

Keeping the Bastards Honest: The Political Legacy of the Australian Democrats

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This paper evaluates the political legacy of what has been Australia's most successful minor party to date, the Australian Democrats. The paper examines three key aspects of this contribution: first, the party's long-term electoral impact; ascertaining the extent to which the party has disrupted the major party vote and restructured the pattern of party competition. Second, the paper analyses the internally democratic organisation of the party and its impact on political culture in Australia, in particular the extent to which these principles have fostered an expectation of democratic decision-making and accountability within other political parties and the Parliament more broadly. Third, I assess the party's parliamentary role and its contribution in promoting the Senate as a 'house of review' and a forum in which to hold the major (governing) parties accountable – in the party's own words, 'keeping the bastards honest'. I argue that the party's electoral success has promoted competition from other minor parties, opening up the electoral marketplace, and that its parliamentary activities have created a lasting expectation in the minds of Australians that the Senate is an important forum for legislative scrutiny – more than a mere 'rubber stamp'.

Introduction

This paper examines the political impact of the Australian Democrats, a minor party that for the last 30 years played a significant role in Australian politics. When the Democrats first entered the political landscape in 1977, they were hailed as a party of the 'new politics' movement, offering progressive policies to the electorate and with an internally democratic structure, presented novel opportunities for political participation. The Democrats have been portrayed a party not compromised by outside interests, but one which 'genuinely seeks and talks about policy outcomes' (Kernot 1997: 8). In combination with a committed and hard-working parliamentary party, the party's impartiality and independence from the major party groupings enabled the Democrats to assume the role of Senate watchdog, for which it is best known. However, by often changing their position on legislation as a result of parliamentary negotiation, encouraging diversity of opinion and a high level of membership involvement, the Democrats have also been labelled as 'fairies at the bottom of the garden', emphasising their reputation as political novices without a clearly defined constituency or ideology.

Whilst the Democrats have gained representation in various State parliaments, the party's organisational structure and key focus has always been towards politics at the national level. The party has never been able to 'break through' the majoritarian electoral system to win a seat in the House of Representatives, although they have come close on a

number of occasions.¹ Rather, the Democrats have been a party of the Australian Senate, winning two seats upon their debut and holding at least four seats ever since.² They have never participated in any coalitions, but from 1981-2005 the Democrats either held outright, or shared with other minor parties, the balance of power in the Senate. It was during this period that the party was able to use its legislative influence to secure amendments to key bills, achieve relevance and hence influence policy beyond its minor party status.

In 2001, following a period of turbulent leadership and what proved to be a largely unpopular negotiating strategy with the government over taxation reform, the Democrats' vote began to decline steadily. The party has now effectively been replaced by the Greens as the 'third force' in Australian politics and the main challenger to the two major parties. The Howard government regained control of the Senate in July 2005, further weakening the party's position. Whether or not the Democrats will continue to survive as a significant force in Australian politics remains to be seen, however the contribution the party has made to Australian government and democracy over the last 30 years has been substantial. Indeed, given that 'only a handful' of minor parties have managed to win seats in any Parliament within Australia, and 'only a few' have existed beyond one or two elections (Jaensch and Mathieson 1998: 153), the achievement of the Democrats is quite extraordinary.

In this paper I examine three aspects of the Democrats' contribution. First, I evaluate the party's long-term electoral impact; ascertaining the extent to which the party has disrupted the major party vote and restructured the pattern of party competition. Second, I examine the organisation of the party and its impact on political culture in Australia. The Democrats have been widely regarded as the most internally democratic of the Australian parties. Although intra-party democracy has been a source of ongoing tension and conflict within the party, the paper looks at the extent to which these principles have fostered an expectation of democratic decision-making and accountability within other political parties and the Parliament more broadly. Third, and perhaps most importantly, I analyse the party's parliamentary role and its contribution in promoting the Senate as a 'house of review' and a forum in which to hold the major (governing) parties accountable – in the party's own words, 'keeping the bastards honest'. Data used in the analysis is drawn from a wide range of sources, including previous academic analyses, histories of the party, existing survey data and electoral statistics, media reports and party documents. I have also incorporated material obtained through in-depth interviews conducted by the author with Democrat senators in 2003 and 2007.

In choosing to write this paper on a case study of a single party, I acknowledge Key's important warning that it is dangerous to generalise as to the impact of minor parties on political systems without examining in detail their national and temporal context:

¹ Janine Haines polled 26% of the primary vote in Kingston (SA) in the 1990 federal election, whilst high profile candidate Joh Schumann polled 22.4% of the primary vote against Foreign Minister, Alexander Downer in the South Australian seat of Mayo in 1998.

² The Australian Senate is comprised of 76 senators, elected from the States and Territories according to a system of proportional representation. See further p. 7.

The general role of the minor party can be discerned only with difficulty, for each of the principal third-party aberrations has had its peculiar characteristics. Yet each of these episodes appears to have had an impact, not only at the moment of the election, but subsequently on the character of the major parties of the system. That impact is neither uniform neither in degree nor in nature from episode to episode (Key 1967: 208).

However, whilst we need to appreciate the specific context in which a minor party emerges and the circumstances in which it is able to impact upon the pattern of party competition in a particular democracy, some generalisation is welcome (see Gerring 2005: 80). Taking the Australian Democrats as a particular 'episode', there are numerous lessons to be learned from the party's experiences in Australia, which can usefully be compared and applied to minor parties in other democracies. Conversely, as the paper demonstrates, there is much in the experience of the Australian Democrats that reflects the experiences of similar parties across the globe (for example, see Carty 1997).

