Fairness and Unfairness in South Australian Elections

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Table Of Abbreviations

ACT	Association of Consumers and Taxpayers(NZ)
AEC	Australian Electoral Commission
AGPS	Australian Government Publishing Service
ALP	Australian Labor Party
DEM	Australian Democrats
EDBC	Electoral Districts Boundaries Commission
HA	House of Assembly(SA)
LC	Legislative Council(SA)
LCL	Liberal Country League
LIB	Liberal Party
NAT	National Party
SAGG	South Australian Government Gazette
SAPD	South Australian Parliamentary Debates
SEO	State Electoral Office

ABSTRACT

Fairness And Unfairness in South Australian Elections

In 1991, the South Australian Government enacted legislation requiring electoral commissioners to draw boundaries that would give both major party groups (Labor and Liberal) a fair and equal chance of winning government. This reform came as a result of long-standing grievances held by both parties about the unfairness of the existing system. This thesis argues that electoral fairness or the lack of it, has been a major issue in South Australia since the early colonial days and that the 1991 legislation has failed to resolve the problem.

This thesis analyses elections and electoral laws in a historical manner, because it was considered important to show how past events have affected the modern political landscape. It is argued in the thesis that the 1991 changes cannot guarantee fairness, as the 2002 election showed. It saw Labor win government with less than 50% of the two-party preferred vote, a result that is the occasional by-product of any single-member system. Such systems have a natural tendency to over-represent the largest parties, and in a close election, sometimes produce a result where the second largest party wins more seats than the largest party.

It is also argued that while multi-member systems can and usually do produce fairer results than single-member systems, such systems are not likely to be introduced because both major parties have a self-interest in maintaining the single-member system. Occasionally electoral reform can be achieved (as happened in New Zealand and Italy) when the existing system is shown to be producing bad results. However, the apathy of many voters and the partisan interests of the major parties means that such major changes are unlikely to happen in Australia in the foreseeable future.

Declaration

This work contains no material which has been accepted for the award of any other degree or diploma in any university or other tertiary institutions and, to the best of my knowledge and belief, contains no material previously published or written by any other person, except where due reference is made in the text.

I consent to this copy of my thesis, when deposited in the University Library, being available for loan and photocopying.

Glynn Evans   July 2005

Acknowledgements

1   Fairness and Unfairness in South Australian Elections

Fairness, or the alleged lack of it, has been a major issue in South Australian elections almost since their commencement in the 1850s. Possibly aided by the fact that issues of fairness were also raised in federal elections, most notably after World War 2, it is not surprising that South Australia was the first state to recognise that apparently fairly drawn boundaries could assist or hinder certain political parties, and was to introduce legislation requiring boundaries to be drawn so that both major political party groups were given a fair and equal chance of winning government.

Although the very issue of who had the right to vote for which, if any, house of parliament was an issue in the early colonial period, the issues that will be dealt with in this thesis relate mainly to the relative voting power of voters in certain geographical areas. The issue of weighted voting in rural areas was always controversial, but became especially so during the 1940s, 1950s and 1960s. For much of the early part of this period, the Labor Party had believed that unfair electoral arrangements (specifically the weighted vote given to country areas) had prevented them from winning government, on the basis that they had more public support than the Liberal Country League, as the Liberal Party was then known.

However in the late 1970s and 1980s, it was the Liberal Party who argued that unfair boundaries had denied them their rightful share of power. In 1991 legislation was passed requiring electoral commissioners to take into account the political consequences of the electoral boundaries they drew. This piece of legislation became known as the fairness clause, but it was actually an amendment to the *Constitution Act 1934*. It became subsection 1 in Section 83 of the *Constitution Act* No. 1 of 1991 and came into force on 7 March 1991. It is sub-titled 'Electoral fairness and other criteria' and states that:

> In making an electoral redistribution, the Commission must ensure, as far as practicable, that the electoral redistribution is fair to prospective candidates and groups of candidates so that, if candidates of a particular group attract more than 50 per cent of the popular vote (determined by aggregating votes cast throughout

the State and allocating preferences to the necessary extent), they will be elected in sufficient numbers to allow a government to be formed.[1]

The report then goes on to explain that Commissioners were to have regard to other criteria, many of which had been included in the previous legislation. An additional amendment was included, stating that:

> For the purposes of this section a reference to a group of candidates includes not only candidates endorsed by the same political party, but also candidates whose political stance is such that there is reason to believe that they would, if elected in sufficient numbers, be prepared to act in concert to form or support a government.[2]

The legislators recognized that some provision would have to be made to deal with the election of those members not endorsed by either major party.

The main purpose of this thesis is to analyse the general level of fairness in South Australian elections over time, and the particular impact the fairness clause has had on elections held since its inception. It will be argued that the fairness clause may actually have produced a result *opposite* to that intended by its advocates. This may be a mere matter of luck. However it is a major argument of this thesis that apparently unfair results in a series of elections were caused largely by the inherent nature of a single-member electoral system. One characteristic of the system is that certain votes for a particular party are 'wasted' because that party wins seats by excessively large majorities. More importantly, parties waste many more votes by failing, by narrow or reasonably comfortable margins, to win seats.

It will also be argued that we live in a different political world from the one that existed when the particular piece of legislation was drawn. It is no longer the case that minor party and independent candidates can be pigeonholed into a major party bloc. Such candidates may take a whole range of factors into account before deciding which side to support. Among those factors that might be taken into account are the vote and seat shares for each major party, but equally important might be government stability, personal advancement or a desire

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[1] *South Australian Government Gazette* (hereafter cited as *SAGG*) *29 November 1991: [Report of the] Electoral Districts Boundaries Commission*, p. 1498.
[2] *SAGG*, 1991, p. 1499.

for revenge. The uncertainty created by these factors make it virtually impossible for the Commissioners to predict in advance how these factors would play in the long run.

Furthermore, it will be argued that the Liberal Party, the main proponent of the fairness clause legislation, was in the end, hoist on its own petard. The theoretical framework on which the fairness clause was based (the concept of the two-party preferred vote) will be shown to be more problematic than it appeared to be at the time the relevant legislation was passed. This is largely due to the increasingly unpredictable behaviour of independent and minor party members. The Liberal Party has suffered most from this change because such members have, in the main, been elected in formerly safe Liberal seats. Consequently, as some of the Liberal Party's voting support in 2002 did not give them additional seats in parliament, and all independents elected in 2002 have been prepared to exercise their independent judgment in a manner detrimental to the Liberal Party, the Liberals lost office. Opinion polls taken in late 2004 suggest the Liberal Party has lost more support since the election.[3]

Later in the thesis, the issues raised in the two court cases relating to the validity of the election of Peter Lewis in his seat of Hammond[4] will be canvassed. It will be argued that we live in an age of greater minor party and Independent support, and that part of the reason for such support is that many voters are more interested in what a particular candidate might do for their electors if elected, and that the allegiance of that candidate to one party or another is of secondary interest to such voters. As a result, the efficacy of using the two-party preferred vote as a measure of who should be in government can be questioned. Perhaps the arguments of the protagonists in the Lewis case are indicative of a fundamental conflict between the old and the new political reality.

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[3]The Morgan Poll Finding No. 3595, taken in November 2004, showed Labor leading 46.5% to 36.5% on primary vote and 56.5% of the two-party preferred vote. A Newspoll taken at around the same time showed a smaller Labor primary vote lead of 46% to 37%. See www.roymorgan.com.au and www.newspoll.com.au
[4]*Featherston v Tully*, Nos. 1 (No. SCCIV-02-481 [2002] SASC 243 (1 August 2002) & 2 .(No. SCCIV –02-481 [2002] SASC 338 (10 October 2002).

It will also be argued that a requirement for the Commissioners to make electoral fairness an overwhelming consideration has produced some drawbacks. There have been occasions where issues of community of interest and communication and travel have had to be largely ignored so that the requirements of the fairness clause could be met. Many electorates now have very odd shapes, and the need to have a redistribution after every election has caused much disruption to MPs and their electors.

While such problems might be considered a minor inconvenience if the fairness clause was vital to the functioning of a robust democracy in South Australia, the argument here is that it is not vital at all. The last chapters look at the question of whether other electoral systems might have produced fairer and better results, and what would be the best electoral system for South Australia in the future. It will be argued that. while systems other than those based on single-member electorates may produce a fairer result, a major change is not likely because both major parties have a fundamental interest in retaining the single-member system. It gives them an advantage by over-representing them at the expense of minor parties, and even if the system might disadvantage one of them from time to time (when their vote is well below their chief adversary), they also know the system might heavily favour them when their vote increases.

Theoretical Framework of Thesis

An important aspect of the arguments contained in this thesis is the question of why electoral systems are important. Because each particular piece of South Australian electoral history had a major impact on political developments in the years following its introduction, it was considered necessary to provide an outline of the major changes that took place over the years. Many of them came about because of a perceived injustice or inadequacy in the existing framework. The so-called fairness clause is the latest of these changes, and like many others, it has perhaps created new inequities of its own, and, it is argued, has failed to correct the old inequities.

It must be stressed that fairness is not the only important issue to be considered when electoral systems are discussed. In fact it is fair to say that fairness was low on the list of priorities of South Australia's early legislators. An early constitution of South Australia had as one of its main purposes, "the provision of peace, order and good government for the people of South Australia."[5] At that time, and for many years afterwards, a very restricted franchise existed for at least one house of parliament.

Although the days when the idea of a restricted franchise, or a heavily weighted one being politically acceptable are long gone, the caveat is still relevant today. An electoral system that might be the fairest in terms of the way political interests are represented in parliament might be a disaster in terms of the degree of stability provided. Chapter Two gives some examples of where faulty electoral systems might have produced results detrimental to the countries concerned.

The relevance of these general issues to the South Australian context will be analysed briefly. It will be seen that the debates that took place in the late nineteenth and early twentieth centuries were rarely a matter of life and death, the arguments were much more about whether a certain political party had been denied its rightful share of power. The next few chapters endeavour to answer those questions, particularly in relation to the late twentieth century period.

Some of these issues have been canvassed before, especially in relation to the 1944 to 1989 period. Dean Jaensch has been the main analyst of this period, although the accuracy of some of his analysis has been questioned by other writers, most notably by former Liberal MLC Ren DeGaris. It was deemed appropriate to take another look at these arguments to assess which party, if any, was unfairly disadvantaged during that time, and if so, to what extent and during which time frame.

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[5] 4 & 5, William IV, CAP 85, An act to empower His Majesty to erect South Australia as a British Province, 1834.

In some cases, minor adjustments were made to Jaensch's figures for the elections held during the 1970s and 1980s. Analysis of these elections, and indeed those of the 1940s, 1950s and 1960s, is essentially a re-assessment of the claims made by other analysts.

On the other hand, the fairness of the system prior to the move to a single-member system for the House of Assembly in 1936, and the elections held since the enacting of the fairness clause have received much less attention. It was considered necessary to provide an account of the results under the pre-1936 system so that an assessment could be made about the relative fairness of that system compared to later ones. The major part of this thesis is devoted to the post-1989 period, because it had received so little analysis to date. Official election results are far more detailed than they were during the earlier periods, so it is possible to be more precise about the statistical analysis. One of the main reasons for the lack of agreement about levels of electoral support in earlier years was the large number of uncontested seats, hence estimates were always required. The fact that preferences were often not counted out was also a problem at this time.

In fact, any analysis of Australian election statistics must be treated with care because of some of the unusual features of the Australian political system. In particular, features such as preferential voting and malapportionment, or vote weighting, have had a major impact on the results of Australian elections, and for many years the latter phenomenon had a profound impact on South Australian elections, because it gave the Liberal Country League a big advantage.

Australia has a history of introducing electoral innovations; it was the first country to introduce the secret ballot, and one of the first to give women the vote at national elections. Women were able to vote at the first Australian election in 1901, and South Australia had given women the vote in 1894, just after New Zealand in 1892. Compulsory attendance (commonly known as compulsory voting) is a unique feature among English-speaking countries. However it is in the combined use of single member constituencies and preferential voting that Australian elections are unusual.

Single-Member Constituencies and Preferential Voting

With the exception of Tasmania and the Australian Capital Territory, all Australian Lower

Houses (the house where government is decided) use single-member electoral systems.

Malcolm Mackerras has noted that a number of countries use single-member constituencies,

and that all except the USA are British Commonwealth countries. What is also noted by

Mackerras is that all except Australia use first past the post.[6] In this system, each voter casts

a single vote for their preferred candidate, and the candidate with the most votes wins.

The use of preferential voting in single-member constituencies is therefore unique to

Australia. The introduction of such a system at federal level was first analysed in detail by

Bruce Graham[7] and Joan Rydon[8], and in both cases the major reason given for its

introduction was the desire of the non-Labor parties to stop the splitting of their vote among

several candidates. Whatever the reason, the existence of such a system meant that votes cast

for a minor party could end up as an effective vote for one of the major parties. Hence the

concept of the two-party preferred vote was developed. Although first touched on by C. S.

Soper and Joan Rydon in 1958[9], it was Malcolm Mackerras who popularised the concept in

his pioneering 1972 work *Australian General Elections*. He described the contest for the

Australian House of Representatives as follows:

> Australian elections seem so very complicated to the layman, yet in reality they are
> quite simple. When Australians vote at a general election for the House of
> Representatives they choose a government. In practice they choose between two
> rival teams. The first is...a coalition of the Liberal Party and the Country Party.
> The second team is the Australian Labor Party. Each Australian who casts a formal
> vote...expresses his [or her] support for one of these teams. He [or she] votes for
> [the coalition] if he [or she] places the relevant coalition candidate ahead of the
> Labor Party on the ballot paper. He [or she] votes Labor if he [or she] places the

[6]Mackerras, Malcolm, "Prospects for Electoral Reform in New Zealand", Paper presented to the Australasian
Political Studies Association Annual Conference, University of Canterbury, Christchurch , 1998. The country
(New Zealand) that was the major focus of this article uses a mixture of first past the post and a list form of
proportional representation. It should be mentioned that Mackerras failed to mention France and the former
French colonies that use the double ballot system: strictly speaking, this system should be regarded as a single-
member system.
[7]Graham, Bruce, "The Choice of Voting Methods in Federal Politics 1902-1918", in Hughes, Colin (ed),
Readings in Australian Government, Brisbane: University of Queensland Press, 1968, pp. 202-219.
[8]Rydon, Joan, "Electoral Methods and the Australian Party System", in Hughes, *Readings*, pp. 175-191.
[9]Soper, C. S. & Rydon, J. "Under-representation and Electoral Prediction", *Australian Journal of Politics and
History*, 1958, Vol. 4, No. 1, pp. 94-106.

Labor candidate ahead of the relevant coalition candidate on the ballot paper. Thus the whole process can be simplified by reducing the result in every constituency to a two-party preferred vote.

But what of the minor parties?…Well, in my view, a vote for the minor parties is a nominal vote only. The real vote is the higher preference given to one or other of the major party candidates. In terms of its effect on the result, there is no difference between the voter who votes 1 Liberal and the voter who votes 1 DLP and 2 Liberal (the latter merely delays, by ten days, the counting of his [or her] vote as an effective Liberal vote.[10]

Mackerras went on to explain that there existed a major problem with the two-party preferred vote in that full preferences were counted only when they were needed to determine a result. Therefore Mackerras estimated a preference flow in those seats where preferences were not distributed to make the figures complete. Since 1983, however, the Australian Electoral Commission, (and most state offices also follow the practice), has been required to conduct a count of all preferences. Another problem that has emerged is an increase in the propensity of some seats to produce a situation where the two leading candidates were not Labor and Liberal or National. In these cases, most electoral offices nowadays conduct a notional count of other candidates' preferences to arrive at a Labor-Liberal two-party preferred vote.

The validity of the two-party preferred vote has been questioned by some observers, most notably Campbell Sharman, and he and Mackerras have engaged in a lively debate on the subject.[11] It is not necessary to analyse the argument here, but it is worth noting that the two-party preferred concept was founded to adapt to the system of preferential voting that exists in Australia. Hence results that may appear anomalous when primary votes are examined become explicable when preferences are taken into account. The two-party preferred vote illustrates how major parties can benefit from the primary votes of minor parties, and sometimes even other major parties. An analysis of primary votes alone obscures

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[10]Mackerras, Malcolm, *Australian General Elections*, Sydney: Angus & Robertson, 1972, pp. 1-2.
[11]Sharman, Campbell, "Swing and the two-party preferred vote: a comment on Malcolm Mackerras", *Politics*, 1978, Vol. 13, No 2, pp. 336-339. Mackerras responded on pp. 339-342 of the same issue.

this, and can make results appear very unfair indeed.[12] Whether preferential voting itself is unfair is another matter entirely, and one that will be examined later in the thesis. It is argued in Chapter Seven that while giving voters the chance to show a preference for another candidate if their preferred candidate is unsuccessful is good in principle, to force that voter to show a preference he or she may not have provides a distortion to the levels of support given to the major parties via preferences.

Having said this, although it might once have been the case that a vote for an Australian lower house was essentially a vote to choose a government, it is questionable now whether this is the major issue in those electorates that elect a minor party or independent candidate. In the specific context of a case in South Australia's Court of Disputed Returns in 2002, a vote for an independent or minor party candidate can definitely be regarded as real.[13] Even in electorates where a major party candidate is elected, it could be argued that many voters are voting to choose a *local representative* as much as a government. Voters may vote for particular candidates for a whole range of reasons, not just to choose a government. In some cases, a particular candidate will fit all an elector's desires, but in others the voter may have conflicting desires that cannot be met by a single candidate. Of course other electoral systems do allow multiple choices to be made, and some of these will be examined later.[14]

The other feature of Australian electoral systems of the past was the existence of malapportionment, or vote weighting. Under such a system, some areas, usually country areas, were given lower elector enrolment numbers in order to compensate them for the large geographical size of their electorates and the difficulties of parliamentary representatives communicating with their electors. Some supporters of malapportionment also argued that

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[12]Among these were the Australian national elections of 1961, 1969 and 1990, and several Queensland elections held between 1957 and 1989. Federal elections are analysed later in this thesis: for Queensland analysis see Mackerras, Malcolm, "A Revisionist Interpretation of Queensland's Electoral Scheme", *Australian Journal of Political Science*, 1990, Vol 25, No. 2, pp. 339-349. See also Hughes, Colin, "Malapportionment and Gerrymandering in Australia", in Johnston, Ron (ed), *People, Places and Votes; Essays on the Political Geography of Australia and New Zealand*, Armidale: University of New England Press, 1977, pp. 93-109 and Hughes, Colin, "Queensland's Electoral System", Paper presented at National Party seminar, Brisbane, 1982.
[13]*Featherston v Tully*, Nos. 1 & 2. .In the electorate of Hammond in 2002, a vote for Peter Lewis was real, and a vote for the Labor Party was nominal only.
[14]The Hare-Clark and Mixed Member Proportional systems provide such multiple choices.

rural areas should get greater levels of representation because they produced most of the nation's wealth.[15]

Because of improved communication and the declining prosperity of the rural sector, both these arguments have lost much of their force. More importantly, the existence of weighted voter was alleged to be one of the major factors producing unfair election results, an issue that was particularly relevant to South Australia. Only Western Australia and, to a very minor extent, Queensland employ any level of vote weighting in their lower houses at the time of writing.[16]

It was the issue of vote weighting for rural areas that was the major point of controversy in South Australia for much of the twentieth century. Concerns over vote weighting were resolved by the reforms of the late 1960s and the early 1970s. By the late eighties, however, in the words of the 1991 Electoral Districts Boundaries Commission, "the nature and the cause of a new kind of imbalance became evident."[17] This was the locking up of much of the Liberal Party's vote in ultra-safe seats. Later on, both of these issues will be examined more closely, especially in those elections held after 1941, to examine how the question of electoral fairness became a major issue. Before that, an examination of the general importance of electoral systems is necessary, and the role they have played in shaping political events in Australia, and in other parts of the world, will be clear.

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[15] Jaensch, Dean, *The Politics of Australia*, Melbourne: Macmillan, 1992, p. 361. Jaensch calls this idea the 'sheep's back' principle and questions whether it was ever relevant.
[16] In May 2005, legislation was passed in Western Australia that dramatically reduced the level of vote weighting in that state's Legislative Assembly.
[17] *SAGG*, 1991, p. 1493.

2.   The Importance of Electoral Systems

To a person with only a passing interest in politics, the question could well be asked: Why are electoral systems so important? The answer is best related in step form. The electoral system helps determine who is elected to parliament. Who is elected to parliament helps determine who ends up in power. Who is in power plays a major role in determining the policies of the government, and the policies of the government can have a major impact on the lives of the people of the state or country. If the country is a world superpower, such as the United States, the electoral system can have a major impact on events taking place in other countries too.

The importance of electoral systems has been argued forcefully by the International Institute for Democracy and Electoral Assistance. The conclusions of its book, titled *The International IDEA Handbook of Electoral System Design,* provide some justification for the conducting of research into related matters. The book's authors, Andrew Reynolds and Ben Reilly, claim that electoral system design is now accepted as being of crucial importance to wider issues of government, and is probably the most influential of all political institutions.[1]

Reynolds and Reilly also claim that political institutions shape the rules of the game under which democracy is practised and that the electoral system is the easiest political institution to manipulate.[2] Such a claim makes sense for two reasons. As well as the self-evident fact that two different electoral systems may produce very different outcomes even if the voting patterns were exactly the same, it would also seem logical that it is easier to alter election results by changing the way votes are converted into seats than it is to alter people's long-term voting patterns, which may be based on deeply-held class, religious or ethnically-based ties.

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[1]Reynolds, Andrew & Reilly, Ben, *The International IDEA Handbook of Electoral System Design,* 2nd ed, Stockholm: International Institute for Democracy and Electoral Assistance, 1997, p. 2.
[2]Reynolds & Reilly, *International,* pp. 7-8.

Some scholars in the field have also recognised how different electoral systems have produced totally different results. For example, Taagepera and Shugart quote the different experiences of two political parties (the British Liberals and the Iceland Progressives) that received similar shares of the vote in elections held in their respective countries in the years between the World Wars.[3] Maurice Duverger had also recognised the point that the multiplication of parties could be facilitated by one type of electoral system and hindered by another. He was, however, careful not to overstate the importance of electoral systems, likening their impact to that of a brake or an accelerator but claiming they had no real driving power.[4]

One of the most important functions an electoral system can perform is to provide democratic legitimacy. Reynolds and Reilly have recognised its importance claiming that:

> ...if the electoral system is not considered 'fair' and does not allow the opposition to feel that they have the chance to win next time round, an electoral system may encourage losers to work outside the system, using non-democratic, confrontational or even violent tactics.[5]

As will be seen, Chile and Northern Ireland provide an illustration of what can happen when such legitimacy is perceived to be absent. South Africa is another case where a large group of people excluded from the political system resorted to violent struggle.

When internal and external pressures became too great, South Africa took the momentous move away from apartheid and towards a multi-racial democracy. Significantly, however, the electoral system chosen for the new South Africa was a List system of proportional representation, rather than the first past the post system used during the apartheid years. This, according to Reynolds was designed to give some level of

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[3]Taagepera Rein & Shugart, Mathew Soberg, *Seats and Votes: The Effects and Determinants of Electoral Systems*, New Haven: Yale University Press, 1988, p. 2. The Liberals received just over 23% in 1929, and the Progressives around the same in 1933, but while the Liberals won only 7% of the seats, and declined further in the later years, the Progressives won 33.2% of the seats and remained a force in Iceland's politics for many years.
[4]Duverger, Maurice, *Political Parties: Their Organization and Activity in the Modern State.*, London, Methuen, 1954, p. 205.
[5]Reynolds & Reilly, *International*, p. 8.

representation to smaller political parties, thus creating an atmosphere of inclusiveness and reconciliation."[6]

Electoral systems have other important functions, many of which are listed by Reynolds and Reilly. They include ensuring a representative parliament, making elections accessible and meaningful, providing incentives for conciliation, facilitating stability and efficient government, holding the government and representatives accountable and promoting a parliamentary opposition. It is recognised by the authors, and indeed most scholars in the field, that these objectives are often not mutually compatible, and that some electoral systems will facilitate the achievement of some objectives and work against the achievement of others, while another electoral system will achieve a different set of goals, but at the expense of others. Cost and ease of administration is also another factor that can conflict with other objectives.

It is perhaps for this reason that there is such a wide range of opinions among politicians and political observers on the question of what the best electoral system is. It stands to reason that if one electoral system met all the possible objectives listed, it would have been adopted by all countries around the world. It could be argued that many of the listed objectives are worth aiming for, although of course their definitions of concepts such as stable government would differ markedly.

All of these issues are worth keeping in mind when the subject of elections in South Australia is being discussed. Many of them appear to be far removed from the issues that have been paramount when arguments have taken place on South Australia's electoral laws, indeed much of the debate appears to have been focussed on partisan considerations only. Nevertheless it should not be assumed that a well-established democracy is immune from the troubles that beset newer ones. For example, some have argued that a feeling of exclusion among Catholics in Northern Ireland has contributed to much IRA violence over many years. Closer to home, a feeling that New Zealand's politicians were behaving in a manner

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[6]Reynolds & Reilly, *International*, p. 67.

considered detrimental to the country's needs caused a majority of voters to opt to change the electoral system.[7]

Taagepera and Shugart make the claim that there is no single electoral system that is perfect for every part of the world,[8] a point of view also held by Reynolds and Reilly. A system that works well in Australia for example might well be a disaster if applied to Russia. The use of the British-based plurality system in Africa did not work for the benefit of the people living in many parts of Africa. It is a point worth bearing in mind when analysing the electoral laws in South Australia, although it must be stressed that even when concern about the electoral system was at its height, there was not a hint of politically-motivated violence, let alone a violent act.

Some other countries have not been nearly so fortunate. A particularly traumatic case cited by Taagepera and Shugart is the Chilean Presidential Election of 1970. In that election, Socialist Salvador Allende received only 36.3% of the primary vote, but won the presidency because his opponents split their votes roughly evenly between two equally strong candidates. Allende had a radical platform which he tried to implement, but the centre and right-wing parties were alienated to the point that they acquiesced in a military coup. As is now known, the result was the military dictatorship of General Pinochet.[9]

As the authors point out, Allende could not have won power if Chile had used a preferential or double ballot system. Either one of Allende's opponents would have exchanged preferences, or the lesser of the two candidates would have advised his supporters to vote for the other non-socialist candidate, or somewhat less probably, Allende would have attracted enough second preference votes to win narrowly. Either way, the winning candidate would have had the consent of at least half the population.[10] Perhaps more importantly, it would have been a happier time for those who suffered at the hands of Pinochet's barbaric

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[7]Issues that had an influence on the referendum have been canvassed by Vowles, Jack & Aimer, Peter (eds), *Double Decision: The 1993 Election and Referendum in New Zealand*, Wellington, Victoria University, 1994. The referendum is analysed in detail on pp. 93-138.
[8]Taagepera & Shugart, *Seats*, p. 5.
[9]Taagepera & Shugart, *Seats*, p. 1.
[10]Taagepera & Shugart, *Seats*, p. 11.

regime. (It is argued here that if a moderate conservative government had been formed, it would not have been so overthrown. There are very few precedents for right-wing juntas to overthrow conservative administrations.)

As previously mentioned, if a large number of people feel they are excluded from the political system (or that their votes have no impact on the body politic), they will sometimes resort to violent tactics, as indeed happened in Chile. Another example cited by Taagepera and Shugart is Northern Ireland. At one time, a first past the post system was used to elect the Northern Ireland Assembly. Because people tended to vote along religious lines, around two thirds of the vote went to Protestant parties, and the other third to Catholic parties. The voting system meant that the Protestants were even more over-represented in terms of Parliamentary seats. [11]

Without hope of gaining reasonable parliamentary representation, some Catholics adopted violent means to attempt to achieve their aims. Many years later, a local assembly elected by proportional representation was re-established under the Good Friday Agreement, but shortly after its inception, direct rule from London has been re-imposed. It is, however, not likely that there is a causal link between the electoral system and the hundreds of people, both Protestant and Catholic, who have been killed; probably nothing short of being part of Ireland would make the IRA happy, and this result would surely produce a reprisal from the more extreme Protestant elements.

None of this is written in an attempt to excuse the conduct of Pinochet and his followers, the IRA or the Protestant paramilitary organizations. It is simply used to illustrate the fact that it is important that a country's citizens perceive their elections to be free and fair. If a large section of the population feel things are not fair, the results can be catastrophic.

Another case where the electoral system may have had a major impact was the 2000 US Presidential election. Republican George W. Bush was elected President, despite winning

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[11]Taagepera & Shugart, *Seats*, p. 63.

fewer votes (47.8% of total votes cast) than his main rival, Democrat Al Gore (48.4%). Bush won because he won more votes in the Electoral College (271) than did Gore (267).[12] Had the election been decided on raw votes alone, Gore would have won. In addition, there was much controversy about the validity or otherwise of machine-recorded votes in the marginal state of Florida (Bush won it by only 537 votes), problems that were unlikely to have arisen had that state used pencil and paper ballots.[13]

There is an example of an election in Australia where a different electoral system may well have produced a different result, namely the 1961 Federal Election. In 1961 the Menzies government retained power after winning 62 seats in the House of Representatives, while the Labor Party led by Arthur Calwell won 60 seats. However there were four seats (Bennelong, Maribyrnong, McMillan and Moreton) where the Liberal candidate was behind on primary votes, but ended up winning with the aid of either Country Party or Democratic Labor Party preferences. There was also one seat won by Labor (Evans) after being behind on primary votes.[14]

While it is not possible to say that the votes would have been cast in the same manner if a first past the post system had been in operation (and some candidates may not have contested) there is a reasonable chance that Labor would have won in such circumstances. If this had happened, the history of Australia after 1961 could have been quite different. It is likely that Calwell would not have committed Australia to the Vietnam War, and almost certain that he would not have introduced conscription.[15] Needless to say, the course of history in other areas would have been different if Calwell had been elected in 1961.

[12]Barone, Michael et al, *The Almanac of American Politics 2002*, Washington: National Journal, 2001, pp. 52-53 and 372. The official results at the Federal Election Commission website differ slightly from this, perhaps an indication of how loose other parts of American electoral laws are.
[13]A series of articles relating to the problems of this election are included in *Political Geography*, Vol 21. No. 1. January 2000, pp. 67-104.
[14]Hughes, Colin & Graham, Bruce, *Voting for the Australian House of Representatives 1901-1964*, Canberra: Australian National University Press, 1974, pp. 389-395.
[15]Calwell's strong anti-conscription views have been documented by Freudenberg, Graham, *A Certain Grandeur; Gough Whitlam in Politics*, Melbourne: Macmillan, 1977, pp. 8-10 and 45-62.

Electoral Systems and Party Systems

Although many different electoral systems are used around the world, they can be grouped into a handful of general categories. Reynolds and Reilly have identified three electoral system families: plurality-majority, semi-PR and proportional representation.[16] David Farrell classifies electoral systems slightly differently; his chapter headings are Single Member Plurality, Majoritarian, List Proportional Representation, Mixed Systems and Single Transferable Vote Proportional Representation.

It is reasonably well known that majoritarian systems, as their name suggests, are designed to produce a majority for one party or another, rather than results that are broadly proportional with the various parties' vote share. Hence it is not surprising that elections will occasionally produce results where a party will win a greater number of seats in parliament than another party receiving a slightly higher vote share. However it is much more common for the largest party in votes to win an even larger share of the seats. As will be argued below, although the fairness clause was designed to deal with the former, it completely ignores the latter.

The question of how much the electoral system of a country or state influences its party system has been debated since Maurice Duverger formulated a theory linking single-member plurality systems with two-party competition, and proportional representation systems with multi-party competition.[17] Other writers, such as Riker and Sartori, examined Duverger's Law and attempted to provide explanations of cases that appeared to contradict the general theory.[18]

Later it will be seen that many political players and commentators in South Australia have argued for the continuation of the single-member electoral system on the basis that it

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[16]Reynolds & Reilly, *International*, p. 18.

[17]Duverger first articulated this theory in his 1951 book *Les Partis Populis* . The first English translation was published in 1954 under the title *Political Parties*.

[18]These include Riker, William, "Duverger's Law Revisited", and Sartori, Giovani, "The Influence of Electoral Systems: Faulty Law or Faulty Reasoning?" Both these articles are included in Grofman, Bernard & Lijphart, Arend (eds), *Electoral Laws and Their Political Consequences*, New York: Agathon Press, 1986, pp. 19-42, and pp. 43-68.

fosters and promotes stable majority government. The same arguments were also advanced in New Zealand by defenders of the status quo when electoral reform became an issue.[19] Such people appear to have come to this view as a result of observing their home jurisdictions, but some of them are influenced, possibly without knowing it, by Duverger's theory that the majoritarian systems tend to lead to either a two-party system or many parties that are allied with each other.

Duverger has always been somewhat cautious in the use of this theory. By the 1980s, he was advancing a line of argument similar to his earlier one:

> A particular electoral regime does not necessarily produce a particular party system; it merely exerts pressure in the direction of this system; it is a force which acts among several other forces, some of which tend in the opposite direction.[20]

Duverger goes on to mention the circumstances of West Germany and Austria, which at the time tended towards two-party systems in spite of their proportional systems, and Britain having a three-party system in spite of their plurality system. The case studies that Reynolds and Reilly use in their book make the point very clearly. For example, India's experience with plurality systems did not lead to a two-party system, and stable majority government was hard to come by between the late 1980s and 1990s.[21] Nor did Ukraine's experiment with a double ballot system produce a single party government, largely because of the number of independents elected. In fact the suggestion made in the case study suggests that the use of PR would have enhanced the cause of stable majority government because of the likely election of a larger number of party representatives.[22]

However a case where a change of electoral system confirms Duverger's rule is in New Zealand. Prior to the 1996 election, only the National and Labour Parties ever gained substantial representation, although occasionally a minor party such as Social Credit won a seat or two. The nature of the system had caused a number of smaller parties, including the Greens, forming a left-wing Alliance for the purpose of contesting elections, as none of them

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[19]The debates relating to New Zealand are thoroughly analysed in Chapter 7.
[20]Duverger. Maurice, "Duverger's Law: Forty Years Later", in Grofman & Lijphart, *Electoral,* pp. 69-84.
[21]Reynolds & Reilly, *International,* pp. 32-35.
[22]Reynolds & Reilly, *International,* pp. 48-49.

would have had any hope of election on their own.[23] After the implementation of the Mixed Member Proportional system, however, there was a gradual fragmentation of the Alliance, and now only the Greens survive in any strength.

The change had a more substantial effect on the style of government. Prior to the change of system, the previous two governments, one National and one Labour, had pursued hard-line economic rationalist policies, because small pluralities of votes produced substantial majorities of seats, and there was no check on the government's power due to the absence of an upper house. After the change, it was not possible to win a majority of seats without 50% or slightly less of the total vote, and it was therefore necessary to form coalitions which tended to be centrist. A bipolar multi-party system has emerged.

Duverger's 'Law' Confirmed in South Australia

South Australia's system of preferential voting (also called the alternative vote) falls into the plurality-majority family. Although this system is different in one major respect from the plurality system, it produces results more in line with plurality systems rather than proportional ones. After the 1997 and 2002 elections, South Australia's House of Assembly had only three parties (Labor, Liberal and National) represented, a picture mirrored by other Australian mainland states and the Australian House of Representatives. At the time of writing in 2005 only Queensland has more than three parties represented in its lower house. (Of course, like other states, South Australia has some independent members in the House of Assembly.)

The minor deviation from the two-party system illustrated here (the presence of the National Party) illustrates the major caveats that Duverger and others later placed on his law. Duverger himself claimed in 1955 that a two-ballot majority system (and preferential voting can be seen in the context of a two-ballot majority system conducted on a single ballot paper) tends to lead to the election of parties that will then coalesce with each other.[24] The National

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[23]New Labour leader Jim Anderton had won re-election in 1990 after resigning from the Labour Party during the previous term.
[24]Duverger, in Grofman & Lijphart, *Electoral,* p. 71.

Party is closely allied to the Liberal Party in all states, though less so in South Australia than elsewhere. The South Australian National Party has never been strong enough for the Liberal Party to need to enter into any formal arrangement. It is worth noting that for many years the National Party did not exist in South Australia, as it was subsumed under the banner of the Liberal-Country League.

It has generally been the case that single-member electoral systems will work against small parties, but such parties can gain representation (indeed they can be over-represented) if its support is geographically concentrated. This has generally been the case with the National Party in Australia.[25]

Reference has been made to the two-ballot majority system, which is also part of the plurality-majority family. Reynolds and Reilly have noted that the system is used mostly in countries with French connections, and also that the system as used in France has produced the most disproportional results in any western democracy. They claim that two-round systems have many of the disadvantages of the first past the post system without their compensating simplicity.[26]

The same criticism could be levelled at preferential voting, although it is not as costly to administer as the two-round system. Here again the evidence is mixed as to whether the preferential system gives more or less disparity, although anecdotally it would appear that Australian national elections produce fewer disparities than do British ones.[27]

Duverger's theories are also confirmed by the changing party structure in the South Australian Legislative Council. Prior to 1975, a form of Block Vote existed (which is also part of the plurality-majority family), and for the most part, only two parties, Liberal and

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[25]See Mackerras, Malcolm, *The 1996 Federal Election Guide*, Canberra: AGPS, 1996, p. 201 for an illustration of how the National (Country) Party's vote and seat shares. For more recent election results see www.aec.gov.au.

[26]Reynolds & Reilly, *International*, pp. 43-44. Some evidence to back up this claim is provided by Farrell, David, *Electoral Systems: A Comparative Introduction*, Basingstoke: Palgrave, 2001, pp. 61-62. It must be stressed that such a claim is hard to measure, though figures comparing France and Australia indicate more disparity in the French example.

[27]Farrell, *Electoral*, pp. 27 and 62.

Labor were represented in that house. Proportional Representation was introduced for the 1975 Legislative Council election, and ever since at least one minor party has been represented in the Legislative Council.[28]

The foregoing analysis of this chapter has illustrated that in many cases it is not just the actual votes cast that are important in determining the political structure of a state or country, but the method of counting those votes can be equally, if not more, important. The next chapter, in analysing South Australia's experiences with weighted voting, starting with the block voting methods used prior to 1936, will provide stark evidence of the importance of electoral systems and counting methods. It will also be seen that, in the early stages at least, the issue of fairness did not loom large in the legislators' thinking.

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[28]Results of South Australian Legislative Council elections prior to 1985 can be found in Hughes, Colin & Aitkin, Don, *Voting for the Australian State Upper Houses 1890-1984*, Canberra: Australian National University Press, 1986, pp. 120-175. For results of elections held since 1985, see official South Australian election results, or Dean Jaensch's election monographs.

3   SOUTH AUSTRALIA UNDER WEIGHTED VOTING

The Early Colonial Period

Before we can begin to understand why fairness assumed such importance that it came to be included in electoral legislation, it is necessary to explain how the South Australian electoral system evolved over time, and the role that considerations of justice, equity and fair play had in it. In the early days of colonial government, fairness was not considered to be very important. Early constitution and electoral acts mentioned that the main purpose of those acts was to ensure the peace, order and good government of South Australia.[1] The franchise was restricted to property owners, although after 1856 this restriction applied only to the Legislative Council. Women did not receive the vote until 1894, although it should be stressed that South Australia was one of the first jurisdictions in the world to grant women voting rights. Despite these initiatives, some property-based restrictions on voting for the Legislative Council continued to apply well into the twentieth century.[2]

Another important point about the early South Australian Parliaments is that prior to the 1893 election, the House of Assembly involved no formal party affiliated members, although a cursory look at the occupations of the members elected suggests that it is reasonable to assume that most would have had conservative political views. Dean Jaensch notes the appearance of the United Labour Party and the National Defence League at the 1893 election.[3]

Jaensch also noted that from its inception, the Legislative Council was designed to be a house of rural property, as evidenced by a franchise restricted to property owners[4], and that

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[1] These words were used in 4 & 5, William IV, CAP 85, an act to empower His Majesty to enact South Australia as a British Province, 1834. The purpose of this act was to establish South Australia as a self-governing colony.
[2] See Macintyre, Clement & Williams, John, *Peace, Order and Good Government: State Constitutional and Parliamentary Reform*, Wakefield Press, 2002, p. 23.
[3] Jaensch, Dean, *Election Statistics of Colonial South Australia*, Flinders University of South Australia: School of Social Sciences, 1974, p. iii.
[4] Jaensch, *Election*, pp. 308-309.

both the House of Assembly and Legislative Council were characterised by gross malapportionment, or vote weighting, in favour of rural areas.[5] This was defended on the grounds that rural areas were harder to service, and also produced most of the state's wealth, and therefore needed greater parliamentary representation.[6]

In the first thirty or so years of party-based elections (the exact starting point is hard to define), it did not appear to hurt the Labor Party very much at all. In those days, South Australia used the block vote method that had been used from the beginning of responsible government. Analysis of these elections is included to illustrate the largely unsatisfactory nature of the system. Yet at the same time, it does provide some guide as to what systems might produce the fairest results in modern times.

Block Vote Methods Pre-1936

Analysis by Jaensch shows that there were never more than three members elected from single-member electorates at any election held between 1855 and 1892. The 1855-56 redistribution included one 6-member, one 3-member, twelve 2-member and three single-member electorates, the 1861 redistribution involved eighteen 2 member electorates only, the 1872 redistribution involved three 3 member, eighteen 2 member and one single-member electorate, while the 1882 redistribution involved 26 two member electorates. There was one exclusively single-member redistribution carried out (in 1891), but it was rejected by the parliament.[7]

South Australia continued to use the Block Vote in House of Assembly elections until 1938, and in Legislative Council elections until 1975. Jaensch has noted that in early elections, voters were given the option of plumping, i.e. voting for one candidate only.[8] A

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[5] Jaensch, *Election*, pp. 310-313.
[6] See Jaensch, Dean, *Community Access to the Parliamentary Electoral Process in South Australia since 1850*, Adelaide: SA State Electoral Office, 2002. See Chapter 13, "Electoral Apportionment and Electoral Boundaries", pp. 151-184 for an account of debates about vote weighting in South Australia over the years.
[7] Jaensch, *Election*, p. iv.
[8] Jaensch, *Election*, p. ii.

glance through the results suggests that plumpers usually constituted a very small (around 10%) proportion of the total votes cast.[9]

The Block Vote was also used in the Australian Senate until 1949, although the plumping option existed for only a short time. Nevertheless, the results give us a reasonable body of evidence on which to assess the merits and demerits of such a system.

Some overseas examples illustrate the major demerit of the system, namely that both individual and party block vote systems can exaggerate the disadvantages of first past the post. The 'super-majoritarian' system, as Reynolds and Reilly call it, can produce results like those in Singapore in 1991 where the People's Action Party received 61% of the primary vote and 95% of the parliamentary seats.[10]

Similar results were produced by this system when it was used to elect the Australian Senate. Malcolm Mackerras has noted that the system could produce very unfair results, though it was not always the same party that benefited. For example…at the double dissolution of 1914 Labor polled 52.1% of the vote and the Liberals 47.8%, but Labor won 31 seats and the Liberals only 5. In 1919 Labor polled 43.3% but won just one of the 18 seats.[11]

Mackerras goes on to explain that the largest party in votes in a state usually won all seats in that state. This was so even under Preferential Block Majority, as most voters cast all their votes for candidates of one party. It was the case that a party with the minority of votes nationally could be the majority party in one or two states, and therefore receive reasonable representation. However the smaller of the major party blocs was grossly under-represented more often than not.

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[9]See Jaensch, *Election*, and also Hughes, Colin & Graham, Bruce, *Voting for the South Australian, Western Australian and Tasmanian Lower Houses 1890-1964*, Australian National University: Department of Political Science, 1976, p. vii. The exact rate of plumping is not given, but the difference between the total votes cast and the votes given to individual candidates gives some guide.
[10]Hughes & Graham, *Voting*, pp. 38-39.
[11]Mackerras, Malcolm: *The 1996 Federal Election Guide*, Canberra: AGPS, 1996, p. 297.

J. F. H. Wright has also analysed results obtained in the Australian Senate from 1901 to 1949 under both the bloc vote method (until 1919) and the preferential block majority system. Like Mackerras, he noted some of the more anomalous results in individual state contests, but he provided the damning overall statistic that of the 36 state contests, 27 resulted in a clean sweep for a single major party, and that in no contest did the number of seats won by each party correspond even roughly with their vote share.[12]

Wright noted that the preferential block majority system was introduced because of the perceived shortcomings of the first past the post method, but his analysis of the ten elections held under it suggests, as Mackerras also found, that it produced similar anomalies to the system it replaced. In the sixty individual state contests, 55 of them resulted in a clean sweep for a single party or coalition, parties with almost half the votes won no seats on three occasions, and parties with more than 40% of the votes won three seats or less on eight occasions.[13]

Although the potential for gross over-representation of the winning party also existed under the pre-1936 House of Assembly system in South Australia, it did not usually happen to the same extent. This was possibly because each major party had sufficiently concentrated support to ensure a reasonable level of representation. For example, in 1930 the Liberal Party received 35.66% of the primary votes and won 13 of the 46 seats (28.3%).[14]

It needs to be stressed that, unlike the Senate's experience with a similar system prior to 1919, South Australian elections could produce reasonably proportional outcomes overall, and quite commonly individual electorates were represented by candidates from each of the two major parties. It is possible that the existence of a plumping option might have something to do with this, but it is also possible that voters were more willing to 'split their ticket' than Senate voters were.

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[12]Wright, J.F.H., *Mirror of the Nation's Mind: Australia's Electoral Experiments*, Sydney: Hale & Iremonger, Sydney, 1980, p. 86.
[13]Wright, *Mirror*, pp. 87-90. See also Macintyre, Clement, *Political Australia*, Melbourne: Oxford University Press, 1991, pp. 14-18, which would appear to provide evidence of the winner-take-all nature of the Senate voting system.
[14]Jaensch, Dean (ed), *The Flinders History of South Australia,* Adelaide: Wakefield Press, 1986, pp. 496-497.

One such South Australian election where the distribution of votes and seats was relatively fair was that of 1924. The Labor Party received 48.35% of the primary vote and 58.7% of the seats, which is in the order of over-representation that might be expected from a single-member system. The Liberal Party received 41.7% of the votes and 36.96% of the seats, although if the Country Party's 8.94% vote share is added to the Liberal total, it produces a situation where the largest major party bloc is grossly under-represented. It must be stressed that these figures, as with most of the elections of this period, need to be treated with caution because of the number of uncontested seats, but adjustments made to take this into account only change the votes by less than 1% in most cases.[15]

This was indeed the situation in 1927, when the Labor Party received 47.99% of the vote, but only 34.78% of the seats. The combined Liberal-Country vote of 47.45% yielded 60.87% of the seats.[16] 1921 saw the more common situation of the largest party bloc being over-represented. The combined Liberal, Progressive Country and Farmers and Settlers vote of 51.83% yielded 65.22% of the seats, with the Labor Party's 44.62% vote share winning it only 34.78% of the seats. 1918 saw a similar story. The system did not always work to the advantage of the conservative parties. In 1915 the Labor Party won 45.9% of the primary vote and 56.52% of the seats, while the Liberal Party's 51.58% won it only 43.48% of the seats. However this is one election where the pattern of unopposed candidates did distort the figures; five Labor seats were won unopposed, hence these (mostly) Labor votes are missing from the final tally, and therefore it is reasonable to assume Labor's support level is higher than it appears.[17]

The same is true of other elections to some degree, although the fact that the number of uncontested seats was more evenly split reduces the distortion to some degree. 1924 shows a similar pattern: the only two uncontested seats (Port Pirie West Torrens) were held by Labor. In 1927, the seats where members were returned unopposed were evenly split, (Labor in Port Pirie and West Torrens, Liberal in Alexandra and Yorke Peninsula).

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[15]Adjustment calculations were made by me on the basis of results compiled by Hughes & Graham, *Voting*.
[16]Two Labor and two Liberal seats had their members returned unopposed. Therefore the votes that would have been cast here were not included in the final tallies.
[17]Hughes & Graham, *Voting*, pp. 64-67.

At the individual electorate level, it was quite common for split delegations to be returned, especially when the votes were relatively close. In 1924, six seats returned split delegation4s (Barossa, East Torrens, Flinders, Murray, Victoria and Wooroora), while in 1927 there were four such electorates, namely Barossa, Murray, North Adelaide and Victoria. Yet it was also possible for an electorate to give a clean sweep result, even when the overall party votes were just as close in some of the split seats. Burra Burra provided such a case in 1927: The Liberal-Country Pact won all three seats with 51.05% of the total vote, while Labor's 48.95% did not win it a single seat. Labor's vote here was higher than in Victoria, where a total vote of 46.41% won it one of the two seats. It was also possible for the less popular party to win more seats. In 1927, Barossa returned two Labor members and one Liberal, although the Liberal vote was slightly higher.

The 1924 and 1927 results emphasise just how much of a lottery the first past the post block vote system could be, even though the votes-seats distortions were not as great as might have been expected. Possibly this was because of the 'plumping' option, or perhaps some voters were prepared to split their votes between candidates of different parties, but it seems most likely that the concentration of supporters of each major party bloc in a few safe seats was the main reason why the losing party secured reasonable representation.

The Liberal Government elected in 1927 was sufficiently concerned about the anomalies of the system to abolish it in 1929 and replace it with a preferential block majority system, as Mackerras called it; although J. F. H. Wright called it contingent voting in multi-member districts.[18] In parliamentary debates on the legislation, Treasurer Richard Butler claimed the change was being introduced because under the old system, elected members often did not have the support of a majority of voters. It should be noted that Butler indicated his opposition to proportional representation, and also to single-member districts, the system that was to be introduced when Butler later became Premier.

Labor leader Lionel Hill claimed that the system being adopted was not true preferential voting, and suggested that preferential voting in single-member districts would

[18]Mackerras, *1996 Election*, p. 287 and Wright, *Mirror*, p. 86.

be better. He also opposed the continuation of vote weighting, while Country Party member Archie Cameron claimed the system would provide majorities to parties well in excess of their voting strength.[19] Cameron's favourite system was proportional representation, but he preferred the existing system to single-member electorates.[20]

It was notable that during this debate, neither major party was willing to consider proportional representation. In both cases this reluctance was inspired by self-interest (a desire not to let smaller parties gain a foothold), a spirit that, for the lower house at least, still exists 75 years later. Only minor parties were willing to advocate PR, and this too, it could be argued, was largely motivated by self-interest. The self-interest of the major parties has probably prevented the selection of a system that could have made South Australian elections as fair as possible.

During the debate, some opposition members thought it was strange that the Liberal Party was adopting a system essentially the same as the Senate, where under that system the Liberal Party had failed to win any of the three seats in South Australia despite an overall vote of 40.56%. Whatever the motivation of the Liberal Government, the 1930 election fought under the new system certainly turned out badly for them. (This was at the time of the Great Depression, and most Australian elections held at this time were turning out badly for governments.)

