Strained Parliamentary Relations
Green-supported minority government in Tasmania

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This article takes Strom's[1] and Moon's[2] discussion of minority regimes and explores it in the Tasmanian context by reviewing the Labor–Green Accord (1989–92) and the Liberal–Green Alliance (1996–98) governments. It argues that these Green-supported minority governments in Tasmania, while short-lived and contentious, have had significant positive implications for public policy and the shaping of politics, and for not entirely precluding, in fact for encouraging, reform agendas. Indeed, it is argued that they illustrate Kingdon's notion of policy windows whereby problems, policies and politics come together at critical times, in times of crisis for instance, and facilitate fundamental policy innovation and change. The article characterises Green minority government in Tasmania, examines the circumstances that led to its creation, acknowledges the ideological strain of Greens partnering government, but concludes that Green minority government offers significant reform opportunities. By considering these two very different governments, this article adds empirical justification to Strom's and Green–Pedersen's[3] case that minority governments are far from passive and constrained in terms of governing capacity.

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1 K. Strom, *Minority Government and Majority Rule*, Cambridge University Press, Cambridge, 1990.

2 J. Moon 'Minority Government in the Australian States: From Ersatz Majoritarianism to Minoritarianism', *Australian Journal of Political Science*, 31: Special issue on Consensus Policy-Making, 1995, pp. 142–63.

3 Green–Pedersen 'Minority Government and Party Politics: The Political and Institutional Background to the Danish Miracle' *Journal of Public Policy*, 21(1), January 2001, pp. 53–70.

Australasian Parliamentary Review, Autumn 2003, 17(2), 55–71.

Tasmania has experienced two Green-supported minority governments (Labor Green Accord 1989–1992) and (Liberal Green Alliance 1996–1998), the former based upon a formal agreement, the latter upon a less formal undertaking.[4] These were not coalition arrangements because the Greens were excluded from exercising ministerial responsibilities. In the Labor Green Accord, the Greens were formally consulted prior to Cabinet decision-making. Any Cabinet decision at odds with Green policy was then played out politically in the public realm. The Liberal–Green Alliance was less formal, with the Tasmanian Greens basically undertaking to support budget legislation and not to vote down the Liberal minority government except upon issues of conscience, corruption or competence. In Moon's terms, the Greens in the balance of power largely acted as a group (rather than as individuals) with substantive policy and political concerns (rather than particularistic motives), a pattern of parliamentary behaviour he describes as minoritarianism.[5]

This article takes Moon's discussion of minority regimes and explores it in the Tasmanian context. Tasmania's Hare–Clark electoral system, the oldest single transferable vote system in the world, has been designed to be as democratic as possible with the people directly electing the members of the State's House of Assembly (the lower house).[6] Consequently, independent candidates have historically been elected and at times been relied upon to form State governments — in fact, Labor's much celebrated 35 years of unbroken power in government relied for fourteen years upon the support of independents.[7]

The Greens first tilt at the balance of power was at the 1972 State election prior to which they founded the world's first Green party, the United Tasmania Group. They campaigned on a broad electoral platform that was eclipsed by their efforts to prevent the flooding of Lake Pedder. In effect, the bipartisan commitment to flood Lake Pedder by the major parties created the initial political space for the emergence of Green electoral politics which was further encouraged by the promise of the Hare–Clark system of proportional representation.[8]

Contrary to the historical experiences of individuals acting as brokerage partners, when the Greens eventually partnered minority government they operated as a group with broad political and, indeed, transformational motives, although with

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4 K. Crowley, 'Parliamentary Experiences of the Tasmanian Greens: The Politics of the Periphery', *Ecopolitics: Thought and Action*, 1(1), 2000, pp. 53–71.

5 Moon op cit. p. 143.

6 M. Mackerras, 'The Operation and Significance of the Hare-Clark system', in M. Haward and J. Warden (eds) *An Australian Democrat: The Life, Work and Consequences of Andrew Inglis Clark*, Centre for Historical Studies, University of Tasmania, 1995, pp. 163–80.

7 W.A. Townsley, 'Independents and the balance of power in the Tasmanian House of Assembly', *Edgeways: Tasmania's Green Independent Quarterly*, 3, Summer 1988, p. 11.

8 K. Crowley, 'Lake Pedder's Loss and Failed Restoration: Ecological Politics Meets Liberal Democracy in Tasmania', *Australian Journal of Political Science*, 34(3), 1999, pp. 409–24.

the right to vote on conscience. Generally speaking, in Moon's terms, this is minoritarianism.[9]

Because of the perceived partnering, not with self-interested independents, but with the ideological politics represented by the Greens, neither the Labor nor Liberal Green-supported minority governments enjoyed popular legitimacy nor indeed longevity. Significantly though, it was the major party partners in both cases rather than the Greens that suffered the worst post-regime electoral backlashes.[10] These minority governments were, furthermore, subject to destabilisation from within parliament, from their relative political constituencies and from the Tasmanian media, impacting upon longevity in both cases. Nevertheless, these governments were positive vehicles for policy change, in particular for facilitating economic reform and for transcending the traditional conservatism of the major parties. Tasmanian conservatism has long promoted a bi-partisan policy consensualism, (on state development and resource development in particular), that has been acknowledged as a defining feature of Tasmanian politics[11] and that is particularly challenged by Green-minority government.