The Major Impact of a Minor Party

Led by the charismatic former minister Don Chipp, the Australian Democrats were formed in 1977 partly as a breakaway party from the Liberals, and partly from a merger between three minor parties: the Australia Party, the New Liberal Movement and the Centre Line Party. The New Liberal Movement was the result of a formal split within the South Australian branch of the Liberal Party, over the issue of 'one vote, one value'. The Australia Party was formed on the basis of new politics issues (nuclear disarmament and opposition to the Vietnam War), and strongly emphasised participatory democracy through discussion and debate in the party's newsletter, *Reform*. These combined histories shaped the Democrats' principles and organisation as a party vowing to 'break the mould' of two-party adversary politics. In establishing the Australian Democrats, Chipp 'called on Australians to take back Parliament and transform it from a place of "cheap political point scoring" to a house filled with "people" (not parties) who would "identify the real and significant problems of the future, and...take action now which will make the country a good, safe and sound place for future generations"' (Australian Democrats 2007: 6).

The Australian Democrats carried on the ethos of the Australia Party, embracing the ideals of consensus, rational debate and citizen participation in political decision-making. This organisation and outlook is typical of many new politics parties established in this era, disillusioned with the lack of responsiveness and non-democratic structures of the traditional parties (Carty 1997: 103; Sugita 1995). The Australian Democrats, much like the Liberal Democrats in the United Kingdom, have always ascribed to a broad liberal philosophy, to the extent that they characterise themselves as 'non ideological' or even 'anti-ideological' in character (Australian Democrats 2007: 4). The party's commitment to internal democracy is codified within its Constitution, where it is stated that 'policies shall be formulated with the maximum participation of members and shall finally be determined by the direct and equal say of the membership by a voluntary postal vote' (Australian Democrats 2006: s. 9.1).

The Democrats have unanimously been categorised as a minor party within the literature on Australian party politics. However, political scientists have arrived at this conclusion through several different lines of reasoning. Most recently, Smith (2006: 13; 2005) has argued that this categorisation is justified because the party has not participated in government. Others see the Democrats as a minor party due to its relatively small size and vote share (Sharman 1994), or simply because it has not historically been regarded as part of Australia's two party system (Richmond 1978; Stock 2002). Despite periodically holding the balance of power outright in the Australian Senate, the Democrats have never formally participated in any governing coalition, and hence their integration into the existing two-party system has been impossible to achieve. Where the major parties on average achieve 80-90% of the primary vote in any given election between them, the Democrats have never been able to poll greater than 11.3% of the primary vote in the House of Representatives, and 12.6% in the Senate. In terms of size, the party's membership has never exceeded 8,000 members and now stands at around 2,000.³

However, despite their categorisation as a minor party, I argue that the Democrats have made a contribution to Australian politics that far outweighs this status. The question which then arises is how this contribution can best be measured, or assessed. Based on an empirical study of Australian minor parties throughout the twentieth century, Jaensch and Mathieson (1998: 153) propose several criteria. The first three indicators of success are relative to the performance of other parties in the system and are quite measurable: survival for more than three years, a primary vote at any election greater than 2% and gaining a seat in Parliament. Although these criteria were formulated through empirical assessment – the bulk of minor parties failed to achieve a lifespan of greater than three years – they could still be criticised as somewhat arbitrary, and fail to give the notion of 'success' any real or practical meaning.

A more satisfactory measure of success centres around the notion of outcomes, which Jaensch and Mathieson adopt in their final criterion: a minor party need not necessarily achieve a significant vote share or achieve representation, but is successful if it forces the major/entrenched parties to recognise its existence, or react to it. Although this criterion is arguably less tangible, it does provide a degree of substance to the notion of success beyond the mere attainment of electoral thresholds. In her study of the Democrats' impact on the budget process, Young (1997: 177-8) adopts a similar 'outcome' oriented measure of achievement. Whilst for Young, success is *a priori* dependent on the party's ability to secure parliamentary representation, it can be assessed in the legislative arena by a minor party's capacity to achieve its policy goals (using its influence to amend legislation to make it more consistent with the party's platform), and the extent to which the minor party is able to hold the government to account (through the scrutiny of legislation and keeping the government to its election promises).

Building on these outcome-oriented measures of success, I evaluate the Democrats' contribution to Australian politics more broadly, examining three key dimensions (electoral, organisational, parliamentary) incorporating both *institutional* and *cultural*

³ This can be contrasted to the membership of the Australian Labor Party, which currently stands at around 40,000 individual members.

success. In addition to examining vote shares and seats won throughout the party's history, I evaluate the extent to which the Democrats' have been able to re-shape the pattern of party competition in Australia. I also measure success and influence according to an organisational dimension: has the party been able to use its distinctive organisational structure to facilitate participation and change the culture of Australian political practice? Finally, in assessing the party's parliamentary success, I adopt Young's criteria of policy and accountability outcomes, but also analyse the party's contribution in changing the operation of the Parliament and shaping Australians' attitudes as to how the Australian Senate should function, as distinct from the House of Representatives.

