

EXPERIENCE AND EXPECTATION: SOCIALIZATION AND
THE DIFFERENT MOTIVATIONAL BASES OF PARTY
POLICY ON CAMPAIGN FINANCE REFORM IN
AUSTRALIA, CANADA AND THE UNITED STATES

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TABLE OF CONTENTS

Experience and Expectation: Socialization and the Different Motivational Bases of Party Policy on Campaign Finance Reform in Australia, Canada and the United States.....	i
Table of Figures.....	i
Abstract	ii
Declaration.....	ii
Acknowledgements.....	iii
List of Abbreviations.....	iv
Prologue	v
Introduction.....	ix
A study of the Motives of Political Parties in Campaign Finance Policy Development	ix
Thesis outline.....	xviii
Part 1: Literature, Methodology and Cases	0
Introduction.....	1
Chapter 1.....	3
A Ruthless Competition for Electoral Advantage and Not a Serious Policy-Making Process?	3
1.1 The Literatures on political parties in electoral reform.....	5
1.2 Emergent Literature on Motivations Beyond Self-Interest.....	13
1.3 Why Bother with Reform? The Problems with Assuming those in Power are Self-Interested	16
Conclusion	25
Chapter 2	26
Blunt tools and Evidence Overlooked: Methodological Critiques of Established Approaches to Electoral Reform	26
2.1 Methodological Necessity: A Critique of Rational choice studies of Electoral Reform.....	26

2.2 Unfulfilled Potential? A Critique of Qualitative Case-Studies on electoral reform	40
2.3 The Emerging Literature	47
Conclusion	49
Chapter 3	51
To Complement Rather than Duplicate: Investigating Historical, Internal Policy Development in Political Parties	51
3.1 An Archival Evidentiary Basis or: How to avoid assuming self-interest but still have something to say	54
3.2 Methodology: Historical-Comparative Case-Studies	60
3.3 Beyond Instantaneous: A Three Stage Model of the Electoral Reform <i>process</i> from the perspective of parties	63
Conclusion	71
Chapter 4	73
The Issue of Electoral Reform: Problem Identification and Cases of Campaign Finance Reform in Established Democracies	73
4.1 Why Campaign Finance Reform?	74
4.2 Existing Understandings of Party Motives in Campaign Finance Reform in Australia, Canada and the United States in the 1970s	86
4.3 The Eight Case-Studies in This Thesis	91
Conclusion	93
Conclusion to Part I: Research Design	95
Part 2	96
Idealistic Activists, Suspicious Executives and Selfish Legislators? Policy Development within Parties	96
Introduction: Position and Perspective	97
Chapter 5: Why Participate? The Many (Potential) Motivations of Partisans	102
5.1 Observing Individual Motives: A Typology	104
5.2 Position in Party	118

Conclusion	123
Chapter 6.....	125
An Electoral Act? An Opposition’s Response to A “Petulant” Government Reform Agenda.....	125
6. 1 Rumors and Reactions.....	127
6.2 Meanwhile, Behind the scenes: Conflicted and Contorted Agenda Setting.....	132
6.3 Revealing Responses	142
Conclusion	149
Chapter 7	153
Endued with Responsibility: The Motives of the ALP Cabinet and Minister Daly	153
7.1 Garrulous on Electoral Reform; Mute about Campaign Finance Reform	154
7.2 Cabinet and the Responsibility of the Office	161
7.3 Confusion between Politics and Policy?.....	169
Conclusion	172
Chapter 8.....	174
The Canadian Progressive Conservative Party Organization Forces its way into Policy-Making.....	174
8.1 Party Leadership of the Gradual March toward Reform.....	175
8.2 Jimmying a Policy Window	180
Conclusion	187
Chapter 9.....	189
The Inappropriateness of Interests as a Basis for Assessing Reform in the Progressive Conservative Party of Canada.....	189
9.1 The Responses Collected.....	190
9.2 The Broader Party Weighs In	195
9.3 Please assess where your interests lie	203
Conclusion	211
Chapter 10.....	213

Party Fundraising in the Republican Party of Wisconsin: Source of Corruption or Saviour from it?.....	213
10.1 Republican Resistance to Candidate-Centered Financing	218
10.2 The (Public) Public Policy-Making Process.....	223
10.3 Behind the Scenes: Suasion or Separate Paths?.....	229
Conclusion	234
Conclusion to Part II.....	237
Part III: Putting the Brakes on the Party in Public Office? Campaign Finance Policy Adoption.....	243
Introduction: Party Structure and Campaign Finance Policy Adoption	244
Chapter 11.....	250
Subservient but “in the loop”: Party Executives and Party-Interests in the Australian Liberal Party	250
11.1 Joint Decision-Makers?.....	251
11.2 The Monstrous Effects of the Law and Limited Impact of Public Opinion	261
11.3 The irrelevance of the Dissention in the ranks	267
Conclusion	273
Chapter 12.....	276
Just Another Interest Group Competing for Access and Influence? Public Funding of Campaign Expenses and The Wisconsin Democratic Party	276
12.1 The Irrelevance of the Organization.....	279
12.2 Carrots and Sticks: Regulation, Organization and Mobilization.....	287
12.3 The Motivations of Party Legislators	296
12.4 A Last Desperate Attempt at Mattering?.....	300
Conclusion	305
Chapter 13.....	308
Letting the Sunlight In: Leading the Progressive Conservative Party of Canada to Reject Secrecy.....	308
13.1 Cultural Change in Canada	311

13.2 Stanfield Leads the Conservatives to Full Disclosure	321
Conclusion	328
Chapter 14.....	330
Reform from Below: Moving Away from ‘a small group of nameless, faceless people’ and Secrecy in the Canadian Liberal Party	330
14.1 Two party reform surges: Cell 13 Mark I and Mark II	332
14.2 The first of the two campaign finance reform surges: 1957-64.	337
14.3 A Divided Party: The Second Reform Surge 1969-1971	343
14.4 Honoring the Decision of the Party?	346
Conclusion	353
Conclusion to Part III	355
Conclusion.....	362
It’s Complicated: Elevated Expectations and The Relationship Between Party Motives and Electoral Reform	362
Motives of Partisans in Electoral Reform.....	364
Politics, Policy, Public and Private.....	368
Internal Party Policy-Making Processes	369
Political Cultures Within Political Parties	371
Final Thoughts.....	373
Appendix 1: Archival sources Consulted	375
National Archives of Australia	375
National Library of Australia.....	375
State Library of South Australia	375
Library and Archives Canada	375
Archives Ontario.....	375
Queens University Archives	376
Historical Society of the Haute-Yamaska	376
Trent University Archives.....	376

Toronto University Archives	376
Wisconsin Historical Society, Madison	376
Wisconsin Historical Society, Milwaukee.....	376
Appendix 2: Rational Choice Theory, in more detail	377
Appendix 3: Campaign Finance Regulation up to 1970 in Australia, Canada and the United States debates	381
A.3.1 Australia.....	381
A.3.2 Canada.....	384
A.3.3 Wisconsin.....	387
Appendix 4: Indicative and Important Documents from the Archival Records	390
Appendix 5: Timelines of Reform.....	418
A.5.1 Australian Timeline of Reform	418
A.5.2 Canadian Timeline of Reform	421
A.5.3 Wisconsin Timeline of Reform	425
Appendix 6: Development of the Typology of Motives.....	428
Appendix 7: Position in Party	441
Appendix 8: The Double Dissolution Plan that Backfired	446
Bibliography	448
B1: Books and Edited Colletions	448
B.2 Articles and Chapters	453
B3: Dissertations, Conference Papers and Working Papers.....	462
B4: Select newspaper articles	463
B5: Select Websites and pages.....	465
B6: Select Government and Party documents	465
B7: Select Speeches, Dictionary Entries and Cartoons.....	466

TABLE OF FIGURES

Figure 1.1: Liberal Party of Ontario, <i>Dialogue</i> , August/September 1976, Front Cover	v
Table 1.2: The Progressive Conservative Party's calculations, July 1973	vii
Table 1.3: The Progressive Conservative Party's calculations, July 1973	vii
Table 1.4: The Liberal Party's calculations, February 1974	viii
Table 1.5: The Eight Case-Studies of Campaign Finance Reform Policy-Making	xvii
Figure 1.6: Queen Elizabeth and Canadian Prime Minister Lester B. Pearson	1
Table 1.7 <i>Established</i> Approaches to Party Motives in Electoral Reform	14
Table 1.8 <i>Emergent</i> Approaches to Party Motives in Electoral Reform	15
Table 3.1 Emergent Approaches to Party Motives in Electoral Reform, by data source	56
Table 3.2: The First Three Stages of the Public Policy Cycle	65
Figure 3.3: The First Three Stages of the Public and Party Policy-Making Processes	70
Figure 4.1: Campaign advertisements	73
Figure 4.2: The Liberal Party of Australia Professionalizes	77
Figure 5.1: Liberal Party of Australia, 1974 Election Advertising	96
Figure 5.2: Letterhead of the Wisconsin State Senate	97
Table 5.3: Different Party-Interests relevant to Campaign Finance Reform	108
Table 5.4: Summary Typology of Motivations and Manifestations	111
Table 5.5: Typology of Party Sub-Groups	121
Table 5.6 Profile of Party Sub-Groups	122
Figure 6.1: Billy Snedden, 1984	125
Figure 6.2: Minister Frederick Daly's reply, Question Time, 10 October 1973	130
Figure 6.3: Liberal Party Advertising	131
Table 6.5: Strands of the Liberal Party Response	134
Table 6.6: Participants and Audiences in the Response	134
Table 6.7: Individual Actors Observed by Position in Party	136
Figure 6.8 Bede Hartcher	138
Figure 6.9: Liberal Party of Australia Information-Gathering Timeline, 1973	139
Figure 6.10: Research Director Graeme Starr	141
Table 6.11: Liberal Party Executives' Responses, August 1973	144
Figure 7.1: The ALP Party Structure	155
Figure 7.2: A How-to-Vote Card for Gough Whitlam, 1972	156

Figure 7.3: Frederick Daly Election Circular. 1972.	162
Figure 8.1: Caricature of Opposition Leader Robert Stanfield	174
Figure 8.2: Front page of the <i>Windsor Star</i> . 16 October 1970.....	179
Figure 8.3: Timeline of Bédard’s Initial Response to the Chappell Committee.....	182
Table 9.1: Responses and Distribution of Bédard’s Letter, September 1970	191
Table 9.2: Individual Respondents to Bédard’s Letter, September 1970.....	192
Table 9.3: Bases of Justifications, Progressive Conservative Party, September 1970 ...	196
Table 9.4: Response to Prompt, Progressive Conservative Party, September 1970	208
Figure 9.5: Paul O. Trepanier	209
Figure 10.1: Wisconsin Republican Party Advertisement. November 1972.	213
Figure 10.2: John Hough and Ody Fish.....	222
Table 10.3: Reference Table of Wisconsin Republican partisans	224
Figure 10.4: State Party Chairman, David C Sullivan.....	225
Figure 10.5: Susan Stearn, 1976.	232
Table 10.6: Predominant motives observed in Part II, by Position in Party	239
Figure 11.1: Cartoon of the Republican and Democratic Parties, 1973.	243
Figure 11.2: Liberal Party of Australia Decision-Making Structure, circa 1974	255
Figure 11.3: Timeline to Policy Adoption.....	257
Figure 11.4: Billy Snedden cartoon, 197_.....	259
Figure 11.5 : Alan Moir cartoon, 1974.	264
Figure 11.6: Reg Withers "The toe cutter". 1985.....	266
Figure 11.7: Leo Hawkins. 1978.	269
Figure 12.1: Entrance to Wisconsin Democratic Party 1973 State Convention.....	276
Figure 12.2: William Gerrard, Wisconsin Democratic Party State Chairman.....	279
Figure 12.3 John Oestreicher. 1972.	281
Figure 12.4: Sample Australian ballot Paper.....	289
Figure 12.5: The Structure of the Wisconsin Democratic Party, 1973-1974.....	294
Figure 13.1: Flora MacDonald. 1976.....	308
Figure 13.2: Robert Stanfield not Catching a Football on the Campaign Trail. 1974. ...	321
Table 13.3: Positions on Campaign Finance Reform in the Progressive Conservative Party, Chappell Committee Consultation, 1970.....	325
Figure 13.4: Party Activists Positions on Disclosure of Donations Compared to the Whole Party, Chappell Committee Consultation 1970.....	326

Figure 13.5: Results of Delegate Vote on Party Funding and Expenses Policy, Progressive Conservative Party Annual Meeting, October 1971.....	326
Table 13.6: Vote in the House of Commons, 3 January 1974.....	328
Figure 14.1: Pierre Trudeau, 1968 Liberal leadership convention.	330
Table 14.2: Select Members of the Old Guard and the New Guard (Cell 13)	333
Figure 14.3: Montreal Gazette paraphrasing Richard J. Stanbury. 26 January 1972.	335
Figure 14.5: Participatory Surges and Campaign Finance Reform in the Liberal Party of Canada, 1958-1971, Timeline	340
Figure 14.6: Excerpt of “Cost of Elections” Brochure	342
Table 14.7: Selected Voting Results: London Policy Rally, October, 1970.....	345
Figure 14.8: Comparative Representations of Party Structure and the Closeness of the Party Organization and Party in Public Office	357
Table 14.9: Motivational Bases for Policies Adopted, Part III	360
Table 14.10: Motivational Bases for Policies Adopted, Part II and III.....	361
Table 15.1: The Three Worlds of Political Parties.....	369
Table A.3.1: Australian Campaign Finance Regulation, 1970.....	382
Table A.6.1: Clark and Wilson’s Typology Juxtaposed against Bowler, Donovan and Karp’s Trichotomy and the Typology adopted in this Thesis	433
Table A.6.2: The Seven Motives, their Disciplinary Homes and Ascendancy	440
Table A.8.1 Party Standings in the Senate before and after the 1972 Aust. Election ..	446
Table A.8.2 Party Standings in the Australian Senate 1972-1975.....	447

ABSTRACT

Using hitherto private archival party records, this comparative study of campaign finance policy-making analyses the motives of party activists, officials and members of the legislature in reaching decisions on the reform of campaign finance laws during the 1970s. It develops eight case studies from Canada, Australia and Wisconsin to demonstrate, from inside the party veil, the diverse, mutable and, at times, principled motivations of partisans as they reformed campaign finance legislation. Relying on the private correspondence and actions of partisans, this thesis shows that interests, while relevant, are only part of the story of reform. Individual partisans were shaped by their experiences in their party and the expectations of those around them. In developing these understandings, this thesis moves beyond reductionist understandings focused on self-interest toward a more nuanced, and optimistic, understanding of the mixture of motives that guide parties in developing their reform agendas.

DECLARATION

I certify that this thesis does not incorporate without acknowledgment any material previously submitted for a degree or diploma in any university; and that to the best of my knowledge and belief it does not contain any material previously published or written by another person except where due reference is made in the text.

June 2014

ACKNOWLEDGEMENTS

Begin at the beginning and go on till you come to the end: then stop.

—King of Hearts. *Alice's Adventures in Wonderland*. 1865.

Sage advice from the King for any new PhD candidate. However, in this case it proved surprisingly difficult to execute (... so to speak). And so, in this journey, I was lucky to have had much help. For, although a PhD is a lonely enterprise, it cannot be undertaken alone. Thanks go first and foremost to Dr. Leigh Hargreaves for tolerating my pursuit over the years: never once did his patience waver, even when mine did. My advisor, Professor Don DeBats, continually encouraged this enterprise despite my endless grumpiness. Dr. Prudence Flowers, Professor David Bamford and my fellow PhD candidates in American Studies—Daniel, Martin, Josh and now Jesse—were immensely supportive. Jenni Newton-Farrelly's guidance, insight and *endless* knowledge were a treasure. Cristina Waggoner helped me stay on track toward the end when the inevitable urge to cry “off with its head” threatened to take over.

I could not have completed the research needed for this tome written without the assistance of numerous members of staff at libraries and archives across two continents. The librarians at the National Library of Australia, and its summer scholarship program, helped me uncover much more about Australian political parties than I could ever have hoped (or, perhaps, wanted) to know. The staff at the National Archives of Australia, the Wisconsin Historical Society, Queens University Archives, among many others, frequently pointed me in the right direction just before I got terribly lost. The Association of Canadian Studies Australia and New Zealand and Australian and New Zealand American Studies Association supported overseas archival research trips. Without their generosity, this thesis would be much diminished. Final thanks go to Flinders University, the UC Irvine Center of Study of Democracy and the Politics Administration and Justice Department at California State University Fullerton for their support and affiliation.

June 2014

Into the bin!

— Shaun Micallef on his High Horse. 2003.

September 2014 update: Thanks also to the examiners for struggling through this ream!

LIST OF ABBREVIATIONS

AUS\$	Australian dollars
ALP	Australian Labor Party
AV	Alternative Vote
CAD\$	Canadian dollars
FPTP	First-past-the-post
IRV	Instant Run-off
LPC	Liberal Party of Canada
MMP	Mixed-Member Proportional
MP	Member of Parliament
MPP	Member of Provincial Parliament
NCC	Liberal Party of Australia National Campaign Committee
NDP	New Democratic Party of Canada
NSW	New South Wales
PAC	Political Action Committee
PCPC	Progressive Conservative Party of Canada
PR	Proportional Representation
SAC	Wisconsin Democratic Party State Administration Committee
SEC	Wisconsin Republican Party State Executive Committee
SJIC	Wisconsin Senate Judiciary and Insurance Committee
SPC	Liberal Party of Australia Staff Planning Committee
US\$	United States dollars

PROLOGUE

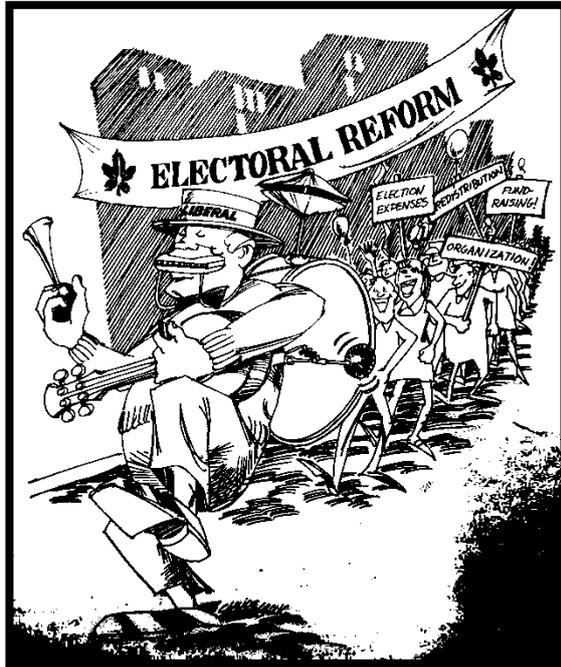


Figure 1.1: Liberal Party of Ontario, *Dialogue*, August/September 1976, Front Cover

Are political parties as scheming and prescient as we imagine when it comes to melding election laws in their favor? Do they cynically manipulate the law at every opportunity to engineer future electoral successes?

In June 1973, the Liberal Party of Canada introduced the *Election Expenses Bill 1973* into the Canadian Parliament. It contained a wide array of campaign finance regulations, including the reimbursement of electioneering expenses for candidates who polled more than 20% of the vote in their riding at a national election. In December, the New Democratic Party (NDP) moved that this threshold be amended to 10%.¹ The NDP's motion was lost, lacking support from any of the other parties in the House of Commons. Later that day, the Liberal Party moved that threshold for reimbursement of expenses be reduced to 15% of the vote and—with support from the Progressive Conservative Party—the motion passed by voice vote.² After extensive amendments, the *Election Expenses Act 1974* became law in January 1974.³

¹ Canada. House of Commons. 21 December 1973. *Journals*. Vol. 119: 782-783.

² Canada. House of Commons. 21 December 1973. *Journals*. Vol. 119: 782-783.

³ *Election Expenses Act 1974* (Canada).

The threshold for reimbursement of candidate expenses affected the interests of the political parties, especially in a multiparty democracy like Canada. In many ridings, Liberal Party candidates ran against Progressive Conservative Party, New Democratic Party *and* Social Credit candidates. Some of these candidates would reach the 15% threshold and others would not. Relatively more candidates from the smaller parties (the New Democratic and Social Credit parties) would have reached a 10% threshold; fewer smaller party candidates would have reached a 15% threshold; and even fewer would have reached the 20% threshold.

If we work from the assumption that parties—especially their shadowy organization of hardnosed bosses and bagman—engage in complex advance calculations of their interests and ruthlessly pursue the interests they discover, it is likely that we would imagine that the original 20% threshold was deliberately chosen by the Liberal Party to ensure it benefited the most. In this logic, perhaps the party thought the 10% threshold would have advantaged the other parties (most notably the NDP) and reduced the Liberal Party's chances at retaining majority government—thus there was no way they would support the NDP's motion. Furthermore, this reasoning would encourage the understanding of the reduction of the threshold to 15% as a compromise between the Liberal and Progressive Conservative parties to try and minimize the threat presented by the emergent smaller parties, while at the same time avoiding appearing to be too self-serving.

But, to the contrary, internal party documents reveal that in June 1973, neither the Liberal nor Progressive Conservative parties had much idea about their interests in the threshold—even though the reimbursement of electioneering expenses (in vague terms) had been Liberal Party policy since 1962. Both of the parties' interest calculations were rudimentary and late in the piece.

After the *Election Expenses Bill 1973* made its way to the parliamentary floor, the Progressive Conservative Party—the Official Opposition—attempted to estimate the impact of the new scheme of public financing. Based on the results of the election in the previous year (1972), the party organization calculated the number and percent of each party's candidates who would qualify for reimbursements under the 20%

threshold (Table 1.2).⁴ Analyzing these figures, the party concluded that the requirement that a candidate receive “20% of valid votes in order to be reimbursed could discriminate against the NDP and S.C.”⁵

Table 1.2: The Progressive Conservative Party’s calculations using the 20% threshold, July 1973

	Number of candidates qualifying	Percentage of a party’s candidates qualifying
Progressive Conservative	206	78
Liberal Party	242	92
New Democratic Party	90	36
Social Credit Party	42	26

Table 1.3: The Progressive Conservative Party’s calculations using a 15% threshold, July 1973

	Number of candidates qualifying	Percentage of a party’s candidates qualifying
Progressive Conservative	231	87
Liberal Party	257	98
New Democratic Party	117	46

The Progressive Conservative Party further considered how they would fare if a lower threshold was adopted. Calculating based on a 15% threshold (Table 1.3) that, “[i]f the ceiling were lowered to 15%”, then “the Liberals would benefit the most”.⁶ No conclusions were made about whether to support, oppose or move for amendments to the bill. Yet, the party supported the motion to reduce the threshold to 15% when it was introduced by the Liberal Party. This support was not based solely on its interests in the threshold, but as part of a serious, decade-long policy-making process involving

⁴ Pollack, Ann. 11 July 1973. Effect of the 20% Figure on Reimbursement (Document 29-1/24(Bill C-203)4). In *Progressive Conservative Party of Canada Records*, LAC, MG28 IV2, Box 629, Folder “Election, 1974. Election Expenses Act 1974”: 1.

⁵ Pollack, Ann. 12 July 1973. Some Commentary on the Election Expenses Bill (Document 29-1/24(Bill C-203)6). In *Progressive Conservative Party of Canada Records*, LAC, MG28 IV2, Box 629, Folder “Election, 1974. Election Expenses Act 1974”: 4.

⁶ Pollack, Ann. 11 July 1973: 2. This is an interesting interpretation of the Progressive Conservative Party’s estimates, since the most obvious interpretation is that the Progressive Conservatives benefited more than the Liberals (gaining funding for 24 more candidates versus the Liberals’ 15). Although the Progressive Conservative Party did not do the calculations, if their numbers are extrapolated, reducing the threshold to 10% of votes in a riding would advantage the NDP the most: 174 (69%) of its candidates would gain funding compared to all (100%) of the Liberal candidates and 97% of the Progressive Conservative candidates.

many members of the party, in which sincere ideas about democratic values and the propriety of the reform were as important as the party's interests. This policy-making process will be explored throughout the thesis.

It was not until after the *Election Expenses Act 1974* that the national organization of the Liberal Party did the same sort of estimates the Progressive Conservatives had done in July 1973. Calculating the number of candidates that would receive public funding using the 1972 Election results and the new law's 15% threshold, the Liberal Party produced slightly different figures than the Conservative Party. Nonetheless, in their calculations the Liberal Party still boasted the most candidates eligible for reimbursement (Table 1.4).⁷

Table 1.4: The Liberal Party's calculations using a 15% threshold, February 1974

	Number of candidates qualifying
Liberal Party	257
Progressive Conservative	229
New Democratic Party	115
Social Credit	57
Others	3

The Liberal Party made these estimates quite late in the piece: *after* legislation, introduced by its MPs, had been signed into law by the Governor-General. The estimates the Liberal Party made were only of the number of candidates eligible for reimbursement—no cunning or sophisticated attempt was made to assess how much money each party's candidates would receive or what proportion of the parties' overall expenses would be paid. Given that these calculations were quite crude and so late, it seems incognizant to understand the decision to lower the threshold from 20% to 15% as reflecting the anticipated, prospective interests of the parties in the Parliament.

Until recently, much of the literature on the subject of electoral reform encouraged us to assume parties approach electoral reform solely from self-interested perspectives. As part of the move to more closely examine party motives toward reform, this thesis uncovers a diverse array of motives held by partisans in reform debates.

⁷ Blair Williams (National Director of the Liberal Party of Canada) to National Executive and Campaign Committee. 13 February 1974. In *Liberal Party of Ontario Records*. Queens University Archives. 1002C. Box 6. Folder 333.

INTRODUCTION

A STUDY OF THE MOTIVES OF POLITICAL PARTIES IN CAMPAIGN FINANCE POLICY DEVELOPMENT

Each political party is a team of men who seek office solely in order to enjoy the income, prestige, and power that go with running the governing apparatus.

- Anthony Downs. 1957. *An Economic Theory of Political Action in a Democracy*: 137

I decided to run for office because I believed the country was headed in the wrong direction. ... I was convinced that someone needed to stand against these trends.

- Orrin G. Hatch quoted in Michael K. Deaver. 2005. *Why I Am a Reagan Conservative*: 133-134.

I think [I ran for office] for the same reasons almost everybody does, whether they're conservatives or liberals or moderates or whatever they are. I mean, it's to make a difference.

- Anonymous US state legislator quoted in Grant Reeher. 2006. *First Person Political: Legislative Life and the Meaning of Public Service*: 35.

The goals and motives that animate [political] leaders are evidently as varied as the dreams of men. They include greater income, wealth, economic security, power, social standing, fame, respect, affection, love, knowledge, curiosity, fun, the pleasure of exercising skill, delight in winning, esthetic satisfaction, morality, salvation, heroism, self-sacrifice, envy, jealousy, revenge, hate—whatever the whole wide range may be. Popular beliefs and folklore to the contrary, there is no convincing evidence at present that any singular common denominator of motives can be singled out in leaders of associations. We are not compelled, therefore, to accept the simple view that Moses, Jesus, Caligula, Savonarola, St. Ignatius, Abraham Lincoln, Boss Tweed, Mahatma Gandhi, Carrie Chapman Catt, Huey Long, and Joseph Stalin all acted from essentially the same motives.

- Robert Dahl. 1961. *Who Governs? Democracy and Power in an American City*: 95-96.

The motives for political action raise age old questions. Some are descriptive questions about what kinds of motives—such as self-interest, power or civic duty—motivate political actors, and the consequences of those motives on the outputs of government. Other questions are normative; questions about the virtue of different political motivations. In recent decades, mainstream political science has often settled these types of questions by assuming that politics is—and should be—a pursuit of interests.

The idea that political actors are innately motivated by their interests goes back at least as far as Robert Michels with his “Iron Law of Oligarchy.”⁸ Assumptions of inherently self-regarding parties and legislators were firmly cemented at the center of political science in the middle of the 20th century, encapsulated by Anthony Downs’ economic theory of democracy and formalized in rational choice theory.⁹ This move toward a rationalist approach was part of a broader move in the social sciences, as they sought to become more “scientific” and distinguish themselves from the humanities.

In no area of the study of politics had the assumption of interested actors been more strongly rooted than in the study of electoral reform. In its application to electoral reform, the rational choice understanding, Pippa Norris explains, views electoral reform as “an elite-level game among rival partisan interests, where the outcome depends upon the calculation of gains for office-holders.”¹⁰ In this view, reformers and academics alike must abandon any hopes of using electoral reform to reinvigorate democracy, to the extent that political elites or a party-dominated legislature is involved in the process.

Alongside the rational choice view of electoral reform exists a more hopeful view that electoral reform could be a tool by which to enliven and improve democracy. In this second light, adopted by scholars of institutional design,¹¹ in qualitative case-studies, and tacitly held by reform groups like the Proportional Representation Society of Australia, FairVote Canada and the US reform organization Common Cause, electoral processes and machinery could be reformed for the greater good, *if* the interests of legislators and parties can be circumvented, tamed or utilized.

In both these drastically different views of electoral reform, the same underlying premise about the motives of parties, partisans and the political elite inhered: that their attitudes and actions were motivated, often *solely*, by self- or party- interests.

⁸ Michels, Robert. 1915. *A Sociological Study of the Oligarchial Tendencies of Modern Democracy*. New York: Hearst’s International Library.

⁹ Downs, Anthony. 1957. *An Economic Theory of Democracy*. New York: Harper.

¹⁰ Norris, Pippa. 2011. Cultural Explanations of Electoral Reform: A Policy Cycle Model. *West European Politics* 34: 531.

¹¹ For example, Smith, Graham. 2009. *Democratic Innovations: Designing Institutions for Citizen Participation*. Cambridge, UK: Cambridge University Press; Zittel, Thomas & Dieter Fuchs. 2007. *Participatory Democracy and Political Participation: Can Participatory Engineering Bring Citizens Back in?* London: Routledge.

Legislators and leaders were assumed to be motivated by self-interests in re-election; political parties by collective party-interests in maximizing control over the instruments of government. Voters and citizen groups may be motivated by values, principles or social norms in their behavior promoting reform and in their reactions to politicians' pursuit of self-interest. Yet, these values, principles and social norms largely matter to reform only in the way they influence the re-election calculations of self-interested politicians. Parties and their partisans are often understood to be predatory when it comes to electoral law, seeking to reform the law to their own ends while being impervious to appeals to principle, propriety or virtue. Peter Kellner succinctly and colorfully summed up this consensus when describing the evolution of the British Labour Party's electoral reform attitudes: "when principle collides with self-interest, principle tends to retreat with a bloody nose."¹²

This consensus about the motives of political elites toward electoral reform has been challenged in recent years by the increasing tendency for political elites to initiate electoral reform in established democracies. "The whiff of electoral reform is in the air" in recent times, as David Farrell notes.¹³ In this new odorous wind, modern electoral reform processes are often led by political parties, leaders and legislators, ostensibly as a means to reinvigorate their ailing democracies.

For example, the political elite in several Canadian provinces have, in the last decade, encouraged citizens to consider overhauling their electoral systems (British Columbia and Ontario both conducted citizens' assemblies). Reflecting the claimed desire to improve democracy, Ontario's Australian ballot reform (allowing party labels on the ballot paper for the first time) in 2007 was introduced into the parliament by the allusively titled "Minister for Democratic Renewal". The Canadian Parliament just passed the *Fair Elections Bill*, which will change voter ID requirements, amend existing campaign finance regulation and alter the powers of the Canadian Chief Electoral Officer.¹⁴

¹² Kellner, Peter. 1995. Electoral Reform: Principle of Self-Interest? *Representation* 33(2): 23.

¹³ Farrell, David M. 2011. *Electoral Systems: A Comparative Introduction*. 2nd ed. Basingstoke, UK: Palgrave Macmillan: 172.

¹⁴ Wingrove, Joah & Chris Hanny. 25 March 2014. Everything you Need to Know about the Fair Elections Act. *The Globe and Mail*; Canada (House of Commons). 2014. *Bill C-23. Fair Elections*

In Australia, politicians recommended that the Single Transferable Vote (STV) system in the Senate be reformed after, in the words of MPs from all the major parties, the current system “let voters down”.¹⁵ In recent years, parties in government have passed numerous important campaign finance reform laws in the Australian states¹⁶ and the New South Wales governing party is considering legislation to eliminate private funding of election campaigns altogether.¹⁷ In the other direction, the Queensland governing party recently introduced legislation to “scrap” limits on donation sizes and spending limits, while decreasing public financing of election expenses.¹⁸

In the United States, following the lead of many cities across the nation, several state legislatures are debating legislation introducing the Alternative Vote (AV), intended as a democratic improvement on first-past-the-post voting (FPTP).¹⁹ State legislatures continue to sign up to the National Popular Vote Interstate Compact, which—if enough states endorse it—will alter the operation of the Electoral College so that it always elects

Act (An Act to amend the Canada Elections Act and other Acts and to make consequential amendments to certain Acts).

¹⁵ Joint Standing Committee on Electoral Matters (Australian Parliament). 5 May 2014. *Interim Report on the Inquiry into the Conduct of the 2013 Federal Election*. Canberra: Commonwealth of Australia: v; Owens, Jared. 9 May 2014. Committee Calls for Sweeping Changes to Senate Voting. *The Australian*.

¹⁶ Including: *Electoral Reform and Accountability Amendment Act 2011* (Qld); *Election Funding Amendment (Political Donations and Expenditure) Act 2008* (NSW); *Election Funding and Disclosures Amendment (Property Developers Prohibition) Act 2009* (NSW); *Election Funding and Disclosures Amendment Act 2010* (NSW); *Election Funding, Expenditures and Disclosures Amendment Bill 2011* (NSW); *Electoral (Funding, Expenditure and Disclosure) Amendment Act 2013* (SA). See also *Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2010* (Cth). Also: *Election Funding, Expenditure and Disclosures Amendment Act 2012* (NSW), provisions of which were held unconstitutional by the High Court in December 2013 in *Unions NSW v New South Wales* [2013] HCA 58 (18 December 2013).

¹⁷ Dempster, Quentin. 2 May 2014. Will Party Donations be Banned in NSW? *The Drum (Australian Broadcasting Commission)*; Thistleton, Rebecca. 3 May 2014. Overhaul donations, says UDIA. *The Australian Financial Review*: 2.

¹⁸ Remeikis, Amy. 16 May 2014. Further Consultation on Queensland Electoral Reforms. *Sydney Morning Herald*.

¹⁹ Many initiatives at local level have proposed AV and it is used in cities such as San Francisco and Oakland in California. The Vermont Legislature passed a bill for AV, which was vetoed by the Governor, in 2008. Legislatures in New York, Massachusetts, Minnesota, Arizona and Maine all considered AV bills in 2013; FairVote. 2013. *Pending IRV Legislation 2013*. <http://www.fairvote.org/pending-irv-legislation-2013?stage=Live#.UcCsFflmS-FairVote>. (Accessed 13 May 2014). The Maine bill has a serious chance of passing in the coming months.

the presidential candidate with plurality support nationwide.²⁰ In 2005, the Connecticut General Assembly legislated for a “clean elections fund”, in which candidates can nominate to accept public financing of their campaigns, so long as they refuse all private sources.²¹ And Congress reviews campaign finance reform bills on a regular basis.²²

Underlying all of these reform attempts were ideas—put forward by elite members of political parties—that reform of electoral institutions could, *and was intended to*, improve democracy or encourage citizens to engage and reconnect with their political system. California State Assemblyman Jerry Hill explained the purpose of the bill he sponsored signing California up to the National Popular Vote Interstate Compact:

California is ignored in most general presidential elections. As a result, issues that are of paramount importance to the state are given short shrift in the national discourse. ... Candidates rarely campaign in California and when they do come here, it's to raise money that they will spend elsewhere on TV commercials and direct mail. ... It's time that issues that are important to California get the attention they deserve in Washington.²³

Similarly, when introducing the Ontario bill requiring the printing of candidates' party affiliations on the ballot paper, the Ontario Minister for Democratic Renewal, Marie Bountrogianni, explained:

I'm sure that everyone in this House, myself included, treasures our democratic freedoms and the right to vote. But sometimes people fail to exercise their right to vote because our election laws have not kept pace with the realities of people's lives. The [Ontario] government's democratic renewal initiatives are designed to ensure that our electoral processes keep pace with the needs of Ontarians. The legislation I am introducing today would do just that. It would encourage more people to vote and it would make it easier for Ontarians to get to the polls.²⁴

The use of terms like “Minister for Democratic Renewal”, “*Fair Elections Act*” and “clean election fund” is not accidental. Politicians, time and time again, state their conviction

²⁰ Muller, Derek T. 2007. The Compact Clause and the National Popular Vote Interstate Compact. *Election Law Journal* 6(4): 372-393.

²¹ Brickner, Benjamin T. with Naomi Mueller. 2008. *Clean Elections: Public Financing in Six States*. Rutgers: State University of New Jersey: 38-39.

²² For example, HR 5175 *Democracy is Strengthened by Casting Light on Spending in Elections Bill* of 2010 and S 3369 *Democracy is Strengthened by Casting Light on Spending in Elections Bill* of 2012.

²³ Hill, Jerry. 14 July 2011. *Jerry Hill's Game-Changing National Popular Vote Bill Clears Legislature* (Press Release).

²⁴ Legislative Assembly of Ontario. 25 April 2007. *Debates*: 1410 (Marie Bountrogianni).

that electoral reform can be an effective remedy for the alarming disengagement, apathy and discontent of citizens with their politicians and political systems in modern democracies.

The language used by politicians notwithstanding, in the past the literatures that developed the dominant framework for understanding the preconditions for reform and the evolution of electoral institutions began with the axiom that interests in electoral reform outcomes were what motivated legislators and parties.²⁵ Indeed, there are reasons to doubt the bone fides of claims made by politicians that their reform programs are motivated by democratic values and to view their comments as disingenuous and cynical attempts at manipulating public opinion. It is true that electoral reform is uniquely ripe for self-interested manipulation.²⁶ Electoral reform is a distinctive area of any legislator's work. In no other policy venture does the operation of the law so directly affect the interests (ie. job prospects) of those creating it. Other labors of the legislature—such as health care regulation or economic policy—affect legislators' re-election prospects via the electoral popularity of the reforms passed. By contrast, electoral law decides the re-election chances of legislators²⁷ and goes to the very survival of political parties.²⁸ Furthermore, to the extent that electoral law is the purview of the legislature, legislators and (often) political parties regulate themselves.²⁹

²⁵ Blais. 2008; Boix, Carles. 1999. Setting the Rules of the Game: The Choice of Electoral Systems in Advanced Democracies. *American Political Science Review* 93(3): 609-624; Gallagher, Micheal & Paul Mitchell, eds. 2005. *The Politics of Electoral Systems*; Katz, Richard S. 1980. *A Theory of Parties and Electoral Systems*. Baltimore: Johns Hopkins University Press; LeDuc, Lawrence, Richard G. Niemi, and Pippa Norris, eds. 1996. *Comparing Democracies: Elections and Voting in Global Perspective*. Thousand Oaks, California: Sage; LeDuc, Lawrence, Richard G. Niemi, and Pippa Norris, eds. 2002. *Comparing Democracies 2: Elections and Voting in Global Perspective*. Thousand Oaks, California: Sage.

²⁶ Famously, Giovanni Sartori described election laws rules as “the most specific manipulative instrument of politics”: Sartori, Giovanni. 1968. Political Development and Political Engineering. *Public Policy* 17(2): 261-98.

²⁷ Election laws affect legislators' job prospects by, *inter alia*, creating and recreating districts, defining who votes, how votes in a district are counted and how money may be raised and spent in campaigns.

²⁸ Election law may ban the organization of political parties. Less drastically, reform of election law may determine a new way to translate votes across a jurisdiction into seats or change which parties qualify for state recognition, funds and assistance. These reforms have profound implications for the ability of political parties to win majorities in legislatures and capture control of the instruments of governance.

²⁹ Political parties may be in a situation akin to self-regulation by virtue of their near monopoly on electing candidates to the legislature. Very few independent or non-aligned candidates win

While our suspicions possess a good deal of “truthiness”, in truth we did not—and still do not—know if parties and legislators routinely use their self-regulatory position to their own ends. It was only with the increasing use of electoral reform in the 21st century that focused attention on critically examining the premise that legislators are inherently motivated by self-interests. Instances of reform in the late 20th and early 21st centuries in which power was delegated to others or reform that has served to weaken the electoral prospects of those who introduced it confounded writers operating within the existing framework.

In response, scholars increasingly acknowledge the current dearth of knowledge about the motives of political elites in electoral reform debates.³⁰ In recent years, scholars—Andre Blais, Shaun Bowler, R. Kenneth Carty, Todd Donovan, Patrick Fournier, Jeffrey Karp, Gideon Rahat, Alan Renwick and others—have begun to avidly examine the motives of *legislators* in electoral reform without assuming self-interest.³¹ With the exception of Damien Bol’s forthcoming study,³² these approaches touch only lightly on the motives of *political parties* in electoral reform, with little critical attention on the premise that political parties, as units, are inherently motivated by party-interests. Both Renwick and Rahat have called for more such work on the motives of political actors.³³

elective office around the world. Outside the US, parties control their legislators with strict discipline.

³⁰ Katz, Richard S. 2005. "Why are there so Many (or so Few) Electoral Reforms?" In *The Politics of Electoral Systems*. Michelle Gallagher & Paul Mitchell, eds. New York: Oxford University Press. 57-78; Norris, Pippa. 2011. Cultural Explanations of Electoral Reform: A Policy Cycle Model. *West European Politics* 34: 531-550.

³¹ Bowler, Shaun, and Todd Donovan. 2007. Reasoning About Institutional Change: Winners, Losers and Support for Electoral Reforms. *British Journal of Political Science* 37(3): 455-476; Bowler, Shaun, Todd Donovan, and Jeffrey A. Karp. 2002. When Might Institutions Change? Elite Support for Direct Democracy in Three Nations 55(4): 731-754; Bowler, Shaun, Todd Donovan, and Jeffrey A. Karp. 2006. Why Politicians Like Electoral Institutions: Self-Interest, Values, or Ideology? *Journal of Politics* 68(2): 434-446. See also: Gherghina, Sergiu, Laurentiu Stefan and Mihail Chiru. 2013. Electoral Reform – Cui Bono? Attitudes of Romanian MPs to the Electoral System Change. *Journal of Legislative Studies* 19(3): 351-369.

³² Bol, Damien. 2014. Electoral Reform, Values and Party Self-Interest. *Party Politics*. (forthcoming).

³³ Renwick, Alan. 2007. Why Did the Nationals Promise a Referendum On Electoral Reform in 1990? *Political Science* 59: 7-22; Rahat, Gideon. 2008. *The Politics of Regime Structure Reform in Democracies: Israel in Comparative and Theoretical Perspective*. Albany, New York: State University of New York Press; Rahat, Gideon, and Reuven Y. Hazan. 2011. The Barriers to Electoral System Reform: A Synthesis of Alternative Approaches. *West European Politics* 34 (3).

In light of the changed winds, a rigorous historical study of the actual motivations of parties and partisans—one that investigates the policy-making processes of political parties—in electoral reform is timely. In the pursuit of this goal, this study holds the assumption of self-interest in abeyance and replaces it with a direct focus on the motives of parties and partisans in the electoral reform policy-making process. Using detailed and exhaustive archival sources, it develops a sophisticated understanding of the complex ways in which parties have, and will continue to, initiate, develop and respond to electoral reform proposals.

In particular, it examines reform of campaign finance laws—that body of electoral law that governs how and by whom money may be raised and spent during election campaigns. Campaign finance reform is a special case of electoral reform. Legislators and parties have a direct and personal interest in money, the “mother’s milk of politics”,³⁴ which is often viewed as *the* decisive factor in a winning campaign.³⁵ If interests are the primary motives of partisan political elites, there is no policy area in which it should be more evident than campaign finance reform.

This thesis uses evidence from eight case-studies in which parties developed or responded to campaign finance reform policy proposals in the 1960s and 1970s (Table 1.5). The case-studies come from six political parties in three comparable jurisdictions: Australia, Canada and Wisconsin. The study bases its conclusions on archival research from within the depths of the parties themselves—internal, private, records of party organizations and legislators and correspondence between them—rather than relying primarily on election results, public statements and commentary or legislative votes. In total, more than 50 collections were utilized from 10 different archives in three countries (Appendix 1).

³⁴ To use the words attributed to “Big Daddy” Jesse M. Unruh in 1966: Quoted in Politics: Hale Fellow at Yale. 1962. *Time Magazine* December 14, 1962.

³⁵ Although, money may be less decisive to victory than is popularly thought: Abramowitz, Alan I. 1990. Incumbency, Campaign Spending, and the Decline of Competition in US House Elections. *Journal of Politics* 53(1): 34-56; Gierzynski, Anthony & David Breaux. 1996. Legislative Elections and the Importance of Money. *Legislative Studies Quarterly* 21(3): 337-357; Jacobson, Gary C. 1985. Money and Votes Reconsidered: Congressional Elections, 1972-1982. *Public Choice* 47(1): 7-62.

Table 1.5: The Eight Case-Studies of Campaign Finance Reform Policy-Making

Jurisdiction	Party	Years	Policy Development Case-Study	Chapter
Australia	Liberal Party	1973	The Liberal Party researching reform options in response to rumors about the government party's campaign finance reform plans	Chapter 6
Australia	Australian Labor Party	1973-1974	The Australian Labor Party, in government, developing its campaign finance reform bill	Chapter 7
Canada	Progressive Conservative Party	1970	The Progressive Conservative Party drafting its policy submission to the House of Commons Special Committee on Election Expenses	Chapters 8 and 9
Wisconsin	Republican Party	1973-1974	The Republican Party developing and advancing its policy that parties should have a central role in campaign finance	Chapter 10
Australia	Liberal Party	1974	The Liberal Party deciding on its policy and strategy in response to the government's campaign finance reform plans	Chapter 11
Wisconsin	Democratic Party	1973-1974	The Democratic Party in public office ignoring the party organization's policy on public financing of election expenses	Chapter 12
Canada	Progressive Conservative Party	1967-1974	The Progressive Conservative Party coming to endorse the concept of donation disclosure	Chapter 13
Canada	Liberal Party	1962-1974	The Liberal Party membership developing a campaign finance reform policy and the leader gradually coming to adopt the organization's policy on donation disclosure	Chapter 14

Using these archival records, this thesis is able to follow the reform process from the beginning, rather than working backwards from electoral consequences to infer likely interests. With this new data and an underutilized approach, this thesis uncovers a radically different narrative of electoral reform to that which we often see. It is a narrative that highlights the mixed, changing and complicated motivations of political elites and the fractured, second-guess filled policy-making processes in which parties engage as they encounter, develop and adopt reform agendas. In the end, this thesis shows that democratic values were relevant to the partisans in the case-studies, and that expectations about appropriate conduct were as relevant to campaign finance reform outcomes as were calculations of party interests.

This thesis shows that both individual *experience* and self- and cultural *expectations* influence party policy development on campaign finance issues. It is true that the experience of seeking office changes a partisan, in that the intimate experience of a candidate with electoral law encourages the identification of self-interests in the law. But more importantly, expectations about proper conduct influence partisans. Not only because partisans are preoccupied with winning public office but also because partisans, as people, want to meet others' expectations. They want to behave properly. And so, the thesis concludes, the current tendency to paint electoral reform as a battle of interests may encourage it to become more like one.

THESIS OUTLINE

In taking the first steps to explore how experience and expectation matter to individual motives and campaign finance reform outcomes, this thesis is divided into three parts. Part I explores the theoretical and methodological issues in the existing literature and argues for greater emphasis on the emergent qualitative, historical approach as a way to complement the rational choice approach; Part II homes in on the motivations of individuals participating in agenda setting processes within their political parties; and Part III examines structural and cultural factors affecting the policy eventually adopted by parties in the legislature.

Part 1: Literature, Methodology and Cases, begins by reviewing the existing literature on political parties and electoral reform. In **Chapter 1**, “*A Ruthless Competition for Electoral Advantage and Not a Serious Policy-Making Process?*”, the established approaches, and their prevailing assumption that political parties are motivated by their interests in their dealings with electoral reform, are identified and

critiqued. The primary problems with this assumption of self-interest—that it encourages cynicism and dissuades empirical research while leaving bare an inconsistency in political theory—are elaborated on in Chapter 1. Next, **Chapter 2**, *“Blunt Tools and Evidence Overlooked: Methodological Critiques of Established Approaches to Electoral Reform”*, engages in more specific methodological critiques of the established approaches. It begins with a discussion of the limits inherent in rational choice theory, as well as the weaknesses of the typical application of rational choice theory to the electoral reform context. Next, Chapter 2 considers the current deployment of the qualitative case-study method, which, it explains, is suboptimal and mirrors the approaches of rational choice studies by relying on external evidence and assumed self-interest. Finally, the chapter argues that a new, small, band of emergent works that examine, rather than assume, the motives of political parties should be avidly developed.

After arguing for continued emphasis on this complementary approach, especially where it determinedly examines party policy-making processes and critically assesses the motivations of individuals in political parties in Chapter 2, **Chapter 3**, *“To Complement Rather Than Duplicate: Investigating Historical, Internal Policy Development in Political Parties”*, outlines the methodology used in this thesis. The chapter highlights the benefits and feasibility of a qualitative historical case-study approach that draws on private archival records, deposited by political parties and prominent partisans, to engage in a contextual and process-orientated examination of party electoral reform policy development. **Chapter 4**, *“The Issue of Electoral Reform in the 1970s: Problem Identification and Campaign Finance Laws in Established Democracies”*, introduces the confluence of factors that ensured campaign finance reform in the 1970s was on the agenda in all established democracies (including Australia, Canada and the United States). The chapter outlines the case that campaign finance reform is an ideal electoral reform to study the motivations of parties in electoral reform debates.

In **Part II: Idealistic Activists, Suspicious Executives and Selfish Legislators? Agenda-Setting within Parties** (chapters 5 – 10), this thesis turns to investigate the motives of different groups of party insiders in debates over campaign finance reform. To this end, **Chapter 5**, *“Why Participate? The Many (Potential) Motivations of Partisans”*, introduces a typology of potential motives that can be observed from

partisan communication and behavior as recorded in archival party records. Using this typology, Part II examines the motives of partisans in four, in-depth, dedicated, case-studies of campaign finance reform policy-making within parties.

In **Chapter 6**, *“An Electoral Act? An Opposition’s Response to a “Petulant” Government Reform Agenda”*, the motivations of the party elite—both party executives and the party leadership—are examined using the first case-study: the Liberal Party in Australia in 1973. This chapter explores an opposition party’s elite response to rumors of a government’s reform agenda and shows that, even in environments of suspicion and rumor, democratic values sometimes motivate partisans’ views on reform. Following closely from Chapter 6, **Chapter 7**, *“Endued with Responsibility: The Motives of the ALP Cabinet and Minister Daly”*, examines the motives of the chief architect of the campaign finance reform agenda to which the Liberal Party of Australia was responding. Despite public presentations of the reform as being a targeted attack on Liberal Party interests, the chapter shows that Minister Frederick Daly was guided by notions of propriety and acceptable conduct as he, with the approval of Cabinet, set a responsible and respectable—if ill-executed—reform agenda.

The third case-study, from the Progressive Conservative Party in Canada, stretches over two chapters. **Chapter 8**, *“The Canadian Progressive Conservative Party Organization Forces its way into Policy-Making”*, analyses the response of a chief party executive after belatedly discovering an opportunity to develop and present the party’s policy on campaign finance reform to a legislative committee. In this pursuit, Robert Bédard, like other elite party executives studied in this thesis, was driven by motives of party-interests and power, as well as civic duty, as he consulted widely and thoroughly with diverse corners of his party, despite intense time constraints. **Chapter 9**, *“The Inappropriateness of Interests as a Basis for Assessing Reform in the Progressive Conservative Party of Canada”*, examines the motives behind the campaign finance policy preferences of 30 Progressive Conservative Party members—from the federal Opposition Leader, to failed candidates, to leaders of local constituency associations. Self- and party-interests were identified by some; yet, throughout the responses, democratic values permeated, as did a sense that the party’s interests were an inappropriate basis for the party’s policy.

In **Chapter 10**, *“Party Fundraising in the Republican Party of Wisconsin: Source of Corruption or Savior from it?”*, this thesis turns to its fourth case-study. Operating in a

separation of powers system and in the shadow of the Watergate Scandal, the Wisconsin Republican Party organization attempted to dissuade independent and undisciplined party legislators from imposing statutory limits on the contributions political party organizations could make to their nominated candidates. Both party-interests and democratic values dominated the motives of partisans in the organization. Indeed, democratic values formed the frame through which party-interests were understood in the Wisconsin Republican Party, acting as guides to and limits on the understanding of what was in the party-interest.

Diverse motives of partisans infused the case-studies in Part II. Overall, trends emerged that party executives were motivated more by party-interests, party activists by democratic values and the party in public office by self-interests. In each case-study, party executives and activists were faced with powerful parties in public office who, ultimately, decided party policy. With these two observations in mind, **Part III: Putting the Brakes on the Party in Public Office? Party Policy Adoption** (chapters 11 – 14), turns to considering whether, and under what circumstances, the policy preferences of party executives and activists influence the campaign finance reform policy adopted by the party in public office.

Chapter 11, *“Subservient but “in the loop”: Party Executives and Party-Interests in the Australian Liberal Party”*, tracks the Liberal Party of Australia and the party executive’s successful attempts at convincing the party leadership to adopt and defend the party executive’s position in opposition to the disclosure bill. This position prioritized the party-interest in maximizing its revenue over all other goals. The chapter finds that the structure of the Liberal Party of Australia provided the party executive an opportunity to impress upon the party leadership its views, but culture and institutions made the choice feasible for the party leadership.

Chapter 12, *“Just Another Interest Group Competing for Access and Influence? Public Funding of Campaign Expenses and the Wisconsin Democratic Party”*, documents the Wisconsin Democratic Party organization’s irrelevance to the policy on public financing of election expenses adopted by the Democratic Party in the legislature. In an institutional environment that had stripped the party organization of any privileged position, the party organization needed to compete like an interest group for access and influence. However, the chapters finds that the “broad tent” basis of the Democratic Party and the low salience of campaign finance to most Democratic Party

members put the party organization at a disadvantage by comparison to narrowly focused interest groups, who could threaten more significant electoral consequences. The Democratic Party organization ultimately had no role in campaign finance policy development.

In **Chapter 13**, “*Letting the Sunlight In: Leading the Progressive Conservative Party of Canada to Reject Secrecy*”, the ramifications of a party leader’s adoption of a policy in favor of full disclosure in a party that remained highly opposed to full disclosure is explored. It finds that, although party executives had made assessments that donation disclosure was highly adverse to their interests, they did not seek to defend those interests after the party leader made a declaration on policy, despite that declaration’s impromptu, unexpected and detrimental nature. This lack of dissent was due, in no small part, to the culture of deference that presided in the party and, until recently, Canada more generally.

In the Liberal Party of Canada, examined in **Chapter 14**, “*Reform from Below: Moving Away from ‘a Small Group of Nameless, Faceless People’ and Secrecy in the Canadian Liberal Party*”, by contrast, the culture of deference had largely been forsook and the party organization was not so easily subdued by the party leader. Chapter 14 follows two participatory experiments within the Liberal Party that gave the party membership a role in party policy development. The party members avidly endorsed full-disclosure. When the party leader ignored their policy, party members retaliated with lower levels of activism and voting in the next election—largely as a consequence of the rhetoric of party elites, which raised expectations and overcame the old ways of deference. In this instance, party activists forced their democratic values-based policy on an unwilling party leader.

In Part III, a combination of party structure, the institutional environment and political culture—in the form of expectations about conduct—emerged as explanatory factors for why the party organization (members and elites) were able to influence the party leadership policy as adopted in the legislature. Ultimately, party structure may provide the opportunity for party organizations to influence policy and the institutional environment may provide (or reduce) the leverage for the party organization, but culture—expectations—is key to understanding when the party in public office will prioritize interest-based policy measures over others.

The concluding chapter, *“It’s Complicated: Elevated Expectations and the Relationship between Party Motives and Electoral Reform”*, brings together the themes that emerged out of the eight case-studies. Over all, this thesis shows that interests alone are inadequate to explain the motivations of political parties in electoral reform debates. Instead, motivations vary according to the experience of the partisan, as demonstrated in Part II where the position of the partisan within the party hierarchy broadly correlated with motivational predispositions, and the expectations of the society and individual partisan about proper conduct, as demonstrated in Part III.

A deliberately broad concept, “expectations” relates to the political culture within a nation, state or political party. It is relevant in terms of the expectations that party members have about their party leadership’s behavior—and the consequences of those expectations for the party’s ability to win elections—but it is also relevant to the self-expectations held by political leaders. If party leaders hold themselves to a standard that demands the prioritization of values-based policy over their party interests then this, as much as the potential for electoral defeat, acts as a brake on cynical, selfish manipulation of the electoral law.

The party’s internal structure, as well as political institutions (which may increase or decrease the access and relevance of party executives and members to the party in public office’s potential calculations of electoral efficiency), affect whose voices within parties are heard and later mirrored in party behavior in electoral reform debates.

These findings should encourage those who seek to improve democracy through electoral reform. Real reform, not only laws that embody the interests of the parties in power, may be possible—even through a party dominated legislature.

PART 1: LITERATURE, METHODOLOGY AND CASES

INTRODUCTION



Figure 1.6: Queen Elizabeth and Canadian Prime Minister Lester B. Pearson (right). 1967.³⁶

Canadian Liberal Party advisor, Tom Kent, was a key thinker and activist in 1960s Canada who was central to the introduction of universal health care and unemployment insurance. He was remembered as a principled man dedicated to public service.³⁷ Reflecting on policy discussions he had with Canadian Prime Minister Lester B. “Mike” Pearson in the 1960s, Kent mused in his autobiography “*A Public Purpose*”:

Mike and I discussed election expenditures in the sense that we both favoured, in the interests of democracy, legislation of the kind that the Pearson government later introduced, to limit expenditures. But we never talked specifically about the funding of Liberal campaigns and I do not know whether concern about it was a factor in his caution about policy. My guess is that it was not.³⁸

Kent’s status as honorable and civic-minded notwithstanding, his reminiscences that his and his party leader’s dealings with campaign finance reform were motivated by democratic, rather than party-, interests are hard to read without a tinge of suspicion; suspicion that perhaps his is an unduly favorable recollection.

³⁶ Her Majesty Queen Elizabeth II and Prime Minister of Canada Lester B. Pearson (right) in the Minirail at Expo 67. 1967. Library and Archives Canada. Online MIKAN no. 3198474.

³⁷ Tom Kent, Former Liberal Party Mandarin, Dies at 89. November 17 2011. *Edmonton Journal*; Axworthy, Thomas S. November 17, 2011. Tom Kent: A Life of Purpose. *Toronto Star*.

³⁸ Kent, Tom. 1988. *A Public Purpose: An Experience of Liberal Opposition and Canadian Government*. Kingston: McGill-Queen's University Press: 101. It should be noted that Pearson did not introduce any legislation to limit campaign expenditures (see Chapter 14.2 and Appendix 3).

Our belief in what he recalls is tainted by our suspicion that Kent's recollection is rose-colored, or, even worse, deliberately miscolored to paint himself and Pearson in a better light. This example highlights a central problem when studying the motives of political actors—especially partisan political actors. If party politicians cannot be trusted to reflect honestly, how can we ascribe meaning to anything they say or understand their true motives?

To circumvent the problem, the dominant literatures on campaign finance, and on electoral reform more generally, tend to simply assume parties to be actively, presciently and selfishly self-interested. Yet, this assumption itself is fraught with problems. In Part I, this thesis explores these problems as preliminaries to its investigation of the motives of partisans. Chapters 1 and 2 review the existing literature and its approach to party motives in electoral reform. Chapter 3 introduces the archival case-study method adopted here and generates a theoretical model, which utilizes insights from public policy, to operationalize the investigation of actual party motivations in the electoral reform policy-making process. Chapter 4 introduces common trends and tribulations about the role of money in politics in Australia, Canada and the United States in the early 1970s and introduces the eight case-studies of party policy-making studied in Part II and Part III. These preliminaries set the scene for Parts II and III, in which motives of political parties are examined as they set reform agendas and adopt policy on campaign finance reform.

CHAPTER 1

A RUTHLESS COMPETITION FOR ELECTORAL ADVANTAGE AND NOT A SERIOUS POLICY-MAKING PROCESS?

[T]he assumption that our politicians are motivated entirely and solely by the basest of motives diminishes the ability of politicians and political parties to successfully argue for policy and for change. The damage this does to our political discourse has its greatest impact on progressive parties ... because change through policy reform is our motivation, is indeed our very reason to exist.

- John Faulkner, Member of the Australian Parliament (Australian Labor Party), 2012.³⁹

The study of electoral reform has boomed in recent times, spurred by the significant electoral reforms of the 1990s in advanced democracies as diverse as Japan, France and New Zealand. In the United States, the 2000 Presidential Election served as a reminder of the importance of electoral laws to outcomes and further encouraged attention on electoral laws. In this boom, several fields, including political science, history and law, have sought to explain electoral reform,⁴⁰ addressing questions about when and why

³⁹ Faulkner, Senator John. 28 April 2012. *Beginning in Fear to End in Failure: The Price to our Democracy of the Politics of Distrust*. Speech presented at the H.V. Evatt Memorial Dinner, Evatt Foundation, Carrington Hotel, Katoomba St, Katoomba.

⁴⁰ Typically, studies of electoral reform fixate on reform of “electoral systems”. Electoral systems are the small subset of election laws that govern how votes cast are converted into offices, such as seats of the legislature. Examples of electoral systems laws include laws that establish plurality representation, majority representation (eg. the Alternative Vote), proportional representation (PR) or some mix of those (eg. Mixed-Member Proportional). Another example is a law that determines whether each voting district elects one or multiple representatives. In this thesis, a broad definition of electoral reform is adopted, including legislative changes to rules about nomination processes, the extent of (and proof required for) the suffrage, laws on campaign finance and communication practices, in addition to the more usual electoral systems reform. Monique Leyenaar and Reuven Y. Hazan argue:

there is no reason, nor has there ever been, why changes in legislation regarding the (financing of) campaigns, pre-voting and smart voting systems, ballot access or polling, etc. should not be defined as electoral reform and included within the scope of research on this topic.

Leyenaar, Monique & Reuven Y. Hazan. 2011. Reconceptualising Electoral Reform. *West European Politics* 34: 437-455: 447. See also Bowler, Shaun & Donovan, Todd. 2013. *The Limits of Electoral Reform*. New York: Oxford University Press: 9; Jacobs, Kristof & Monique Leyenaar. 2011. A Conceptual Framework for Major, Minor, and Technical Electoral Reform. *West European Politics* 34(3): 495-513. To get a sense of the range of reforms included in “electoral reform” see James, Toby S. 2012. *Elite Statecraft and Electoral Administration: Bending the Rules of The Game?* New York: Palgrave Macmillan: Table 1.1 and Massicotte, Louis, Andre Blais &

electoral reform happens and explaining the evolution of particular electoral practices.⁴¹

In doing so, many authors have touched on the motivations of parties, and the legislators and organizational executives within them, in electoral reform—with remarkable unanimity. In the not too distant past, authors addressing the role of political parties in electoral reform overwhelmingly *assumed* political parties and politicians were motivated by rational self-interests in maximizing later electoral outcomes.⁴² In recent years a small body of literature has emerged which concedes that parties and partisans might be motivated by ideas or principles about election law and democracy, but typically these motives are understood as manifesting only in extraordinary or highly unusual circumstances, when self-interest is unfeasible.⁴³ This thesis fits alongside this emergent literature, forged by Gideon Rahat, Alan Renwick amongst others (see Chapter 2.2), examining the motives of political parties without any predisposition toward self-interest being the natural motive of political parties.

In the literature, there are three well-established approaches to the study of electoral reform and political parties. These approaches can be divided into three rough, and imperfect, categories: Quantitative Rational Choice Models, Rational Choice Case-Studies and Qualitative Case-Studies (Table 1.7). Each of these established approaches

Antoine Yoshinaka. 2004. *Establishing the Rules of the Game: Election Laws in Democracies*. Toronto: University of Toronto Press.

⁴¹ Until recently, political science has been the main discipline concerned with questions about electoral institutions. Political history declined in the 1970s and is only recently beginning to make a renaissance: Zelizer, Julian E. 2012. *Governing America: The Revival of Political History*. Princeton, N.J: Princeton University Press: Chapter 1. Legal scholars became closely interested in electoral law only in the aftermath of the US 2000 Presidential Election and the very real demonstration as to just how much the law determines who wins elections: Hasen, Richard L. 2009. Introduction: Developments in Election Law. *Loyola of Los Angeles Law Review* 42: 565-574.

⁴² Leyenaar and Hazan. 2011: 440.

⁴³ For example: Bawn, Kathleen. 1993. The Logic of Institutional Preferences: German Electoral Law as a Social Choice Outcome. *American Journal of Political Science* 37(4): 965-989; Benoit, Kenneth. 2004. Models of Electoral System Change. *Electoral Studies* 23: 363-389; Boix, Carles. 1999. Setting the Rules of the Game: The Choice of Electoral Systems in Advanced Democracies. *American Political Science Review* 93(3): 609-624; Colomer, Josep M. 2005. It's Parties That Choose Electoral Systems (or, Duverger's Laws Upside Down). *Political Studies* 53: 1-21; Dunleavy, Patrick, and Helen Margetts. 1995. Understanding the Dynamics of Electoral Reform. *International Political Science Review* 16(1): 9-29.

is reviewed, below, in order to elaborate on how they use the assumption of self-interest as well as, later, to develop a critique of the consequences of that singular approach.

1.1 THE LITERATURES ON POLITICAL PARTIES IN ELECTORAL REFORM

The first two categories of established literatures on electoral reform, Quantitative Rational Choice Models and Rational Choice Case-Studies, are firmly based in political science and explicitly develop and apply rational choice theory,⁴⁴ either to model and test trends in electoral systems reform⁴⁵ or to explain cases of electoral reform.⁴⁶ This explicitly rationalist approach, with its origins in economics, was more dominant in the study of electoral reform (especially electoral systems) than in other areas of political science. These literatures, especially Quantitative Rational Choice Models, tended to focus on the impact of party-interests on electoral systems, reflecting both the methodological necessities of applications of rational choice theory (discussed in 2.1) and the origins of the sub-discipline.⁴⁷ Many rational choice studies, especially

⁴⁴ Quantitative Rational Choice Models and Rational Choice Case-Studies, though distinct, share many similarities, and so are dealt with concomitantly in much of this section. Following the lead of Donald P. Green and Ian Shapiro, a loose definition of “rational choice theory” is intended here, including methods that go under the name “game theory” as well as more formal modelling methods premised on economic assumptions of individual rationality. See: Green, Donald P. & Shapiro, Ian. 1994. *Pathologies of Rational Choice Theory: A Critique of Applications in Political Science*. New Haven: Yale University Press: xi.

⁴⁵ For example, Benoit. 2004; Benoit, Kenneth. 2007. Electoral Laws as Political Consequences: Explaining the Origins and Change of Electoral Institutions *Annual Review of Political Science* 10: 363-390; Colomer, Josep M. 2007. On the Origins of Electoral Systems and Political Parties: The Role of Elections in Multi-Member Districts. *Electoral Studies* 26: 262-273; Cusack, Thomas, Torben Iversen, and David Soskice. 2007. Economic Interests and the Origins of Electoral Systems. *American Political Science Review* 101(3): 373-391.

⁴⁶ For example, Bawn 1993; Kaminski, Marek M. 2002. Do Parties Benefit from Electoral Manipulation? Electoral Laws and Heresthetics in Poland, 1989-93. *Journal of Theoretical Politics* 14(3): 325-358; Pilet, Jean-Benoit. 2008. The Future is Imagination, the Present is Reality: Why Do Big Ruling Parties Oppose Majority Systems? A Belgian Case-study. *Representation* 44(1): 41-50; Reed, Steven R., and Michael F. Thies. 2001. "The Causes of Electoral Reform in Japan." In *Mixed-Member Electoral Systems: The Best of Both Worlds?* Matthew Soberg Shugart and Martin P. Wattenberg, eds. 152-172; Remington, Thomas F, and Steven S. Smith. 1996. Political Goals, Institutional Context, and the Choice of an Electoral System: The Russian Parliamentary Election Law. *American Journal of Political Science* 40 (4): 1253-1279; Scarrow, Susan E. 2004. Explaining Political Finance Reforms: Competition and Context. *Party Politics* 10(6): 653-675.

⁴⁷ Quantitative rational choice models emerged out of an earlier rational choice literature, which investigated the impacts of electoral systems on political parties and party systems. See: Duverger, Maurice. 1969. *Political Parties: Their Organization and Activity in the Modern State*. 3rd ed. London: Methuen; Rae, Douglas W. 1971. *The Political Consequences of Electoral Laws*. New Haven, Yale University Press, Revised edition; Katz, Richard S. 1980. *A Theory of Parties and Electoral Systems*. Baltimore: Johns Hopkins University Press; Taagepera, Rein and Matthew Soberg Shugart. 1989. *Seats and Votes: the Effects and Determinants of Electoral Systems*. New Haven: Yale University Press; Lijphart, Arend. 1994. *Electoral Systems and Party Systems: A*

Quantitative Rational Choice Models, focus on the transition to Proportional Representation (PR) in early 20th century Europe, following from Stein Rokkan's brief observations about the relationship between the adoption of proportional representation and the dual phenomena of the expansion of the franchise and the rise of socialist parties.⁴⁸

From the outset, all political actors—including political parties—were assumed to be rational. But rationality, in the electoral reform context, was conceived in a very particular way: it was a rationality that was determinedly, inexorably and presciently self- or, in a peculiar corruption of rational choice theory, party-interested. Parties were not understood to be motivated by the public interest or, even, party ideology.⁴⁹ In these studies, axioms and assumptions of rational choice theory, as they apply to parties in the electoral reform “game,” tended to be set out clearly from the outset. An example comes from Kathleen Bawn's 1993 case-study of the adoption of a German Electoral Law in the aftermath of World War II, where she states with usual precision:

1. Parties' preferences are defined over policy outcomes.
2. Parties make use of all available information about the preferences of the electorate to predict vote shares.
3. Parties participating in the choice of electoral institutions know the preferences of other participants and understand the rules governing the choice.⁵⁰

Study of Twenty-Seven Democracies, 1945-1990. Oxford: Oxford University Press. In recent decades, in response to the symbiotic relationship of political parties and election laws, the reverse question is increasingly asked, but with the maintenance of the focus on political parties rather than individual political actors such as legislators, leaders or party executives.

⁴⁸ Rokkan, Stein. 1970. *Citizens, Elections, Parties: Approaches to the Comparative Study of the Processes of Development*. Oslo, Norway: Universitetsforlaget: 157.

⁴⁹ To assume rational actors need not be to assume self-interested ones: Kingdon, John W. 1994. Agendas, Ideas, and Policy Change. In *New Perspectives on American Politics*. Dodd, Lawrence C. and Calvin C. Jilson, eds. Washington, DC: CQ Press: 221. Yet in its application to electoral reform, rationality is typically equated with self-interest. So the rationality assumed is both more specific than in other applications of rational choice and is less (or un-) bounded. By contrast, Damien Bol urges for a broader view of rationality in the electoral reform context (one that can take into account altruism and other motives that do not fall within a narrowly defined self-interest): Bol, Damien. 2012. *The Motivations of Party Support for Electoral Reform: Vote-seeking, Uncertainty, and Diffusion*. PhD Thesis. University of Louvain, Louvain-Europe Political Science Institute, School of Political and Social Sciences: 4; see also: Follesdal, D. 1982. The Status of Rationality Assumptions in Interpretation and in the Explanation of Action. *Dialectica* 36: 301-316.

⁵⁰ Bawn. 1993: 967.

Similarly, in a more abstract context, Kenneth Benoit's deductive theory of electoral system change offers an indicative example of the explicit statement of axioms.⁵¹

Benoit went further, defining variables and converting the reform process into a series of equations. For example, Benoit defined individual party expectations about their share of votes as a variable called "Votes, seats, and expected votes" as follows:

Let \mathbf{V} be a $P \times 1$ vector of the proportion of votes each party p will receive in the election, and \mathbf{S} a $P \times 1$ vector of seat proportions awarded to each party p . Let \mathbf{V}^* be a $P \times 1$ vector of unobserved vote proportions, reflecting the vote share that each party p expects, at the time of the electoral system choice, to receive in the next election. Properties:
 $\sum_{p=1}^P V_p = \sum_{p=1}^P S_p = \sum_{p=1}^P V^*_p = 1.0$.⁵²

From these clearly stated axioms and definitions, hypotheses about when electoral reform will occur were posited and/or deduced. In Benoit's work, where V^* is uncertain, the probability of electoral reform is greater.

Other similar hypotheses include one widely cited from Carles Boix's model of the transition from first-past-the-post (FPTP) to PR voting systems, using data from 20th century Europe:

As long as the electoral arena does not change substantially and the electoral rules serve them well, the governing parties have no incentives to change the electoral system. As soon as change takes place and the previous structure of partisan competition starts to unravel, the ruling parties consider modifying the electoral system to maintain their political advantage.⁵³

—and, similarly, from Josep Colomer's model of the same transition (to PR) using data from the same time:

the higher the effective number of parties, the weaker the expectation will be for any single party to become the sure winner, and, thus, the more likely will be its preference for an inclusive electoral system permitting multipartism to develop.⁵⁴

With these clearly defined abstractions of a real-life process, many scholars tested whether their models could replicate real-life events and the development of electoral

⁵¹ Benoit. 2004: 374.

⁵² Benoit. 2004: 375.

⁵³ Boix. 1999: 611.

⁵⁴ Colomer. 2005: 8.

institutions in the aggregate (Quantitative Rational Choice Models) or in individual cases (Rational Choice Case-Studies).⁵⁵

Both types of rational choice studies—and especially Quantitative Rational Choice Models—sought to rely on objective and observable data to test and verify their models. In the electoral reform context, the available evidence of the interests of political parties *before* reform was the subsequent effects of the electoral reform, as revealed electoral results *after* the reform. This evidence was available in the form of time-series data on election results for numerous legislatures around the world and could be adapted to provide information on the effective electoral threshold, the effective number of political parties and numerous other indices. Especially in Rational Choice Case-Studies, legislative votes and (sometimes) action on the floor of the legislature were available to supplement such election results data.⁵⁶ Armed with this data, rational choice studies tended to focus on developing or testing theories about the development of “electoral systems”—a subset of electoral laws that determine how votes cast are converted into offices such as seats of the legislature—as these are the rules that are most directly tied to how many seats are won by a political party. For example, Boix⁵⁷ and Colomer⁵⁸ used long term changes in the number of parties represented in national legislatures (among other data) to make their (differing) arguments about party-interests and the pursuit of those interests in the transition from majoritarian voting systems (such as FPTP) toward PR.⁵⁹

⁵⁵ For a summary of the criticisms of the rational approach and its tendency to strip reform of its context, see: Anderson, James E. 2003. *Public Policymaking: An Introduction*. 5th ed. Houghton Mifflin: Boston: 21-22. Also, see: Kreuzer, Marcus. 2010. Historical Knowledge and Quantitative Analysis: The Case of the Origins of Proportional Representation. *American Political Science Review* 104(2): 369-392 (and Boix’s response: Boix, Carles. 2010. Electoral Markets, Party Strategies and Proportional Representation. *American Political Science Review* 104(2): 404-413)

⁵⁶ For example: van der Kolk, Henk. 2005. *Electoral System Change in the Netherlands: The Road from PR to PR*. Presented at the American Political Science Association Washington DC; van der Kolk, Henk. 2007. Electoral System Change in the Netherlands: The Road from PR to PR. *Representation* 43(4): 271-287.

⁵⁷ Boix. 1999.

⁵⁸ Colomer. 2005.

⁵⁹ This use of evidence ensures that rational choice studies examine only successfully passed reforms rather than the countless attempts at reform that fail to get over the final hurdle of being enacted into law: Leyenaar and Hazan. 2011: 450.

Whereas Quantitative Rational Choice Models and Rational Choice Case-Studies fit firmly in political science, the third (and largest in terms of the number of studies in existence) established category of approaches to electoral reform—*Qualitative Case-Studies*—comes from a wider array of disciplines including history, sociology and law, as well as political science. Some Qualitative Case-Studies detail the progress of individual reforms in individual jurisdictions;⁶⁰ others are comparative studies, juxtaposing the evolution of electoral institutions, several different electoral reforms or the same reform in several jurisdictions.⁶¹ While most Qualitative Case-Studies sought to explain reform in their cases, some studies develop a theory of electoral reform. Alan Renwick’s recent study, *The Politics of Electoral Reform*, is a good example of a well-

⁶⁰ Bowler, Shaun & Donovan, Todd. 2013. *The Limits of Electoral Reform*. New York: Oxford University Press; Carty, R. Kenneth, Andre Blais & Patrick Fournier. 2008. When Citizens Choose to Reform SMP: The British Columbia Citizens’ Assembly on Electoral Reform. In *To Keep or To Change First Past The Post: The Politics of Electoral Reform*. Andre Blais, ed. Oxford: Oxford University Press; La Raja, Raymond J. 2008. *Small Change: Money, Political Parties, and Campaign Finance Reform* Ann Arbor: University of Michigan Press; Norris, Pippa. 1995c. The Politics of Electoral Reform in Britain. *International Political Science Review* 16(1): 65-78; Orr, Graeme. 2007. Political Disclosure Regulation in Australia: Lackadaisical Law *Election Law Journal* 6(1): 72-88; Piven, Frances Fox & Richard A. Cloward. 1988. *Why Americans Don’t Vote*. New York: Pantheon Books; Prosterman, Daniel O. 2013. *Defining Democracy: Electoral Reform and the Struggle for Power in New York City*. New York: Oxford University Press; Reed, Steven R. 1999. Political Reform in Japan: Combining Scientific and Historical Analysis. *Social Science Japan Journal* 2(2): 177-193; Renwick, Alan, Chris Hanretty & David Hine. 2009. Partisan Self-Interest and Electoral Reform: The New Italian Electoral Law of 2005. *Electoral Studies* 28(3): 437-447; Stanbury, William T. 1991. *Money in Politics: Financing Federal Parties and Candidates in Canada*. Toronto: Dundurn Press; Ware, Alan. 2002. *The American Direct Primary: Party Institutionalization and Transformation in the North*. Cambridge: Cambridge University Press; Zelizer, Julian E. 2012. *Governing America: The Revival of Political History*. Princeton, N.J.: Princeton University Press: Chapter 10.

⁶¹ Crotty, William. 2006a. Party Origin and Evolution in the United States. In *Handbook of Party Politics*. Richard S Katz & William Crotty, eds. 25-33; Fournier, Patrick, Henk van der Kolk, R Kenneth Carty, Andre Blais & Jonathon Rose. 2011. *When Citizens Decide: Lessons from Citizens’ Assemblies on Electoral Reform*. Oxford: Oxford University Press; Kelly, Norm. 2012. *Directions in Australian Electoral Reform: Professionalism and Partisanship in Electoral Management*. Canberra: ANU E Press; La Raja, Raymond J. 2004. Breaking up the Party: How McConnell Downsizes Partisan Campaigns. *Election Law Journal* 3 (2): 271-276; Mutch, Robert E. 1991. The Evolution of Campaign Finance Regulation in the United States and Canada. In *Comparative Issues in Party and Election Finance*. F. Leslie Seidle, eds. Toronto: Dundurn Press: 57-110; Orr, Graeme. 2002. The Law Comes to the Party: The Continuing Juridification of Political Parties in Australia. *Constitutional Law & Policy Review* 3(1): 41-49; Rahat, Gideon. 2008. *The Politics of Regime Structure Reform in Democracies: Israel in Comparative and Theoretical Perspective*. New York: State University of New York Press.

considered study that aims to contribute to a theory of electoral reform using more inductive techniques than Benoit (described above).⁶²

Qualitative Case-Studies, naturally, tend to be more contextual in their explanations of reform outcomes than the other two categories of literature. What most late 20th century Qualitative Case-Studies had in common was the adoption of the assumption, usually implicitly, that those political parties in power (variously understood) were motivated by their interests in winning.⁶³

Numerous examples present. Narratives about the discarding of FPTP voting in favor of the Alternative Vote (AV) in Australia in the early 20th century centered on the assumption of the calculated, party-interested motives of the Nationalist Party in response to the rise of the Country Party.⁶⁴ Similarly, explanations involving calculated party interests were offered for the introduction of the Single Transferable Vote in the Senate⁶⁵ and compulsory voting⁶⁶ in Australia.

In Canada, accounts of the extension of the franchise to women and the propertyless during World War I focused on the party-interest of the Conservative Party under the

⁶² Renwick, Alan. 2010. *The Politics of Electoral Reform: Changing the Rules of Democracy*. Cambridge, UK: Cambridge University Press.

⁶³ A few exceptions include Alexander Keyssar's considered account of the history of suffrage in the US: Keyssar, Alexander. 2001. *The Right to Vote: The Contested History of Democracy in the United States*. New York: Basic Books; and the accounts of historical British reforms by Martin Pugh and FB Smith: Pugh, Martin. 1978. *Electoral Reform in War and Peace, 1906-18*. London: Routledge; Smith, F.B. 1966. *The Making of the Second Reform Bill*. Cambridge: Cambridge University Press.

⁶⁴ The conservative vote was increasingly split between those two parties, which opened up the prospect of an Australian Labor Party victory. This prospect was extinguished by AV. Farrell, David M. & Ian McAllister. 2005. 1902 and the Origins of Preferential Electoral Systems in Australia. *Australian Journal of Politics & History* 51(2): 155-167; Rydon, Joan. 1956. Electoral Methods and the Australian Party System, 1910-1951. *Australian Journal of Politics & History* 2(1): 68-83.

⁶⁵ See Uhr, John. 1999. Why We Chose Proportional Representation. In *Representation and Institutional Change 50 Years of Proportional Representation in the Senate*. Marian Sawer and Sarah Miskin, eds. Canberra: Department of the Senate.

⁶⁶ Gow, Neil. 1971. The Introduction of Compulsory Voting in the Australian Commonwealth. *Politics* 6(2): 201-210; Hughes, Colin. 2001. Review - Compulsory Voting: The Australian Experiment. *Australian Journal of Public Administration* 60 (4): 123-6; Mackerras, Malcolm, and Ian McAllister. 1999. Compulsory Voting, Party Stability and Electoral Advantage in Australia. *Electoral Studies* 18(2): 217-233; Rydon, Joan. 1968. Compulsory and Preferential: The Distinctive Features of Australian Voting Methods. *Journal of Commonwealth Political Studies* 6(3): 183-201.

leadership of Robert Borden.⁶⁷ John Courtney's narrative about Canadian redistricting and (eventual) reform centers on party interests.⁶⁸ Likewise, it is rare to encounter an account of redistricting in the United States that does not identify the control that party and party-dominated legislatures have over the process as the fundamental problem in current redistricting practices—based on the idea that it naturally leads to partisan gerrymandering.⁶⁹

Self-interested motives held by American party bosses, keen to control their nominations or contain voters' pesky predilection for ticket-splitting, dominated accounts of the adoption of the Australian ballot in North America.⁷⁰ Even accounts of the adoption of the direct primary, a reform broadly accepted as furthering the public interest while enfeebling parties, tended to view parties and legislators as naturally self-interested. The introduction of the direct primary, central to explaining the unique weakness, permanence and "institutionalized porousness" (to use the words of Leon D. Epstein⁷¹) of American parties was addressed by Alan Ware and Austin Ranney, among others. Ware presented parties as self-interested, if ill-informed, actors who accepted or adopted the direct primary willingly, but got their interest calculations terribly wrong.⁷² In Ranney's account, parties were portrayed as self-interested actors who were

⁶⁷ Brent, Gail. 1975. The Development of the Law Relating to the Participation of Canadian Women in Public Life. *University of Toronto Law Journal* 25(4): 358-370; Brookfield, Tarah. 2008. Divided by the Ballot Box: The Montreal Council of Women and the 1917 Election. *Canadian Historical Review* 89(4): 473-501; Graham, Roger. 1968. *Arthur Meighen*. Ottawa: Canadian Historical Association.

⁶⁸ Courtney, John C. 2004. Redistricting: What the United States Can Learn from Canada. *Election Law Journal* 3(3): 488-500.

⁶⁹ Cain, Bruce E. 1985. Assessing the Partisan Effects of Redistricting. *American Political Science Review* 79(2): 320-333; Hirsch, Sam. 2003. The United States House of Unrepresentatives: What Went Wrong in the Latest Round of Congressional Redistricting. *Election Law Journal* 2 (2): 179-216; Mann, Thomas E., and Bruce E. Cain. 2005. *Party Lines: Competition, Partisanship, and Congressional Redistricting* Washington D.C.: Brookings Institution Press.

⁷⁰ Argersinger, Peter H. 1991. *Structure, Process, and Party: Essays in American Political History*. New York: M E Sharp: 54-57; Keyssar. 2001; Lawrence, Eric, Todd Donovan, and Shaun Bowler. 2013. The Adoption of Direct Primaries in the United States. *Party Politics* 19 (1): 3-18; Ware, Alan. 2000. Anti-Partism and Party Control of Political Reform in the United States: The Case of the Australian Ballot. *British Journal of Political Science* 30: 1-29; *contra* Ostrogorski, Moisey. 1902. *Democracy and Organization of Political Parties*. Vol. II. New York, N.Y.: Macmillan.

⁷¹ Epstein, Leon D. 1986. *Parties in the American Mold*. Madison: University of Wisconsin Press: 5.

⁷² Ware, Alan. 2002. *The American Direct Primary: Party Institutionalization and Transformation in the North*. Cambridge: Cambridge University Press.

overpowered by reformers and a general public spirit of reform and thus—despite trying—were not able to protect, let alone advance, their interests.⁷³

In the established Qualitative Case-Study literature, authors differed in how they saw the *attitude* of parties toward reform and the extent to which they believed parties were in *control* of the reform process or *informed* about the consequences of the reform. Yet, they were more united in viewing parties as having primarily self-interested *motives* toward electoral reform proposals.⁷⁴

However, often case-studies of electoral reform cannot be easily explained in terms of party-interests. In some of these instances, convoluted explanations were generated to explain reform (Chapter 2.2). In other instances, writers focus on particular individual leaders, parties or legislators and reluctantly concede that, as an exception to the rule, this leader, party or legislator—at least in this instance—was not motivated solely by self-interest. Examples of such concessions abound in Qualitative Case-Studies addressing the recent use of citizens' assemblies in British Columbia and Ontario in Canada and the Netherlands, in which power and control to decide about electoral reform was voluntarily delegated from party-dominated legislatures to citizens.⁷⁵ These case-studies confound assumptions that reform is initiated by self-interested political elites. In studies of citizens' assemblies, party self-interest is assumed to be the rule, and the admission that motives other than self-interest are at play is only hesitantly

⁷³ Ranney, Austin. 1975. *Curing the Mischiefs of Faction: Party Reform in America*. Berkeley: University of California Press: 80. See also: Epstein. 1986: 157; Gimpel, James. 1993. Reform-Resistant and Reform-Adopting Machines: The Electoral Foundations of Urban Politics, 1910-1930. *Political Research Quarterly* 46(2): 371-382; Merriam, Charles E. 1909. *Primary Elections: A Study of the History and Tendencies of Primary Election Legislation*. 2nd ed. Chicago: University of Chicago Press; Merriam, Charles E. & Louise Overacker. 1928. *Primary Elections*. Chicago: University of Chicago Press.

⁷⁴ In the campaign finance reform context (discussed in Chapter 4), scholars understand 1970s campaign finance reform largely as a product of parties maximizing their interests, either in winning elections or in maximizing their funds. For example, in the US the primacy of re-election interests over revenue maximizing is emphasized to explain how otherwise reform-adverse parties and legislators and parties were overcome by the electoral risks of scandal or the actions of reformers to implement stricter campaign finance laws: Alexander. 1991: 3-56; Mutch. 1991: 58-9; Mutch. 1988: 191. By contrast, Raymond J. La Raja argues that campaign finance reform in the US is better understood not as electorally economic response to party fears about angry voters and citizens' groups but as the result of intraparty factional competition over the self-interests of the individual partisans: La Raja. 2008.

⁷⁵ Carty, Blais, and Fournier. 2008; Fournier *et al.* 2011; Nagel, Jack H. 1994. What Political Scientists Can Learn from the 1993 Electoral Reform in New Zealand. *PS: Political Science and Politics* 27 (3): 525-529; Renwick, 2010.

made—and only for individuals, parties or legislators whose behavior cannot be plausibly explained by self-interest.

1.2 EMERGENT LITERATURE ON MOTIVATIONS BEYOND SELF-INTEREST

As is evident from the above discussion and summarized in Table 1.7, the approaches to electoral reform within the established literature have been dominated by an assumption about the motives of parties.⁷⁶ The apparent unanimity with which parties and their activists are assumed to be innately self-interested might give the impression that the question of party motivations and consequent behavior in electoral reform debates is settled and that to tread further is folly.

However, in response to the inability of self-interest to explain many electoral reforms, a fourth category of work on electoral reform has emerged in the last decade or so. Studies in this emergent category, here called “Questioning Studies” (Table 1.8), either conclude that the assumption of self-interest is lacking in explanatory power (in the case of Rahat and Hazan’s literature review and several case-studies) or do not *a priori* adopt the assumption of party self-interest. In its infancy, this literature is, as of yet, rather diverse and not yet guided by theoretical underpinnings; it includes some survey work⁷⁷ and a few case-studies.⁷⁸

⁷⁶ It should be noted that the pervasiveness of assumed interests is not as great outside of the electoral reform context. Our understanding of individual motives as they relate to individuals voting and participating in politics, candidates seeking elective office and legislative voting is more complex. This is because the motives of individuals in those situations have been studied directly, whereas party motives (or the motives of individuals within parties) in electoral reform are rarely the topic of study. The literatures on motives, in political psychology, behavioral political science and organizational studies are discussed in chapter 2.

⁷⁷ Bowler, Shaun, Todd Donovan & Jeffrey A. Karp. 2002. When Might Institutions Change? Elite Support for Direct Democracy in Three Nations. *Journal of Political Research Quarterly* 55 (4): 731-754; Bowler, Shaun, Todd Donovan & Jeffrey A. Karp. 2006. Why Politicians Like Electoral Institutions: Self-Interest, Values, or Ideology? *Journal of Politics* 68 (2): 434-446; Bowler, Shaun & Todd Donovan. 2007. Reasoning About Institutional Change: Winners, Losers and Support for Electoral Reforms. *British Journal of Political Science* 37: 455-476; Gherghina, Sergiu, Laurentiu Stefan and Mihail Chiru. 2013. Electoral Reform – Cui Bono? Attitudes of Romanian MPs to the Electoral System Change. *Journal of Legislative Studies* 19(3): 351-369.

⁷⁸ Rahat, Gideon. 2004. The Study of the Politics of Electoral Reform in the 1990s: Theoretical and Methodological Lessons. *Comparative Politics* 36 (4): 461-479; Renwick, Alan. 2007. Why Did the Nationals Promise a Referendum On Electoral Reform in 1990? *Political Science* 59: 7-22.

Case-studies by Carty, Blais, and Fournier (2008); Fournier *et al.* (2011); Nagel (1994); Renwick (2010); Shugart (2001); and Shugart (2008) are not included as part of the Questioning Studies literature because they do not question self-interest as the *modus operandi* of political elites; instead they concede or investigate exceptions to the rule.

Table 1.7 Established Approaches to Party Motives in Electoral Reform

	Quantitative Rational Choice Models	Rational Choice Case-Studies	Qualitative Case-studies	
	Rational Choice Studies			
Methodology	Quantitative modeling	Case-studies	Case-studies	
Relationship to Rational Choice Theory	Develops and applies rational choice theory to the electoral reform context. Tests models derived from rational choice theory in aggregate studies	Develops and applies rational choice theory to the electoral reform context. Tests models derived from rational choice theory in particular case-studies	Adopts a view of party motives consistent with the characterization in rational choice studies	Adopts a view of party motives consistent with the characterization in rational choice studies, but concedes that there are important exceptions
Characterization of party motives	Innately self-interested	Innately self-interested	Naturally self-interested	Naturally self-interested, but on rare occasions lay their interests aside
Examples	<ul style="list-style-type: none"> • Benoit. 2007. • Benoit. 2004. • Boix. 1999. • Colomer. 2005. • Colomer 2007. 	<ul style="list-style-type: none"> • Bawn. 1993. • Kaminski. 2002. • Reed and Theis. 2001. • Remington and Smith. 1996. • Scarrow. 2004. 	<ul style="list-style-type: none"> • Bowler and Donovan. 2013 • Farrell and McAllister. 2005 • Ranney. 1975. • Ware. 2002 • Zeilzer. 2012 	<ul style="list-style-type: none"> • Carty, Blais, and Fournier. 2008; • Fournier <i>et al.</i> 2011. • Renwick, 2010.

Table 1.8 Emergent Approaches to Party Motives in Electoral Reform

	Questioning studies		
Methodology	Case-studies	Literature Review	Surveys
Relationship to Rational Choice Theory	Rejects self-interest as a complete explanation	Observes the dominance of rational choice assumptions and calls for alternatives	Does not assume self-interested motives
Examples	<ul style="list-style-type: none"> • Rahat. 2004. • Rahat. 2008. • Renwick. 2007. 	<ul style="list-style-type: none"> • Rahat and Hazan. 2011.⁷⁹ 	<ul style="list-style-type: none"> • Bowler, Donovan and Karp. 2002. • Bowler, Donovan and Karp. 2006. • Bowler and Donovan. 2007 • Gherghina, Stefan and Chiru. 2013

⁷⁹ Rahat, Gideon and Reuven Hazan. 2011. The Barriers to Electoral Reform: A Synthesis of Alternative Approaches. *West European Politics* 34(3): 478-494.

1.3 WHY BOTHER WITH REFORM? THE PROBLEMS WITH ASSUMING THOSE IN POWER ARE SELF-INTERESTED

Questioning Studies are still in the minority in a literature dominated by accounts of self-interest. The emergence of Questioning Studies within the qualitative literature is promising, however, because such studies can inform and complement rational choice accounts and formal models of the reform process. To make clear the benefits offered by Questioning Studies, three critiques highlighting the limitations and implications of the literature based on a shared assumption about political party motives are offered below and continued in Chapter 2. The first critique of assumed self-interest is one that goes to the heart of the assumption itself, rather than to the specific methodologies utilizing assumed self-interest. This critique highlights three central problems. Firstly, the assumption of self-interest is potentially damaging to the notion of a democratic polis, may dissuade reform efforts and encourage disengagement, cynicism and apathy. Secondly, the assumption clashes seriously and irreconcilably with the idea that political parties are essential democratic institutions. The third problem is pragmatic: assumptions stand in for knowledge—for that is their purpose—and have dissuaded intellectual curiosity and the understanding of the reform process.

Firstly, the assumption, prevalent in the mid- and late-20th century scholarly writing on the topic, of self-interest may serve to increase cynicism in the polity and paint electoral reform efforts with a veneer of futility.⁸⁰ In these writings, a peculiar view of electoral reform as a single struggle for partisan advantage emerges. The “basic premise,” identified by Raymond La Raja, that prevails is that:

reform is pursued primarily for private gain. While dialogue about reform reflects the language of public interest, an underlying motive for changing the rules is to gain

⁸⁰ These kinds of views extend outside the literatures on electoral reform and are readily seen on the literature on party more generally. Though not the focus of their analysis, Richard Katz and Peter Mair, in their highly influential cartel party thesis, which analyzed the changing nature of political party organizations in modern democracy, paint parties as active, rational, self-interested manipulators of electoral rules. Rather than seeking to maximize votes vis-à-vis other political parties as early rational choice accounts of electoral reform understand parties, Katz and Mair conceptualize political parties as engaging in “inter-party collusion,” where the established regime of political parties deliberately act together to use electoral law to redirect state resources and buffer themselves against threats from new parties or changes in voter sentiment. The self-interest identified is directed toward a different competitive arena than much of the electoral reform scholarship, but the motivations of political parties are even more consciously self-regarding. Katz, Richard S, and Peter Mair. 1995. Changing Models of Party Organization and Party Democracy: The Emergence of the Cartel Party. *Party Politics* 1(1); 1996. Cadre, Catch-All or Cartel?: A Rejoinder. *Party Politics* 2(4).

advantages over competitors. Since rules matter for political outcomes, partisans want to ensure that the rules favor their side. ... [P]artisans compete to pass reform legislation that favors their side.⁸¹

And so, it was in-built into these scholarly accounts of electoral reform that reform is, first and foremost, about party advantage. The resultant implication was that parties and legislators place their private self-interests ahead the democratic interests or the interests of those who elect them. If this implication is accepted, any public appeal by parties to democratic values or to the public interest is ripe for dismissal as mere pretense or obfuscation in the name of political advantage.⁸² Public statements of parties and their explanations of their behavior are to be doubted and the party's true self-interests to be inferred from more "objective" evidence.

This view is replicated in public debates about electoral reform, often drowning out discussion of the democratic merits of particular reforms. In news coverage of the 2011 debate over IRV in the United Kingdom, commentators sought to explain the Liberal Democrat Party's (LDP) acceptance of an IRV referendum (in spite their stated preference for PR as their voting system of choice) not as a demonstration of their commitment to democratic reform, but by hypothetical and contingent claims that the LDP stood to gain from IRV.⁸³ Another recent example comes from the state of Queensland in Australia, where, having opened up discussion on the possibility of repealing compulsory voting in early 2013, the motives of the Liberal National Party were quickly assessed by reference to speculation as to who stood to gain from the

⁸¹ La Raja. 2004: 87. La Raja is comparing the rational choice influenced view with another, which he calls "public interest theory"—a peculiarly American perspective emerging out of the Progressive Era, which sees public pressure and scandal as forcing partisans' hands. Reformers are understood to force partisans to "put aside selfish interests in order to pursue policies that are widely perceived as fair and just." (La Raja. 2004: 84). As will be discussed in 2.2, this view persists with the assumption of self-interested political parties but takes an erratic view of their power and control. His basic premise regarding the motives of parties holds true in both the rational choice and public interest accounts.

⁸² Benoit. 2008: 380. An analogous attitude would be to discount Thomas H. Vidal's stated reasons for running for the California Assembly in 2008 (Vidal said that he "decided to run for office because [he] had grown weary of the elected officials who are in leadership positions but who fail to lead": Vidal, Thomas H. 2008) as being insincere and an attempt at hiding his real motives: money, power, a job and/or status.

⁸³ For example: AV: A Complete Guide to the Alternative Vote Referendum. 4 May 2011. *Telegraph (UK)*; Balz, Dan. May 10, 2010. Gordon Brown Offers to Step Down. *Washington Post*. By contrast, the *Independent*—a newspaper aligned with the LDP—cast doubts on the motives of the Labour Party and the Conservative Party based on their presumed interests in the reform: This Historic Opportunity must not be Missed. 5 May 2010. *Independent*.

repeal.⁸⁴ In the US, the debate over laws about voter identification at polling stations is so dominated by the language of partisan advantage that it is difficult to find a news report that centers on the democratic merits of different proposals.⁸⁵

This characterization of electoral reform within these literatures—and often in media—as a contest for advantage, in which private self-interest trumps the public interest, is directly at odds with the view that electoral reform can improve democracy—a characterization that necessarily underlies electoral reform movements world-wide and institutional design scholars in political science.⁸⁶ The way that academia had characterized electoral reform in the second half of the 20th century shed doubt on its usefulness as a method for encouraging citizen engagement or for improving the democratic character of electoral systems. Participation in reform efforts in the name of democratic improvement appeared “irrational”, naïve and futile in this thinking.⁸⁷

⁸⁴ For example: Robertson, James. 5 January 2013. Voluntary Voting Idea puts Libs in Poll Position. *Canberra Times*. On the issue of automatic voter enrolment, the same sort of assessments were made by the media. See: Dusevic, Tom. 10 December 2012. Automatic Enrolment puts Coalition Seats at Risk. *The Australian*.

⁸⁵ For example: Weinberg, Corey. 26 July 2013. North Carolina's College Students are in Cross Hairs of Voter-ID Bill. *Chronicle of Higher Education*; Zucchini, David. 26 July 2013. North Carolina lawmakers approve sweeping voter ID bill. *Los Angeles Times*.

⁸⁶ Smith, Graham. 2009. *Democratic Innovations: Designing Institutions for Citizen Participation* Cambridge, UK: Cambridge University Press; Zittel, 2007. Thomas, and Dieter Fuchs. 2007. *Participatory Democracy and Political Participation: Can Participatory Engineering Bring Citizens Back in?* London: Routledge. Indeed, within academia—and from scholars who otherwise adopt to rational choice methods and assumptions in their work—ideas about arising from the same premise, that institutional reform can improve democracy or enhance voters' behavior and their relationship with democratic institutions. For example, Blais. 2008; Donovan, Todd & Shaun Bowler. 2004. *Reforming the Republic: Democratic Institutions for the New America*. Upper Saddle River, N.J.: Prentice Hall; Norris, Pippa. 2004. *Electoral Engineering: Voting Rules and Political Behavior*. Cambridge: Cambridge University Press; Zimmerman, J. F. 1994. *Contra* Bowler, 2012. Alternative Voting Systems for Representative Democracy. *PS: Political Science and Politics* 27: 674-677. By contrast, Bowler and Donovan changed their view and now doubt the efficacy of electoral reform as a way to change the relationship between citizens and politics: Bowler, Shaun & Donovan, Todd. 2013. *The Limits of Electoral Reform*. Oxford University Press, New York.

⁸⁷ The odds against reformers are precipitous: it is those self-interested parties that control legislatures, raise money and dominate the conduits of public communication over which influence is needed to reform election laws. If reform in terms other than self-interest is destined to fail, then why bother expending effort urging for reform? On a related point, there is some evidence that perhaps involvement in electoral reform efforts with the genuine belief that electoral reform will make a difference to democracy is irrational and futile: See Bowler and Donovan. 2013.

