

Trust Your Representatives

If the Advancing Democracy model was implemented, a Government could not be removed before the end of the Parliamentary term except by a vote in the House of Representatives.

Those sceptical of the Advancing Democracy model will include those who say that with a rigid party system, the governing majority in the House of Representatives will never remove itself from Government, no matter how bad its performance; therefore some other means of removal is required.

There are three answers to this argument.

Most importantly, to permit another means of removal is contrary to principle. In a democracy, the pre-eminent principle must be that the majority is entitled to govern. The people choose their representatives. Their representatives then choose the Government. The Government should not be removed by anyone except those representatives.

It would be possible to devise a democratic method whereby representatives could be recalled by their electorates mid-term; a system known as citizen recall. If replaced by other representatives, that might trigger the removal of a Government mid-term in a way which is consistent with democratic principle.

Citizen recall will hopefully be addressed in the future by Advancing Democracy II. It is not in Advancing Democracy I because its absence is not a source of instability. By contrast, the current royal power to remove an elected Government most definitely is a source of instability.

The issue is not whether Governments should be removed mid-term, but who should make the decision on removal. There is no reason to think that any individual, or group, is better placed to make the judgment than our own elected representatives.

Secondly, the Constitution does not set the Governor-General up in a position where he or she can judge the worth of the Government. The Governor-General is always the nominee of the Prime Minister. Would any Prime Minister appoint someone prepared to remove the Prime Minister?

Thirdly, the record of the House of Representatives demonstrates that it *has* been prepared to change the Government mid-term, notwithstanding party discipline. It can be trusted to do so in the future. History shows that Governments have been changed mid-term, through a change in the opinions held by Members of the House, in three ways:

(a) The majority governing parties lose the support of some the parties' members, who then either support a different Government without an election or force the Government to an early election, which it loses. This has occurred *3 times* since 1901: in 1916, in 1929 and 1931.

(b) The governing parties do not hold an absolute majority in the House, and hold office with the support of members from non-governing parties, who then switch their support to a different Government without an election. This has happened *six times*: five times between

1901-1910, then again in 1941. It could happen again within the current 2010-2013 Parliament.

(c) The members of the governing party decide to change its leader, and following a party room vote the Prime Minister resigns in favour of the new leader of the party, who then forms a different Government from the same governing parties. This has occurred *3 times*: in 1971, 1991 and 2010. On each of these three occasions, the new Prime Minister changed to more electorally appealing policies and re-shuffled the Ministry.

Changes in Government due to a change in the opinions of Members of the House of Representatives have therefore happened *12 times in 112 years*, half of them *after* the two party system crystallised in 1909.

This is a significant number given the long periods when Governments were perceived to be performing reasonably well: e.g., the Curtin - Chifley Governments from 1941-1949, the Menzies period from 1949 to 1969, and the Hawke - Keating years from 1983-1996. In addition, there were other times when similar changes could have occurred, but did not, such as 1939 on the death of Joseph Lyons, 1969 when John Gorton's leadership was challenged by several contenders and 1981 when Andrew Peacock challenged Malcolm Fraser within the Liberal party room.

Scepticism about the adverse effects of strict party discipline is not justified, though it is fair to say that in more recent times the governing party is less likely to be changed than the Prime Minister and his or her Ministers.

Set out below are summaries of the position around the time Government changed hands due to a change in the opinions of Members of the House of Representatives.

The First Parliament 1901-1903

After the first Federal election in March 1901, the numbers in the House were:

Protectionists	31
Free Trade	28
Labor	14
Independent	2
Total	75

Barton's Protectionists had governed with Labor support throughout the first Parliament.

The Second Parliament 1903-1906

In the December 1903 election, the Protectionists lost support, following which the party numbers in the House were:

Protectionists	26
Free Trade	25
Labor	23
Independent	1
Total	75

Labor refused Deakin's offer of a coalition, so initially Deakin's Protectionists governed alone. Government changed hands *three times* within the Parliamentary term, without an election.

April 1904

After governing for some months, Deakin resigned on the basis that it was too hard to govern without a firm Parliamentary majority. The catalyst was a Labor sponsored amendment to include State public servants within the reach of the Conciliation and Arbitration Bill, which Deakin opposed. There was no election. On Deakin's recommendation to the Governor-General, John Watson was appointed as the first Labor Prime Minister.