With 48.66% of the primary vote, the Labor Party won 65.2% of the House of Assembly seats, and the Liberal Party won 28.3% of the seats with 35.7% of the primary vote. The Labor Party's vote is somewhat understated, as Labor members were returned unopposed in the safe Labor seats of Newcastle and Port Pirie, while all safe Liberal seats were contested by either Labor, Country Party or Independent candidates. Even given this consideration, it is clear that overall representation was not more proportional than under the old system, and was probably less so.

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[19] *South Australian Parliamentary Debates* (hereafter cited as *SAPD*) 24 September 1929, p. 1113, and 26 September 1929, p. 1208.
[20] *SAPD*, p. 1218.

Within individual electorates, predictions that the new system would make clean sweeps more likely turned out to be correct. There was just one seat (the rural seat of Victoria) that returned both a Liberal and a Labor member, (on vote shares of 51.66% and 48.34% respectively.) In other seats with very similar shares of the vote, one party won all seats on offer. For example, in the seats of Burra Burra, East Torrens and North Adelaide, Labor shares of 52.71%, 50.12% and 52.34% won them all the seats in these electorates. The outcome was even less fair in Murray, where the Liberal Party's vote of 49.69% failed to win it a single seat, while Labor's vote of 47.41% won it all three seats. Apart from Victoria, the only two seats that did not result in a clean sweep were Flinders (where one Liberal and one Single Tax candidate were elected) and Wooroora (where two country Party members and one Liberal, Richard Butler, were elected).

The 1933 election was similarly stark, but this time it was the Labor Party that was severely hurt. While in 1930 the conservative parties were the victims of their disunity (Liberal and Country candidates had run against each other without any kind of pact), by 1933 the Liberal and Country Parties had merged to form the Liberal Country League, while the Labor Party had split into three separate groupings (the other two were Premiers' Plan Labor and Lang Labor) and they contested the 1933 election separately.

Table 3.1 Vote and Seat Shares at South Australian Elections 1915-30

Date of election	% of vote: Liberal	House of Assembly seats won by Liberal	% of vote: others	House of Assembly seats won by others	% of vote: ALP	House of Assembly seats won by ALP
1915	51.6	20	2.5	0	45.9	26
1918	45.5	27	9.8	1	44.7	16
1921	34.9	25	20.5	5	44.6	16
1924	41.7	17	9.8	2	48.4	27
1927	45.5	28	6.5	2	48	16
1930	35.7	13	15.7	3	48.6	30

The 1933 LCL vote of 34.6% was considerably smaller than Labor's 1930 vote, but its seat share was almost as large at 63.0%. The combined vote of the three Labor groupings was 47.75%, but they only won 27.3% of the seats between them. One Labor seat (Port Pirie)

and two LCL seats (Stanley and Wooroora) were won unopposed. There were four electorates that did not produce clean sweeps, but Labor did not win any of these seats; they were contests between LCL and Independent or Single Tax candidates.

Table 3.2 Vote and Seat Shares at the 1933 SA Election

Share of vote: LCL (%)	34.6
House of Assembly seats won by LCL	29
Share of vote: others (%)	17.6
House of Assembly seats won by others	4
Share of vote: ALP (%)	27.8
House of Assembly seats won by ALP	6
Share of vote: PP Labor (%)	16.3
House of Assembly seats won by PP Labor	4
Share of vote: Lang Labor (%)	3.7
House of Assembly seats won by Lang Labor	3

The reason for Labor's poor seat return lies in the pattern of preference distribution. East Torrens is an example of how the LCL won all available seats in spite of the combined Labor vote being higher. The LCL received 44.87% of the vote, the official Labor Party 33.87% and the Premiers' Plan Labor 21.26%. However the preference flows between the two Labor tickets was very weak, and the LCL profited. A similar situation occurred in Burra Burra, Murray and North Adelaide. Considerable animosity existed between the different Labor blocs at this time, so a weak preference flow was not surprising.

From the above results we can draw certain conclusions about the block vote method. The first obvious one is that elections were often not won by the most popular party. The second is that once compulsory preferential voting was introduced, the propensity of the system to exaggerate majorities were greatly increased. Because members are in effect chosen singly from multi-member seats, it could be expected that the block vote would be more likely to produce inflated majorities than a single-member system. As we saw earlier, Senate elections held under this system produced even more exaggerated majorities. The

South Australian Legislative Council also regularly produced exaggerated majorities, and continued to do so until the introduction of proportional representation in 1975.

One positive observation that can be made about the block vote in South Australia is that it did not particularly disadvantage either major party. Jenny Stock has noted that in elections held from 1910 to 1933, electoral success was evenly divided, with Liberal winning five elections and Labor four, and neither party felt they were at any particular disadvantage.[21] This was certainly not true of the system adopted after 1938, where the Liberal Country League won nine successive elections, and the Labor Party feeling it was not given a fair go by the electoral system.

The pre-1936 system did not fare so brilliantly in terms of the 'right' party winning the election. Between 1910 and 1927 four elections (1910, 1915, 1924 and 1927) produced the 'wrong' winner if the votes of the Country Party and/or Farmers and Settlers are added to the Liberal total, although, as we saw earlier, the 1910 example is misleading because of the large number of uncontested Labor held seats. (The Labor Party won in 1910, 1915 and 1924.) In fact the uncontested seat phenomenon causes problems for anybody wishing to analyse South Australian elections held before the 1970s.

Another important point is that the adoption of compulsory preferential voting tended to exaggerate the majorities of the largest party and generally made the system less fair. It is hard to argue that the change to compulsory preferences had a causal effect, including the results of Senate elections held after the change suggest it did not make much difference, but the fact that offering voters a modicum of choice and variety produced fairer results in the South Australian context is something the modern-day electoral system designers should keep in mind.

In short, the experience of South Australia under block voting methods provides few lessons for electoral system designers, except that if a fair result is what is desired (fair both

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[21]Stock, Jenny, "The 'Playmander': Its Origins, Operation and Effect on South Australia", in O'Neil, Bernard et al (eds), *Playford's South Australia: Essays on the History of South Australia 1933-1968*, Adelaide: Association of Professional Historians, 1995, p. 73.

in terms of producing a deserving winner, and providing reasonable representation for losers), such systems are not the answer. However, it will be seen that the controversy associated with the block voting systems was insignificant compared to the single-member system introduced by the Butler Government in 1936,

Preferential Voting 1938-1975

The preferential voting system that came into being as a result of the Butler Government's legislation was first used at an election in South Australia in 1938. At that stage, voting was still voluntary in South Australia, so it was not until the 1944 election that the state began using the compulsory preferential voting system. 1944 is a more appropriate starting point for detailed analysis than 1938 because of this factor, but also because it was the first election at which it appears that one of the major parties (Labor) was harshly treated by the system. (For the record, the Liberal Country League had a higher primary vote than Labor in both 19388 and 1941, so the fairness of the results is not questioned here.)

During most of the 1940s, 1950s and early 1960s, the Liberal and Country League, under the leadership of Tom (later Sir Thomas) Playford, held office in South Australia in spite of the fact that the Labor Party usually had a higher share of the primary vote in the seats contested.[22] In the years after 1970, however, the situation was reversed; the move to less unequal, then roughly equal, electoral enrolments resulted in a situation where it was the Liberal Party that claimed to be disadvantaged. Some Liberal MPs, most notably Ren DeGaris, (Member of the Legislative Council, 1962-1985) argued that the system was a pro-Labor gerrymander.

Playford was premier of South Australia from 1938 until his defeat in 1965 by the Labor Party led by Frank Walsh. However Labor held office for only one term. In 1968 the Don Dunstan-led Labor Party lost to the LCL, then led by Steele Hall after Independent Tom

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[22]Jaensch, *Flinders*, pp. 496-497. See Appendix 1.

Stott, who held the balance of power, supported the LCL. This was despite the Labor Party having won 52% of the primary vote, and the LCL only 43%.[23].

Not surprisingly, the Labor Party was outraged at these results. They felt a major source of LCL advantage came from the weighted vote given to rural areas. The much lower enrolments in country seats (less than a third of city seat enrolments) meant that there were more country seats than a more equitable distribution would have allowed, and the LCL won most of these seats. Labor thought that with more equal enrolments across the state, they would have a much better chance of winning government. Later events showed this surmise to be accurate.

As will be seen, it is difficult to ascertain the exact level of support enjoyed by the two major parties between 1944 and 1965. The doubt arises from the fact that many seats were not contested by one or other major parties at various elections, while other seats went uncontested altogether, sometimes for long periods. For this reason, we cannot assume that simply because the Labor Party polled a larger primary vote share than the LCL, it also necessarily means that Labor actually had majority voter support.[24]

Dean Jaensch and Neal Blewett made an estimation of the two-party preferred vote at all South Australian elections from 1944 to 1970 by using the appropriate figures from the nearest federal election to calculate the vote in uncontested seats, and published their findings in *Playford to Dunstan*.[25] Jaensch also published these figures in an article entitled 'A Functional Gerrymander.'[26] Jaensch estimated that the LCL had a majority of the vote only twice during that time, in 1950 and 1956. In the latter article, Jaensch dubbed the

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[23] Jaensch, *Flinders*, p. 496.
[24] If a party won a seat unopposed, it meant that much of its support does not register in official figures, and its level of support is therefore higher than official figures suggest. For this information see Macintyre, *Political Australia*, pp. 86-88. Also, in seats contested by only a Labor candidate and a Communist candidate will inflate Labor's real level of support, because it appeared Liberal voters forced to vote were more likely to vote Labor than Communist.
[25] Blewett, Neal & Jaensch, Dean, *Playford to Dunstan: the Politics of Transition*, Melbourne: Cheshire, 1971, p. 17.
[26] Jaensch, Dean, "A Functional 'Gerrymander' – South Australia 1944-1970", *Australian Quarterly*, 1970, Vol. 42, No. 4, pp. 96-101.

electoral system of the time the 'Playmander', a shorthand contraction of 'Playford's gerrymander.'[27]

However, as Jaensch himself admits, the system was technically not a gerrymander, but one of classic malapportionment.[28] It is clear that the electorates, which received a weighting, were generally those where the Liberal-Country League vote was stronger, but there is no evidence to suggest that individual electorates were drawn to favour the LCL.

Whether or not the Labor Party or the LCL had majority support in each of these elections has been the subject of much debate among both political players and commentators. There were those who argued that Playford had majority electoral support nearly all the time. In 1956 A.J. (Jim) Forbes wrote an article estimating that on only one occasion (in 1944) did Labor receive a higher share of the vote than the LCL. Forbes also defended the use of rural vote weighting, claiming the LCL's belief in such a system was sincerely held and not entirely due to a Machiavellian desire to retain office at all costs.[29] Forbes was then a lecturer in Politics at University of Adelaide, but later that year he became the Liberal member for the federal seat of Barker, which he held till his retirement in 1975.

Another defender of Playford's moral right to govern for most of his time as Premier was Ren DeGaris. In his book *Redressing the Imbalance*, he claimed that only in two elections (1944 and 1962) did Playford not have majority support. He uses 1947 and 1950 as case studies to show that Jaensch had made significant errors in his calculations. He does, however, acknowledge that Labor would have had to poll more than 53% of the two-party vote to have an even chance of winning government.[30]

DeGaris' claims have been partly verified and partly questioned by Jenny Stock. In a 1991 article, she makes a comparison of state election figures in contested seats, with results

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[27]In spite of the fact that Playford's predecessor, Richard Butler, had introduced the system, Playford, as its main beneficiary, has been saddled with the blame. There was a redistribution carried out in 1955 while Playford was premier, which certainly helped him.
[28]Jaensch, "Functional", p. 101.
[29]Forbes, A. J. (Jim), "The South Australian Electoral System", *Australian Quarterly*, 1956, Vol. 28, No. 2, pp. 50-51.

in these same areas at the corresponding federal election and then applies those estimates to uncontested seats at the state level. Stock comes to the conclusion that the LCL had a majority of the two party preferred vote in 1947, but that in 1944 and especially in 1953, the Labor Party was clearly ahead.[31] DeGaris provides no evidence for his claim of a majority of LCL votes in 1953, and in fact admitted in private correspondence with Stock that he probably made an error.[32] Another factor that tends to confirm the Stock viewpoint was that in seats that were contested by the major parties in both 1947 (or 1950) and 1953, the swing to Labor was quite considerable.[33]

Another defender of Tom Playford was John Playford, formerly a lecturer in politics at University of Adelaide and a distant cousin of the former Premier. In a 1982 article, he claimed that the LCL had majority support for most of the Playford era, although he does not specify exactly what he means by 'most'. He also argued that the over-concentration of Labor voters in ultra-safe seats in north-western Adelaide and the Iron Triangle was a much more important factor than the weighting of rural electorates. [34]

There is certainly a wide range of opinions on exactly how many elections in which Playford had majority support. Stock's work appears to confirm that DeGaris' method of transposing federal figures to state seats is a more accurate one than Jaensch's. It would also appear that Stock's and DeGaris' figures have extra validity because the method of working out the figures is provided. It does seem reasonable to argue that, contrary to Jaensch's findings, Playford had majority support in 1947. However the provision of these figures also provide reasonable evidence that Labor had majority support in both 1944 and 1953.

A look at results in individual seats suggests the same. In the 21 seats where there was a two-party contest in both the 1944 and 1947 there was a swing of 5.65% to the LCL. Regardless of whether Stock's 52% Liberal vote or DeGaris' 51.2% figure is used for 1947, it suggests a Labor two-party preferred vote of over 53% in 1944. Similarly there was a

[30]DeGaris, Ren, *Redressing the Imbalance*, Millicent: Ren DeGaris, 1991, p. 53.
[31]Stock, Jenny, "The Playmander Revisited The Significance of Cross-voting in Estimating the Two-party Vote in South Australia, 1944-1953", *Australian Journal of Political Science*, 1991, Vol. 26, No. 2, pp. 331-341.
[32]DeGaris, personal correspondence with Jenny Stock, January 1990.
[33]The results of the 1953 SA Election are contained in Hughes & Graham, *Voting*.

0.77% swing to the LCL in the 17 two-party contests in 1950, and 8.08% swing to Labor in 15 like contests in 1953, which suggests a Labor majority in that election too. Even if the swings in the uncontested seats may not have been as great, the suggested Labor lead was too big to be changed by these figures.

Table 3.3 Swings in Seats with 2-party contests at the 1947 SA Election

Seat Name	ALP 1944	LCL 1944	Total	ALP 2pp (%)	ALP 1947	LCL 1947	Total	ALP 2pp (%)	Swing (%)
Angas	2336	2927	5263	44.39	1672	3960	5632	29.69	-14.70
Burra	1803	2265	4068	44.32	1819	2566	4385	41.48	-2.84
Chaffey	1997	3239	5236	38.14	2603	3795	6398	40.68	2.54
Flinders	2127	3059	5186	41.01	1925	4205	6130	31.40	-9.61
Gawler	2985	2280	5265	56.70	3054	2637	5691	53.66	-3.03
Glenelg	7327	9710	17037	43.01	7216	12080	19296	37.40	-5.61
Goodwood	8883	6051	14934	59.48	8720	8388	17108	50.97	-8.51
Gouger	2595	2700	5295	49.01	1991	3837	5828	34.16	-14.85
Light	2227	2987	5214	42.71	1703	3676	5379	31.66	-11.05
Mitcham	6236	9303	15539	40.13	5700	11650	17350	32.85	-7.28
Mt Gambier	2120	4180	6300	33.65	2396	4742	7138	33.57	-0.08
Murray	3317	2236	5553	59.73	3386	2731	6117	55.35	-4.38
Norwood	8212	7095	15307	53.65	8352	8839	17191	48.58	-5.07
Onkaparinga	2792	3270	6062	46.06	2890	4069	6959	41.53	-4.53
Prospect	8793	8025	16818	52.28	8433	10001	18434	45.75	-6.54
Ridley	1278	3653	4931	25.92	1313	3976	5289	24.83	-1.09
Stanley	2645	1940	4585	57.69	2467	2412	4879	50.56	-7.12
Torrens	8635	8308	16943	50.97	8317	10185	18502	44.95	-6.01
Unley	7657	9051	16708	45.83	7401	10680	18081	40.93	-4.90
Victoria	3383	3687	7070	47.85	4167	4193	8360	49.84	1.99
Wallaroo	2896	1573	4469	64.80	2968	1888	4856	61.12	-3.68
Total	**90244**	**97539**	**187783**	**48.06**	**88493**	**120510**	**209003**	**42.34**	**-5.72**

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[34]Playford, John, "The Playmander Reassessed", *Quadrant*, 1982, Vol. 26, No. 2, pp. 64-67.

Table 3.4 Swings in Seats with 2-party contests at the 1950 SA Election

Seat Name	ALP 1947	LCL 1947	Total	ALP 2pp (%)	ALP 1950	LCL 1950	Total	ALP 2pp (%)	Swing (%)
Angas	1672	3960	5632	29.69	1403	4418	5821	24.10	-5.59
Burra	1819	2566	4385	41.48	1661	2633	4294	38.68	-2.80
Flinders	1925	4205	6130	31.40	2066	4514	6580	31.40	0.00
Gawler	3054	2637	5691	53.66	3179	2686	5865	54.20	0.54
Glenelg	7216	12080	19296	37.40	8272	13673	21945	37.69	0.30
Goodwood	8720	8388	17108	50.97	11131	9288	20419	54.51	3.54
Gouger	1991	3837	5828	34.16	1685	4036	5721	29.45	-4.71
Mitcham	5700	11650	17350	32.85	5684	12384	18068	31.46	-1.39
Mt Gambier	2396	4742	7138	33.57	2717	4905	7622	35.65	2.08
Murray	3386	2731	6117	55.35	3247	3143	6390	50.81	-4.54
Norwood	8352	8839	17191	48.58	7611	9111	16722	45.51	-3.07
Onkaparinga	2890	4069	6959	41.53	2887	4530	7417	38.92	-2.60
Prospect	8433	10001	18434	45.75	8446	10666	19112	44.19	-1.55
Torrens	8317	10185	18502	44.95	8299	9954	18253	45.47	0.51
Unley	7401	10680	18081	40.93	7335	10048	17383	42.20	1.26
Victoria	4167	4193	8360	49.84	4235	4716	8951	47.31	-2.53
Wallaroo	2968	1888	4856	61.12	2695	2286	4981	54.11	-7.01
Total	**80407**	**106651**	**187058**	**42.99**	**82553**	**112991**	**195544**	**42.22**	**-0.77**

Table 3.5 Swings in seats with 2-party contests, 1953 SA Election

Seat Name	ALP 1950	LCL 1950	Total	ALP 2pp (%)	ALP 1953	LCL 1953	Total	ALP 2pp (%)	Swing (%)
Angas	1403	4418	5821	24.10	1914	4088	6002	31.89	7.79
Burra	1661	2633	4294	38.68	1697	2478	4175	40.65	1.96
Flinders	2066	4514	6580	31.40	2936	4129	7065	41.56	10.16
Glenelg	8272	13673	21945	37.69	12562	12927	25489	49.28	11.59
Goodwood	11131	9288	20419	54.51	15057	8795	23852	63.13	8.61
Gouger	1685	4036	5721	29.45	2784	3560	6344	43.88	14.43
Mt Gambier	2717	4905	7622	35.65	3848	4577	8425	45.67	10.03
Murray	3247	3143	6390	50.81	3319	3385	6704	49.51	-1.31
Newcastle	1048	2601	3649	28.72	1298	2275	3573	36.33	7.61
Norwood	7611	9111	16722	45.51	9189	7122	16311	56.34	10.82
Onkaparinga	2887	4530	7417	38.92	3223	4266	7489	43.04	4.11
Prospect	8446	10666	19112	44.19	11728	10228	21956	53.42	9.22
Torrens	8299	9954	18253	45.47	8055	8469	16524	48.75	3.28
Unley	7335	10048	17383	42.20	7974	8065	16039	49.72	7.52
Victoria	4235	4716	8951	47.31	4936	4776	9712	50.82	3.51
Total	**72043**	**98236**	**170279**	**42.31**	**90520**	**89140**	**179660**	**50.38**	**8.08**

There is less dispute about the 1956, 1959 and 1962 elections. Nobody has tried to claim that Playford did not have majority support in 1956. There is some dispute about 1959,

although the fact that all estimates place the figure at just over 50% either way emphasizes its closeness. Even DeGaris and John Playford have acknowledged that Playford did not have majority support in 1962.[35]

In 1965, Labor won government with an estimated (by Jaensch) 54.4% of the two-party preferred vote. However the electoral system was in the spotlight again after the election of 1968, when Labor won an estimated 53.9% of the two-party preferred vote, but lost after Independent Tom Stott, who held the balance of power, supported the LCL, by this time led by Steele Hall. Ren DeGaris estimated the ALP support in these two elections at 54.1% and 53.2% respectively.[36]

The Labor Party maintained most of its overall voter support at the 1968 election, and its primary vote was still over 50%. However, it lost enough support in two key marginal seats (Chaffey and Murray) to lose its overall majority. This resulted in the LCL leader Steele Hall winning the premiership with the support of Independent Tom Stott. Hall, possibly embarrassed by the means of his victory,[37] and heavily pressured by Dunstan's campaign,[38] implemented far-reaching changes to the electoral system.

The 1969 Changes

Hall introduced a measure of electoral reform during his term as Premier. Under his new system, 28 seats were located in the metropolitan area, and 19 in the country, an arrangement that still left a weighting of 2:1 in favour of rural areas. DeGaris had proposed a system whereby 25 seats were located in the metropolitan area, and 20 in the country. He opposed the former scheme on the basis that it would unfairly advantage the Labor Party (the LCL, he

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[35]DeGaris, *Redressing,* pp. 48-50 and 52-53.
[36]Jaensch's figures are contained in Blewett & Jaensch, *Playford,* DeGaris' figures are contained in DeGaris, *Redressing,* p. 53.
[37]See Jaensch, Dean & Bullock, Joan, *Liberals in Limbo: Non-Labor Politics in South Australia 1970-1978,* Melbourne: Macmillan, 1978, p. 19. Jaensch claimed that Hall was embarrassed by the means of his victory.
[38]Dunstan details his campaign in his book *Felicia: The Political Memoirs of Don Dunstan,* Melbourne: Macmillan, 1981, pp. 158-162.

claimed, needed around 53% of the two-party preferred vote to win under the 47 seat system eventually adopted.)[39]

The boundaries drawn under this system in 1969 were used at the 1970, 1973 and 1975 South Australian elections, all three of which were won by Labor, the third very narrowly. DeGaris estimated the advantage factor enjoyed by Labor at these three elections at 2.2%, 4.8% and 3.6% respectively.[40] These calculations were based on two concepts, the Electoral Pendulum, invented by Malcolm Mackerras, where all seats are placed in the order of swing required to win them,[41] and an earlier paper by C. S. Soper and Joan Rydon, where the advantage factor is assessed as the difference between the overall two-party vote for one of the major party blocs, and that party's vote in the median seat (the seat lying in the middle in terms of support for that party).[42] If the median vote is higher for that party, it has an advantage of the magnitude calculated, and a disadvantage of similar size if the overall vote is higher.

The advantage factor apparently enjoyed by the Labor Party did not become controversial in 1970 or 1973, because Labor won over 50% of the *primary* vote each time, and a clear majority of the two-party preferred vote.[43] The 1973 figures are complicated by the fact that Labor did not stand candidates in five seats, and official Liberal candidates did not stand in five Labor seats, though all were very safe for one side or the other, so any errors probably cancel each other out.

After the 1975 election, Labor governed with a majority of one (the Independent Labor member Ted Connelly) in spite of having less than 50% of the two-party vote.[44] This Labor win still did not cause much consternation, because the two-party preferred figure did not

[39]DeGaris, *Redressing*. p. 53.
[40]DeGaris, *Redressing*, p. 54.
[41]The method of calculating the advantage factor is contained in Mackerras, Malcolm, *Elections 1980*, Sydney: Angus & Robertson, 1980, p. 205.
[42]Soper, C. S. & Rydon, J. "Under-representation and Electoral Prediction", *Australian Journal of Politics and History*, 1958, Vol. 4, No. 1, pp. 94-106.
[43]See Macintyre, *Political Australia*, p. 89 and Jaensch, Dean, *The 1977 Elections in South Australia: A Statistical Analysis*, Adelaide: Flinders University, 1977 p. 106.
[44]Jaensch. *1977 Election*, p.106. Jaensch had published an occasional monograph on the 1975 election, but it had dealt mainly in primary votes.

become well-known,[45] and Labor's primary vote was well above that of the LCL. DeGaris admits the Labor Party still had the emotional arguments about fairness running in its favour, even though, on his calculations, Labor enjoyed an advantage of 3.6%.[46]

Further reforms implemented by the Labor Party in 1976 became very controversial. All remnants of vote weighting were removed, and replaced by a system based on roughly equal enrolment districts with a 10% tolerance. Unfortunately for the Liberal Party, this meant they lost a disproportionate number of country seats where they were strongest (only three out of 19 country seats were held by Labor-aligned members) and the extra city seats were more evenly spread in their political character. On the calculations of DeGaris, the five country seats that disappeared were held 4 Liberal, 1 Labor, and the five new city seats included three likely to be won by Labor on 1975 figures.[47]

More importantly, the 1975 South Australian election had seen a large swing against Labor in country seats, and also some safe Labor city seats, but a much smaller swing in metropolitan marginals. This meant the Liberal Party built up huge majorities in seats that were already safe, as well as winning Millicent and Mount Gambier, but failed to win Labor's city marginal seats. In spite of the weighted vote given to country areas, which might be expected to favour the Liberal Party, Labor more than compensated by not wasting many votes in either excessively safe seats or a large number of narrowly lost marginal seats. The move to one vote-one value after 1976 increased the overall Labor Party advantage, calculated by DeGaris to be 5.4%[48] and by Jaensch to be 4.7% after the 1977 election.[49]

When the new boundaries were published, most political observers were satisfied with the results. The Liberal Party was the exception, with the then leader, David Tonkin, claiming the Labor Party had won a 'strong gerrymander' which would enable it to win

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[45]At this time preferences were only counted in seats where they were needed to determine a result, and figures such as this would only have been read by highly interested observers.
[46]DeGaris, *Redressing*, p. 54 and 59.
[47]DeGaris, *Redressing*, p. 59.
[48]DeGaris, *Redressing*, p. 54.
[49]Jaensch, *1977 Election*, p. 106.

office with less than 45% of the overall vote.[50] However Jaensch argued that this was a specious case, because it rested on a stable, uniform pattern of swing, and the extrapolation of the specific political environment of the past election to a hypothetical future contest. He thought neither concept was supportable.[51]

When the results of the elections held in South Australia under preferential voting with malapportioned electorates are assessed, there are a few things that can be said. The first is that the Labor Party was certainly grossly disadvantaged by the extreme level of vote weighting prior to 1970. The overall primary vote shares received by the major parties may be distorted by the large number of uncontested seats, but it would seem certain that Labor was unfairly denied government in 1944, 1953, 1962 and 1968. (The last of these was absolutely clear-cut, as each major party contested all seats.) The system was clearly unfair to the Labor Party, and reform of the system was justified.

The three elections held under the reduced weighting level did produce one result that might have denied the Liberal Party its rightful place on the government benches, but there can be absolutely no doubt about Labor having majority support in the other two. Furthermore, in 1975, while it is probable that had all preferences been counted, the Liberal Party would have ended up with more votes, we cannot be sure about the flow of Liberal Movement preferences, as the only places they were counted were in Liberal-held or country seats. The flow to Labor in metropolitan Labor seats may well have been higher than has been allowed for.

Even more importantly, the problem with this calculation is that LM and other minor party voters were forced to express preferences or have their votes rendered informal. We do not know how many of these voters would have just cast a single vote if optional preferential voting had been in place. Perhaps the most startling statistic about the 1975 election is that Labor received over 46% of the *primary* vote, and Liberal less than 32%. It is rather hard for a party that is over 14% behind on primary vote to claim it has been robbed, and it is not

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[50]Jaensch & Bullock, *Liberals*, p. 158.
[51]Jaensch & Bullock, *Liberals*, p. 159.

surprising that so many ears were deaf to Liberal Party complaints. (As will be seen later, however, some Liberals complained about the fairness of the 1989 Tasmanian election, where Labor won government with 34% of the primary vote, and the Liberal Party lost with 46%.)

What of the apparent advantage factor, which suggested the Liberal Party needed well over 52% of the two-party preferred vote to win at these three elections? The problem with such a measurement is that it is based on a hypothetical situation as to what might have happened if the votes had been evenly split. When that situation does not arise, an argument of disadvantage becomes very weak. The more relevant question becomes: was a particular party disadvantaged for the level of support it did receive? A close look at Liberal Party support levels at these three elections again suggests a not unreasonable level of representation.[52]

Moreover, even if a set of boundaries might appear fair before an election, the fact that the key marginal seats may not swing with the tide will occasionally create the situation where a party's vote majority may not be reflected in a seat majority. There is always the possibility of this happening as long as only single-member electorates are used. This was certainly true of federal elections held during the post-war period. The similarities and differences between the South Australian state scene and the federal situation make a useful point of comparative analysis and lends credence to the view that *any* system based on single-member electorates can produce a result where a party with the highest vote share does not necessarily have the highest seat share.

Comparative Study: Federal Elections 1949-1977
During its 32 year period in opposition in South Australia, Labor endured similar lack of success in other states and at federal level. The most famous is the 23 years Labor spent out of office at federal level between 1949 and 1972. This was in spite of the fact that Labor had enjoyed a very reasonable share of the national vote during this period, often greater than the

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[52]In fact in 1973 Liberal gained one seat (Chaffey) on a falling overall vote.

combined Liberal-Country Party vote, and in one election (1954) had actually received a majority of the *primary* vote.

In some states, the run of outs lasted longer. Victorian Labor was out of office from 1955 to 1982, but except for one election (1979) it never even threatened to come close. In Queensland, Labor was out of office from 1957 to 1989, and had only come close (though not nailbitingly so) in 1972, but before that had enjoyed 25 unbroken years in office. Labor did have some success in other states, governing New South Wales from 1941 to 1965, and Tasmania from 1934 to 1969.

In most of these cases, the opposition threatened to win government only rarely, and it was very rare for the opposition to ever have greater levels of voter support. However it happened three times at federal level, in 1954, 1961 and 1969. These results provide a good guide as to why the most popular party in votes is occasionally not the most successful party in seats.

Two seminal works published in the 1950s established quite clearly that one of the major features of a single-member electoral system is that the party winning the largest share of votes will usually win an even larger share of seats. The British statisticians Kendall and Stuart formulated a theory known as the Cube Law, which states that if two parties receive votes in a certain ratio, they will win seat shares the size of the cubes of their votes.[53] In 1958, Australian political scientists C. S. Soper and Joan Rydon claimed that the fact that the winning party's majority is exaggerated is now regarded as an essential consequence of a two-party single-member system.[54]

Soper and Rydon go on to note that if the system is to be regarded as fair, such exaggeration should work the same way for both parties (or more correctly, the two major party groups), but acknowledge that at some elections, this was not the case. In the three elections studied by Soper and Rydon (the 1949, 1951 and 1954 Federal Elections), the most

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[53]Kendall, M. G. & Stuart, A.," The Law of Cubic Proportions in Election Results", *British Journal of Sociology*, 1950, Vol. 1, pp. 183-196.
[54]Soper & Rydon, *Under-representation*, pp. 94-106.

obvious case of under-representation occurred in 1954 where the Labor Party received 50.82% of the two-party preferred vote but won only 57 seats, compared with 64 for the Liberal-Country Party Coalition.

In the three federal elections under discussion, the shares of the two-party preferred vote were as follows:

1949: Labor 48.60% Liberal-Country 51.40%

1951: Labor 49.16% Liberal-Country 50.84%

1954: Labor 50.82% Liberal-Country 49.18%

If the Cube Law had operated, Labor would have won 55 seats in 1949, 57 seats in 1951 and 64 seats in 1954, but in fact they won only 47, 52 and 57 seats respectively, a shortfall in seats of 8, 5 and 7.

Soper and Rydon proposed another measure of under-representation in a two-party system. They argue that the median seat (the seat at which each party has a higher level of support in half the seats, and a lower level of support in the other half) is a good measure of the effective vote of a party, because it stands to reason that if a party has more than 50% in the median seat, it will win a majority of seats, and therefore form government. It is, of course, quite common for the governing party or coalition to hold the median seat quite comfortably.

In the 1949, 1951 and 1954 Federal Elections, Labor's vote in the median seat was 46.55%, 46.67% and 49.48% respectively. These totals are subtracted from the overall Labor Party vote to calculate the level of Labor under-representation. Hence the level of Labor disadvantage was 2.05% in 1949, 2.49% in 1951 and 1.33% in 1954. If the Labor vote in the median seat had been higher than the overall vote, Labor would have been over-represented.

It is worth noting that throughout this period, when federal electoral boundaries were failing to deliver Labor what they thought to be their rightful share of representation, Labor generally did very well in South Australia at federal elections. With the exception of 1966, Labor always had more South Australian federal members than the Liberal Party did.

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Admittedly Labor often had a greater share of the two-party preferred vote, (in the 1961, 1963 and 1969 elections), but in 1958 Labor won 6 of 11 seats with a two-party preferred vote of 49.8%. The same pattern was to be repeated in elections after 1969, with Labor winning half the seats in 1975 with only 44% of the two-party preferred vote, and a majority of seats in all other elections up to and including 1990, although it had slightly less than half the vote in 1977, 1980 and 1990.

Table 3.6 Two-party Preferred Votes in South Australian Seats at Federal Elections 1958-80

Date of election	% of vote (2 pp): Liberal	House of Representatives seats won by Liberal	% of vote (2 pp): ALP	House of Representatives seats won by ALP
1958	50.2	5	49.8	6
1961	45.8	5	54.2	6
1963	46.7	5	53.3	6
1966	57.6	8	42.4	3
1969	45.8	4	54.2	8
1972	47.3	5	52.7	7
1974	47.5	5	52.5	7
1975	55.1	6	44.9	6
1977	51.3	5	48.7	6
1980	50.6	5	49.4	6

This pattern tends to suggest that while the guidelines used by federal distribution commissioners at that time might have disadvantaged the Labor Party across the country, in South Australia they seemed to work in Labor's favour, and this in spite of a small rural weighting that should have, in theory, hurt Labor, as it always polled a lower vote in rural areas. It also suggests that for a range of complex reasons, the Liberal Party vote was not distributed as effectively as it was in the rest of Australia.

Given this, it is perhaps not surprising as it seems at first sight, that when a system with a light level of vote weighting was introduced by Steele Hall's government in 1969, the system did favour Labor in a close election.

As will be seen, Labor was to enjoy an advantage in terms of the number of seats it could win in South Australia for the vote it received, an advantage it definitely did not enjoy in other states. In earlier federal elections, Labor had received 50.5% of the two-party preferred vote in 1961, and 50.2% in 1969, but was in a minority of 2 and 7 seats respectively in the House of Representatives. Although the causes of these anomalies were hard to define, it does appear from the analysis of Bill and Michael Maley, Mackerras and Hughes that the over-concentration of Labor voters in ultra-safe seats was as important a factor as the slight weighting given to rural voters.[55] (Boundary Commissioners were allowed a 20% leeway when drawing boundaries, and because some states went many years without a boundary change, some electorates became grossly over-populated.)

Any federal analysis conducted by experts in the field claimed that most of Labor's disadvantage (up until 1983) was caused by an over-concentration of its supporters in ultra-safe seats. In 1972 Mackerras claimed that boundaries were biased against Labor to the extent that they would not win government if they had polled 51% of the two-party preferred vote, but would win narrowly with 52% of the vote. He then went on to claim that:

> Compared with state parliaments (all of which are biased against Labor except Tasmania), the federal boundaries are pretty good. However the marginal bias of the federal boundaries was crucial in keeping Labor out of office in 1954, 1961 and 1969.[56]

The previous analyses suggest that this was not true of South Australia after 1969.

There was also the question of preferences, which was by far the most important factor in keeping Menzies in office in 1961. However this matter did not play any important role in South Australia, because the Democratic Labor Party was permanently weak in that state. Until at least 1997, hardly any seats changed hands at South Australian state elections as a result of preferences. Perhaps this was a major reason why a more even playing field hurt the Liberal Party in SA: without a strong DLP to help them, they had trouble winning enough

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[55]Maley, Bill & Michael, "A narrative Description of Recent Australian Elections", in Mackerras, Malcolm, *Elections 1975*, Sydney: Angus & Robertson, 1975, p. 245. No evidence is provided. See also Hughes, Colin, "Fair and Equal Electoral Districts – The Problem at the State Level", paper presented to Third Federalism Project Conference, Australian National University, Canberra, 1983. The table on page 10 makes it clear that nearly all the anti-Labor bias at federal level was caused by the differential concentration of majorities.

[56]Mackerras, Malcolm, *Australian General Elections*, Sydney: Angus & Robertson, 1972, pp. 237-238.

support of their own in key city marginal seats. The 1968 Murray result is the only case of DLP preference helping the Liberal Party to any great extent. In the mid to late 1970s, the federal conservative parties started to lose their advantage as DLP support withered and died, and was supplanted by the more centrist Australian Democrats.

Bill and Michael Maley, writing in Malcolm Mackerras' 1975 election guide, claimed that at most federal elections in the then recent past Labor was disadvantaged overall at that time, although it had won the previous two federal elections.[57] Their interpretation of a 'fair' result, although more favourable to Labor than the actual result, was usually one or two seats lower than the Cube Law suggests it should be. More importantly, the Maleys also claim that:

> The first-and major [cause of bias] is the fact that the ALP 'wastes' many votes in compiling large majorities in a small number of seats rather than the smaller majorities in the larger number of seats which the Liberal-CP compiled. The second-and minor -source is the slight weighting given to rural seats which tend to make a rural vote more valuable in terms of winning seats than an urban vote.[58]

The latter problem was, however, a partial cause of the former: if a party tends to win large majorities in high enrolment seats (as Labor tended to do) it wastes more votes than a party winning smaller enrolment seats by large margins.

By the time of the 1980 election, Malcolm Mackerras had assumed the role of writing the summary prediction for that election, and had calculated the anti-Labor bias at 1.4% using the Soper-Rydon method. He claimed that:

> The principal source of bias is the differential concentration of majorities, which excessively wastes part of Labor's vote in ultra-safe seats. However there does remain an element of Labor under-representation due to differences in voter enrolments between electorates.[59]

He noted the reduction of maximum possible weighting of rural electorates from 20% to 10% had not, contrary to popular expectation, reduced the level of anti-Labor bias, However neither Mackerras nor the Maleys mentioned the fact that especially when Labor lost an election, it wasted a lot more votes in seats it lost narrowly. Figures provided by Hughes

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[57]Maley & Maley in Mackerras, *Elections 1975*, p. 245.
[58]Maley & Maley in Mackerras, *Elections 1975*, p. 245.
[59]Mackerras, Malcolm, *Elections 1980*, Sydney: Angus & Robertson, 1980, p. 205.

suggest that in most elections, Labor won a disproportionately low share of ultra-marginal seats.[60]

The reverse situation applied in South Australia. While DeGaris certainly complained about the fact that the Liberal Party's vote did not win it as many seats as a similar Labor vote share did, he did not appear to fully appreciate the reasons why. Dean Jaensch applied the Soper-Rydon method to the South Australian elections of 1968, and found that the Labor Party was severely disadvantaged by the level of vote weighting, but that other factors actually helped Labor, though to a much lesser extent.[61]

At the 1970, 1973 and 1975 South Australian state elections, however, the Labor Party enjoyed an overall advantage (as DeGaris claimed[62]) apparently because of the over-concentration of Liberal voters in ultra-safe seats. A paper on the 1975 election co-written by future Labor deputy premier Don Hopgood found that Labor's mean vote per seat was 2.9% lower than its overall vote, but in spite of that, Labor enjoyed an advantage of 4.4% using the Soper-Rydon method.[63]

In an election like 1975, where the Liberal Party won many more seats by huge margins, there may be some accuracy in the claim that the Liberal Party was severely disadvantaged by this factor. However in 1973, this does not make sense, as Labor held just as many, if not more, large majority seats in both 1970 and 1973. On the other hand, the Labor Party's advantage in not wasting as many votes in narrowly lost seats was true of all three elections.

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[60]Hughes, Colin, "A Close-Run Thing", in Penniman, Howard (ed), *The Australian National Elections of 1980 and 1983*, Sydney: George Allen & Unwin, 1983, p. 218. Hughes' figures suggest that only when Labor won or came close to winning did it win more safe and ultra-safe seats than the Liberal and Country Parties.
[61]Jaensch, *1977 Elections*, p. 106.
[62]DeGaris, *Redressing*,, p. 54.
[63]Roman, Alvan & Hopgood, Don, "South Australian State Election July 12th 1975, unpublished paper, c. 1975. Thanks to Don Hopgood for providing me with a copy of this paper; "An Analysis of Voting Patterns", unpublished paper, copy held by author. Labor's mean vote across the 47 seats was 47%, suggesting that the Liberal Party still gained some sort of advantage from differential enrolment sizes.

Table 3.7 Effective, Surplus and Wasted Votes at South Australian Elections 1970-75

Date of election	ALP Effective votes (%)	ALP Surplus votes (%)	ALP Wasted votes (%)	LCL Effective votes (%)	LCL Surplus votes (%)	LCL Wasted votes (%)
1970	186380 (58.6)	47028 (14.9)	83881 (26.5)	111379 (40.6)	27475 (10.0)	135795 (49.4)
1973	194486 (56.1)	65124 (18.8)	87067 (25.1)	133290 (46.0)	29358 (10.1)	127314 (43.9)
1975	205060 (59.7)	46694 (13.6)	91620 (26.7)	142052 (40.5)	50377 (14.4)	158331 (45.1)

One factor that DeGaris did not take into account is that at the same time that Labor was still disadvantaged by the spread of votes across the electorates (as it was between 1972 and 1980), within South Australia itself, Labor had an advantage. In 1975, for example, a two-party preferred vote of 56% for the Liberal Party could only deliver them 6 of the 12 House of Representatives seats in SA, and in 1977 and 1980, Labor had slightly less than 50% of the two-party preferred vote, but won 6 of the 11 seats each time. The overall situation across the country favoured Liberal and National Country. It is not plausible to claim that the people who drew the boundaries for South Australian seats deliberately contrived to boundaries favourable to Labor, while in the rest of the country, they had been drawn to favour the Liberal and National Country Parties.

Why was South Australia different? The personal support enjoyed by sitting members is often a factor that plays a role, and it was probably very important in Labor's hold on Grey and Hawker at that time. However it might also have been the case that Labor enjoyed a strong level of support in metropolitan Adelaide, and the Liberal Party at the time did not have sufficient appeal to urban voters. Given the federal pattern, it is not surprising that the adoption of a one vote-one value system at the State level would disadvantage the Liberal Party too.

Strangely, however, it is perhaps a factor that nobody had mentioned that disadvantaged the Liberal Party most in South Australia. Mackerras hinted at it when referring to differential concentration of majorities, but it is the differential concentration of *votes* which caused the greatest imbalance. It is true that a party wastes all votes above 50% in the seats it wins, but it wastes a much larger number votes in the seats it loses narrowly. It may have been the natural social geography of Adelaide that created this situation, or it

might have been South Australian Labor's campaigning skills. Personal biases will lead readers to different conclusions.

Whatever the reason, it is a factor that is always likely to re-emerge under a single-member system whenever demographic balance or marginal seat candidate and campaign ability tilt too much in the one direction. The same was to be true of the next five elections held in South Australia under one vote-one value, and it is to these elections that the next chapter turns.

4. SOUTH AUSTRALIA UNDER ONE VOTE ONE VALUE

In the last chapter we saw how a single-member system with an extreme level of vote weighting produced a series of election results that put the Labor Party at a definite disadvantage. It is also noticeable that when the level of vote weighting was reduced, the Labor Party started to win elections, and it produced a situation where the Liberal Party believed it was disadvantaged.[1] The removal of vote weighting altogether after 1976 accentuated this feeling, and it reached a climax after the 1989 election.

In the five elections held in South Australia after the move to a one vote-one value system, but before the implementation of the fairness clause, the Labor Party won four (1977, 1982, 1985 and 1989), while the Liberal Party won just one, in 1979. Both before and after the 1977 election, the Liberal Party claimed to be grossly disadvantaged by the new system. Ren DeGaris was the most forceful purveyor of the Liberal position after the 1977 election; he claimed that Don Dunstan had been re-elected under a 'vicious gerrymander.'[2]

It was not until after the 1989 election that it became evident to the general public or political commentators that the Liberal Party was disadvantaged by the new system. In the said election, the Liberal Party received 52% of the two-party preferred vote, but failed to win a majority by just one seat.[3]

However the Liberal criticism of the system was more deep-seated than just this one election; it (or at least its electoral matters spokesman DeGaris) also claimed to have needed well over 50% to win any of the four preceding ones. Dean Jaensch, on the other hand

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[1] In *Liberals in Limbo* on pp. 158 and 188, Jaensch twice quotes then Liberal leader David Tonkin as claiming the Labor Party enjoyed the advantage of a gerrymander.
[2] Quoted by Jaensch, Dean, *The 1979 Election in South Australia: A Statistical Analysis*, Flinders University Discipline of Politics, Adelaide, 1979, p. 83.
[3] Jaensch, Dean, *The 1989 Election in South Australia: A Statistical Analysis*, Adelaide: Polity, 1990. Jaensch actually had Labor's 2pp at 48.1%, but a preference rethrow conducted by Jenni Newton put the figure at 48%.

claimed that any claims of a vicious gerrymander against the Liberal Party were shown to be without foundation by the 1979 and 1982 election results.[4]

This chapter attempts to adjudicate on to what extent, if any, either DeGaris or Jaensch is correct, to assess what was the cause of any imbalance that may have existed, and the causes and the extent of the Liberal Party disadvantage in 1989. In addition, the 1989 West Australian election and the 1990 federal election will be used as comparative studies, as the Liberal Party was also unsuccessful at these elections despite receiving over 50% of the two-party preferred vote.

South Australian Elections 1977-1982

As previously mentioned, the Labor Party formed government after the 1977, 1982 and 1985 South Australian elections, while the Liberal Party formed government after the 1979 election. To an unbiased layperson who looked at the vote shares for the major parties at these elections, the results would appear very fair. After all, the Labor Party did receive over 50% of the two-party preferred vote, and a higher primary vote share at each of the elections it won, while the Liberal Party received a higher primary and two-party preferred vote share in 1979.

However the Liberal Party did not think the boundaries on which these elections were fought was fair: it believed it had to poll well over 50% of the two-party preferred vote to win government.[5] This claim was based on the use of the Soper-Rydon index. However an indication of how changeable the advantage factor can be is provided by the 1977, 1979 and 1982 elections, all of which were fought on the same boundaries.

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[4]Jaensch, Dean, *The 1982 Elections in South Australia a Statistical Analysis*, Flinders University Discipline of Politics, Adelaide 1983, p. 98.
[5]DeGaris produced statistical tables to argue his point, which were reprinted in the back pages of Dean Jaensch's 1979 and 1982 election monographs.

Table 4.1 ALP advantage factor at South Australian Elections 1977-82

Date of Election	Overall ALP 2pp vote	ALP 2pp in median seat	Advantage Factor (ALP)
1977	53.4%	58.1%	4.7%
1979	45.1%	45.3%	0.2%
1982	51.0%	53.7%	2.7%

After the 1977 election, the advantage factor favouring Labor was 4.7%. At the 1979 election, which resulted in a comfortable Liberal victory with 54.9% of the two-party vote, the advantage factor to Labor fell to 0.2%, as the Liberal vote in the median seat, Todd, was 54.7%.[6]

In 1982, the electoral tide swung Labor's way again. A two-party preferred vote of 51% gave Labor a three seat majority, but the Labor advantage factor again increased to 2.7%, in spite of there being no boundary changes.[7] Unfortunately DeGaris does not mention the changes in the advantage factor in his book, only the original advantage factor at the start of the 1977 election. In his monograph on the 1982 election, Dean Jaensch noted that in both 1979 and 1982 the Liberal Party did better in seat terms than the DeGaris tables would have suggested.[8] Jaensch also speculated optimistically "the electoral system, for the first time since 1857, is no longer a major issue in South Australian politics".[9] Such was not to be the case.

There are certain conclusions that can be drawn about the three elections fought on the boundaries drawn in 1976. Firstly it cannot be argued that any of them produced the wrong winner. It might be argued that the Liberal Party 1979 vote share should have delivered them a majority greater than seven seats (on the basis of the cube law it should have won three more) but is it necessarily a bad thing? Labor had a one seat shortfall on this measure at the 1977 election, and the 1982 vote-seat shares seem entirely reasonable.

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[6]The calculation of the advantage factor in these elections was based on figures provided by Jaensch's 1977, 1979 and 1982 election monographs using the Soper-Rydon method. See Appendices 2 & 3 and compare votes in the median seat with the overall 2pp vote in Appendices 5 and 6.

[7]See Appendix 4 and compare the vote in the median seat with the overall 2pp vote in Appendix 7.

[8]Jaensch, *1982 Elections*, pp. 97-98. It would appear that DeGaris had not counted the National Party member in the Liberal seat total.

It is also worth considering the size of the primary vote when asking questions about the fairness of these results. Similarly, it should not be forgotten that at all three elections some members were elected who were not endorsed by either the Labor Party or the Liberal Party. Peter Blacker won Flinders for the National Party at all three elections, Keith Russack won Goyder in 1977 as an unendorsed Liberal, Norm Peterson won Semaphore in 1979 and 1982 as an Independent Labor candidate, and Robin Millhouse won Mitcham in 1977 and 1979 for the Australian Democrats. DeGaris does not make clear where these members stood in terms of their party affiliation.[10] Also unclear is the status of Norwood after the 1979 election: a by-election was ordered after the Liberal Party had finished ahead on general election day, and Labor won the by-election held in early 1980. It would seem that the DeGaris tables underestimate the Liberal Party seat share by one seat.

Having said this, DeGaris is probably correct in claiming that the Liberal Party did need to poll well over 50% to have won any of the 1977, 1979 or 1982 elections. However it is impossible to say what that figure might have been, as the three elections give such widely divergent numbers on the Soper-Rydon index.

