

Reading Between the lines this week:

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2. People power: the history and future of the referendum in Australia
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## **Australia's outbreak of democracy**

The election may not have run to the script Australia is used to but the 17-day interregnum certainly seems to have been healthy for our stagnant parliamentary democracy. In exchange for support from the Greens in the lower house the ALP has promised referenda on constitutional recognition for indigenous Australians and local government (more on that below). Eight years into the war in Afghanistan there will finally be a parliamentary debate on Australia's role in that conflict and, on the policy front, the ALP has promised a parliamentary budget office, truth in political advertising, reform to political donations as well as inquiries into fast rail and a climate change committee populated exclusively by MPs who believe we need a price on carbon.

Andrew Wilkie has secured new funds for Royal Hobart Hospital and significant reforms to pokies.

The so-called 'country independents' managed to ensure that both the ALP and Coalition agreed to a raft of reforms to the way parliament works before they announced who they would support. Smart.

Can anybody suggest that a clear win by either the ALP or the Coalition would have led to anything like this outbreak of democracy? After what can only be described as the most desultory election campaign in modern political history the result has not only been a cliff hanger, but also genuinely reformative.

The entrenched two party system can now be challenged.

The independents and Greens have ensured that 'private members bills' will not just be introduced into parliament but actually debated and voted upon. What that means is that the government of the day will no longer have a monopoly on legislation. The implications of such a shift are enormous.

The major political parties have colluded to keep a wide range of important debates out of the public eye for decades, including voluntary euthanasia, same sex marriage, political donations by corporations and junk food advertising to children.

Not anymore.

Now that the independents and Greens will have more of a chance to introduce their own legislation and, importantly, force a vote on it, we will finally get to see what our elected representatives think about these and other issues.

Perhaps ironically, the 'lack of certainty' associated with the composition of the new parliament is likely to provide the best chance we have seen for serious action on climate change. There is a good chance that we will see legislation to introduce a simple carbon tax in the next twelve months.

The most boring election in recent history has not just delivered the most interesting result; it is likely to deliver one of the most creative and genuinely democratic terms of parliament in living memory. It is not inevitable that our elected representatives will live up to the opportunities before them, but it is inevitable that the next election will see more debate about policy and less debate about how many debates there should be.

### **People power: the history and future of the referendum in Australia**

Australia is headed to its first referendum to change the Constitution in more than a decade. In return for their support, Julia Gillard has agreed with the Greens to hold referenda on the recognition of Indigenous peoples and local government.

The Australian political landscape is littered with failed attempts. All up, only eight of 44 referendum questions have succeeded. Labor's record is particularly dire, with a solitary success in 1946 out of 25 attempts, or, to put it another way, a failure rate of 96%.

Nevertheless, there is a path to referendum success. The record shows that reform can be achieved if it is built upon five pillars: bipartisanship; popular ownership; popular education; sound and sensible proposals; and a modern referendum process.

Bipartisan support is essential – no referendum has succeeded without it. It is very easy for a federal Opposition to decide to oppose a referendum. Defeating the government at a referendum not only stymies the government's agenda, but can inflict lasting electoral damage. In this way, referendums can operate like by-elections. They can be a useful means for an Opposition to generate a negative public reaction to the government. Equally, they can enable voters to indicate their dissatisfaction in a way that does not threaten the government's hold on power.

Australians must feel a sense of ownership in the proposal. As deadly as partisan opposition is to constitutional reform, even deadlier is the perception that a reform idea is a 'politicians' proposal'. Australians have consistently voted No when they believe a proposal is motivated by politicians' self-interest. The 1999 Republic referendum, which was caricatured as 'the politicians' republic' because the President was to be appointed by Parliament, is the most recent example of this.

Constitutional education is essential. It is not enough for information about referenda and the Australian Constitution to appear after a Bill to amend the Constitution has been passed by the federal Parliament. That is too late to properly educate Australians about the Constitution, so that they are well placed to cast an informed vote at a referendum. As Kerry Jones, leader of the 1999 No campaign, has said, 'for a referendum to be successful, you need an informed population, who are *already* engaged and interested'.

As important as it is to get the process of generating proposals right, it is equally important to get the proposals themselves right. Peter Reith, who managed the 1988 No campaign, has said that good proposals begin from a 'feeling for the constitutional temper of the Australian people. You need a genuine problem and a reasonable solution, a solution which does not appear to be politicians just grabbing more power'.

Lastly, Australia needs a modern and efficient referendum process. Australia's present system for the holding of referendums dates back to 1912. It was designed at a time when voting was not compulsory, Australia's population was far smaller and far less diverse, and the print media and public speeches were the dominant modes of communication. The system is showing its age and is not suited to contemporary Australia.

*George Williams is a Professor and David Hume a Centre Associate at the University of New South Wales. This is an extract developed from their new book People Power: The History and Future of the Referendum in Australia (UNSW Press).*

*The book is available at a special 20% discount rate to Australia Institute readers at:  
<http://www.unswpress.com.au/code13/p2157>*

### **Keeping progressive ideas alive**

While the 2010 election result challenged the two major parties, here at The Australia Institute we have also been challenged: to raise more money. We've been offered a '**challenge grant**' which means that **for every dollar you donate, our generous challenger will match it.**

It's an exciting time to keep progressive ideas alive in Australia!

All donations of \$2 and above are tax deductible and will go towards more research that matters.

**Donate here** <https://www.tai.org.au/index.php?q=civicrm/contribute/transact&reset=1&id=4>

### **Job opportunity at The Australia Institute**

Research Assistant

The Institute is seeking a recent graduate to join our Canberra team. For more information on the position, go to <https://www.tai.org.au/index.php?q=node/15>

### **Events**

The Australia Institute and Unions ACT will host **Politics in the Pub** on **Wednesday 29 September, 5.30pm** for a 6pm start.

**Amanda Tattersall** (author) and **Simon Sheikh** (GetUp) will discuss 'Where now for people power after the election?' **Charles Firth** will MC.

Amanda will also launch her new book *Power in Coalition: strategies for strong unions and social change*.

The event is **free** and will take place in **The Lounge Bar, Level 3, @ The Uni Pub, 17 London Circuit**.

### **Recent publications**

[Money and Power: The case for better regulation in banking](#), J Fear, R Denniss and D Richardson, 6 August

[The regional impact of public service job cuts](#), D Richardson and R Denniss, 17 August

[Once more with feeling: Principles for reducing greenhouse gas emissions and improving the wellbeing of most Australians](#), R Denniss and D Richardson, 25 August

[Running on empty? The peak oil debate](#), D Ingles and R Denniss, 2 September

#### **Recent media**

The Australia Institute, Catalyst Australia and the Economic Society of Australia hosted Nobel-prize winning economist Professor Joseph Stiglitz at the Sydney Opera House in August. To view his speech, go to <http://play.sydneyoperahouse.com/index.php/Talks/joseph-stiglitz.html>