

Independents in Federal Parliament: A new challenge or a passing phase?*

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‘Politics just *is* the game played out by rival parties, and anyone who tries to play politics in some way entirely independent of parties consigns herself to irrelevance.’¹ The total dominance of Australia’s rival parties has altered since Brennan made this statement. By the time of the 2001 federal election, 29 registered political parties contested seats and while only the three traditional parties secured representation in the House of Representatives (Liberals, Nationals and Labor) three independents were also elected.

So could we argue that the ‘game’ has changed? While it is true that government in Australia, both federally and in the states and territories, almost always alternates between the Labor Party and the Liberal Party (the latter more often than not in coalition with the National Party), independent members have been a feature of the

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¹ G. Brennan, *The Paradox of Parties: Australian Political Parties in the 1990*, Sydney, Allen & Unwin, 1996: xv.

parliaments for many years, particularly at the state level.² Over the last decade or so independents have often been key political players: for a time, they have held the balance of power in New South Wales, Victoria, Queensland, South Australia, Tasmania and the Australian Capital Territory. More generally, since 1980 an unprecedented 56 independents have served in Australian parliaments. In 2004, 25 of them were still there. This is more than six times the number of independents elected in the 1970s. New South Wales has been the most productive jurisdiction during that time, with fourteen independent members, and Tasmania the least, with only one. Size of state is not, however, of great significance. Six independents have been elected in South Australia since 1980—twice as many as have come from Victoria. A geographical pattern is clearly evident in the fact that between 1980 and 2003, no fewer than 33 independents (almost 60 per cent) won regional or rural constituencies.

Now Australia is home to more non-party independent parliamentarians than any other comparable Western country. This is curious since our political system has been characterised regularly as two-party dominant and highly stable. In the remainder of this paper, I explore this independent phenomenon, and seek to answer three questions: to what extent can this ‘rise’ in independents be thought of as something new on the Australian political landscape; what are the factors that have produced the change; and do independents constitute a significant challenge to the Australian party system?

An overview of independents past and present

Historically, independents have been more important than is generally recognised: two of them brought down a federal government in 1941 and from the late 1930s to the 1960s successive Liberal Country League governments in South Australia were dependent on independent support to stay in office. The very first federal election of 1901 saw Alexander Paterson chosen as an independent for the north Queensland seat of Capricornia; and the longest-serving independent, Tom Aikens, represented Townsville South in the Queensland parliament from 1944 to 1977.

When white women were granted the vote in federal elections in 1902, many were skeptical of political parties. While the party system was not fully developed until 1910, it was significant enough for a number of suffragists to respond with strong anti-party sentiments, regarding the system as being designed by men to support men’s interests, leaving little room for women’s interests to be adequately represented within party platforms. Vida Goldstein and Rose Scott, active campaigners for women’s suffrage and political equality, expressed strong concern over the need to maintain a distance from party politics. This anti-party positioning was expressed in the newspaper *Woman Voter*, and within specific women’s organisations that had been created to educate women on the power of their vote and how they might use it in a discriminatory manner.³ Goldstein herself stood as an independent in 1903 for the Senate (and contested four more elections as an independent until 1917).

² *Rebels with a Cause*, op. cit.; J. Moon, ‘Minority government in the Australian states: from ersatz majoritarianism to minoritarianism?’ *Australian Journal of Political Science*, vol. 30, Special Issue, 1995: 142–163.

³ Anne Summers, *Damned Whores and God’s Police*, Ringwood, Vic., Penguin, 1994.

Even after the introduction of compulsory voting in 1925, women voters did not commit themselves whole-heartedly to the two-party system. At the 1931 and 1934 elections women's support for Labor reached its lowest levels ever (28 per cent and 26 per cent respectively), while at the same time, women's support for independent and non-major party candidates increased significantly. In the 1943 election, a record number of women nominated as candidates, 18 of whom stood as independents, while almost 20 per cent of women voters supported non-major party candidates.⁴

While women continued to stand as independents, both federally and at the state level, they were seldom successful. But in recent decades, this trend has changed, at least at state and territory level. Independent women have increased their parliamentary presence significantly: of the 40 independents elected since 1988, 11 have been women (27 per cent). The first, and to date only, woman elected to the federal parliament as an independent was Doris Blackburn who won at the 1946 federal election as an Independent Labor candidate.⁵

Like the suffragists, many in rural and regional Australia also believed the party system would favour a particular set of interests: in their view, those of the city; and so without 'independent' representation, rural needs and values would be overlooked. Instead of running as independents, the Country Party was formed in 1913. And either alone or in coalition governments, the Country Party was for a long time very successful in achieving its objectives. Yet as we shall see, it is the modern version of the Country Party, the Nationals, that has become most susceptible to the challenge of independents.

So while major parties have constituted the main game of Australian politics for a century, there has always been a strong anti-party mentality within sections of the community. As early as December 1904 the *Bulletin* magazine predicted that the satire of Party Government would threaten the virtue of the fair maiden Federation⁶ and in the 1930s there was an outbreak of what Peter Loveday termed 'anti-political political thought' contemptuous of both parties and democracy.⁷

Politicians of all parties currently suffer very low ratings for ethics and honesty and voters don't express great confidence in the parties themselves. According to opinion polls in Australia in 1999, less than a third of respondents felt that the Government was doing 'a good job', while almost half said they did not trust the current government.⁸ While this level of distrust in government had declined by 2003,⁹ politicians as an occupational group are ranked poorly by respondents. In 1998, only 7

⁴ J. Curtin, 'White women and the Commonwealth vote: 1902–1949: challenging the idea of women's conservatism' in J. Chesterman and D. Philips, eds, *Selective Democracy*, Melbourne, Scribe, 2003.

