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5-KA BROADCAST - BY THE PREMIER (MR. DUNSTAN)

C.O. Theme - Opening and hold under for

ANN: This is a broadcast by the Premier, Don Dunstan, on behalf of the Australian Labor Party.

GOOD EVENING: THERE'S BEEN A LOT OF TALK OVER THE PAST FEW WEEKS CONCERNING THE ROLE OF THE LEGISLATIVE COUNCIL IN THE SOUTH AUSTRALIAN PARLIAMENT AND HOW IT COULD ^aEFFECT THE LEGISLATIVE PROGRAMME OF THE GOVERNMENT. AND FOR MANY PEOPLE THERE'S ALSO BEEN A LOT OF CONFUSION.

SO TONIGHT I THOUGHT I'D BRIEFLY OUTLINE THE GOVERNMENT'S ATTITUDE TOWARDS THE COUNCIL.

AS IT STANDS AT THE MOMENT, THE LEGISLATIVE COUNCIL - OR THE UPPER HOUSE - IS THE MOST UNDEMOCRATIC HOUSE OF PARLIAMENT IN THE ENGLISH SPEAKING WORLD. AND THAT IS A DISTINCTION SOUTH AUSTRALIANS NEED NOT BE PROUD OF.

NOT ONLY ARE THE ELECTORATES OF THE UPPER HOUSE BLATANTLY GERRYMANDERED IN THE LIBERAL COUNTRY LEAGUE'S FAVOUR - SO THAT ONLY EIGHT OF THE TWENTY MEMBERS ARE ELECTED TO REPRESENT MORE THAN TWO-THIRDS OF THE CITIZENS OF THE STATE - BUT ALSO THE VOTING QUALIFICATIONS ARE SO RIGGED THAT MORE THAN A THIRD OF THE CITIZENS WHO CAN VOTE FOR LOWER HOUSE ELECTIONS - AND THE GOVERNMENT THEY WANT - CANNOT VOTE AT ALL FOR UPPER HOUSE MEMBERS.

TO VOTE IN AN UPPER HOUSE ELECTION, YOU HAVE TO BE A PROPERTY HOLDER - OR THE WIFE OR HUSBAND OF A PROPERTY HOLDER. OR YOU HAVE TO BE A RETURNED SERVICEMAN OR WHAT IS CALLED "THE INHABITANT-OCCUPIER OF A DWELLING HOUSE" OR THE WIFE OR HUSBAND OF AN "INHABITANT OCCUPIER" OR RETURNED SERVICEMAN. IF YOU ARE NONE OF THESE THINGS, YOU DON'T GET THE VOTE AT ALL.

FURTHERMORE, BECAUSE IN THE PAST ONLY THOSE PEOPLE WHO BOUGHT LAND OF VALUE WERE NOTIFIED OF THEIR RIGHT TO VOTE IN LEGISLATIVE COUNCIL ELECTIONS, ONLY ABOUT A THIRD OF THOSE PEOPLE WHO ARE ELIGIBLE TO VOTE ARE ENROLLED. THE RESULT IS THAT WE NOW HAVE IN SOUTH AUSTRALIA NOT ONLY A BLATANTLY UNDEMOCRATIC UPPER HOUSE BUT ALSO A HOUSE OF PRIVILEGE WHICH DOES NOT AT ALL EVEN BEGIN TO REPRESENT THERE PEOPLE IT SHOULD BE REPRESENTING.

IN FACT, ONE THING IS CLEAR. OVER THE YEARS THE LEGISLATIVE COUNCILLORS OF THIS STATE HAVE PROVED THEMSELVES TO BE REPRESENTATIVES ONLY OF ENTRENCHED BUSINESS INTERESTS AND OF THE LIBERAL COUNTRY LEAGUE.

HOWEVER, PERHAPS ONE OF THE WORST FEATURES OF THE LEGISLATIVE COUNCIL IS THAT, GIVEN THAT IT IS SO UNREPRESENTATIVE, IT IS ALSO ONE OF THE MOST POWERFUL UPPER HOUSES IN THE BRITISH COMMONWEALTH. THE UPPER HOUSE HAS THE POWER, NOT ONLY TO REJECT LEGISLATION INTRODUCED BY THE DEMOCRATICALLY ELECTED GOVERNMENT, BUT ALSO THE POWER TO REJECT LEGISLATION ABSOLUTELY. AND THAT INCLUDES MONEY BILLS - AN AREA TRADITIONALLY CONSIDERED IN THE RIGHT OF GOVERNMENTS OF THE DAY ELECTED BY A MAJORITY OF THE PEOPLE.

WE ARE NOW FACED WITH A SITUATION IN SOUTH AUSTRALIA WHERE THE DEMOCRATICALLY ELECTED GOVERNMENT CAN HAVE ITS LEGISLATION REJECTED BY AN UNREPRESENTATIVE HOUSE WHICH HAS AN INBUILT BIAS, FIRSTLY AGAINST THE GOVERNMENT BECAUSE IT HAS PLANS TO ALLOW EVERY ADULT THE VOTE FOR BOTH HOUSES OF PARLIAMENT, AND SECONDLY AGAINST THE GOVERNMENT BECAUSE SIXTEEN OF THE TWENTY MEMBERS BELONG TO THE LIBERAL COUNTRY LEAGUE.

