The Democratic Element in Australian Federation

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New South Wales Centenary of Federation Committee

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2001

Source Text:

Prepared from the print edition published by L. Bonython & Co., "Advertiser" Office. King William Street Adelaide 1897

First Published: 1897
Languages: French

Australian Etexts 1890-1909 prose nonfiction federation

2001
Creagh Cole Coordinator
Final Checking and Parsing

The Democratic Element in Australian Federation

by the Hon. Premier of South Australia.

Adelaide

L. Bonython & Co., "Advertiser" Office. King William Street

1897

Preface.

NEW SOUTH WALES. Victoria. South Australia, and Tasmania have now made provision for the popular election of representatives to frame a Federal Constitution for Australia, and the Convention is appointed to meet on 29th March next.

Under these circumstances some additional interest may attach to the paper on "The Democratic Element in Australian Federation, which I published in **The Review of Reviews** after my return from the Hobart Conference of 1895, at which the scheme to which effect is now being given was agreed to.

I have, therefore, yielded to the suggestion that I should republish the paper to emphasise the necessity of the greatest attention being given to the constitution of the Federal Parliament. To my mind nothing is of more importance. If, as ought to be the case, this Constitution is established on the most democratic basis, the people will have nothing to fear from the Parliament, but much to hope. They have now and within the next few weeks, by virtue of the popular franchise given to them by the Hobart agreement, the all-important privilege of settling this matter for themselves. It was in the hope that this paper might direct the attention of the democracy to a few essentials in the constitution of a Democratic Parliament that I originally wrote it, and it is for the same purpose that I now republish it.

C. C. KINGSTON.

January 1897.

The Democratic Element in Australian Federation.

(Introduction)

WIDELY diverse views are held, and even by prominent politicians, as to the probable date of the accomplishment of Australasian Federation. To use a hackneyed phrase—Federation has long been "in the air." Various attempts have been made to bring it within the national grasp. The most notable of these resulted in the Commonwealth Bill, adopted by the Sydney Convention of 1891. This constitutional work of admitted merit received but scant parliamentary attention, and even less popular notice. The reason is not hard to find. Framed by delegates appointed only by local Parliaments, none of which had been charged by the constituencies with the duty of such appointment, it lacked the true democratic inspiration. Not only was the absence of the popular mandate the cause of popular indifference, but its attempted anticipation provoked active hostility. After almost five years' vain struggling against these obstacles, a fresh start has been made on a more promising course by the passing in New South Wales, South Australia, and Tasmania, of the Federal Enabling Bill, agreed to at the Hobart Conference in February, 1895. Whilst I write, Mr. Turner is fighting hard to overcome the objections raised by the Victorian Legislative Council to similar legislation which has already passed the Victorian Assembly. The Hobart Bill provides:—

1. For framing a Federal Constitution by a popular convention of ten representatives of each colony, directly chosen by assembly electors on the principle of one voter one vote.

2. For submitting the constitution so framed to Assembly electors in each colony for acceptance or rejection by direct vote on the same principle.

3. For transmitting the constitution so framed and accepted for enactment by the Imperial Parliament on the addresses of both Houses of the local Legislature.

The Federal Outlook

The mistakes in connection with the initiation of the Commonwealth Bill are thus avoided, for the people are to be consulted at every stage. But there still remains room for the widest speculation as to the probable date of the realisation of Federal hopes. Some imminent common danger may yet be needed to weld our separate and comparatively powerless States into one compact all-powerful Federation. But surely constitution-building can better be undertaken deliberately, in time of peace, than in haste and panic. Who knows how soon the peace of the Empire may be disturbed, or how narrowly this disaster may have been only recently avoided? A new factor has lately been introduced into the consideration of Federal prospects by the adoption of free trade by New South Wales. Intercolonial free trade has ever been one of the chief objects of Federation. The other colonies are now enabled to exploit New South Wales markets, whilst preserving their own intact. Certainly the value of this privilege is considerably diminished by the fact that it is shared with all the world, a condition of things which it is to be hoped would be altered under Australian Federation, by protection against outsiders. Still, many urge that the strength of the chief commercial incentive to Federation has been materially reduced by the recent alteration of the fiscal policy of New South Wales. I think, however, that too much weight can be attached to this view. Certain it is that many reasons exist why the Federal effort should be continued. With these it is not my purpose to deal in detail. Even so far as South Australia is concerned, whilst not underrating the value of the Barrier trade, New South Wales is not the only colony with which freedom of commercial relationships is earnestly desired. Questions of defence, economy of finance, the regulation of competing railway tariffs, the adjustment of intercolonial differences, the establishment of Federal Courts, uniformity of legislation, a broader and higher sphere of national life, and other matters, some precisely specified in Federal proposals and others dwelt on at large by Federal orators, constitute too numerous, important, and attractive a list to justify our calling a halt in the Federal march.

