

The NSW Election of 22 March 2003

Mr Peter van Onselen

School of Politics and International Relations

University of New South Wales

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Abstract

The New South Wales election of March 22nd 2003 presents an interesting study in modern Australian political campaigning. With the backdrop of war in Iraq, the incumbent ALP Government led by Bob Carr went to the polls challenged by a Coalition led by 34 year old Leader of the Opposition, John Brogden. The Coalition was coming off a terrible set of results from the 1999 election, the worst in recent memory. In contrast the ALP was popular, cashed up and running on a track record of sound economic management. The results saw the Coalition go backwards on two-party preferred calculations, unable to make any headway into the ALP's huge Lower House majority. This paper details the campaign, the policy issues and the aftermath of the Coalition defeat. When the results are analysed a number of interesting findings become apparent. The concept of state verse federal issues appears to be slowly eroding in the modern political context. Elections in Australia are becoming increasingly presidential, with respective leaders dominating the advertising campaigns. In the aftermath of the defeat, the Coalition has been surprisingly reticent to closely scrutinize why it performed so poorly. On the other side of the political spectrum the pecking order in the upper ranks of the Labor Party's ministerial team are becoming increasingly apparent. Each of these issues will be examined, as will the results of the minor parties and independents. The NSW election of 2003 highlighted the growing irrelevance of state politics amongst voters in NSW, the benefits of incumbency, as well as the increasing usage of professionalised campaign techniques by both major parties.

Background

The NSW State election of 22 March 2003 played out under the backdrop of war in Iraq. Initially the threat of war dominated the media, and ultimately the onset of allied bombings and the early stages of the land invasion consumed the final three days of the campaign. This climate of international instability made it difficult for the Opposition to gain any traction in the media. The Liberal leader exacerbated this facet of Coalition disadvantage. John Brogden's inability to arrest the party's decline was evident in opinion polls (see Graph 1.0). Brogden's low personal recognition rating (Newspoll, 10/02/03) may have contributed to this decline. Having a leader unknown to large tracks of the electorate certainly stifled the Coalitions ability to make inroads on the ALP. Such anonymity is counter-productive to attempts to wrestle voters away from a popular incumbent. In addition, a well-financed media relation's machine supported the Carr Labor Government¹. Bennett (1992: 34) has noted the importance of the media in state political contests in Australia. Bob Carr's

¹ The ALP enjoyed an unprecedented \$10.7m election war chest. The Coalitions equivalent was less than a third the size.

personal rating stood at 63% approval just prior to the election (Newspoll, 12/03/03), and the Labor Party maintained its lead in all major opinion polls right through the four years between elections².

In contrast the Liberal Party had changed leadership one year out from the election, replacing Kerry Chikarovski with the then 33-year-old former NSW Young Liberal President John Brogden. Kerry Chikarovski had presided over the electoral disaster of 1999, having assumed the leadership herself only 100 days prior to that election.³ The following three years had seen her continue to lag in the polls, to the point where her preferred Premier rating dipped to 14% just prior to Brogden's challenge (Newspoll, 22/02/02). Interestingly however, four bi-monthly newspolls prior to the leadership challenge saw the Liberal Party primary vote at 35, 37, 38 and 38% for August, October, December and February 2002 respectively (see Graph 1.0). John Brogden challenged for the leadership with the aim of reducing the Carr Governments lead with one eye towards the 2007 poll.⁴ He won the party room vote by a narrow 15 votes to 14. Given the Liberal Party's poor primary result at the March election (24.9%), and given that under Chikarovski's leadership the Liberal Party was polling at 38% directly prior to the leadership challenge, it would seem the decision to change leaders when they did was a poor one. This decision, along with Liberal Party reticence to critically review the party performance, will be detailed in later sections.

Looking nationally, the ALP was in Government in all five remaining states as well as both territories. The Federal Coalition Government was the only Coalition Government in the country. The year 2002 saw the ALP elected to minority government in South Australia, returned in Tasmania, as well as massively increase

² See Newspoll and Roy Morgan Research websites (listed in References Section).

³ Following her deposing of then leader Peter Collins.

