

side service would be put so far back along the Terrace that intending passengers would pretty well want another bus service to take them down to the stand of the south side service. When people get near to the rest of the bus lines, they do not encroach on Government House. They are not permitted to stand outside Government House at all. So they would be forced down to Victoria-avenue. That is the position.

I believe the time is definitely approaching when private bus lines, if they continue, will have to do as such lines do in the main cities of the world—get their own bus stations, and not on the streets but on privately-owned land. I venture the opinion that after the war, with the increase of traffic—assuming we continue to crowd bus lines alongside the footpaths—there will be no room for any other vehicles to park at all. That will be a difficult problem, particularly in the narrow streets of Perth. I do not think it would matter much at the present time if another line of buses was shifted from the south side to the north side of the Terrace, and then some of the buses could be allowed to go by one route and some by another. The traffic down the Terrace is not now more than about one-sixth of what it was before the war. Actually, the real danger is at the junction of the Causeway, where—as I mentioned a moment or two ago—the buses come out from Riverside-drive and must cross two lines of traffic to get on to their correct side of the road. It should be made compulsory for those buses to proceed at a pace of not more than ten miles per hour when coming out of Riverside-drive.

Mr. J. Hegney: No accidents have occurred there in seven years.

Mr. CROSS: I nearly had an accident there. There have been plenty of near misses. As I said, I shall not be surprised if a big smash occurs there.

Mr. J. Hegney: You are a near miss at any time.

Mr. CROSS: I have not heard the hon. member quoted as an authority anywhere on anything, so his opinion does not count.

Mr. J. Hegney: You are an authority on everything!

Mr. SPEAKER: Order! The member for Canning will address the Chair.

Mr. CROSS: Whether the motion is carried or not in my opinion does not matter. The best way out of the difficulty, as I

suggested, is to allow some traffic to run on the north side and some on the south side. That would enable passengers to alight nearer to Barrack-street than they would if all the buses pulled up on one side. If they all pull up on the south side, then some passengers have to alight as far away as Victoria-avenue. Another line or two could be brought to the north side in order to convenience the passengers. I am not worried whether the motion is carried. Incidentally, I think I shall oppose it.

On motion by Mr. McDonald, debate adjourned.

House adjourned at 5.48 p.m.

Legislative Council.

Thursday, 19th November, 1942.

	PAGE
Motion: Commonwealth and State relationships, as to referendum proposals	1429
Bills: Lotteries (Control) Act Amendment, 1A.	1429
Marketing of Eggs Act Amendment, 3A.	1429
Local Authorities (Reserve Funds), report	1429
Legislative Council (Postponement of Election), returned	1447
Assent to Bill	1447

The PRESIDENT took the Chair at 2.15 p.m., and read prayers.

BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

Introduced by the Chief Secretary and read a first time.

BILL—MARKETING OF EGGS ACT AMENDMENT.

Read a third time and transmitted to the Assembly.

BILL—LOCAL AUTHORITIES (RESERVE FUNDS).

Report of Committee adopted.

MOTION—COMMONWEALTH AND STATE RELATIONSHIPS.

As to Referendum Proposals.

Debate resumed from the previous day on the following motion by Hon. A. Thomson:—

1, That this House strenuously opposes the alteration of the Federal Constitution as pro-

posed by the Commonwealth Government, on the following grounds:—

- (a) That the suggested amendments are apparently not genuinely aimed at necessary alterations to the Federal Constitution but will undoubtedly have the effect of ultimately destroying the Federal system of the voluntary union of six self-governing and sovereign States.
- (b) That such proposals are designed to bring about unification, camouflaged as a war necessity. They would result in a distinct breach of faith with the States, which entered into a Federal union, and would not only be destructive of the best interests of Western Australia, but of every other State of the Commonwealth.
- (c) That it is impossible to govern Australia wisely and justly by a huge bureaucracy controlled from Canberra, and that the passage of such proposals would only cloud the future of Australia by bitter home rule agitations from its distant parts.
- (d) That while this country is fighting for its very existence and people's minds are distracted by the war, it is in the highest degree improper to divide the nation by highly controversial questions. With the people again leading normal lives free from the stress of war emotions in a period of calm reasoning and clear thinking, a genuine verdict might be obtained.
- (e) That the Commonwealth Government at present possesses ample powers to deal with all matters arising out of the war, and these powers could by arrangements with the State (if necessary) be extended for a period after the war.

2, That Western Australian members of both State and Federal Houses, and all Western Australian citizens, be urged to defeat the Federal proposals.

3, That the Premier be requested to forward this resolution to the Prime Minister and the Premiers of the other States.

to which the Chief Secretary had moved an amendment as follows:—

That all the words after the initial word "That" in line 1 be struck out and the following words "in the opinion of this House the present time of war is inopportune for a referendum dealing with an alteration in the Commonwealth Constitution, and this House considers that an endeavour should be made to reach agreement between the Commonwealth and the States for powers to be referred to the Commonwealth, under paragraph XXXVII of Section 51 of the Commonwealth Constitution, for post-war reconstruction problems.

Further, that if, after the holding of the forthcoming convention, amendments to the Constitution are considered necessary, they be limited to specific additional legislative powers

required for post-war reconstruction proposals for a limited period of years only," inserted in lieu.

HON. H. SEDDON (North-East) [2.22]: I take it the idea is that we are speaking really to both the motion and the amendment and also to the projected further amendment which appears on the notice paper. Speaking generally at this juncture, will thus obviate the necessity for additional discussion on the separate amendments.

The PRESIDENT: I agree with the hon. member. It would facilitate the consideration of this motion if there were a general discussion of the whole subject in which full reference could be made to the two amendments that are on the notice paper. I suggest that be done in order to facilitate the business so that there will be only one discussion rather than separate speeches on each of the amendments.

Hon. H. SEDDON: That being so, I desire to join with Mr. Thomson in expressing appreciation of the very fine speech by the Chief Secretary when he set out his case and particularly with the note be struck in the course of his speech when he pointed out that the best results so far as the Government of Australia is concerned are to be obtained by co-operative action between the State Governments and the Commonwealth Government rather than by one Government attempting to dictate to another. When one reads the Bill submitted by Dr. Evatt to secure the proposed amendments to the Constitution and considers the arguments attached to that Bill, one cannot but arrive at the conclusion that there is a very definite attempt on the part of the Federal Attorney General or the Commonwealth Government to impose a system on this country that will undoubtedly result not only in unification, but in a great deal more than that. It will make the Commonwealth Parliament practically an uncontrolled organisation through the setting aside of those safeguards provided in the Constitution to ensure that justice shall prevail. In these times restrictions under the guise of military necessity have become the order of the day, but I think that people do not realise the extent to which such restrictions and control could be carried if the proposed Bill were put on the statute-book, because although we complain of the unnecessary

restrictions which are imposed and the stupid actions that take place, the fact remains that there will be no appeal against the imposition of those restrictions.

Hon. A. Thomson: The Commonwealth Parliament will be supreme.

Hon. H. SEDDON: That would be bad enough, but that is not the main danger. The real danger is that if the Commonwealth Parliament is in such a dominant position it will mean the establishment of a dictatorship in Australia against which there can be no redress.

Hon. A. Thomson: That is so.

Hon. H. SEDDON: That is the most serious danger attaching to the Commonwealth Government's proposal.

Hon. W. J. Mann: And the Commonwealth would probably be dominated in turn by people outside Parliament.

Hon. H. SEDDON: That is so. Not the least important safeguard in the past has been the fact that there have been six State Parliaments in which the right of free speech still prevails. That provides six voices, respecting any action taken by the Commonwealth Government that is regarded as detrimental to the welfare of the States, which can be raised in adverse criticism. That serious criticism has the most important advantage of parliamentary privilege. Those six Houses of Parliament, if the Commonwealth's Bill becomes operative, will be in danger of being wiped out and to that extent free criticism will be stifled. I express that opinion because unfortunately opportunity of free criticism through the columns of the Press must necessarily be restricted in these days of paper rationing and when war news occupies such a prominent position in the newspapers. From that angle alone, the importance of State Governments cannot be over-emphasised.