Democratic Elements.

But whatever varying estimates may be formed of the time when the Federal goal is likely to be reached, it is evident there should be no delay in bringing public attention to bear on the question of some of the principles which should regulate the advance.

The object of this paper is to suggest that Australian democracy should require the Federal advance to be made under democratic conditions, and democratic conditions only. Ample provision for insisting on these conditions is provided.

Four colonies—New South Wales, Victoria, South Australia, and Tasmania—are ranging themselves into line for the initial step under the provisions of the Hobart Enabling Bill, viz., the election of the delegates to the Popular Convention. Authority has to be sought from the people for setting the Federal machinery in motion. No delegate can take his seat in the Convention except as the representative of the people of a State elected by their direct votes. No property qualification is required. No plural voting is permitted. As a further safeguard, no line or word of the constitution framed by the Convention can become of any force or effect unless deliberately accepted on referendum to the people of each State, and by their direct votes. From a Convention so elected democracy has everything to hope. In a constitution so framed, there should be nothing to which democracy can object. There can be nothing if Australian democrats appreciate, not only the powers which are conferred on them by the Hobart Bill, but their duty to exercise them, and the mode in which they should be exercised. I shall be well pleased if this paper, in the slightest degree, conduces to these ends. I doubt whether the public generally have hitherto taken sufficient interest in the main principles of Federation. When the Sydney Convention met in 1891, the fundamental principles of the proposed constitution had hardly been mentioned, not to say discussed. The Melbourne Conference which preceded it had chiefly been the occasion of oratorical display. Since the Sydney Convention, popular efforts have been mostly confined to the advocacy of the popular Convention and Referendum embodied in the Hobart Bill. No doubt much has been said about the advantages of Federation in general. But there have been few attempts to define democratic essentials in a Federal Constitution, or to provide for their insistence. If this state of things be continued, the results may be most lamentable. Federation is often advocated from the purest motives, in connection with the development of our national life. But are there none supporting it in the hope that it may prove a check to

democratic advance?

Democratic Risks.

The greater inertia of a large Federal Parliament, as compared with a small Provincial Assembly, will materially increase the difficulty of experimental legislation. The legislative sanction to the trial of what some call "fads" and others reforms must be less easy when many are to be converted from the policy of laissez faire than when the assistance of a few will suffice. Who can doubt that legislative experiments have been tried in different Australian Parliaments with the best results, which would have waited long for the sanction of a Federal Assembly? We are all concerned lest, in the sacred name of Federation, there should be foisted on Australia a reactionary anti-democratic constitution unworthy of a free people. Federation *per se* must, for the reason I have mentioned, have a distinctly conservative effect. We must be careful, or the enactment of a Federal Constitution for Australia may be made the excuse for withdrawing from the provinces some of the democratic advantages which they enjoy under their provincial constitutions. South Australia claims, by legislation through a long course of years, to have established her constitution on broader democratic lines than those of any other colony in the Australian continent. I believe that in this respect she has the sympathy of a large section of the people in the other colonies who desire to secure similar constitutional advantages. None can doubt that the form of the Federal Constitution will have great effect on the provincial constitutions. In the natural order of things federal and provincial constitutions must be to a certain extent assimilated. Concessions to democracy contained in a Federal Constitution cannot well be denied in provincial legislation. On the other hand Federal limitation of popular rights must ever constitute a powerful argument for provincial conservatism. Now is the time, therefore, for the greatest democratic vigilance. No doubt every power which is proposed to be given to the Federal Parliament will be closely scrutinised before being parted with. I am sanguine that the American plan of preserving the residue of powers to the local legislatures will be followed, as proposed in the Commonwealth Bill, rather than the Canadian plan of giving everything not specifically reserved to the Federal Parliament. Whilst recognising the necessity of Federation for national purposes, we should cherish the equally important principle of home rule in all local affairs. The provinces must maintain, so far as possible, consistently with true Federation, the glorious privilege of managing their own affairs. But before considering the question of the distribution of powers between the Federal and local Parliaments, the important question arises of the

constitution of the Federal Parliament itself.