⁴ Confidential interview with senior NSW Liberal (Subject A). The subject matter of this paper contains information that is politically sensitive. As a consequence the names of those interviewed have been withheld from publication. I have listed the status of the interviewee in the References section, referring to them throughout as 'Subject A, B, C or D'.

its majority in Victoria. It appeared voters were consciously electing Labor Governments to administer the states, while the Coalition ran the country.

In NSW the variable between parties elected to administer state and federal spheres of Government has historical roots. Since the 1949 election of the first federal Liberal Government, NSW has had a different party governing at the state level compared with that governing federally 72.8% of the time.⁵ Statistically it is therefore over two and a half times more likely that the state Government in NSW will differ from that serving federally, rather than being the same. There are three possible reasons for this statistical outcome: NSW has a trend of electing a different party to govern at state level from that governing federally, the Coalition has been over represented federally and/or the ALP has been over represented at state level, or simply statistical chance.

Given that it is unlikely chance would cause such stark differences in electoral outcomes between state and federal spheres, it can be hypothesized that electors consciously choose different parties at each level of government in NSW, and/or one of the parties is over represented in either sphere. In both respects the findings indicate the Coalition was likely going to struggle to do well at the 2003 State Election. Smith (2003) has noted that NSW has historically tended to be a Labor state. He attributes this in part to geographical considerations (locations of voting populous). However such considerations are not currently translating to the federal sphere. Seats such as Ryde, held by a margin of 6.6% prior to the 2003 election, is now held by a two party preferred margin of 15.5%. The seat of Ryde is wholly within the federal electorate of Bennelong, Prime Minister John Howard's seat. Across western Sydney similar variables between state and federal results are also evident. Smith also notes that although the ALP performed comparatively well at the 1999 election when compared to the Coalition, its primary vote fell to 42.2% in the

⁵ Data has been drawn from the Elections Website: www.elections.uwa.edu.au.

Legislative Assembly (2003: 72). This result is poor by ALP historical standards in NSW. Results of the 2003 state election will be addressed in later sections.

Issues and Policies

The traditional state policies of law and order, health and education dominated the policy agendas of both major parties (Sydney Morning Herald, 21 March).

Nevertheless, media traction on these issues was minimal given the plethora of alternate news stories during the campaign period. The additional issue of transport received strong negative media coverage, given the problems faced in this portfolio area. Train derailments caused the government much angst, and represented the only weakness exploited in Bob Carr's political armor. The Shadow Minister for Transport, Peter Debnam, did a strong job of drumming up media to discredit the government in this regard. Labor responded by sending Carl Scully underground for the duration of the campaign, joining embattled frontbencher Eddie Obeid (Bray, 2003). This had the effect of minimizing potential damage. Despite such campaign successes for the Liberal Party, voters seemed to only have one eye on the campaign, and the Carr Government ultimately suffered little from the Glenbrook train disaster.

The Coalition policy agenda was managed around the issues of reduced class sizes and mandatory minimum sentences for criminals. Internal party polling identified law and order and education as the battlefields the party could gain the most traction in (Interview, Subject B). John Brogden pledged to reduce primary school classes to a maximum of 21 students per classroom. On both policy fronts the Coalition suffered from an inability to differentiate itself from the Government. Labor pledged to also reduce class sizes, while on the law and order front it was reported in the media that the Coalition policy was proposing some weaker minimum sentences than those that currently existed. In addition to the aforementioned problems, John Brogden substantially trailed Bob Carr in opinion polls on which leader held views closest to the voter on the key policy areas of health, education, transport, law and order, and the environment. Within these bands Brogden's support ranged from 21-23%, while

Carr's ranged from 44-46%. Additionally voters indicated concerns about John Brogden's lack of experience. Newspann indicated that 72% of those surveyed considered him inexperienced. Such figures translated into a poor comparative rating for ability to run the state. Only 17% of those polled considered the Opposition Leader better capable of running the state than the Premier (57%).

The Coalitions need to differentiate itself from the ALP Government was made more difficult given the Liberal leaders personal policy positions on issues such as heroin injecting rooms. His philosophical position in this regard was similar to that of Bob Carr, and the ALP exploited this position early in Brogden's leadership, calling a parliamentary vote on extending the trial period of the Kings Cross injecting room. The Coalition called for a conscious vote, with the Liberal Leader voting with the Premier on the floor of the Legislative Assembly, against most of his Liberal Party colleagues (NSW Legislative Council Hansard, 05/06/02).