In terms of the results produced for the votes actually received at the three elections, it cannot reasonably be argued that any of the results were grossly unfair. In 1977, Labor received a primary vote of 51.6%, and 53.4% of the two-party preferred vote, and won 27 of the 47 seats (57.4%). In 1979, Labor's primary vote fell to 40.9%, its two-party preferred vote to 45.9%, and it won 20 seats (42.6%, this includes Semaphore but not Norwood). In 1982 Labor polled 46.3% of the primary vote and 51% of the two-party preferred vote and won 53.2% of the seats if Semaphore is again included.[11] It could possibly be argued that the Liberal Party was not sufficiently over-represented for its 1979 vote share, but the size of this vote is largely influenced by an unusually large preference flow from the Australian

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[9]Jaensch, *1982 Election*, p. 98.
[10]On p. 59 of *Redressing the Imbalance*, DeGaris claims the Liberal Party won 26 seats in 1979 and 21 seats in 1982. The 1979 figure can be argued with as to whether Norwood, Mitcham or Flinders is the missing seat, but Flinders is definitely left out of the 1982 figure. This cannot be justified, as Peter Blacker was always likely to support a Liberal government.
[11]These figures are taken from Dean Jaensch's monographs on the 1977, 1979 and 1982 elections. In the latter two elections, two seats have been recalculated at each election, increasing Labor's 2pp by 0.1% each time.

Democrats to the Liberal Party, a pattern that gained the Liberal Party a higher 2pp vote but very few extra seats. It was a pattern not to be repeated at future elections.

There is, however one aspect of the electoral legislation under which the boundaries that were used at these three elections were constructed that did put the Liberal Party at a disadvantage. In his discussions with then Liberal Movement MLCs Martin Cameron and John Carnie, DeGaris argued that existing electoral boundaries ought not be taken into consideration. His reasoning was that because the removal of vote weighting had taken away more Liberal seats in the country regions than Labor seats, any redistribution that took existing boundaries into account would maintain the status quo in the metropolitan area and give the Labor Party an unfair advantage overall.[12]

It is true that had the boundary commissioners not been so constrained, the boundaries of certain key seats (Henley Beach, Norwood and Unley come to mind) may have been drawn in such a way that would have made it easier for the Liberal Party to win them. However there is just as much chance for the political balance to remain unaltered. For example, Unley has a logical northern boundary in Greenhill Road and the Southern Parklands, and any shift of Unley's boundaries to the east is unlikely to have had a seat-changing impact as early as 1989.[13] (Of course Unley has now gentrified to the extent that it is quite safe for the Liberal Party, even before its shift east after 1997.) DeGaris did not think that this change on its own was sufficient to make things fair, he also called for a top-up system, which he called the West German system, but in fact was radically different in two key respects.[14]

There is one aspect of the 1982 election (the closest of the three) that is worth noting. As mentioned earlier, the 1982 election did not produce an unfair result for the actual votes cast, although it is possible to argue that the Liberal Party would have missed out on

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[12]DeGaris, *Redressing*, p. 59.
[13]See Appendices 8, 14, 18, 23, 28 & 32 to see how Unley's boundaries have changed over the years. The northern boundary (Greenhill Road) has remained constant. Jaensch provides detailed maps of all electorates on pp. 8-30 of his 1977 election monograph, and the 1989 boundaries on p. 75 of the 1989 monograph.
[14]DeGaris, *Redressing*, p. 56.

government had it polled just over 50% of the two-party preferred vote. If the specific imbalance of the Soper-Rydon index was a problem, what was its cause? Perhaps more to the point, could anything have been done about it?

It was not because there was an excessive concentration of the Liberal Party's vote in ultra-safe seats. Labor won six seats with margins of 20% or more (including Semaphore), while the Liberal and National Parties won five seats by similar margins.[15] As we saw in relation to the 1975 election, the amassing of surplus votes in safe seats is much smaller than the number of votes a party wasted in seats it loses. The closer the losing margin, the greater the wastage level.[16]

The post-1982 election pendulum produce by Jaensch shows Labor holding six seats by between 15% and 20%, while the Liberal Party held six seats by similar margins.[17] What was noticeable in 1982 is that Labor held more seats in the 5-10% range (five) than the Liberal Party (one). The Liberal Party actually held more seats with margins below 5% (five) than Labor (three). In the final analysis, however, it is the fact that the margin in the median seat (Newland) lies 2.7% above Labor's statewide vote that creates the imbalance on the Soper-Rydon index.

However in 1979 the advantage factor to Labor was only 0.2%. The median seat (Todd) was this margin below the statewide Liberal vote, with Brighton having a slightly bigger margin.[18] Two other 1979 Liberal gains from Labor (Henley Beach and Mawson) had slightly lower Liberal margins, while two others (Morphett and Newland) had higher margins. Indeed Newland had a higher margin than Mount Gambier, a seat the Liberal Party had held in 1977.[19]

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[15] Jaensch, *1982 Elections*, p. 85. See Appendix 4.
[16] See Johnston, Ron, "Manipulating Maps and Winning Elections: Measuring the Impact of Malapportionment and Gerrymandering", *Political Geography,* Vol. 21 No. 1, January 2002. Johnston refers to the deliberate over-concentration of the oppositions vote in ultra-safe seats as a stacked gerrymander, while the wasting of opposition votes in lost seats is called a cracked gerrymander (Ibid, p. 7).
[17] Jaensch, *1982 Elections*, p. 85.
[18] Jaensch, *1979 Elections*, p. 76.
[19] Jaensch, *1979 Elections*, p. 76.

As it happened, Todd withstood the statewide swing in 1982 and was held by the Liberal Party, Henley Beach and Brighton recorded swings to Labor slightly below the state average but were still won by Labor (Henley Beach comfortably, Brighton narrowly) and Mawson was won comfortably on an above average swing (it would have been won narrowly on an average swing). The Labor Party compensated for its failure to win Todd by getting a well above average swing in Newland, which, as we saw, was the median seat after the 1982 election.[20] (For the record, the only other seat to change hands was Mitcham, which the Liberal Party won from the Democrats.)

Table 4.2 Swings to Labor in Marginal Liberal Seats at the 1982 SA Election

Electorate	Liberal 2pp vote 1979	Swing (against Liberal)	Result
Henley Beach	51.0%	-5.0%	ALP Gain
Mawson	53.0%	-9.5%	ALP Gain
Todd	54.6%	-3.3%	LIB Retain
Brighton	54.7%	-5.5%	ALP Gain
Morphett	55.3%	-3.8%	LIB Retain
Mt Gambier	55.6%	-3.4%	LIB Retain
Newland	56.1%	-9.7%	ALP Gain

It can be seen that the bias, or imbalance, against the Liberal Party that was evident in the 1976 redistribution, and at the 1977 election, miraculously disappeared in 1979, and reappeared in 1982. Most importantly, these changes occurred despite the three elections being held on the same boundaries. The changes were caused largely by the vagaries of swing, with Newland a particularly interesting case. It is difficult to explain why Newland and Todd, both Liberal gains in 1979, should behave so differently in 1982, especially as the two seats adjoined each other. Possibly the Liberal member in Todd, Scott Ashenden was superior to his Newland colleague Brian Billard, but there may be other contributing factors.[21] Whatever the reason, it does not seem fair to blame the people who drew the boundaries for the size of the swing: How were they expected to know what it would be?

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[20] Jaensch, *1982 Elections* p. 85
[21] Prior to 1979, Todd had been held for Labor by Molly Byrne, and Newland by John Klunder. Klunder re-contested his lost seat in 1982, while Byrne did not.

What the 1982 election did show is that the vagaries of swing in certain key marginal seats can affect the apparent fairness of the overall system. Although it did not happen in 1982, it is also evident that the results in key marginal seats can sometimes mean that the 'wrong' party occasionally wins government. *Any* single-member system has the potential to do this. As a result, some voters can actually determine the result of an election, while other voters do not. This must surely be regarded as a major fault in the system.

The 1985 and 1989 Elections

At the 1985 election, officially endorsed Labor candidates won 27 of the 47 seats, while Independent Labor candidates won two seats, namely Semaphore and Elizabeth. This represented a good return on Labor's 53.1% share of the two-party preferred vote: the cube law suggests they should have won just 27 or 28. The Liberal Party won 16 seats, while the National Party retained Flinders. The other seat was won by Stan Evans, standing as an Independent Liberal. He rejoined the Liberal Party soon after the election.[22]

It was the 1989 election where the Liberal Party did get a raw deal from the electoral system. Labor's primary vote of 40.1% was well behind the Liberal Party's 44.2%, and Labor's two-party preferred vote was only 48%. However each party won 22 seats, and the two Independent Labor members gave Labor the numbers to govern. The National Party again retained Flinders.[23]

The 1989 election was not one where the differences in the size of swing between electorates hurt the Liberal Party. The five seats won by the Liberal Party (Adelaide, Fisher, Newland, Bright and Hayward) were all seats the Liberal Party could have expected to win on a 5.1% statewide swing, and no other seats changed hands. However Newland was won only narrowly on a 2.8% swing, and therefore the Soper-Rydon index suggested a very large pro-Labor advantage of 4.4%.[24]

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[22] Jaensch, Dean, *The 1985 Elections in South Australia: a Statistical Analysis*, Polity, Adelaide, 1986. See Appendix 12. Jaensch's figure was given as 53.2%, but an official rethrow in four seats conducted by Jenni Newton reduced this to 53.1%.

[23] Jaensch, *1989 Elections* passim.

[24] See Appendix 13 and compare the 2pp vote to the pendulum that is Appendix 11.

Table 4.3 Swings to Liberal in marginal Labor seats at the 1989 SA Election

Electorate	ALP 2pp 1985	Swing	Result
Adelaide	50.6%	-3.9%	LIB Gain
Fisher	51.1%	-4.2%	LIB Gain
Newland	51.5%	-1.6%	LIB Gain
Bright	51.6%	-2.6%	LIB Gain
Hayward	52.8%	-3.7%	LIB Gain
Unley	55.0%	-2.7%	ALP Retain
Todd	56.0%	-3.2%	ALP Retain
Norwood	56.3%	-2.8%	ALP Retain

DeGaris had published a chart just after the 1983 redistribution had been brought down, which showed Labor could win a one seat majority with 49%, but that a 48% Labor vote would give a one seat Liberal majority.[25] This suggested an advantage factor to Labor of just over 1% initially, but at the 1985 election the figure went out to 1.9%, and in 1989 it increased again to 4.4%, all without a change in boundaries.

It is fair to say that the Liberal Party had justification for feeling aggrieved at the 1989 result. However opinions differed on why such a vote produced the result it did. The Liberal Party claimed the existing boundaries constituted a Labor gerrymander. The Labor Party, on the other hand, argued that its superior candidates and campaigning in marginal seats enabled it to hold on to office despite an inferior overall vote.[26] Whatever the reason, it had the effect of uniting the Liberal Party behind the objective of drawing boundaries to ensure that the party grouping that wins over 50% of the vote won a majority of seats.

In its 1991 report, the Electoral Districts Boundaries Commission presented an argument in non-partisan terms, explaining that a new imbalance had become apparent, in which much of the Liberal Party's vote was locked up in ultra-safe rural seats.[27] The Labor

[25]DeGaris, *Redressing*, p. 59.
[26]SA *Government Gazette, 29 November 1991, [Report of the] Electoral Districts Boundaries Commission*, p. 1511.
[27]*SAGG*, 1991, p. 1508.

Party had suffered a similar problem in the fifties and sixties, it claimed. (Of course Labor's ultra-safe seats were located in the metropolitan area and large country towns.)

The 1991 redistribution attempted to redress the imbalance by altering the boundaries of the two northern country seats, one a safe Liberal seat, the other a safe Labor seat, and turned them into two marginal Liberal seats. The EDBC claimed in its *1991 Report* that the imbalance had been redressed by the transfer of one Labor seat to the Liberal Party, but whether it actually did so is debatable. Both Ren DeGaris and Malcolm Mackerras claimed a pro-Labor bias still existed.[28] More interestingly, it would seem likely that a bigger problem for the Liberal Party was the number of votes it wasted in seats it failed to win.

What the 1991 Report Said
The Electoral Districts Boundaries Commission stated categorically that the imbalance operating against the Liberal Party was caused by the wastage of conservative rural votes accumulated in excessively safe seats in hitherto infrangible rural enclaves. They also claimed that an analysis of elections in 1977, 1979, 1982 and 1985, as well as 1989, confirmed the imbalance. The Commission referred to Liberal Party suggestions for the correction to be made in the metropolitan area, in which two marginal Labor seats (Norwood and Unley) could have been turned into Liberal seats, and the Commission claimed that the request for the transfer of two seats was excessive, and that it was most appropriate to rectify the problem where it arose, in a rural area.[29]

A glance at the results of the 1989 election does suggest that an excessive concentration of Liberal Party support in rural seats was a major problem. There were six such conservative seats with margins of over 20%, five of which were in the country, compared to only one Labor (metropolitan) seat in the same category.[30] It is certainly true that in 1989, though not in most other South Australian elections held around this time, that excessive

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[28]DeGaris, Ren, "THAT Redistribution", *South Eastern Times*, 2 December 1991, p. 2, and Mackerras, Malcolm, "Boundaries Change but Bias Remains", *Australian*, 30 December 1991, p. 11.
[29]*SAGG*, 1991, p. 1493.
[30]Jaensch, *1989 Elections*, p. 11 See Appendix 11.

Liberal winning margins were not counterbalanced by equally large Labor margins in metropolitan seats. As will be seen, this was the pattern nationally and in other states at this time.[31]

More importantly, the Commission failed to understand the magnitude of the wasted vote problem. As argued above, when a party wins a seat with an excessively high majority, all those votes recorded for the party above 50% can be said to be 'wasted.' However the wastage level in seats the party narrowly fails to win is much greater, provided enrolments are relatively equal. A party winning a seat with 70% of the vote wastes 20%, but a party that gets 48% of the vote in a seat it doesn't win wastes the entire 48%.

Table 4.4 Effective, Surplus and Wasted Votes at the 1989 SA Election

	Labor Effective	Labor Surplus	Labor Wasted	Liberal Effective	Liberal Surplus	Liberal Wasted
Votes	206214	40616	157426	215444	57985	176076
Percentage	51	10.1	38.9	47.93	12.9	39.2

In 1977, Labor won seven seats with margins of over 20% or more, compared to four Liberal seats in the category, which led Jaensch to surmise that Labor should have suffered more from the problem of over-concentration of voters in ultra-safe seats.[32] However if it is understood that more votes are wasted in seats a party fails to win than in a seat it wins, the concept of differential concentration of votes (rather than majorities) makes sense.

1985 produced a similar pattern to that of 1977.[33] 1979 saw a Liberal Party victory, although the smallness of the majority given the size of their vote again suggests an over-concentration problem for the Liberal Party, as well as a reasonable number of ineffectual votes for each party in marginal seats.[34] 1982 was the closest of the other four elections, and as we saw earlier, the number of ultra-safe seats held by each side was almost identical. It

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[31]Although difficult to prove, it has been commonly suggested that the Labor Party's policies had alienated some traditional supporters, but had retained much of its support among swinging voters. See Kelly, Paul, *The End of Certainty: the Story of the 1980s*, Sydney: Allen & Unwin, 1992, p. 356. Kelly suggested this as the main reason why Labor had gained seats at the 1987 federal election while actually losing votes.
[32]Jaensch, *1977 Elections, pp.* 96 and 106.
[33]Jaensch, *1985 Elections*, p. 28. See Appendix 10 and also see Appendix 9 for the pre-1985 pendulum.
[34]Jaensch, *1979 Elections*, p. 76.

was in the marginal seats that Labor made the most effective use of its votes, and the Liberal Party votes went to the greatest waste.[35]

The strange claim made in the Commission's 1991 boundary report was that the imbalance was rectified in the conversion of one safe Liberal and one safe Labor seat in the country areas into two marginal Liberal seats. Given that there were so many more Liberal seats with high margins than the corresponding number of Labor seats, it does not appear likely that the transfer of one Labor seat to the Liberal Party would rectify the imbalance. All it did was transfer one Labor seat to the Liberal side, and make a formerly safe Liberal seat (Eyre) marginal. This is not to say that the Commission could necessarily have rectified the problem; as the 1991 report makes clear; there were no other Liberal Party seats in country areas where Labor voters existed in sufficient numbers to balance them. Labor's other country seat, Whyalla, was always going to be impossible to turn into a Liberal seat, because of the large population of the Labor-voting City of Whyalla.

However if the major cause of the problem suggested in this thesis is the right one, the Commission had the solution at its fingertips. In the metropolitan area, it would have been easy to transfer a section of the safe Liberal seat of Bragg into the marginal Labor seat of Norwood, which would have meant that only in a Labor landslide would the Liberal Party ever lose Norwood. Moreover, such a change would not have endangered the Liberal Party's hold on Bragg. By contrast, the changes in the northern seats did endanger the Liberal position in Eyre. (In the last two elections, the Liberal Party has retained the Port Augusta based seat of Stuart by small margins.)

There were two observers who thought the Commission had not rectified the imbalance against the Liberal Party. Ren DeGaris claimed that the 1991 redistribution 'did nothing to

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[35]See Johnston, Ron, "Manipulating Maps" for an explanation of the difference between stacked and cracked gerrymandering. Johnston claims that such phenomena can occur even without deliberate intent: the EDBC acknowledged the potential for the Liberal Party's vote to be stacked in ultra-safe seats, but not the possibility for the cracking effect of its metropolitan vote being spread too thinly.

ease the disadvantage suffered by the Liberal Party over the past 20 years", while Malcolm Mackerras claimed, "the Commission has not fulfilled its statutory obligations".[3637]

A look at the post-redistribution pendulum included with his article makes the Mackerras point clearly. While one Labor seat (Stuart) had been converted into a Liberal seat (Frome), the most marginal Liberal seat (Newland) had been changed into a very marginal Labor seat. Even if Newland had kept its previous margin, there would still have been a Labor bias evident, because Labor needed a tiny swing to regain Newland, and hence win government, but a 2% overall swing to gain a majority of votes.[38]

It is not surprising that the Liberal Party (and Mackerras, who was called as a witness by the Party) should call for the imbalance to be corrected by the transfer of two metropolitan seats (namely Norwood and Unley) to the Liberal Party. As previously mentioned, the Commission did not agree.[39]

The Commission claimed that if the correction could have been made prior to the 1989 election, the Liberal Party would have won government at that election. The information provided by the 1994 report, and Mackerras' article, suggests this was not quite accurate.[40] The Commission claimed itself unable to predict what might happen if the Liberal Party received only 50.5% or 51% of the two-party vote, beyond noting there was a reasonable chance of the Liberal Party winning government. The Commission claimed that the transfer of two Labor seats to the Liberal Party would be unfair to the Labor Party.[41]

It could, however, be reasonably argued that to be credited with a notional 25 seats out of 47 with 52% of the two-party vote, was not excessive. After all, the Labor Party achieved

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[36]DeGaris, "THAT", and Mackerras, "Boundaries".

[37]Mackerras, "Boundaries".

[38]Mackerras, "Boundaries", The 1994 Redistribution Report gives figures calculated by Mackerras, Jaensch and Jenni Newton on page 2119., and all give Labor a small margin in Newland. See Appendix 17.

[39]*SAGG*,1991, p.1593.

[40]*SAGG, 13 December 1994, Report of the Electoral Districts Boundaries Commission*, pp. 2118-2119. Also Mackerras, Boundaries".

[41]*SAGG*, 1991, p. 1515.

a majority of this size in 1982 with only an estimated 51% of the two-party vote.[42] Indeed, this was the exact point DeGaris had been making in his tables, when he suggested that each level of the vote between 45% and 55%, the Labor Party would win more seats for the same vote share. Another point of note is that according to the cube law, there should have been 26 Liberal seats.

A close examination of the Commission's finding reveal many leaps of faith. It is simply not possible to say that voters would have voted the same way, because patterns of campaigning would have been very different. For example, if Eyre had started the election as a marginal Labor seat (and by the logic of the swing sizes in Eyre and Stuart it surely would have), the Labor Party would surely have campaigned much harder in a new marginal seat than they actually did in two seats that started the 1989 election as ultra safe. The Commission also appears to have ignored the fact that the main contest in Stuart in 1989 was not between Labor and Liberal but between Labor and Port Augusta Mayor Joy Baluch.

It would also seem unlikely that the Liberal Party would have won Newland on 1989 figures but with new boundaries. As the 1994 EDBC report was to reveal, all three psephologists who analysed the boundaries (Mackerras, Jaensch and Jenni Newton) gave Labor a very narrow advantage.[43] It is reasonable to suggest that, if all other things had stayed the same, the Liberal Party probably would have won Newland in 1993. As a new member, Dorothy Kotz would surely have benefited from a 'sophomore surge-a concept that will be explained in more detail later.

At the 1989 election, it appeared that the personal following of the Labor members for Norwood (Greg Crafter) and Unley (Kym Mayes) was crucial to Labor holding those seats. A comparison of the Legislative Council votes in those seats placed Labor's Lower House vote at 5.2% and 4.8% higher respectively than in the Upper House vote.[44] However it seems more likely that such figures are at least in part a function of the way the figures are calculated. All of the 27 seats held by Labor-aligned candidates before the 1989 election

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[42] Jaensch, *1982 Elections*, p. 9.
[43] *SAGG*, 1994, p. p. 2119.
[44] *SAGG*, 1991, p. 1513.

have higher Labor two-party preferred votes for the House of Assembly than the Legislative Council. Part of this may result from the fact that while any votes for the Australian Democrats in the Council would have been split evenly between Labor and Liberal (most Democrat voters voted for the party ticket, and that ticket was split) in most metropolitan Assembly seats the preferences favoured Labor slightly. In Norwood and Unley Labor received a disproportionate share of Democrat preferences.[45]

A comparison of primary vote figures for the two houses would appear to make logical sense, as any personal vote for a sitting member is most likely to be manifested in their primary vote: any preferences received probably reflect a party preference. These figures do suggest a personal vote in Unley. Labor's Assembly vote in Norwood is 6.21% higher than in the Council, while in Unley it is 6.3% higher. This compares to a 0.36% higher Assembly vote in the state overall.[46]

When the specific is separated from the general, it is hard to say whether the personal votes of the said members was crucial in the retention of their seats. It may have been that some Labor voters in all seats saw the Council vote as an opportunity to have a free vote. There was only one sitting Labor member (Frank Blevins in Whyalla) whose primary vote was lower than that of the Council vote in their district. An interesting contrast is that there is no evidence of the Liberal vote being higher for the Council in Labor's city marginals, or across the state; if anything the reverse pattern appears to be so. The two metropolitan seats where the Liberal Council vote was significantly higher are the two seats won by Independent Labor members.

In the country areas, though, the pattern is different. Labor's Lower House vote, is higher in only two of the thirteen country seats. On the other hand, only two of these seats (Flinders and Stuart) saw the Liberal Council vote outstrip the Assembly vote. There were two Liberal sitting members who appeared to enjoy a particularly high personal vote, Peter

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[45]Jaensch, *1989 Elections*, pp. 65 and 75. See Appendix 15.
[46]See Appendix 16.

Arnold in Chaffey and Harold Allison in Mount Gambier. On primary votes alone Chaffey appears less stark, perhaps because of the presence of a National Party candidate in this seat.

As it happened, the Commission did not pass judgement one way or the other on the Labor claim that it ran better campaigns in the marginal seats, beyond noting there was more to the imbalance than that.[47] The Commission did not take up the Liberal Party suggestion to remove the 'Labor bias' by turning Norwood and Unley into Liberal seats. Perhaps they recognised that Labor margins in those seats were partly caused by the hard work of their sitting members, and thought it unfair to the Labor Party that their margins should be dismantled entirely.

A question worth considering is whether Labor should be advantaged by the fact that two popular members could save it two seats, while the Liberal Party gained no advantage from the popularity of its Chaffey and Mount Gambier members because the seats were safe Liberal anyway. Unfortunately this is a problem that always has the potential to happen as long as a single-member system remains in place. However such factors will not necessarily favour the one party all the time: they just happened to favour the Labor Party then. The adoption of the Mixed Member Proportional system, as used in New Zealand, would have dealt with this problem, as we will see later.

The popularity of certain sitting members in key marginal seats is just one factor that worked to the disadvantage of the Liberal Party in South Australia at this time. These factors were also evident in other states, particularly in Western Australia, and at the 1990 Federal Election. The Western Australian election of 1989 contained many similarities with the South Australian election of the same year, and is therefore worth analysing in detail. It will be seen that many of these were transient rather than permanent.

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[47] *SAGG*, 1991, p. 1511.

Comparative Study: the 1989 Western Australian Election

Like South Australia, Western Australia had employed a weighted voting system from its early colonial days. However the paths of the two states diverged in the late 1970s. The issue of weighted voting was not a controversial issue until then, because both major party blocs were willing to accept it. This situation arose because both parties enjoyed regular periods in government, but none of these governments lasted longer than 14 years, and when a party lost an election, it was not usually the electoral system that denied them victory.[48]

This situation changed in the seventies, after Labor won only 22 of 51 seats at the 1974 Election, despite receiving over 48% of the primary vote, and nearly half the two-party preferred vote. Although it is difficult to get an exact assessment of what the two party preferred vote was, it does appear that Jeremy Buxton's calculation of Labor having 49.6% of the two-party vote is reasonably accurate.[49]

More controversial changes to the Electoral Districts Act took place in 1975, and the boundaries that arose were used at the 1977 and 1980 elections. Buxton analysed the legislation, and the effect the changes had on the elections has been analysed elsewhere.[50] What became a major debating point was not just the issue of vote weighting itself, but who was entitled to receive a weighted vote was also highly controversial. Similar changes were made in 1982. In each case certain outer metropolitan, usually Labor-voting, areas were brought into the metropolitan area and lost their weighted vote, while other, usually Liberal-voting, areas were not. These changes appeared to be designed to hurt Labor, but in the end it did not matter. Labor won the 1983 and 1986 Elections conducted on these boundaries in spite of them.

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[48]For details of WA Election results see Macintyre, *Political Australia*, pp. 94-101.
[49]Buxton, Jeremy, "Electoral Politics Past and Present in Western Australia", in Pervan, Ralph & Sharman, Campbell (eds), *Essays in Western Australian Politics*, Perth: UWA Press, 1979. p. 37.
[50]Buxton, "Electoral", pp. 35-63. Other analyses were made by Black, David, "The 1975 Electoral Districts Act: Background, Impact and Future Prospects", in Hamilton, Barbara (ed), *In Firm Hands: The 1977 Western Australian Election*, Perth: Politics Department, University of Western Australia, 1979, pp. 8-19, and Evans, Glynn, *The Extinct Gerrymander: The Drawing of Electoral Boundaries in Australia*, unpublished B.A. (Honours) thesis, Curtin University of Technology, 1993.

Legislation passed in 1987 was rather different. The level of rural weighting was reduced, and the metropolitan boundary was determined according to the Metropolitan Region Town Planning Scheme. These changes made by the Labor Government were supported by the National Party, but opposed by the Liberal Party. In theory, these changes should have made the system fairer, but at the 1989 election, Labor retained office despite receiving less support than the Liberal Party.

There is no doubt that the Dowding Labor Government was returned to power in 1989 with less than 48% of the two-party preferred vote.[51] Because this election was held very close to the time of an equally controversial South Australian election, they are worth discussing in order to canvass the similarities and differences between the WA and SA systems and what it tells us about the effect of electoral systems. In 1989 the WA Labor primary vote fell to under 43% and its two-party preferred vote to under 48%, yet in still won a five seat majority. Why?

As justified as the legislative changes appeared on the surface, they converted the system to one in which the Liberal Party was disadvantaged to the tune of around 2%. Among the changes that took place were the removal of vote weighting for Perth hills suburbs, and a reduction in the severe weighting enjoyed by voters in the Liberal-held seats of Gascoyne and Murchison-Eyre. (These seats were largely amalgamated and named Northern Rivers.) Labor gained a net two seats in these changes. There were also benefits for Labor in the relatively minor alterations to existing seats. The result of all these changes meant that a slight pre-election bias in favour of the Liberal Party was turned into a pro-Labor bias of around 2%. However the results in individual seats at the 1989 election were to accentuate this.

Labor suffered some big swings in its safe seats, in some cases over 10%. There were also big swings to the Liberal and National Parties in seats they held. However, Labor managed to reduce the swing in enough of its more marginal seats to retain a majority, and in

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[51]See Western Australian Electoral Commission, *1989 State General Election Results*, 4 February 1989, Volume 1, Legislative Assembly.

one case won a seat from the Liberal Party, the aforementioned Northern Rivers. In some cases this appeared to be caused by the loss of the personal votes of certain retiring members, or it may reflect the greater disgust felt by Labor supporters about the party's links with big business, popularly known as WA Inc. Whatever the reason, it is clear that much of the Liberal Party's increase in votes was, unfortunately for them, earned in the wrong places.[52]

What can be said about the 1989 WA Election and its link to South Australia is that it is not necessarily the presence or absence of vote weighting that created the disadvantage for the Liberal Party. WA had weighted voting; SA did not; yet in each case in 1989 the Liberal Party won more votes and fewer seats.

One similarity between the two states is that the changes made in WA in 1987 resembled the changes made in South Australia in 1969. In each case, changes were made which apparently had the effect of removing the disadvantage suffered by the Labor Party, but in fact reversed the situation to one that disadvantaged the Liberal Party.

It is worth noting that the Labor Party had wanted to abolish vote weighting altogether, but had been unable to achieve this because both the Liberal and National Parties would not accept it. A look at the votes overall might suggest that a one vote-one value system might have produced a Liberal-National majority. However an analysis of votes cast within each region casts doubt upon this idea. Labor won 21 of the 34 seats in the Metropolitan area despite receiving slightly less than 50% of the two-party preferred vote within this region. Given this, it is possible to surmise that even within the metropolitan area, the Liberal Party suffered from an over-concentration of its voters in safe seats.[53] More important, however, would appear to be the fact that the Liberal Party made up a lot of ground in safe Labor seats (as high as 14% in one case) but still not big enough to win them.

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[52]Results in individual seats, and their likely causes, have been analysed by Evans, "Extinct Gerrymander".
[53]The Liberal Party held eight metropolitan seats with margins of over 10% compared to Labor's eight, but the Liberal Party also held five of those by over 15%, while Labor seats in this range were held by between 14.6% and 10.2%.

While it is possible the Liberal Party might have won a higher proportion of metropolitan seats if there had been more of them, the experience of South Australia would suggest there is no certainty of that. The one thing that can definitely be said about the WA Liberal Party is that they suffered in 1989 because they were achieving swings in areas where they did not need them, but could not get big enough swings in certain key marginals. As has been emphasised before, this is always likely to happen under a single member system.

The existence of vote weighting in the rural areas did mean the Liberal Party did not waste as many votes in ultra-safe seats as they might have under a roughly equal enrolment system. However they were disadvantaged within this region by the fact that Labor won three seats in this region by less than 200 votes.

In South Australia, the problem was not as great, as the range of swing was smaller than in WA. The Liberal Party also managed to win all seats within the statewide swing range, but nothing beyond. However it still remains the case that the swing to Liberal in Norwood and Unley was much lower, and even a slightly different set of boundaries might still have seen the Liberal Party falling short in those seats. The 1983 redistribution had seen a reduction in the Labor margin in Unley, but Labor achieved an above average swing in 1985, which was probably critical in the end.[54]

It could well be claimed that the electoral legislation passed by the Labor Governments in these two states may have had some influence on the result, and that even the drawing of the boundaries might have been influenced by the government of the day in some way. However the anomalous result of the 1990 Federal Election illustrates clearly the point that any suggestion that electoral boundaries might have been drawn to favour one side or another is hard to justify in the days of independent electoral commissioners.

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[54]Kym Mates had just completed his first term, so a sophomore surge could be expected. He had also done well in 1982 to minimise the impact of the retirement of former test cricketer Gil Langley.

Comparative Study: the 1990 Federal Election

In 1990, the Hawke Labor Government was returned to power, winning 78 of the 148 House of Representatives seats. The others went 55 Liberal, 14 National and one Independent. This was in spite of the fact that Labor received only 39.4% of the primary vote, and 49.9% of the two-party preferred vote. This was the last in a series of elections in which Labor had won a majority of seats with less than 50% of the two-party preferred vote.[55]

In his analysis of the 1990 election, Malcolm Mackerras had asked the question of whether the boundaries used for the 1990 election constituted a Labor gerrymander, and then came down with an answer in the negative, although he made an exception for the boundaries of Western Australia, which had been drawn between the 1987 and 1990 elections. [56] Victoria had also been redistributed at that time.

His main reason for this claim is that the boundaries in all other states and Territories had been drawn in 1984. Of the 78 seats Labor won in 1990, either the Liberal or National Party held seven, at the time they were drawn. Mackerras claimed there was no way that the boundaries could have been drawn in 1984 with any knowledge that the seats would save Labor from defeat in 1990.[57]

In the case of Western Australia, Mackerras noted that Labor won 8 of the 14 seats with 47.1% of the two-party preferred vote. He claims that the boundaries constitute a Labor gerrymander, but gives no justification for such a claim. He does, however, make the important point that having electorates with roughly equal enrolments does not *necessarily* (my emphasis) make the system one approaching one vote-one value.[58]

The process of redistribution of the WA boundaries has been analysed elsewhere, and little evidence was found to support suggestions that the process was manipulated by the

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[55]The 1988 Victorian Election was the other election not referred to in previous writings. See Lloyd, Clem, "Not Much Change?: the 1988 Victorian Election", *Politics*, 1989, Vol. 24, No. 1, pp. 108-117.
[56]Mackerras, Malcolm, "Election Results", in Bean, Clive et al (eds), *The Greening of Australian Politics: The 1990 Federal Election*, Melbourne: Longman Cheshire, 1990, pp. 182-183.
[57]Mackerras, "Results", p. 183.
[58]Mackerras, "Results", p. 183.

Labor Party or anybody else.[59] There was, however, one observation made by Mackerras that provides almost the whole explanation for the nationwide result, although he does not stress it. Co-incidentally, it refers to two South Australian federal seats. He noted that "In 1990 a vote cast in Hawker (SA) was one of very great value indeed", but that "On the other hand a vote cast in Barker (SA) was one of almost no value. Obviously Ian McLachlan was going to win Barker by a huge margin. The elector might just as well have stayed at home. Yet the number of electors enrolled in Hawker was almost exactly the same as the number enrolled in Barker."[60]

The point here is that in a system of single-member electorates, large numbers of voters make little impact on the seat tally because they live in seats that are safe for one party or another. The Liberal Party had more such surplus votes wasted in its safe seats of Barker, Boothby, Mayo and Wakefield than Labor did in its safe seats of Bonython and Port Adelaide. Consequently the Liberal Party received 50.5% of the statewide two-party preferred vote, but won only 6 of the 13 seats. These included Hawker, which it won by just 14 votes. Labor did waste a large number of votes in this seat, but made good use of its support in other seats to win by comfortable but not overwhelming margins.

So the Liberal Party was disadvantaged in this election in a manner similar to the state election. In 1993, the situation improved dramatically. South Australia's quota of seats in the House of Representatives was reduced to 12, and under the ensuing election, the Liberal Party won 8 of the 12 seats in 1993. Hawker had been abolished, but the Liberal Party won the seats of Adelaide, Grey and Hindmarsh. All had been significantly weakened for Labor by the redistribution. However it is worth noting that had the old boundaries been retained, it is likely that all seats would have stayed with the incumbent party. If there had been no swing from 1990, Labor would have won 7 of the 12 new seats.[61]

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[59]Evans, "Extinct".
[60]Evans, "Extinct".
[61]These estimates are based on figures provided by Mackerras' 1993 and 1996 election guides.

Table 4.5 Effective Surplus & Wasted Votes in SA Seats, 1990 Federal Election

Seat	ALP effective votes	ALP surplus votes	ALP wasted votes	Liberal effective votes	Liberal surplus votes	Liberal wasted votes
Adelaide	33771	2496				31273
Barker			24841	34115	9273	
Bonython	34780	11067				23722
Boothby			27421	34916	7493	
Grey	32011	4158				27852
Hawker			32831	32839	6	
Hindmarsh	33260	3541				29717
Kingston	35274	3550				31722
Makin	34886	1687				33197
Mayo			28479	37104	8823	
Pt Adelaide	33750	8968				24780
Sturt			28162	33328	5165	
Wakefield			26736	36058	9320	
TOTAL	237732	35457	168470	208360	39880	202263
Percentage	53.8%	8.0%	38.2%	46.2%	8.9%	44.9%

These considerations should serve as a warning for anybody who thinks that electoral boundaries can be drawn to produce a certain result. Because it is not known what the vote shares are going to be at any future election, it would have been impossible to tell in advance whether the boundaries were fair or unfair. In a wider term perspective, it should be noted that the advantage gained by Labor in the 1990 election was only temporary. Labor won again in 1993, but its 51.5% of the two-party preferred vote resulted in only a very small increase in its majority. John Howard led the Liberal Party to a resounding victory in 1996, and was returned to power in 1998 with 49% of the two-party preferred vote. The possible reasons for this are complex, but gerrymandering is not a plausible explanation.[62]

In this context, the South Australian Liberal Party would have done well to have heeded the words of Jeremy Buxton, who has had a long association with the Liberal Party in WA working on electoral matters. Writing in relation to federal redistributions, he claimed

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[62]Mackerras analyses some of the possible reasons in an unpublished article on the 1998 election.

that: "If commissioners produce a result favourable to one side as a by-product of a geographically logical set of boundaries, they ought hardly to be accused of bias."[63] It is a major contention of this thesis that this is indeed what took place in South Australian election of 1989, and that the commissioners should not be accused of bias. Buxton also made an interesting reference to the circumstances that would ensue at South Australian elections after 1989. "If [geographic logic or community of interest] were to be set aside in order to assist a 'disadvantaged' party to win extra seats, the outcry would be predictable".[64] There was no outcry, or at least not a very loud one, when Commissioners were forced to do this after 1989. Yet what eventually happened after the 2002 election is clear evidence of how fickle electoral disadvantage can be. Buxton's scare quotes are certainly justified in the context of South Australia.

It will become evident, when the 2002 South Australian Election is analysed, that electoral law changes and electoral boundary manipulation can actually produce results opposite to those intended by their advocates. This was obviously not evident to many legislators at the time. The process by which the fairness clause came into being is the subject of the next chapter.

[63]Buxton, Jeremy, "The 1979 Redistribution in Western Australia", in Mackerras, Malcolm, *Elections 1980*, Sydney: Angus & Robertson, 1980, p. 287.
[64]Buxton in Mackerras, *Elections 1980*, p. 287.

5 THE FAIRNESS CLAUSE DEVELOPS

In the last chapter it was shown that the move from a weighted voting system to one with electorate enrolments of roughly equal size did not end the phenomenon of a party winning government with less support than its major rival. It is true that Labor was always the party favoured, but it was not always favoured to the same extent, even in a series of elections fought on the same boundaries. It was also evident from a comparison with other states that weighted voting systems were just as capable of producing anomalous results. Indeed the many elections fought in South Australia under weighted voting show that.

The 1989 election in South Australia had provided the evidence the Liberal Party had always wanted to demonstrate their case that the ostensibly fair process of drawing boundaries in the state gave a marked advantage to the Labor Party. It was able to convince the Independent Labor members that a change to the system would be justified. The change to the system that eventuated became known as the fairness clause. This chapter analyses the implementation of that clause, starting with the parliamentary debates on the subject and the resulting legislation, followed by the two subsequent redistributions and elections held. It will be more evident when the 2002 election is analysed in Chapter 6, that the legislation may have actually produced the opposite result to the one intended, but even after the 1997 election it could be seen that the boundaries drawn for that election could easily have produced the 'wrong' result. (Indeed it is possible that any of the elections held in recent times, and the advantage apparently enjoyed by the Liberal Party in 1997 is similar to that enjoyed by the Labor Party in the 1970s and 1980s.)

Parliamentary Debates on the Fairness Clause

In the early stages of the 1990-93 South Australian Parliament, there were many questions raised about the fairness or otherwise of the electoral boundaries then in place. Indeed the fairness of the entire system was questioned. On 22 February 1990, the then Leader of the

Opposition, Dale Baker, moved for a Joint Select Committee to report on various aspects of the electoral system.[1] Like Ren DeGaris, he questioned the need to consider the existing boundaries as a redistribution criterion, and argued that it was one of the major factors assisting Labor. Baker did not seek to overturn the principle of roughly equal enrolment numbers in each electorate, but he did argue that equality did not guarantee fairness. This was the main point DeGaris had been trying to make for many years, and he and Baker had exchanged some correspondence on the subject.[2] DeGaris was at this time working part-time in Baker's office.

When Baker first raised the issue, the debate was quickly adjourned on a Labor Party motion, but the issue was revisited on 1 March, with then Deputy Premier Don Hopgood arguing that while certain redistributions may favour certain parties at different times, there was no logical reason why such a situation should always favour the Labor Party. He also stressed the importance of the personal votes of certain members in producing anomalous results.[3]

On 21 March, Hopgood introduced the Constitution (Electoral Redistribution) Amendment Bill. He proposed that a referendum be held, because unless there was a change in the number of members elected, there could not be redistribution without it. In his speech, Hopgood justified the essential fairness of the existing redistribution criteria, and emphasised that under the current system, the party that won a majority of votes in a majority of electorates always governed.[4] On 10 April, Dale Baker emphasised that he would support legislation to allow redistribution before the next election, but only if the legislation could be referred to a select committee. He later claimed (without substantiation) that the Labor Government was willing to manipulate the electoral system to deny democracy, but perhaps the most interesting point he made was his quote from a paper by former Australian Electoral Commissioner Colin Hughes that suggested redistributions across the Australian mainland

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[1] *South Australian Parliamentary Debates*, 22 February 1990, p. 342.
[2] Many of the ideas of DeGaris were directly quoted by Dale Baker in his speech, which suggests that DeGaris wrote the speeches. The correspondence between them began very soon after it became clear that Labor would hold office with less than 50% of the two-party preferred vote.
[3] *SAPD*, 1 March 1990, p.522.
[4] *SAPD*, 21 March 1990, p.680.

state had a general tendency to favour the incumbent government.[5] His deputy, Stephen Baker, raised the idea that a party that wins over 50% of the two-party preferred vote should win government.[6]

Dale Baker made clear his scepticism of multi-member electoral systems, but his deputy criticised the single-member system.[7] Other Liberal MPs made a range of claims, with Stan Evans criticising the boundaries of his electorate, while Peter Lewis claimed he could draw boundaries to give the Liberal Party a 38-9 seat advantage with deliberate intent. He also claimed that he could draw boundaries to give the Labor Party a 33-14-seat advantage if offered a fee for service.[8]

Don Hopgood asked why the current redistribution criteria should particularly favour the Labor Party, but nevertheless agreed to refer the proposed legislation to a select committee.[9] Although the Committee was expected to report in August, the hearings did not finish until September and the Joint Select Committee did not deliver its findings to Parliament until 13 November.[10] Hopgood released the findings of the Select Committee on this day, with the key recommendation being the fairness clause. He announced the government's intention to put the Committee's recommendation into legislation, and also the wish to bring forward the next redistribution of boundaries via a referendum.[11]

Most Liberal MPs expressed their general support for the findings of the committee and agreed to support the government's bill, but they did not pass up the opportunity to fire parting shots at the old system. Stephen Baker claimed the select committee had been forced on the government by the anomalous 1989 result, and that the old system was akin to giving the Port Adelaide Football Club a ten-goal start. He found the fairness clause 'exciting', but

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[5] *SAPD*, 21 March 1990, p.780. The paper of Hughes referred to by Baker has been quoted in the previous chapter.
[6] *SAPD*, 10 April 1990, p. 1378.
[7] *SAPD*, 10 April 1990, p. 1377 and 1382.
[8] *SAPD*, 10 April 1990, p. 1385.
[9] *SAPD*, 10 April 1990, pp. 1393-1394.
[10] *SAPD*, 13 November 1990, p. 1759.
[11] *SAPD*, 13 November 1990, pp. 1759-1761.

also suggested that a multi-member system or top-up seats were worth considering. The Labor Party was criticised for excessive concentration on campaigning in marginal seats.[12]

National Party MP Peter Blacker thought the unfairness in the system was due to the existence of single-member electorates. He was concerned that the fairness clause would be used to split electorates in a manner adverse to the people living in them, and argued that if fairness was the objective, the Hare-Clark system would be better.[13] Liberal MP Graham Gunn also supported Hare-Clark.[14]

Another Liberal MP, Roger Goldsworthy, praised the role that Martyn Evans, then Independent Labor member for Elizabeth, played in Labor's acquiescence to the introduction of a fairness clause. Like Dale Baker, Goldsworthy attacked Labor's criticisms on the Queensland electoral system, claiming that Queensland Labor usually polled only 42% of the vote and had no moral claim to government.[15]

There were some questions asked about the legislation in committee, but the Constitution (Electoral Redistribution) Amendment Bill was passed without alteration on 14 November 1990.[16] Graham Gunn had attempted to increase the size of the House of Assembly to 49 members, but only Peter Blacker and Independent Labor member Norm Peterson supported him.[17]

Debate in the Legislative Council was much shorter. Liberal MLC (and later Attorney-General) Trevor Griffin made reference to the Fitzgerald Report in Queensland, which linked unfair electoral laws with official corruption, but emphasised that such corruption did not exist in South Australia.[18] The only Council member to express his opposition to the fairness

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[12] *SAPD*, 14 November 1990, p. 1856.
[13] *SAPD*, 14 November 1990, p. 1859.
[14] *SAPD*, 14 November 1990, p. 1862.
[15] *SAPD*, 14 November 1990, pp. 1875 and 1887.
[16] *SAPD*, 14 November 1990, p. 1889.
[17] *SAPD*, 14 November 1990, p. 1889.
[18] *SAPD*, 22 November 1990, p. 2167.

clause was Democrat Leader Ian Gilfillan, who claimed that the proposed change only dealt with fairness to the major parties, and was unfair to the Democrats and other minor parties.[19]

In speaking in support of the second reading, Liberal MLC Legh Davis claimed the government was only supporting the bill because it had been 'dragged kicking and screaming by political reality'.[20] Issues of recent electoral boundary history were quoted, and a suggestion was made that the Liberal Party had been disadvantaged by the move to four-year maximum terms. However his most notable comments were made about proportional representation systems in general, and Hare-Clark in particular.

Davis opposed Hare-Clark on two major grounds. He noted that under any proportional representation systems, minor parties were much more likely to hold the balance of power, but he also claimed that Hare-Clark did not always produce fair results. He quoted the 1989 Tasmania Election as an example, where the Liberal Party received, on his recollection, around 46% of the primary vote, well ahead of the Labor Party's 34% and the Greens' 17% but was defeated on the floor of parliament. He claimed the Liberal Party could consider itself hard done by.[21]

Gilfillan strongly supported the Hare-Clark system, but later speakers from the major parties all supported the existing single member system and the proposed amendments, and only Democrats Gilfillan and Elliott opposed the final bill.[22] On 5 December 1990, the bills were returned to the House of Assembly without amendment.[23]

The referendum required to accompany the legislation was held on 9 February 1991, and was carried overwhelmingly with a 76.7% Yes vote, ranging from 84% in Bragg to

[19]*SAPD*, 22 November 1990, pp. 2175-2177
[20]*SAPD*, 5 December 1990, pp. 2335-2336.
[21]*SAPD*, 5 December 1990, pp. 2336-2337.
[22]*SAPD*, 5 December 1990, pp. 2334-2340.
[23]*SAPD*, 5 December 1990, p. 2396.

64.1% in Flinders, the electorate of Peter Blacker.[24] All the requirements for the redistribution were now in place, and the redistribution was completed in November 1991.

The 1991 Redistribution Report

Under the *Constitution (Electoral Redistribution) Amendment Act*, the Electoral Districts Boundaries Commission was required to draw boundaries to attempt to ensure that a party that won over 50% of the two-party preferred vote should win enough seats to form government. However this legislation still allowed for considerable interpretation on the part of the Commissioners. This was evident in the fact that both Ren DeGaris and Malcolm Mackerras claimed afterwards that the Commissioners had not fulfilled their statutory obligations[25].

The 1991 Report of the Electoral Districts Boundaries Commission had noticed the disadvantage suffered by the Liberal Party due to an over-concentration of the vote in ultra-safe rural seats, and outlined the solution to the problem, which was to split the Labor held country seat of Stuart in two, with the two main towns in the seat (Port Augusta and Port Pirie) being combined with nearby conservative rural voters in the existing seat of Eyre and the new seat of Frome respectively. According to the Commissioners, the change would create an extra (marginal) Liberal seat, and would enable the Liberal Party to win government should the 1989 result be repeated.[26]

The Commission was less sure about what might happen if the Liberal Party received anywhere between 50% and 52%, but claimed they would have a reasonable chance of winning. [27] As it happens, DeGaris and Mackerras did not think the Liberal Party would win government with 52%, let alone 51% or 50%. A comparison of the 1991 Report with later

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[24] *Parliamentary Paper No. 67; Constitution (Electoral Redistribution) Amendment Bill.* Referendum held on 9 February 1991.
[25] DeGaris, *Redressing*, passim and Mackerras, Malcolm, "Boundaries change but bias remains", *Australian*, 30 December 1991, p. 11.
[26] *South Australian Government Gazette, 29 November 1991, [Report of the] Electoral Districts Boundaries Commission*, pp. 1593-1595.
[27] *SAGG*, 1991, p. 1595.

reports suggests the Commissioners did not take as much time with statistical calculations as they might have.

Although there were only 14 country and near-country seats compared to 33 metropolitan seats, the Commission spent twice as much time in its report on the country seats. This is understandable given that the changes in the country seats (or in at least four of them) were among the more substantial, and the fact that the country areas were where the Commission thought the anti-Liberal imbalance should be corrected. Whether this was actually so is questionable; it would seem that the Liberal Party wasted more votes in metropolitan seats it did not win.

Changes to Country Seats

The 1991 report identified the northern and western districts as the most appropriate place to correct the imbalance. It noted that neither the southern, eastern or central country districts were suitable for the purpose because of the absence of adjacent Labor-voting electorates.[28]

From 1977 to 1989 Labor held only two country seats, Stuart and Whyalla, which after 1983 had included the town of Whyalla and very little else. Although Whyalla's population had declined to the extent that four other towns (Cowell, Kimba, Roxby Downs and Woomera) had to be added to the seat to make up the required numbers, and caused it to be renamed Giles, the Commission noted that it would remain a Labor seat.[29] The Commission did not speculate on whether a seat including Whyalla could be turned into a Liberal seat: after all, the Commission had already decided that only a one seat correction was needed.

Apart from the carving up of Stuart, the major change in the country areas was centred on Kangaroo Island. Prior to the 1991 redistribution, Kangaroo Island was situated in the seat of Alexandra, which included Fleurieu Peninsula towns, and was, like most country electorates, a safe Liberal seat. Kangaroo Island voting patterns had strongly favoured the

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[28]*SAGG*, 1991, p. 1531.
[29]*SAGG*, 1991, p. 1529.

Liberal Party, and in one sense it made little difference which electorate they were included in. As Kangaroo Island lay in very close proximity to Fleurieu Peninsula, it had made sense to include its voters in Alexandra.