The Need of Vigilance.

It is to this point that I desire particularly to direct the attention of the democracy by this paper, and to which I practically confine my remarks. This is no time for indifference. To my mind Federation is bound to come sooner or later. There are, to my knowledge, many friends of the people who, having little sympathy with Federation because of its necessary conservative tendency, shrug their shoulders when it is mentioned, and, scoffing at its probability, refuse to discuss or consider its possible form. To such as these it is idle to talk. If all were so constituted the advent of Federation would be a sorry day for democracy. But to others, happily more thoughtful and numerous, I feel that a humble effort to point out what I venture to consider a few democratic essentials to the constitution of a Federal Parliament may not be entirely wasted. Fifteen years' continuous service in the South Australian Parliament, and seats in the Federal Council and in the Sydney Convention, have compelled my best attention to the matter. The time has gone by for the utterance of Federal platitudes. I take it that there is a general consensus of Australian opinion in favour of Federation on approved lines. What those lines are to be is now the question. The people of the different States are shortly to be called upon to elect the persons by whom the constitution is to be framed. If any advantage is to result from the Hobart concession of the right of popular election it must consist in the securing of effect being given to the popular wish. To this end public thought must be aroused, reason appealed to, and sentiment awakened. We hear it often said that Federation is not a party question. May it never be made an idle pretext for the making or unmaking of a ministry! But if liberal or conservative views are earnestly entertained every effort will, and should, be made by their respective holders to secure their fullest recognition in the proposed national constitution. Their inconsistency prevents any honest attempt at constitutional assimilation. So it seems to me that if the cry against party politics in Federal affairs means more than I have suggested, it savours somewhat of an unholy and impossible alliance. So also with the oft repeated suggestion that the “best men” only should be selected as Federal delegates. This is little better than idle “gag.” The “best men” from the tory standpoint must be the worst from the radical point of view, and *vice versa*.

Democratic Ideals.

The existence of the Commonwealth Bill renders further efforts at constitution-building comparatively easy. It has been well put that the Sydney draft must form the basis of any future Federal legislation. Probably the popular convention would revise it in committee, and adopt its revise as the Federal Constitution. However this may be, the Commonwealth Bill to-day affords a splendid text for the catechism of candidates for the popular convention. By the extent of their agreement or disagreement with its various provisions, we shall be enabled to gauge their claims to the favourable exercise of the conservative or democratic suffrage; and, taken in connection with their political character and capacity, their right to be considered the "best men." It would not be tolerated that men should be selected to draft a provincial constitution irrespective of their constitutional views. Why then should the cry be heard in connection with the larger national question? He that is not with us is against us. Already, as I shall presently show, there has been sounded the note of attack from legislative strongholds of provincial conservatism. The enemies of democracy are on the alert. Two points in the popular fortress are especially likely to be assailed. These I consider essential to the true democratic constitution of a Federal Parliament. They are as follows:—

1. A uniform Federal franchise for both Houses of the Federal Parliament, such franchise to consist of adult suffrage exerciseable on the principle of one adult one vote.

2. Payment of members of both Houses of the Federal Parliament.

To my mind it is impossible to over-estimate the importance of a uniform Federal franchise. The nature of the franchise, speaking generally, determines the character of the elector; the character of the elector determines the character of the elected; the character of the elected determines the character of the legislation; the Federal legislation affects all. It is useless for any single colony to return democrats on an extended franchise if conservatives are returned from all the other colonies by force of a limited suffrage.

The Federal Franchise.