The Electoral Impact of the Australian Democrats

Electoral politics in Australia has traditionally been based on a strong two-party system of competition. Although the vote share of minor parties has risen substantially since 1977 and the establishment of the Democrats,⁴ at any general election minor parties will only capture about 10-20% of the primary vote (Jaensch and Mathieson 1998: 219). However, of the minor parties that have contested federal elections, the Australian Democrats have been by far the most successful, winning on average 6% of the vote for the House of Representatives and 8.4% of the vote for the Senate throughout their lifetime – far surpassing Jaensch and Mathieson's 2% threshold for electoral success.⁵ The Democrats' electoral performance is presented below in Table 1:

Table 1: The Democrats' federal electoral performance, 1977-2004

	1977	1980	1983	1984	1987	1990	1993	1996	1998	2001	2004
HoR Vote	9.4	6.6	5.0	5.4	6.0	11.3	3.8	6.8	5.1	5.4	1.2
Senate Vote	11.1	9.3	9.6	7.6	8.5	12.6	5.3	10.8	8.5	7.3	2.1
Seats Won	2	3	5	5	7	5	2	5	4	4	0
Total Seats	2	5	5	7	7	8	7	7	9	8	4

Sources: Australian Electoral Commission Electoral Statistics 1977-2004.

In addition to the year of their debut, the Democrats achieved particularly strong electoral outcomes in 1990 and 1996. In 1990, the party was able to capitalise on the strong focus on environmental issues throughout the election campaign, and in 1996 the Democrats benefited from voters seeking a Senate watchdog that would oversee the resulting change of government, when the Keating Labor government was convincingly swept aside by Howard's Liberals. Poor results were experienced in 1993, a campaign dominated by economic issues after a severe recession in the Australian economy, and one which the party contested with a relatively weak leader, John Coulter (Bean 1997: 71). The party

⁴ See Bowler and Denmark (2003: 24).

⁵ To contrast this with the other minor parties that are currently represented in the Senate: the Australian Greens have polled on average 4.3% in the House of Representatives and 4.4% in the Senate (1996-2004); One Nation polled 4.7% in the House of Representatives and 5.4% in the Senate (2004-1998); Family First polled 2% in the House of Representatives and 1.8% in the Senate (2004).

has experienced a gradual decline in vote share since internal divisions damaged the party in the aftermath of the 2001 election, votes that appear to have been largely captured by the Greens.⁶

Fluctuations in the party's vote can also be explained by the absence of a distinctive support base, which leaves the party vulnerable to a changing political climate, but at the same time, allows it to exploit favourable (albeit transitory) political opportunities that may arise (Bean 1997: 77-81; Bean and Papadakis 1995; Forrest 1995; Marks and Bean 1992). Longitudinal studies have found that although certain groups are more inclined to vote for the party (younger voters, educated voters and those without religious affiliation), these relationships are generally very weak (Bean 1997: 79). The effect of party identification is also tempered by the party's indistinct ideological position. Some political commentators have argued that the Democrats do not possess any coherent ideological integration (Marks and Bean 1992; Maddox 1991: 311-2; Brugger and Jaensch 1985: 100-2; Aitkin 1977). Others, notably Sugita (1997: 138), argue that the Democrats do have an ideology, reflecting a combination of social liberalism and post-materialism, whereas the party describes itself as 'non ideological' or even 'anti-ideological' in character (see p. 3). Interestingly, in a survey of party members and the public conducted by the Democrats in 2004-05, 75% of respondents agreed that 'no one knows what the Democrats stand for' (Australian Democrats 2005: 8). Again, whilst this ideological fluidity allows the party to adopt and campaign on a diverse range of topical issues for its own advantage, uncertainty as to the party's core principles has precluded the Democrats from developing a strong ideological support base, which shifts a great deal of attention to personalities and individuals within the parliamentary party, who effectively become the party's public 'brand'.

The Democrats's leadership has therefore been crucially important to the party's vote and continued survival. In contrast to ideology and social structure, it is the only variable to have been identified to have a significant impact on electoral success (Bean 1997: 83; Forrest 1995; Bean and Papadakis 1995; Marks and Bean 1992). Figure 1 illustrates the correlation between the party's leaders and its electoral success, plotting monthly Newspoll voting intention figures against federal election results and leadership periods. Popular leaders, such as Haines, Kernot and Stott Despoja have been able to lift the party's polling figures (notably between 1987 and 1990 under Haines, after the 1993 election under Kernot and in 2001 under Stott Despoja). High profile leaders have also been attributed to raising membership figures, particularly in 2001 after Natasha Stott Despoja became leader of the party (Australian Democrats 2002). However, unpopular leaders such as Coulter have had a correspondingly negative effect on public perceptions of the party.

The strong electoral effect of leadership is not uncommon to minor parties in comparative democracies, for example, the 'gang of four' Britain's Social Democrats (see Carty 1997: 88). However, there are two key elements that distinguish the Democrats from other minor parties that rely heavily on their leadership. The first is the fact that the Democrats' leader is chosen by party members, who have the constitutional right to spill leadership

⁶ In 2004 the Green Party polled 7.7% in the Senate and 7.2% in the House of Representatives.

positions by petition and ballot. The second and related feature is the high level of leadership churn the party has experienced, having had 11 leaders over the last 30 years. As Democrats Senator Andrew Murray (2005) argues, this has been a source of electoral instability for the party, as ‘voters need time to get to know leaders. Voter support is affected by leader churning and a consequent perception of instability’. It has also created a significant amount of internal tension in the everyday operation of the party, particularly if the members’ choice of leader is not necessarily that of the party’s parliamentarians.

