

when we do start there shall be expedition in connection with this particular line, and I think it will be carried out more rapidly than any other line, with the exception, of course, of the pet Bullfinch, which was constructed by the hon. gentleman opposite. The leader of the Opposition brought forward this motion to try and discredit the Government. He submitted it for the reason that, in replying to the deputation of the Yillimining-Kondinin settlers, I said that the trouble was not that to-day we were not doing enough, the trouble was that we were doing too much, and the hon. gentlemen opposite are beginning to see that we are doing more than they were doing; they are beginning to see that we are moving on and that we are carrying out public works in a systematic and practical manner, and that we are getting better results than they ever got; and it because of our expedition and the comparative want of expedition on their part, that they say "we must move motions, and we must have deputations, otherwise the Government will be there for all time because of the good work they are doing by constructing the railways that we promised, and which promises we failed to fulfil."

On motion by Hon. J. Mitchell, debate adjourned.

*House adjourned at 10.5 p.m.*

## Legislative Council,

*Thursday, 8th August, 1912.*

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The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

### BILLS (3)—FIRST READING.

- 1, Tramways Purchase.
- 2, Prevention of Cruelty to Animals.
- 3, Health Act Amendment.

Received from the Legislative Assembly.

### MOTION—PROPORTIONAL REPRESENTATION.

#### *Hare-Spence Method.*

Debate resumed from the 6th August on the following motion of the Hon. D. G. Gawler—"That in the opinion of this House the proportional representation system on the Hare-Spence method should be adopted in the Parliamentary electoral system of this State."

Hon. J. F. CULLEN (South-East): There will, I think, be general agreement with the mover of the motion that Parliament should represent as far as possible the minds of the whole of the people, or rather should represent at least the prevailing thought of the principal parties and sections of the people. The old ideal of rule by the best, regardless as to whether the best represented the prevailing thought or not, has been considerably modified. It has been found that this ideal rested on the idea that the people should be given what is best for them, not what they think might be best for them. That rule has been so far modified that now the aim seems to be to make Parliaments up out of the best from each section and each party. It is assumed that the people of all parties will endeavour to send their best men to represent them in Parliament. All will agree that the most effective and successful Legislature

is that which most perfectly reflects the minds of the people as a whole. So far, I think, the mover of the motion will carry the whole House with him. I think the House will also agree with him in his second position that neither the relative majority system of Great Britain, nor the absolute majority system of Western Australia, succeeds in making Parliament a reflex of the people. I do not think there is need for argument on that point. There will be general admission that the best systems of majority rule have failed to make Parliament a fair reflex of the minds of the people as a whole. But, when it comes to the point that proportional representation by means of the single transferable vote will meet the case there is much more room for argument. I think the hon. member moving the motion has fairly shown that pretty well all other plans have failed; but whether he can get the House to believe that the Hare-Spence system is the last word, the perfect word, I think is still open to doubt, and I would suggest that he should make his motion not quite so stringent; he should not ask the House to say all he has asked us to say, but should be content with a deliverance in favour of proportional representation by means of the single transferable vote. There certainly should be hope that the ingenuity of the statesmanlike minds of the people has not yet been exhausted, and certainly there may be some more scientific method found than the Hare-Spence system. As both speakers who have preceded me have pretty fully explained, that system would involve a considerable change. It would involve the grouping of single electorates into electorates returning three or more members, and that grouping would, in the first place, make less direct the touch between member and constituency; it would also greatly increase the labour and cost of candidates. But I am prepared to admit that these two objections would be more than covered by the broadening of politics, through the enlargement of constituencies. I am quite prepared to go with the mover of this motion in favour of large constituencies. That is the first step in preparation for the system he is advocating. The drawback of lessen-

