

THE AUSTRALIAN  
DECLARATION *of*  
RECOGNITION

Capturing the Nation's Aspirations by  
Recognising Indigenous Australians

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# THE AUSTRALIAN DECLARATION *of* RECOGNITION

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A new proposal for recognising Indigenous Australians

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# The need for recognition

In the next few years, Australians may decide to make substantive changes to the Constitution to address Indigenous issues. The purpose of some of these alterations is to change the cultural position of Indigenous Australians in the national story. We propose that, alongside any substantive constitutional changes, all historical and aspirational statements be embodied in an Australian Declaration of Recognition. An Australian Declaration of Recognition provides the best way to address cultural issues while avoiding legal technicalities.

Discussion is crystallising around three proposals to change the Constitution:

- Repeal of section 25
- Amendment of section 51(xxvi)
- Adoption of a symbolic statement either in the existing preamble, in a new preamble, an introduction to the Constitution or in a new section 51A.

We make no comment on the first two issues. We support the adoption of a symbolic statement, but Australia can achieve a less constrained, more generous and loftier statement if such a statement appears in an Australian Declaration of Recognition, rather than in the Constitution.

## An Australian Declaration of Recognition

An Australian Declaration of Recognition would provide a form of words designed by Australians through a national competition, voted on by all Australians in a referendum, and which would then be used at all national, civic and religious occasions, but which would not appear in the Australian Constitution. Such a Declaration would have far greater cultural impact, and, decoupled from the Constitution, it would have greater capacity for rhetorical flourishes, sweeping statements, and soaring poetry, than anything which the legalistic structures of Australia's Constitution must necessarily contain.

## A new proposal

We propose that the Australian Declaration of Recognition be an historical and aspirational statement of no more than 300 words.

The Australian Declaration of Recognition would recognise the place of Indigenous people in our history, and the enduring value of their culture for Australia. In recognising these facts, it would also declare our aspirations for Australia's future as a nation.

The 50th anniversary of the 1967 referendum in 2017 presents an historic moment for all Australians to acknowledge and affirm the significance of Indigenous people in our national life.

The 1967 referendum gave Indigenous people a formal place in the life of the nation, by making Indigenous policy a matter for the Commonwealth and counting Indigenous people in the census. An Australian Declaration of Recognition gives Australians the chance to recognise Indigenous people and their culture as a blessing for our national life.

## Writing the Declaration

In order to ensure that the process is genuinely owned by the Australian people, and so that it can be a truly transformative moment in our history, we propose the maximum popular participation in the process of designing the Australian Declaration of Recognition. The great symbol of Australia, the Australian National Flag, was designed and adopted as the result of a public competition more than 100 years ago, and we propose a similar process for the Australian Declaration of Recognition.

In order to ensure popular participation, the Government should ask Australians, through a national competition, to compose a potential Australian Declaration of Recognition of no more than 300 words. All manner of people, from school children to Aboriginal elders, would be encouraged to participate in drafting declarations. The Government should establish a broadly based committee comprising Australians with a wide variety of backgrounds including:

- Indigenous and non-Indigenous people  
Among the Indigenous members, people representing the broad range of opinion in the Indigenous community
- People representing a wide range of opinion within political, cultural and historical debates
- People with literary ability and historical knowledge
- People who have extensive experience of Australia and its people.

The committee's role would be to receive and review proposals for a Declaration of Recognition, and shortlist five versions of the Declaration which could then be put to Australians at a referendum. The Government could offer prize money for the five shortlisted entries.

# Voting for the Declaration

Australian electors should be given the opportunity to express their preference for one or other of the alternative versions of the Declaration using a preferential voting system. Such a preferential ballot maximises participation and ensures that even those electors who do not get their first choice have the chance to express a view on their hierarchy of preferences.

