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PRIME MINISTER

CHECK AGAINST DELIVERY

EMBARGOED UNTIL DELIVERY

**SPEECH BY THE PRIME MINISTER
PREMIER DOWDING'S 'DECISION MAKERS LUNCHEON'
PERTH - 5 AUGUST 1988**

Peter Dowding,
Ladies and gentlemen.

In less than a month - on 3 September - the Australian people will be asked to make four changes to the Constitution.

The four proposals are:

- . to provide for four year maximum terms for both Houses of the Commonwealth Parliament;
- . to establish fair and democratic Parliamentary elections throughout Australia;
- . to recognise local government as an integral part of the system of government in this country; and
- . to extend rights already in the Constitution so that they effectively cover all Australians.

These proposals cover four separate areas of our Constitution, but they share one key and overwhelming element: they are about benefiting people, rather than empowering governments.

Constitutional reformers have not had a good track record in this country.

In the 87 years of Federation, only 8 changes have been approved out of 38 proposals.

This has taught this Government two very important lessons in proposing these referendums.

One relates to perceptions of change; the other relates to the process of change.

The fact that we inherited the Constitution from our colonial predecessors as the very basis of our Federal system created the perception that the Constitution is therefore immutable.

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But that perception is misplaced. Australia is an infinitely more sophisticated and complex community in the 1980s than it was in the 1890s.

Increasingly, Australians are recognising that a document drawn up in the last century as a compromise between separate colonies cannot provide the best guidance for a fully integrated nation making its way in the world economy of today.

Thomas Jefferson put it well when he said:

"Some men look at constitutions with sanctimonious reverence, and deem them like the Ark of the Covenant, too sacred to be touched. They ascribe to the men of the preceding age a wisdom more than human, and suppose what they did to be beyond amendment... We might as well require a man to wear the coat that fitted him as a boy, as civilised society to remain ever under the regime of their ancestors."

These referendums will help ensure that our political structures can wear a coat that fits them.

Who could have predicted 90 years ago that the pace of decision-making needed to keep up with the international marketplace would become so hampered by the constant threat of an early election?

Who could have predicted the present demand for fair and democratic elections - and the extent to which electoral systems in some States are now rorted - when the very concept of universal suffrage was still a novelty in the late 19th century?

Who could have envisaged Local Government having the responsibility and importance it now does, when 90 years ago its role was confined simply to the provision of roads and property services?

And who could be satisfied today that such basic rights as the freedom to practise a religion, to be given a trial by jury and to receive fair compensation for property acquired by any Government do not extend to the States or Territories?

These referendums propose simple and broadly acceptable reforms which will ensure the Constitution more closely reflects the principles by which we govern ourselves.

Given all this, I am confident that Australians are now willing to consider and support change to a document which up till now has proven remarkably impervious to change.

I referred earlier to a second lesson from the failure of previous referendums - a lesson about the process of change.

It is the way in which these proposals have been drawn up which also gives me confidence they will succeed at the ballot box.

In the past, referendum proposals all too often seemed to emerge from on high, as fiat of Government, without prior consultation with those who were being called upon to vote on them.

It was a process almost guaranteed to arouse the suspicions of the political opponents of the Government of the day, as well as of those cynics who automatically interpret any change as a plot to enhance the power of Canberra.

The result was that many well intentioned and worthwhile proposals failed. They were seen as having been formulated by politicians for politicians.

By contrast, our proposals have been developed by the people for the people.

In 1985 we established the Constitutional Commission - a bipartisan community-based group - to study what could be done to achieve essential constitutional reform.

The work of this Commission, chaired by the former Solicitor-General, Sir Maurice Byers, has been absolutely first class - in the number of public hearings it held and the number of submissions it received, and in the quality of its committee work and above all the quality of its reports.

By giving constitutional reform back to the people, we have ensured that the issues being put on 3 September reflect their priorities, their concerns - not Labor's agenda, not Canberra's agenda at the expense of the States, not the agenda of politicians of any stripe.

If these four proposals succeed, the real winners will be the people of Australia.

The first question asks voters if they approve of four year maximum terms for both Houses of Parliament.

It is a classic fact of economic change, where it is attempted, that the pain precedes the gain. Governments seeking change need time to implement those decisions which, though they may cause political pain in the short-term, are essential and will deliver long-term benefits to the whole community.

Four year terms provide that time. They will ensure governments can get on with the job of running the country.

Over the last few years, four-year terms have been adopted by every State Parliament except Queensland.

That has happened because Governments frequently failed to run their full term under the three year system.

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Since the Second World War, Australians have had to vote in Federal elections, on average, every two years.

Each election now costs the taxpayer some \$50 million.

The cost is to be measured also in terms of the economic instability and dislocation sparked by the ever-present prospect of an election.

Four year maximum terms would mean fewer elections, less cost, and less uncertainty.

That is why four year terms are strongly supported by business groups. They would mean more stable government and better decision-making.

These changes will not alter the power or the independence of the Senate in any way.

But four year terms for the Senate will make that Chamber more accountable. The Senate's powers to force a Government to the polls will remain untouched - for better or for worse - but it will itself have to account to the electorate at the same time. And that will eliminate one of the chief causes of early elections - namely, bringing the timing of elections for the two Chambers back into line.

The second proposal, for fairer elections, complements the first proposal, for fewer elections.

If representative Parliaments are to retain the confidence of their electors - in other words, if democracy is to work properly - the electoral rules must be fair.

No voter can be allowed substantially more or less power than another. A democratic government must be based on equal representation of its citizens.

If this sounds elementary text book material, it nevertheless does not reflect the situation in Australia today.