To the extent that citizens are affected by the scholarly portrayal of electoral reform—and one must hope the endeavors of academia are not completely without impact⁸⁸—this approach risks further adding to the disaffection of an already disaffected citizenry. In the view promoted by much of the academic work on the topic in the last 50 years, the public is right to be suspicious and cynical about the motives of political actors. They are right to doubt the *bone fides* of any democratic justifications elites give for reform. They are right to doubt the democratic merits—the fairness, faithfulness, equity and inclusiveness—of their election laws. They are right to conclude that their democratic architecture is a sham to the extent that parties and legislators have played a hand in reforming its architecture—and almost everywhere that extent is vast. They are right to disengage from discussions about electoral reform. In short, insofar as citizens are influenced by the view about electoral reform that has been so uniformly promoted in academia until recently and become cynical about democracy, democracy itself is undermined.⁸⁹

Indeed, in addition to affecting the public, such a cynical view of the reform process may encourage elite partisans to perceive the other side of an argument about reform as being about the interests of their opponents. The impulse may be toward cynicism about others' motives, which encourages the rejection of other arguments or positions as embodying not ideas and values, but simple partisan interests. In such a cycle, excessive partisanship likely follows and opportunities for compromise are lessened. The assumption of self-interest could well be a self-fulfilling prophecy—where everyone expects self-interest to dominate thus enabling it to do so.

The second weakness in the literature is closely related, but centers more on the place of political parties in democratic theory. The assumption that parties are motivated solely by self-interest, and not by public or democratic interests (or something else), in their electoral reform dealings clashes directly and irreconcilably with a deeper theme in modern political science that views political parties as essential *democratic* institutions.

⁸⁸ Bowler and Donovan observe that reformers' arguments and academic accounts of the operation of reforms often contain common themes, presumably because reform groups utilize academic literature on the operation of electoral institutions. 2013: 4.

⁸⁹ For a similar, and recent, observation of the potential for cynicism by an Australian politician see: Faulkner. 2012.

In modern political science, and in popular imagining, political parties are counted amongst the essential institutions of a healthy democracy, necessary as a vehicle for the expression of basic democratic functions, such as the structuring of voter choices, education of citizens, mobilization of electoral participation, political leadership recruitment and training, articulation and aggregation of interests, and policy implementation.⁹⁰ Whereas in the nineteenth century and earlier, the “baneful effects” of parties were looked upon with suspicion and disdain,⁹¹ the much cited passage from E.E. Schattschneider in 1942 epitomizes the modern consensus about the indispensability of political parties to democracy: “political parties created democracy, and ... modern democracy is unthinkable save in terms of ... parties.”⁹² In the prevailing view about the necessity of political parties to democracy, the existence of parties should be encouraged and their roles expanded rather than limited. Indeed, the

⁹⁰ Crotty, William. 2006b. Party Transformations: The United States and Western Europe. In *Handbook of Party Politics*. Katz, Richard S. & William Crotty, eds. 499-514; Dalton, Russell J, David M. Farrell, and Ian McAllister. 2011. *Political Parties and Democratic Linkage: How Parties Organize Democracy*. Oxford: Oxford University Press; Dalton, Russell J. & Martin P. Wattenberg. 2000. Unthinkable Democracy: Political Change in Advanced Industrial Democracies. In *Parties Without Partisans: Political Change in Advanced Industrial Democracies* eds. Russell J. Dalton and Martin P. Wattenberg. Oxford: Oxford University Press: 7-8; Diamond, Larry Jay, and Richard Gunther. 2001. *Political Parties and Democracy*. Baltimore: Johns Hopkins University Press; Putnam, Robert D. and Susan J Pharr. 2000. *Disaffected Democracies: What's Troubling the Trilateral Countries?* Princeton: Princeton University Press; White, R. K. . 2006. What is a Political Party? In *Handbook of Party Politics*, eds. Richard S Katz and William Crotty; Webb, Paul D. 1995, Are British Parties in Decline? *Party Politics* 1(3): 292-322.

⁹¹ To quote George Washington's Farewell Address. See also: Crotty 2006b; Ranney 1975: 33; Scarrow, Susan E. 2006. "The Nineteenth-Century Origins of Modern Political Parties: The Unwanted Emergence of Party-Based Politics " In *Handbook of Party Politics* eds. Richard S Katz and William Crotty: 16-24; Schlesinger, Arthur M. 1999. *The Cycles of American History*. Boston, MA.: Houghton Mifflin: 257-258.

⁹² Schattschneider, Elmer Eric. 1942. *Party Government*. New York: Holt, Rinehart and Winston: 1. The idea that strong (and disciplined) parties were indispensable to governance had been around since the 1880s in the US—even though this was the time of the big party machine and antipathy toward political parties in the US. In a direction repeated in the responsible party government school in the mid-20th century, Woodrow Wilson looked to the strong British political parties with much admiration. He despaired that—unlike in the House of Commons—party votes were rare in the US Congress and, instead of being governed by one, party-dominated legislature, the US was governed by 50 or so committees, or “little legislatures” within Congress. See: Wilson, Woodrow. 1885. *Congressional Government: A Study in American Politics*. Boston: Houghton Mifflin Company.

observed declining role of political parties in modern democracies is a cause of much consternation.⁹³

An essential democratic institution ought, we might deduce, oversee or peacefully coexist with electoral institutions that embody democratic values and goals, such as popular control over government, political equality, and an inclusive and responsive political process.⁹⁴ At least, an essential democratic institution ought not to seek to create institutions contrary to those values and goals. Yet, the literature on electoral reform that is based on assumed self-interest paints a picture of parties that are innately impelled toward un-democratic objectives, such as limiting the responsiveness and competitiveness (through electoral systems reform), increasing the advantages of incumbency (through redistricting reform) or reducing political equality (through campaign finance reform that gives priority or advantages to them over others), because frequently these goals further their interests in winning office.

An unsavory implication—one that is rarely acknowledged—arises: The assumption of self-interest implies that it is normal, and (in rational choice studies) legitimate,⁹⁵ for political actors to pursue outcomes in electoral law that threaten (or, indeed, hijack) democracy. In this view, political actors compete not only for control over the legislature but also the institutions that elect and re-elect the legislature. There is a tension, then, between the accepted necessity (and, indeed, desirability) of political parties, and the assumption of self-interest.⁹⁶ Electoral laws in any democracy must be

⁹³ Dalton, Farrell and McAllister. 2011; Dalton and Wattenberg. 2000; Hopkin, Jonathon. 2004. *The Problem with Party Finance: Theoretical Perspectives on the Funding of Party Politics*. In *Party Politics*. 10 (6): 627-651.

⁹⁴ These democratic values and goals are examples taken from the criteria of various democratic audits, which seek to measure and assess democratic performance: Beetham, David & International Institute for Democracy and Electoral Assistance (2002). *International IDEA Handbook on Democracy Assessment*. Hauge: Kluwer Law International; Cross, William. 2004. *Political Parties*. Vancouver: UBC Press: viii; Sawyer, Marian, Norman Abjorensen & Phil Larkin. 2009. *Australia: The State of Democracy*. Sydney: Federation Press.

⁹⁵ Rational choice theory, and the studies that emerge out of it, implies that parties, in their dealings with electoral laws, not only naturally place their private interests (those that lie in winning more votes, seats and power) ahead of the public interest (in fair and democratic elections), *but do so properly*. Qualitative Case-Studies are less inclined to value neutrality. Instead, they tend to take a negative reading of reforms passed in the self-interests of parties. Parties are often viewed as sinister—with the victories of reformers celebrated and the victories of nefarious parties lamented (see Chapter 2).

⁹⁶ This tension exists in all those iterations of rational choice theory that understand rationality to mean “self-interested”. With its origins in economics, the strict individualism of rational

understood as governmental institutions for the public good, and not tools of partisan perpetuation, in order to have any legitimacy. But understanding the electoral law that results from parties in power legislating their own interests as capturing the public good seems odd and worth a serious attempt at justification.⁹⁷

Additionally, in practical terms, mechanisms that can tame the self-interest of political parties and enable the peaceful and democratic co-existence of parties and democratic electoral laws for the public good need to be uncovered. Several remedies have been proposed by those who adhere to the view that parties are solely or largely motivated by self-interest. The remedies proffered typically involve granting to institutions other than party-controlled legislatures the regulatory authority over electoral law and reform.⁹⁸ This is logical given that—in the view that parties are innately self-interested—a party controlled legislature is inherently unable to pass laws that are for the democratic good unless they happen to coincide, by sheer luck, with party self-

choice approaches invariably paint a picture of a democracy that lacks “demos”—in sharp contrast to much democratic theory, which is often focused on the public good. The public good can only be understood, in the existing literature, as the aggregate of interests or the accidental result of the competition of self-interested individuals. This argument bears some similarity to criticisms of the theories of pluralism from the 1950s and 1960s. Pluralist theories were critiqued as reducing democracy to a competition between diverse interests for finite government resources and, in particular, for sanctioning the power or dominance of moneyed interests groups over policy outcomes (since those with more resources have advantages in the competition). Similarly, the rational choice view implies that those who (irrationally) do not act in their self-interest will lose out to those who do. See: Mansbridge, Jane J. 1990. The Rise and Fall of Self-Interest in the Explanation of Political Life. In *Beyond Self-Interest*, ed. Jane J Mansbridge. Chicago: University of Chicago. 3-24; Petracca, Mark P. 1991. The Rational Choice Approach to Politics: A Challenge to Democratic Theory. *Review of Politics* 53 (2): 289-319.

⁹⁷ Democratic theory to date largely overlooks the tension that would arise from the priority that parties are assumed to give to their private interests in electoral reform. See van Biezen, Ingrid. 2004. Political Parties as Public Utilities. *Party Politics* 10(6): 701-722. A rare attempt at placing parties in democratic theory is contained in a few pages of Saward, Michael. 2003. *Democracy*. Cambridge, UK: Polity: 43-45.

⁹⁸ Samuel Issacharoff, Pamela S. Karlan and Richard H. Pildes make a case for greater oversight from the judiciary in electoral law matters: 2002. *The Law of Democracy: Legal Structures of the Political Process*. 2nd ed: 359; also Issacharoff, Samuel & Richard H. Pildes. 1998. Politics As Markets: Partisan Lockups of the Democratic Process. *Stanford Law Review* 50(3): 643-717.

When considering the role of party in electoral reform, Norm Kelly, in the conclusion of his dissertation on electoral reform in Australia, suggests granting statutory agencies such as the Australia Electoral Commission, the US Election Assistance Commission or Elections Canada “greater independence in the management and conduct” of elections: Kelly, Norm. 2008. “Evaluating Australian Electoral Reforms: 1983-2007.” Doctor of Philosophy. Australian National University: 219; Kelly, Norm. 2012. *Directions in Australian Electoral Reform: Professionalism and Partisanship in Electoral Management*. Canberra: ANU E Press: 156.

interest. Additionally, authority over electoral matters might reside in the people themselves; electoral reform through citizen initiated referenda or citizens' assemblies seems to be a promising way to ensure the electoral law does not always reflect political party-interests.

At this point, the gun has been well and truly jumped. Before fully exploring the respective merits of the proposals to tame party-interests, it ought to first be established, substantively, that the problem of self-interested political parties reforming election laws to their private ends is the rule (rather than the much highlighted exception).

In fact, it turns out that we know little about how parties actually relate to electoral reform debates. Indeed, this is the third weakness that stems from the over-reliance on the assumption of self-interested political parties in electoral reform. The existing electoral reform literature provides, in David Farrell's words, a "pretty good explanatory framework for understanding electoral design trends over the longer term",⁹⁹ yet there is a distinct lack of knowledge about the particulars of electoral reform process.¹⁰⁰ The literature on electoral reform rarely treats electoral reform as a serious *policy-making* process—assuming the politics of advantage to be the whole story. Naturally, then literatures on electoral reform have not linked in well with allied literature on policy-making, party policy-making or the motives of political actors. In effect, assuming the motivations of political parties has deprived the study of electoral reform of oxygen, by, ostensibly, answering many of our questions about what drives electoral reform.

This lack of knowledge is especially true for the process of electoral law policy-making. Until recently,¹⁰¹ studies of electoral reform made few connections with the expansive literatures in public policy that study many aspects of policy-making. This disconnect is odd given that the study of policy-making is essentially the study of the process of

⁹⁹ Farrell, D. M. 2011. *Electoral Systems: A Comparative Introduction*. 2nd ed. Basingstoke, UK: Palgrave Macmillan: 187.

¹⁰⁰ Leyenaar and Hazan. 2011; see also: Farrell. 2011. Since the turn of the 21st century more attention has been directed to electoral reform processes, for example: Renwick. 2010.

¹⁰¹ Norris. 2011. Cultural Explanations of Electoral Reform: A Policy Cycle Model. *West European Politics* 34: 531-550; Bol. 2012. At least one public policy work studies electoral reform: Zelizer, Julian E. 2002. Seeds of Cynicism: The struggle over Campaign Finance 1956-1974. *Journal of Policy History* 14: 73-111.

reform. Insights from public policy would lessen the tendency to see electoral reform as a simple, rational political game for advantage¹⁰² and encourage emphasis on the legitimate—and sincere—policy goals of actors (see Chapter 3.3).

Furthermore, presently, there exists an incomplete understanding about how parties actually come to a decision to support or oppose a particular electoral reform proposal. For example, it is not known how a party determines whether a reform proposal, say AV, is in their interests. Parties have rarely been the primary focus of study, even though political parties are seen as important—often *the* most important—actors in electoral reform. Much of the party policy development process—in which the diverse opinions and interests of individuals within parties are translated into public party behavior—remains obscure.¹⁰³

While little of the dynamics internal to parties are understood, even less is known about how individual partisans approach reform from within political parties. We do not know what motivates individual partisans to advance reforms or to participate in electoral reform debates, especially when those partisans have no obvious self-interests or personal stake in the success of the reform.¹⁰⁴ In the area of motives, this lack of knowledge is all the more glaring by comparison to other abundant literatures on individual motives in other areas, such as political behavior literatures on the motives for citizen political participation in elections (voting) and voluntary organizations (volunteering) and an abundant literature on the motives of political leaders in political psychology (see Appendix 6).

The overreliance on assumed self-interest in the study of electoral reform that was prevalent until recently had been to the detriment of a complete understanding of electoral reform. The recent slew of Questioning Studies, working outside the dominant model of electoral reform, have added to our knowledge of reform processes.

¹⁰² For example, Kingdon openly says that “policy formation is not simply driven by such conventional political forces as reelection incentives, interest group pressure, and marshaling votes and power. Argumentation, persuasion, and marshaling evidence and information are also important.” Kingdon, John W. 1994. *Agendas, Ideas, and Policy Change* in Dodd, Lawrence C. and Calvin C. Jilison, *New Perspectives on American Politics*. Washington, DC, CQ Press: 221.

¹⁰³ Scarrow. 2004: 654.

¹⁰⁴ Nuñez, Lidia, Séin O’Muineachain, and Matthew Wall. 2013. *Individual Legislators and Electoral System Change: Results from a survey of Irish MPs*. *Electoral System Change in Europe since 1945*, Université libre de Bruxelles University of Reading. Working paper.

Yet, the study of electoral reform could be further improved further by better linking with, and utilizing the insights of, other literatures on allied subjects and by utilizing archival records of political actors. In Chapter 3, these literatures are incorporated into a model of electoral reform in which the reform process is understood to be about policy-making, as well as political gain, and the utility and availability of political party archival records is outlined.

CONCLUSION

Does electoral reform in a party-dominated legislature ever amount to a serious policy making process? Late 20th century studies of electoral reform overwhelmingly indicate that it does not. The three established literatures on political parties and electoral reform reviewed in this chapter adopt different methodologies, definitions of “self-interest” and relationships to theory, but at their core they share a common view that political parties are innately self-interested. The conclusion that serious policy-making in electoral reform is unlikely is built into this assumption that parties pursue reform for self-interest. Reform, in this view, is necessarily political—it is about winning elections rather than policy development.

As argued, this commonality—the assumption of self-interest—among the three established approaches has potentially negative consequences for citizen participation and confidence in democratic structures. It also sits alongside the characterization of parties as essential democratic institutions with distinct unease. Furthermore, the assumption both encouraged and echoed a lack of knowledge about electoral reform processes and the motives of political elites.

As a response to these problems (and others), empirical studies uncolored by assumed self-interest (Questioning Studies) are becoming less few. In the spirit of this trend, this thesis makes a small contribution to the existing literature on electoral reform by integrating closely allied works on reform processes and the motives of political actors, and by using archival records to begin to identify how political parties interact with the laws that govern their operation and their electoral success. In the process, this thesis offers insights into the extent to which self-interests are the sole, natural or main motivator of parties and the circumstances under which something other than self-interest motivates parties and partisans.

CHAPTER 2

BLUNT TOOLS AND EVIDENCE OVERLOOKED: METHODOLOGICAL CRITIQUES OF ESTABLISHED APPROACHES TO ELECTORAL REFORM

It is a capital mistake to theorize before one has data. Insensibly one begins to twist facts to suit theories, instead of theories to suit facts.

— Sherlock Holmes. *A Scandal in Bohemia* (1892)

The assumption of self-interest having been reviewed in Chapter 1, Chapter 2 engages in two further critiques of the existing literatures on electoral reform along methodological lines. The first critique, of rational choice studies (both Quantitative Rational Choice Models and Rational Choice Case-Studies), covers three issues related to the accuracy, determinacy and *post hoc* reasoning behind the evidence that pervades the typical application of rational choice theory to electoral reform. The second critique, of Qualitative Case-Studies, centers on the methodological shortcomings that arise from an omission to take full advantage of the flexibility and contextualism of qualitative approaches. In particular, the chapter highlights that Qualitative Case-Studies have not fully utilized the wider range of evidence—including archival and internal party evidence—available to them to go beyond superficial characterizations of party policy-making processes and partisan motives.

The implications of the critiques developed in this chapter are two-fold. The first implication is that, although they offer important insights about the adoption of some electoral arrangements, rational choice studies should not be allowed to dominate the field as thoroughly as did until recently. The second implication is that Qualitative Case-Studies could better advance our understanding of reform processes and the actors within them if more studies joined the ranks of those that resist the lure of the assumption of self-interest and used a greater array of evidence sources.

2.1 METHODOLOGICAL NECESSITY: A CRITIQUE OF RATIONAL CHOICE STUDIES OF ELECTORAL REFORM

Rational choice studies—both Quantitative Rational Choice Models and Rational Choice Case-Studies—apply a version of rational choice theory to the electoral reform “game” to explain reform in terms of party-interests. In reviewing the field from a distance, it is clear that applications of rational choice theory have struggled to explain

real-life electoral reform with the parsimony and coherence to which rational choice theory aspires.¹⁰⁵ In both types of rational choice study, the assumption of party self-interest proves to have limited explanatory power, alternating between meaningful prediction (Quantitative Rational Choice Models) and accurate description (Rational Choice Case-Studies). Additionally, the preferred method for inferring party self-interest—observing subsequent electoral consequences and working back—entails *post hoc* style reasoning. Taken together, the limited explanatory power and problematic use of evidence intimate that rational choice theory based studies ought to be better complemented by alternative approaches that directly examine and question the assumption of self-interest.¹⁰⁶

Rational choice theory, dominant in political science, adopts a particular and universal view of human nature. At its most fundamental, rational choice theory assumes individuals seek to maximize expected utility pay-offs based on a hierarchy of preferences. In layman's terms, people are assumed make decisions based on a cost-benefit calculation made by the individual participant about the expected consequences of a decision to their own interests. Politics is pursued by these individuals when the benefits outweigh the costs.¹⁰⁷ In rational choice theory's application to the electoral reform context, utility maximization is typically equated with party self-interest in winning government; expected pay-offs with actual pay-offs; and individual with party. A brief critique of rational choice, as it is applied to electoral

¹⁰⁵ Katz. 2005; Norris. 2004. *Contra* Bowler & Donovan. 2013: 23. In 2011, Pippa Norris wrote:

The idea that partisan interests and elite actors alone drive the process of electoral reform has been subject to extensive critique; hence Katz (2005) presents a series of reasons why rational choice theory fails to predict the outcome, including cases where changes are imposed on ruling parties; members of the winning coalition are divided; politicians miscalculate the unforeseen consequences of new rules; parties value long-term change over short-term electoral advantage; and parties trade electoral advantage for other goals. (Norris. 2011: 534.)

¹⁰⁶ These critiques have been made in other forums; they (mostly) are not new or unique. See: Anderson. 2003; Green & Shapiro. 1994; Petracca. 1991; Taylor, Michael. 2006. *Rationality and the Ideology of Disconnection*. Cambridge: Cambridge University Press.

¹⁰⁷ This is not a natural or inherent characterization of politics. Alternative views offer a social or identity basis for politics: See Zuckerman, Alan S., ed. 2005. *The Social Logic of Politics: Personal Networks as Contexts for Political Behavior*. Philadelphia: Temple University Press. Also: Bourke, Paul & Donald DeBats. 1995. *Washington County: Politics and Community in Antebellum America*. Baltimore: The Johns Hopkins University Press; Huckfeldt, Robert & John Sprague. 1995. *Citizens, Politics, and Social Communication: Information and Influence in an Election Campaign*. New York: Cambridge University Press; Taylor. 2006.

reform, is offered here and a more detailed critique of rational choice theory is contained in Appendix 1.

The assumption that self-interest is the sole motivator of political parties is often very confidently stated. For example, when posing the question “When might party leaders take the plunge and publicly advocate for electoral reform?”, Matthew Shugart succinctly answers: “[W]hen it is electorally beneficial”.¹⁰⁸ Yet, what authors mean by self-interest varies considerably.

Initially, rational choice studies of electoral reform tended to be based on “thick” rational choice theory,¹⁰⁹ which defined the self-interest of parties narrowly—a tendency that persists in Quantitative Rational Choice Models. Deriving from Down’s emphasis on the office-seeking functions of parties, the self-interest assumed to be determinative in early rational choice models was the party’s interest in winning control of the legislature—including, in later configurations, their interests in minimizing electoral loss.¹¹⁰ In other words, the assumed self-interest of a party was the interest that lay in maximizing the number of seats (or offices) that a party won from votes cast at an election.¹¹¹ For example, Benoit phrased his iteration of this traditional definition as “the assumption that the objective of political parties in selecting among competing electoral institutions is to maximize their shares of seats in the legislature.”¹¹²

¹⁰⁸ Shugart, Matthew Soberg. 2008. Inherent and Contingent Factors in Reform Initiation in Plurality Systems. In *To Keep or To Change First Past The Post: The Politics of Electoral Reform*. Andre Blais, ed. Oxford: Oxford University Press: 15.

¹⁰⁹ “Thick” rational choice theory offers a restrictive and meaningful description of preferences—so that some outcomes are assumed to have more utility to individuals than other outcomes: Green and Shapiro. 1994: 17-19.

¹¹⁰ *Per* Boix, Carles. 1999; Calvo, Ernesto. 2009. The Competitive Road to Proportional Representation: Partisan Biases and Electoral Regime Change under Increasing Party Competition. *World Politics* 61(2): 254 -295.

¹¹¹ See: Downs, Anthony. 1957. An Economic Theory of Political Action in a Democracy. *Journal of Political Economy* 65(2): 137. For Downs, political office was not the end goal of individuals. Office-seeking was merely a means to the “income, prestige, and power” that comes with winning government. In this way, Downs tied individual self-interest in more money and power with the concept of collective party interest in winning office. Note, however, the intersection of individual self-interest and party self-interest is not complete and equating self-interest and party-interest is a risky business.

¹¹² Benoit. 2004: 373. These early definitions of self-interest, which centered on the seats-to-votes calculus, paired naturally with the literature’s focus on reform of electoral systems, which are the rules that determine how votes are converted into legislative seats.

Using this narrow definition of self-interest, rational choice theory can be applied to explain broad trends in electoral systems evolution, at least with regards to the general move away from FPTP in Europe at the beginning of the 20th century.¹¹³ This trend broadly correlates with the apparent interests of the parties in power in maximizing their share of seats-from-votes—as inferred from eventual electoral outcomes and the presences of a socialist party threat.¹¹⁴

Yet, if we cast our eyes beyond the move from FPTP to PR to other aspects of electoral law or individual cases, rational choice theory using this narrow definition of self-interest—while determinative and theoretically neat—is descriptively weak.¹¹⁵ Many

¹¹³ Boix. 1999; Calvo. 2009; Colomer. 2005; *contra*: Blais, Andre, Agnieszka Dobrzynska & Indridi H. Indridason. 2005. To Adopt or Not to Adopt Proportional Representation: The Politics of Institutional Choice. *British Journal of Political Science* 35(1): 182-190.

¹¹⁴ Farrell. 2011.

¹¹⁵ As reflected in the title of Richard S. Katz’s chapter entitled “Why Are There So Many (or So Few) Electoral Reforms?”, rational choice theory cannot explain the observed frequency (or lack thereof) of electoral reform: Katz. 2005; see also Norris. 2004. Depending on how it is parsed, rational choice theory predicts that reform will almost never happen or that reform will be a very frequent occurrence—after every election of a different slate of candidates or different majority party. The first phrasing emphasizes that those legislators in power were elected under the existing rules, and clearly those rules served their interests. Its logic is expressed well by Steven R. Reed:

governing parties and incumbent politicians benefit from the electoral systems under which they won their positions of power. It only seems common sense to suggest that those who win under the existing system will tend to support the status quo. (Reed. 1999: 177).

This phrasing of rational choice theory sees a good deal of inertia in electoral law and does not predict much reform at all—less than is observed in real life.

The second parsing of rational choice theory, emphasizing the idea that—even when individuals act in conditions of bounded rationality—there are always ways to make election law even better serve those in power, predicts that a party or coalition of parties will reform electoral law constantly. The idea here, roughly paraphrased, is that the parties in power control the law and should be able to find ways to make it better serve them, so why wouldn’t they constantly change it? An explicit example comes from: Pilet. 2008.

While electoral reform does happen sometimes, many opportunities for reform in party-interests were—and are—not taken up. For example, the British Labour Party did not introduce AV during its rule from 1997 to 2010; the Australian Labor Party did not return Australia to FPTP (or even AV with unforced preferencing) during its time in office in the 1980s; the Australian Liberal Party did not abolish compulsory voting during its 23 years in power in the 1950s and 1960s. Much attention focuses on attempts to introduce voter ID laws in the US, but many state Republican parties have not sought to reform voter ID laws to make them restrictive to Democratic voters. For example, North Carolina, does not require any voter identification despite the legislature being dominated by the Republican Party (2011 onward). Similarly, Oklahoma has not legislated to require voters to present photo ID—even though more than 2/3 of the current legislature is Republican and Republicans have long held control of the legislature. Meanwhile, in Rhode Island, a Democratic legislature passed a voter ID law, with support of

electoral reforms—and even more non-reforms—cannot be satisfactorily explained in terms of the self-interest in maximizing seats won at the next election: Electoral reform measures were introduced (or finessed) in Japan in 1994¹¹⁶ and in Italy in 1993¹¹⁷ by parties with an apparent expectation—and subsequent reality—of loss of seats and control of the legislature. A rather clear example, which forms part of the move away from FPTP late in the 20th century, comes from New Zealand, and the National Party's delivering of referenda on the adoption of MMP in 1992 and 1993. The National Party, it is acknowledged, knew that it stood to lose seats in parliament if MMP was approved¹¹⁸—and indeed it lost seats after MMP was adopted.¹¹⁹ Rational choice studies using the office maximizing self-interest definition could not predict, or explain, reform initiated by a governing party where that reform was expected to reduce—and did in fact reduce—its seat share at subsequent elections.¹²⁰

There are many other instances where parties seem to act against their seat-maximization interests.¹²¹ In recent times, the trend toward delegating authority to

many Democrats, in 2011. Additionally, Democrat legislators often do not repeal existing voter ID laws; Republican legislators often do not introduce them. Generally see Underhill, Wendy. 30 April 2014. *Voter Identification Requirements*. Washington DC: National Council of State Legislatures.

These are just a few major examples. The point here is not to show that party-interests do not matter, but to demonstrate that countless opportunities to tinker with laws are inexplicably—in the second parsing of rational choice theory—passed over.

¹¹⁶ Shiratori, Rei. 1995. The Politics of Electoral Reform in Japan. *International Political Science Review* 16(1): 79-94.

¹¹⁷ Donovan, Mark. 1995. The Politics of Electoral Reform in Italy. *International Political Science Review* 16(1): 47-64.

¹¹⁸ Lamare, James W & Jack Vowles. 1996. Party Interests, Public Opinion and Institutional Preferences: Electoral System Change in New Zealand. *Australian Journal of Political Science* 31(3): 321-246; Nagel. 1994; Renwick, Alan. 2010: 8. Contra: Sakamoto, Takayuki 1999. Explaining Electoral Reform: Japan versus Italy and New Zealand. *Party Politics* 5(4): 419-438.

¹¹⁹ From a majority of 50 of 99 seats from 35.05% of the vote in the last pre-MMP Election (in 1993), the National Party found themselves with just over a third (44) of the 120 seats with 33.87% of the vote in the first post-MMP Election in 1996. They are yet to win a majority of seats again, despite receiving as much as 47.31% of the votes (in 2011).

¹²⁰ Quantitative Rational Choice Models dismiss these instances as errors—but clearly they happened and are worthy of understanding.

¹²¹ For example, the decision of Steele Hall's Liberal and Country League in South Australia to remove the over-allocation of rural electoral districts after the 1968 state election—a situation that dated back to 1856 and the granting of responsible government to South Australia—is another instance in which the behavior of parties appears to defy their interests. As Hall expected, the Liberal and Country League did lose seats relative to its vote share. In both the 1968 and 1970 election, the Liberal and Country League received 43.8% of the vote, but the

citizens' assemblies and referenda to decide on electoral reform matters in Canada and elsewhere appears to contradict the assumption of parties as inherently motivated only by self-interest—given that citizens' assemblies necessarily involve giving up party control over calculations of the vote-to-seat conversion.¹²²

Whereas Quantitative Rational Choice Models with their overarching perspective can often overlook these non-conforming instances as anomalies or errors, Rational Choice Case-Studies necessarily want to be able to explain their cases and so tend to modify or add nuances to the underlying rational choice theory to fit the cases. One way Rational Choice Case-Studies have done this is to adopt a “thinner” version of rational choice theory whereby the definition of “self-interest” that parties are assumed to have is loosened and the applications of the theory become less prescriptive about party preference orders. In the process of increasing the descriptive power of rational choice theory, the literature increasingly identifies interests and counter-interests. Party self-interests are increasingly presented in these works as including not only interests in maximizing the party seats-from-votes calculus but also other apparent interests in maximizing future party vote-gaining prospects, public opinion (and avoiding fall-out from political scandals), party campaign revenues, as well as individual partisans' self-interest in re-election.¹²³

proportion of seats it won dropped from 48.7% in 1968 to 42.6% in 1970. See: Jaensch, Dean, ed. 1986. *Flinders History of South Australia: Political History*. Netley, South Australia: Wakefield Press. More recently, political parties changed the South Australian electoral law to ban a practice whereby political parties themselves solicited and processed mail ballot applications, even though this reduced their control over the voting by mail process: Naughton, Kevin. 26 February 2014. Concern as SA Voters Skip the Campaign. *Indaily*.

¹²² Carty, R. Kenneth, Andre Blais & Patrick Fournier. 2008. When Citizens Choose to Reform SMP: The British Columbia Citizens' Assembly on Electoral Reform. In *To Keep or To Change First Past The Post: The Politics of Electoral Reform*. Andre Blais, ed. Oxford: Oxford University Press; Fournier, Patrick, Henk van der Kolk, R Kenneth Carty, Andre Blais & Jonathon Rose. 2011. *When Citizens Decide: Lessons from Citizens' Assemblies on Electoral Reform*. Oxford: Oxford University Press; Bridges, Amy & Thad Kousser. 2011. Where Politicians Gave Power to the People: Adoption of the Citizen Initiative in the U.S. States. *State Politics and Policy Quarterly* 11(2): 167-197. For more examples of reform that can't be explained see: Katz, Richard S. 2005. Why are There so Many (or so Few) Electoral Reforms? In *The Politics of Electoral Systems*. Michelle Gallagher & Paul Mitchell, eds. New York: Oxford University Press. 57-78.

¹²³ For example, Kaare Strom summarizes three early categories of interests: office-seeking (the “original self-interest” *per* Downs. 1957), vote-seeking and policy-seeking (the last has been largely ignored in rational choice analyses of electoral reform): 1990. A Behavioral Theory of Competitive Parties. *American Journal of Political Science* 34(2): 565-598. Steven R. Reed & Michael Thies, amongst others, take up Strom's ideas and split interests according to their aim—between maximizing seats from received votes (“outcome-contingent” interests about the

To further increase the explanatory power, writers divided parties into sub-groups with their own interests relevant to electoral outcomes.¹²⁴ Additionally, where rational choice studies are unable to explain a case of reform, the failure to pursue an obvious interest may be explained by other less obvious interests or “nested games” (to adopt the terminology of George Tsebelis.¹²⁵) For example, in Katz’s writing:

It is not necessarily the case that parties in power fail to pursue their self-interest, but rather that, paradoxically ..., it is not in their self-interest to pursue their self-interest because other actors in the political process—including many voters—react badly to excessive partisanship.¹²⁶

So many different interests by which parties and sub-groups within parties may be motivated exist that efforts to tabulate them prove to be complicated “laundry lists”, analytically constrained and problematic for the general theory.¹²⁷ Inaction and

mechanical effect of the reform) versus the interest in receiving a greater number of votes at elections (“act-contingent” interests about voters’ reactions): Reed & Thies. 2001: 153. Similarly, in the context of campaign finance reform, Susan Scarrow characterizes two competing interests, “revenue maximizing” interests and “electoral economy” interests: Scarrow. 2004. Explaining Political Finance Reforms: Competition and Context. *Party Politics* 10: 655-656; see also: Paltiel, Khayyam Z. 1980. Public Financing Abroad: Contrasts and Effects. In *Parties, Interest Groups, and Campaign Finance Laws*. Michael Malbin, ed. Washington, D.C.: American Enterprise Institute: 366. Richard S. Katz, and Andre Blais and Matthew Shugart broadly divide interests according to the time frame in which they operate (short- or long-term): Katz. 2005; Blais and Shugart. 2008.

¹²⁴ Parties are divided into parts with their own speculated sub-interests. Such distinctions include: the legislative party and the party organization: Bowler, Shaun, Todd Donovan & Jeffrey A. Karp. 2006. Why Politicians Like Electoral Institutions: Self-Interest, Values, or Ideology? *Journal of Politics* 68 (2): 434-446; Nwokora, Zim. 2012. The Distinctive Politics of Campaign Finance Reform. *Party Politics*. Advance Online Publication. DOI: 10.1177/1354068812462922; party legislators in safe seats and those in competitive seats: Blais & Shugart. 2008: 190; or different factions within a party who are struggling for dominance in the party: La Raja, Raymond J. 2008. *Small change: Money, Political Parties, and Campaign Finance Reform* Ann Arbor, MI: University of Michigan Press: Chapter 4. See also: McElwain, Kenneth M. 2008. Manipulating Electoral Rules to Manufacture Single-Party Dominance *American Journal of Political Science*. 52(1): 32-47; Remington and Smith. 1996; Nuñez, O’Muineachain & Wall. 2013.

Additionally, interparty interests that united different parties are identified: such as those in preserving or forming coalitions (Remington and Smith. 1996: 1256) or the cartel interest, in which the established parties have common interests vis-à-vis emergent political forces: Katz and Mair. 1995; 1996.

¹²⁵ Tsebelis, George. 1990. *Nested Games: Rational Choice in Comparative Politics*. Berkeley. UC Press.

¹²⁶ Katz. 2005: 73.

¹²⁷ For example, see Renwick. 2010: 30. These multiple versions reflect the reality (observed by two scholars working outside rational choice approaches) that:

interests can be diverse, and even contradicting, when considering different levels (personal, factional, party, national), in various time frames (short, middle,

restraint from the pursuit of reforms that would likely bolster party power or electoral fortunes are explained by reference to party-interests in avoiding a backlash erasing the advantages of the reform. Likewise, party support for, or acquiescence in, the passage of reforms that would likely restrict party activity or electoral success are understood as motivated by a party-interested desire to mediate or avoid the negative consequences of inaction or opposition. In this way, any stance or behavior—whether inaction or action; support or opposition—to a reform is understood as being motivated by differing conceptions of party-interest.

In lieu of adopting a thinner version of rational choice theory, writers add an account of the institutional preconditions for reform and the barriers that limit parties from reforming the system. For example, Matthew Shugart takes an explicitly institutionalist approach in order to account for the recent move away from FPTP systems in established democracies. He identifies “extreme” preconditions for reform, which he terms “inherent conditions”. Inherent conditions exist when the current electoral system performs poorly “relative to normative standards” about how that system should operate.¹²⁸ In the case of the FPTP electoral system, one of these extreme conditions is the ability of a single party to win a majority of seats with much less than a majority of votes. Other extreme conditions, which violate the normative standards typically attached to FPTP, include the development of a solely representative-focused politics (where party affiliation is so weak that party legislative majorities are not stable) and, at the other extreme, such strong party discipline so that the connection between an individual candidate and his or her constituents is severed.¹²⁹ None of these phenomena

long term), and with contrary assumptions about future voting behaviour (loyalty or volatility). (Rahat & Hazan. 2011: 489).

They also reflect the lack of precision about the meaning of rationality and the need to adapt the theory to specific real world applications. There are so many ways of prescribing the preferences of individuals as they seek to maximize utility that an unlimited number of iterations of rational choice theory are possible.

¹²⁸ Shugart, Matthew Soberg. 2008. Inherent and Contingent Factors in Reform Initiation in Plurality Systems. In *To Keep or To Change First Past The Post: The Politics of Electoral Reform*. Andre Blais, ed. Oxford: Oxford University Press. 9; Shugart, Matthew Soberg. 2001. “Extreme” Electoral Systems and the Appeal of the Mixed-Member Alternative. In *Mixed-Member Electoral Systems: The Best of Both Worlds*. Matthew Soberg Shugart and Martin P. Wattenberg, eds. Oxford: Oxford University Press: 25-51.

¹²⁹: Shugart, Matthew Soberg. 2001. “Extreme” Electoral Systems and the Appeal of the Mixed-Member Alternative. In *Mixed-Member Electoral Systems: The Best of Both Worlds*. Matthew Soberg Shugart & Martin P. Wattenberg, eds. Oxford: Oxford University Press: 27-29.

sit well with the expectations of the broader public or political elites and so may lead to a sense of failure and the characterization of FPTP as a problem or as a system in crisis. Extreme conditions are necessary but insufficient to produce reform: they set up a public mood favorable to reform so that reform *could* happen, if politicians decide to act.

Other factors, “contingent” factors, are more proximate to reform because they are not about broader societal perceptions of a problem but instead about the rationale of individual actors with the power to legislate reform... and their interest calculations.¹³⁰ Shugart identifies two types of contingent factors that may result in political parties and elites adopting reform. It should be noted that, in these contingent factors, Shugart abandons the framework of social norms and returns to the rational actor (rational choice theory) paradigm. The first contingency is the classic self-interest conception so central to rational choice theory: Politicians, political parties or political elites may believe that reform would benefit them electorally by delivering more legislative seats from votes received. These types of contingency Shugart terms “outcome” contingencies. The second type of contingency identified by Shugart is “act” contingency, in which actors act based on whether the act of supporting reform—and adopting the brand of reform—would be electorally beneficial.¹³¹ And so, while Shugart is unusual in rational choice theorizing for admitting social norms have a role in reform, he sees political elites as fundamentally self-interested.

Attempts to find a “self-interest” concept that is broad, nuanced and (sometimes) counter-intuitive enough to explain more actual electoral reforms—as well as to specify ever more complex conditions—have, naturally, increased the breadth of the phenomena explainable in Rational Choice Case-Studies. Such tinkering and qualification are natural when working from deductive theory,¹³² yet as this lessening

¹³⁰ See also Norris’ distinction between long-term necessary conditions and “short-term catalysts”: Norris. 1995a: 7.

See also: Shepsle, Kenneth A. 2001. A Comment on Institutional Change *Journal of Theoretical Politics* 13: 321 – 325. For a review of these approaches see: Norris, Pippa. 1995a. Introduction: The Politics of Electoral Reform. *International Political Science Review* 16 (1): 7.

¹³¹ Shugart. 2008; Shugart. 2001.

¹³² Donald P. Green and Ian Shapiro observe that the rational choice scholar: engages in a thought experiment designed to generate an explanation of a given phenomenon that is consistent with rational choice assumptions, somehow specified.

of precision in the definition of self-interest occurs and more conditions and qualifications are identified, the predictive power and neatness of rational choice—its initial appeals—are also lessened. The endless division and sub-division of interests, as Susan Scarrow notes, runs the risk of “tautologically defining all party decisions as inherently [party] self-interested.”¹³³ Indeed, the use of the term “self-interest” in the literature has become a mere synonym for ‘party motive’ and has little use in predicting or explaining party behavior.¹³⁴

Studies that apply rational choice theory to electoral reform are faced with two struggles. On the one hand, rational choice theory is unable to explain past reforms when the term “self-interest”, as it relates to parties, is narrowly defined. On the other hand, the theory quickly descends into indeterminateness and loses its predictive power when “self-interest” is understood in a way that ensures that more past instances of reform can be convincingly explained using the cloak of party “self-interest”.¹³⁵

A second critique of rational choice theory, as applied to electoral reform, centers not on its explanatory or predictive power but on the use of evidence to infer the content of parties’ self-interest. Pippa Norris observes that the assumption is “empty of

Yet, the underlying rational choice theory imposes few limits on the explanations that it can generate. Green and Shapiro continue, saying that:

given the lack of specificity about what it means to be a rational actor, it is not obvious what sorts of behaviors, in principle, could fail to be explained by some variant of rational choice theory (Green and Shapiro. 1994: 34)

¹³³ Scarrow. 2004: 655.

¹³⁴ As a side note, David G. Winter notes a similar phenomenon in psychology. There, behaviour has been sometimes understood as motivated by one need or desire (such as “pleasure” or “avoiding anxiety”). Winter says, “[even if] such a general statement is correct—that is, if it avoids circularity by specifying independently defined mechanisms—then it may well tell us something about the nature of motives in general; but this is not what we want to know”: Winter, David G. 1973. *The Power Motive*. New York: Free Press: 24. Instead, what we want to know is about the different types of pleasure-seeking or anxiety-avoidance behavior so that we can make meaningful distinctions between types of behavior.

¹³⁵ Elster, Jon. 1990. When Rationality Fails. In *The Limits of Rationality*, eds. Karen Schweers Cook & Margaret Levi. Chicago: University of Chicago Press. 19-51. Elster was a proponent of rational choice theory, but became increasingly critical of it (as did other practitioners like Michael Taylor. 2006). For other criticisms—mostly from a short-lived movement in the early 1990s questioning the dominance of rational choice theory across many disciplines including political science and sociology. See: Mansbridge. 1990; Cook, Karen Schweers & Margaret Levi, eds. 1990. *The Limits of Rationality*. Chicago: University of Chicago Press; Coleman, James S. & Thomas J. Fararo, eds. 1992. *Rational Choice Theory: Advocacy and Critique*. California: Sage Publications; Monroe, Kristen Renwick, ed. 1991. *The Economic Approach to Politics: A Critical Reassessment of the Theory of Rational Action*. New York: Harper Collins.

content”.¹³⁶ The assumption that parties are motivated by self-interest does not reveal much about their attitude toward a particular reform proposal or, even, to the idea of electoral reform generally.¹³⁷ For example, in the case of a proposal to change the voting system from FPTP to AV (as happened in Australia in the early twentieth century) or from FPTP to PR (as happened across Europe, also in the early twentieth century), assuming a party is self-interested does not reveal whether that party acted to assist or oppose the proposal. Similarly, assuming the New Democratic Party of Canada is self-interested does not reveal whether they are likely to propose, support or oppose stricter voter identification laws.

If the assumption does not reveal the specifics of the self-interest, then the content of the self-interest has to be inferred from available evidence. In both rational choice literatures, but especially in Quantitative Rational Choice Models, the content of parties’ self-interest before the reform is largely inferred by reference to party standings and electoral results before and after the reform. That is, parties are assumed to have accurately predicted and intended the consequences of the reform. For example, in explaining the adoption of proportional representation in many jurisdictions in early 20th Century Europe, the changes to party systems that occurred *after* PR was introduced (a transition from two- to multi-party systems in which the old parties did not lose as much of their legislative representation to the Socialist parties as they might otherwise have) are central to identifying the established parties’ interests in PR *before* reform.¹³⁸

This connection seems natural. Yet, in addition to being irrelevant to pure rational choice theory,¹³⁹ subsequent consequences are not compelling evidence prior intent. The use of *post hoc, ergo propter hoc* (after this, therefore because of this) reasoning is

¹³⁶ Norris. 2004:5.

¹³⁷ Scarrow. 2004: 654.

¹³⁸ Boix. 1999; Colomer. 2005; Cusack, 2007; Benoit. 2007; *Contra* Kenneth Benoit & John W. Schiemann, who research and recreate legislator and party preferences from prior to reform: 2001. Institutional Choice in New Democracies: Bargaining over Hungary’s 1989 Electoral Law. *Journal of Theoretical Politics* 13(2): 153–182.

¹³⁹ Rational choice theory, in its more pure forms, hangs on individuals’ *expected* payoffs, rather than their *actual* payoff (Green & Shapiro. 1994: 15) and so the use of actual election results rather than evidence of the understanding of parties at the time (or in the lead up to when) they voted in favor of reform in the legislature is not a good application of rational choice theory.

troubling at the best of times. As Rahat says “the effects of reform—whom it helped or hurt after implementation—do not prove that the affected parties could have projected them or that they behaved as though they had predicted them.”¹⁴⁰

Post hoc reasoning implies that parties have a complete (or at least very extensive) foreknowledge of the consequences of electoral reform. It ignores the incompleteness of information, the absence of unanimity about future consequences and the general uncertainty that exists in times of reform, especially major or unprecedented and innovative reform.¹⁴¹ Electoral engineering is fraught with unknowns. Pippa Norris notes, “[p]olitical actors may be ill informed about, blind to, or unaware of the potential consequences of institutional rules”.¹⁴² While much effort is placed, by pundits, academics and parties alike, on predicting the consequences of reform, parties often operate in conditions of “extreme uncertainty” that makes attempts to act strategically with predictable outcomes all but impossible.¹⁴³

Additionally, the use of *post hoc* reasoning—and attributing consequences of reform to an earlier quest for self-interest—implies that parties are in complete control of the

¹⁴⁰ Rahat. 2004: 476. This same idea is alternatively phrased by Lawrence, Donovan & Bowler in the context of the direct primary in the US: “[a]lthough the fact that reforms had little or no effect is consistent with the idea that politicians need not have feared the reforms, it does not prove politicians did not fear them ahead of time”: 2013: 7.

¹⁴¹ Gideon Rahat, identifies these three preconditions to using evidence the rational choice approach as:

presenting the politics of reform as a single game between two cohesive camps of supporters and opponents, who act out of the same motives and have a single common perception of the anticipated consequences of reform. (Rahat. 2008: 266)

For example, if, as Carles Boix has argued, the trend toward PR systems in Europe in the early 20th century is explained by the established parties identifying the increasing popularity of socialist parties as a threat that could be best held at bay by PR (Boix. 1999), then political parties must have been extremely well-informed about the rise of socialist movements and able to accurately predict the consequences of PR, as system not yet widely-used, in order to act in their self-interest.

¹⁴² Norris. 2004: 16; See also Norris. 2011.

¹⁴³ As observed in Andrews, Josephine T. & Robert W. Jackman. 2005. Strategic Fools: Electoral Rule Choice Under Extreme Uncertainty. *Electoral Studies* 24: 65-84. See also Rahat. 2008: 265-266. In acknowledging this uncertainty, Jean-Benoit Pilet argues that such uncertainty will ensure that parties will stick with the status quo even where there are some predictions that they will win out of reform: Pilet. 2008. Hence, in this logic, reform will be rare and electoral institutions “sticky”. See footnote 115, above.

reform process.¹⁴⁴ Confounding any notion that parties are in complete control of the electoral reform process are the facts that parties face a myriad of hurdles such as the constitutional entrenchment of laws,¹⁴⁵ reform by initiative,¹⁴⁶ the existence of divided executive and legislative branches, divided party control of houses in bicameral systems, the lack of perfect party discipline and, in the US, the independence of legislators from party organization.

When made explicit, these concomitants—assumed knowledge and control—are natural consequences of applying a deductive theory. However, these abstractions from real life, necessary for the application of rational choice general theory, contribute to the inability of such analyses to explain instances of reform and ensure that rational choice studies are not, *on their own*, sufficient to understand the dynamics of electoral reform on the ground.

A final observation about rational choice theory pertains to its typical application to political parties in the electoral reform context. Rational choice theory is thoroughly individualistic and, reflecting its roots in economics, based on *individual* calculations of self-interests. Any study utilizing rational choice theory should privilege the individual as its unit of analysis; yet rational choice studies of electoral reform rarely do. Instead, rational choice studies of electoral reform prefer party systems or parties as the unit of analysis, for parsimony's sake.¹⁴⁷

¹⁴⁴ In the context of nineteenth century Europe, Josep Colomer finds that it was the political parties:

that chose, manipulated and promoted the invention of new electoral rules, including the Australian ballot, single-member districts, limited ballot, and proportional representation rules Colomer. 2007: 271.

To enable that choosing and manipulation, parties must not only have been extremely prescient about the actual operation of electoral laws and reforms but they must also have been in absolute control of the reform process in all its iterations to implement reform after reform in their interests. Indeed, parties must also have had a single dominant, (typically) elite-level, and identifiable interest that was universally agreed upon and then acted upon and converted into the electoral reform outcome.

¹⁴⁵ For a discussion see: McElwain. 2008.

¹⁴⁶ For example, Californian voters amended their primary election system from an open party primary to a “top-two” primary in 2010 in Proposition 14.

¹⁴⁷ Benoit, in defining political parties, clearly states his assumption that “[p]arties are unitary actors holding a single set of preferences, beliefs, expectations, and utilities for the purpose of evaluating electoral institutions”: Benoit. 2004: 374. See also Bawn. 1993. While Benoit makes such imaginings explicit, in many studies these assumptions are left implicit.

Political parties have no agency without the individuals that make them up. Rational choice theory does not expect individuals to be motivated by the party-interests, since to act to further party-interests in the absence of clear overlapping self-interests (or, in loosely parsed rational choice theory, maximal utility) is irrational—an error—in rational choice theory.¹⁴⁸ While it is true that party and individual partisan self-interest likely frequently overlap, true rational choice accounts of electoral reform need to explain why it is that those individuals who give political parties agency through their actions can be understood as acting only in the collective party-interest—rather than their personal self-interest.¹⁴⁹

Although popular, the rational choice approach to electoral reform is clearly not without its limitations. Rational choice studies are based on a general abstract theory, and so—necessarily—involve definitions of phenomena and abstractions to model real-life. As it is applied in electoral reform, the abstractions chosen can take the theory far

¹⁴⁸ Put another way, rational choice theory contains no explanation or expectation that individuals would act for the group- or collective- interests, except when it is in their self-interests. In typical understandings of rational choice theory, an individual's behavior can only be explained by individual "selective" pay-offs for that behavior that go to the individual—and, like a marriage, to the exclusion of others. To be motivated by group, public or "collective" benefits, in which the pay-offs are gained by the individual even if they do *not* participate or if someone else participates, is considered irrational: Olson, Mancur Jr. 1965. *The Logic of Collective Action: Public Goods and the Theory of Groups*. Cambridge: Harvard University Press. It is this individualistic nature of rational choice (and allied game theory) that gives rise to puzzles like the prisoner's dilemma and the free-rider problem.

And so, motive is an individual level variable. Political parties do not have motives *per se*. Instead the motives that the collective political party demonstrates in its representatives' words and behavior are some product, aggregation or amplification of the motives of the individuals within it.

¹⁴⁹ That rational choice studies of reform do not take into account that parties are made up of individuals, each with their own differing motives, self-interests and attitudes may be another reason that rational choice theory approaches have proven to be rather a "blunt" tool in explaining electoral reform outcomes (to paraphrase Carles Boix reflecting on his 1999 work in response to criticism: Boix. 2010: 404). Indeed, to admit that parties are made up of individuals would bring the application of rational choice theory in electoral reform back to its natural, and conceptual, home—the individual.

Furthermore, once it is admitted that political parties are made up of sub-groups with differing interests, it is not a very large step to admit that parties are comprised of individuals, each with their own self-interest. Political parties are, to borrow the words of Samuel J. Eldersveld, "motivationally complex", (Eldersveld, Samuel J. 1964. *Political Parties: A Behavioral Analysis*. Chicago: Rand McNally) and comprehending this complexity can only begin by understanding the motives of those individuals who choose to participate in parties (rather than by observing the impacts of that participation).

Although not adopting rational choice theory, from this point on, this thesis will be making the distinction between self- and party-interests with far closer attention and care than is usually given to that distinction.

from its home—*actual party* self-interest is modelled, rather than *individual expected* utility. As it is applied in electoral reform, rational choice theory requires multiple different definitions of “self-interest” in different cases. A limited definition of “self-interest” results in a determinative but inaccurate model of electoral reform; a more encompassing definition increases the accuracy of rational choice studies, but greatly reduces their predictive power. In neither case can rational choice studies of electoral reform offer a definition of “self-interest” that is both determinate and accurate.

Additionally, the use of subsequent electoral consequences as evidence of the prior intent on the part of political parties engages in dubious reasoning processes and requires the imagining of parties as being extremely prescient and in total control of reform process. These requirements are seldom, if ever, met in the actual process of electoral reform. Finally, a disconnect is evident between the individualism underpinning rational choice theory and the collective party-level at which studies actually apply theory to electoral reform.

Taken together, these issues highlight the limitations of rational choice studies of electoral reform—both in its current deployment, but also the innate difficulties in applying a broad universal theory to specific real-world applications, especially when little is known about those applications *a priori*. While useful, the popularity and appeal of these studies should not continue to discourage alternative investigations, especially ones that seek to test or examine aspects of the electoral reform process that rational choice assumes or disregards. Such attempts could add the *a priori* knowledge presently absent.

2.2 UNFULFILLED POTENTIAL? A CRITIQUE OF QUALITATIVE CASE-STUDIES ON ELECTORAL REFORM

Qualitative Case-Studies have some advantages over rational choice studies. Qualitative Case-Studies are inherently able to focus more on the progression and process of reform, whereas rational choice studies necessarily present reform as the single, almost instantaneous, event. Qualitative Case-Studies can follow the beginnings of reform movements to their end and eventual legislation or disbanding. Qualitative Case-Studies do tend to familiarize readers with the particular actors, parties and reform groups and agendas and often present detailed narratives about the histories, interests or motives of important individuals as well as draw attention to the role of unpredictable events. For example, a qualitative case-study may home in on the context

of a specific TV interview in which the New Zealand Prime Minister David Lange misspoke about his Labour Party's policy on electoral reform¹⁵⁰ or the context in which Billy Hughes and his Nationalist Party won government in Australia in 1917 and sought to reform the voting system.¹⁵¹ In short, Qualitative Case-Studies investigate idiosyncrasies in their cases that Quantitative Rational Choice Models disregard as statistical anomalies, errors or insolent historical facts.¹⁵²

Qualitative Case-Studies can expand their gaze to the motives of political parties, and the party policy-making process, in a more open manner than rational choice studies.¹⁵³ Unlike rational choice studies there is no inherent reason why a qualitative case study needs to begin, implicitly or explicitly, by assuming—rather than admitting evidence of—party motives. Yet, despite the potential to investigate motives, Qualitative Case-Studies typically assume political parties and the individual politicians within them are self-interested.

While there are exceptions to this rule—indeed a small but increasing number of them—taken as a whole, the Qualitative Case-Study literature relies on the frame of self-interest to understand party motives. From this reliance on self-interest, three weaknesses emerge: firstly, a tendency (less than in rational choice studies) to use electoral consequences as evidence of a party's (and its partisans') interest in the reforms; secondly, the adoption of contorted narratives that enable the maintenance of the frame of self-interest even where it is not the evident motivation; and thirdly, the biased use of evidence that privileges evidence that confirms, conforms to or emboldens the initial assumption of self-interest while disregarding evidence that suggests other motives for party behavior and beliefs.

Qualitative Case-Studies do, in general, utilize a broader range of evidence than rational choice studies to infer a party's self-interest—evidence that relates to the

¹⁵⁰ Nagel. 1994.

¹⁵¹ Reilly, Benjamin. 2001. Preferential Voting and its Political Consequences. *Elections: Full, Free and Fair*. Marian Sawyer, ed. Annandale, New South Wales: Federation Press: 78-95.

¹⁵² For a particularly obvious example of such discounting reforms that did not act in the self-interest as errors in the case of Polish electoral reforms, see: Kaminski, Marek M. 2002. Do Parties Benefit from Electoral Manipulation? Electoral Laws and Heresthetics in Poland, 1989-93. *Journal of Theoretical Politics* 14(3): 325-358.

¹⁵³ As Renwick. 2010 did indeed do.

individual circumstances and contexts of the parties and actors, such as debates, votes and speeches in the legislature and newspaper reportage and editorializing about the reform. Other sources utilized, at times, include interviews with participants, statements and reflections of political actors and public pronouncements of support or opposition by political parties.¹⁵⁴ Sometimes writers on historical cases of reform even turn to historical records,¹⁵⁵ but only occasionally do writers turn to archival records.¹⁵⁶

While a broader range of evidence is drawn upon, the assigning of party self-interest in Qualitative Case-Studies usually begins with a review of the consequences of the law—consequences that are used both as evidence of where party-interests lay in the reform process and as the primary evidence of a specific party’s attitude toward an individual reform. Additional evidence is adduced (newspaper reports, interviews with partisans, election campaigns)—but its interpretation is typically colored by reference to the interests inferred from the electoral effects of the reform. Behavior that is not indicative of party self-interest is often disregarded (except where it can be attributed to an outsider or classed as an exception) and rather convoluted narratives of reform are developed in order to persist with the assumption of unremitting party self-interest.

This coloration is well demonstrated by the literature on the adoption of the direct primary in the United States in the early 20th century. The primary was a major reform that, over time, weakened parties tremendously. When examining the subsequent consequences of the direct primary, it is difficult to explain in terms of the self-interest of the parties that introduced it.¹⁵⁷ In the face of such difficulty, writers develop elaborate explanations about how parties were overpowered by reformers or confused by the reform proposal instead of questioning the self-interestedness of parties in the primary adoption process.

The traditional narrative is best epitomized by Ranney’s account—based on speeches, contemporaneous newspaper and periodical articles and secondary sources—in which

¹⁵⁴ Pilet. 2008; Carstairs, Andrew McLaren. 1980. *A Short History of Electoral Systems in Western Europe* London: Allen & Unwin: 213-215.

¹⁵⁵ Ahmed, Amel. 2010. Reading History Forward: The Origins of Electoral Systems in European Democracies. *Comparative Political Studies*. 43(8/9): 1059–1088.

¹⁵⁶ Ware. 2002; Zelizer. 2012.

¹⁵⁷ Lawrence, Donovan and Bowler. 2013.

reform was imposed by progressive reformers over the objections of (mostly) Republican and Democratic party legislators and organizations. Ranney says, “state after state was conquered” by reformers seeking to introduce the direct primary and who overpowered (or circumvented) the political parties that controlled the legislatures.¹⁵⁸ Yet, in the early 20th century, Republicans and Democrats and their machines absolutely dominated American state legislatures, and politics more generally. Indeed, this dominance was what reformers advocating for the direct primary were rallying against.¹⁵⁹ Party-dominated legislatures were important parts of the reform process and the gatekeepers—the final arbiters—of the passage of direct primary reform bills in most states.

But it is not only in the instance of direct primary reform in early 20th century America in which apparently inexplicable acts of party to introduce, acquiesce to or support reform contrary to their interests are explained by downplaying the power parties had over law-making . This perspective appears frequently in case-studies of North American electoral reforms, such as the Australian ballot and campaign finance laws.¹⁶⁰ The view has been called the “public interest” view of electoral reform¹⁶¹ because it understands instances of reform to be in the public interest by arguing that the reform was a product of the success of those working *outside* or *independent* of established

¹⁵⁸ Ranney. 1975: 80. See also Epstein. 1986: 172.

¹⁵⁹ In some states, parties would indeed become circumventable as the initiative took hold in the years after 1898. Citizen legislators successfully initiated primary election laws in Oregon in 1904, Maine (1911), Montana (1912) and South Dakota in 1912. For Presidential Elections, voters initiated direct primary laws in Oregon in 1904, in Missouri in 1912 and Montana in 1912: National Conference of State Legislators. 2014. *Ballot Measures Database*. Washington DC: National Conference of State Legislators. Yet, in most states, a party-dominated legislature (and governor) were important parts of the process and the view that parties were defeated by triumphant reformers overlooks the fact that parties, while not unrestrained, were (and are) the gatekeepers—the final arbiters—of whether legislative electoral reform passes or fails. Indeed, the Republican Party was intimately involved in the adoption of the primary in Wisconsin—the first state to introduced it: The legislature passed the law for the primary and submitted to the people in 1904 for ratification. The Party’s platform endorsed the direct primary. While the Progressive Party, which (at least in 1912) campaigned on primary reform, did win a few offices, mostly progressives were a faction of the Republican Party, influential in states like Wisconsin, Oregon and Vermont.

¹⁶⁰ For example, on the Australian ballot: Blodgett, Geoffrey 1966. *The Gentle Reformers: Massachusetts Democrats in the Cleveland Era*. Cambridge: Cambridge University Press; Fredman, L.E. 1967. The Introduction of the Australian Ballot in the United States. *Australian Journal of Politics & History* 13(2): 204-220; Ranney. 1975; Ware. 2000. On campaign finance reform see: La Raja. 2008; Mutch. 1988.

¹⁶¹ La Raja. 2008: 84.

political parties. It often sees citizens and reform groups as saving electoral law from malevolent parties by forcing reform through the legislature against parties' wishes.

When viewed at a distance, the public interest view of electoral reform tends to take an erratic or inconsistent view of parties: as all-powerful when reform can easily be explained by reference to party self-interest, and profoundly weak when reform cannot be so easily explained. For this reason, the public interest view has come under fire from Alan Ware as being "utterly implausible" in the case of the direct primary.¹⁶² While parties were not in complete control, upon more thorough and critical examination utilizing archival records, it turns out that party representatives in the legislature consciously and, at times, thoughtfully decided to pass laws introducing the direct primary.¹⁶³

Furthermore, the public interest view implicitly draws distinctions between the motivations of established or dominant political parties (and their politicians) and virtually all other political actors—distinctions that it usually fails to establish. A particularly explicit example of this comes from Geoffrey Blodgett in his study of the Australian ballot in Massachusetts. In contrasting the motives of Richard Henry Dana III (who authored the Massachusetts *Ballot Act 1888*) and the reformist Mugwumps against the motives of party legislators and bosses, Blodgett explains:

The secret ballot ... did produce more orderly elections. Dana was satisfied that it had greatly diminished and intimidation at the polls as well. ... Professional politicians of both parties judged the secret ballot from the standpoint of self-interest.¹⁶⁴

Politicians from established or dominant parties have a direct interest in electoral law, but so too do others: reformers, independent candidates, new or emerging political movements and political parties, the media, the public and electoral administration bodies.¹⁶⁵ Of course, the existence of a direct interest does not necessarily mean that the interest will prevail. Yet, the public interest view relies on the interests of established or dominant political parties prevailing over all other motivations, while

¹⁶² Ware. 2002: 15; generally 15-18; La Raja. 2008.

¹⁶³ Ware. 2002. Indeed, the Progressives were really a faction of the Republican Party. They ran very often as Republicans, colonized the Republican Party organization and changed its platform. The reformers were the party, not those rallying against it.

¹⁶⁴ Blodgett. 1966: 115.

¹⁶⁵ Indeed the jobs of electoral administration staff depend on election law just as much as do legislators' jobs.

reformers—and almost everyone else *other than* the established parties and their legislative representatives—are imagined to be motivated by the public good.¹⁶⁶ There may be reasons why interests of established parties triumph over other motivations in some (or many) instances, although these questions are largely unexplored.

While assumed self-interest encourages the development of elaborate explanations of reforms that prove detrimental to the parties that passed them, it also encourages evidence “direct from the horse’s mouth”—that which parties and partisans actually say—to be viewed with intense suspicion. Anything parties or partisans publicly say or do before or during the reform process is tarnished by assumed ulterior political motives rooted in self-interest.¹⁶⁷ From within the framework of the assumed self-interest, such a tendency—to discount what parties and partisans say—is understandable given that public statements of parties regarding their intents and attitude to reform are naturally seen as insincere. Professions of being interested in greater good or democracy are understood to be pretense intended to manipulate or influence public opinion, at least when they clash with a self-interest evidenced by the consequences of the reform.¹⁶⁸

¹⁶⁶ For example, Bowler and Donovan distinguish between the motives of self-interested elites and voters:

Partisan self-interests may be the primary force motivating elites who seek to change electoral rules, and voters respond to electoral rules in terms of self-interest. But voters also have values and process concerns that elites must address. These process and values concerns shape how elites make public arguments in favour of the reforms they propose. Bowler and Donovan. 2013: 16.

Similarly, but less deterministically, Renwick takes the view that other actors (outside the political parties) are more naturally values concerned: Renwick. 2010: 38. A related—but *perhaps* more justified distinction—is Katz’s stark distinction between legislators, who Katz sees as being motivated by interests, and courts, which have to justify things in terms of principles: Katz, Richard S. 2011. Democracy as a Cause of Electoral Reform: Jurisprudence and Electoral Change in Canada. *West European Politics* 34(3): 587-606.

¹⁶⁷ In line with this suspicion, Toby S. James distinguishes between the public agenda and the more real elite policy agenda: James, Toby. S. 2011. Only in America? Executive Partisan Interest and the Politics of Election Administration in Ireland, the UK and the USA. *Contemporary Politics* 17(3): 224.

¹⁶⁸ Bowler and Donovan are explicit about their view that what politicians say is aimed at convincing voters rather than revelatory of their true—self-interested—motives. Although politicians appeal to ideals and make “lofty political arguments” or “[g]rand promises” about the proposed reform, Bowler and Donovan argue, this should be understood as a self-interested attempt to shape popular opinion and mobilize popular support behind a reform the elite wants (in their own interest). Bowler and Donovan, 2013: 3, 135.

Yet, there are sources of evidence available that can better stand up to our suspicions about the self-interested motives of parties without necessitating an assumption of self-interest. Even if public statements are discounted or ignored, parties do not only say things publicly. There are a great many private meetings and discussions that go on behind the scenes and, oftentimes, they precede public actions and words. Much of it is recorded and archived for posterity. Records of parties' private actions and deliberations, are much harder to dismiss as polished and presented for political gain given the absence of any public audience. Additionally, partisans may be willing to answer survey or interview questions about their motives, subject to guarantees about anonymity.

There is, then, a clear omission in the range of evidence used to identify party-interests in the usual Qualitative Case-Study approach: intraparty, internal and private evidence of political actions. In almost all case-studies, the evidence of party-interests, attitudes and behavior is external or public while the internal records of political parties or their elites and members are overlooked—despite those records being numerous and accessible. The tendency to disregard what parties say publicly may seem natural, and indeed necessary to avoid charges of naïveté or gullibility. However, the overlooking of available internal party evidence is merely surprising. Admittedly with a good deal of effort, Qualitative Case-Study approaches could make use of party and private data sources and to do so would help such studies deliver on the promise of the qualitative case-study method to be more thorough, nuanced and contextual than other methods.

These weaknesses—the undue tying of consequences to intent, the necessity of rather contorted narratives and the disregarding of evidence internal to political parties—mean that Qualitative Case-Studies have, in the past, revealed less about party motives and behavior than they otherwise might.

Increasingly, however, and in response to a growing number of electoral reforms that can be explained neither in terms of party self-interest nor weakness in the face of external reform forces, Qualitative Case-Studies acknowledge that parties and politicians are not solely or inherently motivated by self-interest. This admission is often stated very cautiously, with only reluctant concessions that parties may, in extraordinary circumstances, put self-interest aside. The concession was to some extent forced by the recent use of citizens' assemblies, in which power and control to decide about electoral reform has been voluntarily delegated from party-dominated

legislatures to citizens. For example, in 2005, British Columbia's Premier, Gordon Campbell, decided to relinquish power to a citizens' assembly that would debate and propose reforms to be voted on by the people at a referendum. The literature explaining the use of citizen's initiated referenda is of a different character to older literature.

2.3 THE EMERGING LITERATURE

Rather than persist with the explanations based in self-interest and create elaborate explanations about how it would not have been in the Campbell-led Liberal Party's self-interest to act in their self-interest in retaining control over electoral reform or that Campbell and the Liberal Party were over-powered by reformers, Carty, Blais and Fournier, in analyzing Campbell's decision in 2011, admit that:

there are instances where politicians do not think exclusively in terms of their own interests. All the evidence points to the verdict that Premier Campbell established a Citizens' Assembly simply because he thought this is how things should be done.¹⁶⁹

Similarly, in his 2007 article on the 1993 MMP reform in New Zealand, Alan Renwick conceded that motives of parties and partisans may be mixed—in that case, taking in interests (both short- and medium-term) as well as a “genuine belief” in the reform.¹⁷⁰ These admissions are cautiously made. In 2010 when theorizing about the dynamics of electoral reform more generally, Renwick regarded self-interest as the natural motivator for political parties, with the caveat that self-interest might be laid aside to avoid “conflict and instability”.¹⁷¹ Likewise, Amel Ahmed rallied against the use of assumed motives in her 2013 study of nineteenth century democratization, arguing that:

[p]art of the reason existing explanation have failed to capture the dynamics of electoral system choice is that scholars have tended to cast motives as rigidly conforming to the type of actors in question. Those who identify party elites as the primary agents of change, therefore, tend to assume partisan motivations and then work back to understand what combination of partisan interests would produce the various outcomes.¹⁷²

¹⁶⁹ Carty, Blais, and Fournier. 2008: 159. See also: Fournier *et al.* 2011. Similarly, Katz admits that “it does appear that parties sometimes simply want to do the right, or the democratic, thing”: Katz. 2005: 68.

¹⁷⁰ Renwick. 2007: 22. Interesting, Renwick uses the term “genuine” nine times in his article, perhaps to counter the expected cynicism and suspicion of the reader upon hearing of the non-interested motives of the politicians in question.

¹⁷¹ Renwick. 2010: 37-38.

¹⁷² Ahmed, Amel. 2013. *Democracy and the Politics of Electoral System Choice: Engineering Electoral Dominance*. Cambridge University Press, Cambridge: 22.

Reflecting, again, that this is a cautious and conflicted admission—and despite entreating for less rigidly assumed interests—Ahmed retreats to interests as explanation of party elite motives on the next page, explaining “I see them [party elites] as motivated not only by partisan interests in seat maximization, but also by economic interests and more precisely, class interests.”¹⁷³ For Ahmed, class interests prevailed when they clashed with party-interests.

In addition to these studies cautiously conceding that party self-interest does not explain a particular instance of reform, calls to examine the actual motives of parties are increasingly common. In their review of the literature on electoral reform, Gideon Rahat and Reuven Y. Hazan went so far as saying that “[w]hile a major factor in the politics of electoral reform is indeed self-interest, it does not cover the whole picture”.¹⁷⁴ Earlier, Rahat, in his case-studies on electoral systems reform in the 1990s in Japan, Israel, Italy and New Zealand saliently urged that the “motivations of different actors” should not “be taken as given”.¹⁷⁵ Rahat seeks an approach that begins with fewer assumptions. Similarly, Renwick, in his case-study of the New Zealand reforms, specifically urges researchers to dig deeper, beyond apparent self-interests and electoral reform outcomes, in order to uncover the full story of reform.¹⁷⁶ Renwick wrote:

[T]he dominance in political science of a self-interest-based version of the rational choice paradigm means that if we find a theoretically plausible account of an action that fits that paradigm we rarely bother to dig deeper to discover whether the story it tells actually resembles the processes from which the action emerged. Yet sometimes at least the underlying processes will in fact be rather different - in some cases, importantly so. If we foreclose such processes from consideration, we may impair our ability to understand important aspects of how politics works.¹⁷⁷

Understanding how politics works—rather than fitting events into a pre-existing world view—ought to be a goal of political science.

Appeals to a more complete understanding of reform are increasingly common yet have not been operationalized.¹⁷⁸ As of yet, scholars have not made many inroads toward the

¹⁷³ Ahmed. 2013: 23.

¹⁷⁴ Rahat and Hazan. 2011: 489.

¹⁷⁵ Rahat. 2004: 476.

¹⁷⁶ Renwick. 2007: 22; Rahat. 2004: 476.

¹⁷⁷ Renwick. 2007: 22.

¹⁷⁸ Renwick has begun this process: Renwick. 2010.

goal of uncovering the full story of reform, with a few exceptions (Table 1.8), but it is recognized as an objective.

CONCLUSION

Rational choice approaches in aggregate studies of broad trends in electoral reform are useful. They do, however, have inherent limitations as well as weaknesses that arise from how rational choice is applied to the electoral reform arena. This chapter highlighted how the rational choice literature struggled to explain many real life electoral reforms using a limited definition of “self-interest” and, as Steven R. Reed observed, “expends great effort to prove ‘the actual to be possible.’”¹⁷⁹ As the whole explanation of reform, rational choice theory is unsatisfying. The models are increasingly complex, as writers attempt to replicate real-life reform, which proves to be a “complex business”.¹⁸⁰ In the process they lose their predictive power.

The chapter also underscored that rational choice studies typically engage in less-than-ideal *post hoc* style reasoning, using the actual consequences of a reform to prove prior intent, and focuses solely on parties, without any explanation as to—in rational choice logic—why an individual would be motivated by the party-interest.

Explaining individual cases of electoral reform and the processes that lead to them, in addition to understanding broad trends, is a worthy goal. This is where Qualitative Case-Studies ought to shine by investigating real motives and the process of reform. They have as yet not done as well as they could in that regard, for reasons that relate to the adoption of the assumption of party and legislator self-interest as the primary explanation of elite action. As a consequence, case-studies tend to over-rely on electoral consequences to understand and explain party action and develop elaborate—non generalizable and less than entirely convincing—narratives to assist in explaining electoral consequences in terms of party self-interests. Meanwhile, additional evidence sources that would enable the examination of party motives and behavior—and perhaps militate against the assumption of self-interest—are overlooked.

While there is little interest in the complete abandonment of the assumptions of self-interest, there is movement in the direction of a more critical appreciation of self-interest. Still, case-studies that challenge or abandon the assumption of party self-

¹⁷⁹ Reed. 1999: 177.

¹⁸⁰ Renwick, Hanretty, and Hine. 2009: 437, 445.

interest are few. Even fewer are case-studies that utilize, or at least identify, additional sources of evidence internal to political parties' deliberations are few. Such an approach could offer greater insights in to party motivations and the passage of individual electoral reforms. In pursuit of a better understanding of reform and the role of parties in the process, Chapter 3 sets out a more historical approach to case study of reform that deploys never-before utilized internal party records as evidence of motivations behind electoral reform.

CHAPTER 3

TO COMPLEMENT RATHER THAN DUPLICATE: INVESTIGATING HISTORICAL, INTERNAL POLICY DEVELOPMENT IN POLITICAL PARTIES

It was with little public notice, controversy or debate that the Gough Whitlam-led Australian Labor Party (ALP) government introduced the *Electoral (Disclosure of Funds) Bill 1974 (Aus)* into the Australian Parliament in November 1974. The bill was short, containing only two measures: a requirement for the public disclosure of all contributions made to political parties and candidates over AUS\$100; and spending limits for each party of 12c per voter on the electoral roll.¹⁸¹ For the *Electoral (Disclosure of Funds) Bill 1974 (Aus)* to pass into law, the support, abstention or acquiescence of the Liberal Party (the opposition party) was needed in the Senate.

Earlier, the Liberal Party had publicly expressed its displeasure at rumored plans for disclosure legislation. In his summation of the Liberal Party's stance, a few days after the ALP had revealed its reform plans (in October 1973), Opposition Leader Billy Snedden responded:

This proposed legislation is obviously designed to try to scare off individuals and companies who want to contribute to the Liberal Party cause. ... The Liberal Party has nothing at all to hide. ... We have made it absolutely clear time and again that any donations we receive must be completely without strings or conditions. ... Business and industry know this and so does the Government.¹⁸²

Snedden continued, impugning the ALP's motives for reform, alleging the campaign finance reform bill was:

a petulant and ill-tempered move by the Government because its own sources have virtually dried up. ... The business world that was once prepared to give the Labor Party

¹⁸¹ Australian Government. March 1974. Cabinet Submission No. 964. In *Cabinet Records*. National Archives of Australia CL21 Part 1, 217: 3. Spending limits were eventually abandoned by Cabinet in August 1975 and a new bill ordered: Australian Government. 14 August 1975. Cabinet Decision 3937, Submission No. 1979. In *Cabinet Submissions*. National Archives of Australia A5915, 1979. The Prime Minister was dismissed by the Governor-General and a new Prime Minister appointed (in Australia's most major constitutional crisis) before a new bill *sans* spending limits could be drafted.

¹⁸² Billy Snedden. 16 October 1973. Press Release. In *Robert Southey Papers*. National Library of Australia. MS9901. Box 6. Folder "Federal Executive Council Meeting 30 November 1974".

the benefit of the doubt is now so totally disillusioned with the Government that it is not prepared to support it with even small donations.¹⁸³

These ideas were repeated by the Liberal Party's Senate leader, Reginald G. Withers, who, later that week, issued a press release arguing:

By innuendo the Labor Party is imputing corruption and Machiavellian intrigue in the Liberal and Country Parties. ... The Liberal Party has nothing to hide. ... Our political system is generally open and honest.¹⁸⁴

The *Electoral (Disclosure of Funds) Bill 1974* passed the ALP controlled House of Representatives twice—in identical form—first in 1974 and then in 1975. The bill never gained the approval of the Liberal Party and thus died in the Senate both times it was voted on there.

Chapter Two established that, while rational choice studies have an inherent inability to investigate the motives of parties in electoral reform debates, there is an under-fulfilled potential for Qualitative Case-Studies to delve into the motivations of partisans and parties in the electoral reform process. Their potential remains so because there are significant problems in operationalizing the study of politicians' motives—problems that can be amply demonstrated by the quick example above of the Liberal Party of Australia's behavior in response to the governing party's campaign finance reform bill in 1974.

In thinking about explanations for the Liberal Party's motives in defeating the *Electoral (Disclosure of Funds) Bill 1974*, at least three approaches are possible.

The first approach involves adopting a rational choice influenced methodology. This approach starts from the assumption that the Liberal Party's interests were the motivation for their response, and then works backwards. The assumption of self-interest further requires the assumption that the party had a great deal of knowledge about its interests and the effects of the proposed campaign disclosure legislation. It then infers (in the absence of any electoral consequences) the content of those interests from the party's behavior opposing the legislation—buttressed by the supporting rationale about how their opposition to the law itself evidences that the law's

¹⁸³ Billy Snedden. 16 October 1973. Press Release.

¹⁸⁴ Reginald G. Withers. 17 October 1973. Statement by Senator R. G. Withers. In *Sir Billy Snedden Papers*. National Library of Australia. MS6216. Box 208: 1-3.

consequences would have been negative.¹⁸⁵ This stance understands the public statements of parties to be insincere, to the extent that they are not phrased in terms of self-interest. Adopting that approach, we might suppose that the Liberal Party knew where their interests lay in campaign finance—in a secret and laissez-faire system that enabled them to rely on large donations from friendly corporations and spend as much as they like—and that their opposition to reform was a quick, easy and almost predetermined formality. The only real issue for the party then, in this view, was how to make the most political mileage out of the campaign reform package in the public debate. In other words, the party was concerned not with the policy issues at hand but with maximizing their interests in convincing voters to vote for them at the next election.

A second alternative approach to interpreting the Liberal Party's behavior is to take the public statements of the party leadership at face value. In this view, the Liberal Party was opposed to a disclosure law on the basis that it was unneeded and undesirable. The Labor Party was incompetent and self-serving. Further, applying this logic, the bill was introduced as part of an unjustified attack by the ALP on the Liberal Party rather than serving any policy purposes. If the Liberal Party explanations are accepted at face value, then the motives for their opposition to the bill were partly party-interested (a legitimate defense of them in response to a vicious attack) and partly about values and a belief in the (lack of) efficacy of the proposed law. The Liberal Party argued (contradictorily) that the proposed law was both a malicious attack on their party's interests by the ALP and would not achieve anything as the Liberal Party was already honest.

In both the first two approaches, which rely on publicly observable behavior, we might conclude that the Liberal Party was naturally and fervently opposed to the *Electoral (Disclosure of Funds) Bill 1974*.

Rather than rely on the public story, in this thesis a third, less-traveled, path is taken: the motives of parties are examined from the perspective of those parties and partisans

¹⁸⁵ Now, unlike in most works discussed in Chapter 2, this example centers on a reform that did not pass into law. Evidently then, the consequences of the reform cannot be used as evidence of the Liberal Party's interests or the party's position on reform. Instead, here direct evidence of the party's position on the reform—their actions to vote against the law—would most likely be used in a rational choice account of identifying the party's self-interest.

themselves using available-but-underutilized archival records, which preserve internal party debates and machinations across the whole duration of the policy-making process. It is an approach that neither dismisses public statements out of hand nor assumes that self-interest was a party's dominant concern. When utilized with a flexible and iterative historical case-study methodology that centers on the dynamics of *intraparty* policy development and decision-making processes, archival records enable the observation of party motives while historical electoral reform agendas were developed, set and—ultimately—adopted into law. This approach fits in with the emergent Questioning Studies literature identified in Chapters 1 and 2 in that it seeks to explain campaign finance reform from a wider perspective than mere rational self-interest in future electoral outcomes.

In outlining its “third way” for interpreting party behavior in electoral reform, this chapter begins by introducing and highlighting the availability and abundance of archival records generated during historical electoral reform debates and preserved by parties. Next, the chapter briefly outlines the benefits of a historical case-study method that complements—rather than duplicates—the work of rational choice studies. It notes that others, even rational choice scholars, have recognized the potential advantages of a more historical stream of electoral reform research in political science.

The bulk of the chapter develops a model of the electoral reform process, borrowing from public policy literature. The chapter better defines the research question by placing party policy-making—problem identification, agenda setting and policy adoption—within the broader public policy making process and explains its two main focuses: party agenda setting (Part II of the thesis) and party policy adoption (Part III of the thesis).

3.1 AN ARCHIVAL EVIDENTIARY BASIS OR: HOW TO AVOID ASSUMING SELF-INTEREST BUT STILL HAVE SOMETHING TO SAY

Motivations are complicated. Motives change over time¹⁸⁶ and they may be multiple and conflicting.¹⁸⁷ In speaking about the motives of political leaders, whether presidents or dictators, Winter observed:

¹⁸⁶ Eldersveld. 1964:302

¹⁸⁷ Winter. 1973:25

Political leaders ... act out of many different motives. ... Motives supply direction and energy for action. ... Motives influence how leaders construe the leadership role [...] ... Yet, it is by no means easy to know a political leader's motives. They wax and wane ... [and] are subject to distortion, deception (including self-deception), and rationalization.¹⁸⁸

This complexity is compounded by difficulties in finding a body of evidence useful to enable the study of the motivations of political actors, whether leaders or political parties and their partisans. As noted in the public policy context by James E. Anderson, “[s]olid, conclusive evidence, facts, or data, as one prefers, on the motives, values, and behavior of policy-makers ... are often difficult to acquire or simply not available.”¹⁸⁹ Furthermore, there exists suspicion, and legitimate concerns, that the publicly observable behavior of political parties and politicians is orchestrated for political purposes (or, at minimum, tempered by the watching electorate), which discourages ascribing much credence to that which parties say publicly (as evidenced by the discussion in Chapter 2.2).

Given the extreme caution that must be exercised when interpreting the public statements and behavior of political actors, there is a need for evidence other than what parties do or say about themselves “on the record”. Three new and less-impugnable data sources seem promising for investigating the motives of parties (Table 3.1): (1) survey data obtained from party participants about their motives in current, recent—or, less desirably, hypothetical—electoral reform debates, (2) in-depth interview data or (3) archival records that document historical motives and behavior of parties in electoral reform debates. All of these are individual level data sources, a fact which enables an investigation of the motives of partisans at the lowest level of disaggregation.

¹⁸⁸ Winter, David G. 2003. Measuring the Motives of Political Actors at a Distance. In *The Psychological Assessment of Political Leaders: With Profiles of Saddam Hussein and Bill Clinton*. Jerrold M Post, ed. Ann Arbor: University of Michigan Press: 153; See also Perlin, George C. 1980. *The Tory Syndrome: Leadership Politics in the Progressive Conservative Party*. Montreal: McGill-Queen's University Press: 6.

¹⁸⁹ Anderson. 2003: 24.

Table 3.1 Emergent Approaches to Party Motives in Electoral Reform, by data source

	Questioning studies				
Methodology	Case-studies			Literature review	Surveys
Data source	Public data and/or secondary sources	In-depth Interviews	Archival	Secondary sources	Survey
Examples	<ul style="list-style-type: none"> • <i>Rahat. 2004.</i> • <i>Rahat. 2008.</i> 	<ul style="list-style-type: none"> • <i>Renwick. 2007.</i> 	<ul style="list-style-type: none"> • <i>N/A</i> 	<ul style="list-style-type: none"> • <i>Rahat and Hazan. 2011.</i> 	<ul style="list-style-type: none"> • <i>Bowler, Donovan and Karp. 2002.</i> • <i>Bowler, Donovan and Karp. 2006.</i> • <i>Bowler and Donovan. 2007.</i>

Some Questioning Studies, such as Gideon Rahat's studies into Israeli electoral reform, rely on public sources including legislative voting, public statements and secondary sources. But other Questioning Studies have adopted more private evidence sources: surveys and interviews.

The first private data source, cross-sectional data obtained by surveying individual participants in political parties, has been used to considerable effect by Shaun Bowler, Todd Donovan and Jeffrey A. Karp, who surveyed legislators for their views on electoral rules and electoral reform proposals.¹⁹⁰ Survey data have the advantage of statistical rigor and provide unique, relatively current, information.¹⁹¹ Survey data were not chosen to observe motivations in electoral reform debates in this thesis because of the difficulties of arranging access to political actors—especially elites from political parties—and the vagaries of social desirability and forgetfulness on recollection.¹⁹²

¹⁹⁰ Bowler, Donovan and Karp, in a series of unique and promising studies, surveyed legislators about their attitudes toward electoral reform, both historical reform and hypothetical proposals. These surveys, by their nature, provide only point-in-time information on the self-assessed attitudes of the party in public office to past or hypothetical reforms: Bowler, Donovan and Karp. 2002; 2006; Bowler and Donovan. 2007. Additionally, surveys about motives of party activists and elites have been used to great effect to complement qualitative data. See: Perlin. 1980; Seyd, Patrick, and Paul Whiteley. 1992. *Labour's Grass Roots: The Politics of Party Membership*. Oxford: Oxford University Press.

¹⁹¹ For these reasons, surveys (sometime supplemented with longer qualitative interviews) have been utilized heavily in the literature on political participation, where samples of the mass electorate are relatively easy to access and survey. For example, Verba, Sidney, Kay Lehman Schlozman & Henry E. Brady. 1995. *Voice and Equality: Civic Voluntarism in American Politics*. Cambridge: Harvard University Press; Eldersveld. 1964. Verba, Schlozman and Brady used a large survey, with more select and longer in-person interviews afterwards, to explore individual motives for political participation in politics.

¹⁹² In addition to the resources required for administering any survey, access to partisans is particularly difficult when dealing with current or recent events (and vagaries of recollection plague questions about historical events). Furthermore, the likelihood that social desirability bias will play a role in responses is great in the context of a small, identifiable population reflecting on recent events and potentially sensitive topics that may still be firmly in the minds of the electorate. See, generally: Anderson. 2003: 25-26. Particularly in the Westminster nations, political parties and politicians are secretive about their party's internal affairs. A reticence to answer questions about motivations, especially on a topic ripe for use against them in the next election, is likely. Indeed, even when partisans did respond, caution would need to be exercised in interpreting their responses. To accept at face value the elite partisans' in-person responses to why they or their party supported or opposed a recent reform would be to be laid open to accusations of naïveté.

In other contexts, the influence of social desirability has been noted. Verba, Schlozman and Brady admit that the over-reporting of civic-minded behaviors and motives affected the results of their survey: 1995: 105-108. Such bias may be mitigated in longer interviews, but, naturally,

The second data source, interview data, offers contextual, heartfelt insights and a full discussion of the complexities of the reform process.¹⁹³ In beginning to dig deeper behind the reform process, Renwick (2007) utilized interviews with politicians in his work on New Zealand's adoption of MMP.¹⁹⁴ Once again, there are residual concerns with the veracity of the interviewees' recollections. A good example comes from Tom Kent's recollection of the Pearson government and its introduction of legislation to reduce election expenses quoted on page 1 of this thesis. In fact, no election expenses legislation was introduced into the Parliament while Pearson was Prime Minister. More significantly, access to political elites is a big problem with interviews. And, so, in a comparative study involving many participants, interviews with partisans are not used here.

Instead, this thesis utilizes a third, unique and bountiful, source of data: archival records preserving intraparty correspondence, budgets, plans, reports, minutes and memos, which are routinely deposited in state and private archives by party secretariats and prominent partisans.

Party organizations and partisans are, and have been, avid record keepers, especially since World War II. As access restrictions are loosened (usually about 30 years after the records were created, though this time varies significantly), sensitivities relax and old wounds heal with the passing of time, an increasing wealth of unexplored data becomes available. These unexplored data are ripe to assess the motivations of parties and partisans and their response to past electoral reform. Many party and partisan collections in archives reveal intimate details of the inner machinations of political parties, their constituency organizations, executive and campaign committees and caucus and even Cabinet and they allow insights into motives that have otherwise remained internal and private.

conducting more time intensive interviews increases the difficulty accessing current or recent political actors.

¹⁹³ An example of such work outside the electoral reform context comes from Grant Reeher. In his book *First Person Political*, Reeher interviewed 77 state legislators from New York, Connecticut and Vermont, asking their motives and inspiration for running for office, their experiences while in the legislature and their reasons for leaving politics—unsurprisingly, many of the responses did not involve calculations of self-interest. Reeher, Grant. 2006. *First Person Political: Legislative Life and the Meaning of Public Service*. New York: New York University Press.

¹⁹⁴ Renwick. 2007.

The primary advantage of using archival data to investigate the motives of parties and partisans is that they free researchers from any vestiges of *post hoc* reasoning by offering credible and often *first-hand* evidence of party motives at various points in the consideration by the party of a reform initiative. They are, in this sense, archeological records, revealing motives and debate at various stages of the process. In many cases, these archival records were intended to be private—both at the time they were made and into the future.

Many records used in this thesis were intended for “intraparty eyes only”; a good deal more were intended for the eyes of only an elite sub-group of the party. While public pronouncements by partisans may be legitimately subject to the accusation of insincerity and ulterior motives, private deliberations intended only for limited party audiences and kept secret for decades after the event are not reasonably subject to a similar fears about their sincerity or veracity.¹⁹⁵ The archival records of party initiatives and responses to the reform processes are, in that respect, superior to the electoral results-derived evidence common in Quantitative Rational Choice Models. Indeed, suspicions that the archival records have been manipulated for the purposes of public opinion, future historical reflection or social desirability reasons imply an elaborate conspiracy involving an inordinate amount of forethought, planning, time and effort dedicated to manipulating future impressions of parties and partisans by their past selves.¹⁹⁶

Despite their advantages, archival records remain an underutilized resource for the purposes of examining party motivations around electoral reform. While forming the backbone of many biographies of great political leaders,¹⁹⁷ they are used sparingly in the study of electoral reform. Historians do, naturally, make use of archival

¹⁹⁵ See Appendix 4 for some excerpts from the archival party records utilized in Parts II and III.

¹⁹⁶ An additional advantage of the use of archival sources is that they enable examination of individual level motives as well as, in collective level records like executive minutes, how those individual level motives evolve and are aggregated into intermediate group-level stances.

¹⁹⁷ See, for example: Appleby, Joyce Oldham. 2003. *Thomas Jefferson*. New York: Times Books; English, John. 2006. *Citizen of the World: The Life of Pierre Elliott Trudeau*. 1st ed. Toronto: Alfred A. Knopf; English, John. 1977. *Borden: His Life and World*. Toronto: McGraw-Hill Ryerson; Martin, Allan. W. 1993. *Robert Menzies: A Life*. Volume 1: 1894-1943. Melbourne: Melbourne University Press; Martin, Allan. W. 1999. *Robert Menzies: A Life*. Volume 2: 1944-1978. Melbourne: Melbourne University Press; Nash, George H. & Clements, Kendrick A. 1983-2012. *The Life of Herbert Hoover*. 1st ed, New York: W.W. Norton.

correspondence of political reformers—and sometimes, even, reformist politicians.¹⁹⁸ Political historian Julian Zeilzer makes extensive use of available archival records from citizen groups and partisans in his account of the lead up to the US Congress passing campaign finance reform in 1971.¹⁹⁹ The tendency to utilize archival sources is less prevalent in political science. Alan Ware,²⁰⁰ more history-orientated than most political scientists, accessed at least three archival collections—including two of Mugwump Republican legislators—when researching the direct primary. Renwick used one collection in his 2010 study—of Murry McCully, a National Party MP from New Zealand—which is otherwise supported by interviews and extensive primary and secondary sources.²⁰¹ Outside of these examples, there are few other instances of the use of archival records in political science accounts of electoral reform. Here, they form the primary basis of this thesis' findings (Appendix 1).

3.2 METHODOLOGY: HISTORICAL-COMPARATIVE CASE-STUDIES

In addition to the obvious time commitments required to go meticulously page-by-page through almost endless archive boxes with vague finding aids—and the concomitant occupational hazards involving dust and paper cuts—a likely reason for the reticence to the use of archival records stems from the methodology these records mandate. Party activity and record-keeping is not primarily conducted for the researcher or with forethought to researchers' concerns. Data mining these records is perilous because party records in archives are an incomplete and idiosyncratic record of events. They need to be meticulously analyzed individually. The significance of each document is not readily ascertained by objective measures. This means that they are better suited to qualitative analytical methods. Quantitative methods of text analysis, such as content analysis, are less viable and, indeed, perhaps unwise, because far too much meaning is lost when the detailed and specific context of each statement, letter or act is removed.²⁰²

¹⁹⁸ For example, Blodgett. 1966.

¹⁹⁹ Zelizer. 2002.

²⁰⁰ Ware. 2002.

²⁰¹ Renwick. 2010. Renwick consulted an addition collection at the Archives New Zealand: the collection of submissions to the Royal Commission on the Electoral System from 1985-1986.

²⁰² Kreuzer. 2010; Ragin, Charles C. 1987. *The Comparative Method: Moving Beyond Qualitative and Quantitative Strategies*. Los Angeles: University of California Press. For example, in Chapters 8 and 9 the potential for loss of context using content analysis when utilizing the

While there are costs, such as case-specificity and the distinct lack of inevitability about “the creation of elegant and parsimonious theoretical generalizations,”²⁰³ the contextualities and complexities of the electoral reform process are best elaborated on by qualitative analysis. On their own, quantitative studies applying versions of rational choice theory cannot inspect the motives and agendas of participants in the reform process.²⁰⁴ Additionally, such studies are unable to view electoral reform as a complex sequence of events, with an endogenous and self-reinforcing internal path dependency; rather they need to adopt single point-in-time analyses, and use that as a snapshot of the reform “game”.

On the other hand, as identified by Rahat, qualitative methods of studying the electoral reform process, are able to view:

the politics of reform as a process that, on the one hand, moves along a path that develops its own logic as a result of human action and inaction and the interactions between political actors, and, on the other hand is bound by procedural requirements and constitutional conventions.²⁰⁵

In particular, historical evidence and detailed historical investigation can restore time to the exploration of electoral reform and induce a broader sense of how the process develops.

Progressive Conservative Party’s records on its 1970 party-wide consultation about election expenses reform is great. Many respondents used terms like “interests”, “party”, “democratic” next to each other but they had very different meanings in mind. These distinctions—and whether the writer’s expression is rhetorical, sarcastic, ironic or just poorly phrased—cannot be figured out using an algorithm but must be investigated individually.

²⁰³ Rahat. 2008: 26. Qualitative analytical methods are not favored in political science research; indeed, quantitative political science scholars can be rather dismissive of qualitative methods See Mahoney, James. 2006. A Tale of Two Cultures: Contrasting Quantitative and Qualitative Research. *Political Analysis* 14 (3): 227-249.

²⁰⁴ *Contra* Bol. 2012:31-33. Damien Bol, in his justification for using an aggregated dataset of proposed electoral reforms and characterizations of public party positions toward reform in OECD countries since 1945 to ascertain the motives of parties, argues that qualitative studies cannot get to root of motivations of partisans because they cannot get “beyond the way politicians justify, a posteriori, their decisions”: Bol 2012: 31. Bol had qualitative studies based mostly on public justifications for party behavior, supplemented with interviews, in mind. He illustrated the imprudence of using such evidence thusly: “To illustrate, let us think about a child caught out eating candies and lying to his mother about the fact that he knew that it was forbidden, or a grandfather telling a thrilling old story again and again for years, who ends up forgetting he has changed some parts of the reality from the very first narration.”: Bol 2012: 32.

²⁰⁵ Rahat. 2010: 25.

Political science in recent years has tended to give preference to ahistorical analyses that assume society to be made up of detached, dispassionate, and rational individuals over contextual studies of the connections between people in the last half-century. In arguing for a political science that aspires to be less like physics than it does currently, Reed urges that “[p]olitical science, if it is to live up to its name, will have to be a historical science simply because both individuals and institutions have memories.”²⁰⁶ Indeed, it is in the context of electoral reform research (in particular Quantitative Rational Choice Modelling) that Marcus Kreuzer argued recently in the *American Political Science Review* that models of electoral reform would be greatly improved if more historical understanding were used to inform quantitative models. When contrasting the position of the quantitative scholar engaging in studies of electoral systems reform with the historian, Kreuzer identified three advantages that a qualitative historical approach may offer:

Historians have three comparative advantages over quantitative scholars. First, they have a particularly intimate understanding of evidence. They look at evidence and are deeply concerned about “documentary accuracy”; they expend enormous energy looking for evidentiary cross-confirmation, deciphering handwriting, double-checking translations, or even uncovering forgeries. Second, historians have to be “good listeners” to notice leads in the evidence and fill the gaps that this evidence frequently leaves. In learning to listen closely, historians make their evidence come alive in the causal complexity that is frequently missing in quantitative studies but is indispensable in checking the plausibility of the hypotheses that such studies test. Third, historians study qualitative changes through time. Historiographic debates commonly center on the continuities and discontinuities of historical factors through time.²⁰⁷

Indeed, quantitative political science analysis, in its hungry pursuit of data, can miss the context of the data it consumes. For example, quantitative models of the adoption of PR in the early 20th century often mistakenly assign FPTP in single-member districts as the pre-reform electoral system, rather than multi-member systems.²⁰⁸

²⁰⁶ Reed. 1999: 178.

²⁰⁷ Kreuzer. 2010: 370 (references omitted).

²⁰⁸ *Per Ahmed*. 2013: 15. See, for example Boix. 1999; *Contra Colomer*. 2007. Another small, but very recent, example comes from an otherwise impressive study by Anthony Fowler into the impacts of compulsory voting on public policy: Fowler, Anthony. 2013. Electoral and Policy Consequences of Voter Turnout: Evidence from Compulsory Voting in Australia. *Quarterly Journal of Political Science* 8: 162. In Fowler’s account of the history of compulsory voting, he says that—with the exception of the Queensland case—compulsory voting received “unanimous support from all parties at the national level and in each state assembly” and, in Table 1, records the outcome of the “roll call” votes as being 100% in favor. Now, roll call votes (called “divisions” in Australia) are (and were) rare in Australian parliaments, and motions usually pass without a vote because the adapted version of Westminster system in Australia makes objecting to

Rather than being seen as unnecessary story-telling, well-structured comparative qualitative case-studies with an eye on theory development can complement existing efforts at modifying rational choice theory to fit the available numerical data.²⁰⁹ In the end, as Carles Boix himself admits in response to Kreuzer's claims, historical evidence assists with statistical modeling:

a more thorough engagement with history (ideally informed by some theoretical model) has a positive impact on theory formation: it pushes the researcher to generate a much richer theoretical understanding of the political events under study.²¹⁰

And so, the use of qualitative historical methods should not be seen as a disadvantage, but an opportunity to advance our understanding of electoral reform processes and to assist in theory generation.

3.3 BEYOND INSTANTANEOUS: A THREE STAGE MODEL OF THE ELECTORAL REFORM PROCESS FROM THE PERSPECTIVE OF PARTIES

Rather than view an instance of electoral reform as a case in which the party in power, with a pre-existing and fully-appraised hierarchy of potential reforms ordered according to their favorability to the party, pounces on an opportunity to implement that electoral reform in their arsenal of reforms most to their advantage, the conception of reform adopted here is more complex. Electoral reform is understood to be a long process, which usually takes years and often decades, and more often than not ends unsuccessfully. Problems in the existing laws typically gradually emerge and, even where a scandal or electoral "misfire" abruptly heaves a fault into the light, public, party and legislative responses are often reflexive, fragmented and confused.

The reality of vacillated and complex reform processes is not well incorporated into the existing work on electoral reform. The literature on electoral reform has tended to look at reform as either an instantaneous event (Quantitative Rational Choice Models) or an

motions, or calling for a vote—even a voice vote—for anything introduced by the governing party, futile (and a large political statement). Indeed, no roll call votes were taken and the absence of a vote does not indicate unanimous support at all. The point is not to discount Fowler's findings but to point out that such contextual differences (in this case, differences from the US) are easy to miss in the data without a good deal of qualitative and specialized knowledge of the context of the jurisdiction and the paths of the reform.

²⁰⁹ For example, Renwick. 2010.

²¹⁰ Boix. 2010: 405.

ad hoc and unique series of political events (case-studies).²¹¹ In 1972, Lowi observed that “that prevailing fashions in political science have put heaviest stress on the politics rather than the government [policy] side of the field.”²¹² In the literature on electoral reform, Lowi’s observations remains appropriate, with the study of the political “game”—*the play of power*—prioritized at the expense of considering electoral reform an instance of real policy-making.

