

OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS BILL 2005
OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS (CONSEQUENTIAL PROVISIONS)
BILL 2005

Second Reading - Cognate Debate

Resumed from 23 August.

HON PETER COLLIER (North Metropolitan) [8.23 pm]: I oppose these bills. The bills are being dealt with cognately and I intend to speak on both; however, my comments this evening will relate predominantly to the consequential provisions bill. As I said, I cannot support either bill. In particular, I cannot support the principal bill on the premise that I am a Christian. Having said that, I acknowledge the amendments that the government made to it in the other place. The bill originally sought to make oaths completely religiously neutral. It was only due to enormous public outcry and pressure from the opposition that the Attorney General realised the error of his ways and made some concessions. I refer to an article in *The West Australian* of Monday, 5 April 2004 which is headed "McGinty swears to keep God in oaths" and states -

ATTORNEY-GENERAL Jim McGinty has dropped plans to take a direct reference to God out of oaths in the face of a backlash from religious leaders.

The legislation put before State Parliament last week proposed deleting specific reference to God from oaths sworn by MPs, councillors and anyone giving evidence in court or swearing an affidavit.

But it was criticised from many sections of the community, particularly religious groups, who described it as baffling and unnecessary.

It caused an uproar in Parliament with members of the Liberal Party calling for Labor politicians to cross the floor to vote against it.

A phone poll run by *The West Australian* found an overwhelming number of callers thought Mr McGinty was wrong.

Nearly 1100 callers said they did not agree with the State Government plan to drop the reference to God from oaths before giving evidence or affidavits, while only 228 said they did agree.

I refer also to an editorial in *The West Australian* of Monday, 5 April 2004 which is headed "McGinty errs in meddling with oath" and states -

ATTORNEY-General Jim McGinty continues to display single-minded zeal in trying to remake the State's traditions to his will.

The latest plan, which emerged last week and from which he has now backed down, was to remove specific references to God from oaths in WA.

Instead, people would have been required to swear according to their "religion and beliefs".

It was Mr McGinty at his high-handed worst, trying to strip the notion of God from a community which had not been asked whether it shared his view.

It was yet another example of the minister trying to impose his personal view without consultation.

However irrelevant Mr McGinty might consider God to be, this is a Christian country built on Christian principles.

He might argue that there are significant non-Christian sections of the population for whom swearing an allegiance to God is not appropriate.

But those people could always use the readily-available alternative affirmation instead.

There is no doubt many West Australians find that swearing to God adds a solemnity to their oath.

It is their highest level of commitment to be honest in the evidence they are about to give, or in the affidavits they are about to sign.

Mr McGinty believes that oaths should be politically neutral. As an individual he is entitled to hold that view. But as a member of Parliament he is bound to listen to the views of the electorate.

Already he has announced plans to remove references to the Queen from various State oaths of allegiance, in defiance of the fact that she remains our constitutional head.

He is undaunted by suggestions that most of the community does not support him.

It is reasonable to suggest that as Minister for Health, Mr McGinty has plenty to occupy his time without seeking to embark on a campaign for which the community has shown no enthusiasm.

The foundations on which this predominantly-Christian society stands should be protected, regardless of whether Mr McGinty likes them.

If he is to win any plaudits from this futile exercise it is that he eventually heard the will of the people and changed his mind.

I could not have written it better. To my mind, the bill continues to subtly undermine the Christian faith. I cannot quite work out why the government introduced the legislation in the first place, even given the amendments that were subsequently made to it. It may be the sinister work of atheists; however, I think not. I seriously doubt that there would be too many committed atheists on the other side of the house. I am certainly not assuming that Hon Kim Chance or the Attorney General, who introduced the bill to their respective houses, are atheists. However, remembering the wise words of author and theologian G.K. Chesterton, if there were no God, there would be no atheists. It is certainly a valid consideration. I can proclaim to the house that there is indeed a God; therefore, one must assume that there are also atheists. Presuming that the bill is not the sinister work of atheists, I rely upon the words of Hon Kim Chance in the second reading speech on the Oaths, Affidavits and Statutory Declarations Bill on 6 April 2005 when he stated -

... secondly, it provides for a religiously neutral form of oath, and enables a person to make an affirmation instead of taking an oath in all circumstances. This is entirely appropriate for our multicultural society.

