

Fair elections and ethical parties

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The 'Fair Elections and Ethical Parties' conference was held at Monash University in Caulfield, Melbourne, on Friday 23 February 2001, as part of a series of 'Good Governance' conferences conducted by the University and the Lions Club of Melbourne. It proved an opportune time to reflect on electoral issues in the wake of the state elections in Western Australia and Queensland and the Shepherdson inquiry into electoral rorting in Queensland.

Professor Colin Hughes (School of Political Science and International Studies, the University of Queensland) gave the opening address on 'Electoral Fairness and Ethics'. His comprehensive analysis of the components of the electoral system such as rules, electors, candidates, campaigns, ballots and dispute mechanisms laid a solid foundation for conceptualising ethical dilemmas. In conclusion, Professor Hughes highlighted the difficult task of the electoral system to deliver governments which are perceived as resolving problems, or at least attacking them with commitment: 'Thus making understood how it [the electoral system] works, what it can and cannot do, is a necessary start. The usual suspects — civic education, consultative machinery, transparency, ethical integrity — should be rounded up.'

Graeme Orr (Law School, Griffith University) spoke on the topic of 'Dealing in Votes: Regulating Electoral Bribery'. He attributed the decline of direct forms of bribery in the 19th and 20th centuries to the secret ballot, expenditure restrictions, mass extension of the franchise and compulsory voting. But the boundary between legitimate campaign dealing and improper inducements remains blurred, as Mr Orr demonstrated by reference to incidents of pork-barrelling, preference deals and aggressive promotions in Australian politics in recent decades.

Representatives from the Victorian branches of the Australian Labor Party, **Bob Hogg**, the Australian Democrats, **Senator Lyn Allison**, and the Liberal Party of Australia, **Dr Peter Poggioli**, articulated 'The Party View'. Mr Hogg and Senator Allison endorsed the external regulation of political parties and tightening of the laws relating to

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disclosure of campaign donations. Mr Hogg advocated that public and private funding should be contingent upon the capping of campaign expenditure, while Senator Allison called for the publication of donors who contribute more than \$10,000. Mr Hogg questioned the ability of politicians to judge each other when allegations of abusing privileges are made. Citing the Peter Reith 'phone card' affair last year, he raised the concept of an ethics commission, distinct from bodies like the Criminal Justice Commission in Queensland or the Independent Commission Against Corruption in New South Wales, to handle such complaints. Senator Allison suggested that the Australian Electoral Commission could be empowered to investigate breaches of party constitutions, and perform dispute resolution once internal options were exhausted. Other aspects of the Democrats' program of electoral reform outlined by Senator Allison included mixed member proportional voting, four-year terms, and granting prisoners the right to vote. Dr Poggioli emphasised the need for parties to impose higher standards on themselves, identifying and addressing problems from within. He favoured more stringent codes of conduct in preference to external regulation.

The next speaker, **Gary Johns**, was member for the seat of Petrie from 1987 to 1996 and a minister in the Keating Labor government, but has since become an academic and is completing a PhD with the Department of Government at the University of Queensland. In his address on 'Parties, Probity and Preselection', Mr Johns evaluated the electoral reform package announced by Queensland Premier, Peter Beattie, before the February 17 state election. Mr Johns agreed with the formation of a new ALP disputes tribunal but criticised the proposal for the Electoral Commission of Queensland to supervise party preselection ballots. Such a move could result in the sole supervision of the ALP, because it has the toughest membership requirements for voting in preselections and appears to have been most prone to manipulating the electoral roll. Instead, Mr Johns recommended changing the ALP rules. A significant omission of the reform package, according to Mr Johns, is the need to reduce the bloc voting power of the union factions, which were the perpetrators of the electoral rorting examined by the Shepherdson inquiry.

The last section of the conference revealed an American influence. **Dr Ken Coghill**, former Speaker of the Victorian Parliament and now at the Parliamentary Studies Unit, Monash University, addressed the topic 'Let the People Decide: Primaries for Preselection?' Troubled by the narrow, easily corrupted method of candidate selection in Australia, Dr Coghill believes consideration should be given to running 'primaries' before general elections. This system would involve electors registering to vote in primaries for candidates who have volunteered and gained a specific quota of nominations. The advantages of such a system include greater democratic participation and reduced incentive for unethical conduct. However, Dr Coghill conceded that the American style of primaries requires massive financial outlay by the individual candidates, which in turn can favour wealthy candidates, give generous donors too much influence, and cause a disproportionate focus on fundraising rather than policy development. The challenge, therefore, would be to implement a means of limiting costs.

Dr Ray Nichols (Monash University) considered the topic 'Hail to the Thief: was Gore Robbed?' and concluded 'probably yes'. His analysis of the 2000 American presidential election, particularly the result in Florida and the intervention of the US Supreme Court in the attempted recount, cast doubt on the objectivity of the process. The partisan status of key players, such as the State Governor, who has the right to validate an election

result, and the Chief Electoral Officer of Florida, who was also the Republican campaign manager in that state, provided a marked contrast to the Australian electoral system.

Professor John Warhurst (Australian National University) reviewed the day's sessions and answered the question 'Are Ethical Politics Possible?' with a 'qualified yes'. His wish list for the future included greater public participation in politics, larger party memberships, and a renewed focus on individual responsibility rather than the enforced regulation of conduct. ▲