In 1991, the Commission transferred Kangaroo Island voters to the Eyre Peninsula seat of Flinders. The latter seat was then held by the National Party MP Peter Blacker and was the safest non-Labor seat in the state, but the Commission saw a need to correct a shortfall in voter numbers in the northern and western seats. The 1991 Report explained the problem:

> Before the Kangaroo Island numbers were transferred to Eyre Peninsula, the quota shortfalls in the four western and northern districts were very serious – 8.75% in Flinders, 8.63% in Eyre, 7.07% in former Stuart, and 17.76% in former Whyalla. To make matters worse, the numbers in all of these districts were continuing to decline.[30]

In this situation the Commissioners had two options. They could either abolish one of the four seats, passing surplus voters to seats further south, or to find extra voters from elsewhere. The Commissioners preferred to retain all four northern and western seats, although it gave no reasons why.[31] Had the Kangaroo Island voters not been included in Flinders, the latter seat would have needed to take extra voters from the other northern seats (themselves under quota), causing a ripple effect. The Commission's Report explained that the only alternative was to extend the already too extended district of Eyre further out of the dry eastern areas of the outback into the fertile areas near the River Murray, including the town of Morgan. The Commission thought thus option would make Eyre too large and would unite a disconnected and incongruous mix of people and climatic conditions.[32] The irony of this position was that later, in the 1994 redistribution, Kangaroo Island was removed from Flinders and the seat of Eyre was renamed Stuart and was extended south and east to include Robertstown and Morgan.

There were two proposals put up by the major parties that would have avoided the need for such a far-reaching change. The Liberal Party proposed that the western third of Port Augusta be included in the Whyalla seat, while the Labor Party suggested the inclusion of

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[30] *SAGG*, 1991, p. 1531.
[31] *SAGG*, 1991, p. 1530.
[32] *SAGG*, 1991, p. 1532-1533.

the whole of Port Augusta and Port Pirie in the one seat. The Commission rejected these because they did not assist with the correction of the imbalance.[33]

At the same time, the Commission spent some time explaining that Port Augusta was a suitable city to head Eyre, a large outback-based seat, because of road, rail and air links, police and court services, and the presence of a large Aboriginal population in both Port Augusta and the outback areas. The Commission noted that some small town residents had expressed their opposition to their towns being included in the same electorate as a town like Port Augusta, on the basis of the fear that the votes of Port Augusta would swamp their votes, and their needs would be neglected, but also claimed that such a move was necessary to correct the anti-Liberal imbalance.[34]

Kangaroo Island residents, and their member Ted Chapman, mounted a strong case against their inclusion in Flinders. They based their objection on two grounds: The much greater community of interest between Kangaroo Island and Fleurieu Peninsula in comparison with Eyre Peninsula, and the difficulty that Kangaroo Island residents would have in communicating with their member.[35] While acknowledging some force in their arguments, the report argued that Kangaroo Island shared many similarities with Eyre Peninsula, such as a reliance on farming and fishing, and a conservative political outlook.[36] The communication difficulties were acknowledged as a potential problem, but the Commission explained that the correction of the imbalance was the most important consideration, and also that the alternatives would create another set of difficulties.[37]

Changes To Metropolitan Seats
Compared with the boundaries of the northern seats, there was no controversy in the drawing of boundaries in the south-eastern and central rural seats. In all cases the seats were Liberal strongholds, so any changes were only needed to even up the enrolment levels. The

[33]*SAGG*, 1991, p. 1535.
[34]*SAGG*, 1991, pp. 1535-1536.
[35]*SAGG*, 1991, pp. 1536-1541.
[36]*SAGG*, 1991, p. 1537.
[37]*SAGG*, 1991, pp. 1538-1539.

Commission noted the division of the southern and eastern rural seats according to their land use, and the two central rural seats (Goyder and Custance) receive a brief mention.[38] The four peri-metropolitan seats (Light, Finniss (formerly Alexandra), Heysen and Kavel) were analysed separately, with their demographic characteristics rather than their safe Liberal status receiving the major attention.[39]

The description of the 33 metropolitan seats follows a similar pattern to the peri-metropolitan seats. The use of roads, railway lines, suburb boundaries and the River Torrens as natural dividers of electorates is emphasised, and little mention is made of the political impact of the changes. Only in the description of Norwood was a considerable amount of emphasis placed on the political consequences.[40]

After the metropolitan boundaries had been drawn, the Commission embarked on a checking exercise. The Report claims that "the Liberal Party would probably have won government in 1989"[41] on the new boundaries. At the same time, a problem arose that some voters might think they were being moved to a less suitable electorate in order to meet fairness requirements. The Kangaroo Island residents were the 'victims' of such a requirement in 1991, and indeed one writer implied that Kangaroo Island voters were pawns in a numbers game.[42] Later reports also suggested that in some cases other changes have been made which violated community of interest concerns.

The Report did not detail exactly how the original boundary proposal had failed to meet fairness requirements, or how (or indeed if) the adjustments made rectified the problem. Perhaps the fact that Newland, a very narrow Liberal gain in 1989, was adjudged by most observers to have been turned into a marginal Labor seat was part of the problem, but according to those observers, the problems still existed after the changes.[43]

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[38]*SAGG*, 1991, pp. 1549-1550.
[39]*SAGG*, 1991, pp. 1551-1552.
[40]*SAGG*, 1991, pp. 1560 and 1572-4.
[41]*SAGG*, 1991, p. 1565.
[42]*SAGG*, 1991, p. 1538.
[43] The calculated estimated swing to lose margins for Newland on the 1991 boundaries were published in *South Australian Government Gazette, 13 December 1994, Report of the Electoral Districts Boundaries Commission,*

There were some significant changes in the metropolitan seats, sometimes involving mere changes of name, and sometimes involving significant changes to the political complexion of seats, but with the exception of the slight change in Newland, the net effect was neutral. Five seats involved little more than changes of name, although the changes made to Henley Beach (renamed Colton) turned a marginal Labor seat into a marginal Liberal seat. Five new Labor seats were created, and four existing Labor seats and one existing Liberal seat were abolished, with the changes to Henley Beach (Colton) compensating the Liberal Party. Hanson, formerly marginal Liberal, became marginal Labor, while Hartley moved the other way.

One factor that came to pass, and one that the Commission was unaware of at the time the metropolitan boundaries were drawn was the creation of a larger number of marginal seats. Two of these were the deliberately created marginal country seats of Eyre and Frome, but there were also 16 metropolitan seats with margins of less than 5%, compared to 12 seats after the 1989 election.[44]

Although the overall net effect of the boundary changes was minimal, the changes wrought to the prospects of some members was far reaching, and many of them moved to new seats (in name at least) that afforded better prospects. The Liberal member for Hanson, Heini Becker, contested Peake, which included part of old Hanson, while Labor's John Trainer, whose seat of Walsh was abolished, contested Hanson. Labor Education Minister Susan Lenehan moved from Mawson, which had been made very marginal, to the safer seat of Reynell, which included much of the old Mawson. Liberal Mark Brindal, whose seat of Hayward was abolished, moved to contest Unley, held by Labor minister Kym Mayes. Another minister, John Klunder occupied part of his old seat of Todd in contesting the new seat of Torrens, while the other part of Torrens had come from the abolished seat of Gilles. Its member, Labor's Colin McKee, retired from politics. However the most startling move was made by Labor's Terry Groom, whose seat of Hartley had been turned into a marginal

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pp. 2118-2119. The observers referred to are Malcolm Mackerras, Dean Jaensch and Jenni Newton, and all gave a Labor margin of between 0.2% and 0.7%.

Liberal seat. He contested preselection for Napier, being vacated by Terry Hemmings, but lost to Annette Hurley. Groom eventually ran as an Independent Labor candidate for that seat and, in an unusual move, was also promoted to the ministry.[45]

In the country areas, the redistribution posed a threat to the Liberal member for Eyre, Graham Gunn, and the Labor member for Stuart, Colleen Hutchison, whose seat had been abolished. Both contested the redesigned Eyre, one of three seats contested by two sitting members (the others were Peake and Unley) The changes to Flinders also had the potential to threaten its member, Peter Blacker, although this was perhaps not appreciated by pundits at the time. In the end, the huge swing to the Liberal Party at the 1993 election made most of the boundary changes inconsequential.

None of the aforementioned Labor members held their newly named seats, and all sitting Liberals who contested won. The most significant new Liberal was Rob Kerin, who won the new seat of Frome, based on Port Pirie and rural areas to its east. Kerin was later to become Premier.

What Happened at the 1993 Election

The 1993 South Australian election saw a comprehensive victory to the Liberal Party. With 60.9% of the two-party preferred vote,[46] the Liberal Party won 37 of the 47 Lower House seats. This tally included Flinders, won from National Party MP Peter Blacker. The Labor Party won the other ten seats. The three Independent Labor members took separate courses. Norm Peterson contested a Legislative Council seat but was unsuccessful, while Martyn Evans rejoined the Labor Party just before the election and was re-elected to his seat of Elizabeth. Terry Groom contested Napier (the seat he had unsuccessfully sought preselection

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[44]*SAGG*, 1994, p. 2119. The figures are based on the margin calculated by the commission on an average of the calculations of Mackerras, Jaensch and Newton. The 1989 election margins are contained in Jaensch, *1989 Elections*.

[45]Newton, Jenni, "The 1991 Electoral Redistribution in South Australia: 1989 voting statistics transferred to the new House of Assembly boundaries (Information Paper No. 11)", South Australian Parliamentary Library, 1992.

[46]*State Electoral Office: Statistical Returns for General Elections for 11 December 1993*. See Appendix 19.

for, but was defeated by official Labor candidate Annette Hurley. The seats held by the Labor Party were located in a very restricted geographical area: with the exception of the country seat of Giles (formerly Whyalla), all were located in the northern and north-western suburbs.

Yet the post-election pendulum showed a pro-Labor advantage of 0.4%.[47] The Liberal two-party preferred vote in the median seat (Florey) was 60.5%, compared to an overall vote of 60.9%. This was a considerable reduction from the pre-election advantage of 2.5%, which perhaps indicates the Commissioners were skilful in predicting the differences in levels of swing across the electorates. What do the 1993 election results say about the success or otherwise of the fairness clause? Dean Jaensch's observation was:

> The 1993 election produced one aspect of fairness: the Liberal Party won a majority of votes and a majority of seats. However the result was hardly 'fair' in terms of the distribution of votes and seats.[48]

The 1993 election results illustrate a major feature of any single-member system: a party that wins a large percentage of votes usually wins an even larger percentage of seats. In the case of the 1993 election, the Liberal Party won 78.7% of the seats.[49] To any critic of single-member systems, the nature of the 1993 election expose the faults of the system. It does seem strange that later debates about the fairness of the system focused on the exact margins in seats held by 10% or more, and not the respective shares of votes and seats, which even the most casual observer would regard as grossly unfair.

In one sense the legislative changes made in the previous Parliament proved unnecessary in 1993. The Liberal Party would certainly have won a majority of seats if the 1993 election had been contested on the old boundaries, and would almost certainly have done so with any electoral system, even a multi-member one. A cursory glance at individual electorate results suggests that the Liberal majority may have been slightly smaller if the old

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[47]*SAGG*, 1994, p. 2109. See Appendix 20.
[48]Jaensch, Dean, *The 1997 Election in South Australia: a Statistical Analysis*, Dean Jaensch, Adelaide, 1997, p. 4.
[49]Jaensch, Dean, *1993 Elections in South Australia: A Statistical Analysis*, Polity, Adelaide, 1994, p. 4.

boundaries had been used.[50] This may appear a fairer distribution of seats than the one that actually resulted, but as the Commission has noted, the fairness clause is silent on the size of majority a winning party should achieve.[51] This would surely have to be regarded as a major fault in the legislation, as parliament exists to serve more functions that just to provide a government.

In spite of the one-sided nature of the 1993 election, there were still some interesting divergences in swing between individual electorates. One notable feature was the ability of Liberal members first elected in 1989 to massively increase their majorities, as happened in Newland, Fisher, Bright and Adelaide. The 1994 Electoral Districts Boundaries Commission report dealt extensively with issues relating to the personal vote of certain candidates, although it is questionable whether the correct conclusions were drawn. Although these factors made little difference to the overall result, they certainly mattered a great deal in later elections. It is a major contention of this thesis that such factors can play a major role in determining the number of seats a party wins, but that because it is sometimes difficult to know what their exact magnitude of these factors before an election, the task set for the Commissioners by the legislation will not always be achieved.

The 1994 Redistribution and the Sitting Member Factor
One trend of the 1993 election that has already been mentioned was the ability of Liberal members first elected in 1989 to increase their majorities by a margin greater than the overall swing to the Liberal Party. Another notable feature was that the seats recording the highest swings to Liberal were all in the metropolitan area, and the other notable factor was that seats that had been vacated by a Labor member recorded higher than average swings against that party. It needs to be emphasized that there is no one agreed swing figure for most seats because of the differences in the initial margin as calculated by the experts. As the

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[50] It would appear likely that Labor would have retained the old seats of Briggs, Peake and Stuart, in addition to the retained or renamed seats of Elizabeth, Napier, Playford, Price, Ramsay, Ross Smith, Semaphore, Spence and Whyalla. The Liberal Party would almost certainly have won Flinders from the National Party.
[51] *SAGG*, 1991, p. 1565.

Commission opted to use the initial margins given by Newton, these are the ones used here.[52] The overall metropolitan swing was 10.45% to Liberal, compared to 4.64% in the country.[53] This is not a new phenomenon; the usual pattern in South Australian elections is for country swings to be smaller, with 1975 being the most obvious recent exception.[54]

The phenomena by which a party can gain or lose by the good performances of its sitting members, or lose when they retire, is fairly well known by people who follow elections remotely closely. However the nature and magnitude of the factors is less well known in Australia, and their names are even less well known.

Fortunately American political science literature has coined terms for such phenomena. If an incumbent member increases his or her vote by an above average amount after completing their first term, it is called a 'sophomore surge' and if a party loses a disproportionate share of the vote in a seat where its sitting member has retired it is called a 'retirement slump'.[55]

Newland, Fisher, Bright and Adelaide are examples of a sophomore surge, while Hart, Mitchell, Ross Smith, Colton (formerly Henley Beach) and Hartley, which all recorded above average swings to the Liberal Party were examples of retirement slumps. Some of these seats had undergone substantial boundary changes, so in some cases these factors apply only partially.

It may not be obvious how such variations in swing can have an impact on the fairness or otherwise of electoral boundaries, but in fact the differences in swing can make a redistribution appear unfair to one party or another. Clearly it was not going to be important

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[52]The 1994 EDBC *Report* provides margins as calculated by Mackerras, Jaensch and Newton for the pre-1993 situation.

[53]These figures are contained in *SAGG*, 1994, pp. 2118-2119.

[54]See Electoral Districts Boundaries Commission, *1998 Report*, p. 113 for details of the different swings recorded in metropolitan and country areas in elections held from 1979 to 1997.

[55]The term was first used by Albert D. Cover & David R. Mayhew, "Congressional Dynamics and the Decline of Competitive Congressional Elections", in Dodd, Lawrence & Oppenheimer, Bruce (eds), *Congress Reconsidered*, New York: Praeger, 1977, pp. 54-72. Malcolm Mackerras introduced the terms to Australian readers in his review of the 1996 federal election.

in 1993; the Liberal Party was always going to win a massive majority, whatever the differing performance of sitting members and candidates. However the fact that there were now so many new Liberal members did create the possibility of a future situation where the Labor Party might have been disadvantaged if the swing to it had been much lower in these seats. This was indeed the case in 1997, but the EDBC was spared embarrassment by Labor just failing to get 50% of the two-party preferred vote.

The Labor Party was well aware it could be disadvantaged by such a situation, and in its 1994 submission asked that personal vote factors be taken into account when drawing the new electoral boundaries. The Labor Party had urged the use of Legislative Council voting figures as a comparison, and had argued that, in cases where Assembly and Council votes differed, the Legislative Council vote was where an elector's real party loyalty or preference lay, and that the inconsistent Assembly vote simply demonstrated the personal attraction of the party's Assembly candidate.[56]

Such an argument has a degree of logical absurdity about it. Given that so many parties standing candidates in the Legislative Council did not stand candidates in most Assembly seats, and many of these parties had not stood before, or stood only occasionally, it is far-fetched to argue that the Council vote is where a voter's real allegiance lies. It is much more likely that voters who cast votes for minor parties in the Council are those who do not have a strong commitment to any party. In addition, the minor parties are nor vying for government, and if a voter is going to split his or her vote, they are more likely to see the House of Assembly vote (the vote for a government) as more important, and the Council vote as the one in which a few liberties can be taken.

The Commission had used figures computed by Jenni Newton to provide some guide to the value of personal votes at both the 1989 and 1993 elections.[57] As well as showing that certain members (including some members defeated in 1993) had a personal vote, there were certain clear patterns evident. In 1993 all but one seat (Unley) contested by a sitting Labor

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[56]*SAGG*, 1994, p. 2028.
[57]*SAGG*, 1994, pp. 2110-2117. See Appendix 21.

member recorded a higher Labor vote for the Assembly than for the Council, as did two seats contested by a Liberal sitting member (Peake and Adelaide). There were however, a much larger number of Liberal held seats where the member appeared to have a personal vote; eight metropolitan seats contested by a Liberal sitting member had a higher *Liberal* vote for the Assembly than for the Council. Most metropolitan seats not contested by a sitting member had a higher Labor vote for the Assembly than for the Council. In the country, the situation was not at all consistent; seven seats recorded a higher Liberal Assembly vote, five a higher Labor Assembly vote, and one (Goyder) recording the same vote for both houses.

However the methodology used by Newton can be questioned. It would appear that she calculated her 2pp figures for the Council on the basis of a distribution of minor party votes on the basis of where such candidates directed their preferences on their voting tickets submitted to the Electoral Office, and its addition to the major party primary vote. This method produces a distortion that pushes Labor's Council 2pp vote (as calculated by Newton) lower.

There are many factors that produce this effect. In most Assembly seats, Democrat preferences flow to Labor at the rate of 55-60%, but in the Council, most Democrat voters vote for the party ticket, and so these preferences are distributed evenly between Labor and Liberal.[58] Conversely, most independent candidates issued a ticket which gave all Council votes to the Liberal Party ahead of Labor, but where such candidates stood in Assembly seats, their preference flow to the Liberal Party was much weaker. It is likely that these factors are at least partly responsible for the higher Labor Assembly vote in seats like Ramsay and Lee.

At the other end of the scale, certain country seats have a significantly higher Liberal 2pp vote for the Assembly, though the difference was not as stark as in 1989. The most notable examples are the seats of Gordon (formerly Mount Gambier, 5.9%)) and Chaffey (3.3%). However it is not likely that the Chaffey figure is generated by a personal vote, as

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[58] I am grateful to the State Electoral Office for allowing me to view the minor party Legislative Council voting tickets.

the sitting member, Peter Arnold, had retired. Like his Mount Gambier colleague, Harold Allison, he did appear to have a personal vote. Both men had turned seats that were occasionally won by Labor in the sixties and seventies into ultra-safe conservative (though not as later elections revealed, Liberal) seats.[59]

However the use of Newton's methodology as a general tool of analysis can be questioned on one main ground. The idea that a candidate's personal vote can be measured by a comparison of House of Assembly two-party preferred votes with a similar measurement for the Legislative Council is not logical. Any personal vote for a candidate will most likely be manifested in the *primary* vote for that candidate.[60] The two-party preferred vote is, as the name suggests, a party preference, and any vote collected by a candidate on preferences is less likely to be a personal vote for the candidate concerned, though there will of course be many primary votes cast for a candidate that will be straight party votes.

Results in seats like Chaffey, where the two leading candidates were from the Liberal and National Parties, provide grist to the mill of Campbell Sharman's arguments about the usefulness of the two-party preferred vote.[61] The use of the Labor-Liberal two-party preferred vote has a degree of artificiality about it, especially in a seat like Chaffey.[62] However the use of the concept in relation to Legislative Council votes takes it to a level that Mackerras never intended. The only possible way to measure personal votes is in a *primary* vote comparison, though even here these votes may be influenced by other factors.

The Commission declined to take such a course. It felt that it would be practically difficult to implement the practice consistently, and that some sitting members would not be candidates at a future election. The most important point made by the Commission was that the difference between a party's vote in the Assembly and the Council might not be because

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[59]*SAGG*, 1991, pp. 2118-2119.
[60]See Appendix 22.
[61]Sharman, Campbell, "Swings and the Two-party Preferred Vote": A Comment on Malcolm Mackerras", *Politics*, Vol. 13, No. 2 (1978), pp. 336-339.
[62]Labor's preferences were distributed among the three higher placed candidates, but later on the National Party and Independent votes were distributed to Labor and Liberal to produce a two-party preferred result.

of the different levels of appeal of Assembly candidates. Another possible explanation given by the Commission was that the Assembly vote was the one that showed a voter's real allegiance, and that the voter might see the Council vote as a 'free' vote. However the most likely explanation is simply that many electors will not know where their Council vote is going if they vote for a minor party ticket.[63] It is fairly well known that half the votes cast for the Democrat ticket would go to each major party, but was this the way they would have split if they had to make the choice themselves? Would all the voters who voted for a minor party giving all their preferences to one major party have given their preferences to that party if they did not have the option of delegating this choice to the party machine? It is most unlikely.

All in all, it appears likely the Commission was justified in not agreeing to the Labor Party's request to consider personal vote factors by way of an Assembly-Council comparison. This does not mean that sophomore surges and retirement slumps are factors that should be disregarded when election results are analysed. However there appears no satisfactory way of taking them into account, as nobody knows in advance which members will prove to be popular and which ones will retire. What is more, any attempt to consider these factors could easily be manipulated for party advantage; for example a member might announce his intention to retire and then change his or her mind.

In terms of the redistribution itself, the Commissioners made far fewer changes to the boundaries than they did in 1991. This was to be expected given that the principles governing redistributions had not changed, and also due to the fact that the last redistribution had taken place three years before, and it was not necessary to make major changes to allow for large population movements.[64]

The Commission had analysed the 1991 redistribution in light of the 1993 election results. The argument of the Liberal Party that a small mathematical imbalance existed against it (0.5% according to the Soper-Rydon-Mackerras-DeGaris method), but the

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[63]*SAGG*, 1994, p. 2028.
[64]See Appendix 23.

Commissioners argued that because two marginal Liberal seats (Eyre and Frome) were country seats, where the swings are traditionally smaller, a swing to Labor of just under the swing required to obtain 50% of the statewide vote was not likely to yield a majority of seats to Labor.[65]

The Commission also asked the question whether the last redistribution was unfair to the Labor Party, but again found that the boundaries were likely to yield Labor a majority of seats if they won over 50% of the two-party vote. The opinion was expressed that even if it was likely the swing to Labor would be much smaller in Eyre and Frome, the compensating larger swings would most likely be in the marginal seats. The boundaries were, the Commission argued, likely to be fair to both major parties.[66]

The one major change the Commission made to the 1993 boundaries was to reverse the decision to include Kangaroo Island in the Eyre Peninsula seat of Flinders. The major reason given was "...the considerable inconvenience to both the electors of Kangaroo Island and their Member of Parliament that has resulted from the present arrangement."[67] There was a degree of reluctance in the Commission's decision, as they wanted to keep Whyalla, Port Augusta and Port Pirie in separate electorates. This they were able to do, but they were unable to prevent both Eyre (renamed Stuart) and Frome from becoming slightly safer for the Liberal Party, although they preferred to keep the margins as they were.[68]

There were minor changes made to some metropolitan seats, but the political impact of them was minimal. The overall result of the redistribution was to produce a set of boundaries that required, on the Commission's calculations, the Labor Party to achieve a uniform swing of 10.7% to win government. This represented a 0.2% advantage to Labor. [69] ABC election analyst Antony Green produced figures suggesting a Labor advantage of 0.1%, as did Jenni Newton.[70] So too did Malcolm Mackerras. In an unpublished article, he noted that the swing

[65]*SAGG*, 1994, pp. 2030-2033.
[66]*SAGG*, 1994, pp. 1531-1533.
[67]*SAGG*, 1994, p. 2041.
[68]*SAGG*, 1994, p. 2042.
[69]*SAGG*, 1994, p. 2124.
[70]*SAGG*, 1994, p. 2124. See Appendix 24.

needed by Labor to achieve a majority of votes was almost exactly the same as that required to give Labor a majority of seats. "How fair!", he exclaimed with heavy irony and a hint of sarcasm.[71]

Such irony, or sarcasm, was justified in light of later events. The 1997 election produced a result that was reasonably fair to both major parties, but in mathematical terms, left South Australia with a set of boundaries that gave an advantage to the Liberal Party. This advantage would appear similar to that enjoyed by the Labor Party in the seventies and eighties, and in view of this it is difficult to understand what the earlier fuss was all about. Certainly there was no fuss about the 1997 result, and the boundaries stack up well in terms of neatness of shape and community of interest.

The wider concerns held by analysts such as Dean Jaensch can be shown to be valid, and cause one to think that other methods could be used to produce fairer results. However fair the changes might have been to the two major parties, the system certainly did not produce fairness for the largest minor party, the Australian Democrats. This is not surprising, as it was clearly not meant to do so. This too will become evident when the results of the 1997 election are analysed.

The 1997 Election

The campaign for the 1997 South Australian election was one of the most peculiar of recent times. For a considerable period, opinion polls had predicted a dramatic fall in support for the Liberal Party, although it was evident that Labor was not picking up all of the lost votes. At the start of the campaign, Malcolm Mackerras predicted a two-party preferred swing of 6% to Labor.[72] However the major concern of most South Australians during the campaign was far away from the election, as the state was gripped by football fever. On 27 September, the Adelaide Football Club won their first AFL premiership, and the SANFL Grand Final

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[71]See Appendix 25. Mackerras, draft article submitted to the *Australian*, c. 1994. In private conversation Mackerras accepted a mixture of irony and sarcasm was an accurate impression of what he thought about the situation.
[72]Mackerras, Malcolm, "Swing of Things Augurs Well for Labor", *Australian*, 15 September 1997, p. 4.

was played a week later. The Crows win in particular caused massive celebration across the state, and it was generally expected that it would benefit the Olsen Liberal Government and minimise the swing against it.[73]

The expected result did not happen. In fact the two-party preferred swing to Labor was 9.4%, significantly higher than Mackerras had predicted. The Liberal Party achieved 51.5% of the two-party preferred vote, but lost its absolute majority in the House of Assembly. The Liberal Party won 23 seats, the Labor Party won 21, while the other three were held by one National Party MP and two Independent Liberals. The Liberal Party retained government with the support of the three 'others'.[74]

The swing trends were essentially those of 1993 in reverse. While the 1993 election had seen a swing of 8.9% to Liberal, the 1997 election saw a 9.4% swing back to Labor. In each case, the city and country areas swung in the same direction, but the metropolitan swing was much larger. In 1993 the swing to Liberal was 10.4% in the metropolitan area but only 4.9% in the country. In 1997 the swing to Labor was 10.3% in metropolitan seats and 7.5% in the country, indicating that the Labor Party lost ground slightly in the metropolitan area between 1989 and 1997, but gained significantly in the country.[75] This impression is somewhat misleading.

The most interesting thing in the context of the fairness issue is that although it could not be said that the new boundaries treated the Labor Party unfairly (35.2% of the primary vote and 48.5% of the two-party preferred vote yielded 44.7% of the seats), it is likely that Labor would have missed out on government if they had polled just over 50% of the vote. (The same was true of the Liberal Party in the seventies and eighties.) The overall Liberal vote of 51.5% was exactly the same as that in the marginal Liberal country seat of Stuart. However if Labor had secured an additional of 1.5% in all seats across the state, it would have won Stuart and the more marginal metropolitan seat of Hartley, it would still have been

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[73]See McCarthy, Greg, "The 1997 South Australian Election: History Never Repeats", *Legislative Studies*, Vol. 13, No. 2, 1999, pp. 61-77 for an account of the speculation that existed regarding the impact of football on the election.
[74]See Appendix 26.

one seat short of a majority. The next closest seat, Frome, was won by Liberal with 52.9% of the two-party preferred vote, indicating a pro-Liberal advantage of 1.4%. Given that the swing in country seats are generally lower (Frome is a country seat) the Labor Party may have needed a little more than 51.4% of the vote to win office.[76]

Why was this the case? The vagaries of swings in different seats at the 1997 election caused a negligible imbalance favouring Labor before the election to a significantly larger pro-Liberal imbalance afterwards. As there were minimal boundary changes between the two elections, a comparison of swings in different seats contain fewer caveats than in 1993, and one trend in particular stands out.

The most notable trend is that most members first elected in 1993 did much better than other candidates of their parties. First term Liberal MPs stood in Flinders, Mawson, Frome, Elder, Colton, Hanson, Chaffey, Lee, Davenport, Kaurna, Norwood, Light, Coles, Mitchell, Hartley and Florey. Only the last three of these recorded swings to Labor higher than the state average. The first six of these seats were among the eight lowest swings to Labor in the state, with the outer metropolitan seat of Wright, where the Liberal MP had returned to parliament after an eight year absence) and the country seat of Goyder being the odd seats out. First-term Labor members stood in Elizabeth, Ross Smith, Taylor, Hart, Napier and Torrens, and all recorded swings to Labor above both the metropolitan and state averages.[77] This is the 'sophomore surge' kicking in.

Retirement slumps were evident in some seats. In Giles, vacated by former Labor deputy premier Frank Blevins, the swing to Labor was lower than the state average, but higher than the average country swing. The only other Labor seat in this category was Playford, a north-east metropolitan seat, where the swing was higher than the state and metropolitan average. The slumping trend was more evident in Liberal held seats. Liberal members retired in the seats of Peake and Waite, and the swing in each was higher than both

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[75] *1998 Report of the Electoral Districts Boundaries Commission*, p. 113.
[76] See Appendix 27.
[77] EDBC, *1998 Report*, p. 118. The latter category includes those Labor MPs elected in 1993 and also those in Elizabeth, Taylor and Torrens who had been elected in subsequent by-elections.

the statewide and metropolitan average, with Peake lost comfortably to Labor. In the country seat of Gordon, the (highly artificial) swing to Labor was higher than the country average, and a seat, which Harold Allison had apparently made safe for the Liberal Party, was lost to Independent Liberal Rory McEwen.

Table 5.1 Seats recording the lowest two-party-preferred swing to the ALP at the South Australia 1997 election

Seat Name	ALP % share of vote 1993	ALP % share of vote 1997	% Swing
Flinders	19.6	21.4	1.8
Mawson	40.7	45.2	4.5
Frome	41.8	47	5.2
Goyder	27.4	32.7	5.3
Elder	46.4	52.7	6.3
Reynell	47.4	53.8	6.4
Wright	46.7	53.2	6.5
Colton	40.3	45.9	5.6

What was the impact of these results on the apparent fairness of the boundaries? Many of the seats recording low swings to Labor were won by that party anyway despite the low swings (Elder, Reynell and Wright were the most notable), while Flinders is such a safe conservative seat that the size of a swing to Labor did not matter. It is in the seats narrowly held by the Liberal Party on a low swing, such as Mawson, Frome and Colton, that low swings made a difference.

Frome, the median seat on the post-election pendulum, recorded a swing 2.3% below the country average. Had that swing been at the country average, and no other result had changed, the Liberal Party would have retained Frome with a slim majority, and Stuart would become the new median seat, which, as we have seen, is on exactly the same margin as the overall Liberal vote. In Mawson, the swing to Labor was considerably lower than both the state and metropolitan averages. Had either of these occurred in Mawson, the seat would have been won by Labor, and Stuart would again become the median seat. In Colton, neither a swing of metropolitan or statewide or metropolitan average proportions would have won

the seat for Labor, but the result would again have been close enough to make Stuart the median seat.

It would have required just one of these three seats to behave like the average seat in statewide or regional terms for the Liberal advantage to be wiped out. The marginal or comfortable Labor seats recording above average swings to Labor also played a part: Had the swings in a few of these seats been lower, the overall Liberal vote would have gone up, and the advantage factor would have reduced slightly.

The fact that seats gained by Labor at the 1997 election were won on swings below the average did not matter in terms of creating a Liberal advantage factor. Indeed had the swing in these seats been higher, the overall Labor vote would be higher, and the Liberal advantage factor would increase. However it gave potential for the creation of more anomalies at the next election, as history suggested that the new Labor members so elected would get above average swings at the 2002 election. As later chapters will reveal, some did, but the trend was not consistent. This serves to illustrate the point that any effort to take the effect of likely sophomore surges into account is fraught with danger.

It must be borne in mind that in some cases a double effect exists. An extra large swing can sometimes include a sophomore surge plus the loss of any personal vote the previous member might have built up. (Some MPs have a personal vote, even in defeat, and their absence can cause their party's vote to fall.) Although the change of boundaries that is now required after every election may reduce this factor, most MPs will still contest electorates containing the bulk of their previous constituents.

It could perhaps be argued that the apparent pro-Liberal advantage was more a matter of luck than anything else. That might be true, but the major argument being presented here is that for as long as the single-member system remains in place, there will always be an element of luck, and that occasionally the 'wrong' party might end up winning.

However unfair the new boundaries might have potentially been to the Labor Party, it is insignificant compared to the unfairness of the system in the way it treated the Australian Democrats. The Democrat primary vote was the highest on record at 16.4%.[78] Yet the vote did not win the Democrats a single seat in the House of Assembly. They were disadvantaged by the even spread of their votes: in only three seats was their vote less than 10%, but their highest vote was only 29.2% in Heysen, followed by 24.3% in Waite. By contrast, the National Party received just 1.7% of the primary vote (an average of just under 20% in the four seats contested) and Karlene Maywald was elected in Chaffey.

Table 5.2 High and Low primary votes for the Australian Democrats, 1997

Seat Name	1997 Australian Democrat Vote %
Heysen	29.23
Waite	24.32
Finniss	23.54
Overall	16.45
Chaffey	7.17
Flinders	6.24
Mackillop	5

Not surprisingly, the Australian Democrats see the system as very unfair, so much so that they have argued for the introduction of proportional representation.[79] However both major parties remain implacably opposed to PR, which is also not surprising. The primary vote share of the two largest parties (Liberal and Labor) was 75.6%, the lowest since 1941, and down considerably on the 83.2% share in 1993. However the single-member system enabled them to hold 93.6% of the seats.

The final result was that the Olsen Liberal government retained power with the support of Karlene Maywald and the two Independents. Given that the Liberal Party gained more votes than the Labor Party on both a primary and two-party preferred basis, this result was quite fair, but the Democrats had some justification for feeling aggrieved about their lack of representation in the House of Assembly. It is most unusual for a party gaining over 15% of

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[78]State Electoral Office, *Statistical Returns General Election 11 October 1997*, p. 44.
[79]Democrats' leader Mike Elliott stressed the unfairness of the syst4em on Channel 2's election night coverage, 11 October 1997.

the primary vote to win no seats in a 47 member house, even under a single-member system. It is worth noting that both the Liberal and Labor Parties are over-represented in terms of their primary vote share. It is a tendency of all single-member systems for a party gaining this type of vote share to be under-represented, unless its vote is geographically concentrated. The British Liberal Democrats win a reasonable share of seats in this way.

The Democrats' lack of success provides a major illustration of how votes gained fail to turn into seats. It is true that the major parties 'waste' votes they receive in an electorate beyond the 50% + 1 they need to win. However many more votes are wasted in seats the parties fail to win. *All* Democrat votes cast for the House of Assembly turned out to be wasted. By contrast, major parties do at least get some reward for their surplus votes, which usually more than makes up for the votes they waste in failing to win other seats.

The Democrats did come second on primary votes in six seats, and minor party preferences put it ahead of Labor in one other. There were also four seats where the final two candidates came from the Liberal Party and either National Party or Independent candidates. Consequently the ALP-Liberal vote is only an actual situation in 36 seats, and the overall two-party preferred vote has a degree of artificiality about it. Sometimes the use of two-party preferred analysis can obscure the impact of the personal vote for certain candidates.[80]

In summary, the electoral boundaries produced a reasonably fair result given the constraints of the single-member electoral system. Nevertheless the anti-Labor imbalance in the boundaries needed to be corrected before the next election, as indeed it was. The necessary handiwork of the Electoral Districts Boundaries Commission produced some odd shapes, and annoyed some sitting members. It revealed one of the weaknesses of the fairness clause. The Democrats, meanwhile, continued to rail against the single-member electoral system, but to no avail.

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[80]For example, the Labor member for Hart (Kevin Foley) increased his primary vote by 22%, compared to a swing of 14.2% on two-party preferred. The latter figure underestimates his improvement in personal support. Conversely the Liberal vote fell 27.5% in Gordon, suggesting a personal vote for Harold Allison much bigger than the 9.97 two-party preferred swing.

What happened at the 2002 election, and after, was so extraordinary that nobody could possibly have predicted it. Indeed the events were so extraordinary that the fairness clause, to a large degree, defeated its own ends, and its main advocates were hoist on their own petard. The next chapter analyses the boundary changes, the results of the election and its extraordinary aftermath.

6. THE FAIRNESS CLAUSE PUT TO THE TEST

In the last chapter we saw how, in spite of the best efforts of the boundary commissioners, an electoral bias, or imbalance, was created by the differences in swing size between electorates. It must be emphasised that the election did not produce the wrong winner, or a situation where the losing party was hopelessly under-represented in seats. Indeed this was the case in most South Australian elections since the dismantling of the Playmander in 1969: Only 1989 produced a clear case of the former situation, and only 1993 created the latter.

However, under the legislation, the Commissioners were forced to correct this imbalance before the next election could be held. This chapter analyses those changes, the subsequent election, and the post-election events, which put the Rann Labor Government in power. The major argument made in this chapter is that the changes made to the boundaries significantly damaged the Liberal Party (though not intentionally) and, according to the measures of voter support used by the Commission, produced the opposite result to the one intended by its advocates.

The 1998 Redistribution

The vagaries of swing at the 1997 election caused the pro-Liberal advantage to reach 1.4% on the post-election pendulum. The existing legislation required the Electoral Districts Boundaries Commission to commence redistribution in 1998, and correct the imbalance. The Commission made some analysis of swing sizes in marginal and country seats before deciding which changes to make. In the end it opted to alter the boundaries of the western suburbs seat of Colton and the semi-rural seat of Light to make them more marginal, and likely to be won by Labor in the event of a small swing to that party. The inner city seat of Adelaide was also made much more marginal for the Liberal Party, while the marginal Labor seat of Norwood was made slightly safer.[1]

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[1]Electoral Districts Boundaries Commission, *1998 Report*, pp. 17-22.

The EDBC *Report* dealt with the changes to Adelaide quite extensively, as the Liberal member, Michael Armitage, had expressed his opposition to the changes in correspondence with the commissioners. Mention was also made of a change proposed by the Liberal Party for Light, and in the same discussion refers to a suggestion by the Liberal Party that Stuart be used to correct the imbalance rather than Light.[2]

The Commission, however, claimed that it did not wish to include Stuart, or any other rural seat, among the most marginal seats that the Labor party required to win if it was to win government, mainly because the swings in country seats have historically been lower. In fact the Commission argued, "…it is better where possible to ensure that no country seat is too close to the median for winning or losing government."[3] While there is some logic in this decision, it represents somewhat of a divergence from the decision made in 1991 to separate the cities of Port Augusta and Port Pirie into separate electorates, thereby making two marginal Liberal seats out of what had previously been one safe seat each to the two major parties.

This policy has also caused problems for the drawing of these two seats now called Stuart and Frome, as the desire to keep the two cities separate has meant that both Stuart and Frome have been extended south to take in small towns that have very little association with either Port Augusta or Port Pirie. As population has continued to decline in the northern part of the state, the seats have been extended further, and this process will have to continue for as long as the Commission maintains its policy. Areas to the north and west of Port Augusta are unsuitable for these purposes as the seats in this area are themselves under considerable pressure to add more electors.

It would not have been possible to alter the boundaries of Stuart to make it a marginal Labor seat, as the addition of Port Pirie booths would turn Stuart into a safe Labor seat, as it

[2]EDBC, *1998 Report*, p. 17.
[3]EDBC, *1998 Report*, pp. 11 and 17.

was before 1991. The Commission could have taken the latter course if it had wanted to and met the fairness clause guidelines, but it chose not to.

At the same time, some metropolitan seats took on very odd shapes in order to meet fairness guidelines. The most notable was West Torrens (formerly Peake), which now stretches from north-east to south-west in an awkward fashion so that voters in the north-west corner of the old Peake could be used to alter the political balance in Colton. Other odd shapes are notable in the seats of Ramsay, Enfield, Adelaide, Elder and Mitchell, although some of them have resulted more from a need to achieve equality of numbers between seats rather than to alter the political balance.[4]

That such changes were required shows one weakness in the fairness clause, namely that community of interest considerations may have to be disregarded in order to meet fairness concerns. It could reasonably be argued that odd-shaped electorates do not matter much to anybody except those who read the maps, but there seems no need to create them if other solutions are available. And such a solution was available. It would have made sense for Port Pirie to be placed in Stuart, creating an additional safe Labor seat, but also enhancing communities of interest in two northern seats. Then there would have needed to be substantial change to only one metropolitan seat to make it more winnable for Labor.

It can be argued that the fairness clause, and the boundaries that result from it, are an exercise in constructive gerrymandering. While the practice in the past was for boundaries to be drawn by agents of the party in power for the intended advantage of that party, the boundaries drawn under the fairness clause attempt to ensure that the boundaries are fair to both sides. As we will see, such practices are fraught with danger, because it is impossible to predict in advance what the size of the swing will be, or in what seats it will take place.

The post-election pendulum suggested that the Commissioners had done very well in making the boundaries fair. The Liberal margin in the median seat of Light (1.4%) was only

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[4]See Appendix 28

0.1% less than the swing needed to give Labor a majority of the two-party preferred vote.[5] During much of the period, it appeared the boundary changes were not going to matter much, as Labor appeared likely to win easily, but what actually happened was an extraordinary occurrence that nobody had predicted.[6]

The 2002 Election

For much of the 1997-2002 term, the Liberal Government was deeply unpopular, and most opinion polls conducted during the period indicated an easy win for the Labor Party.[7] However two events were to dramatically alter the political landscape. Firstly, the premier, John Olsen was forced to resign over his concealment of an agreement made with communications company Motorola. The new premier, Rob Kerin, proved to be highly popular, and achieved a partial revival in Liberal fortunes.[8] Secondly, the destruction of the World Trade Centre on 11 September had assisted the improvement of Liberal Party fortunes across the country (most notably expressed in the return of the Howard Government at federal level with an increased majority), and by the time of the call of the South Australian election for 9 February, the Liberal Party held a narrow lead.[9]

For much of the campaign, it appeared the Kerin Government might maintain or even increase its majority, but the Labor Party's fortunes began to improve in the last week of the campaign. By election eve, expert opinion and published polling was divided on the result, with the only point of agreement being that the election would be close.[10] The result of the

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[5] EDBC, *1998 Report*, p. 120. See Appendix 29.
[6] Only a Liberal Party advertisement in the seat of Hammond accurately predicted what was to happen, but this was an attempt to win votes for its candidate rather than genuine clairvoyance The Liberal Party had published a pamphlet claiming that Peter Lewis could not be trusted to support the continuation of a Liberal government. This document is referred by Justice Bleby in his final judgment in *Featherston v Tully (No 2)* No. SCIVV-02-481 [2002] SASC 338 (10 October 2002) as the 'Liberal Party Lewis Pamphlet'.
[7] The Morgan poll finding No. 3473 had consistently shown Labor with a 2pp vote of over 53% during 1999, 2000 and the first half of 2001. See www.roymorgan.com.au
[8] The Morgan Poll Finding No. 3502 showed Kerin's popularity, although it also showed that some government policies, such as privatisation of electricity, were highly unpopular.
[9] Two Morgan Polls taken during December 2001 and January 2002 had Liberal 2pp votes of 51% and 51.5% respectively.
[10] On the 891 ABC Adelaide mid-morning program, journalists were reluctant to make firm predictions. The last Morgan Poll had the parties level on 50% each, while the Newspoll published in the *Australian* on election day, gave the Liberal Party 52.5% of the 2pp vote.

election justified the pundit's views, and the result was in doubt for several days. In fact the result was possibly in doubt for a few weeks, because although Independent Peter Lewis had signalled his support for a Rann Labor Government, it was not until a confidence motion was lost in parliament by Rob Kerin that Mike Rann became premier.

In terms of electoral support, the Liberal Government was slightly ahead in both primary and two-party preferred terms.[11] The Liberal Party received 40% of the primary vote and 50.9% of the two-party preferred vote, but won only 20 of the 47 seats. The Labor Party, with 36.3% primary support and 49.1% of the two-party preferred vote, won 23 seats. The other four members were the National Party's Karlene Maywald and Independents Peter Lewis, Rory McEwen and Bob Such. As all four had come from a conservative political background and represented conservative electorates, it was widely tipped that the Kerin government would remain in power, although some pundits were less certain. In the end, Peter Lewis supported the Labor Party and Bob Such abstained, so Labor took power.

It can possibly be argued that the fairness clause failed at its third test. The Liberal Party won a majority of the two-party preferred vote, but did not win government. However it could be argued that they lost only because Peter Lewis supported the formation of a Labor Government against the wishes of a majority of his electorate.[12] The distribution of Lewis's preferences in the information count in his seat of Hammond appears to confirm this. The Liberal Party had 66.2% of the two-party preferred vote. The notional Labor Liberal vote was in fact much closer in two other Independent seats: It was 52.1% Liberal in Rory McEwen's seat of Mount Gambier, and 55.7% in Bob Such's seat of Fisher.

Nevertheless it does appear that the Liberal Party did receive majority support in 24 of the 47 seats, so it can be argued that the boundary commissioners did a reasonable job. Had Peter Lewis decided to support the Liberal Party (and assuming that Bob Such would have followed his lead if he had done so), the post election pendulum would have appeared quite

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[11]See Appendix 30. This and all subsequent statistical information provided in this chapter is based on figures provided by the State Electoral Office.
[12]Malcolm Mackerras argued as much in a personal conversation on 8 November 2002.

fair to the Labor Party as well.[13] The two most marginal Liberal seats, Hartley and Stuart, each had a Liberal two-party preferred vote of 51.3%, compared to 50.9% overall Liberal Party support.[14] A 0.4% advantage to the Liberal Party is at the lower end of such advantages in a two-party, single-member system.

As in previous South Australian elections, local candidate factors played a significant role in the results of individual electorates, and in the seats where the personal vote appeared to make a difference to the result (namely Adelaide and Colton), the Labor Party was definitely assisted by such influences. In the latter, the retirement of Steve Condous was an enormous loss to the Liberal Party, with the seat swinging to Labor by 5.4% compared to a statewide swing of 0.6%, while in Adelaide the swing to Labor was 3.3%. Here Labor profited from the high profile of its candidate, former Lord Mayor Jane Lomax-Smith, and from the absence of sitting Liberal Michael Armitage, who had retired after failing to win preselection for a safer seat. On the other hand, the more marginal seat of Hartley swung very slightly to the Liberal Party, as did the Gawler based seat of Light, which was being contested by two sitting members, Liberal minister Malcolm Buckby and Labor deputy leader Annette Hurley. Buckby won with a 1.4% swing in his favour.

In the seats which were not so vital to the overall result, there were some local candidates who improved on their party's vote in situations where an improvement might have been expected, but perhaps not as much as might have been expected. For example it might have been expected that Labor members first elected in 1997 would have increased their majorities in 2002 (The sophomore surge). This was indeed the case in the seats of Kaurna, Reynell, Mitchell, West Torrens, Elder, Ashford and Florey, and was particularly noticeable in the first four seats mentioned, where the swing to Labor was 3% or more above the statewide average. However first term Labor members lost ground in Playford, Norwood, Lee, Wright and Giles.

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[13] Karlene Maywald and Rory McEwen had already indicated their support for the continuation of the Kerin Liberal Government.
[14] See Appendix 31.

Retirement slumps are harder to measure, because in many cases the members concerned had been disendorsed or moved elsewhere rather than retired. It was certainly the case that the Liberal Party lost ground badly in Colton and Adelaide when sitting members retired, and also to a lesser extent in Morphett, where the Speaker, John Oswald, had retired. However in Bragg, the new Liberal candidate, Vickie Chapman, improved her party's vote slightly. This may of course be a reflection on the standing of the former member, Graham Ingerson as much as Chapman's.[15]

There were two other seats where sitting Liberals retired. namely Kavel (vacated by ex-premier John Olsen) and Heysen (David Wotton). These seats are difficult to analyse because Labor did not come second in either. It can be said, however, that the Liberal primary vote fell in each, and while Heysen saw the Democrats come second each time, it was the only such seat in the state. The fact that a new Liberal candidate improved the party's two candidate preferred vis a vis the Democrats was a sure sign of the latter's decline in fortunes.

Labor lost ground in Napier, which Annette Hurley had vacated to contest Light. No Labor MHA actually retired, although two sitting Labor MPs were disendorsed namely Murray De Laine (Cheltenham) and Ralph Clarke (Enfield). The Labor primary vote fell in each seat, though perhaps not as much as the party feared, and the two-party preferred swings against Labor were quite small.

There were some conservative candidates who profited from a sophomore surge. Independents Karlene Maywald and Rory McEwen dramatically improved their positions vis-à-vis the Liberal Party in their electorates, and in McEwen's seat of Mount Gambier there was a huge drop in the Liberal two-party preferred vote against Labor. However the most dramatic example of a conservative candidate capitalising on personal support was incumbent Premier Rob Kerin, who secured an 8.1% swing in his seat of Frome. Then Opposition Leader Mike Rann also increased his party's vote in his own seat of Ramsay,

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[15]Ingerson had been forced to resign over cost overruns in redevelopments of Hindmarsh Stadium. The affair had also caused the resignation of Sport Minister Joan Hall.

which was a reversal of the trend in northern suburbs seats which tended to swing against Labor.

The results of these divergent swings is that the pro-Liberal bias after the election was very slight, much smaller than might have been expected. However the decision of Peter Lewis to support the Labor Party changed the situation dramatically. The Liberal Party mounted a challenge to Lewis' election in the South Australian Supreme Court, which was unsuccessful. Even if it had been successful, all indications were that fellow Independent Bob Such would also support Labor on matters of confidence if Lewis had been forced to vacate his seat.[16]

The 2002 election clearly showed the difficulties of trying to achieve total statistical perfection when dealing with politicians and voters who do not always conform to expected patterns. In the end, who governed South Australia after the 2002 election was decided on the decision of one or two Independents. This may seem highly unsatisfactory, but when one considers how closely the votes of the major parties are matched, and that both are well short of 50% of the primary vote, it does not seem at all unreasonable.

The petition lodged in the Supreme Court by the Liberal Party alleged breaches of the Electoral Act by Lewis which, it argued, should have made his election null and void. The findings of the judgement raise some interesting issues in relation to the efficacy of the fairness clause.

