

Dear Mr Morrison,

I am writing to offer you some advice on winning the next election. I'm a member of the ALP, but there are things I think urgently need to be done that I don't think a Shorten government will do, and I don't think you will do them either except as part of an election-winning strategy. A better performance from the LNP would improve the general state of politics in this country (which is woeful).

In February 2017 I met with Senator Seselja, who agreed to pass a letter from me to Mr Turnbull; he told me later that Mr Turnbull had said that he would send me a personal reply, but he never did. I am asking Mr Laundry to pass this message to you and to your deputy, Mr Frydenberg. The main topic I am writing about is offshore detention in PNG and Nauru. I am a retired academic in philosophy and politics; see my Macquarie University [webpage](#).

A preliminary point:

(1) Your party will not win the next election under your leadership **unless they let you lead**. In our political system, the Prime Minister appoints and removes cabinet ministers, the PM says what the government's policy is (after whatever cabinet discussion the PM deems sufficient), and cabinet solidarity means that ministers support the government's policy or resign their ministry. The Morrison Government is your government.

Because some backbench MPs threatened to cross the floor, Mr Turnbull withdrew the NEG even though it could have been carried with Labor votes. This was the end of his authority. A party that gives some of its MPs a veto cannot govern. If "conservatives" can cross the floor, so can "liberals". Until you make it clear that **only the Prime Minister** has a veto, your side of politics cannot take up a position on any controversial issue.

You should say to your party, "Back me or replace me". If they threaten to replace you, you can threaten to call an election, in which the electors' views will prevail.

Another preliminary point:

(2) The Coalition is now behind in the polls and has been for a long time. To get re-elected, you need to win over a good number of voters **who currently intend to vote Labor**.

Some of your conservative MPs claim to speak for the LNP base. "Base" is a key concept in US politics but not in ours. US parties need to "mobilise their base" (often by fostering fear and hatred) because voter turnout is low. In Australia most people vote anyway, and those who don't won't be mobilised by anything politicians say. (Some don't vote for religious reasons, some are just not interested.) Instead of pandering to the self-proclaimed "base" you must change the minds of people currently intending to vote Labor.

Government is formed in the House of Representatives. In House of Representatives voting, people to your right **will in the end give their votes to you**—they may give their first preference to PHON but—since they very much don't want a Shorten Labor government—when they fill out the rest of their preferences they will put LNP ahead of Labor. (Some PHON voters will preference Labor because they were formerly Labor voters: but former LNP voters will preference you.) The preferences of people who vote for minor parties will be distributed (unless a major party candidate wins in the first count). Reluctant in-the-end votes are worth the same as enthusiastic first-preference votes, namely exactly one vote. There is therefore no need to chase after people who intend to vote PHON: in the House of Representatives election they will come back to you through their preferences.

On the other hand, voters currently intending to vote Labor will not come back to you through preferences. Except in a few places where the Greens are strong, the preferences of voters who give their first preference to Labor are not distributed. To get their votes you need to get their **first** preferences, i.e. change their minds. You must therefore give priority to policies that (without betraying your principles) appeal to people to your left. This is largely a matter of deciding which issues to prioritise.

When you make a public statement, always ask yourself **which voters will it please**: will it please, or antagonise, the people whose first-preference votes you need? Don't aim to please people who will vote for you in the end anyway. Target voters currently intending to vote Labor.

To sum up the two preliminary points: you must appeal to people who currently intend to vote Labor, and you must ignore "conservative" MPs who threaten to cross the floor unless you bow to their demands.

Now some policy suggestions.

(3) Many electors not believe that the Morrison government has an effective **climate change** policy (and they are right!). Reinstating the NEG but legislate that emission targets will be decided by election-time **plebiscites**. That is, targets (and perhaps other controversial points of energy policy) should be decided for the next three years (or perhaps for longer periods) by plebiscite held in conjunction with an election. The plebiscite should be an optional preferential vote on three targets nominated by the three leading parties in Parliament. The plebiscite result should have an automatic commencement, so that it does not need to be confirmed by later Parliamentary vote (on how to do that see [here](#), para. 3.23).

This approach would separate determination of emission targets from choice of government. Voters would not have to vote for a Labor government if they want higher targets, or for a Coalition government if they want lower targets. Changing a target will not require a change of government, and a change of government will not imply a new target. And the parties won't use climate policy as a way of attacking one another. We will get better government and better climate change policy.