⁵ *Rebels with a Cause*, op. cit., 2004.

⁶ B. Costar and D. Woodward, 'The Party and Electoral Systems' in J. Summers, D. Woodward and A. Parkin, eds, *Government, Politics, Power and Policy in Australia*, 7th ed., Frenchs Forest, NSW, Pearson Education Australia, 2002, p. 154.

⁷ P. Loveday, 'Anti-political thought', *Labor History*, vol. 17, Nov. 1970: 121–135.

⁸ Morgan Poll, Finding No 3280, 2000.

⁹ C. Bean, 'Is there a crisis of trust in Australia?', in S. Wilson, G. Meagher et al., eds, *Australian Social Attitudes. the First Report*, Sydney, UNSW Press, 2005.

per cent of respondents believed that Members of Parliament were of high or very high standards of honesty and ethics.¹⁰ In terms of vote, trust in the major parties could be in decline if measured by the percentage of primary vote: at the 1987 federal election the two parties accounted for 92 per cent of the vote in the House of Representatives; by 2004 this had fallen to 84 per cent.

Inglehart has argued that the decline in support for established political parties reflects a broader decline in respect for all authority, which is a result of attitudinal change amongst much of the voting public. There is now a cohort, he argues, who take economic prosperity for granted and focus instead on politics and quality of the physical and social environment. These voters have become more critical of how governments manage quality of life issues.¹¹ In a comparative analysis, Inglehart argues that while there is decline in support for established parties, there is not a decline in political interest. Rather, established political parties have lost the capacity to mobilise a significant minority of voters.

While the Australian Democrats and the Greens are the target of much of this analysis, these parties have been largely unsuccessful in representation in the House of Representatives. Yet independents, who have seldom attracted academic attention, have proved successful, with eight elected to the federal lower house in the last 15 years (compared to 13 for the 90 years before that). Moreover, while almost half of those independents ever elected have only lasted one term, five of the eight recent federal independent representatives have had at least two terms, and three of the five have been elected by rural constituencies.

Why the recent change?

I suggest there are three broad reasons why independents have emerged as successful against the major parties in recent years. First, over the past three decades Australian governments have largely abandoned traditional rural policies and now require regional communities to take more responsibility for their own sustainability. Combined with a major restructuring of the rural economy, unreliable commodity prices and rising production costs, this shift has denied the benefits of an otherwise healthy national economy to some parts of rural Australia.¹² As the federal leader of the National Party, John Anderson, observed in 1999:

The sense of alienation, of being left behind, of no longer being recognised and respected for the contribution to the nation being made, is deep and palpable in much of rural and regional Australia today.¹³

Although they earned him a public rebuke from the prime minister, John Howard, Anderson's sentiments have been echoed by many regional dwellers who expressed a

¹⁰ This had increased to 13 per cent in 1999 but it did not increase politicians' overall ranking of 23 out of 27 occupations (Morgan Poll, 2000).

¹¹ R. Inglehart, 'Postmaterialist values and the erosion of institutional authority' in J. Nye, et al., eds, *Why People Don't Trust Government*, Cambridge Mass., Harvard University Press, 1997, p. 220.

¹² B. Pritchard and P. McManus, eds, *Land of Discontent*, Sydney, UNSW Press, 2000.

¹³ J. Anderson, 'One Nation or two? Securing a future for rural and regional Australia.' Address to the National Press Club, Canberra, 17 February 1999.

distrust of political parties and politicians (though local politicians were often exempt from this negativism) and a willingness to vote for independents.¹⁴ For example, since Anderson's 1999 speech, the National Party has lost two federal and six state seats to independents. Despite being the party of regional Australia for 90 years, the Nationals' primary vote in its rural heartland declined from 26 per cent in 1984 to 18 per cent in 2001. The electoral attractiveness of One Nation and non-party candidates, tempting voters to abandon their long-held political affiliations, is partly the product of a dislocation of the settled patterns of rural life and the feeling among some voters that 'their' parties have forgotten them.¹⁵

Second, while overall support for the major parties is in long-term decline, the control those parties seek to exert over their parliamentarians has rarely been greater. By adopting neo-liberal ideology and policies, the Liberal, Labor and National parties have rendered some of their local MPs—who, of course, are required to advocate often-unpopular party dogma—electorally vulnerable to independents that are free from any party discipline. This has been particularly difficult for National MPs who have been bound within a Coalition constantly dominated by Liberals, and which often precludes them from breaking ranks, particularly if they want to have a political career.