As can be seen from the results presented in Table 1, the Democrats’ vote has been consistently higher in the Senate than in the House of Representatives, where the party has been substantially more effective in translating its vote into seats. However, the vote difference between the two chambers (on average only 2.4%) has not been statistically as significant as one would assume, given the discrepancy in seats won (Bean 1997: 73). Rather, it is commonly argued that the Democrats’ stronger performance in the Senate has not been achieved through a higher vote share in the former, but through the assistance of the system of proportional representation used to elect parties to the Upper House (see for example Bean 1997: 73; Papadakis and Bean 1995). In contrast to the majoritarian system of the House of Representatives, parties contesting Senate elections need only achieve a quota of 7.69% of the vote in a full Senate election or 14.29% in a half Senate election to achieve representation.

The importance of proportional representation systems in assisting the electoral fortunes of minor parties is a common theme in the comparative literature (Carty 1997: 90). In the Australian context, Jaensch and Mathieson (1998: 26) note that the introduction of proportional representation for Senate elections in 1948 coincided with a marked increase in the number of minor parties that were formed and which contested elections. Prior to the introduction of proportional representation (from 1910-1945), at both the federal and State levels, 111 minor parties were formed with 97 contesting at least one election. After the introduction of proportional representation (1945-1996), the number of minor parties in existence increased dramatically to 412, with 297 contesting an election.

However, if we look more closely at the post WWII period, we see that the majority of parties were formed since the 1970s. In the period from 1946-1969, 76 minor parties were formed, whereas between 1970 and 1996 the number increased to 375 (Jaensch and Mathieson 1998: 26). In addition to the adoption of PR in a number of State legislatures throughout Australia,⁷ explanations for the explosion in the minor party universe since the 1970s typically centre upon the increasing significance of post-materialist issues, with the emergence of parties based on environmental, peace and other ‘new politics’ concerns. In this sense, the Australian Democrats can be regarded as the product of such a movement.

However, it could also be argued that the relative success of the Australian Democrats has paved the way for new parties to enter into the federal arena, demonstrating that ongoing

⁷ Proportional representation was introduced in the Northern Territory in 1974, the Australian Capital Territory in 1978, the New South Wales Legislative Council in 1978, the South Australian Legislative Council in 1975 and the West Australian Legislative Council in 1996.

Senate representation is achievable: 'we have opened up the marketplace for smaller parties and perhaps reframed the marketplace a little bit as well' (former Leader Andrew Bartlett 2007). Consequently, the Democrats have made a sustained impact on the nature of party competition in the Senate. As Democrats' Leader (1986-1992) Janet Powell argues, 'we basically managed to unhook voters from their slavish adherence to the two-party system. By establishing a third viable option, we really shook up the two-party system' (quoted in Australian Democrats 2007: 16). For example, although the Democrats' have lost the majority of their Senate seats since 1998, most of these have been picked up by other minor parties, such as the Australian Greens, One Nation and Family First, ensuring that a base level of minor party representation of around 12% of Senate seats exists. In this sense the Democrats have been victims of their own success, 'having charted a course for a third party, they have shown the way to countless other individuals and parties to have a go' (Australian Democrats 2007: 16).

As Carty (1997: 99) suggests, 'the Democrats have split Australia's national party system into two parallel, overlapping, but distinct party systems'. The government consequently needs to respond to a changed pattern of competition in the Upper House, as 'the Senate's party system is now different: the Democrats' presence ensures that neither of the two major parties can expect to win a majority and so are driven to play a different game' (Carty 1997: 99). This has not resulted in the formal coalition politics seen in the Netherlands or Ireland, but has created a similar dynamic with regard to the passage of legislation on which the two major parties groupings have taken divergent positions (see section on parliamentary contribution).

In promoting the Senate as a house of review, the Australian Democrats have not only been influential in restructuring party competition, but also the nature of voting patterns – an effect commonly labelled as 'split ticket voting' for the House of Representatives and the Senate. There is evidence to suggest that 'an important minority' (Bowler and Denmark 1993: 21) of electors vote for different parties in the House of Representatives and the Senate to 'ensure that the Democrats hold the balance of power in the Senate and hence act as a legislative break on the governing party in the House of Representatives' (McAllister and Bean 1990: 165). Research conducted throughout the 1980s and 1990s commonly equated a vote for the Democrats in the Senate as a tactical and strategic warning to the governing party in the lower house, and served as an outlet for 'voters' disenchantment and evaluative concerns' (Bowler and Denmark 1993: 20; Papadakis 1990: 36; Bean and Wattenberg 1998). It is important to note that the emergence of split ticket voting coincided with the establishment and increasing prominence of the Democrats in the 1980s and 1990s. However, I argue that this effect has continued even with the gradual decline in the Democrats' vote, evidenced by the corresponding rise in the vote share of alternate minor parties, such as the Greens. Hence, this perception of the potential of the Senate as a source of government accountability has endured.