That gives me more of an idea as to the reason for the bill. It is because we have a multicultural society that this bill has been introduced. True, we do have a multicultural society; it is a magnificent example of tolerance and vitality, and it is rich in diversity and acceptance. However, that in itself is not a valid reason for this legislation. Yes, we are a multicultural society. However, Australia is predominantly a Judeo-Christian society. To serve as a reminder, according to the figures on religious groupings published in *The Australian* on 18 March 2004, 68 per cent of respondents said that they were Christian; 0.5 per cent said they were Hindu; 1.5 per cent said they were Islamic; 0.4 per cent said they followed Judaism; 1.9 per cent followed Buddhism; and 15.2 per cent said they had no religion at all. Of course, those who proclaimed to have no religious commitment can always use the affirmation.

This bill will remove the accord of a vast majority of people - the Christian majority. We are fundamentally a Christian society. We are extremely tolerant of other religions and cultures; however, we are a Christian society. I will quote from C.S. Lewis, who very aptly put what I basically feel about this issue -

Every time you make a choice, you are turning the central part of you, the part of you that chooses, into something a little different from what it was before. And, taking your life as a whole, with all your innumerable choices, all your life long you are slowly turning this central thing either into a Heaven creature or into a hellish creature -- either into a creature that is in harmony with God, and with other creatures, and with itself, or else into one that is in a state of war and hatred with God, and with its fellow creatures and with itself. To be the one kind of creature is Heaven: that is, it is joy, and peace, and knowledge, and power. To be the other means madness, horror, idiocy, rage, impotence, and eternal loneliness. Each of us at each moment is progressing to the one state or the other.

To put it simply, the government has made the wrong choice with this bill. There is no valid justification for this bill. The government does not have the authority to bring forward this bill. It may have the power as a newly elected government; however, it does not have the authority, and the abuse of authority is a very dangerous road to travel. There has been no shouting from the rafters. There have been no demonstrations in the streets. To my knowledge, there has been little or no public pressure to implement these changes. How many e-mails, letters or telephone calls have members on the opposite side received? I suggest very few, if any at all. I certainly have not received any, and I am sure my colleagues on this side of the chamber have not either. Therefore, why introduce this bill? I simply cannot support it. Similarly, I cannot support the second bill, the Oaths, Affidavits and Statutory Declarations (Consequential Provisions) Bill. The reason for this bill is somewhat more transparent. Again, I will rely on the comments of Hon Kim Chance on 6 April 2005, when he said -

A second compelling reason for removing these oaths and affirmations of allegiance is that the bill must be seen in its historical context. The bill is one important natural evolution of Australia as an independent member of the community of nations and of this state as a member of our modern Federation. This evolution started after the first British settlement of this country in 1788 and in Western Australia in 1829. At that time, because the Australian colonies were British colonies, it was natural that oaths and affirmations of allegiance were made to the Crown in the United Kingdom.

We can see where we are going with this -

However, there has been a gradual but continual movement of Australia and its colonies, which eventually became states, towards greater self-government and independence.

I thought we were actually independent.

On Tuesday, 6 April 2004, an article in *The West Australian* headed "God spared but Queen still on McGinty hit list" states -

Religion seems to outrank royalty in the modern world, according to Attorney-General Jim McGinty.

A backlash from religious leaders has forced Mr McGinty to drop plans to take a direct reference to God out of oaths. But the oath of allegiance to the Queen for MPs, judges and local government members will still be scrapped.

Mr McGinty said Commonwealth laws still imposed a duty of allegiance to the Queen for every Australian citizen, making it inappropriate at a State level. But he believed it was only a matter of time before Australia became a republic.

It is quite evident what the government wants from this legislation: this is an attempt by stealth to achieve a republic. I must declare my colours. I am Senior Vice-Chairman of Australians for Constitutional Monarchy, and I am proud of it. I wear those colours on my chest quite proudly. However, even though I am Senior Vice-Chairman of ACM in Western Australia, I am not a monarchist. Contrary to popular belief, there are very few monarchists in Australia; that is, people who pine for a system of government controlled by kings or queens. Of course, "monarchy" in itself conjures up images of tyrants and despots from centuries past. I am a constitutional monarchist, and the distinction is quite vivid. I am a strong advocate for our existing system of government, and that is where the distinction between a monarchist and a constitutional monarchist needs to be made.