If legislation to implement this suggestion is defeated in the House of Representatives by Labor and LNP rebels, then campaign against Labor for voting against your legislation—**ignore the rebels**. If it is passed by LNP and Labor against the votes of the rebels, also **ignore the rebels**. Don't give Tony Abbott and his friends a veto over this and don't give them any publicity.

A framework that put an end to party games over climate change would be warmly welcomed by many voters who currently don't intend to vote for you.

(4) **Put an end to offshore detention** on Manus and Nauru, not only of children but of men and women as well. Bring them all to Australia ASAP. Those who qualify as refugees who wish to settle here should be settled here, those who wish to seek settlement in USA or other countries should live here while their applications for third-country settlement are considered, those who are to be deported to their country of origin should be deported from here after reconsideration of their refugee applications. (For the reasons see my messages to Mr Turnbull, [here](#) and [here](#). I called on him to announce a date: it's too late for that, now they must be brought here ASAP.)

Some people in your party will be outraged, but make this an issue of confidence: "Back me or replace me". Ask: What (and who) stopped the boats? Was it the decree (by Rudd) that boat people would be detained on Nauru or Manus? Was it cruel treatment (by Dutton) of the detainees? Or was it (Morrison's) turnbacks? Probably mostly the turnbacks. The evidence that it was turnbacks is that the boats have not started again even though detainees are going to USA, a destination at least as attractive as Australia. **Whatever is stopping boats now**, though some detainees are going to the US, will still stop the boats even if all the detainees are brought to Australia.

Some detainees have recently been brought to Australia, it is [reported](#), without publicity. You need to bring them all, ASAP, and let everyone know that you are doing it. Do not bring just children and families, since this will deepen the despair of those who remain. It is not good enough to relieve the political pressure by bringing the people the public most easily sympathises with: none of them, including young single males, should be kept any longer in offshore detention.

The cruel treatment of detainees on Manus and Nauru is **one of the wickedest things any Australian government has done**. It is strongly condemned by large numbers of well-informed, intelligent, decent and influential people. The ALP has been fully complicit. See the statements by Turnbull, Shorten, Marles and Albanese quoted on my [Manus and Nauru](#) web-page, with my critical comments. Mr Shorten is under strong pressure to adopt a more humane policy and may do so before the coming ALP National Conference. You can pre-empt Mr Shorten, take him by surprise, by announcing tomorrow that the detainees will **all** be brought here immediately.

In a Morgan [Poll](#) on 17-19 Feb. 2017 the sample was asked: "Do you think asylum-seekers on Manus Island and Nauru should be brought here to Australia or not?" Sixty-eight percent of voters intending to vote Labor answered Yes, i.e. two-thirds of Labor voters disagreed with the Labor leadership on this issue of high ethical importance. About a quarter of those who intended to vote LNP also answered Yes, thereby repudiating LNP policy.

Given that both major parties have the same wicked policy, many voters will cast an informal vote in the House of Representatives election, because they will refuse to put any number beside Coalition or Labor

candidates.

The person voters mainly blame for the cruelty is Peter Dutton, who [explicitly](#) rejects compassion, but we haven't forgotten that you were one of the people responsible as immigration minister. Since then as a cabinet member, and now as Prime Minister, you have shared responsibility for Mr Dutton's actions. Many voters will not vote for you unless you put the matter right. Admirers of Pauline Hanson will not be pleased, but, as I pointed out above, their votes will come to you anyway.

(5) Announce that Australia will exit the 1951 [Refugee Convention](#) (see p.37 art.44—a year's notice is required) and begin immediately to negotiate a **new agreement with countries in our region** on refugees, asylum-seekers and migrants. Exiting the convention will please voters to your right, but entering a regional agreement will please everyone else: anyone who has thought much about people-flow knows that the problems require regional solutions. Once Australia is no longer bound by the 1951 Convention, Parliament can make laws providing for special treatment of boat-arrivals—e.g. (though I don't advocate this) make it a crime to employ people smugglers, with (if convicted) a definite period of detention, in Australia, not offshore.

Humane treatment of detainees and a regional plan for dealing properly with asylum-seekers would be strongly supported by many people who do not currently intend to vote LNP (and also, of course, by many who do).