That the 'Australian Democrats have clearly begun to alter the way government policies are made and legitimated' (Carty 1997: 102) is evident in social attitudes towards the role of the Senate in Australian politics. Although successive governments have expressed their frustration with the Senate when legislative programmes have been thwarted, or at

the very least, delayed, Australians do not share the attitude of former Prime Minister Paul Keating that the Senate is ‘unrepresentative swill’, or that it has become a ‘house of obstruction’ (Howard 2003). When asked ‘Which do you think is better – when the federal government has a majority in both the House of Representatives and the Senate, or when the federal government in the House of Representatives does not control the Senate?’, almost half of the respondents in the 2001 Australian Election Study (44%) preferred that the Senate was not controlled by the governing party in the lower house, whereas only one third did (Wilson 2003).

In July 2005, the government regained control of the Senate, sparking criticism from commentators that the ‘Senate’s capacity for scrutiny, accountability and review’ has been systematically eroded (Evans 2006) and suggestions that the decline in support for the Coalition since 2004 has partly been a result of the public’s belief that the Coalition has abused its Senate majority (*The Australian* 25 October 2007). Indeed, rather than seeing an acquiescence in public attitudes towards government control of the Senate, the 2005 Australian Survey of Social Attitudes⁸ found that even more Australians (57%) perceived this control as a ‘bad thing’ (Denemark et al. 2007: 25). Even if the Democrats have lost their own relevance in the Senate, the awareness they have created that voting for a minor party can constitute an effective mechanism of achieving accountability endures.

Internal Organisation, Participatory Ethos and the Party’s Impact on Political Culture

The Democrats’ commitment to internal party democracy and a more open and inclusive way of practising politics is one of the party’s key distinguishing features, and it has generally been regarded as the most democratic party in Australian politics, at least in a formal sense (Gauja 2005; Johns 2000; Warhurst 1997; Sugita 1995). However, I would even argue that the constitutional opportunities for participation afforded to party members place the Australian Democrats as one of the most democratic parties in the world. As previously noted, the Democrats were established as a party of the ‘new politics’, embracing the ideals of consensus, rational debate and citizen participation in politics. The party’s participatory ethos is heavily reiterated in the party literature, widely accepted and emphasised by political commentators (Carty 1997: 103; Warhurst 1997; Sugita 1995; Stock 1994) and codified in the party’s Objectives, Standard Practices and Constitution. Principles pertaining to the broader operation of the Australian system of government, which seek to decentralise power, protect the interests of individuals and achieve open government and effective participatory democracy (ss 3.10-3.11), can also be applied to the party’s internal workings and structure. ‘Ownership’ of the party is constitutionally vested in the membership, which determines party policy, selects parliamentary candidates, office bearers and party leaders – all by postal ballot.

The party has been, throughout its history, very receptive to the inclusion and representation of women and ethnic and social minorities. Women regularly hold key

⁸ The survey was completed in late 2005 and early 2006, after the government regained a Senate majority.

positions within the party, and of the 11 individuals who have led the party over the years, 6 have been women. Janine Haines, who became leader of the party in 1986, was the first woman to lead a political party in Australia. Indeed, by 1986, the party claimed that almost half its members were women, and unlike the other parties the Democrats 'provided a framework for women to have a more important role' in politics (Janet Powell, quoted in *Australian Democrats 2007*: 11). Karin Sowada and Natasha Stott Despoja both broke records as the youngest women elected to the Senate. In 1998 only the second indigenous Australian to enter parliament, Aden Ridgeway, was elected under the Democrats' banner. 1998 also saw the election of West Australian gay rights activist, Brian Greig, indicating that the party has provided a viable path into Parliament for individuals and groups that had been previously marginalised in their participatory opportunities by the major parties.

By providing greater ideological diversity and policy choice to voters, Hazlett (1992: 2) has argued that the ability to form and become active in a minor party may increase the level of participation in the electoral process in systems where voting is voluntary. A similar argument may also be applied to the internally democratic structures of a party, as a means by which to facilitate popular participation in political processes. The role of political parties as centres of participation, communication and education is emphasised by both deliberative and participatory theorists, however, it is a function that has been heavily criticised as being under-performed within the competitive system (Webb 2002: 449). Yet internal democracy is seen as conducive to personal self-development, as individuals 'learn to participate by participating and that feelings of political efficacy are more likely to be developed in a participatory environment' (Pateman 1970: 105).

There is evidence to suggest that participatory opportunities do act as an incentive for joining the party. In 2004-2005 the Democrats conducted a survey of its members, with 76% of respondents citing the party's emphasis on participatory democracy as a reason for becoming a party member (*Australian Democrats 2005*: 12). However, and somewhat paradoxically, despite the opportunities on offer to members to influence the policy and political direction of the party, participation in intra-party activities has remained very low, undermining the effectiveness of the party's participatory structures and rendering them vulnerable to minority and elite control (Gauja 2005). As Senator Bartlett (2007) reflects, 'we didn't realise how high we were shooting and do enough to make sure we were capable of it'.

The Democrats' case illustrates that a significant level of intra-party democracy tends to coincide with internal tensions when divergent opinions are encouraged, yet need to be reconciled. Although the party has managed to balance the tension between accommodating intra-party dissent and maintaining cohesion throughout most of its history, the strain has become most acute when the parliamentary party has been forced to make difficult and contentious decisions in exercising its balance of power position. A key example was the party's negotiations over the New Tax System (GST) legislation (1998-1999). Disagreement as to whether the outcome of the negotiations by the Democrat senators actually reflected official party policy caused irreparable ructions both within the membership and the parliamentary party and resulted in two separate attempts

to spill the leadership (Gauja 2005: 77). Hence, intra-party democracy (in terms of accommodating dissent) appears to be far easier to exercise when a party occupies a less influential position in the party system, partly explaining why other minor parties are able to workably adopt such structures (for example, non-governing green parties).