Referenda of this type (sometimes called plebiscites) have been used infrequently in Australia. The most notable case was in 1977, when the Fraser Government conducted an indicative plebiscite to gauge public preferences for a national song (the result being the adoption of *Advance Australia Fair* as the National Anthem). The Declaration of Recognition would have similar cultural status to the National Anthem, in that it would be used at civic, school, cultural, religious, and even sporting ceremonies, and therefore the process of adoption should be similar to that used for the National Anthem.<sup>1</sup>

## Benefits of recognising Indigenous Australians in an extra-constitutional document

We agree that Indigenous people deserve recognition. However, until now the public debate has assumed that the only way to achieve this is by inserting a statement in the Constitution. This assumes that symbolic, historical and aspirational statements have a place in the Constitution. We think that there is a better way to do this, and to learn from the American example. Justice Antonin Scalia of the Supreme Court of the United States writes:

If you want aspirations, you can read the Declaration of Independence, with its pronouncements that ‘all men are created equal’ with ‘unalienable Rights’ that include ‘Life, Liberty, and the Pursuit of Happiness.’ Or you can read the French Declaration of the Rights of Man... There is no such philosophizing in our Constitution, which, unlike the Declaration of Independence and the Declaration of the Rights of Man, is a practical and pragmatic charter of government.<sup>2</sup>

Scalia contrasts the Constitution of the United States with the Declaration of Independence. He points out that, whereas the Declaration is properly understood as a statement of aspirations, the Constitution is properly understood as a practical and pragmatic charter of government. The Australian Constitution was modelled on the United States Constitution: both documents are practical and pragmatic charters of government. And the Australian Constitution—even more so than the American Constitution—contains no statement of the nation’s aspirations.

<sup>1</sup> In a non-constitutional referendum the requirement for the proposal to achieve a majority vote in a majority of states would be a matter for Parliament to determine.

<sup>2</sup> Scalia, A., *A Matter of Interpretation: Federal Courts and the Law* (Princeton University Press, 1997), p. 134.

However, in the Declaration of Independence, the United States has a non-constitutional document that sets out the aspirations of the American nation. This is not so in Australia. We believe that the Declaration of Recognition would fill this void.

### **Advantages of a Declaration of Recognition**

There are two major advantages of a Declaration of Recognition as a repository of historical and aspirational statements about Indigenous people and Australia.

The first advantage is that a Declaration of Recognition is not a constitutional document and is therefore not subject to the limitations of being a document interpreted by the High Court. The Declaration of Recognition is thus liberated from legal technicalities and can express broader and more poetic sentiments about Australia's past and its aspirations for the future.

The second advantage of the Declaration of Recognition is derived from its popular creation and adoption, giving it the potential to change the place of Indigenous Australians within our culture.

### **Legal advantages of a Declaration of Recognition**

The first advantage of the Australian Declaration of Recognition is that it is not a legal document. It is therefore not subject to interpretation by the High Court. By contrast, the Australian Constitution is a legal document. Its words, including whatever words are added to it, have a legal effect and are subject to interpretation by the High Court. This means that it is dangerous for the Constitution to contain words of aspirational poetry. It means that if such historical and aspirational words were to be added, they would be stunted by lawyers who tried to predict the future interpretation of the additional language.

### **No one can guarantee future interpretation of the Constitution**

No advocate can guarantee the future interpretation of the Constitution by the High Court. Just because the people who were inserting certain words into the Constitution did not mean them to be used in a particular way does not mean that those words will not eventually be used in a way which was vastly different from the hopes of the advocates for change.

Any additional words can change the broader meaning of the Constitution. One proposal has been that additional words be added either to the existing preamble, or to the covering clauses or to the Constitution proper. A view has developed that there is a constitutionally danger-free way of inserting a statement about Indigenous people in one of these places. This view is erroneous and should be resisted. As to the Constitution proper, in 1967, the races power was amended to give the Commonwealth the power to make special laws for Aborigines.

The Yes Case, which was authorised by the Prime Minister, the Leader of the Country Party, and the Leader of the Opposition, contained the following words:

The purposes of these proposed amendments ... are to remove any ground for the belief that, as at present worded, the Constitution discriminates in some ways against people of the Aboriginal race, and, at the same time, to make it possible for the Commonwealth Parliament to make special laws for the people of the Aboriginal race, wherever they may live, if the Commonwealth Parliament considers this desirable or necessary... The Commonwealth's object will be to co-operate with the States to ensure that together we act in the best interests of the Aboriginal people of Australia.<sup>3</sup>

Reflecting on public comments made by the major political leaders during the 1967 referendum campaign, Justice Kirby observed:

The Prime Minister (Mr Holt), in his statement said that it was not acceptable to the Australian people that the national Parliament “should not have power to make special laws for the people of the Aboriginal race, *where that is in their best interests*”. For the Federal Opposition, Mr Whitlam stated that the then provisions of the Constitution were “discriminatory”. He pointed out the need to assist Aboriginal communities in the realms of housing, education and health, and stated that the Commonwealth must “accept that responsibility on behalf of Aboriginals”. It was also vital, he argued, to remove the excuse “for Australia's failure to adopt many international conventions affecting the welfare of Aborigines”. For the Australian Country Party, its Deputy Leader, Mr Anthony, explained that the amendment to the Constitution “would give the Commonwealth Government, for the first time, power to make special laws *for the benefit of* the Aboriginal people throughout Australia”. For the Australian Democratic Labor Party, Senator Gair titled his statement “End Discrimination—Vote ‘Yes’” and explained that his Party had “adopted the slogan ‘Vote Yes for Aboriginal Rights’”. There was not the slightest hint whatsoever in any of the substantial referendum materials placed before this Court that what was proposed to the Australian electors was an amendment to the Constitution to empower the Parliament to enact laws detrimental to, or discriminatory against, the people of any race, still less the people of the Aboriginal race.<sup>4</sup>

In 1967, the promise of advocates had been that the power would be used to end discrimination and make laws for the benefit of Aboriginal people. However, when the 1967 amendments were tested in *Kartinyeri v The Commonwealth (The Hindmarsh Island Bridge Case)*, a majority of the High Court held that the 1967 referendum did not confine the races power so that the Commonwealth could only make laws which were for the benefit of Aboriginal people.<sup>5</sup>

When assessing the potential danger of including symbolic, historical and aspirational language in the Constitution, such as proposals to recognise Indigenous people, it is necessary to reflect on the uncertainty created by other rhetorical flourishes that have been inserted in the Constitution.

<sup>3</sup> *Kartinyeri v The Commonwealth* (1998) 195 CLR 337 [145], per Kirby J.

<sup>4</sup> (1998) 195 CLR 337 [146] (emphasis in original).

<sup>5</sup> (1998) 195 CLR 337 [32] per Gaudron J [95], per Gummow and Hayne JJ.

The most litigated section of the Australian Constitution, the subject of over 140 cases, is also the section which contains the only major rhetorical flourish in the Constitution. Section 92 of the Constitution states:

On the imposition of uniform duties of customs, trade, commerce, and intercourse among the States, whether by means of internal carriage or ocean navigation, shall be absolutely free.

It has been difficult for the High Court to settle the meaning of the words “absolutely free” precisely because they contain an imprecise rhetorical flourish of the symbolic, poetic variety which it might be thought desirable to introduce in a statement of recognition in the Constitution. The uncertainty that such statements create itself underscores why having them in the Constitution is undesirable.

A view has developed that having some form of recognition of Indigenous people in the preamble carries less constitutional risk than amending the Constitution proper, while still achieving recognition. Leaving aside the arguments which suggest that it is not technically possible to amend the preamble to the Constitution, putting symbolic and historical statements in the preamble carries significant risk. There is an erroneous view that the preamble will have no legal effect. This is not the case. In two cases, *Leeth v The Commonwealth*<sup>6</sup> and *Kruger v The Commonwealth*,<sup>7</sup> two Justices of the High Court (Justices Deane and Toohey) found that an implied notion of equality can be drawn from the present preamble to the Constitution.

The present preamble reads:

Whereas the people of New South Wales, Victoria, South Australia, Queensland, and Tasmania, humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth under the Crown of the United Kingdom of Great Britain and Ireland, and under the Constitution hereby established:

And whereas it is expedient to provide for the admission into the Commonwealth of other Australasian Colonies and possessions of the Queen:

From these words, their Honours held that equality was inherent in

the conceptual basis of the Constitution. As the preamble and s.3 of the Commonwealth of Australia Constitution Act 1900<sup>8</sup> make plain, that conceptual basis was the free agreement of “the people”—all the people—of the federating Colonies to unite in the Commonwealth under the Constitution. Implicit in that free agreement was the notion of the inherent equality of the people as the parties to the compact.<sup>9</sup>

<sup>6</sup> (1992) 174 CLR 455.

<sup>7</sup> (1997) 190 CLR 1.

<sup>8</sup> (Imp.) 63 and 64 Vict. c.12.

<sup>9</sup> (1992) 174 CLR 455, 486.