I think we in Western Australia can provide an outstanding example in that respect. There is not the slightest doubt that with regard to actions of the Commonwealth Government that would have meant practically the elimination of the goldmining industry had effect been given to them, had it not been for the free ventilation of the consequences those proposals would have had on the economy of Western Australia, the Commonwealth Government's intentions would have been carried out. It was certainly due to the work of the

State Government in bringing the matter very forcibly before the Commonwealth Government that that policy was put into operation only with the addition of considerable safeguards. The whole effect of restrictions on Western Australia at present cannot but be regarded as detrimental. Nearly all our primary industries have suffered adversely as the result of war activities. Members will know that in their own provinces production has been seriously curtailed and they know what the effect of that will be on the supplies in this State of what are regarded as necessary commodities. In spite of the complacent attitude of the Price-Fixing Commissioner and of those in economic control in Canberra, the fact remains that we who are far away from the centre of government are being placed in a position where we may find that mistakes have been made in the Commonwealth estimates. Unfortunately, in such an event, we shall be the sufferers, not those who are responsible for the mistakes.

We shall suffer for the stupid mistakes of the Commonwealth authorities because of the system of remote control which is centred in Canberra at the present time. Therefore I say that one of the reasons why the proposed referendum should be viewed in the light of a serious danger to the people of Western Australia, is because of the real effect of the Federal policy. For a moment I wish to refer to the three proposals before the House. From my own point of view Mr. Thomson's original proposition certainly set out very clearly the grounds of objection to the proposal to alter the Commonwealth Constitution. From that standpoint it was excellently framed, but I think that the Chief Secretary's suggestion in which is laid down the basis upon which delegates to the convention could debate the proposition is more suitable and avoids certain references which I think the members of the Labour Party might be diffident in supporting.

Then again the third proposition indicated on the notice paper, which takes the form of the amendment moved by the member for West Perth in the Legislative Assembly, seems to me to set out even better than the Government's proposal the grounds for objection. I say that for this reason: It appears to me that the Government's proposal is inclined to give too much away in its endeavour to lend

concurrence to the idea that there is some necessity for the Commonwealth Government's powers being extended during the war period. I am afraid that in that respect the proposal affords too much latitude altogether. Possibly it may be regarded as enabling the Commonwealth Government to go a great deal further than is actually contemplated.

Hon. J. Cornell: What will be the position if one House agrees to the motion in one form and the other House adopts another that is differently worded?

Hon. H. SEDDON: If we were to carry a motion along the lines suggested by Mr. McDonald in the Legislative Assembly, we might as well ask that House to agree to it, so that the matter would again be reviewed.

Hon. J. Cornell: But it has already rejected that proposition.

The Chief Secretary: Yes, another place has already determined that matter.

Hon. H. SEDDON: I am just putting that point of view forward, because I think an amalgamation of the two propositions would be better than the Government's proposition.

Hon. J. Cornell: You suggest that as a way out.

Hon. H. SEDDON: We should carry something very definite and vigorous, something that would appeal to the public generally, something that would appeal to the people as providing reasonable grounds upon which the convention could discuss the issues, indicating possible terms of adjustment to meet the situation. With regard to the proposal that the Commonwealth Government shall be supreme, our experience since the war started has been that when it comes to a matter of efficiency, the Commonwealth Government has a lot to learn from the State Government.

Hon. A. Thomson: Too right it has!

Hon. H. SEDDON: We hear of delays and so on, but for circumlocution and delays and the building up of vast cumbersome departments the Commonwealth Government certainly takes pride of place!

Hon. A. Thomson: It takes the bun!

Hon. H. SEDDON: There is not the slightest doubt about that. The object seems to be to create means by which matters can be delayed, particularly in connection with dealings with the public, rather than to make for expeditious adjustment of issues at

stake. We are entitled to criticise any proposal to provide increased powers to the Commonwealth Government. Its actions in the past do not inspire us with confidence in that respect. A peculiar point in connection with the proposed referendum is that even the Commonwealth Attorney General, Dr. Evatt, has definitely admitted that the National Security Act already gives the Commonwealth Government all the scope it needs within the Constitution to do everything necessary to achieve the successful prosecution of the war. Even Dr. Evatt admits that. When we realise the length to which the Commonwealth Government has gone, we are inclined to agree with him. The powers are there; they have been freely used; they are still freely available.

The great argument submitted in favour of the referendum and the proposed Commonwealth legislation is that that Government desires to obtain powers in order to carry out the equally important question of post-war reconstruction—that is all it really amounts to—in providing for the men on their return to Australia after fighting for us in the different theatres of war. And yet when we examine the Bill we find that although there is a very nicely drawn party programme in its second clause, it cannot be said that the measure contains anything to indicate an attempt to approach the question of the revision of the Commonwealth Constitution as the result of the experience of the past 40 years. Many of us realise that since that Constitution was adopted, experience has shown that there are methods by which the Constitution can be made more efficient, by which certain weaknesses and injustices which have arisen can be remedied. But none of those things is referred to either in Dr. Evatt's speech or in the Bill submitted for consideration.

There is further ground for suspicion in view of the fact that the whole tenor of the Federal Bill is to give to the Commonwealth Government such powers that it will be supreme in whatever it does. There is one highly interesting and highly important safeguard in the Commonwealth Constitution. It is that whatever law is passed by the Commonwealth Government it must, if required, face the test of an appeal to the Federal High Court. On occasion, an appeal has even been taken to the Privy Council. That safeguard is most important, and it is characteristic not only of our Commonwealth Con-

stitution but also of the Federal Constitution of the United States. In both instances we have democracies very largely similar in composition and outlook, and in those democracies the value of the appeal to the High Court as a safeguard has been demonstrated again and again. That appeal protects vital principles upon which our freedom depends.

One point which appears to be carefully kept in the background as regards the Bill and the referendum proposals—that is an inference one takes first of all from the Bill—is that we are almost on the brink of the cessation of war, and that these problems, which the Commonwealth Government regards as so important and so pressing, will be upon us almost immediately. Although the war outlook is much brighter than it has been for a long time, he would be indeed optimistic who would attempt to forecast that the war is anywhere near its conclusion. Consequently, from that angle, I fail to see where there is necessity for the urgency which seems to be associated with the presentation of the legislation. And there is another consideration. Any attempt at the present time to make plans for the new conditions which will confront us upon the cessation of hostilities is, in my opinion, premature. We have gone a very long way in the putting into operation of rationing and other economic restrictions. Indeed, we have gone a very long way towards a new order.

We have accumulated much valuable data, which, in the right hands and properly used, could establish a standard of living in the Australian Commonwealth far higher than anything we have known in the past, even taking into consideration the destruction of wealth, the loss of life, and the burden of debt. Information has been obtained which, if only placed in the right hands, will supply the foundation for a new economic order such as will conserve our resources to a degree never dreamt of in the past, and which therefore must operate not only for post-war restoration, but also for a very much higher standard of living. That is the position. The data I have referred to will still be needed. I doubt whether the authorities have yet realised exactly what can be done in the way of utilising the accumulated information in this respect. From that angle alone, therefore, I am opposed to the efforts at post-

war reconstruction which are now contemplated.

It has been said about the Commonwealth Constitution that, having been established 40 odd years ago, it does not now meet the needs of the progress of the Australian community. Weaknesses have been demonstrated in the Constitution as viewed from that aspect. However, there is one thing about our old Constitution that we might take into consideration. It does not follow that that which is old has necessarily lost its value. In point of fact, the most important document ever placed on the statute-book of Britain and incorporated in the British Constitution is Magna Charta, which is a thousand years old. The principle of Magna Charta is that a man has the right to be tried by his peers; and that is the foundation upon which the whole of our system of British justice has been built. The Habeas Corpus Act, too, is very old; but its value is being demonstrated today as it has not been demonstrated for a long time; for, thanks to that Act, there is still power to prevent a Government from imprisoning a man indefinitely. These are aspects that, when closely examined, disclose values which are eternal, being based on the principle of human justice. They express principles upon which we must build if we are to make a stable society based on that freedom to which everyone is entitled.

