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## **Australian election system – a few comments and proposals**

### **The two party system**

The present system consist in the process that one single MP is elected in each electoral ward. It means the winner takes all. Minorities (as large as 49%) cannot be represented. It reinforces the two party system and prevents other parties from getting in, because people are used to vote in majority for one of the two bigger parties as they know that the struggle is between these two. Other votes attributed to other parties are lost. It means that this system does not allow all political opinions (even major ones) to be represented in parliament.

It can even happen that the winning party is elected with less votes than the rival one. One would hope another system is possible that represents truly all major trends in the society. This is in fact by definition the essence of democracy. The present lack of real representativeness shows that the present system is not democratic. It represents only the dominant interests and protects these interests from being challenged.

### **The preference system**

As the system is inadequate to represent all trends in society, the direct elimination of all other tendencies would show that the dominant party is elected sometimes only with a minority of votes, which is evidently against democratic principles. In order to correct (or to hide) this evidence a system of preferences has been introduced that tends to redistribute, in favour of the winners, the votes given to minor parties. It is compulsory to give an order of preference for all the candidates, even if one wishes only one of them to be elected. If there is no clear favourite (which happens for instance when three dominant parties remain in competition in a certain electoral ward), the votes of the losers are redistributed among the remaining candidates, starting first with the second preference after the elimination of the last candidate, then going to the third preference after the elimination of the second last, and so on. As the few first eliminated have usually few votes, the system means, when the election is tight, that one needs to go lower down the ladder of preferences before the winner goes over the threshold of the 50%. Sometimes, especially if there are three major parties locally involved instead of only two, it is needed to reach the fifth or even sixth level of preferences. It means my votes go precisely to the one I do not want. This is a deeply shocking contradiction. The only way to remedy this aberration is, when I vote for one of the major parties, to put in second preference the candidate I do not want (i.e. my real last preference), because I can be sure that my candidate in first preference (if belonging to a major party) will not be eliminated on first count. The candidate in second preference has then no chance to get my vote. This way of voting is probably very sure but I nevertheless do not know in which order of preference I have to put my real second preferred candidate if I want the votes of my first candidate to go to him/her because I do not know in

which order my candidate will be eliminated if he/she is. This example shows how the system of preferences is only an artificial way to hide the lack of representativeness of the system. It is indeed nothing else than a form of lottery!

## **The proportional system**

Let's examine now what an alternative proportional system would look like, i.e. a system of election where minorities can be represented in proportion to their presence among the electors. Then only the first preference should evidently be considered; this does not mean that there is no possibility to give second or third preference, but it would in any case not be compulsory.

The number of MPs in total (number of seats in parliament) would not be different but the electoral wards would need to be much bigger in order to elect not one but many MPs for the same ward. The degree of representativeness would be then proportional to the number of MPs to be elected.

The wards should be big enough to offer this wider representativeness but yet at the same time small enough to be also representative of the diversity of conditions of life in the different parts of the country. For instance Sydney could be one single ward with about 5.2m inhabitants and some 29-30 MPs, or similar. The rest of NSW could probably be divided in two wards: for instance one along the coast and one for the West part? Or form one single lot with 16-17 MPs but no distinction between contrasting life conditions? Nevertheless the question here is not to define the limits of these new wards but to show that bigger wards with many MPs allow a better representativeness.

A better representativeness will encourage people to vote for what matters for them. They will feel better represented. The mixture of different tendencies in parliament would prevent the two major parties to bite each other and the parties in parliament would be compelled to defend a political line through diverse alliances instead of fighting the others. They would also learn to reach a form of consent with allied forces. That would finally give the parliament much more credibility. It would offer a way out from the crisis in which we are now stuck.

## **The separation of the three powers**

Another issue about the present election system is the fact that the government is elected through the parliament. In the present system there is indeed no real separation between the executive (government) and the legislative (parliament). These are indeed the same people who govern (executive) and who judge if their own proposals are OK (parliament). To have a true independence of legislative and executive, we need separate formations, i.e. separate elections, one for the legislative, one for the executive. In other words one for the House of Representatives and for the Senate, and one for the Prime Minister.

This is indeed the role of the legislative to discuss in all freedom the proposals made by the government. The principle of independence of the three powers means that the government elaborates projects and it has to submit them to the judgement of the legislative in order to have the right to implement them, unless they fit into the current budget. Practically it means that the government is only present in parliament as an invited guest that proposes projects. The parliament, as a distinct and independent body, has to take a stand about each project, whether it is a new law or a credit. The members of government cannot be involved in judging their own projects.

In a similar way the judiciary is independent from parliament. So far it is often considered that the judiciary has to be subjected to parliament as the parliament is the body that edicts laws. It is wrong. The judiciary must remain independent. It has another function: it does not edict laws but has to judge whether what the parliament and the government do is conform to law. If it is not it has to intervene and prevent further similar development. It should even be able to propose changes in legislation (yet not to vote these changes – this is the role of the parliament) in order to bring the system more in conformity with the spirit of democracy.

## Examples

As attached document I present two different systems of attribution of the number of seats to the different parties. 1) The present system with its small wards with one single MP (the winner takes all), and 2) the alternative system for a representative form. For simplification I have adopted the seven existing states as being the electoral wards in the second case. It does not need to be like that but I chose to do so because of the data I had, which I did not have for another form of division. Hence the question of the degree of division remains. It is here only a demonstration how the system impacts on the representativeness.

I have taken the results of the last elections 2019 at the stage of counting on the 22/05/2019. First preferences only as they show exactly whom people want to elect. All the seats are attributed at this stage. Small variations still to come would not change the demonstration. In any case it is only an example.

The principle of distribution functions as follows: the existing seats for each state (number unchanged) are redistributed according to the proportion of votes that each party has received. The smallest are eliminated when they do not get enough votes to have one seat. I have fixed indeed the limit to 0.9 seat. After the few last parties that do not get in are eliminated, the new proportion between the remaining parties is calculated and the number of seats is calculated for each one according to this proportion. The number is rounded up if above .5 or below if under .5. This way of doing is applied for the ones which are nearest to the higher mark before it is applied to the others. When all the seats are attributed, the rounding up process stops.

The distribution is done on state level; the aggregates give the totals on federal level.

The second example shows that more than 95% of the votes are represented in parliament by the formation they voted for, yet not necessarily in proportion as many of these votes did not reach the minimum level of one seat in their respective state; the two major parties would have both considerably less seats and they would have to compose with other forces (5 more other parties with in total 26 seats, including the independents); in the present example 3 new smaller formations would get in; and the third major party which has now only 1 seat would have 14 seats, in a more rigorous proportion with the votes it gained on state level. The question is not if it pleases us that these other parties become more influential, or not; it is just more equitable in principle. No consideration should be given for the tendencies of these minority parties. This is just illustrating in general a truer representation of the opinion of the voters.

The challenge is now the following: shall we change the present system to make it truly democratic or shall we maintain a system that is not democratic, despite its appearances? Then we can discuss the modalities of the change: size of limits of the wards, etc.

See the example: [www.desertcreekhouse.com.au/texts/electionscalcul.pdf](http://www.desertcreekhouse.com.au/texts/electionscalcul.pdf)