A full account of the process of electoral reform, and of the motives within that reform, ought to take into account the various stages and processes in policy-making. Public policy literature, applied to the electoral reform and party contexts, can help. Students of public policy are well-accustomed to thinking of reform (aka “policy-making”) as a complex process, albeit with generalizable stages. Whether policy outcomes are seen as the product of elite values and preferences,²¹³ pluralistic interest group competition,²¹⁴ or as a product of politicians and voters maximizing utility,²¹⁵ the literature in public policy—in general—recognizes that policy-making is a process. For our purposes, identifying three early stages of the public policy cycle is helpful: problem identification, agenda setting and policy adoption (Table 3.2).²¹⁶

²¹¹ By contrast, recently there are moves afoot to examine reform as a process. See Norris, 2011; and Bol. 2012: 11; Renwick. 2010.

²¹² Lowi, Theodore J. 1972. Four Systems of Policy, Politics, and Choice. *Public Administration Review*. 32(4): 299

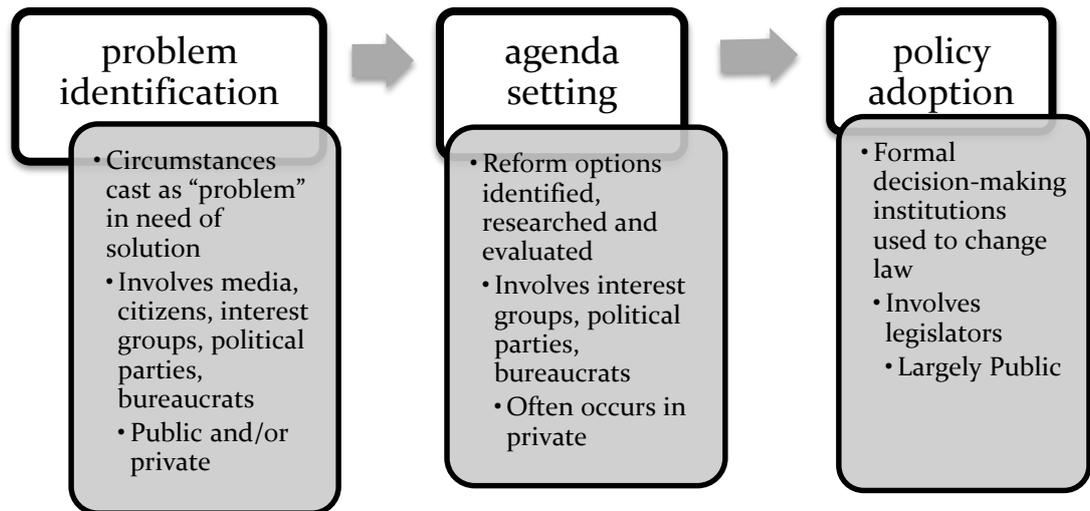
²¹³ For example, Thomas R. Dye begins his book by stating: “Public Policy in America, as in all nations, reflects the values, interests, and preferences of the governing elite.” However, Dye then proceeds to examine the process of policy-making. Dye, Thomas R. Dye. 2001. *Top Down Policy-making*. New York: Chatham House: 1.

²¹⁴ Per Lathar, Earl. 1965. *The Group Basis of Politics*. New York: Octagon Books.

²¹⁵ See the discussion in Anderson. 2003: 16-19.

²¹⁶ There are numerous slight variations in the categorization of the stages in policy-making. Anderson’s volume is organized around these stages: issue creation, agenda building, policy formulation and policy adoption: Anderson. James E. (ed). 1976. *Cases Public Policy-Making*. New York: Praeger. Carter A. Wilson’s multi-stage policy-cycle begins with: problem definition, agenda setting and then policy adoption: Wilson, Carter A. 2006. *Public Policy, Continuity and Change*. Boston: McGraw-Hill: 39. In this dissertation, the policy-making process beyond policy adoption is not examined. This is primarily because the thesis is not concerned with how the bureaucracy implements the reform or how it is evaluated afterward. Implementation and evaluation are worthy of study—especially since the policy-making cycle is indeed often a cycle and earlier reforms feed into current and subsequent debates over reform. The past affects how (and if) problems are perceived and which solutions that seem logical. To avoid exhausting levels of complexity, this thesis merely examines the single policy process up to adoption or dispensation in the legislature.

Table 3.2: The First Three Stages of the Public Policy Cycle



In first part of the policy cycle, *problem definition*, a set of circumstances is cast as a “problem” in need of a solution. The identification of a problem is subjective. Whether the way votes are counted, seats are won or money is spent in campaigns are “problems” depends entirely on being so identified.²¹⁷ For example, electoral results in which a political party that gained 15% of the vote nationwide but, with a unevenly dispersed geographical basis of support, gained 30% of the seats in the national parliament may be cast as a problem. Just as easily, the result may be seen as a victory for minority representation, the desired operation of the system. Or it may garner no comment at all.²¹⁸

²¹⁷ Problems may be identified by those in leadership and government roles or by the public. The literature calls problems identified by the public “triggers”: Wilson. 2006: 41. In such cases, the actual problem identified by the political elite may be the public’s reaction to a particular set of circumstances and so solutions may seek to quell public concern (which is not necessarily the same as remedying the problem identified by the public). In other cases, triggers may provide opportunities for political elites to make changes they had long hoped to make but could not do so politically. John W. Kingdon calls such opportunities “policy windows”, and notes that if political elites do not act quickly to take advantage of the windows, they will soon slam back shut: Kingdon, John W. 1995. *Agendas, Alternatives, and Public Policies*. 2nd ed. New York: Harper Collins.

²¹⁸ The definition of the problem necessarily affects the sorts of the policy solutions offered and adopted: Wilson. 2006: 39. In the preceding example, if the problem was cast in terms of votes not being accurately converted into seats, then likely solutions will include changing the electoral system and vote counting methods. By contrast, if the problem is cast as being concern about geographic concentration of particular communities or how districts lines are drawn then the solutions offered might relate to reform of redistricting practices, or more encompassingly, new social policies that discourage segregated communities.

After a problem is identified, the second stage in the reform process is agenda setting. Here serious analysis takes place, options for reform are evaluated and the “best” solution identified. This evaluative process is costly and time-consuming in an environment where financial and time resources are limited. It is typically completed by political or governmental elites, though the public (and media) may be involved. It is always done in a circumstance of incomplete knowledge and information, where rationality can be—at best—bounded. Choosing the best solution from the (invariably) incomplete analysis is, like the problem identification stage, subjective. The goals and values of actors conflict. Egos, personalities and politics may get in the way of substantive analysis.²¹⁹ Ultimately, the agenda adopted by legislators is the most pertinent agenda for our purposes, as it is this agenda—mediated through the political process—that has a chance of becoming law.

The third stage of the policy process is “policy adoption”. In this third stage of the policy cycle, legislators enact their agenda (or a negotiated version of it) into law, using the instruments of government. Charles E. Lindblom, in the first edition of his volume *Policy-Making Process* in 1968, characterized this stage as “the play of power”, highlighting that the navigation of an agenda through the legislature is a *political*—rather than *policy*—driven process.²²⁰ Legislators may have real policy concerns, but in order to enact them into law they need to play politics.

In examining the motives of political actors, a distinction between behavior as part of the policy processes and that which is better characterized as being within the political process is cogent. Closely related to this distinction is one about *publicly* observable behavior and *private* behavior.²²¹ Much of the agenda setting stage is likely to be private (in closed office meetings, within party rooms and in written correspondence) and, in Westminster systems, in complete secrecy within Cabinet. Even in separation of power systems, much of the agenda-setting process may take place outside the attention of the public (such as in dry and tedious committee hearings). Agenda setting, and the

²¹⁹ Lindblom, Charles E. 1968. *The Policy-making Process*. 1st ed. Englewood Cliffs, N.J., Prentice-Hall: 13, 19 and Chapter 3.

²²⁰ Lindblom. 1968: 6.

²²¹ Like Lindblom, who observed the difference between observed events and underlying process (Lindblom. 1968:29), Toby James recently made a distinction between the easily observable public policy agenda and the elite policy agenda, which is largely private and not (contemporaneously) observable. James. 2011.

policy analysis central to it, is likely more policy-focused than later stages of the policy process. Although private or outside the public attention, agenda setting is within the purview of many archival sources.

By contrast, in a democracy, the play of power (during the policy adoption stage) is typically focused on politics and is public (although, again, it may be outside the attention of the public). In an idealized legislature, policy may be central to the legislative processes, with legislators making garrulous and engaging speeches on the house floor genuinely aimed at persuading other legislators on critical questions of policy. In reality, political actors who are even a little bit perceptive of the existence of others, are likely to be concerned with their larger audience when behaving in public forums like the legislative floor. Legislators will be concerned with their constituency, other actors with the broader public's reaction to their behavior.²²²

Being awake to the distinction between the more political and public stages of reform and the more policy-oriented, private stages of reform opens up a world where the other life of political actors and their true policy objectives can be examined sincerely. As Lindblom notes, even where analysis (agenda setting) is superficial or rushed, it is rarely completely absent from the policy-making process.²²³ Even if it is granted that electoral reform is the “most specific manipulative instrument of politics”;²²⁴ policy analysis is not necessarily absent.

This thesis is primarily concerned with party and partisan motives in the electoral reform process. The three identified stages of the process of policy-making are relevant too for a more specific investigation of *party* (as opposed to *public*) policy-making. Political parties engage in internal policy development processes, which entail problem identification, agenda setting, and policy adoption, summarized in the bottom half of Figure 3.3.²²⁵ This process results in formally adopted policies (eg. party platforms

²²² Their concern may stem out of self-interest (eg. legislators seeking re-election), but it may also stem from a desire to be liked or approved of or to do one's jobs as an elected representative of the people properly (see Chapter 5.1 and Appendix 6 for more about motives). Political actors, therefore, will likely have the public audience in mind during the policy adoption stage, but it will not be necessarily the most relevant factor in the earlier agenda setting stage.

²²³ Lindblom. 1968: 6.

²²⁴ Sartori. 1968: 273.

²²⁵ A fourth stage of the *party* policy-making process, “policy implementation” may be (if the party is successful) operationalized at the policy adoption stage of the public policy process.

adopted at conventions), campaign promises made by the party leadership, or decisions made by party legislative caucuses and leadership about legislative behavior.²²⁶ As in public policy-making, internal party policy-making may be private and secret or public, such as in the case of open party conventions and party platform. Additionally, party policy-making may be initiated from the inside (proactively) or from outside (reactively, to scandal).²²⁷ These two types of party policy development likely involve different people: with the reactive being dominated by the elites and the proactive potentially including grass-roots membership.²²⁸ In both cases, party policy development is more private than public policy development: even party policy adoption may be—and often is—private.

This thesis is generally, though imperfectly, ordered around the party policy-making process. Part II focuses on party problem identification and, primarily, agenda setting. In particular, the motives of individual partisans as they seek to influence the party's policy agenda are examined. Part III centers on party policy adoption. It considers whose views (and therefore which motives) are reflected in the eventual policy adopted by the party.

This party policy implementation stage is essentially observable party behavior. Observable party behavior at the policy implementation stage is what existing studies tend to focus on to the exclusion of the first two stages. Publicly observable behavior is not the primary focus of the thesis, but it is conceptualized as the culmination (or partial culmination) of the party policy-making process.

²²⁶ Indeed, wherever there is a forum for collective party decision-making, similar policy-making stages will exist.

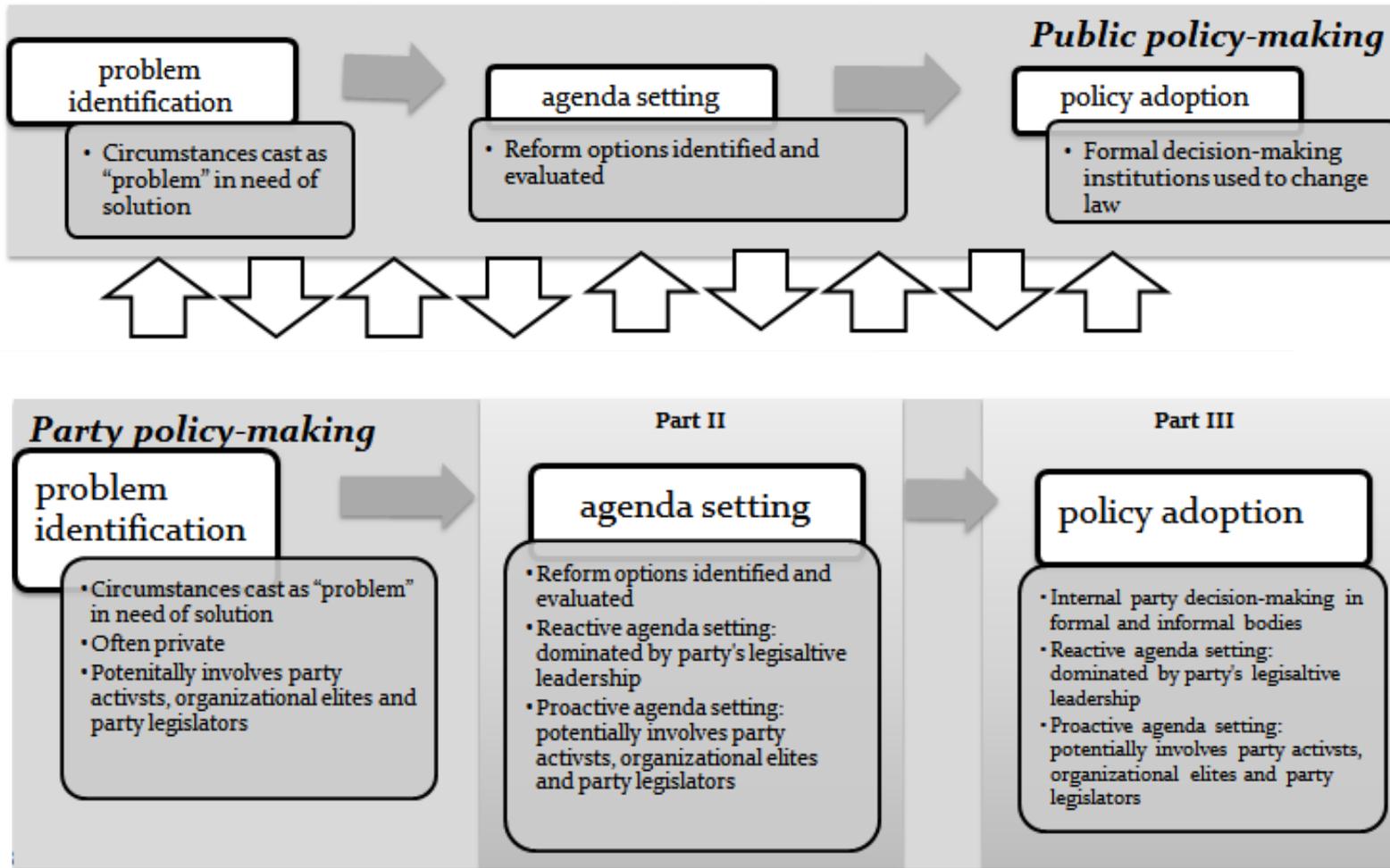
²²⁷ Anika Gauja, in the context of Westminster nations, identifies these two forms of party policy development: one as an internally driven, largely private and proactive policy development made at regular intervals and the other as externally driven, reactive and *ad hoc* policy development. In her work, Gauja focuses largely on regularized proactive party policy-making (including deliberate and organization consultation processes). Toward the end of the book, Gauja moves on to the second type of policy-making, writing: “in many instances political parties will not have an official policy that can be applied to a specific legislative issue or debate, requiring MPs to essentially create party policy on the spot”: Gauja, Anika. 2013. *The Politics of Party Policy: From Members to Legislators*. Basingstoke, UK: Palgrave Macmillan: 210.

²²⁸ In Gauja's framework, reactive policy development is led by the legislative party and subject to the almost absolute control and initiative of the party in public office. This policy-making ‘in the run’ involves members of the legislature “reinterpret[ing] or extrapolate[ing]” formal party policies or creating “new policies based on general party principles”: Gauja. 2013: 189, 209. In particular, the party leadership controls this process, because “established norms of parliamentary practice and cabinet government [such as collective decision making, secrecy and unity] ... act to concentrate decision-making processes and the exercise of power within the frontbench, particularly so when the party holds government”: Gauja. 2013: 194.

There are pragmatic reasons for this focus—the unique content of archival party records largely (though not exclusively) pertains to the internal party processes; meanwhile much of the public policy adoption phase involves *interparty* and public communication, much of which is already on the public record. Furthermore, the party policy-making process often begins before the public has identified a problem or political elites have drawn attention to one. The party and public policy-making feed into each other (as depicted in Figure 3.3)—with the party process influencing the public process and vice versa. Ideas generated at the agenda setting stage within a party may feed into problem identification and agenda setting in the public policy-making process. Even if the party policy-making process proceeds separately, for a time, from the public process, it must inevitably intersect with the public policy process to be relevant to any eventual electoral reform law adopted by the legislature.

Throughout, the thesis explores the public policy process wherever the party- and public- processes interact. It gives consideration to the public and political stances presented by political parties, both as a way of highlighting the importance of political concerns to the process and, importantly, the tremendous difference between the public political lives of parties and their private and policy driven lives.

Figure 3.3: The First Three Stages of the Public and Party Policy-Making Processes



CONCLUSION

Building on earlier chapters, which demonstrated the need for increased emphasis on approaches that enable the investigation—rather than assumption—of party motives, Chapter 3 identified an abundant archival source and presented a historical and comparative methodology to enable the observation of party motives during the electoral policy-making process. Through the use of those archival collections, deposited by party organizations and other activists, the meticulous political historian can observe the contemporaneous, private worlds of party participants in policy-making processes on electoral reform. In these worlds, actions and words are less suspect for ulterior motives or orchestration for electoral benefit. This means that we can investigate the Liberal Party's motives in opposing the *Electoral (Disclosure of Funds) Bill 1974* (Aus), discussed at the beginning of the chapter, rather than cynically assume the reasons to be a calculating self-interest or naïvely take the party's press releases and statements in the legislature as revealing of the real and inner reasons for the party behavior.

In the context of the passage of the Second Reform Bill in the United Kingdom in 1867, F.B. Smith highlights the advantages of a thorough historical case-study approach using archival records to piece together the complex events, actions and motives. Smith wrote:

The Reform struggles also exhibit a tangle of tricky maneuvers, of apparently senseless wrangles and misdirected votes, of discrepancies between declared intentions and actions. It is only by tracing the pressures behind the scenes, as reflected in the private papers of the protagonists as are available, that the historian can begin to explain what happened.²²⁹

Indeed, Smith found:

The leading participants were frequently unaware of their actions, and their ignorance of their material led them to rely—more than in most political battles—upon hopeful assertions, stubborn denials and intricate deceptions. After the Bill was passed they made their self-justifications in the same spirit and succeeded in making confusion worse confounded.²³⁰

²²⁹ Smith, F.B. 1966. *The Making of the Second Reform Bill*. Cambridge: Cambridge University Press: 1.

²³⁰ Smith. 1996:1.

A rigorous well-structured historical case-study method can enlighten us on the role that ignorance, stubborn denials and confusions plays in the electoral reform process. By borrowing from the abundant literature on policy-making in public policy, this chapter developed a model of the electoral reform process around which the thesis is structured. This model centers on the party policy development process—party agenda setting and policy adoption—but allows for an examination of both party and public policy development from the identification of a problem through to the legislature adopting reform.

Armed with this evidence, method and framework of the reform process, Chapter 4 introduces the eight case-studies to which this evidence, method and framework will be applied.

CHAPTER 4
THE ISSUE OF ELECTORAL REFORM: PROBLEM
IDENTIFICATION AND CASES OF CAMPAIGN FINANCE
REFORM IN ESTABLISHED DEMOCRACIES



Figure 4.1: Campaign advertisements (clockwise): Australian Labor Party. 1972. *It's Time*; John F. Kennedy. 1960. *Kennedy for President*; Dwight D. Eisenhower. 1952. *I Like Ike*.

An issue may be suddenly thrust onto the policy agenda or slowly filter onto it, gradually coming to be seen as something that needs change. Throughout 1973, outrageous revelations of covert deals involving briefcases full of cash and donations in exchange for milk policy streamed from the Watergate Scandal. Given this, it might be tempting to view the series of campaign finance reforms in the first half of the 1970s across North America as an instance in which a problem burst onto the scene with little prior warning, immediately and for a brief moment gained lawmakers' undivided attention as it was quickly, with much haste, remedied.

In fact, rather than a rushed and reactive policy-making process, party archival records reveal that campaign finance reform was, in many of the case-studies, a case of proactive, gradual policy-making. Political parties were keenly aware that campaign finance costs and funding practices were unsustainable well before scandals like Watergate brought the issue to the public's attention. Laws governing money in politics gradually came to be seen as problematic, beginning in the dying years of World War II. This charge was led by legislators and political parties—who were at the frontline of

increased campaign costs. Belatedly, they were joined by academics in the 1960s (and then the public in the 1970s).

On their own initiative, parties identified problems in the existing laws and set agendas for change. These problems largely stemmed out of the existing law's 19th century origins and their corresponding obsession with preventing bribery and intoxication of voters by candidates. The laws were frequently silent—or extremely ineffectual—on large corporate donations to candidates and parties. Yet these donations were becoming more common, larger and riskier. Parties and candidates continued to struggle to raise the ever increasing amount of money required to mount technologically sophisticated TV campaigns. Their as yet undiscovered fundraising practices threatened to become uncovered scandals. Indeed, in many ways the Watergate Scandal embodied the most extreme symptoms of a malaise gone untreated for too long.

It is in this context that debates over campaign finance reform gathered ferocity in many democracies in the late 1960s and 1970s, including Australia, Canada and the United States. Their problems need not have been dealt with by use of legal regulation, but they were. Just as problems of low voter turnout and apathy in the 1990s, which underscored declining bases of established political parties and nagging doubts about their legitimacy, do not need to be dealt with by legislative means. In neither case, was legislative reform necessitated.

In this thesis, eight case-studies of party campaign finance reform agenda setting and/or policy adoption in these nations during this period of heightened ferocity form the back-bone of this thesis in Parts II and III. The case-studies, and the context of 1970s campaign finance reform debates are introduced here in Chapter 4, the final chapter in Part I.

4.1 WHY CAMPAIGN FINANCE REFORM?

Campaign finance reform is the reform of those laws that govern how, by whom and in what manner money may be raised and spent during election campaigns. Political parties will not necessarily engage in an internal party policy-making process on every major issue, let alone every issue of electoral reform. However, the process of campaign finance law reform culminating in the early 1970s in these three majoritarian

democracies²³¹ was so contentious and drawn-out, with political parties firmly at the center of the debates that, in the eight case-studies considered here, parties engaged in extensive policy-making. More than on issues relating to compulsory voting early in the 20th century,²³² reform of voting systems, ballot reform in the 1970s and 1980s or the legal regulation and recognition of political parties in the same time period,²³³ searches of archives across North America and Australia revealed an abundance of private party records related to campaign finance reform in the lead up to the mid-1970s.²³⁴ Reams upon reams of documents were generated and are stored in the political parties' archival collections across North American and Australia.²³⁵

²³¹ To use Arend Lijphart's term. Lijphart, Arend. 1999. *Patterns of Democracy: Government Forms and Performance in Thirty-six Countries*. New Haven: Yale University Press.

²³² Compulsory voting was initially part of this project. However, it was not used, in the end, because there was inadequate private party evidence from the US from the time. Additionally, after extensive research, it turned out that the development of the concept in Australia predated the formation of political parties. See: John, Sarah and Donald A. DeBats. 2014. Australia's Adoption of Compulsory Voting: Revising the Narrative — not Trailblazing, Uncontested or Democratic. *Australian Journal of Politics and History* 60(1): 1-27.

²³³ The legal recognition of parties and the printing of party affiliations on ballot papers was also initially part of this project. Some of the results of that research are contained in: John, Sarah. 2014. *Can't We Have One Without the Other? Legal Recognition and Regulation of Political Parties in Australia*. Paper presented at the Legal Regulation of Political Parties in Australia workshop. 19 – 20 June 2014. University of Sydney. Academy of the Social Sciences in Australia.

²³⁴ To gain the historical evidence needed for this thesis, the researcher conducted extensive searches of archives—national archives and manuscript rooms, state historical societies and libraries, local archives as well as university archives and special collections—across Australia, Canada and the US, three relatively similar nations. Collections deposited by party organizations, legislators, party activists and adherents in Canberra, Melbourne and Adelaide (Australia); Toronto, Ottawa, York and Kingston (Ontario); Oklahoma City and Stillwater (Oklahoma); Vancouver and Victoria (British Columbia); Madison and Milwaukee (Wisconsin); Portland, Eugene, Corvallis and Salem (Oregon); Pasadena, Sacramento and San Francisco (California) were searched for any files, folders or documents that related debates over changing election laws, so long as they occurred in the 20th century and the election laws debated were ones that sought to regulate the parties and partisans involved in their passage (ie. in situations akin to self-regulation).

The collections actually utilized in this thesis are listed in full detail in Appendix 1.

²³⁵ The relative abundance of records relating to campaign finance in the 1970s is likely related to the timing of those debates. Archival material is often not deposited for a decade after its creation or use and tends to be subject to time limits for its access, especially in those jurisdictions (like Australia) or those political parties (typically conservative parties) with strong traditions of secrecy—and so 1970s records have only been made available in the last decade. The reform debates, on the one hand, occurred recently enough to take advantage of the meticulous post-World War 2 record-keeping practices in which parties engaged. On the other hand, the 1970s is long enough ago for battle wounds to be largely healed and for access to these extensive archival collections to (usually) be granted—which is not the case with more recent

These records reveal that, in these cases, political parties engaged in long-term, often proactive party policy-making. This party policy development was typically an important precursor to public declarations of campaign finance reform positions.²³⁶ The records show that in Australia, Canada and the United States, money in politics was a resurgent issue in the decades after World War II for almost identical reasons: spending on election campaigns soared as parties utilized television to campaign. Television advertising, first used in the 1952 presidential races between Dwight D Eisenhower and Adlai Stevenson in the US,²³⁷ and a few years later in Canada (1957)²³⁸ and Australia (1958),²³⁹ quickly came to dominate party campaign spending. By the 1965 election, television advertising made up almost 40 per cent of the election expenditures of the Liberal Party of Canada, the largest single expense in that election cycle.²⁴⁰ Correspondingly, party spending overall increased: in the United States,

electoral reform debates. For more recent reforms in the 1980s and 1990s, many records are not yet open to researchers.

²³⁶ Furthermore, investigating intraparty debates increases the potential sample space. Most reform debates in the legislature do not lead to successful reforms; and indeed most intraparty reform debates do not lead to the proposal of a bill by the party in the legislature. And so, by focusing on debates within parties, we can uncover reform debates that would otherwise be missed.

²³⁷ Kaid, Lynda Lee. 2004. Political Processes and Television. In *Encyclopedia of Television*. Horace Newcomb, ed. 2nd ed. Vol. 1. Chicago: Fitzroy Dearborn.

²³⁸ Paltiel, Khayyam Z. & Jean Brown Van Loon. 1966. Financing the Liberal Party 1867 – 1965. In *Studies in Canadian Party Finance*. Canada Committee on Election Expenses, ed. Ottawa: Queens Printer: 221-223.

²³⁹ Charles Moses (ABC General Manager) to John Schmella (Federal Secretary of the ALP). 24 June 1958. In *Australian Labor Party Federal Secretariat Records*. National Library of Australia. MS4985. Box 148. Folder 207; Mills, Stephen. 2013. *Campaign Professionals: Party Officials and the Professionalisation of Australian Political Parties*. PhD Dissertation. Department of Government and International Relations. University of Sydney.

²⁴⁰ Paltiel and Van Loon. 1966: 223; K. Z. Paltiel *Papers*. Library and Archives Canada. MG30 E519. Box 21. Folder "Correspondence with Political Parties and Others, Memoranda, Clippings. 1965-1973". See also: Ward, Norman. 1972. Money and Politics: The Costs of Democracy in Canada. *Canadian Journal of Political Science* 5(3): 335-347; Seidle F. Leslie & Khayyam Z. Paltiel. 1981. Party Finance, the Election Expenses Act, and Campaign Spending in 1979 and 1980. In *Canada at the Polls, 1979 and 1980: A Study of the General Elections*. Howard R. Penniman, ed. Washington, D.C: American Enterprise Institute for Public Policy Research: 229-230; Paltiel, Khayyam Z. 1989. "Canadian Election Expense Legislation, 1963—1985: A Critical Appraisal or Was the Effort Worth It?" In *Comparative Political Finance in the 1980s*, Herbert E. Alexander, ed. Cambridge: Cambridge University Press: 51.

Similarly, in Australia, the parties' records show that for the 1961 Election—only the second election in which TV had been used—already 23% of the Liberal Party Federal Secretariat's expenses were on TV advertising: Liberal Party Federal Secretariat. 1961. Elections Expenses 1961. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 106; See also

candidates' expenditure on campaigning increased two and a half fold between 1956 and 1964.²⁴¹ In Australia, the Liberal Party doubled their election expenditure between 1962 and 1965 while the Australian Labor Party increased their campaign spending by a third.²⁴²

It was not just that these parties (and candidates) were spending more on election campaigns but also that those costs, and the control over the conduct of campaigns, were increasingly centralized and professionalized within party (or, in the US, candidate) organizations. Instead of relying on diffuse volunteer labor for intensive localized and amateur campaigning, parties increasingly looked to advertising professionals for wider markets.²⁴³ In Canada, where party-centered politics prevailed, the control and financial burden of election campaigning increasingly centered on the national party, where there had before only been weak, fledgling organization, and on hired professionals.²⁴⁴ For example, in 1962 the Liberal Party of Canada employed its first public opinion

Figure 4.2: The Liberal Party of Australia Professionalizes (Job advertisement from the Age, 22 August 1973)



J.R. Westerway to C. S. Wyndham. 15 November 1966. In *Australian Labor Party Federal Secretariat Records*. National Library of Australia. MS4985. Box 43; C. S. Wyndham to P. Bowers (Industrial Printing and Publicity Company). 20 October 1966. In *Australian Labor Party Federal Secretariat Records*. National Library of Australia. MS4985. Box 43.

²⁴¹ Alexander, Herbert E. 1991. The Regulation of Election Finance in the United States and Proposals for Reform. In *Comparative Issues in Party and Election Finance*. F. Leslie Seidle, ed. Toronto: Dundurn Press: 6-7.

²⁴² Power, John. 1968, *Politics in a Suburban Community*. Sydney: Sydney University Press: 24.

²⁴³ Paltiel and Van Loon. 1966: 219-221, 238..

²⁴⁴ Wearing, Joseph. 1981. *The L-shaped Party: The Liberal Party of Canada, 1958-1980*. Toronto: McGraw-Hill Ryerson. Figuring out the extent of this centralization is difficult (because parties tend to keep their financial arrangements secret). Some indication comes from a rarely revealed tabulation by T.G. Spencer, a defeated candidate in the Canadian election of 1968. Spencer. In a private letter to party secretary Robert Bédard, Spencer estimated that about 40% of his campaign funds came from national party: T. G. Spencer to Robert Bédard. 25 September 1970. In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 618. Folder 15 "Election Expenses - Brief to the Special Committee of the House of Commons, Correspondence." Yet, we do not have much of an idea about the role of the national party before the 1968 elections, except to say that it was likely less—and likely much less before TV entered the political realm.

pollsters.²⁴⁵ In Australia too, central party organizations were professionalizing and strengthening. The Liberal Party of Australia centralized its campaigning operations, employed pollsters and, in 1973, created the National Campaign Committee.²⁴⁶ Party organizations struggled with these transitions. In the process, they identified a problem, typically phrased in terms of election “expenses” or “costs”, and gradually began to look to reform—both internal and legislative—to help them in their transition.

In the US, campaigning became more professional too, but concentrated around candidates rather than parties. Candidates increasingly ran their own campaigns with less and less financial or administrative help from their political party. Candidates established their own campaign committees, hired their own professionals and recruited their own volunteers. The direct primary had weakened party organizations no end. But it was rising costs and the availability of TV advertising to run personality candidate-centered campaigns that was, in the 1960s and 1970s, threatening to completely displace parties from the electoral campaigning game. The move toward candidate-based politics and campaigning left behind the old party machines, which increasingly searched for a role (Chapters 10 and 12).

Similarities in campaign financing abound, both in term of the problem identified and the potential solutions on the agenda. As a result of technological advances—particularly the arrival of television—and the increasing legitimacy, permanency and dominance of parties, campaign expenditures of political parties soared, placing immense stress on party fundraisers and fundraising in the 1960s. The struggle to raise the funds needed to mount expensive, centralized and professional campaigns meant that, at least at the margins, party fundraisers resorted to dubious fundraising behaviors. As time progressed, these dubious fundraising behaviors became more common. Revelations of shady dealings involving money in politics were ubiquitous in the 1970s. In addition to the famous Watergate Scandal—and its slush funds, burglars paid using campaign contributions and secret large corporate donations to Richard Nixon’s Committee for the Re-election of the President—there were numerous

²⁴⁵ Stanbury, William T. 1991. *Money in Politics: Financing Federal Parties and Candidates in Canada*. Toronto: Dundurn Press: 110

²⁴⁶ Starr, Graeme. 1980. *The Liberal Party of Australia: A Documentary History*. Richmond, Australia: Heinemann Educational: 292-93, 295-97; Mills. 2013.

instances of campaign organizations and politicians at lower levels in the US, and in other nations, engaging in questionable practices in pursuit of funds. A raft of US congressmen mixed official and personal business with campaign financing;²⁴⁷ the Australian Labor Party sought a US\$500,000 donation from a Middle-Eastern government (the “Iraqi Breakfast Affair”);²⁴⁸ the Ontario Cabinet awarded a lucrative contract to a property developer which, less than a month later, made a large donation to the political party in government (the “Fidinam Affair”).²⁴⁹ In the early 1970s, campaign finance practices were increasingly on the *public* agenda.

It is important to note that the parties studied in this thesis were often not forced or shamed into considering campaign finance reform. Long before the newspaper headlines brimmed with the fundraising exploits of parties and politicians, political operatives had identified problems in laws governing campaign financing in Australia, Canada and the United States. Within parties, the process of developing a reform agenda had begun by the 1960s (and sometimes as early as the 1940s). By the early 1970s, numerous political parties at the national, and state or provincial level, were ruminating internally over possible reform of campaign finance laws—sometimes running in overdrive as they desperately tried to respond to scandal and other parties’ proposals; sometimes idling along in measured, calm and considered deliberation of the issues relating to money in politics.

In the former group of debates over campaign finance reform, which occurred in the Wisconsin Republican Party, scandal and challenging financial situations ensured that things could not stay the same. Some sort of reform, *whether legislative or internal to the party*, was, in a sense, needed. Self-interests, in the outcome- and/or act-contingent sense, were strong. In this context, it seems natural that self-interests in electoral

²⁴⁷ For example, Thomas J. Dodd, US Senator for Connecticut, who was later censured by the Senate, used funds raised at campaign fundraisers for his own personal use; Californian Congressman Richard T. Hanna was involved in “Koreagate”, in which a large donation (maybe US\$200,000) was received by Hanna (and others) from a Korean businessman with the explicit intent of aiding the return of US soldiers to South Korea in 1976; Bobby Baker, a Democratic Party official, and his Serv-U vending machine company, attempted to bribe members of Congress; James F. Hastings, a New York Republican Congressman, was convicted of using public funds for his own personal use in 1976; and Maryland Senator Daniel Brewster was charged with accepting bribes from a mail order company in 1969. The list could go on.

²⁴⁸ See Kelly, Paul. 1994. *The Unmaking of Gough*. Sydney. Allen & Unwin: Mills. 2013: 129-130.

²⁴⁹ See: Manthorpe, Jonathon. 3 November 1972. Sargent Seeks to Stop Fidnam's Deal with WCB. *Globe and Mail*: 5.

reform would be the complete explanation for reform. In the case of dire financial problems, where the rational-actor framework expects outcome-contingent interests to prevail, a party's (or individual partisan's) support of a particular slate of reforms ought to be fully explained by the particular financial problems experienced by that party. In the case of scandal, where, in a rational-actor framework, act-contingent interests ought to take precedence, the fact of reform itself is explained the party's (or an individual partisan's) interests in adopting a pro-reform brand. In the case-studies in Part II and Part III of this thesis, however, these expectations are not met.

The latter kind of debates over campaign finance, in which parties engage in a calmer, drawn out and proactive campaign finance reform policy making process, are much more akin to other proactive and, in a rational-actor framework, “unnecessary” moves toward reform, such as the 21st century use of citizens' assemblies in response to concerns about apathy or the general malaise in a jurisdiction's democracy. These debates, which occurred in the Progressive Conservative Party of Canada, the Democratic Party of Wisconsin and the Liberal Party of Australia, are also similar to those that occurred (though are not fully studies) within political parties (especially the National Party) over the MMP referendum in 1993. In all these cases, there were amorphous senses about electoral risks of non-action in the longer term. In none of the cases, however, was there much immediate pressure on them. Politicians need to look to legislative reform at that time.

Yet, they did.

In these proactive policy-making case-studies, the rational-actor framework presumes the existence of strong outcome-contingent interests. Why would any politician consider, let alone pass, reforms when they did not need to (to solve a crisis in public opinion or their chances at power)? It must be because there were major gains to be had that outweighed any electoral risk of being seen to take advantage of the law. In the absence of evidence of electoral gain—in the case of MMP in New Zealand, citizens' assemblies in the 21st century (as discussed in Chapter 2.3), and, this thesis will show, campaign finance reform in the 1970s—the rational-actor framework falls down.

As time went on the existing laws looked more and more woefully outmoded for modern politics and changing party fundraising practices. The laws were frequently

disregarded or rendered ineffective by large loopholes.²⁵⁰ Until the late 1960s, most campaign finance regulatory systems in the United States, Canada and Australia were closely modeled on 19th century British law: the *Corrupt Practices Act 1854* (UK) or the *Corrupt and Illegal Practices Prevention Act 1883* (UK).²⁵¹ These acts sought to prevent candidates from treating or bribing voters to vote for them. They imposed expense limitations on *candidates*—the logic being that if candidate spending was strictly limited, candidates could not spend much on bribery—and required *candidates* to appoint an election agent who would lodge returns of their election expenses. These laws had little application in the modern campaigning world dominated by political parties and TV advertising, where candidates rarely considered offering meat and alcohol in exchange for votes. As noted by Patrick Lucey, the governor of Wisconsin, when urging for campaign finance reform in 1974, the existing campaign finance laws had been drafted in an age:

before commercial radio, before television, before scientific polling, before advertising agencies, before Watergate and Teapot Dome, before the birth of virtually every person in this room, when postage cost a penny and travel expenses were usually expressed in “bales of hay.”²⁵²

Additionally, up until the late 1960s in the Westminster jurisdictions, political parties were formally categorized as private associations, unrecognized and unregulated by the law.²⁵³ And so, political parties controlled money in politics, campaigns, nominations and individual legislator’s votes in the legislature, but election laws read as if candidates—and not parties—controlled money, campaigns, nominations and their

²⁵⁰ Anderson, Eric S. 1976. Comments: Campaign Finance in Wisconsin after Buckley. *Wisconsin Law Review* [1976]: 822. For examples of Australian parties admitting they did not follow the existing laws about disclosing spending see: J.R. Willoughby (Liberal Party Federal Director) to Allen Fairhall (Minister for the Interior). 22 November 1956. Re: Commonwealth Electoral Act. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 134:3; Liberal Party of Australia (Victorian Division). 1981. Electoral Act Review (Submission to the Harders’ Review). In *Alan Missen Papers*. National Library of Australia. MS7528. Box 302.

²⁵¹ Anderson. 1976; Ewing, Keith D. 1992a. *Money, Politics, and Law: A Study of Electoral Campaign Finance Reform in Canada*. Oxford: Oxford University Press: 34; , Mutch. 1991: 77.

²⁵² Partial Text of Lucey’s Talk to Legislators. 30 January 1974. *Milwaukee Journal*: 8. The Teapot Dome Scandal involved President Warren Harding’s Administration in the 1920s, which engaged in non-competitive leasing of government land to oil companies in exchange for money and loans.

²⁵³ Courtney, John C. 1978. Recognition of Canadian Political Parties in Parliament and in Law. *Canadian Journal of Political Science*. 11(1): 33-60; John. 2014.

In the US, the introduction of the Australian ballot in the late 19th century was accompanied by the legal recognition, and later regulation, of political parties.

votes in the legislature. A summary of the regulation of money in politics in each of the jurisdictions in the lead up to the 1970s reforms is contained in Appendix 3.

By the 1970s, legislative action on the floors regarding campaign finance was common. Congress legislated first, introducing national laws on donation disclosure and imposing spending limits (which were soon struck down by the Supreme Court²⁵⁴). Soon after Watergate, many state legislatures and the parliaments of Australia and Canada had campaign finance reform bills before them, typically involving donation disclosure, spending limits and contribution limits. Reform bills passed in Canada in January 1974 and Wisconsin in July 1974. Australia's campaign finance reform package did not pass the Senate and so languished at the end of the 1974-1975 parliamentary session. More information on the bills before each of the legislatures is contained in Appendix 3 and a timeline of events in each of the jurisdictions is available for reference in Appendix 5.

As a consequence of the reforms studied in this thesis, the regulatory aspects of political money were dramatically altered in the 1970s.²⁵⁵ Campaign finance laws became more detailed²⁵⁶ and increasingly beneficial to parties. No longer concerned with candidates bribing voters, laws sought to regulate influence in the opposite direction. Laws targeted the influence of special interests or the wealthy on parties and legislators.²⁵⁷ Public funding schemes were introduced, firstly for US presidential races in 1971, but then spreading to a myriad of jurisdictions, including Canadian federal elections (1974), Wisconsin state elections (1975), Ontario provincial elections (1975) and, finally, for Australian federal elections (in 1983). In a complete turnaround, campaign finance laws in the Westminster jurisdictions centered on party, rather than candidate, finance.

²⁵⁴ *Buckley v. Valeo* 424 U.S. 1 (1976).

²⁵⁵ In the case of Australia, these transformations were not enacted into law until the 1980s.

²⁵⁶ Cass, Deborah. Z. and Sonia Burrows. 2000. Commonwealth Regulation of Campaign Finance - Public Funding, Disclosure and Expenditure Limits. *Sydney Law Review*. 22 (4): 477-526; Orr, Graeme. 2003. The Currency of Democracy: Campaign Finance Law in Australia. *UNSW Law Journal*. 26(1): 1-31; Anderson. 1976.

²⁵⁷ Alexander, Herbert E. 1989. Money and Politics: Rethinking a Conceptual Framework. In *Comparative Political Finance in the 1980s*. Herbert. E. Alexander, ed. Cambridge: Cambridge University Press: 13-14.

Campaign finance reforms of the 1970s were accompanied by and contributed to immense changes in the relationships between party, state and citizens. Political parties became more dependent on the state. The public purse increasingly funded and assisted political parties, while citizens continued to withdraw from political parties and elections, participating less than they had mid-century. Even in the United States, where the electoral reforms of the early 20th century had transitioned political parties to “quasi-public utilities”,²⁵⁸ campaign finance reforms in the 1970s profoundly changed political party financing. In the context of the US federal reforms, Herbert E. Alexander characterized them as the “the most sweeping changes in federal election statutes since the Progressive Era more than 60 years earlier.”²⁵⁹

Overseeing these transitions were political parties, with significant (although varying) self- and party- interests, expertise in the reforms, and power over the outcomes. In these majoritarian democracies, parties were typically used to top-down decision-making processes, of wildly varying degrees of formality and order. This organizational tendency ensured party elites controlled the reform process more, and the process was more limited and concentrated than may have been the case in consensual democracies.²⁶⁰ These party elites had a direct and deep interest in the fine details of the campaign finance law reform proposals of the time. It is trite to note that “Money is the mother's milk of politics”²⁶¹ but it is also firmly at the center of party business. In Australia and Canada, parties completely dominated election fundraising and spending. In the United States fundraising was the last major role for political parties. By the 1970s, American party organizations “served primarily as another source of campaign contributions for individual candidates.”²⁶² In every aspect of the debate then, parties had deep and direct interests in the passage of reform and in the specific provisions of the reform.

As a consequence of their centrality to campaign finance, parties and partisans were utilized as experts on campaign finance practices, the operation and defects of existing

²⁵⁸ Epstein. 1986.

²⁵⁹ Alexander. 1991: 5.

²⁶⁰ Lijphart. 1999.

²⁶¹ To use the words attributed to “Big Daddy” Jesse M. Unruh in 1966 (Quoted in Politics: Hale Fellow at Yale. 1962. *Time Magazine* December 14, 1962).

²⁶² Zelizer, Julian E. 2002. Seeds of Cynicism: The Struggle over Campaign Finance 1956-1974. *Journal of Policy History* 14(1): 75.

laws and the likely impact of reforms during public policy-making processes. Campaign finance law, to most outsiders, is one of those technical, abstruse, complicated and largely unknown areas of election law. However, candidates and parties—who paid the most attention to raising and spending political money, and figuring out how much of it others had—necessarily have an in depth knowledge of much of that minutia. Their knowledge of the operation of the law likely matched or exceeded that of the bureaucrats who enforce the law. Legislators were aware of their special expertise: as Canadian MP Alan J MacEachen observed, “every member of the House in a sense is an expert on election expenses because each member had met the difficulties and responsibilities in a financial way of contesting a general election.”²⁶³ Other members of political parties—such as the party executives who coordinate and conduct party election campaigns—also knew much about the law and its loopholes.

Party executives and legislators, like lobbyists on other matters, were the natural authorities on the topic of campaign finance reform. In the 1970s, these highly interested expert partisans were called on as authorities to assess the detail of campaign finance reform proposals²⁶⁴ and their advice was often heeded—with their policy suggestions being adopted into law. This is at once odd—since it amounts to asking those with the most direct interest in the law to assess the law’s merits—but its oddity presents an especially potent test case of the assumption of self-interest. If parties are primarily motivated by self-interest, then, more than for other electoral reforms, self-interest alone ought to explain the policies adopted and reforms made (or not made) to campaign finance laws in the 1970s—since intense interests, knowledge and the power of parties and partisans were merged. If not, self-interest is not a useful proxy for motives.

The commonalities in the impetuses for considering reform, the timing of the reform movements, the expertise and centrality of political parties in Australia, Canada and the United States in the early 1970s also make campaign finance reform an ideal reform

²⁶³ Canada. 18 May 1972. *House of Commons Debates*. Vol. 3: 2404 (Allan J. MacEachen, President of Privy Council).

²⁶⁴ For example, party executives were the star witnesses in Wisconsin at the hearings of the Senate Judiciary and Insurance Committee into campaign finance reform in 1973-1975 (Chapter 10); they were also high profile at the Canadian House of Commons Special Committee on Election Expenses hearings in late 1970 and early 1971 (Chapter 14).

to study party motivations toward reform. These similarities, as well as the latent parallels in the jurisdictions studied (as former children of the British Empire²⁶⁵ with long histories of stable democracies and developed economies) is in sharp contradistinction to much of the existing literature.

Qualitative Case-Studies often study reform in one jurisdiction. Rational choice studies typically study diverse electoral systems transitions, a diverse array of nations, or a diverse array of times looking for broad-gauged patterns between cases. Studies of the same electoral reform, in closely aligned jurisdictions during the same time period are rare. Indeed, even Renwick's expansive comparative study compares diverse electoral systems reforms over a few decades: France's move from run-off voting to closed-list PR back to run-off voting in 1985-1995; Italy's abandonment of PR to an additional member system in 1993, to a party list system in 2005; New Zealand's adoption of MMP from FPTP in 1993 and Japan's transition from a single non-transferable vote system to a mixed-member majoritarian voting system in 1994.²⁶⁶ Similarly, Matthew Shugart and Martin Wattenberg's edited collection *Mixed-Member Electoral Systems: The Best of Both Worlds?*, investigates mixed electoral systems in countries including Germany, Israel, Japan and Venezuela.²⁶⁷ Studying cases with as much similarity as campaign finance reform in the early 1970s in jurisdictions across Australia, Canada and the United States offers an opportunity to examine fine grain distinctions in party motives and behavior, with many of the other variables (semi-) controlled, during an important cross-national public-policy moment.²⁶⁸

Yet, still, there are important differences between the three jurisdictions from which the case-studies are taken. The Wisconsin case-studies occurred in the context of a separated system with looser party discipline and more candidate-centered politics than the other cases. It is expected that there would be less of a coordinated, internal policy-making process in the Wisconsin parties, which proves to be true (Chapters 10 and 12). Nonetheless, individuals—candidates, activists and officials—mobilized under

²⁶⁵ Hartz, Louis. 1964. *Founding of New Societies: Studies in the History of the United States, Latin America, South Africa, Canada, and Australia*. New York: Harcourt, Brace & World.

²⁶⁶ Renwick. 2010.

²⁶⁷ Shugart, Matthew Soberg, and Martin P. Wattenberg, eds. 2001. *Mixed-Member Electoral Systems: The Best of Both Worlds*. Oxford: Oxford University Press.

²⁶⁸ Lijphart, Arend. 1971. Comparative Politics and the Comparative Method. *American Political Science Review* 65(3): 682-693; Boix. 2010: 404.

their party label on campaign finance reform issues. This more dispersed politics is examined in Chapters 10 and 12, which show that internal party processes toward reform are less developed than in the Australian and Canadian political parties, but that the motives of partisans, who typically participate in the process as both individual political actors and representatives of their party, are of a similar character and diversity as in the other case-studies.

The Australian case-studies are distinct from the Wisconsinite and Canadian because of the presence of compulsory voting. Compulsory voting changes calculi of self-interest, for those political actors so motivated, by reducing the relevance of public opinion. In the Australian case-studies, we do see the freeing up of those political actors who were motivated by self-interest—both party politicians and party officials—to preference outcome-contingent type interests (in winning governance) over act-contingent type interests in conforming to social norms. This theme will be expanded upon in Chapter 11.

While these differences are interesting, they do not drown out the overwhelming evidence that the motivations of partisans in the campaign finance reform debates of the 1970s in Australia, Canada and the US, were shaped by the experience of the individual within their political party *and* the internalized conceptions of broader social and personal expectations about proper conduct.

4.2 EXISTING UNDERSTANDINGS OF PARTY MOTIVES IN CAMPAIGN FINANCE REFORM IN AUSTRALIA, CANADA AND THE UNITED STATES IN THE 1970S

In the literature on campaign finance reform in the 1970s in Australia, Canada and the United States, like the literature on electoral reform more generally, parties are understood as self-interested actors. That is not to say that campaign finance regulatory regimes are understood as embodying the interests of the party in power.²⁶⁹ In the

²⁶⁹ Indeed, there are comparative or theoretical works on campaign finance practices and regulatory regimes across the world that center on the principles they encapsulate or seek to establish a best practices regime: Karl-Heinz Nassmacher. 2009. *The Funding of Party Competition: Political Finance in 25 democracies*. *Nomos*, 2009; Michael Pinto-Duschinsky. 2002. *Financing Politics: A Global View*. *Journal of Democracy*. 13(4): 69-86; Ingrid van Biezen and Petr Kopecký. 2007. *The State and the Parties: Public Funding, Public Regulation and Rent-Seeking in Contemporary Democracies*. *Party Politics*. 13(2): 235-254; Ingrid van Biezen. 2003. *Financing Political Parties and Election Campaigns: Guidelines*. Germany: Council of Europe. For a review of research in the area see Susan E. Scarrow. 2007. *Political Finance in Comparative Perspective*. *Annual Review of Political Science*. 10:193-210.

campaign finance reform context, there are three main, and sometimes competing, forms of assumed interests that tend to dominate accounts of politicians' motives in reform debates:

1. Party-interests in “revenue maximizing” (ie. maximizing the amount and reliability of funds);²⁷⁰
2. Party-interests in maximizing “electoral economy” (ie. playing the politics of the issue or mitigating of the impact of scandal and thereby increasing the odds of re-election);²⁷¹
3. Power interests (which may entail the use of campaign finance packages to win the support of other political parties within the legislature or factions to ensure smooth governance).²⁷²

In understanding the 1970s reforms in the United States, writers have emphasized different interests. Herbert E. Alexander, writing in the 1990s, emphasized party short-

However, if these works touch on the *motives of political parties in adopting a particular slate of reforms*, they—like other works—concentrate on the self-interest of political elites. This tendency can be seen clearly in the edited collection *Comparative Political Finance in the 1980s*. In Herbert E. Alexander's introductory chapter, which discusses of campaign finance regulation broadly, principles and values are discussed. However, in the individual chapters, the treatment of the role of parties in individual cases of reform returns to interests as the explanatory framework (for Canadian, Australian and American case-studies, refer to Chapters 3, 4 and 5): Herbert E. Alexander, ed. *Comparative Political Finance in the 1980s*. Cambridge: Cambridge University Press.

The public interest perspective view, discussed generally in Chapter 2.2, sees campaign finance reform as embodying reformers' concerns—and the principles and values they held dear: La Raja. 2008. However, when public interest scholars turn to the motives of established political parties in adopting (or not) campaign finance rules, they understand these established parties to be self-interested. Reform outcomes may be understood to embody virtue, certainly, but this virtue is only a by-product of parties choosing the measures advocated by others in order to protect their self-interest in re-election.

Plenty or recent work is explicit in its adoption of the rational choice framework: Jonathan Hopkin *The Problem with Party Finance: Theoretical Perspectives on the Funding of Political Parties* *Party Politics* 2004 10(6): 627-651; Zim Nwokora. 2012. *The Distinctive Politics of Campaign Finance Reform*. *Party Politics*. Advance Online Publication. DOI: 10.1177/1354068812462922; Scarrow, Susan E. 2004. *Explaining Political Finance Reforms: Competition and Context*. *Party Politics* 10(6): 653-675.

By contrast, rejection of the assumption of self-interest when addressing the motives of established political actors is rare. One example is work by Ben Clift and Justin Fisher, who test competing frameworks (rational actor versus social norms) in the context of British and French campaign finance reforms. They conclude that social norms frameworks explain as much, if not more, than the rational actor framework: 2004. *Comparative Party Finance Reform: The Cases of France and Britain*. *Party Politics* 2004 10: 677.

²⁷⁰ Scarrow. 2004; Orr. 2003; Alexander. 1991.

²⁷¹ Scarrow. 2004; Alexander. 1991; Stanbury. 1991: 35.

²⁷² Alexander. 1991; La Raja. 2008; Mutch 1991; Paltiel 1989.

term electoral economy interests, which took primacy over longer-term revenue maximizing interests. Reform-adverse legislators and parties were, Alexander argued, overcome by the electoral risks of scandal or the mobilization of reformers.²⁷³ In this view, it was reformers—such as Common Cause—who raised concern, and the response of the public, that forced parties to back down from the shameless pursuit of their revenue maximization interest and pass reform laws. Indeed, Alexander asserted, campaign finance reform can “almost always” be explained as a defensive and reactive response by legislators who are fearful of an angry electorate’s response to scandal.²⁷⁴ It should be noted that it is outrage about the details of politicians’ behavior (scandal), not pre-existing interests of politicians that are the necessary condition for reform in Alexander’s account. The outrage is, of course, informed by values and norms of political behavior. But, it is the outrage—not the values—that creates the interests in politicians and spurs them into action.

Raymond J. La Raja, writing in 2008, argued that campaign finance reform in the US in the 1970s is better understood not as an electorally economic response to party fears about angry voters and citizens’ groups, but as the result of intraparty factional competition over the self-interests of individual partisans in both power and revenue maximization.²⁷⁵ Again, norms are important here, because they inform public opinion. But La Raja is concerned with the specific reform measures adopted in the atmosphere of crisis, and these, he argues, are explained by competing interests. By contrast, political historian Julian E. Zelizer argued that the lead up to the 1970s reform was driven by “political actors operating at the margins of power who believed that representative government could be improved.”²⁷⁶ Zelizer noted that these political actors included partisan legislators (although not mainstream or leadership-level partisans). Here, we have a rare characterization of politicians as potentially being motivated by values (rather than motivated by self-interests that are created by the outrage of others). This characterization applies only to those on the fringes of power, and only at the early state of the debates. Later, mainstream partisans melded the

²⁷³ Alexander. 1991: 6; see also: Mutch. 1991: 58-59; Mutch, Robert E. 1988. *Campaigns, Congress and the Courts: The Making of Federal Campaign Finance Law*. New York: Praeger: 191.

²⁷⁴ Alexander. 1991: 6.

²⁷⁵ La Raja. 2008.

²⁷⁶ Zelizer. 2002: 74.

agenda to their revenue maximization interests and scandal provided the final push (by enlivening partisans' electoral efficiency interests) for reform.²⁷⁷

Overall, the literature on US 1970s campaign finance reform indicated that social norms and values mattered to reform, but only to the interpretation of events by the broader public (or, at best, those at the fringes of politics). These interpretations and responses created interests, which motivated politicians. It was these self-interested motives of politicians that led to reform.

Canadian accounts of 1970s campaign finance reform bear similarities to American accounts in that parties are understood to be interested and predisposed to oppose reform. In separate accounts, Khayyam Zev Paltiel and Leslie Seidle argue that the New Democratic Party, an emergent new force in Canadian politics at the time (which may have been, as a party at the margins of power, motivated by values), forced the hands of the governing Liberal Party. The Liberal Party was presumed to be opposed to reform because of its interests in maintaining the laissez-faire system to maximize its revenue, but, it is argued, they needed to play politics in order to serve their stronger power interests.²⁷⁸ The accepted version of this reform is, then, that the Liberal Party, led by Prime Minister Pierre Trudeau, begrudgingly agreed to pass a campaign finance bill as a consequence of the concessions required when in minority government; campaign finance reform was, as Paltiel put it, "part of the price elicited by the NDP in return for its support of the Liberal government."²⁷⁹

²⁷⁷ Zelizer. 2002: 74. Zelizer argued that legislators, struggling to adapt to the new, costly, campaigning technology and techniques, increasingly came to view their self-interest in the terms of the measures proposed by reformers. Zelizer understands mainstream partisans to be naturally self-interested. However, he leaves room at the fringes of power for other motivations, particularly democratic values. Scandal was not too important to reform. Like Zelizer, Susan Scarrow found, in studying German campaign finance reform that scandal was unimportant: Scarrow. 2004.

²⁷⁸ Paltiel. 1989; Seidle, F. Leslie. 1985. The Election Expenses Act: The House of Commons and the Political Parties. In Courtney, John (ed). *Canadian House of Commons: Essays in Honour of Norman Ward*. Calgary: University of Calgary Press: 113-132.

²⁷⁹ Paltiel. 1989: 56; Seidle. 1985: 116-117; Stanbury. 1991: 149; Beange, Pauline E. 2012. *Canadian Campaign Finance Reform in Comparative Perspective 2000-2011: An Exhausted Paradigm or Just a Cautionary Tale?* Doctoral Dissertation. Department of Political Science. University of Toronto. Writers are emboldened by observations that the NDP did, in fact, benefit after the campaign finance reform package passed: for example, Stanbury. 1991: 73, 149, 154.

In Australia, academic attention to issues around money in politics—until very recently—has had a far lower profile than in North America,²⁸⁰ and studies in campaign finance reform have come almost exclusively from legal scholars seeking to explain the evolution of the contemporary legal regime. In this literature, the campaign finance reform struggles of the 1970s (and therefore the role of party in them) are completely ignored²⁸¹ because (unlike the North American cases) the struggles did not result in the passage of legislation. Even in looking at the reform that eventually succeeded in the 1980s—a decade after reform in North America—the Australian literature does not explore the role of party in reform, except to note that it was the Australian Labor Party that controlled the legislature at the time. The implicit conclusion is that the reform of 1983 was the result of the ALP’s own revenue maximizing interest; it had, after all, a smaller (and diminishing) funding base than the Liberal Party and appeared to desperately need public assistance—the connection between this and the Labor Party introducing a bill for reform including public funding of party election campaigns seemingly obvious, especially in a markedly utilitarian culture.²⁸² Norms, outrage, and scandal play no role in Australian accounts. This is in no small measure because there was little outrage from the public in Australia and because political parties were expert at maintaining the secrecy of their finances.

In these American, Canadian and Australian accounts, parties—and factions within them—tend to be one-dimensional in that are understood to be motivated by interests.

²⁸⁰ For example, Deborah Cass and Sonia Burrows quote Dr. Carmen Lawrence (an Australian politician), who noted a “conspiracy of silence among Australian politicians” about campaign finance, as evidence for their observation that the literature on campaign finance is “sparse”: Cass and Burrows. 2000: 478 (fn 8).

²⁸¹ Ewing, Keith D. 1992b. The Legal Regulation of Electoral Campaign Financing in Australia: A Preliminary Study. *University of Western Australia Law Review* 22: 239-40; Orr, Graeme. 2006. Political Finance Law in Australia. In *Party Funding and Campaign Financing in International Perspective*. Keith D Ewing and Samuel Issacharoff, eds. Oxford: Oxford University Press: 103; Orr, Graeme. 2010. *The Law of Politics: Elections, Parties and Money in Australia*. Annandale, Australia: Federation Press: 240-241; Some, Teresa. 1998. Political Parties and Financial Disclosure Laws. *Griffith Law Review* 7(2): 174-184.

²⁸² Cass and Burrows. 2000; Orr. 2003: 2, 5-7; Orr. 2007; Some. 1998; Tham, Joo-Cheong. 2010. *Money And Politics: The Democracy We Can't Afford*. Sydney: UNSW Press: ix; Young, Sally. 2006. Public Funding of Political Parties. In *Political Finance in Australia: A Skewed and Secret System*. Joo-Cheong Tham, ed. Canberra: Democratic Audit of Australia: 36-60; Young, Sally, and David Tucker. 2002. Chapter 3: Public Financing of Election Campaigns in Australia - a Solution or a Problem? In *Big Makeover: A New Australian Constitution: Labor Essays*. Glenn Patmore and Gary Jungwirth, eds. Annandale, NSW: Pluto Press: 64-66. *Contra* Chaples, Ernest A. 1989. Public Funding of Elections in Australia. In *Comparative Political Finance in the 1980s*. Herbert. E. Alexander, ed. Cambridge: Cambridge University Press: 77-78.

The exact characterization of those interests varies, but whether the interests are understood to lie in re-election (electoral efficiency), in campaign booty (revenue maximization) or in maintaining government (power interests), the motivations of parties are (almost) always understood in terms of self-regarding interests. The campaign finance reform literature, then, is much like other literature on electoral reform and abundant archival records offer a prime opportunity to reassess the motives of parties in 1970s campaign finance reform.

4.3 THE EIGHT CASE-STUDIES IN THIS THESIS

In this study of partisan motives in the campaign finance reform processes of the 1970s, records kept by parties about their internal operations in the early 1970s provide an unparalleled set of data on party behavior and motives in policy-making from which to draw. In particular, the archival records utilized in this thesis reveal hitherto undiscovered debates, detail, themes and meaning in eight case-studies of policy-making in six different parties from three jurisdictions (Australia, Canada and Wisconsin). These records have been available since the mid-2000s, but have never been used for this purpose. Consequently, the eight party policy-making case-studies are not necessarily yet known to the public record. They have received scant or no attention from academia. Indeed, in several of the case-studies there was no way of knowing that the party actively made policy on campaign finance reform, other than by luck when interviewing former partisans about reform generally or, more reliably, scanning reams of finding aids for party records to identify party deliberations over campaign finance reform. Yet, these eight case-studies, all of which involved parties generating policy on the regulation of their own finances and campaign practices, are of tremendous importance to our understanding of motives in electoral reform.

The eight case-studies, in the order in which they appear in the thesis, are:

- (1) The Liberal Party in Australia researching reform options in response to rumors of the government party's campaign finance reform plans in 1973 (Chapter 6)
- (2) The Australian Labor Party, in government, developing its campaign finance reform bill in 1973 and 1974 (Chapter 7)
- (3) The Progressive Conservative Party of Canada drafting a policy submission to the House of Commons Special Committee on Election Expenses in 1970 (Chapters 8 and 9)
- (4) The Wisconsin Republican Party developing and advancing its policy that parties should have a central role in campaign finance during reform debates in 1973-1974 (Chapter 10)

- (5) The Liberal Party in Australia deciding on its policy and strategy in response to the government party's campaign finance reform plans, 1974 (Chapter 11)
- (6) The Wisconsin Democratic Party debating and negotiating over campaign finance in 1973-1974 (Chapter 12)
- (7) The Progressive Conservative Party of Canada coming to endorse the concept of donation disclosure 1967 – 1974 (Chapter 13)
- (8) The Liberal Party of Canada developing their campaign finance reform agenda, 1964-1974 (Chapter 14)

This study bases its conclusion on, rather than supplements them with, evidence from the archival records exhaustively listed in Appendix 1.

For each of these case-studies, archival records are used, wherever possible, to build the narrative of events, and only supplemented by newspapers, public statements and retrospective interviews. Each document that touches on campaign finance reform has been examined and recorded and an assessment made as to what motives, if any, it reveals using the framework outlined in Chapter 5. To better inform the reader, in many instance the actor will be quoted, so that his or her (usually his) personality, idiosyncratic syntax and meaning is laid bare for the reader to enjoy, assess and judge. Where the party records are text-rich enough, with enough text or respondents, summary tables of correspondence and behavior are provided to supplement the qualitative historical analysis.²⁸³ It is hoped that as the thesis progresses, the reader will develop a feel for how reform processes actually progressed behind the scenes.

The absence of significant editing of the party archival material is well demonstrated by a few examples of documents contained in the records used, which ought to assuage residual doubts about the reliability of the records contained in archives. Several are provided in Appendix 4. For example, the records of Billy Snedden, leader of the Liberal Party of Australia in 1973, contain a letter from James Hardie Asbestos Corporation, in which the company chairman pledged to donate AUS\$10,000 to the party: AUS\$5000 to be paid immediately and AUS\$5000 upon the company's assessment of whether the party made the right policy changes, as suggested in detail by the chairman's letter

²⁸³ In some of the case-studies, where the text was especially rich content analysis was considered. It was rejected, upon closer analysis, because of the absence of a control group and because the text of the records proved to be far too context specific to enable reliable use of content analysis (even *qualitative* content analysis methods): see, Kohlbacher, Florian. 2006. The Use of Qualitative Content Analysis in Case Study Research. *Forum: Qualitative Social Research*, 7(1): 1-23.

(Appendix 4).²⁸⁴ The notes on the letter imply that the Party did indeed attempt to conform to the request, in direct conflict with claims Snedden made publicly—just a few weeks later—about the Liberal Party only accepting donations “completely without strings or conditions.”²⁸⁵

Other examples (extracted in Appendix 4) include a receipt book for the Australian Labor Party, which reveal a series of large donations from private companies and anonymous donors; embarrassing attempts by party officials in the Wisconsin Democratic Party to corral their Assemblymen to follow the platform by withholding party funds (see Chapter 12) and cynical strategizing in the Progressive Conservative Party of Canada about how to embarrass the government and “delay passage of the [campaign finance reform] Bill until the Fall, while appearing, in principle, to be in the fullest support of it.”²⁸⁶ If partisans had were seeking to obfuscate the historical or public record, these are precisely the documents parties would likely have removed.

CONCLUSION

This thesis studies eight cases of intraparty policy-making on campaign finance from the 1970s from six political parties in Australia, Canada and Wisconsin. The study of intraparty policy development on the issue of campaign finance regulation in the early 1970s from these jurisdictions offers an opportunity to compare similar reform issues in similar places that considered reform for similar reasons in the same few years. Campaign finance reform processes are ideal for the study of partisan motives. Campaign finance is an area of election law in which the interests of partisans are especially direct. Furthermore, self-interest can be obscured in public debate due to the abstruse nature of the campaign finance laws.

Not only are these case-studies useful as a study of party motives in electoral reforms, they are also important in their own right. Campaign finance reform was, as Donald A.

²⁸⁴ J.B. Reid (Chairman of James Hardie) to Sir Charles McGrath (Liberal Party Treasurer). 24 September 1973. In *Sir Billy Snedden Papers*. National Library of Australia. MS6216. Series 4. Box 46. Folder 46.

²⁸⁵ Billy Snedden. 16 October 1973. Press Release. In *Robert Southey Papers*. National Library of Australia. MS9901. Box 6. Folder “Federal Executive Council Meeting 30 November 1974”.

²⁸⁶ Progressive Conservative Party. 29 June 1973. Agenda to the Special Meeting with Respect to Amendments to the Canada Elections Act (Confidential, Copy No. 22). In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 629. Folder “Election, 1974. Election Expenses Act 1974”: 7.

Gross and Robert K. Goidel note, “the major issue of governmental reform” in the 1970s.²⁸⁷ The reforms produced profoundly altered the relationship between citizen, party and state and helped facilitate the cartelization of political parties. Yet, despite the dramatic reforms of the 1970s, the regulation of money in politics—especially the limitation of undue influence of corporations, unions, development companies and other third-parties—is a live issue today.

Struggles to perfect campaign finance continue. The consequences of *Citizens United v. Federal Election Commission* (2010)²⁸⁸ and, more recently, *McCutcheon v. Federal Election Commission* (2014),²⁸⁹ are still playing out in the US.²⁹⁰ In Australia, a new reform movement that, finally, seeks to prohibit foreigners and corporations from influencing politics (and in some iterations goes as far as banning all private money), is presently sweeping the states.²⁹¹ In Canada, where the federal Supreme Court upheld legislative efforts to regulate campaign finance,²⁹² three major—and contested—campaign reform bills became laws in the first decade of the 21st Century introducing tighter limits on third-party spending.²⁹³ Understanding how parties and partisans have behaved in campaign finance reform debates and their motivations for their behavior has very real applications to the continuing contemporary debates.

²⁸⁷ Gross, Donald A. & Robert K Goidel. 2003. *The States of Campaign Finance Reform*. Columbus: Ohio State Press: 1.

²⁸⁸ 558 U.S. 50 (2010).

²⁸⁹ 572 U.S. ____ (2014).

²⁹⁰ See: In Congress, the *Democracy is Strengthened by Casting Light on Spending in Elections Bill 2010* (the “DISCLOSE” Bill) and *Democracy is Strengthened by Casting Light On Spending in Elections Bill 2012* (“DISCLOSE 2.0”) were introduced (but not passed). Other efforts are made on the judicial and constitutional amendment front, with public interest groups (like Common Cause and the Brennan Center) pursuing litigation and the media and academia discussing the merits of a constitutional amendment.

²⁹¹ It has just experienced a major setback from the High Court. The High Court in *Unions NSW v NSW* [2013] HCA 58 ruled that provisions limiting the spending of third parties in the *Election Funding, Expenditure and Disclosures Amendment Act 2012* (NSW) were unconstitutional. Nonetheless, many other campaign finance laws have been passed around Australia in recent years. For example, *Electoral Reform and Accountability Amendment Act 2011* (Qld); *Election Funding and Disclosures Amendment Act 2010* (NSW); *Electoral (Funding, Expenditure and Disclosure) Amendment Act 2013* (SA).

²⁹² For example in *Harper v. Canada (Attorney General)* [2004] 1 S.C.R. 827, 2004 SCC 33

²⁹³ See: Beange. 2012; Boatright, Robert G. 2013. *Interest Groups and Campaign Finance Reform in the United States and Canada*. Ann Arbor: University of Michigan Press.

CONCLUSION TO PART I: RESEARCH DESIGN

How are we to interpret Tom Kent's reflections that the Canadian Liberal Party's flirtations with campaign expense limitation were not guided by the party's financial situation or interests (p. 1) or the behavior of the Liberal Party of Australia in opposing a disclosure bill that would have shone light onto its finances for the first time ever (pp. 51-53)? Do we cynically disregard anything said publicly in favor of relying on seemingly objective and rational (if, at times, *post hoc*) data like electoral results and estimations of a party's financial position?

In Part I, this thesis established that the established approaches to electoral reform generally, and campaign finance specifically, are not sufficient to fully understand the role of party in reform. It offered a critique of the bulk of existing methods, mostly based on the problems associated with assuming self-interest and operationalizing methods that use the assumption. It argued that qualitative approaches should not be discounted as inferior to rational choice studies. However, qualitative approaches to electoral reform should be less inclined to overlook evidence of the actual motives of political parties. Archival records—collected, stored and deposited by political parties—were held up as a promising potential data source (along with survey and interview data) to investigate party policy-making processes on electoral reform matters. In particular, eight cases of party campaign finance reform development from the 1970s were introduced as optimal for studying party motives in reform, due to the availability of data, the salience—both contemporarily and today—of the issue of regulating money in politics and political parties' intense, direct interest, expertise and power over the path of reform in the case-studies.

Having justified its approach and set out the case-studies, the thesis launches into Part II, in which the motives of individual partisans who shaped the campaign finance reform agenda of four different political parties are uncovered.

PART 2
IDEALISTIC ACTIVISTS, SUSPICIOUS EXECUTIVES AND
SELFISH LEGISLATORS? POLICY DEVELOPMENT WITHIN
PARTIES

**3 ways
to handle
the 20%^{or more} increase
in food prices**



In seventeen months under Labor, food prices have leapt a staggering 20% (5 times faster than in 1972).
The Liberal Party will control this horrifying rate of inflation through better national housekeeping. Our working plan for co-operative action between governments, unions, employers and consumers will result in more goods in shops at stable prices.
Think again. Isn't Liberal Government what this country needs?

**Think
again**
vote
Liberal
on May 18

APPROVED
by the Hon. G. McEwen
Liberal Party, P.O. Box 1
212 Street Road
South Melbourne, VIC. 3206

LF1003/V

Figure 5.1: Liberal Party of Australia 1974 Election Advertising.²⁹⁴

²⁹⁴ Printed in *the Age*, 6 May 1974: 12.

INTRODUCTION: POSITION AND PERSPECTIVE



Figure 5.2: Letterhead of the Wisconsin State Senate.²⁹⁵

In opening a December 1973 public hearing into campaign finance reform in Wisconsin, Gerald D. Lorge—Wisconsin Senate Judiciary and Insurance Committee Chairman and long serving Republican state senator—posed six questions for the committee’s consideration. Two of those questions were “What should be the role of political parties in raising money and financing campaigns?” and “Should public dollars be used to help fund campaigns?”²⁹⁶

The roles of political parties and the state in financing the campaigns of candidates would prove to be major subjects of contention in the public policy-making process (discussed in Chapters 10 and 12). Many partisans—both Republican and Democrat—sought to influence the public policy agenda from 1973 through 1975. These partisans had varying experiences with elections and campaign finance laws. Some occupied elective office in the Wisconsin legislature and, every 2 or 4 years, engaged in the elaborate fundraising and spending that 1970s election campaigns required. Others held formal decision-making positions within the party executive and were responsible for overseeing party fundraising activity. Others were employed by the party organization as fundraisers, opinion pollsters or researchers. Others were not experts in the field, but occasional volunteer activists at the local level who were concerned about the role of money in politics.

²⁹⁵ Taken from a letter of Dale T. McKenna to Patrick Lucey, April 4 1974. In *Fred A. Risser Papers*. Wisconsin Historical Society Archives. Mss319. Box 14: 1.

²⁹⁶ Lorge, Gerald D. 5 December 1973. Opening Statement (Public Hearing in Senate Judiciary and Insurance Committee). In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

Public stances make it clear that many of these partisans, even those from the same party, had vastly different takes on policy. For example, both parties were divided on the wisdom, effect and detail of a scheme to fund party expenses from the public purse. In June of 1973, the State Convention of the Wisconsin Democratic Party²⁹⁷ resolved in favor of public financing of election expenses using a state income tax check-off mechanism.²⁹⁸ Eugene Parks, African-American rights activist and unsuccessful candidate for Wisconsin Secretary of State in the 1974 Democratic primary, urged state senators to introduce “some form” of public financing for state election campaigns.²⁹⁹ Similarly, Democratic US Senator for Wisconsin (and former Wisconsin governor) Gaylord Nelson was pledged in favor of public financing.³⁰⁰ Yet, in May 1973, the Wisconsin Assembly Elections Committee—a committee dominated by Democrat legislators—drafted Assembly Bill 1016 without any provision for public funding of party expenses.³⁰¹ Several months later, an attempt to introduce a public funding scheme to the reform bill was voted down by Democrats in the Assembly.³⁰² In the state Senate, Democrats from Milwaukee voted against proposals for public financing using a scheme, similar to the one endorsed by the Democratic Party State Convention, where funds would be diverted to a common campaign fund using an optional check-box on an individual’s state income tax form.³⁰³

Individuals from the Republican Party tended to oppose public financing of party expenses—but not absolutely. In November 1973, David C. Sullivan, the Republican Party’s State Chairman expressed his opposition to the idea of public funding of party

²⁹⁷ The State Convention was an annual meeting of hundreds of Democratic Party members and activists. It heard from prominent Democrats, adopted the party platform and elected state party officials, such as the party chairman. In Wisconsin, political parties in the 1970s maintained a formal paid party membership. Members were entitled to attend the party’s state convention, as well as local party meetings.

²⁹⁸ Democratic Party of Wisconsin, 15-16 June 1973. State Convention Minutes. In *Democratic Party of Wisconsin Records*. Wisconsin Historical Society Mss 642. Box 1: 5.

²⁹⁹ Eugene Parks to Wisconsin State Senators. 15 May 1974. In *Fred A. Risser Papers*. Wisconsin Historical Society Archives. Mss319. Box 14.

³⁰⁰ Carlyle H. Whipple to Gaylord Nelson. 20 September 1973. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

³⁰¹ Martino, Sam. 2 July 1973. Campaign Reform Bill Drafted. *Milwaukee Journal*.

³⁰² Adamany, David W. 11 March 1974. Commentary on AB 1016. In *Fred A. Risser Papers*. Wisconsin Historical Society Archives. Mss319. Box 14: 12.

³⁰³ Assembly resurrects Old Campaign Finance Bill. 22 May 1974. *Telegraph Herald*: 13.

campaigns.³⁰⁴ Republican Attorney-General Robert W. Warren omitted any sort of public financing proposal from his campaign finance “Statement of Principles,” which he circulated to Republican state Senators.³⁰⁵ By contrast, James Haney, Dane County Republican Chairman, believed public financing or, in his words, “matching grants,” was desirable and would, he said, lead to “more equal, competitive and healthy” elections.³⁰⁶ Similarly, the state Senate, dominated 18 to 15 by Republicans, added a partial public funding scheme—the “Wisconsin Clean Election Campaign Fund”—using a tax check-off system to its campaign finance reform bill in March of 1974.³⁰⁷

The divergent policy positions on public financing of party campaigns within the Wisconsin parties raises important questions about what might explain the divergence. Do these differing positions of individuals within each party merely reflect diverging interest calculations? What other motives might underlie these partisans’ positions? Are there any general patterns in the types of motives different individuals possess? Are party activists more idealistic and more likely to view reform in terms of democratic values than legislators or executives, who spend much of their life competing in election campaigns? Do party elites in the organization and in the legislature ever find their values or the party’s platform more compelling than any likely electoral benefit?

In considering these sorts of questions, Part II of this thesis addresses two key issues. The first issue is whether non-interested motives were relevant to the agenda set within political parties as they develop policy (whether proactively or reactively) on campaign finance regulation. The second issue is whether there were general tendencies in the motives of partisans according to the role the partisan played (as legislators, state chairmen or party presidents, professional researchers employed by the party or party activists in the local organization) in their party.

³⁰⁴ Hughes, Leon. 16 November 1973. Accent on the News: Campaign Finance Reforms Draw Mixed Reactions. *Milwaukee Journal*: 4-5.

³⁰⁵ Robert W. Warren (Attorney General) to Gerald D. Lorge (State Senator). 12 March 1974. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

³⁰⁶ Haney, James S. 5 December 1973. Statement by Chairman Republican Party Dane County J. Haney to Senate Committee on Judiciary and Insurance. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3: 5.

³⁰⁷ Floss Whalen to Wisconsin state Senators. 29 March 1974. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

Over four case-studies, Part II provides evidence of general trends in the types of motivations of individuals according to their experiences and responsibilities within a political party. Individuals within the case-studies exhibited interests as well as other motives. Party executives tended to identify party-interests more often than did the party in public office. The party in public office and unsuccessful candidates for public office tended to be more concerned with self-interests in election (and re-election) than other parts of the party. Party activists were less concerned with interests than were party executives and the party in public office. Across all parts of the party, democratic values were important motives—especially early in the policy-development process. Throughout the case-studies and across all parts of the party, social acceptance motives were witnessed often. Two dimensions of socialization appeared to be important to motives: with the *experiences* of an individual shaping their motives, which manifest as different motivational tendencies across different roles within the party, and *expectations* on an individual—their notions of self-identity and the expectations of others—being evident in social acceptance motives.

Across the full range of case-studies, we come to appreciate the very fraught, multifarious and unsure process in which parties engage as they define, capitulate and redefine positions on campaign finance reform. Agenda setting in parties was typically a messy, rushed, stop-and-start sort of business. Yet, party elites eagerly sought information and views, from above, below and outside. Indeed, the less regulated parties engaged in private open-ended policy development processes that were driven by party executives and that, potentially, involved a broad range of partisans. Part III will examine whether these policy development processes ultimately influenced the policy adopted by legislature.

In all of the chapters in Part II, the vast differences between the public faces parties present to the electorate for political purposes and their serious policy-development faces is apparent. In the highly private and secretive political parties in the parliamentary systems, these serious policy faces only manifested in private, intraparty policy development processes. That parties have these serious policy faces should not come as a surprise. People who care deeply about policy are some of those who gravitate toward political parties. However, the public—relying on parties' public behavior—could be forgiven for thinking political parties were nothing more than sources of vapid, self-serving political spin.

The existence of real policy development processes within parties and the diversity of motives within parties, signal the need for further research into party policy development and the role of socialization and social norms in influencing the motives of individual partisans. In Part III, this thesis goes on to consider four more case-studies that center on campaign finance policy *adoption* within parties and the roles party structure and culture have in whose opinions make it into policy outcomes.

CHAPTER 5: WHY PARTICIPATE? THE MANY (POTENTIAL) MOTIVATIONS OF PARTISANS

When, in late June 1973, Canada's governing Liberal Party introduced a sweeping campaign finance reform bill, it proposed to require political parties—for the first time in Canadian history—to disclose publicly the source of all campaign funds over CAN\$100. Elite members of the Progressive Conservative Party of Canada hastily assembled for a special meeting to discuss the likely impact of the bill. They concluded:

There would appear to be little question that disclosure of the names of contributors who donate in excess of \$100 will be serious ... [and] will have very far-reaching and detrimental consequences on fund raising at the National level.³⁰⁸

The Progressive Conservative Party elite were convinced that disclosure would scare away large corporate donors, on whom they relied for up to 90% of their campaign booty (Chapter 13).³⁰⁹

The organizational elite of the Liberal Party in Australia responded to an identical proposal from the governing Australian Labor Party (ALP), about a year later (Chapter 11). The party elite also agreed that disclosure of donations over AUS\$100 would be against the party's financial interests. The party elite believed the impact of the disclosure rules was likely to be "severe"³¹⁰ and, since a "large portion of Liberal Party funds [was] given anonymously", the disclosure rules would deter many donors and be "self-defeating".³¹¹

The conservative parties in opposition, in both Australia and Canada, were firmly convinced that disclosure of the source of party donations was contrary to their interests. The proposals, they believed, would seriously dent their ability to fundraise

³⁰⁸ Progressive Conservative Party. 29 June 1973. Agenda to the Special Meeting with Respect to Amendments to the Canada Elections Act (Confidential, Copy No. 22). In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 629. Folder "Election, 1974. Election Expenses Act 1974": 4-5.

³⁰⁹ Stanbury, William T. 1991. *Money in Politics: Financing Federal Parties and Candidates in Canada*. Toronto: Dundurn Press: 213.

³¹⁰ Federal Executive (Liberal Party in Australia). Circa July 1974. Public Disclosure of Political Contributions. In *Records of Robert Southey*. National Library of Australia Manuscripts Collection. MS9901. Box 6. Folder "24 November 1973 Federal Executive Meeting Minutes": 1.

³¹¹ Staff Planning Committee (Liberal Party of Australia). 1 August 1974. Public Disclosure of Political Contributions. In *Robert Southey Papers*. National Library of Australia, MS9901. Box 5. Folder "Federal Executive 1973": 3.

and, thus, diminish their electoral prospects. Yet elite Canadian Conservatives engaged with the reform process and, in the end, most Canadian Conservative MPs voted in favor of the campaign finance reform package—including its stringent disclosure requirements—when it came before the House of Commons in the freezing winter of 1974.³¹² As outlined in the beginning of Chapter 3, the Liberal Party in Australia opposed the ALP's disclosure bill in the legislature and, ultimately, defeated it. All the while, the Liberal Party regularly and publicly denounced the ALP, its campaign funding practices and its assumed intents.³¹³

What motives lay behind the actions of the party in public office in the Progressive Conservative Party of Canada and Liberal Party of Australia toward these efforts to introduce donation disclosure in 1973 - 1974? We have established in earlier chapters that assumed self-interest with a content inferred from the later electoral consequences of a reform is not a sufficient or full answer to this question.

As it stands, the thesis has pledged itself to studying motives in a less determinative manner than existing approaches in its eight case-studies of campaign finance reform. However, the thesis has yet not outlined how it will proceed in its investigation of the motives of partisans. To this end, Chapter 5 outlines a menu of the possible alternative motives to self-interest and explains how they will be observed from archival records. The literatures from which the typology draws—organizational studies, psychology, political psychology and political science studies of political participation—are described in Appendix 6. The chapter then identifies its independent variable: the position of an individual within their party (expounded more fully in Appendix 7), so that the case-studies that follow are more rigorously investigated.

³¹² Canada. 3 January 1974. *House of Commons Debates*. Vol. 8: 9029 (see also: 9024-9029 for amendments proposed).

³¹³ Indeed, the Liberal Party knowingly risked triggering a double dissolution election by repeatedly blocking the bill in the Australian Senate. The ALP, which possessed a majority of seats in the House, did not control a majority in the Senate and the party was, at times, unable to pass through bills in the Senate. The *Australian Constitution* sets up a mechanism for resolving disputes between the House of Representatives—the more prestigious and powerful house—and the Senate. It involves the Prime Minister requesting the Governor-General call a “double dissolution” election, in which all seats of the House and Senate are vacated and re-elected. After the double dissolution election, a joint-sitting of the newly elected (more numerous) Representatives and (less numerous) Senators meets, in which the legislation blocked by the Senate is reconsidered (and, typically, passed): *Australian Constitution 1901* s57. More information is contained in Appendix 8.

5.1 OBSERVING INDIVIDUAL MOTIVES: A TYPOLOGY

A qualitative archival method enables the investigation of party motives in the party policy-making process. But, at this stage, greater clarity about what is meant by motives is needed to develop distinctions between differing types of motives. However, motivation is a complicated and delicate concept. Definitions tend to be vague or overlap with other concepts like “needs” or “drive”.³¹⁴ For example, political scientist Samuel J. Eldersveld characterized motives as the drive people have to satisfy or fulfill their needs.³¹⁵ Political psychologist David G. Winter explains a motive as that underlying internal force that causes a voluntary change of behavior in a person, and which cannot be otherwise fully explained by external forces.³¹⁶

It is safe to say that “motives”, in general terms, are the justification a (hypothetical, completely honest) individual would give for their actions or attitudes.³¹⁷ Motives—in concert with access to information, resources and other personality characteristics including traits and temperament—affect the attitudes (opinions and stances) and behaviors (actions) of individuals.³¹⁸

³¹⁴ An example of a complex scientific definition comes from psychologists Paul R. Kieinginna, Jr. and Anne M. Kleinginna, who define motivation as:

those energizing/arousing mechanisms with relatively direct access to the final common motor pathways, which have the potential to facilitate and direct some motor circuits while inhibiting others.

Kieinginna, Paul R., Jr. & Anne M. Kleinginna. 1981. A Categorized List of Motivation Definitions, with a Suggestion for a Consensual Definition. *Motivation and Emotion* 5(3): 272. See also: Mills, C. Wright. 1940. Situated Actions and Vocabularies of Motive. *American Sociological Review* 5(6): 904-913.

³¹⁵ Eldersveld, Samuel J. 1964. *Political Parties: A Behavioral Analysis*. Chicago: Rand McNally: 276-277. David Winter criticizes the concept of drive: Winter, David G. 1973. *The Power Motive*. New York: Free Press: 24.

³¹⁶ An observed change in an individual’s behavior is, according to Winter, interpreted as being tied to a “more *general disposition* or *tendency*” in the person (namely, the motive)—and observed behavior and statements are thusly tied to their underlying motives: Winter. 1973: 21. Winter’s definition has other elements: that the immediate behavior is related to some general tendency in the person; that the act is an efficient means of achieving a goal; and that identifying the force enables some degree of prediction of the individual’s future behavior.

³¹⁷ Motives may be a necessary but insufficient condition for political participation: Verba, Sidney, Kay Lehman Schlozman and Henry E. Brady. 1995. *Voice and Equality: Civic Voluntarism in American Politics*: Cambridge: Harvard University Press: 3. Verba, Schlozman and Brady argue that political participation requires both the motives that encourage participation and the availability of sufficient resources to the individual (since participation has costs).

³¹⁸ In understanding human behavior, psychology places motives alongside attitudes, behaviors and “personality”, which includes temperament, traits and cognition. For a discussion of the

Even with a definition, motivation remains an abstract concept and difficult to observe. Motives wax and wane. People may not know their motives and when they do may be unwilling to express them. Even an individual motivated by their self-interests may be unable to figure out what those interests are due to a lack of information or cognition.³¹⁹ Furthermore people may not express their motives in ways that are consistent with any analytical construct like a typology of motives.³²⁰

Yet, individuals reveal glimpses of their motives in their actions (and inactions) and in the things they say. Different motives will manifest in different ways (Table 5.4): through different emphases or justifications in stated opinions; in different actions; in interactions with different people; or in the differing urgency with which actions are undertaken. Many of these actions and utterances are manifest in the text of archival documents, especially in private letters in which writers explain their actions or passionately advocate for a particular position. Other documents contained in party records include survey responses, private, hand-scribbled notes and comments on draft documents or newspaper articles, and minutes and agenda from meetings.

The best-known motive is self-interest. Self-interest, in some form, is a motive clearly relevant to individual partisans as they think about electoral reform. Self-interests are those interests an individual has in *material* outcomes, like their salaries and other perks of office or spoils of patronage that can be understood in monetary terms.³²¹ Self-interest includes the interests legislators have in retaining their seats (to keep being paid their salaries) and retaining them at lower personal cost (in terms of the moneys expended on re-election campaigns). Self-interests also include the interests individual

differences between “attitudes”, “behaviors” and “motives” see: Fishbein, Martin & Icek Ajzen, *Belief, Attitude and Behavior: An Introduction to Theory and Research*. 1975. Reading, MA: Addison-Wesley Publishing Company. Fishbein and Ajzen define attitude as “a learned predisposition to respond in a consistently favorable or unfavorable manner with respect to a given object”: 1975: 6.

³¹⁹ Kingdon, John W. 1994. *Agendas, Ideas, and Policy Change* in Dodd, Lawrence C. and Calvin C. Jillson, *New Perspectives on American Politics*. Washington, DC: CQ Press: 224.

³²⁰ Perlin, George C. 1980. *The Tory Syndrome: Leadership Politics in the Progressive Conservative Party*. Montreal: McGill-Queen's University Press: 7.

³²¹ This definition draws from rational choice theory as it is utilized in organizational studies and, in particular, “incentives theory”: Clark, Peter B., and James Q. Wilson. 1961. Incentive Systems: A Theory of Organizations. *Administrative Science Quarterly* 6 (2): 129-166. Incentives theory is a theory about the character of organizations and organizational participation. It is discussed in detail in Appendix 6.

partisans within party organizations have in attaining or maintaining a paid position in the party.³²² The pursuit of power is not understood as being equivalent to self-interest, because often it is not.³²³

An individual motivated by self-interest may reveal this motive in correspondence through the phrasing of their positions and attitudes toward specific electoral reform proposals and outcomes (Table 5.4). If an individual privately explains their position on electoral reform or justifies their actions by reference to the losses or gains to themselves (often using phrases beginning with “my”), then this is taken as evidence that self-interest is one of the individual’s motives. When Democrat Dale T. McKenna, Wisconsin State Senator, wrote to Wisconsin Governor, Democrat Patrick Lucey, explaining why he believed that a comprehensive campaign finance bill must be passed soon, he said:

I am ... aware of the impression the public has of its political system and those who serve in it, and of the kind of reform that public is demanding. The public mood is such that a comprehensive campaign reform is one which no legislator can afford to oppose, regardless of his party affiliation.³²⁴

This statement is taken to reveal that self-interest was one of McKenna’s (several) motives (Chapter 12). A hypothetical example of a self-interested motive would be an individual who expressed opposition to a redistricting proposal in terms of its unfavorability to their prospects for winning a seat. Similarly, an individual who favored public financing of party campaigns because they believed that it would guarantee the continuation of the office they occupy would be taken as being motivated by self-interest.

Many alternatives to self-interest exist, especially if self-interest is given the precise and limited definition above. Drawing on literatures in organizational studies, psychology,

³²² The ability to expend less effort by the candidate or party official for the same likelihood of winning would also be included in this definition of self-interest. This is because, effort—in campaigns and in the workforce—is easily converted into a monetary amounts (such as savings from having to hire another person or the ability to continue working another job).

³²³ Indeed, the pursuit of power often involves the foregoing of money and the voluntary assumption of risk. Ultimately, the pursuit of power often proves to be a person’s downfall. Ruthlessly seeking the presidency, *a la* House of Cards, is not obviously to be equated with pursuing one’s self-interest.

³²⁴ Dale T. McKenna to Patrick Lucey. April 4 1974. In *Fred A. Risser Papers*. Wisconsin Historical Society Archives. Mss319. Box 14: 2-3.

political psychology and older streams in political science on political participation and civic attitudes, six other observable motives were identified to form the seven motive typology used in this thesis (Table 5.4).³²⁵ The typology contains self-interest, party-interests, democratic values, party ideology, power, social acceptance and civic duty. This typology views individuals as less rational, atomized and uninfluenced by their surroundings than rational choice and more as social beings who, while having self-interests, make decisions by reference to self-identity and societal expectations in addition to interests.

The second motive is party-interest. Party-interests are aimed at enacting election laws that will further the interests of the party, or faction of a party, in such things as electoral success, control over government, ease of campaigning, competitive advantage over other political parties or financial viability. Party-interest is a broad concept and, likely, contested and only half recognized in practice. Different people will have different understandings of what is in the party's interests.

Party-interests may be understood in terms of, *inter alia*, maximizing the seats a party wins from the votes it receives, maximizing the number of votes the party wins at an election or maximizing the amount of money or resources a party has. The former conception of party-interest (seat maximization) is the motive that rational choice studies of electoral reform (especially Quantitative Rational Choice Models) assume shapes electoral reform outcomes (see Chapter 1.1 and Table 5.3).³²⁶ The latter two are likely important conceptions on party-interest in the campaign finance reform forum: the party's interests in the most votes by staying on the positive side of public opinion

³²⁵ There are endless ways to categorize motives and many potential motives are not identified here. The ones chosen for this typology were so chosen because they could be observed in the things partisans said about their electoral reform positions or the actions people took within their party as it decided on its electoral reform agenda (Table 5.4). A more full discussion of motives, and the path taken to identify these seven motives, is contained in Appendix 6.

³²⁶ As we have discussed in Chapter 2.1, "party-interest" makes little sense as a motive for individual behavior from a pure rational choice perspective. Certainly party-interest and self-interest will often coincide. Yet, individual self-interest and the interests of the party to which the individual belongs may be in direct conflict. For example, a state-wide redistricting plan may serve to bolster a Party X's prospects for winning office while also abolishing the seats of some sitting legislators from Party X. Alternatively, a campaign finance reform package may guarantee the party, as a whole, bountiful funds from the state treasury meanwhile eliminating the job of several party officials by banning private fundraising—and therefore being against the self-interests of those party officials.

(electoral efficiency); and the party’s interests in acquiring the most money possible (revenue maximization).

Table 5.3: Different Party-Interests relevant to Campaign Finance Reform

Party-Interest	Goal
Seat Maximization	Winning office at an election
Electoral economy	Winning more votes at an election
Revenue maximizing	Raising more money to contest an election
Power interests	Seizing or maintaining control over government

Party interests will manifest as individual positions and attitudes toward specific electoral reform proposals and outcomes expressed by reference to the consequences for parties. An individual who opposed a reform in terms based on the predicted electoral success or financial viability of the party (or “us” and “our”, where it is implicit from the context that the writer means their party) is categorized as evincing party-interested motivations. For example, B.F. London, a party activist in the Progressive Conservative Party of Canada wrote to the party’s National Secretary Robert Bédard in phrasing that unequivocally revealed motives of party-interests. London said that he was opposed to public financing of election expenses because the proposal was designed to “aid” the New Democrat Party (see Chapter 9), which had been on the rise in throughout the 50s and early 60s, to the detriment of the Conservatives.³²⁷ Another example comes from Cyril S. Wyndham, then State Secretary of the Victorian Branch of the ALP, who wrote about the need for more full time organizers in the party, saying:

For the party to rely completely on voluntary labor in the localities is not only dangerous but, in this day and age, completely unreasonable. There must be a blending of full-time and voluntary labor. Without such a combination the Party will always be at a disadvantage.³²⁸

³²⁷ B.F. London to Robert Bédard. 30 September 1970. In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 618. Folder 15 “Election Expenses – Brief to the Special Committee of the House of Commons, Correspondence.” This statement was not taken to be about London’s individual self-interest, as the riding he ran in (Mount Royal) elected Liberal Party Prime Minister Pierre Trudeau in 1968, with 90% of the vote. The New Democratic Party candidate had little role in London’s lack of success, receiving only 3.8% of the vote in 1968.

³²⁸ Wyndham, Cyril S. (State Secretary of the Victorian Branch). C1962. The Need for More Full-Time Organisers in the ALP. *Australian Labor Party Federal Secretariat Records*. National Library of Australia. MS4985. Box 59.

Wyndham's position on the use of full-time labor is categorized as being motivated by party-interests.

Party- and self-interests are relevant and, often powerful motives. But, interests are neither inherent nor sole motives for all humankind. Moving beyond interests, the series of Questioning Studies by Bowler, Donovan and Karp examine the bases of legislators' positions on electoral reform options. They present "values" or "ideology" as natural alternatives to self- and party-interests.³²⁹ Other applied literature on motives and attitudes of individuals in other contexts also presents these two motives as sensible alternatives to "interests",³³⁰ and so democratic values and party ideology are the first two non-interested motives identified.

³²⁹ Bowler, Donovan and Karp surveyed legislators asking for their views toward hypothetical electoral reform proposals and analyzed the responses for evidence of interests, values and ideology. Bowler, Shaun, Todd Donovan & Jeffrey A. Karp. 2002. When Might Institutions Change? Elite Support for Direct Democracy in Three Nations . *Political Research Quarterly* 55(4): 731-754; Bowler, Shaun, Todd Donovan & Jeffrey A. Karp. 2006. Why Politicians Like Electoral Institutions: Self-Interest, Values, or Ideology? *Journal of Politics* 68(2): 434-446; Bowler, Shaun & Todd Donovan. 2007. Reasoning About Institutional Change: Winners, Losers and Support for Electoral Reforms. *British Journal of Political Science* 37: 455-476. Though the impact was less predictable than interests, ideology played a role in shaping politicians' opinions about electoral reform (those on the left side of politics were more predisposed to electoral reform than other politicians): Bowler, Donovan and Karp. 2006. In an earlier article Bowler, Donovan and Karp had found that interests were important in explaining legislators' attitudes to electoral reform, but that they were "not the entire explanation": Bowler, Donovan and Karp. 2002: 749.

³³⁰ For example: Bol, Damien. 2014. Electoral Reform, Values and Party Self-Interest. *Party Politics*. (forthcoming); Jaeger, Mads Meier. 2006. What Makes People Support Public Responsibility for Welfare Provision: Self-interest or Political Ideology? A Longitudinal Approach. *Acta Sociologica* 49(3): 321-338; Kellner, Peter. 1995. Electoral Reform: Principle of Self-Interest? *Representation* 33(2): 23-27; Lamare, James W. & Jack Vowles. 1996. Party Interests, Public Opinion and Institutional Preferences: Electoral System Change in New Zealand. *Australian Journal of Political Science* 31(3): 321-246; Sears, David O. 1997. The Impact of Self-Interest on Attitudes—A Symbolic Politics Perspective on Differences Between Survey and Experimental Findings: Comment on Crano. *Journal of Personality and Social Psychology* 72(3): 492-496; Sears, David O. & Carolyn L. Funk. 1990. Self-Interest in Americans' Political Opinions" In *Beyond Self-Interest*. Jane J Mansbridge, ed. Chicago: University of Chicago Press. 147-170; Sears, David O. & Carolyn L. Funk. 1991. The Role of Self-Interest in Social and Political Attitudes. In *Advances in Experimental Social Psychology*. M Zanna, ed. Orlando, FL: Academic Press. 1-91; Ware, Alan. 1987. *Citizens, Parties and the State: A Reappraisal*. Cambridge: Polity Press. Even Alan Renwick when dealing with reformers and non-party actors allows a large role for values motivations: Renwick, Alan. 2010. *The Politics of Electoral Reform: Changing the Rules of Democracy*. Cambridge: Cambridge University Press: Chapter 2.

Interests and other motives are not necessarily at odds. They often overlap and cannot be disentangled. Kingdon, John W. 1994. Agendas, Ideas, and Policy Change in Dodd, Lawrence C. and Calvin C. Jillson, *New Perspectives on American Politics*. Washington, DC, CQ Press: 222.

Richard S. Katz, in explaining why rational choice theory struggles to explain reform, noted: “democratic values matter”.³³¹ An individual motivated by democratic values seeks to ensure that their personal values—rather than self- or party- interests—about the proper state of democracy or electoral law are reflected in either the party’s policy on electoral reform or (ultimately) in electoral reform adopted by legislatures. Such a motive is not driven by the consequences of the reform for the individual participant (or party) but by achieving specific reform outcomes that embody the individual’s values. In the campaign finance context, the values might include political equality (perhaps ensured through public financing of candidates) or freedom of expression (perhaps facilitated by the lack of regulation of third party spending).³³²

Indeed, in Chapter 10 we see that values may be the prism through which individuals motivated by their interests assess those interests.