Successful independents are keen to attribute their successes to voter alienation from the two-party system. 'Independents are growing in numbers as a result of disillusionment with the party system,' according to Dawn Fraser, one-time Olympic swimmer and member for Balmain, 1988–91,¹⁶ while Robyn Read, independent member for North Shore over the same period noted: 'people reject the traditional behaviour of party politics, with their secrecy and centralisation of decision-making.'¹⁷ Bob Katter, a successful independent candidate at the 2001 federal election, was a former state minister who had been the member for the Queensland federal seat of Kennedy since 1992. Katter had resigned from the National Party four months earlier in protest at the leadership of John Anderson and the party's support for the sale of Telstra. There was strong local support for his decision, with one constituent describing him as 'one of the hardest-working politicians around and has always done the right thing by us.'¹⁸ Yet even before his decision to become an independent, Katter was seen as being independent from party discipline:

In the electorate he'd be the most popular person. All sides of politics would vote for Bob Katter because what he says is what he'll stand up and fight for until the next election, irrespective of the party machine and that will always keep him there, because he's getting votes from all sides.¹⁹

¹⁴ J. Curtin, *The Voice and the Vote of the Bush: the Representation of Rural and Regional Australia in the Federal Parliament*, Canberra, Dept of Parliamentary Services, 2004.

¹⁵ Ibid.; M. Goot and I. Watson, 'One Nation's electoral support: Where does it come from? What makes it different and how does it fit?' *Australian Journal of Politics and History*, vol. 47, no. 2, 2001.

¹⁶ D. Fraser, *NSWLA Parliamentary Debates*, 23 August 1988: 374.

¹⁷ R. Read, *NSWLA Parliamentary Debates*, 1 December 1988: 4296.

¹⁸ 'Heartland won't bypass rebel' *Australian*, 9 July 2001: 2.

¹⁹ Curtin, 2004, op. cit.

Thirdly, like Katter, most other independent electoral victories have occurred in formerly ultra-safe Coalition seats and have been the product of huge shifts in voter preferences. Tony Windsor, for example, won the National Party seat of Tamworth at the state level in 1991, with a swing of 40 per cent. In 2001, Windsor then stood as an independent in the federal seat of New England and received 45 per cent of the primary vote (58 per cent two candidate-preferred). Cavalier²⁰ has argued that these sorts of wins are possible because in order to win national majorities the major parties have to paint 'big pictures', which gives independent candidates the chance to win seats by appealing to the regionalism 'of the local borough'. Ted Mack was more brutal, arguing that the parties were vulnerable to independents such as himself because they had deserted their philosophies in a 'scuffle for the middle ground and power'.²¹ Another successful independent, Peter Andren, has asserted that the big parties frame regional policies 'on marginal [city] seat mentality' and that this loses them support in the bush.²² It seems that attempts to become 'catch-all' parties²³ may be accompanied by a risk of isolating the traditional and particular interests that once attracted voters, while analysis seems to indicate that voters get value for their vote in terms of better constituency service. Moon argues that independent representatives believe that 'extracting particularistic benefits for their constituency', is important their re-election prospects.²⁴

In addition, and rather ironically, although it was designed by and for major parties, Australia's electoral system of compulsory, preferential voting in single-member districts aids the cause of independents. Those voters disillusioned with their traditional party of choice are compelled to vote; Labor and the Coalition are more likely to direct preferences to independents than to each other; and, unlike some proportional systems, electorates are small enough to allow a candidate without the support of a party machine to assemble sufficient primary votes to win.

Sharman and Sayers²⁵ have highlighted the importance of the federal system on the preferences of voters, in that it provides citizens with the opportunity to use state and federal elections to flag different sets of political interests. Moon's work has highlighted the number of independents that have been seen at the state level since federation, and their impact in recent years in terms of minority government formation has been significant.²⁶ This is yet to happen at the federal level, indeed may never happen to the same extent, since it is difficult for non-party candidates to become known around the sizeable rural electorates that exist at federal level, without being a 'local notable', a defector, or someone with a previous political career (which has been the career trajectory of the three current independents). However, it is possible that voters may learn from their (positive) experiences of voting in an independent at state level and transfer this experience to the federal level.

²⁰ R. Cavalier, 'Independents' Day' *Australian Left Review*, May 1990: 9 and 45.

²¹ T. Mack, NSWLA *Parliamentary Debates*, 10 November 1984: 392.

²² Quoted in *Rebels with a Cause*, op. cit., p. 18.

²³ D. Jaensch, *The Australian Party System*, Sydney, Allen and Unwin, 1983.

²⁴ Moon, 1995, op. cit., p. 148.

²⁵ C. Sharman and A. Sayers, 'Swings and roundabouts? Patterns of voting for the Australian Labor Party at state and commonwealth lower house elections, 1901-96', *Australian Journal of Political Science*, vol. 33, no. 3, 1998: 329-341.

²⁶ Moon, 1995, op. cit., p. 148.

Independents as challengers?

Ian Marsh once noted:

The habits and practices of two-party politics are deeply ingrained. Those most ambitious for power have the deepest stake in current arrangements. The only hope is for new political forces outside the existing structure of party politics The renovation of our present political policy-making system is a potential unintended consequence of the rise of independents.²⁷

So are we in a period of transition where the traditional parties may be subsumed in a new, multi-party configuration, or at least be required to play the electoral politics game differently?