Hon. C. B. Williams: Surely we must allow the Commonwealth Constitution some elasticity!

Hon. H. SEDDON: I am glad the hon. member raised that point. A most important feature of the Commonwealth Constitution is the right of the people to vote on any question. It is a most highly valuable privilege, derived from the United States of America. Thanks to that privilege, we can claim that any question concerning the people of Australia as a whole must be referred to the people for decision, quite apart from parliamentary elections. That is a safeguard of our Commonwealth Constitution which I am very glad indeed to see maintained. But I doubt whether that safeguard will be as valuable to us in the future as it is today, and I consider we should sound a note of warning to the people of this continent against handing themselves over to the conditions set forth in the Federal Bill.

There are two features of the Commonwealth Constitution which have especially

demonstrated their value as safeguards. One has been the right of reference to the High Court for determination whether a Federal enactment is constitutional. The other is that to which the Chief Secretary referred yesterday, that which extends protection to the sovereignty of the States and their powers. We have to remember that while we agreed to the transference to the Commonwealth of certain powers when the Commonwealth was founded, we did embody, to a certain extent, safety principles in the Commonwealth Constitution. Although we differ from the people of the United States in the fact that theirs is an association of States, whereas we claim to be a Commonwealth governing continent-wide, we imported certain safeguards designed to ensure that the rights of the States could not be interfered with.

This Bill, which has been submitted to every member, definitely brings the Commonwealth Constitution into line with the British Constitution. The latter Constitution is an unwritten one. It means that the British Parliament can pass an Act tomorrow and that becomes law. In the following week the British Parliament can pass another Act which would repeal and supersede the previous one, and that Bill will become law. By virtue of that fact it is claimed that the British Constitution is most elastic. I point out that behind the British Constitution are the British people. I am not making any invidious comparisons when I say that the attitude of the British people towards their Constitution is this—that their Constitution has behind it a record of over 1,000 years of struggle. Into that Constitution are read certain accepted principles upon which British justice rests.

We find amongst those people recognition of the value of the franchise and of their Constitution to a degree that, I am sorry to say, we do not find here. My reason for saying that is this: We have only to contemplate the apathy of our people at an election to note the ignorance many of them exhibit towards important questions of government or of the policy of their country, to realise that that which has been given to them as a free gift is not appreciated to the same extent as that which the records of the history of the Old Country show was won so hardly. Newer communities where they have written Constitutions have provided safeguards and means of

making progress by way of the referendum. By such means they have kept Governments more definitely on the track and more within the limits of constitutional rectitude than has been the position in older countries with their sense of freedom and less sense, in some respects, of responsibility.

I realise that the time is long overdue for a revision of the relationships between the Commonwealth and the State Governments. The experiences of 40 years of Federation has demonstrated that very definitely. It has shown where greater efficiency can be obtained and maintained, where our weaknesses are, and where there have been injustices. The outstanding example of unfair relationship between the Commonwealth and State Governments is obviously that connected with financial considerations. Any system of Government which has to be financially sound must be one which takes upon itself the whole responsibility of finance. It cannot be claimed that State Governments are in that position. The Commonwealth Grants Commission visits this State year after year, more or less to investigate our expenditure, to pass judgment upon our financial policy, and then to make its annual grant to us. It cannot be claimed that a State Government so situated is in the position of being financially independent; rather is the reverse the fact. The result is that some of the States have become mendicant States.

That position, instead of being remedied by the passing of the uniform taxation legislation, has been made worse. The passing of that Act has placed the States still more at the mercy of the Commonwealth Government. Instead of their experiencing a measure of co-operation and enjoying a position whereby one party consults the other in the interests of the people of Australia as a whole we have one Cabinet which demands, controls and directs another. That is a system of Government which is not only annoying, but which makes for more undesirable features in regard to the fixing of individual responsibility. Then we come to the question of the developmental policy of Australia. When the States handed over to the Commonwealth the right of direct taxation they handed to that central Administration the greatest source of revenue from taxation that was possible. The Commonwealth Government has, therefore, abundant revenue because of that policy.

I point out, however, that the developmental policy of Australia has been carried out entirely by the States, and the financial responsibility attaching thereto has been taken over by them. The State's debts, which before the war comprised about two-thirds of Australia's national debt, were largely due to the policy of the States in endeavouring to develop their territories by borrowing money, while the Commonwealth Government by means of the tariff taxed them for bringing into the country the requisite materials, at a comparable price, with which to engage in that development. That is entirely unjust. Until we get some recognition from the Commonwealth Government that the States have a right to that much of their own revenue, to the power to raise the requisite revenue on their own responsibility, the system will continue to be unjust. Then there is the second part of the Commonwealth plan. Members will recognise that this is a co-ordinated plan. The second part was based on the Statute of Westminster. By passing that Statute the Commonwealth Government effectively denied to the States the right of appeal to the High Court.

Hon. J. Cornell: You cannot say, the Commonwealth Government; it was the Federal politicians who passed it.

Hon. H. SEDDON: Federal politicians constitute the Commonwealth Government.

Hon. J. Cornell: It had the support of its opponents.

Hon. A. Thomson: The Commonwealth Government introduced it.

Hon. J. Cornell: And its opponents supported it.

Hon. H. SEDDON: If there is one feature about the Statute of Westminster it is this: It gave to all the Dominions the right to cut adrift from any question of control so far as the Imperial Parliament is concerned. From that angle it left the door wide open to those who were inclined to adopt the view that their country might have a destiny apart from that of the rest of the British Empire. That is very important. Whilst it is recognised by the rank and file that even if we take upon ourselves the responsibilities of complete self-government we must remember that our relationship with the seat of the Empire has always characterised the policy of Australia in the past. Through the passing of the Statute of Westminster the door has now been left wide open. If at any time

there should come into power a party which sets its own interests before those of the British Empire, the door will be open to enable it to do so. The next evil associated with the Commonwealth Parliament is that of centralisation. Canberra was constructed with the idea of overcoming the influence of the States of Victoria and New South Wales.

It was desired to establish a Federal territory so that it would be free from those influences, and would therefore be less liable to interference by vested interests and be freer to legislate in the best interests of the Commonwealth as a whole. The effect upon Canberra has been unfortunate. One cannot help noticing that the remoteness of Canberra has acted adversely so far as the more distant States are concerned, particularly Western Australia. The outlying States are regarded there more or less as a necessary evil than as important and integral parts of the Commonwealth. When we come to deal with the question of centralisation we find several home truths. It must not be forgotten that Broome is just as far from Perth as Perth is from Canberra. One of the difficulties of the Constitution that has definitely been demonstrated is that there is no provision in it such as exists in the United States' Constitution, where further new States were provided for.

Hon. J. Cornell: There were 13 original States.

Hon. H. SEDDON: Yes, and the rest of the United States was regarded as Federal territory.

Hon. J. Cornell: It was the same with Canada.

Hon. H. SEDDON: So far as Australia is concerned, I think the framers of the Constitution would have done a great deal more good for Australia if they had adopted something on the same lines. A large proportion of this continent can only be regarded as Federal territory, and its remoteness from the influence of the State Governments must cause it to suffer considerably. A system which provides for remedying that state of affairs would, I think, have made for the more efficient government of Australia, and the more efficient administration of this continent than the present system of Commonwealth Government and six original States. The idea of our Constitution was that the Senate

was to play an important part in dealing with the Commonwealth legislation. That is why the Senate was constituted of an equal number of representatives from each State.