This article follows Haward and Larmour, Moon, Strom, and Green–Pedersen in arguing that minority governments have had significant positive implications for public policy and the shaping of politics, and for not entirely precluding, indeed for encouraging, reform agendas.[12] Whilst governing in a politically conservative state like Tasmania with the Greens holding the balance of power will always be a precarious affair, it is argued here that it also enables rather than disables the act of government by opening up Kingdon's window of policy opportunity. At certain critical times, the otherwise typically separate streams of problems, politics and policies can intersect so that problems encounter solutions which encounter favourable politics thus creating an opportunity for change.[13] The Labor and the Liberal minority governments both achieved fundamental policy change — in

[9] More specifically, Moon explains that the Accord, by way of its formalistic nature, created an *ersatz coalition*; it is more difficult to define the nature of government arrangement after the collapse of the Accord but before the election other than as *minoritarian*.

[10] After the collapse of the Accord, Labor lost 2 seats and their vote fell from 34.7% to 28.9% whilst the Greens retained all their five seats, but did suffer a percentage loss from 17.1% to 13.2%. After the collapse of the Liberal–Green alliance, the Liberals percentage loss was from 41.2% to 38%, whilst the Greens held steady on 11% (loss of seats is not relevant since the reform of parliament reduced seats from 35 to 25 in the House of Assembly) K. Crowley, 'A Failed Greening? The Electoral Routing of the Tasmanian Greens', *Environmental Politics*, 8(4) 1999b, pp. 186–93.

[11] C. Sharman, 'The Politics of Brokerage', *Current Affairs Bulletin*, 53, 1977, p. 22.

[12] M. Haward and P. Lamour (eds), *The Tasmanian Parliamentary Accord and Public Policy 1989–1992: Accommodating the New Politics?* Federalism Research Centre, ANU, Canberra, 1993; Moon op cit; Strom op cit; Green–Pedersen op cit.

[13] J. Kingdon, *Agendas, Alternatives and Public Policies*, Little Brown and Company, Boston, 1984.

economic, environmental and planning reform[14] in the former, and in social justice and clean, Green planning reform[15] in the latter.

This article begins by characterising Green-minority government in Tasmania using Strom's and Moon's typologies and argues that the essential difference with such government is the *ideological challenge* posed by the Green balance of power holders. The article then explains the rise of the Greens and the circumstances that inevitably led them into power, and argues that the *lack of political differentiation* between the major parties has attracted voters to the Greens in Tasmania as a third way on environmental issues particularly. The strained relations in Green-supported minority government and the circumstances of minority government collapse are examined to show that Green partners in government are ideologically challenging and that in Tasmania this affects the *longevity* of the arrangement. Having characterised Green-minority government, examined the circumstances that led to its creation, and acknowledged the ideological strains of Green partners to government, the article then argues that minority government nevertheless offers an opportunity for reform. By examining the evidence from two very different governments, this article adds empirical justification to Strom and Green–Pedersen's case that minority governments are not, contrary to the conventional wisdom, passive caretakers.

Governing in minority

Strom explains that the experience of governing in minority is relatively common to parliamentary democracies, with minority cabinets accounting for about one-third of all the world's post-war governments. Despite this, the minority government phenomenon is barely documented. Political science is either strangely silent on the subject, or critical in an ad hoc, impressionistic fashion that lacks sustained analysis. Conventional theory associates the formation of minority government with 'social and political malaise' at best, and views minority cabinets as 'suboptimal and unstable solutions, which are resorted to only where all else fails'. Theory here applies only in the very loosest sense of the word, however, because there is little if any empirical justification provided of this negative, unsubstantiated evaluation of the minority experience. Not only is the theory of minority government formation less than adequate but, as Strom argues, there is even less research on the critical issue of the actual *performance* and *capacity* of minority government.[16]

Stability and legislative effectiveness are two of the criteria used to assess the performance of government more generally, in a literature that again, even at the

[14] P. Hay, 'Environment and Planning: A Record of Reform', in M. Haward and P. Lamour (eds), *The Tasmanian Parliamentary Accord and Public Policy 1989–1992: Accommodating the New Politics?* Federalism Research Centre, ANU, Canberra, 1993, pp. 148–69.

[15] G. Buckman, 'What Green Balance-of Power has done for Tasmania', *The Daily Planet: Tasmania's Green Magazine*, 56, September–October, 1998, p. 12.

[16] Strom op cit, p. 16.

broader level, is entirely inadequate. Nevertheless, this literature does score minority governments poorly on both stability and effectiveness. Minority governments are considered to be less durable than single-party majority governments and to have a more passive, constrained, almost caretaker, performance. By undertaking his own cross-national surveys, Strom has remedied the lack of minority government research. His findings also counter much of the negative rhetoric, generalisations and assumptions about minority government. In his work, Strom also finds minority government formation to be the result of rational choice made by party leaders under certain structural constraints rather than the consequence of instability, conflict or malaise. He finds that, whilst it is true that minority regimes are less durable than majority coalitions, which has certainly been the recent Tasmanian experience, it is not necessarily the case that they perform particularly poorly in the policy sense.[17] It is this aspect of Strom's work that is of interest here.

Moon's more recent work has remedied the lack of research into what he reveals is the relatively common incidence of minority government arrangements in Australia. He finds that Australia has had a long, quite neglected, history of multi-partyism and minority government. 'On average, just under one in three "state years" between 1910 and 1944 were administered by minority governments', and that 'over one in six "state years" between 1945 and 1977 were administered by minority governments'. The fact that there were no minority governments between 1977–1989 is exceptional rather than typical, as more recent times have shown.[18] Between 1989–95, 'four of the six Australian states — Tasmania (1989–1992), South Australia (1989–1993) and New South Wales (1991–1995)' witnessed minority government.[19] Currently Australia has two minority governments[20] in South Australia and in the Australian Capital Territory,[21] and has recent experience of minority governments in Victoria and Queensland. None of these governments has been as challenged by their balance of power partners as minority governments in Tasmania.

