

RECOMMENDATIONS

The platform of the ALP states that one of the objectives of the Party is "free election under universal, adult and secret franchise, with government by the majority, with recognition for the rights of minorities". The fulfilment of this Objective is clarified by para. 27 of Section 4 which calls for "the reform of electoral laws to ensure the principle of one-vote one-value." In the Introduction to this Section the platform states that "Labor is committed to constitutional, legislative and administrative reforms for the purpose of achieving democratic government and a responsive national Parliament ..."

The single-member constituency system, an anachronistic legacy of British tradition and hegemony, has failed to provide the means by which these principles of the Labor platform can be realised. We have had government by the minority, we have had little recognition of minorities' rights and we have not seen elections based on one-vote one-value. Nor, as has been shown, is the single-member constituency system capable of providing these ends. Some measure of proportionality must be introduced into the electoral system for the House of Representatives. At the same time, steps must be taken to secure the democratic rights of people to have their political will expressed and credited, by reducing informality, eliminating the financial and media bias in favour of the conservatives, and removing those other matters leading to confusion and frustration of which the conservative forces take electoral advantage.

The purpose of this paper is to show how an electoral system can make every vote as effective as possible. No one vote should have greater or lesser value than another. The existing system places a higher or lower value on a vote depending on where a person lives. A non-metropolitan vote has more value than a city vote. A regional voter has more importance

than voters spread among a number of urban areas. A system can be initiated that reduces these inequalities - that equalises votes - that makes every vote effective in the way a government is elected.

The major change needed then is a radical one. It would involve an injection of proportionality into our electoral system along the lines of those possibilities outlined above. Many other reforms would be concomitant to this radical change, and others are also proposed. In the light of the success and acceptance of the Tasmanian Hare-Clark system, and of the familiarity that exists already in the federal sphere with the Senate system, it is believed that these offer the best examples on which a system for the House could be built, using also the circumstances that currently exist with the election of the House.

Connections between members and their constituents and electorate would be maintained by combining current electorates and using, where possible and to begin with, current boundaries. Representation of various areas within the constituency would be maintained through local selection of candidates to represent particular areas. This occurs in practice in any case in order to secure local support.

Problems of scale, including the enormous distances in some country electorates, would be recognised by situating larger-seat constituencies in areas of greater population density and vice-versa: indeed, the average area of responsibility of members representing the largest electorates would be substantially reduced by the combinations of the largest electorates with smaller ones. Nevertheless, the ratio of electors to each representative would be the same whether in a 3-member or a 5-member constituency.

An Electoral Commission would be guided by terms of reference, in a similar manner as it is now, in drawing up boundaries for multi-member constituencies based on Constitutional requirements for States' representation,

geographical considerations, demographic trends, current boundaries, community of interest, population density and other well-established constituency characteristics, with a population tolerance between electorates of 5 per cent.

Such an Electoral Commission would be independent, public, and permanently constituted, and would enjoy the support of the Parliament. The Electoral Commission would keep electoral boundaries under constant review, would monitor electoral advertising and procedures, and electoral expenditure and oversee the Electoral Act generally. The Electoral Commission would be so constituted and the terms of reference so explicit that gerrymandering and malapportionment would be effectively eliminated.

The advantages of such an electoral system have been clearly expressed many times, both in debate and in practice. Voters in multi-member electorates would always have a representative to consult, with whom they shared political beliefs; there would be a connection between members and their constituencies; and the democratic will of the voters would be reflected more proportionately in the numbers of representatives. Yet there could not be a proliferation of parties represented in Parliament, and a government would be assured of a clear, stable, (but not inflated) majority.

Coupled to this is a recommendation for the introduction of optional preferential voting for both Houses and of allocation of seats by quota for the new multi-member constituencies. The minimum number of votes to be marked would be the number of vacancies to be filled plus one (similar to the New South Wales Local Government voting requirement), with the proviso that a vote would be valid while the voters' intention was clear. This would bring about a marked reduction in informal votes.

Casual vacancies would not necessarily require a by-election, but rather could be filled by a count-back method of the original voting, and ensuring a member of the same party would fill the position. Alternatively, this same

result could be obtained by using the co-opting method now prescribed (by the Constitution) for the Senate. Party affiliations would be attached to candidates' names as is the practice almost universally, thus eliminating a practice based on a legalistic interpretation of the Constitution (and, in any case, negated by the Constitutional amendment of 1977 concerning casual vacancies) and used by the conservatives against the Labor Party.

Candidates' names on the ballot paper would be drawn by lot to reduce the effects of the unconsidered vote and its cynical abuse, and this would continue to enable parties to circulate "how-to-vote" cards, which are a traditional and desirable feature in Australian elections. Most Australians prefer to vote for parties than mere candidates and in any new system it will be necessary to help such voters.

Nominations for candidacy would need to be accompanied by substantial community support, but not necessarily by greatly increased financial commitment.

Public funding for political campaigns would be introduced and significant donations to political parties publicly disclosed. Election advertising would be limited. These issues are the subject of investigation and action elsewhere, but the principle is established.

There is also a strong feeling in favour of four-year fixed terms for the House of Representatives, and the proposal is under investigation by several groups and individuals. One of the problems involved is the constitutional requirement for rotating Senators each three years. The Constitution would need to be changed to either a simultaneous term with the House of Representatives for all Senators, or four-yearly rotation of Senators elected for eight years. A possible alternative would be a Senatorial term equal to two House terms of whatever length.

Consideration would also have to be given to the provisions for a deadlocked Parliament in the Constitution and their relevance to a fixed term, and this too is being considered carefully.

Firstly, legislative - the Parliament:-

The implementation of all proposals, except fixed four-year terms and increasing the size of the House, is possible through amendment to the relevant Act - the Commonwealth Electoral Act. The terms of reference to the Distribution Commission will be altered to provide for 2 divisions returning three, four or five members each (except for the Northern Territory). The printing of the ballot paper for the election of the House will be altered to provide for optional preferential voting. The printing of party affiliations against the candidates' names will be provided for, and the provision for alphabetical order of the ballot paper will be replaced by the drawing of lots for the places. The method of counting and allocating of seats for the House of Representatives will be altered along the lines of the method currently prescribed (in the Act) for the Senate. This amending legislation will be required to pass both Houses of Parliament.

Secondly, legislative - the Senate:-

After July, 1981, the opportunity will present itself in the Senate for certain initiatives to be taken in the field of electoral reform. Firstly, legislation as outlined above could be introduced in order to create a climate of support for reform and to place the Government on the defensive. It would have a good chance of being passed thus forcing the Government into the position of rejecting it in the House. Secondly, legislation submitted by the Government for redistribution of current electorates (if required by some later shift as expected) could be rejected by the Senate, thus forcing the Government into a crisis situation involving electoral reform. Section 14 of the Commonwealth Electoral Act provides for a State to be treated as one electorate at large