If there is one fact which has been demonstrated it is that the large centres of population exert what may be described as a gravitational pull so far as legislation is concerned. Frequently that influence has been exerted to the detriment of the primary industries of Australia, and definitely to the detriment of the outlying and sparsely populated centres of the Commonwealth. The best illustration of that is afforded by the absurd area comprising the Kalgoorlie seat in the House of Representatives. This embraces about 900,000 square miles of territory, and yet the population of the electorate is largely centred in the South-West and on the goldfields, but chiefly in country towns. Can it be imagined that any member could adequately represent such an enormous area as that and give it the attention it should receive? It is remarkable that members who have held that seat in the past have been able to carry out their duties as well as they have. We should have some system whereby we could create new States, which would have the representation in the Senate to which they would be entitled, even though they would not be entitled to full representation in the House of Representatives.

What is required in such a reorganisation is representation of those communities which can claim a community of interests, such as the North-West of this State, the goldfields, and the northern part of New South Wales. Those portions of the Commonwealth are entitled to representation in the Federal House alongside the representatives of the great States of New South Wales and Victoria and the representation of other large centres of population in Australia. That defect has been demonstrated throughout the history of Federation. I maintain that not one word will be said about this and other problems which have developed as a result of our experience of Federation, because the purpose of the Bill we are discussing is to concentrate all power absolutely and entirely in the hands of the Commonwealth Government.

Hon. J. Cornell: That could not happen in the United States.

Hon. H. SEDDON: No, because provision has been made in the Constitution of that country that as soon as an area attains a certain stage of development, it can ask for, and receive, the status of a State and thereby acquire the privileges enjoyed by other States, the number of which has increased in the United States of America from 13 to 48. The area of that country is no greater than that of Australia and geographical conditions are very similar too. The Americans have provided in their Constitution for far greater elasticity than we have in ours. These are factors which will make for the efficient government of Australia, better defence of this country, greater powers of self-government—and yet, as I say, they are not provided for in the Bill introduced by the Federal Attorney General.

On the other hand certain matters are being handled by the State Parliaments that should obviously function under Federal jurisdiction. Some two sessions ago, with certain other members of this House, and another place, I was a member of a Select Committee which was subsequently made a Royal Commission, to consider the Companies Bill. We did quite a lot of work and eventually produced a report, as a result of which legislation has been before the Legislative Assembly and is now being considered by that House. The fact remains, however, that there are six Companies Acts in Australia where there should only be one. The conditions of business are the same, no matter in what part of the Commonwealth they are carried out. The framing of companies legislation is a national duty and should have been undertaken by the Commonwealth Government.

Hon. J. Cornell: It has conclusive powers in that regard. The position in regard to marriage and divorce is the same.

Hon. H. SEDDON: Yes, and banking. Our pensions and superannuation schemes should be entirely Federal. They belong to the whole community. The Commonwealth Government already controls defence and customs. Borrowing should also come within the Federal ambit and, to a large extent, industrial conditions.

Hon. G. W. Miles: Also education.

Hon. H. SEDDON: Yes. These are all national matters which might well be dealt with by the Commonwealth Government under its present powers. As none of these

questions has been mentioned in the whole of the discussions of the Commonwealth Parliament one is led to view this Bill with the gravest suspicion, because it appears that some ulterior motive exists to secure power to the Commonwealth Government and Parliament, free from restrictions and safeguards essential in any community. Wherever there is autocratic power there must of necessity be injustice—the two go hand in hand. No matter who the men may be, if they are given autocratic power they will avail themselves of it, and unless safeguards are provided the people will suffer. From that angle the Government has been wise in supporting the objective of this motion. I hope it will see its way clear to adopting the suggestion of an amendment to embody something along the lines proposed by Mr. McDonald in another place.

In conclusion I would like to say that there is quite a difference between the present and earlier Commonwealth Governments. In a nutshell, that difference is this: Previous Commonwealth Governments have been inspired by the idea that the States are co-partners with them in the well-being of Australia. The principles laid down for that co-operation were that the States, to a large extent, were to be regarded as the agents of the Commonwealth Government in matters which were national or Commonwealth-wide, but that the States retained certain powers and exercised them in carrying out matters affecting the interests of the States themselves, which could be regarded as peculiar to themselves rather than having a Commonwealth-wide application. Whereas in the past the policy was co-operative, what has characterised the present relationship is that it has been mandatory rather than consultative. The State Governments are being coerced into submission to the control of a Federal authority which will be answerable to none but itself.

I would like to read the clauses of the Bill to which I take strong exception. The first is under the heading "Part VI—War Aims and Post-War Re-construction." It is the proposed new Section 60A, and is as follows:—

The Parliament shall have full power to make laws for the peace, order and good government of the Commonwealth, its territories and all places under its jurisdiction or control, for the purpose of carrying into effect the war aims and objects of Australia as one of the United Nations, including the attain-

ment of economic security and social justice in the post-war world and for the purpose of post-war reconstruction generally.

Hon. J. Cornell: That is vagueness personified.

Hon. H. SEDDON: It reads very nicely, but, as the hon. member points out, it might mean anything. The next proposed new subsection is definite. It says—

Without limiting the generality of the foregoing subsection, it is hereby declared that the power of the Parliament shall extend to all measures which, in the declared opinion of the Parliament, will tend to achieve economic security and social justice, including security of employment, and the provision of useful occupation for all the people, and shall include power to make laws. . . .

The Bill then details the subjects for which laws may be made. The final subsection reads—

All the powers conferred upon the Parliament by this section may be exercised notwithstanding anything contained elsewhere in this Constitution or in the Constitution of any State and shall be exercisable as on and from a date to be proclaimed by the Governor General in Council.

There is to be no appeal to the High Court: no appeal to the Privy Council; no necessity to hold a referendum. Parliament is to be supreme. Whatever it desires, it may do, and there is no appeal. No individual or section of the public may appeal if the Commonwealth Government exercises the powers conferred on it by this amendment to the Constitution. Talk about an open cheque! It would not be in it with these powers. They would lead to ruin of the country and he would be a clever man indeed who could forecast the future of Australia with powers like that in the hands of a coterie of men with sole control. Members know what has happened in Europe through the abrogation of Parliamentary privileges. That state of affairs would be brought about in Australia within 24 hours under these conditions and circumstances. For the people of Australia to endorse legislation to this description would be to put their necks in a noose, and their freedom might be strangled for generations to come.

HON. C. F. BAXTER (East): I have not a great deal to say on this subject, nor do I wish to traverse the ground I covered when I placed a motion before the House some few weeks ago. Today we have a motion moved by Mr. Thomson, an amendment moved by the Chief Secretary, and a

further amendment of which notice has been given by Mr. Thomson. We must consider the value of what we have said in Parliament. We, as representatives of the people, should place something on record which would be a guide and give the people a lead, in addition to giving the information so necessary for them to possess. Let us analyse the motion and the two amendments. The Chief Secretary's amendment gets us nowhere, if we want to advise the people, stir up their enthusiasm and bring them to the degree of warmth that is so necessary for them to defeat these proposals by a huge majority in this State. It seems to me to be a pious resolution which will lead us nowhere. We do not simply want to say to the Commonwealth Government, "We will meet you and discuss the matter if you are prepared not to go on with this referendum." We want to do something definite.

The amendment proposed in the Legislative Assembly by Mr. McDonald is an improvement on the Minister's amendment, but even so it does not go far enough. Mr. Thomson's motion should appeal to members as something definite and straightout. Let us look at the trend of affairs over a period of years. Mention has been made of the framers of the Constitution. It has astounded me to find that a gentleman of the calibre of Sir Isaac Isaacs should turn such a somersault respecting what he already knew of the Constitution, to meet this position—and for what purpose? Sir Isaac Isaacs has reached a ripe old age, and so also has Mr. W. M. Hughes. Many of these people have caused a great deal of trouble and done little good.