At the local level the NSW Election was dominated by MP and candidate attempts to present themselves as carrying 'good local credentials'. Campaign literature carried stories of electorate experiences. Many candidates had formerly served as local councilors, and indeed a number of challenges to major party candidates from independents were derivative from party infighting over allegations of imposed candidacy. The Liberal and National parties in particular faced a number of challenges from high profile local independents.⁶ Addressing Liberal State Council prior to the election, John Brogden indicated that the election would be fought primarily at the local level.

'Elections aren't won and lost in Macquarie Street. They are....won and lost seat by seat, street by street, and house by house.' (Australian Financial Review, 25 November, 2002).

⁶ See for example the seats of Bega, Willoughby, South Coast and Albury.

Minor Parties and Independents

The NSW election represented a further test for the recent support the Australian Greens had been enjoying at federal and state polls across the country. At the 2001 federal election the Australian Greens out campaigned, spent and out polled the Australian Democrats for the first time at a federal level.⁷ The NSW election was a further test following their successes at the Victorian State Election. The backdrop of war provided the Greens with an ideal electoral climate in which to campaign. The inner city of Sydney was covered in 'No War' posters sponsored by the Greens. The fact the war was a federal issue and not a state issue did not deter the Greens from mounting an expensive professional campaign pitched at disaffected voters. Bob Carr was loath to come out strongly against the war, given his conservative Labor status, so the Greens were afforded the opportunity to collect on major party dissent from both sides of the political divide.

According to opinion polls, the Australian Democrats were expected to struggle to secure a single seat in the upper house (Newspoll, 12/03/03). This was despite the fact parties only need a total of 4.55% of the state-wide vote per upper house elected member.⁸ Federally the Democrats remained in turmoil, and the state team was unable to separate itself in the eyes of voters. The Democrats have never done especially well at a state level outside of South Australia (Smith, 1997). The contemporary troubles the party has been facing simply compounded this position.

Pauline Hanson moved to NSW with the aim of running for the low quota upper house. She immediately attracted a flurry of media attention. The low quota required to secure an upper house seat in NSW coupled with the fixed eight year term for the Legislative Council were obvious enticing factors for the former leader of One Nation. However she failed to officially register as a party and thereby secure an

⁷ For information on campaign spending and 2001 federal election results, refer to the Australian Electoral Commission website at www.aec.gov.au.

⁸ It should be noted that this figure is post preference allocation. Upper House candidates have secured election with less than 1% of the primary vote.

above the line placement. Instead she had to be content with a place in amongst all the below the line independents. Political commentators immediately wrote off her chances, yet opinion polls continued to indicate she was a chance (Newspoll, 12/03/03). The test would be whether enough voters could find her in amongst Australia's largest ballot paper, and even if they could, whether they could be bothered to fill out all the necessary boxes and do so correctly.

The real impact from minor party and independent candidates was in the Lower House. Ever since independents controlled the balance of power in the NSW Legislative Assembly from 1991-95 they have been paid much greater attention and respect in campaigns by the major parties (Laffin & Painter, 1995). At this election the Liberal Party was facing challenges from independents in a number of its own seats, including safe seats, as well as seats it was looking to secure from the ALP to win Government. The rise of the conservative independent, perhaps as a response to the recent crippling factional fighting within the Liberal Party (Interview, Subject C), was also going to be a thorn in the side of John Brogden's team.

The ALP faced a serious challenge from the Greens in its usually safe seat of Port Jackson, held by Sandra Nori. However that challenge diminished with the Greens announcement of its radical drug legalisation policy. The Coalition, under extreme pressure from the Nationals, announced it would be preferencing the Greens last, and challenged the ALP not to accept Green preferences. Quite apart from the difficulties in formalising such an abstention from preferences, the tactic from the Coalition had political potential, at least on face value. The campaign was fought largely on 'tough on crime' issues, and a 'tough on drugs' approach is a similar line. The Coalition attempted, albeit unsuccessfully, to tarnish the ALP with the brush of Green soft on drugs policy. It was an attempt at smear by association. The electoral results however indicated that it was not successful, perhaps because of the Opposition Leader's personal support for injecting room trials, or perhaps simply as

an example of the Coalition's inability to gain any traction with voters during the campaign period.