Moon's typology of minority government is useful in characterising the Tasmanian experience. By minority government he means the absence of a parliamentary

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[17] Strom ibid, p. 238.

[18] Moon op cit, pp. 146–7.

[19] Moon, ibid. p. 142. The fourth state is the Australian Capital Territory where there has been continuous minority government. Moon claims that this analysis understates the Australian minority government experience because it excludes the implications of by-elections, parliamentary defections, post-electoral floor-crossing and unanticipated coalition formation (J. Moon, op cit).

[20] Mike Rann's ALP minority government in South Australia elected in February 2002, and Jon Stanhope's ALP minority government in the Australian Capital Territory elected in October 2001. Peter Beattie's ALP government was recently reelected with a 41 seat majority after leading a minority government from June 1998 to February 2001, whilst Steve Bracks's ALP government was recently reelected in its own right after having governed in minority since October 1999.

[21] The Greens do hold the balance of power in the West Australian Upper House, and Kerrie Tucker is potentially a Green balance of power holder in the Australian Capital Territory Legislative Assembly, as is Democrat, Roslyn Dundas.

majority for the party with executive power. He distinguishes four types of minority regimes on the basis of two characteristics (i) whether the balance of power holders operate as *individuals* or a *collective*; and (ii) whether they operate according to *particularistic* or *general* political motives (fig. 1). These two dimensions that characterise the balance of power holders in minority governments yield the four ideal types of minority government illustrated below:

Figure 1: Moon's Model of Balance of Power Holders and Minority Government

		Motivation	
		Particularistic	General Challenge
Mode of Action	Individual	ersatz majoritarianism	ad hoc majoritarianism
	Collective	ersatz coalition	minoritarianism

Moon also finds that the incidences of minority government that have been achieved under a variety of electoral systems since the 1980s are attributable to the parliamentary and electoral failures of majoritarianism. Nevertheless, without electoral reform of the preferential electoral systems operating in the Australian States, (with the exception of Tasmania which has a proportional preferential system), he concludes that popular support for independents is unlikely to realign dominant electoral cleavages.[22] Tasmania is the notable exception here, with the rise of the Greens as a third parliamentary force, and with the renewed Green electoral successes not only in Tasmania, but currently elsewhere in Australia.

Tasmania has had the highest proportion of minority governments of the Australian States.[23] It has been predisposed to minority regimes in the past because of its Hare–Clark, multi-member electoral system of proportional representation and brokerage style of State politics,[24] and it is now with the rise of the Greens.[25]

[22] Ibid p. 160.

[23] Moon op cit. p. 146.

[24] This is an electoral system of proportional representation that has operated in Tasmania's Lower House of Assembly since 1909 with five multi-member electorates that are filled using the single-transferable vote. There are no by-elections, but rather a recount, unless no candidates remain of the same party as the outgoing member, in which case a by-election may be requested. Between 1909 and 1956 the Assembly consisted of thirty members (six for each of five seats). This was enlarged in 1959 to thirty five members to avoid hung parliaments (seven for each of five seats) Tasmanian Parliamentary Library, 'Parliamentary Reform: Downsizing Parliament', Parliamentary Fact Sheet Series, Tasmanian Parliamentary Library, 1998. Available online: http://www.parliament.tas.gov.au/tpl/reform. accessed March 1999. In 1998 this was reduced to 25 ostensibly to cut costs, but in effect in an attempt to disenfranchise independents and create stability Tasmanian Parliamentary Library, 'Parliamentary Museum: Fact Sheet No. E3' Parliamentary Fact Sheet Series, Tasmanian Parliamentary Library, 1999, http:/www.parliament.tas.gov.au/tpl/e3.htm (accessed March 1999).

[25] K. Crowley, 'The Greens are Back in Town: World Record Vote Achieved by Tasmanian Greens', *Ecopolitics: Thought and Action*, 1(4), Spring, 2002, pp. 3–8; In 2002 the Tasmanian Greens

Before the Greens, Labor had dominated Tasmanian politics. The election of independents had been relatively commonplace, and some even held the balance of power.[26] Indeed independents held the balance of power after the 1934 election, enabling Labor under Albert Ogilvie to begin its long reign in government; they kept Labor under Robert Cosgrove in power after the 1948 election; and supported Labor under Eric Reece in power after the 1959 election.[27] Thus the notion that Labor dominated because it held office from 1934 to 1982 (except for 1969–72) is only partially true, its dominance in terms of votes, seats, its control of government,[28] and its rhetorical success with hydro-industrialisation, notwithstanding. It prospered very often in a non-majoritarian position.

Minority government before the advent of Green politics in Tasmania was coalition based, accommodationist and uncontroversial, in fact so unremarkable that, with the exception of the minority Bethune Liberal Government (1969–72), it is largely forgotten history. Moon calls such government *ersatz majoritarianism.* Give or take the political and/or policy concessions made to supporting independents, for all intents and purposes minority governments in Tasmania before 1989 were essentially majority governments. In such governments 'the individual balance of power holders were (in general) persuaded not to oppose the government on policy or confidence issues and not to challenge government policy by means of their own legislative proposals'.[29]

Tasmania's Labor–Green Accord (1989–91) and the Liberal–Green Alliance (1996–1998) were entirely different propositions. Minority government in Tasmania has presented in two clearly different fashions: (i) as 'pre-Green' consensual minority regimes and (ii) as 'Green-supported' conflictual minority regimes. Whilst the former regimes enjoyed the legitimacy, stability and effective consensus building that Moon associates with ersatz majoritarianism; the latter did not. Green-supported minority regimes thus far have been conflictual affairs, which have not enjoyed popular legitimacy, have been short-lived, and have had no effective consensus-building processes between the governing minority regime and its Green partners.