August 1904

The Watson Government was defeated when the Protectionists and Free Traders combined to carry an amendment to remove from the Conciliation and Arbitration Bill a clause granting preference in employment to trade unionists. Watson sought a dissolution of the House, but the Governor-General refused the dissolution, and Watson resigned as Prime Minister. George Reid of the Free Traders was appointed in his place and formed a Government which included some Protectionists.

July 1905

The Reid Government had struggled to pass legislation, commanding only a small majority when it did. The Protectionists combined with Labor to pass an amendment against the Government. Reid requested the Governor-General dissolve Parliament, but a dissolution was refused, and Deakin was commissioned to form another Government, which governed with Labor support until the 1906 election.

The Third Parliament 1906-1909

Following the election of December 1906, the state of the parties was:

Anti-Socialist	27 (formerly the Free Traders)
Labor	26
Protectionist	16
Independent	6 (four of whom called themselves Independent Protectionists)
Total	75

November 1908

Despite Labor's superior numbers, it initially supported Deakin's Protectionists remaining in office. This arrangement became more difficult after John Watson resigned the Labor leadership in mid 1907, and party members became more assertive in urging a Labor Government. Labor signified its withdrawal of support by defeating the Government on a motion for adjournment in November 1908. Deakin resigned and the Governor-General commissioned Andrew Fisher to form the second Labor Government on 13 Nov 1908.

May 1909

The Fisher Government was outnumbered by its conservative opponents. With the first Commonwealth tariff now having been set in legislation, the path was open for a compromise between the Free Traders and the Protectionists. Over summer, Deakin negotiated what Reid had advocated, a fusion of both parties. In May, this Fusion defeated a Fisher Government motion for adjournment. Fisher requested a dissolution, but the Governor-General refused. Deakin became Prime Minister again on 2 June 1909 and held office till defeated in the 1910 election.

The Fourth Parliament 1910-1913

The Government contested the April 1910 election under the name Liberal, not Fusion. Labor won a majority of 43 of the 75 seats in the House and also won a majority in the Senate. It held office to 1913.

The Fifth Parliament 1913-1914 (World War I began 4 Aug 1914)

Following the June 1913 election, the Liberal party held 38 seats to Labor's 37. Labor still held a Senate majority. Joseph Cook, who had taken over from Deakin as leader in 1913, was appointed Prime Minister. When his bill to abolish the preference to trade unionists in Government employment was rejected twice by the Senate, he obtained a double dissolution, but lost the resulting election.

The Sixth Parliament 1914-1917

Following the election of September 1914, the state of the parties was:

Labor	42
Liberal	32
Independent	1
Total	75

As Labor also won a Senate majority, it should have been able to govern for a full 3 years.

November 1916

Fisher became Prime Minister again, but he resigned in October 1915, possibly for health reasons; possibly due to the strains of the war. Billy Hughes became Prime Minister. After returning from a visit to Britain in 1916, which convinced him Australia needed to introduce conscription, Hughes just persuaded his caucus (23-21, with some members absent) to submit that question to the people at a referendum. This was deeply unpopular within the Labor movement, as were some of Hughes' tactics during the referendum campaign. When the referendum was defeated, his Caucus opponents called a meeting. After rancorous debate, Hughes walked out of the meeting before a vote was taken on his leadership, asking those who supported him to follow. Twenty-four members did so. He resigned as Labor Prime Minister but sought to be re-appointed as Prime Minister of a National Labor Party, comprising his supporters. The Governor-General acceded to this request, upon his assurance that he would obtain support for his Government from the Opposition. On the floor of the House of Representatives, the new Labor Leader, Frank Tudor, moved to amend a Government motion so as to declare no confidence in the Government. Tudor's amendment was defeated 43 to 19, with 10 members paired (see Hansard 6/12/1916 pp.9359, 9386). The vote confirmed the new Government in office, with 18 previously Labor MHRs having switched to join National Labor. By February 1917, Hughes had negotiated a formal merger between his National Labor party and the Liberals, forming a new Nationalist Party, with himself as leader. Four ministers were from the National Labor party and six from the Liberals. It remained in office for the 3 months until the following election.

The Seventh Parliament 1917-1919 (World War I ended 11 Nov 1918)

In May 1917 the voters elected the following members to the House of Representatives:

Nationalist	53
Labor	22
Total	75

The re-elected Nationalist Government under Hughes remained in office for the full

Parliamentary term. Hughes did resign following the defeat of the second conscription referendum, but he did not recommend a successor or a dissolution. He was immediately re-commissioned to form a new Government because he still commanded majority support in the House.