³³¹ Katz, Richard S. 2005. Why are There so Many (or so Few) Electoral Reforms? In *The Politics of Electoral Systems*. Michelle Gallagher & Paul Mitchell, eds. New York: Oxford University Press: 74.

³³² Grant, J. Tobin & Rudolph, Thomas J. 2004. *Expression vs. Equality: The Politics of Campaign Finance Reform*. Columbus: The Ohio State University Press. In other contexts, values might include political accountability, proportionality, representativeness (however defined), civic participation and political stability. Other lists of political values can be found in Renwick 2010: Chapter 2; and Gallagher, Michael. 2005. Conclusion. In *Politics of Electoral Systems*. Michael Gallagher & Paul Mitchell, eds. Oxford: Oxford University Press: 569-571 (especially Table 26.13).

Table 5.4: Summary Typology of Motivations and Manifestations

	<i>Definition</i>	Manifestation	Keywords
<i>Self-interest</i>	The pursuit of individual tangible and material interests in electoral reform outcomes.	Positions on particular electoral reform proposals justified by reference to the losses or gains to the individual expressing the position.	“my” candidature, campaign, seat, funds, loss etc.
<i>Party-interest</i>	The pursuit of the collective party (or party faction) interest in maintaining power and influence through enacting laws that are <i>expected</i> to produce favorable electoral reform outcomes. Two important subcategories are electoral efficiency and revenue maximization interests.	Positions on particular electoral reform proposals justified based on the effect of the reform on a political party.	“our” or “us” combined with campaign, seats, funds, etc. References to other parties and their electoral fortunes
<i>Democratic Values</i>	The pursuit of realizing internalized values about the proper nature of democracy or elections in electoral law.	Positions on particular electoral reform proposals justified in terms of the democratic ideas behind the measure.	“freedom”, “equality”, “rights”, “principles”
<i>Party Ideology</i>	The pursuit of realizing a party’s ideology as it relates to the proper nature of democracy or elections in electoral law.	Positions and attitudes toward particular electoral reform proposals based on their furtherance of the party’s policy goals.	“party” and “policy”, “platform”, “origins”, “tradition” or “mission”
<i>Power</i>	The pursuit of influence or control over others (typically in the future).	Actions throughout the process of reform to increase the individual’s control or influence over the process without (necessarily) having any particular concern about electoral reform outcomes.	N/A – inferred from urgency and nature of behavior
<i>Social Acceptance</i>	The pursuit of the acceptance and approval of others through socially appropriate behavior.	Actions evaluated by reference to the expectations or predicted reactions of other people.	Reference to position held or expectations on the position
<i>Civic Duty</i>	The pursuit of internalized values about how one’s self should behave in a particular civic context (such as the policy-making process).	Actions justified by a belief about how citizens and the political system ought to interact or a conviction it is their responsibility to participate.	“duty”, “do something”

The motive of democratic values will manifest when individuals express their specific positions and attitudes on electoral reform measures in terms of the ideas, ideals or principles of behind them and, typically, without mention of party positions or interests. For example, support of disclosure laws expressed in terms of openness and accountability (or utilizing Justice Brandeis’s saying about “sunlight being the best disinfectant”) will be taken as reflecting that democratic values is the underlying motive for participation. Another, real life, example comes from the terms that Robert Kerr, from the Young Progressive Conservatives in Canada, who explained his approval of campaign finance reform—including disclosure of donation sources. In his private letter to Party Secretary Bédard, he rejected the old ways of patronage democracy, which had long been prevalent in Canadian politics:

[M]y general position is that, if our political system is to be maintained without the undesirable side-effects of patronage, all political parties with a legitimate claim to represent substantial portions of the population must be mainly supported by public funds.³³³

Individuals’ statements, when made in private, are taken at face value. This should not be the cause of too much consternation, given that much of the evidence relied on is private and directed at an individual partisan in confidence or a limited party audience.³³⁴

Closely related to democratic values is a fourth motive: party ideology. The ideology of an individual’s party may be the motivation for an individual’s participation in electoral reform debates. The impetus for participation comes from the mission of furthering the party’s ideological or platform goals or living up to its traditions.³³⁵ In campaign finance

³³³ Robert Kerr to Robert Bédard. 22 September 1970. In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 618. Folder 15 “Election Expenses – Brief to the Special Committee of the House of Commons, Correspondence.”

³³⁴ Furthermore, if we think the cynical logic through, an individual who was cynically appealing to democratic values in public would be unlikely to need to in private, and indeed would risk looking silly to his or her colleagues.

³³⁵ Party ideology is different from the democratic values motive. The democratic values motive emerges out of the individual’s innate, or at least internal, sense of what is the proper character of democratic elections; the party ideology motive lies in the party’s values. While an individual’s values and their party’s ideology likely match up quite well, at times ideology may require action where values do not (and vice versa) Party ideology might motivate a partisan to argue for PR in terms of their party’s belief in minority representation; whereas a democratic values motive might manifest in an individual stating they support PR because it better achieves representation for disadvantaged minorities.

reform, a party ideology motivation may manifest in the commitment of an individual to a party's free-market stance, irrespective of or despite knowing that regulation is likely to help the party's (or the individual's) political fortunes.

Party ideology is a motivation that will be evident when an individual explains their preferences on specific electoral reform proposals and outcomes in terms of the beliefs and goals of the political party (such as the party's policy, platform or mission).³³⁶ For example, Leo Hawkins, the General Secretary of the Victorian Branch of the Liberal Party of Australia, wrote that:

It ought to be clear that we as a Party stand for reasonably equal opportunities in electioneering, and we would rather be judged on the strength of our arguments, than the length of our purse.³³⁷

This statement is understood to be motivated by the party's ideology, since it appeals to the party's principles about equality of opportunity, rather than the writer's or recipient's principles, or the party's interests.

These first four motivations (self-interest, party-interest, democratic values and party ideology) are observed from expressed *preferences* for and actions to assist in the implementation of particular electoral reform *outcomes*. For example, an individual may prefer PR over IRV (motivated by values, ideology or interests) and seek to set the party agenda to include PR as its policy. But there are other motives for participation that do not relate to specific policy preferences. An individual may not care particularly whether IRV or PR is implemented but may participate to encourage the party to follow a particular deliberative or consultative process in deciding its electoral reform policy. Alternatively, an individual may participate because he feels it is his duty to or because she wants to maintain power and influence. A full menu of motives, then, extends its analysis beyond motives that relate to specific *policy preferences* and includes motives that relate to the *process* of reform (civic duty) and longer-term desires (power, social norms).

³³⁶ For example, correspondence in which an individual urges the party to favor a compulsory voting law on the basis that it furthers the party's platform in political equality (without reference to the electoral consequences) would be classified as party ideology.

³³⁷ Ian Marsh, Research Department of the Liberal Party of Australia. October 1974. *Funding Political Parties and Campaigns* (draft). In *Robert Southey Papers*. National Library of Australia Manuscripts Collection. MS9901, Box 6, Folder "Federal Executive Council Meeting 30 November 1974": 6.

The first of our process-related motives (and fifth motive overall) is power. Power is “*the ability or capacity ... to produce (consciously or unconsciously) intended effects on the behavior or emotions of another person.*”³³⁸ In the Hobbesian view, power is *the* driving force behind human behavior. Thomas Hobbes wrote:

a general inclination of all mankind a perpetual and restless desire of power after power, that ceaseth only in death. And the cause of this is not always that a man hopes for a more intensive delight than he has already attained to, or that he cannot be content with a moderate power; but because he cannot assure the power and means to live well which he hath present, without the acquisition of more. And from hence it is that kings, whose power is greatest, turn their endeavours to the assuring it at home by laws or abroad by wars; and, when that is done, there succeedeth a new desire, in some of fame from new conquest, in others of ease and sensual pleasure, in others of admiration or being flattered for excellence in some art or other ability of the mind.³³⁹

While not here viewed as the inevitable and insatiable thirst of all humankind, power has a special place in politics, and politics—especially as practiced amongst elites—is easily conceptualized as competition for control over the coercive power of the state.³⁴⁰ This conceptualization is more natural than understanding politics—and the politics of electoral reform—as a contest for narrowly defined self-interest.³⁴¹

The power motive is not directed at particular electoral reform outcomes, but may be aimed at the individual’s role in affecting those outcomes. The accrual of power, which takes a long time, and the careful maintenance of prestige, may be pursued in the agenda setting process. For example, a legislator in a safe-seat with little at stake in a reform debate may take a lead role in the debate with the goal of increasing his or her political capital or prestige within the party, chamber or in committee in the long term.

Power motivations manifest in individual behavior and utterances that seek to maintain that individual’s control or influence over the process without (necessarily) having any particular concern about electoral reform outcomes. For example, an individual who repeatedly tries to organize the party’s position on electoral reform

³³⁸ Winter. 1973: 5 (italics in original).

³³⁹ Hobbes, Thomas. 1651. *Of Man, Being the First Part of Leviathan*. *The Harvard Classics*. 1909–14.

³⁴⁰ Power is not only pursued by elite politicians. Party participants at the rank-and-file level often actively seek the power to influence their organization or their social groups. See Sidney, Kay Lehman Schlozman and Henry E. Brady. 1995. *Voice and Equality: Civic Voluntarism in American Politics*. Cambridge: Harvard University Press: 111-112.

³⁴¹ It should also be clear that pursuing power is not necessarily in a person’s self-interest. The hungry, insatiable, desire for power described by Hobbes is often decidedly irrational and may often lead to a calamitous end.

without strong feelings on electoral reform itself evidences a power motive. Similarly, an individual who, with much haste or repeatedly, goes out of their way to meet with important people may be (depending on the context) evincing the power motive. For example, the activities of John Oestreicher, a second term Democrat and Chairman of the Assembly Elections Committee in Wisconsin, are understood as, in part, motivated by power. Oestreicher took a lead role in drafting and promoting a campaign finance reform bill, even though it was more limited in scope than he ideally wanted. He doggedly persisted with *his* weaker bill rather than endorse a more comprehensive Republican bill that fulfilled more of his reform criteria.³⁴²

The typology reflects the view that people are social beings shaped by their environment, democratic ethos and individual personality who might be concerned with conforming to societal expectations. Our sixth motive, social acceptance, is based on an internalized desire to feel respected, at ease with and conform to expectations of other people and society more broadly.³⁴³ People may do things out of a generalized “concern over establishing, maintaining, or restoring a positive affective relationship with another person or group of persons”,³⁴⁴ but the social acceptance motive does not center on the consequentialist aspect of relationship -building and -maintenance. Social acceptance motives underlie action that is guided by a sense about proper conduct, without reference to expectation of actual consequences. A social acceptance motive approximates the notion in psychology of the “affiliation motive” and in other

³⁴² See Chapters 10 and 12. Generally: *Common Cause Records*. Wisconsin Historical Society Archives. Mss415. Box 3.

³⁴³ Murray, Henry A. 1938. *Explorations in Personality: A Clinical and Experimental Study of Fifty Men of College Age*. New York, N.Y.: Oxford University Press: 144.

³⁴⁴ Koestner, Richard and David C. McClelland. 1992. The Affiliation Motive. In *Motivation and Personality: Handbook of Thematic Content Analysis*. Charles Smith, ed. Cambridge: Cambridge University Press: 205. In other forums, social norms-type motives have been termed the “approval motive”. See: Crowne, Douglas P. & David Marlowe. 1964. *The Approval Motive: Studies in Evaluative Dependence*. New York: John Wiley and Sons. A similar motive is among the six identified by Robert E. Lane in 1969, namely to “defend and improve ... self-esteem through political activity”: Lane, Robert E. 1959. *Political Life: Why People Get Involved in Politics*. New York: Free Press: 102.

literature of “the logic of appropriateness”³⁴⁵ or “social norms”.³⁴⁶ It represents the first truly social motive in the typology.

This motive is not enlivened by Shugart’s “act-contingencies”. An act-contingency leads to support of reform based on consequences—calculations of self-interest, in particular about chances for re-election if a popular reform is adopted. There are no necessary calculations about consequences made in the social acceptance motive, and certainly no calculations of self-interests in electoral outcomes. Instead, the primary defining characteristic of social acceptance is that individual participants ask themselves this question before acting: “What does a person such as I do in a situation such as this?” and answer it by reference to their “internalized prescriptions of what is socially defined as normal, true, right, or good, without, or in spite of calculations of consequences and expected utility.”³⁴⁷

Social acceptance motivations will be evident in an individual’s justification of their attitudes and behaviors that reference the predicted reactions of other people, with the implicit underlying goal of a positive reaction in others. Such motives may be directly observed by statements where a party participant says they are doing something because it is expected or will be approved of by others. Indirectly, and more commonly, social acceptance motivations may be evidenced by justifications that dwell on the individual’s position in the social hierarchy (for example, as a committee chairman or government minister) and what a person in that position ought to do. For example, the Liberal Party of Canada President, Richard J. Stanbury, mused that as “a practical President of the party” he cautiously endorsed the party members’ decision to adopt a policy in favor of donation disclosure, all the while remembering that there were “real

³⁴⁵ March, James G. & Johan P. Olsen. 2006. The Logic of Appropriateness. In *The Oxford Handbook of Public Policy*. Michael Moran, Martin Rein and Robert E. Goodin, eds. Oxford, England: Oxford University Press: 689–708.

³⁴⁶ Seyd, Patrick & Paul F. Whiteley. 1992. *Labour’s Grass Roots: The Politics of Party Membership*. Oxford: Oxford University Press: 64–65.

³⁴⁷ The logic of appropriateness, like rational choice theory, is intended as a universal explanation of human behavior. Here, its ideas are borrowed, without the intention of ascribing all human action as being motivated by a desire to do what is socially acceptable (although the author does find such an interpretation more encouraging than the harsh and selfish economic interpretation): March, James G. & Johan P. Olsen. 2006. The Logic of Appropriateness. In *The Oxford Handbook of Public Policy*. Michael Moran, Martin Rein and Robert E. Goodin, eds. Oxford, England: Oxford University Press: 690.

problems [for the party] in terms of replacement of the funds, enforceability and the prejudice to the contributors.” Stanbury is understood to be motivated, in part, by social norms motives because he took such a stance in response to conceptions of what he, as party president, ought to do (Chapter 14).³⁴⁸

A seventh motive, also with a social and moral base, is civic duty. Civic duty, central to the civic attitudes framework of Sydney Verba and Norman Nie, focuses on the relationship between the individual and the political system as the pressure for individual political participation.³⁴⁹ Individuals may be motivated to participate in politics and political organizations out of an internalized and socialized sense that they ought to. In this thinking, a person may feel they owe it to the political system, and that it is their duty not to be a “civic slacker”.³⁵⁰

The motive of civic duty will manifest in the archival records when an individual explains their participation in the process of reform by a stated or implied belief that it is the individual’s responsibility or duty to participate or to “do something”. It will also be inferable from the absence of other explanations for the individual’s urgent but apparently selfless participation. An example of an implied civic duty motive comes from Ian Marsh, a party researcher, who risked upsetting elite Liberal Party of Australia members by resuming research (intended to be circulated among members of the

³⁴⁸ Canada. 14 January 1971. Minutes of Proceedings and Evidence of the Special Committee on Election Expenses. 8:15.

³⁴⁹ Verba, Sidney & Norman H Nie. 1972. *Participation in America: Political Democracy and Social Equality*. New York, N.Y.: Harper & Row; see also the concept of “public regardingness” in Sears, David O., and Carolyn L. Funk. 1990. Self-Interest in Americans’ Political Opinions. In *Beyond Self-Interest*. Jane J Mansbridge, ed. Chicago: University of Chicago Press: 147-170; Wilson, James Q. & Edward C. Banfield. 1964. Public-Regardingness as a Value Premise in Voting Behavior. *American Political Science Review* 58(4): 876-887. Civic duty can be, at a push, included in a rational choice incentives theory if it is conceptualized as being the pursuit of the self-satisfaction or inner peace gained by doing your part for democracy, or something similar. Such a characterization is similar to Lane’s characterization of civic duty as emerging either from guilt or shame (about in action) leading to action: Lane. 1959: 158-159.

³⁵⁰ The terms “civic slacker” or “vote slacker” were common pejoratives in the US in the Progressive Era for non-voters. See, for example: National Association of Commercial Organization Secretaries, 1918. *Proceedings of the Annual Meeting of the National Association of Commercial Organization Secretaries*: 62, 70.

party) into the party's campaign reform options, after the decision had been made by the elite to oppose reform for cynical tactical reasons (see Chapter 11).³⁵¹

And so, with the inclusion of civic duty, we have seven motivations: self-interest, party-interest, party ideology, democratic values, power, social norms and civic duty (Table 5.4). While admittedly not a complete typology of all motives—nor one with a universal theory of human behavior attached—this menu borrows from several different currents and takes into account societal pressures and the civic or power aspects of politics and political organizations—in addition to the cost-benefit analysis of interests.

In observing these seven motives, written statements contained in party records are taken at face value if they were private with a limited intended audience. Actions are taken at face value; decisions to act and not to act are interpreted based on statements made by the actor and others, as well as evidence of the situation. The context is always explored and expanded upon to highlight contradictions or plausible alternative motives. Because process-orientated motives are harder to observe in written records than motives relating to particular electoral reform outcomes, this study will likely understate—not overstate—the importance of power, social acceptance and civic duty to individuals trying to set the party reform agenda. This understatement is not considered to be a substantial problem: if process orientated motives do prove to be important in this study, then the approach to question the assumption of unmitigated self-interest is especially valid.

Of course, Part II does more than observe motives; it seeks to explore systematic variations in motives. In particular, it explores whether the place a person occupies in the party food-chain is correlated with the types of motives that drive their participation in party agenda-setting on electoral reform.

5.2 POSITION IN PARTY

An individual's position within his or her political party is the key ascertainable characteristic about individuals within parties that may be relevant to motives.³⁵²

³⁵¹ Research Department, Liberal Party Federal Secretariat. 26 June 1974. "Proposed Government Electoral Legislation" In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 318.

³⁵² Other individual characteristics, like sex, age, ethnicity or income may be related to motives, but are best investigated at the broader level (about motives generally, rather than partisan motives in electoral reform processes) using surveys.

Utilizing the literature (see Appendix 7), a 6 point hierarchy was created: party in governance roles, party leadership, elected representatives, party executives, party professionals and party activists (Table 5.5). A seventh group, party voters, are not involved in the electoral reform process, but may be important to other party actors (especially those who are concerned with self- and party-interests).

Within the party in public office, there are those in “governance roles”, the “party leadership” and “elected representatives”. Partisans in governance roles include the elite few in formal positions of governance with titles and responsibilities bestowed by the state, such as Cabinet Ministers and Prime Ministers, Committee Chairmen, Speakers and Presidents of the Senate. These offices are not inherently political and so (should) come with an expectation that the occupier will be more than a party official. By contrast, those in party leadership roles are in more overtly political roles at the top levels of their party and their party’s decision-making processes. These include opposition leaders (in either legislative house), minority and majority leaders. Elected representatives are lower level members of the legislative party, including back-benchers in parliamentary systems and members of the party caucus outside the other two groups. They are likely not privy to the most elite parts of party decision-making, but may face more pressure to represent their district than the party in governance roles and leadership.

These three groups, as parts of the party in the public office, have the most power over the reform process, since they are the ones who pass laws and are typically in control of party policy. More importantly, members of the party in the public office share the experiences of candidature: running for office; coming up against regulatory restrictions; pursuing funding sources and dealing with finances. It may be the case that these recurrent and intimate experiences with electoral law socialize thinking in terms of electoral victory (or that successful politicians are those who are naturally more inclined to think strategically).³⁵³

Within the party organization, there are party executives; party staff employed as professionals; and party activists who are outside the elite party organization but participate in local party organizations. Party executives are elected or appointed to the

³⁵³ Former candidates—those who ran for elective office on a party label but lost their election—also share these experiences. For this reason, defeated candidates are included in the party in public office, even though they did not make it to public office.

top governing and strategic bodies of their parties in the national or state party executives. Their experience of electoral law includes coordinating and planning election campaigns; courting donors; identifying viable candidates; and pre-empting the strategies of other parties. Like the party in public office, they brush up against regulatory restrictions and pursue funding sources. They are also the logical experts on many matters of electoral reform—especially campaign finance law, which, as has been said, is a particularly obscure and always complicated area of election law.³⁵⁴

Party professionals were, in many parties, a new voice of the party organization in the 1970s, emerging with the professionalization and eventual cartelization of parties.³⁵⁵ Party professionals include individuals hired and paid as researchers, speech writers, opinion pollsters and advertising executives. Party professionals will often participate in reform debates only when instructed and usually then in an advisory—rather than decision-making—capacity. In some instances, however, party professionals may also actively seek to be a part, of their party's debates over reform, but this will be tricky role. In describing “the continuing dilemma facing the professional”, Stephen Litchfield writes that the professional is “expected to serve a number of masters, who have different viewpoints and different expectations” and the professional has “to walk the most dangerous path of all, the centre of the road.”³⁵⁶

³⁵⁴ Rational choice frameworks predict that the party in the public office and party executives will be highly motivated participants in electoral reform debates as it is their job that is at stake. Rational choice theory might also speculate that, where there is a conflict, self-interests will prevail over party-interests for individuals in public office.

³⁵⁵ Katz, Richard S, and Peter Mair. 1995. Changing Models of Party Organization and Party Democracy: The Emergence of the Cartel Party. *Party Politics* 1 (1): 5-28; Katz, Richard S, and Peter Mair. 1996. Cadre, Catch-All or Cartel?: A Rejoinder. *Party Politics* 2 (4).

³⁵⁶ Litchfield, Stephen. 1984. "The Federal Secretariat." In *Liberals Face the Future: Essays on Australian Liberalism* eds. George Brandis, Tom Harley and Don Markwell. Melbourne: Oxford University Press: 73.

Table 5.5: Typology of Party Sub-Groups

Subgroup	Key's typology³⁵⁷	Membership	Hierarchical level³⁵⁸
Governance Roles	Party in Public Office/Party in the Legislature	The elite few elected officials in formal positions of governance with titles and responsibilities bestowed by the state.	Elites
Party Leadership		Party leaders in overtly political roles at the top levels of their party and their party's decision-making processes.	
Elected Representatives		Other members of the legislative party ³⁵⁹	Middle
Party Executives	Party as Organization	Elected or appointed members of executive committees in the national or state party executives	Elites
Party Professionals		Hired and paid professionals, including researchers, speech writers, opinion pollsters.	Middle
Party Activists		Participants in intraparty affairs at the local level	
Party Voters	Party in the Electorate	Voters who vote for the party in elections and primary elections but do not actively participate in other aspects of the party	Masses

³⁵⁷ The categorization developed by V.O. Key: Key, V.O. 1942. *Politics, Parties and Pressure Groups*. 2nd ed. New York: Thomas Y. Crowell Company.

³⁵⁸ Guided by: May, John D. 1973. Opinion Structure of Political Parties: The Special Law of Curvilinear Disparity. *Political Studies* 21 (2): 135-151; and Norris, Pippa. 1995b. May's Law of Curvilinear Disparity Revisited: Leaders, Officers, Members and Voters in British Political Parties. *Party Politics* 1 (1): 29-47

³⁵⁹ Including, at times, defeated candidates. See footnote 346.

Table 5.6 Profile of Party Sub-Groups

	<i>Experience of electoral law</i>	<i>Likelihood of Involvement in Party Agenda Setting</i>
<i>Governance Roles</i>	Running for office under the confines of existing electoral law; logical experts on many matters of electoral reform; make electoral law in the legislature	Likely; likely initiators of party processes where triggers outside of the party identify a problem in need of reform
<i>Party Leadership</i>		Possible; depending on individual and constituent interest.
<i>Elected Representatives</i> ³⁶⁰		
<i>Party Executives</i>	Coordinate, fund and plan election campaigns under the confines of existing electoral law; logical experts on many matters of electoral reform	Likely; likely initiators of party processes in response to an internally identified problem.
<i>Party Professionals</i>	Varied: includes campaign specialists with extensive applied knowledge of electoral law and researchers with academic knowledge of electoral law	Possible; as so directed by the Party Executives
<i>Party Activists</i>	Grass-roots campaigning with generalized knowledge of existing electoral law; potential knowledge of smaller issues of which those higher up in the hierarchy are not aware	Possible; largely dependent on individual's interest and initiative
<i>Party Voters</i>	Voters in elections	None; by definition

Lower down in the hierarchy are party activists, a diverse group of participants in the party organization including local level leaders (such as constituency association secretaries), paid-up party members at the local branch or riding level (in places with a branch membership structure) and participants in party events. Party activists may be involved in policy analysis in their local branches and report to or exert pressure on higher levels of the party in the agenda setting or policy adoption stages, for example at a party conference or convention.³⁶¹ While party activists may be better-informed

³⁶⁰ In some instances this may include defeated candidates because they too have the experience of running for office under the confines of existing electoral law. They may also have developed considerable expertise on matter relating to electoral reform.

³⁶¹ Rational choice logic would not predict high levels of participation in electoral reform debates by party activists. For party activists, there is little in the way of material self-interest at stake—and only weak collective interests.

than the general population about electoral laws, they are unlikely to be experts in wide swathes of electoral laws and procedures.

The six positions in the generalized political party hierarchy are summarized in Tables 5.5 and 5.6 above. V.O. Key's category, "party in the electorate", or "party voters" are not considered in this thesis because they are, by definition, not involved in party policy development.³⁶²

If position within party is related to individual motives, then broad trends that cut across the four case-studies in Part II (and are present in the remaining four case-studies in Part III) should be observed. As we will see, a tentative trend—for party in the public office to be more concerned with re-election self-interests; party executives to be motivated by party-interests and party activists to be less motivated by interests generally—does indeed cut across the four case-studies studied in Part II. The trends are complex, with, for example, the party in governance roles being quite unlike the party leadership in its motivations. Nonetheless, these general differences have profound implications for the study of electoral reform, which are discussed in this thesis' Conclusion.

CONCLUSION

Party motives are complicated and difficult to observe: when people are asked about their motives, they may misrepresent them; and what they reveal in their actions is often ambiguous. In order to explore the agenda setting processes within political parties on campaign finance reform more fully, Chapter 5 explicated the dependent and independent variables in this part: individual motives and position in party. It identified seven distinctive and observable motives—which individuals within parties may demonstrate in their written words and behaviors captured within archival party records. The chapter then outlined a classification of individual partisans by their position in the political party. The classification divides partisans according to their status, power and *experience* of electoral law.

³⁶² Party voters vote under reformed electoral rules and react to party arguments and propaganda about electoral reform. Additionally, party voters will likely occupy a prominent position in the minds of other partisans, especially self- or party-interested elites devising strategies about public presentation of the issues. Electoral reform issues may spur a party voter to participate in party events and meetings or try to influence the party's policy from inside. However, such an individual immediately, and by definition, becomes a party activist.

With these delineations and clarifications, we are in a much better position to examine the motives behind the divergent paths of the Progressive Conservative Party of Canada and the Liberal Party of Australia when faced with identical proposals for disclosure of donations over \$100. The next chapter, Chapter 6, launches into such an examination, of the motives of party executives, party professionals and the party leadership in the Liberal Party of Australia in the early stages of the development of its policy in opposition to donation disclosure.

CHAPTER 6

AN ELECTORAL ACT? AN OPPOSITION'S RESPONSE TO A "PETULANT" GOVERNMENT REFORM AGENDA

I wish to deal with what we have concluded is the real purpose of the legislation introduced by the Labor Government and the difficulties which we will have overturning the impressions put in the mind of commentators and the public generally by a most thorough propaganda exercise extending over some years by the Labor Party. There can be no doubt that the Labor Party's real purpose is to advantage its parliamentary Party and thereby to make it easier for the Labor Party to ... stay in office ... It would be happy to perpetuate itself in office.

— Opposition Leader, Billy Snedden, in the House of Representatives, 29 March 1973³⁶³

The Government's objective is to redraft what is a demonstrably fair and equitable electoral act so that it can be manipulated to give the party in power a long term advantage.

— Opposition Leader, Billy Snedden, May 1973³⁶⁴

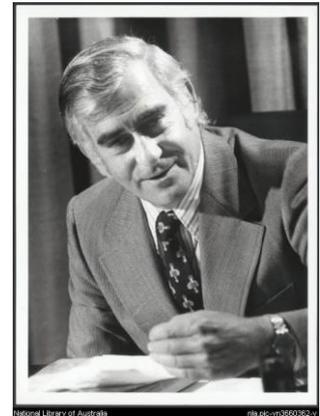


Figure 6.1: Billy Snedden, 1984³⁶⁵

The Liberal Party of Australia, in opposition for the first time in decades, busily responded to the Australian Labor Party (ALP) government's electoral reform agenda, which included campaign reform, from mid-1973 to late 1975. This chapter utilizes the

³⁶³ Commonwealth of Australia. 29 March 1973. *Parliamentary Debates*: 901 (Billy Snedden).

³⁶⁴ Federal Secretariat, Liberal Party of Australia. May 1973. The Electoral Act. In *Currents* 1(1): 18-20. In *Sir Billy Snedden Papers*. National Library of Australia. MS6216. Series 4. Box 46. Folder 41.

³⁶⁵ Billy Mackie Snedden, Liberal Party member for Bruce, Victoria. Circa 1974. National Library of Australia. VN3660362. <http://nla.gov.au/nla.pic-vn3660362>.

party's response—in the lead up to it adopting a policy on campaign finance reform—to take the first step in examining the motives of party participants in party electoral reform policy development. It focuses closely on the maneuverings of party elites—the party leadership, party executives and a party professional—in the Liberal Party of Australia in 1973. During this time, they set the party's agenda by intensely gathering information about the party's views on the likely impact of and, occasionally, the merits of various campaign finance measures.³⁶⁶

By drawing on archival resources from the National Library of Australia (NLA), the chapter demonstrates three key points. First among them is the utility of an archival and internal method, which finally lets the sunlight shine on the Liberal Party's internal debates over campaign finance reform in 1973-1974. The contrast between the public and the private lives of the Liberal Party of Australia—Australia's conservative party—is immediately clear. In public, the Liberal Party presented itself as certain of its policy; united and confident in its position; and accusatory about the intentions of the ALP. Behind the scenes, private correspondence among the elites revealed the extensive uncertainty within the party: in fact, the party did not have a pre-existing policy on campaign finance reform, the elites were not sure of how to respond to the ALP's rumored proposals and they were not initially clear on the ALP's intentions. The evidence shows how perilous is the reliance on public political statements and behavior to make inferences about underlying party motivations, views and goals.

Secondly, the transient, conflicting and uncertain nature of party-interests is ably demonstrated by evidence from party records. Throughout the reform process, interests were contested and only gradually and cautiously ascertained: even then, identified interests were fraught and fleeting, changing as the reform process took one turn or another. Indeed, it was not until the ALP publicly tied campaign finance reform with (allegedly illicit) Liberal Party campaign financing practices, in October 1973, that the Liberal Party gained some certainty that the reform proposals were intended to be against its interests. This quelled the intense internal information gathering and analysis process in the Liberal Party and changed the agenda: politics—and the

³⁶⁶ The analysis of the Liberal Party's response will continue in Chapter 11, which considers the eventual campaign finance reform policy adopted.

electoral efficiency goals that come with the political game—became most important to the party (discussed in Chapter 11).

Thirdly, and most importantly, the Liberal Party of Australia case-study provides evidence on the differing motives of individuals in intraparty electoral reform debates. The case-study concords well—though not perfectly—will the core assumption that partisans are interested actors. In this case-study, the motivations of the party elite were often their perceptions—competing perceptions—of party-interests in electoral reform outcomes.

However, other motives were present. The motives displayed by party executives in their private positions on electoral reform included party-interests in maximizing revenue but also democratic values (conservative principles relating to the secrecy of donations). Similarly, motives of power and social acceptance in individuals' behavior in the process of reform were observed among Liberal Party participants in the early agenda setting stage. There was tentative evidence from his private actions that the party leader—Billy Snedden—was motivated by social acceptance (by actively seeking to get the party's opinions when he had the power to act unilaterally) as well as party-interests in revenue maximization. But he had two faces. In his public statements Snedden was motivated by party-interests in electoral efficiency. Graeme Starr, a party professional, was concerned with properly fulfilling the requirements of his job as he sought and collated data—evidence of the social acceptance motive. Federal Director Bede Hartcher's actions revealed a concern for power as well the party-interest in electoral reform outcome.

With this early evidence, the chapter concludes that self-interest and party-interest are not the only motivators of partisans toward electoral reform ideas.

6. 1 RUMORS AND REACTIONS

In 1972, the ALP's campaign slogan "It's Time!" proved to be spot-on. In the months after the election of the ALP government in December, the Liberal Party busily responded to rumors and second-guesses about the ALP's broad electoral reform agenda, which—having built up over their 23 years in opposition—was quite expansive.

It included, *inter alia*, redistricting reform, optional preferential voting³⁶⁷ and, by mid-1973, campaign finance reform.

The existing campaign finance law was minimal. It formally limited *candidate* spending and required *candidates* to submit brief election expenditure reports. Yet the law was routinely ignored. Furthermore, there were no limits on donation sources or sizes, nor any requirement to disclose donation sources or amounts (see Appendix 3 for more information).

More than the other jurisdictions studied in this thesis, Australian political parties were extremely furtive about their money. Little was known about Australian political party finances or electoral campaign funding practices. As Louise Overacker noted in 1952, “the whole matter of party finance is shrouded in mystery” and “one can do no more than piece together fragmentary bits of information of very limited significance.”³⁶⁸ So deeply ingrained was secrecy that the state branches of the ALP—who raised most of the party’s funds before 1972—kept their financial situations secret from even the ALP federal secretary!³⁶⁹ Similarly, Liberal Party executives aimed to keep the details of funding and donations secret from their party in public office.³⁷⁰

³⁶⁷ Australian lower house elections (including the House of Representatives) typically utilized Instant Run-off Voting (IRV), known locally as preferential voting or the Alternative Vote (AV). The rules required voters to express preferences for all the candidates on the ballot paper (known as “full preferencing” or “compulsory preferencing”). The ALP proposed to make preferencing optional, allowing voters to rank only their preferred candidate(s). Compulsory preferencing had the effect of forcing voters to vote for either the ALP or the Liberal Party in most seats (except in rural seats, where voters were forced to vote for the ALP or the Country Party), and so—in the aggregate—worked like a FPTP in two candidate races. See: John, Sarah and Leigh Hargreaves. 2011. *The Alternative Vote in Australia: Exacerbating a Culture of Adversarialism?* Presented at the Australian Political Science Association Conference.

³⁶⁸ Overacker, Louise. 1952. *The Australian Party System*. New Haven: Yale University Press: 256, 283.

³⁶⁹ Wyndham, Cyril S. (General Secretary, ALP Federal Secretariat). August 1968. *Unions and Their Election Donations*. In *Australian Labor Party Federal Secretariat Records*. National Library of Australia. MS 4985. Box 127. Folder 76.

³⁷⁰ Tony Eggleton to Federal Council. 23 September 1975. *Fund Raising Code Adopted by the Federal Executive Earlier this Year*. In *Peter Howson Papers*. National Library of Australia. MS4697. Box 58: 1. Keeping fundraising hidden, at least formally, from the party in public office appears to have been a common practice in conservative parties. For example, William Davis, Progressive Conservative Party leader and Ontario Premier, stressed, in a letter to a constituent, that:

a political candidate does not know the source or amount of contributions to his party nor does he know how these monies are spent. To ensure that this is so

From what can be pieced together, it is clear that both the Labor and Liberal parties had narrow bases of financial support. The Liberal Party generally relied on large donations from corporations,³⁷¹ whereas the ALP relied on unions.³⁷² For both parties, large contributions from organizations were the norm and smaller donations from individual citizens were uncommon—perhaps even odd. The parties conducted their fundraising remarkably differently: in the ALP, Members of Parliament sought out donors, while in the Liberal Party, the Federal Treasurer (at the time Sir Charles McGrath) “twist[ed] arms”³⁷³ of businessmen for donations, while MPs and candidates were never—in principle—allowed to know who donated. The divergent sources and traditions of party fundraising ensured that the parties’ interests in reform appeared to each political party to be at variance, perhaps even in direct conflict.

The ALP publicly played to these apparently diverging interests when, for the first time, it spoke publicly about its campaign finance reform plans. On 10 October 1973, the ALP tied their campaign finance reform plans to an intention to undermine the Liberal Party’s fundraising. In Parliament, ALP member Barry Cohen asked the ALP Cabinet member in charge of electoral reform (Minister for Services and Property, Frederick Daly):

Will the Minister for Services and Property introduce legislate [sic] similar to that operative in the United States to make it compulsory for all political parties to disclose the source of their funds so that the Australian people can see for themselves how much

election agents are appointed to oversee the whole matter of a candidate’s election expenses.

William Davis to Mr M.A. Grossman 6 March 1972. In *Progressive Conservative Party of Ontario Records*. Archives Ontario. F2134-4. B245840. Folder “Campaign Funds 72”.

³⁷¹ See: Williams, J. R. 1971. Financing Conservative Parties in Australia. *Australia Quarterly* 43 (1): 7. Williams says that often the Liberal party had a hard time raising funds because “businessmen and men of wealth generally in Australia have had little occasion to fear for the safety of their property in a country as essentially conservative and stable as Australia.”

³⁷² Corporate donors were increasingly important to the ALP in the lead up to the 1972 Election, and then, later, in the 1980s. Union donations were its bread and butter, however. In 1974, the Liberal Party had tried to make some calculations as to the financing that the ALP received from unions (up to AUS\$1.2 million a year, it guessed): Liberal Party. February 1974. Political Levies, Australian Trade Unions. In *Sir Billy Snedden Papers*. National Library of Australia. MS6216. Series 11. Box 208.

³⁷³ Murray, Robert. 2012. McGrath, Sir Charles Gullan (Dave) (1910–1984). In *Australian Dictionary of Biography*. Canberra: National Centre of Biography, Australian National University. See also: Mills 2013.

foreign money is being poured into Liberal Party coffers so that it can sell this country out to overseas interest?³⁷⁴

It was in this abrasive and aggressive manner in which the Whitlam Government first revealed their plans to require disclosure to the Liberal Party. The response of Minister Daly continued the attack (Figure 6.2)—there could be no misunderstanding as to the ALP's intent.

Figure 6.2: Minister Frederick Daly's reply to Barry Cohen's question, Question Time, 10 October 1973

The practice of publishing contributions made to political parties that the honourable member [Barry Cohen] has mentioned is common in a number of countries throughout the world. It is followed in the United States and it is about to be followed in Canada. In a recent visit overseas I saw that this commendable practice was well adopted by those countries. I think all people in this country want to avoid any Watergates, and therefore there is a great case to be made for the names of the donors to political parties to be made public. That applies particularly in regard to multi-national companies, which seek to defeat duly elected governments by contributing funds to their opponents in Australia and other places. I believe also the sources of the \$1m fund that the Liberal Party is collecting from these kinds of organizations to defeat his Government should be made known. The Australian Labor Party has under consideration a number of electoral reforms. Very high on the list is consideration of the proposal that we do what the honourable member for Robertson has said and that is to make it necessary by legislation for donors and the amounts they contribute to political parties to be made known. I am hopeful that in the immediate future we may be able to bring down in the Parliament that kind of legislation. Then we will see where the Liberal Party stands with respect to it anonymous donors who seek to defeat this Government.³⁷⁵

³⁷⁴ Cohen, Barry (Member for Robertson). 10 October 1973. *Australian Parliamentary Debates*: 1814.

³⁷⁵ Daly, Frederick (Minister for Services and Property). 10 October 1973. *Australian Parliamentary Debates*: 1814.



Figure 6.3: Liberal Party Advertising

Liberal Party Campaign Brochure entitled "Danger-Danger" regarding the ALP's Electoral Reform plans, circa 1975
 From: Papers of Sir Billy Snedden, National Library of Australia, MS6216, Box 204, Folder 20.

The Liberal Party hastily returned fire with a strong, unified public position about the malevolence of campaign finance reform, which was lumped in with other reform measures and categorized as Labor's "electoral manipulation".³⁷⁶ Snedden inveighed the ALP's plans, alleging that proposing donation disclosure was "a petulant and ill-tempered move by the Government because its own sources have virtually dried up."³⁷⁷ Reg Withers, party leader in the Senate, responded similarly, claiming the moves were "a frantic, last ditch effort to smear the Opposition" and that reform should be "carefully considered" rather than "implemented hastily as a means of gaining some cheap

³⁷⁶ To use the phrase adopted in: Liberal Party of Australia. 1975. *Danger-Danger*. In *Sir Billy Snedden Papers*. National Library of Australia. MS6216. Box 204. Folder 20.

³⁷⁷ Billy Snedden. 16 October 1973. Press Release. In *Robert Southey Papers*. National Library of Australia, MS9901, Box 6, Folder "Federal Executive Council Meeting 30 November 1974".

political capital.”³⁷⁸ This public characterization of campaign finance reform continued, with remarkable consistency, throughout late 1973, into 1974 and 1975. In 1975, the Liberal Party published a glossy leaflet warning against the ALP’s agenda of campaign finance reform and other proposed electoral reforms (Figure 6.3). On the outside of the leaflet is the phrase “Danger-Danger” written in alarmingly large, bold and bright orange capital letters with a cartoon of the “Labor Democracy Destructor” beside it. Inside, the ALP’s campaign finance reform agenda is characterized as a “discriminatory and vicious” self-interested attack that was intended to “financially cripple” the Liberal Party.³⁷⁹ Publicly, the party appeared to react immediately, almost instantaneously, with such unanimity and consistency it indicated the party was certain that it was fighting for its life against unjustified, “petulant” and punitive reforms.

The tone of the Liberal Party’s counterattack, and the unanimity with which nefariousness of the ALP’s reforms were alleged lead to the overall interpretation that the Liberal Party was certain of its interests and running scared. Certainly, the *Age* took that view, commenting that “[e]lectoral reform is a rather touchy subject with the Opposition at the moment. The mere mention of the phrase brings Liberal and Country Party members out in a nervous rash.”³⁸⁰ Yet this was just the story of the *public political* process, which citizens and the media observed at the time. It is easily recoverable by the historian in old newspapers, TV broadcasts and by scouring *Hansard* and ephemera collections containing party propaganda from the time. The real—private—story of party policy-making was quite different.

6.2 MEANWHILE, BEHIND THE SCENES: CONFLICTED AND CONTORTED AGENDA SETTING

A rather different story emerges if archival records are utilized to explore the reactive policy-making processes inside the Liberal Party. To examine the internal ruminations of the Liberal Party, in this chapter six different collections are deployed, including the papers of the Liberal Party Federal Secretariat, then-Opposition Leader Sir Billy

³⁷⁸ Reginald G. Withers. 17 October 1973. Statement by Senator R. G. Withers. In *Sir Billy Snedden Papers*. National Library of Australia, MS6216, Box 208: 1, 3.

³⁷⁹ Liberal Party of Australia. 1975. Danger-Danger. In *Sir Billy Snedden Papers*. National Library of Australia. MS6216. Box 204. Folder 20.

³⁸⁰ Mischievous, or a Slip of the Tongue? 15 March 1973 *The Age*: 9.

Snedden and then-Liberal Party Federal President Sir Robert Southey (Table 6.4).³⁸¹ Many of the documents contained in these collections were correspondence between elite members of the party or records, such as minutes, reports and proposals, created in the course of the day-to-day operations of the Liberal Party as they encountered the challenges of being in opposition for the first time in decades.³⁸²

Utilizing these records, it becomes apparent that the Liberal Party's response to rumors of the ALP's campaign finance reform agenda took the form of three distinct but concurrent and iterative processes (summarized in Table 6.5):

1. An agenda setting process entailing intense information gathering behind the scenes as the party identified the logic and impact of the ALP's rumored proposals, concentrated in July – October 1973;
2. A decision-making process in which the party adopted its substantive policy on reform and on a political course of action at the end of July in 1974;
3. A program of propaganda and public statements directed at communicating to the electorate and winning over public opinion throughout 1973-1975.

³⁸¹ **Table 6.4 The Six NLA Collections Utilized in Chapter 6 and the Positions of their Collectors**

Sir Billy Snedden Papers	Opposition Leader and Leader of the Liberal Party, 20 December 1972 – 21 March 1975; MP for Liberal Party 1955-1983.
Sir Robert Southey Papers	Liberal Party Federal President, 1970-1975.
A.J. Forbes Papers	MP for Liberal Party 1956-1975; Minister for the Navy 1963; Minister for the Army 1963-66; Minister for Health 1966-71; Minister for Immigration 1971-72; Federal President of the Liberal Party of Australia 1982-85
Liberal Party of Australia Records	Federal Secretariat (The party's central record-keeping body).
Alan Missen Papers	Founding member of the Liberal Party; grassroots activist 1950s and 1960s; Vice President of the Victorian Division of the Liberal Party 1972-1974, Senator for Victoria, 1974-1986.
Peter Howson Papers	MP for Liberal Party 1955-1972; Minister for Air, 1964-1968, Minister for the Environment, Aborigines and the Arts 1971-1972.

In addition to these collections, accessed over September 2010 and January – February 2011, book collections, historical newspapers and legislative sources from the NLA were utilized.

³⁸² As noted, these archival records were intended by their creators to be private. Several of the collections were closed for decades and almost all of them required written permission from the Federal Director of the Liberal Party or the depositor's estate to access. Indeed, of all the parties studied in this thesis, the Liberal Party of Australia most closely and restrictively guarded access to its archival collections. Fortunately its senators, representatives and party officials were less reticent and their records have filled in many of the gaps.

While the focus here is on campaign finance reform, the records reveal the same three streams of the process (agenda setting, policy adoption and electoral politics) for other electoral reforms of the time (especially those contained in the *Electoral Laws Amendment Bill 1974*).³⁸³ Each of these processes occurred at different times, involved different actors and engaged different audiences (summarized in Table 6.6).

Table 6.5: Strands of the Liberal Party Response to Rumors of Campaign Finance Reform

Stage of the reform process	Characterized by:	Discussed in Chapter
Agenda Setting	Intense information gathering and opinion expression	6 (below)
Policy Adoption	Decision-making on the party's policy and planning a course of action	11
Electoral Politics	Partisan propaganda and public statements directed at the electorate	6 (above)

Table 6.6: Participants and Audiences in the Response to Rumors of Campaign Finance Reform

	Process	When	Who involved	Target audience
1	Agenda Setting	Ongoing; Concentrated in July – October 1973	Party professionals	The party decision-makers (party executives and the party leadership)
2	Policy Adoption	July – early August 1974	Party executives and the party leadership	The party in public office
3	Electoral Politics	October 1973 – November 1975	Party leadership and party professionals	The public (voters)

In this chapter, we focus on agenda setting in the Liberal Party, in which the party actively sought out information and opinions from numerous sources, to observe the motivations of party elites in that enterprise. The publicly observable electoral politics in which Snedden and Withers engaged (documented above, 6.1) was primarily conducted by the party leadership and aimed at potential party voters. By contrast, the agenda setting process involved party professionals who sought information, chiefly from party executives and the party leadership in order to advise party decision-makers,

³⁸³ The *Electoral Laws Amendment Bill 1974* would have, amongst other things, provided a register of political parties and placed party affiliations on the ballot paper.

primarily the party leadership. The information gathering process was ongoing, peaking in intensity in mid-1973 (Table 6.6).

This agenda setting process was initiated precisely because, despite media portrayals and the public posturing by the Liberal Party of visceral opposition, the Liberal Party had no policy on particular emergent campaign finance regulatory techniques. The Liberal Party organization had a well-established predisposition toward the existing campaign finance law: “get rid of it all!”³⁸⁴ In their decades in government, the certainty of their position ensured that, even as the Liberal Party made strides in exploiting modern campaigning technologies and funding practices, the party organization had not given much thought to rapidly progressing regulation techniques like public funding or rigorous and continuous disclosure—utilized in Europe, North America and, even, the United Kingdom.³⁸⁵ Now, in opposition and facing credible threats of change, they lacked knowledge about the merits and effects of campaign finance regulation techniques, like public financing or tax deductability of donations.

Snedden instigated the information-gathering process on campaign finance reform in July 1973. Earlier, rumors of Minister Daly’s plans for campaign finance reform buzzed

³⁸⁴ During the long years dominated by Prime Minister Robert Menzies and the Liberal Party (1949-1972), the Liberal Party organization had consistently and seriously (but unsuccessfully) lobbied the parliamentary party to repeal the existing campaign finance law (Part XVI of the *Electoral Act 1918* (Cth)), and return to a completely laissez-faire system (see Part III’s Introduction for a discussion of the Party’s attempts and Appendix 3 for text of the law). To the extent that the Liberal Party had any concerns about electoral reform during its time in government, the party organization was primarily preoccupied with other electoral reform ideas: the permissible size of election posters (which had been limited due to timber shortages in the aftermath of World War II), some technicalities about postal voting and residency requirements, preventing scrutineers and polling officials from wearing party emblems, increased candidate deposits, consideration of mobile polling booths, preferencing requirements for the Senate ballot papers and overseas voting regulations: See *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 134. 2 Folders entitled “Electoral Act”.

Several reforms were passed: changes to postal voting rules (*Electoral Act Amendment Act 1952*), amending provisions relating to defence force voting (*Electoral Act Amendment Act 1953*), uniformly extending the national franchise to Aboriginal people (*Electoral Act Amendment Act 1962*), amending the redistricting process, changing candidate deposits and increasing the penalty for not voting (*Electoral Act Amendment Act 1965*), and enabling defence force members to vote at age 18 (*Electoral Act Amendment Act 1966*).

³⁸⁵ *Companies Act 1967* (UK) s 19 introduced a requirement that all companies disclose donations they make to political parties or candidates over £50 each year.

around Canberra briefly in February and March of 1973,³⁸⁶ but the Liberal Party did not immediately respond. Indeed, when the party's Research Department—staffed by party professionals—distributed their report on the progress of the party's electoral reform policy development processes in April 1973, it made no mention of campaign finance reform.³⁸⁷ Instead, during a general discussion of the party's finances at a regular meeting of the Federal Executive,³⁸⁸ Snedden, apparently casually, requested the views of the state party executives on the issues of tax deductibility and donation disclosure.³⁸⁹ Snedden had identified a problem—the need to have a campaign finance reform policy.

The information-gathering necessary to set the agenda was largely implemented by party professionals in the Research Department, initially under the guidance of Graeme W. Starr.³⁹⁰ The state party executives at the top of their respective state party organizations responded with their views. In this stage of the process, the motives of seven key party players in the information gathering process are observed, summarized according to position in party and whether they initiated, implemented or contributed their opinions to the agenda setting process, below (Table 6.7).

Table 6.7: Individual Actors Observed by Position in Party

³⁸⁶ See: Govt Urged to Clarify Votes Plans. 13 February 1973. *Sydney Morning Herald*: 13; Editorial. 15 March 1973. *The Age*: 9; Editorial. 15 March 1973. *Sydney Morning Herald*: 6; Barnes, Allan. 12 October 1973. Tougher Law on Polling Funds Likely. *The Age*: 3; Government May Probe. 12 October 1973. *Sydney Morning Herald*; Mischief, or a Slip of the Tongue? Labor to Move on Party Fund Sources. 17 October 1973. *The Age*: 3; Political Party Face Fund Curb. 18 October 1973. *The Age*: 1.

³⁸⁷ Research Department Director Graeme Starr confidentially reported to the Liberal Party President, Robert Southey, that the report “include[d] most of the possible electoral changes that the Government might have in mind”: Starr to R.J. Southey. 3 April 1973. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 377. Folder 142. In fact, that report, *Notes on the Commonwealth Electoral Act: Possible Labor Amendments*, failed to include any aspects of campaign finance reform, instead identifying reforms like a lower one-vote-one-value tolerance in redistricting, drawing of districts according to district population rather than registered voters, lowering of the voting age, Senate representation for the territories, adopting FPTP voting and choosing positions on the ballot paper by lot rather than alphabet: Research Department of the Federal Secretariat, Liberal Party of Australia. 26 February 1973. *Notes on the Commonwealth Electoral Act: Possible Labor Amendments* (Research Note 4/73). In *Sir Billy Snedden Papers*. National Library of Australia. MS6216. Series 10. Box 195. Folder 510.

³⁸⁸ The Federal Executive is the top organizational governing body of the Liberal Party. See Chapter 11 for more information on the Liberal Party's structure.

³⁸⁹ Liberal Party of Australia, Federal Executive. 16 July 1973. Minutes of the One Hundred and Thirty Second Meeting of the Federal Executive. In *Sir Billy Snedden Papers*. National Library of Australia. MS6216. Series 4. Box 45. Folder 41: 4.

³⁹⁰ In mid-1974, Ian Marsh would take over the reins: Chapter 11.

Actors observed	Title	Part of Party	Role in information gathering process
Billy Snedden	Opposition Leader; Party Leader; Leader of the Party in the House	Party Leadership	Initiated policy-making process (identified need for policy and set early agenda)
Graeme W. Starr	Research Director	Party Professional	Implemented information gathering and refined agenda.
Bede Hartcher	Federal Director	Party Executive	Implemented information gathering and refined agenda.
New South Wales Executive	State Executive Committee	Party Executive	Responded and contributed to agenda.
South Australian Executive	State Executive Committee	Party Executive	Responded and contributed to agenda.
Victorian Executive	State Executive Committee	Party Executive	Responded and contributed to agenda.
Robert Southey	President	Party Executive	Responded and contributed to agenda.

Consultative impulses, such as Snedden’s seeking of the views of the party on tax deductibility and disclosure, were common among the Liberal Party elites.³⁹¹ The Liberal Party leadership was not bound by the views of the organization, or even obligated to consult the party organization. A strict separation between organization and parliamentary party was (and is) written into the party’s constitution and was a founding principle of the party. The consultative impulses are a tentative first indication that motives about conforming to social norms are important—that individuals, even party leaders, do what they feel is expected (social acceptance) rather

³⁹¹ The party leadership would consult several times with other parts of the party. In March 1974, as the Senate increasingly became the center of political debate, Liberal Party leader in the Senate, Senator Reg Withers, requested the views of the state party organizations: See Graeme Starr to Billy Snedden. 12 March 1974. In *Sir Billy Snedden Papers*. National Library of Australia, MS6216. Box 204. Folder 21. In June 1974, Research Director Ian Marsh asked for the views of the State Divisions on donation disclosure: Research Department, Liberal Party Federal Secretariat. 26 June 1974. Proposed Government Electoral Legislation. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 318. In July 1974, the National Campaign Committee sought the opinions of the State Divisions: National Campaign Committee, Liberal Party of Australia. 15 July 1974. Minutes. In *Sir Billy Snedden Papers*. National Library of Australia, MS6216. Series 4. Box 46. Folder 46: 2.

than what is required.³⁹² Yet, Snedden’s request that the party generate opinions on tax deductability suggests that Snedden was actively looking for potential opportunities in campaign finance law and was motivated by party revenue maximizing interests. Snedden was unlikely to have thought that the ALP would advocate tax deductability (as this is a measure usually used to encourage citizens and companies to donate to parties), but in a party-interested logic, it was a sensible reform for conservative parties once disclosure was implemented. Tentatively, we see some evidence that motives are plural and not necessarily related to reform outcomes.

Figure 6.8 Bede Hartcher³⁹³



If we focus next on the motives of those who implemented Snedden’s request, a good deal more evidence is available. Bede Hartcher, the party’s head executive (as the Federal Director) was a long-term Liberal Party employee of “laid-back style”.³⁹⁴ Two weeks after the Federal Executive meeting, Hartcher wrote a letter addressed to the Presidents and General Secretaries of each of the state divisions (extracted in Appendix 4).³⁹⁵ This consultation was not broad but, rather, confined to a small group of party executives. Indeed, as members of the Federal Executive, the state Presidents and General Secretaries who received the letter had already been present at the meeting in which Snedden initially requested the opinions of their divisions.

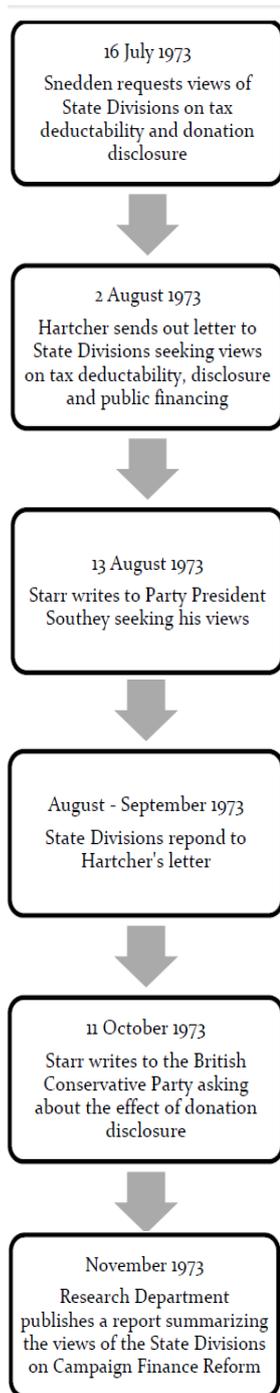
³⁹² The consultative impulses could be interpreted as being motivated by party interests. Snedden may have wanted the views of the party solely to placate the party and avoid tensions in the party elite. A few months earlier, the Victorian State Executive had resolved, and reported to the party President, Robert Southey, that it was “concerned with the lack of communication over decisions made by the Parliamentary Executive in relation to recent Electoral Legislation”: Victorian State Executive, Liberal Party of Australia. 13 April 1973. Resolutions from the Victorian State Executive. In *Robert Southey Papers*. National Library of Australia Manuscripts Collection. MS9901. Box 5. Though, the Victorian Division’s concerns were about knowing the decisions of the party in public office, not being a part of them. Alternatively, Snedden may have thought that the rest of the party had a better sense of the party’s interests and could report back to him. As the thesis progresses, it will become clear that the consultative impulses are common and best understood as being motivated by social acceptance rather than interests.

³⁹³ Liberal Party of Australia. 2014. *Party People* (<https://www.liberal.org.au/party-people>)

³⁹⁴ Mills. 2013: 71.

³⁹⁵ B.G. Hartcher to State Presidents and General Secretaries. 2 August 1973. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 377. Folder 142.

Figure 6.9: Liberal Party of Australia Information-Gathering Timeline, 1973.



The wording of the letter does not obviously reveal party-interest motivations. Hartcher’s note asked the Presidents and General Secretaries to “set out [their] views, or those of [their] division, on the following matters”.³⁹⁶ Hartcher could easily have asked about the expected “impacts” of or “interests” in the proposals, or something less open-ended—but instead opted for “views”. The letter does not imply any predisposition to any particular action or inaction. Hartcher said he aimed to find “the composite views from all States”, the implication being that he would report back to the party leader on the party’s aggregate views—and maybe the party in the public office would act on them, or at least consider the composite view.³⁹⁷ In this, Hartcher’s behavior does not reek of party- or self-interested motives; however, it is evident from another part of his letter that *party*-interests were on his mind.

The “following matters” were three items: tax deductibility of contributions to parties”, “public disclosure of contributions to parties” and “public financing of political party expenses”.³⁹⁸ The first two had been identified by Snedden, but Hartcher took it upon himself to ask about public funding—a matter not yet raised in public by either political party. In suggesting public financing of party expenses, Hartcher reveals both power and party-interest motives: power, in a desire to independently shape the party’s policy-making process; party-interest, in seeking the

³⁹⁶ B.G. Hartcher to State Presidents and General Secretaries. 2 August 1973. The letter read:

With the likelihood of the Electoral Act being introduced by the Government during the Budget session, the Parliamentary Leader, Mr. Snedden, has asked the Federal Secretariat to obtain the composite views from all the States on a number of electoral issues.

See Appendix 4 for the full letter.

³⁹⁷ B.G. Hartcher to State Presidents and General Secretaries. 2 August 1973.

³⁹⁸ B.G. Hartcher to State Presidents and General Secretaries. 2 August 1973.

party's opinion about using government funds to pay for political party campaign expenditure.

We can reasonably confidently conclude that power was one of Hartcher's motives. Even if known to be laid-back, he took control over the agenda, sought to maximize his role in the process and kept participation in it limited. Hartcher made no indication that the recipients were encouraged or expected to consult with the broader party membership—and it is clear that the Presidents and General Secretaries consulted only with the state executive committees (or subcommittees of the state executive committees).³⁹⁹ There is no evidence that anyone lower down in the hierarchy was thought about as sources of information in this endeavor. The only involvement of those below the state executive committees was one meeting held separately and independently by Senator Alan Missen, late in the process (in October 1974—two months after the party had adopted their policy in opposition to all of the ALP's proposed reforms: see Chapter 11).⁴⁰⁰ The eliteness of the consultation process, suggests that Hartcher (and the other party executives) were motivated by a desire to maintain a degree of control (power) over the process by ensuring that only the experienced party machine men of the state executives weighed in on the policy development.

This conclusion that power was a motive for Hartcher is strengthened by the reality that Hartcher's job was under threat in 1973—he had lost considerable stock since the party's election loss in December 1972. Timothy Pascoe and Tony Eggleton, part of the new—younger and well-educated—guard, were increasingly threatening to displace Hartcher. Indeed, in the end, Hartcher was removed from the party directorship (replaced by Pascoe) to a ceremonial role in early 1974 and left the organization in late 1974.⁴⁰¹ Power, in this context, was likely an important motivator for Hartcher.

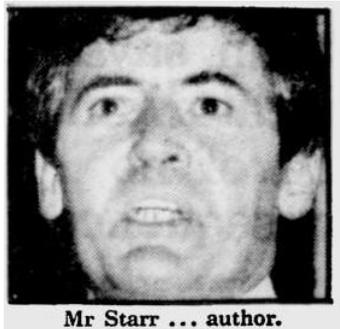
³⁹⁹ In their responses, all that state divisions made it apparent that they had discussed the campaign finance reform proposals in their executive committee or a subcommittee. The terms of Hartcher's letter allowed for state divisions to seek out their branch or rank-and-file membership's views. From the available responses, it seems that it did not occur to the state organizational elite to seek the views of people down below in the party. None of the divisions reported on the opinions of their constituency branches or general membership. Queensland reported on their State Convention's views about reform; but explained that these were not the views of the state party elite.

⁴⁰⁰ Alan Missen. 9 October 1974. Proposed Electoral Reforms: Notes of a Discussion Following an Address by Senator Alan Missen to a Conference of Victorian Liaison Officers. In *Alan Missen Papers*. National Library of Australia. MS7528. Box 223.

⁴⁰¹ Mills. 2013: 154-156.

For the next year, the three items identified by Hartcher—tax deductions, disclosure and public funding—remained the only campaign finance concerns of the Liberal Party. When the reform bill was finally circulated by the ALP government, it contained only disclosure and spending limits, the latter an issue to which the Liberal Party had not yet turned its mind. Unknown to the Liberal Party was that the ALP Cabinet had briefly considered public funding, but quickly dumped it in October 1973. The difference between the ALP’s agenda and the Liberal Party’s expectations about the ALP’s agenda highlights the incompleteness of information that parties have. In many ways, the Liberal Party’s behavior (and that of the ALP chronicled in Chapter 7) imitates that of the players of the game of Battleship, in which one side guesses, with a high degree of inaccuracy, the positions and strategies of their unseen enemy.

Figure 6.10: Research Director Graeme Starr⁴⁰²



The information gathering process also involved Graeme W. Starr. Starr, a recent West Virginia University political science PhD who answered an advertisement like the one in Figure 4.2, was the Liberal Party’s Research Director from 1970-1974.⁴⁰³ In this role, Starr sought the views of the party President, Robert J. Southey⁴⁰⁴ and the British Conservative Party on campaign finance reform.⁴⁰⁵ Both

steps remind us of the elite focus of the agenda setting process and the difficulty the party had in figuring out its policy.

Starr’s letter to the British Conservative Party inquired about the party’s experience with disclosure in the six years since the British Labour Party government amended the *Companies Act* (UK) in 1967 to require companies to disclose political donations over

⁴⁰² Dunn, Ross. 19 December 1985. Academic is Headed for Top Liberal Party Post. *Sydney Morning Herald*: 8.

⁴⁰³ Starr then moved to academia for several years before becoming the State Director of the NSW Branch of the Liberal Party: Dunn, Ross. 19 December 1985. Academic is Headed for Top Liberal Party Post. *Sydney Morning Herald*: 8.

⁴⁰⁴ Graeme Starr to Robert Southey. 13 August 1973. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 377. Folder 142.

⁴⁰⁵ Graeme Starr to Sir Michael Fraser (Conservative and Unionist Central Office). 11 October 1973. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 377. Folder 143.

£50. Starr's request to the British Conservative Party was explicitly related to interest identification. Starr explained that the ALP in government was planning to "require disclosure" and sought "an indication of the impact that these requirements have had on contributions to your [Conservative] party". The Liberal Party, Starr explained, was not certain where its interests lay, because the:

idea has been advanced that disclosure could in fact result in increased contributions to parties on our [conservative] side of politics, and the experience of your party since 1967 would help us confirm or refute the validity of this view.⁴⁰⁶

There is little evidence that Starr, a party professional known to be a man of principles,⁴⁰⁷ was motivated by anything other than performing his job to the approval of the party (ie. conforming to the expectations of those around him: social acceptance motives in our typology).⁴⁰⁸ Rather, in seeking out the information, he revealed his understandings of the goals of his superiors: interest identification. Starr wanted to discern the party's interests so as to fulfill the wishes of party executives and the elite parts of the party in the public office. Thus, he sought the information necessary to identify their *party's* revenue maximizing interests.

In all of this, it is apparent that the natural position of the party elite—Snedden and Hartcher—was open with respect to its position on a particular reform, so long as it turned out to be in the party-interest. The challenge then was to find out what the party-interest was (and this was the goal of the information gathering process initiated by Snedden and implemented by Hartcher and Starr). This is a far cry from the public presentation of the party as determinedly anti-reform.

6.3 REVEALING RESPONSES

⁴⁰⁶ Graeme Starr to Sir Michael Fraser (Conservative and Unionist Central Office). 11 October 1973. The suggestion that disclosure might be in the party interests appears to have come from the Victorian Branch: Liberal Party of Australia (Victorian Division). 1981. Electoral Act Review (Submission to the Harders' Review). In *Alan Missen Papers*. National Library of Australia. MS7528. Box 302: 1-2.

⁴⁰⁷ Starr Wars: The Resignation of the New South Wales Liberal Party Director, Graeme Starr. 29 October 1988. *Sydney Morning Herald*: 79, 86. Starr left the Party in 1974 in protest of the way the party treated Hartcher. In his later role as NSW Liberal Party Director, he was described as "a quietly spoken cautious sort of man [who] stands up to what's right and is not prepared to compromise his principles": Clark, Pilita. 21 October 1988. Academic versus the Skunk. *Sydney Morning Herald*: 9.

⁴⁰⁸ A few years later, while an academic, Starr wrote several newspaper columns about the merits (in principle) of different campaign finance reform proposals: See. Starr, Graeme. 29 February 1976. The Control of Party Finance. *Sydney Morning Herald*: 66; Starr, Graeme. 21 March 1976. Public Funds for Political Parties. *Sydney Morning Herald*: 77.

If we turn now to the wording used in the state party executives' responses to Harcher's letter requesting views on reform, we can observe the motives of the state Presidents and General Secretaries who responded. The responses are summarized in Table 6.11 according to whether the statement of the state executives' positions on the three aspects of campaign finance reform evidenced motives of self-interest, party-interests, democratic values and/or party ideology. These first four motives in the typology developed in Chapter 5 are those that can be observed in written expression rather than actions. The analysis reveals a mix of motives behind the heads of the state organizations' *positions* on campaign finance reform (Table 6.11).

Table 6.11: Liberal Party Executives' Responses to Hartcher's Letter seeking Views on Campaign Finance Reform, August 1973

Division	Tax Deductability		Disclosure		Public Financing	
	Stance	Basis	Stance	Basis	Stance	Basis
NSW	Opposed	Party-interests	Opposed	Party-interests Democratic Values	Opposed	Party-interests Democratic Principles
Vic	Opposed	N/S	Uncertain	N/S	No opinion	N/A
Qld	Favored	N/S	Opposed	N/S	Opposed	N/S
SA	Favored	Party-interests	Opposed	Democratic Values (secret ballot)	Opposed	Party-interests Democratic Principles
WA	Favored	N/S	Opposed	N/S	Opposed	N/S
Tas	Uncertain	N/S	Uncertain	N/S	Uncertain	N/S

Source: Liberal Party of Australia, Federal Secretariat, Research Department. 1973. *Liberal Party Views on Electoral Reform*. Canberra. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 321.

Party-interests were important motivators of the positions of state executives on campaign finance reform. In responding to an idea, raised by Snedden independently of the ALP or media, to reward political donors by reducing their taxable income (known as “tax deductibility” or “tax credits”), New South Wales General Secretary Jim J. Carlton stated his state organization’s *opposition* on privacy grounds that were based in the party’s interests:

Although this [tax deductibility] is superficially attractive, it would inevitably lead to the disclosure of information re the source of Party funds. This would be to the particular disadvantage of the Liberal Party, as it could repel some contributors.⁴⁰⁹

Revealing the uncertainty of interests, Reg Y. Wilson, the Executive Director of the South Australian Division, wrote on behalf of his executive in *favor* of tax deductibility on party-interest grounds:

since the Australian Labor Party at present gains by having the advantage of their contributions by virtue of union subscriptions being deductible to the donor.”⁴¹⁰

The motive revealed in both these two statements is party-interest, and party-interest in revenue maximization. There is no evidence of self-interest, but that may reflect that these are group responses on behalf of state executive committees to the central party. However, more interesting is that the same motive forms the basis of opposite positions on reform. This reminds us of the contested and uncertain nature of electoral reform.

The issue of public funding of party campaign expenses was a recent idea taking hold in North America and Europe in the 1960s.⁴¹¹ On the issue of public funding, the responses of the Liberal Party state executives were less sure of themselves. Motives of the party-interest in maximizing revenue were not so clearly evinced. Responses were more complicated and multifaceted, speculative and qualified. In NSW, where the ALP would introduce public funding in 1980, Carlton, on behalf of the NSW Liberal Party Division, said:

⁴⁰⁹ Liberal Party of Australia, Federal Secretariat, Research Department. 1973. Liberal Party Views on Electoral Reform. Canberra. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 321: 12. Unfortunately, the original responses were not preserved and instead this analysis relies on the reproduction of the responses in the research report.

⁴¹⁰ Liberal Party of Australia, Federal Secretariat, Research Department. 1973: 12.

⁴¹¹ Public financing originated in Minnesota in 1955: Alexander, Herbert E. 1966. Regulation of Political Finance in the United States. In *Studies in Canadian Party Finance*. Canada Committee on Election Expenses, ed. Ottawa: Queens Printer.

We are strongly opposed to public financing of political party expenses. It would be enormously difficult to determine the proportions to be given to each Party. It might unnecessarily entrench the position of a Party of [sic] group which had lost electoral appeal.

Philosophically, all Parties should remain exposed to the difficulties of raising funds, having regard to the prevailing electoral climate.⁴¹²

Conservative democratic values and party-interests were mixed together in the position advanced by Carlton. Similarly, the SA Division's response combined democratic values and party-interests. Wilson wrote that the public funding of parties:

is not in the best interests of the political system as a whole since it introduces a concept that the government supports parties to the obvious advantage of the incumbent or majority party.⁴¹³

These two responses indicate that, in the private sphere, democratic values and other non-interested motives may emerge more within political parties when it is unclear where interests really lie.⁴¹⁴

There is no real reason for the replies to pretend to be motivated by democratic values in this context and they can reasonably be accepted at face value—with a caveat about the likely pressure to disguise self-interest as party-interest when writing to the central party. With that in mind it is important to note that the responses of both SA and NSW demonstrate non-interested-motivations: democratic values.

The party was relatively united in its opposition to disclosure of donations. None of the opposition was expressed in terms of the party's professed "article of faith",⁴¹⁵ that the party organization should do all of the fundraising and keep it secret from the party in

⁴¹² Liberal Party of Australia, Federal Secretariat, Research Department. 1973: 14

⁴¹³ Liberal Party of Australia, Federal Secretariat, Research Department. 1973: 14. The South Australia Liberal Party had just lost many of its more liberal and idealist members. Steele Hall formed the Liberal Movement in 1972, out of a breakaway liberal part of the Liberal Party. It is perhaps surprising that the South Australian branch was not more focused on party interests in this context.

⁴¹⁴ At some times, respondents suggested ideas that were apparently against party interests. On the issue of public financing of *party* expenses, Fred Lathby, on behalf of the Western Australian state executive committee reported:

We would strongly oppose public financing of political party expenses, but would suggest careful examination of schemes which are being examined abroad for public monies being used to finance some proportion of election campaigns of candidates.

Liberal Party of Australia, Federal Secretariat, Research Department. 1973: 14

⁴¹⁵ Mills. 2013: 124.

public office so as to avoid MPs being influenced in their legislative decision-making. Long-serving Prime Minister Robert Menzies was said to have insisted upon this principle⁴¹⁶ and when the party wrote its “Fund Raising Code” in 1975, it reiterated that “[n]o members of the State or Federal Parliamentary parties” are to be “informed of the details of donations under any circumstances.”⁴¹⁷

Instead of this fundamental principle of proper fundraising, the respondents expressed their opposition to disclosure based on the privacy rights of donors and the interests of the party. Carlton expressed the NSW branch’s opposition in terms of party-interests (extracted above page 141), and continued:

There are no good reasons why there should be public disclosure. It would be another unnecessary invasion of privacy.⁴¹⁸

Common among conservative parties, and likely a reflection of genuinely held values, was the idea that the identity of donors of money—like voters of specific ballots—should be secret. It is explained more fully in the Wilson’s response, on behalf of the SA Branch:

The committee is not in favour of this since it is felt that this is an undue imposition on donors to reveal their political affiliations and interests when such matters should be maintained as secret to themselves.⁴¹⁹

In the case of the Carlton’s response, the party-interests first identified aligned with the purported principle, so the principle is likely merely backing up the party-interested motives. The motives of Wilson are unclear, although they are expressed as democratic values, which aligned well with the perceived party-interest in this instance.

⁴¹⁶ Mills. 2013: 124.

⁴¹⁷ Tony Eggleton (Federal Director) to the Federal Council. 23 September 1975. Fund Raising Code. In *Peter Howson Papers*. National Library of Australia. MS4697. Box 58. Folder “Federal Council 1975”: 1.

⁴¹⁸ Liberal Party of Australia, Federal Secretariat, Research Department. 1973. Liberal Party Views on Electoral Reform. Canberra. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 321: 13.

⁴¹⁹ Liberal Party of Australia, Federal Secretariat, Research Department. 1973. Liberal Party Views on Electoral Reform. Canberra. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 321: 13.

All of the branches were opposed to disclosure, except Victoria—which expressed no opinion and sought more research into the measure in its 1973 response.⁴²⁰ Responding to another request from the central party for views on electoral reform just six months later (March 1974), the Victorian Division had developed its position, reporting that “[t]he Division feels that there is a strong case for public disclosure but legislation should require disclosure by the donor and not the recipient.”⁴²¹ It is likely that this view is also motivated by party-interests—but such a motive of party-interest led to a position on reform opposite of that taken by the other branches in 1973 (Table 6.11). When the Victorian Division expressed its views on disclosure in 1981, it argued:

the Party could derive considerable political advantage by advocating disclosure of total campaign expenditure. We are incessantly exposed to extravagant assertions about our expenditure commitments relative to those of our opponents. We regard public interest and suspicion about that subject to be an unhelpful diversion and our support for disclosure could act effectively to blunt mythical allegations.⁴²²

Once again, the same motive—party-interests—manifested in opposite positions on reform, reflecting the debatable, subjective and contested nature of party-interests.

The tendency to view disclosure in terms of interests is confirmed once more by the expressed views of Robert Southey, the party’s Federal President and top honorary office holder. He was reported tentatively in favor of disclosure—writing that he was “in favour ... if it favours all parties.”⁴²³ Southey, described by boutique British newspaper the *Independent* as “a gentleman in the rough and tough world of Australian

⁴²⁰ Liberal Party of Australia, Federal Secretariat, Research Department. 1973. Liberal Party Views on Electoral Reform. Canberra. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 321: 13-14.

⁴²¹ Starr, Graeme. March 1974. Responses for Victorian Division. In *Sir Billy Snedden Papers*. National Library of Australia, MS6216. Series 10. Box 204. Folder 21.

⁴²² Liberal Party of Australia (Victorian Division). 1981. Electoral Act Review (Submission to the Harders’ Review). In *Alan Missen Papers*. National Library of Australia. MS7528. Box 302: 1-2. This position on disclosure is similar to the view that the Canadian parties came to (Chapters 13 and 14) except that the Canadian parties were motivated less by party-interests and more by social acceptance.

⁴²³ Quoted by John Leggoe. 12 October 1973. Political Donors – Disclosure. In *Sir Billy Snedden Papers*. National Library of Australia, MS6216. Series 10. Box 204. Folder 21. John Leggoe, the Public Relations Manager was drafting a press-release for Billy Snedden at the time.

politics”,⁴²⁴ here appeared to be motivated by interests – party- or, even, cartel interests of the major parties of the sort Katz and Mair predict.⁴²⁵

In these responses, party-interest was the most dominant motive in party executives’ positions on campaign finance reform in the Liberal Party’s early agenda setting stage. To say that they were dominant is not to say that party-interests were the only motives guiding elites or that there was an accepted understanding of the party-interest. Neither is true: democratic values were represented in party executive’s positions; and wildly varying positions on reform were justified by differing conceptions of the party-interest.

CONCLUSION

In its public pronouncements, the Liberal Party of Australia was consistent, angry (really furious!) and sure of its position on campaign finance reform, characterizing the ALP’s agenda as a deliberate attack on their interests. Yet, privately, the story was far more complex. Processes were multiple, inconsistent and displaced one another. Positions on reform were uncertain and contested. The same party revenue maximization motive led elements of the party to diametrically opposed positions on reform measures. Motives varied—and were difficult to infer, especially from actions rather than private, uninhibited words.

The public face of the party—the evidence used by most accounts of electoral reform—is entertaining for its exaggerated nature. Yet, it misrepresents the party’s position and processes on reform. An internal approach offers a better insight into what parties were really thinking. Indeed, such an approach sheds significant light on the motives of those publicly presenting the party’s public position. In his public pronouncements in October 1973, Snedden claimed that “[t]he Government’s plans to force disclosure of sources of political party funds caused the Liberal Party no concern at all,”⁴²⁶ even though his party had launched into an elaborate intelligence collecting process a few months earlier. Snedden was operating in two worlds: the public political and the private policy world.

⁴²⁴ Monks, John. 19 October 1998. Obituary: Sir Robert Southey. *The Independent*.

⁴²⁵ Katz, Richard S, and Peter Mair. 1995. Changing Models of Party Organization and Party Democracy: The Emergence of the Cartel Party. *Party Politics* 1 (1): 5-28.

⁴²⁶ Billy Snedden. 16 October 1973. Press Release. In *Robert Southey Papers*. National Library of Australia. MS9901. Box 6. Folder “Federal Executive Council Meeting 30 November 1974”.

The extent to which the public statements of the party were made in a different (political) world from the policy world studied in this chapter is demonstrated clearly by a little anecdote from the party records. In the middle of drafting a press release in response to Barry Cohen's question (p. 126), Snedden and his Public Relations Manager, John Leggoe, made several annotations on a photocopied editorial from Adelaide's major broadsheet, the *Advertiser*. The editor of the *Advertiser* endorsed the ALP's disclosure plans and, in the final sentence of the editorial, noted that the ALP had abandoned its earlier plan for public financing of party expenses (see Chapter 6). Rather than focus on the substance of the article (about the merits of the principle of disclosure), it was the final sentence that was underlined and highlighted by Snedden with the annotation that the ALP "should be hit on this change of plan", to which Leggoe replied in large writing "Yes".⁴²⁷

The substantive policy issues were not relevant here; instead, Leggoe (who was fulfilling his role as Public Relations Manager—a job innately directed at maximizing the electoral efficiency interests of the party) and Snedden were operating in the political sphere where the *party-interest* in electoral efficiency was most relevant. In this environment they sought to develop propaganda that would affect public opinion and gain sympathy, generate anger at the ALP or, at least, minimize criticism of their party by the electorate.

To say that, in the political sphere, Snedden and Leggoe were motivated by party-interests in electoral efficiency is not to say that they were only motivated by party-interests in electoral efficiency. The Liberal Party's public positions were just that: positions. The fact that the party was willing to play politics (a necessity in the political business) in the political sphere does not mean, as we now know, that it did not engage in any substantive policy-making or that the policy generated was motivated by party electoral efficiency interests.

In addition to seeing the stark contrast between the public and private arenas (and the utility of an archival method that uncovers the private world), the chapter demonstrated the transient, conflicting and uncertain nature of party-interests in electoral reform. The Liberal Party's behavior in private, launching into a multi-

⁴²⁷ Snedden, Billy and John Leggoe. c1973. Annotations to Political Funds (editorial in the *Advertiser*. 19 October 1973). In *Sir Billy Snedden Papers*. National Library of Australia. MS6216. Series 10. Box 204. Folder 21.

pronged information-gathering process, reflected a genuine lack of knowledge and a sincere desire to ascertain the likely impacts of the proposals. Party-interest was not always the guiding motivation, but, even where it was, the conclusions partisans reached were different: some partisans concluded that the party-interest was served by tax deductions; other partisans believed that tax deductions would be most detrimental to the party. This case-study also indicated that understandings of the party-interest change: uncertainty may become certain, or vice versa, and—presumably—positions may reverse.

Finally, the chapter showed that motives other than interests may underlie partisans' attitudes to electoral reform and behavior in the electoral reform process. These conclusions are tentative, and will be built on in the forthcoming chapters. What we saw in the Liberal Party case was that party-interests were central motivations but democratic values and process-related motives were often present. In addition to the finding out and furthering the party's interests, the party leader, Snedden, sought to involve the party when he did not need to; Starr was concerned with performing his job well and Hartcher was interested in maintaining his power and relevance to the party. None of these concerns had anything to do with campaign finance reform outcomes or the position the party would ultimately take on reform. Instead, these behaviors were motivated by social acceptance and/or power.

The state party executives, whose motives can be more easily inferred from their responses to Hartcher's letter, evinced both motives of party-interests and democratic values, at least where party-interests were not clear. The types of party-interests that the state party executives endorsed were party-interests in *revenue maximization*. The party's interests in electoral efficiency were not mentioned by party executives in the internal agenda setting process, indicating that substantive policy processes can happen alongside (and largely separate from) public political processes motivated by party-interests in electoral efficiency.

That *any* democratic motives were seen is significant. These democratic values motives were present even though the state party executives were the people with the most specialized interests and knowledge of campaign finance law—they were the ones charged with running party campaigns and raising ever increasing stacks of campaign loot. These democratic values motives were present even though the Liberal Party's policy development process occurred behind the veil of privacy, which protected their

actions from any outside scrutiny for more than 40 years. These democratic motives survived even though the party was, sometimes frantically, responding to only sinister rumors about the government's plans. Democratic values motives tempered party-interests—at least in the early stages of policy development—in this thesis' most partisan and party-interested case-study.

The next chapter turns to the other player in the game of Battleship in Australia in 1973-1974—the ALP in government—to examine in more depth the importance of a position of responsibility and the presence of social acceptance motives to campaign finance policy development.

CHAPTER 7

ENDUED WITH RESPONSIBILITY: THE MOTIVES OF THE ALP CABINET AND MINSTER DALY

He tended to make snap judgments, to act hastily without any concern for the victims of his sudden wrath and biting sarcasm. Occasionally his partial or incomplete appreciation of situations and individuals meant that in party terms his was a brittle leadership, sometimes constructive and magnificent in conception, but often erratic. His tendency to surround himself with groups of ministers in favour and to act on advice from a broad range of sources without consulting cabinet meant that he did not always retain the full confidence of his colleagues and was restrained by the limits of their tolerance.

—Patrick Weller on Prime Minister Gough Whitlam’s relationship
with Cabinet. 2007. *Cabinet Government in Australia, 1901-2006:
Practice, Principles, Performance*: 130-131

In a land where prosperity and complacency often deliver mundane politics, the Whitlam government was an extraordinary symphony of soaring violins, crashing cymbals and thundering tubas.

—Lindsay Tanner. 2012. *Politics with Purpose: Occasional
Observations on Public and Private Life*: 326.

While the Liberal Party of Australia busily responded to rumors of the Australian Labor Party’s (ALP) campaign finance reform plans in 1973 and 1974, the ALP gradually—and haphazardly—developed them. The ALP, and the working-class political tradition from which it was born, had a long history of advocating electoral reform. However, the ALP had no particular policy on the regulation of money in politics when it romped into governmental office in late 1972 under the leadership of Gough Whitlam. Instead, Frederick Daly, a long serving ALP MP and the minister in charge of electoral reform, was a lone pioneer as he whittled a campaign finance reform plan, with the cautious support of Cabinet, over 1973 and 1974. The plan, which began with a broad swath of measures, ultimately emerged with just two: disclosure and spending limits. Daly’s development of a campaign finance reform program this thesis’ only example of a *secret* public policy-making process. Daly did not involve his party or inform the Liberal Party of his plans. This secrecy, combined with harshly partisan public statements of intent, would contribute to the failure of campaign finance reform in Australia.

On its broad electoral reform agenda—including returning to FPTP voting and reducing the voting age—the party in public office and its party executives had typically been guided by party-interests. (Interestingly, these party-interests were understood as embodying the interests of the Australian people in truly democratic representation.) On the issue of money in politics, however, party-interests took a back seat. Daly, in his governance role, was motivated in his quest much more by fulfilling the expectations of the office (social acceptance in our typology) than party- or self-interests. Other, less prevalent, motives demonstrated by Daly were democratic values and civic duty.

7.1 GARRULOUS ON ELECTORAL REFORM; MUTE ABOUT CAMPAIGN FINANCE REFORM

The ALP had long been an advocate of electoral reform. Emerging out of early electoral reforms like universal male franchise (1850s) and payment of parliamentarians (1870s), the ALP was particularly important in Australia's adoption of compulsory voting, the Single-Transferable-Vote in the Senate, the abolition of property franchises in the state upper houses and the reapportionment of electoral districts into ones of equal size in the nation's lower houses.

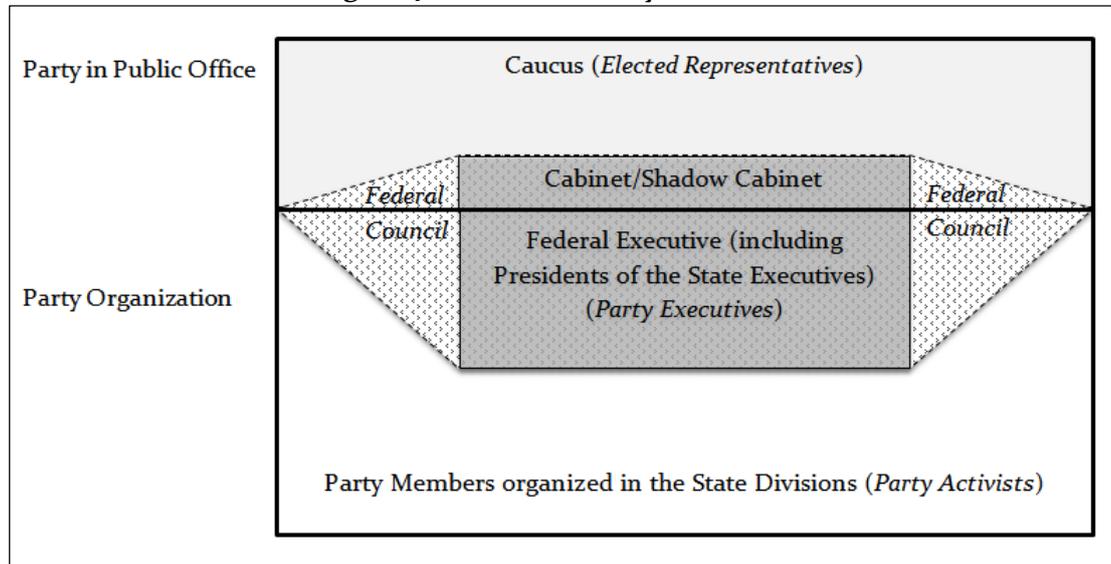
During its long stint in opposition, stretching from 1949 to 1972, the ALP frequently expressed serious misgivings about the state of electoral law. Appeals for electoral reform came from all levels of the party. In the late 1960s and early 1970s, the Federal Executive (Figure 7.1) called for, *inter alia*, the abolition of the Senate, strict one-vote-one-value rules for redistricting, representation of the territories,⁴²⁸ and the reduction of the voting age to 18.⁴²⁹ Members of the shadow cabinet routinely proposed amendments to any *Commonwealth Electoral Act 1918* amendment bills introduced by the Liberal Party government. Members of caucus introduced numerous doomed Private Member's Bills. These bills and amendments covered topics such as reducing

⁴²⁸ Until 1968 and the passage of *Northern Territory Representation Act 1968*, the elected member of parliament from the Northern Territory did not have full voting rights in the House of Representatives. Similarly, before 1974 and the passage of the *Senate (Representation of Territories) Act 1973* the Northern Territory was not represented in the Senate.

⁴²⁹ Australian Labor Party, Federal Executive (National Organising and Planning Committee). 4 August 1968. Recommendations of the National Organising and Planning Committee. In *Australian Labor Party – South Australian Branch Records*. State Library of South Australia: SRG73/37/13; Australian Labor Party, Federal Executive, Legal and Constitutional Committee. 1968. Report. In *Australian Labor Party Federal Secretariat Records*. National Library of Australia. MS 4985. Box 127, Folder 71.

the permissible variation in electorate size;⁴³⁰ allowing for postal voting for ill people;⁴³¹ ballot position by lot;⁴³² to include 18 – 20 year olds amongst the ranks of those required to vote;⁴³³ and to alter the existing AV voting system.⁴³⁴

Figure 7.1: The ALP Party Structure



The party organization in its annual meeting and highest formal policy-making forum, the Federal Conference (Figure 7.1), repeatedly heard from State Divisions and branches about electoral reform throughout the 1950s and 1960s. The states' main concerns were

⁴³⁰ Australian Government Printer. 1961a. *Bills Introduced Together with Printed Amendments etc 1960-61*: 77; Australian Government Printer. 1961b. *Bills (Senate) Session 1961*: 67; Australian Government Printer. 1966a. *Bills Introduced Together with Printed Amendments etc 1964-65-66*: 609-613, 621; Australian Government Printer. 1966b. *Bills (Senate) Session 1964-65-66. Vol. 1*: 425-433; Frederick Daly. 1 April 1971. *Commonwealth Electoral Bill (No. 2) 1971* (Cth).

⁴³¹ Australian Government Printer. 1961a: 77; Australian Government Printer. 1961b: 67.

⁴³² Australian Government Printer. 1966a: 609-611 AGP Canberra; Australian Government Printer. 1966b: 425, 617; Australian Government Printer. 1966b: 433.

⁴³³ Australian Government Printer. 1966a: 621; Australian Government Printer. 1966b: 433; Australian Government Printer. 1969. *Bills (Senate) Session 1968-1969. Vol 1*: 735.

⁴³⁴ The proposal was to remove the requirement to rank (or “preference”) every single candidate on the ballot paper: Frederick Daly. 1 April 1971. *Commonwealth Electoral Bill (No. 2) 1971* (Cth).

that the existing AV system be replaced with FPTP,⁴³⁵ or at least optional preferential voting (OPV).⁴³⁶

Amongst its expansive reform agenda, there were no campaign finance reform proposals.

Figure 7.2: A How-to-Vote Card for Gough Whitlam showing the full ranking of preferences required under compulsory preferential voting. 1972.⁴³⁷

Both publicly and privately, many in the ALP viewed its electoral reform agenda in terms of party-interests in winning government. These party-interests were not understood as an attempt at manipulating the electoral system so that a victory at all costs could be manufactured.

Instead ALP partisans appear to have genuinely believed that the electoral system was stacked unfairly and intentionally against the ALP, so that they were denied office even when they had majority support. For example, when, in 1971, Daly, then Shadow Minister for Immigration, introduced a Private Member's Bill⁴³⁸ for optional preferential voting and a more strict interpretation of one vote one value, he publicly claimed that the reforms would ensure "that those elected individually or as a government shall reflect the wishes of the majority."⁴³⁹ Publicly, Daly cited the 1961 and 1969 elections as instances in which under a FPTP system, "democracy would have been served by the election of a Labor Government".⁴⁴⁰ For Daly, as for others within the party, the reform agenda



⁴³⁵ For example: Australian Labor Party Federal Conference. 1955. *Agenda*: Points 22-23. In *Australian Labor Party Federal Secretariat Records*. National Library of Australia. MS4985. Box 1. Folder "Federal Conferences etc". Also: Australian Labor Party Federal Conference. 1960. *Decisions of the Annual Conference*. Point 30; Australian Labor Party Federal Conference. 1961. *Agenda*: Points 140-142, 144; Australian Labor Party Federal Conference. 1963. *Agenda*: Point 137. All three documents in *Australian Labor Party Federal Secretariat Records*. National Library of Australia. MS4985. Box 4.

⁴³⁶ In optional preferential voting, voters do not have to rank every single candidate on the ballot paper. In full preferential voting they must rank all candidates as demonstrated in Figure 7.2.

⁴³⁷ From *Australian Labor Party Federal Secretariat Records*. National Library of Australia. MS 4985. Box 138.

⁴³⁸ Frederick Daly. 1 April 1971. *Commonwealth Electoral Bill (No. 2) 1971* (Cth).

⁴³⁹ Commonwealth of Australia. 1 April 1971. *Parliamentary Debates* (Frederick Daly): 1302.

⁴⁴⁰ First-Past-the-Post Bill 'Shameful'. 1 April 1973. *The Age*: 5.

was set in the context of understanding successive electoral defeats not as a consequence of a lack of support for, or bad campaigning by, the ALP, but as a consequence of the biased math of the electoral system and the uneven geometry of legislative districts.

The operation of the electoral systems was keenly (if inaccurately) assessed in terms of the party-interest in the accurate (and more beneficial) conversion of votes into seats. A particularly clear example comes from prominent ALP party executive John (Jack) Egerton, President of the Queensland ALP state executive (and President of the Trades and Labor Council of Queensland).⁴⁴¹ Egerton wrote to Senator Tony Mulvihill, the Secretary of the Federal Parliamentary Labor Party Electoral Committee, in 1972, explaining how his views on PR had changed so that he now preferred it FPTP, but thought the party should first aim for OPV:

I have always been opposed previously [to PR], but nevertheless after having a look at the standards of Government in Norway, Denmark, Sweden, and West Germany I personally believe that a Proportional System of Representation would always ensure the Australian Labor Party of being a major party in Australian politics, and I believe that we would always be in Government as we would only have to attract a very small splinter party by way of coalition if we did not achieve the 50% vote required to govern in ones [sic] own right.

I feel, of course, that we would obtain the 50% relatively easily after a single term of office.

However, Tony, please don't get me wrong. The first thing to do is obviously to get rid of our preferential system and get to first-past-the-post, and from there we can have a look at the situation generally.

I personally believe that even a first-past-the-post system encourages the cult of the individual and makes it very difficult for the Labor Party to be a disciplined party. The Labor Party can never exert the discipline so necessary to the success of a Party like the Australian Labor Party.⁴⁴²

⁴⁴¹ As an aside, Egerton later became the first and only knight from the ALP's ranks. His acceptance of the honor led to him being stripped of his ALP membership because the ALP did not endorse royal honors.

⁴⁴² John Egerton to Senator T.A. Mulvihill. 20 March 1972. In *Frederick Daly Papers*. National Archives of Australia. M5530. Item 257: 1.

Another example of similarly phrased thinking comes from the ALP Federal Executive in 1968 with regards to redistribution (redistricting) of seats in the House of Representatives.

A Redistribution is now upon us and it is vital that the A.L.P. in all States be fully aware of the significance of the new elements in the Act and be at least as prepared and keen as other parties to exploit (and to guard its interests against exploitation by others of) the opportunities which the amended Act affords.

Australian Labor Party. 1968. Redistribution 1968: The A.L.P.'s Interest. In *Australian Labor Party Federal Secretariat Records*. National Library of Australia. MS 4985. Box 61. Folder 2.

In each sentence, Egerton draws on party-interests as the guiding basis of his view point, explaining that his changing understandings of its impact on ALP fortunes was a key motivation for his approval of PR. Even though Egerton was writing to the party in public office, collective party-interest in winning office and discipline was his natural language. He did not talk in terms of self-interests or the interests of backbenchers like Mulvihill. Reforms were prioritized by electoral effect on party control of government. There is no sense of awareness that a member of the party in public office, especially backbenchers, might sometimes want independence from their party in the form of looser party discipline.

Self-interest was less relevant than the interests of the team, with the party-interest oftentimes phrased in terms of entitlement and seeking democratic justice, rather than ruthlessly pursuing advantage. This entitlement centered on the party receiving the legislative majority it believed it deserved, in one way or another.

Egerton does not appear to have been particularly well-informed (implying that FPTP encourages undisciplined parties) or guided by realistic expectations of the party's electoral fortunes (only once did the ALP win 50% of the vote in an election: 50.0% in 1954). This should highlight that calculations of interests are fraught with misunderstanding and misestimation.

After the ALP was triumphant in the December 1972 Election, it quickly set its sights on its long list of electoral reform policies. First on the agenda was lowering the voting age. The ALP was energized by activism in South Australia and the decision of the High Court in September 1972—just months before the election—that the definition of “adult” in the provisions of the *Constitution* about voting included only persons aged over 21 years.⁴⁴³ On the 9th of January, 1973, less than a month after Whitlam's Cabinet was appointed, Cabinet considered extending the duty to vote to 18 years.⁴⁴⁴ On the second sitting day of the Parliament (28th February), the bill lowering the voting age was introduced and it passed into law on March 16.⁴⁴⁵

⁴⁴³ *King v Jones*. 1972. *Commonwealth Law Reports* 128: 221.

⁴⁴⁴ Australian Government. 9 January 1973. Cabinet Decision 27, Submission No. 6. In *Cabinet Submissions*. National Archives of Australia A5915, 6: Appendix B – Other Electoral Matters Which Will Require Consideration by Cabinet.

⁴⁴⁵ *Commonwealth Electoral Bill 1973* (Australia); *Commonwealth Electoral Act 1973* (Australia).

While the voting age was the top priority in January, Cabinet also considered a full 27 other electoral reforms. These reforms were a mix of the ALP's agenda and the Electoral Office's agenda. These issues included one-vote one-value, optional preferential voting, the drawing of positions on the ballot paper by lot and printing party affiliation on the ballot paper. The only campaign finance reform issue amongst the 27 reforms was left over from the Liberal Party's time in office: the repeal of the existing campaign finance law requiring candidates to lodge a statement of their expenses and limit their spending.⁴⁴⁶ After lowering the voting age, the ALP introduced bills to change redistricting practices (March 1973)⁴⁴⁷ and provide for Senate Representation of the territories (May 1973),⁴⁴⁸ amongst a stream of other bills.⁴⁴⁹ By May 1973, Daly, who was now Minister for Services and Property, Leader of the House and "Father of the House",⁴⁵⁰ included campaign finance reform in his swag of potential reforms.⁴⁵¹ Daly quietly began to investigate reform options overseas.

The archival records of the ALP and other prominent partisans from the time do not reveal why Daly turned to campaign finance reform.⁴⁵² Objectively, in the early 1970s, the ALP had good reason to consider campaign finance reform. Internal party records indicate that rising campaign costs were particularly severe in the ALP as it transitioned from a mass volunteer labor-based party to a more electoral professional catch-all party. The ALP's traditional sources of funds, donations and affiliation fees from

⁴⁴⁶ Australian Government. 9 January 1973. Cabinet Decision 27, Submission No. 6. In *Cabinet Submissions*. National Archives of Australia A5915, 6: Appendix B – Other Electoral Matters Which Will Require Consideration by Cabinet. See the Introduction to Part III of this thesis for more about the Liberal Party's desire to repeal the existing campaign finance law in the 1950s and 1960s.

⁴⁴⁷ *Commonwealth Electoral Bill (No. 2) 1973* (Australia).

⁴⁴⁸ Senate (Representation of Territories) Bill 1973.

⁴⁴⁹ For example: Representation Bill 1973; Northern Territory Administration Bill 1973; Australian Capital Territory Representation Bill 1973.

⁴⁵⁰ The title awarded the longest-serving member of the House of Representatives.

⁴⁵¹ Frederick Daly to Sir Keith Waller (Secretary of the Department of Foreign Affairs). 9 May 1973. In *Frederick Daly Papers*. National Library of Australia. MS9300. Box 102. Folder 'Overseas visit 13 June to 24 July 1974'.

⁴⁵² The collections accessed include: *Australian Labor Party Federal Secretariat Records*. National Library of Australia. MS 4985; *Frederick Daly Papers*. National Library of Australia. MS9300; *Frederick Daly Papers*. National Archives of Australia. M5530; *Gordon Bryant Papers*. National Library of Australia. MS8256; *Jim Keeffe Papers*. National Library of Australia. MS5135.

unions, were no longer sufficient on their own.⁴⁵³ Certainly, the party elite had identified a problem in its funding—a “recurring deficit each year”.⁴⁵⁴ Yet, this does not appear to have influenced Daly: the party’s records do not indicate that the party had given any thought to using the law to help them with these challenges.⁴⁵⁵

Perhaps the lesson the ALP learned from their 1972 Election win was the close connection between money and victory. The ALP’s victory with its “It’s Time” election campaign in the 1972 confirmed the importance of big money in elections:⁴⁵⁶ It’s Time was the most expensive, centralized and technological campaign that Australia had ever seen.⁴⁵⁷ In order to mount their 1972 campaign—which, we should remember, won them government for the first time in 23 years—the ALP turned to corporate donors with avid vigor. After the election, these donations were hard to maintain for a party so closely associated with the worker, especially as the consequences of their inexperience in economic management became clear in rising inflation and unemployment. Once again, the party records do not offer any evidence that fundraising issues encouraged the ALP to look to reforming the law on campaign finance.

