



Speech by

HARRY BLACK

MEMBER FOR WHITSUNDAY

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COMMUNITY-BASED REFERENDUM BILL

Mr BLACK (Whitsunday—ONP) (9.44 p.m.): I rise tonight to support the Community-Based Referendum Bill 1999. This Bill empowers the people of Queensland by giving them a genuine say in the laws that govern them. This Bill is all about democracy. It is about giving people a choice. It is about showing that people have the ultimate sovereignty in a genuine democracy. It is about putting some faith back into the political system, letting the public have no doubt that their opinion counts, that Queensland has a truly democratic Parliament and that they have true representation. It ensures and guarantees democracy to the people of this State.

At the moment there is no true democracy in Queensland. We have a parliamentary system, with its checks and balances, that has been corrupted so far from the Westminster system as to completely overthrow it. I thank Bob Hawke for reporting this fact, along with a former Clerk of the House of Representatives, Mr Pettifer.

In library research bulletin No. 1 of 1998, the history and reasoning behind direct democracy initiatives are explored. The "why" for citizen participation initiatives is examined and broken into two types of theories. I consider them both to be very good reasons for the acceptance of direct democracy initiatives. Page 5 of the research bulletin states—

"Developmental theories see participation in government as a 'way of life' and as important because of the effect it has on those participating; that is enriching their lives, affirming their importance as individuals in a community, and helping them to understand, appreciate and respect others.

Participation is viewed as a means of 'stretching' the individual, enhancing their self-worth, sense of competence, and commitment for their own and society's betterment.

As well, participation is seen as part of a process of political and moral education, whereby responsibility can only be developed by wielding it."

And the other theory states—

"Instrumental theories regard participation in government as an important means to the end of effective and efficient government. For example it supplies decision-makers with essential information about people's situations, wants and needs which is not otherwise available, and provides a wider variety of accountability mechanisms."

Those who support this strand of theories regard participation as the most effective defence against tyranny or counter to bureaucracy and centralisation and believe that it is only by participating that people can ensure that their interests are defended and promoted. In general terms, both types of theories suggest that participation adds legitimacy and therefore stability to the political system, a comment I thoroughly agree with. Participation in the political system is a definite way of ensuring that the public has confidence in the political system in both real and perceived terms.

There can be no losers in a direct democracy system that is structured well. This Bill will ensure that there is no tyranny of the minority over the people of Queensland. At present it is just too easy for powerful but influential and wealthy lobby groups to set the agenda for parties via effective control of parties through financial means and through the Cabinet and, through abuse and departure from the Westminster system, the Parliament.

The present lobby group system effectively has captured what should be the Parliament of the true people's representatives who do not let anything come between them and the people of their electorates—no party machine dictation or coercion, which is totally out of place in a democracy.

This is a well-structured Bill that will provide a system of public participation in government. Its very existence will create an atmosphere in which there will be a far more accountable and honest system of government. It will ensure that politics is cleaned up.

Community-based referendum overcomes the short-term election-based thinking of Governments. The electorate is not corrupted or affected by the self-interest that politicians have in being re-elected, thus the electors are free from those considerations of politicians to consider what is in the long-term interests of Queensland. The people are not seduced by power and live in the real world. They most certainly have the greatest knowledge of the best solutions to problems with which they are confronted in everyday life.

Politicians, especially career politicians, are well known for having lost touch and living in a world in which many of the problems confronted by the general public do not exist. The CBR process will enable proposed laws to be presented by a most credible mandate from the people for their consideration—a mandate far more convincing and sincere than any party or lobby group mandate. The CBR process will greatly help them to keep in touch with the real world that has real people in it. CBR will enable the electors to vote on the actual issues as completely separate issues beyond personalities and party interests. The community has the widest idea base. Proposed laws with a genuine mandate from the people will have the genuine respect of the people. This Bill will ensure respect for the law and will promote open, informed debate on issues from which political figures may shy away.

