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### NEW STATES IN AUSTRALIA.

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New States Movements.)

Can New States be achieved in Australia? That is a question that has been exercising many more men and women in the last nine or ten years than the average individual who takes only a cursory interest in politics is allowed to imagine. It is assumed by this average individual, who occasionally sees the words "New States" at the head of some paragraph or article in the newspapers, that whatever movement does exist for the purpose of bringing into existence new centres of government comprises only a few obscure people, most of whom live in the backblocks and are representative of unorganised opinion.

#### EXAMPLE OF FEDERATION.

It may be remembered by those who can throw their minds back to the pre-Federation period that a similar attitude was taken up by the average individual of those days towards Federation itself. For years the subject was more or less economic. It seemed to attract only a few outstanding public personalities, who now and then appeared in the press as protagonists of some new theory of government. The mass of the people remained uninterested. Those who did take the trouble to look into the ideas of the

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Federationists found in them something that exactly fitted their own state of opinion, or else something that aroused them to a pitch of indignation. In the end, the subject became familiar to large numbers of people. The newspapers had begun to discuss it from various angles. The apostles of Federation appeared in the open on the platform and in the newspaper columns. The opponents showed warlike symptoms. Catch cries began to be invented, and hard terms began to be applied from one side to the other. Then great Conventions of the States foremost politicians. Then talk of referendums. Finally, referendums; and the average individual found himself swept into whirlpools of controversy, which landed him in the polling booths. He was voting for Federation.

Over 30 years have elapsed since that great conflict of differing opinions. The millennium of government in Australia has not happened. The States as they were then are still with us, except that they are bigger, owe more money and have more problems of a local character. The grass has not grown on the streets of Sydney. On the contrary, Sydney is nearly three times as big, and many times greater in commercial power and political influence. The other five State capitals have grown bigger and greater. To-day close on half the total population of the continent is living within them.

The New Staters of these days are similar to the pre-Federationists in their definite conviction that their scheme is the right one for Australia. Nothing daunts their ardor. The indifference of the average individual leaves them untroubled. The shyness of the majority of politicians makes them cynical, but not downhearted. The hostility of the capital city press fills them with amusement. Can they not point to Federation and say "It was won by persistence on the part of a few enthusiasts. We shall win by the same method."

The issues of Federation and New States appear widely dissimilar; but they are not. The New States' agitation, though almost as old as government in Australia, is the direct outcome of the Federal compact. It is a desire for

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local development under the wing of the Commonwealth. Although Victoria and Queensland secured separation from New South Wales long before Federation was heard of, the consummation of the national union created quite a new constitutional position. It may be urged that it has taken the New Staters in Northern New South Wales, Riverina and Central Queensland a long time after Federation to discover that the original bargain did not suit them. Actually, all three areas have been agitating off and on for separation from the parent States for more than half a century. The North's effort began at the time of Queensland's successful effort, just 70 years ago. Dr. John Dunmore Lang, the "Father" of New States in Australia—he it was who led the Port Phillip agitation and helped materially in the Moreton Bay movement—also launched a campaign at Grafton, pointing out that the territory from Southern Queensland to the 32nd parallel—about where Taree is now—and including the Northern Tablelands districts, formed an ideal area with a community of interest. This he strongly urged should be made a separate State. A petition was organised, and a counter-petition as well. The British Government, no doubt thinking that Victoria and Queensland represented a very fair instalment of separation from the resentful Mother State, turned a cold eye on the new proposal; and there the movement ended as a widespread territorial effort. Occasionally Grafton held a public meeting and formed a league for separation; but it was not till 1920, just after the World War, that a real Northern-wide agitation commenced. This was the very first time areas away out in the North-west and down in the Southern portion of the North toward Newcastle took any interest in a New State. For nine years now, the Northern New State movement has been going on with varying phases of activity. Three conventions, each attended by nearly 300 people, have been held at Armidale, the last as recently as April 1929. As an offshoot of the Northern Movement, Riverina and Central Queensland renewed their old-time activity, but except for general endorsement of the Northern attitude failed to make any impression on public apathy in their States.

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### FAILURE OF STATE EFFORTS.

For the first two or three years, the Northern agitation seemed to be directed towards the creation of a separatist bloc in the State Parliament. Most of the State and Federal members elected in that area since 1920 have been actively identified with the New State movement. They include Dr. Earl Page, who has been Federal Treasurer for over six years, and who is still President of the All-Australian New States movement, and a member of the executive of the Northern New South Wales movement; D. H. Drummond, the present New South Wales Minister for Education; Colonel Bruxner, present New South Wales Minister for Local Government; and N. A. C. L. Abbott, present Federal Minister for Home Affairs.

The Armidale Convention held last April was ample proof that widespread adherence still remained in the North to the New State aspiration. A scheme providing for provincial councils, based on the recommendations of the Royal Commission which in 1924-25 investigated the various separation agitations in New South Wales, was rejected in favour of the original separatist objective; but largely owing to the advocacy of Mr. R. Windeyer, K.C., the convention also adopted a general national objective which provides that there shall be an alteration of the Federal Constitution to enable a re-distribution of territory and a re-distribution of powers to be effected between the Commonwealth and State Parliaments.