ing the touch between member and constituency, the drawback of increasing the cost of elections to the candidate, both will be more than covered by the broadened politics that will result. Then there would be the necessity for each elector to cope with the enlarged ballot. I do not think there could be any serious objection to that. If it is objected that it would require a high state of intelligence and culture on the part of the elector to get through the complexities of the enlarged ballot, the enlarged range of preference that would have to be exercised, the simple answer is that elections already carried out on the system have encountered no difficulty in this respect. Indeed there have been fewer informal votes under the system than under other systems, and that is a quite sufficient answer. The rest, as the mover of the resolution explained, would fall to the returning officers, who are supposed to be skilled men, and their skilled assistants. The objection that there would be delays and risks of informalities is simply answered by the fact that such things have not happened where the experiment has been actually carried out. I give the mover of the resolution credit for his candour in bringing up the real grounds of objections that may be taken against the system he is advocating. In the first place, its handling of the transferred votes, the surplus votes, is entirely unscientific. The surplus votes of a candidate who is already declared elected are to be picked up at random under the Hare-Spence system, which is by rule of thumb. Any part of the pile up to the number of his surplus votes is to be picked up at random. That is entirely unscientific and would grate on any man who is accustomed to look upon elections and all their machinery as something that should be beyond possibility of mistake or irregularity. Here is an unscientific flaw in the system. Now, as the mover of the resolution pointed out, that one flaw has been met by the method suggested by Mr. Justice Clarke; only, his method is regarded as somewhat complex and likely to involve a considerable amount of delay. But just because there has been found a scientific way of dealing with the surplus votes I would suggest

to Mr. Gawler that he should make his motion more general, and simply make it affirm the desirability of introducing the proportional representation system by means of a single transferable vote.

Hon. D. G. Gawler: That is all I ask.

Hon. J. F. CULLEN: The motion affirms the Hare-Spence system which, as I have just pointed out, is unscientific in the handling of surplus votes. Another objection is that this system would not provide for by-elections unless on the rare happening of a threefold vacancy. For a single vacancy in such a by-election this system would not apply.

Hon. F. Davis: What about the supplementary candidates?

Hon. J. F. CULLEN: This system does not propose a supplementary candidate, and I scarcely think the supplementary candidate system would be approved in this community; because the supplementary candidate selected at a general election might have died, or might have altered his political faith, or might have become a very different man before the vacancy occurred which he was to fill. That is a clumsy and unscientific proposal. However, to my mind the by-election question is a very small one. It is really not material. The fact that the system does not provide for a by-election is not material at all. The most interesting part of the mover's speech was that in which he referred to the possible bearing of this system on party government. In some stray remarks of his regarding the line of cleavage forming the basis of parties, the hon. member quoted Professor Nanson, I think with approval, as saying that the old Australian line of cleavage, namely, freetrade versus protection, had been followed by a cleavage between Labour and Capital.

Hon. D. G. Gawler: Oh, no.

Hon. J. F. CULLEN: Those were the hon. member's words. I hope he did not mean them.

Hon. D. G. Gawler: I did not say that at all. I said Labour versus anti-Labour.

Hon. J. F. CULLEN: Well, the hon. member misquoted Professor Nanson. Instead of "anti-Labour" he put in "Capital," which grated on my ear. But even

taking the exact words of Professor Nanson, and dealing with them first, I think this opens up a very interesting study indeed, which is of great importance to any House of Legislature. In passing, I may say that the old line of cleavage, which really developed some splendid party material and party power, the old line of cleavage, freetrade versus protection, is, of course, only sleeping in Australia. It will not be long before that becomes again the line of cleavage of parties in Australia. Already, as hon. members know, it is coming forward to a front place in America. The big battle to be fought there shortly will, perhaps, turn more upon that line of cleavage than on the cleavage arising out of the personal quarrel of Mr. Taft and Mr. Roosevelt. High protection in America has brought forth its natural fruit of monopolies and combines in restraint of trade. High protection in Australia is just bringing forth in the earlier stages exactly the same fruit. It is almost ludicrous to see political leaders to-day overlooking entirely the real remedy for this thing, and asking for a referendum with a view to getting more power for applying quack remedies, more power to the Federal Parliament to come and put plasters on the evil. Foolish, futile attempts to prevent growth of monopolies and evil combines in restraint of trade. The Federal Parliament to-day has the fullest power in its own hands, by its power over the tariff, to deal with these evils. High protection is the trouble. Lower that protection and you kill monopolies and combines in restraint of trade.