Alternatively, it is easy to believe that campaign finance reform was only ever intended as an attack on Liberal Party interests. There was the occasional, but minor, controversy over the Liberal Party’s campaign funding practices in the late 60s and early 70s—such as newspaper reports about large slush funds made up by contributions from

⁴⁵³ According to the General Secretary, in the 1958 Federal Election campaign, union donations covered 65% of the Federal Secretariat’s campaign costs. However, by 1967 they covered less than a third—and that percentage would decrease even further for 1972: Cyril S. Wyndham. 21 August 1968. Unions and Their Election Donations. In *Australian Labor Party Federal Secretariat Records*. MS4985. Box 127. Folder 76: 6, 9.

⁴⁵⁴ Wyndham. 21 August 1968: 9.

⁴⁵⁵ The party organization had given some thought to compelling members of affiliated unions to donate to the party: Australian Labor Party, Commonwealth Labor Advisory Committee. 17 February 1964. Minutes of the First Meeting. *Australian Labor Party Federal Secretariat Records*. National Library of Australia. MS 4985. Box 148. Folder 207.

⁴⁵⁶ ACTU President, and later Prime Minister, Bob Hawke raised the issue of campaign finance reform in September 1972: Steketee, Mike. 30 September 1972. The Sky is the Limit on Election Expenses. *The Australian*.

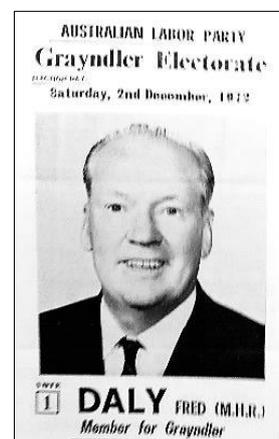
⁴⁵⁷ Young, Sally. 2003. A Century of Political Communication in Australia, 1901–2001. *Journal of Australian Studies*. 27(78): 97–110.

multinational companies.⁴⁵⁸ Yet secrecy was so pervasive and *well-executed* that the rumors were never particularly concrete. When Daly answered Barry Cohen’s question about disclosure (Figure 6.2, p. 126), it was in such partisan and adversarial terms that it appeared that the proposed law was intended as a direct attack on the Liberal Party. *The Age* questioned the ALP’s motives, suggesting that the ALP hoped to find large foreign corporate donations “with strings attached” accepted by the Liberal Party so that it could “exploit the new nationalism” to its political advantage.⁴⁵⁹ The party records are no help on this point, either.

Whether or not the ALP’s lurch toward reform was initiated with motives of party-interests, in the hands of Daly and the Cabinet, party-interests were nowhere to be seen as the agenda was set.

7.2 CABINET AND THE RESPONSIBILITY OF THE OFFICE

While there is a lack of evidence as to what provoked members of the party in governance roles to look into campaign finance reform, we can follow Cabinet’s deliberations and the behavior and motives of Daly as he led the way. Some cabinet records from the Whitlam Government are now open. Caution was exercised when reviewing cabinet records as they were created (and edited) in the knowledge that they would become public (in 30 years for most records, with the exception of Cabinet Notebooks, which—at the time—remained secret⁴⁶⁰) and with a greater eye towards history than personal, organizational, and private records. In addition to cabinet records, this chapter makes use of the ALP Federal Secretariat’s records in the National Library of Australia and the copious documents dedicated to campaign finance reform



⁴⁵⁸ See, for example: Political Funds. 19 October 1973. *The Advertiser*; Liberal Gave Money to ALP Fund. 1 October 1973. *Sydney Morning Herald*; Government may Probe Claims on Campaign Funds: Daly. 12 October 1973. *The Age*: 14.

⁴⁵⁹ Opening the Party Books. 18 October 1973. *The Age*: 9.

⁴⁶⁰ Cabinet Notebooks were permanently secret until 1994. Between 1994 and 2010, Cabinet Notebooks were opened 50 years after their creation: *Prime Minister and Cabinet (Miscellaneous Provisions) Act 1994* (Australia). Other cabinet records were closed for 30 years from their creation. In 2010, this time period began to be progressively reduced to 20 years for most records and 30 years for Cabinet Notebooks: *Archives (Amendment) Act 2008* (Australia). In 2016 and 2017, Cabinet Notebooks for the Whitlam Government will become available.

that Daly deposited in his collections in National Library of Australia and the National Archives of Australia.

**Figure 7.3: Frederick Daly
Election Circular. 1972.⁴⁶¹**

When we look at these records, it is clear Daly was not motivated by electoral efficiency interests and was not considering campaign finance reform primarily as a tool to scare or destroy the Liberals. Instead, the public behavior of Daly in attacking the Liberal Party appears more like a silly tactical error—that undermined more deeply desired goals. The pursuit of electoral efficiency interests, it seems, derailed a sincere, exhaustive attempt at pursuing reform that was best understood as being for the public good.

Daly set the agenda for campaign finance reform in secret—without notifying caucus or any part of the party organization. Beginning in mid-1973, Daly researched, assessed, developed and drafted a campaign finance package—initially containing a broad and inchoate swathe of reforms that were whittled down as time passed, information collated, the Canadian model idealized, and political realities comprehended. An election expenses bill was drafted and presented to the House of Representatives in December 1974. All the while as this process went on, the Liberal Party in opposition responded to the occasional rumors that emanated from the media about these goings on, chronicled in Chapters 6 and 11.

The climate of secrecy that pervaded both political money and Cabinet deliberation ensured that there was no involvement of party activists or party executives in the development of the draft election expenses bill. Only the Cabinet was involved. There were no letters flowing in or out of the Federal Executive on the issue; no discussions in the Federal Executive Meetings from the time on campaign finance reform; no preserved correspondence between caucus members and Daly. Party records show that the ALP organization had no role in, and was not even informed of, the lurch toward campaign finance reform in the early 1970s. This lack is despite a request to be informed from the ALP Federal Conference.⁴⁶² The lack of involvement of the party organization

⁴⁶¹ From *Australian Labor Party Federal Secretariat Records*. National Library of Australia. MS 4985. Box 138.

⁴⁶² Ken Grigg to Mick Young. 14 December 1972. *Australian Labor Party Federal Secretariat Records*. MS4985. Box 166. Folder “Electoral”. According to Grigg’s letter, at the 1972 Federal

is in sharp contrast to other reforms, like the move toward optional preferential voting, in which the organizations (party activists and party executives) led the way and were consulted. Furthermore, caucus appears to have had a rather limited role in campaign finance reform plans. The only evidence of *any* involvement by caucus comes from Daly's throwaway line of his second reading speech, in which he implied that caucus had ratified Cabinet's decision to pursue spending limits and disclosure.⁴⁶³

The lack of involvement of the broader party may be a consequence of the heightened expertise of the party leadership in fundraising in the ALP. In the ALP, leaders of the party in the public office were directly involved in procuring donations for the party. Unlike the Liberal Party's party in public office,⁴⁶⁴ the ALP Cabinet had direct and personal experience in the process of fundraising—and, perhaps, it did not need to rely on the organization as much. But, again, this is speculation. It is just as likely that, in the chaos and inexperience that was the 27 member Whitlam Cabinet, Daly and Cabinet forgot or did not consider consultation with their party.

Throughout 1973 and 1974, the Cabinet and especially the Department for Administrative Services explored reform options. The Cabinet considered public financing of party expenses,⁴⁶⁵ reimbursement of parties' postage expenses,⁴⁶⁶ free or subsidized TV time for political parties,⁴⁶⁷ donation disclosure and spending limits on parties. In its decision-making, Cabinet, as members of the party in governance roles,

Conference of the ALP, the conference asked the Federal Executive to report on the ALP's electoral policy at the 1973 Conference. It appears that this request was not granted.

⁴⁶³ Daly said:

The Government - and its decision has been endorsed by the Party today - has decided to bring down legislation to provide for public disclosures of all political funds and I assure the honourable member [Snedden] that he will get adequate time to consider the legislation and debate it and I hope that he will support it.

Commonwealth of Australia. 17 October 1973. *Parliamentary Debates* (Frederick Daly): 1814.

⁴⁶⁴ See: Tony Eggleton to Federal Council. 23 September 1975. Fund Raising Code adopted by the Federal Executive earlier this year. In *Peter Howson Papers*. National Library of Australia. MS4697. Box 58; Mills, Stephen. 2013. *Campaign Professionals: Party Officials and the Professionalisation of Australian Political Parties*. PhD Dissertation. Department of Government and International Relations. University of Sydney: 124.

⁴⁶⁵ Australian Government. 13 October 1973. Draft of Cabinet Minute (Decision 1436) Without Submission. In *Cabinet Records*. National Archives of Australia. A5931. CL21 Part 1. No. 135.

⁴⁶⁶ Australian Government. March 1974. Cabinet Submission No. 964. In *Cabinet Records*. National Archives of Australia CL21 Part 1, 217: 16.

⁴⁶⁷ Australian Government. March 1974. Cabinet Submission No. 964: 17.

were motivated at times by party-interests in electoral efficiency but also by social acceptance or civic duty motives in which proper governance was important.

As the major part of the agenda setting process, Minister Daly visited the North America and Europe in June 1973 with the Chief Electoral Officer, Frank Ley. In official correspondence, Daly explained the purpose of the trip to Sir Keith Waller, the Secretary of the Department of Foreign Affairs, in a mix of national prestige and information gathering terms. The aim was to examine “first hand the latest developments in electoral practices and procedures” including:

overseas voting systems, re-districting procedures, electoral expenditure, the contribution by Governments to campaign expenses of political parties and candidates, free political advertising on radio and television, the use of automatic and electronic voting equipment and a number of other matters in relation to electoral reform.⁴⁶⁸

This official correspondence is phrased officially (as one would expect), but from it we can see that the stated agenda was one with a large campaign finance reform component and is notable for its weighting toward state assistance of political parties (public funding of party expenses and free advertising). There is an absence of stringent regulatory mechanisms or requirements like disclosure, expense reporting, donation amount limits or limits on the source of money.

Daly’s agenda covers the type of reforms that a person motivated by the interests of their party, or trying to appeal to a Cabinet motivated by party-interest, would find—at least superficially—appealing. And so, it is easy to infer that these investigations were a pretext for furthering the party-interest. Indeed, this sense of party-interested motives is exacerbated by Cabinet’s behavior in some of its decision-making, with regard to public funding of party electoral campaigns and consideration of the electoral consequences of such funding.

A few months after Daly’s return from overseas (in October 1973), the federal Cabinet considered a submission from Daly on campaign finance reform. Daly encouraged Cabinet to consider public financing of elections and donation disclosure. Later that month, Cabinet rejected public financing. As recorded in a draft Cabinet minute, the idea of public financing or the “subsidisation of political parties”, as it was called in

⁴⁶⁸ Letter from Daly to Sir Keith Waller (Secretary of the Department of Foreign Affairs). 9 May 1973. *Frederick Daly Papers*. National Library of Australia. MS9300. Box 102. Folder ‘Overseas Visit 13 June to 24 July 1974’.

Cabinet, was not met with approval.⁴⁶⁹ This lack of approval was despite Whitlam's known predisposition to public funding of elections.⁴⁷⁰ It is unclear from the Cabinet minutes and other available files precisely why public funding was not looked upon with favor,⁴⁷¹ although the Chief Electoral Office's advice—the primary advice Cabinet took—was likely central. Ley, the head public servant in charge of electoral administration, advised that public funding would be risky, warning that “it is likely that any political party introducing it would attract an adverse backwash [sic].”⁴⁷² While this is strangely political advice (in odd phrasing) for a staunchly non-political office, it was likely a large contributing factor to Cabinet's decision, if they were motivated by the party's electoral economy interests.

This apparent concern with electoral efficiency of public funding notwithstanding, Cabinet collectively does not appear to have been primarily motivated by party-interests. Rather it appears to have been influenced by international trends, indication motives of social acceptance or civic duty. Cabinet granted in-principle support of legislation for public disclosure of expenses and contributions at the outset⁴⁷³—a big deal at the time for a party that had recently increased its solicitation and reliance on large and potentially controversial corporate donations⁴⁷⁴ and for a political culture and

⁴⁶⁹ Australian Government. 13 October 1973. Draft of Cabinet Minute (Decision 1436) Without Submission. In *Cabinet Records*. National Archives of Australia. A5931. CL21 Part 1. No. 135. Reference to public financing was omitted in the final version of the minute: Australian Government. 15 October 1973. Australian Government. 15 October 1973. Cabinet Minute (Decision 1436) Without Submission. In *Cabinet Records*. A5931. CL21 Part 1. No. 138.

⁴⁷⁰ Daly, Frederick. 29 September 1983. Interview. In *Parliament's Oral History Project*. National Library of Australia. Tape 14: 25 (Interviewer Vivienne Rae-Ellis).

⁴⁷¹ Indeed it is only because of the preservation of the draft Cabinet Minute that we know that subsidization was considered in 1973: Australian Government. 13 October 1973. Draft of Cabinet Minute (Decision 1436) Without Submission. In *Cabinet Records*. National Archives of Australia. A5931. CL21 Part 1. No. 135.

⁴⁷² Frank. L. Ley. 14 August 1973. Other Amendments under Consideration Consequent upon Overseas Visit by Minister and Chief Australian Electoral Officer. In *Frederick Daly Papers*. National Archives of Australia. M5330. Item 584: 4.

⁴⁷³ Frank. L. Ley. 31 July 1973. State Support of Political Parties: Extract from Report on Overseas Visit by Mr. F. L. Ley Australian Chief Electoral Officer. In *Frederick Daly Papers*. National Archives of Australia. M5530 Item 256; Australian Government. 15 October 1973. Cabinet Minute (Decision 1436) Without Submission. In *Cabinet Records*. A5931. CL21 Part 1. No. 138.

⁴⁷⁴ For example, its acceptance of a AUS\$25,000 donation from Lendlease (extracted in Appendix 4). See: Receipt Books from the 1972 Election. In *Australian Labor Party Federal Secretariat Records*. MS4985. Box 138. Folder 1. Other donors for the 1972 election included AUS\$100,000

system so used to absolute secrecy.⁴⁷⁵ When more concrete proposals emerged for disclosure of all contributions over AUS\$100 and limits on expenses,⁴⁷⁶ the Cabinet remained supportive.

Likewise, and in keeping with the non-centrality of party-interests to Cabinet, when presented with a proposal for reimbursements to parties of their postage costs and free and subsidized TV time, Cabinet dismissed the proposal. Cabinet was aware that it would exclude the Country Party (which was in a permanent coalition with the Liberal Party) from the free TV and postage provisions with the proposed eligibility requirement of 10% or more of the vote at the previous election.⁴⁷⁷ Cabinet was aware, therefore, that the measure was of relative advantage to the ALP over the Liberal Party - Country Party coalition. Nonetheless these provisions quickly fell off the agenda, despite their obvious comparative advantages. For those in serious governance roles, even those who are part of an inexperienced and, by some accounts, dysfunctional Cabinet,⁴⁷⁸ interests may be pushed to the side. In this instance, good governance must have been a goal of Cabinet—indicating their social acceptance (or perhaps civic duty) motives.

When we examine Daly's behavior, as the leader of the reform process, more closely we see that social acceptance was an important motivator. Daly, it is clear, took campaign finance reform seriously. He did not view it as part of a political game and believed generating a reform package to be an important job, worthy of doing properly. Electoral reform seems to have been a genuine concern of Daly's, and a mixture of national pride, self-identity and duty to his office guided his behavior.

Daly initially focused on getting up-to-speed on campaign finance reform issues, rather than considering any particular ALP party benefit. His public statements, in parliament

from EG Whitlam and LH Banard Trust; AUS\$25000 from the Amalgamated Engineering Union; AUS\$3,500 from an anonymous donor; AUS\$1,900 from Financial Planning and Analysis Pty Ltd.

⁴⁷⁵ As discussed in the Introduction to Part III, the legal requirement that candidates lodge spending reports and conform to spending limits contained in Part XVI of the *Commonwealth Electoral Act 1918* were neither followed nor enforced.

⁴⁷⁶ Australian Government. March 1974. Cabinet Submission No. 964. In *Cabinet Records*, CL21 Part 1. No. 217: 3, 11.

⁴⁷⁷ Parliamentary Branch. 15 March 1974. Notes on Cabinet Submission No. 964. In *Cabinet Records*, CL21 Part 1. No. 217. Once again, this is strangely political advice from the public service.

⁴⁷⁸ Weller. 2007: 122-134.

(Figure 6.2) and in press releases, are a misleading indicator of his underlying motivations toward campaign finance reform. Instead, they are better understood a part of his misguided estimations about how to get his policy—motivated by those democratic values and social acceptance motives—through the Parliament or, perhaps, a demonstration of old opposition habits of attacking the other party at every turn dying hard.

Daly took multiple research trips and fixated on Canadian campaign finance reforms (see Chapters 8, 9, 13 and 14). While on research trips to North America in 1973, 1974 and 1975,⁴⁷⁹ Daly—who travelled with Ley, a non-partisan bureaucrat—met with a litany of public officials involved in electoral administration: the Californian Registrar of Voters, the New York Board of Elections, the New York Secretary of State and, importantly, the Chief Electoral Officer of Canada and Clerk and President of the Canadian House of Commons, amongst others.⁴⁸⁰ In the United States, donation disclosure was considered to be the keystone of any campaign finance regulatory scheme⁴⁸¹ and in Canada it was the central part of the new 1970s electoral reforms.

To be sure, these meetings were part of his job, yet Daly came back rather impressed with the principles behind the Canadian reform agenda and with the concept of disclosure. It is striking that upon Daly's return, disclosure too became the cornerstone of the Whitlam Government's campaign finance reform package—even though it was not on the radar when he left for his first research trip in June 1973. In Canada in the early 1970s, the major parties' commitment to lessening secrecy and increasing civic participation peaked (see Chapter 13 and 14). Not accidentally, Daly's disclosure proposals drafted were virtually identical to the Canadian provisions, up to the point of

⁴⁷⁹ Daly, Frederick. 1980. *Change the Rules* (draft notes for speech). In *Frederick Daly Papers*. National Library of Australia. MS9300. Box 80.

⁴⁸⁰ Pauline Larkey (Daly's Private Secretary) to Mr D Eddowes. 12 June 1973. In *Frederick Daly Papers*. National Library of Australia. MS9300. Box 102. Folder 'Overseas Visit 13 June to 24 July 1974'; Canadian High Commission to Minister Fred Daly. 12 June 1974. In *Frederick Daly Papers*. National Library of Australia. MS9300. Box 80; Parliament of Australia, the Parliamentary Library, Legislative Research Service. 2 June 1977. *Public Financing of Political Parties in the Federal Republic of Germany, Scandinavia, Canada, U.S.A., and UK*. In *Frederick Daly Papers*. National Library of Australia. MS9300. Box 80.

⁴⁸¹ The belief that timely and accurate disclosure is the central pillar of any campaign finance regulatory regime—or that “sunlight is the best disinfectant”—was widely and sincerely held in the United States. For the origin of the phrase see: Brandeis, Louis D. 1914. *Other People's Money*. New York: Frederick A. Stokes: Chapter 5.

a disclosure threshold of the identical amount (\$100 or more) and very similar expense limits.⁴⁸²

Daly's infatuation with the Canadian regime did not go unnoticed. In reviewing a written draft copy of Daly's second reading speech for the *Electoral (Disclosure of Funds) Bill 1974 (Aus)* in late 1974, Liberal Party leader Billy Snedden annotated "Again!" in big scrawled script next to Daly effusiveness (across several pages) about the wonder of the proposed campaign finance law in Canada.⁴⁸³ In that same speech, Daly quoted a Progressive Conservative Party of Canada activist Flora MacDonald (quite an obscure reference in Australia) on the equality and candor related goals of reform.⁴⁸⁴ In fulfilling a role of responsibility, rather than hiding behind the cloaks of an independent private organization (the party caucus room), Daly got caught up in the propriety of the reforms, rather than the party-interests at hand.

When Daly justified his June 1974 visit Canada to observe their elections—his second visit to Canada—in a *private* letter to Whitlam, he did so in these terms:

In view of the great public interest in electoral administration following the recent Australian elections, and proposed legislation, this [the 8 July 1974 Canadian federal election] appears to present an excellent opportunity to study the Canadian system with the possibility of improving our own.⁴⁸⁵

The rest of the letter is about the administrative details, but it shows that in some part of Daly's mind the goal was to make Australian electoral law better (rather than more expedient for the ALP)—because "public interest in" in this context is *not* equivalent to "public attention on". Note that the attitude of Daly is in sharp contrast to the party executives (like Egerton), who only saw the democratic interest in terms of getting the ALP elected to office more often. This conforms to a sense that the expectations of the office affect the office-holder. Different expectations come with being a party executive than a position of serious governance, like Cabinet Minister. One office is political—

⁴⁸² Australian Government. March 1974. Cabinet Submission No. 964. In *Cabinet Records*, CL21 Part 1. No. 217: 3, 11.

⁴⁸³ Daly, Frederick. 1974. Second Reading Speech (Draft). In *Sir Billy Snedden Papers*. National Library of Australia. MS6216. Box 204. Folder 21: 9.

⁴⁸⁴ Daly, Frederick. 1974. Second Reading Speech (Draft): 9. See pages 304-305 for more on Flora MacDonald.

⁴⁸⁵ Daly to Gough Whitlam. 11 June 1974. In *Frederick Daly Papers*. National Archives of Australia. M5330. Box 102. Folder 'Canada visit 17/6 - 6/7/1974'.

with responsibilities to the party; the other is about governance—with responsibilities to the people.

It also hints at a theme of this thesis that people (or “the people”) get what they expect from political leaders. While in some senses obvious and trite, this appreciation has profound implications for how we view electoral reform and politics. And, with the admission of a normative component to motives in public policy and electoral reform, it places an onus on academia not to take a default view of policy or electoral form as simply a debased game for electoral advantage.

7.3 CONFUSION BETWEEN POLITICS AND POLICY?

For all of Daly’s efforts, the eventual campaign finance reform bill would die in the Senate. Before its ungracious death, the bill was repeatedly delayed in Cabinet. It was in October 1973 that the Cabinet decided in favor of the principle of disclosure and spending limits, without developing a specific plan or bill.⁴⁸⁶ After that, campaign finance reform fell to the side-lines. In a dramatic encore in April 1974, Cabinet shone its spotlight on campaign finance reform deciding that a bill based on the Canadian model be drafted ready for introduction to parliament in one week!⁴⁸⁷ It wasn’t. The calling, conduct and fallout from the double dissolution election in May 1974, which Cabinet seemed not to be expecting, delayed the bill. A draft disclosure bill did not make its way to Parliament until December 1974.⁴⁸⁸

⁴⁸⁶ Australian Government. 15 October 1973. Cabinet Minute (Decision 1436) Without Submission. In *Cabinet Records*. A5931. CL21 Part 1. No. 138.

⁴⁸⁷ Australian Government. 1 April 1974. Cabinet Minute (Decision 2165) In *Cabinet Records*. A5931. CL21 Part 1: 5. The decision reads:

Cabinet agreed, further, that a bill incorporating the above amendments [disclosure and spending limits] should be introduced into the Parliament as soon as possible, but preferably no later than the following week, with a view to passage before the forthcoming Senate elections.

⁴⁸⁸ Australian Government. 4 December 1974. Cabinet Minute (Decision 3049 (LEG)) In *Cabinet Records*. A5931. CL21 Part 1: 5. The Legislative Committee approved the draft of the bill and

noted that the Minister would indicate in his Second Reading Speech that the Bill is being introduced at this stage so as to be available for public discussion during the summer recess and that the Government would be happy to consider any suggestions for improvements to the Bill.

Parliamentary Counsel for Legislation Committee of Cabinet. 4 December 1984. “Electoral Bill 1974: Memorandum by Parliamentary Counsel (74/1056). In *Cabinet Records*, CL21 Part 1. No. 188.

These delays adversely affected the prospects for disclosure legislation. The changed dynamics in the Senate, in which the Liberal Party-National Party could more easily block legislation—accompanied increased iciness between the ALP and the Liberal Party—meant that it got tougher and tougher for the ALP to pass laws (Appendix 8).

Even without the delays, the secrecy and naiveté of Cabinet—and its inability to see that politics and policy, while distinct, were related—doomed disclosure legislation. In the eighteen months that Daly and the Cabinet developed the *Electoral (Disclosure of Funds) Bill 1974* (Aus), they made no attempt at communicating privately with the Liberal Party about their intentions. As we saw in Chapter 5, the Liberal Party was running off rumors from the mainstream media and gossip channels in Canberra about the ALP’s plans until October 1973. The confusion about the ALP’s intents was clarified on 10 October 1973 by the terms of the Cohen’s question to Daly. Even if Daly’s reply in Parliament (Figure 6.2) was not an overt assault on the party, Cohen’s question framed disclosure as an attack:

so that the Australian people can see for themselves how much foreign money is being poured into Liberal Party coffers so that it can sell this country out to overseas interest?⁴⁸⁹

The Liberal Party became certain that Daly intended to assail their party’s interests, irrespective of Daly’s actual intentions at that time. No attempts to clarify were forthcoming from Daly or the ALP. This was a tactical mistake by Daly and the ALP in the political game, and it undermined their policy goals.

Furthermore, the Cabinet did not seem to understand that its public presentation, in the absence of any other communication, would likely affect the Liberal Party’s attitude to the bill. It apparently assumed that politics was completely separate from policy and that the Liberal Party knew this. In December 1974, the Cabinet resolved to introduce its draft bill immediately, so that it would be “be available for public discussion during the summer recess”. They claimed “the Government would be happy to consider any suggestions for improvements to the Bill.”⁴⁹⁰ After the Liberal Party in the Senate voted

⁴⁸⁹ Cohen, Barry (Member for Robertson). 10 October 1973. *Australian Parliamentary Debates*: 1814.

⁴⁹⁰ Australian Government. 4 December 1974. Cabinet Minute (Decision 3049 (LEG)) In *Cabinet Records*. A5931. CL21 Part 1; Australian Government. 2 December 1974. Cabinet Minute (Decision 3017 (LEG)) In *Cabinet Records*. A5931. CL21 Part 1.

against the bill in 1975, the Cabinet seemed surprised that the Liberal Party was not more receptive.⁴⁹¹ Later, Cabinet began to doubt whether it was “worthwhile proceeding with” the disclosure bill “in light of the attitude displayed by the Senate Opposition”.⁴⁹²

Given the secrecy with which the Cabinet developed the disclosure bill, the usual partisan tone of Australian politics, and the way they revealed their disclosure plans it seems strangely naïve to have imagined anything other than the utmost hostility from the Liberal Party. Only in Australia was reform attempted without the participation of all political parties represented in the legislature. Only in Australia were the details of the reform package kept secret from almost half of the members of the legislature. It seems that Cabinet expected a lot from the Liberal Party and did not understand that, in the absence of real communication or involvement, what is said as part of the political game, for the purposes of influencing public opinion, also affects policy and the willingness of the other parties to come to the table.

In retrospect, Daly said he regretted that campaign finance reform and other electoral reforms were not higher on the Whitlam government’s agenda. Reflecting in 1983 on the failure of many of the ALP’s electoral reforms, Daly said “I am only sorry now we didn’t put through a lot of other electoral reforms before we held [the double dissolution election]”.⁴⁹³ If the campaign finance reform bill had been introduced into the legislature before the double dissolution election, it could have been voted on (and passed) at the subsequent joint sitting of the Parliament irrespective of the Liberal Party’s views.⁴⁹⁴ Daly’s reflections amount to an instrumentalist view of the political process, but not an instrumentalist understanding of campaign finance legislation. On the balance of the evidence, in the information-gathering and agenda-setting process, Daly appears to have been primarily motivated by a mix of process orientated motives (social acceptance, civic duty) and democratic values, rather than the party-interest in

⁴⁹¹ Australian Government. 14 August 1975. Cabinet Decision 3937, Submission No. 1979. In *Cabinet Submissions*. National Archives of Australia A5915, 1979.

⁴⁹² Australian Government. 26 August 1975. Cabinet Decision 3970 (LEG). In *Cabinet Submissions*. National Archives of Australia A5915.

⁴⁹³ Daly, Frederick. 29 September 1983. Interview. In *Parliament’s Oral History Project*. Tape 14: 14 (Interviewer Vivienne Rae-Ellis). *The Commonwealth Electoral Bill (No. 2) 1973, Senate (Representation of Territories) Bill 1973, Representation Bill 1973* all passed at the 1974 joint sitting after the double dissolution election of 1974.

⁴⁹⁴ See footnote 307 on page 100 and Appendix 8 for more information.

campaign finance reform. But when it came to the propaganda and public statements, Daly was no doubt motivated by electoral efficiency party-interests, though this motivation—actualized in harsh partisan public statements—would prove to undermine his hard work on campaign finance reform by convincing the Liberal Party that his reforms were indeed a partisan attack.

CONCLUSION

ALP attempts at campaign finance reform in the early 1970s, led by Minister Daly, were not guided primarily by ALP desires to manipulate electoral law to their advantage. Unlike many other electoral reforms on the ALP's agenda, the connection between election results and reform was not particularly relevant to Cabinet's exploration of disclosure and campaign finance reform. During the information gathering process, Minister Daly's behavior exuded the concern with governing that appeared to come from being in a governance role. Daly, who had in opposition had argued for reforms because they would likely have installed the ALP into its—in his view—rightful place in office, seemed unconcern with the ALP's relative electoral prospects. He thoroughly, repeatedly and cautiously advanced a set of reforms that bore no relationship to ALP advantage. It was social acceptance motivated Daly's (changed and responsible) behavior, once he became a minister. This provides an indication that responsibilities and/or the expectations of others that go with positions of responsibility may affect behavior and change the motivational bases of positions on electoral reform.

In addition, Daly's infatuation with the Canadian reforms, to the point of mockery from other MPs, evidenced motives relating to democratic values. His thoroughness and commitment to the reform process evidenced civic duty motives. Certainly, in parliament Daly publicly tried to advance the party's interests by utilizing a harsh, attacking tone that was intended to make the Liberal Party look bad (though this would prove to be a miscalculation), but in private Daly's motives were revealed to be some mix of democratic values, social acceptance and civic duty. Cabinet's motives appeared to be a mix of party-interest, tempered by social acceptance. The expectations that officers of the government govern, rather than politic or self-advantage, appeared to have influenced the Cabinet and to Daly.

Due in part to the inability to properly manage these divergent motives, campaign finance reform in Australia would fail. The pursuit of the party-interest in electoral efficiency—Daly alleging malfeasance by the Liberal Party regarding large foreign

donors—contributed to the derailing of the more responsible and social acceptance-motivated policy plans for disclosure and spending limits. In the absence of any private or other correspondence, the Liberal Party read more into Cohen’s question and Daly’s answer than perhaps Daly had intended. Daly, after sitting the previous 23 years on the opposition benches, ought to have known that an opposition might take a public government attack on its integrity badly. This was a political miscalculation; but the fact that it was a political calculation does nothing to impugn Daly’s motives for developing the *Electoral (Disclosure of Funds) Bill 1974* (Aus) and or the Cabinet’s motives in approving it.

In conclusion, the competing motives of Daly and Cabinet thwarted reform. Cabinet abandoned reform plans in August 1975. Just months later, at the end of 1975, Whitlam, with help of ALP National Secretary David Combe and party executive Bill Hartley, attempted to procure US\$500,000 from the Ba’ath Party (Saddam Hussein’s political party) to fund the Labor Party’s 1975 Election campaign.⁴⁹⁵ Whatever credibility the ALP possessed on campaign finance issues evaporated with the revelations of these farcical dealings. Reform was sidelined for the remainder of the decade.

⁴⁹⁵ This scandal, known as the “Iraqi Breakfast Affair,” raised the eyebrows of the US National Security Agency: See: Johnson, Thomas R. 2008. *Retrenchment and Reform, 1972-1980*. In *American Cryptology During the Cold War, 1945-1989*. Book III: 162. For more information on the Iraqi Breakfast Affair see: Kelly, Paul. 1976. *The Unmaking of Gough*. Sydney: Angus & Robertson: 394-420.

CHAPTER 8

THE CANADIAN PROGRESSIVE CONSERVATIVE PARTY ORGANIZATION FORCES ITS WAY INTO POLICY- MAKING



**Figure 8.1: Caricature of
Opposition Leader Robert
Stanfield⁴⁹⁶**

Chapter 7 ended on an unhappy note—with the descent of the ALP into a fishy fundraising deal with a foreign government and the languishing of its reform ideas due to political naiveté and blundering. Our next case-study, of private internal policy-making in the Progressive Conservative Party of Canada (the “Canadian Conservatives”), has a more positive character. The next two chapters explore the internal operations of the Canadian Conservatives as they developed a party policy to present to the House of Commons Special Committee on Election Expenses (the “Chappell Committee”) in 1970. The case-study begins in elite confusion, with the party organization having to force its way into the policy-making process, but ends with the collation of a set of diverse, thorough and revealing views and positions on campaign finance reform from a broad cross-section of the party.

This relatively short chapter introduces the gradual course of reform in Canada—and its party-led nature—and then focused on the determined response of an elite party

⁴⁹⁶ Excerpt from Collins, John. 1968. *Suddenly Everyone Looks a Little Older*. From the McCord Museum (Québec). [M965.199.552](#).

executive, Robert Bédard, in September 1970 as he opened the door for the broader party to contribute to the campaign finance reform policy-making process. Chapter 9, a longer chapter, turns to analyzing the detailed written testimonials of thirty Conservative partisans on their campaign finance reform positions. In both chapters, themes introduced in Chapters 6 and 7 are developed. Once again, the difference between the public and private faces of the party is immediately apparent. We see another information-gathering exercise, a real and open-ended one, occurring within a political party as it sought to figure out its policy stance. Rarely, in the realm of campaign finance reform, did political parties have a pre-existing template policy to apply. Party stances on reform were volatile—even when, as was true in Canada in 1970, the issue had been the subject of intense and thorough investigation (as part of a comprehensive commission process) for the five years prior).

The chapter adds more evidence to the general importance of power and party-interests to key party executives, following Bédard as he tried to maximize his influence and the influence of the party organization on the party in public office, frequently with limited success.

8.1 PARTY LEADERSHIP OF THE GRADUAL MARCH TOWARD REFORM

In the 1960s, deficiencies in the existing federal law on election expenses were increasingly identified by Canadian parties and, toward the end of the decade, academics. Just as in Australia, Canadian campaign finance regulation was limited. Canadian campaign finance law originated in the *Dominion Elections Act of 1874* (Can), based on the British *Corrupt Practices Act 1854* (UK), which neither regulated political parties nor prohibited large corporate donations.⁴⁹⁷ Indeed, the campaigns of the older parties—the Conservatives and the Liberal Party—had long been funded by a few extremely large donations from friendly corporations.⁴⁹⁸ At times, the favor was

⁴⁹⁷ Linton, Martin. 1994. *Money and Votes*. London: Institute for Public Policy Research: 48; There was an attempt to outlaw corporate donations in 1908, but it did not work and was repealed in 1930: Martin. 1994: 48.

⁴⁹⁸ The *Canadian Committee on Elections Expenses* (discussed below) estimated that, in 1953, only around 10% of the national Conservative Party's income came from individual donors. The same committee concluded that, in the 1960s, the Liberal Party of Canada received "nothing" from trade unions and "hardly anything" from individuals but instead relied on *three or four hundred* large donations from large corporations mostly in Ontario and Quebec: Paltiel, Khayyam Z. and Jean Brown Van Loon. 1966. *Studies in Canadian Party Finance*: 147-256, 169-192. The Progressive Conservative Party's finances were similarly reliant on a few hundred

apparently returned to the donors in the form of favorable treatment in the awarding of government contracts. Even more than in Australia, the funding of the older parties was narrow and concentrated, at least at the national level.

The funding of the older parties stood in stark contrast to the up-and-coming third party, the New Democratic Party (NDP). The NDP did not rely on corporate donors, but rather on individual membership fees and affiliation fees from unions. In 1964, 49% of the national party's funds came from membership fees, another 45% from union affiliation fees, and 6% from traditional contributions.⁴⁹⁹ The NDP's broader base of donors was creating pressure in the older parties to likewise look to the people for funding and legitimacy.

Over the course of the 1960s and 1970s, the reliance of the older parties on corporate donors and the whiffs of *quid pro quo* in party funding and government contract awarding gradually began to look more like corruption than normal, necessary and acceptable patronage (as had been the view since Confederation in 1867).

The importance of the cultural change in initiating the reform process should not be overstated. It was the Liberal Party's apprehensions about being able to raise enough money that began the campaign finance reform process (Chapter 14). As promised during the 1962 and 1963 election campaigns, the Canadian Liberal Party Prime Minister, Lester Pearson, appointed the *Advisory Committee to Study the Curtailment of Election Expenses* in 1964. The committee—as its name implies—was created in response to problems, identified by the Liberal Party, about escalating campaigning costs (see Chapter 14) and not public concerns about corporate money, political corruption and patronage. Commonly known as the “Barbeau Committee” for its chairman, the committee was made up of four experienced and elite partisans—Alphonse Barbeau, the Vice President of the Québécois Liberal Party, Major James “M.J.” Coldwell, the long-time former leader of the agrarian socialist third party and

corporate donors: Stanbury, William T. 1991. *Money in Politics: Financing Federal Parties and Candidates in Canada*. Toronto: Dundurn Press: 213.

⁴⁹⁹ Paltiel, Khayyam, Howat P. Noble & Reginald A. Whitaker. 1966. *The Finances of the Cooperative Commonwealth Federation and the New Democratic Party*. In *Studies in Canadian Party Finance*. Committee on Election Expenses, ed. Ottawa: Queens' Printer: 345; Ontario New Democratic Party. 1964. *Three Levels: The Ontario New Democratic Party — Financial Story* (brochure). In *New Democratic Party of Canada Records*. Library and Archives Canada. MG28-IV1. Box 457. Folder “Provincial Office — 1955- 1965 — Correspondence”.

precursor to the NDP, the Co-operative Commonwealth Federation,⁵⁰⁰ Gordon R. Dryden, Liberal Party executive and “bagman”⁵⁰¹ and Arthur R. Smith, former MP and MPP for Alberta from the Conservatives. The fifth member of the committee was an academic from the University of Saskatoon, Dr. Norman Ward.

From the beginning, three of the four significant political parties⁵⁰² were involved in, and central to, the agenda setting process on campaign finance reform. The members of the Barbeau Committee probed campaign finance standards and practices and reform options. The committee members interviewed⁵⁰³ and, presumably, reported back to their party’s elites. In 1966, the committee produced a 600 page volume, *Studies in Canadian Party Finance*, in which academics reported on numerous aspects of Canadian and comparative political finance including the results of surveys and interviews with the political parties. In addition to the insights of the academy, the Committee reflected the experiences, viewpoints and knowledge of elite partisans in the 500 page *Report of the Committee on Election Expenses*, which contained the committee’s assessment of Canadian political finance and its recommendations for reform. While the members of the Committee were not openly boosting for their party, Dr. Ward noted:

the committee was from the first totally biased in favour of recommendations that its members considered might be acceptable to the hard-headed MPs and party managers who would have to work with them.⁵⁰⁴

⁵⁰⁰ The Co-operative Commonwealth Federation (CCF) had recently (1961) merged with Canadian Labour Congress to form the “New Democratic Party” (NDP).

⁵⁰¹ In this context, the term “bagman” does not imply corrupt dealings with illicit money. Instead a party bagman merely refers to the well-connected lawyers and businessmen, typically from Toronto or Montreal, who sought out sizeable (and completely legal—in the 1960s) donations from large corporations. These several individuals were responsible for amassing the majority of the two older parties’—the Liberal Party and the Progressive Conservatives—funds from those few hundred or so different companies.

⁵⁰² The Social Credit Party, which actually elected more candidates to the House of Commons in the 1963 Election than did the NDP, was not represented. This may have been because the party was hostile to the idea of legislation on campaign finance. Alternatively, the party may have become hostile to campaign finance reform after being excluded from the Barbeau Committee. Sources are unclear on this point.

⁵⁰³ John S. McEachran (Secretary to the Committee on Election Expenses) to J.W. Pickersgill. 18 May 1965. In *J.W. Pickersgill Papers*. Library and Archives Canada. MG32 E519. Box 255. Folder “Chief Electoral Officer, Election Expenses, 1964-1967”.

⁵⁰⁴ Ward, Norman. 1972. Money and Politics: The Costs of Democracy in Canada. *Canadian Journal of Political Science* 5(3): 339.

The Barbeau Committee recommended a broad and respectable swath of reforms in 1966. It suggested:

- Political parties be legally recognized and made accountable;
- Some form of providing government subsidy to candidates' and parties' election expenses be introduced;
- Tax deductions for political donations be introduced to increase the proportion of people donating;
- Election campaigns be shortened;
- Allowable mass media expenses be capped; and
- Candidates and parties disclose their incomes and expenses.⁵⁰⁵

Bearing in mind that political parties were in control of the agenda, this agenda mirrors the preferences of the political parties involved in the process. The Barbeau Committee recommended that parties *not* be required to disclose the sources of donations. The older parties—the Conservatives and the Liberal Party—were concerned that revealing the names of the companies contributing to the parties would deter contributions, a fear that would only gradually be displaced by a desire to “broaden the base” (chapters 13 and 14). Speaking in 1972, Government House Leader Allan MacEachen explained their logic in terms interestingly reminiscent of advocates of the Australian ballot some 100 years earlier. MacEachen claimed that “such disclosures would violate the traditional secrecy of the ballot box, lead to harassment of donors by members of other parties, and result in a drying up of campaign funds.”⁵⁰⁶

That the campaign finance reform agenda was generated by the political parties notwithstanding, no further legislative action was taken on federal campaign finance reform for the remainder of the 1960s. In 1970, the Liberal Party government, now led by Prime Minister Pierre Trudeau, implemented the first of the Barbeau Committee's recommendation, to set up a system of political party registration so that party names could appear on ballot papers beside their candidates.⁵⁰⁷ This constituted the first legal recognition of political parties in Canada. In that same year, a House of Commons Special Committee on Election Expenses was formed, headed by Hyliard Chappell, a one term Liberal, MP.

⁵⁰⁵ Canada. Committee on Election Expenses. 1966. *Report of the Committee on Election Expenses*. Ottawa: Queen's Printer: 31.

⁵⁰⁶ Lavone, Michael. 17 May 1972. Election Spending Bill to Protect Donors' Names. *Toronto Star*: 4.

⁵⁰⁷ *Canada Elections Act 1970* (Can) in *Revised Statutes of Canada 1970* (1st Supp.) c. 14.

1970 was a tumultuous year for Canada. Fervent nationalistic sentiment in Québec reached its crescendo in October, when the Front de Liberation Québec abducted the British Trade Commissioner James Cross and murdered Québec Vice-Premier Pierre Laporte. Troops and tanks were deployed to the streets of Ottawa, as Trudeau invoked the *War Measures Act 1914*—the first time it had been used in peace time. As an aside, Alphonse Barbeau of the Barbeau Committee—who had been appointed to the bench in 1969—oversaw the trial, conviction and sentencing of Francis Simard, from the Front de Liberation Québec, for Laporte’s murder.⁵⁰⁸



Figure 8.2: Front page of the *Windsor Star*. 16 October 1970.

In amongst this chaos, the Special Committee on Election Expenses (the “Chappell Committee”) began its work. The Chappell Committee was a select committee made up of 13 MPs, including three from the Progressive Conservatives. While the Chappell Committee has fallen into obscurity and is typically referenced only as an aside or in a footnote,⁵⁰⁹ in late 1970 it was a central concern for the parties—particularly the Conservatives—which put significant effort into formulating a formal and private brief for the Committee and (semi-)publicly appearing before it. The Chappell Committee amounted to the first legislative action on the topic of campaign finance reform in Canada since World War II. Furthermore, it was the first time the party organizations had been formally asked to argue their case for (or against) reform.

The Conservatives were the Official Opposition in the multiparty Canadian House of Commons in 1970, controlling only 72 of the 264 seats after the 1968 election. The party

⁵⁰⁸ Hustak, Alan. 27 February 2008. Judge Alphonse Barbeau dead at 81. *Montreal Gazette*; Hustak, Alan. 28 February 2008. Stalwart of the Quebec Bench. *Montreal Gazette*.

⁵⁰⁹ For example, Seidle, F. Leslie. 1985. The Election Expenses Act: The House of Commons and the Political Parties. In *Canadian House of Commons: Essays in Honour of Norman Ward*. John Courtney, ed. Calgary: University of Calgary Press: 116.

stood for Tory values—a resistance to change and deference to tradition, authority and pragmatism. The Liberal Party—still a free market party, but with a socially progressive bent—held government with an outright majority under the sometimes charismatic and sometimes arrogant leadership of Trudeau between June 1968 and October 1972.⁵¹⁰ The Liberal Party could thus pass laws irrespective of the support or otherwise of the Conservatives.⁵¹¹ In the strictly-disciplined, (effectively) unicameral Canadian system,⁵¹² the Progressive Conservative Party might have dismissed participating in the Chappell Committee as an exercise in futility. They might have decided—strategically—to use the Committee’s hearings only as a forum for attacking the Liberal Party to affect public opinion, without any regard for substantive policy development. The party in public office may have been tempted to go down these lines, but the Progressive Conservative Party organization reacted forcefully and sincerely, treating the Committee hearings as a real opportunity to influence policy. The party elite engaged in a thorough information-gathering process before, later, deciding on a party policy position on campaign finance regulation and submitting and defending that position before the committee.

8.2 JIMMYING A POLICY WINDOW

Publicly, there were no obvious moves on campaign finance reform in 1970. Mid-year the Chappell Committee had been appointed in apparent obscurity.⁵¹³ It is unclear that the MPs appointed to the committee believed it was a significant or meaningful tool intended to advance the path of reform. The three Conservative MPs on the committee—Wallace (Wally) Nesbitt, Heath Macquarrie and Robert (Bob) McKinley—

⁵¹⁰ Majority government was relatively rare in Canada. Minority governments existed between the 1963 and 1968 elections. The 1972 Election would return the Liberal Party to minority government status.

⁵¹¹ And without the support of the other two minor parties. After the 1968 Election, the NDP won 22 House of Commons Seats; the Social Credit Party won 14.

⁵¹² While Canada does have an upper house, the Senate is modelled on the British House of Lords. It is appointed, usually on the basis of party service, and is typically deferential to the House of Commons. Appointments, then, are a remaining vestige of patronage politics in Canada.

⁵¹³ Indeed, accounts of Canadian reform that do mention the Chappell Committee typically misidentify its start date (early September 1970): referencing late October 1970 (eg. Ward, Norman. 1976. *Money and Politics*. In *Political Corruption in Canada: Cases, Causes and Cures*. Kenneth M. Gibbons & Donald C. Roway, eds. Toronto: Canadian Publishers: 210) or, even, 1971 (Hiebert, Janet. 1991. *Interest Groups and Canadian Federal Elections*. In *Interests Groups and Elections*. F. Leslie Seidle, ed. Toronto: Dundurn Press: 12)

did not make efforts to notify or engage the party organization in the committee's deliberations.⁵¹⁴ Indeed, as recorded in the Progressive Conservative Party's Records at Library and Archives Canada,⁵¹⁵ the party organization was caught completely off-guard by the very existence of the committee.

The clerk of the Chappell Committee sent the Progressive Conservative Party organization a letter inviting them to submit a brief outlining their views on campaign finance reform, due in a few weeks from the date of the letter. The letter arrived on 9th of September 1970. This was the first the party organization had heard about the committee. It set-off a flurry of activity. Led by one senior party executive, Robert Bédard, the party organization launched into an information-gathering consultative process with the aim of figuring out the party's views.

On the day he found out about the committee, Bédard—the party's National Secretary—wrote to the National Director, Malcolm Wickson, to advise him about his discovery and to offer advice on what the party should do in response. Bédard suggested a 5 point response:

1. Meet with Conservative members on the Chappell Committee (their reticence to involve the organization notwithstanding);
2. Organize to appear before the Chappell Committee;
3. Write a letter out to "all people concerned across Canada, asking for submission and comments";⁵¹⁶
4. "Depending on the time" available, meet with "interested people from across Canada in Ottawa to discuss and finalize the draft brief";
5. "Pray and hope that we are not too late."⁵¹⁷

This plan bore similarities to the process launched by the Liberal Party of Australia in 1973. Bédard's plan also involved liaising and influencing the parts of the party in public office with power (in the Conservatives this included the party's MPs on the Chappell

⁵¹⁴ Why it was that the Conservative MPs on the Chappell Committee did not actively involve the party executives—the bagmen and those who directed the bagman—or, at minimum, inform them of the existence of the committee (which had already convened at least twice by early September), is unclear. Perhaps it was merely a communication error or oversight, but it may also be evidence that the MPs did not take the committee seriously.

⁵¹⁵ *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2.

⁵¹⁶ Robert Bédard to Malcolm Wickson. 9 September 1970. Memorandum Re: Select Committee of the House of Commons on Electoral Expenses. In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 618. Folder 15 "Election Expenses – Brief to the Special Committee of the House of Commons, Correspondence.": 2.

⁵¹⁷ Bédard to Wickson. 9 September 1970: 2.

Committee, in addition to the party leadership). Like the Liberal Party of Australia, consultation was a natural impulse. In the case of Bédard, the consultative impulse involved a wide range of party activists, executives, the party in public office and the party leadership, Opposition Leader Robert Stanfield. Bédard’s consultative impulse was more encompassing, intended to involve “all people concerned across Canada,” at least if they were affiliated with the Progressive Conservative Party. Contrary to appearances, even the most elite political parties may actively desire input from their broader ranks.

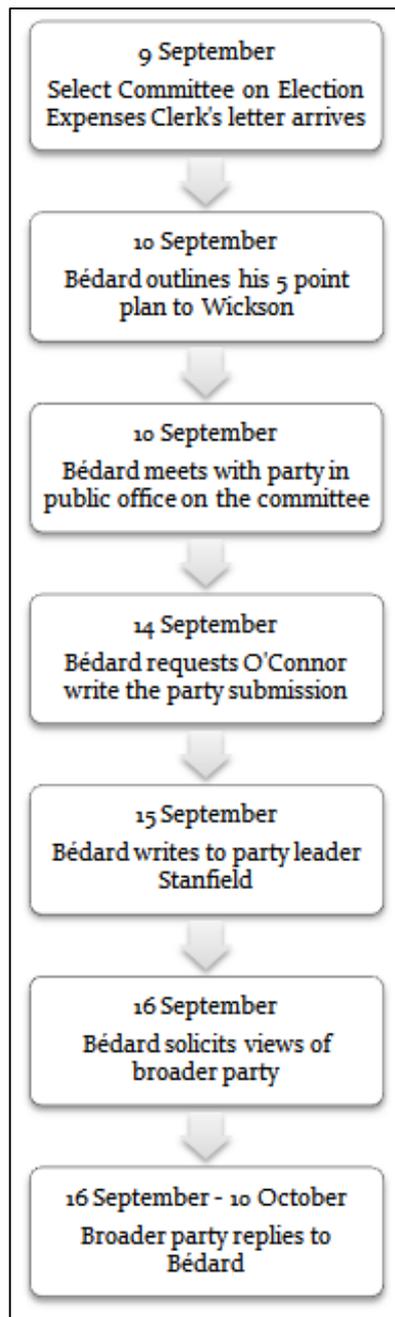
Wickson acceded, and Bédard hastily implemented his plan (Figure 8.3). Firstly, Bédard met with MPs Mike Forrestal and Bob McKinley, both of whom he believed were on the Chappell Committee.⁵¹⁸ This meeting happened on the day after Bédard uncovered the existence of the committee (10 September). Secondly, Bédard sought Toronto lawyer Terry O’Connor’s stewardship over the draft party submission (14 September).⁵¹⁹ Thirdly, Bédard wrote to the party leader Robert Stanfield to report on developments and solicit Stanfield’s direction (15 September).⁵²⁰ Fourthly, on the 16th, Bédard dispatched a letter to members of the party—probably 100s of partisans—seeking their views on reform.

Figure 8.3: Timeline of Bédard’s Initial Response to the Chappell Committee

⁵¹⁸ There was evidently some confusion about which MPs were actually on the *Special Committee on Election Expenses* and those who were on the closely related *Standing Committee on Privileges and Elections*. According to the Canadian Parliament, Wally Nesbitt, Heath Macquarrie and McKinley were the Conservative MPs on the Chappell Committee. Forrestal, however, was on the Standing Committee on Privileges and Elections.

⁵¹⁹ Robert Bédard to Terry O’Connor. 14 September 1970. In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 618. Folder 15 “Election Expenses – Brief to the Special Committee of the House of Commons, Correspondence.

⁵²⁰ Robert Bédard to Robert L. Stanfield. 15 September 1970. Memorandum Re: House of Commons Special Committee on Election Expenses. In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 618. Folder 15 “Election Expenses – Brief to the Special Committee of the House of Commons, Correspondence.



In this whirlwind of activity, we can observe three different motives in Bédard's behavior: power, party-interests and civic duty. His motives were quite similar to those of Liberal Party of Australia executive Bede Hartcher (Chapter 6), who was motivated by power and party-interests.

In the first instance, Bédard's plan and behavior revealed that he was motivated by a desire to maximize his control and influence, as well as his party organization's role in the process. Bédard took on a larger and more exhausting role than was strictly necessary, but, throughout all of it, his concern was with the party's process (and his role in it) and not any particular electoral reform outcome. The Conservatives' three representatives on the committee, presumably, could have done an acceptable job at representing the party—especially its interests in reform outcomes—during the Chappell Committee proceedings without the insights of the broader organization. Not content to leave the party in public office to it, Bédard met with the MPs on the committee to make sure the party in the public office knew that the organization was interested, and willing, to engage in a new (expensive and, for Bédard, time-consuming) policy development process.

Additionally, Bédard sought to maximize the influence of the organization generally by appearing (rather than merely submitting a written submission) before the committee and, even, “praying and hoping” that they were “not too late” to have an impact on the Committee and, ultimately, the public policy reform agenda.

Strangely, the Conservatives were consulted as key stakeholders by the Liberal Party government in the interparty policy formation process—involving experienced Conservative partisans in the both the Barbeau Committee and the Chappell Committee. By contrast, within the Canadian Conservatives, the party in public office

was not so interested in engaging with the party organization. The party in public office neither told them about the Chappell Committee nor actively sought their input. Additionally, Bédard had difficulty getting the party leader—Opposition Leader, Robert L. Stanfield—to offer his stance on reform to the organization. After having already sought input, which was not forthcoming, Bédard wrote again to Stanfield, proddingly, on the 15th of September:

It is imperative that we receive from your office some indication as to the position you would like to take on the matter of election expenses. You realize, I am sure, the necessity of moving very rapidly in this regard.⁵²¹

There are many possible reasons why Stanfield was unresponsive. He may have not taken the Chappell Committee as seriously as the party organization. Alternatively, Stanfield may have been content for the party in public office to attempt to influence the Chappell Committee.

And so, Bédard's concern with power was likely unsatisfied. The Conservative organizational elites had little control over the Chappell Committee process—they responded, rather than drove, it. Party executive influence on their party in public office was neither guaranteed nor strong.

Secondly, in addition to power, it is evident that Bédard was motivated by a desire to see the party's interests in electoral efficiency well served. As well as trying to affect the recommendations of the committee (and thus the content of any law eventually passed) by appearing before the committee in person (a public or, at least, semi-public forum), Bédard aimed to make "as much impact as possible on public opinion."⁵²² The written submission would be private and intended mainly for policy development. The Chappell Committee's hearings were not open to the public, but they were transcribed and published by the government printer.⁵²³ Bédard expected proceedings to be widely reported on by the press.⁵²⁴ To the end of influencing public opinion, Bédard was especially concerned about the timing of the party organization's appearance before

⁵²¹ Robert Bédard to Robert L. Stanfield. 15 September 1970: 2.

⁵²² Robert Bédard to Malcolm Wickson. 9 September 1970: 2.

⁵²³ Canadian Parliament. 1970 – 1971. *Minutes of Proceedings and Evidence of the Special Committee on Election Expenses*.

⁵²⁴ Newspaper searches have not uncovered much reportage in fact; however, it is clear Bédard expected that the hearings would generate some publicity and news coverage (and thereby the Conservatives' appearance could have an impact on public opinion).

the committee—he reasoned that, in order to have maximum impact on public opinion, the party’s testimony must not “be too late after the other parties have made their presentation.”⁵²⁵

Thirdly, while Bédard had one eye on his own power and the other on the party’s interests in public opinion, both eyes were distracted by civic duty motives. Throughout, Bédard oozed a desire to involve the broader party, including the local riding association executives, as part of the process of generating a position on reform. This desire to include the broader party is best understood as behavior done out of sense of duty to the democratic process. While a cynic might emphasize the need the party organization had for volunteer labor at election time, it is unlikely that failure to consult on a hasty submission to an obscure (even at the time) committee would have had too much of an impact on the goodwill of the broader party. Additionally, the party organization could have slapped together an adequate submission—using the established party positions developed as part of the Barbeau Committee process—without expending nearly as much effort as it did in a new, expansive, consultative process.

In explaining Bédard’s exertions to involve party members in the process, it is likely that this effort was sincerely motivated by a belief that, in a political party, members of that party should be involved in policy-making. This motive was on show when Bédard wrote his prodding letter to Stanfield. Bédard explained that he was about to:

send out a memorandum to all sitting members, defeated candidates, constituency presidents and secretaries, asking for ideas and comments on the position the Conservative Party should be taking. It is hoped that we will have enough ideas and comments to gather a consensus by the end of September.⁵²⁶

The views of the wider party were intended to be used (and were, later, actually used) in the process of setting the party agenda and adopting a party policy on campaign finance.

In the end, after Bédard forced his way into the party policy-making process, the party in public office also wanted to hear the views of the broader party. The Conservative MPs on the Chappell Committee—after having met with Bédard—requested the

⁵²⁵ Bédard to Wickson. 9 September 1970: 2.

⁵²⁶ Robert Bédard to Robert L. Stanfield. 15 September 1970: 1-2.

broader party memberships' ideas and comments and “expressed a great interest in having a written report on these ideas and comments for presentation at the Caucus Meeting on October 4th.”⁵²⁷ This desire to involve the party survived even though party organization was in an immense rush—with only a few weeks to get their response to the committee. If involving the membership was not a matter of duty, then Bédard would have likely have skipped it.

The case that Bédard's actions were motivated by civic duty is strengthened by his swift and encompassing implementation of process of consultation. On September 16, 1970, Bédard sent out a letter seeking views on campaign finance reform to all current MPs, defeated candidates from recent elections (1965 and 1968), constituency association presidents and secretaries and all members of the National Executive.⁵²⁸ This mail-out was likely was received by more than 500 party members—and as many as 1,000!⁵²⁹ It was, therefore, a much more expansive and *expensive* effort at consultation than the effort in which the Liberal Party in Australia engaged (which involved only the six state executives: see Chapter 6).

Bédard's letter (extracted in full in Appendix 4) sought recipients' “ideas and comments” on campaign finance, and guided them to cover three aspects in particular:

1. Public subsidy of parties' expenses, phrased in terms of “election expenses being paid, to a certain extent, by the Federal Government.”
2. The “disclosure of financial sources” of parties and candidates
3. Limitations on party expenses, to “control the expenditures” of parties and candidates “during an election.”⁵³⁰

It is unclear where these three items came from: the agenda set by Bédard was quite different to that set by the Barbeau Committee (in which disclosure of financial *sources* was off the table, and tax deductions were central). Bédard's agenda was more controversial too. It suggests once more that Bédard actively sought to take control (being motivated by power)—as much as allowed by the strictures of civic duty—of the

⁵²⁷ Bédard to Stanfield. 15 September 1970: 2.

⁵²⁸ Figuring out who constituted the National Executive proves difficult. For our purposes it seems that it includes several elected national officers (such as President and Treasurer) and the ten provincial party presidents and secretaries: Progressive Conservative Association of Canada. 1964. *Constitution of the Progressive Conservative Association*. Art. VI – VII.

⁵²⁹ See Table 9.1.

⁵³⁰ Robert Bédard to MPs, defeated candidates, constituency presidents and secretaries and members of the National Executive. 16 September 1970.

policy-making process within the party. Similarly, Bédard's request that all responses (potentially hundreds of them) be directed to him personally illustrates a desire for control over the party organization.⁵³¹

Adding, once again, to the evidence that motivations for the behavior of individuals tend to be mixed and changing in nature, Bédard also evinced party-interested motives in his approach to electoral reform outcomes. In addition to requesting their ideas and comments—and *unlike* the letter sent out by Hartcher discussed in Chapter 5—Bédard urged letter receivers to think in terms of party-interests, urging them to offer examples of how campaigning expenses have “curtailed or put at a clear disadvantage a candidate during a general election.”⁵³² This again suggests that—in addition to civic duty and power—Bédard was motivated, as time went on, by party-interests in the content of campaign finance law.

In sum, the parallels between the Liberal Party of Australia's response to rumors of reform and the Progressive Conservative Party organization's response to belatedly discovering the existence of the Chappell Committee are plenty. In both, party elites were caught off guard and reacted swiftly. In both, reactive party policy was generated. Bédard's actions were quite similar to officials in the Liberal Party in Australia, in that information-seeking and consultation were the first impulses—even in situations where time was limited. In their consultations, Hartcher and Bédard had similar objectives: Hartcher sought to get a “composite” of the party views; Bédard sought a “consensus”. Yet, the broader audience of Bédard's letter and the great lengths to which he went to include the party in the face of immediate time constraints reveal more clearly motives relating to civic duty. Additionally, power and party-interests were important. Early indications point towards the motives of party executives, when considering electoral reform policy, being a complicated mix that frequently includes power and the party-interests among them.

CONCLUSION

Campaign finance reform was a long time coming in Canada. The Liberal Party, after identifying rising campaigning costs as a problem, created the Barbeau Committee in

⁵³¹ Robert Bédard to MPs, defeated candidates, constituency presidents and secretaries and members of the National Executive. 16 September 1970.

⁵³² Robert Bédard. to MPs, defeated candidates, constituency presidents and secretaries and members of the National Executive. 16 September 1970.

1964. Led by the knowledge and perspective of the partisans on the committee, the Barbeau Committee recommended a cautious but responsible reform agenda in 1966. Action on campaign finance reform was not immediate. The issue seemed to have lost its salience and the Canadian Conservatives were not actively thinking about campaign finance reform.

A flurry of activity began within Canadian Conservative party organization in September 1970. Unbeknown to the public, Robert Bédard took seriously the opportunity to make a party submission to the Chappell Committee. Unbeknown to the public, the party organization launched a wide and sincere information-gathering exercise, involving a broad range of partisans in policy formation. Bédard dedicated much time and effort to leading this process. In his actions, he displayed motives of power and civic duty as he acted.

In being so determined that the party organization would present its views before the Chappell Committee in order to best affect public opinion, Bédard revealed motives of party-interest (with a focus on the electoral efficiency interests of the party in publicly presenting their views). This motive, with a focus on seat maximization, was uncovered again from the terms of the letter Bédard sent out to his party members (seeking examples of disadvantage). In these conceptions of the party-interest, with their focus on public opinion and office winning, Bédard was different from the party executives in the Liberal Party of Australia, whose conceptions of interests were related to maximizing the funds available to the party relative to the ALP.

A trend is beginning to emerge when it comes to chief party executives: power (regarding the process) and party-interests (regarding electoral reform outcomes) were important to both Australian Liberal Party Federal Director Hartcher (Chapter 6) and Bédard. Moving beyond the party elite, in Chapter 9, we take advantage of the extensive documentation of the views the broader party expressed privately to Bédard. In these hurried but eager responses, we uncover again the mixed motivations—including interests and democratic values—that guide partisans as they interact with electoral reform proposals.

CHAPTER 9

THE INAPPROPRIATENESS OF INTERESTS AS A BASIS FOR ASSESSING REFORM IN THE PROGRESSIVE CONSERVATIVE PARTY OF CANADA

Since the brief to be submitted ... has to be ready in its final form before the 15th of October, 1970, I would appreciate if you could forward to me before September 30th any ideas and comments you might have on this subject of election expenses.

- Robert Bédard to Conservative MPs, defeated candidates, constituency presidents and secretaries and members of the National Executive.
16 September 1970.⁵³³

Robert Bédard gave recipients of his letter seeking views on campaign finance reform only two weeks to reply. Nonetheless, at least thirty Progressive Conservative Party members from across the dominion speedily responded. Thirty responses are collected and preserved in one folder of the party's records at the Library and Archives Canada.⁵³⁴ These responses were, in many cases, a lot like interviews—long, personal and heart-felt elaborations of the respondent's position on election campaigning expenses written in characterful (and, at times, awkward) prose. They frequently explained the experiences and logic that led to those positions. Taking advantage of the natural experiment into the motives of partisans that these responses offer, Chapter 9 echoes earlier chapters, supplemented with abundant evidence, that the motives behind individual partisans' stances on reform proposals are indeed extremely diverse and mixed and frequently not based on simple conceptions of interests.

In terms of an individual's position in their party and their likely motives in reform debates, a general trend within the Progressive Conservative Party emerges throughout the chapter. Consistent with earlier chapters, party executives were more likely to view campaign finance reform in terms of party-interests than other parts of the party. By

⁵³³ Robert Bédard to MPs, defeated candidates, constituency presidents and secretaries and members of the National Executive. 16 September 1970. In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 618. Folder 15 "Election Expenses – Brief to the Special Committee of the House of Commons, Correspondence."

⁵³⁴ An exciting find indeed: *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 618. Folder 15 "Election Expenses – Brief to the Special Committee of the House of Commons, Correspondence" ("*PCP Records*. Folder 15" for the remainder of the chapter). These 30 responses are not necessarily all of the responses, but they are the only ones preserved.

contrast, the party in the public office, and (especially) those individuals who ran for office but were defeated on Election Day, were the only parts of the Progressive Conservative Party that were influenced by self-interest in their responses on campaign finance reform. By a narrow margin, motives of democratic values were the most common bases for identified positions on reform and more evenly spread across the party.

The chapter also finds a distinct hesitance to think about reform in terms of interests within the party. In line with a Tory ideology, where individual effort is understood to be the determiner of success, party members tended to think about their electoral fortunes in terms of the quality of candidates and campaigns they ran, and not as a consequence of their financing arrangements or the law. Several respondents explicitly rejected the appropriateness of thinking about legal reform in terms of interests, while the party in general exuded a view that interests were not the appropriate basis of party policy. Even when respondents accepted the connection between electoral fortunes and electoral law, they demonstrated an inability to identify instances where campaign finance practices or the law had disadvantaged the party—despite the party’s frequent electoral defeats. The only exceptions to the unwillingness and inability to identify disadvantage in the law (and tie it to reform) came from recently defeated Conservative candidates, indicating once more, how much experience and context matter to motives.

9.1 THE RESPONSES COLLECTED

The thirty partisans whose responses were collected in the Progressive Conservative Party’s records are self-selected—in that they were not forced to reply, but chose to. While they do not represent a random sample, the responses are valuable for assessing motives. The partisans responded over the same two weeks from an identical prompt (Bédard’s letter). The respondents likely believed that the reform proposals were real (and not abstract or hypothetical) proposals for reform. They also likely believed that their views mattered, were going to be taken seriously by the party executives and could affect change in the law or, at least, influence the party’s policy on campaign finance reform. The responses ought to be largely free from social desirability bias, at least in the direction of more democratic values-based answers, because the respondents are writing *privately* to the national party’s head administrative officer. In these senses, the responses offer an unusual natural experiment, free of some of the potential risks of surveys or interviews of partisans.

The responses and estimated response rates are summarized in Table 9.1 according to each respondent’s position in the Progressive Conservative Party and approximations of the maximum potential total audience of the letter. Thirteen (43%) of the responses came from party activists in riding organizations—either riding presidents writing on their own behalf (eight responses), or riding presidents reporting back on the views of their riding executives after holding an executive meeting (five responses). This represents about 4.9% of the potential respondent pool.

Table 9.1: Responses and Distribution of Bédard’s Letter, September 1970

Position in party	Number of responses	Likely distribution	Response rate (%)
Party Activist	13	264	4.9
Defeated Candidate	10	<347	>2.8
Party in Public Office	3	72	4.2
Party Executive	4	21 -50	7.8 < 19.0

Ten responses came from individuals described by Secretary Bédard as “defeated candidates”, Progressive Conservative Party candidates from the 1965 and 1968 federal elections who lost their races. This represents 2.8% or more of the total potential respondents.⁵³⁵ Defeated candidates are treated here as a distinct sub-category of the party in the public office, because despite not winning office, office seeking was a powerful experience for these individuals and their perspectives and positions all referenced their office seeking experience as the basis for their views.⁵³⁶

⁵³⁵ In these two elections there were a total of 358 instances in which a Canadian Conservative candidate ran for election and lost—168 in 1965 and 190 in 1968. In several ridings, candidates ran in both the 1965 and 1968 elections (or were successful in one of those elections but not in the other). For example, R. W. Ford was a candidate in both 1965 and 1968 in the south-west Ontario riding of Sarnia. Calculating the exact number of unique candidates for the Conservatives in the two elections is difficult because the same candidates sometimes ran in different ridings and with (slightly) different officially filed names. 347 is the maximum number of unique unsuccessful candidates (Parliament of Canada. 2014. *History of the Federal Electoral Ridings since 1867*).

⁵³⁶ To be sure, most defeated candidates had other party roles over time (eg. B.T. Richardson was a defeated candidate in the Spadina Riding in 1965, but had previously been a party professional as Special Assistant to the Prime Minister in the 1950s), but every defeated candidate’s response in this chapter relates to their failed candidacy and is obviously written from the perspective of an unsuccessful candidate rather than a party activist, executive or professional. Even though their bid for public office failed, they wrote from the perspective of an office-seeker.

Three responses came from the 72 Progressive Conservative MPs in the House of Commons: Opposition Leader Robert Stanfield, long-serving Manitoba MP Walter Dinsdale and former Speaker, Alberta MP Marcel Lambert. These responses are classified as party in public office and the three responses constitute about 4% of total pool of parliamentary respondents. Finally, four responses (at least 7.8% of the total response pool) came from party executives in the National Executive.⁵³⁷ Two of those responses were from provincial party Presidents reporting on behalf of their Provincial Executives after an executive meeting dedicated to the topic of election expenses.

The individual respondents, and their position and title in the party, are identified in Table 9.2 below.

Table 9.2: Individual Respondents to Bédard’s Letter, September 1970

Name	Party of Party, Title, Province
R.M. Dundas	Party activist, British Columbia
Donald M. Findlay	Party activist, President of the York Simcoe Riding Association, Ontario
Gordon Gamble and Lorraine Devries	Party activists, British Columbia
Hugh Guthrie	Party activist, Ontario
E. L. Hollingsworth	Party activist, Ontario
Gene Jackson	Party activist, Alberta
Philippe Kennes	Party activist, Québec
Robert Kerr	Party activist, Progressive Conservative Youth Federation
B.F. London	Party activist, Québec
M.C. Manning	Party activist, British Columbia
Ivan Mater	Party activist, President of Sarnia Riding Association, Ontario

⁵³⁷ Members of the National Executive included provincial Presidents and national office holders (like the national party President, Director, Secretary and Treasurer). These offices are further up in the hierarchy than the riding presidents and are involved in national decision-making for the organization. The exact numbers in the National Executive are a little hard to pin down due to the wording of the Conservatives’ Constitution and the absence of other data: Progressive Conservative Association of Canada. 1964. *Constitution of the Progressive Conservative Association*. Art. VI – VII.

P.H. Megginson	Party activist, Secretary, Kingston and the Islands Riding Association, Ontario
President	Party activist, Greater Victoria Riding Association, British Columbia
Vaughan L. Baird	Losing candidate, 1968 Election, Saint Boniface Riding, Manitoba
Ralph Whittington Brown	Losing Candidate, 1965 Election, Hamilton South Riding, Ontario
Wilfred Bourgeois	Losing candidate, 1965 Election, Kent Riding, New Brunswick
Vern Ciccone	Losing candidate, 1968 Election, Skeena Riding, British Columbia
R.W. Ford	Losing Candidate, 1968 Election, Sarnia Riding, Ontario
Bob Killingbeck	Losing candidate, 1965 Election, Timmins Riding, Ontario
Jean-Jacques Martel	Losing candidate, 1962 Election, Chapleau Riding, Québec
B.T. Richardson	Losing candidate, 1965 Election, Spadina Riding, Ontario
T.G. Spencer	Losing candidate in the 1965 Election, Welland Riding, Ontario
Paul O. Trepanier	Losing Candidate, 1965 and 1968 Elections, Shefford Riding, Québec
Fernand Alie	Party executive, President of Québec Provincial Association
Roy V. Deyell	Party executive, National Treasurer 1967, former President of Alberta Provincial Association
Magness Verbrugge	Party executive, President of British Columbia Provincial Association
W.R. Watson	Party executive, President of Alberta Provincial Association
Walter Dinsdale	Party in public office, Brandon-Souris Riding, Manitoba
Marcel Lambert	Party in public office, Edmonton West Riding, Alberta
Robert Stanfield	Party leadership, Leader of the Opposition

Many of the responses show evidence of considerable thought and discussion on the topic of campaign finance reform. In two local riding associations, special meetings of *“prevent Mafia-type subverting of successful candidates”* the local executive were called to discuss Bédard’s letter and the best response to his questions. The special meeting of the Vancouver Quadra executive engaged in extended

discussion: the association found themselves evenly divided on spending limits and preferred free radio and TV time to public funding of campaign expenses. On spending limits, some in the association colorfully expressed that limits would help “prevent Mafia-type subverting of successful candidates, and the cynicism demonstrated by the extravagant use of funds by some election candidates”. Others in the meeting opposed such a reform based on its “impracticality”, the “ease with which the limitations could be circumvented” and the variation in reasonable costs of running in urban and rural districts.⁵³⁸ Clearly a lively and extensive debate on campaign finance reform took place in Vancouver Quadra.

In a characteristically conservative stance, the Sarnia riding reported back that it was opposed to any reform of existing laws because it could not agree in its specially held executive meeting. President Ivan Mater reported that, within the executive:

[t]he views expressed varied widely. Some of the members felt that the solution now under study by your Committee is a desirable one and others felt that the administration and enforcement of such a policy would be impossible.⁵³⁹

As a result, “a motion was passed declaring that this Association is not in favor of any Government intervention in connection with the expenses of an election.”⁵⁴⁰ In both the Sarnia and Vancouver Quadra Ridings, the local party officials engaged in a small-scale policy development process within their riding associations.

These riding executives, and many other respondents, dedicated significant energy and consideration to their responses. Facilitated by their labors, the relevance of position in party is examined along two lines: the presence of differently-based motivations in respondents’ expressed policy positions (Chapter 9.2); and the respondents’

⁵³⁸ R.M. Dundas, (Vice-President of the Vancouver-Quadra (British Columbia) Local Association to Robert Bédard. 30 September 1970. *PCP Records*. Folder 15. Interestingly, the Vancouver-Quadra Riding executive was concerned that spending limits would disadvantage urban ridings because, they thought, it was more expensive (per voter) to run a campaign in a city (where TV and expensive media was needed) rather than rural ridings, in which personal contact was required. Candidates in rural ridings thought the opposite, a position that was mirrored in the eventual reform law (*Election Expenses Act 1974*), which set higher spending limits in large (less dense) ridings.

⁵³⁹ Ivan Mater (President of the Sarnia (Ontario) Local Association) to Robert Bédard. 29 September 1970. *PCP Records*. Folder 15.

⁵⁴⁰ Ivan Mater to Robert Bédard. 29 September 1970.

approaches—to accept, ignore or reject—Bédard’s explicit prompt to assess current campaign finance practices in terms of interests are considered (Chapter 9.3).

9.2 THE BROADER PARTY WEIGHS IN

The 30 responses to Bédard’s letter were first tallied according to whether they *identified* (rather than endorsed or adopted) party-interests, self-interest, party ideology or democratic principles in their policy positions on campaign finance reform.⁵⁴¹ Categorizing of the presence of a justification for a policy position from a respondent’s response was, necessarily, a subjective endeavor (subject to those criteria set out in Chapter 5, Table 5.4). Close assessment of the qualitative data was essential to discerning these distinctions.

Respondents often gave counterfactuals or summarized the competing positions and so many responses were counted in more than one category (8 or 27%). Other responses did not reveal the motivational basis of their positions and so were not categorized (9 or 30% in total). Where respondents identified multiple competing positions on the one reform measure, this section also discusses which bases *motivated* the position they encouraged the party to take. As will be observed throughout, a respondent who identified a position based on interests or values did not necessarily adopt that position: identifying an interest or value is not the same as being motivated by that interest or value.

⁵⁴¹ These four categories were chosen because they are all the motives relating to *electoral reform outcomes* (rather than the policy-making process) identified in Chapter 5, and thus can be inferred from privately stated positions on electoral reform.

Table 9.3: Bases of Justifications of Positions on Campaign Finance Reform, Respondents to Bédard’s Letter, Progressive Conservative Party of Canada, September 1970

		Democratic Values		Party-interest		Self-interest		Party Ideology	Total Respondents*
		No.	%	No.	%	No.	%	No.	
Party Activists	Total	5	38%	3	23%	0	0%	0	13
Party in the Public Office	Defeated Candidates	3	30%	4	40%	7	70%	0	10
	Current MPs	2	66%	1	33%	1	33%	0	3
	Total	5	38%	5	38%	8	62%	0	13
Party Executives	Total	2	50%	3	75%	0	0%	0	4
Total		12	40%	11	37%	8	27%	0	30

* Columns do not add up to the total number of respondents because: (1) bases of policy recommendations were not always clear in the responses; and (2) some respondents offered justifications based on multiple motivational bases.

Pursuant to the discussion in Chapter 5, a response was included in the democratic values column if it justified a stance on reform by reference to a democratic principle without linking self- or party-interests to that reform. For

Reformers have "good intentions but the results have been, frankly, negative."

example, the response of Marcel Lambert, MP for Edmonton West, demonstrated a Tory reticence to embrace reform on the basis of conservative democratic principles. Lambert said that, while reformers usually have "good intentions ... the results [of the reforms] have been, frankly, negative." He urged the party away from a policy of legislative intervention because of the "numerous [sic] ways" laws can be avoided, difficulties that may be experienced in proper drafting (for example, defining and determining to whom public funding goes without favoring "Establishment" candidates) and the possibility of unintended consequences, such as dissuading voluntary participation by creating the impression that campaigns are the responsibility of the government.⁵⁴² Here, Lambert's response reveals a particular conception of voluntary and local democracy, which motivated his policy stance.

When the President of the Greater Victoria Riding Association responded, he displayed a utilitarian logic but remained focused on conservative values:

On the whole, I feel that financial responsibility is a measure of party and candidate sincerity of purpose. There are weaknesses in the present system but there has been improvement in political responsibility and I believe that this trend will continue. In the meantime I object as a taxpayer to being charged to support other parties and policy for which I have no use at all.⁵⁴³

⁵⁴² Lambert wrote that citizens might reason that "since the public pays for the election expenses, why should I give". Marcel Lambert (MP for Edmonton West Riding, Alberta) to Robert Bédard. 24 September 1970. *PCP Records*. Folder 15.

Similarly, Magness Verbrugge of the British Columbia Provincial Party was resigned to reform but extremely cautious of it. Verbrugge wrote:

some change, just for the sake of change, is probably inevitable at this time in the Election Act and, therefore, our position should be to retain as much commonsense, practicality and adherence to proven democratic electoral procedures as possible.

Magness Verbrugge (President of the British Columbia Provincial Association) to Robert Bédard. 28 September 1970. *PCP Records*. Folder 15.

⁵⁴³ President of the Greater Victoria (British Columbia) Local Association to Robert Bédard. 22 September 1970. *PCP Records*. Folder 15.

Respondents' genuine concern for conservative democratic values—resistance to government intervention, caution about government spending and change generally—permeated their views.⁵⁴⁴

Twelve respondents (or 40%) identified democratic principles in their responses—more than any other motivational basis (Table 9.3). Not all those coded as “democratic values” were opposed to reform based on conservative values. Hugh Guthrie, Secretary of South Wellington local association, advocated for tax concessions for donors, saying:

I appreciate that it is not possible but I feel that there should be some [tax] deductability from the donor's income as a donation to provide a broader base for contributions to Election Campaigns.⁵⁴⁵

Guthrie's response was coded as revealing motives of democratic values because of its appeal to a broader base, which, we will see in Chapters 13 and 14, mirrored a key cultural change progressing in Canadian politics in the 1970s. Similarly, when Gordon

“This Party must never consider basic fundamental freedoms as ‘negotiable’ for the sake of expediency.”

Gamble and Lorraine Devries of the Kamloops-Cariboo riding association urged the party to “never consider basic fundamental freedoms as ‘negotiable’ for the sake of expediency”,⁵⁴⁶ their views were coded as being motivated by democratic values, and democratic values alone, since

there was no way such language could be construed as self- or party- interested.

The 12 respondents who identified democratic principles were relatively evenly spread across the party. Two of the three serving MPs (Stanfield⁵⁴⁷ and Lambert) identified democratic principles in reform (or non-reform). By contrast, a lower proportion of

⁵⁴⁴ For example, R.M. Dundas' response, on behalf of his constituency, rallied against disclosure as an “invasion of privacy”: R.M. Dundas, (Vice-President of the Vancouver-Quadra (British Columbia) Local Association to Robert Bédard. 30 September 1970. *PCP Records*. Folder 15. Similarly, party activist from British Columbia, M.C. Manning's response derided forcing people into “wearing their political heart on their sleeve”: M.C. Manning to Robert Bédard. 22 September 1970. *PCP Records*. Folder 15. B.T. Richardson, defeated candidate from the Spadina riding, Ontario, in 1965 expressed opposition to disclosure in decidedly Tory terms, saying “[w]hat the public is entitled to know is how much a candidate spends to get elected, not where the funds come from”: B.T. Richardson (Losing candidate, 1965 Election, Spadina Riding, Ontario) to Robert Bédard. c1971. *PCP Records*. Folder 15.

⁵⁴⁵ Hugh Guthrie (Secretary of South Wellington (Ontario) Local Association) to Robert Bédard. 9 October 1970. *PCP Records*. Folder 15.

⁵⁴⁶ Gordon Gamble and Lorraine Devries (Kamloops-Cariboo (British Columbia) Local Association) to Robert Bédard. 26 September 1970. *PCP Records*. Folder 15.

⁵⁴⁷ See below, pages 201-202.

defeated candidates identified democratic ideas in their responses on campaign finance reform.

Where a respondent connected a political party, electoral outcomes and a change to the law or party practices, that response was recorded in a column called “party-interest”. For example, when party activist E. L. Hollingsworth from the Sault St Marie riding (in Ontario) explained that he favored public funding of parties’ candidates at the Riding Association level, he justified this position on the basis that it would ensure that organized local *party* organizations would have more money than disorganized ones.⁵⁴⁸ Hollingsworth did not state that he thought that the Conservatives’ organization was more organized or would benefit from such a reform, but it was implicit.⁵⁴⁹ His response was tallied in the “party-interest” column.⁵⁵⁰

As shown in Table 9.3, eleven (37%) of the respondents identified party-interests when explaining their campaign finance reform positions. That less than half of respondents tied campaign finance laws and party-interests may seem surprisingly low, and indeed it is when we recall that these letters were never intended for public consumption and were taken seriously by participants. Even in internal party discussion, the party-interest is not always the natural language. In the Canadian Conservatives, party-interested thinking was more natural among party executives. Three (75%) of the four party executives who responded justified their positions in terms of party-interests,

⁵⁴⁸ Hollingsworth suggested an elaborate scheme for public funding that involved spending limits (60c per voter) and federal government funding for half of the allowable funds (30c per voter), with the local party organization and the candidate responsible for raising the rest. E. L. Hollingsworth to Robert Bédard. 30 September 1970. *PCP Records*. Folder 15.

⁵⁴⁹ E. L. Hollingsworth to Robert Bédard. 30 September 1970. *PCP Records*. Folder 15.

⁵⁵⁰ Additionally, W.R. Watson, the President of Alberta Provincial Party was also added to the tally for “party interests” because he wrote:

It occurs to me that if the Government will pick up the election expense tab, the country will be attracting candidates of a type who are not the most desirable to sit in the House of Commons. As I see it, we will end up with independents galore who will use the money to provide themselves with an opportunity to voice weird and wonderful thoughts - at Government expense.

W.R. Watson to Robert Bédard. 24 September 1970. *PCP Records*. Folder 15.

Watson could be merely demonstrating Tory elitism, but, because his response identified an impact on electoral outcomes, the law and (implicitly) parties, here it is categorized as motivated by party interests. The identification of party interests proved to be a lot more subtle within the Progressive Conservatives than the Liberal Party of Australia, who frequently and explicitly mentioned the ALP in their positions (Chapter 6).

compared to eight (31%) of the 26 other respondents. This bolsters the observations in chapters 6 and 8 that party executives tend to be concerned, among other things, with party-interests.

Respondents who identified their own self-interests (or the interests of their faction or class of party participant) and the impact of a change to the law on them, were added to the “self-interest” tally. For example, the response of losing candidate, Bob Killingbeck, was coded as self-interested. Killingbeck urged the party (with less than perfect punctuation) to consider reform that reduced the financial burden on candidates:

“The offer of service should not carry the certainty of personal loss of finances”

Greater stress must be made by each party that the income of an M.P. is not the attraction of men of ability who are for the most part making more money from their businesses, professions etc. The offer of service should not carry the certainty of personal loss of finances as well as time.⁵⁵¹

Even more obviously, Vaughan L. Baird, losing candidate from 1968 in the Saint Boniface Riding in Manitoba (and who was later a champion of selecting party leaders by a ballot of all party members⁵⁵²) wrote that his experience as a candidate led him to believe public funding of campaigns was in the candidate’s interest. “[A]s a former candidate”, he believed:

that it is most imperative that the Federal government become committed on [sic] bearing a certain portion of the costs. I would say that the very minimum one could run federally would be \$30,000.00. This does not include T.V. advertising.⁵⁵³

In total, self-interests in the law were identified by eight respondents (27%): seven defeated candidates and one MP, Marcel Lambert.⁵⁵⁴ It stands out that seven (70%) of the 10 defeated candidates identified where their self-interests lay in the current law or reform proposals—whereas no party activists or executives did. These numbers suggest

⁵⁵¹ Bob Killingbeck (Losing candidate, 1965 Election, Timmins Riding, Ontario) to Robert Bédard. 30 September 1970. *PCP Records*. Folder 15. In Killingbeck’s Riding, the NDP candidate won in 1965 and the Liberal candidate won in 1968. In both races, the Conservative candidate was a distant third (with about 10% of the vote).

⁵⁵² He would advocate “one member one vote” in leadership selection in the 1990s: see *Vaughan L. Baird Fonds*. Archives of Manitoba. 14037. P2843.

⁵⁵³ Vaughan L. Baird (Losing candidate, 1968 Election, Saint Boniface Riding, Manitoba) to Robert Bédard. 28 September 1970. *PCP Records*. Folder 15.

⁵⁵⁴ Marcel Lambert identified his self-interest in the law but (like Dick Ford) rejected it as the basis for his position on reform. Marcel Lambert (MP for Edmonton West Riding, Alberta) to Robert Bédard. 24 September 1970. *PCP Records*. Folder 15.

that an individual's intimate experience of the technical operation of the law facilitates *identification* of self-interests in the law.

Qualitative analyses enabled responses to be coded in more than one of the four categories of motivations. For example, Ralph Whittington Brown's letter was counted in three columns: party-interest, self-interest and democratic principles. Firstly, Brown cited party-interest—the advantages to be gained for the Conservatives relative to the NDP—as the reason he supported banning contributions from unions (discussed below page 203).⁵⁵⁵ Secondly, Brown also identified his self-interest in reform when he expressed his preference for restrictions on the amount a candidate could spend on advertising. Brown's self-interest was also important in his concern that parties ought to do more for candidates during an election campaign and after. In an interesting passage, he said:

“The sacrifice made by a losing candidate should not have been in vain.”

The sacrifice made by a losing candidate should not have been in vain. Often a fine citizen is left with some bitterness toward an ungrateful party and/or government, in his concept. Political participation by responsible people should be encouraged, and politics ought not to have the present stigma of being a dirty word. I would like to see both the government, as well as the party concerned, if possible, make some use of the services of losing candidates after the election. I think the benefits would be mutual, the general public would be pleased to note such recognition, and the status of all candidates in an election would be held in higher regards, to the benefit of all who participate in politics.

In one sense, Brown advocated a dying idea—patronage—and was less concerned with what the Conservatives could do to change campaign finance laws and more with the party exercising control over campaigns and providing patronage for defeated candidates like himself.⁵⁵⁶ Brown's response was also included in a third column—the “democratic principles” column—because, while outdated, the phrasing of the above paragraph appears to be sincerely motivated by a conception of democracy that includes political participation, candidacy and public service—and *patronage*—as civic virtues.

⁵⁵⁵ Ralph Brown (Losing Candidate, 1965 Election, Hamilton South Riding, Ontario) to Robert Bédard. 18 September 1970. *PCP Records*. Folder 15.

⁵⁵⁶ Ralph Brown to Robert Bédard. 18 September 1970.

“If a party has a reasonable platform and a reasonable candidate funds will be available sufficient for election purposes”

In all, eight (27%) respondents identified positions based on more than one of self-interest, party-interest and democratic values. In only one of those responses—of Dick Ford, losing candidate from the riding of Sarnia (Ontario) in 1965 and 1968—did the justifications directly conflict. Ford identified his self-interest (as a candidate) in spending limits and public financing. As “a man of relatively modest means”, he said, his “campaign in 1965 was severely handicapped vis-à-vis the Liberals by a shortage of money.”⁵⁵⁷ Ford also identified the party interests in spending limits: more Conservative candidates would win if spending was limited. Yet he urged the party not to adopt spending limits, because he thought they were unenforceable and bad for honest candidates who follow them (whereas bad candidates will ignore or find ways around them). He also urged the party to reject public financing of candidate expenses because he did not think it was the proper role of the state. Ford wrote:

On the subject of financial assistance from the public purse, it would appear that in this time of rising government expenditures this is not the time to increase those expenditures in this way. If a party has a reasonable platform and a reasonable candidate funds will be available sufficient for election purposes.⁵⁵⁸

Continuing, on the subject of disclosure of donation, Ford wrote in opposition to the idea: “[s]upport of a political party financially does not appear to be any more a public matter than does voting or donating to a favorite charity.”⁵⁵⁹ Conservative democratic values motivated his policy stance.

In sum, not only were democratic values the justification identified in more responses than any other motive; democratic values also motivated more policy positions respondents advocated than any other motive.

Ford was unique among defeated candidates. Six of those seven defeated candidates who identified their self-interest were, ultimately, motivated by their self-interest in

⁵⁵⁷ R.W. Ford (Losing Candidate, 1968 Election, Sarnia Riding, Ontario) to Robert Bédard. 27 September 1970. *PCP Records*. Folder 15.

⁵⁵⁸ R.W. Ford to Robert Bédard. 27 September 1970.

⁵⁵⁹ R.W. Ford to Robert Bédard. 27 September 1970. Ford’s response was not categorized as “party platform or principles” because it made no mention of the Progressive Conservative Party of Canada’s principles, merely Ford’s personal conception of democracy. Indeed, none of the responses identified their party platform or principles, perhaps reflecting the absence of a clear party position on or approach to campaign finance reform.

their policy recommendations. These responses indicate that the sour experience of losing under existing laws encouraged self-interest to dominate as the motivation in losing candidates' assessments of electoral laws. This provides more evidence that motivations of individuals are socialized: experiences develop motivational characteristics in individuals.⁵⁶⁰ Motives change and develop with experience and acculturation.

In total, the positions identified in responses to Bédard show that defeated candidates were more likely to identify positions on campaign finance reform expressed in terms of their self-interest than other Canadian Conservatives. By contrast, party executives were more inclined to identify the party interests than other parts of the party. However, these trends notwithstanding self- and party-interests did not drown out democratic values in the positions the partisans identified on campaign finance reform issues. Interestingly, none of the positions identified the Conservatives' party ideology as a justification for a position. This absence of party ideology continues as we explore, in 9.3, the response of partisans to Bédard's express request to identify interests in existing campaign finance law.

"It might be very helpful to us if you could cite examples of how election expenses have, in the past, curtailed or put at a clear disadvantage a candidate during a general election."

9.3 PLEASE ASSESS WHERE YOUR INTERESTS LIE

Secretary Bédard prompted recipients of his letter to offer examples of how election expenses have "curtailed or put at a clear disadvantage a candidate".⁵⁶¹ These responses are useful for examining the ability—and willingness—of respondents to think about reform in terms of interests, since Bédard's question was posed in precisely those terms. In particular, this section examines the tendency for members of the Progressive Conservatives to ignore, accept or reject the premise of Bédard's questioning about

⁵⁶⁰ This theme—the socialization of motives—is developed throughout the remaining chapters. In the thesis' conclusion, the implications of the learned-nature and the cultural-specificity of motives are discussed, with particular focus on the tendency to characterize politics as a pursuit of self-interest.

⁵⁶¹ Robert Bédard to MPs, defeated candidates, constituency presidents and secretaries and members of the National Executive. 16 September 1970. In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 618. Folder 15 "Election Expenses – Brief to the Special Committee of the House of Commons, Correspondence."

disadvantage and electoral expenses. The section shows a remarkable reticence to address campaign finance reform from the perspective of interests. Most respondents ignored the prompt—with only three respondents, all of who were recently defeated candidates, citing examples of disadvantage. The reticence stemmed from both an unwillingness to view electoral success (or, more commonly for the Conservatives, defeat) as a product of electoral law, as well as a rejection of the appropriateness of using self- or party- interests as the basis for party policy. Indeed, four responses go to the effort of explicitly rejecting their superior's premises that laws are tied to victory or that interests are the correct way to assess campaign finance law. These responses indicate that, *culturally*, interests were not considered the an appropriate basis of party policy.

As shown in Table 9.4, Bédard's prompt was mostly ignored, sometimes rejected and, when occasionally accepted, not usually illustrated. More than half (57%) of the Conservative respondents did not take up the call to assess current election expenses in terms of disadvantage. Among the thirteen respondents who did address Bédard's prompt (43%), an interesting inability or unwillingness to cite examples of disadvantage is observed, with only nine (30%) of all respondents accepting the premise that campaign finance law might disadvantage the party and 3 (10%) providing examples of disadvantage.

Out of a total of nine respondents who accepted the premise inherent in Bédard's prompt that interests might be negatively affected by election expense laws, six did not (or could not) cite any examples of the laws that disadvantaged them. For example, reporting on a meeting of the Executive of the Kingston and the Islands constituency association, party activist Secretary P.H. Megginson noted “[o]ur Executive did not feel able to cite any particular examples of hardship under the current system.”⁵⁶² Similarly, party activist Hugh Guthrie, the secretary of the South Wellington constituency association, a well-to-do riding just beyond the vast meld of cities that makes up the Greater Toronto area, replied:

⁵⁶² P.H. Megginson (Secretary of the Kingston and the Islands (Ontario) Constituency Association) to Robert Bédard. 27 September 1970. *PCP Records*. Folder 15. The PC Youth Federation did not think election expenses were disadvantageous either: Robert Kerr to Robert Bédard. 22 September 1970. *PCP Records*. Folder 15

I believe the matter of Campaign Expenses in the ridings, other than in the urban ridings, present no particular problem to the candidate.⁵⁶³

The inability of the party activists to cite examples of disadvantage in existing campaign finance law was echoed by the party elite, even though the party had been repeatedly defeated in elections held under existing laws. Opposition leader, Robert Stanfield, who eventually replied to Bédard's pleas (Chapter 8), accepted the premise that election laws were important. Indeed, he thought election laws were of "decisive importance for the survival of opposition parties":

Voilà bien une question épineuse à traiter publiquement, dans le contexte sociologique canadien. En effet, bien qu'elle revête *une importance décisive pour la survie des partis d'opposition* et le maintien du système démocratique post-électoral, les Canadiens en général regimberaient sans doute à l'annonce d'un pareil décret.⁵⁶⁴

Yet Stanfield could not cite any particular campaign finance laws that caused disadvantage, instead citing the whole Canadian political system—and Westminster-style governance—as giving an advantage to government parties over opposition parties:

L'appareil politique canadien, ainsi conçu, confère donc automatiquement au parti au pouvoir une incontestable position. De la sorte, rien n'échappe à son contrôle, et il dirige sans grand difficulté.⁵⁶⁵

This general sentiment was repeated by party executives. Fernand Alie, President of the Québec Provincial Association, reported that their Executive thought that election laws currently disadvantaged the Conservatives generally and that federal law reform could remedy that disadvantage⁵⁶⁶—but they did not offer any examples of disadvantage. In

⁵⁶³ Hugh Guthrie (Secretary of South Wellington (Ontario) Local Association) to Robert Bédard. 9 October 1970. *PCP Records*. Folder 15.

⁵⁶⁴ The full translation of Stanfield's comment:

Here indeed a thorny issue to handle publicly, in the Canadian sociological context. Indeed, although it is *of decisive importance for the survival of opposition parties* and the maintenance of post-electoral democratic system, Canadians in general would probably balk upon notification of such a decree

Robert Stanfield (Party Leader) to Paul O. Trepanier (carbon copy to Robert Bédard). 5 October 1970. *PCP Records*. Folder 15 (italics added).

⁵⁶⁵ In English:

The Canadian political system, as designed, therefore, automatically gives a trump card to the party at the seat of power in such a way that nothing escapes from its control, and it governs without great difficulty.

Robert Stanfield to Paul O. Trepanier. 5 October 1970. *PCP Records*. Folder 15.

⁵⁶⁶ Alie wrote :

a distinctively Québécois style, Alie explained that the PCP Québec Executive was studying campaign finance reform independently of the national party and was sure that the National Executive would be interested in their opinions—writing that “[i]l vous intéressera sans doute de savoir quelle est la pensée du Québec en cette matière.”⁵⁶⁷

Only three (10%) of the respondents cited examples of disadvantage caused by the existing laws on campaign finance. They were all defeated candidates. T.G. Spencer, candidate for Welland (Ontario) in 1965, thought that fundraising in ridings where the party has not had a representative elected for a long time was problematic due to the advantages of incumbency and said “I feel the only proper way and in fact the only equitable way [to remedy the situation] is to have all expenses paid by the federal government.”⁵⁶⁸ Ralph Whittington Brown was unsuccessful in his bid to unseat New Democratic Party sitting member William Howe in the Hamilton South (Ontario) riding in 1965. Brown clearly highlighted a key disadvantage he saw in the current law: the legality of union campaign donating and spending. For Brown, the financial contributions of unions and other labor organizations provided “astonishing and unfair advantages to certain party candidates in industrial areas. i.e. Dr. Wm. Howe, N.D.P. Hamilton South, 1965.”⁵⁶⁹

These two respondents—Spencer and Brown—identified examples of disadvantage in the existing law and then based their recommendations for party policy on remedying

Nous espérons que vous pourrez faire valoir ces points de vue au comité parlementaire et que nous ne nous engagerons pas dans une prochaine élection avec des handicaps aussi lourds que par le passé, en face du parti qui détient présentement le pouvoir.

This translates to:

We hope that you impress upon the parliamentary committee these views so that we do not campaign in the next election with disadvantages relative to the government party as great as in the past.

Fernand Alie to Robert Stanfield (President of the Quebec Provincial Association, but also defeated candidate in the 1968 Election in Saint-Jacques Riding, Quebec) 1 October 1970. *PCP Records*. Folder 15.

⁵⁶⁷ Translating, approximately to, “[u]ndoubtedly it will interest you to know the thoughts of Quebec in this matter”: Fernand Alie to Robert Stanfield. 1 October 1970.

⁵⁶⁸ T.G. Spencer (Losing candidate in the 1965 Election, Welland Riding, Ontario) to Robert Bédard. 25 September 1970. *PCP Records*. Folder 15.

⁵⁶⁹ Ralph Brown to Robert Bédard. 18 September 1970. *PCP Records*. Folder 15.

that disadvantage: interests motivated their policy positions. As discussed in 9.2, Dick Ford, the third respondent to identify disadvantage in the existing law, dismissed his self-interest as being irrelevant to his position on reform.⁵⁷⁰

That the only respondents to identify examples of disadvantage in the current law were all defeated candidates likely reflects the nature of a defeated candidate's experience with campaigning. It is a direct confirmation of notions that experience matters: where one sits within a party influences their perspective on and knowledge of campaign finance law. The experience of a defeated candidate, the concomitant gripes and bitterness that come from intimate but unsuccessful dealings with funding, ensured that they were better able to express their feelings on campaign finance laws in terms of interests.⁵⁷¹

⁵⁷⁰ See page 198-199.

⁵⁷¹ As discussed above, only two of the three defeated candidates who identified that the law caused them disadvantage (Spencer and Brown) then based their policy stances on those interests. This highlights that, although experience and position in party are influential, they are not determinative of motives.

Table 9.4: Response to Prompt about Disadvantage Caused by Current Laws, Respondents to Bédard’s Letter, Progressive Conservative Party of Canada, September 1970

		Prompt Ignored		Premise Accepted				Premise of prompt rejected		Total
				No examples of disadvantage		With examples				
		number	percent	number	percent	number	percent	number	percent	Number
Party Activists	Total	7	54%	4	31%	0	0%	2	15%	13
Party in the Public Office	Defeated Candidates	7	70%	0	0%	3	30%	0	0%	10
	Current MPs	1	33%	1	33%	0	0%	1	33%	3
	Total	8	62%	1	8%	3	23%	1	8%	13
Party Executives	Total	2	50%	1	25%	0	0%	1	25%	4
Total		17	57%	6	20%	3	10%	4	13%	30

Figure 9.5: Paul O. Trepanier⁵⁷²



Of special interest are the four responses (13% of the total responses) that explicitly dismissed one or both of the two premises in Bédard's question: that campaign finance laws were in any way related to victory and that the party should look at campaign finance reform in terms of interests. Philippe Kennes (who was the President of the Shefford (Québec) constituency association, but wrote on his own behalf) rejected the idea that election laws or financing had too much to do with election results, citing the importance of the candidate to victory. He used the examples of his riding's candidate in 1965 and 1968, Paul O. Trepanier – whose extravagant clothing (and bowtie, above Figure 9.5), Kennes said, shocked the population.⁵⁷³ He continued, "Quand la population ne veut pas voter pour quelqu'un, rien n'y fait, ni organisation, ni argent": "When people do not want to vote for the candidate nothing works, no amount of organization, no amount of money."⁵⁷⁴ Similar sentiments were expressed by party executive, W.R. Watson, President of the Alberta Provincial Association. Watson doubted the relevance of money to outcome, saying "there are many instances where a candidate with lots of money has been defeated by one who lacked adequate funds to conduct a "normal" campaign".⁵⁷⁵ Marcel Lambert, MP for the Conservatives in the Edmonton West Riding (Alberta), rejected Bédard's premise, citing party campaigns and party platform as the determiners of election victory:

It is my view that if you haven't got a case to support you, you cannot buy that support and for that reason I fail to see much justification for real serious complaints that if there had been more money any particular election would have been won rather than lost.⁵⁷⁶

⁵⁷² Paul O. Trepanier. nd. *Paul O. Trepanier Fonds*. Historical Society of the Haute-Yamaska (Québec). Po63.

