

## **Submission on Citizens' Initiated Referenda**

Citizens' Initiated Referenda (CIR) is essential to the functioning of a healthy democracy. It was raised as an issue around the time of Federation, but was never implemented. We now have an opportunity to finally give CIR to the Australian people and this should be done in furtherance of the spirit of Australian democracy.

To have a true democracy, there must be a structure to enable greater participation by the people in the direction of the laws and policies of the nation. CIR enables direct input from the people, and so should be put into place so as to enhance the democratic workings of our country. CIR is needed to give the people a real voice in the workings of Australian governance.

The following points should be applied to enable the functioning of CIR policy:

- \* That to bring an issue to a popular vote, that a group or organisation of voters can circulate a petition for voters to sign, that shall be given to the Governor-General when the required number of signatures is reached. The Governor-General shall then ensure that the issue is brought before the people at a referendum, either as a vote by itself, or in conjunction with a federal election.

- \* The number of people needed to bring an issue a popular vote shall be a set percentage of the population; being 1% of Australia's population as counted at the most recent census (for example, using the 2011 census count of 21,507,717, the number required would be 215,077).

- \* That the Australian Electoral Commission (AEC) shall check the validity of a petition, by contacting a percentage of randomly-chosen signatories by post to check the bona fides of the petitioners. The percentage of petitioners to be checked shall be 1% of the petition (for example, for a petition of 220,000, the AEC shall contact 2200 petitioners). The AEC shall have three months in which to check the validity of the numbers of the petition, at the end of which the results must be communicated to the Governor-General and the voters' group.

- \* In the event of a negative result, and the veracity of the AEC's result being questioned, the voters' group may choose an accredited auditing firm to check the bona fides of the petitioners, at the expense of the voters' group (this clause shall cover any allegations of bias directed against the AEC). If the accredited auditing firm gives a positive result, then that result must be accepted by the Governor-General.

- \* To avoid allegations of behind the scenes bias or error, and in the interests of having an accountable and open process, the voters' group shall be informed of negative responses encountered in the checking process, so that they can confirm these for themselves, to ensure no error has taken place. Considering that the AEC, in checking numbers for registration of political parties, has reported negative responses that were subsequently found to be in error, this is considered essential.

- \* There shall be no time limit whatsoever on the gathering of signatures for a CIR petition.

- \* No more than three years shall elapse between the date of the notification of a validated petition to the Governor-General and a vote by referendum on the issue.

- \* The wording used in the petition shall be the wording used in the referendum, so as to avoid any government manipulation of any referendum's wording for its own purposes.

- \* If petitions of similar wording or intent are being gathered separately, these may be combined by the voters' groups involved to be counted as one petition. The wording of the largest petition shall be that used for the referendum.

CIR is needed to overcome what has been regarded as the vested interests of the major political parties. Such politicians have been governing Australia in the interests of their party and their own ideological agenda, often without regard to the will of the people on various issues. In fact, at times they have even operated directly against the known wishes of the people (such as revealed through reputable opinion polls). When major party

politicians agree with the common people on an issue, they call it “popular will”, but when they disagree with the common people on an issue, they call it “populism”; they operate behind a thin veneer of what could be called “elected fascism”. Ignoring the popular will of the people is authoritarianism, not democracy. CIR provides an answer for that.

CIR also means that politicians will be more mindful of the popular will, thus making them more truly representative, rather than just be a representative largely in name only.

As CIR gives ordinary citizens the ability to initiate a referendum on government policies, it provides a way of giving government back to the people. CIR is needed to enable an Australian democracy that shall be more democratic in reality, rather than just in form only. CIR is essential to create a healthy democracy for the Australian people.

### **Reference notes:**

2011 Census QuickStats: All people - usual residents

[“Australia People 21,507,717”]

[http://www.censusdata.abs.gov.au/census\\_services/getproduct/census/2011/quickstat/0](http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat/0)

The Argus (Melbourne), Wednesday 6 April 1892, page 6

History of the Trades-Hall Political Movement. Origin and Objects of the Progressive League.

[“(a) The referendum to be applied for the settlement of vexed public questions.”]

<http://trove.nla.gov.au/ndp/del/article/8410752/296838>

The Barrier Miner (Broken Hill), Wednesday 2 November 1910, page 6

The Second Labor Party (1894-1895.)

[“The Conference of the Political Labor League, which met at Newcastle on January, 1898, selected the following subjects as those which ought to be borne in the forefront of the coming fray : — 1. . . . (b) the introduction of the initiative and referendum”]

<http://trove.nla.gov.au/ndp/del/article/45148754>

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