Hon. F. Davis: What about monopolies in freetrade England?

Hon. J. F. CULLEN: I am afraid the hon. member has not closely studied the condition of things in England. America is known to be the hotbed, the home of monopolies and combines in restraint of trade, and Australia is copying her methods. However, I am simply illustrating my contention, that the old line of cleavage, on either side of which were developed the finest debating talent in the world, the old line of cleavage is coming on again. But meanwhile we

have new lines, and we have to face them to-day. If the line of cleavage to-day were Labour versus anti-Labour I would be on the side of Labour. If it were Labour versus Capital, I would be on the side of Labour. But what is the line of cleavage that we have to keep in view in all our discussions on electoral and voting systems? It is neither more nor less than this: Liberalism, free men, versus political unionism. We all believe in trades unionism. But there has developed within the last twenty years a degradation of trades unionism to make trades unionism a political tool of a political party. That is one side of the cleavage; and the other is naturally taken by the Liberals of the country, the free men of the country who will not become tools of any party. What have been the steps in the development of this situation? The dream of compulsory unionism, whether by law or something stronger still. Animus and hatred developed within the unions against all outsiders, hatred which expresses itself in terms of opprobrium that no decent man would repeat, ill-feeling cultivated and which has been brought before legislatures and courts as something that should get a footing in the legislation of the country and the administration of the law of the land—that is to say that men should be compelled to join certain unions. The next step is, once they are in they must all support one brand of politics, one political party. They must do it, and then comes the natural third step that they start and practically make a political party and dictate to that party what it will do when it comes into power, and so we have the conference making the policy for the Administration of the day. There is the line of cleavage, liberalism versus organised tyranny, nothing short of it; and any man with his eyes open and his mind clear knows that this attempt at organised tyranny must fail. It could not possibly live; it is on a rotten foundation of compulsion and tyranny. That is the line of cleavage to-day. And as the country becomes more educated and people get their breath again, all the best men of all sec-

tions and all the parties will say the worst thing that could befall us would be to come under the compulsion of any organised tyranny. We have to keep that in view, and I am rather pleased that there has been such general support for the proposal by Mr. Gawler. One could understand that a party strong to-day might be tempted to say—"Well, we are content, the present system is fairly good to us, we are content." It is gratifying to see that members of all parties to-day are supporting the hon. member, at all events, to this extent, that we want a system to make Parliament reflect as perfectly as possible the minds of the people. As to the possible effect of this voting system on party government, I strongly hold, and have declared on proper occasions, that the Upper House of Legislation will badly serve the country if they for a moment forget that they are able to maintain a non-party attitude to all questions and to all Administrations. I hold that firmly, and I hope that every member in the Upper House in our State will maintain that attitude. Let us for a moment imagine what would happen if it were not maintained. If the chances of measures from a Labour Government coming into this House depended only on the numerical support of declared Labour members in this House, what would happen? If it were the other way about, what would happen? The Upper House of the Legislature owes as a prime duty to the country that it shall deal with all measures on their merits regardless of the source whence they originated; but the Lower House of Legislature must be a party House. No Administration can work for a day without challenging criticism, and without that criticism evolving an Opposition. It is bound to. I think any fear that might arise that the proposed system of voting might weaken party ties by enabling perhaps half a dozen parties to sit in Parliament has very little to support it. I do not fear for a moment the going into the Assembly of half a dozen parties: the representatives of half a dozen schools of thought or sections representing different industries or interests in the country. It does not matter how many there are, if they are com-