However, given the tenuous nature of democratic models of party organisation and their capacity to produce internal turmoil as a flip-side of democratic engagement, there is little incentive (beyond ideological commitment) for other parties within the system to adopt such practices (Carty 1997: 106). Whilst the Australian Labor Party and the Greens both claim to allow members significant participatory opportunities to elect candidates and influence policy, there is no evidence to suggest that this commitment extends beyond these parties' own philosophical origins, to reflect an emulation of the Democrats' practices. Therefore, whilst an ethos and commitment to intra-party democracy is essential to a party that aspires to 'keep the bastards honest', in that parties ought to practice what they preach, there is no real indication that the Democrats' participatory ethos has worked to change Australian intra-party organisational culture, or to achieve greater levels of citizen participation in politics: 'if you look at the UK, all the major parties there have significant member input. If we do that here, perhaps in a slightly purer sense, we get mocked by those idiots up in the Press Gallery' (Bartlett 2007). However, the party has led the way in advocating representation and participation by women and minorities, and this arguably has contributed to a shift in the political culture within parties such as Labor, which has introduced affirmative action measures to ensure that a certain percentage of the party's parliamentary seats are held by women.⁹

The Australian Democrats' Parliamentary Contribution

Although it is linked to and has perpetuated the party's electoral success, perhaps the Democrats' most significant contribution to Australian political practice has been to promote, and demonstrate the capability of the Senate to act as more than a mere rubber stamp for legislation passing through the House of Representatives. This is a theme that emerged consistently in interviews with Democrat senators when asked about source of the party's long-term success. Former Leader Andrew Bartlett (2002-2004) described the Democrats' greatest achievement as having 'dramatically changed people's awareness of the Senate' and its operation, by creating a 'recognition that the Senate is a house of review', and a 'recognition of the importance of Senate committee inquiries as a mechanism for public input'. Similarly, current Leader Lyn Allison saw the party's premier legacy as 'making the Parliament work as it was intended'.

The party's position in holding the balance of power in the Senate has certainly facilitated its attempts to achieve compromise, accountability and consensus by moderating legislation through amendments and strengthening the mechanisms of parliamentary accountability. Moreover, it has been the Democrats' minor party status and the realisation that governing (either outright or in coalition) is unattainable that has led the party to focus on achievement in the Parliament:

⁹ For example, see Australian Labour Party, *National Constitution 2007*, s. 10.

If the Democrats do not want power... then what do they want and what is the third team even for? It is a question all too many Democrats have asked themselves, but to which the answer should be remarkably clear. Of all the political parties, the Democrats have not seen or used the parliament as a means to an end, but as an end in itself (Australian Democrats 2007: 5).

As Senator Allison (2007) explained, 'it's about how we perceive power'. Scrutinising legislation through parliamentary debates and committees and negotiating amendments is regarded as 'the only way of having policy input into the Parliament... The main parties are either in government or in opposition, waiting to be in government, so they don't have the same imperative'. Although the Greens currently maintain a similar position in the Senate in terms of seats held, the Democrats have always distinguished themselves from a party they regard as ideologically driven and inflexible. Unlike the Democrats, who developed a reputation as 'responsible and useful' political agents (*The Age*, 14 December 1989), Allison (2007) maintains that 'the Greens have no interest in working with the government'. This perception of the party's relative place in politics indicates that although the party seeks to apply the basic principles of social liberalism to legislation at hand, there is always room in the Democrats' approach for compromise and pragmatic solutions.

The Democrats found themselves placed in a situation where they could exercise considerable legislative influence very early on in their history, gaining the balance of power in the Senate after contesting their second federal election (1980). In its infancy, the parliamentary party was quite reticent about flexing its muscle and very wary of potential accusations of being obstructionist. In the aftermath of the 1975 constitutional crisis that saw the dismissal of the Whitlam government for its failure to secure supply, the Democrats pledged prior to the 1980 election that they would not use a balance of power position to block supply or money bills in such a way that would prevent the government from governing (Sugita 1995: 357). Rather, under the influence of Don Chipp, the party's key imperative was to keep the government to its word, in the narrow sense that it implemented its election promises (Australian Democrats 2007: 9).

The 1981 budget presented the Democrats with their first real test in political negotiation and exerting the influence made possible by their pivotal position in the Senate (see Young 1997: 178-81; Sugita 1997). The budget contained provisions to implement a sales tax, which the Democrats objected to, both on the grounds of their own policy (it would disproportionately disadvantage low income earners) and that it ran contrary to the government's own election promises. Nonetheless, the Democrats had previously pledged not to interfere with the budget, and so found their options severely constrained. The parliamentary party tried unsuccessfully to negotiate amendments to the budget without actually threatening to refuse to pass the legislation, before finally changing its position to block certain elements of the sales tax that were inconsistent with Democrat policy.