The Campaign

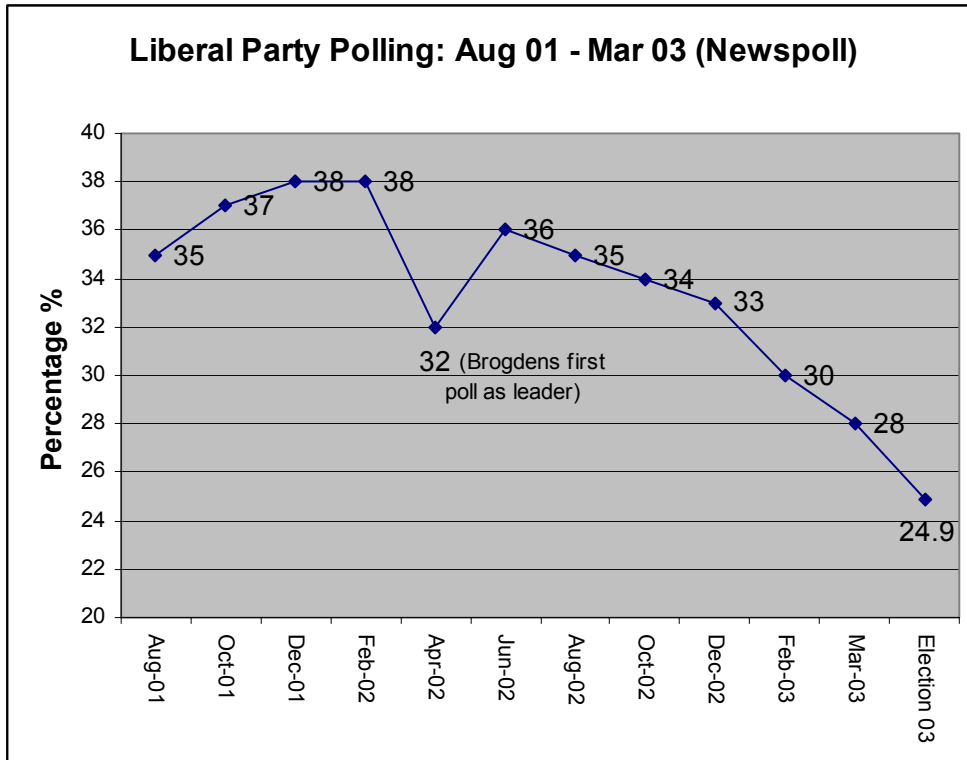
Once again an Australian election became a presidential style affair. It was Bob Carr verse John Brogden, the conservative ALP man verse the small (l) Liberal former Young Liberal President. Normally 'former Young Liberal' status would not be so significant, however at only 34 years of age, his lack of experience was well exploited by the ALP. Meanwhile the Coalition tried to market Brogden to the youth of NSW. Paradoxically the polls consistently indicated younger voters preferred Carr, while older voters were comparatively more inclined towards the Liberal leader. Late in the campaign internal Liberal polling resulted in the Coalition shifting its policy agenda to appeal to elderly voters. Given the parties dire internal polling, coupled with poor public polling, this shift was an attempt to stymie the party's losses in heartland seats (Interview Subject C). Between Bob Carr's high approval rating, Brogden's low recognition rating and the plethora of conservative independents running in usually safe Coalition seats, the Coalition polling during the campaign indicated it may go backwards on its 1999 results.

The campaign period was most notable for three factors. First, there was no leaders debate. Despite his excellent record, popularity and debating prowess, Bob Carr refused to debate John Brogden. By doing so he kept to the mantra that an incumbent has more to lose from a debate than the Opposition (always struggling for political oxygen). This was most notable during this campaign. Publicly Carr stated that as his predecessor, John Fahey, refused to debate him, he was simply returning the favour. Such an argument from a consummate politician like Carr was not well received⁹, but in reality the need for a debate between state leaders was very low. Federal leadership debates are common, however at state level I would suggest the public considers it largely unnecessary. Instead the ALP flooded the airwaves

with advertising and more advertising. Finally there was the ever-present war. War broke out just days before the poll, stealing any last minute attention the election may have otherwise received. The Liberals commented the timing was a blessing. Had war broken out before the media blackout period their strategy of deploying the majority of their ads toward the end of the campaign would have been thoroughly overshadowed. I submit that the Coalition in fact needed to use its advertising budget earlier. Doing so would have created greater exposure for the new leader, as well as given voters time to mull over the ALP eight years in office. It also may have arrested the Liberals declining numbers in opinion polls (see Graph 1.0 below). As it was, the ALP victory was even more resounding than in 1999.

