

Australia: Socialist Equality Party challenges decision to deny it ballot status

Socialist Equality Party (Australia)
28 February 2025

The Socialist Equality Party has formally challenged and launched a public campaign against the rejection by the Australian Electoral Commission (AEC), the body that oversees federal elections, of our application for official party registration.

Under Australia's anti-democratic electoral laws, the AEC decision, unless overturned, means that the SEP's candidates for the imminent federal election, which must be held by May 17, will not have the party's name on the ballot papers.

That will deny not only the SEP's fundamental democratic right to advance its socialist alternative against the entire political establishment and its agenda of genocide, war and austerity but also that of voters to be able to identify the party for whom they intend to vote.

The SEP is yet to receive a reply to the letter sent to the AEC on February 24 by SEP national secretary Cheryl Crisp, officially challenging the decision by AEC assistant commissioner Joanne Reid, which was only notified to the SEP on February 17.

The AEC's rejection came nearly five months after the SEP submitted to the AEC on September 23 the names, addresses, and birthdates of more than 1,500 electoral members and met all the other stated onerous requirements for party registration.

The basic democratic rights of all our more than 1,500 members are therefore also being denied.

The lengthy delay by the AEC makes it virtually impossible for the SEP to legally appeal in time to gain ballot access for this crisis election. As soon as the writs are issued for the election, all party registration applications will be frozen.

The SEP will shortly announce the details of a national public meeting, both in-person and online, to fight this political censorship. As part of this campaign, we urge all our electoral members to send us statements of protest and support for publication on the *World Socialist Web Site*.

The AEC's decision is a continuation of escalating moves by the political establishment and its agencies to suppress mounting economic, social and political disaffection and shore up the main post-World War II parties of capitalist rule, Labor and the Liberal-National Coalition, as well as the Greens, who have become part of this establishment over the past two decades.

The SEP and numbers of other parties were deregistered after Labor and the Coalition joined hands to pass legislation in August 2021 that suddenly tripled the already reactionary membership list requirement from 500 to 1,500. That was just before the May 2022 election, and amid COVID-19 lockdowns that necessarily

restricted public campaigning.

Parties with parliamentary representation, those with the greatest resources, such as Labor, the Liberal-Nationals and the Greens, are exempt from this time-consuming and politically invasive registration process.

The AEC's February 17 refusal followed an obscure and inexplicably delayed process after the SEP application was submitted in September. In its notification, the AEC said it culled three members from our submitted list of 1,546 members for supposedly being members of other parties. Then it claimed that, of a very small sample of just 33 of the SEP's membership, four told the AEC they were not, in fact, members, and that, therefore we failed the membership test.

Under the false guise of "privacy," the AEC sent the SEP a letter on February 27 again refusing our request for it to inform the SEP who those individuals are, so that we can verify the Commission's claims. That "privacy" assertion flies in the face of the fact that our members all gave their details to us in the first place, in order to be submitted to the AEC.

As Crisp's letter of February 24, sent on behalf of the SEP, stated:

There is no detailed report, therefore, no verification of those the AEC eliminated from the list or those contacted who purportedly denied membership.

This means the registration process for the SEP is opaque and fundamentally anti-democratic. It obstructs the SEP from exercising its basic democratic right to have its name appear on the ballot when contesting elections. Therefore, it denies voters the right to cast a vote for the SEP in the upcoming elections.

The AEC decision can be understood only in the context of a historic crisis of the two-party system and the political establishment as a whole. Media polls show collapsing support for the Albanese Labor government—down to as low as 25 percent—but with no corresponding swing to the Coalition, producing the likelihood of a highly unstable minority government.

The corporate media has expressed alarm about this "nightmare scenario." It would produce a fragile Labor or Coalition government depending for survival on the parliamentary votes of

the Greens and/or various independents in the face of intensifying political discontent and the global turmoil triggered by the fascistic Trump administration in the United States.