FOR PEOPLE INTERESTED IN POLITICS THE MEMBERS OF THE UPPER HOUSE HAVE PROVIDED OVER THE YEARS A FUND OF ABSURDITIES. WE HAVE THE EXAMPLE, FOR INSTANCE, OF THE LEADER OF THE OPPOSITION IN THE UPPER HOUSE, MR. DE GARIS, ARGUING THAT THE UPPER HOUSE PROTECTED "THE PERMANENT WILL OF THE PEOPLE" - MEANING I SUPPOSE, THAT THE VOTERS OF SOUTH AUSTRALIA HAD AN "IMPERMANENT WILL" WHEN THEY VOTED FOR THE LOWER HOUSE OF PARLIAMENT. IN OTHER WORDS, HE ARGUED THAT PEOPLE HAVEN'T GOT ENOUGH SENSE TO ELECT GOVERNMENTS - THOUGH BY WHAT REASONING THE LEGISLATIVE COUNCILLORS IMAGINE THAT THEY ARE MORE WISE THAN THE DEMOCRATIC MAJORITY NO ONE KNOWS.

THE COUNCILLORS ARGUE THAT THEY ARE EFFECTIVELY A HOUSE OF REVIEW IN THE SOUTH AUSTRALIAN CONTEXT, ACTING TO STEP⁰ WHAT THEY DESCRIBE AS "HASTY" LEGISLATION.

BUT ONE MUST ASK THIS, THEN -- BY WHAT RIGHT? AND THE ANSWER OF COURSE IS THAT THEIR RIGHT TO ACT SO IS PURELY AN AUTOCRATIC RIGHT -- ELECTED BY A MINORITY TO PROTECT THE RIGHTS OF A MINORITY, THE LEGISLATIVE COUNCIL HAS ONLY ONE ULTIMATE INTEREST, AND THAT IS TO PROTECT ITS OWN EXISTENCE.

AND JUST HOW EFFECTIVE HAS THE COUNCIL'S ROLE BEEN IN 'REVIEWING' LEGISLATION WITHOUT POLITICAL BIAS? WELL I DON'T THINK ITS POSSIBLE FOR THE COUNCIL TO ARGUE THAT ITS HISTORY IS ONE WITHOUT BIAS -- IN THE 27 YEARS OF THE PLAYFORD GOVERNMENT THE COUNCIL REJECTED 24 BILLS, THE GREAT MAJORITY OF WHICH WERE PRIVATE MEMBERS BILLS INTRODUCED BY LABOR PARTY MEMBERS. CONVERSELY, TAKING THE LABOR GOVERNMENTS OF 1930-33, AND 1965-68 TOGETHER, ONLY 6 YEARS -- THE COUNCIL REJECTED A TOTAL OF 25 BILLS, AND EMASCULATED A GREAT MANY MORE. AMONG THE BILLS THE COUNCIL SERIOUSLY AMENDED DURING THE 1965-68 LABOR GOVERNMENT WERE THE VITAL ONES OF PLANNING AND DEVELOPMENT, THE INDUSTRIAL CODE, WORKMEN'S COMPENSATION, AND THE ABORIGINAL LANDS TRUST. IT WAS DURING THAT PERIOD THAT THE LEGISLATIVE COUNCIL PROVED ITSELF TO BE THE MOST REACTIONARY FORCE IN SOUTH AUSTRALIAN POLITICS, AND A FORCE WHICH HAS SET ITSELF AGAINST THE EFFECTIVE WORKING OF DEMOCRACY IN SOUTH AUSTRALIA. WELL, THE LABOR GOVERNMENT HAS A COMMITMENT TO LIBERTY AND DEMOCRACY -- AND WE INTEND TO SEE SOUTH AUSTRALIA BECOMES DEMOCRATIC.

AND WE SEE THE COMING BATTLE WITH THE LEGISLATIVE COUNCIL AS ONE WHICH WILL BE SPECIFICALLY CONCERNED WITH FULL ADULT FRANCHISE FOR THE HOUSE, A COMMON ROLE FOR BOTH HOUSES OF PARLIAMENT, AN UPPER HOUSE VOTE THAT IS WORTH THE SAME IN THE COUNTRY AS IN THE CITY SO THAT THE PRESENT GERRYMANDER IS ENDED, AND COMPULSORY VOTING AS WITH LOWER HOUSE ELECTIONS. THESE PROPOSALS WERE IN THE LABOR PARTY'S POLICY SPEECH FOR THE PAST ELECTIONS. WE BELIEVE THAT THE PEOPLE OF SOUTH AUSTRALIA ELECTED THE GOVERNMENT TO DO THIS. AND THE COURSE IS CLEAR. IF WE DO NOT RECEIVE THE AGREEMENT OF THE COUNCIL ON THIS, WE WILL IN DUE COURSE PUT IN MOTION THE CONSTITUTIONAL PROVISIONS FOR A DOUBLE DISSOLUTION OF PARLIAMENT. THIS WILL EFFECTIVELY BEGIN A PROCESS THAT WILL ALTER THE BALANCE OF POWER IN THE LEGISLATIVE COUNCIL CHAMBER FOR ALL TIME.