The anti-democratic origins of Australia's party registration laws

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Facing deepening working-class opposition to the corporate-driven assault on jobs, working conditions and public health, in the global COVID-19 pandemic, Australia's parliament rushed through blatantly anti-democratic electoral laws in late August.

These laws suddenly escalate legislation that was first introduced by a Labor government in 1983—amid convulsive working-class unrest—to compel political parties to register with the electoral authorities, in order to have their party names on ballot papers.

By trebling, from 500 to 1,500, the number of members previously required to be officially recognised, the latest laws seek to strip party registration from all political parties, including the Socialist Equality Party (SEP), that do not currently have parliamentary representation.

The 500-member rule was itself an anti-democratic provision, introduced by the Hawke-Keating Labor government, to try to prop up the parliamentary establishment, for which popular support was already crumbling, due to growing social inequality and declining working and living conditions.

The March 1983 election was a turning point in the breakup of the post-World War II, two-party duopoly, of Labor and the Liberal-National Coalition. Labor won office in a landslide, but only because of the virtual disintegration of the previous Fraser Liberal government, which had been unable to contain workers' struggles since being installed via the 1975 governor-general's dismissal of the Whitlam Labor government.

The primary vote for the two major parties collectively slumped to 93 percent in the House of Representatives (from 96 percent in 1949) and to 85 percent in the Senate, where smaller parties had a greater chance of winning seats. In the Senate, 10 percent went to the Australian Democrats—a "third" party breakaway—and 5 percent to 15 "other" parties, including the first-ever appearance of the Greens, who postured as a progressive alternative.

A few months earlier, in October 1982, amid a global economic slump, thousands of miners and steelworkers had demonstrated outside Canberra's parliament house, eventually bursting through the doors, in a protest against mass sackings.

In February 1983, with the election looming, Bob Hawke was installed as Labor Party leader, via a party-room coup. His essential task was to end such working-class resistance to global corporate restructuring by implementing a "tripartist" partnership between the unions, big business and the government.

Then, as now, the party registration scheme was designed to shore up the two-party system, by placing obstacles to the formation of new parties, and was aimed in particular at preventing a political break by the working class with the Labor Party.

It was accompanied by the Labor government's swift signing of a corporatist Prices and Incomes Accord with the trade unions. The unions then began to enforce a ruthless further onslaught on workers' jobs, conditions and basic rights, provoking widespread disaffection and opposition among workers.

Throughout the 1980s, workers entered into struggles to defend their wages and conditions, only to be isolated and betrayed by the unions—from the 1985-86 dismantling of the Builders Labourers Federation and the sacking of the SEQEB workers in Brisbane, to the 1986 Robe River mining dispute in Western Australia, and the use of the armed forces to break the national pilots' strike in 1989.

The unions shut down workers' factory committees or turned them into pliant instruments of management.

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Militant workers were victimised, ending any semblance of democracy inside the unions. Meanwhile, Labor's privatisation program handed over public assets, including the Commonwealth Bank, to corporate owners, echoing the brutal program initiated in the US by Reagan and in Britain under Thatcher.

Because of these bitter experiences by working people, the 1983 legislation proved unsuccessful in bolstering the parliamentary order. The share of votes going to Labor and the Coalition continued to fall—to 75 percent in 2019—with Labor's vote dropping to a new-record low of 33 percent.

This decline reflected mounting hostility to the bipartisan pro-business program. And it has continued, despite the 1983 laws also providing for state funding of political parties, in a bid to prop up the flagging finances of the old parties, due to the disintegration of their memberships.

From a total of $12 million in the 1984 election, these government payments soared to $70 million in 2019, with the vast bulk going to Labor and the Coalition.

This was on top of huge, officially-reported big business donations in 2019, totalling $109 million for Labor and the Coalition. Most came from corporate entities, including mining companies and banks, which often gave to both parties.

Fees to stand candidates have also sky-rocketed, deliberately adding barriers to parties that lack this corporate underwriting. For a party to nominate candidates for all House of Representative and Senate seats, in a double dissolution election, would cost $454,000.

State funding serves another purpose. It gives the authorities broad powers to pry into the affairs of all parties. On the pretext of checking financial disclosures, the AEC can require parties to provide financial reports and statements irrespective of their receipt of state funding.

The SEP has never applied for, nor accepted, state funding but is still compelled to provide detailed financial records on all aspects of the party's funds. In addition, the Electoral Commission can obtain search and seizure orders, demand the production of documents, and require evidence to be given under oath.

Why now, after nearly 40 years, have these measures, aimed at shoring up the political order, been dramatically escalated?

Even more than in the 1980s, the ruling class and its political servants face intensifying resistance to this accelerating corporate offensive. The drive to "reopen" the economy and force the population to "live with" the virus, for the sake of business profits—despite the certainty of widespread infections, hospitalisations and deaths—is producing a new upsurge of the global class struggle, combined with profound political disaffection.

In 1983, the Socialist Labour League, the forerunner of the SEP, took a principled stand in opposing the party registration laws. Now, against an ongoing blackout in the corporate media, the SEP is conducting a concerted campaign to demand the repeal of these laws and all restrictions on the democratic right of parties and individuals to stand in elections.

At the same time, we appeal to workers and youth: Become an electoral member of the SEP to help us retain our registration, and take the fight for a socialist program to the widest possible audience.

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