



## PRIME MINISTER

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### THE SENATE

The decision of the N.S.W. Cabinet denies the people of N.S.W. the representation for which they decisively voted in May 1974. For the second time in nine months the Liberal and Country Parties have attempted to set aside the clear verdict of the electors. In April 1974 Liberal and Country Party Senators set the dangerous precedent of refusing the elected government the money it needs to govern. Their counterparts in N.S.W. now propose to override the unbroken precedent for filling casual vacancies in the Senate. The Senate is elected by the system of proportional representation. The system is specifically designed to ensure that within each State the parties secure representation in proportion to the votes cast in their favour. The grouping of candidates according to party on the ballot paper is a very specific acknowledgement of the party nature of Senate elections. The N.S.W. decision completely undermines the purpose of the proportional system.

In N.S.W. Australian Labor Party candidates for the Senate polled 200,000 first preference votes more than their Liberal and Country Party opponents - 50 per cent of the formal votes compared with 41.67 per cent for the Liberal-Country Party. The effect of the N.S.W. Cabinet decision is to give 50 per cent of the N.S.W. electors four senators and 41.67 per cent six senators. In Australia as a whole, Australian Labor Party candidates polled 250,000 votes more than the Liberal-Country Party candidates - 47.29 per cent against 43.42 per cent. The N.S.W. decision gives the 47 per cent twenty-eight senators and the 43 per cent thirty senators. This is a travesty.

The N.S.W. proposal would completely overturn the intention of the electors of N.S.W. It would completely reverse N.S.W. representation in the Senate. It would make the Senate as a whole even less representative of the opinion of the electors recorded in May. Instead of a Senate elected with twenty-nine Labor senators, twenty-nine Liberal and Country Party senators and two Independent senators there will be only twenty-eight Labor senators. A further distortion of the verdict of the people arises from today's announcement by Senator Townley that he will join the Liberal Party. He was elected as an Independent and very probably because he was an Independent. Even without this N.S.W. move the Opposition in the Senate is able to defeat every piece of government legislation. A Senate so composed is completely lacking in legitimacy. It just does not reflect the will of the people.

It was astonishing for Mr Lewis to put forward so outrageous a proposition. It is unbelievable that in the sober light of day this "mad" act as Mr Gorton put it, should receive the full backing of the N.S.W. Cabinet. It is further astonishing that this support should be forthcoming after the proposal has been repudiated by the Leader of the Opposition, Mr Snedden. Very correctly Mr Snedden said, "The convention has served us very well. You never know when it might operate in reverse." Mr Snedden might well apply this insight to an even older and more important convention - that the Senate does not refuse supply.

The fact is that the Liberal and Country Parties, federal and state, have shown their readiness to tear up the rules whenever it suits them. The parliamentary system everywhere is under challenge. Throughout the world more and more people are losing faith in that system. No system, certainly not one so complex and delicate and difficult as the Australian parliamentary system, can long sustain repeated onslaughts on its basic assumptions and conventions. The Conservative parties who used to arrogate to themselves the title of defenders of the parliamentary system are now subverting it.

This is an act of sabotage against the Senate, an act of sabotage against the clear will of the people of N.S.W., an act of sabotage against the Constitution and an act of sabotage against the whole parliamentary system in Australia.

CANBERRA. A.C.T.