The shift in the character of Tasmanian minority government with the rise of the Greens is a clear temporal shift whereby traditional *ersatz majoritarianism* is

received the highest Green vote at state level so far anywhere in the world — 18.1%. See A. Darby, 'Apple Isle Grows Ever More Green', *The Age*, 22 July. [www.theage.com.au/articles/2002/07/21/10268998945339.html accessed 23 July 2002], and K. Crowley, 'The Rise and Rise of the Tasmanian Greens: The Tasmanian State Election 2002', *Environmental Politics*, forthcoming.

[26] C. Sharman, G. Smith, and J. Moon, 'The Party System and Change of Regime: The Structure of Partisan Choice in Tasmania and Western Australia', *Australian Journal of Political Science*, 26, 1991, pp. 409–28. Indeed there were majority governments returned in only 5 of the 10 elections that Labor contested over this time-frame, see p. 419.

[27] Townsley, op cit.

[28] Sharman et al. op cit. p. 416.

[29] Moon op cit. p. 145.

giving way to a much more conflictual, short-lived yet dynamic *minoritarianism* that bears consideration. As Moon explains, the Tasmanian Greens now operate in a way that their post-war balance of power holding forebears would not have understood. Their behaviour in minority government situations is collective, unified by policy and process goals which they see as antithetical to the conservative status quo that they believe is perpetrated by the major parties.[30] The Tasmanian experience also confirms Moon's point that the failure of majoritarianism can be blamed for the rise of minoritarianism, since the lack of policy differentiation, indeed the consensualism between the major parties has greatly encouraged the articulation of the Green political alternative. The high incidence of minority governments in Tasmania also confirms the anti-majoritarian logic of the Hare–Clark electoral system, that this high incidence was indeed the original intention of the electoral system.[31]

Tasmania's political greening

Not only is Tasmania's electoral system of proportional representation and its resultant high proportion of minority governments atypical, so too is the degree of policy consensualism, or lack of policy difference, in major party politics.[32] This has historically facilitated both parliamentary coalition building and a high degree of policy continuity between differing political regimes no matter what their politics, and has had its strongest manifestation in terms of the major parties consensualism on issues of development and exploitation of the environment. There is no better illustration of the political consequences of this than the 1972 founding of the world's first Green party, the United Tasmania Group (UTG), by conservationists attempting to prevent the flooding of Lake Pedder, and finding an immovable political consensus in favour of hydro-inundation.[33] Policy consensualism in Tasmania or, in Moon's terms, the failed capacity of majoritarianism to respond to environmental concern about state development, thus goes a long way to explaining the rise and persistence of Green politics, and the Green-supported minority governments that resulted.

Policy consensualism alone, however, would not have assured the parliamentary influence and achievements of the Greens. Any explanation for the parliamentary success of the Greens must be multi-factorial with policy consensualism merely a significant starting point. Firstly, there is an enduring concern with place in Tasmania that transcends party politics itself. Secondly, there is a lack of political differentiation between the major parties on state development and the environment. Thirdly, the Greens have a demonstrated capacity for revisioning conservative policy which is attractive to voters looking for clear alternatives.

[30] Greens in Tasmania have been calling this status quo politics 'Laborialism' since the 1972 state election campaign.
[31] Moon ibid p. 148–51;
[32] Sharman et al. op cit.; Moon, op cit.
[33] Crowley 1999, op cit.

Fourthly, they pursue political and administrative accountability in general terms, including freedom of information, which resonates with a public whose distrust of politicians and politics is at an all time high. Finally, and most importantly, the Greens are offered political opportunity by Tasmania's Hare–Clark electoral system of proportional representation, which was a major motivating factor behind the founding of the UTG.[34] The combination of these factors has seen an electoral realignment that led the Greens into balance of power situations.

Beginning at the beginning then, with the Lake Pedder dispute, the UTG achieved a Tasmania-wide vote of 3.9% in 1972 but not at the expense of Labor. Labor regained majority government with a record high of 54.9%.[35] The high vote for Labor at the same time as the first electoral showing of Green politics anywhere in the world shows that it was not a political movement founding itself at Labor's expense. The previous government had been the 1969–72 minority Bethune Liberal Government. This Government was voted into office in the midst of the looming Lake Pedder controversy. Having questioned the Pedder scheme in opposition, Bethune warmed to it once Premier, whilst Opposition Leader Eric Reece, who had championed the idea when he was Premier, was very eager to flood. Indeed, this is partly why he lost office in 1969,[36] ending thirty-five unbroken years of Labor in government, as Australia's first premier to fall from power on environmental grounds. The Bethune Government went on to prove Strom's minority government productivity thesis in terms of the environment at least by founding Tasmania's national parks system and environmental protection measures.[37] His minority arrangement also ran its full term without the ideological challenge of Green partners.

Prior to the 1972 State election, the consensus between the major parties on development saw them declare Lake Pedder a 'non-issue', prompting conservationists to form the UTG and attempt to snatch the balance of power which was precariously held by an independent, Kevin Lyons.[38] In other words, as Johnson explains, the UTG made a deliberate attempt to manoeuvre itself into a position of influence with government. Ironically, it found its major political opponent was the unaccountable monolithic state development instrumentality, the Hydro-Electric Commission (HEC) whose plans for flooding the southwest

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[34] Crowley 2002, op cit.