It is often argued that for independents to have any real impact, they need to hold the balance of power, as Senator Harradine did at several points in time during his 30 years as an independent senator for Tasmania. Hung parliaments or minority governments have often occurred at state level, with varying degrees of success. In the lead up to the 2001 election, media analysis suggested: 'there is growing evidence of a new mood in Australian electorates—one that sees voters prepared to elect Independents as their political representatives.'²⁸ In 2004, the rhetoric and speculation went further, with numerous assertions that a hung parliament might well result.²⁹ Not all of the commentary was merely speculative, with the *Age* referring to the possible Independents as 'King-makers', including a discussion of how the existing Independents would vote should a minority government result.³⁰

Political history suggests a hung parliament in 2004 was an unlikely outcome. The closest Australia has come to this federally since 1940 was in 1961 when the ALP won 60 seats and the Coalition 62. Since then, the difference in the percentage of the two party-preferred vote won by the major parties has often been very small but the majoritarian electoral system has ensured the percentage of seats won is inflated. Despite this, the hung parliament outcome was canvassed on the basis that, in addition to the three incumbent independents being re-elected, three other non-party candidates might also win: Peter King in Wentworth; Brian Deegan in Mayo and Michael Organ (Greens) in Cunningham. At one point Prime Minister Howard also raised the issue by appealing to voters to choose either one of the major parties: 'we want a decisive poll ... we don't want a parliament in the hands of Independents.'³¹

While independents have been better represented than minor parties in Australia's lower houses, history still shows that there have been very few of them. It remains very difficult for an independent to get elected not only because of the majoritarian electoral system, but also because the rules of the 'party system' more generally have

²⁷ I. Marsh, 'Two-party politics and the welcome rise of the independents.' *Canberra Bulletin of Public Administration*, vol. 60, Feb. 1990: 24–27.

²⁸ ABC, 30 July 2001.

²⁹ ABC Lateline, 4 October 2004; A. Crabb, *Sunday Age*, 5 September 2004: 8; R. Fitzgerald, *Australian*, 16 September 2004: 13.

³⁰ *Age*, 9 October 2004: 11.

³¹ J. Howard, *Weekend Australian*, 2–3 October 2004: 9.

been designed in such a way that privileges parties over individuals. Federally and in some states the electoral procedures discriminate directly or indirectly against independents in a number of ways: unlike their party counterparts, they are denied access to the electronic version of the electoral roll; the donations they receive are not tax deductible; and they may not run lotteries to raise campaign funds. Independent candidates do have access to public funding for electoral campaigning, but sometimes on terms less favourable than those enjoyed by the parties. In New South Wales, for example, independents do not have access to the quaintly named Political Education Fund, which between 1994 and 2003 allocated \$12.5 million to the Labor, Liberal and National parties. These funds are not used for 'education' purposes, the *Sydney Morning Herald* reported on 25 May 2003, but 'by parties to finance their administration'.³²

Independents may not constitute a significant, ongoing, challenge to the party system, there is evidence to suggest the Coalition, and particularly the Nationals, regard independents as serious challengers. A common tactic of major party leaders is to warn that a vote for an independent will be wasted because he or she will never be in government to deliver benefits to their constituents, and this rhetoric featured again in 2004.³³ That this strategy can be counterproductive was well illustrated in 2001 when, just before the election, Prime Minister Howard issued an 'impassioned plea' to voters not to support independents.³⁴ He delivered this speech in the New South Wales federal electorate of New England, where a week later independent Tony Windsor took the seat from the National Party.

Attempts to overcome Windsor's success continued prior to the 2004 election. Windsor maintained that Nationals leader John Anderson was being seen more often in the electorate of New England than in Anderson's own neighbouring electorate of Gwydir.³⁵ Then, during the campaign it was alleged that Windsor had been offered a diplomatic post as a means of getting him to leave politics. An official complaint by the Labor Party was lodged with the Australian Electoral Commission and Tony Windsor was ultimately re-elected with an increased majority of 13 per cent (71.2 per cent of the two candidate preferred vote).

The controversy over events in New England before the election escalated on 17 November 2004 when Tony Windsor rose in the House of Representatives Adjournment Debate and recounted details of a conversation with a Tamworth businessman, Greg Maguire, at 10.30am on 19 May 2004.³⁶ Maguire, claimed Windsor, told him: 'John Anderson was paranoid about me and the demise of the Nationals and the rise of Independents' and that government funding for the [Tamworth] Australian Equine and Livestock Centre would be withdrawn 'if I tried to get any credit for [it].' Most controversially, Windsor claimed that Maguire presented himself as an emissary of Anderson and National Party Senator Sandy Macdonald to

³² For more detail on how our electoral rules favour parties over independents see J. Curtin, 'Getting elected as an Independent: electoral laws and party favouritism', *Democratic Audit of Australia*, May 2005. <http://democratic.audit.anu.edu.au/CurtinIndependentsMay05.pdf>

³³ *Age*, 9 September, 2004.

³⁴ J. Howard, *Herald Sun*, 5 November, 2001.

³⁵ ABC Late Night Live, 21 June 2004.

³⁶ *CPD*, House of Representatives, 17 November 2004: 103–4.

offer him ‘a diplomatic post or a trade appointment’ if he would not contest New England. Anderson, Macdonald and Maguire vehemently denied the allegations and on 22 November the Australian Federal Police announced that no charges would be laid in regard to the matter.³⁷ But when Senator Macdonald said of Windsor that ‘I don’t think that he’s going to have very many ministerial doors open to him now,’³⁸ the Senate set up an inquiry into the probity of the funding of the Equine Centre (and other regional initiatives funded by the Regional Partnerships and Sustainable Regions Programs). Windsor has also allegedly been excluded from officiating at the opening of an aged-care facility in his electorate. Windsor tabled an email in parliament which claimed ‘the Commonwealth Government has advised that its representative at the official opening of the Grace Munro Centre does not wish for you to be part of the official party or the official speeches.’³⁹ Thus, it seems evident that the Nationals felt sufficiently threatened by Windsor’s electoral success to seek to undermine his credibility as an effective incumbent.