The Eighth Parliament 1919-1922

The next election in December 1919, conducted using preferential voting, saw the rise of the Country Party. The results were:

Nationalists	37
Labor	26
Country	11
Independent	1 (identified as Independent Nationalist)
Total	75

The Independent allowed the Nationalists a bare majority so it could stay in office. The Country Party offered selective support in return for concessions, so there was no change of Government during the term.

The Ninth Parliament 1922-1925

In the election of December 1922, Labor gained ground, but the Country party emerged with the balance of power:

Labor	30
Nationalist	26
Country	14
Liberal	5
Independent	1 (First Northern Territory member with limited voting rights)
Total	76

Hughes was forced to step down in favour of the Nationalist Stanley Bruce as Prime Minister, who was more acceptable to the Country Party. The two parties formed a coalition. Government did not change hands during the term.

The Tenth Parliament 1925-1928

In November 1925 the election results in the House were:

Nationalist	37
Country	14
Labor	24
Independent	1
Total	76

The Bruce - Page coalition retained power throughout the term.

The Eleventh Parliament 1928-1929

The results of the election of November 1928 were:

Labor	32
Nationalist	29
Country	13
Independent	2
Total	76

September 1929

The Nationalist / Country party coalition should have been able to retain power for 3 years. But it suffered from internal dissent fostered by Billy Hughes, which led to some members crossing the floor to vote against the Government from their own party. In September 1929 the Government introduced legislation to return industrial relations' powers to the States. Hughes moved an amendment that the legislation not take effect until approved at a referendum, and the amendment was passed by one vote. Government did not change hands, but faced with a split in his own ranks, the Prime Minister called an early election, which he lost.

The Twelfth Parliament 1929-1931

On 12th October 1929, about two weeks before the Wall St crash which heralded the Great Depression, Labor regained office. The results were:

Labor	47
Nationalist	14
Country	10
Independent	5
Total	76

Prime Minister Scullin was however outnumbered 29 to 7 in the Senate. The Labor Party fractured under the pressure of dealing with a Depression not of its making with a hostile Senate blocking all its significant initiatives. In February 1931, two senior Cabinet Ministers, Lyons and Fenton, quit the party following disagreements over debt repayments and a ministerial reshuffle. Within 3 months they and four others had joined with the Nationalists to form the United Australia Party. On 25th November, there was a further split, when Labor MHRs who supported the New South Wales' Labor Premier Jack Lang voted to adjourn against the wishes of the Government. The vote was 37 to 32 in favour of adjournment, with 4 members paired. Scullin called an election, which he lost. The Government had fallen because members elected as Labor MHRs had voted against their own party.

The Thirteenth Parliament 1931-1934

The party established by the Labor defector, Lyons, won the election held in December 1931:

United Australia	40
Country	16
Labor	15
NSW Labor	4
Independent	1
Total	76

The UAP governed alone after unsuccessful attempts to form a coalition with the Country Party. Government did not change hands during the Parliamentary term. The 'NSW Labor' contingent were Lang supporters. This split continued to weaken Labor until 1941.

The Fourteenth Parliament 1934-1937

In September 1934, the election resulted in a majority UAP / Country Party Coalition Government, which held office throughout the term.

United Australia	33
Labor	18
Country	14
NSW Labor	9

Independent	1
Total	75

The Fifteenth Parliament 1937-1940 (World War II began 3 Sep 1939)

In October 1937, Labor regained some ground, but Lyons remained Prime Minister:

Labor	29
UAP	28
Country	16
Independent	2
Total	75

When Lyons died in April 1939, Earle Page, the Country Party leader took over as Prime Minister until the UAP elected a new leader. When the UAP elected Menzies, he withdrew the Country Party from the coalition. This could have changed the Government, but the Country Party split, and Page was ousted as leader. Menzies formed a UAP Ministry, which received Country Party support in the House until the next election.

The Sixteenth Parliament 1940-1943

In September 1940, the election returned a hung Parliament:

Labor	32
UAP	23
Country	14
Non-communist Labor	4 (Lang supporters)
Independent	2 (Coles and Wilson from Victoria)
Total	75

Menzies re-established the coalition with the Country Party, with its new leader Archie Cameron as his deputy. They lacked a majority and depended for Government on the support of the two Independents. The governing parties were not however united. The Country Party removed Cameron in October 1940 and appointed Arthur Fadden as its leader. Menzies returned from a visit to Britain to find he had lost substantial support within his own party. On 29 August 1941 he acknowledged to his Cabinet that he had lost its support. He resigned as Prime Minister, and Fadden took over as Prime Minister on 29 August 1941. He presented the budget, but in debate on the budget on 3 Oct 1941, the two Independents voted in favour of Labor amendment. The Government lost the vote 36 to 33, with four absent under a pairing arrangement: Hansard pp.719-720. John Curtin formed a Labor Government with Independent support until the next election. Billy Hughes became the UAP leader.