posed of intelligent men, and they cannot for a day and certainly not for a week fail to group themselves either round the Administration of the day or the opposition to that Administration. There must under our system of Parliamentary government be two parties in the Lower House, and this system cannot seriously interfere with the grouping of their members into those two groups. In so far as it will affect it, I think it will affect it for good. Instead of weakening either party it will perhaps broaden the outlook of both parties. I am prepared to support the mover of the resolution in his general proposition that we have not now a fair reflex of the mind of the dominant section of the people in Parliament. I am prepared to admit that our system cannot bring it about. I am prepared to go with him further and say I think proportional representation by means of the single transferable vote is well worth trying, but beyond that I would not like to tie myself to the Hare-Spence system or to the Hare-Clark system at this stage, and I think it will be quite sufficient for the House, and for the hon. member's proposal, to affirm the general proposition, and to that extent I have pleasure in supporting it.

Hon. A. SANDERSON (Metropolitan Suburban): The difficulty I have in speaking to this question is to know how members in this House regard it. Up to the present it has received nothing but support. I am not even sure, I say it with all respect, how far the members of this House clearly understand what it really means. I do not wish more than is necessary, to go over the ground that Mr. Gawler has gone over, but Mr. Gawler and Mr. Davis gave very clear if somewhat lengthy descriptions of the effect, and, in speaking to people outside, I have tried to sum it up in a nutshell, so that it could be readily understood by the man in the street. There is no question, I think, that the system of proportional representation is mixed up by some people with the system of preferential voting, whereas, as a matter of fact, they have very little, if anything, to do with each other. The object of the preferen-

tial system of voting such as we have it here, and the object of all systems of preferential voting, is to secure the member in the constituency who really represents the majority; and the objection to the present system of preferential voting, such as we have it in Western Australia, is that it is still quite possible that the person who represents the majority is not elected. I think I can satisfy members on that point, or anyone who doubts it, but it is a somewhat tedious and involved process to go through it, and therefore I leave it alone, making that bald statement. If we look at the system of preferential voting, as we have it in Western Australia, it does not, as some people imagine, necessarily return the person who represents the majority in that particular place. The object of proportional representation is not to secure the people who represent the majority so much as to ensure that one member at any rate shall be returned from the constituency who will represent the minority, and I would leave it at that. I admit it is a bald statement, but I think anyone who has followed the elaborate and careful statements of Mr. Gawler and Mr. Davis will agree with me that this is the kernel of the position. If they have not followed those speeches, I think I shall have the support of the mover of the motion and of Mr. Davis in stating that that really is the position of affairs, so far as the preferential system of voting is concerned. For my own part, I group this question with the whole of our electoral system in Western Australia. I would like to ask, if it is not asking too much, what will be the effect if this resolution is passed? We have already passed one amendment this session, and we were openly told that that would not have the slightest effect on the Government. I am somewhat surprised that no reference has been made to the convention which is promised to be brought forward to deal with the Constitution of Western Australia. This question seems to me to have a most intimate connection with the convention, and not only with the convention but with regard to our electoral system and some points raised by Mr. Colebatch as to the condition of our rolls, which are quite a dis-

credit—I will not say to the Electoral Department, although they must share some of the discredit—but to the people also. Mr. Colebatch dealt with that in his speech on the Address-in-reply. Further than that, how are we going to get people to go to the poll? Will this system of proportional representation bring about more interest in the affairs of this country?

Hon. D. G. Gawler: It certainly should.

Hon. A. SANDERSON: Mr. Cullen seems to be of opinion that it will widen the area and lessen the interest.

Hon. J. F. Cullen: Not lessen the interest.

Hon. A. SANDERSON: I understood that. It certainly might have the effect of lessening the interest, as we see in the elections for this House.

Hon. D. G. Gawler: The very attempt to represent the minority should stimulate interest.