That the Nationals are right to be concerned about the incursion of independents into its NSW heartland was made clear at the by-election for the state seat of Dubbo, which was held on Saturday 20th November 2004, following Windsor’s parliamentary revelations. Dubbo, which was once the Nationals’ safest NSW seat, was won by independent Tony McGrane in 1999, whose sudden death in 2004 left the seat vacant. The National’s candidate was local business woman, Jen Crowley, who was opposed by the Deputy Mayor of Dubbo, Dawn Fardell; the ALP did not contest the seat. Fardell won the seat with 53 per cent of the two-candidate preferred vote and, in doing so, become only the third independent in modern Australian history to directly succeed another independent.

In the 2004 campaign, the Nationals committed considerable effort and resources in their attempt to win back Katter’s electorate of Kennedy. Anderson labeled Katter a ‘noisy commentator who had achieved nothing’, and some media suggested Katter’s support was in substantial decline,⁴⁰ while Katter’s stepmother became an adviser to rival National Party candidate James Doyle.⁴¹ Ultimately these comments and actions had little traction with voters who returned Katter with a slightly reduced margin of 18 per cent. The Nationals increased their primary vote by over 10 per cent, while Katter’s dropped by 3 per cent. However, the Nationals gain is no doubt partly a result of the significant decline in support for One Nation and the Democrats, and the fact that in 2004 no Liberal candidate stood.

However, the three independent candidates endorsed by Katter were not so successful. The two in Queensland campaigned on the impact of the Free Trade Agreement with the USA and other policies which threatened vital rural industries including sugar, pork, dairy and tropical fruits, as well as the sale of Telstra, but received only 12.9 per cent (Lars Hedberg in Wide Bay) and 6.9 per cent (Margaret Menzel in Dawson). The Katter-supported independent candidates who stood in the Queensland state election had suffered a similar defeat. The third federal Katter-candidate, Rob Bryant, stood

³⁷ *Australian*, 23 November 2004.

³⁸ *Herald Sun*, 24 November 2004.

³⁹ *Age*, 30 November 2004.

⁴⁰ *Australian*, 9 September 2004; *Courier Mail*, 13 July 2004.

⁴¹ *Courier Mail*, 31 August, 2004.

against Sharman Stone in the Victorian electorate of Murray, and won 7.8 per cent of the vote. In all three seats the government achieved a positive swing, indicating there was insufficient discontent with the government to warrant a change of local member.

The government headed off another potential independent challenge in Victoria at the last possible moment. During the 2004 election campaign, federal funding for the Wimmera-Mallee pipeline was highlighted by the rural press as a significant issue for voters. With no funding commitments in the 2004/5 Budget, the local communities affected threatened to run high profile independent candidates in the two electorates through which a proposed pipeline would run (Wannon and Mallee). The electorate of Mallee incorporates the state seat of Mildura held by independent Russell Savage since 1996. One local mayor in the region was reported as saying ‘obviously our sitting (National and Liberal Party) members are ineffective in getting (the \$167 million) funds.’⁴² While no federal funds were committed immediately after this threat was issued, the Coalition’s water policy, which included monies for the Wimmera-Mallee pipeline, was eventually announced by the Prime Minister the day before the close of candidate nominations, thereby dousing any enthusiasm for independents. In the end, Nationals sitting member John Forrest came to national attention in his own right, by acting as a ‘forceful and effective’ advocate for refugees within the Coalition party room. Although he increased his margin, Forrest had acknowledged the potential challenge of independents even in an electorate as safe as Mallee.⁴³

Probably the most successful contemporary independent representative is Peter Andren, who was first elected in 1996. He holds the regional seat of Calare in NSW by a margin of over 20 per cent, giving Windsor and Andren the largest margins across the state and the third largest nationwide amongst rural seats. Indeed Andren’s win is rather historic, given this is now his fourth term as a parliamentarian, making him the most successful independent since Adair Blain (Northern Territory 1934–1949). Andren is most renowned for his ongoing campaign against parliamentary superannuation. Prior to the campaign in 2004, Mark Latham adopted Andren’s position as an ALP policy, eventually prompting the Coalition to do the same. However, he also opposed the government’s legislation associated with asylum seekers and the war in Iraq, and has more recently taken up the cause of a ceiling on campaign expenditure.⁴⁴ In addition, he has regularly drawn attention to the ways in which electoral laws disadvantage independent candidates and incumbents.⁴⁵

Andren’s high profile and solid constituency work meant he did not run any television commercials and ultimately spent less than \$50 000 on his 2004 campaign. The Nationals spent considerably more on their campaign, and targeted Andren personally. The National Party candidate Robert Griffith’s web page declared that ‘A Vote for

⁴² D. Argall in P. Hunt, *Weekly Times*, 12 May 2004.

⁴³ P. Mares, ‘Unfinished business’ in G. Barker et al., eds, *A Win and a Prayer. Scenes from the 2004 Election*, Sydney, UNSW Press, 2004.

⁴⁴ ABC The National Interest, 14 November 2004.