In doing so, the Democrats were heavily criticised by the media and the coalition for renegeing on their promise to pass the budget (Australian Democrats 2007: 8; Young 1997: 180-1; Sugita 1995: 229-30). Chipp responded by openly acknowledging the difficulties in exercising power and conceding that the party's original position had constituted an

‘error of judgement’ (Sugita 1995: 228). However, as Young (1997: 181) notes, reconciling a commitment to allowing the government to govern and achieving policy objectives is a tension that has remained with the party throughout its history, and one which reflects the ongoing debate as to the normative role of minor parties, echoing the concerns expressed by Duverger (1967: 290):

Opinion is much divided over these tiny groups which never have more than a small number of representatives in Parliament and do not seem therefore capable of playing an important part either in the government or in the opposition. Some, viewing them as a regrettable source of division and confusion, do their utmost to bring about their disappearance; others grant them the role of useful buffers.

Whether or not a minor party’s political legacy can be viewed as obstructionist or having usefully moderated and improved legislation is essentially a normative and subjective judgement. Nonetheless, after the party’s experience with the 1981 budget, it gradually assumed a more proactive role in the Senate, beyond keeping the government to its promises and pursuing accountability in the form of a ‘Senate watchdog’ (Chipp’s conception of the party’s proper place in the Parliament) to rejecting and seeking amendments to legislation in accordance with its own electoral mandate. Leader from 1986-1990, Janine Haines, described the Democrats’ role as ‘a sort of umpire’s role...our presence compels them to get things right’ (quoted in Australian Democrats 2007: 11). Throughout the 1990s under the leadership of Cheryl Kernot and Meg Lees, the party became increasingly more aggressive in altering legislation to bring it into line with the party’s own policy objectives and socially progressive agenda. For example, the Democrats secured key amendments to industrial relations legislation (the Workplace Relations Bill 1996) striking ‘a right balance’ between the original ‘thrust of the legislation’ and ‘safeguards for the most vulnerable’ (Reith and Kernot 1996, quoted in Sugita 1997: 167-8).

Although controversial and highly contested both within the public domain and inside the party (see discussion p. 11), taxation reform (The New Tax System 1999) could also be regarded as another such example. In this instance, the Democrats were able to negotiate the exemption of essential items (such as fresh food) from the goods and services tax to reduce the impact on low-income earners, in return for supporting the government’s broader reform agenda (Australian Democrats 2004). However, as the party reflects:

Balance of power negotiations are generally politically risky and these were no exception, attracting fierce opposition. The just-say-no approach might have been safer but this would have breached a fundamental, pragmatic tenet of the party – that parliament was not to be treated as the means to a political goal, but as a proper forum in which to debate and achieve the best possible outcome (Australian Democrats 2007: 14).

In addition to strengthening parliamentary accountability mechanisms, (for example the party played a key part in establishing the Scrutiny of Bills Committee in 1981), the Democrats have had a significant impact in many policy areas, introducing progressive bills and ideas to the chamber that have proven influential years down the track. A notable example was the introduction by the Democrat Senators (led by Colin Mason) of the World Heritage Properties Bill 1982, which allowed the Commonwealth to use its

constitutional powers to protect world heritage designated properties from development by the States. The legislation was used by the Hawke government after its election in 1983 to protect the Franklin River in Tasmania from the construction of a dam (Democrats 2007: 3). The progressive pursuit of an environmental agenda (in the absence of a national green party) throughout the 1980s also included the Rainforests Preservation Agreements Bill 1982, and the Great Barrier Reef Marine Park Amendment (Prohibition of Mining and Drilling Activities) Bill 1985 – introduced by the Democrats into the Senate and subsequently passed by both houses of Parliament.

An interesting aspect of the party's parliamentary contribution is that each Senator generally cites a different bill, or piece of legislation, through which they feel the party has made a significant and lasting impression. For example, Cheryl Kernot gave particular prominence to the Workplace Relations Bill, for Lyn Allison abortion legislation (RU486) was important, and for Andrew Bartlett the Environment Protection and Biodiversity Conservation Act stood out. This demonstrates the diversity of issue areas that the Democrats have managed to address, and the immense individual effort required within a minor party that needs to respond to hundreds of items on a yearly basis with very limited resources. The size and working culture of the parliamentary party is such that each senator becomes primarily responsible for an issue area or a particular bill, and will see it through from start to finish. The remainder of the parliamentary party will usually take the lead of the responsible portfolio-holder. As such, legislative compromises and negotiations are very much the product of the individual work of Democrat senators, who tend to feel 'ownership' of particular bills and are consequently personally driven or motivated to achieve better outcomes.

The Democrats lost their balance of power position when the government gained control of the Senate in July 2005, by a majority of one. Consequently, 'the potential for... legislative wins was dried up overnight, the Senate committee system was severely curtailed and major bills were routinely rushed through' (Australian Democrats 2007: 15). The party has still claimed a number of victories since 2005, including establishing an inquiry into mental health, removing the Health Minister's veto over the abortion drug RU486, and another recall of the Australia Card proposal, which was previously successfully opposed by the party in 1986. Numerous issues that have been championed by the Democrats since their inception, such as climate change, water resources and usage, nuclear power, uranium mining and indigenous disadvantage, have now 'moved into [the] mainstream and been taken on by the major parties' (Australian Democrats 2007: 15). Although it seems unlikely the Democrats will be able to claim direct credit for any future legislative advances in these areas, their role in political agenda setting could certainly be regarded as a lasting political achievement.