Peter Lewis and The Court of Disputed Returns Cases

The declaration of results in all House of Assembly seats and Lewis' declaration of support for the Labor Party was not the end of the matter. The election of Lewis in his seat of Hammond was challenged by the Liberal Party's losing candidate in Hammond, who argued

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[16]In an interview with David Bevan on ABC Radio in early April 2002, Such claimed that many of his electors wanted him to support Labor in the interests of stability, even among those who voted Liberal on 9 February. Rory McEwen and Karlene Maywald are now ministers in the Rann Government.

that Lewis had misled his electors in denying his the intention to support the formation of a Labor Government in two media statements before the election.

The Supreme Court of South Australia made two sets of rulings relating to the matters concerned. Both were titled '*Featherston v Tully*', and the first judgement was released on 1 August 2002. In it, the Full Court ruled that the Court of Disputed Returns had the power to rule on the matters relating to misleading and deceptive conduct and defamatory statements allegedly issued by Peter Lewis. The most interesting question, however, was the one relating to whether the Court had the power to enforce Lewis' support for the formation of a Liberal government under Section 83(1) of the Constitution Act. This section states that:

> In making an electoral redistribution, the Commission must ensure, as far as practicable, that the electoral redistribution is fair to prospective candidates and groups of candidates so that if candidates attract more than 50% of the vote [after the distribution of preferences] they will be elected in sufficient numbers to enable a government to be formed.[17]

Section 83(3) goes on to say that:

> For the purposes of this section, a reference to a group of candidates includes not only candidates endorsed by the same political party, but also candidates whose political stance is such that there is reason to believe that they would, if elected in sufficient numbers, be prepared to act in concert to form or support a government.[18]

No doubt the Liberal Party thought that Lewis' political stance was such that he was likely to support the formation of a Liberal government. The judges, however, ruled that the Act was directed only at the Electoral Districts Boundaries Commission, and imposed no obligation on elected candidates to support one group or another in government. Accordingly it was ruled the Court of Disputed Returns did not have to rule on the matter.

As a result, the Liberal Party was left relying on the issues of misleading and defamatory statements allegedly made by Lewis to overturn his election. It should be noted that by this time the fate of the Rann Labor Government did not rest on the decision. One Independent, Bob Such, had publicly stated on radio that he would support Labor in

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[17] *South Australian Government Gazette, 13 December 1994; Report of the Electoral Districts Boundaries Commission*, p. 2018.
[18] *SAGG*, 1994, p. 2019.

Government, while another Independent, Rory McEwen, hinted that he might do the same thing. In addition, opinion polls pointed to a high level of support for Mike Rann and his government.[19]

On the defamation question, Justice Bleby ruled that although there were grounds to suggest that Lewis had defamed Liberal candidate Barry Featherston by claiming he had no roots in the electorate, Lewis could claim the defence of qualified privilege under fair comment provisions, and accordingly the claims for relief by the Liberal candidate were dismissed. The matters relating to misleading statements are much more interesting for the purposes of this discussion for they go to the heart of the question of what a member of parliament is elected to do, and raises a conflict between the role of a member of Parliament as a local representative and of his or role in choosing a government. Justice Bleby pointed out that

> If electors wanted to ensure the election of the endorsed Liberal candidate, they were free to vote No. 1 for Mr Featherston. If they wanted to vote for an Independent because he was an Independent and...they trusted him in what he said, they were free to do that.[20]

Although he did not emphasise the point, Bleby was making the point that only a vote for the endorsed Liberal candidate in Hammond would ensure a vote for the continuation of the Kerin Liberal Government. The election of an Independent would make things much more uncertain, and indeed this was a point the Liberal Party had made in its advertising.

Bleby also made the point that if the trust of the voters in Lewis was misplaced, they would be free to vote against him at the next election.[21] This is a very sensible view to take of things. Bleby later pointed out if a candidate's election was ruled invalid because he made a statement in relation to his future intentions that later turned out to be misleading, it would make government unworkable. If such a principle had been applied to the 1997 South Australian election, John Olsen's election would have been invalid because his government

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[19]The Morgan Poll Finding No. 3553 on 13 September 2002 gave Labor 59.5% of the two-party preferred vote. At around this time, a Newspoll indicated a 60% approval rating for Premier Mike Rann. A Newspoll published in the *Australian* on 7 April gave Labor a primary vote of 47% and the Liberal Party just 34%.
[20]Justice Bleby's decision is given in *Featherston v Tully (No 2)* p. 62.
[21] *Featherston v Tully (No. 2)*, p. 62.

moved to privatise the state's electricity service, after promising during the election campaign not to do so.

More specifically, Bleby challenged the main thrust of Malcolm Mackerras' submission, namely that all votes cast in Hammond were expressing a preference for a government of one political persuasion or another. He makes the point that some voters were clearly expressing a personal preference for Peter Lewis as an individual, and that the question of which party formed government may not have mattered at all. This is especially so when, as in South Australia, voters are forced to give preferences to all candidates. The voters may not actually care who is elected to government once their first preference candidate is elected or excluded.

Most importantly, Bleby found that the case put forward by the Liberal Party, that Peter Lewis would not have been elected had voters known that he *might* support a Labor government, was not proven, and the case was dismissed.[22] What did this case say about the effectiveness of the fairness clause?

In a major sense, the fairness clause failed to meet its objective, because, in spite of Labor receiving only 49.1% of the two-party preferred vote, Labor was able to form government. It could well be argued, and indeed the Electoral Districts Boundaries Commission has since argued, that it only failed because one conservative Independent in a normally safe Liberal seat voted with Labor in the parliament.[23] However, the fact that this happened illustrated one of the insoluble weaknesses of the fairness clause. Provision had been made for the election of members who were not endorsed by either major party to be included among the numbers of the group they could be expected to support, but what happened when such members did not vote the way they were expected to?

As the court judgments have acknowledged, there is nothing in the law to force such independents to vote in a certain way. In fact there is nothing to force candidates endorsed by

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[22] *Featherston v Tully (No. 2)*, p. 64.
[23] *2003 Report of the Electoral Districts Boundaries Commission*, s. 18.

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a major party to vote for the party under whose banner they have been elected. Could the law be altered to force any non-major party candidate to declare his or her hand before the election as to which major party they will support?

ABC election analyst Antony Green, the expert witness called by Lewis' legal team, hinted that such a move was possible:

> If Independent MPs…are to be bound to vote for one side or other in the contest for government, it is a bind that should be explicitly implemented in law, not interpreted as part of a Court of Disputed Returns decision.[24]

However in the next sentence, Green decries the idea:

> The ability of an MP to act in what he or she perceives as the best interests of constituents and the broader body politic is a long-cherished principle of the Westminster system of Government.[25]

Notwithstanding the fact that most of Lewis' supporters possibly would have preferred a Liberal government, the issue of stable government is one possible reason why Lewis decided to go with Labor.[26] He may have decided that a Labor Government relying on his support alone would be more stable than a Liberal government relying on the support of himself and three other independents. This issue, however, is another reason why binding MPs to support one side or another before the election is impractical. If the Liberal Party had won one more seat (taking its total to 21) and the Labor Party one less (22) the case for Lewis supporting Labor is much weaker, indeed Lewis would have needed the support of one other independent to put Labor into power. An argument can be put that an independent MP needs the freedom to make their decision according to the overall political situation.

Green analyses other recent elections where Independents held the balance of power, and had to make the decision as to who would form government. These cases illustrate that Independent members did not suffer at the next election because they voted against the party that normally enjoyed majority support in their electorates. Peter Lewis may or may not be re-elected next time round. He may not stand at all. The point is simply that the voters of

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[24]Green, Antony, submission to Jacob Van Dissels (Lewis's solicitor), 7 August 2002.
[25]Green, submission.
[26]This was indeed one reason cited by Lewis in his media conference on 13 February 2002.

Hammond should not be presumed as being so angry with Lewis' decision to support Labor that they will punish him at the next election.

In his submission on behalf of the Liberal Party, Malcolm Mackerras had claimed that the traditional way of counting the two-party preferred vote would have caused the Liberal Party to win the election.[27] This claim is based on the idea that as the Liberal Party had a majority of the two-party preferred vote in 24 of the 47 seats, it should have been in government. However this ignores the fact that in at least four seats, the real contest was not between Labor and Liberal, and to construct seats held by Independents as Liberal seats is somewhat artificial. Indeed it could be argued that to determine a redistribution on the basis of a statewide two-party preferred vote is also somewhat artificial. There were also three seats won by the Liberal Party where their major opponent was not a Labor candidate, namely Heysen, Kavel and Mackillop.

Indeed Antony Green has argued that a more reasonable way of calculating the vote after preferences is to add up the two-candidate preferred totals in each seat. On this calculation, the Liberal Party finishes with 48.2%, Labor with 43.5% and others 9.3%.[28] Given this situation, it becomes hard to argue the case that the Liberal Party enjoyed clear majority support throughout the state, and an argument that elected independents should be able to vote according to their consciences becomes very strong.

Since the Lewis judgement was handed down, two interesting developments have taken place. The first is that another Independent, Rory McEwen, has become a minister in the Rann Labor Government, while retaining his official Independent status. The second is that the Electoral Districts Boundaries Commission has handed down the next redistribution proposal, with very little material change made. The most significant effect of boundary changes was that the marginal Liberal seats of Hartley and Stuart became slightly safer. The major change made in the report was an alteration in the method of calculating the two-party preferred vote in three seats, namely Chaffey, Hammond and Mount Gambier. In each, the

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[27] Malcolm Mackerras, submission to Hugh Rowell, 2002 (Featherston's solicitor), p. 2.
[28] Green, submission.

winning candidate was regarded as the major conservative candidate, and the unsuccessful Liberal candidate's preferences were distributed between the winning candidate and the Labor candidate. Consequently, the statewide Liberal two-party preferred vote rose from 50.9% to 51.9%, and Hartley and Stuart had their Liberal margins adjusted upwards by 0.7% and 0.9% respectively.[29]

While it is easy to sympathise with the difficulties faced by the Commission, when their reasoning for this change is analysed, it appears contradictory. The relevant section of the Act specifically states that a party group should include those candidates whose political stance is such that there is reason to believe they would, if elected in sufficient numbers, be prepared to act in concert to form or support a government.[30]

To regard Lewis and McEwen as the main conservative candidates in their seats is absurd for one self-evident reason: both are now acting in concert to support a Labor government. While it might have been reasonable to draw the previous set of boundaries with an assumption that Lewis and McEwen were conservative candidates (after all Lewis was then still a member of the Liberal Party), there is no justification for it now. There is a much stronger case for arguing that Lewis and McEwen should be regarded as the main Labor candidates, as the Liberal Party argued before the Commission.[31] However one important qualification would need to be made: the Lewis 2cp for Hammond would need to be regarded as the Labor vote for this seat. The same would apply to McEwen's 2cp vote in Mount Gambier and Such's 2cp vote in Fisher.

The Labor Party, on the other hand, argued that the members for Fisher and Hammond should not be regarded as anything other than members of the Liberal Party group, and their reasoning is easy to understand. While Such and Lewis were willing to back Labor this time, it does not necessarily mean they would next time if, say, the Labor Party had only 22 seats after the next election, and the Liberal Party 21. After all, one of the reasons Lewis gave for

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[29] See Appendices 32 and 33.
[30] *2002 Draft Order of the Electoral Districts Boundaries Commission.*
[31] At least it argued the case for Lewis and Such, but not for McEwen.

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supporting the Labor Party was that Labor needed the support of only one Independent member to govern, while the Liberal Party needed the support of all four.

So what was the Commission to do? It was left with a difficult task because at least three members have uncertain future allegiances and it makes the task of assessing numbers of party groups well nigh impossible. Probably thinking that to allocate Lewis, Such and McEwen to the Labor side (and to take away other Labor seats) might be unfair to Labor in the future, it gave a slight concession to the Liberal Party by raising its margins in its two most marginal seats as a result of an upward adjustment of its two-party preferred vote.

The absurdity of the latter move is shown by the fact that in the swing table provided by the Commission, Mount Gambier, Chaffey and (to a lesser extent) Hammond are shown as having huge swings to the Liberal Party, in spite of the fact that the Liberal primary vote was down considerably in each seat, and the Labor vote down only slightly.[32] What had happened was that there was a huge personal swing to Karlene Maywald and Rory McEwen in their seats and Lewis took some Liberal votes with him, although most of them stayed with the Liberal Party. It should be noted that the only seat recording a swing to Liberal remotely like that in the above three seats was Frome, which was equally clearly a personal vote for then Premier Rob Kerin.

In the rest of the state, swings in individual seats are more indicative of the small 0.6% overall swing to Labor originally recorded, rather than the 0.4% swing to Liberal, which the change of figures in Chaffey, Hammond and Mount Gambier produced. In the 40 contests where there was a Labor-Liberal contest at final count, 16 recorded swings to Liberal, and only three of those had swings above 2%. 22 swung to Labor, with 2 recording no swing. However the main reason why to count all votes cast for Lewis, Maywald and McEwen as Liberal votes is absurd is because at least some Labor voters would appear to have cast tactical votes for the above three candidates. In addition, most media pundits had regarded these contests as Liberal v Independent, and it was an absolute certainty that the Liberal

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[32] EDBC, *Draft Order 2002*, p. 71.

Party would be in the final count.[33] The Labor vote fell slightly in all three seats, compared to a small statewide rise.

The Commission vigorously defended the work of its previous redistribution amid Liberal Party claims that it had failed to meet the fairness criteria, claiming that it fulfilled its duties according to the restrictions of the Act according to the best possible information available at the time. This is as it should be. None of what is written here is intended as a slur on the competence or integrity of the Commissioners. It is simply to ask whether, as Dean Jaensch claimed back in 1991, the legislation set the Commission 'an impossible task.'[34] It is also reasonable to ask whether a different electoral system might have better met the desire for fairness in election results. The next chapter deals with this question, and it will be argued some proportional representation systems would meet this desire admirably. However, it will also be argued, however, that such a system is unlikely to be chosen because it puts other interests of the two major parties at greater risk.

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[33] This may not be so for Mount Gambier next time, as Rory McEwen has so eroded the Liberal vote.
[34] Jaensch, Dean, "Boundaries: An Impossible Task", *News*, 5 December 1991, p. 5.

7.   OTHER WAYS OF ACHIEVING FAIRNESS

As we saw in the last two chapters, the three elections held in South Australia since the advent of the fairness clause produced mixed results. It would appear that in 2002 the fairness clause failed to meet the objective it was designed for achieve, though of course it can be argued that it only failed because one particular Independent chose to support the Labor Party in forming a government, against major party expectations.[1]

The 'right' party won government in both 1993 and 1997, but it can be argued that this would have happened anyway. In 1993, any electoral system would have given the Liberal Party a majority of the seats at that election. And it must surely be a concern that a system can produce a situation where opposition parties hold only 10 seats out of 47. It would seem hard to think that a viable opposition could be formed in these circumstances, though as we now know, Labor managed to almost bridge the gap in one election. It can certainly be seen as a weakness in the clause: it says nothing about what is a reasonable result for parties other than the one with the most votes.

With the exception of Stuart and Frome, the 1997 boundaries had a certain geographical logic, and the extra seat that Labor would have won (a seat with both Port Augusta and Port Pirie in it) would have brought Labor no closer to winning the 24 seats it needed. There also remains the nagging doubt of whether a system that does not give a party winning over 16% of the vote any seats at all can really be called fair. It is also possible to surmise that Labor would have fallen short if they had won between 50% and 51% of the two-party preferred vote.

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[1] On ABC TV coverage on election night, 9 February 2002, Liberal Senator Nick Minchin expressed the view that Peter Lewis, (and also Bob Such) would support the formation of a Liberal government. Labor's John Hill had claimed that things were not so cut and dried, but expressed no great confidence that any of the Independent MPs would support Labor.

In view of these issues, it is well worth asking the question of whether the disruption caused by the need to have a redistribution after every election, and the boundary distortion that is evident when electoral maps are examined, is really justified.[2] There certainly does not appear to be any evidence to suggest that Labor would have won the 1993 or 1997 elections without the fairness clause, and there *is* compelling evidence to suggest that the Liberal Party would have won the 2002 election had the boundary changes necessitated by the fairness clause not taken place.[3]

It may be, of course, that the system as currently used in South Australia may be the best system available. However as a condition of supporting Labor in Government, Peter Lewis demanded that Labor set up a Constitutional Convention to look at this issue, among many others. As it happens, the 'others' were given greater importance in both the discussion paper and the preliminary findings of the Convention. The issues of whether to introduce Citizen Initiated Referenda and the size of each house of Parliament were placed at the top of the agenda, and the fairness clause was not mentioned in the findings, suggesting that most of the convention delegates were happy with it or did not know or care much about it.[4]

The Electoral Districts Boundaries Commission has made some boundary changes, which, although they might be the best way to provide fairness to the two major parties, have produced electorates that make things very hard for their residents and their members of parliament, to say nothing of their very odd shapes. The words 'constructive gerrymander' could be applied quite accurately.

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[2]Maps of the previous, current and proposed new electoral boundaries are included in the appendices of this thesis. They are sourced from reports of the Electoral Districts Boundaries Commission, and from the publications of Dean Jaensch.

[3]It would seem most unlikely that Labor would have won Adelaide had the old boundaries been retained for that seat. This is especially so given that its sitting MP, Michael Armitage, had sought preselection for a safer seat, had lost, and then decided to retire. He would probably have stood in the old Adelaide, and won the seat. The actual swing in Adelaide was only 3.4%, not enough to overcome the previous margin of 6.3%. It is also quite conceivable the Liberal Party might also have won Norwood on the 1997 boundaries.

[4]Constitutional Convention Discussion Paper, Government of South Australia, 2003, and Ryan, Pamela, "Constitutional Convention: South Australia Deliberates; the Future of Our Parliament: A Statewide Deliberative Poll", preliminary report, Issues Deliberation Australia, 15 August 2003.

When the first boundaries to be used after the passing of the fairness clause legislation were drawn, Dean Jaensch claimed the Electoral Districts Boundaries Commission had been given an impossible task to draw boundaries to guarantee fairness.[5] In a later article, he repeats the claim and also says:

> This is just further evidence that no single-member system can guarantee what the Commission was required to do. Only proportional representation can go close to doing this, but neither the Liberals nor Labor want this.[6]

Jaensch's claim is correct. Single-member electoral systems do have a strong tendency to produce results where there is little, if any, correlation between votes received and seats won. Most importantly, this fairness clause deals with only one aspect of fairness, which is attempting to ensure that the major party group with a majority of the two-party preferred vote wins a majority of the seats. It says nothing about the size of the majority held by the winning party. It also says nothing about the representation of minor parties. Indeed the clause was heavily criticised by the Australian Democrats because it did not provide fairness for them, though their poor 2002 result seems to have taken the heat out of this issue.

Fortunately there have been many debates in recent times in many different parts of the world. There has been a long-running debate in Britain about the fairness or otherwise of its first past the post system.[7] At about the same time as the fairness clause was being enacted in South Australia, New Zealand was going through a fierce debate on changing its first past the post system, and what system should replace it. Tasmania has used the Hare-Clark system to elect its lower house for many years, and as we saw in an earlier chapter, such a system was advocated by many South Australian MPs in parliamentary debates, as well as being strongly opposed by others.

Some of the literature published about different types of electoral systems has come from New Zealand. One particular book, *Voter's Choice: Electoral Change in New Zealand?*, analyses five different electoral systems, and their various strengths and weaknesses. It is worth analysing some features of these systems and trying to make an

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[5] Jaensch, Dean, "Boundaries: An Impossible Task", *News*, 5 December 1991.
[6] Jaensch, Dean, "Redistribution Poll Puzzle", *News*, 19 December 1991.
[7] The debates are summarised in Fisher, Justin (ed), *British Elections and Parties Review*, Vol 9, Frank Cass, London, 1999.

assessment of what might have been their impact on some South Australian elections of the past, and assessing whether they might make for better and fairer results in the future. Any such analysis must be treated with caution. Much of it can only be speculation, as it is quite likely that people will vote differently under a different voting system. However it is still useful, for two reasons. Firstly, many of the systems have been used in their various locations for many years, so they provide a reasonable guide as to what has happened over a series of elections. Secondly, South Australia has, since 1975, used two entirely different electoral systems for its two houses of Parliament, but except for 1977, both have been held on the same day. These results can also provide a guide.

As the Hare-Clark system has been used in Tasmania for nearly a century and is a much-suggested alternative to the current system, it will be analysed extensively. The Mixed Member Proportional system as used in New Zealand is also worthy of close analysis because it provides a guide as to how the nature of politics can be altered by a major change in the electoral system. A more minor change that has been discussed at senior government level, is optional preferential voting (as used for the New South Wales and Queensland lower houses), while first past the post (as used in Britain, the USA and Canada) is also sometimes suggested as an alternative, though more often in front bar political debates than in political and academic circles. There are also some more radical proposals that have been suggested by Peter Lewis involving a mixture of single member, proportional and Aboriginal members, which is in a sense, another variation of the parallel system, which is currently used in Italy and Russia. These systems lie halfway between the British and New Zealand systems.

There was an idea advocated by former Liberal MLC Ren DeGaris that is also mentioned, although DeGaris appeared to misunderstand the exact nature of the 'West German system' he advocated. Even within the Liberal Party, the particular proposal does not appear to have any support, and the idea would appear to pose legal difficulties in the modern age of low major party votes. Each of these systems will be analysed in this chapter.

Hare-Clark

The system has been used in Tasmania since 1907 for its House of Assembly, and in the Australian Capital Territory Legislative Assembly since late 1992 when voters chose the system at a referendum. Tasmania's parliamentary librarian, Terry Newman has documented the evolution of the system, and the title he used for his book suggests that he has an admiration for the system, although he takes an even-handed approach in his analysis.[8] It cannot be said, however, that the various strengths and weaknesses of the system are not thoroughly analysed. The origins, and some of the originators, of the system are summarised, and the results of elections fought under the system (up to and including 1992) are listed.

The major feature of the system (in this way it is quite similar to that used for the Senate, and some state upper houses including South Australia) is that members are elected via multi-member constituencies, rather than single-member ones, as is currently the case in House of Assembly elections in South Australia. The term proportional representation is often used to describe a system like Tasmania's, but this covers a wide range of different voting systems, including some European models that are nothing like those used in Australia. Single Transferable Vote is another name often used, and accurately applies to the Senate voting system, as well as the upper houses of NSW, WA and SA (and will be used in Victoria at their next election), but Hare-Clark is a special subset of STV. Similar systems operate in Ireland and Malta, though they too differ from Tasmania in minor details. Except for the fact that one of its three electorates has more members than the others, the ACT system is similar to Tasmania in its major features.[9]

Hare-Clark contains a few key features that give the system its special flavour. The most notable one is that no ticket vote option is available, and voters must number at least the number of candidates to be elected in their electorate to have their votes count. In addition to this, a process known as the Robson Rotation applies, where different ballot

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[8]Newman, Terry, *Hare-Clark in Tasmania: Representation of All Opinions*, Joint Library Committee of the Parliament of Tasmania, Hobart, 1992, p. 279.
[9]Newman, *Hare-Clark*, pp. 284-286. At the time Newman was writing his book, the ACT was conducting a referendum campaign to decide on an electoral system. The Hare-Clark system was duly chosen by a comfortable (around 63%) majority of voters.

papers are printed so that the same candidate does not always appear at the top of his or her party ticket.[10]

As in other forms of STV, the number of members elected in each electorate can vary. In Tasmania, each of the five electorates elect five members (prior to the 1998 election it was seven, and prior to the 1959 election it was six). In the ACT, there are two 5-member electorates and one 7-member electorate.

What distinguishes Hare-Clark from the system used in mainland upper houses is the absence of a party list voting option. The other systems give voters the option of numbering the boxes of a set number of candidates (in some cases all candidates) or putting the number '1' in the box of their preferred party, and their vote will be distributed according to the party voting ticket. Because the vast majority of voters in these systems choose the ticket voting option, candidates are always elected in the order nominated by their party. Even in the days when a ticket vote did not exist for the Senate, this was nearly always the case. Most voters followed their party's how to vote card and voted straight down the ticket.

Prior to 1979, the Tasmanian House of Assembly followed a similar pattern, but in 1979 a measure was introduced which meant that not all ballot papers had the same candidate at the top of a party's voting ticket. This is known as the Robson rotation, named after then Tasmanian Liberal MHA Neil Robson, and such a procedure has reduced the power of the party machines to dictate the order in which candidates will be elected. This latter aspect, as well as its fairness, has been praised by Malcolm Mackerras,[11] and Dean Jaensch, who has been extremely critical of South Australia's fairness clause, claims the Hare-Clark system is '... the fairest electoral system possible.[12] Results of recent elections provide some supporting evidence for this claim.

Since 1959, there have been 13 elections fought in Tasmania. Of those, the last two have been held under a five-member system, but the other 11 all had seven member

[10]See Newman, *Hare-Clark*, pp, 94-96.
[11]Mackerras, Malcolm, "A More Solid Reflection of Popular Preferences", *Australian*, 14 July 1998, p. 13.
[12]Newman, *Hare-Clark*, p. 140.

electorates. Of this latter set, only four (1959, 1969, 1989 and 1996) have produced a hung parliament.[13] This compares well with South Australia, where 6 of the 15 elections held during the same period (1962, 1968, 1975, 1989, 1997 and 2002) have produced hung parliaments. In two of the four Tasmanian elections in this category (1969 and 1989) the losing party had reason to feel hard done by, as the Labor Party in 1969 and the Liberal Party in 1989 had held clear primary vote leads. In South Australia, on the other hand, no fewer than four of the six hung parliaments (1962, 1968, 1989 and 2002) produced the 'wrong' winner, judged on the same statistical criterion. In spite of what critics might say of the potential instability caused by Hare-Clark, the Tasmanian system beat the South Australian system quite clearly on this score, and won hands down on fairness.

Table 7.1 Tasmanian and South Australian Elections that produced the 'wrong winner'

Tasmania	Labor vote	Labor seats	Liberal vote	Liberal seats	Other	Election Winner
1969	47.68%	17	43.38%	17	1	Liberal
1989	34.71%	13	46.81%	17	5	Labor

South Australia	Labor vote	Labor seats	Liberal vote	Liberal seats	Other	Election Winner
1962	54.00%	19	34.50%	18	2	Liberal
1968	52.00%	19	43.80%	19	1	Liberal
1989	55.6%	22	44.20%	22	3	Labor
2002	36.30%	23	40.00%	20	4	Labor

It might be argued that Tasmania was lucky in the fact that at seven of the thirteen elections held during this period, the largest party had a clear majority of the primary vote. However it was also the case that in 1982 and 1998 the largest party had less than 50% of the primary vote but had a clear absolute majority.[14] In 1982 the Liberal Party vote was 48.52% and won 19 of the 35 seats. However in 1998, Labor won 14 of the 25 seats despite receiving only 44% of the vote. It is reasonable to suggest that a hung parliament would have resulted if the seven-member system had still been in place. This might actually have meant Labor not winning government, as Labor had pledged to govern only in majority. Labor did have a clear lead over the Liberal Party, who had just 38.06%.

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[13]See Appendix 34.
[14]Newman, *Hare-Clark*, pp. 193 and 197.

In elections where the difference between the vote sizes of the two major parties is very large, Hare-Clark again rates well. For example, in 1992 (the last election held before the publication of Newman's book) the Liberal Party achieved 54.11% of the primary vote and 19 of the 35 seats (54.3%), the Labor Party 28.85% of the vote and 11 seats (31.4%), and other candidates 17.03% of the vote and 5 seats (14.3%). The most notable feature of this election is that in spite of its huge (by the standard of most recent state elections) primary vote, the Liberal Party was not over-represented at all, which is in great contrast to the gross over-representation of the Liberal Party in the 1993 South Australian election. The Labor Party was slightly over-represented (usually the opposite of what happens to the second largest party in a single-member system), while the other parties were slightly under-represented.[15] The Greens, the only minor party to gain representation, was slightly over-represented within this disparate figure. This result tends to refute the claim that proportional representation systems always lead to the proliferation of minor parties, but more on this later.

The 1989 Tasmanian election is an example of how the Hare-Clark system can occasionally produce an unfair result. The Liberal Party achieved 46.91% of the primary vote and 17 of the 35 seats (48.6%). The Labor Party's 34.71% yielded it 13 seats (37.1%), and the other vote of 18.4% produced 14.3% of the seats. As in 1992, the Greens were the only minor party to elect MPs, but they were slightly under-represented in 1989. The Greens and Labor formed an alliance that enabled Labor to form government, but as has been seen, Labor fared very badly at the 1992 election. In 1969 the Labor and Liberal Parties won 17 seats each with 47.7% and 44% of the primary vote respectively.[16] The one remaining seat was won by Kevin Lyons of the Centre Party, and he supported the Liberal Party to form a coalition government. This government was also resoundingly defeated next time around.

All these elections were conducted under either a seven or five member electoral system. Prior to 1959, however, a major problem was caused by the six-member system. 30

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[15]These results are taken from Newman, *Hare-Clark*, pp. 193 and 197.
[16]Newman, *Hare-Clark*, pp. 193 and 197.

members were elected from five equal sized constituencies. This posed the obvious risk that an equal number of members from the two major parties would be elected. Surprisingly, this scenario did not manifest itself until 1955, and again in 1956. The parties came to an agreement that the party with the larger primary vote share would form the government, and the other major party would provide the speaker.[17] The introduction of a seven member electorates in 1959 has ensured this problem has not arise since.

By the time of the 1998 election, the size of the House of Assembly had been reduced to 25, elected from five 5-member electorates. Mackerras claimed such a move was designed to hurt the Greens by increasing the quota required for election from 12.5% to 16.7%.[18] Whatever the intention, the change had that impact: the Greens retained only one of their four seats on a primary vote of 10.18%. The Labor Party won 14 seats (56%) with 44.79% of the primary vote and formed the new government, while the Liberal Party won the other 10 seats with 38.06% of the primary vote.[19]

The next election was held in 2002, and by this stage the Labor premier, Jim Bacon, had established his popularity, and Labor's primary vote rose to over 51%. However the party's seat tally stayed the same. On the other hand, the Liberal Party vote dropped below 30%, and it lost three seats. The Greens increased their vote to over 18% and picked up three extra seats.[20]

The results of the 1998 election tend to suggest that reducing the magnitude of the electorates from seven to five had the effect of making the system less proportional. However, at the 2002 election, the results did not appear to be any less proportional than under 7-member electorates.

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[17]Green, Antony, submission to Jacob Van Dissels, 7 August 2002, p. 7.
[18]Mackerras, "A more solid".
[19]Tasmanian Electoral Office, *Report on Parliamentary Elections 1998*, Hobart, 1999, p. 15. See also www.parliament.tas.gov.au/tpl/e1998.htm
[20]Tasmanian Electoral Office, *Report on Parliamentary Elections 1999-2002*, Hobart, 2003, p. 25.

Some observers have seen proportional representation systems generally as a method of electing more women to parliament. No doubt they noted that the ratio of women elected to most European parliaments where proportional representation tends to prevail, is higher than in English-speaking democracies, where single-member electorates are used. However figures provided by Hain suggest that social factors are a more important influence than the type of electoral system used.[21] The 2002 Tasmanian election does not suggest that women fare any better under Hare-Clark than they do under single-member electorates. Only four of the 14 Labor members elected were women, compared to two of the seven Liberal members and one of the four Greens. This amounts to a grand total of seven, or 28% of the total membership.[22] Indeed the membership of the Tasmanian Legislative Council (elected using optional preferential voting in single-member electorates) at the time of that election was only just below it at four of the 15 members, or 26.7%.[23]

A study by Jennifer Curtin has found that in STV systems with a closed list (such as the Senate) women have been elected in greater numbers than under Hare-Clark.[24] This may be indicative of the fact that women have benefited from actions taken within political parties to promote women to safe spots on party tickets.

One potential advantage is that under all STV systems, voters have a choice of member to go to for dealing with a specific problem, unlike a single-member system, where a member may be unwilling to help if it conflicts with his or her party's interests. This aspect of the system provides both an opportunity for members as well as potentially making them work harder, although under forms of STV other than Hare-Clark, there is no incentive for a candidate in a safe position on their party's ticket to work to win over uncommitted voters.

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[21]Hain, Peter, *Proportional Misrepresentation: The Case Against PR in Britain*, Wildwood House, Aldershot, 1986, pp. 69-72.
[22]Women comprised nine of the 28 Labor candidates, five of 26 Liberal candidates and 15 out of 25 Green candidates. In theory at least, all seats in a Hare-Clark system are winnable, although, in the case of the Greens at least, it appears that three of the successful men were deliberately given more publicity than their female colleagues in the same electorate.
[23]Tasmanian Electoral Office, *1999 to 2002*. In 2003 one of the female Legislative Councillors was defeated.
[24]Curtin, Jennifer, "Women and Proportional Representation in Australian and New Zealand Parliaments", *Policy, Organisation and Society*, Vol. 22, No. 11, 2003, pp. 48-68.

What would have been the impact if the Hare-Clark system had been used in South Australia? This is very difficult to assess. It cannot be guaranteed that voters would vote the same way with a different system. However if we assume for the sake of this analysis, that the vote for the two major parties would have been no higher, it is reasonable to guess that of the last four elections, only 1993 would have given a single party a majority. The results may have varied according to whether five-member or seven-member electorates were used, but the most likely result at the other three elections, the Democrats would have gained the balance of power, although the Liberal Party's 44% vote share might have won them a majority in 1989 if five-member seats had been used. The Democrats had a strong (15%+) support base in the Adelaide Hills, and given that the Democrats have maintained an official non-partisan stance towards the two major parties, it is likely they would have supported the party with the larger primary vote share, which in all three cases was the Liberal Party in government

The Electoral Reform Society, which advocates the use of Hare-Clark, produced some calculations of what the result would have been if seven 7-member seats had been used at the 1997 election. It found that the Liberal Party would have held 22 seats, Labor 18, Australian Democrats 8 and Others 1.[25] The Democrats would have held the balance of power, and would have decided which major party governed. A similar modelling of the 2002 results completed for this thesis showed a similar result, with the Liberal Party having one less seat than in 1997, and the Labor Party one more.[26]

Of course it is quite likely that some people would have voted differently under such a system. For example, in 1997 there was a massive increase in Democrat vote in the Adelaide Hills seats. This may have been because the Labor Party, having no hope of winning a seat, would have put in very little campaigning there, and the Democrats, with an extra amount of campaigning, were in the best position to pick up an anti-Liberal backlash. But under Hare-

[25]Electoral Reform Society, "When Will the Voters be Considered?", unpublished Paper, c. 1998, Adelaide.
[26]This result was harder to be certain about because of the larger number of disendorsed candidates running and a higher level of votes for minor parties other than the Democrats. In most seats, however, only the seventh seat in each constituency would be in any doubt.

Clark, Labor would have campaigned much harder and their vote would most likely have been higher.

A more important difference is that the behaviour of certain voters was the direct result of events that the single-member system created. For example, Rory McEwen would almost certainly have been running as a Liberal candidate at both the 1997 and 2002 elections, because the Hare-Clark system lends itself to the multiple preselection of candidates that voters can choose between. Hence the other vote in the South-East is illusory. Similarly Ralph Clarke and Murray De Laine would have been running as Labor candidates, and much of their vote would probably have gone to Labor. On the other hand, Bob Such and Peter Lewis would still have run as Independents because they fell out with their parties on issues other than lost preselections.

Assuming they had behaved the same way at other previous elections, it is fair to assume that 1989 might have produced a fairer result than actually occurred, as the Democrats would most likely have allowed the Liberal Party to govern, as they were the largest party. Of the others, only 1975 might have produced a different result. In all other elections held between 1976 and 1998, the party with the largest primary vote share formed the government. In assessing the fairness of Hare-Clark as it translates to SA, it would seemingly have produced a fairer result than actually occurred in 2002 and 1989, though maybe a less fair one in 1975, depending on one's point of view. (There is a case for arguing that the course of South Australian history might have been different if the Liberal Party had won the 1989 election, as the State Bank losses may well have been halved.)[27]

An important area in which a system like Hare-Clark can be beneficial is in its avoidance of the possibility of gerrymandering. It may be true, that in its original meaning, gerrymanders no longer exist because independent electoral commissioners rather than politicians now draw the boundaries. However, as the Liberal Party has been at great pains to

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[27]Personal conversation with State Bank Royal Commissioner Sam Jacobs on 8 August 2004 leads me to think this might well be the case.

point out over the years, it has not prevented results that look like gerrymanders occurring in South Australia.

Newman has included in his book a 'gerrymander wheel' drawn by the Proportional Representation Society of Australia, which illustrates how five single-member electorates could be drawn in five equally plausible ways to produce dramatically different results. Under the model shown, the Circle Party has 52% of the vote and the Square Party has 48%, but depending on how the boundaries are drawn (and the sizes of the electorates are always equal) the Circle Party can win anything from all five seats to only one seat.[28]

Under the Hare-Clark system, those five seats would become one five-member electorate, and the Circle Party would win three of them, the fairest possible result. There is still an over-representation factor favouring the Circle Party, because one party must win at least 60% of the seats. This partly explains why five-member seats will usually produce less proportional results than seven-member seats. There still exists a small possibility for boundary manipulation (if you relocate a small part of Circle-favouring voters into a nearby electorate with strong circle support you might switch one member from circle to square, but the possibility of such manipulation is decreased fivefold compared to a single-member electoral system.)

Because Hare-Clark does not have a ticket vote option, and not all candidates must be numbered to cast a valid vote, this option is exercised vigorously. And it is possible to vote for candidates of different parties, or to vote out an under-performing member without punishing the party. This should, in theory, produce a higher quality parliamentary membership, as members can concentrate on pleasing the voters rather than factional powerbrokers. (This could actually produce a higher major party vote, since voters who do not like one candidate of their preferred party have the chance to vote for another candidate of the same party.)

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[28]Newman, *Hare-Clark*, pp. 110-111.

Under Hare-Clark, there is no such thing as a safe seat, so members and candidates alike must (in theory at least) work harder. Also, because at least one seat in a multi-member electorate is always in doubt, all voters can feel they have some role in choosing the government, while under a single-member system, voters in safe seats may feel their vote can have no impact. This could also be of benefit to political parties because it gives them a reason to maintain a branch structure in areas where their support is low.

The system does, however, have some weaknesses, at least in the eyes of the major political parties, although it is a major contention of this paper that many of these concerns are exaggerated. The most common objection raised is that in a situation where the votes are close, neither major party is likely to have a majority. This can lead to instability and unseemly deal-making after an election. However a survey of elections since 1959 in both South Australia and Tasmania suggest that such an outcome occurs much less frequently than is commonly believed. As we saw earlier, since 1959, there have been only four elections that have produced a hung parliament, namely 1959, 1969, 1989 and 1996.

On the other hand, there have been *six* South Australian elections that have produced a hung parliament, namely 1962, 1968, 1975, 1989, 1997 and 2002.[29] It should also be emphasised that in spite of popular belief that unseemly horse-trading can take place under such a system, in only two Tasmanian elections (1969 and 1989) can this be said to have taken place. Similar haggling also took place in two South Australian elections of the same period, namely 1968 and 2002. Tasmania has also produced the 'wrong' winner on fewer occasions than South Australia.[30]

Another disadvantage that some would see with the system, and others would see as a great advantage, is that there is potential for fighting between candidates of the same party during election campaigns. Malcolm Mackerras is one observer who sees this as a benefit,

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[29]These South Australian figures are derived from official election returns published by the SEO, and from the various publications of Colin Hughes and Dean Jaensch that deal with earlier elections. The Tasmanian election results are contained in Newman, *Hare-Clark*, see Appendices 1 and 34.
[30]Newman, *Hare-Clark*. See Table 7.1.

the fact that candidates of the same political party competing against each other is seen as meaning that "Voters genuinely elect their representatives."[31]

One weakness of the system that is more likely to worry the average voter is that the method of counting the votes is complex, and the result may therefore often not known for several days. However, this is true of most close elections under any system. The actual process of casting a vote is no more complex than a single-member preferential voting system.

From the foregoing analysis, it could be concluded that the Hare-Clark system is the best one to adopt for South Australia. However the aspects of the system that make it attractive to voters and some election analysts are the same ones that make it unattractive to major party politicians and party machines alike. Even in the Legislative Council, the proportional representation system used there does not have the key feature of Hare-Clark, the absence of a ticket voting option.

The proportionality or the fairness of proportional system generally is something that most of the major party politicians will oppose on the basis of self-interest. Because the single-member system over-represents the major parties at the expense of the minor parties, they are not likely to agree to a change that reduces their representation. The Hare-Clark variety is even more anathema to most of them because it of its major virtue identified by Mackerras, the fact that voters get to choose between candidates of the same party.

Mackerras goes on to claim that "Not surprisingly, the party machines loathe Hare-Clark."[32] He also mentions that two Irish governments have tried to abolish their country's substantially similar system, but the voters rejected it. This is another reason why the many major party politicians would oppose Hare-Clark. Many of them are successful players of machine politics, or have been able to curry enough favour with the machine to be a member of parliament.

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[31]Mackerras, Malcolm, "A more solid". Mackerras goes on to claim that it is not surprising that party machines loathe Hare-Clark.
[32]Mackerras, "A more solid".

The overall rundown of Hare Clark suggests that among its virtues are a reduced opportunity for gerrymandering, a reduced tendency for the largest party to be grossly over-represented, a reasonable chance for smaller parties with significant levels of support to be elected, and as Malcolm Mackerras has enthusiastically noted, it gives voters a choice between candidates of the same party. It also usually produces government for the party with the largest level of support in the community. Why then, it might be asked, was this system not chosen when fairness became a major issue?

As well as the two reasons given earlier, a common reason given by supporters of the single-member system for its retention is the lack of stability that has often been a part of proportional representation systems. It is true that in many countries with proportional systems, minor parties often hold the balance of power, and decide which major party wins government. Helena Catt has argued that these concerns have some validity.[33] However as the above analysis shows, the experience of Tasmania suggests it is the exception and not the rule. Perhaps it is even more striking that Labor reigned for 35 unbroken years between 1934 and 1969, and in all cases Labor's primary vote support was the highest.

Unfortunately self-interest and numbers prevail over logic and facts. For this reason, it is most unlikely that the Hare-Clark system will be introduced in South Australia in the foreseeable future. The major parties are not likely to vote for a system that takes away much of their power. It should be stressed that Hare-Clark did have its supporters in the major parties when the issue was debated in parliament. However their number is far too small to ever have much of a chance of succeeding.

An interesting sidelight to this debate is that the Tasmanian Liberal Party did have some senior figures who wished to abolish Hare-Clark, but the then Liberal Premier, Robin Gray, supported Hare Clark, claiming that it would be too easy under a single-member system to set up a gerrymander and pork-barrel individual electorates.[34] South Australia is

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[33]Catt, Helena et al, *Voter's Choice: Electoral Change in New Zealand?*, Dunmore, Palmerston North, 1992, p._ 66.
[34]Newman, *Hare-Clark*, p. 262.

also a small state in population terms, and this may be a major reason why it has had difficulty getting fair election results.

It is worth noting that other STV voting systems used in Australia (such as for the Senate and South Australia's Legislative Council) have a list voting option and a designated ballot paper candidate order within each party. Nonetheless the larger parties would still be likely to oppose any STV system for a lower house, simply because it gives a greater chance for the candidates of smaller parties to be elected, and many MPs fear that such parties might hold the balance of power and be able to blackmail one or both of the major parties. They would have the same concern about mixed electoral systems. These systems do, however, have certain advantages over either single-member or STV systems, and are therefore worth examining.

Mixed Systems: MMP and Parallel

These systems come in essentially two types, those like New Zealand and Germany where party list seats are used to compensate parties for seats not won in single-member electorates, such that for every constituency seat a party wins, it loses a list seat. On the other hand, in Italy and Russia, parties will be awarded list seats according to the votes they receive, but they get to keep their constituency seats. The former variety is known as Mixed Member Proportional or Additional Member, the latter as Supplementary Member or the Parallel System. Mixed Member Majoritarian is another term used for the latter.[35]

Additional features are included to ensure that the number of parties elected is not too large. In New Zealand a party must win at least 5% of the party list vote or at least one constituency seat to qualify for list seats: this is called a threshold. As will be seen, results produced under MMP tend to be highly proportional, even more so than under Hare-Clark. Any disproportionality that does exist in the system is caused by the votes of tiny parties dropping out of the count, and all elected parties will be slightly over-represented.[36]

[35]See Reynolds & Reilly, *International* passim
[36]Elections NZ, *The General Election 2002*, Wellington, p. 3.

A parallel system will tend to be less proportional than either Hare-Clark or MMP, though more proportional than a wholly single-member system. This would of course depend on the size of the supplementary list: the bigger it is, the more proportional the outcome. The results that a parallel system can produce will be analysed later.

New Zealand under MMP

Unlike Australia (and indeed most other countries), the voters of New Zealand chose their current voting system via a referendum process conducted throughout 1992 and 1993. On 19 September 1992 New Zealanders were asked to vote on two questions. The first question asked voters whether they wanted to retain the existing first-past-the-post system, or change to another system. The second question asked them what system they would prefer to change to if a change was made. Those who wanted to retain FPP were allowed to nominate their second preference.[37]

It is now history that 84.7% of people who cast a valid vote in the referendum voted for a change. MMP was the preferred alternative of 70.5% of them, with STV coming second with 17.4%. Preferential voting scored only 6.6% (was this because of a general dislike of all things Australian?) and 5.6% chose supplementary member. The final (binding) referendum was held in conjunction with the 6 November 1993 General Election as a run-off between FPP and MMP, with MMP winning 53.9% of the valid vote.[38]

Catt provided a summary of the results of the 1990 West German election, which was held under the MMP system,[39] while New Zealand has now held three elections under MMP, so we now have a reasonable indication of the type of results MMP elections will produce. The major principle of the system is that each voter casts two votes. One is cast for a local electorate candidate, and the other vote for a party list. With one exception, it is the party list vote that determines the number of seats a party wins, although a small party has to achieve

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[37]Catt, et al, *Voters' Choice*, pp. 10-11.
[38]Hunt, Graeme, *Why MMP Must Go*, Waddington, Auckland, 1998, pp. 188 and 191.
[39]Catt et al, *Voters' Choice*, p. 70.

either a win in a constituency or a minimum vote threshold to win seats in parliament. In New Zealand, that threshold is 5%.

The one exception to the rule is that if a party can win an electorate seat, it is entitled to win list seats, even if its vote tally alone would not qualify it for those seats. In the most recent New Zealand election (2002) Jim Anderton's Progressive Coalition received just 1.7% of the party list vote, but because Anderton had won his own seat of Wigram by 3176 votes, his party won an extra list seat.[40] At the previous election in 1999, the New Zealand First Party was the major beneficiary under this rule. The Party received only 4.3% of the overall list vote, but because its leader Winston Peters had won the seat of Tauranga, New Zealand First won 4 lists seats in addition [41]The overall seat total of 5 gave New Zealand First a slightly lower percentage of the seats than their vote suggested. It should be noted that in 1999, United NZ also won an electorate seat, but its overall vote of 0.5% was too low to gain it any list seats.

The general pattern is for the larger parties to be slightly over-represented in parliamentary seats in comparison to their vote share because of the wastage of votes from small parties that do not qualify to win seats, but it tends to be much less so than in single-member systems, or even under STV systems. In West Germany in 1990, the Christian Democratic Union received 44.3% of the party vote and won 48.6% of the seats, the Social Democrats received 35.7% of the vote and 39.5% of the seats, while the Free Democrats won 10.6% of the vote and 11.9% of the seats. The Green Party was unlucky: they won 4.8% of the vote but just missed clearing the 5% hurdle, and therefore won no seats.[42] They have fared better in seat terms in recent elections, and are currently junior partners in a Social Democrat-led coalition.

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[40]Results of this election can be obtained at www.electionresults.govt.nz/partystatus.html
[41]The results of this election were previously held on the website quoted in the previous footnote, but have now been taken off. NZ First fared much better at the 2002 election, receiving 10.38% of the party list vote and winning 12 list seats. Peters was the only constituency winner, but he won by 10362 votes.
[42]Catt et al, *Voters' Choice*, p. 70.

In the New Zealand election of 1996, the National Party won 33.8% of the vote and 36.7% of the seats, the Labour Party 28.2% of the vote and 30.8% of the seats, the New Zealand First Party 13.4% of the vote and 14.2% of the seats, the left-wing Alliance 10.1% of the vote and 10.8% of the seats, the right-wing ACT 6.1% of the vote and 6.7% of the seats, and United won one electorate seat, in spite of its overall vote of 0.9%.[43] It can be seen that any party that gets a high enough vote to win list seats tends to be over-represented, but only slightly, and no party in this category will get a smaller share of the seats than a party with a smaller share of the vote.

The 1999 and 2002 elections produced a similar pattern. It is not necessary to go into any more detail than to explain that Labour was the largest party at each election, with its vote share at 38.7% in 1999 and 41.3% in 2002.and its seat shares were 40.8% and 43.3% respectively. The corresponding figures for the National Party were 30.5% and 20.93% (votes) and 32.5% and 22.5% (seats).[44]

Because the vote and seat shares of the major parties correspond so closely, the larger parties are only slightly over-represented (the smaller a party's vote is, the progressively less over-represented it becomes), it is relatively easy to transpose South Australian election results onto the MMP system. The general pattern is that the largest party tends to be 2-3% over-represented in seats, so a reasonable estimate is that a party requires around 47.5-48% of primary vote to receive an absolute majority of seats in parliament, and will of course do so with over 50% of the vote.

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[43]These figures are contained in Elections NZ, *The General Election 1996*, p. 3.
[44]1996 results provided by Elections NZ, 1999 figures no longer available on Elections NZ Website.

Table 7.2 Results of the New Zealand Elections 1996-2002

Party	% Vote	Local Seats	List Seats	Total Seats	% Seats
1996					
National	33.8	30	14	44	36.7
Labour	28.2	26	11	37	30.8
NZ First	13.4	6	11	17	14.2
Alliance	10.1	1	12	13	10.8
ACT	6.1	1	7	8	6.7
United	0.9	1	0	1	0.8
Christian	4.3	0	0	0	0
Cannabis	1.7	0	0	0	0
Others	1.5	0	0	0	0

Party	% Vote	Local Seats	List Seats	Total Seats	% Seats
1999					
Labour	38.7	41	8	49	40.8
National	30.5	22	17	39	32.5
Alliance	7.7	1	9	10	8.3
ACT	7	0	9	9	7.5
Greens	5.2	1	6	7	5.8
NZ First	4.3	1	4	5	4.2
United	0.5	1	0	1	0.8
Others	6	0	0	0	0

Party	% Vote	Local Seats	List Seats	Total Seats	% Seats
2002					
Labour	41.3	45	7	52	43.3
National	20.9	21	6	27	22.5
NZ First	10.4	1	12	13	10.8
ACT	7.1	0	9	9	7.5
Green	7	0	9	9	7.5
United Futures	6.7	1	7	8	6.7
Progressive	1.7	1	1	2	1.7
Others	4.9	0	0	0	0

Had the system been used in South Australia in the past, it may have had a significant impact on the results of elections. It would not alter the situation in an election where one party had over 50% of the primary vote or close to it, though it would have changed the result in 1968. In more recent years, there would have been a few elections where the Democrats would have held the balance of power, most notably 1982, 1989, 1997 and 2002. It is not likely that other minor parties would be elected, assuming that the threshold remained at 5%. Independent and National candidates may have been elected in specific seats, but would not have gained any party list seats, and the only other example of a minor party winning enough votes to be elected was the Liberal Movement in 1975. Assuming their votes had not exceeded their actual Legislative Council votes, Independent No Pokies MLC Nick Xenophon would not have won election in 1997, and nor would Family First in 2002. On this basis, the most likely scenario is that the minor party in question would decide who ended up in government.

