

THE CONSTITUTIONAL CRISIS

SUNDAY 19 OCTOBER 1975

The House of Representatives passed the basic Budget Bills ten days ago. This week they came before the Senate. There the Liberal and Country Party Senators combined to carry an amendment that the Bills should not be debated by the Senate until I had called an election.

You will notice that the Opposition Senators didn't reject the Budget Bills, this has never happened before in Australia. They knew that it would not only be unprincipled and unprecedented but monstrous to reject the Budget Bills. That's not the function of the Senate.

But in the meantime, their blackmailing me by saying that unless I call an election, then the taxpayers money can't be spent by the Australian Government to pay Public Servants, and soldiers, and Medibank, and students, and aged persons homes all these commitments.

Now I will not yield to this blackmail. This week the House of Representatives again reaffirmed its confidence in my Government.

There are two Houses of the Federal Parliament, the Government is that Party or Parties with a majority in the House of Representatives. There can't be a Prime Minister or a Treasurer in the Senate. It is not the Senate's function to decide who shall be the Government of Australia.

There can't be an election for the House of Representatives unless the Government advises the Governor-General to issue the writs. As long as I have a majority in the House of Representatives I will not advise the Governor-General to issue writs for a House of Representatives election at the behest of the Senate.

Now this amendment which the Opposition carried in the Senate was done in reprehensible circumstances. This is not the same Senate as was elected in May last year. At that election the Labor candidates secured more votes than the candidates of all other Parties combined. The Labor Party secured 29 Senators, the Liberal and Country Parties secured 29 Senators. There were two independents.

Now the Labor Party has only 27 Senators. Two vacancies occurred in the Labor ranks and two State Governments in breach of a convention which has been followed in every State Parliament, by both sides of politics for the last quarter of a century; non-Labor Senators were appointed to take the place of the former Labor Senators. If Senator Milliner of Queensland, had not died a few months ago, then this amendment would not have been carried. This is a bogus Senate, a tainted Senate. And the amendment was carried in the cruel, but telling words of Senator Steele Hall: "Let it be remembered that the Opposition succeeded only because a Labor Senator died. They did it over a dead man's corpse."

The principle for which we are fighting is this: that a Government with a majority in the House of Representatives is entitled to govern. A Budget can only be initiated or amended in the House of Representatives; not in the Senate. I am thinking in this issue, not merely of the fortunes of my own Government, which previously, halfway through its first term, had to have a premature election; which is now being threatened by the Opposition again halfway through its second term. I am thinking not only of the fortunes of my own Government, I'm thinking of Parliamentary democracy in Australia. If I yield on this issue then no future Australian Government can ever be secure in the face of a Senate where it does not have a majority. It could every six months, every time the Budget comes up, every time the Autumn Supply Bills come up, be threatened by the Senate where it doesn't have a majority.

Now in previous years the Government has often not had a majority in the Senate. But never previously, before my Government, has the Senate threatened the Government with a majority in the House of Representatives. There is a great issue at stake in this matter. The Opposition knows that there are feelings of disquiet among its ranks. In the Government we are staunch, we will stand firm by the proper principles of Parliamentary democracy in Australia.
