

## What's in a 'party' name - everything, apparently

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The Australian Electoral Commission has deregistered 19 political parties all because the Government found one of them to be politically inconvenient. The move, a result of federal legislation passed last year, deregistered parties including People Power, The Fishing Party, liberals for forests, Help End Marijuana Prohibition, Christian Democratic Party and the Progressive Labour Party. Although these parties will be able to apply for re-registration, as long as they meet the requirement of having 500 members, they will also be subject to new rules that prevent them having similar names to longer-established parties. The purpose of this heavy-handed approach is simply to remove one party from electoral competition the liberals for forests and the other 18 have been caught up as collateral damage. The liberals for forests party was formed in Western Australia around 2000 in opposition to the forest policies of the Court coalition government.

When the party was registered in that state in 2001, the Liberal Party objected, partly because of the possible confusion in names, but more importantly because liberals for forests were able to attract small "l" liberal voters, whose votes would then largely flow to the Labor Party. The Liberal Party also raised objections to the federal registration of the liberals for forests in 2001, but was again unsuccessful after an Administrative Appeals Tribunal decision. The last recourse of the Coalition has been to use its Senate majority to change the electoral law. It would have been too obvious to target one party specifically, so all parties without parliamentary representation (or previous representation), have now been deregistered.

It is strongly expected that the liberals for forests will not be able to re-register, due to the similarity of the name with the Liberal Party. When the liberals for forests applied for registration in 2001, it made a specific point of using lower-case letters for its party name, as a way of emphasising its ideological connection to the liberal philosophy and in a bid to attract the small "l" vote.

However, the party has also unashamedly used the "liberal" name to attract disenchanted Liberal voters, who may wish to protest against the big L's environmental policies. The ability of the party to attract liberal voters was brought into sharp focus in the 2004 federal election with the defeat of the Nationals' Larry Anthony in the seat of Richmond. During the parliamentary inquiry into the election, the Liberal and National parties argued that his defeat (by 301 votes) was brought about by people who voted for the liberals for forests (whose candidate received 1417 votes), thinking the party was related to the Liberal Party.

Not surprisingly, Labor and the liberals for forests argue that this confusion and impact is overstated. While this very political issue was thrashed out by government and opposition

members on the parliamentary committee, and as a result, a costly and convoluted de- and re- registration process was implemented, an equally important issue, that of how-to- vote pamphlets, has been ignored. The committee heard evidence that the liberals for forests how-to- votes in Richmond were misleading, and because many people follow the suggested numbering that is on how- to-votes, this resulted in preferences going to Labor rather than the Nationals. It would appear that what is required is improved voter education from the electoral commission, to remind people that they do not have to follow the how-to-vote handed out on the way into the polling booth.

Even better would be to regulate how-to-votes so that conflicts can be resolved before the election. This occurs in some states such as Victoria, where how-to-votes need to be submitted to the electoral commission for approval. So how many political parties do we need in a healthy democracy? Currently there are only nine parties registered federally (not counting the various state divisions and coalitions of some parties). Six of these remain registered due to having parliamentary representatives Liberal, Labor, Nationals, Democrats, Greens and Family First, with the other three being the Nuclear Disarmament Party, Democratic Labor Party and One Nation (NSW). These last three parties have avoided deregistration by having previous parliamentary representation. It will be interesting to see how many of the 19 deregistered parties are successful in re- registering in time for this year's federal election. The liberals for forests can be assured of not being able to register unless they change their name. The Progressive Labour Party and Christian Democratic Party may also have problems if Labor and the Australian Democrats, respectively, raise objections.

Other parties may also have problems if their membership has declined, since they were initially registered or last audited by the electoral commission. What is of greater concern is the ease with which a governing party (either the Coalition or Labor) can amend the electoral laws to further its own interests. The Howard Government has now legislated twice, in 2004 and 2006, to remove the liberals for forests as a competitor. It may have been easier, and more democratic, for the Liberal Party to simply give voters a choice by running a candidate in Richmond, something the party has avoided doing since 1996.

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