The framers of the Constitution had one thing in mind, and that was the sound government of Australia. During the 1914-18 war we learned just how elastic that Constitution could be and I, as a member of the State Government at that time, was astounded to find that the powers assumed by the then Commonwealth Government were afterwards retained. They encroached on State activities and after the war gave up practically none of those powers. On this occasion the Commonwealth Government has gone much further. In the interests of the country we have placed in the hands of that Government the raising of loan funds. Later on we were forced to agree to uniform taxation, thus

having our taxing rights taken from us. Are these cormorants in the Commonwealth Government satisfied with what they have done already? No! Not one party but all parties are subscribing to unification. The Bill in question is to be placed before the Commonwealth Parliament after possibly a little more backing is received from those unfortunately compelled to attend the Constitution convention at Canberra next week. I have heard people in this State, who were ardent State righters until recently, say, "We had better have unification." That is a reason why we want a concrete and strongly worded motion passed by Parliament. Those people should know exactly what is the position.

Hon. A. Thomson: They have no idea what it is they are advocating.

Hon. C. F. BAXTER: That is so. I will put it this way: Would the same people be agreeable to wiping out the whole of the municipalities and road boards in Western Australia and placing all the local government areas under the control of the Perth City Council? The two cases are similar. I hope that this House, in its wisdom, even if Mr. Thomson's motion is not carried, will finally decide on something far more concrete, far-reaching and constructive than the two amendments suggested. I believe I am right in saying that the second amendment, having already been rejected by the Legislative Assembly, cannot be considered by this House. If that is so, it would leave us with the amendment proposed by the Government, which is puerile. What is the use of talking of unanimity with the different sections in Parliament? Unanimity we certainly should have: there should be no discord over this matter, but it should be unanimity on something worth while, something that will be instructive to the people who have no knowledge of the position, something that will give them a lead and show the proper course to adopt.

Members have doubtless read a certain report in yesterday's newspaper. From this it is evident that we have a Government, sworn to obey the Constitution, administering the affairs of this country but delegating its duties. There is a move to merge the A.I.F. and Militia into one force. The two bodies should never have existed separately. They should have one aim, namely, to come out conquerors in the war. If we had less politics and more war, we would be reaping

a greater success. We hear quite a lot of prating about 100 per cent. of war effort. Yet the heads of each party in the Commonwealth Parliament are standing on their own, one fighting the other. Should this be happening? No! They should be one body wrapped up in one big effort.

Hon. J. Cornell: It would not take much paper to wrap them in.

Hon. C. F. BAXTER: There is a large section of the people of Australia intent upon getting its little lot, and it does not matter a curse to them what happens meanwhile. According to yesterday morning's paper, this momentous question has to be decided by outside bodies. The unions of Australia are to advise the Government what it should do. Yet the Government proposes to take a referendum of the people having for its object the concentration of control of the whole of Australia in its own hands. I hope our deliberations in this House will result in the framing of a much stronger resolution. The motion and not the amendment should be agreed to, but if the motion is not acceptable to a majority, let us frame other amendments and couch our resolution in much stronger language than has been suggested.

HON. J. G. HISLOP (Metropolitan): In opening my remarks on this subject, I would like to congratulate the Chief Secretary on the speech he delivered in this House yesterday. I do not think I have ever heard anyone put forward views so carefully prepared and in such an even tenor of tone on a subject about which he must have thought quite a lot. I trust I may be able to adopt something of his tone in giving my views, because I probably feel on the subject just as deeply as he does. I should like to make it clear at the outset that I am in favour of considerable powers being given to a central authority, which could delegate those powers. For this reason, if there is to be an alteration of the Commonwealth Constitution, I should like to see something moulded on the lines of the South African Constitution, in which it would appear that the central body has the power and delegates power to the State Parliaments. I consider that this proposal to give the Commonwealth unlimited powers would lead to continual discord and possibly worse.

I have seen something in the nature of what I am suggesting, which has been oper-

ating for some time through the co-ordination committees dealing with medicine, nursing and the ancillary services in which the central body has all the powers and delegates its powers to certain committees. In using the Constitution in this way, it would be a delegation of powers to State Parliaments. In these committees the original regulations on occasions have been moulded from time to time and at frequent intervals until something concrete emerges from them. Each State committee is still able to write and state what powers it believes it should have, and is able to put its requests to the central body. In the vast majority of instances the central body has recognised the wisdom of the requests sent in by the States, especially by this State which is so far distant from the seat of government. I feel that something of this nature is necessary in the wider sphere of Parliamentary relations. I believe that much of our difficulty has arisen because of the fact that the States were sovereign bodies before the Commonwealth was founded, the result being that quite a considerable proportion of the Commonwealth powers had to be taken from the States or given by the States in order to form the Commonwealth.

Hon. J. Cornell: Surrendered by the States.

Hon. J. G. HISLOP: Had the Commonwealth been formed simultaneously with the States, instead of later, very many of our difficulties would never have occurred. Psychologically it is wrong to have a body that must take away rather than give, but there appears to be no other method by which the Commonwealth can achieve further powers than by its taking, or by the States giving, them. I think we all realise that the Father Christmas attitude is one that is much more popular and receives much wider support than does that of the thief in the night. To be able to give rather than to ask for or take would be the psychological aspect in government. If we are to become a nation we must lose our distrust in the Commonwealth Parliament. From time to time in our State Parliaments and State parliamentary life, I hear it said that we must keep a weather eye on the Commonwealth Parliament and its doings and that any step to extract further powers from the States must be met by a solid block of resistance. This distrust of Commonwealth

legislation by State Legislatures is something that must be removed before any scheme will work efficiently and smoothly in the interests of all concerned.

I believe there are essentials in our living which must be governed through a central authority. I believe I am right in saying that a man might be employed as a Commonwealth servant in a State and receive a different wage from what he would earn were he a State employee in his home State. Surely that is almost absurd! Surely that makes two standards of living for the Australian! I consider that we should have a national aspect, that we should live nationally, that we should have a national living standard and that any variations in the basic wage should not be a question of being governed by one State or another, but should be such that the standard of living decided upon as Australian could be maintained, and no matter where the individual was employed, bearing in mind of course the differences likely to occur in various parts of Australia. I think we must realise that before we can become a nation, we must think and act and live nationally.

Recent events, however, have not altogether shown that a Federal body would act in this way, and it does not give all shades of political thought a feeling of safety when we realise that because of recent Federal legislation we have not got the same standards, either of wage or of living, in all parts of Australia. We in Western Australia continue to pay a wage which is higher, but we have no definite guarantee given to us that wages will be paid so that we as Western Australians will have the same standards of living as have the people in the rest of Australia. To me it is apparent that the health of a nation should be of an equal standard so far as climatic and similar difficulties will permit.

Our hospital policy in this State is in poor contrast with that of Victoria. I have never forgotten having heard many years ago a public official of this State say that in Victoria there was a very different system from that adopted in Western Australia. In Victoria the medical profession said what was necessary, and the Government attempted to find the money. We were told there was a different system here, one which was apparently regarded as preferable, whereby the Government found the money and the profession was

told to do the best it could on the money provided. At that time I took a pledge with myself to alter that viewpoint, and I trust I am somewhere on the road to doing so.

Hon. L. Craig: There are swarms of others.

Hon. J. G. HISLOP: I will give a particular instance. I maintain that the whole of the people of the State should not depend upon the amount of money at any one time in the State Treasury when it is within the capacity of Australia to ensure that the health of the people in any portion of this vast continent is kept on a high level. I do not think that the other States would ask us to have a lower standard of health were we governed from a health point of view by a central authority. A State cannot introduce for itself the necessary medical services for the future. Veritably this State cannot, because in the absence of a medical training school, were any scheme introduced in this State to prove undesirable to the schools in the Eastern States, we might find considerable difficulty in obtaining the services of medical graduates.

Hon. J. Cornell: Is the death rate higher in Victoria than it is here?

Hon. J. G. HISLOP: I do not think it is.

Hon. J. Cornell: Is not that the test?