Given that the Democrats have assumed an officially non-partisan stance towards the two larger parties, the most likely outcome is that they would support the major party with the larger share of the vote. If this had happened, the 1989 and 2002 elections would have produced a Liberal victory, which on the figures would appear to be the fairer result. 1975 might also have produced a Liberal-led government, but the fairness of this us much more doubtful.

If the system was to be used in future South Australian elections, it is unlikely that the pattern of party competition would remain the same. It is much more likely that any small parties would occupy a clear position on the partisan divide, as has happened in New Zealand. This might see Liberal, National and Family First on one side, and Labor, Democrats and Greens on the other. This assumes that all of them would get to 5% or win an electorate seat, which is of course open to question.

Such a system might have assisted the Liberal Party in another way. They lost out badly in 1997 and 2002 because (initially at least) conservative independents were able to win seats in which the Liberal Party vote share was fairly high. Under MMP, the Liberal

Party would recoup these losses via the party list vote. It would of course depend on whether first past the post or preferential voting was used in individual seats: Karlene Maywald, Peter Lewis and Rory McEwen all relied on preferences to win their seats initially.

A party that may not be the most popular cannot ride into government by relying on the popularity of its local members, as it could be argued, happened to Labor's advantage in 1989. Under MMP, voters have a discrete option of backing a party's local candidate without backing the party.

The system can also provide advantages for party leaders and other senior figures, in that they do not have to stand for an electorate seat and can be elected from the party list, although of course many do.[45] It enables a prime minister or premier to concentrate on the job of running the country or state without their constituents feeling they are missing out on good local representation.

Parties with miniscule levels of support cannot be elected to parliament unless they win electorate seats. This ensures that parties with reasonable breadth of support, but not great depth, can win reasonable representation. Parties with narrow but deep support can also win representation, but not representation that is disproportionately high compared with their electoral support, as is the case with the National Party in Australian federal elections.

In terms of the style of government produced, the system has a definite tendency to lead towards centrist government. The fact that coalition governments will have to be formed results in a government needing to carefully negotiate its program through parliament, removing any tendency rewards extremist policies that may exist within a government. This would be seen as a great advantage by some people, and was probably a major reason why voters chose the system in a referendum. On the other hand, this was seen as a great weakness of the system by some observers, most notably Graeme Hunt.[46] Hunt's main objection to the system is based more on the fact that it makes it hard to implement policies

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[45]Prime Minister Helen Clark is the member for Mount Albert, and then National Party leader Bill English is the member for Clutha-Southland. See Elections NZ Website.
[46]Hunt, Graeme, *Why MMP*, passim.

that he likes rather than the unfairness of the election results it produces, and so these arguments are beyond the scope of this thesis to argue with.

Another perceived weakness of the system mentioned by Malcolm Mackerras is that there is no individual choice possible among party list candidates. Consequently party machines have enormous power over who is elected to parliament, although probably no more than they have under a single member system or a STV system with a ticket vote. Also seen as a weakness by Mackerras is that candidates can stand as both electorate and party list candidates, which makes it very hard to vote out an unpopular member. Hence there exists a phenomenon in New Zealand of being 'voted out on Saturday, back in on Monday.'

In a circumstance where a party does not receive sufficient support to gain representation, all votes received by the party are lost and voters do not get a second chance to vote. This can make it hard for a small party to gain support because voters may be worried their vote will be wasted. Potential supporters of that party may instead vote for another larger party. This happened to the Christian Coalition, which received just over 4% of the 1996 election vote, but did not win an electorate seat and therefore missed out altogether.[47]

Another potential weakness in the system is the instability that may result from the proliferation of minor parties. A prolonged period of wheeling, dealing and horse-trading could follow, as indeed happened after the 1996 New Zealand election. It should be stressed that no such process took place after the 1999 or 2002 elections, although each election required the formation of a three-party coalition.

Some commentators and major party politicians in New Zealand who opposed MMP have a deeply held opposition to proportional representation per se. Their views were epitomised by economics journalist Graeme Hunt.[48] His principal argument was that MMP was not its unfairness to parties or people, (indeed its fairness may have been a negative) but

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[47]Elections NZ, *The General Election 1996.*
[48] Hunt, *Why MMP*, passim.

because "...Under MMP they (politicians) have not made good government.[49] The post-1996 election negotiation phase was a turn-off for him,[50] but his main gripe was that New Zealand's economic reform process was stopped dead in its tracks [51]

Hunt did not appear to understand that these so-called 'reforms' were a major reason why so many New Zealanders voted to change the electoral system.[52] He also appears to assume that his readers would accept his view that MMP produced worse government than the old first past the post system, without arguing the case. It is true that some elections held under proportional representation systems have led to unstable government, such as pre-Hitler Germany, and Catt has also acknowledged this.[53] However Hunt damages his own case by lumping all PR systems in the one basket, and failing to acknowledge that bad government and instability can occur in single-member systems too. Most of his book appears more concerned with economic efficiency rather than electoral fairness.

On the other hand, Mackerras did not oppose PR generally, but argued the superiority of STV (of which Hare-Clark is a subset) over MMP. Indeed he claims that he would have voted for STV at the 1992 indicative referendum if he had had a vote.[54] As well as making the claim that no English-speaking democracy had ever chosen a list system of PR,[55] he liked STV because voters were able to choose between different candidates of the same party while MMP did not. He argues that the claims of Catt et al,[56] that each voter has two votes was "always a lie, in spirit, if not in letter."[57]

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[49] Hunt, *Why MMP*, p. 141.
[50] On pp. 93-96, Hunt describes how New Zealand First had waited eight and a half weeks to decide which of the major parties to support in government, and the policy concessions extracted in return for that support.
[51] Hunt, *Why MMP*, p. 81. Hunt describes how Ruth Richardson was sacked as Finance Minister.
[52] See Vowles, Jack & Aimer, Peter, *Double Decision: the 1993 Election and Referendum in New Zealand*, Wellington: Department of Politics, Victoria University, 1994, p. 146. The graph reveals that National voters were much less likely to vote for MMP than other voters, and people who thought the government had performed poorly were more likely to vote for MMP than those who thought the government had performed well.
[53] Catt et al, *Voters' Choice*, pp. 65-66.
[54] Mackerras, "Prospects", passim.
[55] Mackerras, "Prospects", passim.
[56] Catt et al, *Voters' Choice*, p. 68.
[57] Mackerras, Malcolm, "For the Sake of Democracy, NZ Must Respect Referendum Results", *Australian*, 29 November 1995, p. 13.

The main problem with MMP, as Mackerras sees it, is that once a party wins one electorate seat, any further wins at electorate level do not benefit it. Mackerras is also unhappy that elected list MPs depend for their position on their popularity with their party machine.[58] A party gains no benefit from winning an electorate seat unless they fail to reach the 5% threshold. In every other case, if a party wins an electorate seat, it loses a list seat it would otherwise have won. The argument that a party should not be able to have list seats taken away from it because of electorate seat success is reflected in the choice of a parallel system, as we will see later.

The fact that list seat MPs are essentially chosen by the party machines might be expected to make the system more attractive to major party politicians. However MMP would still be opposed by any MP who was worried about minor parties holding the balance of power. As this is a primary concern of many South Australian MPs, it is most unlikely the system would be introduced in South Australia.

More importantly, however, there is one factor on South Australia that makes the case for MMP less valid, namely the presence of an upper house. In New Zealand, there were major concerns over both the degree of power held by executive government, and the lack of representation given to smaller parties. In South Australia, the Legislative Council performs both these roles, although of course it can be questioned how well it does them; in spite of the government not having a majority there after the 1997 election, it was able to do a deal with ex-Labor MLC Terry Cameron to privatise the electricity trust, after promising not to during the election campaign.

Because neither major party is likely to support a move to proportional representation for the House of Assembly, such a change is not likely to occur. There was certainly no mention of it in the findings of the constitutional convention, and no public advocacy of it by interested individuals, except for Peter Lewis, who had suggested a mixed system with some additional unusual features.

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[58]Mackerras, Malcolm, "Vote of No Confidence in the Electoral System", *Weekend Australian*, September 14-15 1996, p. 25.

The presence of an upper house weakens the case for MMP. New Zealand's experience was heavily shaped by the absence of an upper house, but the Legislative Council is likely to be part of the South Australian political landscape for the foreseeable future. It can only be abolished via a referendum.

Parallel Systems

Mackerras has quoted Reynolds and Reilly to point out the major difference between parallel or mixed systems and MMP systems:

> Parallel (or mixed) systems use both PR lists and 'winner take all' districts, but, unlike MMP systems, the PR lists do not compensate for any disproportionality within the majoritarian districts. Parallel systems are currently used in 20 countries and are a feature of electoral system design in the 1990s...
>
> The term 'Parallel System' was invented by [Dutch-born American election analyst] Arend Lijphart. And indicates the use of two separate methods that are completely independent of each other, that is they do not touch each other, hence parallel."[59]

Catt et al call it the Supplementary Member system, although this may be just because this was the name it was given in the New Zealand referendum.[60] This term derives from the fact that the list MPs merely supplement the electorate MPs, rather than totally compensate the disparities of the electorate results. Parallel System is a more descriptive term.

Mackerras was an enthusiast for using the system in New Zealand, although he has not advocated using the system in South Australia, or anywhere else for that matter. The presence of an upper house may have made the idea of using such a system in South Australia less attractive. In one sense the combination of a single-member House of Assembly with a multi-member upper house means that South Australia, and most other Australian jurisdictions, have a parallel system already.

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[59]Mackerras, "Prospects", pp. 18-19.

Italy and Russia have recently adopted the parallel system, although very little research has been carried out on its electoral consequences (as Catt et al had pointed out,[61] it was not widely used at the time they wrote their book, although it has become more popular since, as Reynolds and Reilly's comments showed).

The 1993 Russian election was conducted under the Parallel system, but the results obtained at that election could be best described as strange. The largest party in votes, the LDPR, received 22.8% of the vote but only 15.8% of total seats.[62]However it is probably not a fair example to cite, as Russia was a fledgling democracy at this time. The Italian election of 2002 provides a better guide, although the system was being used for only the second time. Before the election, several parties came together to form two distinct party blocs. Conservative parties came together to form the House of Liberty, and they won 368 of the 630 seats (57.41%) after receiving 45.4% of the constituency vote and 48.6% of the party list vote. Socialist and Green parties came together to form the Olive Tree coalition, and they won 247 seats (39.21%) after receiving 54.7% of the constituency vote and 34.9% of the party list vote. The remaining seats were won by Communist Reformation (11 list seats only) and the South Tyrol People's Party, with just three constituency seats.[63]

If this system was adopted in South Australia, the exact nature of result type would be influenced by the size of the supplementary list. As a general rule, the smaller the list, the more likely it is that the major parties will continue to dominate South Australian politics, and the greater the likelihood that one of them will hold an absolute majority. A study of likely outcomes at British elections using a similar system makes this very clear.[64] The chances of a single party majority gradually increased as the size of the supplementary list reduced. The Russian system actually has more list MPs (225) than constituency MPs (219),

[60]Catt et al, *Voters' Choice*, p. 33.
[61]Catt et al, *Voters' Choice*, p. 34.
[62]Farrell, David, *Electoral Systems: a Comparative Introduction*, Basingstoke: Palgrave, 2001, p. 116.
[63]Results of this and other overseas elections can be found at http://psephos.adam-carr.net/italy/summary.txt
See Appendix 35.
[64]Dunleavy, Patrick & Margetts, Helen, "Mixed Electoral Systems in Britain and the Jenkins Commission on Electoral Reform", *British Journal of Politics and International Relations*, 1999, Vol 1, No. 1, pp. 12-38. Their findings showed that if a 10% supplementary list would have left the Blair government with almost as big a majority as the one actually achieved. On the other hand, a 33% list would have deprived Labor of an absolute majority.

while 75% of Italy's lower house MPs are local. This gives a very wide range of possibilities.

Having said that, it is worth noting that as three of the last four South Australian elections have produced hung parliaments, the use of a parallel system at any of these elections would have altered that situation. The one difference it would have meant was that the Democrats would most likely have held the balance of power, rather than independents. Future elections could, of course, be very different.

Because the system would still make it possible for a major party receiving a mid to high 40% vote share an absolute majority, the system is slightly more likely to be acceptable to the major parties than either the Hare-Clark or MMP systems. At the same time, many major party MPs would wonder why they need to change a system they are quite happy with. On the other hand, critics of the system would ask what point there is in changing to a system that is so much like the system they dislike. It is fair to say that such a change is unlikely to generate much enthusiasm, but it still might be worth considering as a possibility if more radical change cannot be achieved.

The other options for change that have been suggested would maintain the essentially single-member nature of the system. They include the minimalist change of introducing optional preferential voting, the slightly more radical idea of first past the post, what Ren DeGaris calls his modest proposal and some minor tinkering with the existing system, such as changes to the upper house voting system, and having a redistribution after every second election, rather than after every election. Because Optional Preferential voting is currently used in New South Wales and Queensland there is a reasonable basis for analysis.

Optional Preferential Voting
The only change this would mean is that voters would be allowed to vote for one candidate only, or indeed any number of candidates, without having to indicate preferences for everybody. Under the current system it is possible to submit an incomplete ballot paper and

have it count, but such a vote will always end up with one of the two leading candidates, and advocacy of such a vote is illegal.

This system has existed in New South Wales since the 1984 election, and in Queensland since the 1992 election. The fairness record of the system is not significantly different from that of South Australia. Only the 1995 elections in each state produced the 'wrong' result. However the most recent elections in each state suggest that the largest single party can be grossly over-represented to a greater extent than under a compulsory preferential system. Both the New South Wales and Queensland Labor Parties currently benefit from this.[65]

It stands to reason that moving to an optional preferential system would make a material difference to the result only in seats where a candidate comes from behind on primary votes to win on preferences. In all recent elections except the 2002 one, nearly all such winners were either from the major party that was in opposition after the election, or were minor party and independent candidates.[66] Given that the optional casting of preferences would reduce the flow of such preferences, it might be a reasonable to guess that the majority held by the eventual government might be higher. Unfortunately we don't know how many people would fail to cast preferences, so it is impossible to forecast likely results with any confidence. In the context of an individual election, optional preferential voting might have denied Labor victory in 2002 by denying them victory in Norwood or Adelaide.

In a wider context, it would appear logical that there would be a slight reduction in the advantage gained by the major party that wins the larger share of minor party preferences. At the moment that party is Labor, and the Liberal Party also loses out in contests with other candidates, and would pick up some leeway there. Whether it would have been enough to alter the result of the 2002 election is difficult to say.

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[65] See Appendix 36.
[66] See Appendix 38. Official results or monographs of Jaensch used.

In principle, this system has many advantages over the current compulsory preferential system. It provides a greater level of choice to voters. It would also provide a more accurate gauge of public opinion, since the figures would not be distorted by forcing voters to indicate preferences they may not have. At the same time, it would enable voters to indicate such a preference if they wished, which is an advantage over first past the post. (This argument, of course, could be used against compulsory voting, since there must be at least some voters forced to the polls to give an opinion on something about which they don't care.)

Optional Preferential Voting was supported by a majority of 2003 Constitutional Convention delegates. However there is no indication it will be supported by the present Labor government, and without such support, its chances of success are next to nil.[67] Labor currently gains from the compulsory allocation of preferences, because most of the minor party vote is cast for left of centre parties. However the shoe could be on the other foot if the Democrats wither and die, and the Family First Party vote grows. While the Liberal Party might be a loser under the system now, it is possible they might benefit from it in the future, and may be reluctant to agree to change. After all, it gained a hefty benefit from DLP preferences 40-50 years ago. Whatever the reason, the Liberal Party has shown no interest in making such a change.

It seems more likely that both major parties will continue to support compulsory preference allocation because it maintains their control over the political system. Given this, it seems unlikely that such a change will be made, although it is perhaps more likely to be supported than any other suggested proposal. For those who desire a more substantial change, OPV would be so minimal that it would not excite much enthusiasm.

In summary, while it can be fairly argued that a change to Optional Preferential Voting would be a good move in principle because of the extra level of choice it gives voters, it is not likely to totally eliminate the problems evident in the single-member system. For those who want these problems addressed, a more far-reaching change would be considered

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[67] Attorney-General Mick Atkinson has given a speech in state parliament that was critical of optional preferential voting.

appropriate. For those who like the single-member system, however, it would have both supporters and opponents.

While Optional preferential voting has been considered at senior government level. First past the post has not been mentioned by any major political player or commentator. Nonetheless, it is still worth examining what impact it might have.

First Past The Post

This system is used in Britain, the United States and Canada, and is the simplest voting system in the world. Voters simply indicate a single vote for their preferred candidate, and the candidate with the most votes wins the particular seat, regardless of whether or not they had an absolute majority.

Results from recent British elections illustrate the most common consequence of the system, which is that the largest party in votes is generally grossly over-represented in terms of the number of seats it wins. For example, at the 2001 British General Election the Labour Party received only 40.7% of the vote, but won 62.7% of the seats, and in 1997 had won 63.6% of the seats with a 43.3% vote share. It should be emphasised that the system also helps the Conservative Party when they pick up a high vote share; in 1983 a vote of 42.4% yielded 61.1% of the seats, and in 1987 a vote of 42.7% yielded 57.8% of the seats.[68]

Smaller parties generally find it hard to win seats because unless their vote is highly concentrated in a few key areas, they do not have sufficient depth of support to win seats. Consequently, people are reluctant to vote for them because they fear their vote will be wasted. This has also been a major problem for the third largest party in Britain, the Liberal Democrats, whose level of parliamentary representation is always lower than its vote share. On the other hand, the Scottish and Welsh Nationalist Parties can win seats in parliament in

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[68]Results of recent British General Elections can be found in Rallings, Colin & Thrasher, Michael, *British Parliamentary Election Results 1983-1997*, Aldershot: Ashgate, 1999, pp. 366-371 and also the British General Election series 1987 to 2001edited by David Butler & Dennis Kavanagh. See Appendix 37.

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spite of a very low overall vote share, because they contest seats only in their home regions.[69]

If such a system were adopted in South Australia, it is quite likely that voters would behave differently, because they would be able to cast only one vote, (in the lower house at least.) If voters had a particular view on which major party should be in government, they would be unlikely to risk voting for a minor party or independent candidate. Therefore it could be expected that the major party vote could increase, although it must be emphasised that the major party vote has dropped in Britain and Canada as much as it has in Australia over the last 20 years. It also must be emphasised that tactical considerations will probably be less important to voters in safe seats.

It would be necessary to alter the wording of the fairness clause, because preferences of the minor parties would no longer come into play. A two-party vote could still be calculated using the major party primary vote alone, but you would run into major problems when the issue of independent candidate votes are considered. In the current climate, this would hurt the Liberal Party, because the currently successful independents come from formerly safe Liberal seats.

Had the first past the post system been used in South Australia in the recent past, and assuming voter support for the major parties had stayed the same, it would not have altered the results of any close election, with the exceptions of 1968 and 2002. The number of seats decided by (or at least changed by) preferences over the years has been very small, much smaller than in other states. There were very few seats changed by preferences during Playford's later years, just one in 1968 (the Liberal win in Murray denied Labor a majority), and in 1975 the only seats where results were changed by preferences were won by non-Labor candidates, while in 1989 the only result changed by preferences was in Newland, which was won by the Liberal Party, the losing party. After that all results changed by preferences went against the Liberal Party: two in 1993, eight in 1997 and three in 2002.

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[69]Rallings & Thrasher, *British*, pp. 366-371.

Since Liberal won the first two elections easily anyway, it is only in 2002 that first past the post would have made a material difference.

At that election, the Liberal Party lost three seats (Adelaide and Norwood to Labor, Hammond to Independent Peter Lewis), all of which they had led on primary votes. Assuming everybody had voted the same way under first past the post, the Liberal Party would have won 23 seats rather than 20, and they surely would have gained the support of Karlene Maywald and/or Rory McEwen to form a government.

Between the 1968 and 2002 elections, the losing party, or minor parties and independents, were nearly always the beneficiaries of preferences.[70] It might be guessed from this that first past the post would increase the advantage held by the governing party. For anybody whose major concern is fairness, this would be a good reason not to support the system.

Another question that could be asked is whether the adoption of first past the post for the lower house would alter the voting patterns for the upper house, assuming the election was held on the same day, and the voting system remained unchanged. There might be some drift away from minor parties, which raises the interesting question: Would the reduced propensity of voters to vote for a minor party in the House of Assembly also cause their vote to drop in the Legislative Council, possibly to a level which threatens their survival? If this happened, would this reduce the ability of the Council to act as an effective house of review?

The system does have some advantages over the preferential voting system currently used in South Australia. It is easy for voters to understand and cast a valid vote. It is also easy for officials to count, and results would be known earlier than is the case under the current preferential system. At a broader level, it might also make for a more transparent political system by eliminating preference deals, though there is no guarantee of this. The fact that no candidate with a higher level of support can be beaten by another candidate receiving a lower level of support would be seen as an advantage by some people.

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[70] Results here are derived from official election returns. See Appendix 38.

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However any strengths this system has are far outweighed by much more glaring weaknesses. One obvious one is that it is possible for a candidate with a very low level of support to be elected when he or she may be heartily disliked by a majority of voters. This can happen if two or more candidates of similar philosophy split their vote relatively evenly. Indeed this was a major reason why first past the post was abandoned in Australia at federal level and in most states.[71] A less obvious fault is the distorting impact the system can have on voting behaviour. Voters may actually vote for a candidate that is not their first preference because they do not want to waste their vote, or because they want to keep a certain major party out of office.[72]

All the weaknesses associated with the single-member system would still remain in place, but first past the post would accentuate many of them. The tendency for the major parties to be over-represented is obvious, but this is especially so with the largest party. This is certainly what happened at four of the last five British General Elections.[73]

It would still be possible, in a close election, for a party with a smaller share of the vote than another to win a majority of seats, and minor parties and independents would have even less chance of election than under the current system. Although Karlene Maywald and Rory McEwen won on primary votes in 2002, preferences were vital to their initial election in 1997. (This may of course have produced a fairer result overall in 2002 than the one that actually occurred.)

There has been no suggestion from any political players or commentators that the first past the post system should be introduced to South Australia. In the case of the major parties, it may be that both of them see current or potential future benefits to retaining a preferential system, which probably explains why neither of them has suggested a change to first past the

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[71]The series of events that led to the introduction of preferential voting at federal level, have been summarised by Graham, Bruce, "The Choice of Voting Methods in Federal Politics 1902-1918", in Hughes, Colin (ed), *Readings in Australian Government*, Brisbane: University of Queensland Press, 1968, pp. 202-219.
[72]In Britain, tactical voting websites have been set up advising voters how to vote in order to stop the Conservative Party winning seats. The best known was one set up by musician Billy Bragg.
[73]Rallings & Thrasher, *British*, pp. 366-371.

post. For those who wish to change the current system, it would merely accentuate the faults they see in the existing system.

First past the post should be rejected on fairness grounds. It would not make for a fairer distribution of seats in the parliament, and would probably make them worse. It also removes one of the few aspects of choice available to voters under the current system.

It is also worth noting that two other systems of a single-member type exist. One is the two-round system used in France and some French dominions. The other is the block vote, which was used in South Australia prior to 1936 for the House of Assembly, until 1975 for the Legislative Council, and in the federal Senate prior to 1949. Neither system has been suggested in South Australia in recent times. The two-round system is essentially a preferential vote conducted over two days and no doubt the additional expense would be seen as a drawback. The block vote method did not produce satisfactory results in either South Australia or the Senate, and analysis of results in earlier chapters showed the unfairness of that system.[74]

As the most vociferous critic of Labor's advantage in the late seventies and early eighties, former Liberal MLC Ren DeGaris had the first proposal to change that system. To some degree the fairness clause, and subsequent political events, have superseded his proposal, but the proposal is still worth looking at simply to assess some of the theoretical underpinnings behind the existing analysis of electoral systems.

Degaris' 'Modest Proposal'
In his book *Redressing the Imbalance*, DeGaris argued strenuously against the concept of equal electoral enrolments, commonly known as one vote-one value. He claims that "an equality of electors in each electorate will not provide equality of vote values", and suggests

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[74]See Wright, J. F. H., *Mirror of the Nation's Mind: Australia's Electoral Experiments*, Sydney: Hale & Iremonger, 1980, pp. 83-92, and Mackerras, Malcolm, *The 1990 Federal Election Guide*, Canberra: AGPS, 1990, pp. 161-162.

what he calls the 'West German system' as a solution.[75] He is keen to emphasise an important difference between West Germany (as it was then) and what he considers necessary for South Australia:

> The West German system requires a large number on the corrective list (40% of the House) but I do not feel that this is necessary. By my figures, a corrective list of four is all that is required in SA. Therefore I am suggesting advocating the West German system, which uses the single-member district with a corrective list which corrects any 'advantage effect' inherent in any single-member system.[76]

But later on the same page DeGaris emphasises the limits of his proposed system:

> Another factor that can be considered is that the drawing from the corrective list should only be utilised if an injustice is seen to exist in the single-man electoral system. This would require a flexible number of members in the House.[77]

Although DeGaris calls his proposal the West German system, the changes he suggests are quite different in many respects. In Germany (as it is now) corrective seats are allocated on the basis of *primary* votes attained by the parties, while DeGaris at all times suggests correctives according to the preferred vote share. Most importantly, DeGaris proposes a correction only to the injustice of one of the two major party blocs failing to win a majority of seats, while the German system allocates seats to all parties that achieve at least 5% of the *primary* vote.

The system that DeGaris proposes is therefore not used anywhere else in the world (hardly surprising, since preferential voting in single-member electorates is so rare). It should not be rejected out of hand because of this, but it appears to pose extra difficulties in the modern era. More people vote for parties other than Labor and Liberal than when DeGaris proposed his scheme, and many more Independents are elected to the House of Assembly than before. This poses a legal difficulty. In a situation where Independents held the balance of power, would they be forced to support the party with the majority of the two-party preferred vote? If so it would not be well received by independent members, as it would deny

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[75]DeGaris, *Redressing*, p. 63.
[76]DeGaris, *Redressing*, p. 60.
[77]DeGaris, *Redressing*, p. 60.

them the right of independent judgement. (And that is surely the reason why they became independents in the first place.)

Or would additional members be added to take one major party to over 50% of the membership? This would pose an ethical concern. While the Liberal Party did, for example, notionally receive 50.9% of the two-party preferred vote in 2002, this was based on an artificial construct in seven seats where the Liberal Party's main opponent was not a Labor candidate. If the Liberal v Other vote is used in these seats, the Liberal two candidate preferred vote drops below 49%, although it is still well above Labor's.[78] When all things are considered, however, should a major party with a primary vote of only 40% be given any form of constitutional guarantee that it will hold office? If a party receiving such a vote was given extra seats to bring it up to over 50% of the parliament, the outcry from other parties would be very loud, especially if another party received just less than that of its major opponent.

There is also the problem that in some seats the two-party preferred vote can be counted in two different ways, depending on which candidates are used. The 2003 redistribution report of the Electoral Districts Boundaries Commission makes this clear. The Liberal 2pp figure is 50.9% on one method of calculation, but as high as 51.9% on another. In a situation where the vote was closer, it would require some judicial interpretation of the matter, and no doubt legal challenges would follow. Such a situation would be considered unsatisfactory by the public, and it would make the state a laughing stock. DeGaris' scheme has not been advocated by any other political player or commentator, and DeGaris has had very little to say publicly in recent years. Consequently there is little chance that the scheme will be introduced.

Possibly a better way of achieving what DeGaris wants is to have a separate direct election to choose a premier, with every vote in the state counting equally, and preferences being distributed as is currently the case. (This is essentially how the French elect their

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[78]These include the four seats held by Independents plus the seats of Heysen (Lib v Dem), Kavel and MacKillop.

president, but they use a two-ballot system.) This would be politically feasible, but such a change may not actually be for the better. The method of campaigning would alter dramatically, with most emphasis shifting from marginal seats to the major population centre, which is of course Adelaide. In this situation, country electorates would be largely ignored.

There would always be some practical difficulties if such a directly elected premier was faced with an opposition majority in parliament, although in theory it may be no worse than the current situation where the government of the day does not have a majority in the Legislative Council. The major problem would come when the parliament wanted to pass a motion of no confidence in the government. Would there be a new election, or would it work as it does in the USA when a president is impeached? These would be practical difficulties to sort out, although they are not insurmountable. However this is not being suggested by anybody either. One other idea is being actively considered by the government and the opposition also appears to be quite receptive to it. That idea is a redistribution after every second election.

Redistributions After Every Second Election

When the fairness clause was implemented in 1991, the legislation required new boundaries to be redrawn after every election, in order to correct any imbalance that might have developed during that election. Such changes have been a nuisance for sitting MPs, because it makes it harder for them to keep a loyal support base, and it may also make them feel that hard-working MPs can find themselves penalised at the next redistribution. Consequently, some MPs on both sides are actively considering reducing the frequency of redistributions by half.

Had such a policy existed before the last election, there might well have been a material change to the result. It is almost certain that Labor would not have won Adelaide had the 1997 boundaries been retained for that seat, and Norwood might also have been lost on the 1997 boundaries. Labor would still not have won Hartley or Stuart under the old

boundaries.[79] Consequently it is highly likely that the numbers would have been Labor 21 or 22, Liberal 22 or 21, Others 4, and in the first situation, the Liberal Party would have retained government without having to rely on Lewis or Such, while in the second circumstance, it is likely either or both of Lewis or Such would have supported the Liberal Party in government.

If such a change is made in the future, it is not likely to favour one side or the other over the long term. If anything, it would be easier for sitting MPs to retain their personal followings, and consequently there would be some advantage accruing to the government of the day, as it would have more sitting members.

There is a good reason why having a redistribution after every second election makes sense. As is now clear, it was too early after the 1997 election to decide that imbalance now favoured the Liberal Party. The circumstances of the 1997 were somewhat unusual in that Labor was getting its biggest swings in seats it already held. In 2002, on the other hand, the swing patterns were patchy, with Labor generally doing better in the marginal seats, so things became relatively even again. Then of course the unexpected happened and Peter Lewis backed Labor.

Because this proposal appears to have the support of many MPs, it is perhaps the change that is the most likely to be made. There remains one extra hurdle, and that is for any change to be made to the fairness clause requires the support of a majority of voters at a referendum. Section 88 of the Constitution Act states that none of the provisions of Part 5 (which includes the fairness clause) may be repealed suspended or implemented without a referendum.[80]

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[79]This analysis does not take into account that Michael Armitage would have most likely have stood in Adelaide if the old boundaries had been retained, and he would surely have retained at least some personal votes. The fact that no sitting MP endorsed by a major party lost their seat suggests that Armitage would probably have kept his too.
[80]The *South Australian Constitution Act*, along with all other consolidated acts, can be found at www.austlii.edu.au/au/legis/sa/consol_act

As we saw in 1990-91, there is a reasonable chance of such a referendum succeeding if the proposal has bipartisan support, which at this stage seems quite likely. Other possible changes are less likely to be implemented because they are not supported by either major party. This is a very important factor to consider when trying to answer the main question posed in the final chapter: What is the best electoral system for South Australia in the twenty-first century? There is a vast gap between what might be the ideal situation and what is politically feasible. It is also possible to make some comments on how successful the fairness clause has been in meeting its stated objectives, and its overall impact on politics in South Australia.

CONCLUSION

In previous chapters we have seen how the 'wrong' party has won elections in South Australia under both heavily and lightly weighted electoral redistributions and also under redistributions based on roughly equal enrolments between electorates, and that even a concerted attempt by redistribution commissioners to draw fair boundaries did not stop the occurrence of an anomalous result in 2002. The previous chapter examined a series of alternatives to the current system, and speculating that although many people might believe that many positive alternatives exist, the chances of major electoral reform are slight. Clem Macintyre has claimed as much in a recent paper written after the Constitutional Convention.[1] More recently, a speech by the Attorney-General Michael Atkinson has demonstrated the government's firm support for the existing single-member system and compulsory preferential voting.[2]

If the existing system were to remain largely unchanged, and the prediction of this thesis turn out to be right, this will no doubt come as a great disappointment to those who were instrumental in setting up the Convention, and those observers who believe that the general workings of parliament and government could be improved by a change. However the history of legislative reform in South Australia, and recent overseas examples in New Zealand and Italy, suggests that change can be achieved if the conditions are right.

At the present time, the odds would appear to be slightly against change. In South Australia, change has been achieved either firstly, when it was in the self-interest of the party in power to do so, or secondly, when there was a widespread perception of an injustice in the current system. This was certainly the case in reference to the removal of property qualifications and the introduction of female suffrage, and it certainly drove the dismantling

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[1] Macintyre, Clement & Williams, John, "Lost Opportunities and Political Barriers on the Road to Constitutional and Electoral Reform in South Australia", *Australasian Parliamentary Review*, forthcoming 2005.
[2] *South Australian Parliamentary Debates*, 9 March 2005.

of vote weighting in the 1960s and 1970s, and the introduction of the fairness clause in the 1990s.

There does not seem to be that kind of perception of injustice currently, in spite of the events that followed the 2002 election. Even the anger of the Liberal Party was directed at Peter Lewis rather than at the Rann Labor Government or the system itself. (The latter is hardly surprising given they had advocated it so strongly.) Nor does there appear to be much angst among members of the general public; although recent controversies have seen a slight fall in support for the government, it retains a clear lead, and Mike Rann remains very popular.[3]

In view of wider political events, this is not at all surprising. Governments appear to rise and fall by the perception of their overall performance, not because they may have originally have been elected on a minority vote. The result of the 2004 US Presidential Election clearly showed this; those who thought the first Bush Administration had performed well voted overwhelmingly for George W. Bush, while those who thought it had performed poorly voted equally overwhelmingly for Democrat John Kerry.[4]

It would seem that most voters are not energised by constitutional or electoral matters, unless something is perceived to have gone wrong. A general attitude of 'if it ain't broke, don't fix it' appears to operate, and it applies equally to constitutions and electoral laws as it does to governments. This inertia may partly explain the poor success rate of federal constitutional referendums.[5]

The two overseas examples of where major electoral change has taken place, New Zealand and Italy, appear to fit the general pattern. Although the reform paths taken went in opposite directions, both had the common theme is that many voters perceived there was

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[3]Kelton, Greg, "Comfortable lead for Mr 91 per cent", *Advertiser*, 18 March 2005, p. 6. The accompanying opinion poll showed Labor leading 40% to 37%.
[4]This poll was published on the Cable News Network website immediately after the election. See www.cnn.com
[5]After the defeat of the 1999 republic referendum, only eight of the 44 attempts to change the constitution have been carried.

something wrong with the existing system. It was not a case of people believing the wrong party had won power, but that those who were in power were using that power in a harmful way.

In terms of what electoral system would be the best for South Australia in the twenty-first century, the previous chapter presents a case that as well as being a very fair system, Hare-Clark has many potential benefits to facilitate the functioning of a more effective democracy, and would be the best system to adopt. Both the Mixed Member Proportional and Parallel systems also have potential advantages in terms of fairness, but the case for adopting these systems in South Australia is weakened by the fact that the Legislative Council is elected by proportional representation to act as a check on executive power. (This will be less the case in the Australian Senate after July 2005.)

Conversely, both MMP and Parallel would, on the evidence of the New Zealand and Italy experience, maintain the present bipolar nature of the House of Assembly. The recent evidence from Tasmania suggests that only one minor party gets elected under Hare-Clark, and that party has not aligned itself with either major party.

If the current single-member system is retained, there are two positive changes that can be made. A move to optional preferential voting would increase the level of democratic choice available to voters, and would also give a more accurate picture of the support levels of the major parties by allowing those who do nor have a particular preference to refrain from giving one. It could of course be argued that abolishing compulsory voting would do the same, but whether this would be a good or bad thing is outside the scope of this thesis. Having a redistribution after every second election would also be a positive move because as well as minimising disruption for both a member of parliament and their constituents, it would allow more accurate assessments of electoral fairness over a longer term view. South Australia is unusual in that it has redistribution after every election. However such a change would require a referendum, and achieving a majority may be difficult.

The final observation that can be made about the electoral history of South Australia is that on so many occasions, the changes made have produced different results from those intended by their founders. The so-called fairness clause, it is argued, follows that pattern That at least should be regarded as a good thing, because for as long as the results remain unpredictable, politicians will need to remain responsive to the wishes of the voters. More importantly, it suggests that those who try to manipulate the system for their own advantage are highly likely to be disappointed.

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Appendix 1: Primary Vote and Seat Shares at South Australian Elections 1938-2002

Year of Election	ALP Vote	ALP Seats	LIB Vote	LIB Seats	Other Vote	Other Seats
1938	26.20%	9	33.40%	15	40.40%	15
1941	33.20%	11	37.60%	21	29.20%	7
1944	42.50%	16	45.80%	20	11.70%	3
1947	48.60%	13	40.40%	23	11.00%	3
1950	48.10%	12	40.50%	23	11.40%	4
1953	51.00%	14	36.50%	21	12.50%	4
1956	47.40%	15	36.70%	21	15.90%	3
1959	49.40%	17	37.00%	20	13.60%	2
1962	54.00%	19	34.50%	18	11.50%	2
1965	55.00%	21	35.90%	17	9.10%	1
1968	52.00%	19	43.80%	19	4.20%	1
1970	51.60%	27	43.80%	20	4.60%	0
1973	51.50%	26	39.80%	20	8.70%	1
1975	46.30%	23	31.50%	20	22.20%	4
1977	51.60%	27	41.20%	17	7.20%	3
1979	40.90%	19	47.90%	25	11.20%	3
1982	46.30%	24	42.70%	21	11.00%	2
1985	48.20%	27	42.10%	16	9.70%	4
1989	40.10%	22	44.20%	22	15.70%	3
1993	30.40%	10	52.80%	37	16.80%	0
1997	35.20%	21	40.40%	23	24.40%	3
2002	36.30%	23	40.00%	20	23.70%	4

Appendix 2:   Post-1977 South Australian Election Pendulum

ALP SEATS		NON-LABOR SEATS
27		20

ALP SEATS

27

Spence

25% ——

Stuart
Whyalla
Elizabeth
Semaphore
Ross Smith
Napier

20% ——

Salisbury
Price
Peake
Florey
Baudin
Adelaide
Playford

15% ——

Albert Park
Gilles
Ascot Park
Mitchell
Hartley
Norwood
Unley

10% ——

Newland
Henley Beach
Brighton
Mawson
Todd

5%

Morphett

Torrens
Coles
Mount Gambier

0%

NON-LABOR SEATS

20

—— 25%

Goyder
Davenport
Flinders*
Mallee

—— 20%

Alexandra

Kavel

Bragg
Victoria

—— 15%

Mitcham*
Light
Fisher
Murray

—— 10%

Chaffey
Glenelg
Rocky River
Eyre
Hanson

5%

* Mitcham (est) held by Australian Democrats
* Flinders held by National Country Party

Appendix 3:   Post-1979 South Australian Election Pendulum

SWING-TO-LOSE: TWO-PARTY PREFERRED VOTES

LABOR SEATS***	NON-LABOR SEATS
20 (ALP 19)	27 (LIB 25)

NON-LABOR SEATS:
*Mitcham
Davenport
Mallee
Flinders
Goyder

25% — Spence | Alexandra / Kavel — 25%

Bragg / Fisher — 20%

20% — Ross Smith | Victoria

Stuart / Whyalla | Glenelg / Light

Murray — 15%

15% — | Hanson / Chaffey / Rocky River / Coles

***Semaphore

Salisbury / Price / Elizabeth | Torrens / Eyre — 10%

10% —

Napier / Adelaide / Peake | Newland / Mt. Gambier / Morphett

Baudin / Gilles / Playford / Hartley

Mitchell / Albert Park 4.4 / Florey 4.0 / Unley 3.8

Ascot Park 1.8 / 2.4

0.2 Norwood

4.8 / 4.7 Todd / 3.1 Mawson / 1.1 Henley Beach / Brighton

5%   5%

0%

* Mitcham (est) held by Australian Democrats

** Flinders (est.) held by National Country Party

Appendix 4: Post-1982 South Australian Election Pendulum

SWING-TO-LOSE: TWO-PARTY PREFERRED VOTES

LABOR SEATS
25(ALP 24')

NON-LABOR SEATS
22(LIB 21)

Spence
Ross Smith

Mallee
(Flinders)*
Davenport
Goyder

25%   25%

Salisbury
Elizabeth
Stuart
(Semaphore)*

Mitcham

20%   20%

Peake
Napier
Whyalla
Price
Baudin
Albert Park

Alexandra
Kavel
Victoria
Bragg
Chaffey
Light

15%   15%

Playford
Adelaide
Florey

Glenelg
Eyre

Mitchell
Hartley

Fisher
Murray
Rocky River

10%   10%

Gilles 9.5
Ascot Park 9.4
Norwood 9.2
6.7
6.7
Unley
Mawson

5%   5%

8.3 Hanson

0%

Henley Beach 4.1
Newland 3.7
Brighton 0.9

4.6
2.3
1.6
1.5
1.4 Coles
Todd
Morphett
Mt Gambier
Torrens

Two Party preferred Vote South Australian Election 1977

Appendix 5

Seat Name	ALP 1977	LIB 1977	Total	ALP %	LIB %
Adelaide	9996	5102	15098	66.21%	33.79%
Albert Park	10188	5701	15889	64.12%	35.88%
Alexandra	4823	11134	15957	30.22%	69.78%
Ascot Park	9856	5914	15770	62.50%	37.50%
Baudin	11463	5722	17185	66.70%	33.30%
Bragg	5390	10134	15524	34.72%	65.28%
Brighton	9848	7109	16957	58.08%	41.92%
Chaffey	6445	9522	15967	40.36%	59.64%
Coles	7903	8355	16258	48.61%	51.39%
Davenport	4129	11865	15994	25.82%	74.18%
Elizabeth	11082	4235	15317	72.35%	27.65%
Eyre	5980	7589	13569	44.07%	55.93%
Fisher	6828	10429	17257	39.57%	60.43%
Flinders	3809	10986	14795	25.75%	74.25%
Florey	10824	5325	16149	67.03%	32.97%
Gilles	10101	5984	16085	62.80%	37.20%
Glenelg	6423	9421	15844	40.54%	59.46%
Goyder	3985	11700	15685	25.41%	74.59%
Hanson	7150	8885	16035	44.59%	55.41%
Hartley	10292	6736	17028	60.44%	39.56%
Henley Beach	9780	6702	16482	59.34%	40.66%
Kavel	5029	11064	16093	31.25%	68.75%
Light	5815	8968	14783	39.34%	60.66%
Mallee	3755	10611	14366	26.14%	73.86%
Mawson	10283	7927	18210	56.47%	43.53%
Mitcham	6188	9751	15939	38.82%	61.18%
Mitchell	9794	6157	15951	61.40%	38.60%
Morphett	8040	7928	15968	50.35%	49.65%
Mount Gambier	7726	8181	15907	48.57%	51.43%
Murray	6389	9595	15984	39.97%	60.03%
Napier	10350	4238	14588	70.95%	29.05%
Newland	10500	7056	17556	59.81%	40.19%
Norwood	9361	6181	15542	60.23%	39.77%
Peake	10325	4989	15314	67.42%	32.58%
Playford	11080	5449	16529	67.03%	32.97%
Price	10304	4545	14849	69.39%	30.61%
Rocky River	6597	9193	15790	41.78%	58.22%
Ross Smith	10773	4156	14929	72.16%	27.84%
Salisbury	12150	5333	17483	69.50%	30.50%
Semaphore	11833	4558	16391	72.19%	27.81%
Spence	11307	3316	14623	77.32%	22.68%
Stuart	11295	3985	15280	73.92%	26.08%
Todd	9273	7136	16409	56.51%	43.49%
Torrens	7347	8124	15471	47.49%	52.51%
Unley	9022	5999	15021	60.06%	39.94%
Victoria	4923	9285	14208	34.65%	65.35%
Whyalla	11203	4102	15305	73.20%	26.80%
Total	396957	346377	743334	53.40%	46.60%

Two Party preferred Vote South Australian Election 1979

Appendix 6

Seat Name	ALP	LIB	Total	ALP %	LIB %	Swing
Adelaide	7905	5746	13651	57.91%	42.09%	-8.30%
Albert Park	8589	7346	15935	53.90%	46.10%	-10.02%
Alexandra	4110	12522	16632	24.71%	75.29%	-5.51%
Ascot Park	7609	7122	14731	51.65%	48.35%	-10.85%
Baudin	10321	8200	18521	55.73%	44.27%	-10.98%
Bragg	4288	10542	14830	28.91%	71.09%	-5.81%
Brighton	7625	9209	16834	45.30%	54.70%	-12.78%
Chaffey	5849	10452	16301	35.88%	64.12%	-4.48%
Coles	6209	10234	16443	37.76%	62.24%	-10.85%
Davenport	3161	13173	16334	19.35%	80.65%	-6.46%
Elizabeth	9754	6360	16114	60.53%	39.47%	-11.82%
Eyre	5250	7856	13106	40.06%	59.94%	-4.01%
Fisher	5673	13346	19019	29.83%	70.17%	-9.74%
Flinders	3177	11371	14548	21.84%	78.16%	-3.91%
Florey	8386	7238	15624	53.67%	46.33%	-13.35%
Gilles	8589	6915	15504	55.40%	44.60%	-7.40%
Glenelg	4980	10218	15198	32.77%	67.23%	-7.77%
Goyder	3495	11772	15267	22.89%	77.11%	-2.51%
Hanson	5525	10044	15569	35.49%	64.51%	-9.10%
Hartley	8959	7314	16273	55.05%	44.95%	-5.39%
Henley Beach	7976	8289	16265	49.04%	50.96%	-10.30%
Kavel	4195	12143	16338	25.68%	74.32%	-5.57%
Light	4856	9947	14803	32.80%	67.20%	-6.53%
Mallee	2993	11145	14138	21.17%	78.83%	-4.97%
Mawson	9201	10384	19585	46.98%	53.02%	-9.49%
Mitcham	3852	11557	15409	25.00%	75.00%	-13.82%
Mitchell	8321	6999	15320	54.31%	45.69%	-7.09%
Morphett	6867	8499	15366	44.69%	55.31%	-5.66%
Mount Gambier	7162	8983	16145	44.36%	55.64%	-4.21%
Murray	5524	10693	16217	34.06%	65.94%	-5.91%
Napier	8976	6111	15087	59.49%	40.51%	-11.45%
Newland	8433	10765	19198	43.93%	56.07%	-15.88%
Norwood	7340	7373	14713	49.89%	50.11%	-10.34%
Peake	8319	6066	14385	57.83%	42.17%	-9.59%
Playford	8839	7211	16050	55.07%	44.93%	-11.96%
Price	8262	5387	13649	60.53%	39.47%	-8.86%
Rocky River	5761	9849	15610	36.91%	63.09%	-4.87%
Ross Smith	9522	4400	13922	68.40%	31.60%	-3.77%
Salisbury	10840	6996	17836	60.78%	39.22%	-8.72%
Semaphore	10222	5877	16099	63.49%	36.51%	-8.70%
Spence	9502	4027	13529	70.23%	29.77%	-7.09%
Stuart	10236	5054	15290	66.95%	33.05%	-6.97%
Todd	7721	9287	17008	45.40%	54.60%	-11.12%
Torrens	5835	8777	14612	39.93%	60.07%	-7.56%
Unley	7120	6506	13626	52.25%	47.75%	-7.81%
Victoria	4451	9476	13927	31.96%	68.04%	-2.69%
Whyalla	9607	4798	14405	66.69%	33.31%	-6.51%
Total	331387	403579	734966	45.09%	54.91%	-8.31%