(6) **Section 44.** You must deal with this, and electors will want you to. The government should move to temporarily **suspend** sec.44. This would require an amendment to the Constitution, to be voted on with the next election. The suspension should be from the date of the referendum to a date just past the likely date of the following election. This would give the next Parliament time to draft a replacement for Sec.44 to be put to a referendum at the following election. See [http://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/Publications\\_Archive/archive/Section44](http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/Publications_Archive/archive/Section44), "Proposals to change Section 44", <https://theconversation.com/enough-is-enough-on-section-44-its-time-for-reform-102708>.

According to sec. [355](#) of the Cwlth Electoral Act there is a 40-day period after an election during which any candidate or voter (not only Parliament) can challenge a winner's qualification. This guarantees chaos after the election unless sec. 44 is suspended. Peter Dutton, if he happens to be re-elected, would face a challenge; see [here](#) and [here](#).

(7) Set up a federal **ICAC** to enforce the rules and to suggest **better rules**. (Mr Shorten has promised an ICAC if he is elected: you should actually do it now.) The current rules are too lax; too many objectionable things are legal. ICAC should not merely enforce rules but also recommend rule changes, to be made by government. It should be set up immediately, making simple and obvious rule changes first, then dealing with the evasions as they come to light.

It should also be tasked with enforcing, and recommending improvements to, rules on the appointment of political [staffers](#) and on [political donations](#). Politicians should themselves pay for any staffers they appoint. Political donations should be from **individuals only** (not organisations, unions or companies), using their own money, **declared in real time**. This would set the ALP free from unions, which would be good for the unions (they would not be used by people to further their political ambitions), for the ALP (it would not be controlled by union officials and the factions that form round them), and for the country. Prohibition of corporate donations would also set the Liberal and National Parties free from big business. Liberal and, especially, National Party policy-making often looks like trawling for donations. In my view it is not necessary to limit the size of political donations, or to block foreign donations, as long as there is transparency. Continuous vigilance will be needed to counter work-arounds.

Corruption cannot be eradicated once for all. There must be a special permanent body to monitor integrity, and it must be independent of politicians.

(8) Make a considerable **increase to New Start** and give better support generally to people who live in poverty. Poorer people will spend the money, they will spend much of it locally (including in depressed localities), they will spend much of it with small businesses, they may be enabled to set up their own small businesses.

Whenever government spends money it benefits some people immediately and others indirectly. That is

also true if it gives, or does not take, money from companies or individuals: they will spend it to benefit themselves, and there will be indirect benefits to others. The economic argument for helping poorer people is that the benefit to them is great and the indirect benefits spread upwards.

There is widespread concern about New Start. Mr Shorten refuses to make any commitment to an increase. This will be a controversial [issue](#) at the Labor National Conference. You can pre-empt him.

There is no reason why the Liberal or National Parties should primarily look after wealthy people. Menzies spoke of representing “the forgotten people”. The coalition parties have been drawn into an alliance with wealthier people because of the need to get donations to match Labor’s support from the unions. Reform of political donations might help restore your independence.

(9) Establish the body called for by the **Uluru statement**, not through a referendum but by legislation, with the prospect of a constitutional amendment after it has been tried for a while to iron out its implementation. Mr Joyce’s claim, promptly echoed by Mr [Turnbull](#), and recently by [you](#), that the Uluru statement calls for a “third chamber of Parliament” is a falsehood. An elected advisory body is obviously not inconsistent with democracy, the rule of law, equal voting rights and other principles, since it would only give advice.

If you continue to reject and misrepresent the Uluru proposal you can’t expect the votes of people who care about the treatment of aboriginal people.

(10) Do not follow Donald Trump on Jerusalem and Iran. Many Australians, including many Jews, believe that the Palestinians should have political independence (two states), or that they should be equal citizens with Israeli Jews in the one state. Many Australians believe that Australian governments are too ready to support the US and Israel. The people whose votes you need do not think well of Donald Trump.

The best contribution to Middle East peace you can make, in my opinion, is to announce **conditions under which your government would recognise a state of Palestine**. Palestine should not be recognised as a state now, as is, but Australia should promise, and try to persuade the US and other countries to promise, that Palestine will be recognised, and supported for full admission to United Nations membership, as soon as it meets the conditions of UN Charter [Art. 4](#). (essentially that they control their territory and be at peace with other countries, including Israel). Meeting those conditions will need a lot of work on the part of Palestinian leaders, and we should encourage them by promising that if they do it we will recognise their state. See my [articles](#). Recognition of Palestine will be a major issue at the next ALP National Conference. Mr Shorten is [out of step](#) with many Labor voters.