Hon. J. G. HISLOP: I will go into the figures if the hon. member so desires, and report at a later date. It is rather interesting to realise—and I make this comment on the interjection—that at the end of a medical course the men who secure places high up in the honours list receive appointments, according to their places on the list, either in the Melbourne Hospital, the Alfred Hospital, St. Vincent's Hospital or other training schools. I am speaking particularly of Victoria, but the remark applies to other States. Men who cannot secure appointments to those hospitals look elsewhere, either to country hospitals in Victoria or to hospitals in this State. A considerable number of the men who eventually come to Western Australia as medical residents are those who did not qualify high on the honours list; and it is to their great credit that the standard of medicine in this State is as high as it is today. That is because of the keen interest they take in their profession. There is also the fact

that they themselves recognise they are far from schools of learning and therefore make every effort to keep themselves abreast of modern medicine.

They are thus maintaining the same high standard of medicine here as is possible elsewhere. But that is done under difficulties. I cannot say with any great enthusiasm that either the Commonwealth or the State has assisted us in this matter. We cannot as yet form a training school; but we could form some of the more intimate branches—if I may so term them—of medical training. For instance, we could long ago have been provided with a school of experimental physiology. We have always been told, however, that these things will come in time; they will come with population. We have grown so used to being poor that there is every possibility, unless we watch ourselves, that we shall become poor in thought also. I made it my business some time ago to find out the actual cost of such a school of experimental physiology as that remarkable institution conducted in Adelaide, with Professor Sir Stamford Hicks at its head. That is an institution to which the profession can take all its problems and meet with a ready response. I find it would cost only about £3,000 to run. The reputation of the South Australian institution stands high all over Australia and, in fact, in other parts of the world. As I said, we have become so used to being poor that we think we cannot afford anything more than we have got. We would never have been in that state had we, right from the inception, been governed, from a health point of view, by a central authority.

I intend to pass over the position regarding industry, although I feel there are many phases in industry that could be more wisely controlled—probably it is wrong to use the word “wisely”—if there were a central body; but there are members of this House much better fitted to deal with that subject than I am. Why, for example, should our South-West district, a home for millions, remain virtually unknown to the rest of Australia while the eastern part of Australia is thickly populated? From my knowledge of the feeling in the Eastern States, I am quite certain it is because of State Parliaments that Western Australia is so little known to the Eastern States. If we were more closely tied together as Federal

States, much more knowledge of our State would be distributed throughout eastern Australia.

Hon. C. B. Williams: Victorians would go back home and we would be finished.

Hon. J. G. HISLOP: I quite realise that on many occasions secondary industries have been opened up here and have not continued very long. The reason is known to most members; but, to be fair, I question whether either the State Government or the Commonwealth Government has power alone to control such matters. I feel that if there were more centralised control of industry, it would be possible to prevent such happenings and we could protect an industry started in some far-flung part of Australia.

Education also would be very much better controlled by a central body. We must realise that salaries to teachers can only be paid according to the size of the school or the size of the organisation to which they belong. I thought enough of our State education system to send my boy to a State school in his early years, until his schooling was disrupted by the war. State education here is far above that provided in many instances in secondary schools. That is because the State has a big organisation which can pay better salaries and give men a much better chance to progress in life. I believe that in some schools teachers are likely to remain for many years without any chance of improvement in their status in life. If the organisation were Australia-wide, that would be better still; it would be better in the same proportion as our State education is better than that of some of our secondary schools. I shall not include all our secondary schools, because some are very well run and do a good job of work. I still say, however, that they would have better opportunities were they linked up with a bigger scheme.

I would give control of the police force of Australia to a central body. I believe that the policing of the country is very much in keeping with the laws of the country. As Mr. Seddon has pointed out, there are six Companies Acts in Australia. Surely, there should be only one. There are, I understand—I am not going to try to detail them—many other instances in which the laws of the States vary considerably one from another. Surely, there should be one law for all Australia. If we are to concede these things, we must in some way get rid

of this feeling of disruption in the Commonwealth. I would be much more in favour of a convention that would start again with the experience of what has happened and tell us what is best now to lay down in a Constitution for Australia, rather than nibble at our present Constitution and either add to or take from it. I feel that so long as we have this distrust of the Commonwealth Government, we are not likely to get anywhere as a nation. I would certainly be in favour of a motion to give all powers to the Commonwealth Government once I could learn to trust the method of government.

We might for a moment look at one or two of the Acts which have been passed by the Commonwealth Government and see whether we can actually trust that Government. Members who have been in this House for long periods will be able to recall Acts of which we, as a State, did not approve because we felt that the rights of the State were being infringed. I instance the manner in which Customs duties were—shall we say—arranged between the Commonwealth and the State Parliaments. An arrangement was come to whereby the excess of the Customs revenue was put into trust funds, rather than, as we believed should have been done, put into State funds. I would instance, as the Chief Secretary did yesterday, the fact that a gold tax is practically a State tax, that when such a tax is placed upon an industry or upon any production in Australia it is practically a tax upon the production of a State.

We all realise that even our wheat production is much more severely cut here than elsewhere in Australia. It almost makes one wonder whether this State does get the same consideration as do the other States. I am only quoting those instances while reviewing the problem. The way in which uniform taxation was recently introduced did not encourage much respect for the manner in which the Commonwealth authorities are prepared to deal with State rights. At the same time, we must realise that we can on our part do something by looking with a far more seeing eye to the future needs of this great continent, and I think we must, in turn, show the Commonwealth Government that we are prepared to think as a nation, not as a State.

Hon. C. F. Baxter: You had better educate Victoria and New South Wales!

Hon. J. G. HISLOP: Maybe! It will have to be done, if we are to be a nation. To me it appears that the past generation has witnessed the battle for power between the Commonwealth and the State Governments, with the State Governments up to date losing every round. We are at the crossing of the ways, and the main decision rests with the legislators of Australia to-day. Wise and judicious handling of the present issues will lead to a great and glorious nationhood, whereas greed and lust on the part of either the Commonwealth or the States will lead to internecine strife and a continuance of the battle for power.

There is one other factor which I feel must be tackled if our Government is to earn respect, and that is—we must in some way restore to our electors faith in and respect for our legislators. Perhaps many members have been in this Chamber so long that they have earned the respect of all shades of political opinion, and possibly it is a long time since remarks have been made to them of the character that I had made to me after I had entered this House. Even some whom I regarded as quite sane-thinking people have asked me, "Why did you join in this sordid business? How did you come to take part in these filthy affairs?" Those are sayings that are becoming common property. I would not like to repeat what was said the other night at a meeting in the McNess Hall. My brother member on my right was present and could describe one person's definition of politicians. It was decidedly crude.

Hon. L. B. Bolton: One soon gets over remarks like that.

Hon. J. G. HISLOP: One gets over them quite easily. They do not offend me in the slightest. But I have a feeling that the people of Australia are not very interested in the government of their country. We have a problem to face before we can make ourselves into a nation. Before we can conceive a Constitution that will make us a nation we have to make our people politically-minded and interested in the government of the country. We must reach the stage our Empire brothers in Great Britain have reached. In that country, Parliamentarians are held in much higher regard than that in which any politician is held in Australia. In my experience with the Army I have been told by officers that certain things are happening which should never

happen. Those occurrences take place because of political interference and they use the word "interference" in a very derogatory sense. They regard the interference as having been indulged in for the purpose of helping a voter.

We have got to become legislators and not people entirely dependent for our stay here on our ability to please our electors. I trust that while I am in the House I shall do what I consider to be correct. If I go out at the end of my term I shall be perfectly happy. I should like that to be known and would like that spirit to be engendered in the public regarding every member of this House. How can we persuade sane-thinking individuals to join us while the present spirit exists amongst the people, who exhibit a lack of concern about governmental matters? I do not think we can do so. I do not know whether there was a time when we did anything to lose the respect of the people. I do not think there was. But I do think there is an explanation to be given. Very often when an individual throws verbal stones at a legislator he does it because he feels that that legislator is in a place to which he could not hope to attain. I believe we should alter our system of government to make it possible for every person in the State to sit in these legislative halls.

Hon. L. Craig: Not at the same time!

Hon. J. G. HISLOP: Of course I do not want everybody here at the same time. But it should be possible for anybody fit to govern to be here.

Hon. H. Seddon: So it is.