Two Party preferred Vote South Australian Election 1982

Appendix 7

Seat Name	ALP 1982	LIB 1982	Total	ALP %	LIB %	Swing
Adelaide	8313	4692	13005	63.92%	36.08%	6.01%
Albert Park	11459	6108	17567	65.23%	34.77%	11.33%
Alexandra	5547	12644	18191	30.49%	69.51%	5.78%
Ascot Park	8876	6084	14960	59.33%	40.67%	7.68%
Baudin	13570	7138	20708	65.53%	34.47%	9.80%
Bragg	4896	9666	14562	33.62%	66.38%	4.71%
Brighton	9123	8827	17950	50.82%	49.18%	5.53%
Chaffey	5698	10921	16619	34.29%	65.71%	-1.60%
Coles	8540	8980	17520	48.74%	51.26%	10.98%
Davenport	4051	12980	17031	23.79%	76.21%	4.43%
Elizabeth	12039	4913	16952	71.02%	28.98%	10.49%
Eyre	4862	7977	12839	37.87%	62.13%	-2.19%
Fisher	8451	13329	21780	38.80%	61.20%	8.97%
Flinders	3326	11790	15116	22.00%	78.00%	0.17%
Florey	10164	5751	15915	63.86%	36.14%	10.19%
Gilles	8723	5964	14687	59.39%	40.61%	3.99%
Glenelg	5727	9490	15217	37.64%	62.36%	4.87%
Goyder	3893	11725	15618	24.93%	75.07%	2.03%
Hanson	6609	9212	15821	41.77%	58.23%	6.29%
Hartley	10076	6711	16787	60.02%	39.98%	4.97%
Henley Beach	9216	7857	17073	53.98%	46.02%	4.94%
Kavel	5706	11452	17158	33.26%	66.74%	7.58%
Light	5331	10000	15331	34.77%	65.23%	1.97%
Mallee	3259	11292	14551	22.40%	77.60%	1.23%
Mawson	12737	9786	22523	56.55%	43.45%	9.57%
Mitcham	4123	11143	15266	27.01%	72.99%	2.01%
Mitchell	9448	6123	15571	60.68%	39.32%	6.36%
Morphett	7259	7696	14955	48.54%	51.46%	3.85%
Mount Gambier	8065	8816	16881	47.78%	52.22%	3.42%
Murray	6701	10327	17028	39.35%	60.65%	5.29%
Napier	10768	4789	15557	69.22%	30.78%	0.72%
Newland	11871	10297	22168	53.55%	46.45%	9.62%
Norwood	8963	6201	15164	59.11%	40.89%	9.22%
Peake	10077	4432	14509	69.45%	30.55%	11.62%
Playford	11304	6165	17469	64.71%	35.29%	9.64%
Price	8753	4488	13241	66.11%	33.89%	5.57%
Rocky River	6296	9566	15862	39.69%	60.31%	2.79%
Ross Smith	10200	3284	13484	75.65%	24.35%	7.25%
Salisbury	14316	5418	19734	72.54%	27.46%	11.77%
Semaphore	11841	5075	16916	70.00%	30.00%	6.50%
Spence	9866	2803	12669	77.88%	22.12%	7.64%
Stuart	10942	4690	15632	70.00%	30.00%	3.05%
Todd	9121	9652	18773	48.59%	51.41%	3.19%
Torrens	6650	7961	14611	45.51%	54.49%	5.58%
Unley	8209	6283	14492	56.65%	43.35%	4.39%
Victoria	4815	9592	14407	33.42%	66.58%	1.46%
Whyalla	10194	4798	14992	68.00%	32.00%	1.30%
Total	389974	374888	764862	50.99%	49.01%	5.90%
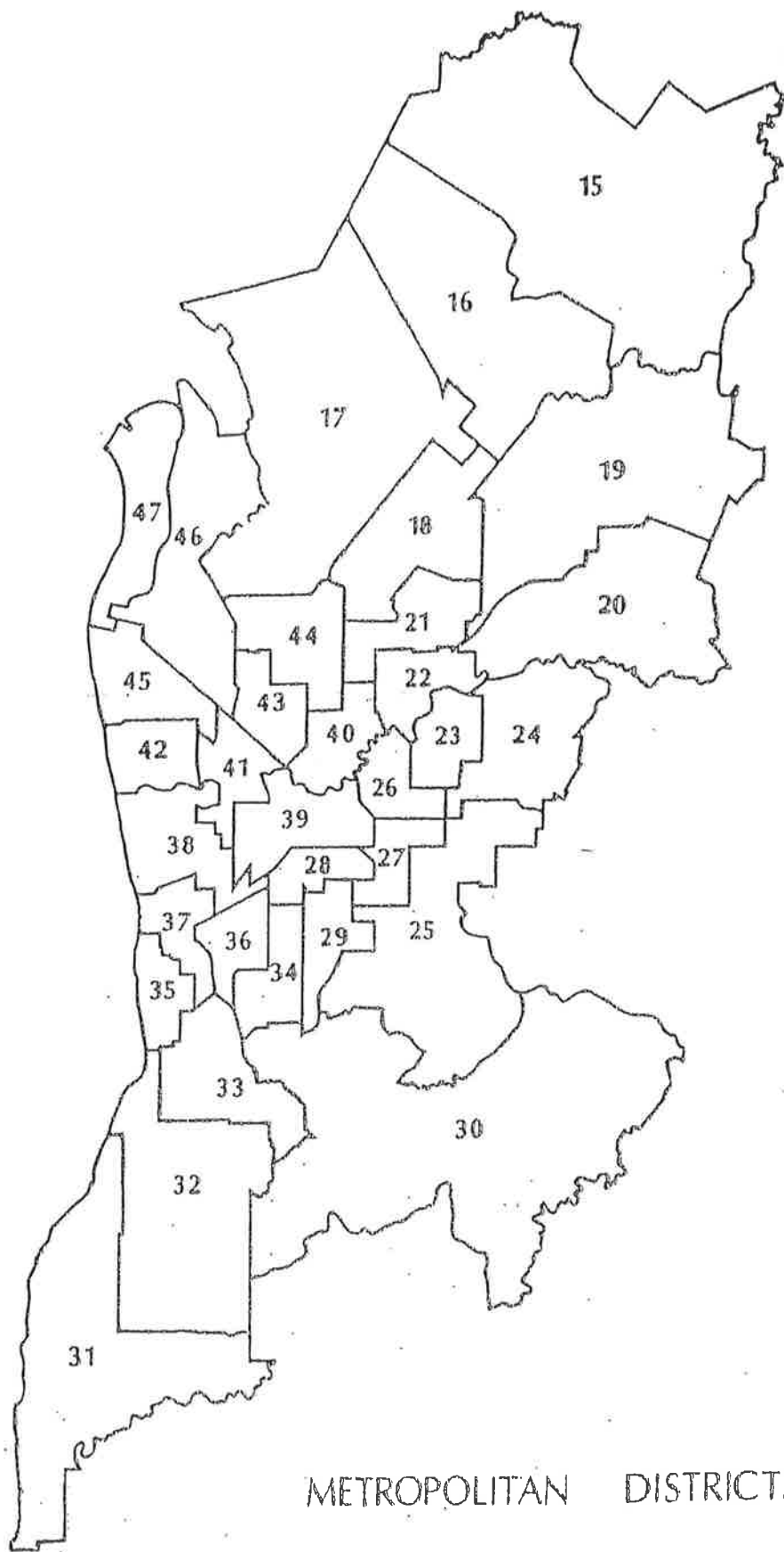
15 Napier
16 Elizabeth
17 Salisbury
18 Playford
19 Newland
20 Todd
21 Florey
22 Gilles
23 Hartley
24 Coles
25 Davenport
26 Norwood
27 Bragg
28 Unley
29 Mitcham
30 Fisher
31 Baudin
32 Mawson
33 Brighton
34 Mitchell
35 Glenelg
36 Ascot Park
37 Morphett
38 Hanson
39 Adelaide
40 Torrens
41 Peake
42 Henley Beach
43 Spence
44 Rose Smith
45 Albert Park
46 Price
47 Semaphore

METROPOLITAN   DISTRICTS

Appendix 8:   Maps of Boundaries used at the 1977, 1979 and 1982 South Australian Elections

5

13

14 6
7

8
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10

11

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12

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1
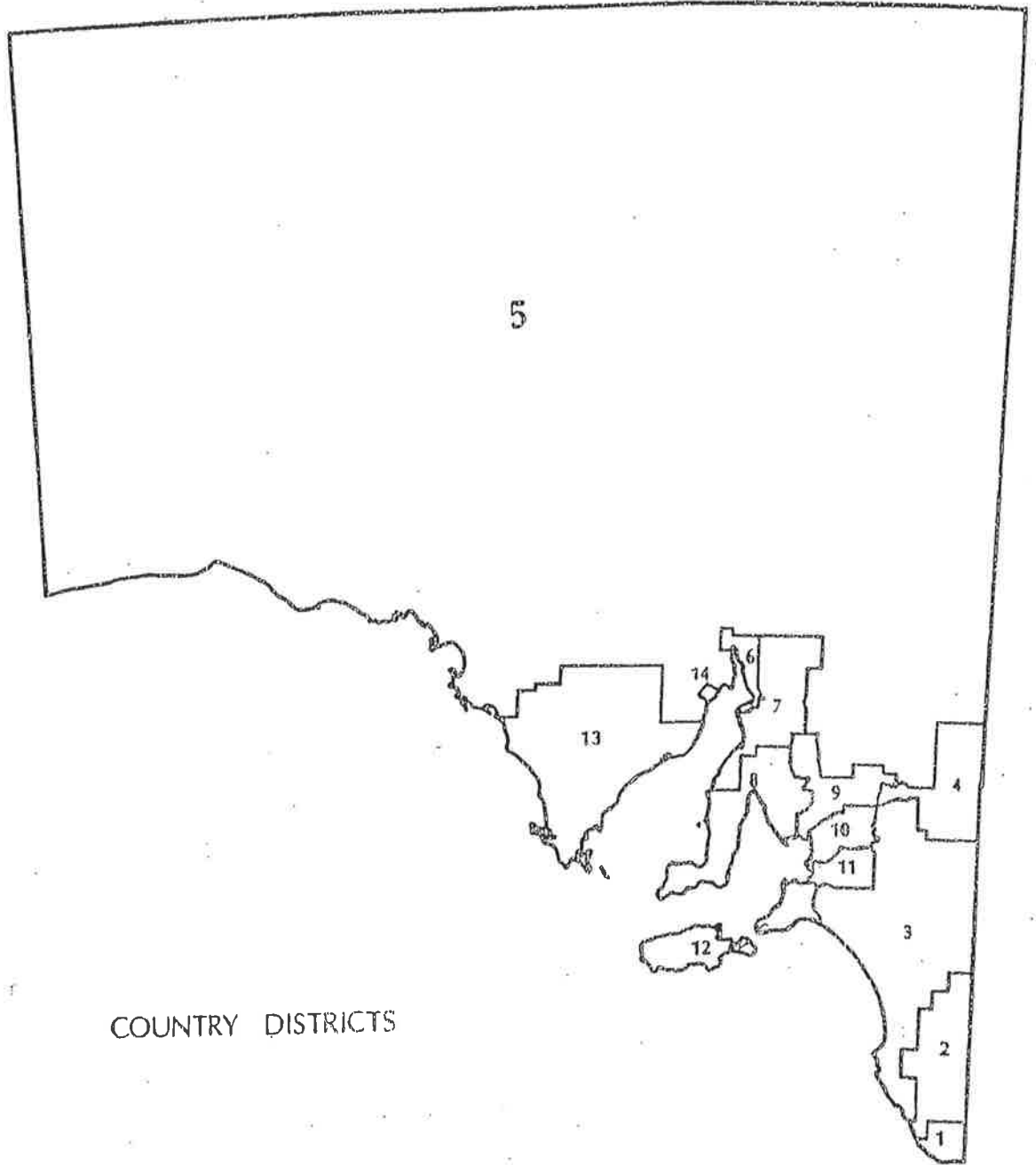
COUNTRY DISTRICTS

1	Mount Gambier	8	Goyder
2	Victoria	9	Light
3	Mallee	10	Kavel
4	Chaffey	11	Murray
5	Eyre	12	Alexandra
6	Stuart	13	Flinders
7	Rocky River	14	Whyalla

SWING-TO-LOSE: TWO-PARTY PREFERRED VOTES

LABOR SEATS
25 (ALP 23)

NON-LABOR SEATS
22 (LIB 21)

Whyalla
* Semaphore
Price

Alexandra
** Flinders

25%   25%

Ramsay
Stuart
* Elizabeth
Spence
Napier

Bragg
Custance
Davenport
Murray-Mallee

20%   20%

Goyder
Victoria

Ross Smith
Peake
Briggs

Chaffey

15%   15%

Playford
Albert Park

Eyre
Light

Heysen

Baudin
Gilles
Mawson

Mitcham

10%   10%

Hartley
Mitchell
Walsh
Norwood
Florey

Kavel
Coles
Morphett

5%   0%   5%

Henley Beach
Unley
Todd
Hayward
Newland
Bright
Fisher
Mt Gambier
Adelaide
Hanson

* Independent Labor

** National

Appendix 9:   Pre-1985 South Australian Election Pendulum

SWING-TO-LOSE: TWO-PARTY PREFERRED VOTES

LABOR SEATS (ALP 27) 29			NON-LABOR SEATS (LIB 16) 18
** Semaphore	25%	25%	
Price			* Flinders
Ramsay			*** Davenport
Napier			
** Elizabeth			
Stuart			
	20%	20%	
Playford			Murray Mallee
Ross Smith			Victoria
Spence			
Briggs			Bragg
Whyalla			Chaffey
Mawson			Custance
			Eyre
Peake			Alexandra
	15%	15%	
Gilles			
Baudin			
Mitchell			
Albert Park			Goyder
Hartley			
			Kavel
Walsh	10%	10%	Mt Gambier
Florey			Light
			Heysen
Henley Beach			Coles
			Mitcham
Norwood			
Todd			
Unley	5%	5%	Morphett
		0%	

Hayward
Bright
Newland
Fisher
Adelaide
Hanson

* Independent Labor
** National
*** Independent Liberal

Appendix 10: Post 1985 South Australian Election Pendulum

Appendix 11: Post-1989 South Australian Election Pendulum

POST-ELECTION PENDULUM

SWING TO LOSE - TWO-PARTY PREFERRED VOTES

LABOR SEATS   NON-LABOR SEATS

(ALP 22) 24   (LIB 22) 23

LABOR SEATS		NON-LABOR SEATS	
		** Flinders	28.3
		Victoria	23.3
		Murray Mall	22.7
		Mt Gambier	22.6
		Chaffey	20.8
		Custance	20.2
* Semaphore	20.6	Bragg	20.1
* Elizabeth	19.1	Eyre	18.7
Stuart	18.1		
Napier	17.3	Goyder	16.5
		Alexandra	16.1
Ramsay	16.8	Davenport	16.0
Price	16.7	Kavel	15.6
		Heysen	15.2
Ross Smith	14.2		
Spence	14.1		
		Coles	13.2
		Light	13.0
Briggs	11.9		
Whyalla	11.0	Mitcham	11.1
Peake	10.1	Morphett	10.1
Playford	9.2		
Albert Park	8.2		
Mawson	7.4		
Gilles	6.7		
Walsh	6.4	Hanson	6.2
Baudin	5.2		

20%   20%

15%   15%

10%   10%

5%   5%

Hartley 4.6
Mitchell 4.4
Henley Bch 4.1
Todd 2.9
Norwood 2.6
Unley 2.4
Florey 1.9
Newland 0.2
Hayward 1.0
Bright 1.1
Adelaide / Fisher
Fisher 3.2
3.4

Appendix 12: Two Party preferred Vote South Australian Election 1985

Seat Name	ALP 1985	LIB 1985	Total	ALP %	LIB %
Adelaide	8414	8226	16640	50.56%	49.44%
Albert Park	11530	6805	18335	62.89%	37.11%
Baudin	11296	6438	17734	63.70%	36.30%
Bragg	5846	12166	18012	32.46%	67.54%
Briggs	10894	5262	16156	67.43%	32.57%
Bright	9430	8861	18291	51.56%	48.44%
Coles	6734	9445	16179	41.62%	58.38%
Davenport	6163	11070	17233	35.76%	64.24%
Elizabeth	10936	4216	15152	72.18%	27.82%
Fisher	10469	10012	20481	51.12%	48.88%
Florey	10450	7492	17942	58.24%	41.76%
Gilles	10689	5958	16647	64.21%	35.79%
Hanson	8596	8895	17491	49.15%	50.85%
Hartley	10853	6519	17372	62.47%	37.53%
Hayward	9146	8170	17316	52.82%	47.18%
Henley Beach	10373	7724	18097	57.32%	42.68%
Heysen	7139	10175	17314	41.23%	58.77%
Mawson	11740	6009	17749	66.14%	33.86%
Mitcham	7410	10368	17778	41.68%	58.32%
Mitchell	10864	6241	17105	63.51%	36.49%
Morphett	7723	9318	17041	45.32%	54.68%
Napier	11814	4263	16077	73.48%	26.52%
Newland	9665	9107	18772	51.49%	48.51%
Norwood	9526	7386	16912	56.33%	43.67%
Peake	11232	5869	17101	65.68%	34.32%
Playford	11810	5216	17026	69.36%	30.64%
Price	13025	4498	17523	74.33%	25.67%
Ramsay	12959	4516	17475	74.16%	25.84%
Ross Smith	11895	5416	17311	68.71%	31.29%
Semaphore	12884	4454	17338	74.31%	25.69%
Spence	11978	5544	17522	68.36%	31.64%
Todd	9669	7613	17282	55.95%	44.05%
Unley	9444	7737	17181	54.97%	45.03%
Walsh	10091	6537	16628	60.69%	39.31%
Alexandra	6180	11577	17757	34.80%	65.20%
Chaffey	5797	11415	17212	33.68%	66.32%
Custance	5673	11184	16857	33.65%	66.35%
Eyre	5135	9879	15014	34.20%	65.80%
Flinders	4956	12474	17430	28.43%	71.57%
Goyder	7286	12077	19363	37.63%	62.37%
Kavel	6974	11250	18224	38.27%	61.73%
Light	7331	10675	18006	40.71%	59.29%
Mount Gambier	7004	10457	17461	40.11%	59.89%
Murray-Mallee	5647	12319	17966	31.43%	68.57%
Stuart	11920	4628	16548	72.03%	27.97%
Victoria	5812	12549	18361	31.65%	68.35%
Whyalla	11047	5429	16476	67.05%	32.95%
Total	433449	383439	816888	53.06%	46.94%

Two Party preferred Vote South Australian Election 1989

Appendix 13

Seat Name	ALP 1989	LIB 1989	Total	ALP %	LIB %	Swing
Adelaide	7956	9090	17046	46.67%		-3.98%
Albert Park	11398	8233	19631	58.06%		-4.82%
Baudin	11173	9114	20287	55.07%		-8.62%
Bragg	5446	12711	18157	29.99%		-2.46%
Briggs	11278	6978	18256	61.78%		-5.65%
Bright	9757	10139	19896	49.04%		-2.52%
Coles	6401	10928	17329	36.94%		-4.68%
Davenport	6189	11983	18172	34.06%		-1.70%
Elizabeth	9367	5282	14649	63.94%		-8.23%
Fisher	11789	13323	25112	46.95%		-4.17%
Florey	11181	10417	21598	51.77%		-6.47%
Gilles	9293	7130	16423	56.59%		-7.62%
Hanson	7649	9779	17428	43.89%		-5.26%
Hartley	9563	7989	17552	54.48%		-7.99%
Hayward	8181	8495	16676	49.06%		-3.76%
Henley Beach	10077	8582	18659	54.01%		-3.31%
Heysen	6843	12749	19592	34.93%		-6.31%
Mawson	12105	9012	21117	57.32%		-8.82%
Mitcham	6976	10890	17866	39.05%		-2.63%
Mitchell	9279	7799	17078	54.33%		-9.18%
Morphett	6806	10199	17005	40.02%		-5.30%
Napier	11570	5650	17220	67.19%		-6.29%
Newland	10391	10438	20829	49.89%		-1.60%
Norwood	8887	8043	16930	52.49%		-3.83%
Peake	10355	6908	17263	59.98%		-5.70%
Playford	10597	7329	17926	59.12%		-10.24%
Price	11854	5943	17797	66.61%		-7.72%
Ramsay	14728	7339	22067	66.74%		-7.42%
Ross Smith	10762	6043	16805	64.04%		-4.67%
Semaphore	13025	5006	18031	72.24%		-2.07%
Spence	11298	6361	17659	63.98%		-4.38%
Todd	9958	8890	18848	52.83%		-3.12%
Unley	9102	8285	17387	52.35%		-2.62%
Walsh	9532	7387	16919	56.34%		-4.35%
Alexandra	7019	13599	20618	34.04%		-0.76%
Chaffey	5365	12921	18286	29.34%		-4.34%
Custance	5108	11983	17091	29.89%		-3.77%
Eyre	4929	10777	15706	31.38%		-2.82%
Flinders	3942	13113	17055	23.11%		-5.32%
Goyder	6851	13518	20369	33.63%		-3.99%
Kavel	7147	13567	20714	34.50%		-3.76%
Light	7571	12818	20389	37.13%		-3.58%
Mount Gambier	5050	13286	18336	27.54%		-12.57%
Murray-Mallee	5053	13417	18470	27.36%		-4.07%
Stuart	11139	6386	17525	63.56%		-8.47%
Victoria	5007	13706	18713	26.76%		-4.90%
Whyalla	9299	5970	15269	60.90%		-6.15%
Total	414246	449505	863751	47.96%		-5.10%

Appendix 14: Maps of Boundaries used at the 1985 & 1989 South Australian Elections
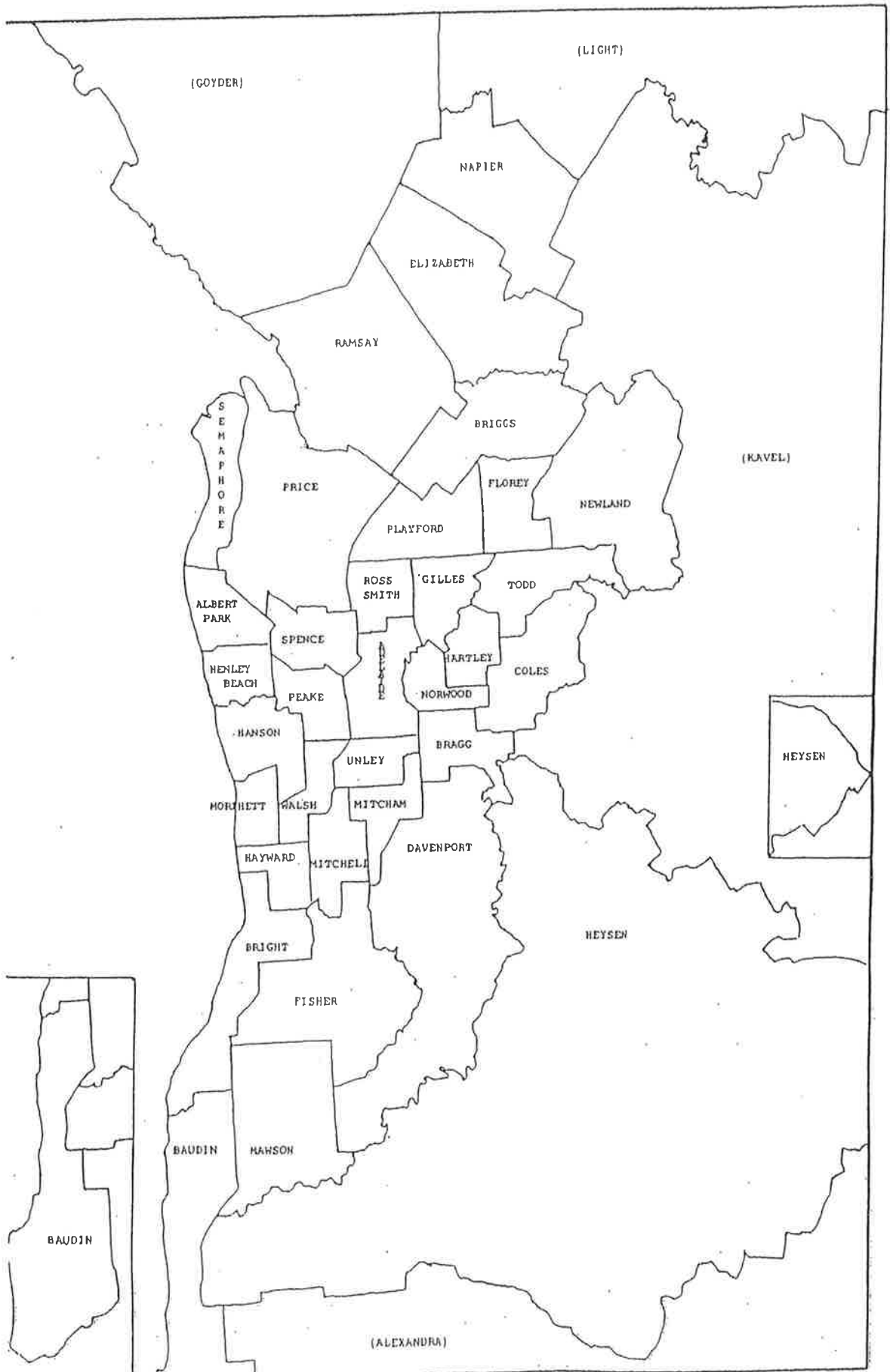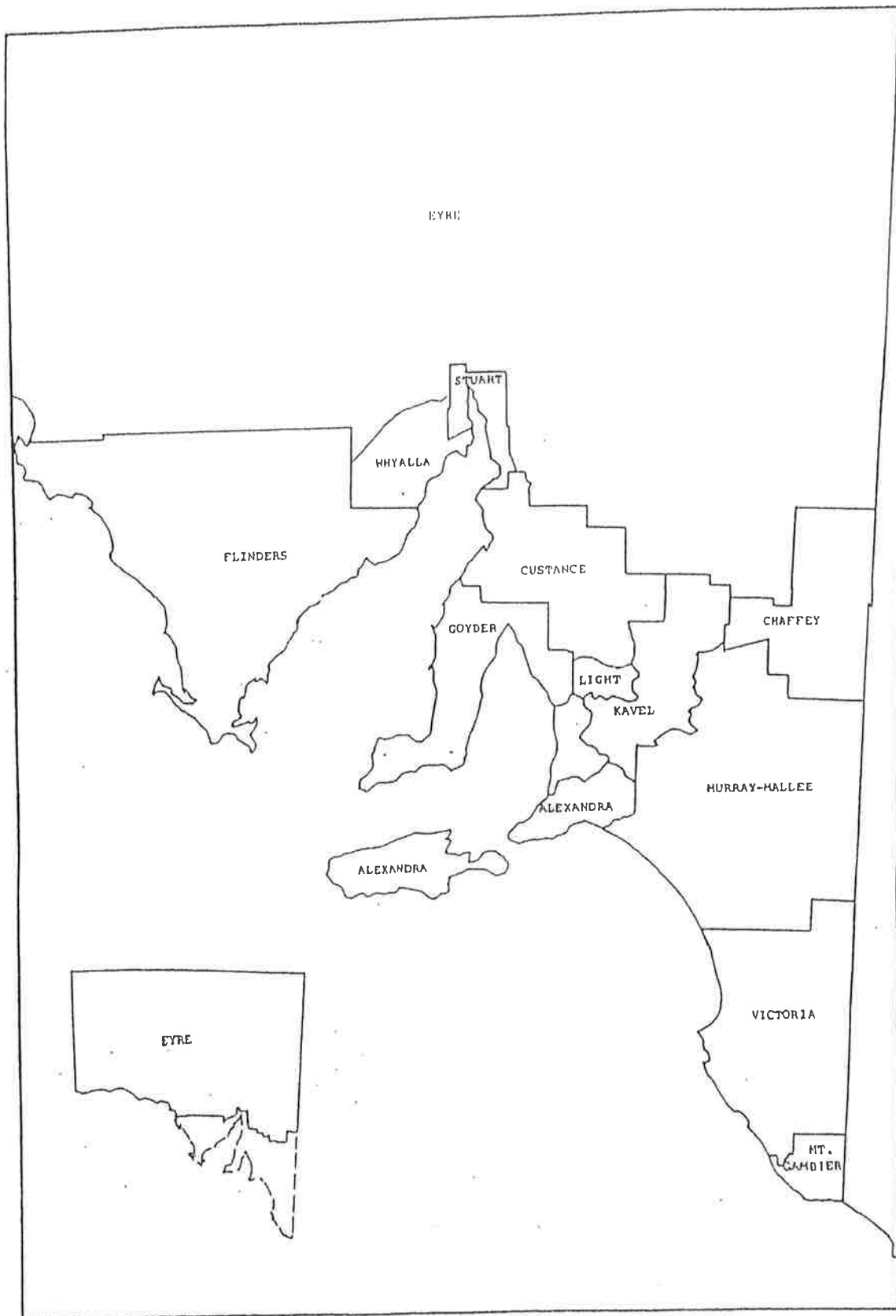
Appendix 15: 1989 House of Assembly and Legislative Council Two Party preferred votes compared

COMPARISON OF 2 PARTY PREFERRED VOTES (ALP & LIBERAL) USING HOUSE OF ASSEMBLY AND LEGISLATIVE COUNCIL FIGURES

| Electorate | A.L.P. | | | LIBERAL | |
	House of Assembly 2PP%	Leg. Council 2PP%	Difference	House of Assembly 2PP%	Leg. Council 2PP%
Adelaide	46.7	44.3	2.4	53.3	55.7
Albert Park	58.1	52.5	5.6	41.9	47.5
Alexandra	34.0	32.7	1.3	66.0	67.7
Baudin	55.1	53.2	1.9	44.9	46.8
Bragg	30.0	29.2	0.8	70.0	70.8
Briggs	61.8	58.3	3.5	38.2	41.7
Bright	49.0	46.1	2.9	51.0	53.9
Chaffey	29.3	36.4	-7.1	70.7	63.6
Coles	36.9	38.0	-1.1	63.1	62.0
Custance	29.9	31.4	-1.5	70.1	68.7
Davenport	34.1	36.0	-1.9	65.9	64.0
Elizabeth	63.9*	62.5	1.4	36.1*	37.5
Eyre	31.4	35.2	-3.8	68.6	64.8
Fisher	46.9	45.6	1.3	53.1	54.4
Flinders	23.1*	25.4	-2.3	76.9*	74.6
Florey	51.8	50.8	1.0	48.2	49.2
Gilles	56.6	54.8	1.8	43.4	45.2
Goyder	33.6	36.2	-2.6	66.4	63.8
Hanson	43.9	45.3	-1.4	56.1	54.7
Hartley	54.5	52.7	1.8	45.5	47.3
Hayward	49.1	46.7	2.4	50.9	53.3
Henley Beach	54.0	52.3	1.7	46.0	47.7
Heysen	34.9	37.8	-2.9	65.1	62.2
Kavel	34.5	35.3	-0.8	65.5	64.7
Light	37.1	39.3	-2.2	62.9	60.7
Mawson	57.3	53.8	3.5	42.7	46.2
Mitcham	39.0	38.5	0.5	61.0	61.5
Mitchell	54.3	52.4	1.9	45.7	47.6
Morphett	40.0	39.2	0.8	60.0	60.8
Mt. Gambier	27.5	41.4	-13.9	72.5	58.6
Murray-Mallee	27.4	29.7	-2.3	72.6	70.3
Napier	67.2	64.0	3.2	32.8	36.0
Newland	49.9	47.6	2.3	50.1	52.4
Norwood	52.5	47.3	5.2	47.5	52.7
Peake	60.0	59.1	0.9	40.0	40.9
Playford	59.1	57.9	1.2	40.9	42.1
Price	66.6	63.8	2.8	33.4	36.2
Ramsay	66.7	62.2	4.5	33.3	37.8
Ross Smith	64.0	58.9	5.1	36.0	41.1
Semaphore	72.2*	65.0	7.2	27.8*	35.0
Spence	64.0	60.0	4.0	36.0	40.0
Stuart	63.6*	62.9	0.7	36.4*	37.1
Todd	52.8	49.9	2.9	47.2	50.1

Unley	52.3	47.5	4.8	47.7	52.5
Victoria	26.8	29.9	-3.1	73.2	70.1
Walsh	56.3	52.4	3.9	43.7	47.6
Whyalla	60.9	63.9	-3.0	39.1	36.1

* 2 party preferred figures—not actual result

Elizabeth	32.9 ALP	67.1 IND LAB
Flinders	60.9 NAT	39.1 LIB
Semaphore	37.2 ALP	62.8 IND LAB
Stuart	56.2 ALP	43.8 IND

Note:

1. 2 party preferred results for the House of Assembly candidates have been taken from the Department's publication "General Elections 1989" except for the figures asterisked. These figures come from another S.E.D. publication (13/3/90 SED 62/89).

2. Legislative Council two party preferred figures have been worked out by using L.C. figures, published in "General Elections 1989".

3. The following assumptions were used in the Legislative Council calculations:

   (a) The number of ticket votes for each candidate or group of candidates (other than Labor and Liberal) in each District has been worked out on the basis of the State wide percentage of ticket votes received by that candidate or group. These votes were then allocated to Labor or Liberal depending on the preference contained in the registered ticket.

   (b) Non-ticket votes were then grouped and allocated to Labor - Liberal on a nominal 60-40 basis. In most cases the non-ticket votes totalled around 2% of the total votes cast.

Appendix 16
Comparison of Primary Votes for each House at the 1989 South Australian Election

Seat Name	ALP LC%	ALP HA	HA-LC	LIB LC%	LIB HA	HA-LC	DEM LC%	DEM HA	HA-LC	NAT LC%	NAT HA	HA-LC
Adelaide	35.35%	39.80%	4.45%	45.33%	48.60%	3.27%	12.17%	9.50%	-2.67%			
Albert Park	46.42%	53.90%	7.48%	38.24%	38.40%	0.16%	8.94%	7.80%	-1.14%			
Alexandra	24.38%	25.60%	1.22%	54.36%	59.20%	4.84%	12.39%	15.20%	2.81%			
Baudin	44.08%	48.40%	4.32%	32.51%	36.20%	3.69%	12.10%	5.80%	-6.30%			
Bragg	20.95%	22.40%	1.45%	60.46%	63.80%	3.34%	12.42%	15.80%	3.38%			
Briggs	49.07%	55.40%	6.33%	28.04%	32.40%	4.36%	10.59%	12.20%	1.61%			
Bright	37.47%	41.90%	4.43%	41.38%	44.80%	3.42%	13.68%	11.20%	-2.48%			
Chaffey	29.21%	24.20%	-5.01%	52.37%	58.60%	6.23%	10.97%	11.60%	0.63%	0.70%		-0.70%
Coles	26.38%	30.80%	4.42%	56.52%	56.80%	0.28%	11.48%	12.40%	0.92%			
Custance	26.50%	25.40%	-1.10%	58.78%	61.60%	2.82%	7.14%	5.80%	-1.34%	1.55%	3.70%	2.15%
Davenport	24.64%	23.00%	-1.64%	50.54%	55.80%	5.26%	17.80%	19.00%	1.20%			
Elizabeth	55.47%	27.10%	-28.37%	25.18%	21.20%	-3.98%	9.40%	5.90%	-3.50%			
Eyre	30.06%	27.20%	-2.86%	54.58%	62.10%	7.52%	6.85%	6.90%	0.05%	1.47%	3.80%	2.33%
Fisher	37.90%	40.80%	2.90%	44.09%	46.40%	2.31%	12.21%	9.30%	-2.91%			
Flinders	19.91%	12.70%	-7.21%	47.55%	36.00%	-11.55%	5.73%	3.00%	-2.73%	20.37%	48.30%	27.93%
Florey	43.38%	44.40%	1.02%	37.61%	40.00%	2.39%	11.02%	9.90%	-1.12%			
Gilles	45.41%	49.80%	4.39%	31.44%	37.10%	5.66%	11.19%	13.10%	1.91%			
Goyder	31.78%	30.50%	-1.28%	55.14%	62.10%	6.96%	5.94%	7.40%	1.46%			
Hanson	38.56%	39.40%	0.84%	43.91%	52.40%	8.49%	9.31%	8.20%	-1.11%			
Hartley	45.16%	47.70%	2.54%	36.27%	40.40%	4.13%	11.40%	11.90%	0.50%			
Hayward	38.71%	42.70%	3.99%	40.97%	43.60%	2.63%	11.54%	9.30%	-2.24%			
Henley Beach	45.32%	48.50%	3.18%	37.51%	41.10%	3.59%	10.10%	8.10%	-2.00%			
Heysen	26.63%	26.20%	-0.43%	48.71%	57.00%	8.29%	16.71%	16.80%	0.09%			
Kavel	26.65%	26.20%	-0.45%	52.28%	55.80%	3.52%	12.68%	13.00%	0.32%			
Light	32.84%	32.20%	-0.64%	48.96%	53.50%	4.54%	8.69%	7.40%	-1.29%			
Mawson	45.10%	49.70%	4.60%	33.05%	36.80%	3.75%	13.31%	13.50%	0.19%			
Mitcham	28.99%	31.70%	2.71%	48.72%	55.30%	6.58%	14.51%	13.00%	-1.51%			
Mitchell	44.78%	47.90%	3.12%	35.20%	39.20%	4.00%	10.94%	12.90%	1.96%			
Morphett	32.17%	34.80%	2.63%	50.60%	55.10%	4.50%	10.31%	10.10%	-0.21%			
Mount Gambier	33.70%	23.90%	-9.80%	47.04%	67.60%	20.56%	7.29%	6.00%	-1.29%			
Murray-Mallee	24.59%	23.00%	-1.59%	60.10%	63.70%	3.60%	7.05%	9.30%	2.25%	2.01%	4.00%	1.99%
Napier	56.40%	59.80%	3.40%	23.33%	25.50%	2.17%	10.62%	14.70%	4.08%			
Newland	40.60%	44.60%	4.00%	41.27%	43.10%	1.83%	10.03%	7.80%	-2.23%			
Norwood	38.09%	44.30%	6.21%	42.15%	42.30%	0.15%	13.32%	10.80%	-2.52%			
Peake	51.83%	51.90%	0.07%	30.38%	33.50%	3.12%	9.64%	9.90%	0.26%			
Playford	49.76%	51.60%	1.84%	29.66%	32.70%	3.04%	12.11%	15.70%	3.59%			
Price	57.97%	60.80%	2.83%	25.68%	29.70%	4.02%	8.03%	9.50%	1.47%			
Ramsay	55.11%	60.60%	5.49%	26.52%	28.20%	1.68%	10.32%	11.20%	0.88%			
Ross Smith	51.38%	59.00%	7.62%	30.58%	31.50%	0.92%	10.12%	9.50%	-0.62%			
Semaphore	58.15%	33.70%	-24.45%	25.03%	20.20%	-4.83%	8.75%	33.70%	24.95%			
Spence	52.94%	55.30%	2.36%	27.08%	26.40%	-0.68%	8.70%	7.60%	-1.10%			
Stuart	52.93%	48.90%	-4.03%	33.39%	14.40%	-18.99%	8.67%	5.10%	-3.57%			
Todd	42.47%	46.80%	4.33%	38.81%	40.50%	1.69%	11.22%	9.70%	-1.52%			
Unley	37.80%	44.10%	6.30%	41.61%	41.50%	-0.11%	14.00%	10.00%	-4.00%			
Victoria	25.17%	23.50%	-1.67%	60.51%	68.90%	8.39%	5.79%	7.60%	1.81%	1.36%		
Walsh	45.25%	50.40%	5.15%	36.36%	39.10%	2.74%	10.06%	10.50%	0.44%			
Whyalla	55.67%	51.10%	-4.57%	23.59%	25.50%	1.91%	10.96%	8.80%	-2.16%			
Total	39.75%	40.10%	0.35%	41.10%	44.20%	3.10%	10.69%	10.30%	-0.39%	0.78%	1.20%	0.42%

VOLATILITY OF SEATS - COUNTRY v. METROPOLITAN

Estimated swing to lose prior to and after 1993 State Election

1989 Two PP Result applied to 1991 boundaries
(With 0.1% added to reflect swing to lose)

COUNTRY	Pre 1993 Election, Notionally Held by (1)	Pre 1993 Election %				Post 1993 Election % (5)	Post 1993 Election Held by (1)	% Swing to NL (1)
		Mackerras (2)	Jaensch (3)	Newton (4)	Average			
Flinders	NL	33.9	27.1	26.4	29.1	30.7	NL	1.6
MacKillop	NL	23.9	24.6	23.8	24.1	27.8	NL	3.7
Gordon	NL	22.6	25.6	22.6	23.6	22.3	NL	- 1.3
Ridley	NL	20.9	24.1	20.8	22.0	25.2	NL	3.2
Chaffey	NL	20.8	21.1	20.8	20.9	29.1	NL	8.2
Custance	NL	19.4	19.1	20.0	19.5	24.6	NL	5.1
Goyder	NL	18.0	18.1	18.5	18.2	23.4	NL	5.2
Kavel	NL	17.0	18.6	16.9	17.5	24.4	NL	6.9
Light	NL	13.4	15.1	10.8	13.1	16.5	NL	3.4
Heysen	NL	15.0	16.6	14.9	15.5	24.6	NL	9.1
Finniss	NL	15.6	16.1	15.5	15.7	24.5	NL	8.8
Frome	NL	5.9	4.1	4.4	4.8	5.8	NL	1.0
Eyre	NL	0.9	0.7	3.6	1.7	6.6	NL	4.9
Giles	L	8.4	8.6	5.9	7.6	2.5	L	5.1
					AVERAGE SWING			4.64

(1) NL = Non Labor   L = Labor

(2) Source: Mackerras - Australian 30 December 1991
                        - Advertiser 28 October 1993

(3) Source: Jaensch - News 19 December 1991   )   Jaensch's calculations are
                      - Bulletin 17 November 1992   )   approximate and allow
                                                         margin of error of 1%

(4) Source: Appendix D to the submission by the Australian Labor Party (Exhibit No. 16). Appendix D attributed to Ms. J. Newton of the Research Service, Parliamentary Library of South Australia.

(5) Source: State Electoral Office (Appendix No. 7).

METRO-POLITAN	Pre 1993 Election Notionally Held by (1)	Pre 1993 Election %				Post 1993 Election % (5)	Post 1993 Election Held by (1)	% Swing to NL (1)
		Mackerras (2)	Jaensch (3)	Newton (4)	Average			
Bragg	NL	18.1	20.1	18.1	18.8	28.8	NL	10.0
Davenport	NL	13.3	12.6	13.1	13.0	22.3	NL	9.3
Waite	NL	12.1	14.1	12.9	13.0	24.0	NL	11.0
Morphett	NL	9.8	9.6	9.4	9.6	22.0	NL	12.4
Coles	NL	3.7	6.1	2.8	4.2	16.0	NL	11.8
Fisher	NL	3.0	5.1	2.9	3.7	20.8	NL	17.1
Bright	NL	2.7	2.1	2.8	2.5	19.1	NL	16.6
Hartley	NL	2.5	0.5	2.5	1.8	13.3	NL	11.5
Adelaide	NL	2.2	3.1	1.4	2.2	14.2	NL	12.0
Colton	NL	1.0	1.6	1.0	1.2	10.6	NL	9.4
Hart	L	22.4	20.1	22.3	21.6	8.6	L	13.0
Price	L	16.8	17.6	16.1	16.8	11.1	L	5.7
Elizabeth	L	16.7	15.6	15.7	16.0	7.7	L	8.3
Ramsay	L	14.3	17.1	14.0	15.1	10.0	L	5.1
Ross Smith	L	14.2	13.1	13.4	13.6	2.2	L	11.4
Spence	L	14.1	16.1	14.0	14.7	7.8	L	6.9
Taylor	L	13.3	12.6	14.0	13.3	8.1	L	5.2
Napier	L	12.5	14.1	11.3	12.6	1.2	L	11.4
Playford	L	10.2	12.1	9.9	10.7	2.8	L	7.9
Reynell	L	9.4	7.1	9.0	8.5	1.3	NL	9.8
Lee	L	7.5	9.1	8.0	8.2	1.2	NL	9.4
Wright	L	6.3	5.6	5.7	5.9	4.1	NL	10.0
Torrens	L	5.4	6.1	4.6	5.4	6.6	NL	12.0
Elder	L	5.0	4.1	4.8	4.6	3.5	NL	8.1
Hanson	L	4.9	3.1	5.6	4.5	1.3	NL	5.8
Peake	L	4.8	4.6	3.0	4.1	5.7	NL	9.8
Norwood	L	3.6	2.1	1.7	2.5	7.5	NL	10.0
Mitchell	L	3.5	1.6	3.1	2.7	9.5	NL	12.2
Kaurna	L	3.0	5.1	3.3	3.8	2.9	NL	6.7
Florey	L	2.5	2.6	2.1	2.4	10.5	NL	12.9
Mawson	L	2.4	1.6	2.5	2.2	9.7	NL	11.9
Unley	L	1.3	0.4	0.5	0.7	11.6	NL	12.3
Newland	L	0.5	0.2	0.7	0.5	17.5	NL	18.0
						AVERAGE SWING		10.45

Appendix 18: Map of Boundaries used at 1993 South Australian Election

ELECTORAL DISTRICTS BOUNDARIES COMMISSION — 1991 REDISTRIBUTION
(METROPOLITAN AREA)

LEGEND

1   Adelaide
2   Bragg
3   Bright
5   Coles
6   Colton
8   Davenport
9   Elder
10 Elizabeth
12 Finniss
13 Fisher
15 Florey
20 Hanson
21 Hart
22 Hartley
23 Heysen
24 Kaurna
25 Kavel
26 Lee
27 Light
29 Mawson
30 Mitchell
31 Morphett
32 Napier
33 Newland
34 Norwood
35 Peake
36 Playford
37 Price
38 Ramsay
39 Reynell
41 Ross Smith
42 Spence
43 Taylor
44 Torrens
45 Unley
46 Waite
47 Wright

ELECTORAL DISTRICTS BOUNDARIES COMMISSION –1991 REDISTRIBUTION
(COUNTRY)

NORTHERN TERRITORY

QUEENSLAND

○ Birdsville

WESTERN AUSTRALIA

○ Marla

c Oodnadatta

Coober Pedy ○

11

○ Cook

Tarcoola ○

○ Marree

○ Leigh Creek

○
Roxby
Downs
○ Woomera

○ Blinman

○ Hawker

Broken Hill

NEW SOUTH WALES

GREAT AUSTRALIAN BIGHT

○ Penong

Ceduna
Thevenard

17

c Duoin
Pt Augusta

○ Yunta

○ Streaky Bay

Whyalla

Pt Pirie
Gladstone

Peterborough

16

14

Wallaroo

Clare

Maitland

19

○ Riverton

Benmark
Barmera C. Biri

7

4

Port Lincoln

27
Gulf
St Vincent
25

Gawler

Murray Bridge

40 Pinnaroo

VICTORIA

Victor Harbor
Kingscote

13

KANGAROO ISLAND

Kingston S.E.

28

○ Naracoorte

Beachport

○ Millicent

18 Mt Gambier

LEGEND	
4	Chaffey
7	Custance
11	Eyre
12	Finniss
14	Flinders
16	Frome
17	Giles
18	Gordon
19	Goyder
25	Kavel
27	Light
28	MacKillop
40	Ridley

Appendix 19
Two Party Preferred Votes South Australian Election 1993

Seat Name	ALP Vote	LIB Vote	Total	ALP %	LIB %	ALP 1991	Swing
Newland	6518	13467	19985	32.61%	67.39%	50.60%	-17.99%
Fisher	5874	14191	20065	29.27%	70.73%	47.20%	-17.93%
Bright	6095	13547	19642	31.03%	68.97%	47.30%	-16.27%
Hatt	10744	7607	18351	58.55%	41.45%	72.20%	-13.65%
Coles	6640	12828	19468	34.11%	65.89%	47.30%	-13.19%
Adelaide	6792	12101	18893	35.95%	64.05%	48.70%	-12.75%
Morphett	5394	13781	19175	28.13%	71.87%	40.70%	-12.57%
Mitchell	7772	11365	19137	40.61%	59.39%	53.00%	-12.39%
Florey	7988	12164	20152	39.64%	60.36%	52.00%	-12.36%
Mawson	8622	12718	21340	40.40%	59.60%	52.40%	-12.00%
Unley	7680	12293	19973	38.45%	61.55%	50.40%	-11.95%
Ross Smith	9761	8962	18723	52.13%	47.87%	63.30%	-11.17%
Waite	5218	14777	19995	26.10%	73.90%	37.20%	-11.10%
Torrens	8412	10943	19355	43.46%	56.54%	54.50%	-11.04%
Hartley	7237	12416	19653	36.82%	63.18%	47.60%	-10.78%
Bragg	4263	15790	20053	21.26%	78.74%	32.00%	-10.74%
Napoer	9926	9505	19431	51.08%	48.92%	61.20%	-10.12%
Reynell	9099	9549	18648	48.79%	51.21%	58.90%	-10.11%
Heysen	4956	14475	19431	25.51%	74.49%	35.20%	-9.69%
Wright	9694	11401	21095	45.95%	54.05%	55.60%	-9.65%
Colton	7695	11787	19482	39.50%	60.50%	49.10%	-9.60%
Davenport	5602	14572	20174	27.77%	72.23%	37.00%	-9.23%
Finniss	5001	14548	19549	25.58%	74.42%	34.60%	-9.02%
Lee	9439	9864	19303	48.90%	51.10%	57.90%	-9.00%
Norwood	8063	10848	18911	42.64%	57.36%	51.60%	-8.96%
Peake	8468	10613	19081	44.38%	55.62%	52.90%	-8.52%
Chaffey	4143	15579	19722	21.01%	78.99%	29.20%	-8.19%
Elder	8822	10113	18935	46.59%	53.41%	54.70%	-8.11%
Elizabeth	10280	7571	17851	57.59%	42.41%	65.60%	-8.01%
Kavel	4859	14019	18878	25.74%	74.26%	33.20%	-7.46%
Playford	10036	9012	19048	52.69%	47.31%	59.80%	-7.11%
Hanson	9575	10030	19605	48.84%	51.16%	55.50%	-6.66%
Spence	11016	8069	19085	57.72%	42.28%	63.90%	-6.18%
Kaurna	8608	9625	18233	47.21%	52.79%	53.20%	-5.99%
Taylor	10784	7823	18607	57.96%	42.04%	63.90%	-5.94%
Light	6283	12415	18698	33.60%	66.40%	39.30%	-5.70%
Price	11700	7478	19178	61.01%	38.99%	66.00%	-4.99%
Goyder	5329	14606	19935	26.73%	73.27%	31.60%	-4.87%
Custance	4949	14477	19426	25.48%	74.52%	30.10%	-4.62%
Ridley	4904	14789	19693	24.90%	75.10%	29.30%	-4.40%
Flinders	3716	15456	19172	19.38%	80.62%	23.70%	-4.32%
Mackillop	4568	15903	20471	22.31%	77.69%	26.30%	-3.99%
Ramsay	11966	7999	19965	59.93%	40.07%	63.90%	-3.97%
Giles	9816	8901	18717	52.44%	47.56%	55.80%	-3.36%
Eyre	7791	10106	17897	43.53%	56.47%	46.50%	-2.97%
Frome	9065	11420	20485	44.25%	55.75%	45.70%	-1.45%
Gordon	5398	14031	19429	27.78%	72.22%	27.50%	0.28%
Total	356561	555534	912095	39.09%	60.91%	48.00%	-8.91%

PENDULUM

Swing-to-lose figures following South Australian elections 11 December 1993 (two-party preferred)*

	ALP		LIB		
			30.7	Flinders	
30%					30%
			29.1	Chaffey	
			28.8	Bragg	
			27.8	MacKillop	
			25.2	Ridley	
25%					25%
			24.6	Custance	
			24.6	Heysen	
			24.5	Finniss	
			24.4	Kavel	
			24.0	Waite	
			23.4	Goyder	
			22.3	Gordon	
			22.3	Davenport	
			22.0	Morphett	
			20.8	Fisher	
					20%
20%			19.1	Bright	
			17.5	Newland	
			16.5	Light	
			16.0	Coles	
					15%
15%					
			14.2	Adelaide	
			13.3	Hartley	
			11.6	Unley	
	Price	11.1	10.6	Colton	
			10.5	Florey	
					10%
10%	Ramsay	10.0	9.7	Mawson	
			9.5	Mitchell	
	Hart	8.6			
	Taylor	8.1	7.5	Norwood	
	Spence	7.8	6.6	Eyre	
	Elizabeth	7.7	6.6	Torrens	
			5.8	Frome	
			5.7	Peake	
					5%
5%			4.1	Wright	
			3.5	Elder	
			2.9	Kaurna	
	Playford	2.8	1.3	Hanson	
	Giles	2.5	1.3	Reynell	
	Ross Smith	2.2	1.2	Lee	
	Napier	1.2			
	(10)		(37)		

*revised following Unley adjustment

PERSONAL VOTES OF STATE MEMBERS:
A COMPARISON OF THE TWO PARTY PREFERRED VOTE IN THE HOUSE OF ASSEMBLY AND THE LEGISLATIVE COUNCIL, AT THE STATE ELECTION OF 11.12.93

	LEGISLATIVE COUNCIL (Estimate)		HOUSE OF ASSEMBLY (Actual count)		DIFFERENCE (Estimate)		SWING TO LIB (Estimate)
	ALP 2PP (%)	LIB 2PP (%)	ALP 2PP (%)	LIB 2PP (%)	ALP	LIB	(%)
RAMSAY	53.6	46.4	59.9	40.1	6.3	-6.3	4.0
LEE	42.9	57.1	48.9	51.1	6.0	-6.0	9.0
SPENCE	52.4	47.6	57.7	42.3	5.4	-5.4	6.2
WRIGHT	40.6	59.4	46.0	54.0	5.4	-5.4	9.6
KAURNA	42.1	57.9	47.2	52.8	5.1	-5.1	6.0
PRICE	55.9	44.1	61.0	39.0	5.1	-5.1	5.0
PLAYFORD	47.9	52.1	52.7	47.3	4.8	-4.8	7.1
TAYLOR	53.4	46.6	58.0	42.0	4.5	-4.5	5.9
ELDER	42.5	57.5	46.6	53.4	4.1	-4.1	8.1
HANSON	45.1	54.9	48.8	51.2	3.8	-3.8	6.7
REYNELL	45.3	54.7	48.8	51.2	3.5	-3.5	10.1
ELIZABETH	54.3	45.7	57.6	42.4	3.3	-3.3	8.0
NORWOOD	39.4	60.6	42.6	57.4	3.2	-3.2	9.0
ROSS SMITH	49.0	51.0	52.1	47.9	3.2	-3.2	11.2
HART	55.6	44.4	58.5	41.5	3.0	-3.0	13.7
MAWSON	37.7	62.3	40.4	59.6	2.7	-2.7	12.0
NAPIER	48.4	51.6	51.1	48.9	2.7	-2.7	10.1
PEAKE	42.0	58.0	44.4	55.6	2.4	-2.4	8.5
CUSTANCE	23.6	76.4	25.5	74.5	1.9	-1.9	4.6
COLTON	37.8	62.2	39.5	60.5	1.7	-1.7	9.6
FROME	42.9	57.1	44.3	55.7	1.4	-1.4	1.4
EYRE	42.4	57.6	43.5	56.5	1.2	-1.2	3.0
FINNISS	24.6	75.4	25.6	74.4	1.0	-1.0	9.0
MITCHELL	39.7	60.3	40.6	59.4	0.9	-0.9	12.4
TORRENS	42.6	57.4	43.5	56.5	0.9	-0.9	11.0
COLES	33.4	66.7	34.1	65.9	0.8	-0.8	13.2
FLOREY	39.0	61.0	39.6	60.4	0.6	-0.6	12.4
LIGHT	33.2	66.9	33.6	66.4	0.5	-0.5	5.7
ADELAIDE	35.6	64.4	35.9	64.1	0.4	-0.4	12.8
HARTLEY	36.7	63.4	36.8	63.2	0.2	-0.2	10.8
GOYDER	26.8	73.3	26.7	73.3	0.0	0.0	4.9
RIDLEY	25.1	74.9	24.9	75.1	-0.2	0.2	4.4
KAVEL	26.1	73.9	25.7	74.3	-0.4	0.4	7.5
FLINDERS*	20.1	80.0	19.4	80.6	-0.7	0.7	4.3
UNLEY	36.1	63.9	35.2	64.8	-0.9	0.9	15.2
GILES	53.5	46.5	52.4	47.6	-1.0	1.0	3.4
MACKILLOP	23.4	76.7	22.3	77.7	-1.0	1.0	4.0
NEWLAND	33.6	66.4	32.6	67.4	-1.0	1.0	18.0
MORPHETT	29.6	70.4	28.1	71.9	-1.5	1.5	12.6
BRAGG	22.9	77.1	21.3	78.7	-1.6	1.6	10.7
DAVENPORT	29.5	70.5	27.8	72.2	-1.8	1.8	9.2
WAITE*	27.9	72.1	26.1	73.9	-1.8	1.8	11.1
BRIGHT	33.1	66.9	31.0	69.0	-2.0	2.0	16.3
FISHER	31.7	68.3	29.3	70.7	-2.4	2.4	17.9
HEYSEN	28.5	71.5	25.5	74.5	-3.0	3.0	9.7
CHAFFEY*	24.3	75.7	21.0	79.0	-3.3	3.3	8.3
GORDON	33.7	66.3	27.8	72.2	-5.9	5.9	-0.3
ALL SEATS	38.0	62.1	39.0	61.0	1.1	-1.1	8.9

* Assembly 2PP data are from a State Electoral Department recount.