In *Kruger*, Justice Toohey repeated his views:

The preamble to the Constitution recites that “the people ... have agreed to unite in one indissoluble Federal Commonwealth”. These words “proclaim that the Constitution of the Commonwealth of Australia is founded on the will of the people whom it is designed to unite and govern”. To repeat what Deane J and I said in *Leeth*: “Implicit in that free agreement was the notion of the inherent equality of the people as the parties to the compact.” In other words, the equality derives from the very existence of a Constitution brought into existence by the will of the people, save to the extent that the Constitution itself permits discriminatory treatment in the sense discussed in these reasons.

While the majority of the Court did not support drawing these particular implications from the preamble, their Honours’ views indicate that it is possible for the preamble to have legal effect.

The late Chief Justice of Australia, Sir Harry Gibbs, cautioned that preambles could be used to provide evidence of established facts:

A reference in a preamble to a matter will make evidence of that matter admissible. Recitals in a preamble are *prima facie* evidence of the facts recited. It would be arguable that these rules were not excluded by a provision that the Preamble has no legal force.<sup>10</sup>

Sir Harry went on to observe that a preamble

... could significantly affect ministers and other executive officers in the exercise of their discretionary powers... In addition, there can be no doubt that reliance could be placed on the words of the Preamble by interested groups seeking, for example, to establish Aboriginal rights... The Preamble could form the basis of claims for compensation or of arguments for political change.

Sir Harry concluded that an ouster clause preventing the preamble being used for interpretive purposes was not foolproof, and that there was no guarantee that some jurists would not read the clause down and rely on the preamble in the future.

More broadly, altering the Constitution will send a signal to the High Court that the nation wishes to change its attitude and approach to policy in a particular way, and this may alter the meaning of the Constitution. The meaning of the Constitution, even without amendment, is not fixed: Professor Patrick Lane’s famous aphorism warns that “the Constitution means what the High Court says it means”.<sup>11</sup> Amending the Constitution simply encourages the High Court to make more adventurous interpretations of the provisions of the Constitution. All of the Commonwealth’s powers in section 51 are read “subject to this Constitution” which means they will be read subject to any changes to any other part of the Constitution. Having additional words, and creating a new context for the place of Indigenous people in the Constitution, clearly invites the High Court to construe different meanings from those words. This has a danger for policymakers.

<sup>10</sup> Gibbs, H., *A Preamble: the issues* (Samuel Griffith Society, 1999): <<http://samuelgriffith.org.au/docs/vol11/v11chap4.pdf>>

<sup>11</sup> Lane, P., *A Student’s Manual of Australian Constitutional Law* (Law Book Co, 1980), p. 10.

Indigenous policy is a heavily contested space with much debate among Indigenous and non-Indigenous Australians about what the correct policy responses are to the challenges facing Indigenous Australia. Many past policies relating to Indigenous Australians have not worked. It would be unfortunate if, due to the addition of some loose language in the Constitution, old policy responses were not able to be jettisoned and new policy responses were not able to be adopted because the High Court had interpreted the symbolic words in the Constitution in a way that limited the ability of governments to enact certain sorts of policy responses or to end other approaches.

### **Difficulties of amending the Constitution in order to recognise Indigenous Australians**

The chances of successfully recognising Indigenous Australians are greatest if voters are not presented with a binary choice. A binary choice works well for dealing with a charter of government. For example, an amendment setting a compulsory age for judicial retirement is a topic that invites a yes/no answer. However, for issues of an aspirational and historical nature, a binary choice is not useful. In such matters, people need the opportunity to express a hierarchy of preferences because of the complexity of the issues involved.

Unfortunately, the disadvantage of a referendum to amend the Constitution is that such a referendum necessarily presents voters with a binary choice: “yes” or “no”. Such a binary choice leads to the formation of larger coalitions against a proposal (as with the alliance of constitutional monarchists and direct election republicans in 1999). In such a coalition, some people may oppose the proposal because it will not go far enough; others will oppose the proposal because it goes too far and will lead to unintended consequences.

As a legal document, the Constitution is subject to interpretation by the High Court and, as such, any additional words added will be subjected to legal scrutiny of the sort which will restrict the form of language, the expression of sentiment, and the beauty of the poetry that can be used to describe the history, culture, and enduring significance and contributions of Indigenous people in Australia. This poverty of expression may also cause it to be voted down: one of the major reasons for the rejection of John Howard’s preamble in 1999 was the way in which sentiments were expressed in it.