Each colony, therefore, has the keenest interest, not only in the nature of the franchise on which its own representatives are returned, but also in the nature of the franchise on which all other representatives are elected. This is a matter in which the smaller States are specially concerned, on account of their more limited representation in the House of Representatives. Of what avail would be the protests of four Tasmanian or ten South Australian democrats elected on manhood suffrage in a house of 100 members, or as opposed to a possible phalanx of thirty-five conservatives eturned by one colony on a property vote. A Federal franchise varying in its nature with the States constituting the Federation, is no more capable of defence than a provincial franchise varying with the constituencies constituting the province. It would not be tolerated that West Sydney should return members to the New South Wales Parliament on the principles of adult suffrage, whilst in the rest of the colony a high property qualification was required from all voters. If such a thing were permitted of what practical use would be the extended franchise possessed by West Sydney! Her democratic representative would undoubtedly be swamped in the local Parliament by the conservatives returned from other parts, and they would be outvoted in all issues between democracy and conservatism. So, also, of what advantage will it be for any particular State to return members to the Federal Parliament on a liberal franchise if they are to be swamped and outvoted by the representatives of other States returned on an altogether different basis? When the question is thus analysed, I may, perhaps, be pardoned for thinking that the necessity of uniformity is apparent. Indeed, it is possible that some may suggest that it is unnecessary to contend for so palpable a truth. But the history of Australian Federal effort shows that this is not so. No absolute uniformity is provided for in the Commonwealth Bill. The various Assembly franchises of the different States are stereotyped in their application to the Federal House of Representatives. To local Parliaments, very differently constituted in different States, is left the choice of senators. It is not so long since that a meeting of the Federal Council, discussing the question of uniformity, practically agreed that the mode of selection of members of the Council was chiefly a matter for local settlement by each individual colony.

The report of the proceedings of the Hobart Conference discloses the fact that there was not entire unanimity amongst the Premiers present, on the question of the mode of election of members of the popular convention. This, too, although uniformity was only proposed to the extent of requiring

election by the electors of the House of Assembly in each State. Since then, we have seen a proposal, made by the Victorian Legislative Council, to dispense with even this approximation to uniformity by the substitution of election of representatives by the local Parliament. Happily, this reactionary proposal was defeated by the firmness of Mr. Turner. But I noticed, with some concern, the expression in another colony of liberal indifference in relation to this matter, which it was suggested was one for Victoria only to decide.

Varying Franchises.

No doubt the necessity for absolute uniformity, in relation to the election underthe Hobart Enabling Bill, is not so strong as in regard to a Federal Parliament; for the Convention has no legislative power, and the referendum to the electors for the Assembly in each colony prevents the probability of an objectionable constitution being foisted on an unwilling people. There is, however, ample room for argument, that it would have been better if the delegates in each colony had been elected on precisely the same franchise in each State. The resolutions of the Hobart Conference embodied, however, as much of agreement on these subjects as it was possible to arrange under the circumstances. Each member of the Conference desired to further the cause of Federation, and to this end was prepared to make some concessions. But, though rigid insistence on personal or provincial views would not have been justified, and was not attempted, it seems to me now that an appeal to the Australian people for Federal direction has been provided for by the Hobart Enabling Bill, that every effort should be made in all the colonies to secure effect being given to democratic views and particularly in relation to a uniform Federal franchise. So far as the Federal House of Representatives is concerned, it is probable that there will not be so much difficulty as in the case of the Senate. The Commonwealth Bill provides that the election of members for the House of Representatives shall be made by the Assembly electors in each State. This, of course, does not constitute absolute uniformity. When the Commonwealth Bill was drafted, this provision meant a closer approximation to uniformity than it would mean if construed to-day, for South Australia has since adopted adult suffrage. On the other hand, plural voting, which was then in force in some colonies, is in course of gradual extinction. Its total abolition is provided for in regard to all voting under the Hobart Enabling Bill, and this will constitute a precedent for a similar provision in the Federal Constitution. The great distinction between the various provincial franchises for the local Assemblies consists in the fact that South Australia has provided for adult suffrage, and this has not yet been accomplished in any other part of Australia, or in Tasmania. I may be pardoned for thinking that in this respect South Australia, though only following New Zealand, is in advance of her neighbours. However this may be, there is a strong movement in other States for a similar reform. The Victorian Assembly only lately passed the necessary Bill. Mr. Reid has been warmly urged to introduce it. South Australians are naturally working to secure the extension of the reform to Federal questions.