Even though I am not a monarchist in the strictest sense - as I said, there are very few in this country - I hold the British royal family in extremely high regard. Again I say quite proudly that Her Majesty Queen Elizabeth II's seventy-ninth birthday was on 21 April 2005. I am delighted to say that in my travels at the time, I went to Buckingham Palace with tens of thousands of others to help Her Majesty celebrate. It was a wonderful day. Millions of British citizens and other citizens across the world, including in Australia, still hold a special affection for the royal family. Similarly, with thousands of others, I spent the next day at Windsor Castle. These huge crowds represent the attraction and magnitude of the royal family right across the globe. I doubt that there would be many Australians who do not visit Buckingham Palace, Kensington Palace or the other royal residences when they visit England. Similarly, thousands of Australians throng the streets when the Queen or any member of the royal family visits our nation.

I cannot say that the situation is the same when presidents visit this nation. I wonder how many people in the chamber would know that since 2000 no fewer than 18 presidents have visited Australia. To add a few historical facts to that, over the years there have been visits by the presidents of Chile, Timor, Pakistan, Bosnia and Herzegovina, Indonesia, Singapore, Israel, Poland, the United States of America, China, Ireland, Greece, East Timor, Portugal, Nigeria, Indonesia, Germany, South Africa, Korea, the Union of Soviet Socialist Republics, as it was at that time, and Hungary. Can members remember any of the occasions on which those presidents visited Australia? I am sure it would be only in times when there was negative publicity, particularly, unfortunately, when the President of the United States visited. I do not mean it is unfortunate that he visited; I am saying that, unfortunately, there were opponents of the President of the United States' visit. There was certainly not the same positive attention as there is when Her Majesty visits our shores.

Why do we hold firm to the British monarchy? Why do we have that affection for Her Majesty? There is possibly one reason. Again I draw on a comment of C.S. Lewis that monarchy satisfies our craving for inequality. I believe there is a degree of accuracy in that comment. It holds true. While some in our community, particularly the young, pour adulation upon rock stars and sporting heroes, the monarchy represents a part of our culture and history that has endured for centuries. More often than not the poor role models of our youth detract from their progress as uplifting citizens within our community. The same cannot be said of the royal family.

Also, as a result of our monarchy, we have our current system of government. Unlike some European and Asian monarchies that have crumbled violently at the hands of the oppressed, thereby developing administrations of tyranny, some of which still exist to the present day, the British monarchy has survived and become an essential component of our system of government. The British monarchy evolved with the people - that needs to be highlighted. Therefore, it always had the authority of the people. This evolution took several centuries. However, the end product was worth the wait. We have the best system of government in the world. The Australian system of government is the product of that system of government.

I will digress for a moment and remind the house of the development of responsible government within Australia and the role that the British monarchy played in that development. Of course, in the 1890s there were numerous constitutional conventions to debate the advantages and disadvantages of the numerous models for our structure of government. There were referenda in all states - a very democratic process. Of course, Western Australia

was the last state to consent, which it did in 1899. There were constitutional debates from town halls to streets across the nation. Essentially, this was democracy in action. The end result was this wonderful document called the Australian Constitution. It is a product of the people and it has the authority of the people. The founding fathers got it right. They produced a document that is the envy of the free world.

The Australian Constitution produced a system of government beyond reproach, with numerous checks and balances that secure the rights and privileges of its citizens. The system of government that developed in the 1890s and over the better part of the past 100 years comprises the Westminster traditions of the British system of government, which in itself is the product of centuries of evolution, commencing with the Magna Carta, which set the formal limits on the powers of the monarch. Our system of government produces a purely democratic bicameral Parliament comprising the best aspects of the British and United States models; that is, the House of Representatives and the Senate, thereby giving the Australian system the affectionate label of a "Westminster" mutation. It also respects the rights of the states through a federal structure with shared responsibilities. There are specific powers for the federal government, concurrent powers that are shared between the states and the federal government, and residual powers that reside with the states. Our system of government establishes a vital requirement of any liberal democracy - the separation of powers. There is a legislative branch; that is, the bicameral Parliament, without mentioning the Prime Minister and, until 1977, political parties. There is an executive branch, consisting of the Queen and her representative in Australia, the Governor General, and the Executive Council, which in itself is a vital check and balance on the Parliament. It is important that members remember this point when I say a few things about the role of the executive level of government. There is also a judicial branch, headed by the High Court, with state jurisdictions and hierarchies. As I have said, we have created virtually a flawless system of government. It is important to understand that it was created with the authority of the people. The people stated the system of government they wanted, and they got it.