⁹ Though not well known I would suggest.

Graph 1.0: Liberal Party Polling between August 2001 – Election 2003 (Newspoll).



The Results

The above graph highlights the steady decline in Liberal polling prior to the 2003 state election. Although Brogden entered the leadership with the aim of improving the party’s fortunes at the March election, it can be seen that from when he took over the leadership the parties polls consistently fell. Given that his personal approval ratings ran better than those of Kerry Chikarovski, the above figures indicate that such improvements in Opposition leader ratings do not necessarily translate into better party polling, particularly where the Opposition Leader is largely anonymous to large tracks of the electorate. If the Liberal Party had performed even nearly as well as it was polling under Chikarovski, it would have performed significantly better at the March 2003 election.

The 2003 NSW election saw the ALP returned to office with the same majority it had enjoyed previously, however with an improved two-party preferred vote. The ALP picked up the Coalition seats of Camden (Lib) and Monaro (Nat), with the Nationals

also losing the seats of Port Macquarie to former National MP Rob Oakeshott¹⁰, and Tamworth to a local independent.¹¹ The Coalition won back the seats of South Coast (Lib)¹² and Clarence (Nat) from the ALP. With respect to vote share between the major parties, Labor's primary vote went up 0.65% in the Legislative Assembly, while the Coalition vote improved by 0.03% (Lib) and 0.75% (Nat) (Green, 2003:3). Given the decline in One Nation primary votes, when compared to the 1999 figures, such minimal improvements in primary votes, especially by the Liberal Party, were well below expectations. In totality the Coalition lost ground, the overall state of the electoral pendulum with respect to seats held worsened for the Coalition, dropping from 33 to 32, falling away on two-party preferred vote. Going into the 2003 election the Coalition needed to win nine seats with a swing of 6.6% to remove Labor's majority, and a swing of in excess of 8.5% to win government. Analysing the 2003 results, the Coalition now needs a swing of 9.1% for the 10 seats it needs to overturn Labor's majority, and more than 11% to govern in its own right. In addition the vote needs to be uniformed across a large number of electorates.

Prior to the 1999 election, Ryde, Strathfield, Georges River and Menai were marginal Liberal seats, while Kogarah was Labor's most marginal seat. Now all are Labor, held with margins of more than 10%. Seats like Ryde and Kogarah have recorded swings of more than 20% over two elections, both ranking as the two worst performing seats at the 2003 election for the Coalition, according to the two-party preferred swing to the ALP (Green, 2003: 35). Eight of the top 10 swings on March 22nd occurred in seats that were held by the Coalition going into 1999, and the largest swing by far occurred in Kogarah, which was Labor's most marginal seat in 1999 (11.7% swing to the ALP in 2003). The electoral pendulum now shows that Camden and Penrith are the ALP's

¹⁰ Rob Oakeshott contested the 1999 election as a National for the seat of Port Macquarie, however resigned from the party mid-term to seat on the cross benches as an independent.

¹¹ It should be noted that the seat of Tamworth was won by an independent at the 1999 election, returned to the National s at a by-election following the local independents (Tony Windsor) move to federal parliament.

¹² From a professional political practice perspective, I would consider the Liberal campaign for South Coast one of only two successful campaigns for the Liberal Party in winnable seats (the other being the seat of Penrith – though this seat was most likely a two term strategy). Don Harwin MLC managed the South Coast campaign, and he did so effectively. Although the Liberal Party were expected to win the seat comfortably, the same predictions were unsuccessfully made elsewhere in the state.

most marginal seats with respect to the Liberal Party (5.4% & 6.1% respectively). The seats of Tweed and Monaro are the ALP's most marginal seats in totality, at 3.8% and 3.3% respectively, facing the National Party. The size and uniformity of the state-wide swing the Coalition needs to win the next state election has grown enormously as a result of the 2003 election. The John Brogden experiment can be seen to have failed. Opinion polling prior to the 2002 deposing of Kerry Chikarovski saw the Coalition travelling substantially better than the results of the 2003 election (Newspoll, 22/02/02). Internal ALP and Liberal Party polling indicated a similar expectation (Subjects A & D). The final section of this paper will address the aftermath of the result.