Already upwards of nearly 60,000 women voters have registered themselves as electors, compared with 77,000 men. New Zealand statistics supply the most encouraging figures as regards the numbers of women who vote in proportion to those registered. It is a national question of the highest importance. The elections for the popular Convention will constitute a golden opportunity for the joining of hands between South Australian women and their politically less favored sisters. South Australian women, as electors for the House of Assembly, will have the right to vote for Federal representatives. Their representative organisations have decided to fight for a similar concession to the women of the other colonies. It will therefore be surprising if a solid vote is not cast in South Australia for adult suffrage as the uniform Federal franchise; and, though one colony alone can do little, there is no prospect of South Australia standing alone if Australian women appreciate the opportunity which will shortly be afforded them of advancing the great cause of the constitutional emancipation of their sex. The women of South Australia, by their direct votes, will, no doubt, exercise the greater power within their sphere of voting; but the women of other colonies, by combined and strenuous effort, may also, though less directly, exert a potent influence in securing the enactment of adult suffrage as the Federal franchise. The contest for a uniform Federal franchise in relation to the Federal House of Representatives will—very possibly—be chiefly waged round the question of the admission of women to political rights. I am most hopeful of the result. The limits of this paper forbid the full discussion of this question; but the views of the South Australian democracy may be gauged from the recent triumphant passing of the Adult Suffrage Act.

The Federal Senate.

The question of uniformity as applied to the Senate is a greater difficulty. The Commonwealth Bill provides for the election by both Houses of the local legislature; this is practically copied from the American constitution. No provision is made as to the course of procedure in the event of both Houses failing to agree upon a choice. It appears as if a deadlock would result. No attempt is made to embody in the Commonwealth Bill the provisions of the Acts of Congress of 1866 and 1873, by which it is declared that, in the event of both Houses failing to agree on the choice of senators, the members of both Chambers shall meet in joint assembly, and a majority shall make the choice. This avoids the possibility of a deadlock, and gives the controlling power to the popular and more numerous House. As the Bill stands, any Legislative Council might insist on the appointment of a particular senator, however obnoxious to the popular Chamber, and in default of acquiescence could deprive the State of representation in the Senate even at the most important juncture. That this is not altogether improbable is evident from the fact that in 1890 our Legislative Council deliberately wrecked the Federal Council Bill, because the House of Assembly would not concede to the Council the privilege of appointing one of the two Federal delegates. But apart from this difficulty, uniformity in the choice of senators is absolutely incompatible with elections by the local legislatures. This arises from the want of uniformity in the constitution of the legislatures themselves, and particularly on account of the varied constitution of their Legislative Councils.

In South Australia, with a paid and elected Upper House, democracy has little to fear and much to be thankful for. But how different is it in other colonies! Even in Victoria, with our unpaid Upper House, and other electoral conditions favoring a monopoly of seats by wealthy or leisured classes, I may be pardoned for thinking that popular sentiments are not unfrequently refused all practical expression. Mr. Reid's recent contests with the New South Wales Legislative Council are of a character from which democrats may readily draw the most important lessons in connection with nominee councils. It is one thing to give certain powers to our paid Council, elected by convenient constituencies on a liberal franchise; it is another and very different and dangerous thing, to confer the same powers on an unpaid Chamber, whether nominated, or elected by constituencies under Victorian conditions. Some idea of the probable results of confiding the choice of senators to the local Parliaments may be gathered from the composition of the Sydney Convention of 1891, the

members of which were elected by the provincial Parliaments. Most of those who now occupy the leading positions in Australian governments, and are chiefly identified with democratic advance were conspicuous by their absence.

As one result of the constitution of the Sydney Convention, we find in the Commonwealth Bill the proposal perpetuating the choice of senators in the mode in which the members of the Convention were themselves appointed, *i.e.*, by the local Parliaments. May this be a happy augury for the alteration of this provision by a Convention elected by the people! May election of Senators by the people be insisted upon by the people's representatives in the Convention that is to be! This is the course which was decided on by our Assembly when dealing with the Commonwealth Bill in 1891. A proposition to substitute direct election by the people in convenient constituencies, for the proposed election by the Parliament, was carried on the motion of Mr. Holder by a large majority.

Reactionary Forces.

