

RESEARCHER X (PART TWO) THE UNANSWERED CLAUSES.

INTRO — The Mystery Bolts on the Legal Hilux

Every old car has two weird bolts:

- You don't know what they hold up
- You don't know why they're there
- You don't know if they're important
- But you're too scared to touch them

Australia's Constitution has the same thing. They're called Section 42 and Section 128.

These two decide:

- how politicians swear in, and
- how the Constitution can be changed.

Basically: Who gets the keys, and who can modify the engine. And mate... nobody's checked these bolts since Federation.

SECTION 42 — The Oath Question

AKA: Politicians singing the wrong karaoke lyrics since 1901, Let's break it down.

In 1900, the Constitution printed a VERY specific oath for MPs.

Not a vibe., Not a guideline. Not "choose your own adventure. "A script.

Like karaoke lyrics. You have to sing what's on the machine.

"I swear to Her Majesty Queen Victoria, her heirs and successors according to law."

Fast forward to today... They're singing remixes like:

"I swear to the Crown in right of Australia, or maybe the King, or possibly the constitutional something something..."

There has never been a referendum to change the original lyrics. So essentially: Australia's politicians are doing cover versions of the oath Without licensing the song. Imagine a cover band telling the audience:

"Yeah nah, we changed the words, but it's basically the same tune."

Sure, mate. Tell it to Spotify.

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Why It Matters (Using Car Logic)

If you tell your insurer: *“Yeah, I swear this car has a V6.”*

But the manual says: *“Must swear it has a V8.”*

Then you crash...Good luck with that claim.

That’s Section 42.It’s the legal equivalent of declaring one thing but signing paperwork

SECTION 128 — The Missing Amendment Pathway

Or: The only legal way to update the Constitution... that everyone forgot to use

Section 128 is basically the rule that says:

“You can’t change the rules unless the whole country votes on it.”

Fair enough, right?

Except...

Several really big changes happened WITHOUT a referendum, including:

- creating the title “Queen of Australia”
- changing the style and titles of the Crown
- Australia Acts 1986
- nationality shifts
- structural changes to executive identity

And not a single sausage of a referendum for any of it.

That’s like: Updating the road rules without telling the drivers,the cops,
or the licensing authority.

Just slipping it in quietly like a dodgy DJ dropping a remix at 2am.

Why 128 Matters (Using Workshop Logic)

Say you run a workshop. And the boss says:

“From now on, torque every bolt to 68Nm.”

But someone in the office rewrites it to 25Nm...without telling anyone...
and without asking the boss.

The next day wheels start falling off cars in the carpark. When you ask what happened, they shrug:

“Mate... we assumed it was fine.”

Yeah nah.

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THE REALITY CHECK

Sections 42 and 128:

- have NEVER been properly addressed in a court
- have NEVER been amended by referendum
- have NEVER been clarified by government
- and yet form the foundation of every MP's job description

It's like: Running a band for 120 years without ever tuning the instruments. Everyone's playing, but nobody checked if the drummer brought the right sticks.

THE HEART OF THE ISSUE (Plain English Only)

These two clauses decide:

- who politicians legally swear loyalty to, and
- whether the Constitution was changed properly or quietly worked around.

If the oath never got lawfully updated...and the amendments never got a referendum...

Then the system is ru...

SECTION 5 — COMMUNITY SUMMARY

THE JUDICIAL REFERENDUM CLARIFICATION

(Or: How every Aussie can politely ask the government, "Mate... where's the paperwork?")

INTRO — The Common-Sense Explanation

Imagine you're at your local council and they send you a fine.

You go to pay it, but you ask a simple question:

"Hey, before I pay this...

could I please see the authority you're using?"

And the clerk looks at you like you've asked for their Netflix password.

That's the whole vibe of this project. A Judicial Referendum is just:

"Before I comply with what you've sent me,

can I just check the rules you're relying on?"

Not rebellious. Not anti-anything. Not denying law. Not being smart.