Our system of government does not have a bill of rights, and some would suggest that that might be a flaw in our Constitution. The United States has its bill of rights in the first 10 amendments. Certainly, checks and balances are provided in this area. We have our Constitution, which is our written document, unlike the British system. We have statute law; for example, antidiscrimination legislation. We have the High Court, which is one arm of government that has resulted in such cases as the Dietrich, Australian Capital Television and Theophanous cases, which substantially resolved to uphold our rights as citizens. We also have international law, and our government is a signatory to human rights charters etc.

As I have said, we have a terrific system. The best part is that it can be changed only by the people. That is important. If the people want an opportunity to change the Constitution, they will get it. The founding fathers, in their wisdom, put into the Constitution section 128, which provides that the Constitution can be changed only with the consent of both houses of Parliament, an absolute majority of electors and a majority of electors in a majority of states. The Constitution is very difficult to change, but if the people want to change it, they can do so. As I have said, the founding fathers, in their wisdom, did that to ensure that ad hoc changes could not be made to the Constitution on the whim of the government of the day. I thank the great men of vision - Sir Henry Parkes, Sir Samuel Griffith, Andrew Clark, Charles Kingston and Sir Edmund Barton - for creating a document that has served us so well. I thank them for creating a document that represents the views of a vast majority of Australians, from coast to coast and from state to state. I thank them for so effectively compiling a document that has created a political system that was and remains the envy of the free world. I thank them for creating a document that has survived the greatest test of all - the test of time. We must not forget that there have been 44 attempts to amend this magnificent document, and only eight have been successful, most of which were fairly minor adjustments. I thank those gentlemen; they got the Constitution right.

Why change the Constitution? There is no doubt that that is what this bill is all about. It aims to do just that. It is an attempt to create a republic by stealth. The Australian people had their opportunity to have a say in this regard, and they spoke overwhelmingly in 1999. They said that they did not want a republic. Let us look at the history of the republic issue and see where we came from and why it failed.

Hon Sue Ellery: Do you think they were talking about the model, and not the actual republic?

Hon PETER COLLIER: The member could possibly say that, but I beg to differ. I acknowledge the member's point. It is like any referendum. For example, prior to the state election, it appeared that the trading hours referendum would succeed hands down. The public was educated on the issue, they listened to the issues, they did not like what they heard and they voted against it overwhelmingly.

Hon Sue Ellery: But the question was not whether they wanted a republic.

Hon PETER COLLIER: However, we fought on that question. As a member of Australians for Constitutional Monarchy, we would fight that battle again, but on the other issues. It is certainly a valid point, and I take the member's point. I do not necessarily agree with her. When the next referendum occurs - I am sure that it will in the future - we will fight the battle on the next issue. The republic issue has existed since the 1890s and the

creation of our Constitution. During the Constitutional Convention, the debate was fundamentally reliant upon the Irish, or Catholic, vote versus the English, or Protestant, divide. In the first 50 years of Federation, it was a fairly minor issue. Basically, the pro-British sentiment over this period was unchallenged. Australia and Britain had strong immigration policies, strong economic ties and strong ties through a military commitment, particularly in World Wars I and II. The republic issue gained some momentum in the 1960s and 1970s. There was a strong relationship with the United States, which members will be familiar with, through the Vietnam War and the Cold War in particular, the emerging multiculturalism of Australia and the 1975 crisis.

The 1975 crisis is an issue that has been used almost as a beacon for the republicans. With all due respect, that is a classic rewriting of history. I will remind the chamber of the events of 1975 with regard to the republic issue. I am sure that all members recall - we on this side of the chamber certainly do - that in 1975 the federal Labor government was in absolute crisis, with 17 per cent inflation, rising unemployment, the loans affair and the sacking of Jim Cairns and Rex Connor. Basically, the government had lost the confidence of the Australian people. Supply was blocked, quite constitutionally, by the Senate of the day and that forced a stand-off between the government and the opposition. Under section 62 of the Constitution, the Governor General, validly and with authority, dismissed the Executive Council. As I have said, he had the authority to do so. The election was called for 13 December, and we had the largest swing against a government in the history of this nation, and it stands today. The second largest swing against a government was in 1996. It was reinforced in 1977. The government of the day was determined by the people. The system worked. As I have said, the republicans tend to use the 1975 issue as the reason we need a republic; that is, we cannot have a situation in which an unelected person can remove an elected Prime Minister. That is exactly why we need our current system. The system did work. Australians got the government they wanted. Our established Constitution worked magnificently. There was no civil disobedience at the time. There was no putsch. There was no blood on the streets. The system worked. The people spoke. There was a smooth transition in government from the ALP to the coalition, which represented the views of the vast majority of Australians.