To my mind South Australia would hardly be justified in entering a Federation in which, as provided in the Commonwealth Bill, the choice of senators is controlled by, or shared with, Legislative Councils such as are to be found elsewhere. The result, as regards all subjects relegated to the Federal authority, could not fail to be the wholesale sacrifice of present popular constitutional advantages. The probable working of the scheme proposed in the Commonwealth Bill emphasises the necessity for absolute uniformity. The South Australian Parliament might be reasonably expected to elect delegates with fairly liberal views. No different result would be allowed by the liberal majority in the Council. But with the knowledge we possess of the tory majorities which rule in other Australian Councils the Senate would be swamped by conservatives, and South Australian bitter experiences of unreformed Councils would be repeated in the hall of the Federal Senate. The classes of men elected by local Parliaments and returned by direct popular vote are very different. Democracy has everything to fear from the one, and to hope from the other.

That this is appreciated we may infer from the hesitancy of some colonies at the Hobart Conference in relation to the mode of appointment of the delegates to the Convention. This is emphasised also by the action of the Victorian Legislative Council in seeking to provide for the appointment of senators by the local Parliaments instead of popular election. They were defeated in this, and the provisions of the Hobart Bill, as already accepted by them in four colonies, constitute a valuable precedent for the choice of senators by direct popular vote. But the contest will, undoubtedly, be renewed in regard to the commonwealth provision for choice of senators by the local legislatures. Conservatism will fight hard to retain it. “The elect of the elected” will probably be the cry. May Providence deliver us from “the never—ending audacity of elected persons!” The protection of State rights is urged as the chief justification for the constitution of the Senate. Surely the people of Australia may be trusted to make their own choice of their guardians of State rights in all national questions. If they surrender this privilege of choice to others, and particularly to local Parliaments embracing nominee or unpaid Councils, they will not fail to shortly find that, under the pretext of providing for the care of provincial interests, a Senate has been called into existence which will constitute a standing menace to democracy and a constant source of obstruction to popular advance.

So far as the American precedent is concerned, it may, perhaps, be cited

as a warning to avoid, rather than an example to follow. Is there not some force in the startling charge that “under the American constitution, the power has departed from the people beyond hope of recovery, save by a revolution?” Further, we have it on the authority of Bryce and of Bourinot, that an agitation some time since commenced has already made much progress in the United States, to change the present practice of electing senators and to give the power of election directly to the people.

Paid Representatives.

The next democratic essential in the constitution of the Federal Parliament on which I desire to touch is payment of members, as applied to both Houses. To my mind this has been most wisely provided for in the Commonwealth Bill. There is, however, no room for doubt that it will be made the subject of strenuous conservative attack. An onslaught has already been made by the Sydney Legislative Council on the principle as applied to the delegates to the Popular Convention. So determined were members in their objection that Mr. Reid, in order to save the Bill, was compelled to consent to the excision of the provision, whilst promising to make the necessary payments under executive authority. In South Australia our local conservatives are rallying round the standard of abolition of payment of members of the Legislative Council. Very possibly in the Federal arena the attack will be confined to an attempt to exclude the Senate from the benefit of the system. I note with interest that the members of the Sydney Legislative Council openly avowed that their action was prompted by dislike to the system of payment of members in all its forms. Indeed, the following remarks are debited in Hansard to the mover of the proposal for excision:—

In this colony everyone must acknowledge that payment for legislative work has been an unmixed and undeniable evil. I think we would be failing in our duty if we did not record our sense of the injury that has been done to the public life of this colony and of all Australia by the continuance of the system of payment of members.

I doubt if these sentiments are generally entertained in New South Wales, though I cannot pose as an authority on that subject. But I claim that South Australia is in a better position to speak a regards the effects of payment of members than any other colony on the Australian continent—for this reason: that in her Parliament only has payment of members been extended to the Legislative Council. I do not hesitate to say that the result has been most satisfactory from the democratic standpoint. In fact, it has constituted the greatest reform ever effected in connection with our Legislative Council. Today, as a result, there is a liberal majority in the Chamber, where previously progressive measures were only received to be slaughtered. This majority consists of thirteen representatives of all classes, and particularly of producers and other workers, men who in character and intelligence would be a credit to any Parliament.

The Result of Payment of Members.