⁵⁷³ In French he wrote "Son habillement extravagant choquait la population": Philippe Kennes to Robert Bédard. 1 October 1970. *PCP Records*. Folder 15.

⁵⁷⁴ Philippe Kennes to Robert Bédard. 1 October 1970. *PCP Records*. Folder 15.

⁵⁷⁵ W.R. Watson (President of the Alberta Provincial Party) to Robert Bédard. 24 September 1970. *PCP Records*. Folder 15.

⁵⁷⁶ Marcel Lambert to Robert Bédard. 24 September 1970. *PCP Records*. Folder 15.

These respondents essentially cited issues within the party, rather than without, as the source of the party's electoral defeats, reflecting conservative world views and reiterating that electoral reform is not always a venue for self- or party-interests.

One response emphatically rejected both premises: that election law affects outcomes and that interests are the relevant way to assess campaign finance reform. The Kamloops-Cariboo (British Columbia) local constituency association, in a rather definite and elaborate response, expressly rejected the premise that the party should eagerly think about campaign finance reform in terms of interests:

The second half of paragraph three of your memorandum concerns us. It leads one to believe that our Party intends to blame our defeats on lack of election funds. Perhaps we have the wrong impression. However, we certainly hope that that illusion is not laboured with, or presented to any Parliamentary Committee on this Association's behalf. Certainly-we lacked funds, but the responsibility is ours to establish our policy platform, organize a momentum—and communicate to the people. ... If we 'get down to brass tacks' to do this, this Party of ours can compete favorably with anyone for political funds. This Party must never consider basic fundamental freedoms as 'negotiable' for the sake of expediency.⁵⁷⁷

It is important to reiterate here that there is no obvious need in these responses for insincerity or piety—the Kamloops-Cariboo local constituency association should be read as genuinely trying to influence its superiors to behave in a way concordant with what it viewed as proper.⁵⁷⁸ This was an attempt to influence party behavior in the direction of appropriate conduct, and so is a manifestation not only of a democratic values-based position (rather than, as Bédard seemed to foreshadow, party interests) but also participation motivated by a mix of social acceptance and civic duty motives.

While more than half of the respondents ignored Bédard's prompt for examples of disadvantage and one in ten respondents—all defeated candidates—offered examples of disadvantage, more than one in ten respondents rejected one or more of the premises in Bédard's prompt. These responses came from across that party, and indicate that there was not a common understanding within the Conservatives that campaign finance law was related to or should be assessed in terms of interests. This view of electoral law is quite different to that we saw in the Australian case-studies. In those

⁵⁷⁷ Gordon Gamble and Lorraine Devries (Kamloops-Cariboo (British Columbia) Local Association) to Robert Bédard. 26 September 1970. *PCP Records*. Folder 15.

⁵⁷⁸ Indeed, they had plenty of reason to be aware of the potentially negative impacts of electoral law: The Kamloops-Cariboo Riding was created in 1968 out of one safe Progressive Conservative riding and another Social Credit riding—it was no longer a safe Conservative riding.

case-studies victories and losses (in the ALP) were understood, first and foremost, as a result of the operation of electoral law. Reform efforts (in the ALP and the Liberal Party of Australia) were seen within the party as being very closely related to victory or loss. In the Progressive Conservative Party of Canada there was a lesser tendency to tie party electoral performance and the law and, correspondingly, a lesser tendency to advocate for changes in the law based on interests. These differing tendencies point towards the importance of another dimension of socialization, in addition to the responsibilities that come with an office and the experiences of individuals within their party: the expectations of the society within which an individual is acculturated.

CONCLUSION

The responses to Bédard's mail-out provided a wealth of information, colourful and enlightening views and, importantly, sincere positions on campaign finance reform. In the Progressive Party of Canada in September 1970, democratic values were an important part the party's early agenda. Positions based on party-interest and democratic values were expressed by similar proportions of partisans—with self-interest being less commonly expressed. Party ideology was not mentioned by any of the respondents.

An individual's position in the Progressive Conservative Party was related to the justifications they used for their policy recommendations. Party executives more often identified stances justified using party-interest than did other groups. Defeated candidates stood out as being the most able to identify self-interest in the reforms and the least likely to identify democratic values. Defeated candidates were also more likely than others to be motivated by an identified self-interest in their final policy position on campaign finance reform. Party activists proved to be a diverse group—focusing on democratic values and the party-interest. These findings emphasize the importance of personal *experience* to both knowledge and motives. Those with less intimate experience of electoral law (party activists) were more likely to be motivated by democratic values; those with close and frustrating experiences (defeated candidates) were more likely to be motivated by self-interests.

Partisans in the Progressive Conservative Party were hesitant to connect interests and electoral law. In this avoidance of the issue of interests in the law—despite explicit prompting—members of the Progressive Conservative Party demonstrated the importance of notions of appropriateness (underwritten by a mix of civic duty, social

acceptance and democratic values motives). In the Liberal Party of Australia, there was no resistance to the language of interests in electoral reform and in the ALP (outside of Cabinet) electoral law could only be understood in terms of electoral fortunes (even if tied to notions of democratic representation). Meanwhile, in the Progressive Conservative Party of Canada the connection between interests and election law made some of the recipients uncomfortable and the prompt was largely ignored or, sometimes, rejected.

In this observation, we identify the importance of social acceptance motivations and the beginnings of a culture argument. Motives for reform differed across different positions within the party according to generalized *experiences* (in particular defeat under existing electoral law). But ideas about what were acceptable motives toward electoral reform differed between the jurisdictions. Acceptable motives in the Australian case-studies were different to those in the Progressive Conservative Party of Canada. This form of socialization is about *expectations*—different expectations about acceptable conduct—rather than experience. In Part III, more emphasis will be placed on developing this cultural argument and showing that in Australia it was more culturally acceptable to view reform in interested terms than it was in Canada. Wisconsin fell somewhere in the middle, with expectations about values-driven behavior informing assessments of interests.

Next, the thesis turns to the beleaguered Republican Party in Wisconsin as it battled desperately to preserve a party-centered politics while a pall of shame blanketed the party as a consequence of the Watergate Scandal.

CHAPTER 10
PARTY FUNDRAISING IN THE REPUBLICAN PARTY OF
WISCONSIN: SOURCE OF CORRUPTION OR SAVIOUR
FROM IT?



Figure 10.1: Wisconsin Republican Party Advertisement. November 1972.⁵⁷⁹

Whoever described this year's Senate as a circus deeply insulted the circus. Our actions this session have been much more akin to the Mad Hatter's Tea Party out of Alice in Wonderland. ... [T]he Campaign Finance Reform Bill has not even been brought up for debate.⁵⁸⁰

—First-term Democrat Wisconsin State Senator
William A. Bablitch. 19 March 1974.

⁵⁷⁹ Advertisement published in the *Milwaukee Journal*. 3 November 1972: 18.

⁵⁸⁰ Bablitch, William A. 19 March 1974. "Release from State Senator Bablitch." In *Wisconsin Senate Democratic Caucus Records*. Wisconsin Historical Society. Mss856. Box 3. Folder 6 "Memos - 1973-1974."

We support legislation at the appropriate governmental level which establishes realistic ceilings on campaign finance spending, which requires full and timely public disclosure of campaign financing, and which reasonably limits the amounts of campaign contributions from individual sources to individual candidates.⁵⁸¹

—Wisconsin Republican Party Platform of 1974. May 1974.

President Nixon would not be in the trouble he is in now if he had been elected with money raised by the Republican [P]arty.⁵⁸²

—Assemblyman Tommy Thompson. May 1974.⁵⁸³

In Wisconsin, as in Canada and Australia, laws governing campaign finance in the early 1970s were from a distant era, dating back to the height of the Progressive Movement.⁵⁸⁴ Existing regulation was more significant than in Canada and Australia. However, spending was virtually unlimited thanks to two court rulings,⁵⁸⁵ eerily reminiscent of today's *Citizens United v Federal Election Commission*,⁵⁸⁶ which exempted “voluntary committees” formally operating without direction of a candidate from the legislated spending limits.⁵⁸⁷ However, change was inevitable. In Washington D.C, reform efforts were over a decade old (Appendix 3). Nationally, professionalization and the early adoption of communications technology had increased campaign costs earlier and to a greater degree than in Canada and Australia. Furthermore, the center of campaign fundraising had shifted from political parties to the organizations of individual candidates. The changes, and their potential for corruption—made all so apparent in President Nixon's 1972 re-election campaign—encouraged the US Congress to pass

⁵⁸¹ Republican Party of Wisconsin. May 1974. Platform. In *Republican Party of Wisconsin Records*. Wisconsin Historical Society. Mss 649. Box 1.

⁵⁸² Assembly resurrects Old Campaign Finance Bill. 22 May 1974. *Telegraph Herald*: 13.

⁵⁸³ Thompson, first elected to the Assembly in 1966, would later become the longest serving Wisconsin Governor (1987-2001) and (unsuccessful) candidate for Senate and President.

⁵⁸⁴ *Corrupt Practices Act 1897* (Wisconsin Session Laws of 1897. Chapter 358); *An Act Relating to the Use of Money by Corporations in Elections 1905* (Wisconsin Session Laws of 1905. Chapter 492); *Corrupt Practices Act 1911* (Wisconsin Session Laws of 1911. Chapter 650).

⁵⁸⁵ *State ex rel. LaFollette v Kohler* 200 Wis. 518, 228 N.W. 895 (1930); *State v Pierce* 163 Wis. 615, 158 N.W. 696 (1916). See: Anderson, Eric S. 1976. Comments: Campaign Finance in Wisconsin after Buckley. *Wisconsin Law Review* [1976]: 821-22.

⁵⁸⁶ 558 U.S. 50 (2010).

⁵⁸⁷ Anderson. 1976: 821-22. See Appendix 3 for more background.

three campaign finance reform packages within a decade, culminating in the *Federal Election Campaign Act* of 1974.

Wisconsin, a small and relatively peripheral state with a long progressive history and, in Daniel Elazar's trichotomy, a moralistic political culture,⁵⁸⁸ had not yet experienced such extreme increases in costs and candidate-centeredness of campaigning. But the allegations emerging out of Watergate launched a vigorous reevaluation of campaign finance laws in Wisconsin—as in many other states.⁵⁸⁹ In May 1973, just before the live TV broadcasts of the US Senate Watergate Committee hearings were about to begin, Democratic Party Governor Patrick Lucey created a committee to study reform of Wisconsin's campaign finance laws, describing the existing law as “archaic and non-functioning”.⁵⁹⁰ Reflecting the diffuseness of the legislative process in a separation of powers jurisdiction (in which the executive cannot control the legislature), that same month the Democrat-controlled Wisconsin State Assembly Elections Committee generated Assembly Bill 1016 (AB1016).⁵⁹¹ In the coming months, numerous other bills on campaign finance made their way to the legislature.⁵⁹²

The most important bills were AB1016 and a nascent draft that would later become Senate Bill 872 (SB872). Sponsored by John Oestreicher, Democrat Chairman of the

⁵⁸⁸ Elazar, Daniel J. 1966. *American Federalism: A View from the States*. New York: Crowell.

⁵⁸⁹ Fling, Karen K. 1979. The States as Laboratories of Reform. In *Political Finance*. Herbert E. Alexander, ed. London: Sage Publications: 246; 25 States Push Reform Legislation. 31 December 1973. *The Milwaukee Journal*: 3; Sawislak, Arnold B. 29 December 1973. Laws Revised for Elections in 13 States. *Beaver County (PA) Times*: B8.

⁵⁹⁰ State of Wisconsin, Legislative Reference Bureau. January 1974. Campaign Finance Reform. *Research Bulletin* 74-R B-1: 16; Patrick J. Lucey to Professor David Adamany. 4 May 1973. In *Governor's Study Committee on Political Finance (Wisconsin) Records*. Wisconsin Historical Society Archives. Series 1943. Box 1. Folder 1 “Correspondence”. Governor Lucey's Study Committee on Campaign Finance was led by a prominent University of Wisconsin-Madison academic, David Adamany. The Committee released a preliminary report in October 1973 and a final report in March 1974: Governor's Study Committee on Political Finance. October 1973. *Working Paper on Campaign Finance Reform*; Governor's Study Committee on Political Finance. March 1974. *Final Report*.

⁵⁹¹ AB1016 was approved unanimously by the Assembly Elections Committee in July 1973 and in August was favorably reported by the Assembly Finance Committee (9-2): Campaign Reform Bill Drafted. 2 July 1973. *Milwaukee Journal*: 14. See also Bob Ashmore (Common Cause Wisconsin) to Tom Belford (Common Cause Washington D.C). 10 August 1973. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁵⁹² These bills included: AB162, AB259, AB546, AB1212, AB1373, SB547 and SB766: State of Wisconsin, Legislative Reference Bureau. January 1974. Campaign Finance Reform. *Research Bulletin* 74-R B-1.

Assembly Elections Committee, AB1016 began life as “essentially a comprehensive disclosure bill”.⁵⁹³ As it passed through four committees, including the Senate Insurance and Judiciary Committee (SJIC), it gradually grew into a bill with spending limits and rigid contribution limits—including limits on the contributions parties could make to their nominated candidates.⁵⁹⁴ The main competing bill, SB872, was authored by Gerald D. Lorge, a Republican and Chairman of the SJIC. Lorge drafted SB872 in consultation with Democrat David Adamany (the leader of the Governor’s Study Committee) and Republican Party legislative staffers.⁵⁹⁵ SB872 contained spending limits, contribution limits and donation disclosure and, at the outset, a provision for a public funding scheme (though this was whittled from it).⁵⁹⁶

One of the major issues in the Wisconsin debates over campaign finance reform in the early 1970s related to the proper role of the party organization in funding their “slate”⁵⁹⁷

⁵⁹³ State of Wisconsin, Legislative Reference Bureau. January 1974. Campaign Finance Reform. *Research Bulletin* 74-R B-1: 16; Martino, Sam. 2 July 1973. Campaign Reform Bill Drafted. *Milwaukee Journal*: 14.

⁵⁹⁴ According to legislative materials, an amendment, moved by Democrat Harout O. Sanasarian, added spending limits (21 June 1973). Substitute Amendment 1, adopted by the Assembly Elections Committee 7-0 on 10 July 1973, expanded the application of contribution limits individuals and committees. Substitute Amendment 2 further expanded the application of contribution limits: to political party contributions to candidates. After these substitute amendments, AB1016 went quickly through the Joint Finance Committee (emerging on 9 August, 9-2 in favor). Later, AB1016 spent time in the Assembly Judiciary Committee and the Senate Insurance and Judiciary Committee (SJIC); State of Wisconsin, Legislative Reference Bureau. January 1974. Campaign Finance Reform. *Research Bulletin* 74-R B-1; Wisconsin Legislature. 1973-1974. *Bills*. Interestingly public financing came and went from the bill, with Oestreicher fearing that its inclusion would seal an unseemly fate for the whole bill: David W. Admany. 11 March 1974. Commentary on AB 1016. In *Fred A Risser Papers*. Wisconsin Historical Society. Mss319. Box 14. Folder 20: 7. See Chapter 12.

⁵⁹⁵ James R. Klauser (Counsel to the Republican Caucus) to Gerald Lorge. 12 March 1974. In *Fred A Risser Papers*. Wisconsin Historical Society. Mss319. Box 14. Folder 20; Shively, Neil H. 18 March 1974. Lucey Asks Senate Help on Campaign Reform Bill. *Milwaukee Journal*: 8.

⁵⁹⁶ Gerald D. Lorge to David Adamany, Steve Ponot and Roger Utnehmer. 27 December 1973. RE: LRB8085 – Election Reform Act for Wisconsin. In *Governor’s Study Committee on Political Finance (Wisconsin) Records*. Wisconsin Historical Society Archives. Series 1943. Box 1. Folder 1 “Correspondence”; Klauser, James R. (Counsel to the Republican Caucus). March 1974. Summary of Provisions, LRB — 8679/2. In *Fred A Risser Papers*. Wisconsin Historical Society. Mss319. Box 14. Folder 20. A study following the development of these two bills, and the extent to which John C. Oesteicher dug himself in over some relatively small differences might make a good study in the pursuit of power—in particular, the response of Oesteicher when Adamany abandons AB1016 in favor of an early draft of SB872 in late 1973. See Shively, Neil H. 18 March 1974. Lucey Asks Senate Help on Campaign Reform Bill. *Milwaukee Journal*: 8.

⁵⁹⁷ A term commonly, if slightly inaccurately, used in Wisconsin as the collective noun for nominated party candidates to a general election.

of nominated candidates. Proposals abounded to limit the role of party in financing candidates' campaigns. Wisconsin Republicans resisted these proposals. The Republican Party had maintained a greater role in candidate financing than did the Democrats, whose candidates ran their own campaigns independently and unassisted by their party.

Republican partisans understood party-centered political finance to be inherently more professional and less corrupt and corrupting than candidate-centered financing. Candidate-centered financing appeared to the Wisconsin Republican Party to be amateur and, even before the Watergate Scandal, loose with ethical boundaries. They believed candidate-centered fundraising, in which the candidate was involved with and aware of fundraising, opened up the floodgates of improper influence. Watergate reinforced these views. Republican partisans were embarrassed by the "painful and agonizing"⁵⁹⁸ revelations of the behavior of Richard Nixon's *non-party* reelection committee in 1973-1974. They sought to resist any further increase in candidate-centered campaign finance. Indeed, for the Republican Party preserving the role of *party* in financing *candidates'* campaigns was the single greatest issue in the Wisconsin reform debates.

This chapter draws on a diverse set of collections housed at the Wisconsin Historical Society to make three key observations arising out of the statements and actions of Wisconsin Republican Party executives and activists as they sought to preserve the central role of party in Wisconsin campaign financing.⁵⁹⁹ The first observation relates to the extreme separateness and individualism of the two forums of policy

⁵⁹⁸ Haney, James. S. 5 Dec 1973. Statement to Senate Committee on Judiciary and Insurance. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁵⁹⁹ Collections accessed at the Wisconsin Historical Society include: *Republican Party of Wisconsin Records*. Mss 649; Delmar DeLong Legislative Papers. Mss 1012; *Ody J. Fish Papers*. Mss 105; *James S. Haney Papers*. Mss 346; *Gerald D. Lorge Papers*. Mss 111; *James D. Swan Papers*. Mss BD; *Common Cause in Wisconsin Records*. Mss 415; *Governor's Study Committee on Political Finance (Wisconsin) Records*. Series 1943; *Fred A. Risser Papers*. Mss319. See Appendix 1 for a full list of records utilized. Overall, this chapter, and Chapter 12 on the Democratic Party of Wisconsin, relies more heavily on public and semi-public records than previous chapters. This is a consequence of the more open and open-ended public policy process in Wisconsin (and other separation of powers systems). Partisans contributed to policy in more public and semi-public arenas than they did in secret meetings and private backrooms. Still, the private efforts of partisans recorded in the records contained at the Wisconsin Historical Society reveal the existence of a second, internal party policy-making process, which was otherwise hidden from view, and they reveal the sincerity of many of the public pronouncements whose sincerity we might otherwise be inclined to suspect or discount.

development—public and party—in Wisconsin. This, the chapter argues, is a natural consequence of weak, regulated political parties and a separation of powers environment, which meant that the party organization had limited power to impose discipline and the legislative process was not concentrated in the executive. The separateness had consequences: rather than using those informal or private intraparty channels like the ones we saw in chapters 6, 8 and 9, party executives and activists in the Wisconsin Republican Party sought to affect legislative outcomes in only the formal public policy process (in legislative committee hearings) and only by making representations as individual partisans. There was no private correspondence or collective party statements, except the party platform late in the legislative process.

The second observation follows from the first: because many of the public statements of partisans were directed at a public policy audience, they were not inevitably obfuscated for electoral efficiency. In public, Republican Party executives and activists expressed positions ostensibly motivated by democratic values and party interests. When the chapter tracks the same individuals operating in both a public, policy-orientated, forum and in a private intraparty forum, the motives behind positions expressed prove to be quite consistent. The statements of Republican partisans in public committee hearings were, it appears, relatively sincere.

The third observation is that the motives of Republican partisans in Wisconsin, consistent with the motives of partisans observed in the other case-studies, were dominated by democratic values and party interests. In their positions on the role of party, key party operatives—including party executive Odilon “Ody” Fish and party activist Sue Stearn—possessed a genuine conception of democracy in which party was central. Interests were assessed within the frame of preserving a party-centered democracy. In observing Stearn, a party activist without any formal paid role, we see the importance of civic duty in driving participation without expectation of reward. Once again, motives proved to be complicated and difficult to pull apart, they were multiple and stubbornly resistant to characterization as simple party- or self-interest.

10.1 REPUBLICAN RESISTANCE TO CANDIDATE-CENTERED FINANCING

In the other cases studied so far in this thesis, banning or restricting union and corporate donations and requiring (for the first time) disclosure of party finance sources were the contentious issues in the 1970s. In those case-studies, reforms there were only just beginning to legally recognize parties and, tentatively, limit their total

spending. Not so in Wisconsin. In the Badger State, where parties had long been legally recognized and regulated, proposals abounded for the statutory limitation of party contributions to candidates nominated by them. No one in the Australian or Canadian case-studies, where parties were *the* vessels for funding, who dared to suggest limiting the contributions parties make to their own candidates would have been taken seriously.

Generally, the sources of party funds were more varied than in Australia and Canada. Wisconsin political parties and party candidates had a broader base of contributors: around 20 percent of adult Wisconsinites donated to a party or candidate; and about 10% donated each campaign.⁶⁰⁰ This was a far cry from the select group of (mostly) corporations that supported Canadian parties just the other side of Lake Superior.⁶⁰¹ However, there were differences in the funding of the two parties in Wisconsin. Organized labor was “one of the Democrats’ major sources of campaign aid” but was not a major source for the Republican Party. Importantly for the 1973-1974 campaign finance reform debates, the Wisconsin Republican Party had a greater role in financing its duly nominated candidates and a more centralized funding structure than did the Democratic Party.⁶⁰² Indeed, the Republican Party even financed its preferred candidates in primary elections in the hope of assisting their victory and formal party nomination.⁶⁰³

In 1973, there were no limits on the party organization’s contributions to its candidates in Wisconsin.⁶⁰⁴ Parties could dispense funds to their nominated candidates at their discretion. Early in the public policy-making process, it was David Adamany who first brought up the issue of limiting the role of party. He suggested banning the practice by

⁶⁰⁰ Low Limits Urged for Campaign Gifts. 23 October 1973. *Milwaukee Journal*: 1.

⁶⁰¹ Without a sense of this context, the *Milwaukee Journal* reported the Wisconsin figures with some concern, claiming that “[o]nly a small percentage of Wisconsin residents have ever contributed to a political candidate or party.” Low Limits Urged for Campaign Gifts. 23 October 1973. *Milwaukee Journal*: 1.

⁶⁰² Hughes, Leon. 16 November 1973. Accent on the News: Campaign Finance Reforms Draw Mixed Reactions. *Milwaukee Journal*: 4-5; Assembly resurrects Old Campaign Finance Bill. 22 May 1974. *Telegraph Herald*: 13.

⁶⁰³ Democrats Reject Party Endorsement. 16 June 1973. *Milwaukee Sentinel*: 17; David C. Sullivan. June 1973. Endorsement vs Primary. In Wisconsin Republican Party. *Action*: 3.

⁶⁰⁴ There were no limits on the *voluntary* party organizations. The statutory organizations were highly limited, but not used for any real purposes.

which parties “build a central party campaign fund” and then “apportioned [the fund] to candidates as party leaders see fit.”⁶⁰⁵ In essence, Adamany’s proposal would have prevented party organizations from fundraising for a collective party fund and required them to solicit donations only for specific candidates. This would in turn remove the discretion of party executives in distributing differing amounts to individual candidates and retaining the remainder to conduct a state-wide party campaign.

Adamany was the head of the Governor’s Study Committee into Campaign Finance. He was also Associate Professor of Political Science at the University of Wisconsin, Madison. Adamany was largely considered the “chief architect” of the merger of the University of Wisconsin system in 1971.⁶⁰⁶ His views held some weight. Adamany’s proposal was taken seriously. From November 1973 onwards, limiting the percentage or dollar amount of funds that a party organization could contribute to a candidate’s campaign fund was one of the major and most controversial points on the reform agenda.

In January 1974, the Democrat-controlled Assembly amended AB1016 to impose a 50% limit on the contributions of political parties to a candidate’s campaign funds. Republican Assemblymen tried to remove this provision, but failed.⁶⁰⁷ Around the same time in the Senate, Republican Gerald D. Lorge introduced, and the Senate passed, SB872 *without* limits on party contributions to their candidates. As the public policy-making process continued, limits on party contributions became a central point of disagreement between the Assembly, with its AB1016, and the Republican-controlled Senate, and its SB872.⁶⁰⁸ Indeed, Oestreicher, author of AB1016 and chief supporter of

⁶⁰⁵ Hughes. 16 November 1973.

⁶⁰⁶ Christianson, Erik. Fall 2001. Reaching a Milestone. *Wisconsin Ideas (University of Wisconsin)* 18(1).

⁶⁰⁷ Republican Assemblyman Tommy Thompson responded with Substitute Amendment 3, which removed the restrictions on party contributions. The Assembly voted Thompson’s substitute down (20 February 1974).

When, in March 1974, the Republican dominated Senate (or SJIC) considered AB1016, it offered its own substitute amendment, Senate Substitute Amendment 1, which removed the spending limits for political parties in their candidates’ campaigns from AB1016 (15 March 1974). It also included public funding: State of Wisconsin. 15 March 1974. *Senate Substitute Amendment 1 to 1973 Assembly Bill 1016*; John Oestreicher to All Interested Parties. 20 March 1974. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁶⁰⁸ The Assembly was dominated by Democrats: 62 to 37. In the Senate, the Republican Party had a majority of 18 Senators to 15 Democrats. The differences between the houses led the media

reform, explained in March 1974 that one of the main sticking points that prevented him from supporting the otherwise more expansive SB872 was that it did not place any contribution limits on parties.⁶⁰⁹

At stake in these proposals was the continuing influence of the party organization on legislators. Through funding candidates, the organization gained a degree of leverage over the party in public office—it could urge legislators uphold the party platform or legislative the organizations’ policy preferences with a viable carrot (of increased party campaign contributions) or stick (of reduced party contributions). The direct primary, regulation and a long history of third-partyism and progressivism ensured that party organization was already in weak in Wisconsin (Chapter 12). By reducing the ability of the party to fund its slate of candidates and further encourage the rise of candidate-centered funding in Wisconsin, the little leverage the party had with its candidates would be further reduced.

Addressing the issue in private, Ody J. Fish, National Committeeman, former State Chairman and key party executive, wrote to the current State Chairman (also former National Committeeman and fellow party executive), John Hough, in May 1974 (both pictured below in Figure 10.2). Fish bemoaned the decreasing role of parties in congressional and presidential candidates’ campaigns (and the corresponding increase in candidates’ power and autonomy), tying the change to an alleged decrease in the quality of candidates.⁶¹⁰ Fish expressed a belief that strong parties led to a better politics

to paint the reform debates as a contest between the Republican dominated state Senate and Governor Lucey, on the one hand, and “strong willed Democrats in the Assembly” who were courting interest groups such as Common Cause, on the other. Shively, Neil H. 18 March 1974. Lucey Asks Senate Help on Campaign Reform Bill. *Milwaukee Journal*: 8; Assembly resurrects Old Campaign Finance Bill. 22 May 1974. *Telegraph Herald*: 13.

⁶⁰⁹ John Oestreicher to All Interested Parties. 20 March 1974. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3: 3. Oestreicher wrote “Assembly Bill 1016 limits the influence of the party by limiting its contribution to a candidate to 50% of his total contributions. The Senate substitute places no limit on contributions by the party.”

⁶¹⁰ Fish wrote:

I think you should point out to him [John J. McGure] that the decreasing caliber of candidates is a direct result of individuals not supporting financially political parties. ... I cannot agree with his statement concerning the increasing tolerance toward the individual acquisition of power. This did not happen in Wisconsin and he is once again painting us with the Federal problem.

Ody J Fish to John Hough. 10 May 1974. In *Ody J. Fish Papers*. Wisconsin Historical Society. Mss 105. Box 2.

and democracy. In his letter, Fish claimed—indeed, almost bragged—that the Wisconsin party had a greater role in its candidates’ campaigns than was typical nationally and, consequently, that the party exercised more control over its candidates:

There is a great deal of responsibility by the candidate to the Party that elected him if the Party assists in doing it as has been done in the past.

We have maintained discipline and control over candidates to the maximum degree practical. ... [T]he elected Republican officials during the [former Wisconsin Republican Governor Warren P.] Knowles administration and the present Congressional group are responsive to the Party.”⁶¹¹

Fish knew that party control or, at minimum, some of its influence over its candidates once elected to the legislature was at stake in proposals to limit the party’s role in campaign financing.

Figure 10.2: John Hough and Ody Fish.⁶¹²

It was clear where the Republican Party’s interest lay and that their interest was different to the Democratic Party’s interests.⁶¹³ The Republican Party organization had a greater interest in preventing the introduction of limits or keeping the introduced limits lax than did the Democratic Party. Indeed, partisans from both sides of politics were aware of these interests. For example, when Adamany privately wrote, in early 1974, to Republican Senator Lorge he suggested that the current iteration of AB1016, which set political party contribution limits at 50% of a candidate’s funds, would provide advantage to the Republican Party because of their more



⁶¹¹ Ody J Fish to John Hough. 10 May 1974.

⁶¹² Picture from: Roesslein, Kenneth P. 3 August 1971. Extensive Drive Planned to Register Young Voters. *Milwaukee Sentinel*: 7.

⁶¹³ It is, however, unclear from the party’s records why the Democrats wanted (or acquiesced to?) a more candidate-centered financing system. The Democratic Party had been weak in Wisconsin since the founding of the Wisconsin Republican Party in 1854. It was only in the 1950s, as the Wisconsin Democratic Party modernized, that the party began to have serious success in Wisconsin. The Democratic Party was increasingly the young and trendy party and a vehicle for student political activism at the University of Wisconsin-Madison in the late 1960s and 1970s. Perhaps it is this youth and inexperience that ensured that the Democratic Party of Wisconsin was unconcerned with the transition away from party-centered fundraising.

centralized funding operations. Adamany thought the Democrats would be disadvantaged due to their reliance on interest group donations direct to candidates.⁶¹⁴

10.2 THE (PUBLIC) PUBLIC POLICY-MAKING PROCESS

Until now, this thesis has observed party motives in three forums: the *public* political process (Chapter 6.2), the *private*, party-policy-making process (Chapters 6.3, 8 and 9) and the *secret* public policy-making process within a parliamentary Cabinet (Chapter 7). Making the switch from Australia and Canada to the United States necessarily involves a shift in focus. The policy-making process is more open in the United States—with its strict separation of powers and loosely disciplined political parties in which legislators could vote as they pleased, without fear of retribution from the *party* leaders or organization. Correspondingly, in this chapter, the motives of Republican Party executives and activists are observed in a new forum: the *public* public policy-making process.

In addition to the public policy-making process, the Republican Party organization engaged in a private intraparty process, detailed in 10.3. In this process, individuals within the Republican organization scrambled behind-the-scenes to reform the party's internal campaign finance practices and capacities. They sought to reinvigorate from within the party's role in financing and influencing its candidates. As the chapter progresses, the extreme separateness of these two processes will be highlighted, as we see another party organization that neither proactively nor nefariously looked to electoral reform as a way to further its interests.

In the public policy-making process, party executives and activists presented their positions and justifications in public forums, most notably the SJIC public hearings in December 1973, just a few weeks after Adamany first raised limiting the role of party.⁶¹⁵ Individuals who appeared at these hearings included James S. Haney, Chairman of the

⁶¹⁴ David Adamany. March 1974. Commentary on AB 1016 (attached to letter from David Adamany to Gerald D. Lorge. 11 March 1974). In *Fred A. Risser Papers*. Wisconsin Historical Society. Mss319. Box 14. Folder 20: 3.

⁶¹⁵ The SJIC hearings were an important forum for setting the campaign finance reform agenda. Led by Senator Gerald D. Lorge, the SJIC was planning to hold private hearings into campaign finance in July 1973. On December 5 1973, the SJIC began its public hearings into a series of existing campaign finance reform bills (including AB162, AB259, AB546, AB679, AB1016, AB1212, SB547 and SB766). From the SJIC process, SB872 was drafted and this bill in turn ended up being the basis for the eventual law passed in Wisconsin: State of Wisconsin, Legislative Reference Bureau. January 1974. Campaign Finance Reform. *Research Bulletin* 74-R B-1: 16.

Dane County Republican Party, John MacIver, who led President Nixon’s re-election campaign organization in Wisconsin, and Ody J. Fish, Republican National Committeeman and former State Chairman. The names and roles of Republican partisans discussed in this chapter are contained in Figure 10.2 for reference. Each Republican speaker expressed remarkably similar views when they touched on the issue of party contributions to candidates—insisting that they were part of the proper role of party in democracy. They also openly admitted the party’s interests—that the Republican Party organization would be hurt more by strict limits. And so, in Wisconsin, it was in public legislative channels, rather than private organizational channels, that the party organization communicated with the party in public office. These communications were in terms that were a mixture of democratic values and interests.

Table 10.3: Reference Table of Wisconsin Republican partisans

	Title	Position
Mark Borden	State Party Treasurer	Party executive
Ody J. Fish	National Committeeman (1971-1984) Former Chairman (1965-1970)	Party executive
James Haney	Dane County Republican County Chairman	Party activist
John E. Hough	Chairman* (May 1974; November 1972) Former National Committeeman	Party executive
John MacIver	Head of Nixon’s 1972 campaign in Wisconsin	Party executive
Susan Stearn	N/A. Former delegate to the State Executive Council for the 8 th District	Party activist
David C. Sullivan	Chairman* (August 1974, June 1973)	Party executive

* The exact terms of Sullivan and Hough’s chairmanships are unclear.

In the SJIC public hearings, party executives openly encouraged legislators to consider the party organization’s interests, as seen through a particular conception of proper role of party. In his long statement to the SJIC, Haney wrote, he claimed, “from the perspective of a Republican activist who is concerned about the future of politics in this state and in the nation.”⁶¹⁶ Haney publicly supported many of Adamany’s proposals, including spending limits on political campaigns, limitations on individual

⁶¹⁶ Haney, James. S. 5 Dec 1973. Statement to Senate Committee on Judiciary and Insurance. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3:5.

contributions, low disclosure limits and matching grants.⁶¹⁷ Haney was not, by any means, a Republican afraid of reform.

Haney yielded to the necessity of limitations on expenditure, but maintained there was a proper place for parties in all this: a political party, he maintained, must be able to “carry out its major function of campaigning for its slate of candidates,” he implored.⁶¹⁸ Haney expressed particular concern about one proposal he had heard, which was to (completely) prohibit parties from spending on behalf of candidates, saying, in repetitive language, that—although the intent was “to insure compliance with expenditure limits”—the “prohibition would restrict a political party from campaigning for its own slate of candidates.”⁶¹⁹ Similarly, in response to one of Adamany’s alternative proposals (to prevent political parties from accepting donations *except* where they were tied to specified candidates), Haney expressed displeasure at the proposed removal of “the discretion the party has always had in channeling financial assistance to candidates who need it the most.”⁶²⁰

Throughout, Haney’s comments are imbued with values about the proper place of political parties at the center of the democratic process. While there were party interests at play, Haney clearly understood these party interests through the frame of values about the proper role of party. Haney raised no objection to reforms that attacked party interests in secrecy or limitations on the size of contributions to political parties. To the contrary: he was in favor of them. The only objection was to reforms that both undermined the proper role of party in Haney’s value set and damaged party-interests.

**Figure 10.4: State
Party Chairman,
David C Sullivan⁶²¹**

⁶¹⁷ Senators Not Jumping at Campaign Finance Plans. 6 December 1973. *Milwaukee Journal*: 24.

⁶¹⁸ Haney. 5 Dec 1973: 2.

⁶¹⁹ Haney. 5 Dec 1973: 2.

⁶²⁰ Haney. 5 Dec 1973: 4. Reported on in: Senators Not Jumping at Campaign Finance Plans. 6 December 1973. *Milwaukee Journal*: 24.

⁶²¹ Republican Party of Wisconsin. June 1973. *Action Magazine*: 1.



Similarly motivated testimony on other issues of reform came from David C. Sullivan and John MacIver. Sullivan, the Republican State Chairman (Figure 10.4), argued against public funding because it would have further reduced the role of party organization in campaigns. Sullivan voiced his doubts about donation limits in terms of party fundraising interests:

“Limiting of big contributions hurts Democrats as much as Republicans.”⁶²² MacIver, a long-time Republican Party operative “hoped that any new law would allow political parties to collect money and parcel it out to candidates.” Openly acknowledging the party’s interests in the matter, he continued, “[t]his is particularly important to the Republican Party, which serves as a central source of campaign money to a much greater extent than the Democratic Party does.”⁶²³

From these public appearances, two related observations emerge. Firstly, in the public presentations of motives and viewpoints Sullivan, MacIver and Haney were a mix of open party-interest seen through the lens of values about the role political parties should have in democratic politics. This tendency to publicly and openly admit party-interests in the reform is utterly unlike the Australian case-studies (Chapters 6 and 7), where partisans never publicly admitted their party’s interests and instead impeached the other party for its malign interests in the reform.

Secondly, in publicly appearing before the SJIC, Republican partisans were not motivated primarily by an attempt to shape public opinion in their party’s favor but were policy-driven, intending to convince their own legislators. Haney revealed this intention when he addressed the Republican Party in public office, pleading for their consideration:

I would urge Republican legislators, especially[,] to give the [Governor’s Study Committee] Report a careful and objective review and would hope that a bi-partisan effort will be made to enact responsible campaign reform laws in Wisconsin as early as possible.⁶²⁴

⁶²² Hughes, Leon. 16 November 1973. Campaign Finance Reforms Draw Mixed Reactions *Milwaukee Journal*: 1.

⁶²³ Hughes. November 1973.

⁶²⁴ Haney. 5 Dec 1973: 3.

Cheesily, Haney urged for “all of us on the state and local level to join together – regardless of party – to make certain that what has happened in Washington [ie. Watergate] will never happen in Wisconsin.”⁶²⁵

Although these forums were public, the intended audience was clearly the party in public office—not voters. Haney’s purpose was to influence legislative decision-making more than it was to affect political coverage and public opinion. This, in part, accounts for the open admission of party-interests and a greater sincerity from Republican Party operatives than we have seen publicly in other case-studies.

More evidence of the greater sincerity of party operatives’ public statements in Wisconsin comes from Ody J. Fish. Fish also appeared before the SJIC. He urged the SJIC not to regulate party contributions to campaigns, claiming that contributing to candidates’ campaigns was:

a very viable and proper function of a political party, where it gets the funds and allocates them to various candidates.⁶²⁶

Fish, who had been a competent and moderate party chairman through the 1960s,⁶²⁷ was a genuine believer in party-centered financing and in favor of a more centralized, party-based funding regime than presently existed. In a guest column in 1967—well before reform was taken seriously in Wisconsin and well before Watergate revealed what candidate-based organizations could get up to—Fish argued in the *Post Crescent* (a Central Wisconsin newspaper) that parties ought to retain a large role in financing campaigns because it was “the single most effective way to avoid conflict of interest contributions.” He continued, “[a] strong party will result in strongly independent candidates able to avoid the blandishment of private interests.”⁶²⁸ According to Bill Kraus, current (2014) chair of the Common Cause Wisconsin board and long-time Republican Party operative, Fish famously referred to party campaign fundraising a “kinder mistress” than (the less kind) candidate-centered political action committees

⁶²⁵ Haney. 5 Dec 1973: 1.

⁶²⁶ Hughes. 16 November 1973.

⁶²⁷ Srb, Arthur L. 16 December 1974. New Leader May Shift State GOP to Moderate Stance. *Oshkosh Daily Northwestern*: 9.

⁶²⁸ Ody J. Fish, 27 September 1967. Financial Support of Parties Is Vital to Free Candidates. *The Post-Crescent*.

(PACs).⁶²⁹ Indeed, Fish became an active participant in key political reform organization, Common Cause, later in life—reflecting continuing concerns about political finance.⁶³⁰

In both public and private (above pages 217-218), Fish expressed a genuine belief that party funding would prevent corruption. He also believed that the proper role of party included the exercise of some party discipline and the ability to translate party platform into legislative outcomes. It was democratic values—long-held values, that had been expressed publicly and privately over several years—that underlay Fish’s views on reform. Other motives likely included party ideology (in that one of the reasons Fish desired a sizeable role for party was to enable party discipline and the conversion of party policy and platform into legislative outcomes) and party-interests.⁶³¹ Even if Fish’s conception of the party’s interests formed another part of his motivations for appearing before the SJIC, the dominant motive was democratic values, reflected a coherent set of beliefs about the place of parties in the political system. Party-interests were assessed within the bounds of those democratic values.

In this case-study, the public statements made by Republican Party executives and activists mixed open admissions of self- and party-interest with democratic values. This is in contrast to public pronouncements made by the Liberal Party of Australia in Chapter 6, not only because party-interests were not admitted publicly at all in the Australian case, but also because public statements were not sincere in Australia. In Australia, anything publicly said by partisans tended to be positions adopted to win over public opinion and maximize electoral efficiency interests.

To say that Wisconsin partisans appearing before the SJIC hearings largely spoke honestly is not to say that all things publicly said in Wisconsin were sincere. They were

⁶²⁹ Kraus, Bill. 9 December 2012. Redoing Redistricting. In *Fighting Bob* (blog). <http://www.fightingbob.com/guestblog.cfm?postID=4640> ; Kraus, Bill. 24 April 2012. The Future—if there is one—of Representative Government. In *Common Cause. A Wisconsin Political Fix* (blog). <http://www.wisconsinpoliticalfix.org/2012/04/future-if-there-is-one-of.html>

⁶³⁰ Wisconsin Historical Society. 2014. Fish, Ody J. In *Dictionary of Wisconsin History*. Madison, WI: Wisconsin Historical Society.

⁶³¹ On the balance of the evidence, Fish’s motives do not include power. Fish did not try to develop or use influence in these debates and instead was largely concerned with the proper role of party.

not. Only those intended to contribute to the public policy-making process were sincere. For example, in May 1974, Wisconsin Governor Patrick Lucey asserted in a *press release* that it was:

tragic that the Republican Party refuse[d] to curb the excessive influence of money in politics. ... [A]t every critical moment, the overwhelming majority of Republicans voted for a weaker bill.⁶³²

In fact, Adamany—Lucey’s right-hand man on campaign finance reform—had been actively working with Republicans, including Senator Lorge. In March 1974, Adamany had admitted privately to Democrat Senator Fred Risser that the Substitute Amendment written by Republican staffer James R. Klauser went “substantially farther than [AB]1016 in terms of reform” and that it was more “livable” from “a campaigner’s point of view”—in other words, the Republicans had developed and were promoting a better bill.⁶³³ Lucey’s press release, like the press release of Senator Bablitch quoted at the beginning of this chapter (page 209), were more characteristic of public statements seen in earlier chapters, where private attitudes bear little resemblance to publicly stated positions.

The contrasts between the two encourage the development of a distinction between public statements and behavior aimed at influencing public opinion and those aimed at affecting policy outcomes, a theme that will prove analytically useful in later chapters. In Wisconsin, the committee hearings were serious forums of policy development, in which the primary audience was legislators. When we compare the publicly and privately expressed positions of Republican partisans appearing before committee hearings, and the motivational bases for those positions, there was no obvious qualitative difference between them. It was outside of those serious policy forums that exaggerated and insincere communications, intended for the general public, were found.

10.3 BEHIND THE SCENES: SUASION OR SEPARATE PATHS?

Given how important maintaining the role of party in campaign financing appeared to be to the Wisconsin Republican Party, their behind-the-scenes campaign to convince legislators was strangely lacking. The records of the Party and Republican partisans do

⁶³² Legislators Get Lucey Warning. 18 May 1974. *Milwaukee Sentinel*: 7.

⁶³³ David Adamany to Fred Risser. Circa March 1974. In Fred Risser Papers Box 14; see also David Adamany to Gerald Lorge. 11 March 1974. In *Fred A Risser Papers*. Wisconsin Historical Society. Mss319. Box 14. Folder 20: 2.

not reveal any evidence that Haney or Fish or any other party executive or activists informally or privately tried to convince their party legislators of the organization's interests or views on campaign finance reform. The records contain no letters, no facsimiles, no notes, no meeting agendas or minutes and no memos that document Republican Party executive and activist contact with the party in public office. Unlike the Liberal Party of Australia and the Progressive Conservative Party of Canada, the Republican Party organization did not seek to informally influence its own legislators with party research, a policy document or report or even a meeting. The Wisconsin records reveal many attempts—in letters, facsimiles, minutes and memos—to influence legislators—including Republican legislators—throughout this period (see Chapter 11), but they were all from interest groups.

In addition to a dearth of evidence of any attempts to influence the party in public office informally or behind the scenes, the Republican Party organization did not connect much of their financial position to the ongoing debates. The central organization of the Wisconsin Republican Party, the State Executive Committee (SEC), on which Hough, Fish and Sullivan sat, paid surprisingly scant attention to the ongoing campaign finance reform debates in Madison. The attention level was scant even compared to other electoral reform matters. Whereas the SEC discussed changes to voter registration laws (circulating copies of draft bills to all state executives)⁶³⁴ and the goings on in an earlier Governor's Committee for Election Laws,⁶³⁵ they did not discuss the campaign finance reform debates or the study committee in 1973 and 1974.⁶³⁶

⁶³⁴ State Executive Committee. 7 February 1973. Minutes. In *Republican Party of Wisconsin Records*. Wisconsin Historical Society. Mss 649. Box 1.

⁶³⁵ Part of the reason the SEC discussed the proceedings in the Governor's Committee for Election Laws was that party Chairman John Hough was a member of the committee. Hough was not impressed. He reported to the party saying that, although the Committee was called a "non-partisan" committee, its recommendations were anything but non-partisan: State Executive Committee. 12 January 1972. Minutes. In *Republican Party of Wisconsin Records*. Wisconsin Historical Society. Mss 649. Box 1.

By contrast, Governor Lucey did not appoint any Republicans to his Study Committee on Political Finance. The Republican Party organization lacked as serious forum in which to participate, outside of the SJIC and other committee hearings.

⁶³⁶ State Executive Committee. 30 March 1973; 28 June 1973; 10 August 1973; 21 September 1973; 6 November 1973; 23 January 1974; 14 March 1974; 20 May 1974. Minutes. In *Republican Party of Wisconsin Records*. Wisconsin Historical Society. Mss 649. Box 1.

To say that the party organization did not develop and promote a policy on campaign finance *reform* is quite different from saying that it did not consider campaign finance issues. The party organization did, at almost every meeting the SEC, discuss the party's finances. The party was suffering from Watergate and heavily in debt. To use the word "crisis" to describe their finances would not be too exaggerated. Even before the full discouraging story of Watergate was revealed, the SEC was worried about its debts and bases financial support.⁶³⁷ In June 1973, Sullivan, who had just ascended to the Chairmanship, ordered the party newsletter be slashed in size to save money.⁶³⁸ By November 1973, Mark Borden, the state Treasurer, reported that the party's debt stood at US\$500,000.⁶³⁹ Yet, in all the discussions of fundraising and budgeting, members of the SEC did not connect their financial position or fundraising goals with the on-going campaign finance reform debates in the legislature.⁶⁴⁰ The Republican Party organization did not proactively turn to law reform as part of its bid to help its financial situation.⁶⁴¹

⁶³⁷ In their March 1973 meeting, Chairman John Hough, resolved that the SEC "request the Republican Finance Committee of Wisconsin to":

1. Develop fundraising programs that will achieve a maximum level of support from the largest possible number of contributors in 1973 and 1974.
2. Evaluate the level of Party expenditures that the Finance Committee with undertake to fund and the procedures for funding.
3. Propose means for re-funding the party debt until it can be retired.

State Executive Committee. 30 March 1973. Minutes. In *Republican Party of Wisconsin Records*. Wisconsin Historical Society. Mss 649. Box 1.

⁶³⁸ Republican Party of Wisconsin. June 1973. *Action Magazine*: 1.

⁶³⁹ State Executive Committee. 6 November 1973. Minutes. In *Republican Party of Wisconsin Records*. Wisconsin Historical Society. Mss 649. Box 1; see also Srb. 16 December 1974.

⁶⁴⁰ State Executive Committee. 30 March 1973; 10 August 1973; 6 November 1973; 23 January 1974; 14 March 1974; 20 May 1974. Minutes. In *Republican Party of Wisconsin Records*. Wisconsin Historical Society. Mss 649. Box 1.

⁶⁴¹ After reform, of course, the Party would have had to conform to the new laws. In 1973-1974, the Party was engaging in this process with regards to the *Federal Election Campaign Act 1971*. In late 1973, the state party's headquarters and the Executive Director, Stanley York, tried to reform their accounting systems in order to conform to the reporting requirements of the *Federal Election Campaign Act 1971*: Stanley York to David Adamany. 25 October 1973; Stanley York to David Adamany. 30 October 1973. Both documents in *Governor's Study Committee on Political Finance (Wisconsin) Records*. Wisconsin Historical Society Archives. Series 1943. Box 1. Folder 1 "Correspondence".

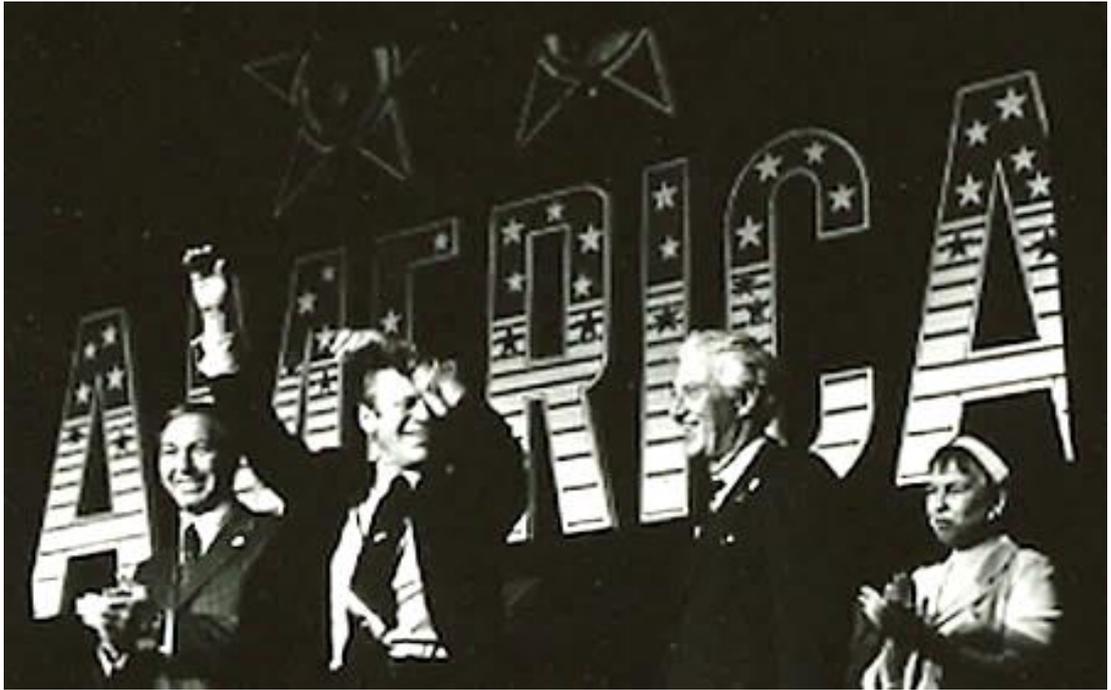


Figure 10.5: Susan Stearn (far right) at a Republican Political Rally for President Gerald R. Ford (second from left), 1976. ⁶⁴²

Independently and completely detached from the legislative process, Republican Party executives (especially Fish) and activists, including Susan Stearn, sought to reform the party's campaign finance practices. In particular, Stearn, a self-described Republican "party hack",⁶⁴³ took it upon herself to affect reform of the party's financing practices from within. A party activist, with no material stake in her efforts, she took a key role on an issue she clearly cared deeply about.

A member of the Door County Republican Party and formerly a low-level party executive,⁶⁴⁴ Stearn had been working with Fish seeking to formalize and centralize the party's fundraising practices in Wisconsin and across the nation.⁶⁴⁵ Years before

⁶⁴² Bart Starr (former Quarterback for the Green Bay Packers), President Gerald R. Ford, former Wisconsin Governor Warren Knowles and Susan Stearn. 3 April 1976. *Gerald R. Ford Presidential Library White House Photographs*. Roll A9081. Frame 26A (http://www.fordlibrarymuseum.gov/library/whphotos/A9081_NLGRF.jpg).

⁶⁴³ Susan Stearn to Ody Fish. 20 May 1973. In *Ody J. Fish Papers*. Wisconsin Historical Society. Mss 105. Box 2.

⁶⁴⁴ Delegate to the State Executive Committee from the Wisconsin 8th Congressional District: State of Wisconsin. 1966. *Blue Book*; State of Wisconsin. 1972. *Blue Book*.

⁶⁴⁵ While he was State Party Chairman, Fish wrote about an early iteration of this in a newspaper article in 1967. Members of the party in public office would pay a percentage of their salary to the party. These funds would be used, in a discretionary way, by the party. Fish justified this

Watergate, they had developed a “United Fund” concept, which was a deliberate rejuvenation of the existing central party fund that sought to raise funds, in part, by charging members of the party in public office a percentage of their legislative salary, which would be deposited in a central party fund for use by the party.⁶⁴⁶

In her efforts, Stearn sought to influence all manner of political actors: a US Senator, the State Election Board and the public. She wrote to a member of the Republican Party in Congress, Illinois Senator Charles H. Percy, a high level and moderate Republican who had spoken out against Nixon after Watergate. In her letter, Stearn tried to enamor him with the United Fund concept, arguing “the only solution” to the problems of candidate-centered financing and the potential for corruption “is to tie everything into the party.” Stearn urged that the United Fund plan she and Fish had devised could be a template for funding the party nation-wide.⁶⁴⁷

With regards to maintaining the role of party in campaign financing, Stearn, in her letter to Percy, identified a potential positive in Watergate:

The bright side of Watergate is that amateurs rather than regulars were involved. It may create a mood where partisan work will be more acceptable.⁶⁴⁸

Once again, we see expression of a genuine belief that organized party work and party-based funding of politics is less prone to corruption than the necessarily more transitory candidate-centered funding of politics. In her letter, Stearn revealed a genuine concern for the role that party should play in politics. Certainly, party-interests were relevant, but those interests were only assessed in light of the underlying democratic values about the role of party in democracy.

Stearn’s involvement continued after the passage of the Wisconsin reform bill, which became law in July 1974. Indicating once more the concern that many Republican Party participants had about the proper role of party organization, Stearn wrote to the State Election Board—the executive agency in charge of the administration of elections in

scheme as an “attempt ... to free the candidate from the pressure of fund raising and the resultant imagined dependence.” Fish. 27 September 1967.

⁶⁴⁶ Such a practice is standard in many parliamentary parties.

⁶⁴⁷ Sue Stearn to Senator Charles Percy. 21 May 1973. In *Ody J. Fish Papers*. Wisconsin Historical Society. Mss 105. Box 2.

⁶⁴⁸ Sue Stearn to Senator Charles Percy. 21 May 1973.

Wisconsin—bemoaning the rise of Political Action Committees (PACs) in Wisconsin “weakening the influence of political parties and individual concerned citizens.”⁶⁴⁹ Stern criticized the reform package for encouraging the rise of PACs. These concerns were readily connected to broader democratic interests. Her suggestions for reform centered on restricting the power of PACs and encouraging individual donors to contribute directly to candidates and parties rather than indirectly through PACs. She wrote:

The political money lost to candidates by restricting group giving [through banning political action committees] would have to be made up through individual giving. ... Candidates and their finance managers would have to work harder by contacting a large number of individuals. ... The very act of increased individual contact with potential givers will widen political participation.⁶⁵⁰

Stearn repeated these sentiments in an opinion piece in the *Milwaukee Journal* a few months later—trying to convince the broader public that the rise of PACs and the weakening of parties and dedicated individuals was bad policy and to democracy’s detriment.⁶⁵¹

In her views on reform, democratic values about the role of the party stand out. As with other partisans, democratic values were melded with party interest. Party interests were understood through the lens of democratic values about the proper role of party. In her multiple actions—working with Fish on the United Fund concept, writing to Senator Percy, writing to the State Electoral Board and writing a newspaper opinion piece—Stearn demonstrated the potential importance that civic duty can have in impelling participation. Her involvement was expansive—she was involved over a long period of time and in multiple arenas, though outside any formal public or party structures. In these actions, there were no obvious material self-interests or power at stake. The evidence suggests that civic duty played an important role in motivating her effort.

CONCLUSION

⁶⁴⁹ Susan Stearn to State Election Board and James Klauser. February 1975. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁶⁵⁰ Susan Stearn to State Election Board and James Klauser. February 1975. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁶⁵¹ Stearn, Susan. 6 May 1975. In *My Opinion: Serious Flaws Have Become Evident in Wisconsin’s New Campaign Law*. *Milwaukee Journal*: 13.

The Wisconsin Republican Party ultimately lost its battle against limits on party contributions. The campaign finance reform law of July 1974 restricted political parties to contributing a maximum of 65% of the prescribed candidate expenditure limit to any candidate.⁶⁵² Reflecting on these changes, Bill Krause, a Republican Party operative in the 1970s and prolific Common Cause blogger today, claimed that it was that 1970s reform that weakened party discipline and “eviscerated parties”.⁶⁵³ He said, “[t]he party went from the main slater and funder of the campaigns of Republican candidates to a sideshow.”⁶⁵⁴

In the Republican Party’s losing battle we saw the individualistic nature and the separateness of public policy-making processes from (largely irrelevant) party policy-development processes, both formal and informal, in Wisconsin. In sharp contrast to our other case-studies, the Wisconsin Republican Party made no internal attempt at formulating a party organizational view to present to the party in public office: no research brief was drafted; no party submission to the SJIC was written and no definite party position on reform adopted. The Republican Party’s collective policy-development process was less substantial than some Canadian riding associations analyzed in Chapter 9 (pages 190-191).

Additionally, the organization made no private attempts at persuading the party in public office. Instead, at the SJIC hearings, partisans argued their views, individually rather than collectively, and publicly rather than privately.⁶⁵⁵ In these appearances, the

⁶⁵² Anne Hibbard to All Democratic Senators. 31 May 1974. Re: Progress of Conference Committee on Campaign Finance Bill. In *Fred A Risser Papers*. Wisconsin Historical Society. Mss319. Box 14. Folder 20. The new law required the registration of individuals and groups that spend money campaigning; required public reports of receipts and payments made by those individuals and groups; capped expenditure by candidates, and; restricted the amount an individual or group may contribute to a campaign. See Anderson. 1976: 833-842. Political parties could contribute up to 65% of a candidate’s expenditure limit, minus any contributions made by other organizations: Wisconsin, *Laws of 1973* Ch 334 s11.26(9); Anne Hibbard to All Democratic Senators. 6 June 1974. Re: Conference Committee on Campaign Finance. In *Fred A Risser Papers*. Wisconsin Historical Society. Mss319. Box 14. Folder 20. Public financing, endorsed by the Democratic Party and widely supported by interest groups was not legislated until 1977: Wisconsin, *Laws of 1977*, Ch. 107.

⁶⁵³ Kraus, Bill. 9 December 2012. Redoing Redistricting. In *Fighting Bob* (blog). <http://www.fightingbob.com/guestblog.cfm?postID=4640>.

⁶⁵⁴ Kraus, Bill. 30 November 2009. Anarchy in the GOP. In *Common Cause. A Wisconsin Political Fix* (blog). http://www.commoncausewisconsin.org/2009_11_01_archive.html.

⁶⁵⁵ It appears then, that an approach that models parties as cohesive wholes (as Quantitative Rational Choice Models tend to) makes little sense in the US context, where there is no cohesion.

Republican Party of Wisconsin case-study showed that public statements should not be dismissed as innately suspect. Instead, a distinction needs to be drawn between public statements intended to affect policy and those uttered to influence the politics of an issue. In essence, this is a question of audience. When the intended audience was policy makers—legislators— rather than voters, public statements were characterized by greater sincerity than when statements were intended to influence public opinion.

Publicly stated viewpoints of Wisconsin Republican Party executives and activists in the formal legislative process appeared to be motivated by a mix of party-interest and democratic values. Privately, motives were much the same. This chapter did not observe a great difference between party activists and party executives. However, in line with the findings of earlier case-studies, party executives and activists' positions on campaign finance reform tended to combine party-interests and democratic values. Indeed, Stearn and Fish understood their party's interests only within the frame of the proper role of party. Party-interests were not innate; they were forged out a democratic rationale which demanded parties remain a primary vehicle of funding even when to give into pressures for candidate-based financing would have been much easier.

Process-orientated motives also explained participation in the Wisconsin Republican Party's attempts at reform. Stern's activism lends credibility to the idea that civic duty may be important at times. Her positions on the proper role of party were largely motivated by democratic values, but the effort Stearn exerted was motivated by civic duty – the idea that she needed to do something, without any expectation of reward, to make sure that campaign finance practices were not unduly prone to corruption by special interests and PACs.

CONCLUSION TO PART II

Mr. David Lewis (York South [leader of the NDP of Canada]): Mr Speaker, I want to address a question to the Prime Minister arising out of a report that he stated ... he was in favour of reform of elections expenses but that there were practical obstacles to getting that reform through parliament. Would the Prime Minister inform the House what were the practical obstacles which prevented him from introducing legislation since June, 1968, on this matter?

Right Hon. P.E. Trudeau (Prime Minister): Mr. Speaker, the hon. Member knows that the government has introduced many items which have died on the order paper and have not been passed because of lack of time and obstruction from the opposition, and this is one of them.

Some Hon. Members: Oh, oh!

— Canadian House of Commons Debates. 28 February 1972: 307.

Despite confident public statements directed at the electorate, rarely did parties have a definite party policy on campaign finance reform. Part II has shown that party policies evolved and changed—even when party-interests were the dominant motivation for party policy. Interests were uncertain, disputed and shifting. Public presentations to political audiences were especially unreliable for evidence of party-interests, at least in the case-studies from parliamentary jurisdictions.

Part II began with two questions—whether non-interested motives were relevant to partisans as they developed policy on campaign finance regulation and whether there were any patterns in the motives of partisans according to their role within the party. After examining the four case-studies in this part, we can conclude that motives beyond self- and party-interests were relevant to partisans, at least in the early stages of policy development that Part II studied. Self-interest was rarely a motive for a *position* on reform, whereas party-interest was often a motive. Democratic values frequently motivated partisans' positions across all case-studies (though less often in the Liberal Party of Australia and more often in the Progressive Conservative Party of Canada).

When considering why individuals participated in the *process* of party policy-making, power was an important motive at times, impelling some partisans, especially senior party executives, to take control of party processes. Civic duty mattered at other times, encouraging participation without the expectation of reward. More often, social

acceptance motives were observed, in which people participated in order to do what they thought was expected of them or to do the sort of thing that a person in their position ought. The prevalence of social acceptance motives indicates that cultural socialization, in which individuals learnt what is expected of them, was important to explaining individual behavior.

First indications are that motives were related to the position an individual occupied within their political party (Table 10.5), though caution must be exercised due to the small number of partisans so far examined. Chapters 6, 8 and 9 showed that party executives tended to have party-interests and, to a lesser extent, democratic values in their minds when formulating reform stances. However, top level party executives, like Hartcher, Bédard and Fish, were not only motivated by party-interests and democratic values: a wide range of motives, many relating to *processes*, were observed—the most notable among them being power, but also civic duty and social acceptance.

Candidates who lost their bid for elective office in the Progressive Conservative Party of Canada were the most likely to use their self-interests as the basis for their positions on campaign reform. In accounting for that tendency it may be that losing candidates have a deep seated need to explain their losses in terms that do not center on their own mistakes and failings. Alternatively, the close contact with the intricacies of campaign finance law that accompanies candidature may alert losing candidates to their self-interest in the law, increasing their awareness and enabling better articulation of self-interests. Either way, the *experience* of losing mattered to their motives and positions on campaign finance reform.

Other members of the party in public office—elected representatives, the party leadership and the party in governance roles—were less consistently concerned with self-interests. Instead, democratic values and party-interests motivated positions. The most concrete observation about the motives of the party in public office is that, when speaking publicly *and* to the electorate, the party in public office tended to be motivated by party-interests in electoral efficiency. Whether we consider Opposition Leader Billy Snedden (page 51), Minister Fred Daly (page 126), Governor Lucey (page 225), NDP MP David Lewis (page 233) or Prime Minister Pierre Trudeau (page 233), public statements made to a *political* audience were typically motivated by party electoral efficiency interests in shaping public opinion.

But to so conclude is not to imply that this was all that was going on. There were very often two spheres: A public political sphere as well as a policy-development sphere. The two co-existed, though not always peacefully. In the case of the ALP in Chapter 7, behavior in the political sphere thwarted the policy agenda so painstakingly developed in the policy sphere.

In the case of the Liberal Party of Australia and the ALP, public statements were not indicative of the motives underlying policy development. In Australia, public statements were directed at public opinion not policy development. By contrast, when Republican partisans in Wisconsin explained their views and pleaded with the SJIC to adopt a bill that did not excessively limit the role of party, they expressed the same sorts of positions, motivated by the same motives of democratic values and party interests, that they held privately. Genuine policy forums like legislative committees, even when conducted publicly, may elicit more sincere discussion about electoral reforms than usually accredited.

In terms of those members of the party in public office in governance roles, Part II chiefly observed Fred Daly. Daly, was motivated by social acceptance. He wanted to conform to his and others' expectations about how a government minister ought to behave. Additionally, Daly was concerned about ensuring that Australia had the respectable, up-to-date campaign finance regulatory system that it deserved. If we had dwelt more on the motives of Gerald Lorge, Wisconsin SJIC Chairman, in Chapter 10, we would have seen similar motives driving his custodianship of the expansive reform bill SB872 and working with Democrats Adamany and, later, John C. Oestreicher.⁶⁵⁶

Table 10.6: Predominant motives observed in Part II, by Position in Party

	On positions	For participating
Party Executives	Party-interests;	Power; Social acceptance; Civic Duty

⁶⁵⁶ For more on Lorge's motives see: Lorge, Gerald D. 5 December 1973. Opening Statement (Public hearing in Senate Judiciary and Insurance Committee). In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3; Gerald D. Lorge to David Adamany, Steve Ponot and Roger Utnehmer. 27 December 1973. RE: LRB8085 – Election Reform Act for Wisconsin. In *Governor's Study Committee on Political Finance (Wisconsin) Records*. Wisconsin Historical Society Archives. Series 1943. Box 1. Folder 1 "Correspondence"; David Adamany. March 1974. Commentary on AB 1016 (attached to letter from David Adamany to Gerald D. Lorge. 11 March 1974). In *Fred A Risser Papers*. Wisconsin Historical Society. Mss319. Box 14. Folder 20; James R. Klauser (Counsel to the Republican Caucus) to Gerald Lorge. 12 March 1974. In *Fred A Risser Papers*. Wisconsin Historical Society. Mss319. Box 14. Folder 20.

		Democratic values	
Party in the Public Office	Defeated Candidates	Self-interest	
	Party Leadership	Party-interests; Democratic values	Social acceptance
	Elected Representatives	Self-interest; Democratic Values	
	Governance Roles		Social acceptance; Civic duty
Party Professionals			Social acceptance (job performance)
Party Activists		Democratic values; Party interests	Civic duty; Social acceptance

Party professionals—Starr and Leggoe in the Liberal Party of Australia—were, perhaps unsurprisingly, more motivated by concerns about fulfilling their job responsibilities (to research to inform the party and to write speeches that enamored the public, respectively) than any particular reform goals. In our hierarchy, these motives were categorized as social acceptance, since their behavior was indeed a response to the expectations and standards of others.

Party Activists—Stearn in Wisconsin and 13 respondents in the Progressive Conservative Party of Canada—were motivated primarily by democratic values in their positions on reform. Party-interests were also important, but contested and, sometimes (in the Progressive Conservative Party of Canada), forthrightly rejected as an appropriate basis for positions on reform. In terms of explaining participation, civic duty and—again—social appropriateness were key in understanding the effort that lower level volunteers put into affecting party policy, despite having no direct stake in the outcome. These findings are summarized in Table 10.5.

Tentatively, one main observation follows from these differences in motives: motives were not inherent but were socialized. Only the power of experience socializing motives can explain the peculiarity of defeated candidates and their ability to identify self-interests. Only socialization can explain why partisans—like Daly or Bédard—appeared to “play the part” that they thought their office or peers required. This socialization operated in two directions. Firstly, individuals appeared to learn from personal

experience, which was especially clear in the case of defeated candidates and their ability to think about reform in terms of self-interests. This socialization might also be cultural: stemming from the *expectations* of an individual about a particular role or from understandings about the expectations of society generally. The importance of this latter form of socialization was evidenced wherever social acceptance motives were observed.

Socialization emphasizes that partisans within different environments and roles learn and evolve from their experience in those roles and the expectations of others. It operates in the opposite way posited by rational choice theories about organizational dynamics (see Appendix 6). Certainly, rational choice theories predict that leaders, organizers and elites of organizations, including political parties, will possess different tendencies in their attitudes and characteristics. However, these differences emerge out of the varying incentives and requirements of differing positions within organizations. In this logic, different incentives and requirements tend to attract people with different characteristics and so we observe different characteristics of individuals in different parts of the organization.⁶⁵⁷ Individual evolution and change is not so much a part of these theories.

The theme of the socialization of motives is developed in Part III. Part III explores whether the differing motivational tendencies of party activists, executives and the party in public office matter to electoral reform outcomes: Do party activists and party executives ever get their way in the face of the power of the party in public office to legislate what they want?

In the thesis' conclusion, the implications of the learned-nature and the cultural-specificity of motives are discussed, with particular focus on the modern tendency to characterize politics as a pursuit of self-interest.

⁶⁵⁷ May, John D. 1973. Opinion Structure of Political Parties: The Special Law of Curvilinear Disparity. *Political Studies* 21 (2): 135-151; Narud, H. M, and A. Skare. 1999. Are Party Activists the Party Extremists? The Structure of Opinion in Political Parties. *Scandinavian Political Studies* 22(1): 45-65; Norris, Pippa. 1995b. May's Law of Curvilinear Disparity Revisited: Leaders, Officers, Members and Voters in British Political Parties. *Party Politics* 1(1): 29-47; Salisbury, Robert H. 1969. An Exchange Theory of Interest Groups. *Midwest Journal of Political Science*. 13(1): 1-32; Ware, Alan. 1987. *Citizens, Parties and the State: A Reappraisal*. Cambridge: Polity Press. See also Schlesinger, Joseph A. 1984. On the Theory of Party Organization. *Journal of Politics* 46(2): 387-8.

PART III: PUTTING THE BRAKES ON THE PARTY IN
PUBLIC OFFICE? CAMPAIGN FINANCE POLICY
ADOPTION



Figure 11.1: Cartoon of the Republican and Democratic Parties from the 1973 Wisconsin Blue Book.⁶⁵⁸

⁶⁵⁸ Theobald, H. Rupert and Robbins, Patricia V. (eds). 1973. *The State of Wisconsin 1973 Blue Book*. Madison: Wisconsin Legislative Reference Bureau: 747.

INTRODUCTION: PARTY STRUCTURE AND CAMPAIGN FINANCE POLICY ADOPTION

[The law is] quite anomalous. Most of us object to the necessity of completing false declarations, and in any case what real purpose can they serve[?]

— Charles Porter, Liberal Party State Director (Queensland Division), 1962⁶⁵⁹

Beginning in the early 1950s, party executives in the Liberal Party of Australia objected, with increasing vehemence, to the existing campaign finance law. The law, contained in a few brief provisions in Part XVI of the *Commonwealth Electoral Act 1918*, required parties to submit brief spending reports after an election. During their decades in government in the 1950s and 1960s, Liberal Party executives repeatedly urged the Liberal Party in governance roles to remove Part XVI *post haste*. In March 1952, newly appointed Federal Director, J.R. Willoughby wrote to the Minister⁶⁶⁰ asking for repeal of the offending provisions of the Act.⁶⁶¹ After several months of inaction by Cabinet, Willoughby again urged immediate repeal of Part XVI's provisions about expense reports. In the party-interested terms characteristic of correspondence within Australian parties, Willoughby suggested that repeal:

may bring forth some argument, but as there is little evidence of gain to one side more than the other, it is doubtful if objection could be taken.⁶⁶²

⁶⁵⁹ Charles Porter (State Director, Queensland Liberal Party Division) to J.R. Willoughby. 4 May 1962. In *Liberal Party Records*. National Library of Australia. MS5000. Box 134. Folder "Electoral Act".

⁶⁶⁰ At the time the Minister for the Interior (the portfolio in charge of the *Commonwealth Electoral Act 1918*) was Sir Kent Hughes. Hughes was an interesting character. An Olympic hurdler in the 1920 Belgium Olympics, he was the Chairman of the Melbourne 1956 Olympic Games organizing committee. Hughes claimed to be a fascist in the interwar period, was captured as a Prisoner of War in the Pacific in World War II, before joining the Liberal Party and running for office: Hancock, I.R. 2000. Kent Hughes, Sir Wilfrid Selwyn (Billy) (1895–1970). In *Australian Dictionary of Biography*. Canberra: National Centre of Biography, Australian National University.

⁶⁶¹ J.R. Willoughby to K. Hughes (Minister for the Interior). 9 April 1952; In *Liberal Party Records*. National Library of Australia. MS5000. Box 134. Folder "Electoral Act". This letter was written following a meeting of party executives that decided repeal of Part XVI was desirable: Liberal Party of Australia, State General Secretaries. 20 March 1952. *Commonwealth Electoral Act, Suggested Amendments for Discussion at P.R. Planning Committee*. In *Liberal Party Records*. National Library of Australia. MS5000. Box 134. Folder "Electoral Act".

⁶⁶² J.R. Willoughby to K. Hughes. 12 September 1952. In *Liberal Party Records*. National Library of Australia. MS5000. Box 134. Folder "Electoral Act".

Willoughby repeated the party organization's desire for the repeal of the expense reporting provisions throughout the 1950s.⁶⁶³ Indeed, for the remainder of the Robert Menzies Government (1949 – 1966) and across the Harold Holt (1966-1967), John McEwen (1967-1968) and John Gorton (1968-1971) governments, party executives frequently appealed to the party in governance roles for the repeal of Part XVI.⁶⁶⁴

The Liberal Party in governance roles did, on occasion, consider acceding to the party executives' requests. But, ultimately, they ignored or rebuffed their party executives. In 1956, Minister Allen Fairhall sought Willoughby's opinion on Part XVI, as part of a routine consultative process. Willoughby's response, phrased in terms of party interests, was that it should be repealed as it "serve[d] very little purpose", with the filing of expenditure reports involving "a considerable amount of time and money" by parties.⁶⁶⁵ Outside of this request for information, Willoughby's pleas for repeal were dismissed rather indifferently. For example, in 1968, the Minister in charge of the Electoral Act, responded to another letter from Willoughby in these terms:

Because of a heavy Legislative programme the Government will not be reviewing this matter in this session of the Parliament. When the Act is under consideration I will draw the Government's attention to your [Willoughby's] representation and you will be informed of the outcome.⁶⁶⁶

Willoughby must have been frustrated by the casualness of this reply after at least 16 years of continued lobbying for Part XVI's repeal.

⁶⁶³ J.R. Willoughby to K. Hughes, 18 January 1954. In *Liberal Party Records*. National Library of Australia. MS5000. Box 134. Folder "Electoral Act"; J.R. Willoughby to A. Fairhall (Minister for the Interior). 23 November 1956. In *Liberal Party Records*. National Library of Australia. MS5000. Box 134. Folder "Electoral Act".

⁶⁶⁴ J.R. Willoughby to P.J. Nixon (Minister for the Interior). 30 May 1968. In *Liberal Party Records*. National Library of Australia. MS5000. Box 134. Folder "Electoral Act"; J.R. Willoughby to G. Freeth (Minister of State for the Interior). 27 July 1962. In *Liberal Party Records*. National Library of Australia. MS5000. Box 134. Folder "Electoral Act"; Liberal Party of Australia, Staff Planning Committee. 1964. For the Staff Planning Committee: Amendment of the Commonwealth Electoral Act. In *Liberal Party Records*. National Library of Australia. MS5000. Box 134. Folder "Electoral Act".

⁶⁶⁵ Liberal Party Federal Secretariat. 1956. Limitation of Electoral Expenses and Discontinuance of Returns of Expenses by Candidates and Others. In *Liberal Party Records*. National Library of Australia. MS5000. Box 134. Folder "Electoral Act".

⁶⁶⁶ Peter Nixon to J.R. Willoughby. 23 September 1968. In *Liberal Party Records*. National Library of Australia. MS5000. Box 134. Folder "Electoral Act".

The party in governance roles had “no real objection” to the repeal of the Part XVI.⁶⁶⁷ It knew that Part XVI was neither “observed nor enforced”⁶⁶⁸ and that party candidates routinely lied on official documents lodged with the electoral commission.⁶⁶⁹ Ostensibly, then, there ought to have been few barriers to the repeal of Part XVI—the Liberal Party governed with a majority in the lower house and with a relatively accommodating Senate. Even in these circumstances, the unequivocal policy positions of the party organization did not translate to action by the party in governance roles.⁶⁷⁰ The experience of the Liberal Party organization over the 1950s and 1960s highlights a truth for all political parties: it is the party in public office that has the final say on party policy adoption. The party in public office—and in parliamentary systems the party in governance roles—chooses the content of bills introduced into the legislature. The party in public office—under the direction of the party leadership in disciplined systems—votes on those bills.

The few existing works on party policy-making suggest that the experiences of the Liberal Party organization in the 1950s and 1960s, in failing to secure the repeal of Part XVI, are the norm. Rational choice-based theories of party organization, focusing on individual incentives for participation or the office-seeking goal of political parties, tend to present policy adoption as a *fait accompli* of the party in public office. For example, Joseph A. Schlesinger’s theory of party organization predicts that party activists will have little or no influence on party policy adopted in the legislature because, paradoxically, they are too interested in the policy goals of the party and not

⁶⁶⁷ Liberal Party of Australia. 1964. Electoral Act (page 150 of the file). In *Liberal Party Records*. National Library of Australia. MS5000. Box 134. Folder “Electoral Act”.

⁶⁶⁸ J.R. Willoughby to A. Fairhall. 23 November 1956.

⁶⁶⁹ Charles Porter to J.R. Willoughby. 4 May 1962. See also the worried correspondence between the John Carrick, General Secretary of the NSW Division of the Liberal Party, Federal Director Willoughby and NSW Commonwealth Electoral Officer after the 1963 Election. The NSW Commonwealth Electoral Officer enquired as to why the party’s return documenting its spending had not been filed. The General Secretary of the NSW Division was most worried, but Willoughby advised him to “to do nothing about the matter” as the Chief Electoral Officer (Frank Ley) had no intention of changing his policy by enforcing Part XVI: R.F. Mallon (Commonwealth Electoral Officer for NSW) to John L. Carrick (General Secretary of NSW Division of the Liberal Party). 27 May 1964; John L. Carrick to J.R. Willoughby. 1 June 1964. J.R. Willoughby to John L. Carrick. 4 June 1964. All documents in *Liberal Party Records*. National Library of Australia. MS5000. Box 134. Folder “Electoral Act”.

⁶⁷⁰ Finally, when in 1971 the Liberal Party did quietly introduce a bill for the repeal of Part XVI, it languished and then lapsed at the end of the session.

self-interested enough to affect outcomes.⁶⁷¹ Similarly, Anika Gauja's recent (2013) qualitative study of social democratic-leaning political parties in Westminster jurisdictions found that the party in public office—especially the party leadership—dominated party policy adoption. According to Gauja, the concentration of power inherent in Westminster Cabinet governance, combined with the highly disciplined nature of political parties in these jurisdictions, facilitated the domination of policy by the party leadership.⁶⁷² Studies observe that, at least in Westminster nations, the strengthening and professionalization of party organizations in recent decades, counter-intuitively, has only served to concentrate power over policy adoption in the party in public office, especially the party leadership and/or party in governance roles.⁶⁷³

Applying our findings from Part II about the motives of partisans by position in party to the existing literature on party policy formation, the hypothesis develops that the policies adopted by the legislature will embody the self-interests of the party in public office. We would reason that the party organization, and their positions based on party revenue maximization interests or democratic values, is likely to be underrepresented in legislative outcomes.

This hypothesis sits uneasily with the behavior of party organizations observed in Part II. In Part II, we saw several instances in which party organizations put significant—expensive and time-consuming—effort into developing policy within their organizations.⁶⁷⁴ Especially at the agenda-setting stage, party organizations consulted

⁶⁷¹ Schlesinger argued that, even where the party organization is relatively strong by comparison to the party in public office, “it is the goal of attaining office which the party organization is unable to alter”—and so the electoral efficiency interests of the party in public office will determine policy. Schlesinger, Joseph A. 1984. On the Theory of Party Organization. *Journal of Politics* 46 (2): 369-400, especially 395.

⁶⁷² Gauja, Anika. 2013. *The Politics of Party Policy: From Members to Legislators*. Basingstoke, UK: Palgrave Macmillan.

⁶⁷³ Koop, Royce & and Campbell Sharman. 2008. *The Elusive Nature of National Party Organization in Canada and Australia*. Paper presented at the Canadian Political Science Association Annual Conference. University of British Columbia, Vancouver BC: 18; Gauja. 2013: 19; Mills, Stephen. 2013. *Campaign Professionals: Party Officials and the Professionalisation of Australian Political Parties*. PhD Dissertation. Department of Government and International Relations. University of Sydney.

⁶⁷⁴ Gauja's study found that, even where extensive consultative and participatory structures exist (or are developed) in parties, policy development is still dominated by the party in public office: Gauja. 2013.

widely and urgently. Party executives dedicated lots of time to figuring out the views of their broader party. They generated formal policy documents (in the parliamentary jurisdictions), presented and defended their positions in committee hearings. At least sometimes, these efforts must have been motivated by the underlying intention of influencing policy outcomes. But did they? Perhaps the party organizations were laboring under a misapprehension that they could have any influence on policy?

Ultimately these questions go to the motivations of party leaders and the party in public office. It is inescapable that the party in public office, whether or not disciplined and/or deferent to the party leader, ultimately decides party policy through its votes in the legislature. Part III seeks to examine if, and under what circumstances, the party in public office listens to the other parts of the party. It also seeks to assess the motivational bases of the policies actually adopted by parties in the legislature.

To do this, it uses four case-studies of party policy adoption. Firstly, it expands upon the Liberal Party of Australia's response to the ALP's plans for reform in 1974 (Chapter 11), showing how party executives were able to convince the party leadership to defend their interests. Evidently it is possible in some circumstances for the party organization to get its way. Next, Part III turns to the failed attempts of the Wisconsin Democratic Party organization at being heard by its party in public office (Chapter 12). Thirdly, the part returns to the Progressive Party of Canada to examine the leader's unilateral policy decision on disclosure and the doubtful but deferent organization's acceptance of that decision (Chapter 13). Finally, Chapter 14 examines why the leader of the Liberal Party of Canada adopted the policy of party activists in favor of full disclosure of political donations in 1974.

Throughout the four case-studies, two themes emerge. The first theme is that the structure of a party may offer opportunities to the party organization to have its views heard. For example, in the Liberal Party of Australia the presence of formal, intraparty decision-making institutions involving both party executives and the party in public office provided a *private* forum for party executives and professionals to make their case to the party leadership (Chapter 11). Yet, on its own, the structure of a party is insufficient to explain why some party organizations influence policy and others do not. As a consequence, a second theme emerges, about the interplay of culture and institutions to create expectations about appropriate conduct. Whereas in the early policy development stages within parties, experience-type socialization helped explain

the different motives of individuals in parties (Part II), when it comes to policy adoption and, ultimately, policy outcomes, expectations were important in explaining the motivational bases of the policies adopted by the party in public office (and, therefore, the motivational bases of electoral outcomes).

CHAPTER 11

SUBSERVIENT BUT “IN THE LOOP”: PARTY EXECUTIVES AND PARTY-INTERESTS IN THE AUSTRALIAN LIBERAL PARTY

“The Labor Party has been trying to sell the people of Australia a lie about the financing of the Liberal Party”, began the draft speech written by John Leggoe, Australian Liberal Party Public Relations Manager, for Opposition Leader Billy Snedden on the issue of donation disclosure.⁶⁷⁵ After Barry Cohen’s question in Parliament surprised the Party in October 1973 (p. 126), Leggoe set out to write a speech, motivated by electoral efficiency concerns. In it, he detailed the party’s position on donation disclosure—before the party had actually decided what its position was. In his draft speech, Leggoe suggested Snedden imply the Liberal Party’s qualified support of a law introducing donation disclosure. His draft read:

We are not frightened of legislation which would in one way or another compel political donations to become public, providing that the legislation works fairly on all parties.⁶⁷⁶

In reviewing the draft speech, Snedden scrawled a large question mark against this claim. He was torn. On the one hand, Snedden was motivated by the party’s interests in electoral efficiency. He wanted to present a politically tenable public face on behalf of the Liberal Party in hopes that the party might win the next election with him as the Prime Minister-elect. On the other hand, Snedden was instinctively cautious about disclosure, based on the party’s interests in maximizing their revenue stream. And in November 1973, the party had not yet decided the substantive policy merits or consequences of disclosure.

Democratic values-based motives had been relevant for individuals within the elite of the Liberal Party during the agenda setting processes in 1973-1974 *before* Cohen’s question (Chapter 6). However, in Chapter 11, we see that in the Liberal Party’s subsequent decision-making on campaign finance reform *after* Cohen’s question—in mid-1974—party-interests reigned supreme and formed the basis of party behavior in

⁶⁷⁵ John Leggoe. November 1973. Draft Speech. Attached to: John Leggoe to Billy Snedden. 28 November 1973. In *Sir Billy Snedden Papers*. National Library of Australia. MS6216. Box 204. Folder 21.

⁶⁷⁶ John Leggoe. 28 November 1973.

the legislature. Indeed, once democratic values fell out of consideration, the decision-making process pitted two different conceptions of party interests held by two different parts of the party against each other: the interest, as understood by the party leadership and party professionals, in electoral efficiency, and the interest, as understood by party executives, in ensuring maximal available campaign funds (revenue maximization).

In examining how this clash of interests was resolved through the party's decision-making process in the favor of the party executives and their revenue maximization interests, Chapter 11 firstly identifies the intraparty structural dynamics that gave an opportunity for the party organization to express in detail and in private its concerns. That party's structure gave the organization the opportunity to urge that revenue maximization take priority over any electoral efficiency impulses of the party in public office. The chapter then outlines the four conditions that facilitated the party leadership's acquiescence to the party organization's wants, the most important being a culture in which electoral success was understood as a result mostly of the operation of electoral law and the existence of compulsory voting. After analyzing how the party organization's majority view came to be embraced, the chapter explores how dissent within the party was deftly quashed.

11.1 JOINT DECISION-MAKERS?

After a burst of activity in 1973, the Liberal Party's information-gathering processes on campaign finance reform eventually culminated in a draft research report in October 1974 dedicated to party funding.⁶⁷⁷ Meanwhile, the decision-making process was launched by the need to respond to the ALP's continued commitment to campaign finance reform,⁶⁷⁸ and exacerbated by the results of the May 1974 double dissolution election, in which the Liberal Party gained greater power to block legislation in the

⁶⁷⁷ See below, 11.3, for more on the draft research report and the party's response to it.

⁶⁷⁸ As discussed in Chapter 7, throughout 1974 the ALP Cabinet made progress on its campaign finance agenda. In April, Cabinet resolved that it would proceed with a bill based on the Canadian model containing expenditure limits and donation disclosure. Minister Daly visited Canada, for a second time, in June - July to observe their elections and obtain more information on disclosure regimes: Australian Government. 1 April 1974. Cabinet Minute (Decision 2165). In *Cabinet Records*. A5931. CL21 Part 1; Australian Government. March 1974. Cabinet Submission No. 964. In *Cabinet Records*, CL21 Part 1. No. 217; Parliamentary Counsel for Legislation Committee of Cabinet. 4 December 1984. "Electoral Bill 1974: Memorandum by Parliamentary Counsel (74/1056). In *Cabinet Records*, CL21 Part 1. No. 188.

Senate.⁶⁷⁹ Over a few days at the end of July 1974, the Liberal Party organization decisively committed itself to an erratically based, but unflinchingly implemented, rejection of the ALP's campaign finance reform plans.

The Liberal Party had a complex formal decision-making structure with many different committees with different briefs and functions. In operation, structure and tradition concentrated power in just a few individuals: the party leadership (Snedden and, to a lesser extent, Reg Withers), and a few key party executives and professionals (Tony Eggleton, Leggoe and the Federal Director).⁶⁸⁰ This concentration is represented visually in Figure 11.2.

During the early 1970s, the organization rapidly changed, especially after their defeat in 1972—the organization was strengthened, centralized and professionalized.⁶⁸¹ The old guard was forced out and replaced by younger campaign professionals with formal credentials. These changes were centered in the Federal Secretariat, which was headed by the Federal Director and staffed by party professionals. The Federal Secretariat had

⁶⁷⁹ A “double dissolution” election is a special type of election in which all seats of the House and Senate are vacated and re-elected. It can only be called after the Senate rejects an identical bill twice and more than three months apart. After the double dissolution election, a joint-sitting of the newly elected (more numerous) Representatives and (less numerous) Senators meets in which the legislation blocked by the Senate is reconsidered (and, typically, passed): *Australian Constitution 1901* 557. The results of the May 1974 double dissolution election were not what the ALP had hoped. Before the May 1974 election, the ALP could seek the 5 additional Senate votes it needed to pass bills from the Democratic Labor Party (a break-away party, dominated by Irish Catholics, which split from the ALP because it wanted to take a harder anti-Communist line) in the face of Liberal-Country opposition. However, after May 1974, it had a more difficult task—a majority (31) of Senators was aligned with conservative parties. See Appendix 8 for more information.

⁶⁸⁰ After the May 1974 election, there were 63 members of the Liberal Party in public office: 40 members of the House and 23 Senators (16 of whom were elected on a joint Liberal/Country ticket). However, only the party leadership (Snedden and Withers) was actively involved in electoral reform decision-making. Indeed, only one member—Senator Alan Missen—was involved in the campaign finance reform process within the Liberal Party. For more on Missen see 11.3.

⁶⁸¹ The Liberal Party of Australia had only a nascent and embryonic organization from its founding in 1945 until the early 1970s. Opposition in 1972 brought extra emphasis on the organization by the party leadership that, in its decades in government, had grown used to controlling and accessing the bountiful resources of the federal bureaucracy but now no longer had the public service behind them: Litchfield, Stephen. 1984. “The Federal Secretariat.” In *Liberals Face the Future: Essays on Australian Liberalism* eds. George Brandis, Tom Harley and Don Markwell. Melbourne: Oxford University Press: 75.

been viewed as ineffectual in the early 1970s.⁶⁸² Efforts were made over the next few years to elevate the Federal Secretariat to “a key research and propaganda centre”,⁶⁸³ ostensibly to serve the organization, but in fact to bring it more under the auspices of the party leader.⁶⁸⁴ In this change, Bede Hartcher—an older, more traditional party man without a professional qualification relating to campaigning or public relations—was forced out of the Directorship, in favor of Dr. Timothy Pascoe, a management consultant with a Cambridge PhD and a Harvard MBA who had been working out of Snedden’s office during the May 1974 Election campaign.⁶⁸⁵ John Leggoe was appointed as a Public Relations Manager in May 1973 to better portray the Liberal Party. He took office in the midst of accusations of internal divisions and soon became a central figure in speech writing and the public presentation of the party.⁶⁸⁶ Tony Eggleton was brought into the organization in 1974. These moves served to strengthen the closeness of and overlap between the party leadership and the national organization. Eggleton, with close ties to Snedden and the party leader’s office, was hired to displace longtime but aging political operative Special Political Adviser Edgar G. Holt, who had been critical of the Federal Secretariat’s increasing subservience to the party in public office.⁶⁸⁷ In the Research Department, Director Dr. Graeme Starr resigned from the

⁶⁸² Incoming Director Tim Pascoe reportedly viewed the Secretariat as “moribund, boring (and) useless”: Mills. 2013: 155. Litchfield recalls a Liberal Party report from December 1974 that characterized the Federal Secretariat as being ‘incapable’ of providing the support that the Liberal Party needed when in Opposition: Litchfield. 1984: 75.

⁶⁸³ Liberal Party Federal Executive. 4 December 1972. Notes on the Agenda: The Party’s Role in Opposition. In *Robert Southey Papers*. National Library of Australia. MS9901. Box 5. Folder “Federal Executive 1973”. The Federal Secretariat had a supportive role: it provided advice, “publicity, research, policy development, opinion polling and campaigning”: Liberal Party of Australia, Federal Secretariat. April 1981. *The Organisation and the Federal Secretariat*. Canberra: Liberal Party Federal Secretariat: 6; Litchfield. 1984: 72.

⁶⁸⁴ In practice, the Federal Secretariat increasingly served and bolstered the party leadership. Litchfield wrote in 1984 (at which time he was State Director of the New South Wales Liberal Party branch) that the Federal Secretary was often accused of being “little more than an appendage of the Federal Parliamentary leader’s office”: Litchfield. 1984: 70. See also Snedden, Billy. 17 April 1973. Statement. In *Records of the Federal Parliamentary Liberal Party, Whip’s Office*. National Library of Australia. MS4810. Folder 15.

⁶⁸⁵ Mills. 2013: 154. Hartcher was placed in the newly created position of “Executive Vice-President”, a ceremonial role.

⁶⁸⁶ Barnes, Allan. 29 May 1973. Liberals Seek Better Image. *The Age*: 3; Public Relations Man for Liberal Party. 2 July 1975. *Sydney Morning Herald*: 15.

⁶⁸⁷ Griffen-Foley, Bridget. 2007. Holt, Edgar George (1904–1988). In *Australian Dictionary of Biography*. Canberra: National Centre of Biography, Australian National University.

party—in protest against the sidelining of Hartcher and Holt.⁶⁸⁸ Starr was replaced by Ian Marsh in mid-1974.

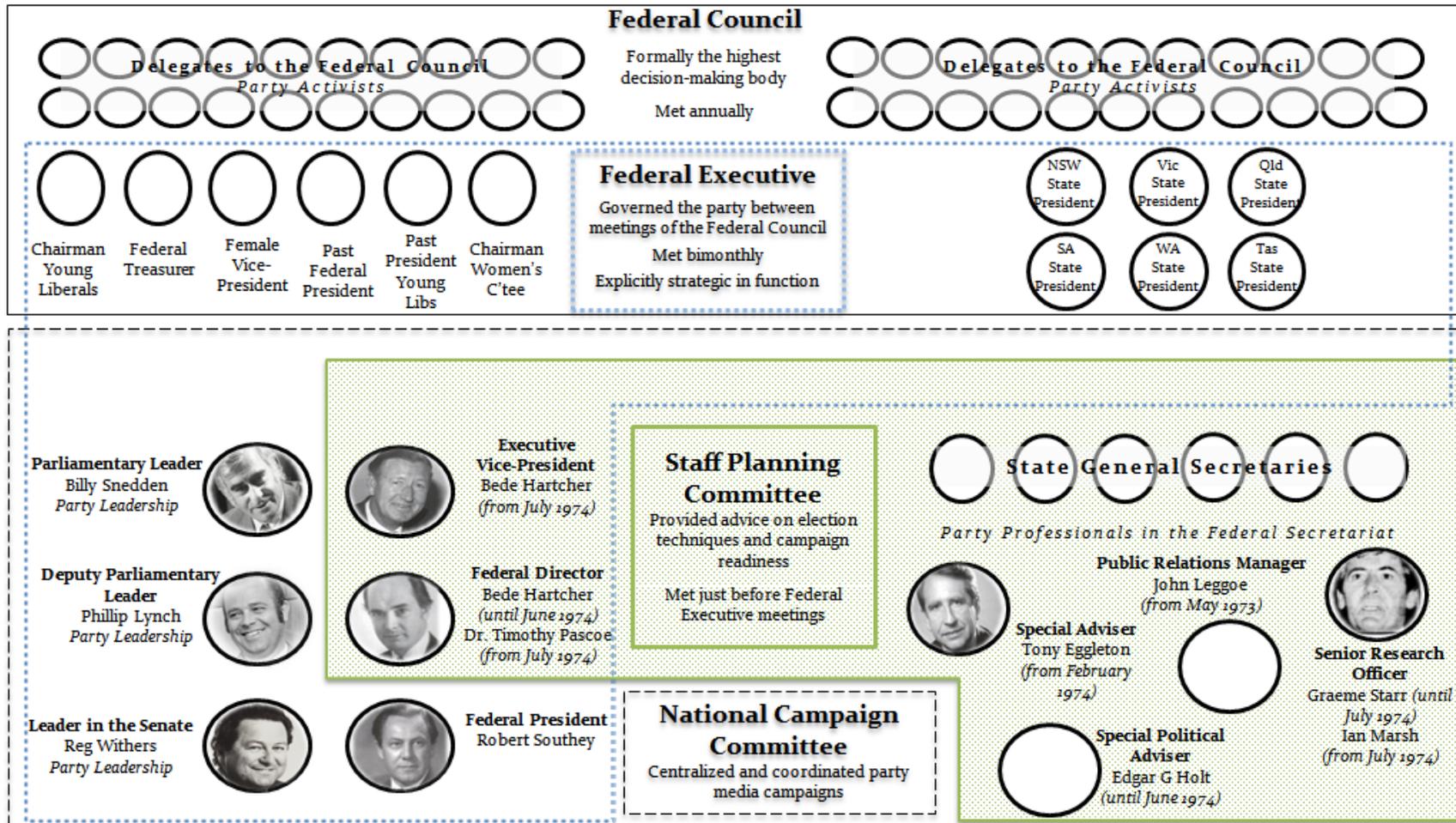
The two main bodies within the Liberal Party organization that influenced the party's decision-making on campaign finance reform—the National Campaign Committee (NCC) and the Staff Planning Committee (SPC)—included this new central contingent from the Federal Secretariat: Hartcher and Pascoe, and the three party professionals, Leggoe, Eggleton and Marsh.

The NCC was tasked with coordinating the party's media campaigns across the nation.⁶⁸⁹ The NCC (sometimes called the Federal Campaign Committee) consisted of the central contingent from the Federal Secretariat, the Federal President Robert Southey, the party leadership and the six state General Secretaries.

⁶⁸⁸ Griffen-Foley, Bridget. 2003. A “Civilised Amateur”: Edgar Holt and His Life in Letters and Politics. *Australian Journal of Politics and History* 49(1): 46-47.

⁶⁸⁹ The NCC was revived from an earlier failed iteration and made permanent in 1973. Three elections in the space of 3 years ensured it was needed in the early 1970s: Mills. 2013: 154; Federal Executive. 24 November 1973. Departments of the Federal Secretariat, Federal Party Committees and Other Proposed Bodies. In *Robert Southey Papers*. National Library of Australia. MS9901. Box 6. Folder “24 November 1973”.

Figure 11.2: Liberal Party of Australia Decision-Making Structure, circa 1974*



*officials are party executives unless noted

Figure 11.2 Picture Credits: Billy Snedden: 1974. National Library of Australia. nla.pic-vn3660362 (<http://nla.gov.au/nla.pic-vn3660362>); Phillip Lynch: Dennis Mayor collection of Photographs. State Library of Victoria. H95.50/113 (<http://handle.slv.vic.gov.au/10381/262234>); Reg Withers: 1976. National Library of Australia. nla.pic-vn3660362 (<http://nla.gov.au/nla.pic-vn3622107>); Bede Hartcher, Dr. Timothy Pascoe, Robert Southey and Tony Eggleton: Liberal Party of Australia. 2014. Party People (<https://www.liberal.org.au/party-people>)

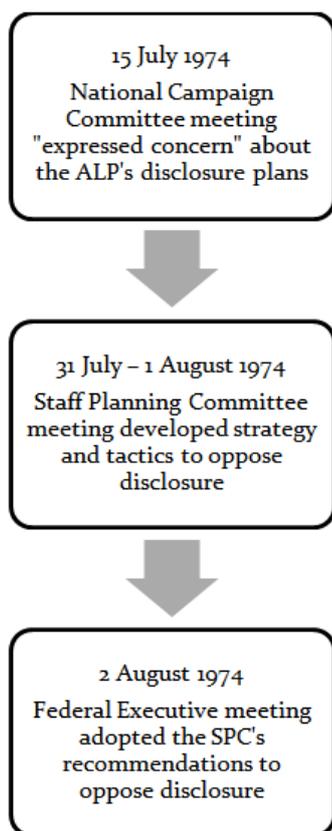
The NCC set the decision-making process into motion just after Minister Daly had returned home from his second research visit to Canada. In a meeting in Melbourne on the 15th of July 1974, minutes indicate that the NCC:

expressed concern at Labor Party proposals to compel disclosure of donations, which, it was felt, would reduce our funding potential whereas the ALP would retain the advantage of contributions controlled by unions and other groups. Recognising the urgency of the situation, Committee asked the Acting Federal President to write to State Presidents requesting them to bring Divisional opinions to the Federal Executive meeting on August 2. Mr Hartcher was also asked to prepare a paper.⁶⁹⁰

From these minutes we can see that the NCC had already identified where the party's interests in the ALP's reforms lay—in defeating disclosure. These party interests were roughly in conformance with the views of the divisions expressed by the General Secretaries in 1973 (Chapter 6.3). This is to be expected, given that the General Secretaries were also members of the NCC. Party revenue maximization interests—rather than the democratic values identified by the General Secretaries in Chapter 6.3—were used as the basis of the campaign finance policy adopted by the party organization. The democratic values-laden language vanished from the General Secretaries' concerns as the disclosure bill looked more and more likely to be introduced into the Parliament. When push came to shove, party interests mattered more than democratic values.