The Seventeenth Parliament 1943-1946 (World War II ended 15 Aug 1945)

In August 1943, the voters elected a House as follows:

Labor	49
UAP	12
Country	12
Independent	2
Total	75

Labor governed throughout the term, though firstly Forde, then Chifley, took over as Prime Minister on John Curtin's death in July 1945.

The Eighteenth Parliament 1946-1949

At the election of September 1946, the Chifley Labor Government was re-elected:

Labor	43
Liberal	17 (formerly UAP)
Country	12
Independent	3
Total	75

It held office throughout the term.

From 1943 to 2007 inclusive, each election resulted in the majority party governing for the whole Parliamentary term. Nevertheless there were 3 changes of Prime Minister forced by re-alignments within the governing party.

The Twenty-Seventh Parliament 1969-1972

In October 1969 there was a substantial swing against the Gorton Liberal Government, which lost 15 seats. The results were:

Labor	59
Liberal	46
Country	20
Total	125

Gorton defeated internal challengers for the leadership immediately after the election. However Malcolm Fraser resigned from his Ministry, attacking Gorton, in March 1971. This triggered another leadership challenge, won by William McMahon. Gorton resigned as Prime Minister and McMahon was appointed. At the earliest opportunity, the ALP moved a motion of no confidence: Hansard 15 Mar 1971, p.827. The motion was lost 62 to 58 with two members paired: Hansard 15 Mar 1971, pp.821-822. The House thereby confirmed the change of Government.

The Thirty-Sixth Parliament 1990-1993

In March 1990, the voters elected the following members to the House of Representatives:

Labor	78
Liberal	55
National	14
Independent	1
Total	148

Prime Minister Hawke had been in office since March 1983. He was challenged for the leadership by Paul Keating, whose second attempt was successful. The Labor caucus voted 56 to 51 in favour of Keating on 19 Dec 1991. Mr Keating's support in the House was not immediately tested, but ALP members continued to vote with the Government later that evening and during sittings in the rest of the term. By these votes, the House confirmed the change of Government.

The Forty-Second Parliament 2007-2010

In November 2007, the Howard Liberal Government was voted out of office. The results were:

Labor	83
Liberal	55
National	10
Independent	2
Total	150

Despite returning Labor to office, Prime Minister Rudd's support within his own party steadily dropped from early 2010. Matters came to a head suddenly on 23 June, and by the next day it was clear to Mr Rudd that he would not have sufficient support to withstand a challenge. He resigned. Julia Gillard was elected as the party's leader and appeared in Parliament on 24 June as Prime Minister. The Opposition chose not to test her Parliamentary support that day by way of a division, and Parliament was dissolved for an early election on 21 August without sitting again. But the Government had changed as a result of a shift in support within the House of Representatives.

Philip Howell
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Sources

The above material is considered sufficiently well-known and uncontroversial that it is unnecessary to cite evidence for each statement. It has been drawn from the following sources:

- (1) The dates of the various Parliaments are drawn from Appendix 15 to the *House of Representatives Practice*, 6th edition, available at <http://www.aph.gov.au>.
- (2) The representation of political parties in each Parliament comes from Appendix 10 to the same publication.
- (3) Accounts of the events leading to changes of Government come from:
 - Australian Prime Ministers*, by Michelle Grattan (ed.), New Holland Publishers, 2000;
 - Hansard, House of Representatives*, www.aph.gov.au
 - The Australian Dictionary of Biography*, <http://adb.anu.edu.au/biography>
 - The Great Professional: A Study of W. M. Hughes*, by Malcolm Booker, McGraw Hill, 1980;
 - Menzies Observed*, by Cameron Hazelhurst, George Allen & Unwin, 1979;
 - The End of Certainty*, Paul Kelly, Allen & Unwin, 1992;
 - The Party Thieves*, by Barrie Cassidy, Melbourne Uni Press, 2010;
 - The Federal Australian Labour Party 1901-1951*, L. F. Crisp, Longmans, 1955;
 - and the writer's general knowledge.

Web resources accessed on 18 Oct 2012.