

Australian government imposes new anti-democratic electoral laws

By Mike Head
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Just in time for the scheduled September 14 election, the Labor government, backed by the Liberal opposition and assisted by the Greens, has pushed new electoral laws through parliament to make it even more difficult for working people to stand for parliament or form new political parties.

Ever since the Hawke Labor government first introduced party registration laws in the 1980s, alternative parties and independents have confronted ever-greater barriers to contesting elections. A thoroughly anti-democratic tendency has taken hold: the more the political establishment becomes discredited, the more the existing parliamentary parties come together to shut out challengers.

Introduced under conditions of deepening economic downturn and a mounting assault on jobs and living standards, the latest legislation will double the fees to nominate candidates, as well as double the number of signatures required to put candidates on the ballot, if they are not endorsed by an officially registered party, and make it even harder to register a party.

It will now cost \$1,000 for each candidate to stand for the House of Representatives and \$2,000 for the Senate, erecting a major financial hurdle for people without resources or corporate backing. For a party to run candidates for all the seats in a federal election will cost \$150,000 for the lower house and \$80,000 for the Senate. This is the second hike in less than seven years. In 2006, the fees were increased by almost 50 percent, from \$350 to \$500, and \$700 to \$1,000, respectively.

Candidates not representing a registered party, or a party already in parliament, will also need 100 signatures of enrolled voters to get on the ballot, up from 50. This means that 1,500 sign-ups will be required to field a full lower house ticket. Again, this is calculated to block access to groups without substantial

resources.

This measure further reinforces the profoundly anti-democratic party registration regime, which forces parties—except for those already in parliament—to hand over to the electoral authorities the names, addresses and contact details of at least 500 members, just to exercise the basic right to have their party names on ballot papers.

Prime Minister Julia Gillard's government and the media cynically presented the new laws as simply designed to protect voters from over-sized ballot papers. "Senators look to curb ballooning ballot papers" was the headline on the Australian ABC web site. Labor senator John Faulkner, an architect of the changes, told the Senate he was concerned that if more groups were on Senate ballot papers, "we're effectively going to have to supply magnifying glasses to voters."

Faulkner then argued: "These amendments will impose a slightly higher, but still a modest requirement on candidates standing for Parliament, to demonstrate some threshold of community support."

These remarks are an affront to any genuine concept of democracy. Elections themselves are meant to determine the support a candidate or party has won. Candidates and parties should not be ruled out on the basis of an arbitrary "threshold" determined by financial resources.

One contributor to the Senate debate pointed to the real fears in Canberra that the parliamentary parties will face unprecedented numbers of opponents in September, because of the growing discontent generated by the intensifying austerity agenda demanded by the corporate elite. Greens senator Lee Rhiannon remarked: "I am sure senators are keeping an eye on who will be running in this election. There are a

number of smaller parties out there talking to their members so they can put in for registration under the AEC [Australian Electoral Commission] to run in the coming election.”

While Rhiannon formally opposed the changes, she appealed to her fellow senators to “get the balance right” between democracy and ballot access—signalling the readiness of the Greens to accept further undemocratic restrictions. Over the past decade, having gotten into parliament themselves, the Greens have backed previous moves by federal and state governments to restrict candidate access and party registration, including New South Wales laws that require a party to hand over the details of 750 members to get registered, and pay \$2,000 to run in an election.

The latest laws also tighten party registration rules, so that the specified 500 members must be on the electoral roll, and not just eligible for enrolment, as before. For ordinary people to have to divulge their party affiliations to a government agency is a violation of their political rights, potentially exposing them to surveillance and harassment by the government and its intelligence agencies.

Other new provisions facilitate the escalating use of postal voting and pre-polling, both of which heavily favour the entrenched and cashed-up parliamentary parties. For example, sitting MPs and senators are permitted to use their printing and postal allowances to send postal vote application forms to constituents, asking for them to be returned to their party office. More than 2.3 million postal and pre-poll votes were cast in the 2010 election—almost a fifth of the total vote, and up by a third since the previous 2007 election.

A further measure, pushed through parliament last year, forces people onto the electoral roll. It allows the electoral authorities to use government data, such as welfare and driving licence records, to compulsorily enroll people.

Growing numbers of citizens, especially young people, previously refused to enroll to vote—another symptom of widespread political discontent. By 2010, only 52 percent of 18-year-olds were on the roll, a doubling of the non-enrolment rate since the Labor government took office in 2007.

The compulsory voting system is deeply anti-democratic itself. Electors are not only fined if they fail to vote, they are also forced to allocate

numbered preferences to all parties on the ballot paper. In effect, these votes are redistributed back to Labor, Liberal-National or the Greens.

Over the past decade, Australia’s supreme court, the High Court, has sanctioned the curtailing of electoral rights. In 2004, the judges dismissed a constitutional challenge to the party registration laws, declaring that access to the electoral system was a “privilege,” not a right. A further High Court ruling in 2007 declared that there was no guaranteed right to vote under the Australian Constitution.

These moves by the political establishment, including the courts, to wind back electoral and voting rights are another warning of the increasingly anti-democratic methods that will be used to stifle any expression of political opposition. Above all, the measures seek to block the development of a genuine and progressive, that is socialist, alternative to the entire parliamentary set-up and to the profit system itself.

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