⁶⁹⁰ National Campaign Committee (Liberal Party of Australia). 15 July 1974. Minutes. In *Sir Billy Snedden Papers*. National Library of Australia. MS6216. Series 4. Box 46. Folder 46. Earlier, in September 1973, the National Campaign Committee had discussed the "Labor Plan to Limit Political Advertising." During this discussion, Labor's plans regarding free TV time, limits on advertising spending, "government subsidies to candidates", disclosure and tax deductability were discussed. The NCC made no decisions nor took further action—even after the October question—until July 1974.

Figure 11.3: Timeline to Policy Adoption



The NCC had identified the party's interests and urged the Federal Executive to consider those interests at its next meeting. These interests were further endorsed by the state General Secretaries and the central contingent from the Federal Secretariat sitting at the SPC (Figure 11.3). The SPC, a smaller committee consisting of the membership of the NCC minus the party leadership (Snedden, Lynch and Withers) and the Party President, was formally dedicated to providing *advice* on "election techniques and campaign readiness".⁶⁹¹ It met just before Federal Executive meetings. Typically, it did little other than receive reports from the state divisions.⁶⁹² Yet, at its meeting on 31 July - 1 August, the SPC developed a comprehensive and persuasive four page document entitled *Public Disclosure of Political Contributions*, which outlined its preferred strategy and tactics for

opposing a disclosure bill (Appendix 4).

The document began by assessing the situation in unequivocally party-interested terms:

A large portion of Liberal Party funds is given anonymously. Public disclosure would make this impossible and, to this extent, it would be self-defeating.⁶⁹³

The party's interests in revenue maximization were clearly stated. The remainder of the document was dedicated to the strategy of protecting the party's revenue maximizing

⁶⁹¹ Liberal Party of Australia. April 1981: 6. The Federal Director was the chairman of the Staff Planning Committee.

⁶⁹² According to Litchfield, the reports of the SPC were used to advise Snedden on "the views of the States" but rarely contributed much to political or policy decisions: Litchfield. 1984: 77.

⁶⁹³ Staff Planning Committee (Liberal Party of Australia). 1 August 1974. *Public Disclosure of Political Contributions*. In *Robert Southey Papers*. National Library of Australia. MS9901. Box 5. Folder "Federal Executive 1973": 3. Note this document is erroneously filed with the meeting minutes from the 24 November 1973 Federal Executive Meeting, but it is definitely from 1 August 1974.

interests while also attempting to maximize the party's electoral efficiency interests in its public presentation.

The SPC knew from the Federal Secretariat's research that it was "not uncommon overseas for the law to require some form of public disclosure of contributions for political purposes"⁶⁹⁴ and that the Liberal Party could not "credibly oppose disclosure legislation outright".⁶⁹⁵ On the other hand, the party's interests demanded that the party in public office avoid supporting *any* disclosure law. So the question for the organization was how to defeat the legislation without seeming to oppose the concept of disclosure—surely a difficult task!

The strategy devised involved, firstly, being "prepared with amendments to ensure that any [disclosure] legislation would not work exclusively in Labor's favour".⁶⁹⁶ The SPC listed a vast array of potential amendments that the party in public office could move, all of which had the potential to mitigate losses to the Liberal Party's revenue maximizing interests.⁶⁹⁷ The SPC was strategic to the point of generating decoy proposals: "a "code" to apply to political funding which would require the return or refusal of all contributions carrying any expressed or implied conditions."⁶⁹⁸

The second aspect of the strategy involved a cunning but disingenuous media line for the party leadership, with the intent of shifting the focus to allegations of Labor party malfeasance and Liberal Party purity. The SPC advocated advancing the line that the party supported disclosure and had "nothing to hide",⁶⁹⁹ but that disclosure itself was

⁶⁹⁴ Staff Planning Committee (Liberal Party of Australia). 1 August 1974: 3.

⁶⁹⁵ Staff Planning Committee (Liberal Party of Australia). 1 August 1974: 2.

⁶⁹⁶ Staff Planning Committee (Liberal Party of Australia). 1 August 1974: 2.

⁶⁹⁷ The plan suggested these amendments:

all contributions should be tax-deductible, or the fraction of trade union fees going to political purposes should be non-deductible. Another amendment might restrict the application of the law to organisations and not to individuals, thus protecting individual privacy. We should also insist on disclosure by the contributor rather than by the recipient – thus minimising the bureaucratic and cost impact of disclosure.

Staff Planning Committee (Liberal Party of Australia). 1 August 1974: 2.

⁶⁹⁸ Staff Planning Committee (Liberal Party of Australia). 1 August 1974: 2.

⁶⁹⁹ Staff Planning Committee (Liberal Party of Australia). 1 August 1974: 2.

a bad idea.⁷⁰⁰ This was the media strategy, devised by Leggoe and already used by Snedden—thus enabling the party leadership to avoid changing tact.



National Library of Australia nla.pic-an24092888-v

Figure 11.4: Billy Snedden cartoon, 197_.⁷⁰¹

This tremendous and urgent effort was directed at convincing the party leadership—which would meet with the organization the next day—of both the need to oppose disclosure and the viability of such a strategy. The Federal Executive, including the party leadership and 14 party executives,⁷⁰² governed the party organization.⁷⁰³ The purview of the Federal Executive was explicitly strategic rather than substantive—truthfully described in a Liberal Party brochure as “politics rather than policy”.⁷⁰⁴ For our purposes the most important aspects of the Federal Executive

⁷⁰⁰ To do this, they would explain that the Liberal Party refused to accept donations from business associations and labor unions. They would argue that the “only example” of dubious fundraising in recent times had come from the ALP, for example:

in 1972, when the Metal Workers’ Union gave the Labor Party \$25,000 on the apparent undertaking that a Labor Government would remove the penal provisions of the Arbitration Act.

Further, the SPC encouraged the parliamentary party to go farther and cast aspersions on the motives of the ALP, saying that “[t]hey appear to be interested in disclosure only since the dry-up of their own funds”: Staff Planning Committee (Liberal Party of Australia). 1 August 1974: 2.

⁷⁰¹ Moir, Alan. 197_. Bill Snedden (cartoon). In Geoff Pryor collection of cartoons and drawings. National Library of Australia: <http://nla.gov.au/nla.pic-an24092888>.

⁷⁰² The Federal Executive was made up of the parliamentary leadership (Snedden, Withers and Deputy Leader Phillip Lynch), and 14 Party Executives (the Federal Director, Federal President, two Vice-Presidents; the Honorary Federal Treasurer; the Immediate Past President; Chairman of the Federal Women’s Committee; and the President and Vice-President of the Young Liberal Movement) as well as the six State Presidents: Liberal Party of Australia. April 1981. After being forced out of the Federal Directorship during 1974, Hartcher was placed in a newly created position of “Executive Vice-President” (before being completely forced out of the organization), which took the Federal Executive’s membership to 18.

⁷⁰³ While the Federal Council was formally the highest decision-making body in the party, it met only annually to consider the party’s constitution and its platform. The main material function of the Federal Council was to choose the Federal Executive, which met every second month to formally make decisions on behalf of the party organization. It was, therefore, the Federal Executive that governed the party between the annual meetings of the Federal Council. In total, the Federal Council contained fifty-two members: eight members from each state (including the State President and the State Parliamentary leader) and four members from ACT division. This was likely the largest forum in the Liberal Party. Unlike all of the other parties studied in this thesis, the party did not have a large annual conference, leadership convention or party primary that involved the party activists in party affairs.

⁷⁰⁴ Liberal Party of Australia. April 1981: 4.

were that it was the top organizational body and that it provided a forum in which party executives, influenced by party professionals, could argue the case for the party organization's interests in revenue maximization to take priority over the party in public office's electoral efficiency interests.

The party in public office was not bound by the Federal Executive's decisions—indeed the party proudly insisted upon the autonomy of the parliamentary party from any decisions of the organization.⁷⁰⁵ Instead, the Liberal Party was a leader-centric party. The leader, not the parliamentary caucus, chose the Cabinet or Shadow Ministry. The ethic of strict party discipline, combined with the leadership-orientated origins and traditions of the party, ensured that the personality, preferences and predispositions of the leader were usually decisive.⁷⁰⁶ Yet, because of the Federal Executive's place in the party structure, the organization had a real opportunity to plead its case to the party leader, bolstered by the support of those closely associated with the leader (Pascoe and Eggleton).

During the Federal Executive meeting, party executives were able to convince the party leadership to accept the SPC's advice the day after it was drafted—August 2nd 1974. On that day, the party leadership agreed to oppose the government's *Electoral (Disclosure of Funds) Bill 1974 (Aus)* on the basis of party-interests in revenue maximization.⁷⁰⁷ True to their word, the Liberal Party in public office, led by Snedden and Withers, voted against the bill both times it came before the Senate in March and August 1975.

⁷⁰⁵ While historically the parliamentary Labor Party had been *formally* bound by the party's platform adopted at the National Conference, the parliamentary Liberal Party had never ever been bound by the wishes of members. Liberal Party of Australia. April 1981: 4.

⁷⁰⁶ The centrality of the leader prevailed even though the early 1970s was a time of unprecedented leadership instability in the Liberal Party. Having become leader after the December 1972 election defeat, Snedden—the 5th party leader in less than a decade—was under increasing attack by 1974. In November, Malcolm Fraser unsuccessfully challenged for the leadership. Fraser was successful in March 1975 (becoming the sixth party leader in less than a decade). Snedden was the first Liberal Party leader to never become Prime Minister. He died in less-than-distinguished circumstances in 1987.

⁷⁰⁷ Federal Executive (Liberal Party of Australia). 2 August 1974. Minutes. In *Robert Southey Papers*. National Library of Australia. MS9901. Box 6. Folder "Federal Executive Meeting 21 June 1974": 2. The implication that it was the leadership who agreed to organization's request (rather than the leadership's natural decision) comes from Tony Eggleton to Ian Marsh. 30 October 1974. In *Robert Southey Papers*. National Library of Australia, MS9901. Box 6. Folder "Federal Executive Meeting 30 November 1974".

11.2 THE MONSTROUS EFFECTS OF THE LAW AND LIMITED IMPACT OF PUBLIC OPINION

Formally, the Liberal Party leadership—Snedden and Withers—was not bound in any way to acquiesce to the pleas of party executives about their revenue maximization interests. So, then, why did the party in public office act on the party organization’s concerns—about the damage that might be caused to their campaign booty by a disclosure law—rather than on concerns about the damage to the party in public office’s chances of re-election that might be caused by outright and implausible opposition to a disclosure law?

In the case of the Liberal Party of Australia in 1974, there was a confluence of at least four factors that ensured that the party organizations’ views on the gravity of a disclosure law once heard were acted upon by the party in public office. The first two reasons—persuasive language and expertise—can be dispensed with quickly. The last two unique reasons—a culture in which electoral reform was viewed as a weapon for partisan political advantage with little policy merit, and the existence of compulsory voting, an institution that removed much of the risk from cynical political strategies—will be explored in more detail.

Firstly, the party executives and party professionals in the SPC were well placed to convince the party leadership because they knew how to talk in terms that would engage the party leadership. When the state General Secretaries expressed their positions to the Federal Secretariat in 1973 (detailed in Chapter 6.3), they wrote in language that appealed to democratic values or revenue maximization interests. Not once did the state General Secretaries mention any sort of electoral efficiency concerns in their positions on campaign finance reform. Yet, when these same people in the SPC advised the party leadership in July 1974, they phrased their advice almost entirely in terms of electoral efficiency interest protection.

Secondly, it was the state General Secretaries in the Liberal Party who had, up until the 1970s, been primarily responsible for raising campaign funds and conducting election campaigns, even national election campaigns. They were the men with the experience in campaign funding. The General Secretaries were the men best placed to assess the impact of disclosure on the Party’s ability to campaign. If they were worried, it was probably with good reason. These same General Secretaries made up half of the SPC. The SPC “rarely form[ed] its own collective view on important matters affecting the Party and even more rarely [did] the parliamentary or organizational leadership seek

advice from the Committee”.⁷⁰⁸ But on most issues, like banking policy or the regulation of the timber industry, the General Secretaries had little specialist knowledge. On the issue of disclosure, by contrast, the General Secretaries were experts and they forcefully argued a collective view as part of the SPC report.

On its own a plan written in terms of electoral efficiency interests and presented forcefully by those who had experience in raising funds may not have been enough to convince the leadership. Two additional factors ensured that the party leadership resolved to act in the organization’s interests. Firstly, the consensus in the Liberal Party that campaign finance reform, like electoral reform generally, was best viewed as a weapon for partisan advantage (and one which could make or break a party) rather than a serious policy issue was important to motivating the party leadership. Secondly, the leadership’s consciousness of the absence of major electoral consequences of being seen to nakedly pursue the party’s interests enabled by the low salience of the disclosure issue and the institution of compulsory voting is key to explaining the party leadership’s acquiescence.

The Liberal Party did not view campaign finance reform, or electoral reform generally, as a serious policy issue worthy of a formal, proactive, policy. Opposition, after 23 years in government, brought with it a period of introspection and policy reformulation for the Liberal Party, including its policies on the manufacturing sector, consumerism, the relationship between the individual and the state, education, the position of women and health—but in this period of introspection and policy reformation electoral reform policy was not considered.⁷⁰⁹ Indeed, the only policy-making in which the party

⁷⁰⁸ Litchfield. 1984: 77

⁷⁰⁹ This view of electoral reform is evidenced in the fact that none of the Federal Council meetings, the body charged with matters of platform, mentioned electoral reform issues from 1973 to 1975, rumors of ALP reform plans notwithstanding. Additionally, when the Federal Council created the Committee to Review the Federal Platform (CRFP) to review the Liberal Party’s policies in May 1973, no electoral reform issues were amongst the policies reviewed. The CRFP was to consider “areas of policy requiring revision in light of recent political experience”: Federal Executive (Liberal Party of Australia). 1973. Departments of the Federal Secretariat, Federal Party Committees and Other Proposed Bodies. In *Robert Southey Papers*. National Library of Australia, MS9901. Box 5. Folder “24 November 1973”; Federal Executive (Liberal Party of Australia). 4 December 1972. Notes on the Agenda. In *Robert Southey Papers*. National Library of Australia, MS9901. Box 5. Folder “7 December 1972”: 3; Miscellaneous papers in *Robert Southey Papers*. National Library of Australia, MS9901. Box 7. Folder “Federal Platform Committee, 1973”; Miscellaneous “Drafts for Consideration by State Divisions”. In *A. J. Forbes Papers*. National Library of Australia. MS9875. Box 19. Folder “Platform Review Committee – 10 December 1973”; Federal Platform Committee (Liberal Party of Australia). October 12 1973. Minutes. In *A. J. Forbes Papers*. National Library of Australia. MS9875. Box 19. Folder “Federal Platform Committee,

engaged on electoral reform in the 1970s was reactive—in response to the ALP’s plans (or rumors about them), and often *after* a bill had been introduced into the Parliament.⁷¹⁰

Electoral reform was viewed by the party elites in highly instrumental terms—as a strategic tool and, when in the hands of the ALP, a weapon to be feared rather than a serious policy issue. For example, when Ian Marsh and the Research Department generated a draft report called “*Funding Political Parties and Campaigns*” in October 1974 suggesting a few constructive policy approaches, Tony Eggleton expressed disapproval. Marsh’s draft report suggested the party encourage an independent enquiry (like the commissions that took place in Canada):

The legislation could be deferred pending an independent inquiry into trends in election and organisational costs and financing. This course of action would enable political parties and interested members of the public to make submissions on all matters involved in trends in elections costs and in maintaining party organisations. It would ensure that the relevant overseas experience is taken into account and that any legislation emerging from the Australian Parliament genuinely contributes to equality and cleanliness in the political process.⁷¹¹

To this proposal, Tony Eggleton wrote, in eerily Facebook-esque speech, “dislike”.⁷¹² Suggestions of serious, independent policy development were quickly disavowed.

Part of the reason for the strategic reading of electoral law was that, in Australia, partisans viewed their party’s success or defeat largely as a product of electoral law. Perhaps the long history of game changing major electoral reform, itself often seeming to have been intended to achieve the success or failure of a particular party, had heightened sensitivities to the electoral impacts of reform. In any case, partisans viewed the motives of “the other party” with intense suspicion and saw reform as a zero-

1973-1974”. See also *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 377. Folders 142, 143, 144 and 147.

⁷¹⁰ For example, despite knowing of the ALP’s plans since at least 1971, the parliamentary leadership only decided to oppose the ALP’s redistricting reforms (to reduce the permissible variance in the number of electors in House districts from 20% to 10%) in April 1973 *after* the bill had been debated in the Parliament: Federal Executive. 17 April 1973. Meeting Minutes. In *Robert Southey Papers*. National Library of Australia. MS9901. Box 5. Folder “Federal Executive, 1973”: 4.

⁷¹¹ Marsh, Ian (Research Department, Liberal Party of Australia). October 1974. *Funding Political Parties and Campaigns* (draft). In *Robert Southey Papers*. National Library of Australia. MS9901. Box 6. Folder “Federal Executive Meeting 30 November 1974: 6-7.

⁷¹² Eggleton, Tony. October 1974. Annotations on Marsh. October 1974: 6.

sum game, in which the survival of the party was at stake. Exaggerated concerns about exaggerated effects abounded.



Figure 11.5 : Alan Moir cartoon about the battle over the ALP's Electoral Reforms. 1974.⁷³

We saw these exaggerated sentiments manifest in the case to the ALP in Chapter 7. The ALP alleged—and believed—that the electoral system was deliberately geared against them by the Liberal–Country Party coalition.⁷⁴ It was the electoral system, not their support-levels, policies, candidates or campaigns, for which they blamed their long years in Opposition. The Liberal Party also viewed reform in these terms. Writing to a constituent, Starr, Research Director until July 1974, explained:

⁷³ Moir, Alan. 1974. The Trump Card [Gough Whitlam, Billie Snedden and Fred Daly's electoral reforms]. National Library of Australia. <http://nla.gov.au/nla.pic-vn3603002>.

⁷⁴ The most severe aspects of the electoral system being the Alternative Vote (AV) with compulsory preferences and the large variability in sizes of electorates, which ensured rural electorates contained fewer electors than urban ones: Chapter 7.1.

We have not published any recent documents on the economy and on electoral areas but I refer you to recent debates on these subjects in Parliament, especially those on the Commonwealth Electoral Bills numbers 1 and 2, 1973. These set out our view on the eighteen year old vote and on Labor's attempts to re-draft the Commonwealth Electoral Act in its own favour."⁷⁵

As well as demonstrating the lack of policy attention dedicated to electoral reform, this comment highlights the tendency to talk about reform proposals from the other side as an attack. And this tendency continued in private. In Marsh's draft report, as in other Liberal Party elites' minds, the stakes were exaggeratedly high on the issue of disclosure of donations. Marsh, in his draft report, wrote that disclosure "could threaten the future existence of the Liberal Party". Eggleton viewed that claim as a little moderate, and suggested the research report be amended to say that support of disclosure "threatens the future existence of the Liberal Party." Marsh's draft continued:

Unlike the A.L.P., the Liberal Party does not have access to the pool of resources, both human and financial, which are available to Labor indirectly through the trade union movement. The Liberal Party organisation has deliberately eschewed being dependent on any sectional interest group. ... The Labor proposals in their present form could lead to intimidation of our backers and are designed to destroy the Liberal Party rather than encourage clean politics."⁷⁶

These views, apparently sincerely held, betray an immense sense of vulnerability. The Liberal Party, like the ALP, seemed genuinely to view its successes (and failures) largely as a consequence of the electoral system. In this sense, the Liberal Party of Australia was very different from fellow conservative party, the Progressive Conservative Party of Canada, in which partisans dismissed any connection between election law and electoral success (Chapter 9.3).

Viewing the effects of electoral law in these almost comically exaggerated terms encouraged the view that reform initiated by the ALP was an attempt at implementing its party-interests into law. This understanding was easily (if at times inaccurately) confirmed by the ALP's public statements on electoral reform matters. In turn, the Liberal Party viewed electoral reform in terms of its interests. Once the effects of the reform had been determined, the party position would logically need to reflect that, especially as electoral reform was not viewed as an area of serious policy. In this way, we see a path-dependency being set up: this ALP spoke about this campaign finance reform in terms that made it seem that it was manipulated for its party-interests (even

⁷⁵ Graeme W. Starr to Kevin Andrighetto. 3 April 1973. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 377. Folder 142.

⁷⁶ Marsh. October 1974: 6.

though it was not). The Liberal Party came to think of the proposal solely in terms of party-interests. Subsequent reform attempts were then presumed to be similarly motivated. Over time, it is not hard to predict that reform itself will develop into a weapon used to further party interests.

Figure 11.6: Reg Withers
"The toe cutter". 1985.⁷¹⁷

The Liberals in Australia in 1974 came to believe much was at stake in terms of financial



National Library of Australia nla.pic-vn3705074.v

security and revenue maximization. However, the leadership believed there was little at stake in terms of electoral efficiency. The party leadership did not think people cared much about reform, and so would unlikely *switch* their vote between the major parties in response to the party's disingenuous public stance on disclosure reform. In contrast to the SPC's advice about the credibility of outright opposition to disclosure (p. 254), Withers—known as "the toe cutter" for his strict and curmudgeonly maintenance of party-discipline in the Senate

(Figure 11.6)—thought there was little chance of voters changing their vote. In a document circulated on to Liberal Senators, Withers wrote:

If it is decided to oppose the Bill outright again I do not think that it will have any adverse public reaction – public interest in electoral matters is small and there are too many issues which more directly affect electors now such as inflation, unemployment, and general economic dislocation for people to be concerned about laws politicians want to make to help themselves be re-elected. However, there are some Senators and Members who are keen to see some changes in the Electoral Act; some of the Daly proposals could be accepted without altering our electoral chances.⁷¹⁸

Withers made a startling admission as to how he viewed electoral reform: as "laws politicians want to make to help themselves be re-elected" and a unique calculation about the lack of consequences for open, cynical pursuit of party-interests by blocking electoral reform.

Public interest in electoral matters was, no doubt, small. Yet public interest was also small in Canada and only a fleeting interest in the US. A major distinction when it

⁷¹⁷ Bateup, Ross. 1985. Reg Withers "The toe cutter". National Library of Australia (<http://nla.gov.au/nla.pic-vn3705074>).

⁷¹⁸ Withers, R.G. 4 April 1975. Electoral Laws Amendment Bill. In *Alan Missen Papers*. National Library of Australia. MS 7528. Box 223.

comes to the risks associated with public opinion in Australia was the existence of compulsory voting. This is because voters only had the decision about which of the two parties to vote for, and not whether to vote at all.⁷¹⁹ The state mobilized every one under fear of penalty, and there was no need to fear turning people off over issues with limited (in time or intensity) salience—eligible voters still had to vote. In this way, compulsory voting reduced the risk associated with controversial—and cynical—stands on policy issues.⁷²⁰

In sum, these two factors meant that the party had an exaggerated view of the impacts of a disclosure law on party revenue while they were insulated against the electoral consequences of a cynical pursuit of revenue interests. The sense that their existence depended on electoral law was much greater in the Australian parties than in the US and Canada. This sense of vulnerability, combined with the protection provided by compulsory voting, as well as the expertise and language of the SPC, enabled the party leadership to confidently acquiesce to the interests of the party organization. Unlike the frequent rebuking of the Liberal Party organization on campaign finance law repeal in the 1950s and 1960s discussed in the introduction to Part III (pages 240-242), the party organization in 1974 was able to get its way.

11.3 THE IRRELEVANCE OF THE DISSENTION IN THE RANKS

Some dissent from the party's decision to cynically pursue laws that it believed helped its re-election chances welled up through the party. Members of the Victorian Branch came to very different decisions about the proposed campaign finance law than did the national party. They believed and argued that the party should endorse reform rather than quash it in the name of party interests. Ian Marsh's draft *Funding Political Parties*

⁷¹⁹ Although candidates from more than two parties ran for office in most seats, compulsory preferencing voting essentially ensured all voters were required to vote for either the ALP or the Liberal Party-Country Party (permanent) coalition.

⁷²⁰ Compulsory voting also changed elections from contests of mobilization to contests of persuading the few "swing voters" in the middle. This dynamic changed Australian political parties: under compulsory voting, mobilization was not a function of parties, and the need for party activists to mobilize the vote was less. Indeed, as a party formed after compulsory voting was a well-established Australian practice, the Liberal Party never had much need for party activists. The state mobilized voters, the party in public office chose the leader and policy; party executives raised funds and ran campaigns: Jaensch, Dean. 2006. Party Structures and Processes. In *Political Parties in Transition?* Ian Marsh, ed. Annandale, NSW: Federation Press: 28; Liberal Party of Australia. 1981: 2; Mills. 2013: 124-125. Choosing candidates (for the House of Representatives) was the sole role for local activists and in this they were rarely overruled: Johns, Gary. 2000 Party Democracy: An Audit of Australian Parties. *Australian Journal of Political Science* 35(3): 416.

and Campaigns reported the Victorian branch's views. The repetition and acknowledgement of this dissent was quick and decisively suppressed by those closely tied to party leader Snedden and the dissent itself would prove to be irrelevant to the party in public office's behavior.

Like the rest of the party, being in opposition at the federal level had brought introspection about the party's direction in the Victorian Branch of the Liberal Party, fomenting leadership turmoil and factional contests.⁷²¹ In these contests the Victorian Branch was taken over by small "l" liberals or, pejoratively, "trendies", unlike other branches, especially the stoically conservative NSW Branch.⁷²² Leo Hawkins, the General Secretary of the Victorian Branch (1971 – 1975), along with Victorian State President Peter Hardie (1973-1976), and Victorian Senator Alan Missen (1974 -1986)⁷²³ were part of this trendy guard.

In the second half of 1974, Hawkins wrote to the Federal Secretariat expressing his dissatisfaction with the party's policy on campaign finance reform.⁷²⁴ He began by admitting that:

Australia is one of the very few western style democracies that does not have effective limits on election expenditure, and/or government subventions to political parties. It is certainly one of the very few in which the ability to raise money is the sole requirement for access to the media.⁷²⁵

In terms that were reminiscent of activists in the Progressive Conservative Party of Canada, Hawkins urged that the party take a principled stand on reform rather than seek to maximize its interests:

⁷²¹ Vic Liberal Rebels Seek Clean Sweep of Officials. 31 May 1974. *Sydney Morning Herald*: 3. Similar turmoil ended in a split party in South Australia (SA). The Liberal and Country League (a conservative party aligned with the Liberal Party-Country Party coalition) split in 1973, forming the Liberal Movement, a liberal and progressive party led by Steele Hall (see footnotes 121 and 406) and the SA Liberal Party.

⁷²² Johns, Brian. 22 May 1974. Liberal Cauldron is on the Boil. *Sydney Morning Herald*: 7. Hermann, Anton. 2012. Missen, Alan Joseph (1925–1986). In *Australian Dictionary of Biography*. Canberra: National Centre of Biography, Australian National University.

⁷²³ Millar, Ann, and Geoffrey Browne, eds. 2010. *Biographical Dictionary of the Australian Senate, 1962-1983*. Vol. 3. Sydney: UNSW Press: 57.

⁷²⁴ By late June 1974, the Research Department had asked the party elites to solicit the state divisions' views on the government's disclosure plans: Research Department (Liberal Party of Australia) 26 June 1974. Proposed Government Electoral Legislation. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 318.

⁷²⁵ Marsh. October 1974: 6.

It ought to be clear that we as a Party stand for reasonably equal opportunities in electioneering, and we would rather be judged on the strength of our arguments, than the length of our purse.⁷²⁶

In suggesting the party's course of action, Hawkins recommended that, rather than ruthlessly pursuing its immediate fiscal interests, the party call for a commission process (perhaps similar to the Barbeau and Chappell Committees held in Canada) and look to reform as a means for improving the party's management:

(i) The Party should have clear statements in Federal and State Platforms that it stands for fair, open politics. Perhaps we will gain support by calling for a (Royal?) Commission into Election Costs and Financing.

(ii) We should recognise that spiralling media costs can only be met by the provision of statutory free time for State and Federal purposes, for policy presentations and spot announcements, and that this should not be restricted to election periods.

(iii) We should not automatically reject government financing of political parties on the German or Scandinavian system. This could be investigated by the above Commission. The advantage to the Liberal Party is that control would then be in the hands of members, not backers, and we could almost certainly get better value for our money because of our more rational management.⁷²⁷

Hawkins acknowledged that there were revenue interests in the reform (and that using the law to provide for free TV time would be advantageous), but had a genuine concern for the principles behind the reforms too (especially the involvement of members in the party).

Figure 11.7: Leo Hawkins. 1978.⁷²⁸



Furthermore, the Victorian branch engaged in its own consultation process; a process that included the party beyond the elite state executive meeting. Senator Missen met with the Victorian liaison officers to discuss electoral reform policy, even after the Federal Executive had decided to oppose reform. After this meeting, Missen circulated a summation of the liaison officers' views to Victorian members of parliamentary party. The summary read:

Suggestions that donations over \$100 to a Party's funds should be disclosed were thought to be more to our advantage than otherwise according to some views. Reference was made to the Staff Planning Committee's report opposing this proposal and on the whole it was felt that donors to the Liberal Party would be affected, they

⁷²⁶ Marsh. October 1974: 6.

⁷²⁷ Marsh. October 1974: 8.

⁷²⁸ Photo from Hawkins, Leo. 23 March 1978. Basic Change Needed for Healthy Politics. *The Age*: 8.

would fear harassment and funds might dry up. Nor would it be easy to police such a requirement.⁷²⁹

Once again, revenue maximization interests were important in the thinking of the partisans. Yet, Senator Missen's actions in consulting with lower levels of the party and attempting to persuade his colleagues in the House and the Senate to reconsider the party's decision reveal again that other motives—relating to the process of reform—were held by participants behind the scenes. But, like Hawkins and his democratic values motives, Missen's motives did not determine the party's behavior in the legislature.

The Victorian branch stood out for having a different approach to much of the remainder of the party. Earlier, in 1973, the Victorian State Executive resolved that it was “concerned with the lack of communication over decisions made by the Parliamentary Executive in relation to recent Electoral Legislation.”⁷³⁰ Perhaps it was this concern that informed the consultative impulses of Snedden and the Federal Secretary already discussed (Chapter 6.2). In 1974, however, the Victorian branch was largely ignored.

Indeed, when Ian Marsh—recently elevated to Research Director in the Federal Secretariat—faithfully reported Hawkins' views in a draft report, tentatively titled “*Funding Political Parties and Campaigns*” he was quickly set straight—by those closely allied with Snedden—that the party organization would not tolerate dissent.⁷³¹ This lack of tolerance was in the face of the party organization's own request for the divisions' views on reform.⁷³²

Marsh's draft report set out the “alternatives available to the Parliamentary party in reacting to” the ALP's campaign finance reform: to oppose the bill outright; accept the proposed bill as is; seek amendments, or; defer the legislation. The report itself did not

⁷²⁹ Missen, Alan. September 1974. Proposed Electoral Reforms: Notes of a Discussion. In *Alan Missen Papers*. National Library of Australia. MS 7528. Box 223.

⁷³⁰ Victorian State Executive, Liberal Party of Australia. 13 April 1973. Resolutions from the Victorian State Executive. In *Robert Southey Papers*. National Library of Australia Manuscripts Collection. MS9901. Box 5.

⁷³¹ Marsh. October 1974: 1.

⁷³² At the NCC meeting on 15 July, the NCC requested the views of the divisions to be presented in a report prepared by the Federal Secretariat: National Campaign Committee (Liberal Party of Australia). 15 July 1974. Minutes. In *Sir Billy Snedden Papers*. National Library of Australia. MS6216. Series 4. Box 46. Folder 46.

stray far from the Liberal Party's adopted views on reform, with the exception of quoting Hawkins' views (above). Marsh began by expressing distaste for the whole idea of donation disclosure and attributing the Watergate Scandal to the 1971 reforms passed by Congress and increased regulation of campaign finance (Appendix 3).⁷³³ Marsh reiterated what the party executives and professionals had said and leadership had already heard about opposing the bill outright: namely, that it "would create difficulties in public presentation."⁷³⁴

The response to the existence of this document is telling both in terms of the powerless of dissenters in strongly disciplined political parties as well as the fragile position of the organization vis-à-vis the parliamentary party in the Liberal Party. Upon discovering the existence of Marsh's draft report, Tony Eggleton, the Special Adviser who was closely tied to Snedden's office, wrote to Marsh and to the party president, Southey.

To Marsh, he was stern, saying that he was "uneasy about this paper emanating from the Secretariat at this time."⁷³⁵ Eggleton evidently feared that the party organization's hard-fought victory over the interests of the party in public office was at stake. He asked:

Why are we offering this advice, and providing the Parliamentary Party with and "out", when the Federal Executive has already directed that any such legislation should be opposed outright? The Federal Leader has agreed to take this unequivocal line in the house.⁷³⁶

The position of the party organization was fraught, and the party leadership could revoke, at any time and without warning, its accession to the party organization's position. Eggleton implied that, if the party leadership did change its mind, the finger would be pointed directly at the Federal Secretariat, especially Marsh, in the event of an election loss. Appealing to the importance of a united front (even a united private front), Eggleton continued:

⁷³³ Marsh. October 1974: 3. Marsh's logic was that if accepting large donations from industries was not illegal and did not have to be disclosed then parties would not need to find ways around the law.

⁷³⁴ Marsh. October 1974.

⁷³⁵ Tony Eggleton to Ian Marsh. 30 October 1974. In *Robert Southey Papers*. National Library of Australia. MS9901. Box 6. Folder "Federal Executive Meeting 30 November 1974".

⁷³⁶ Tony Eggleton to Ian Marsh. 30 October 1974.

Could we not be leaving ourselves open to harsh and justified criticism for undermining the stand taken by the Staff [Planning] Committee and the [Federal] Executive if we produce an official document along these lines?⁷³⁷

Eggleton made some concession to the disunity within the party, saying:

As far as I know, there's no sign of this legislation at the moment. Wouldn't we do better to wait and see what happens, and get an indication as to how united our membership would be on outright rejection. If we appeared to be running into Party problems, we might then offer the Leader your paper on the basis of tactics/political response.⁷³⁸

Yet, primarily, the party hierarchy needed to be respected:

But if we wished to put it forward in a premeditated, formal fashion, shouldn't we first persuade the Staff Committee and the Executive that on reflection we felt we should rescind our earlier decision and offer the Parliamentary Party more flexible advice?⁷³⁹

On the same day, Eggleton wrote to Robert Southey informing him of the existence of Marsh's draft, and expressing his concern about the draft. In light of the dissention within the party, Eggleton noted, the Federal Executive might have been well advised to reconsider its position.⁷⁴⁰ However, what Eggleton did not do was let Marsh or Hawkins know that a reconsideration of policy might occur as a result of dissention. On the one hand, Eggleton needed the most elite parts of the party organization to be aware that their successful persuasion of the party leadership was straining some parts of the party. On the other hand, dissention needed to be discouraged, with the dissidents never to be aware that they were having an effect on the party (lest dissent be encouraged). Dissenters needed to know their only options were to toe the party line or leave.

Notably, the party leadership—Snedden and Withers—was not notified of the dissent over the party's decision.

All of this amounted to the sidelining of the moderate voices motivated by democratic values in lower reaches of the party. It is perhaps no accident then that Hawkins, like Starr, would leave the party prematurely (in 1975), head into academia and later write

⁷³⁷ Tony Eggleton to Ian Marsh. 30 October 1974.

⁷³⁸ Tony Eggleton to Ian Marsh. 30 October 1974.

⁷³⁹ Tony Eggleton to Ian Marsh. 30 October 1974.

⁷⁴⁰ Tony Eggleton to Robert Southey. 30 October 1974. In *Robert Southey Papers*. National Library of Australia. MS9901. Box 6. Folder "Federal Executive Meeting 30 November 1974".

a series of articles on the financing of parties calling for reform.⁷⁴¹ In the end, party interests formed the only basis of the Liberal Party's behavior in the legislature as it doggedly opposed the *Electoral (Disclosure of Funds) Bill 1974* (Aus) at every turn.

CONCLUSION

Given the way that the ALP revealed their plans to the Liberal Party, in an attacking Dorothy Dixer⁷⁴² in Question Time, it is perhaps unsurprising that campaign finance reform got caught up in an intense partisan battle of interests. In the decision-making stage all non-party interested motives of individuals for their positions on electoral reform were swept aside as the Liberal Party devised a strategy to maximize its revenue interests (in avoiding disclosure) while doing its best to protect its electoral efficiency interests.

The Liberal Party organization's structure included party executives and professionals in a decision-making forum—the Federal Executive—with the party leadership. The decisions made by these bodies did not bind the party leadership or any of the party in public office, but the joint forum gave the party organization the opportunity to air and argue its positions to the party leadership who, in a parliamentary system, commanded the behavior (votes) of the party in the public office. This overlapping membership will be in distinction to the Democratic Party of Wisconsin, described in Chapter 12, in which the party organization had no *private* forum in which to convince the party in public office of its views and interests—instead it had to go public. In all parties, the party in public office, ultimately, acted independently, but the joint decision-making agency in the Liberal Party of Australia offered a place for the party elites to argue frankly the case for the party organization as they saw it.

In addition to the capacity of the party organization to argue its case for adopting a policy based on its revenue maximization interests, the prevailing culture and political institutions facilitated the adoption of the party organization's view by the party leadership. Australian political culture was one in which the mechanical impacts of electoral law were greatly exaggerated—understood to be the difference between

⁷⁴¹ For example, Hawkins. 23 March 1978; Hawkins, Leo. 1984. Party finance and Public Funding. In *Liberals Face the Future: Essays on Australian Liberalism* eds. George Brandis, Tom Harley and Don Markwell. Melbourne: Oxford University Press: 83-92.

⁷⁴² A Dorothy Dixer is a question asked by a government backbench MP in an Australian lower house to a government minister during Question Time. It is usually an easy question with an answer that is used as a way of promoting the government's achievements or plans (or attacking the opposition). It is named after early 20th century American advice columnist Dorothy Dix.

electoral success and withering demise. Indeed, as the chapter progressed, a curious vulnerability manifested. The Liberal Party genuinely viewed the ALP's proposals as potentially catastrophic. In this view, like the ALP, they reveal the extent to which they understand parties to be almost entirely dependent on election law, and without any existence independent of the law or a base in civil society—a peculiar conception worthy of further study. This culture of suspicion and vulnerability meant that the stakes for the party's revenue maximization interests appeared high.

By contrast, the stakes in electoral efficiency were low. The party reasoned that it stood to lose little in the battle of public opinion whatever stance—no matter how inconsistent or far-fetched—it took. It was the presence of compulsory voting in Australia that ensured the electoral efficiency interests at stake were far less than they otherwise would have been. The party leadership calculated that the population was not particularly interested in campaign financing—and certainly not enough to switch their votes between the major parties (away from the Liberal Party to the ALP). In the absence of any possibility of low turnout of Liberal Party voters, there was little risk in pursuing an untenable public position of supporting reform, having nothing to hide and yet criticizing disclosure as ineffective and voting against it. And so, institutions enabled the party to pursue their exaggerated concerns about their revenue maximization interests.

Of course, there were dissenters from the cynical strategy adopted by the party, who were motivated by motives other than party-interests. However, they could not affect a change in the party's policy, in part because dissent was swiftly and expertly quelled, but also because their concerns were never raised with the party leader, who ultimately decided political strategy.

As an aside, but highlighting, again, the contested and multiple nature of interests, the party's defense of the status quo in pursuit of its revenue maximizing interests in non-disclosure may have conflicted with other, longer-term party-interests in reform more generally, especially spending limits (part of the ALP's bill) and tax deductability (which likely would have emerged in a commission-led reform process). The party's finances were frail. As early as November 1974, the Federal Executive heard about the "severe

and urgent difficulties of Divisional [state] and Federal finances”.⁷⁴³ The Federal Executive heard a report from the SPC, which described the financing situation as a “crisis” whose only remedy was “[c]ost cutting in all areas of party organisation.”⁷⁴⁴ Perhaps reform could have assisted the party in transforming and avoiding a financial crisis, but the culture of suspicion and vulnerability precluded such hopeful thinking.

⁷⁴³ Federal Executive (Liberal Party of Australia). 30 November 1974. Minutes. In *Robert Southey Papers*. National Library of Australia. MS9901. Box 6. Folder “Federal Executive Meeting 30 November 1974”: 2

⁷⁴⁴ Staff Planning Committee (Liberal Party of Australia). November 1974. Submission. In *Robert Southey Papers*. National Library of Australia. MS9901. Box 6. Folder “Federal Executive Meeting 30 November 1974”.

It should be noted that the focus on party financing provoked the Liberal Party to formalize its campaign funding procedures and principles: Tony Eggleton (Federal Director) to the Federal Council. 23 September 1975. Fund Raising Code. In *Peter Howson Papers*. National Library of Australia. MS4697. Box 58. Folder “Federal Council 1975”. Is also encouraged the party to reflect on its bases of support. The party briefly considered increasing membership and looking to new sources of funds “so that the Party was not so reliant on corporate donations”, though no action was taken: Federal Executive (Liberal Party of Australia). 30 November 1974. Minutes. In *Robert Southey Papers*. National Library of Australia. MS9901. Box 6. Folder “Federal Executive Meeting 30 November 1974”: 4.

CHAPTER 12
JUST ANOTHER INTEREST GROUP COMPETING FOR
ACCESS AND INFLUENCE? PUBLIC FUNDING OF
CAMPAIGN EXPENSES AND THE WISCONSIN
DEMOCRATIC PARTY



Figure 12.1: Entrance to Wisconsin Democratic Party 1973 State Convention.⁷⁴⁵

In mid-June 1973, the Watergate Senate Committee Hearings captured the attention of the nation and formed the backdrop for the State Convention of the Wisconsin Democratic Party. Spirits were running high at the annual event. Unlike the Republican Party (Chapter 10), the Wisconsin Democratic Party organization was well-funded and debt-free. It had a reinvigorated, youthful and increasing membership. The party was confident in the caliber of its candidates and largely untarnished by the Watergate Scandal. Things were looking so bright that the State Chairman, William “Uncle Billy”

⁷⁴⁵ Photo credit: Schauer, Ralph. Published in 16 June 1973. *Milwaukee Sentinel*: 17.

Gerrard, declared at the Convention that the party was “in wonderful shape, just great shape”.⁷⁴⁶

At the 1973 State Convention, Wisconsin Democratic Party activists added six resolutions on campaign finance reform to the state party’s platform. The resolutions called for:

- public financing of elections using a tax check off system (Resolution 6);
- stricter controls on donations (Resolution 7);
- stricter federal campaign finance laws (Resolution 13);
- all campaigns to be entirely financed by the government (Resolution 14);
- the *Fair Campaign Practices Act* to be enforced (Resolution 15) and
- a review of ethics laws in connection with election laws (Resolution 16).⁷⁴⁷

A central concern of the party organization, as revealed in the resolutions above, was government financing of election expenses. Indeed, in 1973, Wisconsin Democratic Party activists were unequivocal about their preference for public funding over private funding of campaigns. Democratic Party executives also demonstrated widespread support of the concept. However, the party in public office did not appear to actively seek public funding of campaigns in their legislative efforts, even as they pursued an expansive range of other campaign finance reform measures, and also sought to be seen as the drivers of the reform process.

Chapter 12 considers the disjunction between Wisconsin Democratic Party policy on campaign finance reform, as developed in and by the organization, and the policy

⁷⁴⁶ Shively, Neil H. 18 June 1973. Everything Looks Rosy to Wisconsin Democrats. *Milwaukee Sentinel*: 16.

⁷⁴⁷ Wisconsin Democratic Party State Convention. 16 June 1973. Minutes. In *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 1. Folder “Administrative Committee Minutes, 1950-1978”: 5; Wisconsin Democratic Party State Convention. 16 June 1973. Resolutions Adopted at 1973 State Convention. In *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 3. Folder 40. It was the salience of Watergate that placed campaign finance reform on Democratic Party activists’ radar: The 1972 Wisconsin Democratic Party Platform—adopted just months before the Watergate Scandal broke—contained no resolutions about campaign finance (Wisconsin Democratic Party State Convention. June 1972. Resolutions Adopted at 1972 State Convention. In *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 3. Folder 39), and in 1974 the platform contained only one consolidated resolution:

[W]e support measures, including public financing of campaigns and personal financial disclosures that would help eliminated an elected official’s possible conflict of interest: Wisconsin Democratic Party. 15 June 1974. Platform. In Theobald, H. Rupert; Robbins, Patricia V. ed. 1975. *The State of Wisconsin 1975 Blue Book*. Madison: Wisconsin Legislative Reference Bureau: 766.

pursued by the party in public office. The chapter builds upon Chapter 10, in which Wisconsin Republican Party activists and executives took to public forums to express their positions largely in favor of reform but opposed to limits on party contributions to their candidates. It also builds on Chapter 11, in which Australian Liberal Party executives utilized their party's overlapping organizational structure to privately and directly influence the party leadership to oppose disclosure.

Drawing on a myriad of collections from the Wisconsin Historical Society,⁷⁴⁸ Chapter 12 shows the clarity and enthusiasm with which the Democratic Party organization expressed its preference for public financing did not influence the campaign finance policy adopted by the Democratic Party in public office. The reasons for this lack of influence were threefold. Firstly, the party organization lacked authority: it could not merely add things to the party platform or repeat the party position, no matter how consistently, at public committee hearings and expect the party in public office to listen. Secondly, the party structure did not provide party executives a formal private forum in which to impress upon the party leadership the party organization's views. Thirdly, even if the party structure had afforded the party organization a forum to persuade the party *leadership*, the party organization would still have needed to approach members of the party in public office individually and persuasively, like an interest group, to convince them to vote in favor of a public financing scheme. In short, the party organization no longer held a privileged position in politics, and needed to behave like any other interest group if it wanted to affect policy. However, it failed to do so.

The chapter shows that interest groups—especially Common Cause—out-competed with the Democratic Party organization to influence Democrat legislators. These interest groups had equal claim to representing (groups of) the people and appeared to legislators to be a more potent source of voter mobilization. In the end, the will of the Democrat Party organization that public financing be at the center of campaign finance reform did not make it into the law. Instead the law embodied Wisconsin Common Cause's agenda and Democrat legislators' pragmatic calculations the what type of law

⁷⁴⁸ *Democratic Party of Wisconsin Records*. Mss 642; *Wisconsin Assembly Democratic Caucus Records*. Mss 855; *Wisconsin Senate Democratic Caucus Records*. Mss 856; *Wisconsin Governor's Study Committee on Political Finance Records*. Series 1943; David W. Adamany, Papers. M2000-012; Norman C. Anderson Papers. Mss 664; Lloyd A. Barbee Papers. PH 4283; Michael Bleicher Papers Mss 643; Edward G. Jackamonis Papers. Milwaukee Mss 98; Patrick J. Lucey Papers. Mss 785; Donald O. Peterson Papers. M90-285; Fred A. Risser Papers. Mss 391; Louise M. Tesmer Papers. Milwaukee Mss EN; *Common Cause in Wisconsin Records*. Mss 415.

that could be quickly passed. A public interest group had more influence on legislative outcomes than did the Democratic Party organization. Public financing would not be legislated until 1977.

In considering the motives of legislators, Chapter 12 shows that self-interests of legislators in their re-election were of importance at the margins, as legislators decided whether or not a reform bill ought to be quickly passed. Front and center in the motives of the main protagonist of reform in the Assembly, John C. Oestreicher, however, were democratic values and social acceptability motives. As in previous chapters, social expectations and understandings about proper and dignified conduct proved vital to individuals, even incumbent politicians.

At the end, the chapter explores the ongoing losing battle of the Democratic Party organization against its irrelevance. At the same time as the campaign finance reform bills were making their way through the legislature, the Wisconsin Democratic Party organization inelegantly attempted to use its funding role as leverage to force legislators to adhere to the party platform. The terminal weakness and marginality of the organization was demonstrated by the ease with which the party in public office rebuffed the organization's efforts.

12.1 THE IRRELEVANCE OF THE ORGANIZATION



In its 1973 resolutions, the Wisconsin Democratic Party Convention captured the genuine concerns of party activists that shady activities, illustrated so vividly by Watergate, were possible—or indeed inherent—in any system in which candidates' election campaigns were significantly funded by private interests seeking to buy influence. The remedy most passionately proposed for this potential for corruption was public financing of election campaigns.⁷⁴⁹

Figure 12.2: William Gerrard, Wisconsin Democratic Party State Chairman.⁷⁵⁰

Democratic Party executives also viewed public financing as the key part of a campaign finance reform package. David Adamany, the head of the Governor's Study Committee

⁷⁴⁹ Wisconsin Democratic Party State Convention. 16 June 1973.

⁷⁵⁰ Hughes, Leon. 31 January 1974. Democratic Chairman May Resign. *Milwaukee Journal*: 19.

and devoted Democrat, believed that public financing was “necessary to assure the opposition adequate funds to wage a campaign and to drive special interest money out of politics.”⁷⁵¹ William Gerrard (pictured above, Figure 12.2), State Democratic Party Chairman, and close ally of Governor Lucey,⁷⁵² favored reform, *especially* the public financing of candidates’ campaigns. At the 1973 State Convention, Gerrard proclaimed that “public financing of political campaigns will come soon” in answer to questions about how Governor Lucey’s re-election campaign was to be funded. Gerrard continued: “It’s coming. ... Maybe Watergate alone will speed it up.”⁷⁵³ On other issues of reform, Gerrard was more cautious, expressing concern about spending limits and their tendency to favor incumbents and thereby reduce competitiveness.⁷⁵⁴

The Wisconsin Democratic Party organization, like the Wisconsin Republican Party organization (Chapter 10), did not officially turn its mind to campaign finance reform and develop a collective party policy on campaign finance reform. The State Administration Committee (SAC), the top organization body in the Democratic Party, did not address campaign finance reform during its monthly meetings between December 1972 and July 1974⁷⁵⁵—and the only collective consideration of campaign finance reform remained those resolutions at the State Convention. Also like the Wisconsin Republican Party, Democratic Party executives expressed their views on campaign finance reform individually and publicly. Frank Nikolay, a former Assemblyman (1958-1966 and 1968-1970) and SAC Vice-Chairman, argued for more comprehensive disclosure of legislators’ finances at a public hearing of the Assembly

⁷⁵¹ David Adamany to Bob Dunn and Bill Dixon. Circa June 1973. Re: AB 1016. In *Wisconsin Governor’s Study Committee on Political Finance Records*. Wisconsin Historical Society. Series 1943. Box 1. Folder 1.

⁷⁵² Lamke, Kenneth R. 17 March 1975. Kohl Tops List for Party Chief. *Milwaukee Sentinel*: 5; Lamke, Kenneth R. 25 March 1976. Do You Believe? Well, Carter Sure Hopes So. *Milwaukee Sentinel*: 6

⁷⁵³ Shively. 18 June 1973.

⁷⁵⁴ Hughes. 16 November Campaign Finance Reforms Draw Mixed Reactions. *Milwaukee Journal*: 1; Shively. 18 June 1973. Gerrard’s logic was that challengers needed to spend a lot in order to gain the name recognition incumbents already had. This is not an obviously self- or party-interested statement given that the Democrats possessed, at the time, two-thirds (62 of 99) of the Assembly seats and 45% of the Senate Seats (18 of 33)—61 percent of all state legislative seats *and* the governorship.

⁷⁵⁵ State Administration Committee (Wisconsin Democratic Party). 1972-1974. Minutes. In *Democratic Party of Wisconsin Records*. Mss 642. Box 1. Folders 18 – 19.

Judiciary Committee in 1971.⁷⁵⁶ When asked to comment by the *Milwaukee Journal* in November 1973, SAC Treasurer John Malloy and Democratic National Committeeman Michael Bleicher were enthusiastic about the recommendations of Adamany’s Study Committee report including limits on contribution size and sources, disclosure, a non-partisan enforcement agency and public financing.⁷⁵⁷ Public financing was a central plank of campaign finance reform for the whole party organization—executives and activists—whereas spending limits were not on its agenda.

The Democratic Party organization was like Wisconsin Republican Party organization in the policy development phases: in both parties, individual party executives went public to present their individual views on reform. However, unlike the Wisconsin Republican Party in public office, the Democratic Party in public office pursued a reform agenda different from the policy adopted by organization. Indeed, the legislative process—even that part controlled by Democrats in the Assembly—went along without much concern for the Democratic Party organization’s views.

Figure 12.3 John Oestreicher. 1972.⁷⁵⁸



Oestreicher

As described in Chapter 10, AB1016, the bill authored by Assembly Elections Committee Chairman, Democrat John Oestreicher (Figure 12.3, left) began life as a disclosure bill. It was expanded with provision after provision; but never to include a public financing scheme like the party organization enthusiastically endorsed and expected. Indeed, AB679, a bill dedicated to creating a system public funding of candidates using an optional tax check-off was defeated by Democrats in the Democrat-controlled

Assembly in 1973.⁷⁵⁹

The views of party activists and executives were not central to the Democratic Party in public office. Instead, the Democrats in the Assembly, led by “Big John” Oestreicher—

⁷⁵⁶ Disclosure Urged for Legislators. 10 February 1971. *Milwaukee Sentinel*: 11.

⁷⁵⁷ Hughes, Leon. 16 November 1973. For the recommendations see: David Adamany. October 1973. *Working Paper on Campaign Finance Reform*. Madison: Governor's Study Committee on Campaign Finance.

⁷⁵⁸ Picture from: Reardon, Patrick. 3 November 1972. Oestreicher, Parkin in Rematch in 70th. *Milwaukee Journal*: 1.

⁷⁵⁹ State of Wisconsin, Legislative Reference Bureau. January 1974. Campaign Finance Reform. *Research Bulletin* 74-R B-1: 16.

a 37 year old Assemblyman in only his second term—developed AB1016 in response to analysis, advocacy and criticisms from interest groups, especially Common Cause’s Wisconsin branch. Unlike the party organization, interest groups sought to influence the Democratic Party in public office using individual and private channels—written correspondence and meeting with individual members of the legislature. The Democrats (and some Republicans too) in the legislature, for their part, actively sought to cultivate these relationships.

Common Cause was set up in 1970 to be, according to its current website, “a vehicle for citizens to make their voices heard in the political process and to hold their elected leaders accountable to the public interest.”⁷⁶⁰ It had early success—suing the Committee for the Re-Election of the President (Richard Nixon’s 1972 campaign committee) to obtain fuller public disclosures of donations.⁷⁶¹ Common Cause in Wisconsin claimed between 4300 and 5500 members in 1973-1974⁷⁶²—or about one quarter of the total size of the membership of the Wisconsin Democratic Party.⁷⁶³ Common Cause’s membership was mobilized around a more narrow political reform agenda than the Democratic Party, which was still a big tent political party bringing together diverse interests, ideologies and priorities. As such, Common Cause was a political force with which to be reckoned—potentially mobilizing its members and other voters around the issue of campaign finance reform at election time.

In Wisconsin, members of the Democratic Party in the public office actively forged relationships with Common Cause and acted on its advice. Initially, in early 1973, Common Cause worked with Democrat Assemblyman Harout O. Sanasarian on his broad campaign finance reform draft. At *Sanasarian’s suggestion*, Common Cause

⁷⁶⁰ Common Cause. 2014. About (website). (accessed 22 April 2014) <<http://www.commoncause.org/site/pp.asp?c=dkLNK1MQIwG&b=4860183>>.

⁷⁶¹ Ashmore, Robert B. 23 October 1973. The Opportunity for Political Reform Is Here; We Need Action Now. *Milwaukee Journal*: 13.

⁷⁶² Campaign Reforms Pushed. 28 September 1973. *Milwaukee Journal*: 2; Robert B. Ashmore (Common Cause) to Wisconsin State Senators. 6 May 1974. An Open Letter Re: Campaign Finance Reform. In *Fred A. Risser Papers*. Wisconsin Historical Society Archives. Mss319. Box 14. Folder 20 “Campaign financing”.

⁷⁶³ The Wisconsin Democratic Party’s paid up membership was between 15,000 and 18,500 in the same period: Wisconsin Democratic Party. 31 January 1973. Democratic Party of Wisconsin Membership Report; and Wisconsin Democratic Party. 1 March 1974. Democratic Party of Wisconsin Membership Report. Both documents in *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 1. Folder “Administrative Committee Minutes, 1950-1978”.

turned its attention to Oestreicher, who as Chairman of the Assembly Elections Committee was a member of the Democratic Party in governance roles in our typology.⁷⁶⁴ The agenda of Wisconsin Common Cause's leadership at this time centered on rigorous disclosure and strong enforcement provisions as well as devising an enforceable scheme of spending limits.⁷⁶⁵ Recall that spending limits was not an issue on the radar of the Democratic Party organization.

Oestreicher drafted the first iteration of AB1016 in early 1973. Common Cause was not especially enamored with this first iteration, but they worked with Oestreicher to make AB1016 broader, identifying "six areas of deficiency" and concentrating on the absence of spending limits and the need for better enforcement mechanisms.⁷⁶⁶ To persuade legislators to remedy these deficiencies, Wisconsin Common Cause testified before the Assembly Elections Committee,⁷⁶⁷ engaged in numerous back and forth questions about details,⁷⁶⁸ met with legislators from both sides of the aisle,⁷⁶⁹ and provided legislators with model bills, fact sheets and information on campaign finance legislation.⁷⁷⁰ The Democratic Party organization, by contrast, only engaged in the first of these (appearing before committees) in its efforts at influencing legislators.

⁷⁶⁴ Frances Hurst to Thomas Anderson. 8 February 1973. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁷⁶⁵ Frances Hurst to Thomas Anderson. 8 February 1973; Thomas Anderson to Frances Hurst and Carlyle H. Whipple. 5 July 1973. Both documents in *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁷⁶⁶ Thomas Anderson to Frances Hurst and Carlyle H. Whipple. 5 July 1973.

⁷⁶⁷ Robert B. Ashmore to John C. Oestreicher. 26 August 1973. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁷⁶⁸ Carlyle H. Whipple to John C. Oestreicher. 24 August 1973; Robert B. Ashmore to John C. Oestreicher. 26 August 1973; John C. Oestreicher to Carlyle H. Whipple. 27 August 1973; Carlyle H. Whipple to John C. Oestreicher. 29 August 1973; John C. Oestreicher to Robert B. Ashmore. 31 August 1973; Carlyle H. Whipple to John C. Oestreicher and David Adamany. 22 April 1974. All documents in *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁷⁶⁹ Robert B. Ashmore to John C. Oestreicher. 26 August 1973.

⁷⁷⁰ John C. Oestreicher to Robert B. Ashmore. 31 August 1973; Frances Hurst to Thomas Anderson (cc: Carlyle H. Whipple and Robert B. Ashmore). 6 September 1973. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

For his part, Oestreicher regularly reported the legislature's progress to Common Cause⁷⁷¹ (as did other legislators⁷⁷²)—though these reports were not forwarded to the Wisconsin Democratic Party organization. Additionally, in the midst of prolific amendments to his bill, Oestreicher assured Common Cause's leadership:

In the event it [AB1016] doesn't go together in a form that is acceptable to Common Cause you can rest assured that I'll end up voting against my own campaign finance reform proposals.⁷⁷³

Oestreicher also wrote to Common Cause to thank them for their efforts.⁷⁷⁴ Democrat Assemblywoman Louise M. Tesmer accredited Common Cause as “the driving force behind the [campaign finance reform] proposal” and deserving of “commendation for its public spirited efforts in forcefully bringing this matter to the attention to the Legislature.”⁷⁷⁵ No such assurances, thanks or compliments were forthcoming to the Democratic Party organization.

In consultation with Common Cause, Oestreicher drafted Assembly Substitute Amendment 1 to AB1016, which addressed many of the concerns of the Wisconsin chapter of Common Cause. After Wisconsin Common Cause was able to broker the addition of spending limits to the bill, it endorsed the bill and wrote to prominent politicians urging for the passage of the bill.⁷⁷⁶ To Governor Lucey they argued that AB1016 was “the answer to our mutual concerns about improving the area of Wisconsin

⁷⁷¹ For example, on the 16th of October, Oestreicher reported that he hoped the bill would emerge out of committee soon “without crippling amendments”: John C. Oestreicher to Carlyle H. Whipple. 16 October 1973. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3. Similarly, on 23 April 1974, Oestreicher reported the proceedings of a meeting with David Adamany, intended to resolve differences between two competing bills: John C. Oestreicher to Carlyle H. Whipple. 23 April 1974. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁷⁷² For example: Senator Henry Dorman to Robert B. Ashmore. 30 April 74. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁷⁷³ John C. Oestreicher to Carlyle H. Whipple. 23 April 1974.

⁷⁷⁴ John C. Oestreicher to Carlyle H. Whipple. 16 October 1973.

⁷⁷⁵ Assemblywoman Louise M Tesmer to Evelyn C. Knapp. 1 May 1974. In *Louise M. Tesmer Papers*. Wisconsin Historical Society. Milwaukee Mss EN. Box 1.

⁷⁷⁶ On the 10th of August, Robert B. Ashmore expressed Wisconsin Common Cause's qualified support of AB1016, based on its ability to pass and it being a “very good” bill (Robert B. Ashmore to Tom Belford. 10 August 1973; Robert B. Ashmore to Carlyle H. Whipple. 18 August 1973. Both documents in *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3). Common Cause informed Governor Lucey and Oestreicher of their endorsement on 24 August: Carlyle H. Whipple to John C. Oestreicher. 24 August 1973; Carlyle H. Whipple to Patrick J. Lucey. 24 August 1973. Both documents in *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

Campaign Finance”.⁷⁷⁷ To Adamany and Republican Senator Gerald D. Lorge, the chapter explained that AB1016 was “very meritorious and should be given your closest attention and consideration.”⁷⁷⁸

Wisconsin members of Common Cause did not push Oestreicher or other Democrat Assemblymen on the issue of a public financing scheme. Indeed, its omission from the campaign finance reform package passed in 1974 appears largely the result of Common Cause’s influence, its willingness to accept Oestreicher’s pragmatic logic, and the Democratic Party organization’s lack of influence on the legislative process. Nationally, public financing was a central pillar in Common Cause’s reform agenda.⁷⁷⁹ But the Wisconsin chapter of Common Cause initially accepted Oestreicher’s argument that a limited but passable bill (without public financing) was better than a fully-encompassing but doomed bill.⁷⁸⁰ Indeed, Wisconsin Common Cause’s explicit strategy was to get the quick passage of the (flawed) bill so that the good in it did not get “hacked to pieces” and it passed quickly on the “flood tide of Watergate.”⁷⁸¹ They urged legislators, many of whom were otherwise waiting to hear from Adamany’s Study Committee about the best way to implement public financing, to adopt Oestreicher’s strategy and pass a reform bill immediately and deal with public financing later.⁷⁸²

Watching the legislative process from the sidelines, Democratic Chairman Gerrard—who in June 1973 was so confident that public financing would be in place in time for

⁷⁷⁷ Carlyle H. Whipple to Patrick J. Lucey. 24 August 1973.

⁷⁷⁸ Carlyle H. Whipple to Gerald D. Lorge and David Adamany. 28 June 1973. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁷⁷⁹ The statement of principles of the national organization of Common Cause is contained in Carlyle H. Whipple to Senator Gaylord Nelson. 20 September 1973. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁷⁸⁰ Robert B. Ashmore reported to Tom Belford in the national Common Cause office that AB1016 was “the only campaign finance bill that stands a chance of passage in October”: Robert B. Ashmore to Tom Belford. 10 August 1973; Robert B. Ashmore and Carlyle H. Whipple to Patrick J. Lucey. 12 October 1973. Both in *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁷⁸¹ Frances Hurst to Thomas Anderson (cc: Carlyle H. Whipple and Robert B. Ashmore). 6 September 1973. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁷⁸² Robert B. Ashmore and Carlyle H. Whipple to Patrick J. Lucey. 12 October 1973.

the 1974 gubernatorial elections—became less and less sure.⁷⁸³ Indeed, public financing would not be introduced in the 1974 bill.

As time went on, Wisconsin Common Cause grew to regret its pragmatic focus, lamenting the absence of public financing.⁷⁸⁴ In late 1973, Common Cause changed tact and, apparently unbeknown to Oestreicher, started working with Republican Lorge on his Senate bill, which included public financing.⁷⁸⁵ By this time, however, the logic that public financing ought to be dealt with later was well accepted.⁷⁸⁶ Indeed, public financing had begun to look like a Republican Party issue and attempts at adding it into AB1016 failed. Even so, by the end of the process, Wisconsin Common Cause was quite content with the new, vastly different, bill (Senate Bill 5, largely based on Lorge's SB872) that passed into law in July 1974—calling it a “much better bill” in May and “an excellent bill” in June.⁷⁸⁷

The development of the Wisconsin campaign finance reform law in 1973-1974 is itself a fascinating case-study in the workings of the legislative process. However, the point

⁷⁸³ Lamke, Kenneth R. 29 January 1974. Public Campaign Financing Backed. *Milwaukee Sentinel*: 7.

⁷⁸⁴ As the influence of the national Common Cause office grew and the Wisconsin-based activists increased their knowledge of the legislative issues at stake, Wisconsin Common Cause came to regret that it did not public financing more vigorously: Carlyle H. Whipple to John C. Oestreicher and David Adamany. 19 November 1973. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3. Indeed, after November 1973, Wisconsin Common Cause changed its strategy and began to advocate Common Cause's national Model Campaign Finance Laws, of which public financing was a central part.

⁷⁸⁵ Wisconsin Common Cause initially did not want Lorge to write his own bill, instead they preferred to see AB1016 into fruition. This changed after the SJIC public hearings in December 1973. After this time, they worked closely with Lorge and Republicans in the Senate on Lorge's bill: Frances Hurst to Thomas Anderson. 9 July 1973; Frances Hurst to Tom Belford, Carlyle H. Whipple and Robert B. Ashmore. 7 December 1973. Both documents in *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁷⁸⁶ Dale T. McKenna, a Democrat state Senator from the 13th District also adopted this pragmatic stance with regards to AB1016 and his sponsorship of a substitute amendment of it. He explained:

I co-sponsored the Senate substitute to 1016A with full awareness of its shortcomings but also with a realistic view that the shortage of time remaining in our floor period did not permit a more meticulous consideration and thorough debate on any proposal for campaign reform.

He also came to regret this stance and, a few months later removed his sponsorship of the substitute to AB1016 in favor of the bill drafted by Lorge: Dale T. McKenna to Patrick J. Lucey. 4 April 1974. In *Fred A. Risser Papers*. Wisconsin Historical Society. Mss 391. Box 14.

⁷⁸⁷ Anderson, Thomas. 6 May 1974. My Comments on the Bill to be Proposed to the Sepcial [sic] Session; Thomas Anderson to Carlyle H. Whipple and Robert B. Ashmore. 22 June 1974. Both documents in *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3. The League of Women Voters' support was qualified: Mrs. Richard Whalen to State Senators. 7 May 1974. In *Fred A. Risser Papers*. Wisconsin Historical Society. Mss 391. Box 14.

here is that the Democratic Party organization was entirely peripheral—almost irrelevant—to the process. The party organization’s main concern, public financing, was sidelined by the Democratic Party in public office and the political strategy of Common Cause. The party organization did not launch an extensive effort at persuading individual legislators with the result that the Wisconsin Democratic Party organization contributed little to the campaign finance reform agenda.

12.2 CARROTS AND STICKS: REGULATION, ORGANIZATION AND MOBILIZATION

The Democratic Party organization was irrelevant to the legislative process, despite its unanimity, for four key reasons. Firstly, legal regulation ensured that the party organization held no privileged position by virtue of being the *party* organization. Secondly, the structure of the Party meant that the party organization, which already had limited leverage over the party in public office, was isolated from them (without any private or regular intraparty forum in which to contribute to decisions). Thirdly, the party did not actively engage individual legislators in private the way Common Cause, and other interest groups, did. And finally, the heightened importance of mobilization and the presence of highly mobilized voluntary organizations, like Common Cause, ensured that party organizations had to compete to be heard. In this instance, the Wisconsin Democratic Party organization did not compete well and seemed content watching from the sidelines.

Political parties in Wisconsin were fundamentally different to parties in outside of the US in that they had long been legally recognized and regulated. By contrast, parties in Canada and Australia were, in the 1960s and into the early 1970s, still unequivocally voluntary associations unrecognized and unregulated by the law.⁷⁸⁸ The regulation of parties was enabled by the legal recognition that necessarily came with printing party labels on the ballot next to candidates⁷⁸⁹ (Figure 12.4), and enacted in direct primary laws.

⁷⁸⁸ Courtney, John C. 1978. Recognition of Canadian Political Parties in Parliament and in Law. *Canadian Journal of Political Science*. 11(1): 33-60; Johns, Gary. 1999. Political Parties: From Private to Public. *Commonwealth & Comparative Politics*. 37(2): 89-113.

⁷⁸⁹ Legal recognition of political parties was necessary to ensure some control over party names. If party labels were to be placed on the ballot paper next to candidates’ names, some legal procedure for determining who could authoritatively identify a particular party’s candidate was needed. Otherwise any and multiple candidates could run under the label “Democratic Party” at the general election, irrespective of whether they had been nominated by the party.

Regulation had major consequences for the strength of American parties. First and foremost, the introduction of the direct primary⁷⁹⁰—first done, on a state-wide basis, in Wisconsin in 1902—severed the chief link between the party organization and the party in public office by taking candidate nominations out of the hands of the party organization and placing them in the hands of the broader electorate. In severing this link, the main “stick” the party organization possessed to punish non-adherence to the party platform or lapses in party discipline—the threat of de-nomination or actual expulsion from the party—was taken away. The party organization could no longer discipline the party in the public office for errant behavior. Instead the only—weaker—punishments the party organization could impose were to publicly disagree with a legislator or withhold party-raised monies from candidates for the next election campaign.⁷⁹¹

⁷⁹⁰ The direct primary is a state funded and conducted party nomination election in which the state determines eligibility to nominate as a candidate, eligibility to vote in the nomination election, the vote counting method, the date and all other manner of conduct of the party nomination election. It is entirely different to the Australian idea of primary elections, in which parties—without the interference of the state—open up their own nomination processes to those outside the party’s paid up membership.

⁷⁹¹ In addition to regulating party nominations, the state also regulated party finances, party ethics and the structure of the statutory parties.

OFFICIAL BALLOT
FOR PARTISAN OFFICE & REFERENDUM
11/07/2006

S13

NOTICE TO ELECTORS: THIS BALLOT MAY BE INVALID UNLESS INITIALED BY 2 ELECTION INSPECTORS. IF CAST AS AN ABSENTEE BALLOT, THE BALLOT MUST BEAR THE INITIALS OF THE MUNICIPAL CLERK OR DEPUTY CLERK.

To vote for the candidate of your choice, complete the arrow ← to the RIGHT of the candidate's name. To vote for a person whose name does not appear on the ballot, write the person's name on the line provided and complete the arrow ←.

STRAIGHT PARTY	STATEWIDE	LEGISLATIVE & STATE
<p>If you desire to vote a straight party ticket for all state, congressional, legislative, and county offices, complete the arrow to the RIGHT of the party of your choice. A straight party vote cannot be cast for independent candidates. To vote for individual candidates of your choice, complete the arrow to the RIGHT of the name of the candidate. When voting for governor and lieutenant governor, you may vote only for the candidates on one ticket jointly or by writing in the names of persons on the lines provided and connecting the arrow.</p> <p>DEMOCRATIC ←</p> <p>REPUBLICAN ←</p> <p>LIBERTARIAN ←</p> <p>WISCONSIN GREEN ←</p> <p>CONSTITUTION</p> <p>STATEWIDE</p> <p>GOVERNOR & LIEUTENANT GOVERNOR Vote for One</p> <p>JIM DOYLE ← BARBARA C. LAWTON DEMOCRATIC</p> <p>MARK GREEN ← JEAN HUNDERTMARK REPUBLICAN</p> <p>NELSON EISMAN ← NELSON TODD WISCONSIN GREEN</p> <p>Write-in ←</p> <p>ATTORNEY GENERAL Vote for One</p> <p>KATHLEEN FALK ← DEMOCRATIC</p> <p>J.B. VAN HOLLEN ← REPUBLICAN</p> <p>Write-in ←</p> <p>SECRETARY OF STATE Vote for One</p> <p>DOUG La FOLLETTE ← DEMOCRATIC</p> <p>SANDY SULLIVAN ← REPUBLICAN</p> <p>MICHAEL LaFOREST ← WISCONSIN GREEN</p> <p>Write-in ←</p>	<p>STATEWIDE</p> <p>STATE TREASURER Vote for One</p> <p>DAWN MARIE SASS ← DEMOCRATIC</p> <p>JACK C. VOIGHT ← REPUBLICAN</p> <p>TIM PETERSON ← LIBERTARIAN</p> <p>WINSTON SEPHUS, JR. ← WISCONSIN GREEN</p> <p>Write-in ←</p> <p>CONGRESSIONAL</p> <p>UNITED STATES SENATOR Vote for One</p> <p>HERB KOHL ← DEMOCRATIC</p> <p>ROBERT GERALD LORGE ← REPUBLICAN</p> <p>RAE VOGELER ← WISCONSIN GREEN</p> <p>BEN J. GLATZEL ← Wisconsin Needs a Conservative Voice</p> <p>Write-in ←</p> <p>REPRESENTATIVE IN CONGRESS DISTRICT 2 Vote for One</p> <p>TAMMY BALDWIN ← DEMOCRATIC</p> <p>DAVE MAGNUM ← REPUBLICAN</p> <p>Write-in ←</p> <p>LEGISLATIVE & STATE</p> <p>STATE SENATOR DISTRICT 27 Vote for One</p> <p>JON ERPENBACH ← DEMOCRATIC</p> <p>Write-in ←</p> <p>REPRESENTATIVE TO THE ASSEMBLY DISTRICT 80 Vote for One</p> <p>JANIS RINGHAND ← DEMOCRATIC</p> <p>BRETT DAVIS ← REPUBLICAN</p> <p>Write-in ←</p>	<p>LEGISLATIVE & STATE</p> <p>DISTRICT ATTORNEY Vote for One</p> <p>BRIAN BLANCHARD ← DEMOCRATIC</p> <p>Write-in ←</p> <p>COUNTY</p> <p>COUNTY CLERK Vote for One</p> <p>BOB OHLSEN ← DEMOCRATIC</p> <p>Write-in ←</p> <p>TREASURER Vote for One</p> <p>DAVE GAWENDA ← DEMOCRATIC</p> <p>Write-in ←</p> <p>SHERIFF Vote for One</p> <p>DAVID J. MAHONEY ← DEMOCRATIC</p> <p>MIKE HANSON ← REPUBLICAN</p> <p>Write-in ←</p> <p>CORONER Vote for One</p> <p>JOHN E. STANLEY ← DEMOCRATIC</p> <p>Write-in ←</p> <p>CLERK OF CIRCUIT COURT Vote for One</p> <p>CARLO R. ESQUEDA ← DEMOCRATIC</p> <p>Write-in ←</p> <p>REGISTER OF DEEDS Vote for One</p> <p>KRISTI CHLEBOWSKI ← DEMOCRATIC</p> <p>PETER ELLESTAD ← Independent-Responsible Thoughtful Public Service</p> <p>Write-in ←</p>

TO CONTINUE VOTING, PLEASE TURN BALLOT OVER.

Party labels

Figure 12.4: Sample Australian ballot Paper for 2006 General Election with party labels from Dane County, Wisconsin (Source: Town of Oregon, Dane County. Public Notices (<http://www.town.oregon.wi.us/notices/2006-Nov-07/6718>))

Austin Ranney—at the time based at University of Wisconsin-Madison and deeply involved in Democratic Party politics⁷⁹²—argued in 1975 that regulation had secured the “conversion of the state and local parties from private associations to public agencies”.⁷⁹³ Indeed, regulation had created a statutory party organization, which formally nominated party candidates after voters had endorsed them in primaries, and filed other official party paperwork. The statutory parties, however, had very little role in Wisconsin. Instead, in both Wisconsin parties, unregulated private associations persisted alongside the statutory organizations. These unregulated private associations (or “voluntary parties”) were the real lifeblood of the parties’ activism, holding regular meetings, annual conventions and fundraising events and possessing a fully-developed executive structure.⁷⁹⁴ In the voluntary organization of the Wisconsin Democratic Party, the State Administrative Committee (SAC)⁷⁹⁵—with Gerrard as Chair—sat atop nine district organizations and 72 county organizations,⁷⁹⁶ each of which maintained a paid up membership (US\$4 annually) of party activists.⁷⁹⁷

⁷⁹² Ranney served on the McGovern-Fraser Commission, which the Democratic Party set up to investigate reform of convention delegate selection processes in the aftermath of the party’s 1968 Chicago convention.

⁷⁹³ Ranney, J. Austin. 1975. *Curing the Mischiefs of Faction: Party Reform in America*. Berkeley, CA: University of California Press: 79; see also Epstein, Leon. 1986. *Parties in the American Mold*. Madison, WI: University of Wisconsin Press: 5.

⁷⁹⁴ The *statutory* organizations were *created* by the direct primary legislation. As creatures of statute, laws dictated the number, powers and composition of statutory party committees. Formally, the statutory party organization nominated their party candidates (as chosen at primaries). Neither Chapter 10 nor Chapter 12 deals much with the statutory organizations of the Wisconsin parties, because they, in fact, did not do very much at all.

⁷⁹⁵ The equivalent in the Republican Party was the State Executive Committee: see Chapter 10.

⁷⁹⁶ The Wisconsin Democratic Party had a complicated and multi-layered organizational structure. The nine congressional district organizations each possessed an Executive Committee and Chairman, elected at district conventions. Similarly, each of the 72 county organizations had an Executive Committee and Chairman. There were also city and, in Wisconsin’s largest city, Milwaukee, ward organizations. Theobald, H. Rupert and Robbins, Patricia V. (eds). 1973. *The State of Wisconsin 1973 Blue Book*. Madison: Wisconsin Legislative Reference Bureau: 751.

⁷⁹⁷ Most commentators dismiss the existence or relevance of the paid up membership to American political parties, even though the Wisconsin Democratic Party viewed them as important, setting monthly quotas of new members for each county organization and rewarding county chairmen who exceeded their quotas with prizes at the annual convention: Wisconsin Democratic Party. 31 January 1973; Wisconsin Democratic Party State Convention. 16 June 1973. The members paid their dues to the county organizations: Theobald and Robbins. 1973: 751. The 18,400 members constituted about 1.6% of Wisconsin Democratic Presidential Primary voters and 2.3% of Democratic 1972 Presidential Election voters. These numbers are not dissimilar to party membership numbers elsewhere. For example, the Australian Liberal Party’s nation-wide membership in 1970 was 111,226 (down from 197,984 in 1950). Almost half of these (46%) were from one small state, South Australia, where the Liberal Party would split in 1973. Nevertheless,

The functions performed by the Wisconsin Democratic Party voluntary organization were broadly similar to parties in other countries: they mobilized activists, generated the party's platform, and, to a limited extent, raised funds, made decisions about spending and produced party propaganda.⁷⁹⁸ The single largest distinction from parties outside the US was the absence of a candidate-choosing function. What this meant was that the party organization lacked the leverage that the Canadian and Australian parties enjoyed. As intended by the Progressives—the Wisconsin direct primary laws had weakened party organizations by taking away the organization's strongest stick: (the threat of) de-nomination.⁷⁹⁹

It was not only legal regulation that reduced the leverage of the party organization. The rise of candidate-centered campaigning and the acquiescence of the Wisconsin Democratic Party voluntary organization to the rise of candidate-centered *fundraising* resulted, by the 1970s in the party organization having only a small role in financing its slate of party candidates. According to Chairman Gerrard, Democratic Party candidates in Wisconsin typically ran their own campaigns “with little or no involvement from the state party.”⁸⁰⁰ Indeed, the party believed the Wisconsin Secretary of State (SOS) had

the 111,226 members accounted for around 5% of Liberal Party voters at the 1972 Australian Federal Election: Hancock, Ian. 2000. *National and Permanent: the Federal Organization of the Liberal Party, 1944-1965*. Melbourne: Melbourne University Press: 233.

⁷⁹⁸ Theobald and Robbins. 1973: 750.

⁷⁹⁹ The party organizations were aware that nominations were a key source of authority and were actively thinking of ways to get back in the nomination game. Both the Wisconsin Democratic Party and the Republican Party organizations considered processes by which they could endorse and fund one candidate in each primary election (rather than remain neutral or passive in the primary process) and, thereby, save money and gain some influence. In 1973, activists at the Wisconsin Democratic Party State Convention voted down a proposal to amend their party constitution to allow delegates to the State Convention to choose a primary endorse candidate in each race to endorse *before* the primary. This candidate would have then received funds and support from the Democratic Party organization: *Democrats Reject Party Endorsement*. 16 June 1973. *Milwaukee Sentinel*: 17.

The Republican Party actually used an endorsement process at the time, with the State Chairman, David C. Sullivan, defending the practice by saying:

because of the shortage of campaign funds ... I would rather save the available funds for campaigns against the Democrats than see them spent on primaries between Republicans.

David C. Sullivan. June 1973. *Endorsement vs Primary*. In Wisconsin Republican Party. *Action*. Madison: Wisconsin Republican Party: 3.

⁸⁰⁰ M. William Gerrard to Kim J. Feier (Clearinghouse on Election Administration). 28 October 1974. In *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 9.

a better idea of how much candidates expended in their campaigns than did the party—and directed citizen enquiries to the SOS.⁸⁰¹ The decline of party-centered funding was not an inevitable consequence of candidate-centered campaigning: the state Republican Party still conducted a centralized party campaign and accrued a large central fund to dole out to candidates (Chapter 10).

The small role in funding ensured that even compared to the state Republican Party, the Wisconsin Democratic Party organization had little bankable influence over the law-making process. The party organization could not rely on influence via the authority of the party's platform or any influence from appearing before the occasional public committee hearing and expressing individual views. Instead, the party needed to actively *persuade* individuals within its party in public office, in the same way as any interest group lobbying for their agenda.

In addition to having little leverage, the Wisconsin Democratic Party had no private opportunity to argue its case to the party leadership: the party's constitution and practices did not set up any private forum in which the organization could make its case to the party leadership. The organizational wing of the Democratic Party of Wisconsin was extremely isolated from the party in public office. The SAC and other parts of the voluntary organization had no organizational means of *privately* presenting a case to the party leadership because there was no overlap in the membership of organizational boards and committee.⁸⁰² This separateness was unlike the Liberal Party of Australia, in which party executives and the party leadership sat on the same executive committees. Figure 12.5 highlights the isolation of the party organization. It

Folder 22. The Democratic Party state headquarters wrote: “[c]ampaigns are generally run by the candidate's own campaign committee rather than through the office of the State Party Headquarters”: Micki Nugent (Wisconsin Democratic Party Headquarters) to Linda Sheffield. November 19, 1973. In *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 9. Folder 22.

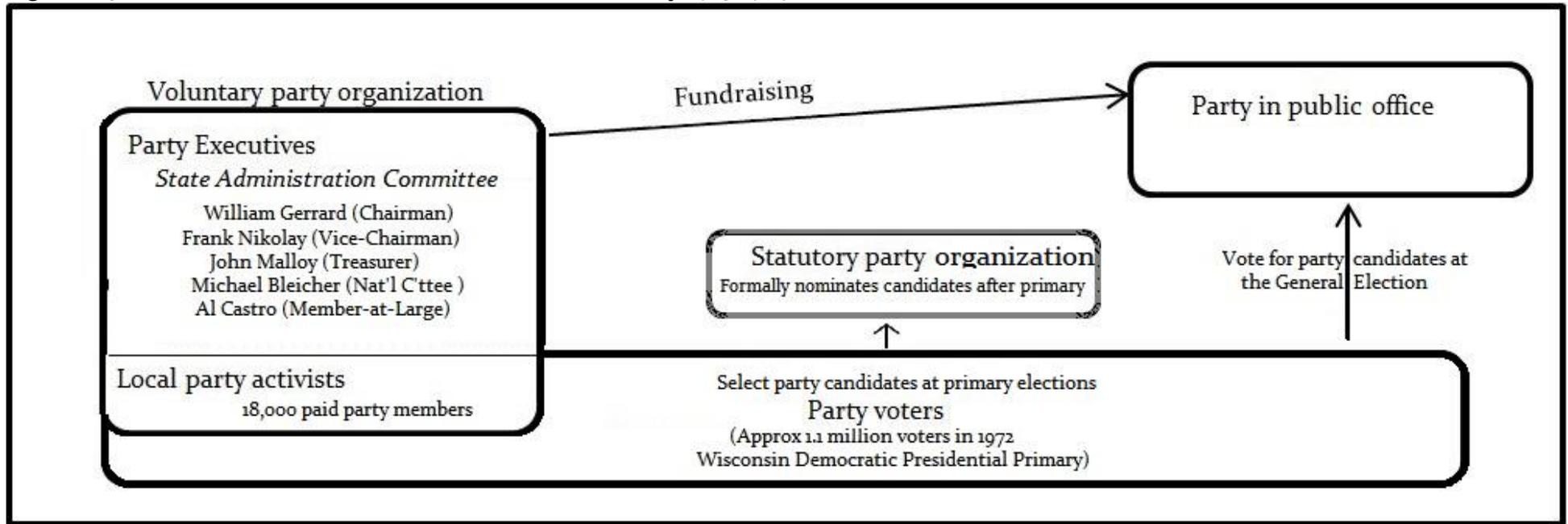
⁸⁰¹ Jackson S. Yarborough (Office Manager, Wisconsin Democratic Party) to Pat Jennings. 9 March 1972. In *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 9. Folder 22.

⁸⁰² There were approximately 27 members in the SAC: 11 executive officials elected at every second State Convention, including the Chairmen, 2 Vice-Chairmen and 7 at-large members. The three Democratic National Committeemen, the chairman of 9 district organizations and the Milwaukee County chair also sat on the SAC. Two members of the party in public office (though not from the party leadership) sat on the committee: Senator Dale T. McKenna and Assemblyman Raymond J. Tobiasz. They frequently were absent or excused from SAC meetings: see *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 1. Folder “Administrative Committee Minutes, 1950-1978”.

illustrates that the only connections between the voluntary organization and the party in public office was via party voters at primaries and elections and via fundraising. In this way, the party organization was in a position similar to any interest group that sought to influence policy through lobbying, mobilizing its members and contributing candidates' campaign funds.

Furthermore, even if the Wisconsin Democratic Party structure had provided such a forum, the party leadership—Norman C. Anderson, speaker of the Assembly, Anthony S. Earl, Assembly majority leader, and Fred A. Risser, minority leader in the Senate—did not control their party's legislators or the legislative process the way that the Liberal Party of Australia leadership did. The primary had not only weakened the party organization, but also the party leadership, who possessed no way to impose discipline (even if they had wanted to). Indeed, Anderson, Earl and Risser were, at best, minor players in the campaign finance reform process. Oestreicher, the Democrat who led the reform process, was a junior Assemblyman—elected only in 1970 and serving only two terms in total—who was answerable to his district, not the party leadership or party organization.

Figure 12.5: The Structure of the Wisconsin Democratic Party, 1973-1974



The separation of the organization from the diffuse and individualistic party in public office ensured that, to influence policy outcomes, the party organization needed to approach and persuade members of the party in public office individually—like an interest group. The Wisconsin Democratic Party organization did not engage in such an approach. Perhaps this is because the broad concerns of the Wisconsin Democratic Party organization and its membership put it at a disadvantage when compared to a narrowly focused interest group: only some issues—the most important, like tax reform or civil rights—could be pursued since each attempt at advocacy and influence consumed precious time and resources. The Wisconsin Democratic Party organization in this instance appeared content to be more a passenger or observer than a participant in the campaign finance reform process.

If the Wisconsin Democratic Party organization had sought to persuade individual members of the Democratic Party in public office, it would have had to compete with other organizations who were approaching individual legislators, such as Common Cause. Unlike Australia or Canada, where voluntary associations and interest groups were less active (in general and on the issue of campaign finance reform), in Wisconsin numerous non-party organizations interacted with legislators individually—and were listened to. In part, legislators listened to groups like Common Cause because they possessed potential to punish those legislators who ignored them than did the party organization: they could mobilize their small, but passionate, membership on the issue of campaign finance reform.

Common Cause alluded often to its potential electoral impact, reminding legislators of its more than 5000 passionate members, all of whom could be mobilized around campaign finance issues.⁸⁰³ In March 1974, Common Cause wrote to all state Senators explaining that they were planning “to make each legislator’s voting record on these [campaign finance reform] issues available to the Wisconsin electorate this fall.” The letter, from the President (Robert B. Ashmore) and Vice-President (Carlyle H. Whipple) of Wisconsin Common Cause, continued:

It is our most sincere hope that you will give the matter of Campaign Finance Reform your utmost consideration, and that your voting record on these matters will reflect

⁸⁰³ Carlyle H. Whipple to John C. Oestreicher and David Adamany. 22 April 1974. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

your positive response to the public's demand and it's [sic] right to meaningful Campaign Finance Reform.⁸⁰⁴

Other interest groups also had a similarly motivated membership and potential electoral impact. In one month, April 1974, the League of Women Voters acquired 20,000 signatures in Wisconsin on a petition for the passage of "meaningful campaign finance legislation".⁸⁰⁵ There was no equivalent to these public interest groups in Australia.

The Wisconsin Democratic Party organization could not meaningfully threaten adverse electoral consequences. Mobilizing the Democratic Party's membership against its incumbents (thereby assuring the Republicans of more successes), is a tough and strange feat in the first place. Additionally, the Party's membership, while larger, was organized around broader issues (like civil rights and economic policy) and so, for many of those members, public financing was not a particularly salient issue: for many Democrats, campaign finance reform was not an issue likely to change their vote or their decision about whether or not to turnout at an election. Furthermore, those Democrats who did care about campaign finance reform were likely already involved in Common Cause.

So, the Wisconsin Democratic Party organization could not rely on its platform and public statements, no matter how unequivocal, to translate into policy decisions of the party in public office. It was not guaranteed a private forum for convincing the party leadership because the party structure isolated the organization and, even if the party organization was so guaranteed, the party leadership did not control the party in public office. The party organization also had to compete with interest groups as they sought to influence individual legislators. The party organization did not do this on the issue of public financing of election expenses.

12.3 THE MOTIVATIONS OF PARTY LEGISLATORS

We now turn, for a moment, to the Democratic Party in public office and its motives for breaking from the party platform on public financing of election expenses.

⁸⁰⁴ Robert B. Ashmore and Carlyle H. Whipple to Wisconsin Senators. 26 March 1974. Comments on Senate Substitute Amendment 1 to 1973 Assembly Bill 1016. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415. Box 3.

⁸⁰⁵ Floss Whalen (President, League of Women Voters) to Wisconsin Senators. 7 May 1974. In *Fred A. Risser Papers*. Wisconsin Historical Society Archives. Mss319. Box 14. Folder 20 "Campaign financing".

Self-interest of Democratic Party legislators did play some role in the passing of a campaign finance law in Wisconsin in 1973-1974. The presence and mobilizing capacity of non-party interest groups helped convince legislators that campaign finance reform was an important reform to pass. Democratic state Senator Dale T. McKenna wrote to Governor Lucey explaining his views on the reform bills in April 1974:

I am ... aware of the impression the public has of its political system and those who serve in it, and of the kind of reform that public is demanding.

The public mood is such that a comprehensive campaign reform is one which no legislator can afford to oppose, regardless of his party affiliation.⁸⁰⁶

For McKenna, the mobilization of an unsatisfied Common Cause (and other interest groups) membership presented a plausible threat to his re-election in November 1974. In 1970 McKenna won his Senate district by only 7 percentage points (53.5% to 46.5%).⁸⁰⁷

However, self-interests in re-election were not the only reason a legislator listened to Common Cause: Tesmer, who worked and engaged with Common Cause, won her district with 69% of the vote in 1972.⁸⁰⁸ Similarly, Oestreicher won his Assembly district with 30% more votes than his Republican rival in 1972.⁸⁰⁹ Neither of these two members of the Assembly seriously feared their seats.

An irritated letter from Oestreicher to Ashmore and Whipple offers some insight into Oestreicher's complicated motives (as a member of the Democratic Party in a governance role) for generating close ties with Common Cause and omitting public financing in the reform bill. In October 1974, well after the campaign finance reform bill was passed, Oestreicher expressed his disappointment (and annoyance) with Common Cause's decision to include in their pre-election circular detailing legislators' records on campaign finance an Assembly roll call vote on Amendment 53. Amendment 53 was an amendment to introduce public financing to AB1016, which Democrats defeated.

⁸⁰⁶ Dale T. McKenna to Patrick J. Lucey. April 4 1974: 2-3.

⁸⁰⁷ Theobald and Robbins. 1973: 821.

⁸⁰⁸ Theobald and Robbins. 1973: 826.

⁸⁰⁹ Theobald and Robbins. 1973: 828.

Oestreicher's annoyance stemmed from the fact that he voted against the public financing amendment, despite believing that public financing was desirable. He did so in furtherance of a political strategy that attempted to take advantage of the public mood and get as much reform as possible quickly passed (a strategy endorsed by Wisconsin Common Cause at the time). Nonetheless, in Common Cause's circular, Oestreicher appeared to be opposed to public financing—along with the many other Democratic Assemblymen who followed Oestreicher's pragmatic strategy.

Oestreicher began his letter by acknowledging that he had “worked closely with” Common Cause and “relied upon [its] assistance in getting a campaign finance reform bill passed.”⁸¹⁰ Oestreicher then explained that “individual legislators sometimes sublimate their individual desire in order to permit an acceptable compromise to be arrived at.” Aggrieved, he explained:

I told both of you [Ashmore and Whipple] that I favored public financing of campaigns as early as March of 1973. At that time I also told you I did not believe it would be possible to pass a bill which included public financing during the 1973 legislative session. I discussed the matter not only with you, but with the Governor personally on at least two or three different occasions, with members of the Governor's staff, with the leadership of the Assembly Democratic Caucus, with the Assembly Republican Caucus, and with the leadership of the State Senate.⁸¹¹

Notably, the Democratic Party organization was not on the long list of Oestreicher's consultees, confirming its lack of influence and the conclusion that it was not a serious stakeholder for legislators.

Oestreicher explained that after all this consultation:

[I]t remained obvious to me that no bill containing a public finance provision could become law in Wisconsin during 1973-74. For that reason, I made the strategic decision to come up with a comprehensive bill without including public finance. I asked the responsible members of my caucus to support that position in spite of their individual desire for public finance to the contrary.⁸¹²

To pass legislation that he believed in, Oestreicher needed to make compromises and be strategic. The “responsible members” of the legislature were amenable to those compromises.

⁸¹⁰ John C. Oestreicher to Robert B. Ashmore and Carlyle H. Whipple. 18 October 1974. In *Common Cause in Wisconsin Records*. Wisconsin Historical Society. Mss 415, Box 3.

⁸¹¹ John C. Oestreicher to Robert B. Ashmore and Carlyle H. Whipple. 18 October 1974: 1.

⁸¹² John C. Oestreicher to Robert B. Ashmore and Carlyle H. Whipple. 18 October 1974: 1.

In understanding Oestreicher's motives, we should see that it was not the public mood (or self-interested electoral efficiency concerns) that led him to consider campaign finance reform so that, in his self-interest, he could be re-elected more readily. Rather, the public mood opened up a policy window amenable to campaign finance reform, upon which Oestreicher seized. In this light, motives of democratic values were important for explaining the reforms Oestreicher advanced. The light also helps explain why Oestreicher was so pragmatic about the reforms that could be passed—he was rationally seeking to take advantage of the public mood within the confines of a complex legislative process, rather than cynically trying to maximize electoral efficiency.

Oestreicher further elaborated on what he meant by “responsible members” in regards to his motion to reject Amendment 53, as follows.

[I]t was essential that the public finance provisions not be attached or we would not have sufficient votes to suspend the rules to move the bill over to the Senate. I asked the membership of my caucus to support my motion for rejection. Most of those persons who supported public finance had enough confidence in my leadership to support my motion to reject. A few individuals who had aspirations for higher office in liberal Democratic districts, or who felt so strongly about the question that they would rather have seen no bill at all than a bill which neglected to include public finance, refused to follow my lead.⁸¹³

The most irresponsible members, Oestreicher explained, were those who agreed with his strategy but, once they realized the amendment was doomed to fail, voted for it (and public financing) anyway. “By playing this game,” Oestreicher wrote, “they indicated they would put their own political careers or their own records above the passage of a meaningful campaign finance reform bill.”⁸¹⁴ Common Cause, in Oestreicher's opinion, was rewarding precisely the wrong end of the legislative spectrum by including the vote on Amendment 53 in its pre-election circular.

In these complaints, Oestreicher revealed a concern with proper leadership and appropriate behavior by politicians (social acceptance motives in our typology). In his role as Assembly Elections Committee Chairman, Oestreicher viewed himself as a politician who behaved morally and sought real, achievable policy outcomes, in contrast to those politicians who were self-serving and inappropriately focused on

⁸¹³ John C. Oestreicher to Robert B. Ashmore and Carlyle H. Whipple. 18 October 1974: 2.

⁸¹⁴ John C. Oestreicher to Robert B. Ashmore and Carlyle H. Whipple. 18 October 1974: 2.

electoral stakes. He was deeply annoyed that Common Cause failed to recognize the realities of pragmatic politics and its capacity for meaningful, if incremental, reform.

After venting his irritation, Oestreicher concluded:

I don't suppose any candidate is going to be defeated in his or her bid for office this forthcoming election because of your unfortunate inclusion of Amendment 53 in the Common Cause roll call.⁸¹⁵

Nevertheless he admonished Common Cause for contributing to a more self-interested body politic, in which legislators would be more concerned with image—and Common Cause support—than with producing meaningful legislation:

I do believe that when organizations such as Common Cause include this type of question in the roll call, they are encouraging those legislators who would rather advance their own political career than see a meaningful piece of legislation become enacted into law, to play their little game.⁸¹⁶

Indicating that Common Cause had failed as a proper advocate for the public interest he signed off as follows:

I have now had my say and I thank you for reading this little epistle. I bid you fond wishes during future legislative sessions.⁸¹⁷

There was no further correspondence between Oestreicher and Common Cause, and Oestreicher did not run for another term in the Assembly.

Self-interest played a role in how the Democratic Party in public office dealt with campaign finance reform in Wisconsin in 1973-1974. However, for Oestreicher, democratic values about how campaign finance law ought to be passed and social acceptance motives about the proper, *pragmatic*, role of legislators were more important in explaining his behavior in seeking a reform bill without public financing of elections.

While we can understand the campaign finance reform law passed in July as the product of Common Cause's initial endorsement of Oestreicher's pragmatic political strategy, the motives behind the reform package were largely a mix of democratic values and—thanks to Oestreicher—social acceptance.

12.4 A LAST DESPERATE ATTEMPT AT MATTERING?

⁸¹⁵ John C. Oestreicher to Robert B. Ashmore and Carlyle H. Whipple. 18 October 1974: 2.

⁸¹⁶ John C. Oestreicher to Robert B. Ashmore and Carlyle H. Whipple. 18 October 1974: 2.

⁸¹⁷ John C. Oestreicher to Robert B. Ashmore and Carlyle H. Whipple. 18 October 1974: 2.

The Democratic Party organization's behavior in the campaign finance reform debates, in not approaching individual legislators and, on the whole, being quite passive, seems to indicate that they were happy to be on the sidelines of the legislative game. However, other behaviors revealed a desire to get back in the influence game. Outside of the campaign finance reform process, the Wisconsin Democratic Party organization tried to claw back some influence with the party in public office in the early 1970s, using its only leverage—its role in (partially) financing its candidates' campaigns.

In February 1972, Michael Bleicher, Democratic National Committeeman and mathematics professor at University of Wisconsin-Madison, raised the issue of withholding party funds to candidates who had voted inconsistently with the party platform in the legislature.⁸¹⁸ (Presumably Oestreicher's vote on public financing would have fallen within the purview of this proposal.) The issue languished in the lead up to the 1972 Election, as all eyes turned to George McGovern's doomed campaign for president. After the defeat, in December 1972, Al Castro, a "widely known grass roots Milwaukee County" Democrat,⁸¹⁹ moved a motion that:

the Democratic Party of Wisconsin deny funds or aid to any elected Democratic State Senator or Representative who votes to change or not accept the State Platform.⁸²⁰

The motion, although strangely worded, proposed refusing to contribute funds to state legislators who, in the legislature, voted contrary to a plank in the party platform. The motion was "discussed at length" but not voted on; instead a committee was formed to "study this very thing".⁸²¹ In March 1973, Bleicher brought up the issue again. The resolution's language was moderated and a sub-committee set up with the brief to "investigate methods to make legislators more responsive to the voluntary Party Platform."⁸²²

⁸¹⁸ State Administrative Committee, Wisconsin Democratic Party. 26 February 1972. Minutes. In *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 1.

⁸¹⁹ Lamke, Kenneth R. 25 March 1976: 6.

⁸²⁰ State Administrative Committee, Wisconsin Democratic Party. 2 December 1972. Minutes. In *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 1.

⁸²¹ State Administrative Committee, Wisconsin Democratic Party. 2 December 1972.

⁸²² State Administrative Committee, Wisconsin Democratic Party. 17 March 1973. In *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 1: 2.

In pursuit of the sub-committee's agenda, Frank Nikolay, the chair, wrote to the Speaker of the Assembly, Norman C. Anderson, outlining the subcommittee's thoughts.⁸²³ Nikolay sought the input of Anderson and asked him to distribute the letter to other Assemblymen. Anderson promptly responded, outlining his "severe misgivings on making campaign assistance contingent on support of the Democratic Party Platform."⁸²⁴ Anderson included a two and a half page explanation why the subcommittee's mission was ill-advised, centering on three points.

Firstly, Anderson argued, there would be difficulty in figuring out the exact requirements of the party platform, since it was written in very broad language. Secondly, Anderson asserted, there would be difficulty in "scoring" legislators' loyalty. Thirdly, Anderson urged, that "a truly Democratic party recognizes and protects the rights of individual conscience" and so to attempt to bind legislators was inconsistent with the party's principles. In his response, Anderson reacted negatively to the power that party organization was attempting to seize over the interpretation of the party platform. He painted it as an undemocratic move.