Hon. A. SANDERSON: It might have that effect, but on the other hand it seems these large constituencies have the tendency at any rate to lessen the interest in elections. I do not think you can get a more striking illustration of this than the return for the general election for the Legislative Council held this year. It is somewhat striking to find that only 61 per cent. of the men and 56 per cent. of the women on the roll voted.

Hon. D. G. Gawler: At the last elections there were only about 35 per cent.

Hon. A. SANDERSON: I am quoting the official return, and that is the percentage of the whole lot. I assume the figures are correct. Personally, I am in favour of proportional representation, and if it will have the effect of arousing interest in public affairs that will be one more reason for supporting it. I sincerely trust that if the motion is passed the Government will consider the question in connection with the Convention Bill which has been promised.

Hon. J. F. Cullen: That would kill this question.

Hon. W. Kingsmill: It would be like tying it to a corpse.

Hon. A. SANDERSON: Which would be the corpse, proportional representa-

tion or the convention? Surely hon. members will agree that if the convention is to be brought about, the country will have to take some interest in it.

Hon. J. F. Cullen: But it is not going to be brought about.

Hon. A. SANDERSON: I would like to know whether the Government are going to bring it in this session. The only interpretation I can place on the interjection is that this House will not pass it. I am most anxious to see this Convention Bill to learn what is proposed, and I should have thought it would have been an excellent opportunity to introduce this system of proportional representation, because I do not think we must forget the connection that exists between the introduction of proportional representation and redistribution of seats. Mr. Gawler will correct me if I am wrong, but I think it is commonly known that we cannot have proportional representation without large constituencies which must return three or more members. That is agreed. What does that mean? It means a redistribution of seats. I do not wish to arouse unpleasant recollections either in Federal or State affairs, but we are all aware that this question of the redistribution of seats has caused considerable trouble, to put it in the mildest way, and if we are going to have a redistribution arranged by the Government—

Hon. J. E. Dodd (Honorary Minister): We are pledged to something different than a re-arrangement by the Government.

Hon. A. SANDERSON: I would suggest handing it over to commissioners as the Federal authorities have done, but there again under the Federal system the Federal Parliament can reject the recommendation of the commissioners and hand it back to be altered. That seems to me a somewhat dangerous system. I would prefer to hand over the redistribution of seats to an impartial body and abide by their decision. I hope I have made the position clear, and I am wondering whether one of the objects of this discussion is that we or the public may be enlightened, or whether it is to arouse interest in the subject.

Hon. J. F. Cullen: All combined.

Hon. A. SANDERSON: If that is the case, the public apparently have not shown any great desire for this reform to be brought about.

Hon. D. G. Gawler: I think they have.

Hon. Sir E. H. Wittenoom: Where?

Hon. D. G. Gawler: The letter sent to me by the Australian Natives' Association to start with.

Hon. A. SANDERSON: We can hardly consider this a burning political question, and no association has been formed here as has been the case in England and in France to advance the system of proportional representation. How far it will fit in with the somewhat curious geographical and social conditions of this country I do not know. At any rate, I would be prepared to give it a trial. I hope hon. members will clearly understand that this system necessarily involves a redistribution of seats, and unless that redistribution is taken out of the hands of the Government, I doubt very much whether it will be a wise thing to have this system of proportional representation.

Hon. R. G. Ardagh: Would you not trust the Government?

Hon. A. SANDERSON: I would not trust any Government, and in order to avoid suspicion I would hand over the matter to an impartial tribunal so that they might put it in order and send it to the people without any interference. The present system is not a sound one. It is almost impossible to maintain that the present systems of election in Western Australia, as a State or in the Federal department are sound. I think the State system, however, is a great deal better than the Federal system, but I will not labour that point, because Mr. Davis has already dealt with it. I can speak with experience of elections, both Federal and State, and now that I am able to view matters in a cool and judicial way, as we here are all supposed to do, I am firmly convinced that the system of proportional representation is sound and will work out well in practice, with the proviso that there shall be a redistribution of seats, and—this by the way was not sufficiently

emphasised by Mr. Gawler—that such redistribution should be taken out of the hands of the Government. Perhaps before we have finished we shall have a statement from the Ministry as to whether they will accept it, and if they will, whether they will try and put it through. We must not forget that this proposal was introduced and rejected in the Lower House some six years ago.