At the 2001 federal election, the Coalition Government won every seat on Sydney's suburban fringe suburbs. Cook and Hughes in the south were secured by the Coalition, as were Macarthur, Lindsay and Robertson. The Coalition retained office in both 1998 and 2001 as a result of such successes. With Labor gaining Camden and almost picking up Gosford, Cronulla stands out as the only other state seat within these federal electorates that still remains in Liberal hands. On the map of metropolitan Sydney, Vaucluse and Cronulla are now the only Liberal seats held south of the harbour. This is not the first time such disparities have occurred. Neville Wran won two clear elections in 1978 and 1981 at a time when outer suburban voters were returning the Fraser government in 1977 and 1980. This phenomenon is an extension of the variability of state and federal voting in NSW. It is not a new phenomenon for voters to use different criteria in assessing state and federal governments, as mentioned previously.

The Coalition can however be buoyed by the fact large swings at one election have occurred in NSW in the past. As was shown by the defeat of Barry Unsworth in 1988, and the Keating government in 1996, it is in the outer suburbs where changes in electoral mood are most stark. Nevertheless, the Coalition is a long way off Government, and there are many factors working to their disadvantage.

The Aftermath

The most interesting development not to occur in the aftermath to the state election was the getting out of knives for John Brogden and his supporters. It was the moderate faction within the Liberal Party who were responsible for the party's strategy to marginalise seats in the lead up to the 1999 election as part of the Coalitions submission to the Electoral Commission for the ensuing re-distribution (Subject A). The fallout of that decision was the Coalitions worst performance in NSW in living memory. Despite the electoral fallout of such a political strategy, and the poor results of the 2003 election, the Liberal Party has not been vocally critical of the leadership or the performance at large.

In fact a recent edition of the NSW Liberals News Review (Spring 2003) carried a review of the state election results by NSW Liberal Party State Director Scott Morrison, suggesting the party performed well under the electoral circumstances.

"(W)e avoided the heavy losses suffered by other Divisions where more than 60 seats have been lost to Labor at recent state and territory elections." Scott Morrison – NSW Liberal Party State Director.

Such thinking fails to recognize there was only so far the Liberal Party could go backwards electorally, and that occurred in 1999. Maintaining that result in seats with a worsened two-party preferred performance was a poor result. Scott Morrison appears to be an apologist for the poor results rather than a protagonist. As State Director he presided over the successful federal NSW performance at the 2001 election.

Shortly after the poor result in which the party maintained the same number of seats it secured in the disaster of 1999, senior Liberal figures were falling over themselves to announce they would not be challenging John Brogden for the leadership. Ironically it would appear John Brogden's youth has saved him from blood letting in

the aftermath. Given that John Brogden deposed Kerry Chikarovski with the understanding he would firstly do better than her, and secondly move the party closer to victory for next time (as Nick Greiner had done in 1985), it is a little surprising the party is not taking a closer look at what went wrong and how to change it. One possible reason is a feeling within the party that they need to stick with the same leader for an extended period to curry favour with the electorate. The ALP election advertisement showing the four previous Liberal leaders and Brogden on bowling pins prior to being hit by a bowling ball, indicating they have changed leader four times in less than 10 years, was a powerful form of political spin.

It is likely no alternate challenger would have performed better than Brogden did (Bray, 2003). Nevertheless such analysis is not an endorsement of John Brogden, nor is it an attack on possible alternate challengers (Debnam, O'Farrell, Tink). Given that it is likely Chikarovski would have performed markedly better at the election, by not challenging the alternate leadership candidates tactically did the right thing by the Coalition. Equally, the results of the election indicate that John Brogden made a strategic blunder by challenging when he did. At worst he put his personal ambition before the best interests of the Liberal Party, exercising poor judgement. At best he overestimated the value he would add to the Coalition as leader at the 2003 election. Had Brogden waited until after the election before running for the leadership, it is likely the party would have performed markedly better. It is likely Chikarovski would have stepped aside, and the field of candidates would have contested as a collective. The eventual leader would have been well placed to lead the party over the ensuing four years, build their profile and the party's performance, setting the Coalition up for a strong showing at the 2007 election..