⁴⁵ See P. Andren (2002), Submission to the Joint Standing Committee on Electoral Matters at <http://www.aph.gov.au/house/committee/em/elect01/subs.sub80.pdf>; P. Andren, ‘Increased political donations—recipe for corruption’, Democratic Audit of Australia, June 2005 at <http://democratic.audit.anu.edu.au/AndrenIncreasedPoliticalDonationsJune2005.pdf>

Peter Andren is a vote for Mark Latham' (www.robertgriffith.net) and John Anderson claimed that Andren 'would join the Labor Party if he felt he would win the seat.' Griffith put the quaint view that, while the people of Calare supported the Howard-Anderson Government, they voted independent 'out of ignorance.'⁴⁶ Not surprisingly, Andren easily retained his seat and the Liberal candidate outpolled the Nationals (16 per cent to 12.9 per cent).

While Bob Katter did not increase his margin as did the other two successful independents, the fact that all three were able to easily retain their seats might suggest something about the relationship between incumbency and independents in the current era. Matland and Studlar⁴⁷ theorise that the ability of an incumbent to improve the (party's) chances of retaining a seat depends upon the degree to which s/he is able to attract votes based on personal appeal. This personal vote can be built on individual constituency case work, on the MP's visibility in the district, or ability to bring governmental services to the district. Moreover, in single-member district systems such as Australia's, where there is some evidence of a personal vote effect,⁴⁸ the incumbent has a greater incentive to do constituency work, deliver specific benefits to their electorate, and make themselves visible when they are the exclusive representative of an electorate. In the case of independents, this link between individual kudos and incumbency is heightened since there is no party to claim credit. It seems to be this link that the Nationals are intent on undermining with their criticism of the current independents, most clearly evident in the case of Tony Windsor.

In the final analysis, no new independents were elected to the federal parliament in 2004. Three of the four independent senators were up for re-election (Harradine retired), but their chances of winning were always slim and they were ultimately defeated. In seeking election for the Senate, candidates standing as individuals cannot be listed 'above the line' on the ballot paper, where 94 per cent of the electorate casts its vote, unless they group themselves with other independents or unless they are serving senators. In the 2004 election, Pauline Hanson attempted to resurrect her political career by standing as an independent Senate candidate in Queensland. Hanson admitted that she ran on a ticket with her sister so that voters could pick her group (listed only as a letter) from above the line, thereby improving her chances of success.⁴⁹ She was spectacularly unsuccessful in one sense, winning only 1.67 per cent of the vote. However, she stayed in the count almost until the end, being the second-best losing candidate (after the Greens Drew Hutton). The briefly high-profile 'Vote for Me' Senate candidates sponsored by TV Channel Seven were also unsuccessful. This was a 'reality TV' initiative which encouraged viewers to put themselves forward as candidates, with the winner from each state being determined by a viewers' poll. The prize was \$10 000 for campaign funding and the obvious associated television coverage. The most high profile of those who ultimately stood for election was anti-child abuse activist Hetty Johnson, who garnered a paltry 0.18 per cent of the Queensland Senate vote.

⁴⁶ ABC The World Today, 8 September 2004.

⁴⁷ R. Matland and D. Studlar, 'Determinants of legislative turnover: a cross-national analysis', *British Journal of Political Science*, vol. 34, no.1, 2004: 87–109.

⁴⁸ C. Bean, 'The personal vote in Australian federal elections', *Political Studies*, vol. 38: 253–268.

⁴⁹ L. Scott, *Australian*, 17 September 2004: 9.

Two other independent candidates warrant a mention. The first, Brian Deegan stood against Alexander Downer (Foreign Minister) in the South Australian rural electorate of Mayo and ran on the issue of Australia's foreign policy. A magistrate whose son had been killed in the Bali bombing, his motives for standing reflected some of those independents who had been elected decades before, where moral issues rather than local issues prompted their candidacy. Deegan was a solid candidate, and ultimately received 15 per cent of the primary vote, and 38 per cent of the two-party preferred vote.⁵⁰ Peter King, the only city independent candidate with a considerable profile stood in a Sydney blue-ribbon seat against the wealthy ex-Australian Republican Movement President, Malcolm Turnbull. However, King stood because he had been the Liberal member for the seat and was ousted in a bitter pre-selection battle characterised, among other things, by a scale of branch-stacking that would have shamed the ALP. While there were some tense moments throughout the campaign for the Liberals and Turnbull, King's challenge was unsuccessful.⁵¹

Election analyst Antony Green suggests 'you cannot talk of a vote for *Independents*, merely a vote for individual independents'—a point reinforced in 2004 by the failure of the three 'Katter-endorsed' independents.⁵² Yet it is worth noting that at the 2001 federal election, the vote share for independent candidates in rural electorates was higher than the vote for each of the minor parties. By contrast, in 2004, the overall vote for independents was halved (2.4 per cent), although it remained higher in rural Australia than in the cities (4.4 per cent). With the One Nation Party a mere shadow of its former self, the Nationals were able to shore up their vote in their traditional seats and stave off any further challenges from independents.