All of these factors militate against a constitutional option for symbolic recognition of Indigenous people.

An Australian Declaration of Recognition presents the nation with options which will not have the legal consequences of constitutional amendment, but instead have greater latitude to express sentiments which may be historical, aspirational and symbolic, but legally difficult.

# Cultural advantages of a Declaration of Recognition

The greatest advantage of the Australian Declaration of Recognition is its potential for cultural transformation because it will be adopted through popular participation. In order to complete the process of recognition, such popular engagement is required. The Australian Parliaments have already delivered their apologies. The Commonwealth Parliament has passed the *Aboriginal and Torres Strait Islander Peoples Recognition Act*. But the people have never had the chance to have their say on this issue. The act of popular participation in its drafting and adoption will give the Australian Declaration of Recognition an abiding cultural significance far greater than any constitutional alteration. People will become familiar with the Australian Declaration of Recognition in a way that they are not familiar with the words of the Constitution.

First, the Declaration will be drafted by Australians through a public competition, and not by politicians and bureaucrats. When the Australian National Flag competition was held in 1901, the prize money for the winning design was shared by five people who submitted winning designs. Those winners included a fourteen-year-old schoolboy from Melbourne, an apprentice optician from Sydney, an architect from Melbourne, an artist from Perth, and a ship's officer from New Zealand. We see no reason why a diverse group of Australians would not submit Declarations of Recognition on this occasion.

Second, all Australian electors will vote for the Declaration in a preferential ballot. Unlike constitutional alterations, the people will not be asked to approve the actions of politicians and parliaments. They will be asked to indicate, in order of preference, their views about the best option. This will give the Declaration of Recognition the same popular legitimacy as the National Anthem.

All Australians can be engaged in drafting and evaluating the Declaration of Recognition in a way that it would be impossible for them to participate in a constitutional alteration.

The Constitution has other disadvantages as a repository for aspirational and historical statements. It is a document that is not well known or understood by most Australians. The only people who interact with the Constitution on a regular basis are constitutional lawyers—a small subset of the legal profession. Various surveys conducted over the years have found that knowledge of the Constitution is poor. As the Expert Panel's report, *Recognising Aboriginal and Torres Strait Islander Peoples in the Constitution*, concludes:

Qualitative research conducted for the Panel in August 2011 by Newspoll and a separate study by Reconciliation Australia found there is little knowledge among Australian voters of the Constitution's role and importance... A 1987 survey for the Constitutional Commission found that 47 per cent of Australians were unaware that Australia has a written Constitution. The 1994 report of the Civics Expert Group, *Whereas the People ... Civics and Citizenship Education*, found that only one in five people had some understanding of what the Constitution contains.<sup>12</sup>

<sup>12</sup> Australia, *Recognising Aboriginal and Torres Strait Islander Peoples in the Constitution: Report of the Expert Panel* (2012), p. 222.

Locking a symbolic matter away in a document that few understand and almost no one will read is expending political capital and energy to achieve an unsatisfactory result. It would be far better to put sweeping statements in a document which is widely read, variously recited, and not hidebound by legal technicalities in the way that the Australian Constitution is.

### **Formally adopting the Declaration**

It follows naturally from the adoption of the Australian Declaration of Recognition that an appropriate ceremony be held where the Australian Declaration of Recognition, as adopted by the people, is formally declared. The Declaration would also be enacted by Parliament as part of the ceremony.

Such a ceremony would incorporate appropriate Aboriginal and Torres Strait Islander customs, and should draw on the model of the ceremony at which the Unknown Australian Soldier was interred on Remembrance Day, 1993, as well as the ceremonies for the opening of Old Parliament House and New Parliament House. It may also be appropriate to carve the text of the Declaration of Recognition into the fabric of Parliament House, as a symbol of how recognition has been carved into the heart of the nation, in the same way that the Declaration of Independence is carved into the Jefferson Memorial in Washington DC.