[35] Tasmanian Parliamentary Library, House of Assembly Election Results 22 April 1972 http://www.parliament.tas.gov.au/tpl/Elections/e1972.htm (accessed February 2003).

[36] The disastrous 1967 bushfires and the continuing effects of the drought played their part in Reece's loss. I owe to Richard Herr the observation that the Casino referendum and parochial north/south politics were additional significant factors.

[37] Townsley observes that the Bethune Liberal Government's legislation was reformist in the broadest sense, embracing activities as varied as police training, control of business in the interest of consumers, control of government employees in the interest of citizens, environmental controls, and the liberalisation of licensing laws in the interests of tourism (W.A. Townsley, *Tasmania: Microcosm of the Federation or Vassal State*, St David's Park Publishing, Hobart, 1994, p. 288).

[38] D. Johnson, *Lake Pedder: Why a National Park Must Be Saved*, Griffin Press, Adelaide, 1972.

wilderness were routinely approved without amendment by parliament.[39] It was at least another decade or more before the power of the HEC was tamed, ironically by the Liberal Premier Robin Gray who fashioned his brash leadership style and contempt for Green meddling in state development and politics on Labor's Eric Reece. All the elements of place, lack of policy differentiation, policy revisioning, pursuit of political accountability, and electoral opportunity thus characterise the Lake Pedder issue.

It is important to note at this point, in terms of the rise, persistence and success of Green politics, that Tasmania's Green politics was clearly inspired, but not totally invented, as Hay and Haward[40] argue, for the purposes of nature conservation. Indeed, the UTG originally embedded their politics in a broad revisioning of development, technology, work, society and institutional design[41] (UTG, 1990) that underpins the Greens clean, Green clever agenda today. The UTG failed to save Lake Pedder which was flooded by the Reece Labor Government on its landslide return to power in 1972, notwithstanding the fact that it needed to undermine the newly proclaimed national parks legislation to do so. Labor was, however, untroubled by Green politics and held power by a comfortable majority until a more strategically sophisticated wilderness politics reared its head over the Franklin Dam dispute. This conservationist charge was led by the newly formed and tactically skilled Tasmanian Wilderness Society. Labor subsequently imploded over its inability to manage the Franklin issue and to resolve its own tensions between conservatism and reformism.[42] From this time forth, a significant realignment of the Tasmanian electorate was inevitable.

Over the 1980s, Green support did grow at Labor's expense to 17.1% and five seats in 1989 that finally gave the Greens the balance of power. This realignment saw Labor, with 45 years in power between 1934 and 1982 broken only by the Bethune interregnum between 1969 and 1972, face two successive electoral defeats in 1982 and 1986. The electorate increased in volatility from the 1982 Franklin dispute. Dr Bob Brown entered parliament on a recount in 1982.[43] Dr Gerry Bates, who had

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[39] R. Herr and B. Davis, 'The Tasmanian Parliament, Accountability, and the Hydro-Electric Commission', in J.R. Nethercote (ed.), *Parliament and Bureaucracy — Parliamentary Scrutiny of Administration: Prospects and Problems in the 1980s*, Hale & Iremonger/Australian Institute of Public Administration, Sydney, 1982, pp. 268–79.

[40] P.R. Hay and M. Haward, 'Comparative Green Politics: Beyond the European Context?' *Political Studies XXXVI*, 1988 pp. 433–48.

[41] UTG, 'The New Ethic', in C. Pybus and R. Flanagan, *The Rest of the World is Watching: Tasmania and the Greens*, Pan Macmillan Publishers, Sydney, 1990 pp. 34–36.

[42] D. Lowe, *The Price of Power: The Politics Behind the Tasmanian Dams Case*, Macmillan, South Melbourne, 1984.

[43] Dr Bob Brown took Sanders's place in 1982 on a recount. Sanders, an Australian Democrat, was the first Green elected to the Lower House in the electorate of Denison. He stood down in 1982 in disgust over the Franklin dispute and successfully contested a Senate seat. Dr Brown took Sanders's seat directly from Risdon Prison where he was being held on Franklin related protest charges. He founded the Tasmanian Greens in 1989 after campaigning with other Green candidates as a Green Independent.

been campaigning against a silicon smelter in a rural residential area, joined Dr Brown at the 1986 state election. His election doubled the Green vote. The traditional two party dominance of the Lower House then gave way completely at the next state election in 1989[44] when the election of five Green Independents who had campaigned against the failed billion dollar Wesley Vale pulp mill brought the Greens to 17.1%.[45] At the 2002 election, they gained 18.1% and four seats, the highest Green vote ever in the world even though the Tasmanian Electoral Act had been amended to reduce the size of the Lower House and return it to stability by wiping them out.[46]

Labor lost parliamentary ground to the Greens during the 1980s, even though Green politics had not been founded at Labor's expense, and reclaimed office in 1998 only after amending the Tasmanian Electoral Act. The Liberal Party was relatively unscathed by the Greens despite Premier Gray's brash behaviour during the Wesley Vale dispute. He only lost majority government in 1989 by the slenderest of margins. Labor support was down to 34.7% in 1989, twenty percentage points below Eric Reece's 54.9% record high in 1972, when it accepted minority government with the five Greens as the balance of power holders. What we see in the formation of this minority arrangement, other than that it was born directly of the Wesley Vale pulp mill crisis, is that it was the product, in Strom's terms, of malaise, but malaise that was long-standing, stretching right back to 1972. There was a public backlash against Labor after the failure of its minority government with its harsh economic reformism. A Liberal majority government followed, picking up the reformist reins, and suffering its own defeat and loss of majority in 1996. With Labor refusing any further deals with the Greens, and the electorate in no mood for another election, the Liberals made an informal arrangement to govern in minority with Green support.[47]