Conclusion: The Political Legacy of the Australian Democrats

Currently polling at less than 2%, the Australian Democrats look set to lose all four of their remaining seats in the Senate at the next federal election (November 2007). By removing the opportunity to contribute to the Australian Parliament, the party will lose

the very source of its respect, support and admiration over the last 30 years, and this will ultimately threaten the Democrats' very existence. Nonetheless, even if the party is unable to survive the election, it will take some time for another minor party to equal the level of electoral and institutional success the Democrats have achieved. Further, as I have argued in this paper, the Democrats have made a lasting contribution to Australian politics that has far outweighed the party's size and status. By demonstrating that representation is achievable, the Democrats have opened up the electoral marketplace to other minor parties and in this sense, have substantially restructured party competition. The party's legislative efforts in securing accountability and improving the social outcomes of legislation have been numerous, earning it the label of 'Senate watchdog'. However, an evaluation of the Democrats' role in Senate is essentially a normative exercise, and will depend on whether one views a minor party holding the balance of power as a mediating or obstructive force. Nonetheless, the Democrats' actions over the last 30 years have created an awareness of the Senate as a house of review that extends well beyond the party itself. As survey data presented in this paper indicates, most Australians are now sceptical of government control of the Senate and the practice of split ticket voting suggests that a substantial number vote for a minor party in the upper house to act as a check on the governing party. Therefore, the party's premier legacy is that its parliamentary activities have created a lasting expectation in the minds of Australians that there is an option beyond the major parties, and that the Senate is an important forum for legislative scrutiny – more than a mere 'rubber stamp'.

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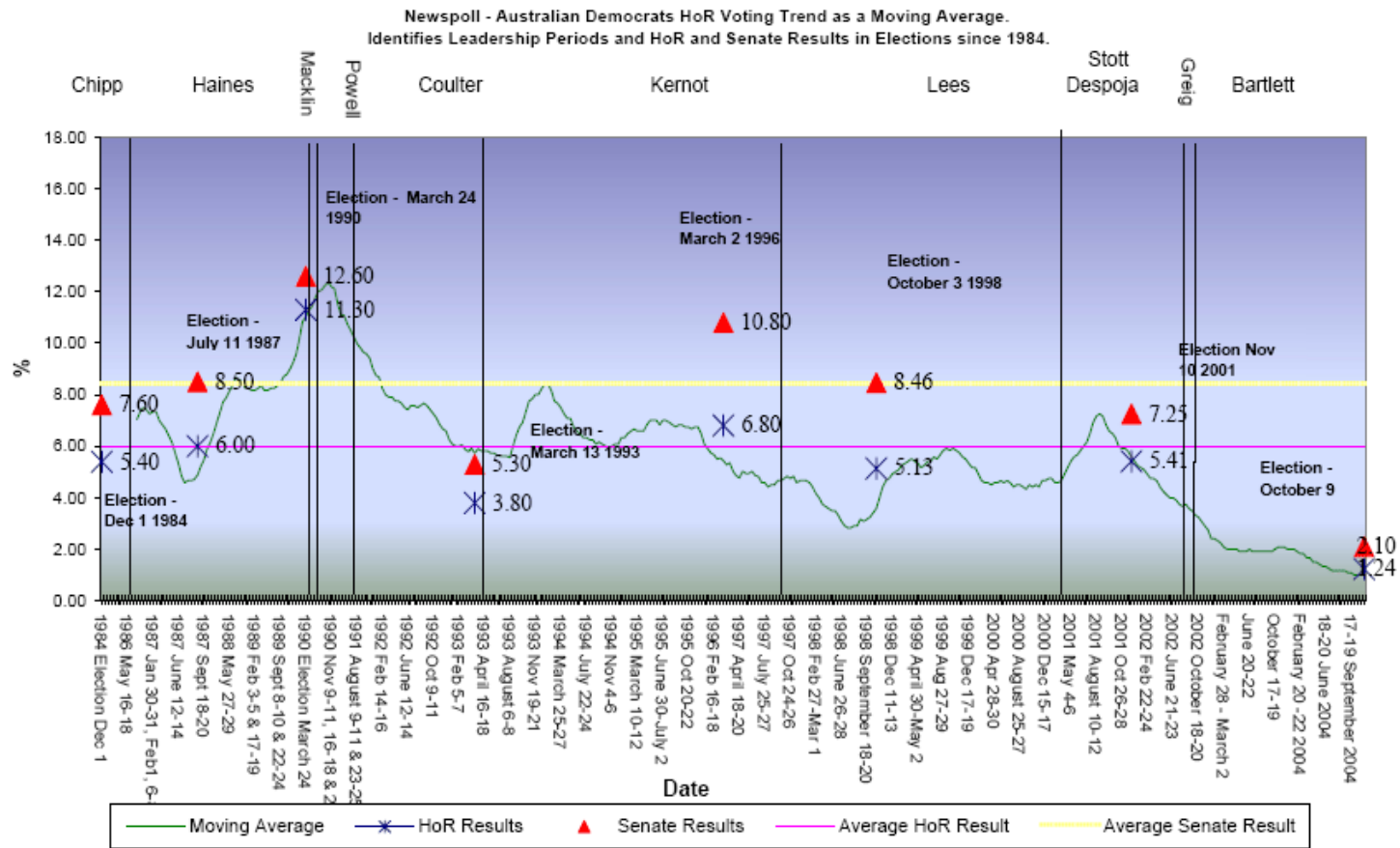
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Figure 1: Australian Democrats Electoral Performance and Leadership Periods 1984-2004



HoR results and Senate results are an average of all results since 1977.

Source: Murray (2005)