At present the leadership of the Liberal Party resembles a poisoned chalice. The Coalition is so far behind (both in seats and two-party preferred) that it is very difficult to win the 2007 election. Given the highly professionalised approach to political campaigning, the ALP can target key seats with all the benefits of

incumbency at the next election. The Coalition would be forced to extend its limited pool of funding across a range of key seats, while the ALP would have the luxury of targeting marginal Coalition seats held by Shadow Ministers such as Chris Hartcher in Gosford. Thus the ALP would keep such Shadow Ministers in their electorates rather than out campaigning for state-wide victory. With fixed four-year terms the Coalition is likely resigned to opposition for at least another eight years. Even if the Coalition was successful in 2011, of which there are no guarantees, which would mean an entire generation of the party at state level had spent their careers on the opposition benches. Such scenes were last seen by the Coalition federally through the Hawke / Keating years. It now appears the only hope for the Coalition at the 2007 poll rests on a move to federal politics by Bob Carr.

In the aftermath to the 2003 election, the Liberal State Council only very politely discussed the party's results (Interview, Subject C). A point of interest that did come out of that meeting was a plan to impose 'on going candidates in key seats' (Subject B). This concept was officially borne out of a perceived need to have a continuing presence in ALP marginals over the next four years.¹³ Disaffected Liberals would likely suggest the reasoning for the policy is more reflective of factional desires to begin installing candidates for the coming election. Though the positions are not officially guaranteed pre-selection, such candidates would certainly have substantial claims when the time comes, and would be well placed to recruit for their personal cause in local branches. I do not believe this policy is either a good one nor rooted in good intentions. Four years is a long time for a party in opposition to bank role candidates. Equally it is a long time for persons to give up substantial time for an uncertain cause. Further, the nature of pre-selections would likely see such candidates spending more time working up their branches than campaigning in the electorate. Perhaps a better way to approach an existing need to insert party representation into ALP seats is to make a more unified concerted effort in local

¹³ It should be noted that on AEC guidelines for seat marginality, there are no ALP marginal seats for the Liberal Party to attack.

government elections, though problems of party politics at the local level is noted. The distinction between local government as an avenue for building political experience and an additional form of party patronage is often a hard one to make.

For the ALP the first order of business is to ensure the party does not fall into a state of complacency. The victory was very much built around the presence of Bob Carr as leader, and that may not be the case in four years. The post election ministerial reshuffle saw the first phase of potential leadership candidate maneuvering. Craig Knowles was a big winner, as was the new Member for Rockdale and former Sydney Lord Mayor, Frank Sartor. Carl Scully was demoted from transport, while Michael Costa was sent in to cure another troubled portfolio, this time the new super portfolio including transport. The quite achiever John Watkins was moved from education to police. The next four years will likely see much speculation as to Bob Carr's future, similar to that endured in recent times by John Howard. For the sake of the party Carr will need to make a decision early, and either contest the next election or step aside early enough that the incoming Premier and leader has enough time to set him or herself against a by then long serving Opposition (and likely Opposition Leader). On the Opposition benches shadow ministerial reshuffles were largely unremarkable, the only exception worth noting, Brogden's taking over of the shadow treasury portfolio, as Nick Greiner had done as Opposition Leader in the 1980's.

The first set of major legislative items the Carr Government placed on the agenda post the election were controversial policies they had not campaigned on, nor even mentioned through the campaign. The policies of legalising marijuana for medicinal purposes and equalizing the age of consent were immediately placed on the legislative agenda of the first parliamentary sitting week. The age of consent legislation was debated in the Legislative Assembly (Hansard, 07/05/03), eventually passing both houses, while the medicinal use of marijuana legislation has yet to come before the house. The media immediately criticised the Government for not having the courage or the democratic decency to better inform voters in this regard prior to

the election. The Opposition equally went on the attack. However the Carr Government made the assessment that four years is a long time and the voters will have either forgotten or forgiven by the time of the next election (Subject D).