Strained relations with the Greens

Having achieved the partnering of two very different minority governments, the influence of the Greens by virtue of these arrangements was significant but inevitably short-lived. Both arrangements were doomed, because of both the principled policy stance of the Greens that is atypical for its resistance to bargaining and compromise in the traditional sense, and the lack of legislative influence and pathways of the minority governments. Longevity does not need to be a problem for minority governments, as governments in the Australian Capital

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[44] M. Haward and G. Smith, 'The Tasmanian Election: The Green Independents Consolidate', *Australian Journal of Political Science*, 25(3), 1990 pp. 34–48.

[45] Tasmanian Parliamentary Library, House of Assembly Election Results 13 May 1989 http://www.parliament.tas.gov.au/tpl/Elections/E1989.htm (accessed February 2003).

[46] Crowley 2002 op cit, Tasmanian Parliamentary Library, House of Assembly Election Results 20 July 2002 http://www.parliament.tas.gov.au/tpl/Elections/e2002.htm (accessed February 2003).

[47] K. Crowley, 'The Tasmanian State Election: Green Power and Hung Parliaments', *Environmental Politics*, 5(3), 1996 pp. 530–35.

Territory can attest, having been in continuous minority government and often having to turn to independents, including Greens, for support.

The longevity problem in Tasmania has various sources beyond the nature of the partners to government, however. Firstly, unlike the ACT, Tasmania has a bicameral parliament with a conservative Upper House that is hostile to minority government. Secondly, Labor entered minority government with the Greens, and frustrated the subsequent Liberal–Green-minority government, quite expediently in the interests of reclaiming power. Thirdly, minority government has limited legislative pathways. And, finally, as Herr argues, the lessons have not yet been learned, with regard to the accommodation in an institutional and operational sense, of the Greens as a third parliamentary party in Tasmania.[48]

The Liberal–Green alliance, as noted above, was significantly different from the Accord for not resting upon a formal arrangement, and thus for returning the debating of issues to the floor of the parliament where the Greens have long maintained they belong.[49] It was also different for its attempt at consultative, rather than adversarial, politics, beginning with a multi-party forum to explore more innovative, consensus-based mechanisms for government which was initially shunned by Labor.[50] Consultative politics was a gamble for the Liberals and the Greens, not least because of Labor's dismissal of any attempt to create discursive space between traditional political adversaries as an opportunistic cliché.[51] Nevertheless, the alliance was greatly facilitated by the trust built up for some time at least between two consensual leaders, Liberal Premier Tony Rundle and Greens leader Christine Milne. By contrast, the Labor minority government was notable for the extremely adversarial political styles of both Labor Premier Michael Field and Greens leader Bob Brown.

The longevity of the Labor–Green Accord suffered greatly from there never having been harmonious Labor–Green relations, from Labor assuming office having just hit an unprecedented electoral low, and from its determination to rebuild. Labor granted the Greens significant concessions in the document that formalised the Accord, as if that were its final dealings with them, Hay[52] argues, before settling down to govern alone. The longevity of the Liberal–Green alliance, on the other hand, which was more consensual, was still undermined by the different political styles, adversarial and consultative, of the respective parties, by their different

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[48] In *Minority Government & Multi-Party Politics: The Liberal–Green Experience In Tasmania*, K. Crowley and H. Felton (eds), *forthcoming*.

[49] Richard Herr observes that in 1989 the government had to change hence the need for formal agreement. In contrast, in 1996, the Liberal government simply stayed in office, which was entirely different (personal communication).

[50] Crowley 1996 op cit.

[51] N. Rothwell, 'Seeing Green', *Weekend Australian*, 11–12 April 1998 p. 20.

[52] P.R. Hay, 'Green Politics "in the system"', in J. Pakulski and S. Crook, 'Ebbing of the Green Tide? Environmentalism, Public Opinion and the Media in Australia', Occasional Paper Series No. 5, School of Sociology and Social Work, University of Tasmania, 1998 pp. 103–25.

visions, short term and long term, and their different philosophies. It was hard for the Liberals to disengage, as the Greens demanded, from adversarial politics as a zero-sum game of tactical advantage when Labor was approaching every issue as an opportunity to manoeuvre to rebuild its support. There were tough choices for the Greens, as well, between the environmental deal-making possibilities of being a minority government supporter so well exploited by the Accord, and the harder task of attempting to change a political mindset towards cooperative politics. The external negative pressures that adversely affected the alliance included pressure from negative media, from the business community, and, crucially, sustained pressure from Labor to reduce parliamentary numbers, in effect to wipe out the Greens.

