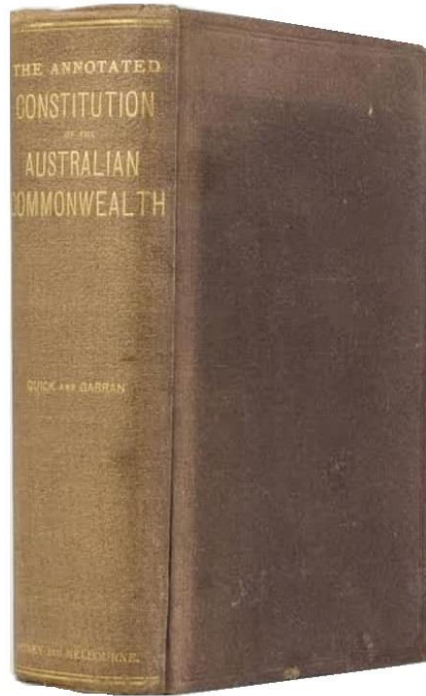


## **The Annotated Constitution of the Australian Commonwealth**

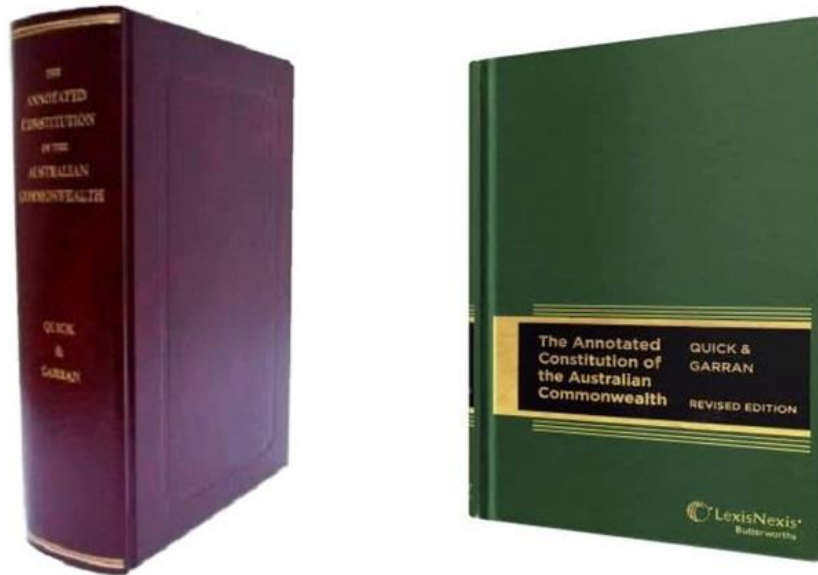
The original edition of the *Annotated Constitution of the Australian Commonwealth* by John Quick and Robert Garran was published by *Angus and Robertson Sydney* in 1901 yet remains widely consulted and cited in constitutional law cases today. It was originally published with a purple cover, that in most copies has now unevenly faded in parts to brown.



The text of the *Annotated Constitution of the Australian Commonwealth* is divided into three parts.

- \* Pages [01](#) to [261](#) provides an invaluable historical introduction to the Constitution by John Quick, covering ancient colonies, modern colonisation, colonial government in Australia, and the federal movement in Australia. Then follows a list of members of federal conventions and conferences.
- \* Pages [262](#) to [278](#) contains the text of the Commonwealth Constitution as originally enacted.
- \* Pages [279](#) to page [1008](#), the bulk of the text, is a separate work by Robert Garran, *Commentaries on the Constitution of the Commonwealth of Australia*, which consists of the original commentaries on each section of the Constitution, including references to the corresponding sections of other federal constitutions.

Another identical edition was published in 1976 with a red cover, and in 2014 *LexisNexis Butterworths* published a revised edition with a green cover.



In this latest edition of the *Annotated Constitution of the Australian Commonwealth*, the text of the original work remains unaltered, but changes to the book's layout have been made and some useful additional features included. Features of the revised edition include the inclusion of a table of over 160 High Court decisions in which the 1901 edition has been cited, the text of the 2003 compilation of the Constitution showing all amendments in bold and ruled-through text, a new detailed index in addition to the original 1901 index, and the inclusion of the original 1901 edition page numbers in the margin of the commentaries for ease of cross-referencing to the original work.