Hon Sue Ellery: Would you really describe that as smooth?

Hon PETER COLLIER: Why not?

Hon Sue Ellery: I think there was a lot of unrest about it.

Hon PETER COLLIER: I acknowledge that there would have been some who were disaffected, but the vast majority of Australians spoke up on 13 December.

Hon Sue Ellery: They voted clearly, but I don't know that you can say it was smooth.

Hon PETER COLLIER: I guess that is called a political divide!

In the 1980s and 1990s, due largely to a sustained attack on our Constitution by Prime Ministers Hawke and Keating, support for our system of a constitutional monarchy as we know it declined. There were calls for change. As I said, that was due to the government of the day. It did not help that the Prime Minister at the time, Prime Minister Keating, was vitriolic in his opposition to a monarchy in our system of government and used the resources of his office and government to constantly target supporters of the existing system and describe them as outdated, irrelevant and out of touch with the rest of modern Australia. However, having said this, by 1999 we in Australians for Constitutional Monarchy regarded Mr Keating as our most effective asset because he singularly offended thousands of undecided Australians who objected to his venomous attitude. Changes within Australia included increased trade with the United States and Asia in particular and increased migration from throughout Europe and Asia in particular. As I said, we became a multicultural society. However, while there may have been a shift away from support for the monarchy, there has not been a corresponding decline in support for our system of government. We should remember that.

How do I know this? As I mentioned before, Australians were able to have their say in 1999. Despite a sustained attack on our system of government by the Australian Labor Party nationally and in every state and territory; a multimillion dollar campaign by the corporatist elites; blanket media coverage by the Murdoch press pleading for a yes vote, including a full page advertisement saying "Vote Yes" in the referendum; the polling booths being bombarded by dozens of pro-republic booth workers decked out in "Vote Yes" T-shirts and decorated with hundreds of balloons, yards of streamers, sausage sizzles etc, Australia overwhelmingly voted no to a republic.

The distinction between the vote-yes workers at the polling booths and the vote-no workers was vivid. I attended dozens of booths on that day. Australians knew what they wanted and voted no. They voted in overwhelming numbers to keep the political system that they know and trust. I remind the chamber of some of those numbers. Nationally, the vote was humiliating for the republicans - 45.13 per cent voted yes and 54.87 per cent voted no. That is an absolute licking. Only one state's population voted no in larger numbers than the population in Western Australia, and that was Queensland. In Western Australia, 41.48 per cent voted yes and

58.52 per cent voted no. In Queensland, 37.44 per cent voted yes and 62.56 per cent voted no. In 1999, every single state across this nation voted no to a republic. Only one federal electorate in the whole of Western Australia voted yes. I am embarrassed to say it was the electorate of Curtin. Every other electorate overwhelmingly voted no.

In the Leader of the Opposition's - Kim Beazley's - electorate of Brand, 33.69 per cent of electors voted yes and 66.3 per cent voted no. That is hardly a ringing endorsement for a Labor stronghold. In Canning, a Labor seat at that time, 32.73 per cent voted yes and 67.27 per cent voted no; in Cowan, 42.95 per cent voted yes and 57.05 per cent voted no. I will not read out the percentage for every electorate. The point I am making is unambiguous. In 1999 the people of Western Australia voted overwhelmingly against a republic. The outcome was emphatic. As I said, there were no ambiguities; there were no doubts. It was an emphatic rejection of a republic. Australians roared on 6 November 1999.