Hon. J. G. HISLOP: I do not think that is quite correct. Let me explain further. Were I to indulge in Federal politics I could do it only at a very considerable loss to myself and by a very considerable lowering of the standard of living to which my family has been accustomed.

Hon. L. B. Bolton: The same applies to many of us here.

Hon. J. G. HISLOP: The same position exists in regard to the State Houses of Parliament. So I repeat that these halls are not open to everybody.

Hon. F. E. Gibson: How are you going to make them so?

Hon. J. G. HISLOP: I am not here as an oracle. I might be in favour of higher salaries and a full-time job.

Hon. L. Craig: Is it not that now?

Hon. J. G. HISLOP: No.

Hon. L. Craig: For those of us who work, it is!

Hon. J. G. HISLOP: The hon. member will not be offended if, like Queen Victoria, I say, "We are not amused." The time has arrived when we must consider whether it is possible for every man who is fit to govern to join this House or another place and take part in framing the legislation of this country. There should be methods of altering the Constitution and I put the matter seriously to members for their earnest consideration. The second thing we must do is to assist the public in some way to regain its confidence in legislation and legislators. I am not going to attempt to suggest today how that is to be done. I have already spoken long enough—much longer than I thought I would. I take it that under our Constitution it will be preferable for the State to give rather than for the Commonwealth to take.

If I were going to give anybody the right to look after my affairs I would want to make certain first of all that he was capable of doing so. I want to be certain on this occasion that, if I hand over to the Commonwealth the powers that I am personally willing to give, and which I have mentioned, they will be handed over to a body fit to look after them. Unfortunately there have been some recent acts which do not make me feel quite happy about giving any increased powers to the Commonwealth Government. Possibly I am one of those deluded people who believe that we are never going to become a nation so long as we have the present intensity of party feeling and perhaps I am one of those idealists who hope that some day we may get over that intensity of party feeling. But it does not give me any sense of security when I work out that recent legislation has probably placed into the funds of one political party no less than £750,000 annually and that the recent legislation affecting the wheat farmers will probably add another £100,000 to that total annually. In anything I say, I am not attacking any one party. Though I might instance the doings of one party, I want my remarks to be regarded as an attack on party government as such. For any party in power to pass legislation that will mean three-quarters of a million pounds annually to the party funds is wrong. It does not assist the States to come to a decision to

hand over their affairs to the Commonwealth Government. Both sides of this House agree that the legislation recently passed with regard to wheat farmers is not practicable and can never work.

I was sorry to find the other day that the Chief Secretary, who is always so punctiliously courteous in his replies to members' questions, was forced to give an answer more or less in the nature of hedging when replying to a certain question, and he must have felt just as keenly about it as any of the rest of us felt for him. It was wrong to ask anybody to answer such a question. It was not the action of this Government but of the Commonwealth that made it necessary. There are other features that one could discuss at great length. One of the things I deplore most is that we have not a National Government. We are fighting this war as Australians and I am quite certain that the men in New Guinea know no party. Yet back here we are running this war on a party basis, which is wrong. In the last couple of days there have been some extraordinary occurrences.

I believe I could hand over power to a composite Government which was pledged to do what the electors said and which had the courage to do what it thought was right, without going to outside bodies for advice. In the very amendment which the Premier has asked this House to consider the term "reconstruction" is mentioned, and we are requested to consider giving to the Commonwealth powers for reconstruction after the war. I draw attention to the fact that within the last day or two at an Australian conference of a certain body certain motions were moved. I propose to read from this newspaper cutting which I take it conveys a more or less accurate report of the conference. Amongst the decisions were the following:—

1, That the immediate planning for post-war reconstruction is necessary.

Nobody quarrels with that.

2, That the settlement of the undeveloped areas of Australia is essential to the existence and development of this country and is a vital part of post-war reconstruction.

Again, there is no quarrel with that. To continue—

Conference therefore urges the Federal Government to appoint a Minister whose sole duty it should be to proceed immediately with the preparation of a comprehensive scheme of post-war reconstruction and to co-ordinate all Federal and State Government agencies work-

ing, or capable of working, for the solving of this problem.

A very laudable idea!

3, That a committee of eight be set up consisting of one representative of each State selected by the appropriate State Executive of the A.L.P. together with two representatives of the A.C.T.U. for the purpose of acting in collaboration with the Minister and reporting at least quarterly to the Federal Executive of the A.L.P. upon their activities.

Under these conditions we are asked to give increasing powers to the Commonwealth Government to plan for reconstruction, and yet their orders regarding that reconstruction are intended to be taken from an outside body. When I am aware that a Commonwealth Government is in power that I think has the courage to form its own opinions and send for experts when it needs expert advice, I will be prepared to give it all the power that it needs—but not till then. I find the same trouble when approaching the next question, that of joining the Australian Military Forces with the Australian Imperial Forces, for we find that our Prime Minister has to take this matter of amalgamating the two military forces in Australia into one body to this same conference! I am not really much worried about that fact, so much as about the subject matter in the report. What I am worried about is the fact that the Prime Minister of Australia could introduce this subject to the conference in these words—

That having regard to the paramount necessity of Australia's defence . . .

Hon. L. Craig: He then goes to a trade union conference!

Hon. J. G. HISLOP: Yes, on such a question he has to go to an outside body. Surely we, as a nation, have reached the stage when, if we have to consider a matter of paramount importance to the defence of our country, we can get away from party politics. Whether it be your party, my party or the other fellow's party, we must get rid of this intensive party warfare. While party warfare holds a dominating place in the actions of the Commonwealth Government, which is prepared to do as its dictators instruct—not the electors, not the generals or the armies that are fighting in the field, but delegates from some other bodies not elected by the electors of Australia, who have no real say in the affairs of the country or in its defence—that is where the whole wrong lies. The defence

of our country at this moment is in the hands of party delegates! I do not know how we will get over that situation.

I do not know how we will deal with the question I raised previously regarding the necessity to restore faith. I do not know that, even if I offered to outline suggestions to members, they would regard them as possible. They may even say that I am almost Soviet in my outlook. I do not really know whether it is in accordance with Soviet beliefs, but I do claim that if we had Parliaments that included representatives from every major industry, or shall we say, every major avenue of life, we would get much nearer to a solution of national freedom. If expert representatives were elected instead of their being chosen merely as representatives of some small territorial area, the former would be elected because they held the confidence and respect of those who earned their living in the same way.

Hon. L. Craig: That is not a Soviet method!

Hon. J. G. HISLOP: I do not know. I am suggesting it. I know this—I am not flattering myself—that the Government of Western Australia, from a medical and health point of view, would have been much better down the years between the time Dr. Saw was a member of this Chamber and when I took my seat here—in other words had there been a medical representative in the House during that period, the position would have been much improved. Let me put it this way: Should a Bill be brought before this House respecting which possibly not a single member knows or understands anything, we still have to vote on it and pass it into law. At the same time, when I suggest that we should have representation in our Parliament of every major avenue of life rather than mere representatives of territorial areas. I make this statement: The gentleman named "May" should be given a real and permanent burial. I believe that when a Bill is placed before this House dealing with a matter of which scarcely one member knows anything, we should have other methods than that of referring it to a Select Committee. We should, if necessary, be able to bring to this Chamber men who can give us all the facts and provide us with all the knowledge we require respecting such a measure before we pass it.

Hon. J. A. Dimmitt: We do that by way of Select Committees.

Hon. J. G. HISLOP: I think it would be preferable if every member of the House, not merely those who may be appointed to the Select Committee, had an opportunity to prosecute such an inquiry and to have the opportunity to secure the views of those whose technical experience places them in a position to throw light on the matter. There are other methods by which I feel we could assist in ensuring that legislation we pass is more sound and thus tend to make Australia a greater nation. I shall not burden the House with details, but I believe we could quite properly alter much of our Parliamentary procedure to afford members more widespread knowledge of what legislation is and means to the State.

