sex or sexuality)
- 2-The right of adult citizens to an equal vote in regular legislative and executive government elections
- 3-The right to be atheistical and not engage in religious practice
- 4-The right to remain silent
- 5- The right to privacy
- 6- The right to exclude other private individuals from access to and use of one's own private property and person
- 7-The prohibition against rape, slavery and conscription (military or otherwise)
- 8-The prohibition against murder, torture and the non-consented to mutilation or removal of body parts
- 9- The prohibition against cruel and capital punishment
- 10-The right for any two consenting adults to marry
- 11-The right for consenting adults to engage in whatever private, non-conceptual, nonlethal sexual activity they deem appropriate

12- The prohibition against arbitrary arrest, detention and exile

13- The right of suspected criminals to be presumed innocent until proven guilty by a fair judicial trial

14- The freedom of association that does not breach restraining orders for citizens currently not state detained or serving a jail sentence

15- The freedom of assembly, speech and self-expression that does not damage another's property or endanger the life or rights (as listed above) of another.

The Supreme Court

The Supreme Court will be the head of the nation's judicial body and will be responsible for resolving disputes between other political institutions. The tenure of its 9 justices will last until death unless they are found to be mentally or physically unfit by a medical doctor or they voluntarily retire. If the appointment of a new justice/s is required then the Chancellor will create a list of potential candidates as will the monarch. The number of candidates on each list will be determined by the $2(S+1)$ formula. S = vacant number of seats (positions). Both will order their lists by preference. Then the two lists will be fused to create one list of candidates.

Eg

Appendix 2

Once this fused list is created the parliament will order it using the preferential voting system recounting and redistributing the votes as many times as there are vacancies.

The Monarchy

The first Australian monarch will be Prince Frederick and Princess Mary of Denmark's daughter Isabella Henrietta Ingrid margrethe. Unlike traditional European monarchies, Australia's monarchy will descend down the female line i.e. a matrilineal primogeniture line of succession. Australia's old Parliament house will be refurbished and reborn as a palace to house the new monarchy. Until Queen Isabella comes of age (18) her mother may appoint herself or someone else Lord Protector to carry out her royal duties.

Functioning/interaction between political institutions

Passing legislation

Bills may be introduced to Parliament by any MP however the overwhelming majority of bills will no doubt be introduced by members of the Chancellor's Cabinet. To be passed into law, the Parliament must pass a proposed bill with either a two thirds majority (without the need for further endorsement) or pass it with a simple majority with the endorsement of either the Chancellor or monarch.

Chancerial impeachment

For a successful Chancerial impeachment an MP must call for a vote of no confidence in the Chancellor. This MP must state his or her reasons for calling such a vote to the Parliament. The reasons themselves will have no bearing on whether the vote is taken but will simply provide an opportunity for the MP to state his/her case to Parliament before the vote is taken. The impeachment will only be successful if more than two thirds of the Parliament are in it's favour. The then ex-Chancellor would be granted a seat in Parliament until the next Parliamentary election. A vote within Parliament would then proceed to determine the replacement Chancellor. Each Parliamentary party will nominate a candidate and every independent will be eligible to stand. A preferential vote will then be held. Each MP

will be given a ballot on which they will number their preferences. The ex-Chancellor will be barred from standing however the vice chancellor may stand in his/her place as the nomination for the ex-Chancellor's party if that party so chooses.

Jess Clark

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Supreme Court : Appointment of Justices

Vacant position = 2
 $2(5+1) = 8$

Monarch's List

John Howard	1
Marty McFly	2
Superman	3
Catherine Janeway	4
Louis	5
Lestat	6
Armand	7
Claudia	8

Chancellor's list

Lestat	1
Superman	2
Benjamin Sisko	3
Catherine Janeway	4
Harry Potter	5
Frodo Baggins	6
Grandalf	7
Gabriel Solice	8

Fused list

John Howard	1
Lestat	2
Marty McFly	3
Superman	4
Catherine Janeway	5
Benjamin Sisko	6
Louis	7
Harry Potter	8

Parliament's re-ordered list

Catherine Janeway	1
Lestat	2
Louis	3
Harry Potter	4
Marty McFly	5
Superman	6
Benjamin Sisko	7
Armand	8

Appendix ~~1~~ ~~2~~ 2