

# Direct Democracy

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AUSTRALIAN DEMOCRATS ACTION PLAN  
DIRECT DEMOCRACY  
ELECTORAL MATTERS & PUBLIC ADMINISTRATION

*Direct democracy is the direct expression of popular will through referenda or plebiscites, as opposed to the indirect expression of popular will through elected representatives. The people of Australia regularly express their democratic will through federal, state and local government elections for their representatives, but the expression of direct democracy is only on rare occasions through constitutional referenda, and on irregular occasions through local council or shire surveys.*

The Democrats support direct democracy because many people feel disconnected from the democratic process, and many want to have their direct say on important issues. That feeling is not unique to Australia – for instance Canada, Italy, New Zealand, Switzerland, 27 states in the USA, Venezuela and Poland all have versions of direct democracy.

## Our Action Plan

*“I want us to end the age of top-down, ‘we know best’ politics. Politics should be bottom-up and open – driven by the passions and priorities of the public.”*

**UK Conservative Leader  
David Cameron**

- Campaign for holding local plebiscites – for instance on the siting of pulp mills or nuclear waste facilities, or on the amalgamations of local councils;
- Seek legislative approval for the direct democracy propositions in the Democrats’ Private Senator’s Bill; and
- Introduce legislation enabling citizen initiated plebiscites on specific issues.

## Steps taken so far

Direct democracy was established at the birth of our nation. The Australian Constitution can only be altered by binding referenda. Only in 2007 was the electoral law finally changed to support direct democracy initiated by the people.

Federal electoral law now allows for plebiscites - the direct vote of qualified electors to some important public question - to occur under the aegis of the Australian Electoral Commission, and no state or territory law can gainsay it. It is important to remember that this only allows for the expression of popular opinion – Australian plebiscites are not binding on parliaments or governments.

The Australian Democrats have always championed the concept of direct democracy, carried through from Democrat Senator Mason’s first bill in 1980 to the present Democrats’ Private Senator’s Bill - the *Constitution Alteration (Electors’ Initiative, Fixed Term Parliaments and Qualifications of Members) Bill 2000*.



Other ACTION PLANS are available online at  
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## The Issues

### Binding referenda

A successful federal constitutional referendum is binding on the Government and Parliament. In 106 years Australia has conducted 44 federal referenda to amend the constitution. Only 8 have been successful. Higher law should be difficult to change. It is appropriate that the only way to amend the Australian Constitution is to require a majority of people in the majority of states to agree to a proposition.

### Non-binding plebiscites

Many Australians say they are disenchanted with the political system. There is a feeling that the Government does not listen on many issues. Direct democracy gives people at the grassroots access to real political power. It gives people the ability to demand change and to have their say. Direct democracy promotes popular engagement with the political process on questions of public importance, particularly in matters that affect people immediately and specifically.

### Citizen initiated referenda and plebiscites

There are difficulties in seeking to bind governments and parliaments through citizen initiated referenda (CIR). Safeguards are needed. CIR has a different effect from a plebiscite as it seeks to require governments and parliaments to act on the opinion of a majority of the voters. A plebiscite informs governments and parliaments of popular opinion without binding them to take action. Without constraint, CIR could be an obstacle to effective government if the system permitted too many issues to be the subject of referenda.

There is sufficient experience from other countries to construct an effective form of direct democracy or CIR for Australia, perhaps with these features:

- If 0.5% of the population petition on an issue a parliamentary committee must report as to whether a national referendum or plebiscite should be held; but if over 2% of registered voters petition, a popular vote must be conducted.
- Only if there is over 60% voter turnout and a clear majority of votes in favour would a proposition that passed have to be considered by parliament; below those percentages the result would have advisory status only.
- A resolution that passed acts as a guide to Parliament; it could not automatically pass into law until approved by the Federal Parliament. This provides a check on any CIR backed by sectional interests, ensuring full legislative scrutiny and that the final decision lies with elected representatives.
- A strict limit to apply to the amount of funding of campaigns for or against a proposition to prevent powerful financial interests dominating.
- Accountability and transparency in relation to the funding of campaigns so that sectional interests are identified to the public.
- Issues such as taxation, appropriations, matters affecting the court system, questions arising from decisions of a court, or certain contentious issues might not be capable of being subject to a popular vote.



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