There, the Northern and other local movements are suspended for the present. There is now no anxiety in the North to pursue the task of winning the approval of the State legislature; nor is there any hope in that line of effort in any other State. It seems to be recognised that the commercial and political interests of the capital cities would be thrown heavily against any proposal to cut off any of the existing territory of a State. All the arguments, ornamented with telling statistics, all the appeals to patriotism or a broader national outlook, all the predictions of quickened Australian development, fail to stir the pulses of the well-established State legislatures, which register their opposition by blank indifference.

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So we come to the position that if the New Staters, who want to see more centres of government of a local pattern brought into existence, wish to proceed to that great victory which they think will come to them once the people can be brought face to face with the question, they must turn in some direction. Where can they turn?

### FEDERAL CONSTITUTION AN OBSTACLE.

The Federal Constitution closed the door to subdivision within the States which made the compact. It is true that there is a reservation. Any State can subdivide itself, provided the Commonwealth is willing to take the new member into the Federal family. No State has shown the least inclination to reduce its size or increase its contribution to the total national development by taking this opportunity which the Constitution makes available. The efforts of the New Staters indicate that not only are the present States disinclined to look at the question of subdivision, but they are very likely to evince the most strenuous opposition to any move to effect separations.

The whole story is contained in Chapters Six and Eight of the Federal Constitution, under the headings "New States" and "Alteration of the Constitution." It seems that the State Premiers of 30 years ago gave thought to the problem of increasing the membership of the union. They decided to leave the Commonwealth full power to cut up any Federal territory in its own way, but took steps to prevent any interference by the Commonwealth with State territory. The position we are in, therefore, is that each of the present six States is able to say "Yea" or "Nay" to any proposed separation. The vital sections are 123, 124 and 128, and they have been thrashed threadbare by New Staters and various high constitutional authorities; but all that is ever made out of them is that the consent of a State Parliament is certainly necessary before any subdivision of existing States, or any alteration of boundaries, can be effected. The sting is in the tail of Chapter Eight. As if they were afraid a loophole existed in 123 and 124, the framers of the Constitution—or, it is said, certain State

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Premiers after the draft Constitution had been adopted at the final Convention—inserted the last clause of section 128, which appears to provide, beyond any doubt, that none of the States can be altered or cut up without the approval, not only of the State legislature, but of a majority of the people in the State voting at a referendum. If five States agreed to the alteration of this provision—four would be sufficient in other constitutional alterations, plus a nation-wide majority—the sixth could claim the protection of 128 and say "I have not agreed to any arrangement under which my boundaries or territory can be altered, increased or diminished, therefore, if anything is done in that direction it is a breach of the original contract on which I entered Federation." In other words, the present Constitution, thanks to the shrewd gentleman who inserted the last clause of section 128, makes it necessary that a majority should be obtained in every one of the present six States before there can be that "new distribution of territory and new distribution of powers" favoured by Mr. Windeyer, and many New Staters.

It is held in some constitutional quarters, however, that if four States plus a nation-wide majority carried the necessary alteration of section 128—which probably could not be carried without involving an alteration of sections 123 and 124—any new constitutional provisions for the creation of New States would apply in those four States, but not in the other two. If this is a valid contention, there is a chance for the New Staters to achieve something; but they would have to run the risk of securing power to subdivide in States which had no immediate case for exercising it and of not securing it in States like New South Wales and Queensland, where the need, according to the various local agitations, is urgent.

If there is any more liberal interpretation of Chapters Six and Eight than this, the New Staters would be glad to hear of it.

### FEDERAL ROYAL COMMISSION.

What is to be done about it? The New Staters are often accused of being parochialists, devoid of all national

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outlook. They answer that they are only people who are taking a serious look at the constitutional future of Australia. They are the only people who are trying to raise an issue which, in the words of Sir William Cullen, late Chief Justice of New South Wales, speaking at the first Armidale Convention in 1921, "Is as great as Federation itself, and in fact the complement of Federation." To this end they have submitted a full case to the Royal Commission on the Federal Constitution. They claim that the whole of Chapter Six should be obliterated, and in its place a new chapter inserted removing the power of consent now reserved to the State Parliaments, vesting it wholly in the Commonwealth Parliament, to be used subject to the approval of people at a referendum. They also urge that the last clause of section 128 be removed from the Constitution.

The report of the Federal Royal Commission should soon be out. Its contents will be read with deep interest by thousands of New Staters—for they number thousands all over Australia—and the recommendations will be commended or rejected as suits the New State view.

The only point of disagreement between any New Staters is the extent to which the Constitution should be altered. Some contend that the Commonwealth should have power to take referendums only in areas desiring separation, others that the referendums should be taken in whole States, thus recognising the rights of State majorities. To this the New Staters answer that the huge massed votes in the big capital cities would always be an insuperable obstacle to the achievement of local aspirations.

Whether the Royal Commission will find a way out of this controversial impasse remains to be seen. If it does, the report will serve as a brand new charter for the New Staters, who will resume their activities with their old vigour and enthusiasm, confident in their ability to win over a majority of the people of Australia to their way of thinking—if not the first time, then sooner or later.