Hon. D. G. Gawler: It was not rejected; it was dropped.

Hon. A. SANDERSON: Call it what you like, it was not put on the statute book, and the reason was that both parties were frightened, from political reasons, and they both thought it would not work out right from their party point of view. So far as the public are concerned we must admit that there is a large amount of indifference and a certain amount of ignorance on this subject.

Hon. F. Davis: In the second stage.

Hon. A. SANDERSON: And I think we would want a considerable lever to put this through, because although we can see there is no ignorance in this Council or in another place, there is, I think, a certain amount of indifference.

Hon. D. G. Gawler: I might point out by way of interjection—

The PRESIDENT: Interjections are disorderly.

Hon. A. SANDERSON: With this indifference and ignorance on the part of the public, and with the politicians somewhat frightened as to what the result will be. I would like to see Mr. Gawler as the president of a proportional representation society doing something to arouse interest both inside and outside Parliament on this important matter.

Hon. D. G. Gawler: The three newspapers are supporting it.

Hon. A. SANDERSON: Yes, but I think Mr. Gawler's influence would be worth the support of half a dozen newspapers if he were president of a league to educate the people and arouse interest in the subject. I do not know what the third stage would be. I suppose it would be carrying the matter through, and putting it on the statute book. If that be so, we would see a different position of

affairs in Western Australia so far as the Federal Parliament was concerned, and having suffered defeat under several systems, and even under the preferential system, I would welcome and support and gladly contribute my mite towards the association if Mr. Gawler would only form it.

On motion by Hon. J. E. Dodd, debate adjourned.

## BILL — WHITE PHOSPHORUS MATCHES PROHIBITION.

Report of Committee adopted.

*Third Reading stage.*

Hon. J. E. DODD (Honorary Minister) moved—

*That the third reading be made an Order of the Day for the next sitting of the House.*

Hon. Sir E. H. WITTENOOM (North): I would like at this stage to make a short explanation with regard to this Bill. What I said the other day in connection with the measure was said under a misconception. I had not the opportunity of hearing the second reading speech, nor had I the opportunity of perusing *Hansard* in which it was reported, and I had not made myself familiar with the Bill. I was under the impression that it was a Bill to prevent the introduction and use of wax matches throughout the State. I find it goes further than that. It is to prevent the manufacture and sale and distribution of matches in accordance with measures that have been passed in other parts of the Empire, and I take it that it means that in the future no wax vestas or phosphorus matches can be used throughout the Commonwealth. That is rather a serious departure in many ways, and certainly it came as a shock to me. I heard nothing of this movement before, and I find that this action has been taken owing to the spread of some disease in connection with the manufacture of these matches. Of course it is no use making a protest against it, but I would only point out that it will work harshly in certain parts of the State, those portions that I have the

honour to represent. In those places the people are situated to a very large extent some distance from conveniences, such as shops and stores, and to have their matches limited to those that will strike only on the box, will, I think, mean a certain amount of hardship. The object originally of preventing wax matches from being used was the danger of fire, because wherever they were dropped and trodden upon, they would go off spontaneously, whereas those which were to be struck on the box only would not. On the other hand, the people who are far away from the conveniences I have referred to, find wax matches of great value on account of the fact that if they happen to destroy the box they are always able to strike them anywhere, but were they limited to the use of the other matches, they would often find themselves compelled to go without fire. The ordinary wax match could, by those people to whom I have referred, be struck not only on the boot, but in the old familiar style, and now I am afraid that the introduction of this legislation will mean, to a great extent, doing away with moleskin trousers, which in the past were used so largely in connection with the striking of matches. I only desire to make this explanation.

Question put and passed.

*House adjourned at 5.30 p.m.*