It is freely admitted that no such majority would be possible in the absence of payment of members, and that, under such circumstances, ten at least of the gentlemen referred to could not have afforded to have placed their valuable services at the disposal of the country. Their place would have been monopolised by plutocratic conservatives. In this connection it is interesting to note that a gentleman who is now contesting an Assembly electorate in opposition to payment of members of the Council himself admitted, when making his maiden speech in the Council of which he was lately a member, that he never would have been able to have offered himself for election as a representative farmer, had it not been for the system he now condemns. These are facts with which most South Australians are acquainted, but which I bring under the notice of a larger circle in the hope that they may teach a valuable Federal lesson to democrats. I might cite details, showing the direct legislative results of the system. For instance, I might mention the proposals for progressive taxation of large landed estates and of absentees, which were negatived by a majority comprising members elected to an unpaid Council, and were passed the next session when some of these gentlemen were replaced by others who could not have stood but for payment of members. So also with the proposals for industrial conciliation. Time after time these were passed by the House of Assembly, only to be thrown out in the Legislative Council, until the full effect of payment of members was realised by the return of liberals sincerely desirous of promoting industrial peace. It is a paid Parliament in both its branches, which is entitled to the honour of having lately passed the Adult Suffrage Bill and the Bill calling a State Bank into existence, and of providing for State advances. None of these reforms would have been possible in South Australia with a Legislative Council constituted as prior to payment of members. It is a paid Parliament which is entitled to the honour of having first passed the Hobart Federal Enabling Bill, providing for the unqualified recognition of the right of the people to consultation at every stage of the Federal Constitution. How different has been the treatment of this really democratic measure in our liberal Council and in the unpaid and conservative Councils of New South Wales and Victoria. No more striking illustration of the necessity for a uniform Federal franchise could be desired. I can hardly believe that an attack on the principle of payment of members will be seriously made as applied to both Chambers of any Federal or Provincial Legislature. But with the most bitter recollection of the state of things which existed in our

Council before payment of members, and with the warmest appreciation of the highly improved condition of affairs from the liberal standpoint which now obtains, and venturing to contrast the position in our paid Council with that of other unpaid Chambers, and this to the entire advantage of South Australia, I urge all liberals to resist by every constitutional means the attempt which undoubtedly will be made to deny remuneration for their services to members of the Federal Senate, if not to both Houses of the Federal Parliament. Forewarned is forearmed. Let no democrat lay the flattering unction to his soul that the matter is of minor importance because one House only is likely to be attacked. If a conservative majority be gained in either House conservatism will have obtained all the means of achieving its purpose. Its policy of negation can as well be effected by a stolid and solid majority in one House as in two. Active and absolute retrogression is probably beyond the wildest tory hopes. The command of both Houses is necessary to active reform and liberal advance, and a fatal mistake will be made if payment of members, as essential to this command, is denied to either House of the Federal Legislature.

There are other points in connection with this constitution of the Federal Parliament to which I should have liked to have directed attention. In particular, I could have wished to have dwelt on the inexpediency of denying provincial legislators seats in the Federal Parliament. Possibly experience may show that the dual membership cannot be conveniently held, but this is a question which may well be left to the candidate and the constituency. The degradation of the local Parliaments which to some extent must result from Federation, need not be emphasised by an express declaration that the membership of one constitutes a disqualification for the other. The harmonious working of both might possibly be promoted by a common membership. If we reflect that on the lines of the Commonwealth Bill 150 members will be required to give their services in the Federal Parliament, and in most cases at a distance from their homes, sufficient difficulty will be encountered in securing suitable men without disqualifying all members of the local Parliaments. There is some similarity in the relations between the Federal and Provincial Legislatures and between local Parliaments and minor local bodies, such as municipal corporations and district councils. It frequently happens that municipal and district councillors are also members of the local Parliament, and so valuable are their services in both capacities that no suggestion of preventing the common membership would be tolerated for an instant. Why, then, should such a provision be made in the larger sphere of Federal usefulness?

In conclusion, let me say that I have purposely refrained from discussing

doubtful questions of democratic policy. I take it that democratic aspirations are generally understood, and I have taken this opportunity of giving publicity to a few thoughts which have occurred to me on matters which are deserving of the immediate and most careful and intelligent consideration of the people in connection with the approaching constitution of a Federal Parliament.