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direct and straight
from



**ASSIGN
BUSTER**

The advocates of direct legislation claim that a citizen knows better than his representatives what can serve him best and when he is required to express his opinion thereupon by approving or rejecting the legislation, it would enhance his interest in the public affairs.

A law, which comes direct and straight from the people, carries with it fuller moral authority and commands unquestioning obedience than a law made for them by their representatives. The referendum minimises the importance of political parties and discourages partisan spirit. It is a popular check on the vagaries of the legislature and the political machine. Frequent rejection by the people of measures passed by the legislature shows that the latter does not always know or give effect to what has proved to be the real will of the people. It ensures, at the same time, that laws opposed to the popular will have no chance of being enacted.

The referendum, as a matter of fact, puts a veto in the hands of the people. The referendum reduces the political high-handedness of the majority party. Under the representative system a law is usually what the majority party in the legislature wishes it to be. It seldom represents the will of the minority parties.

If it is referred to the people before it can be finally enacted, the minorities do get an opportunity to adequately express their opinion and to muster strong their opposition and, if possible, to negative it. This is real democracy. There is no time-lag in direct legislation. “ Direct legislation”, says Bryce, “ helps the legislature to keep in touch with the people at other times than at General Election and in some respects a better touch, for it gives the voters

an opportunity of declaring their views on serious issues apart from the destructive or distorting influence of party spirit.

” When the people feel and realise that they are the real legislators, their patriotism and their sense of responsibility are fully stimulated. Direct legislation has more educative value than the representative system. When the people know that they themselves are to make and unmake laws, they are prompted with a keener and more active interest in public affairs. This is the true price of democracy. The process of direct legislation is conservative in character. The people will seldom introduce radical changes when they themselves know that they are the arbiters on legislation.

They know what laws, if need be, can be easily adjusted to their needs and requirements. They will, accordingly, refrain from making sweeping changes. The referendum, it is maintained, is the best means of resolving deadlocks between the two Houses of the legislature. In the Australian Constitution direct legislation is recommended as a device for breaking a deadlock between the two chambers. Finally, as Bryce says, “ There must somewhere in every government be a power which can say the last word, can deliver a decision from which there is no appeal.

In a democracy, it is only the people who can thus put an end to controversy.”