



Speech by

**WARREN PITT**

**MEMBER FOR MULGRAVE**

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Hansard 15 September 1999

### **COMMUNITY-BASED REFERENDUM BILL**

**Mr PITT** (Mulgrave—ALP) (10.10 p.m.): I wish to make a brief contribution to the debate on the Community-Based Referendum Bill, which was introduced into this Parliament by a representative of a party whose endorsed leader has described democracy as "mob rule". In my view, the representatives of One Nation pay only lip service to democratic principles. They confuse agitation with good governance. They would replace the measured rule of the majority, mindful of the needs of minorities, with the tyranny of the temporary majority.

At first glance, to argue against such an obvious expression of democracy as giving citizens a direct voice in decision making would seem to be a difficult, if not futile, proposition. However, I intend to do just that, and for very good reasons.

The empowerment of citizens to initiate legislative change has been put into effect in a number of jurisdictions across the world with varying degrees of success. It would appear to me that such a process is most successful in places where the population is concentrated into a small geographic area. In addition, the systems of government within those jurisdictions differ from our own Westminster system which has, for all of its perceived shortcomings, served us reasonably well for nearly 150 years in this State.

The process of citizen-initiated referendums does not, in those jurisdictions, diminish the capacity for legally elected Governments to meet their obligations under the Constitution. In Queensland, there is a real possibility that this would be the case.

The foundation of our democratic process is the concept of a representative democracy. Our present system of representative democracy is finely balanced. It takes into account the interests of all groups playing a part in the political process. One of the key outcomes of representative democracy is the fact that regional and rural voters have a real and ongoing voice in our Parliaments. The effectiveness of that voice depends largely on the capacity of members from non-metropolitan areas to take on board their electorates' concerns and to effectively articulate them.

Unfortunately for rural and regional voters, the modern National Party has been far less effective than its worthy predecessor, the Country Party. Could anyone seriously imagine John McEwan rolling over so easily to the forces of liberal economic rationalism as have the current Federal Nationals?

The Attorney-General, Matt Foley, recently hit the nail on the head when he referred to the current Bill as a "stunt ... which disenfranchises rural Queenslanders". As the Attorney-General quite rightly points out, the voting power of the south-east corner is capable of weighting power in favour of heavily populated centres at the expense of regional, rural and remote areas.

The proponents of this Bill claim to have instituted a safeguard in the form of a requirement that proposals to be put to a referendum need to be supported by at least 2% of eligible voters in a majority of areas. Quite clearly, that proposition can easily be achieved in the south-east, leaving my part of Queensland—the far north—more out in the cold than we sometimes already feel.

It is interesting to note that in 1994 when that master of deceit, Peter Reith, threw his weight behind citizen-initiated referendums, political columnist Laurie Oakes, writing in the *Bulletin*, cited such old chestnuts as capital punishment as fertile ground for direct democracy proponents. He went on to say—

"Because of its 'redneck' appeal, CIR gets its strongest backing from the bush. But sensible people in the National Party—Tim Fischer amongst them—are vehemently opposed to it."

Oakes went on to say—

"It is no coincidence that right wing extremist groups favour CIR; the system clearly has the potential to destabilise the workings of Government."

Those who support CIR like to point to the fact that it operates in some 20 States in the United States. They say this as if it were some sort of unchallengeable recommendation for its introduction elsewhere. I do not subscribe to the view that whatever the United States does has to be good for us. What they do not want to highlight is the fact that this type of referendum process has been used to entrench prejudice and intolerance. As Oakes further reports—

"In California, for example, a law prohibiting racial discrimination by real estate agents and landlords was repealed through citizen-initiated action. The process has also been used in some areas in the US to repeal gay rights ordinances."

There also exists the distinct possibility that the rich and powerful, or any group with access to large sums of money, could use the process to push a particular agenda by using the power of advertising. I know some will suggest that current political advertising falls within that category. This is not so, because political parties are ultimately responsible to a wide range of internal views that put the brakes on extremism. Perhaps One Nation is an exception to this rule.

Decision making on complex issues by referendums is fraught with danger. Referendums, by their very nature, must reduce issues to the simple "yes" or "no" and allow no margin for shades of grey. This is not a true reflection of the state of play in real life. No wonder One Nation members are supporting this Bill! Their whole style of campaigning is to offer simplistic solutions to complex problems. They also fail to understand that legislation cannot be treated in isolation. Our current system provides for policies to be part of a coherent framework right across Government.

CIR and CBR-driven policies will undoubtedly result in a raft of legislation which is conflicting and therefore destined to cause confusion and chaos. What seems like a good idea in isolation may have quite disastrous consequences when applied across Government.

The proponents of this Bill underplay the financial burden it will place on the process of Government: \$5.5m for a referendum separate from a general election; \$4m if done by postal voting; and \$1m if held in conjunction with an election. Taxpayers' money can be better spent. I would urge those who support CIR and CBR to take note of the success of recent Labor initiatives designed to reconnect the process of government with the electorate.

Community Cabinet meetings have been a runaway success. People are being afforded the opportunity to meet with Ministers in an open exchange of views. They are able to have the Executive arm of Government come directly to them and not have to rely on the previous process whereby public servants and ministerial minders filtered correspondence and regulated deputations.

With the potential to be an even bigger success are the series of community forums being conducted in regional centres around the State. The Cairns forum attracted over 500 participants from a cross-section of interest groups all expressing their approval of the chance to have some real input.

The Beattie Government has got the message from the electorate. The Premier understands that the people have felt alienated from the process of government. He is leading by example by conducting the administration of this State in an open and accountable fashion. This is an inclusive Government. It is determined to seek out the views of Queenslanders, and is equally determined to deliver policies that evolve in response to the real needs of the electorate.

If the Bill before the House should ever become law it will not deliver open, accountable and responsive Government in the best interests of all sections of the community. This Bill has the potential to divide Queenslanders. It sets the scene for a misinformed majority to enact legislation insufficiently subjected to careful scrutiny. It seeks to act in haste and to install the views of an extremist minority as legislation, thus giving them false legitimacy.

I urge all members in this House to reject this Bill and to continue to deliver good representation to their constituents. They do this each and every day by listening to the voices of all sections of the electorate. They help individuals and groups meet challenges and by finding solutions to their problems where possible. They carefully consider proposals for legislative change. They debate proposed legislation and, by amendment, ensure that the enacted laws are in the genuine interests of all Queenslanders.

Representative democracy is properly discharged by members who individually have the support of their respective electorates as endorsed every three years at the ballot box. In recent years the voice of the electorate has refused to be ignored. No political party can afford to not take heed of issues

raised within the community. We have an educated and articulate electorate which cannot be taken for granted. It exercises the ultimate sanction at general elections.

This is our greatest safeguard against extremism and the tyranny of temporary majorities who give in to single-issue platforms presented by vested interests. I will not be supporting this Bill.

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