

To Finance and Administration Committee,

Re: Inquiries into possible changes to duration of terms for the Queensland Parliament

“The cure for the evils of democracy is more democracy!” (H.L. Mencken)

A representative democracy is by definition a compromise on the ideal of direct democracy, rule by the people. The people don’t get to represent ourselves, rather at elections we possibly have some influence in choosing representatives.

The amount of influence a voter has is dependent on the electoral system, and in Queensland the electoral system means voters with the exception of swinging voters in marginal seats, have little influence. There are fundamental issues with our democracy, but none of them is addressed by the reduced accountability of parliamentarians to the electorate inherent in longer parliamentary terms.

Despite the limited influence that results from our flawed system of representative democracy casting a ballot to participate in the process of choosing our representative is still the only direct influence people in a representative democracy have. Any move towards even fewer opportunities to exercise that already limited influence fundamentally undermines the already problematic functioning of our democracy.

Newly elected governments often seek to take advantage of the length of time before another election is due to bring forth unpopular initiatives, either not highlighted, not mentioned or indeed entirely contrary to the platform they were elected on. This was certainly the case in 2009 with the issue of privatisation not mentioned before the election, and again in 2015 with the issue of mass sackings of public servants.

It is standard in civil society such as clubs and incorporated associations for elected positions to have annual terms, elected at annual general meetings. Similarly public companies have annual general meeting. It seems odd that such organisations inherently have greater accountability to their members or shareholders, than parliamentarians have to their electorate. It seems odder still that this difference should be proposed to be exacerbated.

Progressives and liberals historically favour more elections to keep parliamentarians accountable. In the 19th century the Chartists advocated for annual terms, the only one of the democratic reforms they sought that was not subsequently enacted. Arguably the first modern progressives, the Levellers in the 17th century, argued for annual or biennial elections.

This proposed change to longer terms seems to be solely for the advantage of incumbent parliamentarians who are mostly in safe seats and will subsequently less frequently be troubled by subjecting themselves to having to get a new mandate from the electorate. The ability of the electorate to throw out unpopular governments would be curtailed.

This brings us to the somewhat disturbing arguments that elections are bad for good governance and business. The argument that good governance can only be achieved or expected the further away the government is from direct accountability to the people represented by election is fundamentally an argument against democracy entirely.

Why is it that when approaching elections parliamentarians would not focus on better reflecting the will of the electorate? On whose behalf is the government better governing if it cannot convince the electorate to return it at an election? Historically parties in Queensland have retained government for long periods with the status quo three year terms.

It is noted that the [Referendums act](#)<sup>1</sup> seems likely to limit the ability for an against case to be prosecuted as it relies on parliamentarians to oppose the bill in order for the against case to get public funding. As parliamentarians are the main beneficiaries of increased terms, having to less frequently face the voters, there is an inherent bias. This is especially so as the whip system and lack of diversity in parliament due to lack of proportionality means there is even less scope for opposition from within parliament for a change that benefits those within parliament already.

It is also noted that the bills under consideration propose removing the constitutional requirement for a referendum to enact further changes. In theory if one party had control of the house it could change the term length unilaterally or even entrench itself indefinitely, making for very stable government indeed, but certainly this is not a change in the interests of furthering democracy.

It seems odd that the mechanism of referendum, involving the entire electorate in a decision, might be used for this issue that does not address the core problems with the electoral system, only seeking to shield parliamentarians for triennial scrutiny with unproven claims of better government.

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<sup>1</sup> <https://www.legislation.qld.gov.au/LEGISLTN/ACTS/1997/97AC011.pdf>

There are substantial reforms to improve our democracy that could be put to the people, like the introduction of a Mixed Member Proportional (MMP) system. MMP would address the limited influence most voters have in our system of representative democracy, extending the focus of elections beyond swinging voters in marginal seats to the entire electorate.

The pace of change is increasing in society so it seems counterintuitive to argue that government should be held accountable even less often than it is already. Three years is already a long time in government and in eternity in politics, so the rationale for extending eternity by a third would have to be compelling, and the arguments for longer terms and at best vague and self-serving.

In conclusion any democratic reform should seek to increase democracy not reduce it, and the proposal for 4 year terms is certainly in the latter category. The distance of the voter from parliament is already gaping and this proposal will only serve to widen and deepen it, further alienating the majority of people from the government that purports to represent it. The legitimacy of the institution of parliament as democratic is already questionable and should not be undermined further.

On the parallel issue of fixed terms it makes sense to deprive the executive, comprised of the governing party, the tactical advantage they enjoy currently to call an election at the time of best advantage for themselves. There should however be a recall mechanism made available via a citizen initiated referendum, to balance the introduction of fixed terms.

It is only necessary to look at the last election to see the advantage the government tried to steal on other parties by holding an election in January. Granted it was insufficient an advantage to save the LNP government but it did put the other parties, especially smaller ones at a distinct disadvantage. However this issue does not require a referendum and can be achieved by parliament and should be treated separately.

Yours faithfully,

Neil Cotter