However, in the 2004 election campaign the Nationals were as anti-independent as they were anti-Green in their messages to voters. Independents are often good local candidates, and once elected make good local representatives, irrespective of the policy outcomes they do or don't bring directly to their constituents. By contrast, finding quality local candidates has been a concern for the Nationals in recent elections.⁵³ In addition, it has no doubt hurt the Nationals that two of the seats they have lost since 1998 have been to ex-National Party parliamentarians. Regaining Windsor's seat of New England, the traditional heartland of the Nationals, is particularly important to the party; winning it back is as much about the identity of the party as the need to increase their parliamentary representation.⁵⁴ Finally, every time an independent wins a rural or regional seat, the Nationals are forced to undertake a three-cornered contest with the Liberals to win back the seat. In 2001, the Nationals lost two seats to the Liberals, and in 2004 they lost one to Labor. Perhaps the long term trend will be that independents will contribute to the demise of the Nationals, and in doing so ensure the entrenchment of a two-party (rather than a two and a half party) system.

⁵⁰ Fraser 2004, op. cit., 88ff.

⁵¹ B. Evans, 'The Battle for Wentworth' in Fraser, 2004, op. cit., 15ff.

⁵² A. Green, Paper delivered to Independent's Conference, Canberra, 2001.

⁵³ J. Curtin and D. Woodward, 'Rural and regional interests: the demise of the rural revolt?' in J. Warhurst and M. Simms, eds, 2001, *the Centenary Election*. St. Lucia, Qld, University of Queensland Press, 2004.

⁵⁴ E. Wynhausen, *Australian*, 13 September 2004: 8.

Conclusions

It is important to remember that Australia's two-party dominant system has survived sieges in the past: at the 1943 federal election the main parties won only 83 per cent of the vote, but by 1950 there were no independents in the House of Representatives, and there would only be one more elected between 1950 and 1990. Thus, competitive political parties have been the twentieth century's most significant contribution to mass democracy in Australia. They have served many positive functions, but their most important role has always been to be the 'buckle' between the governors and the governed, providing citizens with a level of access to governance denied in all previous regimes.

But can they survive a sustained challenge from independents (and the Greens perhaps—who are the ALP's current nemesis)? The conditions of their malaise are well known: party memberships are low and declining; many are destructively factionalised; what members they have are often manipulated by cynical power seekers; their candidates are often party hacks rather than local community members; large numbers of voters do not trust them; and ordinary party members have little or no input into policy making. Large and small parties as well as independents are potentially beneficial to political society, but dysfunctional parties are a danger to an inclusive democracy.

Political scientist Don Aitkin argued that in the 1970s the citizen's link with the parliament and the political system was through his or her party identification: 'the member of parliament is the party's standard-bearer, but not much more than that.'⁵⁵ The electoral fate of local representatives once rested not with their personal following but with their party's overall success or failure. But with party identification in decline and a shrinking number of 'safe' seats, the fortunes of local members have become more precarious. Ironically, excessively strong party discipline may ultimately undermine the reputation of the major parties in the electorate; they may be unknowingly sowing the seeds of their own destruction. If they are to survive, the major parties need to reconnect with their supporters. One way to do so would be to grant their parliamentary members a greater degree of independence; unless, of course, they are prepared to lose more of their safe seats to independents.



Question — My question is in regard to what you said about the major parties being in decline, and distrust of parties and party line. Yet, when I look around the political landscape in Australia at the moment, one thing that strikes me as almost unprecedented is that if you have trust in a political party and you vote for them in the lower house and the upper house, you're not putting a check and balance on them. You're trusting them in effect to have complete power. There's complete power in the federal government. There's complete power in the ACT government for the first time ever. Victoria, once again, complete power; Tasmania, Western Australia until May.

⁵⁵ D. Aitkin, *Stability and Change in Australian Politics*, 2nd edn, Canberra, ANU Press, 1982, p. 282.

I'm not sure about NSW and the Northern Territory. It seems to me that we are placing trust in politicians in an unprecedented manner.

Jennifer Curtin — Well, it does look like that, yes, and certainly trust is a really difficult thing to measure empirically. There is a lot of work that looks at this, and some measure it as trust in government, and all governments have honeymoon periods when they're first elected and then they go into decline. If you measure it in terms of trust in politicians, we know that that's low, but then if you ask people about a local politician they really like, more often than not they still think their local politician is doing a good job virtually irrespective of the party.

I would say that the context of recent elections needs to be taken into account. If you look at the 2001 federal election book, and the one that's coming out on the 2004 election, you will see that an environment which is about national security and international security and the ways in which our borders have been challenged, counteracts the effect of distrust to some extent, and that people are voting for what they know and what they understand. My point is that you can't look at the vote necessarily across all electorates because independents are very localised examples and the same conditions or context may not necessarily apply across all electorates. So, I take your point, but I would still argue that the existing independents can do a good job despite being hammered by party machines. Part of the reason why we have ended up with the Senate make-up we will have from July is that the Democrats are in decline, and because of the Family First member, and partly the anomalies of the PR system. It's very difficult for independents to get up in the Senate and that's one of the anomalies of our system as well. So I take your point, but I would never expect to see a hung parliament for example at the federal level at least in the House of Representatives.

Question — Dr Curtin first of all thank you for a very interesting lecture. I did read your book with Brian Costar and you threw even more light on it today. I want to refer to a comment you made about increasing party discipline and toeing the party line because I wonder if, in what you've said today, there are any parallels within parties. One only has to look recently at Victoria at the ALP factions there, who are lining up to make sure that they exert discipline over independent-minded and spirited members, Gavin O'Connor in Corio, for example. And we see it also with people in the Liberal Party, such as Petro Georgiou, where we see the Prime Minister exerting his overbearing (from their point of view) influence. So I wonder if you could draw any parallels between what you said of independents being opposed by parties, and independent-minded people, those not in a faction, within parties.