Most specifically, it does not reflect the situation for voters electing State Parliaments in Queensland, Tasmania and here in Western Australia.

No government more than mine has recognised the unique contribution to the nation's prosperity made by country Australia. But we do not need to have a gerrymander to understand and recognise that contribution - indeed it should be considered an insult that the contribution is recognised in such a way.

Yet where is the justice in the Queensland electoral system, where 25,000 country voters elect three Members of the State Parliament while 25,000 metropolitan voters elect only one?

The infamy of the Queensland gerrymander is well known.

But the electoral system in Western Australia has the unfortunate distinction of being even worse than Queensland's - despite the improvements of last year's Electoral Reform Act.

Each country elector in this state has, on average, almost twice as much say as a metropolitan elector in deciding who will govern Western Australia - and therefore ultimately in deciding how it will be governed. And each country elector has almost three times as much say in electing the Legislative Council - which has the power to deny the legislative program of the Government.

The proposed amendments to ensure fair and democratic elections are simple.

They will ensure that the number of voters in each electorate is within 10 per cent of the average number of voters in all electorates in each State, and they will require regular redistributions.

They will not impose Commonwealth laws on the States. Indeed, they do not give more power to any Government - Federal, State or Territory.

What they do is to guarantee the rights of the people by ensuring that their voices are heard equally on election day.

At the same time, they fill one of the most glaring gaps in the Constitution: its failure to guarantee the right to vote.

A "yes" vote for this question will ensure that all Australians have the constitutionally-guaranteed right to vote, subject to existing legal disqualifications such as mental incapacity or imprisonment.

It is no disrespect to the statesmen who framed our Constitution to assert that in 1988, it is surely time to enshrine the right to vote in the document that is the basis of our democratic government.

Without it, our democratic heritage is sullied, and our democratic reputation is tarnished.

If the third referendum succeeds, it will insert a new section into the Constitution which will at last provide constitutional recognition of the third tier of government, local government.

The merits of this case do not need much elaboration by me because they are fully and frequently outlined by local government organisations themselves.

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There are more than 850 local councils around Australia. In the last financial year they spent more than \$6.5 billion on providing the grass roots services that local government alone can provide.

Local government exists - and it should and will endure - as a valid, democratic, accountable and respected tier of administration in Australia. This referendum will provide a long overdue and thoroughly legitimate recognition of its status in the Constitution.

The fourth and final referendum is as simple and as deserving of support as the preceding three.

This question asks voters to ensure the rights of:

- trial by jury for people facing serious criminal charges;
- fair compensation for property taken by any government; and
- freedom of religion.

All three of these rights already exist in the Constitution but they apply only to the Commonwealth, and in the cases of trial by jury and freedom of religion there are loopholes which could allow those rights to be avoided.

The amendments will apply these rights to all governments and will close those loopholes - nothing more.

Ladies and gentlemen,

It would have been fine to be able to end this speech on the high note - outlining the prospect of a refurbished Constitution providing more relevant and more effective guidance to government and justice in Australia.

But the Opposition, for its own unique reasons, has decided to withhold its support from these proposals - a reversal of its support which it expressed at the last election for at least two of the issues.

On what can only be characterised as a platform of determined illogicality, the Opposition now urges "no, no, no and no" to the four proposals.

I do not now want to speculate about the failure of leadership in the Liberal Party which allowed its standing policy to be overthrown in the party room under pressure from the National Party.

I must however highlight, and in the starkest of terms, the motives behind that reversal.

The Opposition now makes the extraordinary claim that these proposals are a grab for power by Canberra.

But the truth is that opposition to the proposals means retaining the privileges and powers of politicians and entrenching the inefficiencies of the present system.

Opposition to the four year term proposal means support for disrupting the nation with elections far more frequently than even our Constitutional founders would have expected or ever intended.

Opposition to the one vote-one value proposal means allowing politicians to retain the power to manipulate electoral boundaries.

Opposition to the local government proposal means turning a blind eye to the existence of the third tier of government and refusing the benefits of closer cooperation among Local, State and Federal Governments.

Opposition to the rights and freedoms proposal means allowing State politicians to retain the capacity to deny people a number of essential rights.

Ladies and gentlemen,

The real question before us is this: Who will decide and control the process of change?

We believe the answer must be "the people".

These referendums have been carefully chosen to give the people of Australia the best possible opportunity to come back into the mainstream of the Constitution-making and Constitution-changing processes of this nation.

It is those who oppose these referendums who should explain their refusal to tolerate this trend.

Because there is a broader issue at stake in this campaign - the issue of Australia's capacity to adapt flexibly and as a nation to changing world conditions and to equip itself to meet the challenges of the twenty first century.

In the 1980s, Australia needed a more efficient and effective economy.

In the 1980s, Australia needed a more efficient and effective industrial relations system and a more efficient and effective taxation system.

In the 1980s, Australia needed more efficient, effective education and training systems and health and welfare services.

Providing these better services and creating these more efficient systems has been the overarching task of the Government which I have the honor to lead.

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But it has never been a case of change, just for the sake of change.

What has always been at stake is the protection of living standards, the creation of jobs, and the building of a society based on fairness and justice.

I am proud to stand here and state that my Government has made and is continuing to make significant progress towards each of these goals.

And I am also proud to stand here and argue the case of constitutional reform.

Because just as Australia has needed to achieve vital reforms in other areas of our community life, so constitutional reform is an essential ingredient of our growth into the next century.

In the 1980s and 1990s - as we prepare for the 21st century - Australia needs a more effective Constitution, a more modern Constitution, a fairer Constitution, a people's Constitution.