Supporters of Israel have for a long time [insisted](#) that a “two state solution” can come about only through bi-lateral negotiation between Israel and the Palestinians. This gives, and is intended to give, a veto to the government of Israel, which no Israeli politician could ever fail to exercise. No Israeli Prime Minister will ever announce that s/he is satisfied with the terms the Palestinian leaders have offered or accepted—and no Palestinian leader could ever agree to anything that an Israeli leader could accept as sufficient. No leader on either side could survive making an agreement. A two-state solution can come about only through the process for admitting new states that was laid down when the UN was established, i.e. Art. 4 of the Charter.

(11) You should legislate to provide that **Parliamentary approval** is needed for any **overseas military deployment** that may result in armed conflict. Many people for many years have [advocated](#) this change because it is really needed to protect Australia against [rash military involvements](#). There is a significant asymmetry in US and Australian obligations under ANZUS concealed in the phrase “in accordance with its constitutional processes” (see my [paper](#)). The Australian constitution does not need to be amended, but the Australian “constitutional process” can be altered by ordinary legislation to restrict the royal prerogative in the matter of overseas force deployment. Unless deployment into a situation of conflict has multi-party support it should not take place.

(12) You should resist demands to legislate “religious freedom” except as part of a wider “bill of rights”. A bill of rights should be legislation, not a constitutional amendment. It could be modelled on the [Canadian Bill of Rights](#) (1960), later entrenched in the constitution as a [Charter of Rights and Freedoms](#) (1982). The Canadian Bill of Rights makes **no attempt to spell out the rights** but simply lists them in general terms (e.g. “freedom of religion”), leaving it to the courts to work out what the rights imply in particular cases. The [“notwithstanding”](#) clause gives Parliament power in some circumstances to override

the Bill of Rights, e.g. to correct an unacceptable court decision; this preserves Parliamentary sovereignty and removes an incentive to politicise the judiciary.

(13) On the republic, the idea of a vote “in principle” on a republic to be followed later by a vote on how the head of state is to be selected is a stupid tactic. Voters will vote No in the first round if they think it likely that a model they don’t support will be chosen in the second round. A model has to have wide support before there is any point in holding any vote, so the first step is to discuss the model. **You could introduce now, without needing a referendum**, legislation to establish a Parliamentary process for nominating future Governors-General.

In fact, you need to establish some kind of objective selection mechanism(s) for making all significant appointments in the government’s gift. The public does not trust present processes, and recent revelations about your party’s stacking of the ABC board will intensify mistrust in people whose votes you need.

(14) If the leadership of the National Party changes, you should propose making a new coalition agreement (as the Nationals themselves insisted when Abbott was replaced and again when Turnbull was replaced). You should make it an essential condition that the new agreement be published. **Both parties to the agreement must take public responsibility** for the constraints the coalition agreement imposes on the government. One of Mr Turnbull’s problems may have been that he was subject to constraints the public did not know about.

You could govern as a **minority government**—without any coalition agreement, without any Nationals ministers, and without any pledge of support from any other party. See here (note “jumping majorities”) and here. A Liberal minority government will survive as long as other non-Labor MPs think that an election would give increased Liberal and/or Labor representation. To avoid a Labor government, Nationals MPs will in the end support you in the House of Representatives, just as voters on the right will in the end support the Coalition in House of Representatives elections (see (2) above).

Menzies established your party as a liberal party; though he was an Anglophile and the counterpart British party was the Conservative Party, Menzies chose the name **Liberal**. Your “conservative” MPs (what do they conserve?) should form a conservative party. The Liberal Party could then govern as a minority government, or in coalition (formal or informal) with the Conservatives and/or Nationals. In some way your party needs to discover or rediscover what it stands for.

(15) The atmosphere and style of politics in this country needs to change. Opponents, critics, citizens, should be treated with courtesy and respect. Politicians seem to think it’s clever to dodge questions. (See Kelly O’Dwyer’s famous performance on *Insiders*.) At present the public does not have much respect for politics and politicians. Most Australians do their job well; in many specialist fields Australians are world class, but many of our politicians are pathetic.

There is much else you should do over the next months. See my message of advice to Mr Turnbull, <http://members.iinet.net.au/~akilcull@homemail.com.au/AnotherMessage.html>.

Best wishes,

John Kilcullen