My colleague has already pointed out the differences between this Bill and the member for Nicklin's Bill, which replicated some of the worst features of one of the worst models in the world. The CBR is an entirely different Bill. I am happy to say that all the issues of concern that arose—I believe rightly—in relation to the mechanics of that other Bill do not arise under this Bill. This Bill, with its amendments, addresses all the matters raised by the members of the Scrutiny of Legislation Committee, whom I thank for their excellent service—a service that is one of the truly great advances in recent times in this Parliament.

CBR in no way undermines the current form of government; it in fact strengthens and stabilises it. It is truly an adjunct—as pointed out by the Clerk of the Senate, Harry Evans—to a healthy parliamentary system which welcomes democracy in a living form in the community. CBR works with and within the current parliamentary system, reinforcing the fundamental basics of representation.

Many would argue that direct democracy initiatives are not necessary because there is adequate representation and accountability in the existing Government system. I do not think there is anyone who actually believes that this is the case in reality. The true Westminster system is based upon representation and accountability, but one only needs a small amount of experience with the system to realise that there have been serious departures from these principles. The CBR Bill has the maximum of safeguards that could be expected in a democracy.

The number and spread of electors to qualify a legislative proposal for submission to this House will ensure that no frivolous proposal could get here. No proposal that contravenes the rule of law can even be registered by the Electoral Commission. The commission has the right to refuse to register any proposal that it considers may contravene the rule of law. If the proponents wish to pursue a matter that appears to contravene the rule of law, there is always the Supreme Court, which can impartially determine the case, the court itself being an exponent of the applicability of the rule of law.

As to costs—the CBR Bill is structured so that there will be absolutely minimal costs to Government. A poll taken at the same time as a general election or any Government-initiated referendum is of extremely little relative cost. The likelihood of a poll being taken at any other time would be incredibly low, and the people—who seem to be far more cost conscious than politicians—would really have to be driven to desperation by some Government which held them in disregard before they would support a poll at any other time. It would really have to be desperation stakes.

Any member who denounces this Bill clearly shows their position and purpose in this Parliament. Those against this Bill will declare to Queenslanders that they have something to hide, that they have been pursuing their own agenda, that they have little confidence in the electorate to know what they want or simply that they are still as arrogant as they were at the last State election, when they lost seats to One Nation. Perhaps they still are not listening, or perhaps they still do not care. I guess that the vote on this Bill will display those of us in this House with honest intentions and those with intentions otherwise.

There are many examples of where the people have been decades in advance of politicians. It took Wilberforce a lifetime to persuade the UK Parliament to abolish slavery. It took decades to remove corruption in the UK Parliament. It is amazing how corrupt practices seem to be specially protected and

explained away. Just like the issue of the abolition of slavery, manhood suffrage, the vote for women and the right of women to be elected to the Houses of Parliament, the right of the people of this State to have a direct vote on issues that they consider important will not go away. This is the moment for members of this House to individually declare whether they trust or do not trust the people of their electorates.

One Nation is happy to sponsor the concept of community-based referendums because we believe it will open up a new door to democracy for Queenslanders. Community-based referendums will usher in a new era of better government—responsive government. This form of referendums, while not in any way bypassing the Parliament, nevertheless allows law making to be diffused into a broader process with less control—as has been the case—by political parties. It facilitates participation at the hands of the people who are most concerned with the laws under which they must live.

One Nation believes that Queenslanders must have a direct say in how they are governed and what laws are passed or not passed. Community-based referendums will move government and law making closer to the people, where it belongs—or should belong. The question now is: do other members in this House agree? Or are they more interested in maintaining the walls around our political system, which exclude the public and allow those in power to deceitfully manoeuvre? This Bill is a chance for the public to have a say and a chance for the other political parties in this House to finally stand up for open, honest and accountable government, and I challenge them to do so. Community-based referendums are positive in every way, and I commend this Bill to the House.