HON. SIR HAL COLEBATCH (Metropolitan): I shall not detain the House very long. The Chief Secretary is naturally desirous that whatever resolution we finally pass, we shall reach a decision without delay. One reason why there is no necessity for me to say very much is that nearly all the arguments I would have advanced against the proposed alteration to the Commonwealth Constitution were covered in the very commendable speech delivered by the Chief Secretary yesterday afternoon. I compliment him on his speech, not so much because I agree with what he said, but because of the splendid fashion in which his facts were marshalled and presented. I hope copies of his speech will be very widely circulated and that it will include the very pregnant remarks of the Solicitor General. I propose to discuss this question from a purely non-party point of view.

I shall oppose the suggested amendments, or any amendment in any way corresponding with them, or any suggestion in favour of holding a referendum during war time, and I shall do so just as strongly as if any such proposal came from a National Government or Country Party Government in Canberra as I do this proposal that comes from the Labour Government. I would adopt that attitude irrespective of what party may have formed the Government initiating such a proposition. I took a prominent part in the secession movement which was launched at a time when a National-Country Party Government was in power. I was extremely pleased when the State Government decided to join in the action against

the Commonwealth National Government in the James case. I have said on many occasions, and I repeat now, that, as a citizen of this State, I would much prefer to live under a Labour Government in Western Australia than under any Commonwealth Government, irrespective of its political colour, that functioned from Canberra. I am quite satisfied that an amendment of the Constitution is needed and I shall not dispute the contention that there are certain matters that could with advantage be delegated to the Commonwealth Government.

On the other hand, I claim that the first step that should be taken before anything of that sort is agreed to, is the reform of the Commonwealth Parliament itself. That Parliament, as at present constituted, is not a Federal institution and cannot for one moment be described as satisfactory to the people of Australia. In making that statement I do not refer to anything of a party character, but the Chief Secretary himself spoke of the dominating influence of the leading States with the big populations. We know that the City of Sydney alone has greater representation in the House of Representatives than the whole of the States of Western Australia and South Australia combined. The effect has been the domination of the political situation by those vote-bearing elements to the great detriment of the outlying portions of the Commonwealth and of Australia as a whole. Whatever fault we may find with the House of Representatives is trifling compared with the ridiculous position regarding the Senate, which was supposed to be a House of Review, and a House to protect the interests of the States. It does not function in either respect, but it has developed into a purely party House. I speak with knowledge on that point because I was myself a member of the Senate for four years. I know that as a House of Review, it acts entirely on party lines, and as a House for the protection of the interests of the States it does not act at all.

The Senate, with the aid of the House of Representatives, devised a method of election which entirely destroyed itself in respect of its original functions, and did so to such an extent that I could quite understand an agitation for its abolition. It is quite impossible for any individual in any State of the Commonwealth to offer himself as a candidate for election to the Federal Senate and have the remotest opportunity of suc-

cess unless he is prepared to make one of a group of three, and those three men must be under some direct political party control. With what result? In every State at every election three members of one party are elected, and the rest of the electors of the State are left without representation. It has happened before and could very easily happen again—it is much more than a remote possibility—that the results of elections could show that the entire Senate was composed of representatives of one political party only. How can anyone with the slightest conception of the fitness of things suggest that a Parliament of that nature is one to which greater powers should attach? In many respects the Commonwealth Parliament has destroyed those features of the Constitution which would have given it a Federal character.

From the finance point of view, the Commonwealth Parliament abrogated certain portions of the Constitution long before the Financial Agreement was passed. Then again it passed an amending Electoral Act prohibiting members of State Parliaments from offering themselves as candidates for election to the Commonwealth Parliament—a clear breach of the Constitution which sets out that a Minister of a State may be a member of the Commonwealth Parliament. Of course, that was one of those points no-one would be inclined to fight but these matters clearly indicate that the Commonwealth Parliament has destroyed its own Federal character. There is one other matter to which I shall refer for a moment or two.

I cannot agree with the second part of the Chief Secretary's amendment. That is the part referring to the holding of the forthcoming convention. I do not consider it fitting that this House should give any recognition whatever to the proposed convention. I am not quarrelling with the Premier or the Leader of the Opposition for going East to attend the convention. It is probably right that they should go and do the best they can. But that we should give any sort of support to the idea of a convention is to my mind absurd. The convention is loaded against us from the very start. There are to be 12 members of the Federal Parliament and 12 members from State Parliaments.

How many of those members of the Commonwealth Parliament will take the State view of the situation? I speak

entirely from a non-party point of view, but amongst the Federal members to sit on the convention I should fear most the member who is the National Party leader, Mr. Hughes. He is a more out-and-out unificationist than Dr. Evatt himself. I question whether among the Federal representatives attending that convention there will be one who will stand up for the rights of the small States. Our Prime Minister will no doubt feel himself bound by the proposals put forward by his Attorney General, and we shall have a solid block against the recognition of any of the rights of the States. And then, when we come to the States, we know, from what we read in the Press, that in the majority of the States one out of the two representatives will most probably be found supporting the ideas put forward by Dr. Evatt. We can rely upon it that Western Australia will present a solid front against them, but looking at the representation of other States I venture to say there will not be one other State that will put up a solid front against the proposals. For that reason I do not like giving any recognition whatever to the convention.

My greatest fear is this: I do not think for a moment that Dr. Evatt will press these particular amendments. It is a very old scheme when wanting half-a-crown to ask for ten bob! One knows that one is not entitled to the half-crown, but if one asks for ten shillings one might obtain half-a-crown as a compromise. These amendments are so extreme that the Commonwealth Government itself would be afraid if they were carried. The Commonwealth Government knows that they will not be accepted by the people. I think that if they were accepted by the people, they would invite a crash, because they are of such an extreme character. Is it not obvious that the convention will water them down, so that they will perhaps be more acceptable, though in their final application they will probably be just as dangerous as the proposals now put forward?

Hon. H. Seddon: It is the Hitler process.

Hon. Sir HAL COLEBATCH: Yes. This convention is invited in much the same spirit as Hitler invited the Austrian Chancellor. Personally I would sooner see Dr. Evatt's proposals adopted by the Commonwealth Parliament and submitted to the people than see a compromise arrived at as

the result of the proposed convention. Some members of the public might possibly be persuaded to accept something which in its operation would be just as fatal to the interests of Western Australia, and those of the Commonwealth as a whole, as are the present proposals. I think it well that this Parliament should, as far as it can, adopt an entirely non-party attitude on the matter. Personally I should be quite satisfied with the first portion of the amendment suggested by the Chief Secretary, but I regret that for the reasons I have given I cannot possibly support the second part, which seems to give some recognition to the convention and some sort of undertaking to have in mind the decisions that the convention might arrive at.

On motion by Hon. L. B. Bolton, debate adjourned.

BILL—LEGISLATIVE COUNCIL (POSTPONEMENT OF ELECTION).

Returned from the Assembly without amendment.

ASSENT TO BILL.

Message from the Lieut.-Governor received and read notifying assent to the Legislative Assembly Duration and General Election Postponement Bill.

House adjourned at 4.23 p.m.

Legislative Assembly.

Thursday, 19th November, 1942.

	PAGE
Questions: Railways, East-West express and West-land speeds	1448
Rubber, protection of botsum	1448
Assent to Bill	1457
Personal explanation, Mr. North and betting motion	1449
Bills: Health Act Amendment (No. 2), 1a.	1448
Marketing of Eggs Act Amendment, 1a.	1451
Legislative Council (Postponement of Election), 2a, remaining stages	1451
Road Districts Act Amendment (No. 2), 2a.	1451
Increase of Rent (War Restrictions) Act Amendment, 2a.	1452
Medical Act Amendment, 2a.	1454
State (Western Australian) Aborigine Industry Partnership, 2a, remaining stages	1457
Motions: Government business, precedence	1443
Standing Orders suspension	1449
Leave of absence	1450
Discharge of order	1451
Annual Estimates: Com. of Supply, Votes and Items discussed	1471

The SPEAKER took the Chair at 2.15 p.m., and read prayers.