There certainly had been a strong public expectation that parliamentary numbers would be reduced following the previous Liberal majority Government's awarding of a pay-rise of 40% to state parliamentarians which was to be in exchange for a reduction in the size of parliament. The Liberal–Green alliance inherited the legacy of a public angry that the pay-rise had been delivered in a climate of economic rationalisation, including massive public sector job losses, without any reduction, as promised, of parliamentary numbers. Reform was inevitable, then, and the Liberal Premier did initially advocate a reduction from 54 to 44 total members that would have kept the Hare–Clark electoral quota of 12.5% unchanged in the Lower House and was thus no threat to the Greens. Ultimately, however, it was Labor's model of 40 members that was adopted. This left 15 in the Legislative Council and 40 in the Lower House, the latter achieved by reducing the five by seven-member electorates to five by five-member electorates and by raising the electoral quota to 16.7%.[53] Under this reformed system, whilst the Green vote held steady at about 10.2% at the 1998 election, three of four Green seats were lost, in effect disenfranchised.[54]

The successful reform of state parliament achieved by an ultimately united Liberal–Labor push shows just how the consensualism of the major parties on key policy issues — economic reform and state development, for example — is not threatened by minority government where the major parties unite to outvote the Greens. In fact, Moon[55] has described the Greens in minority government as a parliamentary pole, rarely holding the balance of power, but more commonly opposing the major parties. The minority Liberal Government ended up voting on parliamentary reform with Labor because its budget and thus own reform agenda had been stalled by the combined opposition of Labor and the Greens to the privatisation of the state-owned Hydro-Electric Commission.[56] McCall[57] captures the minority Liberal

[53] Tasmanian Parliamentary Library, 1998 op cit.

[54] Crowley 1999 op cit; Tasmanian Parliamentary Library, House of Assembly Election Results 29 August 1998 http://www.parliament.tas.gov.au/tpl/Elections/e1998.htm (accessed February 2003).

[55] Moon op cit. p.157.

[56] Labor opposed the Liberal's state budget financing strategy that essentially rested upon the sale of hydro-electricity assets as a means of retiring debt, improving the economy and creating jobs. The Greens also opposed the sale, although they favoured a fifty-year lease option that was spurned by

Government's tortured efforts partially to sell Tasmania's 'infrastructure icon', the Hydro-Electric Commission, pursue its New Directions Strategy, restructure local government, and downsize state parliament. If these efforts were not enough to strain its relations with its Green partners, then its continuing efforts to attract grand resource-based development projects and to conclude Tasmania's contentious Regional Forestry Agreement certainly were.

Minority government performance and capacity

In keeping with Strom's analysis of minority government, it is clear that neither the Labor–Green Accord nor the Liberal–Green Alliance were durable arrangements, but were they innovative, reformist experiences with credible, albeit contested, legislative performances? Having characterised Green-minority government, examined the circumstances that led to its creation, and acknowledged the ideological strains of Green partners to government, I will now argue that Green-minority government nevertheless offers an opportunity for reform. It is fairly easy to dismiss the contrary argument, as Strom does, that minority governments are passive caretakers waiting for an opportunity to go to an election. But it is also clear that ideological polarity between the partners to government will frustrate the core agendas of both and that this is a particular problem in Westminster systems with their limited partnering opportunities for legislating innovative reform. There has been no empirical measurement of the performance and capacity of Tasmania's minority governments, so that most accounts remain partial and personal. In the cross-national context, Strom also finds no systematic studies of minority government performance, but he does note that government performance generally is typically measured by two criteria, stability and legislative capacity.

As we have seen, Green-supported minority government in Tasmania certainly does not measure up well in terms of stability, but what about in terms of legislative effectiveness? Again, there have been no empirical studies so it may be useful to consider the fate of what I will call *signature reforms*. These would be major reforms clearly associated with the formation of minority arrangements. For instance, the recent minority Victorian Labor Government was supported by three independents via a loose charter that establishes the parameters for their relationship with the government. In terms of signature reforms, this charter undertakes to address the democratic deficits left in the wake of Liberal Premier Kennett with respect to the office of the Auditor-General, freedom of information, upper house reform and fixed-term parliaments.[58] Perhaps the most significant

Labor almost as a matter of course. Assured that the Greens' bottom line was no outright sale of hydro assets, Labor unequivocally opposed the Government's strategy, thus pushing it into calling an early election (Crowley, 1999b, op cit, p. 186).

[57] T.J. McCall, 'Political Chronicles — Tasmania: July to December 1997', *Australian Journal of Politics and History*, 44(2) 1998 pp. 298–308.

[58] J. Waugh, 'State wakes to fresh consensus: experience shows minority government can work', *Australian*, 19 October 1999, p. 15.

reform achieved by the Government has been at the behest of independent Craig Ingram, who pioneered an intergovernmental deal between NSW, Victoria and South Australia to return the flow of the Snowy River from 1% to 21% and ultimately 28%.[59] Similarly the minority South Australian Labor Government is supported by two Liberal defectors, via a compact modeled on the Victorian charter, in return for a significant, deliberatively driven, parliamentary reform.[60]

Green–Pedersen offers economic capacity as the signature reform by national minority governments in Denmark, and shows how a minority situation may enable rather than disable the legislative effectiveness of government. From being on the brink of an economic abyss in the early 1980s, Denmark is now celebrating the economic miracle that has been achieved over the last twenty years by continuous minority governments of both the left and the right.[61] The secret to this success, Green–Pedersen argues, is the break down in the political polarity of the parliament between the major parties that has facilitated multi-party politics and the making of ad hoc agreements with changing coalitions. He concludes that 'the effectiveness of minority governments depends on their flexibility, which again — apart from depending on parliamentary norms — depends very much on developments within the party system'.[62] As mentioned, Tasmania has an electoral system of proportional representation that has left it with the highest incidence of minority governments in Australia, but that has encouraged non-aligned issue-based independents with identifiable personalities and localised interests. Before the rise of the Greens, multi-party politics failed to emerge, Townsley argues, because of the lack of political space between the State's two moderate, conservative political parties.[63]