That brings me back to the bill. Australia's Constitution reinforces political stability and national unity. It maintains our vital link with Britain and recognises our cultural and historical ties. This nation has a crowned republic - the best of both worlds. It has an elected bicameral Parliament representative of the people and the states and a Governor General as a final check and balance. We have a system of government and a Constitution that have remained virtually unchanged since Federation. We have a Constitution based on the formula of a constitutional monarchy. We have a system of government that works, that has the overwhelming support of the Australian people and that has inherent checks and balances at all levels. Why on earth change it? Without doubt, this bill seeks to do just that. As with the first bill, the government does not have the people's authority to make these changes. The people spoke loudly and clearly in 1999. The government should heed their voice. Nothing has occurred over the past six years to demonstrate that their views have altered in any shape or form. They have not voiced an alternative view at the ballot box. On the contrary, they have returned Prime Minister John Howard and the Liberal Party, supporters of our constitutional monarchy, to power not once but twice during that time, with an increased majority on both occasions. This can hardly be perceived as an emphatic cry for a change in our political structure. Our system of government serves us well. This clumsy attempt to undermine our constitutional monarchy by the state government is unwarranted. I strongly oppose the bill.

HON DONNA TAYLOR (East Metropolitan) [8.57 pm]: I will make a very brief comment on the bills and I will take up one issue that has already been discussed comprehensively by Hon Simon O'Brien and Hon Peter Collier in their contributions. As already mentioned in this chamber, the Oaths, Affidavits and Statutory Declarations (Consequential Provisions) Bill proposes a number of things, including the repeal of the Declarations and Attestations Act 1913 and various adopted imperial acts. The provision I particularly wish to again draw members' attention to is the removal of the requirement for members of Parliament, local government councillors, ministers of the Crown, judges and other public officials of this state to take an oath or make an affirmation of allegiance to the Queen. I remind the chamber of what is proposed. After the oath or affirmation according to that proposed in the main bill, members of Parliament, for example, will read the following oath or affirmation -

. . . I will faithfully serve the people of Western Australia as a member of the Legislative Council . . .

The latter part goes without saying, but that is not what is being debated here. I am particularly concerned by the government's proposal. It is a deliberate and calculated campaign by this government to undermine the constitutional framework of Western Australia. Putting aside people's views on whether Australia should become a republic - I respect that there are different views within the community and indeed in this chamber on this very issue - the fact remains that the Queen is still our head of state. Until this changes, if in fact it does, parliamentarians and others should continue to respect this when taking an oath or making an affirmation. Hon Giz Watson mentioned in her contribution that most people would think that it is archaic and probably hilarious for parliamentarians to make an oath or affirmation of allegiance to the Queen. Unfortunately, I must disagree on this point. Perhaps some people do find it hilarious, but I do not hear many people in the community crying out that this needs to be changed, and I do not think most people care either way.

The government, and indeed the Attorney General, might not like the fact that Australia is still part of the commonwealth. However, as Hon Peter Collier has already mentioned, one should not forget that in only 1999 the Australian government put the question of a republic to the people of Australia in a referendum and it was defeated. Indeed, it was defeated in every state and territory, with the exception of the Australian Capital Territory. I remind the chamber again that in Western Australia around 41 per cent of people said yes and almost 59 per cent said no to the proposed republic model. People can legitimately ask: if our naval, military and air force personnel make an oath to the head of state, why not the members of Parliament who make the laws? The politically correct on the left of the political spectrum suggest that we need to modernise. However, what is modern about removing allegiance to our head of state? What is modern about repudiating our history? If in the future the citizens of Australia, and indeed Western Australia, vote in favour of a republic, then and only then would it be proper to amend these provisions to include a reference to the new head of state, whether it be a

president or otherwise. Quite frankly, it is not up to the government of the day to amend the Constitution and to pre-empt the views of the Western Australian community by making a legislative change to suit its ideological view on this issue. As Hon Peter Collier has mentioned, it is republicanism by stealth, it is mischievous and it is arrogant to ignore the democratic will. In the absence of any mandate or rational argument, these bills should be opposed.

HON KEN BASTON (Mining and Pastoral) [9.01 pm]: I would like to put this debate in more simple terms. I regard this house as being steeped in tradition and intrigue and as representing something. I note that the other day Hon Kim Chance used the animal kingdom as an example in a debate. I cannot remember what the debate was about but he talked about hybrids and everything else. The animal kingdom has always had a pyramid structure and has always looked up to something. I regard these bills as breaking down our structure, which is a very important part of our society. Mankind, as an animal, needs to look up to something, and the pyramid structure of the animal kingdom is really important. That engulfed me when I came into this house for the first time and sat in this seat. I watch people come into this chamber and stand in the public gallery and look down. If we break down our structure just on the simple issue of oaths, affidavits and declarations, that will be what I call the white-ant syndrome; something coming into the house and breaking it down slowly. We must think very carefully when we debate bills such as this, as society today is already going down the path of breaking down that structure. I feel rather sorry when I see bills such as this. If we want a republic, fine, have one, but the means is already in our Constitution to have one. We can do it through our federal and state Parliaments.

