

Citizen-initiated Referendums v. Corruption

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When, in 1917, the Labour Party tried to introduce the citizen-initiated referendum (CIR) to Queensland political life, it was claimed that the measure was unnecessary because corruption on the scale suffered by Americans in the previous century was unknown in Australia. Such corruption may have been unknown in Queensland in 1917; if so, times change!

Even before the Fitzgerald enquiry and before the WA Inc story were widely known, Geoffrey de Q Walker wrote: "Corruption and blackmail of entire political parties is common.... Promises of campaign funds, or promises of support or neutrality at elections are regularly used to procure legislation favouring special interests, such as occupational licences that grant monopoly privileges to particular industries or professions. In this sense the sale of monopolies seems to be at least as widespread as in the worst days of the Tudors and Stuarts". ("The People's Law", published by CIS.) Had he written this since the disclosures, Professor Walker might have added, "...and of Tammany Hall".

There is widespread public support for all forms of CIR--the veto, the initiative and the recall---it but little vocal support from elitist politicians. Some politicians, who don't want their own authority questioned by the "mere" public, are using the support CIR is receiving from one minority group among many, the so-called "Uglies", as an excuse for not contemplating it seriously. Uglies are defined by John Nurick ("Wet, Dry and Privatise" published by AIPP) as: "Authoritarian dirigists, often given to socially divisive rhetoric. Uglies blame the nation's troubles on Aborigines, the unemployed, feminists, union officials....In times of economic crisis they seek personalised or group scapegoats". Uglies' views on some things are distasteful, but that has nothing to do with the worth of CIR.

Some Uglies support referendums because they believe that, if immigration laws were decided directly by popular ballot, then Australia would accept fewer Asian migrants. Although supported by opinion polls now, the Uglies may not be right about the outcome of a referendum. Since the acquisition

and dissemination of knowledge requires effort, only people who feel they can use knowledge bother with it. When given a vote, people usually seek at least some information which often causes them to change their minds. Either way, the issue would be determined authoritatively without the rancour that characterises current debate. The losers will have a much better informed public to persuade to think differently. CIR offers all minority groups an opportunity to demonstrate support or lack of it.

The record is that referendums, conducted in many countries, have tended to favour liberal laws over anti-minority legislation. In Australia, referendums defeated the 1951 attempt to ban the Communist Party, and by a 9 to 1 majority gave Aborigines the vote. I do not believe the rules that preserve trade union monopolies would survive a referendum; neither would the Queensland and Western Australian governments' cosy arrangements with a small favoured group of businessmen.

If we had CIR would be possible to vote for Mr Hawke while opposing the ACTU's excessive political influence. And vote for Mr Ahern or Mr Dowding, who are favoured over their opponents on some criteria, while voting against their quasi-commercial favouritism.

If our parliaments functioned better, we would need referendums less, but our parliaments have failed to govern our governments. Edmund Burke described the sovereign parliament in his famous letter to the citizens of Bristol: "Parliament is not a congress of ambassadors from different hostile interests....You chuse a member indeed; but when you have chosen him he is not a member for Bristol but a member of parliament....Your representative owes you not his industry only but his judgement..." The ideal which Burke described was not realised even in his day, and the citizens of Bristol rejected him.

Modern parliaments are, if anything, worse. As Professor Walker observes, governments favour special interests while the parliaments do little to prevent it. Far from being sovereign, the parliaments are dominated by their executives and often by the same vested interests that dominate the governments.

Serious opponents of WA Inc. etc.---like oppositions in Latin American dictatorships---lack machinery which, if properly used, might dispose of the problem. The Dowding Government has just been elected for another four years. As though it had learned nothing, it is already committing further funds to the controversial petro-chemical plant and has just favoured another entrepreneur, Sarich, with taxpayer funds. The WA Liberals do not seem to have a clear understanding of the principles which are being offended. They have some skeletons in their own closet and two of their members have actually defended the Rothwells bale out. The Nats are as usual in bed with Labor.

Meanwhile, Parliament, which in the Burkean ideal would establish the relevant principles within public understanding and government practice, is not even sitting. Far from thrashing out the disputed principles, Parliament was called for a ridiculously short three-week session to grant the government supply. Parliament does not have the procedures---the committees for instance---which could deal with such complex matters. Government secrecy is tolerated and public information distorted by the government's 72-person-strong media corps.

If, on the other hand, citizens voting as a whole were able to reject selected measures without sacking their preferred parties, would the measures which favour vested interests long endure? Would the type of laws which favour the White Shoe brigade and WA Inc. players be possible? For that matter, might not the registration of favoured unions by the Arbitration Commission, the Two Airline Agreement, the TV monopolies and other privileges also be rejected?

If effective sovereignty were returned to the people, might not the politician's practice of looking after himself, his little mates and his political blackmailers---all at public expense---largely cease? Among its many virtues, CIR would make the corruption and blackmail of entire political parties pointless.

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