

## FACT SHEET 4

# Why do we have referendums in Australia?

So why do we have referendums in Australia? The Commonwealth of Australia, a federation of the colonies, was brought about in a special way. When the Constitution came into force on 1 January 1901 it had been approved by the people of the colonies in a series of referendums. Australians voted to constitute the new federation and to empower its system of government. In doing so, they also set a precedent that the Australian people should decide on the content of the Constitution. By ratifying the new law, the people of the colonies entrenched the idea that alterations to it must be approved by a popular vote, a referendum.

When the referendum provision, **section 128** of the Constitution, was being drafted in the late 1890s, the colonial framers intentionally gave Australian voters a say. Even today, the text of the Constitution can only be changed through the mechanism of voting in referendums.

The idea of a referendum was considered radical at the time the Australian Constitution was being written in the 1890s. But colonial leaders such as Edmund Barton (who went on to become our first Prime Minister), Alfred Deakin and Isaac Isaacs insisted that the final say on approving the Constitution and any change to it, should be by popular vote, not just by that of politicians. They ensured that the **ONLY** way the words of the Constitution could be changed was if this was approved not only by Parliament but also by Australian voters in a referendum.



Portrait of Edmund Barton and Alfred Deakin | 1900  
Source: National Library of Australia

The draft Constitution, including the referendum provision in it, was supported by a majority of voters in each colony at referendums held over 1899 and 1900 and was enacted for the new nation by the United Kingdom Parliament.

**So how important is a referendum to Australian democracy?** The idea that the Constitution can only be changed by electors voting at a constitutional referendum is a bedrock principle of Australian democracy.



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