The age of consent legislation provided an interesting example of competing tensions of representational theory. Newly elected Member for Bega, Andrew Constance, was scheduled to give his maiden speech on the same night the age of consent legislation was passing through the Legislative Assembly. As a former Young Liberal President Constance has gone on the public record advocating homosexual rights. He rode on the Liberal Float at the 2000 Mardi Gras Parade, the year he was President of the Young Liberals. Yet despite this he voted against the legislation. The electorate of Bega is a conservative country electorate. Andrew Constance won pre-selection for the Liberal Party, and was subsequently challenged by a local conservative independent. There was a real threat he would lose the poll, however in the wash-up performed substantially better than expected. Nevertheless, perhaps conscious of the conservative nature of his electorate, he voted against the legislation. This case study provides an interesting example of competing tensions where representational theory is concerned. Hugh Emy (1974) discusses representational theory as it applies in Australia, drawing distinctions between delegate, trustee, politico and microcosm forms of representation. Given the Member for Bega's historical personal position prior to being elected, it can be concluded he did not vote as a trustee. Rather his vote would likely fall within one of the remaining models of political representation. The Hansard record for the vote on the age of consent provides an interesting case study of political representation for a number of Members. Here is not the place to detail such analysis.

Finally the election saw the Australian Greens establish themselves as a force in NSW, as well as confirm that their significant successes federally were not a one off. The Greens picked up seats, however Pauline Hanson fell just short of winning in her bid for an upper house seat, the final Council seat being won by John Tingle of

the Shooter's Party. The make up of the Upper House remains a mixed spread of conservative and left wing independents.

Election 2003 saw the ALP maintain its hold in NSW and thus its hold across all states and territories. Bob Carr has four more years to decide if he wants to become the states longest serving Labor Premier, have a go at federal politics, or try something new entirely. The Coalition seems likely to stick with John Brogden for the foreseeable future, however he has been damaged by this result. A positive for the Coalition is that there were few if any slip ups during the campaign.

Unfortunately there was little political traction either, and the professional political practice of the party was not strategically successful. It is hard to see where the Coalition will make inroads for next time. One thing is for sure, they have along time to think about how.

Conclusion

The 2003 NSW election illustrated the declining interest in state politics in NSW. Whilst the war in Iraq was a factor diverting peoples attention from the election, voters were nevertheless disinterested in the affairs of state. Whether this positioning of disinterest is the makings of general voter apathy towards state polls, or was symptomatic of the campaigns the respective parties ran is difficult to determine. If the later is the case, the Coalition was far more damaged by their inability to acquire a fix on voter interests than were the ALP. Incumbents face a series of natural advantages, particularly in times of uncertainty. The ALP demonstrated a number of those advantages at the March 2003 NSW election. They utilized a substantial advertising campaign, they benefited from the uncertainty of war in Iraq, they neutralized Coalition policies, often adopting similar policies as their own, and they avoided providing the new leadership team with political oxygen. They did however provide the Opposition with a number of political targets: transport problems, stamp duty windfalls, broken promises, the Eddie Obied scandal, and soft on drugs positioning. The Coalition was largely not able to capitalize on these ALP

weaknesses however. Carl Scully was rushed underground, the Coalition did not sufficiently attack on the issue of stamp duty,¹⁴ and there was not substantial enough policy differentiation between the major party leaders. All these factors were exacerbated by the low recognition of the new Liberal leader, and the question marks generated by his Price Waterhouse Coopers consultancy arrangements.

As a result, although the Coalition ran a gaff free campaign, they were unable to make inroads into the huge ALP lead built at the 1999 election. In fact they went backwards, thus needing a swing of in excess of 10% at the next election to remove the ALP's majority, with no guarantee of gaining one in their own right. The ALP has now guaranteed a minimum of 12 years of consecutive government in NSW, with the likelihood of further representation. In contrast the Coalition face the prospect of many more years of Opposition, with a leadership that has demonstrated an incapacity to make inroads on the ALP at the state level. Whilst the lack of recriminations post the poor electoral performance may be an early sign of unity on the opposition benches, it is more likely an indication of complacency. The state Coalition is settling into the belief that a 'status quo'¹⁵ result is within the realms of electoral acceptability. Such thinking is not the right strategic approach in a state known for its Labor leaning, however it is certainly one the ALP would be comfortable with.

¹⁴A blunder the magnitude of which has been highlighted by recent media on the subject (Daily Telegraph 24 June, 2003).

¹⁵ John Brodgen's words following the defeat.

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