

TITLE: Micro parties with macro powers

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Tony Abbott spent three years telling us minority government doesn't work and, as a result, Australians voted for minor parties in record numbers. Votes received by the two major parties fell from 81 per cent in 2010 to just over 79 per cent on the weekend.

Not only did the Greens' Adam Bandt and independent Andrew Wilkie extend their margins but the Palmer United Party (PUP) surged to 5.57 per cent from a standing start. The 2013 election delivered the biggest Senate crossbench in modern political history. There will likely be 10 Green senators and eight from other minor parties, including two from PUP, one from the Motoring Enthusiast Party and one from the Australian Sports Party.

Abbott promised "stable government" but, like "stopping the boats", delivering is a little harder than declaring. Our constitution requires bills to pass through both houses of Parliament if they are to become law, and it is very rare for a government to achieve a majority in both houses. Even when John Howard achieved that feat after the 2004 election, his new Queensland Nationals senator, Barnaby Joyce, crossed the floor to vote against the Coalition on 19 occasions.

Our Parliament is designed to diffuse power rather than centralise it. Julia Gillard had to work harder than most prime ministers to get legislation through the lower house. That said, the fact she had to negotiate so hard in the House of Representatives meant all of her major pieces of legislation passed through the Senate.

With a clear majority after Saturday's election, Abbott will have no problem passing legislation through the lower house. Indeed, he will likely refuse to negotiate with Bandt, Wilkie, Clive Palmer and Bob Katter before drafting his new bills. But in the Senate, his Coalition colleagues will only hold 33 of the 78 votes. He will need the Greens, or six of the eight non-Green senators, to support his legislation, and he will be hoping none of his own senators are as independently minded as Joyce used to be.

While the public clearly don't want a Parliament full of Coalition and ALP parliamentarians, it is not at all clear that they intended to elect the Australian Sports Party, which managed to collect the first preferences of only 0.2 per cent of West Australians.

The problem, if you think those elected to the Senate should represent more than a handful of voters, is that the combination of compulsory voting and above-the-line preferential voting is turning out increasingly unpredictable results.

One solution to the increasing probability of parties with micro votes having macro influence in the Senate would be to make it much more expensive to set up a political party, but this could hardly be considered democratic.

Another option is to introduce optional preferential voting, which would require individuals who vote for a minor party to assign preferences to other parties if they wish to. The problem with this approach is that it tends to split the vote. An extreme example of vote-splitting occurred in the United States presidential race between George W Bush and Al Gore, in which 2 per cent of people voted for a third progressive candidate, Ralph Nader. By taking votes off the Democratic candidate, this led to the election of a Republican.

A simpler solution would be to ensure that parties which polled below a threshold, say 2 per cent, could disburse but not receive preferential votes. Such an approach would ensure no votes were “wasted” but at the same time it would provide an incentive for micro parties to work together to campaign for votes rather than divide again and again in the hope of improving their chances in the Senate preference lottery.

Having spent three years raging against the influence of the Greens and literally running from Parliament rather than be seen voting with Peter Slipper, Abbott is about to spend the next few years kowtowing to the conflicting whims of 18 crossbench senators and a few of his own backbenchers keen to make a name for themselves the way Joyce did.

Small reforms to Senate preference voting could deliver a better and more stable system for everyone.

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