

# Citizen Initiated Referendum

Australia First is a new political movement that is emerging across the Nation. Graeme Campbell (former Member of Federal Parliament) was the founder of this new party which has the philosophy, commitment, and structure to give us the chance to reclaim our politicians and our sovereignty.

One of the core policies of Australia First is the introduction of:

## **CITIZEN OR COMMUNITY INITIATED REFERENDUM (CIR)**

Initiative and referendum are procedural mechanisms that enable people to have a direct say in government. With CIR the community has the right to initiate by petition and thus have a **BINDING REFERENDUM** held to repeal an existing or proposed law and also to introduce new legislation.

### **WHY DO WE NEED CIR?**

Today's political parties and governments are power-hungry and have little concern for the **WILL OF THE PEOPLE**. We have seen for many years legislation imposed on us by National, Liberal, and Labor governments. We have no effective way of saying "ENOUGH". We have not been able to protect ourselves from the dictates of big government. Under our Constitution, governments initiate referendums. CIR gives people equal rights with government. Initiated Referendum returns power, usurped by big governments, to where it belongs - back to the voters.

Initiated Referendum encourages greater community participation in government because the referendum vote effects the community directly. Apathy is reduced because, unlike lobbying and petitioning, CIR gets results. Politicians soon learn to introduce only necessary and responsible legislation as the people can veto it. Wherever it is introduced it is always successful in giving people more say in their country. Where CIR already exists, the vast majority of people are in favour of it and do not wish to return to their previous situation.

Debate in parliament is a sham as legislation is passed or failed on straight party lines, not on the evidence or logic of the debate. Prime Minister Bob Hawke said in 1979 in his Boyer Lectures: "Parliament expresses not the will of the people nor the will of the elected representatives but the will of the bureaucracy modified to some extent by the will of the political party controlling most seats in the parliament."

CIR brings political parties under the people's control. Elected representatives have become the servants of party machines and not the servants of the electors. Our governments have become our masters and not our representatives. Can you see our political parties giving back their power to the people? This will only come about through the introduction of CIR. You will be voting for this when you vote for an Australia First Candidate.

### **INITIATED REFERENDUM IN ACTION**

**SWITZERLAND:** In over 100 years of Citizens' Initiated Referendum (CIR), after voting on 300 issues, the Swiss people have approved approximately 50% of issues placed before them. In 1977 the people rejected a value added tax; in 1986 they rejected a proposal to join the United Nations; in 1984 the people rejected the government's proposal to reduce the working week from 42 hours to 38 hours. Switzerland today is one of the most prosperous places on earth.

**UNITED STATES:** In the USA, 23 states have some form of CIR. In California, in 1987 the people rejected a government move to dispose of waste toxins in the ground. Four US states have voted to bring back the death penalty through referendum. In Florida, the people passed a law to force their governments to balance the budget on only 80% of total revenue.

**ITALY:** Italy used CIR in 1991 to remove existing laws that allowed corruption by criminal elements of political parties and officials. No politician has the courage to take on such organised and entrenched corruption. The Italians voted a huge 95% "yes" to get rid of the offending legislation.

**SPAIN:** When the Spanish governments wanted to leave NATO the people rejected the proposal. In contrast, the people of New Zealand were never given a direct say when Prime Minister Lange took New Zealand out of ANZUS.

### **HOW INITIATED REFERENDUM WORKS**

**STEP 1:** With careful thought and possibly legal help (where necessary,) word a petition and gather 400 bona fide signatures of bona fide voters at the last election.

Present this petition to the Electoral Commissioner for registration. A minimum of twelve petitioners are then appointed as custodians and promoters of the petition. Should an individual or organisation feel that a change should be made to a proposed law, an existing law, or to introduce a new law, then they must be able to address that belief.

There are a number of variations to the CIR idea. The steps set out below is a version that would be expected to work well.

**STEP 2:** The promoters then gather signatures of bona fide voters at the last election to a **MINIMUM** of 2% per electorate in a majority of electorates, including 2% of total voters.

This provision guarantees that the issue is of genuine concern to a broad cross-section of the community, and removes the danger of "city versus country" arguments.

There is a maximum permitted period of 18 months to gather these signatures. During this time, monthly returns are made to the Electoral Commissioner showing the success or otherwise of the collection.