Pre-Green, consensual minority regimes in Tasmania, Moon's ersatz majoritarian regimes, enjoyed high legitimacy, stability, effective consensus-building and legislative capacity. It is the more recent Green-supported conflictual minoritarian regimes that have not enjoyed such legitimacy, stability, consensus-building or legislative capacity. Nevertheless, their reform performance has been impressive. The signature reforms of the Labor–Green Accord minority government were set out in a formal written agreement that included a commitment to stable government and a reiteration of Labor's reform agenda.[64] In terms of environmental reforms, the Accord delivered policy initiatives here including the declaration of the Douglas-

[59] A further AUD$2 million environmental restoration program has been initiated to return the Snowy River to its natural health, with a total rehabilitation over 50 years estimated to eventually cost AUD$25 million (A. Crossweller, 'Movement at the station', *Weekend Australian*, 20–21 April 2002, p. 25).

[60] H. Manning, ''Unexpected Stability in South Australia', *Australian Policy Online*, 17 June 2002. Available online: http://www.apo.org.au/webboard/items/00034.html 18 June 2002.

[61] Of the 25 postwar Danish governments, only three have been majorities (Strom op cit, p. 105).

[62] Green-Pedersen, op cit., p. 66.

[63] W.A. Townsley, *The Government of Tasmania*, University of Queensland Press, St Lucia, 1976.

[64] See Haward and Smith, 1990 p. 209.

Apsley National Park, significant extensions to south-west World Heritage area, the halting of a major proposed pulp mill, planning and process reforms.

By contrast, the minority Liberal Government offered no formal accord agreement, so its environmental reforms were less apparent, and were limited to continuing refinement of administrative developments set in train by the Accord, and the development of State policies. The Greens also claim the declaration of new national parks and forest reservations, the deferral of logging in some contested areas, and the clean green policy direction adopted by the minority Liberal Government's Directions agenda as significant achievements.[65]

Both Green-supported minority governments also achieved what I will call *consensual process reforms*, in the Accord's case again mainly up-front by written agreement, and in the Alliance's case by both agreeing governing parameters up-front and by continuing negotiation. In the Accord's case, there was written agreement on fixed four year parliamentary terms, freedom of information, equal opportunity, access to Government by the Greens, their role in parliament, processes for resolving forestry disputation, local government reform and so forth.[66] The minority Liberal Government agreed to the Greens' request for an all-party forum that set process parameters including the televising of State parliament, the review of standing orders to achieve decorum in debate, conflict resolution measures, and procedures for bringing on Green bills.[67] The Greens also cite the Alliance's achievements as including gun law reform, gay law reform, an apology to the Tasmanian Aboriginal community's stolen children by the Tasmanian Parliament, and the disaggregation of the Hydro-Electric Commission (HEC). In terms of achieving core agendas, however, both the Accord and the Alliance were frustrating experiences for all the parties involved as the premature collapse of both arrangements clearly attests.

There is a final reform style witnessed by these arrangements, and critical to its collapse, that I will call *crash through or crash reforms*, after Haward and Zwart[68] who use this terminology in the local government context. These are the reforms that break minority governments. The Accord thus collapsed over the minority Labor Government's proposed resource security for the forest industry, and the alliance over the minority Liberal Government's proposed sale of hydro-assets in order to retire debt and finance the budget. These reforms were always going to crash rather than crash through with the Greens already struggling, as minority partners with no legislative capacity of their own, to make the kind of environmental difference that their supporters expected.[69] Interestingly, Labor

[65] Buckman op cit, p. 12.
[66] G. Bates, 'What If We Had Not Signed the Accord?' *Daily Planet*, June 1990 p. 9.
[67] C. Milne, 'Long Live Minority Government: All Party Forum Delivers Many Gains', *Daily Planet*, no. 42, May-June 1996 p. 6.
[68] M. Haward and I. Zwart, 'Local Government in Tasmania: Reform and Restructuring', *Australian Journal of Public Administration*, 59(3), 2000 pp. 34–48.
[69] Crowley 2000, op cit.

gambled rightly that it could gain Liberal support for its forest measures before losing government, but the Liberals gambled wrongly that the favour would be returned over the sale of the HEC. The most successful example of this sort of crash through reform was economic reform by the minority Labor Government closely identified at the time with the Greens. In the long run this economic reform has proved Tasmania's salvation but at the time was enormously resented, with the Greens most critical of cuts to education and the closure of regional schools.[70]

Conclusions

Do minority governments offer windows of policy opportunity then, and are they worth the stressful effort and strained relations of partnering with ideological opponents such as the Greens? I have argued that these governments have been positive vehicles for policy change in Tasmania for facilitating reform and for transcending the conservative policy mindsets and practices of the major parties. They have delivered on the environment in particular in terms of enhanced protection notwithstanding the unresolved debate over the clear felling of Tasmania's remnant old growth forests. The fact that minority arrangements have not been able to deliver change on this is instructive of the capacity of minority government when the major parties chose to vote together against the Greens. Minority situations *are* critical times. They make government vulnerable. But there *is* an invaluable intersection of 'problems with solutions with favourable politics' that Kingdon sees as a policy window. We have seen that these arrangements have been short-lived, foundering on principle, as such arrangements are wont to do with Green partners, when the minority government challenges its partners on core issues. The strain of such government shows in its instability, but its benefits are shown in its productivity. The experience of Green-supported minority government in Tasmania has indeed added justification to Strom's and Green–Pedersen's case that challenges the conventional wisdom about minority governments as weak in terms of governing capacity. ▲

[70] Haward and Lamour, op cit.