I return to the family structure. In our pyramid we have the Queen of Australia. That is just a word, but we have governments, Prime Ministers, ministers of the commonwealth, Premiers of the states, the President of the Legislative Council, ministers, members of Parliament, and shire presidents and the councillors of those shires. They are all part of the pyramid structure that I talked about. I honestly believe that the pyramid structure gives us pride and stability in our society of today. It flows right through to the family structure, which is so important for our survival in the world today, rather than the white-ant syndrome breaking it down. I am afraid that I certainly cannot support these two bills.

HON ROBYN McSWEENEY (South West) [9.04 pm]: I also take exception to taking the “Queen” out of the oath. We are steeped in tradition in this place. These bills represent one more thing that the Labor Party is attacking. It attacks anything in society that many of us hold dear. What I do not like about the Oaths, Affidavits and Statutory Declarations Bill is the provision in clause 4 whereby people can swear by Almighty God, which is as it should be, or according to the religion and beliefs they profess. That could be anything.

Hon Sue Ellery: That’s right.

Hon ROBYN McSWEENEY: I take exception to that. I also take exception to the words -

I swear by [name of a deity recognised by his or her religion] . . . ;

In the English language the common noun “God” is equivalent to “deity”. However, I wonder what people will swear by; it could be anything. This clause will take away our basic Christian philosophy. About 75 per cent of Australians are Christian, one per cent are Muslim, one per cent are Buddhist and 0.5 per cent are Jewish. I presume there are a few atheists in the community that I have not mentioned. However, in the main, Australia is a Christian society. I acknowledge that the bill says that people can swear by Almighty God. Hon Kim Chance is looking at me over his glasses.

Hon Kim Chance: No. The question just occurred to me: how do you accommodate a Buddhist who wants to swear? The Jew and the Muslim are fine, as they have a god, but how do you accommodate a Buddhist?

Hon ROBYN McSWEENEY: I know that, and I know that is what Hon Kim Chance is putting back on me, but I am talking about taking away -

Hon Kim Chance: I was just thinking aloud.

Hon ROBYN McSWEENEY: Yes, Hon Kim Chance is talking about Buddhists, but I am talking about our culture, our philosophy, our Christian culture -

Hon Kim Chance: Buddhists are part of our culture.

Hon ROBYN McSWEENEY: Yes, I accept that.

Hon Sue Ellery: It is still there. It is not taking away; in fact, it is adding.

Hon ROBYN McSWEENEY: No, it is not taking it away. As I said, there is a choice, but I do not like the way that the Labor Party is slowly taking away everything that we hold dear. Australia is a Christian country.

Hon Sue Ellery: It is still there.

Hon ROBYN McSWEENEY: Yes.

Hon Kim Chance: We will be a multicultural society.

Hon ROBYN McSWEENEY: The Labor Party may not be taking it away but it just continually slides things in and in and in. It is my personal belief that the Labor Party is trying to erode our culture, and I do not like it. I am standing in this place saying that 75 per cent of us are Christian, that is our way of life and that is how it should be with these oaths.

Hon Kim Chance: But some of us are Buddhists.

Hon ROBYN McSWEENEY: Yes, some of us can be Buddhists, and those who are can be very proud of being Buddhists; I do not mind that.

Hon Kim Chance: But they can't swear an oath that accommodates them.

Hon ROBYN McSWEENEY: They have not been able to do that for many years. We are steeped in history and traditions and I do not see why they should be changed. Hon Kim Chance has his views; I have mine. I am standing in this place to put forward those Christian values and views, as Hon Peter Collier did. He spoke very well on the changes to oaths and affidavits and also referred to the Constitution. I will not go into the debate on the Constitution, but my view is that if we start changing all these things, the next thing we will be debating is a change to the Constitution and the monarchy versus the others. I am firmly in favour of the monarchy simply because it is part of our Constitution, and I do not want that to change. That is my viewpoint. I will round off by clearly saying again that the Labor Party is eroding our history, traditions and culture. I do not accept it and many other people do not accept it; in fact, probably 76 per cent of Western Australians do not accept what this government is trying to do.

Debate adjourned, on motion by **Hon Sue Ellery (Parliamentary Secretary)**.