Scans of each page of the original 1901 edition of the *Annotated Constitution of the Australian Commonwealth* by John Quick and Robert Garran are available online, on the [Trove website](#), and the [Internet Archives](#), which are also available combined in a PDF format.

<https://freemandelusion.com/wp-content/uploads/2020/11/the-annotated-constitution-of-the-australian-commonwealth.pdf>

The bulk of the text of the *Annotated Constitution of the Australian Commonwealth* is Robert Garran's [Commentaries on the Constitution of the Commonwealth of Australia](#) the text of which is available in PDF format.

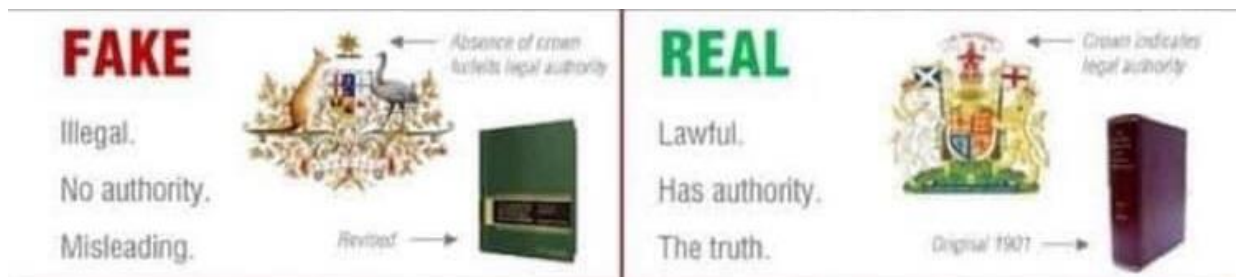
<https://freemandelusion.com/wp-content/uploads/2020/11/robert-garran-commentaries-on-the-constitution-of-the-commonwealth-of-australia.pdf>

A point that must be taken into consideration when reading various parts of Quick and Garran's commentary, is that it is the 1901 perspective in relation to the Imperial Parliament, which has since become obsolete. We were, at the time, still subject to the *Colonial Laws Validity Act 1865*, which provided that colonial laws were invalid if they were repugnant with UK law. When the British Empire ended and national status emerged, these external restrictions ceased, and constitutional powers could be given their full scope. This changed occurred on a Commonwealth level with the adoption of the *Statute of Westminster 1931* by Australia in 1942, and on a State level with the passing of the *Australia Act 1986*.

Another point is that there have been many section 128 referendums that sought to alter the text of the Constitution, and quite a few have been successfully carried, which neither of the authors could have included in this 1901 commentary, and hence it was from the perspective of the position of that particular time. This is what makes the 2014 edition more accurate, as it contains annotations including these various changes.

### The 'red or green constitution' fallacy

There is a popular conspiratorial myth spread by [Wayne Glew](#) that there is some difference between these editions, when the text is provably identical, and there is even scans of the original text available to verify the point. It isn't surprising that he would encourage this myth, considering he actively sells the "original red version of the constitution" for profit, while referring to the 2014 edition as "the mucus green version of the constitution". There is only one original text, and it appears in each of these reprints of the commentary identically.



Secondly, [Wayne Glew](#) consistently refers to this book as "the constitution" when it is not the Constitution at all, but a book of commentaries on the Constitution. It does include the text of the Constitution as originally enacted, but that is a mere 16 pages of the 1008 pages the *Annotated Constitution of the Australian Commonwealth* contains. He alleges that to alter the format of this commentary requires a referendum under section 128 of the Constitution, when the *Commonwealth of Australia Constitution Act 1900* received assent on 9th July 1900, a year before this commentary was first published.

Even some of his followers have realised these assertions are factually inaccurate, such as [Deno Budimir](#), who released a [video](#) and [post](#) regarding the point. In response, he received a tirade of abuse from [Yuliana Glew](#), (Wayne's spouse, who subsequently blocked him) and also from his own followers, as you can read in the threads.



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