The anniversary of this ceremony would subsequently provide an occasion for an annual commemoration, celebration and reflection on the history of the Indigenous population and Australia's aspirations for the future, to be known as Declaration Day. Declaration Day would serve as a focal point for major formal national ceremonies and could be proclaimed a public holiday. Declaration Day, as a celebration of Indigenous heritage and culture, would complement the existing calendar of public holidays which acknowledge the important influences on the development of Australia as a nation:

- Anzac Day (commemoration of the fallen)
- Christmas and Easter (the Christian heritage)
- Australia Day (the commencement of British settlement)
- New Year's Day (Federation)
- Labour Day (industrial and labour legacy)
- Queen's Birthday (the monarchy)

## Cultural change in coming generations

The Australian Declaration of Recognition's greatest impact will be through the place it will hold in our national life, through its recitation at important ceremonial moments, including at the opening of parliament, civic ceremonies, citizenship ceremonies, and school assemblies. It is perhaps in this last arena that it will have its greatest impact. Coming generations of Australians will grow up reciting the Declaration on a regular basis: it will be committed to their memory; engraved on their hearts, and will form part of their make-up as Australians.

Left outside the Constitution, the Declaration can raise the nation's spirits and, unlike amendments to the Constitution, its words are not limited by being the subject of lawyers' arguments. Properly harnessed, the Declaration of Recognition could transform the way Indigenous Australians and other Australians relate to each other within a generation.

## A new proposal for recognising Indigenous Australians

Sometimes we need to think about an old problem in a new way. In this essay, Damien Freeman and Julian Leaser argue that we should rethink our approach to Indigenous recognition: instead of trying to insert some modest statement in the Constitution, we should consider adopting an Australian Declaration of Recognition, which would contain a powerful and poetic statement of the nation that Australia has become, and our aspirations for our nation's future.

In the United States, generations of Americans have drawn inspiration from the Declaration of Independence. So too, future generations of Australians will draw inspiration from the Australian Declaration of Recognition that we might adopt in 2017.

**DAMIEN FREEMAN** was educated at the University of Sydney, where he graduated with First Class Honours in law and the Prize for Roman law, before studying for a PhD in philosophy at Magdalene College, Cambridge. After leaving University, he entered the New South Wales Crown Solicitor's Office as a legal clerk, and was seconded to the Office of the Special Commission of Inquiry Into the Glenbrook Rail Accident, before working for the Hon. Justice K. R. Handley AO at the New South Wales Court of Appeal. During this time, he was a law reporter for the *Environmental Law Reporter*. Upon being admitted as a Legal Practitioner of the Supreme Court of New South Wales, he spent some years in London, working for Lord Brennan QC at Matrix Chambers and the House of Lords, and then as an assistant to Sir Charles Mackerras AC CH CBE. He has published in numerous academic journals including *Public Law Review*, *Constitutional Law and Policy Review*, *Australian Bar Review*, *Literature & Aesthetics*, *Journal of Aesthetic Education*, and *Harvard Review of Philosophy*, and was a joint guest editor of the *International Journal of Law and Psychiatry's* special issue on Migration and Mental Health. His books include *Roddy's Folly*, *Art's Emotions*, and *The Aunt's Mirrors* (forthcoming). He lectures on ethics and aesthetics at Pembroke College, Cambridge, and the Art Gallery of New South Wales, and is currently Director of the Governor-General's Prize for the Constitution Education Fund Australia.

**JULIAN LEESER** was educated at the University of New South Wales, where he graduated in arts and law. Upon graduation, he served as Associate to the Hon. Justice I. D. F. Callinan AC at the High Court of Australia, and then as an advisor to the present Prime Minister. After practising as a solicitor, at what was Mallesons, Stephen Jaques, he served as Special Advisor on constitutional law to the Commonwealth Attorney-General. He was a Visiting Fellow of the Taubman Center at the John F Kennedy School of Government at Harvard University 2006–2007. He served as Executive Director of the Menzies Research Centre from 2006–2012. He is presently Director, Government, Policy and Strategy at Australian Catholic University. He was the youngest elected delegate at the 1998 Constitutional Convention and a member of the No Case committee during the 1999 referendum campaign. Since 2009, he has been Conference Convener of the Samuel Griffith Society—a constitutional law and public policy discussion group. In 2013, he was National Convener of the Citizens No Case Committee for the Local Government referendum. His publications include *Don't Leave Us with the Bill: the case against an Australian bill of rights*. He is involved in a number of community organisations, including the Executive Council of Australian Jewry and the Chinese Australian Forum.