Appendix 21: Comparison of House of Assembly and Legislative Council Two Party Preferred Votes at the 1993 South Australian Election

Comparison of Primary Votes for each House at the 1993 South Australian Election

Seat Name	ALP LC%	ALP HA	HA-LC	LIB LC%	LIB HA	HA-LC	DEM LC%	DEM HA	HA-LC	NAT LC%	NAT HA	HA-LC
Adelaide	22.58%	26.70%	4.12%	54.82%	58.50%	3.68%	7.81%	9.20%	1.39%			
Bragg	13.10%	15.60%	2.50%	67.47%	72.70%	5.23%	7.36%	9.20%	1.84%			
Bright	21.80%	24.00%	2.20%	57.55%	64.00%	6.45%	9.48%	12.00%	2.52%			
Chaffey	14.62%	8.50%	-6.12%	56.77%	41.10%	-15.67%	5.24%	1.40%	-3.84%	9.85%	23.70%	13.85%
Coles	22.45%	25.60%	3.15%	55.50%	55.90%	0.40%	7.67%	9.60%	1.93%			
Colton	26.24%	24.80%	-1.44%	52.60%	44.20%	-8.40%	7.89%	5.40%	-2.49%			
Custance	15.20%	19.10%	3.90%	64.55%	69.80%	5.25%	6.08%	7.80%	1.72%			
Davenport	14.01%	12.20%	-1.81%	57.94%	58.00%	0.06%	16.74%	26.50%	9.76%			
Elder	31.35%	37.30%	5.95%	45.69%	48.00%	2.31%	7.14%	8.00%	0.86%			
Elizabeth	40.97%	47.00%	6.03%	32.36%	30.20%	-2.16%	8.93%	8.70%	-0.23%			
Eyre	35.12%	35.60%	0.48%	48.21%	44.90%	-3.31%	4.50%	3.60%	-0.90%			
Finniss	14.46%	16.70%	2.24%	62.69%	69.20%	6.51%	9.40%	11.20%	1.80%			
Fisher	20.82%	22.30%	1.48%	58.88%	64.30%	5.42%	9.75%	11.50%	1.75%			
Flinders	13.25%	10.90%	-2.35%	63.24%	54.00%	-9.24%	5.02%	4.90%	-0.12%	10.27%	28.60%	18.33%
Florey	27.57%	32.40%	4.83%	49.61%	54.50%	4.89%	8.37%	10.50%	2.13%			
Frome	35.76%	40.20%	4.44%	49.77%	51.80%	2.03%	5.16%	5.40%	0.24%			
Giles	42.16%	39.00%	-3.16%	36.16%	33.80%	-2.36%	9.33%	11.60%	2.27%			
Gordon	25.87%	23.20%	-2.67%	57.86%	69.00%	11.14%	6.49%	5.00%	-1.49%			
Goyder	19.49%	22.50%	3.01%	62.55%	70.00%	7.45%	4.89%	7.50%	2.61%			
Hanson	34.73%	40.40%	5.67%	43.53%	46.30%	2.77%	6.90%	7.70%	0.80%			
Hart	38.39%	40.90%	2.51%	33.58%	31.10%	-2.48%	7.56%	6.30%	-1.26%			
Hartley	25.47%	30.30%	4.83%	51.73%	57.70%	5.97%	7.32%	8.40%	1.08%			
Heysen	10.75%	15.50%	4.75%	58.25%	65.60%	7.35%	14.85%	11.30%	-3.55%			
Kaurna	30.23%	36.70%	6.47%	44.52%	45.10%	0.58%	7.65%	5.80%	-1.85%			
Kavel	14.88%	17.80%	2.92%	60.97%	66.30%	5.33%	8.97%	10.40%	1.43%			
Lee	31.94%	42.10%	10.16%	46.83%	47.30%	0.47%	5.81%	4.60%	-1.21%			
Light	21.91%	26.10%	4.19%	53.72%	61.40%	7.68%	8.52%	12.50%	3.98%			
Mackillop	16.86%	18.30%	1.44%	66.87%	69.00%	2.13%	4.54%	6.80%	2.26%			
Mawson	31.57%	31.10%	-0.47%	51.09%	52.50%	1.41%	8.37%	6.70%	-1.67%			
Mitchell	28.52%	32.40%	3.88%	48.33%	51.80%	3.47%	7.53%	9.40%	1.87%			
Morphett	19.87%	23.50%	3.63%	59.75%	65.30%	5.55%	6.56%	7.30%	0.74%			
Napier	36.63%	31.40%	-5.23%	40.11%	38.00%	-2.11%	7.61%	6.00%	-1.61%			
Newland	21.97%	25.20%	3.23%	54.62%	61.30%	6.68%	9.23%	10.20%	0.97%			
Norwood	26.81%	33.90%	7.09%	53.21%	51.10%	-2.11%	10.36%	12.40%	2.04%			
Peake	30.35%	30.50%	0.15%	46.60%	47.20%	0.60%	5.68%	3.60%	-2.08%			
Playford	35.41%	43.70%	8.29%	39.39%	41.30%	1.91%	8.70%	8.00%	-0.70%			
Price	42.68%	52.70%	10.02%	30.70%	32.90%	2.20%	5.63%	8.10%	2.47%			
Ramsay	43.98%	54.10%	10.12%	36.10%	35.30%	-0.80%	8.04%	10.60%	2.56%			
Reynell	32.93%	39.50%	6.57%	42.52%	46.00%	3.48%	8.87%	10.50%	1.63%			
Ridley	17.61%	20.10%	2.49%	63.48%	70.90%	7.42%	4.66%	9.00%	4.34%			
Ross Smith	35.45%	41.60%	6.15%	37.79%	41.90%	4.11%	9.36%	16.50%	7.14%			
Spence	38.99%	50.00%	11.01%	35.92%	38.80%	2.88%	6.53%	7.80%	1.27%			
Taylor	41.63%	51.10%	9.47%	34.53%	35.60%	1.07%	8.66%	12.30%	3.64%			
Torrens	30.98%	35.50%	4.52%	44.91%	48.40%	3.49%	8.61%	9.70%	1.09%			
Unley	23.09%	30.60%	7.51%	52.95%	56.70%	3.75%	9.22%	9.90%	0.68%			
Waite	15.79%	16.00%	0.21%	60.19%	63.10%	2.91%	11.49%	18.20%	6.71%			
Wright	29.67%	39.30%	9.63%	48.59%	49.80%	1.21%	8.27%	7.90%	-0.37%			
Total	27.40%	30.40%	3.00%	51.81%	52.80%	0.99%	8.04%	9.10%	1.06%	0.70%	1.10%	0.40%

ELECTORAL DISTRICTS BOUNDARIES COMMISSION - 1994 REDISTRIBUTION :
METROPOLITAN AREA
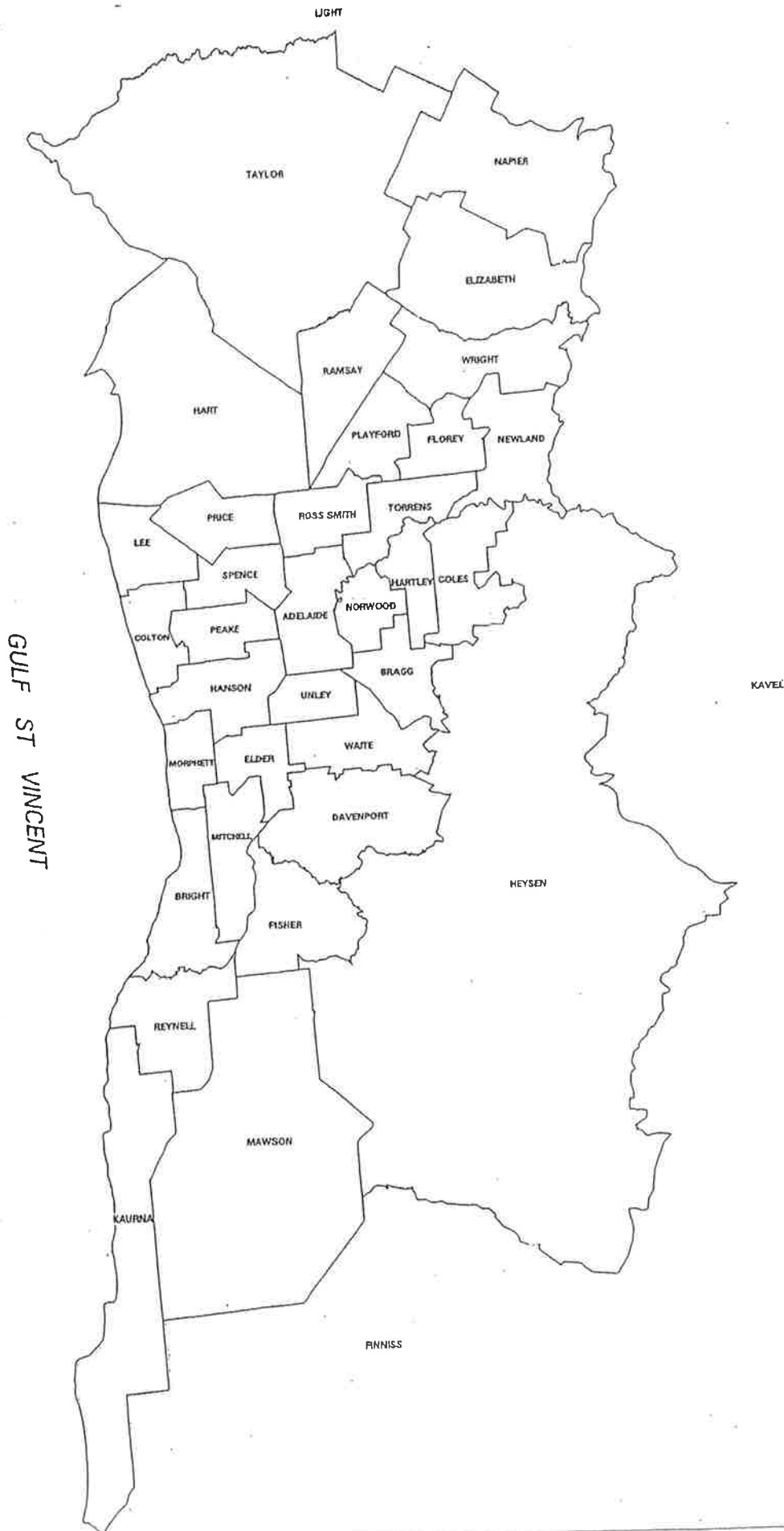
LIGHT

TAYLOR

NAPIER

ELIZABETH

RAMSAY

WRIGHT

HART

PLAYFORD

FLOREY

NEWLAND

PRICE

ROSS SMITH

TORRENS

LEE

SPENCE

HARTLEY

COLES

COLTON

PEAKE

ADELAIDE

NORWOOD

HANSON

UNLEY

BRAGG

MORPHETT

ELDER

WAITE

MITCHELL

DAVENPORT

BRIGHT

FISHER

HEYSEN

KAVEL

REYNELL

MAWSON

KAURNA

FINNISS

GULF ST VINCENT

Appendix 23: Map of Boundaries used at the 1997 South Australian Election

ELECTORAL DISTRICTS BOUNDARIES COMMISSION - 1994 REDISTRIBUTION :
COUNTRY
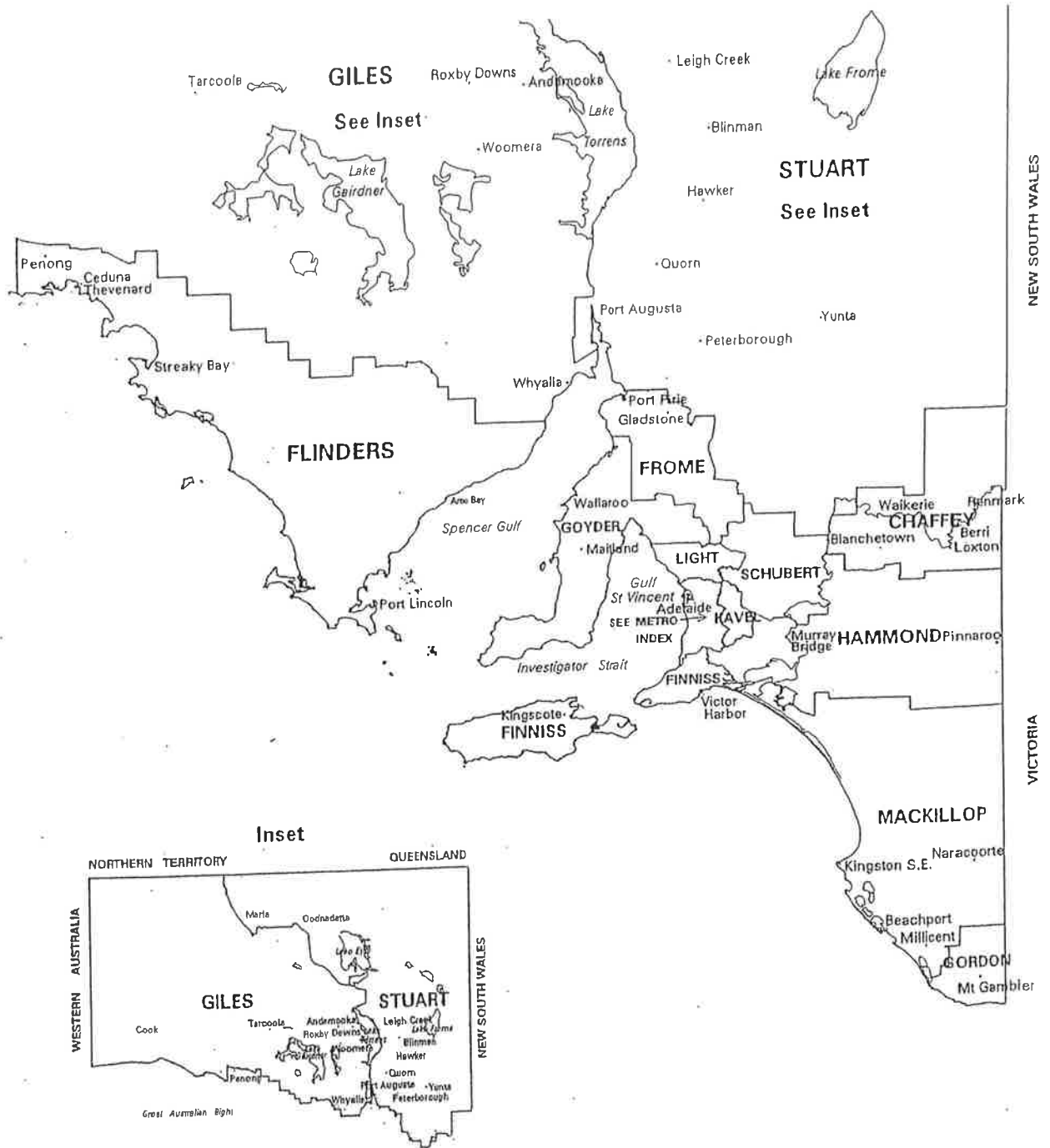
ANALYSIS OF 1994 ELECTORAL BOUNDARIES
(SWING TO LOSE -%)

Electoral District	Commission	Antony Green (ABC)	(Variance)*	Jenni Newton (Parliamentary Library)	(Variance)*
Flinders	30.4	30.1	(- .3)	30.0	(- .4)
MacKillop	29.5	29.3	(- .2)	29.3	(- .2)
Bragg	29.4	29.4	(same)	29.3	(- .1)
Chaffey	29.1	29.1	(same)	29.1	(same)
Finniss	25.4	25.5	(+ .1)	25.4	(same)
Hammond**	25.1				
Heysen	24.6	24.6	(same)	24.6	(same)
Waite	24.4	24.4	(same)	24.3	(- .1)
Kavel**	24.1				
Goyder	22.6	22.6	(same)	22.5	(- .1)
Schubert**	22.5				
Morphett	22.5	22.4	(- .1)	22.4	(- .1)
Davenport	22.3	22.4	(+ .1)	22.3	(same)
Gordon	21.6	21.8	(+ .2)	21.7	(+ .1)
Fisher	20.8	20.9	(+ .1)	20.8	(same)
Bright	18.3	18.4	(+ .1)	18.3	(same)
Coles	16.9	16.7	(- .2)	16.7	(- .2)
Newland	16.7	16.8	(+ .1)	16.7	(same)
Light	15.3	15.0	(- .3)	14.9	(- .4)
Adelaide	14.2	14.2	(same)	14.2	(same)
Hartley	12.3	12.6	(+ .3)	12.6	(+ .3)
Unley	11.6	11.7	(+ .1)	11.6	(same)
Florey	11.0	11.0	(same)	10.9	(- .1)
Colton	10.7	10.8	(+ .1)	10.8	(+ .1)
Mitchell	9.5	9.5	(same)	9.4	(- .1)
Mawson	9.3	9.3	(same)	9.2	(- .1)
Stuart	9.0	8.7	(- .3)	8.7	(- .3)
Frome	8.2	8.2	(same)	8.1	(- .1)
Norwood	7.5	7.6	(+ .1)	7.6	(+ .1)
Torrens	6.6	6.7	(+ .1)	6.6	(same)
Peake	5.0	4.9	(- .1)	4.8	(- .2)
Elder	3.6	3.8	(+ .2)	3.7	(+ .1)
Wright	3.3	3.2	(- .1)	3.1	(- .2)
Reynell	2.6	2.8	(+ .2)	2.8	(+ .2)
Kaurna	2.5	2.6	(+ .1)	2.5	(same)
Hanson	1.9	2.0	(+ .1)	1.9	(same)
Lee	1.1	1.2	(+ .1)	1.1	(same)
Playford	- 2.2	- 2.2	(same)	- 2.2	(same)
Ross Smith	- 2.2	- 2.3	(+ .1)	- 2.2	(same)
Elizabeth	- 2.8	- 2.7	(- .1)	- 2.6	(- .2)
Giles	- 4.4	- 4.0	(- .4)	- 4.0	(- .4)
Napier	- 6.5	- 6.4	(- .1)	- 6.4	(- .1)
Spence	- 7.8	- 7.9	(+ .1)	- 7.8	(same)
Hart	- 8.8	- 8.8	(same)	- 8.8	(same)
Taylor	- 9.5	- 9.1	(- .4)	- 9.1	(- .4)
Ramsay	- 10.4	- 10.4	(same)	- 10.4	(same)
Price	- 11.1	- 11.2	(+ .1)	- 11.1	(same)

* Variance from the Commission's calculations
** See para 8.9 of the Report

SOUTH AUSTRALIAN ELECTORAL PENDULUM

LIBERAL SEATS

47	Flinders	30.7
45	Chaffey	29.0
43	Bragg	28.8
41	MacKillop	28.8
39	Finniss	25.4
37	Hammond	25.1
35	Heysen	24.5
33	Kavel	24.3
31	Waite	24.0
29	Schubert	22.6
27	Goyder	22.5
25	Davenport	22.3
23	Gordon	22.0
21	Morphett	21.9
19	Fisher	20.8

20%

17	Bright	18.3
15	Coles	16.9
13	Newland	16.7
11	Light	15.1

15%

9	Adelaide	14.1
7	Hartley	12.3
5	Unley	11.6
3	Florey	10.9
1	Colton	10.8

10%

| 3 | Mitchell | 9.4 |
| 5 | Mawson | 9.3 |

9%

| 7 | Stuart | 8.7 |
| 9 | Frome | 8.1 |

8%

| 11 | Norwood | 7.6 |

7%

6%
5%
4%
3%
2%
1%

Peake 4.8 — 13
Elder 3.5 — 15
Wright 3.1 — 17
Reynell 2.8 — 19
Kaurna 2.5 — 21
Hanson 1.9 — 23
Lee 1.2 — 25

LABOR SEATS

36 25   11

LIBERAL MAJORITY

LABOR

20%
15%
10%
9%
8%
7%
6%
5%
4%
3%
2%
1%

SWING TO LABOR PARTY

SWING TO LIBERAL PARTY

11.1	Price	47
10.4	Ramsay	45
9.1	Taylor	43
8.8	Hart	41
7.8	Spence	39
6.4	Napier	37

Giles 4.4 — 35
Elizabeth 2.8 — 33
Torrens 2.5 — 31
Ross Smith 2.2 — 29
Playford 2.0 — 27

Labor Majority | Liberal Majority

Liberal Majority

Appendix 25: Pre-1997 Election Pendulum – Malcolm Mackerras

Appendix 26: Two Party Preferred Votes at the 1997 South Australian Election

DISTRICT	ALP		LIB	
	No.	%	No.	%
Adelaide	8094	44.63	10042	55.37
Bragg	5889	31.20	12983	68.80
Bright	8482	43.89	10844	56.11
Chaffey*	5667	29.05	13841	70.95
Coles	8230	42.16	11292	57.84
Colton	8820	45.97	10368	54.03
Davenport*	6756	36.25	11883	63.75
Elder	9508	52.66	8547	47.34
Elizabeth	12764	64.33	7078	35.67
Finniss*	6474	34.08	12523	65.92
Fisher	8306	40.19	12361	59.81
Flinders*	4208	21.54	15331	78.46
Florey	10019	51.38	9481	48.62
Frome	9220	47.07	10368	52.93
Giles	11159	61.44	7003	38.56
Gordon*	7591	37.70	12543	62.30
Goyder	6311	32.80	12932	67.20
Hammond	6633	35.23	12197	64.77
Hanson	10111	55.55	8092	44.45
Hart	13619	72.67	5122	27.33
Hartley	9193	49.51	9375	50.49
Heysen*	7307	37.85	11997	62.15
Kaurna	10289	55.92	8112	44.08
Kavel*	6496	35.05	12039	64.95
Lee	10674	57.11	8015	42.89
Light	8441	43.74	10858	56.26
MacKillop*	5876	29.12	14300	70.88
Mawson	8865	45.32	10695	54.68
Mitchell	9710	50.85	9384	49.15
Morphett	6793	36.95	11591	63.05
Napier*	12718	71.11	5166	28.89
Newland	8194	42.02	11306	57.98
Norwood	9228	50.74	8959	49.26
Peake	10747	56.96	8122	43.04
Playford	12203	62.96	7180	37.04
Price	13279	74.40	4569	25.60
Ramsay	12093	68.23	5632	31.77
Reynell	10374	53.70	8945	46.30
Ross Smith	11253	64.76	6123	35.24
Schubert*	6957	35.12	12854	64.88
Spence	13340	73.26	4868	26.74
Stuart	9026	48.42	9615	51.58
Taylor	13095	72.16	5051	27.84
Torrens	11380	60.06	7568	39.94
Unley	8633	45.49	10345	54.51
Waite*	7134	37.78	11751	62.22
Wright	10356	53.10	9148	46.90
Totals	431515	48.49	458399	51.51

* Districts with a non two-party preferred final result. Ballot papers were thrown to provide a notional labor/liberal outcome.

Swing-to-lose figures following the elections
(2PP/two-party preferred)

Labor		Liberal
	30%	30%	
		28.6 Flinders*
	25%	25%	
Price 24.5		
Spence 23.4		21.1 Chaffey*
Hart 22.8		21.0 MacKillop*
Taylor 22.3		
*Napier 21.2		
	20%	20%	18.9 Bragg
Ramsay 18.3		17.3 Goyder
		16.0 Finniss*
		15.1 Kavel*
		15.0 Schubert*
	15%	15%	14.8 Hammond
Ross Smith 14.9		13.9 Davenport*
Elizabeth 14.4		13.1 Morphett
		12.4 Gordon*
Playford 13.0		12.3 Waite*
		12.2 Heysen*
Giles 11.5		
Torrens 10.2	10%	10%	9.9 Fisher
		8.1 Newland
		7.9 Coles
Lee 7.2		6.4 Light
Peake 7.1		6.2 Bright
Kaurna 5.9		
Hanson 5.7		5.5 Adelaide
	5%	5%	4.8 Mawson
		4.6 Unley
		4.1 Colton
Reynell 3.8		3.0 Frome
Wright 3.2		
Elder 2.7		1.8 Stuart
Florey 1.4		
Mitchell 1.0		0.6 Hartley
Norwood 0.9		
	0%	
(21)		(26)

NB. * 2PP notional figures only - actual results two candidate preferred in 11 districts

ELECTORAL DISTRICTS BOUNDARIES COMMISSION - 1998 REDISTRIBUTION :
METROPOLITAN AREA

LIGHT

SCHUBERT

TAYLOR

NAPIER

ELIZABETH

RAMSAY

WRIGHT

PORT ADELAIDE

NEWLAND

PLAYFORD   FLOREY

LEE   CHELTENHAM   ENFIELD   TORRENS

CROYDON   HARTLEY   MORIALTA

COLTON   NORWOOD

ADELAIDE

GULF   WEST TORRENS   BRAGG

ASHFORD   UNLEY

ST   MORPHETT   WAITE   KAVEL
ELDER

VINCENT   DAVENPORT

MITCHELL

BRIGHT   FISHER

HEYSEN

REYNELL

HAMMOND

MAWSON

KAURNA

FINNISS

ELECTORAL DISTRICTS BOUNDARIES COMMISSION - 1998 REDISTRIBUTION : COUNTRY

GILES

STUART

• Oodnadatta

• Coober Pedy

Andamooka •
Roxby Downs •

LAKE TORRENS

Nilpena •
• Parachilna

• Woomera

• Hawker

Ceduna

• Quorn

Port Augusta • Yunta •
• Peterborough

Whyalla •   Port Pirie •

FLINDERS

FROME

Renmark •
CHAFFEY

YORKE
PENINSULA

SEE
ENLGT

Port Lincoln •

Adelaide •
• Murray Bridge
HAMMOND

Kingscote •

Victor
Harbor •

FINNISS

MACKILLOP

• Mt Gambier

MOUNT GAMBIER

FROME

STUART

YORKE
PENINSULA

CHAFFEY

LIGHT

SCHUBERT

GULF

TAYLOR

ST

SEE METRO
INDEX

KAVEL

VINCENT

Adelaide •

• Murray Bridge

HAMMOND

FINNISS
(Part)

Victor
Harbor

MACKILLOP

ENLARGEMENT

Swing-to-lose figures based on the 1998 Redistribution

Labor held seats		Non-Labor held seats	
	% Change	30% 30%	% Change
			0.1 ↓ 28.5 Flinders
			↑ 27.8 MacKillop
		25% 25%	
Port Adelaide 22.6	↓ 0.2		
Croydon 21.0	↓ 2.4		
Napier 19.9	↓ 1.3	20% 20%	
Ramsay 18.8	↑ 0.5		0.5 ↑ 19.4 Bragg
Taylor 17.5	↓ 4.8		
Enfield 17.4	↑ 2.5		0.7 ↓ 16.6 Yorke Peninsula
Cheltenham 16.9	↓ 7.6		0.4 ↑ 16.4 Finniss
			0.1 ↓ 15.0 Kavel
		15% 15%	0.1 ↓ 14.9 Schubert
			0.1 ↓ 14.7 Hammond
			0.3 ↓ 13.6 Davenport
Playford 13.2	↑ 0.2		↑ 13.3 Chaffey
			↑ 12.5 Mount Gambier
			0.1 ↓ 12.1 Heysen
			1.1 ↓ 12.0 Holdfast Bay
Giles 11.2	↓ 0.3		0.4 ↓ 11.9 Waite
Torrens 10.1	↓ 0.1		
		10% 10%	0.3 ↓ 9.6 Fisher
			4.7 ↑ 9.3 Unley
Elizabeth 8.5	↓ 5.9		
Lee 8.3	↑ 1.1		
			0.9 ↓ 7.2 Newland
			0.8 ↓ 7.1 Morialta
		5% 5%	
Kaurna 4.9	↓ 1.0		
West Torrens 4.8	↓ 2.3		1.7 ↓ 4.5 Bright
Wright 4.5	↑ 1.3		
			0.9 ↓ 3.9 Mawson
			0.4 ↑ 3.4 Frome
Florey 2.9	↑ 1.5		1.2 ↑ 2.8 Stuart
Ashford 2.6	↓ 3.1		3.2 ↓ 2.3 Adelaide
Elder 1.8	↓ 0.9		
Norwood 1.7	↑ 0.8		
Reynell 1.6	↓ 2.2		5.0 ↓ 1.4 Light
			3.2 ↓ 0.9 Colton
			0.3 ↑ 0.9 Hartley
Mitchell 0.5	↓ 0.5		
		0%	
(21)			(26)

✦ See 1998 Report, par 2.4

HA TWO PARTY PREFERRED FIGURES

District	ALP		LIB	
	No.	%	No.	%
Adelaide	10377	51.0	9956	49.0
Ashford	11118	53.7	9604	46.3
Bragg	6180	30.4	14139	69.6
Bright	9175	45.1	11190	54.9
Chaffey*	5791	28.7	14370	71.3
Cheltenham	12987	66.7	6486	33.3
Colton	10758	54.5	8975	45.5
Croydon	13764	69.0	6171	31.0
Davenport	7672	38.4	12298	61.6
Elder	10647	53.6	9228	46.4
Elizabeth	11649	57.2	8726	42.8
Enfield	13071	65.9	6764	34.1
Finniss	7149	34.4	13648	65.6
Fisher*	8869	44.3	11173	55.7
Flinders	4429	21.6	16047	78.4
Florey	10456	53.7	9020	46.3
Frome	7953	38.5	12699	61.5
Giles	10527	59.7	7093	40.3
Goyder	6883	33.8	13497	66.2
Hammond*	6630	33.8	12958	66.2
Hartley	9804	48.7	10323	51.3
Heysen*	8141	40.6	11912	59.4
Kaurna	11794	60.9	7562	39.1
Kavel*	7631	36.9	13051	63.1
Lee	11364	57.0	8566	43.0
Light	9699	47.2	10840	52.8
MacKillop*	6156	29.7	14591	70.3
Mawson	9762	46.4	11286	53.6
Mitchell	10797	54.7	8948	45.3
Morialta	9127	45.8	10808	54.2
Morphett	8572	39.9	12895	60.1
Mount Gambier*	10044	47.9	10941	52.1
Napier	12786	64.3	7108	35.7
Newland	8664	44.3	10878	55.7
Norwood	10402	50.5	10193	49.5
Playford	12769	63.0	7485	37.0
Port Adelaide	14470	71.7	5714	28.3
Ramsay	14330	70.2	6094	29.8
Reynell	11064	56.5	8519	43.5
Schubert	7156	36.9	12248	63.1
Stuart	9595	48.7	10099	51.3
Taylor	13290	67.7	6338	32.3
Torrens	11968	57.2	8944	42.8
Unley	8303	41.1	11917	58.9
Waite	7921	38.1	12883	61.9
West Torrens	12094	58.6	8545	41.4
Wright	11439	53.2	10075	46.8
TOTALS	465227	49.1	482805	50.9

Districts marked * had a non two party preferred (2PP) final result.
Ballot papers were rethrown to provide a notional 2PP outcome.

Derived swing-to-lose figures following elections 9 February 2002

(see note below)

	Labor preferred — Swing to non labor from 1998 EDBC Report estimate	%		Non-labor preferred — Swing to non labor from 1998 EDBC Report estimate	
				+17.7	31.0 Chaffey*#
				+17.9	30.4 Mount Gambier*#
		30%	30%		
				SAME	28.5 Flinders
		25%	25%		
				+8.9	23.6 Hammond*#
Port Adelaide 21.8	+0.8				
Ramsay 20.3	-1.5			-7.4	20.4 MacKillop*
		20%	20%	+0.4	19.7 Bragg
Croydon 19.2	+1.8				
Taylor 17.8	-0.3			-0.3	16.3 Goyder
Cheltenham 16.8	+0.1				
Enfield 16.0	+1.4			-0.7	15.7 Finniss
		15%	15%		
Napier 14.4	+5.5			-1.8	13.2 Kavel*
Playford 13.2	SAME			-1.7	13.2 Schubert
				-0.1	12.1 Waite
				-2.0	11.6 Davenport
				+8.2	11.6 Frome
Kaurna 11.1	-6.2			-1.9	10.1 Morphett
Giles 9.8	+1.4	10%	10%	-2.6	9.5 Heysen*
				-0.2	9.1 Unley
West Torrens 8.7	-3.9				
Torrens 7.3	+2.8				
Elizabeth 7.3	+1.2				
Lee 7.1	+1.2				
Reynell 6.7	-5.1			-3.8	5.8 Fisher*
				-1.4	5.8 Newland
				+0.6	5.1 Bright
		5%	5%		
Mitchell 4.8	-4.3				
Colton 4.7	-5.6			-2.9	4.2 Morialta
Florey 3.8	-0.9				
Elder 3.8	-2.0				
Ashford 3.8	-1.2			-0.3	3.6 Mawson
Wright 3.3	+1.2			+1.5	2.9 Light
				+0.5	1.4 Hartley
				-1.4	1.4 Stuart
Adelaide 1.1	-3.4				
Norwood 0.6	+1.1				
		0%			

(23 seats) (24 seats)

* Non 2PP final result ie 7 districts did not have a labor/liberal final outcome. Ballot papers in four districts (Fisher, Heysen, Kavel, MacKillop) were distributed to the labor and liberal candidates to obtain notional 2PP figures. Ballot papers in districts marked # were notionally redistributed on the following basis:

- Chaffey   ALP/NAT
- Hammond   ALP/CLIC
- Mount Gambier   ALP/IND

Prepared 31.10.02 following ALP/CLIC notional throw in Hammond

Appendix 31: Post 2002 South Australian Election Pendulum

Appendix 32:   Map of Boundaries that will be used at the 2006 South Australian Election

ELECTORAL DISTRICTS BOUNDARIES COMMISSION - 2003 REDISTRIBUTION
COUNTRY DISTRICTS
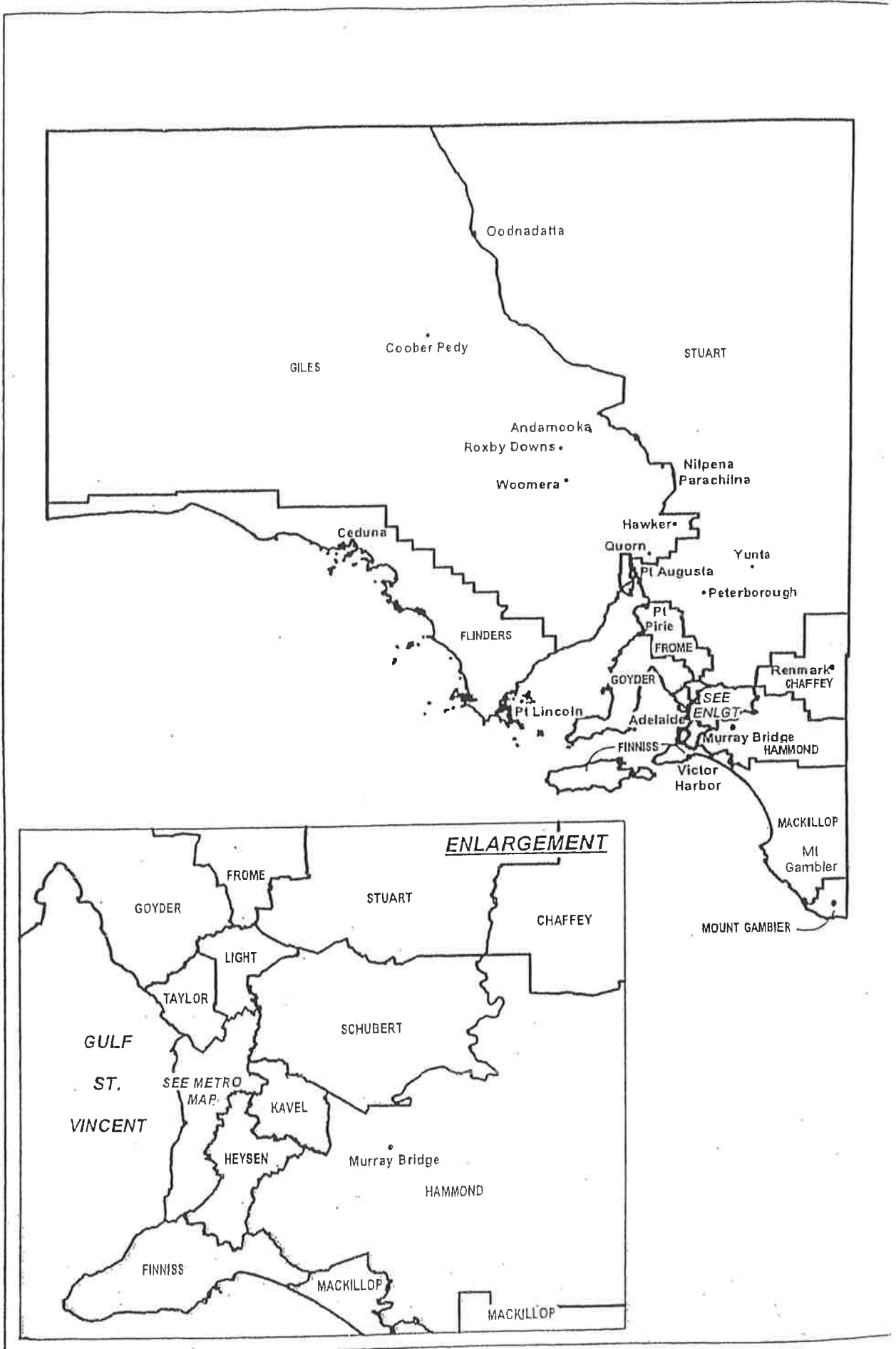
Oodnadatta

Coober Pedy

GILES

STUART

Andamooka
Roxby Downs

Nilpena
Parachilna

Woomera

Ceduna

Hawker

Quorn

Yunta

Pt Augusta

Peterborough

Pt
Pirie

FLINDERS

FROME

Renmark
CHAFFEY

GOYDER

SEE
ENLGT

Pt Lincoln

Adelaide

Murray Bridge
HAMMOND

FINNISS

Victor
Harbor

MACKILLOP

Mt
Gambler

MOUNT GAMBIER

ENLARGEMENT

FROME

GOYDER

STUART

CHAFFEY

LIGHT

TAYLOR

GULF

SCHUBERT

ST.

SEE METRO
MAP

KAVEL

VINCENT

HEYSEN

Murray Bridge

HAMMOND

FINNISS

MACKILLOP

MACKILLOP

Swing-to-lose figures based on the 2003 Redistribution

Labor held seats				Non-Labor held seats	
	% Change	**35%**	**35%**	% Change	
				↔	31.0 Chaffey
		30%	**30%**	↔	30.4 Mount Gambier
				1.7 ↓	26.8 Flinders
		25%	**25%**		
				0.3 ↓	23.3 Hammond
Ramsay 20.8	↑ 0.5			↔	20.4 MacKillop
		20%	**20%**	↔	19.7 Bragg
Croydon 19.1	↔				
Port Adelaide 18.9	↓ 2.9				
Taylor 17.9	↑ 0.1				
Cheltenham 16.8	↔			0.2 ↓	16.1 Goyder
Enfield 15.9	↓ 0.1			0.2 ↑	15.9 Finniss
		15%	**15%**		
Napier 14.2	↓ 0.2			0.4 ↑	13.6 Schubert
Playford 13.1	↔			0.4 ↓	12.8 Kavel
				0.1 ↑	12.1 Waite
				↔	11.7 Davenport
				0.1 ↓	11.5 Frome
Kaurna 10.8	↓ 0.2			0.2 ↑	10.4 Morphett
Lee 9.7	↑ 2.6	**10%**	**10%**	0.4 ↑	9.9 Heysen
West Torrens 8.9	↑ 0.2			0.1 ↑	9.1 Unley
Torrens 8.4	↑ 1.1				
♦ Little Para 7.1	↓ 0.2				
Reynell 6.0	↓ 0.6			0.2 ↑	6.0 Fisher
Giles 5.3	↓ 4.5			0.3 ↓	5.5 Newland
Mitchell 4.8	↔	**5%**	**5%**	0.4 ↓	4.6 Bright
Colton 4.1	↓ 0.5				
Ashford 3.8	↔				
Elder 3.6	↓ 0.1			0.7 ↓	3.6 Morialta
Florey 3.6	↓ 0.2			0.2 ↓	3.5 Mawson
Wright 3.2	↓ 0.1				
				0.3 ↓	2.6 Light
				0.9 ↑	2.3 Stuart
				0.7 ↑	2.1 Hartley
Adelaide 1.1	↔				
Norwood 0.5	↓ 0.1				
		0%			
(23)				(24)	

♦ Little Para (formerly Elizabeth)

Note: all calculations are rounded to 1 decimal place

Appendix 34
Results of Tasmanian Elections 1959-2002

Election Year	ALP Vote	ALP Seats	Lib Vote	Lib Seats	Other Vote	Other Seats	Total Seats
1959	44.5	17	41.1	16	10.4	2	35
1964	51.3	19	38.5	46	10.2	0	35
1969	47.7	17	44.0	17	8.3	1	35
1972	54.9	21	38.4	14	6.7	0	35
1976	52.5	18	44.5	17	3.0	0	35
1979	54.3	20	41.3	15	4.4	0	35
1982	36.9	14	48.5	19	14.6	2	35
1986	35.1	14	54.2	19	10.7	2	35
1989	34.7	13	46.9	17	18.4	5	35
1992	28.9	11	54.1	19	17.0	5	35
1996	40.5	14	41.2	16	18.3	5	35
1998	44.8	14	38.1	10	17.1	1	25
2002	51.9	14	27.4	7	20.7	4	25

Appendix 35
Results of 2001 Italian Election

Party	% Electorate Vote	% List Vote	Electorate. Seats	List Seats	Total Seats	% Total
House of Liberty	45.4	48.6	282	86	372	58.7
Olive Tree	43.7	34.9	189	58	247	39
Communist Ref.			0	11	11	1.7
South Tyrol PP			3	0	3	0.5
Others	10.8	16.5	1	0	1	0.1

Appendix 36
Queensland Election results 1992-2004

1992

Party	% Primary Vote	% 2pp Vote	No. of Seats	% Seats
Labor	48.7	53.8	54	60.7
National	23.7	46.2	26	29.2
Liberal	20.4		9	10.1
Others	7.2		0	0
Total	100.0	100.0	89	100.0

1995

Party	% Primary Vote	% 2pp Vote	No. of Seats	% Seats
Labor	42.9	46.7	45	50.6
National	26.3	53.3	29	32.6
Liberal	22.7		14	15.7
Others	8.1		1	1.1
Total	100.0	100.0	89	100.0

1998

Party	% Primary Vote	% 2pp Vote	No. of Seats	% Seats
Labor	38.9		44	49.4
One Nation	22.7		11	12.4
Liberal	16.1		9	10.1
National	15.2		23	25.8
Others	6.1		2	2.3
Total	100.0		89	100.0

2001

Party	% Primary Vote	% 2pp Vote	No. of Seats	% Seats
Labor	48.9		66	74.1
Liberal	14.3		3	3.4
National	14.2		12	13.5
One Nation	8.7		3	3.4
Others	13.9		5	5.6
Total	100.0		89	

2004

Party	% Primary Vote	No. of Seats	%Seats
Labor	47.01	63	70.787
National	16.96	15	17.978
Liberal	18.5	5	5.618
One Nation	4.88	1	1.1236
Others	12.63	5	4.4944
Total		89	

Appendix 37
Results of United Kingdom General Elections 1983-2001

1983

Party	% Vote	No. of Seats	% Seats
Conservative	42.4	397	61.1
Labour	27.6	209	32.2
Liberal/SDP	25.4	23	3.5
Others	4.6	21	3.2
Total	100.0	650	100.0

1987

Party	% Vote	No. Seats	% Seats
Conservative	42.7	376	57.8
Labour	30.7	229	35.2
Liberal/SDP	22.6	22	3.4
Others	3.9	23	3.5
Total	100.0	650	100.0

1992

Party	% Vote	No. Seats	% Seats
Conservative	41.9	336	51.6
Labour	34.4	271	41.6
Liberal Democrat	17.8	20	3.1
Others	5.9	24	3.7
Total	100.0	651	100.0

1997

Party	% Vote	No. Seats	% Seats
Labour	43.3	419	63.6
Conservative	30.7	165	25
Liberal Democrat	16.8	46	7
Others	9.2	29	4.4
Total	100.0	659	100.0

2001

Party	% Vote	No. Seats	% Seats
Labour	40.7	413	62.7
Conservative	31.7	165	25.2
Liberal Democrat	18.3	52	7.9
Others	9.3	28	4.2
Total	100.0	659	100.0

Appendix 38

Seats where preferences changed the result: South Australia Elections 1975-2002

Seat Name	Election	Leader	Lead	Winner	Margin	Election Winner
Glenelg	1975	ALP	276	LIB	2670	ALP
Hanson	1975	ALP	208	LIB	1999	ALP
Mount Gambier	1975	ALP	810	LIB	353	ALP
Torrens	1975	ALP	82	LIB	1885	ALP
Goyder	1977	LIB	181	IND LIB	2479	ALP
Mitcham	1977	LIB	1517	DEM	2065	ALP
Murray	1977	ALP	613	LIB	3206	ALP
Norwood	1979	ALP	32	LIB	33	LIB
Semaphore	1979	ALP	672	IND LAB	3945	LIB
Davenport	1985	LIB	1767	IND LIB	891	ALP
Elizabeth	1985	ALP	1008	IND LAB	1206	ALP
Newland	1989	ALP	293	LIB	47	ALP
Napier	1993	LIB	1271	ALP	421	LIB
Ross Smith	1993	LIB	64	ALP	799	LIB
Chaffey	1997	LIB	941	NAT	996	LIB
Florey	1997	LIB	364	ALP	524	LIB
Gordon	1997	LIB	3312	IND	52	LIB
Hanson	1997	LIB	104	ALP	2053	LIB
Mackillop	1997	LIB	1340	IND LIB	3182	LIB
Mitchell	1997	LIB	262	ALP	326	LIB
Norwood	1997	LIB	604	ALP	301	LIB
Adelaide	2002	LIB	406	ALP	417	ALP
Hammond	2002	LIB	1839	IND	822	ALP
Norwood	2002	LIB	647	ALP	189	ALP