The political disaffection, which has been building up for decades, has been deepened by the cost-of-living and housing affordability crisis, producing the greatest cut in working-class living conditions since the 1950s. That has been combined with hostility to the bipartisan support for the US-backed Israeli genocide in Palestine and for US militarism more broadly, including the massive spending on AUKUS submarines and other preparations for war against China.

Regardless of which party heads the next government, it will only intensify the attack on the working class in line with the Trump White House's massive assault on jobs, public services, social programs, immigrants and core democratic rights.

The refusal of party registration to the SEP stands in stark contrast to the AEC's willingness to permit mining billionaire Clive Palmer to take over a virtually unknown, re-badged officially registered party called Trumpet of Patriots (ToP), in a blatant move to seek to re-align the political system to match Trump's vicious agenda.

Palmer's pro-Trump operation, which he is bankrolling to the tune of many millions of dollars, has been approved by the AEC. Yet, the only party offering a genuine socialist and revolutionary alternative perspective against Trump-style authoritarianism and its agenda of mass sackings and deportations, social devastation, genocide in Palestine and war against China, is being kept off ballot papers.

This demonstrates the essential purpose and function of the anti-democratic electoral laws to stifle political opposition, particularly that of a left wing or socialist character. In February 2021, there were 49 registered parties, other than Labor, the Liberals, Nationals, Greens and their state-based affiliates. By February 2025, that number had almost halved to 26.

In March 2024, the SEP launched a campaign to regain its registration. In less than eight months, the SEP campaigned widely throughout the working class and won substantial and significant support, exceeding the new membership requirement.

It took the AEC no less than 147 days, more than twice the minimum timeframe outlined in the AEC's own party registration guide for non-parliamentary parties, to reject the SEP's application.

That period far exceeds the time required to process the SEP's previous applications. In early 2021, the last time the SEP re-registered under the previous 500-member requirement, the AEC took just 27 days to approve it. This was despite the AEC checking the validity of membership for the same number of members in both applications.

One element in the delay this time was the part played by the pseudo-left Socialist Alliance, which had effective veto rights over our application because the reactionary 2021 laws also gave previously registered parties proprietary rights over words such as "socialist," despite them being in political use for two centuries, including by the SEP for 52 years.

Socialist Alliance took 21 days to provide the AEC with the appropriate form of authorisation. Thus, this fake-left party, which

promotes Labor, the Greens and the corporatised union bureaucracy, contributed to the delay in processing the SEP's application.

Then more delay followed, as Crisp's February 24 letter outlines:

The AEC letter we received on February 17 shows during a seven-week period, the AEC manually checked just 89 members against the electoral roll and reviewed just eight supposed "cross-party duplicates." There remains no explanation for this delay.

Crisp's letter made the following demands "as part of our request for an immediate reversal of the decision":

- The SEP requires the names of the three "cross-party duplicates" removed from the submission.
- The SEP requires an explanation of why it was not given the option to waive the right to rely on cross-party duplicates despite other registered parties being granted this right.
- The SEP requires the names of the four members the AEC asserts denied their membership during the testing process.
- The SEP requires the statistical methodology used by the AEC to test the validity of the SEP membership and what assumptions are used for the testing. The sample size and number of denials are virtually identical to those for 500 members despite a trebling of the membership requirement, raising serious questions about the validity and reliability of the statistical method used.

The vast delay in the AEC's processing of the SEP application means it is almost a foregone conclusion that the party cannot achieve registration before the federal election. But the SEP will do everything it can to pursue registration, including by challenging the AEC ruling and mounting a public campaign of opposition.

Whatever the outcome, the party will intervene boldly in the 2025 federal election, to provide workers and young people with a genuine socialist and internationalist perspective, against the program of militarism, austerity and authoritarianism supported by every other party.

We urge all electoral members and supporters to participate in this campaign, both by sending letters of protest and support to the SEP at sep@sep.org.au, and by joining our forthcoming public meeting to discuss how to take forward this fight.



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