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*SWINGS AND ROUNDABOUTS:
NEW SOUTH WALES BY-ELECTIONS, 1941-1986*

A Summary

By

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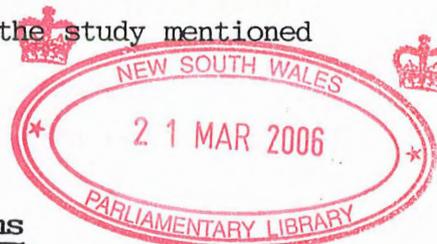
BACKGROUND PAPER

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A comprehensive study of the 95 by-elections held in New South Wales since 1941 reveals significant changes in the causes of by-elections, their timing and the patterns of party competition to which they have given rise^[1]. It also documents changes in the rate of turnout, the nature and size of Government and Opposition swings and the nature of any swing back. The study, the first of its kind for any Australian parliament, casts new light on the various aspects of the by-election process. This paper summarises the findings of the study mentioned above.



Causes of By-Elections

There has been a marked change since the late 1960s, in the causes of by-elections. Where once they were mostly produced by the death of members, they are now overwhelmingly the product of resignations. In part this reflects changes in (Labor) party rules and pre-selection practices; until the 1960s some of the men elected to the New South Wales parliament for the first time were in their sixties. While the progressive liberalisation of the parliamentary superannuation scheme may have affected the rate of early retirement there is no clear evidence that it has affected the rate at which members have resigned. There has been no change in the proportion of vacancies occasioned by members accepting government appointments, contesting Federal elections or leaving the parliament after stepping down from party leadership. What has changed is the number of resignations due to other causes from scandals to frustrated ambition.

Timing of By-Elections

There is no clear evidence that members' assessments of the government's chances at the next general election affects their decisions to resign, but there is evidence that the political climate is a factor which affects the government's decision about whether to

[1] Swings and Roundabouts: New South Wales By-Elections, 1941-1986 by Murray Goot. New South Wales Parliamentary Library Background Paper 1987/1, Sydney, January, 1987.

hold a by-election and if so, when. From 1941 to 1976, under first a Labor and then a LCP administration, most by-elections were held within 60 days; after 1976 only one-third of the vacancies were filled this quickly. On occasion, Labor has either circumvented the need for a by-election by calling a general election (1978) or not held the by-election for up to 5½ months; Heathcote is the fourth seat thus delayed.

The longest delays, practised by both the Labor government and its LCP predecessor, have been in connection with the Opposition's safe seats. To no avail; the only 'safe seats' ever lost have been those of the government. Curiously, there is no clear evidence of governments postponing by-elections in their own marginal seats or hastening to call them for marginal seats held by the Opposition.

The increasingly common practice of holding a number of by-elections on the same day gives the government both the chance to test the water with a 'mini-election' and a way of minimising the damage associated with a series of bad results.

Patterns of party competition

By-elections contested by both government and Opposition candidates (with or without others) have been the standard pattern only since 1965. Prior to that, half the by-elections either lacked government or Opposition candidates or else followed general elections in which only one of the two sides competed. Since 1976, only the Labor side has abstained from a by-election.

Typically, by-elections have attracted more candidates than general elections. The range has been considerable: various minor parties, intermittently, and a large number of independents. The median vote for minor parties and independent candidates in the period of the last coalition government was fairly low at 4.22 percent. But during the last period of Labor rule it was 13.8 percent (varying widely) and under the current government, 10.86 percent.

The absence of one or other of the major parties from a large proportion of the by-elections or from the contest at the preceding general election and the fact that minor party preferences have often remained undistributed precludes the use of a 'two-party preferred' vote for measuring swing.

Turnout and informal voting at By-Elections

Turnout has been lower at by-elections than at general elections. Since 1976, turnout has been lower in government seats than in seats of the Opposition. The strongest differences, however, (5 to 7 percentage points) have been between safe government seats and safe or marginal Opposition seats. Turnout has also been lower in seats which the Government or Opposition has failed to contest; more striking however, is the very limited extent of this drop.

Informal voting at by-elections has generally been a little lower than at general elections, notwithstanding the longer ballot papers. Presumably some of those who might have voted informally, out of ignorance or misadventure, simply abstained. There is little evidence of the informal vote being used to protest at the range of candidates. Indeed, in those contests which lacked a government or Opposition candidate, the informal vote was generally lower.

By-Election Swings

Contrary to the commonly held view that by-elections always go against the government, each of the last three governments (Labor, 1941-65; LCP, 1965-76; ALP, 1976-) has gained votes at some by-elections and won at least one seat. Governments do best in their first term. However, the size of any adverse swing is not a simple function of the number of years a government has spent in office; the steadily deteriorating by-election performance, dating from 1978 that has plagued the present government is unique. The swings endured by Labor since 1976 have been nearly 10 percentage points greater than those

experienced by the coalition. These, in turn, were 4 percentage points greater than the swings against the previous Labor administration.

Under both this Labor government and the last, swings were generally greater where the number of contestants was greater. The influx of candidates may be as much an effect of the government's standing as a cause of it. Governments that are already shaky are probably more likely to draw minor candidates into by-elections; governments that are well set do not encourage new players because there are fewer votes to pick up.

The government has generally done best in the Opposition's marginal seats; somewhat less well in safe seats vacated by Opposition members; less well again in its own marginals; and worst of all in its own safe seats. There are several possible explanations for this. These include the idea that by-elections encourage voters to act strategically, so that while voters in safe government seats know that they can usually shake the government without costing it a seat, government supporters in marginal seats have to be more wary; and the idea that in safe government seats there is likely to be greater resentment towards the government's interest in the 'middle ground' and marginal seats. Each of these ideas has its attractions but each also has its difficulties.

The differences that they seek to explain may, in part, be a statistical artifact. If swings are calculated on a proportional or 'at risk' basis and not on an arithmetic basis, the differences diminish if not disappear. Thus, a shift from 65 to 50 percent (15 percentage points) and a shift from 45 to 35 percent (10 percentage points) are almost the same if expressed as proportions of the original: 15 on 65 (23.1 percent) and 10 on 45 (22.2 percent).

Is a low turnout bad for a Labor government? Probably, but the impact is probably not great and may be due more to the fact that the government is Labor. Is Labor protected from a big swing in the Heathcote electorate because it already suffered a swing there in 1984? No. Since 1976 big Labor losses have generally been preceded

by big losses at the general election. Will there be a swing back in 1988? Possibly, but swings backs have only been a feature of electoral politics since 1976 coinciding with the big increases in by-election swings.

The range of swings and their periodisation leave the notion of a 'normal' swing in tatters. Not only has the swing in the government's first term differed in direction from the swing experienced in subsequent terms, the size of these later swings - whether considered election by election, term by term or government by government - have varied widely as well. The 'expected' swing can never be a trans-historical category. Expectations, if they are to be realistic, are a matter of context; they have a history of their own.

16th January, 1987.