SEP (Australia) deregistered under anti-democratic electoral laws

Mike Head
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On February 23, despite objecting in the strongest terms, the Socialist Equality Party in Australia was deregistered by the Australian Electoral Commission (AEC).

The AEC invoked the anti-democratic electoral laws that were jointly rammed through parliament last August by the Liberal-National Coalition government and the opposition Labor Party.

In the middle of the COVID pandemic, this legislation suddenly trebled to 1,500 the number of members whose details had to be supplied to the AEC to retain registration, and gave parties just three months to do so. As a result, the SEP has been struck off the list of registered parties, and just weeks before a scheduled federal election. This prevents the party from standing candidates under the SEP's name.

Despite this blatant political censorship, the SEP will stand candidates in the election, if and when it is called, and conduct the broadest possible campaign for a genuine socialist alternative to the entire capitalist political establishment.

In a brief formal statement, AEC Assistant Commissioner Joanne Reid flatly rejected the SEP's letter of objection, which was filed on January 17 along with a list of 700 electoral members. Without answering any of the party's submission, she insisted that the party had "sufficient opportunities" to comply with the increased membership requirement, "even with the challenges presented by the COVID-19 pandemic."

The SEP's statement of objection denounced the legislation as "a naked attempt to prop up the existing parliamentary parties and stifle popular rising discontent, which has been intensified by the disastrous handling of the COVID-19 pandemic."

Since then, this political disgust and disaffection has been intensified further by the refusal of governments, both Labor and Coalition, to protect and assist ordinary people in the ongoing floods catastrophe, just as they failed to do during the 2019–20 bushfire disaster. There is also developing unease and opposition to the bipartisan line-up behind the reckless and aggressive US-led war drive against Russia and China, which is raising the danger of a nuclear war.

At the same time, the lifting of virtually all COVID safety measures in the profit-driven "live with the virus" program adopted by the bipartisan "National Cabinet" of federal, state and territory government leaders is already responsible for the deaths of thousands of ordinary people. Moreover, this is creating the conditions for a new resurgence of infections and deaths, and the letting loose of even more transmissible and deadly mutations, such as Omicron BA.2.

The imposition of this anti-democratic legislation underscores the necessity for our fight for the development of a mass movement of the working class internationally to overturn capitalism and establish workers' governments that will protect people's livelihoods, health and lives, not corporate profit.

The legislation's attack on dissent and democratic rights is far-reaching. As well as the SEP, 12 other parties have been now struck off since the laws were imposed, and another 8 have been sent notices by the AEC of its intention to deregister them. That is about two-thirds of the registered parties and more may follow.

The struck-off parties include various protest groups and right-wing entities, as well as former parliamentary parties such as the Australian Democrats. The political establishment, dominated by the two-party Labor-Coalition setup, fears any expression of opposition. Above all, however, it is haunted by the prospect that

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opposition will turn markedly to the left toward a socialist alternative, particularly under conditions of emerging struggles of the working class.

Any eruption of major working-class struggle, like the strikes that have already emerged among nurses, rail workers and teachers, or explosions of political disaffection in the looming election would not just shatter Morrison's unpopular and fragile Coalition government. It would blow apart the capacity of any Labor government, backed by the trade unions, to impose the demands of the corporate boardrooms for further pro-business economic restructuring.

As the SEP pointed out in its statement of objection, the sudden three-month deadline set by the legislation to recruit 1,000 new members was clearly calculated to block the SEP, as well as other parties with no current parliamentary members, from contesting the election.

The deadline was imposed knowing that the pandemic made it highly unsafe, a risk to public health and at times illegal, for our members to conduct normal political campaigns and public meetings, including to recruit the extra members needed to submit to the AEC.

As well as simply brushing aside these objections, the AEC ignored the SEP's legal arguments for suspending any party deregistration process until after the election. These included that the legislation itself violates the implied constitutional freedom of political communication by making a mockery of elections. That is, the laws rob voters of the right to cast informed ballots, not have the government or its agencies determine which parties can contest elections with their candidates identified.

This week, the High Court dismissed a constitutional challenge to the laws by the Liberal Democrats, a business-backed right-wing party. That case related to another provision in the legislation, which gives a first-registered party the power to object to any other party using a common political label, such as "liberal" or "socialist," in its name.

The judges have yet to deliver their reasons for that ruling, which was handed down quickly to ensure that it applied to the election. But the court's verdict demonstrates that these profoundly anti-democratic laws cannot be defeated by legal appeals. What is required is a mass political movement of the working class, fighting for a socialist program.

We appeal to all our electoral members, WSWS readers and workers and youth more broadly: Support and join our election campaign. If you have not already done so, become an electoral member of the SEP. Even more importantly, seriously consider applying to become a full member of the SEP, based on agreement with our Statement of Principles, to help build a new leadership in the working class.

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