Jennifer Curtin — I totally agree with what you're saying and I do think it has applied within the party as well and I think that's part of this increased party discipline that we're seeing. For example, if Brian Costar were here, he would say (and he's done more research on this than I have) that there used to be a lot less party discipline exerted on senators for example, in the committee process, and so there could be dissenting reports or dissenting opinions that perhaps didn't measure up to the party line. Probably the most those people can do now is abstain rather than actually write dissenting reports or cross the floor in the Senate. His argument would be that it's become much more difficult for senators to take positions that are opposite or different to the standard party line.

It also is reflected in the way in which campaigns are now conducted, and people like Ian McAllister have written about this. We are in campaign mode virtually two years out of three anyway and these campaigns are very centralised, very driven from the leadership. We had it in Victoria with Jeff.com, where all ministers were gagged and it was just Jeff who was going to win the 1999 election. Well ultimately of course he didn't. So there are some difficulties that go with centralising everything around a party line and not allowing independent voices to speak. What we would argue is that if parties don't let the Gavin O'Connors of this world, or in the case of the Victorian state election, a woman from out Ballarat way who is now an independent to make noise, there's a risk of isolating voters. Even though as the previous gentlemen pointed out, Victoria has a majority in both houses, it was only in 1999 that three independents did hold the balance of power in that state and they were all rural-regional type independents.

Question — I am from the Democratic Audit of Australia at the Australian National University and I want to congratulate you on a very fine and very informative lecture today, on a very interesting topic. At the Democratic Audit, we audit Australian political institutions against values such as political equality, and political equality flows on to the need for a level playing field for electoral competition. You've outlined some of the forms of discrimination against independents in Australian electoral competition, and that's a matter of ballot design in most jurisdictions except South Australia, and also a matter of not being able to receive tax deductible donations and so on. And there's also discrimination I'd suggest in Parliament, once you're there, in terms of parliamentary entitlements and so on. I think if I remember correctly the ACT is the fairest in terms of the additional resources needed by cross-bench members, whether they're independents or members of minor parties who don't have enough representatives to gain party status. This pattern varies across Australia, but overall I'm sure you are correct. There is considerable discrimination against independent candidates, and yet, as you said, we've got more independents in our parliaments than comparable democracies. So how would you sum up the overall effect of the discrimination against independents in our electoral systems?

Jennifer Curtin — I suppose it reinforces what Jeremy Moon wrote about independents in the 1990s. He said that the way in which electoral laws or regulations discriminate against independents means that you actually have to be a local notable or a defector, you must have some kind of personal profile in your electorate to be able to go out and raise funds and get people to give you money and give you resources and give you their time and help. It wouldn't work if someone like me stood as an independent, because I can't access those fundraising activities. So that does restrict who could consider themselves potentially successful in standing as an independent. I think that's part of the reason why we see so few women independent successes at the federal level; it is not just the discriminatory element, but the need to be a local notable or a previous political player, and we know that women often have different kinds of community profiles to men who are policemen or sports stars, or TV presenters in the case of Peter Andren, who will do well.

It's not only the formal entitlements, within a parliament that are difficult or less welcoming for independents, but also the culture. Anecdotally, a lot of the independents get a terrible time from the other politicians from both major parties.

They are seen as irrelevant. When Russell Savage was elected (that was before Jeff Kennett was tipped out) he was the only independent member of the Victorian Legislative Assembly. Jeff Kennett told all his members to make sure that they did not say one word to him. He had to eat dinner alone; he had to do everything on his own until the other two independent members arrived in 1999. I know that there are federal members who have had the same experience, where they have been totally ostracised once they have been elected, by virtue of being an independent. It's a tough road, both getting elected and then once you get here, I think.

Question — There are perhaps two types of independents, those who are independent from the very beginning, such as Peter Andren and Ted Mack, and those who became independent after they defected from major parties, like Shayne Murphy or Bob Katter. Is there any pattern that can be detected in the relative successes of those two categories?

Jennifer Curtin — I don't think I've done that level of analysis. Of ones that defected, there have been a couple of Liberals in 1996 who were elected as Liberals, and then became independents and then weren't re-elected from Western Australia. They didn't do so well, and that's partly because people voted for them as party members, and if you defect midway through your term, it's not necessarily going to guarantee that you will then get re-elected as an independent. Of course Peter King is another example of that. But I would have to have a look and see whether or not there was a correlation between length of term of service and whether or not they were an independent or a defector.

I think ultimately when we have enough of them to do a good quantitative analysis, it would be very much about individual incumbency and personal work within the constituency once they get elected. If they get re-elected for more than one term, then I think it comes down to the kinds of service that they're providing for their constituents, irrespective of the policy outcomes. Voters are not ignorant, as Rob Griffith would have us think, they are aware. I went to five rural and regional electorates and talked to many people in 2000 and 2001 about what they expected from their politicians. There is a solid recognition at least in rural and regional Australia that local MPs cannot give people everything they ask for, and that's not what is expected of them. They just expect to be told about the process, and informed about what's going on in exactly the way Peter Andren is so good at doing.