This provision allows the Public and Parliamentarian alike to assess the popularity of the petition issue. This assessment may well lead to Parliament addressing the issue before the referendum is actually held. A fact which would avoid the referendum, and enhance the democratic and parliamentary process.

**STEP 3:** Having gained these signatures, the petition is then re-presented. The Electoral Commissioner certifies its qualification, then presents it to the Speaker of the House.

The petition is then deemed to be a call for a referendum on that issue.

**STEP 4:** The Parliament is informed of that referendum call, and may act on its contents in such a manner as to satisfy the petitioners' demands. Failure by Parliament to make the necessary changes to legislation before the next poll, shall see the referendum proceed.

**STEP 5:** The referendum to determine the issue shall be held **IN CONJUNCTION WITH THE NEXT ELECTIONS**. NB: THIS ACTION MAKES THE COST OF HOLDING SUCH A REFERENDUM EXTREMELY LOW. Additionally the population is at the polls anyway, and history has shown that given the chance, people will have a say on issues which affect them.

The government IS NOT responsible for the publication of the "for and against" arguments, but may put its case if it so decides. Equally, any or every organisation or individual may do likewise.

The time between the petition's presentation and holding of the ballot at election or poll time, will be well used for open debate and comment. This will allow the community to become aware of the real facts from all sides of the argument.

**STEP 6:** The results of the referendum shall be determined by the support or otherwise of a simple majority of voters in a simple majority of electorates, PLUS, a simple majority of all voters.

This we call a "representative majority" which ensures cross-section support, ensures that it was indeed a genuine issue, avoids the "city versus country" arguments, and is consistent with Federal Constitutional referendum requirements. It also shows Parliament where the support for the issue has been demonstrated - a tool very handy to Parliament and voters alike.

**STEP 7:** On approval of the electors referendum, the Bill is presented to the Government for assent.

NB: Provision is made also for the holding of "emergency" referenda between elections. The same requirements apply for this action as above, except that a higher percentage would be required to call it - say 5% instead of the 2% of total voters at the last election required for election-timed referenda.

We also encourage the Government of the day to use its rights to conduct referenda on issues of its choice.

**CAN CIR WORK IN AUSTRALIA?** Australia at the turn of the century was a noted innovator in the practical application of democratic principles. The Australian Labour Party, from its earliest days on the 1890's, adopted the principle of initiative and referendum not merely as a policy, but as one of the primary objectives of the Party, both National and in the States. Unfortunately, an increasing unwillingness of politicians to share power with people led the Labour Party to lose interest. Initiated Referendum was removed from their platform in 1963.

**ADDITIONAL ADVANTAGES:** CIR is a valuable supplement to existing representative government. It does not replace elected assemblies and does not degrade their functions. The mere existence of CIR gives politicians an incentive to take more notice of public opinion and reduces the chance of bad legislation. It has the power to ensure ordinary people's opinions are taken into account. Australia First presents this policy in the firm belief that voters, though not infallible, are eminently capable of responsible self-government and will make fewer mistakes than governing elites.

**Citizen Initiated Referendum is an essential safeguard for democracy**

<b>TEN EASY STEPS TO DIRECT DEMOCRACY</b>				
<b>STEP 1</b> Community wants new law or to remove or change existing law. 400 electors sign petition.	<b>STEP 2</b> Community selects Petition Committee (12 or more electors) to guide the whole process.	<b>STEP 3</b> Electoral Commissioner registers petition.	<b>STEP 4</b> Community petition representatives obtain signatures (2% of electors and in majority of electorates).	<b>STEP 5</b> Local electoral officials collect and count petition signatures.
<b>STEP 6</b> Electoral Commissioner certifies at least 2% of electors (and in majority of electorates) have signed petition.	<b>STEP 7</b> Parliamentary Counsel's office prepares proposed law.	<b>STEP 8</b> Proposed law is "tabled" in parliament for debate and/or legislation.	<b>STEP 9</b> (If necessary) Community at referendum votes to accept or reject proposed law (majority of voters and majority of electorates).	<b>STEP 10</b> Proposed law becomes law on Governor's Assent. Community gets the law they want. Democracy is served.

***Australia First***

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