Just Australian-level common sense.

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SECTION 6 — THE OBSERVER'S CLOSING REFLECTION

(Or: Why every Aussie, no matter who they are, deserves a fair say in how the country runs)

INTRO — The One Thing All Aussies Share

Every single story in this newsletter from missing paperwork to oath remixes to constitutional plot twists —leads back to one simple truth: We all want to know we're being treated fairly.

Not special. Not powerful. Not superior.

Just fairly.

Aussies are built that way.

It's our entire cultural operating system. If you cut a true-blue Aussie open, the inside of their brain is just a little sign that says:

"Yeah mate, but is it fair though?"

That's the heartbeat of this whole project.

FIRST NATIONS REALITY — LONG BEFORE ANY PAPERWORK EXISTED

For First Nations mob: Law didn't start in 1901. Or 1788.

Or with a piece of paper from London.

Law was here before roads, flags, maps, fences, treaties, colonisers, cars, or Centrelink hold music.

Connection to Country wasn't granted. It wasn't registered. It wasn't approved.

It existed. Full stop. And the Constitution never reflected that reality. Not properly.

Not respectfully. Not lawfully. That's not politics. That's history.

AND FOR THE REST OF US — THE OLD CITIZENSHIP SWITCHEROO

If you were born before the '80s, you probably remember being a British Subject.

Then one day — BOOM — the UK hits the eject button like they're ditching a bad Tinder date. Suddenly you're a "Commonwealth citizen" and nobody asks if you're cool with that.

Then a few years later, the last external appeal door (Privy Council) gets shut like a nightclub at 3am. Aussies lost a right. A global safeguard. A back-up referee.

Again — no referendum. No vote. No "hey mate, just checking you're sweet with this."

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BOTH GROUPs — VERY DIFFERENT STORIES, SAME DESTINATION

Two paths:

- First Nations never had a remedy written in.
- British subjects / Australians born under the Imperial Crown had their remedy quietly removed. Different histories. Same end point: Everyone lost the external path to fairness.

That's why this conversation matters.

THE PREVETT RECORD — A BROKEN SYSTEM ACCIDENTALLY ADMITTING ITSELF

When that Senior Sergeant wrote:

"I am an armed occupier of foreign land"

it wasn't a rebellion. It wasn't an attack. It wasn't a stunt.

It was the system revealing a truth it normally keeps hidden.

He wrote it like a bloke who accidentally turns on the microphone at a work meeting and says the quiet part out loud.

That document showed one thing:

The question of consent, fairness, and authority is STILL alive. Still unresolved.
Still waiting for daylight.

THE OBSERVER'S JOB — MAKE SURE TRUTH DOESN'T GET LOST AGAIN

Silence is how injustice survives. Record is how truth survives.

The Observer's job is simple:

****Put the truth on the record, calmly and clearly, and make sure it never disappears into a filing cabinet again.****

No yelling. No fighting. No marching. No drama.

Just:

- ask the question,
- lodge the notice,
- create the record,
- stand equal.

That's it.

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WHEN EVERY PERSON CAN ASK IN THEIR OWN NAME...

That's when the system finally has to listen.

Not because of pressure.

Not because of protest.

Not because of popularity.

But because the law itself says so.

Section 78B doesn't care about:

- race
- class
- politics
- wealth
- fame
- titles
- or whether you drive a Corolla or a lifted Ranger with a snorkel you definitely don't need

It says:

“Every individual stands equal before this question.”

And that's bloody powerful.



THE REAL ENDING — NOT HOPE, BUT POSSIBILITY

This isn't about proving anyone wrong. It's not about winning. It's not about causing chaos. It's not about taking over anything.

It's about:

- fairness
- clarity
- dignity
- transparency
- and respect

The stuff Aussies actually care about. When every person can ask in their own name, the law will finally hear the voice of all. And maybe, just maybe...

Australia can finally run on truth, not assumptions.