In particular, Anderson questioned whether the SAC had thought through the logical consequences of the proposal:

It is the purpose of such a proposal to set standards for allotting funds to legislative campaigns on a basis that would put the least money in those statistically and politically difficult districts because the incumbent did not vote a straight partisan line and put the most money in the safe Democratic districts because the incumbent could afford the luxury of voting consistently with the party platform? Are we being consistent with our commitment to representative government to punish legislators for reflecting the views of the people whom they represent?⁸²⁵

Anderson was not at all comfortable with the suggestion of the party organization taking more control. Two competing ideas of democracy clashed: one in which parliamentary style parties represented the party view in the legislature and translated platform into legislative outcomes and another, candidate-centered view, in which legislators represented their districts and generated compromises.

⁸²³ Frank L. Nikolay to Norman C. Anderson. 21 February 1973. In *Norman C. Anderson Papers*. Wisconsin Historical Society. Mss 664. Box 7. Folder 24.

⁸²⁴ Norman C. Anderson to Frank L. Nikolay. 26 February 1973. Doc 9; In *Edward G. Jackamonis Papers*. Wisconsin Historical Society. Milwaukee Mss 98. Box 4. Folder 49.

⁸²⁵ Norman C. Anderson to Frank L. Nikolay. 26 February 1973.

In turn, Anderson forwarded Nikolay's letter to all Democratic legislators, with the explanation that:

Former Representative Frank Nikolay[,] now a member of the State Administrative Committee, sent me the enclosed letter dated February 21 reporting recent actions in the Administrative Committee on the question of attempting to influence legislators to be more responsive to the Democratic Party Platform.⁸²⁶

It seems Democratic legislators responded overwhelmingly negatively to this proposal and, at the April SAC meeting, the sub-committee disbanded. The SAC consoled themselves that "legislators are at least aware of the problem."⁸²⁷ The party organization was easily deterred and, as this experience demonstrated, weak and ineffectual compared to party in public office.

Funding was widely recognized as the last power the organization had over the party in public office. Clement J. Zablocki, Democratic member of the House of Representatives for the Wisconsin 4th District was discontent with the progressive tilt of Wisconsin's Democratic Party following the 1968 Chicago Convention. Representing a heavily Polish part of Milwaukee, and anti-communist in persuasion, Zablocki disagreed with Lucey and other members of the "New Democratic Coalition". In 1972, Zablocki wrote to Chairman Gerrard threatening to refuse party funds for his campaign over the direction the party was going⁸²⁸—and he did so as a way of expressing his desire to be independent of all shackles of the party in its current, progressive, form.

The organization's struggle for influence continued, but with little success. After significant effort, Bleicher was *allowed* to speak with the Democratic Caucus, on behalf of the organization, in June 1974. Bleicher wrote to Anderson thanking him for the opportunity, saying, "[w]hile it might be a bit strong to say I enjoyed speaking to the caucus last week, it is certainly true to say that I appreciated the opportunity." He wrote about "the need for better liaison between the two groups"—the organization and the

⁸²⁶ Norman C. Anderson to All Democratic Legislators. 26 February 1973. In *Edward G. Jackamonis Papers*. Wisconsin Historical Society. Milwaukee Mss 98. Box 4. Folder 49.

⁸²⁷ State Administrative Committee, Wisconsin Democratic Party. 14 April 1973. Minutes. In *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 1: 3.

⁸²⁸ Bloodworth, Jeffrey. 2013. *Losing the Center: The Decline of American Liberalism, 1966-1992*. Lexington, KY: University of Kentucky Press: 31. Citing Clement J. Zablocki to William Gerrard. 20 June 1972. From *Clement J. Zablocki Papers*. Marquette University Library Special Collections.

party in public office.⁸²⁹ Optimistically, soon thereafter the organization created the Legislative Responsibility Committee to encourage greater adherence to the party platform.⁸³⁰ It renamed the committee to the “Legislative Liaison Committee” as part of a broader attempt to be “less offensive” to the party in public office,⁸³¹ once again highlighting the weaker position of the organization.

Rather than threats about withholding funding, the committee sought to inform elected officials “both before the election and at the beginning of the legislative session” of the party organization’s positions and to “present the positions of the party” organization at public hearings of legislative committees.⁸³² In some senses, this was an attempt at creating something like the Federal Executive in the Liberal Party of Australia: a joint forum in which the party organization could impress its views upon the party in public office. However, it was less ambitious (with no sense that the committee would make decisions) and the party in public office were reluctant participants.

These attempts at influencing the party in public office would likely be unsuccessful in the face of disagreement by legislators and interest groups lobbying a contrary position. But these attempts were more in line with the party organization’s actual—highly limited—power and authority.

The party organization did want to influence the party in public office. However, it initially went about seeking influence in a highly adversarial way (Nikolay’s subcommittee) that came across as boorish and incognizant of the organization’s weak position. This effort was easily thwarted by the party in public office. The more conciliatory tone of later attempts at increasing the organization’s influence were less ambitious but appeared to acknowledge just how weak the party organization was in

⁸²⁹ Michael Bleicher to Norman C. Anderson. 21 June 1974. In *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 1.

⁸³⁰ Michael Bleicher to Members of the Legislative Liaison Committee. July 1974. In *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 1.

⁸³¹ Michael Bleicher to Members of the Legislative Liaison Committee. July 1974.

⁸³² Legislative Liason [sic] Committee Meeting (Wisconsin Democratic Party). 27 July 1974. *Recommendations*. In *Democratic Party of Wisconsin Records*. Wisconsin Historical Society. Mss 642. Box 1.

the face of the independent and self-funding party in public office. The struggle for relevance was being lost.

CONCLUSION

In 1973-1974, the Wisconsin legislative process proceeded with little regard for the policies and positions of the state Democratic Party organization. The Democrat-controlled Assembly omitted to include public financing of elections in its campaign finance reform package. This disregard was despite the united will of party activists—as embodied in party platform—and the party executives—as expressed in public—on the issue of public financing. The party organization proved to be a mere spectator to the legislature’s activities on a reform bill that would change the regulatory environment in which it operated and impact enormously on its fundraising practices and capacities.⁸³³

As shown in this chapter, the complete irrelevance of the Wisconsin Democratic Party organization was a natural consequence of the party organization failing to behave like an interest group in an institutional environment that required such behavior. The party, through legal regulation and the structure of the party, could never presume to be at the center of policy decisions. It had lost the privileges normally associated with party organization that come from the party organization’s control over party nominations (and re-nomination) and membership; nor did it possess a reliable private forum at which to urge its views to a strong party leadership (since neither such a forum nor a strong party leadership existed). Its weak position was exacerbated by the party organization’s acquiescence to and inability to compete with the increasing funding capabilities and responsibilities of individual Democratic Party candidates and their campaign organizations.

As a consequence, the Wisconsin Democratic Party organization found itself competing with the highly mobilized and persistent Common Cause in its courtship of individual legislators in order to be heard. In this instance, the Wisconsin Democratic Party organization did not compete well. It was not as energized as Common Cause, possibly because, unlike the Liberal Party of Australia, the party organization was not motivated by its interests in the reform. Instead, the party organization’s position was

⁸³³ Indeed, the reform bill went so far as to *abolish* the existing statutory parties—including the statutory party organization of the Wisconsin Democratic Party—in favor of legally recognizing the hitherto unregulated voluntary organization. Still, the party remained on the side-lines.

based on democratic values and was a reaction to Watergate (perhaps motivated by civic duty). The party's interests in public financing were unclear, and—in any case—the party organization never made any attempt at figuring out those interests.

In the absence of a genuine belief that the organization was under threat from the reform—and there is no evidence that the Wisconsin Democratic Party ever believed campaign finance reform was intended as an attack on its interests—the issue, perhaps, lacked the salience necessary for the party to launch into a campaign to influence legislators, which would have required much time and money.

The motives of the Wisconsin Democratic Party in public office, as they ignored the party organization's position, were not solely, or even largely, self-interested. Certainly, self-interest—if McKenna's words and Oestreicher's reflections are accurate—motivated some elected representatives. Yet, at least for Oestreicher—the partisan in a governance role leading the process—motivations about democratic values and social acceptance were far more important than winning re-election. In particular, Oestreicher was guided in his actions by a particular conception of politicians, as responsible, pragmatic and compromise-seeking (rather than self-interested or submissive to party).

Although the party organization did not put much effort into making the party in public office listen to its policy on public financing of elections, outside of the legislative process, Wisconsin Democratic Party executives sought means by which to encourage or force the party in public office to listen to the party organization. The organization knew it was weak, despite a growing, active and youthful membership. It tried desperately and ineffectually to augment its position against the legislative party. After its inelegant attempts at coercing the party in public office to adhere to the platform failed, by 1974 the organization merely wanted a private forum in which to express its platform—it was not seeking much, but it had no leverage. It is unclear whether these later, and more civil, efforts had any impact. To the party in public office, the party organization trying to impose the party's platform was nothing more than a slight inconvenience.

Next, Chapter 13 considers the plight of another weak organization, the Progressive Conservative Party, in its bid to resist the disclosure of donations—an innovation that the party believed threatened its basic operations.

CHAPTER 13

LETTING THE SUNLIGHT IN: LEADING THE PROGRESSIVE CONSERVATIVE PARTY OF CANADA TO REJECT SECRECY



Flora MacDonald
Figure 13.1: Flora MacDonald. 1976.⁸³⁴

The mystery and mythology which for so long have shrouded the collection and disbursement of political funds have succeeded in generating suspicion among the electorate. As a consequence, the image of Canadian political parties has suffered, their motives called into question, their activities suspect. Insistence on the privacy of the political party purse is equated with “something to hide.” By its lack of candor, the whole exercise has invited harassment, distortion and abuse.⁸³⁵

— Flora MacDonald. 1969. Electoral and Party Reform. Paper presented to Progressive Conservative Party’s “Priorities for Canada Conference”

Flora MacDonald was really pushing the bounds when she argued, in 1969 at the Progressive Conservative Party’s national “Priorities for Canada” policy conference, for donation disclosure as the remedy to public suspicion and doubt created by continuing secrecy over the sources of political money. The Canadian Conservatives had, up to this time, been the most ardent defender of secrecy in Canadian politics. MacDonald was hardly a naïve party activist blithely spouting idealism: she had been the Executive

⁸³⁴ Creighton, Judy. 15 January 1976. Leadership Race: Women Outside Party ‘Highly Pro-Flora’. *Ottawa Citizen*: 57.

⁸³⁵ MacDonald, Flora. 1969. Electoral and Party Reform. Paper prepared for the Priorities for Canada Conference. Niagara Falls. October 9-13, 1969: 3. In *Priorities for Canada Conference*. Progressive Conservative Party of Canada, ed. (Queens University Document Collection).

Director of the national party, until former Prime Minister (and then Opposition Leader) John Diefenbaker sacked her over suspected involvement in a leadership coup.⁸³⁶

Rather than some crackpot extremism, MacDonald's arguments mirrored a broader cultural change in Canada over the late 1960s and early 1970s. It was a change in which the old patronage-based politics of the past appeared progressively more corrupt and the secrecy and limited participation that came with that politics looked increasingly outdated and undemocratic. Party elites and party activists, at differing times, appreciated these changes. Both the old parties—the Progressive Conservatives and the Liberal Party—reformed their internal organization and their policy positions to reflect the changing culture.

Campaign finance reform, and especially the full disclosure of political donors and donations, was caught up in these changes, though in different and distinct ways in each party. In the Progressive Conservative Party, the party leader and Official Opposition Leader, Robert Stanfield, motivated by democratic values and the party-interest in electoral efficiency, endorsed full disclosure of donations as the major part of a program to “cleanse our electoral system of suspicion, excesses and abuses.”⁸³⁷ He pulled a reluctant but compliant party elite and an even less convinced party membership with him.

The Progressive Conservative Party in Canada was much like the Liberal Party of Australia, in that it was leader-centric and strictly disciplined. To affect policy, party executives needed to influence the leader (rather than influence individual elected representatives, as was the task of the Democratic Party of Wisconsin in Chapter 12). However, unlike the Liberal Party in Australia, the structure of the Progressive Conservative Party provided no formal forum for party executives to argue their case to

⁸³⁶ MacDonald was instrumental in helping Robert Stanfield become Premier of Nova Scotia in 1956, with the Conservatives winning their first election for 23 years. She moved up through the ranks of the Progressive Conservative Party, becoming Executive Director in 1957. She also worked as secretary for Prime Minister Diefenbaker's office starting in 1959. After her sacking from both positions in 1966, she went to university and would return to politics as the member for Kingston in 1972 (where she remained until 1988). McDonnell, James K and Robert B. Campbell. 1997. *Lords of the North*. Burnstown, Ontario: General Store Publishing House: 271-272.

⁸³⁷ Stanfield, Robert L. 10 June 1973. Notes for Remarks. In *Policy Advisory Committee to Robert Lorne Stanfield fonds*. Trent University Archives. 86-029-26-9 Box 26. Folder 9: 3.

the party leader. Furthermore, culturally, deference to the leader was appropriate. And so, while Progressive Conservative Party executives were as certain as were Australian Liberal Party executives that disclosure was against their interests, they quietly complied with the new party policy.

In the Canadian Liberal Party, reform ideas suffused the party membership. This party membership was briefly empowered in a short-lived experiment with intraparty participatory democracy and grass-roots policy-making, after Pierre Trudeau became party leader (and Prime Minister). This brief experiment coincided with the Chappell Committee's hearings late in 1970. Party activists had expressed their views on campaign finance, including the preference for full disclosure of donations; party officials cautiously repeated those views before the Chappell Committee and, eventually, the party leader endorsed them, leading to the introduction (and passage) of the *Election Expenses Bill 1973*.

While, in response to a broader cultural change, both political parties arrived at the same point (endorsing full disclosure), they took different paths there. One was an elite-led decision to support disclosure irrespective of party-interests; the other was a bottom-up process where an unrelated desire held by the party elites (to include members) forced (or nudged) the hand of the elites. And so, both old parties had made an unexpected move on full disclosure—to support it—by mid-1973. So unexpected was their move that the full disclosure provisions contained in the *Election Expenses Bill 1973* have been understood as a concession, made only by the Liberal Party, to the insurgent NDP in return for confidence of the Liberal Party government (Chapter 4.2). But a serious examination of the internal dynamics of the two older parties shows that realpolitik and the NDP played much lesser roles than hitherto believed.

Chapters 13 and 14 explore the path toward full-disclosure of the sources and amount of each donation over CAN\$100 made to political parties in Canada in the 1960s and 1970s. Chapter 13 centers on examining the cultural change progressing in Canada during this time, in which the narrow patronage base of Canadian political parties gradually came to look undemocratic and the parties' fixation on secrecy concerning their financial supporters began to imply impropriety. In particular, the chapter chronicles the top-down process by which the Progressive Conservative Party adopted a policy of full disclosure, to which party executives and party activists were opposed. It discusses the Party's leader-centric structure, in which there was no formal forum in

which party executives could seek to influence the leadership's policy decisions in private. When combined with a culture of deference, the party organization behaved as if it has no option but to quietly comply with this detrimental, controversial and impromptu policy decision of the leader.

Chapter 14 turns to the bottom-up process in the Liberal Party, showing that—at times—party activists can influence their party leader to adopt and defend a policy that elites believe to be against their party's interests, at least where party elites both genuinely believe in member participation and experience or expect adverse consequences if they ignore party activists. Taken together, the Progressive Conservative Party case and the Liberal Party of Canada case show that underlying cultural change may enliven the process of reform in diverse ways.

13.1 CULTURAL CHANGE IN CANADA

I would firstly say that this [election expenses] has long been a point of some concern to me, not because it has been abused – quite frankly I think that blatant political patronage in Ontario and in Canada has been discredited and has become less prevalent, certainly less acceptable, than was the case even a generation ago.⁸³⁸

—William Davis to Ian L. Mitchell. 10 February 1975.

In replying to a constituent concerned with campaign finance reform, Ontario Premier William Davis, from the Progressive Conservative Party, touched upon a cultural change in mid-century Canada: the “discrediting” of the elite, patronage-based party system.⁸³⁹

At the beginning of the 1960s, both the Liberal Party of Canada and the Progressive Conservative Party were still essentially cadre parties with fragile extra-parliamentary and voluntary organizations relying on patronage to reward their supporters, with appointments, *inter alia*, to the bench, tribunals or governmental commissions and

⁸³⁸ William Davis to Ian L. Mitchell. 10 February 1975. In *Progressive Conservative Party (Ontario) Records*. Ontario Archives. F 2134-4. Box B245844. Folder “PO 1-1 Campaign Funds '75 Election Matters”.

⁸³⁹ Noel, S. J. R. 1992. From Parties to Symbols and Entourages: The Changing Use of Political Patronage in Canada. In *Democracy with Justice: Essays in Honour of Khayyam Zev Paltiel*. Alain Gagnon and Brian Tanguay, eds. Don Mills, Ontario: Carleton University Press: 197-207.

boards.⁸⁴⁰ The distinctive role of patronage in Canadian political culture is a well-established theme.⁸⁴¹ The parties were centered on their legislative leader, whose predispositions and policy preferences determined the direction of the party.⁸⁴² Party funding was intensely concentrated: the Canadian Liberal Party relied on 300 or 400 large donations from Ontarian and Québécois corporations for 90% of its income;⁸⁴³ the situation was not much different in the Progressive Conservative Party.⁸⁴⁴ A few well-connected fundraisers, often Toronto-based barristers, controlled campaign funding.⁸⁴⁵ They approached large companies for funds. Companies often hedged their bets, giving to both parties, in the hope to gain advantage in contract awarding and the ear of whichever party won government.

Increasingly, participatory ideas filtered through Canadian society, and the non-participatory nature of parties and concentration of their funding became a concern. The term “bagman”, so long used to describe party fundraisers going about what was regarded as their legitimate business, pejorated to conjure up illicitness and corruption in dealings with money.⁸⁴⁶ The line between acceptable patronage and corruption was being drawn differently from the past. Early on (August 1962) in the Quiet Revolution in Québec,⁸⁴⁷ the Salvas Commission revealed the patronage practices of Maurice

⁸⁴⁰ Paltiel, Khayyam Z. 1970. Contrasts among the Several Canadian Political Finance Cultures. In *Comparative Political Finance: The Financing of Party Organizations and Election Campaigns*. Arnold J. Heidenheimer, ed. Lexington, MA: D.C. Heath: 113.

⁸⁴¹ See: Noel, S. J. R. 1991. Dividing the Spoils: The Old and New Rules of Patronage in Canadian Politics. In *Party Politics in Canada*. Hugh G. Thorburn, ed. 6th ed. Scarborough, Canada: Prentice Hall: 94-112.

⁸⁴² Perlin, George C. 1980. *The Tory Syndrome: Leadership Politics in the Progressive Conservative Party*. Montreal: McGill-Queen's University Press.

⁸⁴³ Paltiel, Khayyam Z. & Jean Brown Van Loon. 1966. Financing the Liberal Party 1867 – 1965. In *Studies in Canadian Party Finance*. Canada, Committee on Election Expenses, ed. Ottawa: Queens Printer: 169 – 192.

⁸⁴⁴ Stanbury, William T. 1991. *Money in Politics: Financing Federal Parties and Candidates in Canada*. Toronto: Dundurn Press: 213.

⁸⁴⁵ Wearing, Joseph. 1975. Ontario Political Parties: Fish or Fowl? In *Government and Politics of Ontario*. Donald C MacDonal, ed. Toronto: Macmillan of Canada. 318.

⁸⁴⁶ John Godfrey to Khayyam Z. Paltiel. 13 September 1973. In *Khayyam Z Paltiel Papers*. Library and Archives Canada. MG 30 E519. Box 20. Folder “Correspondence with Political Parties and Others, Research materials 1972-1973”: 1-2.

⁸⁴⁷ A term used to describe the changes occurring in the 1960s in Québec, during which the Catholic Church became less powerful as society secularized, the economy modernized and

Duplessis' Union Nationale government, which were largely interpreted as corrupt and of national concern.⁸⁴⁸ Provincial campaign finance reform legislation passed the Liberal Party-controlled Québec National Assembly soon thereafter.

Just two years later, in Anglophone Canada, came the scandalous Rivard Affair, involving fantastical behavior of Liberal Party associates, who attempted to bribe the US government's lawyer seeking extradition of Montreal underworld figure, Lucien Rivard, on drug trafficking charges.⁸⁴⁹ While the Rivard Affair did not actually involve donations to a party's campaign fund, the role of political money became central to the Affair. Revelations from the Royal Commission, created in 1965 to investigate the dealings of members of the Liberal Party (amongst others) in regard to Rivard, painted the politicians involved and their patronage practices in a negative light.⁸⁵⁰

As the 1960s progressed, the use of political patronage was increasingly accompanied by an "incessant swirl of scandal, dissention and public uproar."⁸⁵¹ By the 1970s, government contracting was often the source of scrutiny and scandal. In 1972, the

politics was transformed. See: Thompson, Dale C. 1984. *Jean Lesage and the Quiet Revolution*. Toronto: Macmillan of Canada.

⁸⁴⁸ For example, the *Toronto Telegram* in the mid-1950s claimed that in the past corruption allegations in Québec were often presumed to be exaggerated and, in any case, it was considered to be Québec's business how it conducted its affairs. But in the late 1950s claims like those made by a group of priests that "the buying of votes, corruption of the electoral law, threats, false oaths, substitution of persons and bribery have become normal election-time practices" were gaining credibility and concerning people outside of Québec. Quebec's Political Morals. 8 August 1956. *Toronto Telegram*.

⁸⁴⁹ Newman, Peter. C. 27 April 2005. We've Seen This Before: Forty Years Ago, Scandal Shook another Liberal Minority Government. *Maclean's Magazine*; Kent, Tom. 1988. *A Public Purpose: An Experience of Liberal Opposition and Canadian Government*. Montreal: McGill Queens University Press: 324; Neilsen, Erik. 1989. *The House in Not a Home*. Toronto: Macmillan Canada: Chapter 10.

⁸⁵⁰ According to Raymond R. Corrado and Garth Davies, the Commission revealed:

an image of greedy political officials willing to accept money from even notorious underworld figures in order to further political ambitions. The illicit attempts to influence Rivard's bail proceedings revealed the indebtedness of even senior politicians to their sources of funding.

Corrado, Raymond. R. & Davies, Garth. 2000. Controlling State Crime in Canada. In *Varieties of State Crime and its Control*. Jeffrey Ian Ross, ed. Monsey, NY: Criminal Justice Press: 63.

⁸⁵¹ Noel, S. J. R. 1991. Dividing the Spoils: The Old and New Rules of Patronage in Canadian Politics. In *Party Politics in Canada*. Hugh G. Thorburn, ed. 6th ed. Scarborough, Canada: Prentice Hall: 104; MacDonald, Donald C. 1991. Election Finances Legislation in Canada. " In *Party Politics in Canada*. Hugh G. Thorburn, ed. 6th ed. Scarborough, Canada: Prentice Hall: 68-79; Paltiel, Khayyam Z. 1985. The Control of Campaign Finance in Canada. In *Party Politics in Canada*. Hugh G. Thorburn, ed. 5th ed. Scarborough, Canada: Prentice Hall: 115-127.

Ontario Progressive Conservative Party Cabinet approved a lucrative contract between Fidinam Ontario Ltd, a property development company, and the government to build government offices. In November 1972, the *Globe and Mail* reported that, less than a month after the contract was approved, Fidinam donated CAN\$50,000 to the Ontario Progressive Conservative Party.⁸⁵² A major scandal ensued—with allegations of unacceptable quid pro quo in government contracting—for behavior that, in the past, would have been regarded as standard government operating procedure.

Additionally, the NDP, a more participatory and membership-based party, was on the rise in Canada. The NDP did not rely on corporate donors for its funds, but rather on membership fees and affiliation fees from unions (see 8.1).⁸⁵³ The NDP also had a broad membership with a defined and elevated role in the party. The NDP's more democratic structure undoubtedly put some pressure on the older parties to likewise look to the people for funding and legitimacy.

The Barbeau Committee (see 8.1) was influenced by the cultural changes of the 1960s. In addition to advancing the process of reform by researching and refining the mechanisms of campaign finance reform (drawing on Québécois, American and European experiences), the committee—made up of experienced, senior, partisans—identified two additional goals of the campaign finance reform agenda. In addition to cutting costs, campaign finance reform ought, they argued, to aim (1) to broaden the narrow base of Canadian politics and (2) to increase public confidence in the political system, by removing the secrecy that shrouded political financing.⁸⁵⁴

⁸⁵² Manthorpe, John. 3 November 1972. Sargent Seeks to Stop Fidinam's Deal with WCB. *Globe and Mail*: 5.

⁸⁵³ In 1964, the Ontario branch of the NDP aimed to source CAN\$45,000 from individual members; CAN\$50,000 from “sustaining members” (who can be thought of as donors); and CAN\$40,000 from affiliated members (union members): Ontario New Democratic Party. 1964. *Three Levels: The Ontario New Democratic Party — Financial Story* (brochure). In *New Democratic Party of Canada Records*. Library and Archives Canada. MG28-IV1. Box 457. Folder “Provincial Office — 1955- 1965 — Correspondence”. See Chapter 8.1 for more information on the funding of the NDP.

⁸⁵⁴ Canada, Committee on Election Expenses. October 1966. *Report of the Committee on Election Expenses*. Ottawa: R. Duhamel, Queen's Printer. The Barbeau Committee, made up four elite party officials chosen by Prime Minister Pearson in consultation with the party organizations (plus one academic), reflected the experiences, viewpoints and knowledge of the political parties. See Chapter 8.

One of these goals—broadening the base—had a remedy that whetted the appetites of the older parties (tax concessions for donors); the other goal—increasing public confidence—had a legal remedy that was difficult to swallow (full disclosure of donations).

By “broadening the base” what the committee meant was increasing the number of members of the parties as well as increasing the number of (potential) party donors.⁸⁵⁵ They wanted parties to get away from their old elite and implicitly corrupt ways.⁸⁵⁶ The reform proposed by the Barbeau Committee to help facilitate a broader base was tax deductions and tax credits for political donors.⁸⁵⁷ Both the Liberal and Progressive Conservative parties acknowledged, in the 1960s, that the narrow base of politics was a problem. They avidly endorsed the Barbeau Committee’s proposed remedy. The Canadian Liberal Party, from at least 1965, whole-heartedly adopted “broadening the base of financial contributions” as a goal of reform.⁸⁵⁸ In line with this goal, Gordon Dryden, the national Treasurer of the Liberal Party (and a member of Barbeau Committee), spoke at the Chappell Committee hearings in early 1971 about tax credits and deductions, saying they were:

⁸⁵⁵ Canada, Committee on Election Expenses. October 1966: 45.

⁸⁵⁶ In the context of the Liberal Party, these old ways were colorfully described by Christina McCall-Newman:

the old King-St Laurent male club reeking of whisky and cigar smoke, with its hints of electoral skulduggery [sic], campaign funds allotted by party bosses, parachuted candidates, big donations from big business, and power cabinet ministers lauding over their regions, with a party membership held together by patronage and ancestral memories.

McCall-Newman, Christina. 1982. *Grits: An Intimate Portrait of the Liberal Party*. Extracted as McCall-Newman, Christina. 1985. Power in Trudeau’s Liberal Party. In *Party Politics in Canada*. Hugh G. Thorburn, ed. 5th ed. Scarborough, Canada: Prentice Hall: 157-8.

An example of the old patronage ways comes from Louis St Laurent, a wealthy Québec corporate lawyer. St Laurent had no political background or interest in the Liberal Party until he was appointed to Minister for Justice by Liberal Party Prime Minister Mackenzie King. At the next election (1942), St Laurent was “parachuted” into a safe riding. He became Prime Minister just 6 years later (1948).

⁸⁵⁷ Canada, Committee on Election Expenses. October 1966: 45.

⁸⁵⁸ Wearing, Joseph. 1981. *The L-Shaped Party: The Liberal Party of Canada, 1958-1980*. Toronto: McGraw-Hill Ryerson: 183; Clarkson, Stephen. 1979. Democracy in the Liberal Party. In Hugh G. Thorburn. *Party Politics in Canada*. 4th ed. Scarborough, Canada: Prentice Hall: 155; Jeffrey, Brooke. 2010. *Divided Loyalties: The Liberal Party of Canada, 1984-2008*. Toronto: University of Toronto Press: 70.

of vital importance, and we have to find alternate [sic] sources of funds and we have to find them in a democratic way by broadening the base, getting more money from more people, and we will only do that with such tax relief.⁸⁵⁹

Pierre Trudeau, who ascended to the Liberal Party leadership in 1968, was also committed to broadening the base—by which he meant increasing the number of participants in the party and the quality of their participation, as well as the number of potential donors.⁸⁶⁰

The Canadian Conservatives endorsed Dryden's conceptualization of broadening the base, arguing in 1970 that the *primary* function of campaign finance reform should be to encourage more people to donate money to parties.⁸⁶¹ The Conservatives (like the Liberals), thus advocated using state intervention—in the form of tax credits and deductions—to encourage people (and *corporations*) to choose to donate to political parties, in addition to internal party reform.⁸⁶²

⁸⁵⁹ Canada. 14 January 1971. *Minutes of Proceedings and Evidence of the Special Committee on Election Expenses: 8:8* (Gordon Dryden).

⁸⁶⁰ Jeffrey. 2010: 70. Trudeau reflected on the changes in the Liberal Party in 1972 in response to a question from a CBC TV journalist about whether much had changed in regards to the financing of campaigns. Trudeau agreed that legislative progress was minimal saying: "You're right, not very much has changed." However, Trudeau continued:

Something has changed as far as our party is concerned, we are financing it more by rank and file. We have more small contributors, we have the red carnation fund which is trying to get more people.

Trudeau, Pierre. 9 January 1972. Part C: Statements by the Prime Minister of Election Expenses. Transcript of Prime Minister's Interview with Peter Desbarats for the Program "Weekend" 10:00PM Sunday, January 9, 1972. In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 618. Folder 15 "Election Expenses – Brief to the Special Committee of the House of Commons, Correspondence": 1.

⁸⁶¹ Nurgitz, Nathan (National Conservative Association President) and Terrance P. O'Connor. (Chairman, Progressive Conservative Association's Committee on Election Expenses). 9 November 1970. Submission of the Progressive Conservative Association of Canada to the Special Committee of the House of Commons on Election Expenses. In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 618. Folder 15 "Election Expenses – Brief to the Special Committee of the House of Commons, Correspondence": 5.

⁸⁶² Nurgitz and O'Connor. 9 November 1970: 5, 7-8.

Indeed, some in the Liberal Party wanted even more generous tax deduction provisions. In 1967, Liberal Party President John Nichol wished for tax deduction provisions to be broadened to apply to donations up to CAN\$1000, rather than the Barbeau proposal of CAN\$300. Nichol commented to his party:

Why is it that a donation of \$1000 to the Society for Prevention of Cruelty to Animals is fully tax deductible but a donation of \$1000 to a political party would not be? If we really believe that politics is an honourable and important endeavour, then we should not place a restriction of \$300 on donations.

The emphasis on “broadening the base” was part aspirational and part party-interested. No doubt party elites were, like the broader population in Canada, influenced by the increasingly common ethic of participatory democracy in the Western world. In more interested terms, party elites likely desired new members, both as a source of money and volunteer labor come election time,⁸⁶³ as well as a source of legitimacy in the face of the more mass-based and participatory NDP.⁸⁶⁴

Donation tax deductibility became an established and uncontroversial legislative goal from the Barbeau Committee report in 1966 onwards. Yet, the implications of Canada’s ongoing cultural change extended beyond broadening the base of parties. The second additional goal of reform identified by the Barbeau Committee was strengthening “public confidence” in political financing.⁸⁶⁵ This goal was to be achieved by reducing the secrecy that had routinely accompanied party fundraising, and party politics more broadly, in Canada.

The Barbeau Committee was conflicted about *full disclosure of donations* as the most logical remedy to low public confidence. On the one hand, the committee thought, “the arguments in favour of disclosure generally appeared convincing”⁸⁶⁶: disclosure would educate the public, have a cleansing effect, “reduce the mystery surrounding political influence, and perhaps elevate the image of political parties and politicians.”⁸⁶⁷ On the other hand, the Barbeau Committee was convinced that disclosure of donors’ identities would lead to party funds “[d]rying up”, since donors would be embarrassed or intimidated because of their donation, and so parties would be forced into being corrupt and into evading the disclosure laws.⁸⁶⁸ For these reasons, the committee

Nichol, John. 14 March 1967. Comments on the Report of the Committee on Election Expenses. In *J.W. Pickersgill Papers*. Library and Archives Canada. MG32 E519. Box 255. Folder “Chief Electoral Officer, Election Expenses 1964-1967”: 9.

⁸⁶³ Stanbury, William T. 1991. *Money in Politics: Financing Federal Parties and Candidates in Canada*. Toronto: Dundurn Press: 10.

⁸⁶⁴ Whitaker, Reginald. 1982. The Liberal Party and the Canadian State. *Acadiensis* 12(1): 151.

⁸⁶⁵ Canada. Committee on Election Expenses. October 1966: 37.

⁸⁶⁶ Canada. Committee on Election Expenses. October 1966: 53.

⁸⁶⁷ Canada. Committee on Election Expenses. October 1966: 53 -54.

⁸⁶⁸ Canada. Committee on Election Expenses. October 1966: 53-54. For a contemporaneous criticism of the Barbeau Committee’s recommendations see: Rose, Richard. 1968. Review of the

recommend against disclosure of donor identity and amounts. It recommended disclosure of only the only total amounts received by parties, divided according to donor type (individuals, corporations or trade unions).⁸⁶⁹

In the years after the Barbeau Committee, the two older parties gradually became more and more convinced that secrecy around political party funding was a serious problem, rather than a necessity for their survival. They feared secrecy might cause citizens to disengage from politics (thereby undermining their attempts at broadening the base). Secrecy increasingly became an electoral liability; not only that, it implied impropriety when partisans viewed their endeavors as reputable and a public service. The older party organizations had, indeed, undergone an impressive transformation in their thinking on secrecy in campaign fundraising. So when the *Election Expenses Bill 1973* was introduced into the House of Commons in 1973, Allan MacEachen, the Government House Leader (Liberal Party), stated its aim was to “remove the ‘veil of secrecy’ from the financial affairs of political parties.”⁸⁷⁰ Similarly, Robert Stanfield came out in favor of the reform package and urged a less secretive system because “[s]uspicion and concern abound in the public mind”.⁸⁷¹ Whereas secrecy had been of value in Canadian politics, it was now a problem.

Report of the Committee on Election Expenses. *Canadian Journal of Political Science*. 1(2): 222-223.

⁸⁶⁹ Canada. Committee on Election Expenses. October 1966: 54-55.

⁸⁷⁰ Allan MacEachen. 21 June 1973. Press Release from the President of the Privy Council. In *Liberal Party of Ontario Records*. Queens University Archives. 1002B. Box 50, Folder 1905.

⁸⁷¹ Stanfield, Robert L. 10 June 1973. Notes for Remarks. In *Policy Advisory Committee to Robert Lorne Stanfield fonds*. Trent University Archives. 86-029-26-9 Box 26. Folder 9: 1.

The identification of secrecy as a problem was a separate, and much easier, matter than accepting the most obvious solution to the secrecy problem: full disclosure of the name of each campaign donor and the amount they donated. When secrecy developed negative connotations, there was a great deal of tumult and conflict within in the older parties as they, initially, tried to avoid coming to the logical conclusion of supporting full disclosure. For all of their history, the Liberal and Conservative parties had gone to inordinate efforts to keep their donations and spending secret. The older parties' finances and the names of those few hundred companies and businessmen who donated the vast majority of their funds were closely guarded. Indeed, the work of the Barbeau Commission, and the work of other investigative committees and commissions,⁸⁷² was hampered by the parties' reluctance to disclose their finances—even to a private study commission constituted by other party members!⁸⁷³

⁸⁷² For example, the Progressive Conservative Party expressed its concerns about revealing more about its finances than the Liberal Party to campaign finance expert Khayyam Paltiel: Findlay MacDonald to Khayyam Z. Paltiel. 7 August 1973. In *Khayyam Z. Paltiel Papers*. Library and Archives Canada. MG 30 E519. Box 20. Folder “Correspondence with Political Parties and Others, Research materials 1972-1973”.

⁸⁷³ Lisa Young noted that before 1974, academic work on political finance “was, of necessity, highly conjectural” and that even the Barbeau Committee often had to “attribute information to a “confidential source”” because partisans revealing information were fearful of breaking the code of silence: Young, Lisa. 1991. *Toward Transparency: An Evaluation of Disclosure Arrangements in Canadian Political Finance*. In *Issues in Party and Election Finance in Canada*. F. Leslie Seidle, Ed. Volume 5 of the Research Studies for the Royal Commission on Electoral Reform and Party Financing. Toronto: Dundurn: 15.

Behind the scenes over the late 1960s and early 1970s, partisans gradually changed heart. For some, their involvement in what were now considered scandals likely forced this change of heart. Ontario Progressive Conservative Party treasurer, William Kelly, wrote in confidence to the Ontario Commission on the Legislature⁸⁷⁴ in 1973 recommending that:

As part of not only the education of the public generally, but also as a means of reassuring the public on the appropriateness of the behaviour of all political parties, there should be total disclosure of names and amounts of money contributed to political parties.⁸⁷⁵

Kelly was the Ontario Progressive Conservative Party's chief fundraiser and the man who accepted the controversial donation from Fidinam Ontario Ltd at the center of the Fidinam Affair.

More than learning from scandal, the parties deliberated extensively about disclosure. Both the Liberal Party and the Conservative Party repeatedly returned to the idea of disclosure, as a means to engender public confidence, endorsing progressively broader concepts of disclosure as time went on. The Progressive Conservative Party, led by Robert Stanfield, adopted a policy of full disclosure in June 1973, just before the *Election Expenses Bill 1973* made its way into the Canadian Parliament.

⁸⁷⁴ After the Fidinam Affair, the Progressive Conservative Party in government in Ontario referred the issue of election expenses to the Ontario Commission on the Legislature to develop a reform plan. The *Election Finances Reform Act* was passed in 1975. See: Manthorpe, John. 6 January 1973. No Link between Fidinam Donation, Contract but Investigation called Superficial by Opposition. *Globe and Mail*: 1-2; John, Sarah. 2011. *The Role of Political Parties in Shaping Campaign Finance Reform in the 1970s: Ontario, Australia and Wisconsin*. Paper Presented to the Midwest Political Science Association Conference. Chicago, Illinois. April 2011.

⁸⁷⁵ W. M. Kelly (Treasurer and Chairman of Finance, Progressive Conservative Party of Ontario) to Dalton Camp (Chairman of the Ontario Commission on the Legislature). 12 September 1973. In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 418. Folder "Canada Elections Act (1) 1972-1973": 2.



Figure 13.2: Robert Stanfield not Catching a Football on the Campaign Trail. 1974.⁸⁷⁶

13.2 STANFIELD LEADS THE CONSERVATIVES TO FULL DISCLOSURE

In the Progressive Conservative Party, the party leader, Robert Stanfield, led the party toward full disclosure. The party elites favored some campaign finance reform, especially spending limits and tax deductibility, and—as we saw in Chapters 8 and 9—the broader party had mixed feelings about reform. Neither party executives nor the broader party membership initially favored disclosure. Instead, the party executive

⁸⁷⁶ Picture credit: Ball, Doug. Published in *Ottawa Citizen*. 31 May 1974: 1. This photo (and others taken on the same occasion) are sometimes credited with losing Stanfield the 1974 Election. See: Canadian Broadcasting Corporation. 2012. An Unforgettable Fumble for Robert Stanfield. *CBC Digital Archives*.

gingerly followed Stanfield in the early 1970s, with some passive resistance from the lower levels of the party.

The Progressive Conservative Party's gradual lurch toward reform, led by the top, was pretty much "business as usual" for the party. The party was a leader-centric party. When Stanfield became leader in 1967, after a divisive leadership convention that went to the 5th ballot, he made some modest reforms to the party to increase participation. He created the Policy Advisory Committee in 1968 and ordered a policy convention, which would include caucus and the extra-parliamentary party in the discussion of party policy—something the Progressive Conservatives had not routinely done.⁸⁷⁷ This came to fruition as the Priorities for Canada Conference at which Flora MacDonald spoke (p. 304). While these changes proved temporary, they did have the effect of restoring some sense of party unity and electoral credibility after years of divisive leadership battles.⁸⁷⁸ Meanwhile, the party remained as leader-centric as it had ever been—the leader controlled party policy and retained an "untrammelled right to make overriding pronouncements" on policy.⁸⁷⁹

Indeed, Stanfield made an overriding pronouncement on the party's policy on full disclosure. Stanfield, known as "Honest Bob" for, well, his honesty, suddenly came out in support of full disclosure of donations. In June 1973, he stated his unequivocal support for disclosure of the source and amount of all significant donations to political parties—creating a Progressive Conservative Party policy on the spot. On the Canadian Broadcasting Corporation, the state-owned TV station, he said:

I support the principle of disclosure of contributions to parties and to candidates.

I believe that below a realistic nominal contribution amount, the disclosure should be by category only ... names of contributors should not be revealed. I believe that this approach is essential to protect individuals who want to participate in this way and who would feel that public disclosure of public disclosure to modest contributions would really make a mockery of our whole secret ballot system. Surely it should be the

⁸⁷⁷ Perlin. 1980: 115-116. The last several years had seen numerous challenges on aging former Prime Minister John Diefenbaker's leadership (including the one Flora MacDonald was fired for). Perlin argued that Stanfield's structural reforms should be understood as part of his "conciliatory" approach, which was necessary to rebuild the party after the bitter internal turmoil that characterized the Conservatives: Perlin. 1980: Chapter 6.

⁸⁷⁸ Perlin. 1980: 116.

⁸⁷⁹ Perlin, George. 1985. The Progressive Conservative Party. In *Party Politics in Canada*. Hugh G. Thorburn, ed. 5th ed. Scarborough, Canada: Prentice Hall: 169.

intention of any reform to broaden the base of individual financial support ... not to diminish it.

Regarding larger contributions, the intention should be to clear the air of suspicion. In this area it has become clear that confidentiality must be sacrificed in the larger demand for public confidence in the system. So I believe that in the case of contributions above the nominal amount, the names of the individuals, businesses, unions or other organizations ... and the amounts contributed by each should be a matter of public record.⁸⁸⁰

The “nominal contribution amount” to which Stanfield was CAN\$100 (about CAN\$550 in 2014 dollars).⁸⁸¹ In this nominal amount, Stanfield persisted with the secret ballot argument and appeared to be balancing a desire to broaden the base against a desire to open up politics and reduce suspicion. He finished his remarks by commenting that “[u]ntil this kind of action is taken[,] suspicion and mistrust will not subside, and concerned Canadians have every right to ask, “How much longer?”⁸⁸² His policy decision appeared motivated by democratic values but also, perhaps, party interests in winning over public opinion (and reducing voters’ suspicion and mistrust of the party).

The party organization was resistant to full disclosure. When, in 1969, Flora MacDonald suggested a full raft of campaign finance reforms, including full disclosure, it was only disclosure that attracted the concerns of the Priorities for Canada Conference delegates. The Chairs reported that the “overwhelming consensus” was to support all of the proposed campaign finance reforms, with one exception: there was “debate and a division on the question of including the explicit identification of all sources of party income.”⁸⁸³

In Chapters 8 and 9, we saw that the party had been rushing to consult broadly on issues of campaign finance reform in 1970 so that they could submit a brief to the Chappell Committee. The views and opinions of the broader party from the consultation were collected and a brief drafted and submitted to the Chappell

⁸⁸⁰ Stanfield. 10 June 1973: 2.

⁸⁸¹ Progressive Conservative Party. 29 June 1973. Agenda to the Special Meeting with Respect to Amendments to the Canada Elections Act (Confidential, Copy No. 22). In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 629. Folder “Election, 1974. Election Expenses Act 1974”: 4-5.

⁸⁸² Stanfield. 10 June 1973: 3.

⁸⁸³ Baldwin, Ged (Official Opposition House Leader) & Theogene Ricard (MP). 12 October 1969. Co-Chairmen’s Final Report. In *Priorities for Canada Conference*. Progressive Conservative Party of Canada, ed. (Queens University Document Collection).

Committee late in 1970. The 22 page brief, drafted by Terry O'Connor and vetted by many party executives, cautiously and pragmatically admitted the need for reform (rather than expressing a committed belief in reform). In an indicative passage, under the heading of "Donations", the submission concedes:

We recognize and support the premise that private financing alon[e] has failed to meet the requirements of modern parties and candidates. As noted, it has created mistrust and loss of confidence in our political system

However, we argue that in principle, private financing is the most desirable method [of funding politics].⁸⁸⁴

On some issues of campaign finance reform, the party supported reform. The Progressive Conservative Party's brief gave its qualified support to expenditure limits, if they accompanied public subsidy saying "any system which involves the distribution of public funds to candidates and parties must, similarly, involve some restrictions on expenditure."⁸⁸⁵ Most enthusiastically, the brief urged for the use of taxation law to bolster party funds. The submission endorsed tax deductibility and credits as a way encourage private donations and minimize the use of public funds. The brief went as far as to urge for tax deductions for corporations, so long as they were 51% Canadian owned.⁸⁸⁶

However, on the issue of disclosure, the Party's brief said:

If one of the ultimate purposes of legislation in this area is to broaden the base of public support of our political institutions by inspiring greater public confidence in the system, then such legislation must, obviously, involve public disclosure and reporting of financial facts by parties and candidates.

...

We would very strongly recommend that there be no legislation enacted requiring publication of the names and amounts of individual donors. Such a requirement could defeat what should be the primary underlying philosophy of the legislation, that of encouraging greater voluntary participation by Canadians. The important word is "voluntary".⁸⁸⁷

In 1970, the elite party executives did not endorse full disclosure, but instead returned to the Barbeau Committee's ideas about disclosure of only the total amount received by donor type.

⁸⁸⁴ Nurgitz and O'Connor. 9 November 1970: 5.

⁸⁸⁵ Nurgitz and O'Connor. 9 November 1970: 17.

⁸⁸⁶ Nurgitz and O'Connor. 9 November 1970: 7-9.

⁸⁸⁷ Nurgitz and O'Connor. 9 November 1970: 20-21.

In 1971, the Policy Advisory Committee, via the national party headquarters, drafted and published a draft policy on “Parliament and Democratic Government in Canada”. This draft included policies for “the encouragement of private and corporate donations to political parties by tax incentives”, a public financing scheme (to pay a subsidy of 25c per registered voter to candidates who achieve 20% of the vote in their riding), the provision of state-funded mail allowances to candidates, and “a realistic limit” on campaign expenditures.⁸⁸⁸ Conspicuously absent in the proposed policy was donation disclosure of any kind.

The positions of the elite party executives on specific reforms mirrored those of the broader party, though the broader party was more reform averse. In 1970, those responding to Robert Bédard’s letter as part of the Chappell Committee Consultation were in favor of expenditure limits, mixed on public financing and resolutely opposed to disclosure (Table 13.3). Defeated candidates stand out, once again,⁸⁸⁹ for their very different policy positions: favoring disclosure and public financing, when the rest of the party was opposed.

Table 13.3: Positions on Campaign Finance Reform in the Progressive Conservative Party, Chappell Committee Consultation,⁸⁹⁰ 1970.

	Expenditure Limits		Public Financing		Disclosure	
	In favor	Opposed	In favor	Opposed	In favor	Opposed
Party Activists	4	2	2	6	1	8
Party Executives	2	0	1	3	1	3
Defeated Candidates	2	3	6	1	2	1
Party in Public Office	1	0	1	0	0	1
Total	9	5	10	10	4	13

Party activists were the most opposed to disclosure, more opposed than the party generally (Table 13.4). Sixty-two percent of all party activists who responded to

⁸⁸⁸ Progressive Conservative Party of Canada. May 1971. *Proposals for Statements of Policy Goals and Guidelines of the Progressive Conservative Party of Canada*. Volume 2 – Society and the Individual: Parliament and Democratic Government in Canada. Ottawa: PC Text. PCHQ – 670-5: 8.

⁸⁸⁹ In Chapter 9, we saw that defeated candidates in the Progressive Conservative Party stood out for their ability to identify self-interest in campaign finance law.

⁸⁹⁰ See Chapter 8 and Chapter 9 for a full discussion of the letter sent out by Robert Bédard to members of the Progressive Conservative Party as part of the Chappell Committee Consultation.

Bédard's letter were opposed to disclosure (8 of 9 party activists who addressed the issue of disclosure were opposed to it). Indeed, the only party activist who wrote in support of disclosure was Robert Kerr from the Young Progressive Conservatives.

Figure 13.4: Party Activists Positions on Disclosure of Donations Compared to the Whole Party, Chappell Committee Consultation 1970.

	In favor		Opposed		Not stated		Mixed		Total Respondents
	No.	%	No.	%	No.	%	No.	%	
Party Activists	1	8%	8	62%	4	31%	0	0%	13
Whole Party	4	13%	13	43%	12	40%	1	3%	30

Figure 13.5: Results of Delegate Vote on Party Funding and Expenses Policy, Progressive Conservative Party Annual Meeting, October 1971⁸⁹¹

The following are the proposals and the results of voting on election expenses taken at the P.C. annual meeting in December of 1971:

14. To make possible the maximum participation of all Canadians in the electoral process, major reforms in the electoral system should be made including:

...

b) the encouragement of private and corporate donations to political parties by tax incentives;

c) a subsidy from the federal government towards the campaign expenses of serious political candidates

d) a realistic limits on campaign expenditures of each party and candidate in a federal election, one which would not dictate how and where such campaign expenditures may be spent

	Yes (%)	No (%)	Undecided (%)	No Response (%)
Tax incentives	51	21	8	20
Public funding	40	35	6	19
Spending limits	49	26	6	19

At the Progressive Conservative Party's annual meeting in October 1971, the broader party membership voted on a refined version of the draft policy on "Parliament and

⁸⁹¹ Progressive Conservative Party. Circa 1972. Part D: Party Funding and Expenses. In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 618. Folder "Research Office. Election Expenses Act.": 31.

Democratic Government in Canada” (an extract of a report on the results is contained in Figure 13.5). Once again, the party membership had indicated their caution about campaign finance reform. In line with the recommendations in the Party’s Chappell Committee brief, tax deductions and credits garnered the most support (with 51% in favor: Figure 13.5). Spending limits also received considerable support (49% of delegates in favor), with the party less sure about public financing (40% in favor; 35% opposed). The Party did not vote on disclosure, and it was not yet a part of the party organization’s main reform agenda.

Disclosure was the most resisted campaign finance reform item in the Progressive Conservative Party, and was omitted entirely from the draft policy on 1971. Despite this caution about full disclosure, the party was deferential to its leader. A few weeks after Stanfield publicly announced the Party’s policy on campaign finance reform, party executives and party professionals met for an urgent special meeting to figure out how to deal with Stanfield’s overriding pronouncement in support of full disclosure. They expressed their assessment that “that disclosure of the names of contributors who donate in excess of CAN\$100” would have “serious”, “far-reaching and detrimental consequences”.⁸⁹² But the party organization was not going to oppose the bill or suggest amendments to the disclosure procedures because it was a settled question within the party by virtue of its deference to the leader. Newly appointed National Director, John Laschinger, surmised:

Mr. Stanfield has, however, made it quite clear that he, in fact, supports the principle of disclosure of sources of income; and while I might personally have some reservations about it, preferring rather that disclosure be linked in some way with the proposed amendments to the Income Tax Act. [sic] which would permit deductions of up to \$500 from tax payable, I can see no other course but to agree with his judgement.⁸⁹³

Furthermore, it should be noted, the Party’s structure afforded no forum akin to the Liberal Party of Australia’s Federal Executive in which the party organization could privately and collectively discuss upcoming policy—or political—decisions with the party leader. Like the Wisconsin Democratic Party, the party organization was remote from the party in public office, responding to decisions made by the party in public

⁸⁹² Progressive Conservative Party. 29 June 1973: 4-5.

⁸⁹³ Progressive Conservative Party. 29 June 1973: 5.

office and contributing to policy-making via formal legislative channels (like the Chappell Committee) rather than intraparty channels.

Subsequently, when it came to a legislative vote on the *Electoral Expenses Bill 1973*, on the 3rd of January 1974, no Progressive Conservative Party member voted against the bill (Table 13.6) or spoke out against disclosure. Indeed, two-thirds voted in favor of the bill (with one third abstaining).⁸⁹⁴ The leader had spoken, and the rest of the party deferred to their leader.

Table 13.6: Vote in the House of Commons on the Third Reading of the *Electoral Expenses Bill 1973*, 3 January 1974.

Party	Yea	Nay	Not voting	Total
Liberal	84	0	25	109
Progressive Conservative	71	0	36	107
New Democrat	18	3	10	31
Social Credit	0	7	8	15
Independent	1	0	1	2
Total	174	10	80	264

Source: Canada. 3 January 1974. *House of Commons Debates*. Vol. 8: 9029.

CONCLUSION

Cultural change in Canada ensured that broadening the bases of political party support and reducing the cynicism that surrounded secret party financing became reform goals of partisans at all levels. Broadening the base using legislative mechanisms proved easy: tax deductions and credits were eagerly endorsed by both the Liberal and Progressive Conservative parties with little dissention. Disclosure of information about donations, including their source and amount, to remedy cynicism and to increase public confidence was a more difficult policy decision for both parties.

The Progressive Conservative Party, especially at the lower echelons, resisted full disclosure. A series of campaign finance reform policy consultations consistently revealed that activists and executives disagreed with and disavowed full disclosure. Yet, the Progressive Conservative Party voted for full disclosure in the House of Commons in January 1974 after it abruptly became party policy in June 1973.

⁸⁹⁴ Canada. 3 January 1974. *House of Commons Debates*. Vol. 8: 9029.

Despite remarkable effort within the party organization to generate a policy on campaign finance reform—consulting for the Chappell Committee, generating and voting on policy at the Annual Meeting—the party organization had no role in the party leader’s policy decision. Partially this was because of the absence of a private joint forum for the organization to persuade the party leader, but also a culture of deference ensured that no attempt was made to persuade, disagree, protest or, even, advise the leader against the decision. For all its efforts, the organization only ever reported its position; it never counseled Stanfield on a policy path to take. And so, while it was an unusual policy choice for the Progressive Conservative Party, as the most ardent defenders of secrecy in Canada, the process by which it became policy was entirely usual: the leader decreed the policy so.

In the end, the bases for the Progressive Conservative Party’s policy on disclosure were not the self-interests of the leader. Instead, the bases of the policy proved to be a combination of party-interests in revenue maximization seen through the lens democratic values about how Canadian politics ought to look. These sorts of combinations in policy decisions—mixtures of interests as understood through democratic values—appear to be quite common. Even in leader-controlled parties, principled policy may emerge, depending on the predispositions of the party leader chosen.

CHAPTER 14
 REFORM FROM BELOW: MOVING AWAY FROM ‘A SMALL
 GROUP OF NAMELESS, FACELESS PEOPLE’⁸⁹⁵ AND
 SECRECY IN THE CANADIAN LIBERAL PARTY

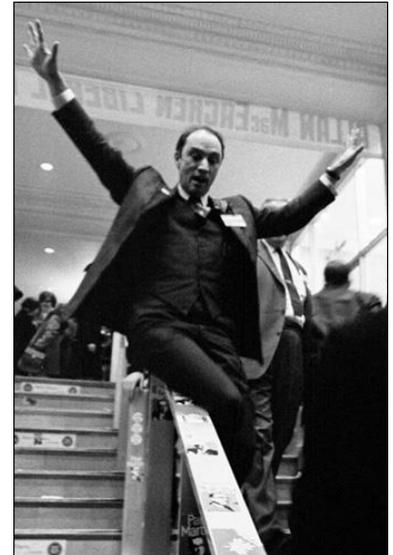


Figure 14.1: Pierre Trudeau during the 1968 Liberal leadership convention, Chateau Laurier hotel, Ottawa.⁸⁹⁶

Chapter 13 documented how the Progressive Conservative Party organization gradually endorsed campaign finance reform, but only came to unhappily accept full disclosure in deference to its leader Robert Stanfield. The Liberal Party followed a different path. Political elites, surprised by an election loss, identified problems in campaign financing in the late 1950s and looked to remedy those problems with legislation, in the form of spending caps and government funding, to lessen the burden of rising campaign costs. Pressure for more comprehensive campaign finance reform, including full disclosure, later came from below: the resolutions of the party membership in a series of policy

⁸⁹⁵ Wilson, Ian. May 1970. Let US Make Policy. In *Communique* 2(4): 1 (Queens University Document Collection).

⁸⁹⁶ Tasko, Patti & Branswell, Helen. 2010. *Trudeau: Images of Canada's Passionate Statesman*. Mississauga, Ontario: J. Wiley & Sons Canada: Image #1564263. Photo Credit: CP/Ted Grant.

conventions in 1970 that were conducted as part of a participatory experiment in the party.

This final case-study explores a deliberate—but elite-initiated—intraparty participatory program in the Liberal Party of Canada and its implications for the path of campaign finance reform. As part of a cultural change in Canada away from elite patronage politics, the Liberal Party sought not only more party participants (and donors), but also more meaningful participation by those participants. A new guard of the Liberal Party attempted—unsuccessfully in the long run—to lessen the domination of the party leader and give members some role in policy development, as a way of fostering a broad base and a strong organization between election campaigns.

A thorough examination of the evidence reveals a gradual and almost inevitable tilt toward full disclosure: from ignorance, to acceptance of the most limited form of disclosure (as proposed by the Barbeau Committee), to—eventually—acceptance of the disclosure of the identity and donation amount of individual donations to political parties. However, during this gradual tilt, the issue of full disclosure split the Party. The luck of the timing, with the Chappell Committee hearings taking place just weeks after the party membership adopted its policy, prompted the new guard of party executives to cautiously endorse disclosure. With some reluctance, they pledged themselves to the participatory experiment they had created and admitted that the party was heading toward the principle of full disclosure. The old guard party executives, bagmen and Prime Minister Pierre Trudeau continued to resist full disclosure, but eventually gave in due to electoral efficiency concerns and the disapproval of the party membership.

This case-study demonstrates the typical weakness but potential strength of the party membership in policy adoption. In a culture that values participation *and* an institutional environment in which party volunteers are needed, party activists may influence the policy adopted by their leaders. In this case, the party membership was valued and had been led to believe it was empowered to make binding policy decisions. The policy was ignored by the leader, but the deference that would have usually been forthcoming from the members was absent in light of their raised expectations. After the disappointing election result in 1972, which was attributed to a disgruntled party membership (and resulted in a more powerful NDP in Parliament), the Prime Minister changed tact, introducing policies in line with the party members' policy. Bagmen still

resisted the concept, fearing the party would lose money, yet the *Election Expenses Bill 1973*, introduced in June of 1973 and passed in January 1974, contained extensive and full disclosure provisions.

14.1 TWO PARTY REFORM SURGES: CELL 13 MARK I AND MARK II

In the 1960s, the Liberal Party undertook two participatory experiments. The first participatory experiment, early in the 1960s, coincided with elite led agitation for campaign finance reform. This bout of enthusiasm for reform emerged out of elite anxiety about the increasing costs of conducting party election campaigns. The second participatory experiment, in 1969 – 1971, produced an elite brokered, but far less controlled, policy on campaign finance reform in which the party memberships' concerns about reducing cynicism by removing secrecy—using full disclosure of political donations—came to the fore.

The Liberal Party of Canada, under the leadership of Prime Minister Louis St. Laurent, lost government in 1957, after 22 consecutive years of rule. The Party, having come to be viewed as Canada's natural governing party,⁸⁹⁷ was quite taken aback by this loss. After its surprise defeat, change came quickly. Lester Pearson, a long-time bureaucrat and former Ambassador to the United States, replaced St. Laurent as leader. At the same time, a new guard of lawyers and professionals Toronto known as 'Cell 13' "took control" of the party.⁸⁹⁸ Cell 13—including Gordon Dryden, Richard J. Stanbury, Keith Davey and Jerry Grafstein (Table 14.2)—professed a desire to democratize the party, and "attack the patronage basis of the old politics", in Grafstein's own words.⁸⁹⁹ They urged the party to focus on the proper exercise of government power, rather than their hitherto sole focus on winning government. Importantly, for our purposes, Cell 13 sought to give the party organization a greater role in the party,⁹⁰⁰ which had only a limited role: raising funds (bagmen in the central office), choosing candidates (in the

⁸⁹⁷ Whitaker, Reginald. 1977. *The Government Party: Organizing and Financing the Liberal Party of Canada, 1930-58*. Toronto: University of Toronto Press.

⁸⁹⁸ Clarkson. 1979. 155.

⁸⁹⁹ Jerry Grafstein, quoted in Clarkson. 1979: 155; Whitaker. 1982: 151; English, John. 2009. *Just Watch Me: The Life of Pierre Elliott Trudeau: 1968-2000*. Toronto: Random House: 195-198.

⁹⁰⁰ Jeffrey. 2010: 67-68.

riding associations) and choosing the party leader (at the party convention). In 1957, the organization had no role in policy at all.

Table 14.2: Select Members of the Old Guard and the New Guard (Cell 13)

Old Guard	New Guard
<p>John Morrow Godfrey</p> <ul style="list-style-type: none"> • Chief “bagman”, director of corporate fund raising • Chairman of Party Finance Committee, 1968-1974 • Chairman of Party Treasury Committee, 1968-1974 • Senator, 1973-1987 	<p>Gordon Dryden</p> <ul style="list-style-type: none"> • Lawyer • Ontario Young Liberals, 1950s • Toronto organizer 1958- • National Treasurer c1968 – c1983
<p>John L. Nichol</p> <ul style="list-style-type: none"> • Party President 1964-1968 • Chair of 1968 Election campaign committee • Senator, 1966 - 1973. 	<p>Richard J. Stanbury</p> <ul style="list-style-type: none"> • Lawyer • Party President 1968-1973 • Toronto and York Liberal Association, late 1950s-early 1960s • Senator, 1968-1998
<p>Paul Lafond</p> <ul style="list-style-type: none"> • Executive Secretary of the Party, 1948-1968 • Financial Comptroller of the Party, 1968-1974 • Senator, 1970-1988 	<p>Jerry Grafstein</p> <ul style="list-style-type: none"> • Lawyer • President of Toronto and District Liberal Association, 1962 • English Speaking Vice-President, 1963 • Chief of Staff for John Turner, 1965 • Senator, 1984-2010
<p>Jack Pickersgill</p> <ul style="list-style-type: none"> • MP for Bonavista-Twillingate, 1953-1967. • Secretary of State, 1954-1954, 1963-1964 • Member of the Standing Committee on Privileges and Elections, 1957-1963 	<p>Other members:</p> <p>Keith Davey (<i>Political organizer, Toronto and Yorks Young Liberal Association, 1950s, Executive Director, 1961 – 1967</i>); Jim Coutts (<i>Lawyer, Secretary to Liberal Prime Minister Lester Pearson, 1963-1966</i>); Walter Gordon (<i>Accountant, MP for Davenport, 1962-1968</i>); Judy LaMarsh (<i>Lawyer; MP for Niagara Falls 1960-1968</i>); Boyd Upper (<i>Doctor, Ontario Young Liberals, 1950s</i>); Royce Frith (<i>Lawyer</i>).</p>

While their motivations have been described as “a mixture of naivety and self-serving phoneyess”,⁹⁰¹ Cell 13 had considerable early successes. The fruits of their first reform

⁹⁰¹ Whitaker. 1982: 151.

push, immediately after Pearson's ascension to the leadership, included the Kingston Thinkers' Conference in 1960, which involved academics and policy wonks in the development of a rejuvenated party policy.⁹⁰² Additionally, in early 1962, the party held a policy convention, the "National Council", which was attended by 400 delegates from across the party.⁹⁰³ The National Council was the first convention not tied to a leadership ballot in the party's history and it was the first opportunity for the party membership to be involved in party policy-making. This involvement was controlled from above: delegates adopted a party platform,⁹⁰⁴ but the planks on which the delegates voted were generated by the party elites. Although the National Council was a one-off elite driven event, it was a major break from the past in that it gave party activists any role, even though a minor, endorsement role, in policy development.

Other innovations were initiated before the impetus for reform was "blunted" after the Liberals' comprehensive election victory in 1963.⁹⁰⁵ They worked their way through the party in the mid-1960s. From 1966, the broader party met biennially at national conventions. In the past, the party had only met when a vacancy in the leadership arose, which tended to be once in a decade or less. Additionally, in a move intended to give party executives legitimacy and independence from the party leader, from 1968 onwards, national office holders were elected at the national convention.⁹⁰⁶ In the past, national office holders were appointed by the party leader.

The Liberal Party membership had chosen its leaders at leadership conventions since 1919.⁹⁰⁷ After Pearson's retirement from politics in 1968, and in the midst of Trudeaumania, party activists elected bannister-sliding Pierre Trudeau as Liberal Party leader. Trudeau had an interest in participatory democracy and increasing the role of

⁹⁰² Clarkson, Stephen. 2005. *The Big Red Machine: How the Liberal Party Dominates Canadian Politics*. Vancouver: UBC Press: 271; Bryden, Penny. 1997. *Planners and Politicians: Liberal Politics and Social Policy, 1957-1968*. Kingston, Ontario: McGill-Queen's Press: 53.

⁹⁰³ Liberals to Gather for Conferences. 25 January 1962. *Saskatoon Star Phoenix*: 14; Hume, J. A. 29 January 1962. *Liberals: Party Maps Policy*. *Ottawa Citizen*: 1.

⁹⁰⁴ Clarkson. 1979: 155.

⁹⁰⁵ Clarkson. 2005: 20.

⁹⁰⁶ Jeffrey. 2010: 68.

⁹⁰⁷ Wiseman, Nelson. 2007. *In Search of Canadian Political Culture*. Vancouver: UBC Press: 80. There were only six leadership conventions over the course of the 20th century: 1919, 1948, 1958, 1968, 1984, 1990.

party activists.⁹⁰⁸ He *temporarily* reformed the party, with the assistance of members of Cell 13, several of whom were elected to national office holding positions in the party elections of 1968 and were eager to return to the “unfinished agenda” of elevating the power of the party organization.⁹⁰⁹

**Federal Liberal party, now strongest ever,
quietly restructured into a people’s party**

Figure 14.3: Montreal Gazette paraphrasing
Richard J. Stanbury. 26 January 1972.⁹¹⁰

This second surge of internal party reform began in late 1969 and continued until 1971. Newly *elected* Party President, Richard J. Stanbury launched an “ambitious policy-making process”⁹¹¹ which involved up to 150,000 Liberals across the nation.⁹¹² Stanbury, a central member of Cell 13 and Canadian Senator,⁹¹³ was the first party president to have been elected by the party’s membership (under those reforms introduced as part of the first wave of party reform).⁹¹⁴

Stanbury’s policy-development plan began with hosting another “thinkers’ conference”. This conference was held in 1969 in Harrison Hot Springs, British Columbia, in which experts discussed policy issues to an audience of rank-and-file activists. Like the 1960 conference, the Harrison Hot Springs conference gave members of the party the opportunity to hear from experts in the topic—but members did not actively generate policy ideas.

⁹⁰⁸ Jeffrey. 2010: 69. While Trudeau was “uninterested in the details of the party’s organization”, his participatory agenda sat well with the leaders of Cell 13 who thought that increasing participation within the party would increase the power of the party organization vis-à-vis the parliamentary party.

⁹⁰⁹ Clarkson. 1979: 155.

⁹¹⁰ Blakely, Arthur. 26 January 1972. Federal Liberal Party, Now Strongest Ever, Quietly Restructured into a People’s Party. *Montreal Gazette*: 7.

⁹¹¹ Clarkson. 1979: 155-156.

⁹¹² Blakely. 26 January 1972: 7.

⁹¹³ Stanbury was appointed to the Senate in 1968—showing that the patronage ways of old were not yet fully over. He served until 1998.

⁹¹⁴ Jeffrey. 2010: 68.

After this conference, Stanbury planned opportunities for more significant rounds member participation. This took the form of a yearlong constituency association-level discussion process with provincial-level conventions or policy rallies, and culminating in a national policy convention. This process was, according to the Liberal Party documents from the time, intended to “raise the level and quality of grass roots participation”.⁹¹⁵ Stanbury—and, no doubt, others from the Cell 13 tradition—intended that the policy decisions of the convention would form the next Liberal Party federal election platform.⁹¹⁶

The participatory experiment did not quite go to plan, initially because party activists in the constituencies were not as excited or engaged about developing policy as Stanbury expected. Nonetheless, it was a process that “generated unprecedented activity within the Liberal Party’s ranks.”⁹¹⁷ Discussions and rallies occurred throughout 1970, involving 1000s of members. The process climaxed in November with the National Policy Convention in Ottawa, which was attended by 2500 delegates.⁹¹⁸ Trudeau attended the Convention, spoke to the delegates and took audience questions. The delegates quizzed Trudeau personally and critically. At the end, the National Policy Convention adopted a series of new, and controversial, party policies including some that differed from Trudeau’s policy and others that were openly critical of his actions (particularly regarding the use of the *War Measures Act* during the October Crisis).⁹¹⁹

The party was proud of its internal structural reforms and the values that motivated them. Reporting on the 1970s policy conventions, Ian Wilson, Ontario Liberal Party Director wrote in the membership newsletter *Communiqué*:

Historically political policy has been formulated by political caucus or by a small group of nameless, faceless people associated with political caucus. A tremendous effort is now

⁹¹⁵ Stephen Clarkson to Delegates to London Policy Rally. October 1970. In Liberal Party of Ontario. *Liberal Party of Ontario Policy Rally October 2-4, 1970*. Toronto: Liberal Party of Ontario: 1.

⁹¹⁶ Clarkson. 1979: 156.

⁹¹⁷ Clarkson. 1979: 158-159.

⁹¹⁸ Keating, Mike. 21 November 1970. Pot, abortion and public order. *Windsor Star*: 1.

⁹¹⁹ Makin, Ben. 23 November 1970. Grit Rank-and-File Give Lead to the Liberal Establishment. *Ottawa Citizen*: 23; Ferrabee, James. 21 November 1970. PM Gives his Account: Crisis Over, Action Right. *Montreal Gazette*: 1; Generally see: Keating, Mike. 23 November 1970. Qualified Support for PM. *Windsor Star*: 1; The Grass Roots Speak. 20 November 1970. *Windsor Star*: 12; Keating, Mike. 20 November 1970. Grits Open Policy Review. *Windsor Star*: 2.

being made by the Liberal party and its leaders to change this completely and have policy wishes formulated at the community level.⁹²⁰

Similarly, Stanbury wrote to the Chappell Committee:

Political parties have moved a long way from their traditional role as election machines and are now attempting to become vehicles of citizen participation in the governmental process. Such activities are thoroughly respectable, substantially non-partisan and have become necessary in the struggle to reduce alienation by bringing people and their elected representatives closer together.⁹²¹

While these musings might overstate the extent to which the party substantively and permanently reformed,⁹²² they do capture the cultural change behind attempts at reform: a new commitment to making membership more meaningful and a belief that participatory parties, if they could be achieved, were desirable.

Trudeau did not adopt much of the party's member-generated policy as the basis for the Party's 1972 Election campaign and many in the party were disenchanted with his leadership. After the poor showing in the October 30, 1972 Election, there could be no doubt that Trudeaumania had ended.

14.2 THE FIRST OF THE TWO CAMPAIGN FINANCE REFORM SURGES: 1957-64.

The participatory processes, and the motives related to launching them, had nothing to do with campaign finance reform outcomes. Instead, Pearson, Trudeau, Stanbury and other party elites were guided by a mix of party-interests, democratic values and social acceptance motives in their participatory turn. For our purposes, it is relevant that campaign finance reform policy got caught up in both waves of participation.

⁹²⁰ Wilson, Ian. May 1970. Let US Make Policy. In *Communique* 2(4): 1 (Queens University Document Collection).

⁹²¹ Richard J. Stanbury to the Special Committee on Election Expenses. 14 January 1971. In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 618. Folder 15 "Election Expenses – Brief to the Special Committee of the House of Commons, Correspondence." Speaking to the Chappell Committee, Stanbury reflected:

the nature of political parties has really been changing in Canada, in our [Liberal Party's] experience. ... There has been a realization that political parties, indeed the whole political system, parliamentarians, our other institutions, all of these have an obligation now to gain the trust of the people of Canada in a way which they have never seen that need before.

Canada. 14 January 1971. *Minutes of Proceedings and Evidence of the Special Committee on Election Expenses*. 8:5.

⁹²² McCall-Newman, Christina. 1982: 157-8. McCall-Newman suspected these changes were largely "[o]n paper" and that the party leader (Trudeau) remained as supremely powerful as ever.

A shock election loss after first campaign that employed television advertising (1957) and an absolute trouncing in the 1958 Election sparked concerns within the Liberal Party about the cost of elections to parties competing in them.⁹²³ In the following few years, they engaged in a proactive intraparty policy development process in which vague ideas that ‘something must be done to reduce election expenses’ were transformed into concrete reform proposals for expense caps and state subsidy. Within 5 years, campaign finance reform was adopted as part of the party’s first member-endorsed platform and then campaigned on by Lester Pearson in the Liberal Party’s 1962 and 1963 election victories.

Some party activists were already concerned about emergent campaign finance practices. During one of the (then) rare instances when the party met as a whole—the party leadership convention in 1958—Cell 13 spoke out the “superfluity of advertising, election gimmicks and paid workers” in modern elections. The concern of Cell 13 was that the quality of civic dialogue was in decline as TV and other media led to issues being “obscured and stultified”.⁹²⁴

However, most of the initial concern about campaign finance reform came from old guard party elites who were worried about the increasing costs of mounting a party election campaign and the ability of the Liberal Party to compete. Jack Pickersgill, elected member for Bonavista-Twillingate in Newfoundland and member the House of Commons Standing Committee on Privileges and Elections, convened an electoral reform sub-committee to draft resolutions to present to the 1962 National Council. Walter Gordon, of Cell 13, and C.L.B. Etsey, a lawyer from Saskatchewan, sat on the sub-

⁹²³ Pickersgill, John W. 1962. *The Liberal Party*. Toronto: McClelland & Stewart: 58; Paltiel and Van Loon. 1966: 219-221.

Minister for Pensions and National Health C.G. “Chubby” Power had expressed earlier concerns about election expenses. He introduced two private member’s bills in the late 1930s, then another one in 1949, calling for limitations on political expenditure. Seidle, F. Leslie. 1985. *The Election Expenses Act: The House of Commons and the Political Parties*. In *Canadian House of Commons: Essays in Honour of Norman Ward*. John Courtney, ed. Calgary: University of Calgary Press: 114.

⁹²⁴ Toronto and Yorks Young Liberal Association. 1968. *Limitation of Electoral Expenses: Resolution submitted to the Fourth National Liberal Convention, January 14-15-16, 1958*. The Toronto and Yorks Young Liberal Association was where many of Cell 13 were based.

committee,⁹²⁵ but they were supervised in their endeavor by Pickersgill. Pickersgill was a member of the party in public office who had been socialized in the ways of the party under St. Laurent. He was highly partisan and claimed to have been the first MP to suggest the public funding of political parties' campaign expenses.⁹²⁶ Under Pickersgill's direction, the sub-committee developed a basic party policy on electoral reform, identifying two heads of campaign finance reform to counter concerns about election costs: spending limits for political parties and state reimbursement of candidates' expenses.

As part of the first surge toward greater intraparty participation, party activists quickly embraced campaign finance reform ideas. The resolution written by the sub-committee was "almost unanimously" adopted at the 1962 National Convention.⁹²⁷ It read:

The cost of federal elections is reaching excessive heights, especially because of the development of television. This is bad for democracy. The National Council therefore recommends that the next Liberal government should amend the Canada Elections Act to provide for:

- (a) Realistic, rigid and enforceable limits for the expenditures in elections campaigns of candidates and political parties;
- (b) The payment of such limited expenditures out of the national treasury in the case of candidates who obtain a reasonable proportion of the votes cast;
- (c) The indication of the political affiliation of candidates on the ballot paper;
- (d) The reduction of the voting age to eighteen years.⁹²⁸

The resolution did not contain any reference to disclosure of donations. Rather, it was focused on reducing the cost of campaigns on parties and candidates as *the* central goal of, not only campaign finance reform, but electoral reform generally.⁹²⁹

⁹²⁵ C. L. B. Etsey to Walter L. Gordon. 9 December 1960. In *Liberal Party of Canada Records*. Library and Archives Canada. MG 28 IV 3. Volume 891. Folder S-20 "Constitutional and Electoral Reform".

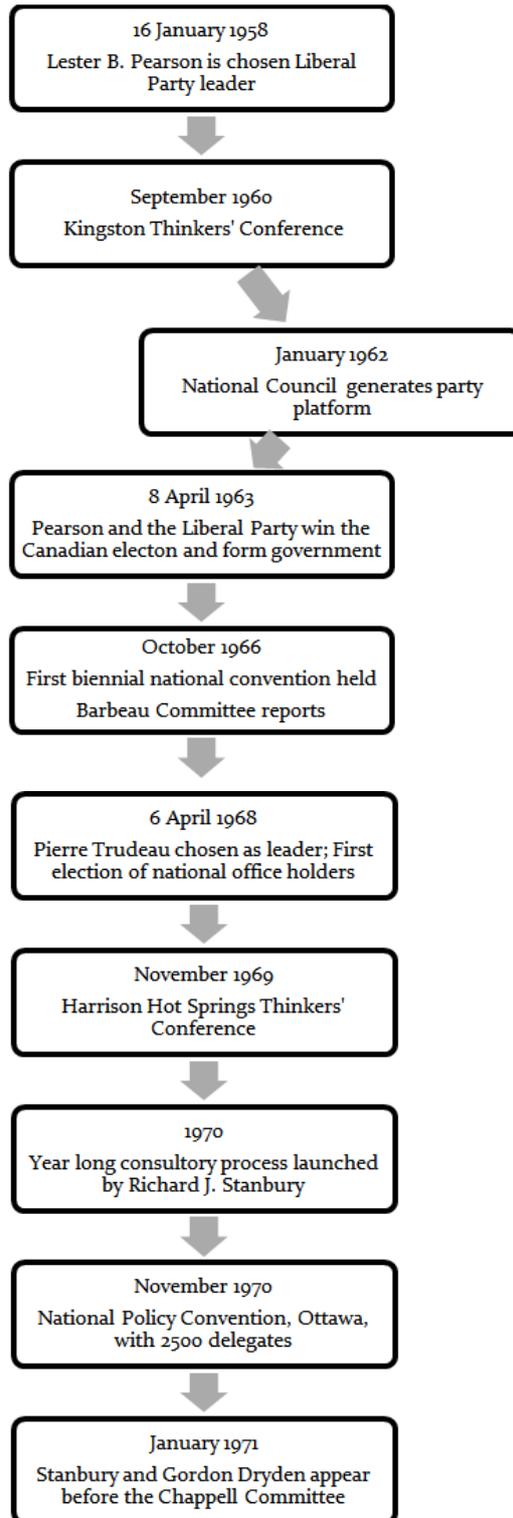
⁹²⁶ Pickersgill, John W. 1986. *The Road Back: By a Liberal in Opposition*. Toronto: University of Toronto Press: 93; Wilson-Smith, Anthony. 24 November 1997. Jack Pickersgill (Obituary). *Macleans*.

⁹²⁷ Hume, J.A. 30 January 1962. Election Costs: Pickersgill Proposes Treasury Aid Expenses. *Ottawa Citizen*: 7.

⁹²⁸ Constitutional and Electoral Reform Sub-committee (Liberal Party of Canada). 26 January 1962. Electoral Reform (Draft Resolution). In *Liberal Party of Canada Records*. Library and Archives Canada. MG 28 IV 3. Volume 891. Folder S-20 "Constitutional and Electoral Reform".

⁹²⁹ The proposals for party affiliations on ballot papers and votes for 18-20 year olds seem to be tacked on to this resolution. They were legislated in 1970, 4 years before campaign finance reform.

Figure 14.5: Participatory Surges and Campaign Finance Reform in the Liberal Party of Canada, 1958-1971, Timeline



In his speech urging delegates to the National Council to vote in favor of the resolution, Pickersgill explained the reasons he thought rising election costs were “bad for democracy.” He was concerned that entertainment media (ie. TV) drowned out candidates’ more plain advertising and forced them into garish, brash and *expensive* advertising to “command attention”.⁹³⁰

Give what we have seen in earlier chapters about the influence of the experience of office seeking on motives, a cynic might infer that rising costs were bad for Pickersgill’s re-election chances. Pickersgill had been a candidate for national office at least twice by January 1962, so perhaps the experience of running for office had highlighted his sense of interests in the law. Similarly, rising election costs might have been detrimental to the Liberal Party’s competitive advantage with the Progressive Conservatives. The relevance of party-interest to considering campaign finance reform is revealed by the fact that the Liberal Party “moneymen”⁹³¹ were, in 1962, concerned about a perceived funding gap between them and the Progressive Conservative Party. In a closed back-room meeting, held at the same time as the National Council, the Party’s organizers calculated they would need CAN\$5,000,000 to compete with the Conservatives in the next election campaign and were unsure they could raise anywhere near that.⁹³²

A more nuanced interpretation is that Pickersgill, and others in his party, was partially motivated by self- and party interests, in being able to compete with other candidates

⁹³⁰ Pickersgill said:

[T]he cost of federal elections is reaching excessive heights, especially because of the development of television.

I do not think there is any doubt in the mind of anyone who has observed the trend in recent elections, and I would say ever since the war, that, in order to compete with the many other attractions which are offered to the public in this day of mass entertainment, methods simply have to be used by politicians of a kind—of a class and kind, if you like—which will command attention. If this is not done politicians will not make themselves heard above all the other competitors for attention of the public. I make no comment on the situation that brings about. I think it is a fact that all politicians have to recognize.

Pickersgill, J.W. 30 January 1962. Statement by the Hon J.W. Pickersgill, P.C., M.P. on Electoral Reform to the National Council of the National Liberal Federation of Canada. In *J. W. Pickersgill Papers*. Library and Archives Canada. MG32 E519. Box 255. Folder “Chief Electoral Officer, Electoral Reform, 1962-1964”: 4. For more about the resolution see: Hume. 30 January 1962.

⁹³¹ Phillips, Bruce. 30 January 1962. Liberals Plan on \$5,000,000 Election Fight. *Ottawa Citizen*: 1.

⁹³² Phillips. 30 January 1962.

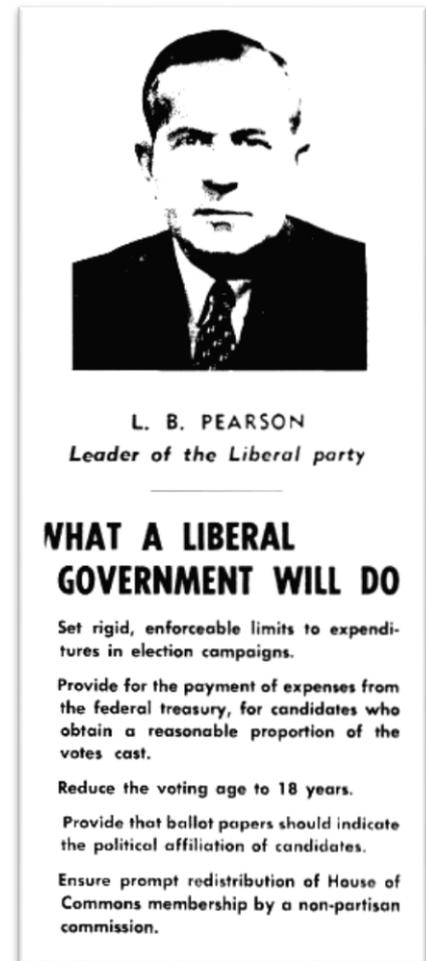
without spending obscene amounts of money, but also he was motivated by social acceptance motives: Pickersgill was concerned with the dignity of candidates who were being forced into unseemly sorts of advertising and the propriety of campaigning practices.⁹³³

In any case, the initial moves toward campaign finance reform in the Liberal Party are best understood as reflecting the agenda of the party elite from the old guard, especially Pickersgill. The membership did not generate and could not modify Pickersgill, Gordon and Etsey's reform proposals in 1962.

After the National Council, the party leadership utilized the electoral expenses resolution as part of the Liberal Party's publicly presented policy on electoral reform. Indeed, in the 1962 Canadian federal election the resolution appeared, in a slightly more refined form, in the Liberal Party's campaign material as part of a brochure entitled "The Cost of Elections" (Figure 14.6 right). This is itself evidence that the resolution encapsulated the views of the party elites, rather than challenged them.

Figure 14.6: Excerpt of "Cost of Elections" Brochure⁹³⁴

It was no accident then, within two years of becoming Prime Minister, Lester B. Pearson created the Barbeau Committee to investigate election costs (in October 1964). It was, tellingly, Pickersgill who chose the committee members.⁹³⁵ Once the Barbeau Committee was selected, however, Pickersgill was no



⁹³³ Pickersgill, J.W. 30 January 1962.

⁹³⁴ Liberal Party of Canada. 1962. The Cost of Elections (Brochure). In *Liberal Party of Ontario Records*. Queens University Archives. 1002B. Box 33. Folder 1070.

⁹³⁵ John J. Connolly to J.W. Pickersgill. 12 March 1964. In *J.W. Pickersgill Papers*. Library and Archives Canada. MG32 E519. Box 255. Folder "Chief Electoral Officer, Election Expenses, 1964-1967".

longer in charge of the agenda. Indeed, the Barbeau Committee exercised significant independence by identifying public confidence in party financing (as well as a broad base of politics) as a goal of campaign finance regulation (Chapter 13). The Committee's report was public, and widely reported. It set the tone of future discussion. So, when it raised, for the first time, the specter of disclosure—if in only a limited form—it complicated matters for the Liberal Party elite, especially the old guard, who had not intended to consider the disclosure of party finances as part of any reform program. The reform agenda took on a life of its own.

14.3 A DIVIDED PARTY: THE SECOND REFORM SURGE 1969-1971

After the Barbeau Committee reported in October 1966, then Party President John Nichol and Party Secretary Paul Lafond (of the old guard) reviewed the Committee's recommendations—concluding that some were “excellent” but others “quite impractical”.⁹³⁶ Nichol was aware that some reform was needed,⁹³⁷ but in a 21 page confidential report, Nichol, the last party president to be chosen by the party leaders, expressed his opposition to the disclosure of anything except for the total amount of all donations received. Lafond was happy with the Barbeau version of disclosure, but wanted nothing more revealing.⁹³⁸ In 1967, the Liberal Party caucus formed a “Caucus Study Group” to review Nichol and Lafond's assessment and prepare for anticipated hearings in the House Privileges and Elections Committee on the issue of campaign finance reform.⁹³⁹

In 1968, progress on campaign finance reform stalled as the Liberal Party once again turned to electing a new leader. After Trudeau was chosen, and the June 1968 Election

⁹³⁶ John Nichol (Party President, co-chairman of the Liberal Campaign Committee for the 1968 federal election and Senator) to Lester B. Pearson, J.W. Pickersgill, G. Roy McWilliams and Keith Hymmen. 16 March 1967. In *J.W. Pickersgill Papers*. Library and Archives Canada. MG32 E519. Box 255. Folder “Chief Electoral Officer, Election Expenses, 1964-1967”.

⁹³⁷ Indeed, Nichol wrote “[t]here is no doubt that we must move to reform the present system of political finance.” However, he continued, “[t]his is easier said than done.”: John Nichol to Lester B. Pearson *et al.* 16 March 1967: 1

⁹³⁸ Nichol, John and Lafond, Paul. March 1967. Private and Confidential: Report of the Committee on Election Expenses. In *J.W. Pickersgill Papers*. Library and Archives Canada. MG32 E519. Box 255. Folder “Chief Electoral Officer, Election Expenses, 1964-1967”: 15-16.

⁹³⁹ G. Roy McWilliams to Keith Hymmen. 7 April 1967. In *J.W. Pickersgill Papers*. Library and Archives Canada. MG32 E519. Box 255. Folder “Chief Electoral Officer, Election Expenses, 1964-1967”. It is unclear whether the House Privileges and Elections Committee met to consider the Barbeau proposals.

comfortably won, the party returned to the issue. Early in 1969, the Special Committee on Finance—*another* internal party effort at figuring out campaign finance reform—reported.⁹⁴⁰ The Special Committee was convened by the national organization to reconsider the party’s financial arrangements and review proposals for reform. John Morrow Godfrey, a member of the old guard who was in charge of the party’s corporate fundraising, was the Special Committee Chairman. The *Globe and Mail* described him as “a discreet but powerful force behind the Trudeau government... the party’s top bag man.”⁹⁴¹ The Special Committee heartily endorsed a wide manner of tax credits, deductions and allowances, but recommended that parties be required to report only the total amount of donations received by donor type (trade unions, corporations, individuals). This recommendation was identical to that of the Barbeau Committee.⁹⁴² The old guard in the national party organization was adamantly opposed to full disclosure.

A year later, party activists—in a less controlled policy-making environment than the party had yet experienced—were not at all cautious about full disclosure. In 1970, as part of Trudeau and Stanbury’s participatory process—which was launched for reasons completely unrelated to campaign finance—policy conventions were being held around the nation. The conventions addressed issues of campaign finance reform. The Ontario Liberal Party held its Policy Rally in London in early October 1970—just days before the October Crisis began and well before Watergate or Fidinam brought campaign finance to the center of the public’s attention. Over 250 party activists and provincial party executives debated and voted on issues of campaign finance reform. The delegates resolved overwhelmingly in favor of public funding, spending limits, tax-deduction *and*

⁹⁴⁰ Special Committee on Finance (Liberal Party of Canada). 1969. Report of the Special Committee on Finance re: the Report of the Election Expenses Committee. Contained in Richard J. Stanbury (Liberal Party of Canada). 14 January 1971. Submission of the Liberal Party of Canada to the Special Committee of the House of Commons on Election Expenses. In *Progressive Conservative Party of Canada Records*, LAC, MG28 IV2, Box 618, Folder 15 “Election Expenses – Brief to the Special Committee of the House of Commons, Correspondence.”

⁹⁴¹ Winsor, John. 13 March 2001. John Godfrey and the Exercise of Power. *Globe and Mail*.

⁹⁴² Special Committee on Finance (Liberal Party of Canada). 1969: 7-8. Interestingly, the Special Committee suggested that *candidates*—but not political parties—be required to disclose donors who contribute more than CAN\$1,000, perhaps indicating a desire to dissuade candidates from developing their own capacity to fundraise.

donation disclosure (Table 14.7). Indeed, they endorsed disclosure with more gusto than they did public financing of party expenses.⁹⁴³

Table 14.7: Selected Voting Results: London Policy Rally, October, 1970, on Democratization of Political Parties⁹⁴⁴

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree	Total
2. Public disclosure of all party and campaign contributions and expenses over a certain low level	93	94	19	31	14	251
4. Candidates for federal elections to have publicly financed (gov't) campaigns with limitations on overall expenditures	99	78	24	35	15	251
5. Private contributions to political parties to be tax deductible up to CAN\$500.00	100	95	28	19	9	251

Provincial party activists (and some executives) were less concerned with their party's interests in maximizing funds raised and more concerned with democratic principles behind reforms than were the party executives in the Liberal Party. The delegates to the London Policy Rally shared the same tendencies in motivations as the party activists observed in the Progressive Conservative Party in Chapter 13 (who were more resistant to disclosure than the elites). Although they took the opposite stance on reform, both groups placed less emphasis on (or perhaps demonstrated less knowledge of) party interests in maximizing revenue while expressing a greater concern with idealistic principles and concepts.

⁹⁴³ Liberal Party of Ontario. 1970. Liberal Party of Ontario Policy Rally. October 2-4, 1970: Working Paper on the Individual and Society. *Voting Results on "Democratization of Political Parties* (Queens University Document Collection).

⁹⁴⁴ Liberal Party of Ontario. 1970. Liberal Party of Ontario Policy Rally.

At the National Policy Convention in Ottawa in late November 1970, with its 2500 delegates,⁹⁴⁵ party activists from the rank-and-file party membership and party executives created policy proposals and voted on them, using a secret ballot, to decide policy issues. The convention was more participatory and open than anything tried before in the Liberal Party.⁹⁴⁶ In addition to differing on Trudeau's invocation of the *War Measures Act*, the party activists and executives assembled, like those at the London Policy Rally, endorsed a much fuller version of party fundraising disclosure than the party establishment wanted. The National Policy Convention called for the Federal Government (Trudeau's!) to "enact legislation requiring full disclosure of the sources of all political financing, direct and indirect."⁹⁴⁷ On the issue of donations to candidates, the party convention resolved that "[p]olitical donations of over \$1,000 to individual candidates must be disclosed" and that "[t]he Federal Government should enact legislation requiring all political parties to publish their accounts."⁹⁴⁸ This constituted a comprehensive set of pro-disclosure resolutions.

At the National Policy Convention, the position of the party membership on disclosure was vastly different from anything hitherto considered by party executives. The party would have to figure out how to resolve the two positions. New guard party executives, especially Stanbury, were caught in the middle. On the one hand they knew that their party's interest lay in opposing full disclosure. On the other hand, participation was their project, and their motivations for involving the broader party in the first place included democratic values and social acceptance. These motives required the honoring of the National Policy Convention's decision.

14.4 HONORING THE DECISION OF THE PARTY?

For a few brief moments in November 1970, the party activists at the National Policy Convention appeared to have real influence over the leadership. Deliberately designed to be public and open, every last detail of the policy convention was widely reported

⁹⁴⁵ Keating. 21 November 1970.

⁹⁴⁶ A Switch from the Sixties: Liberals Embrace 'Canada First' Policy. 23 November 1970. *Windsor Star*: 17.

⁹⁴⁷ Stanbury, Richard J. 1971. Resolutions Adopted at the Liberal Policy Convention, November 20-22, 1970 RE: Financing of Canadian Political Parties. In *Progressive Conservative Party of Canada Records*. Library and Archives Canada. MG28 IV2. Box 618. Folder 15 "Election Expenses – Brief to the Special Committee of the House of Commons, Correspondence."

⁹⁴⁸ Stanbury, Richard J. 1971. Resolutions Adopted at the Liberal Policy Convention.

and commented on in the media.⁹⁴⁹ The membership grilled and disagreed with Trudeau, and the country knew it. Soon after the policy convention, party activists lost the “momentary superiority” over their leader.⁹⁵⁰ Afterwards, many aspects of the new member-made policy were ignored and languished—to the chagrin of the party.

Fortunately for supporters of full disclosure, the Chappell Committee hearings commenced just a few weeks later. While Stanbury, and other members of the new guard that succeeded Nichol and Lafond, were worried about the impacts of disclosure, they remained committed to their participatory effort. On behalf of the Liberal Party, Stanbury submitted documents to the Committee that presented both the party members’ and the old guard’s perspectives: the resolutions passed at the National Policy Convention (Appendix 4, A.4.5) and the 21 page report by Nichol and Lafond. In his cover letter, Stanbury walked a fine, and vague, line, advocating for “[f]ull disclosure” of party “income and expenditures”, while not mentioning donors or donations.⁹⁵¹

Stanbury could very easily not have sent the National Policy Convention resolutions, if he was motivated by party’s interests in maximal revenue. By including them, he ensured that the broader party’s views on disclosure would be a topic of discussion when Stanbury appeared in person before the Chappell Committee. He spoke on 14 January 1971—only 6 weeks after the National Policy Convention. Addressing the resolutions of the party membership in favor of full disclosure, he said:

there is not intent, I think, in a convention of that kind [the National Policy Convention with its 2500 delegates] to do more than express the direction in which the party is to go, the party is to try to move, and to express the dedication to a principle. I think the delegates can be said to have been indicating the dedication of the rank and file of the Liberal Party to the principle of full disclosure recognizing, as I said in my letter, the very great difficulties that are caused by it.⁹⁵²

⁹⁴⁹ For example, from the limited array of newspapers available on Google News: *The Grass Roots Speak*. 20 November 1970; *A Switch from the Sixties: Liberals Embrace ‘Canada First’ Policy*. 23 November 1970; *Ferrabee*. 21 November 1970; *Keating*. 20 November 1970; *Keating*. 21 November 1970; *Keating*. 23 November 1970; *Makin*. 23 November 1970.

⁹⁵⁰ Clarkson. 1979: 158.

⁹⁵¹ Richard J. Stanbury to the Special Committee on Election Expenses. 14 January 1971.

⁹⁵² Canada. 14 January 1971. *Minutes of Proceedings and Evidence of the Special Committee on Election Expenses*: 8:6.

He revisited the topic later in his testimony:

I am stating that [disclosure] is a principle of the Liberal party has declared itself greatly, strongly in favour of it. As a practical President of the party, I recognize real problems in terms of replacement of the funds, enforceability and the prejudice to the contributors.⁹⁵³

On the one hand, Stanbury was anxious about the impacts of disclosure on party finances (ie. the party's interests). On the other hand, he wished to make it clear that the party membership had indicated that it very much believed in disclosure and that the party should move in that direction.

In Stanbury's behavior, the importance of motives is evident: although Stanbury had the same *position* on full disclosure as the old guard (it would hurt the party), his behavior was very different.⁹⁵⁴ Motives related to the process (ie. the participatory process he had masterminded) and upholding the party membership's will were more important than interests.

Stanbury's testimony finished on a note of optimism about the ability of law to facilitate cultural change. Reflecting the belief that disclosure would hurt the party in the short term, Stanbury hoped to get to a time when "disclosure will be a badge of honour, rather than a badge of infamy" and (financially) contributing to political parties would be so normal and expected that the people who did not contribute would be more likely to be subject to scorn than those who contributed.⁹⁵⁵

Mirroring the cultural change going on in Canada, some within the new guard of the Liberal Party elites had come to believe in disclosure as a principle—but they knew too that it would hurt the party's interests. Gordon Dryden, Party Treasurer and another member of the new guard, appeared before the Chappell Committee.⁹⁵⁶ He described

⁹⁵³ Canada. 14 January 1971: 8:15.

⁹⁵⁴ Members of the old guard wrote party reports opposing disclosure (see above) and or wrote to academics complaining about disclosure, in an attempt to stop disclosure becoming law: John Godfrey to Khayyam Z. Paltiel. 13 September 1973. In *Khayyam Z Paltiel Papers*. Library and Archives Canada. MG 30 E519. Box 21. Folder "Correspondence with Political Parties and Others, Research materials 1972-1973": 3.

⁹⁵⁵ Canada. 14 January 1971: 8:15.

⁹⁵⁶ His time as Party Treasurer was described as representing "a tradition of solid, fiscal integrity for the party": John English, Professor at the University of Waterloo and Liberal MP quoted in: Carlson, Kathryn Blaze. 3 February 2014. Gordon Dryden: The Quiet Death of a Leading Liberal Voice. *Globe and Mail*.

full disclosure as a “very difficult question.” Dryden continued: “I have no hesitation in saying publicly that I support this principle [full disclosure] 100 per cent.” But, he explained, there were practical problems that needed to be dealt with including devising enforceable mechanisms and ensuring that donors were not discriminated against after their donating became public.⁹⁵⁷ Like Stanbury, Dryden’s principles and the party’s interests were at odds.

After the publicity of the National Policy Convention, and Stanbury and Dryden’s testimony, full disclosure was on the reform agenda. However, it was a bitter pill to swallow for some in the party.

Godfrey remained opposed to disclosure after it became Liberal Party policy.⁹⁵⁸ Similarly, the Liberal Party in public office, though it made up a large majority of the Chappell Committee did not endorse full disclosure. When the Chappell Committee reported, it took the Barbeau position on disclosure.⁹⁵⁹ Similarly, Trudeau—who returned to a position of almost ultimate power in the party after the National Policy Convention—ignored full disclosure when he introduced Bill C-211 to “amend the *Canada Elections Act* and the *Income Tax Act* in respect of election expenses” in May 1972. Instead the bill contained only the Barbeau and Chappell committee disclosure recommendations that would have required parties to disclose their operating expenses, total number of donors and the total amount of receipts by donor type (unions, individuals, public corporations, private corporations).⁹⁶⁰

⁹⁵⁷ Canada. 14 January 1971: 8:8.

⁹⁵⁸ John Godfrey to Khayyam Z. Paltiel. 13 September 1973. In *Khayyam Z Paltiel Papers*. Library and Archives Canada. MG 30 E519. Box 21. Folder “Correspondence with Political Parties and Others, Research materials 1972-1973”: 3.

⁹⁵⁹ Canada. 1 June 1971. *Minutes of Proceedings and Evidence of the Special Committee on Election Expenses*: 13:31-13:38.

⁹⁶⁰ Bill C-211. An Act to amend the *Canada Elections Act* and the *Income Tax Act* in respect of election expenses. 16 May 1972: Section 4.

Both the campaign finance reform bill and Trudeau's decision not to adhere to the party membership's resolutions were received poorly.⁹⁶¹ Bill C-211 was criticized⁹⁶² because it did not require disclosure of the identity of donors, which was now expected by the media and the party membership. Leading campaign finance scholar, Khayyam Z Paltiel, characterized Bill C-211 as "doomed, tardy, and half-hearted".⁹⁶³ Clarkson wrote that "the morale of the party core fell noticeably" when Trudeau ignored the party's resolutions. Afterwards, the party found it more difficult to recruit volunteers for 1972 Election campaign than they had in the 1968 campaign and attributed that difficulty to disenchantment and disappointment in the ranks after Trudeau's lack of follow through.⁹⁶⁴ The Liberals' disappointing performance in the 1972 Election, in which they lost 38 seats and were reduced to a minority government, demonstrated to Trudeau the risks of ignoring the broader party membership after such a concerted effort to involve them.

After the election Trudeau sought to re-engage with the party organization. The party executives with whom he re-engaged were former Cell 13 members, including Stanbury, Dryden, Keith Davey and Jim Coutts, who had been committed to a more participatory party model for a decade.⁹⁶⁵ The party leader, while retaining almost complete control of his party, sought to better use that power so as to not incur the dissatisfaction of the members. The broader party, in this case, had some leverage: they were needed as a source of campaign labor (volunteers), they could choose not to vote (and apparently made that choice in 1972), and the party elites had encouraged them to believe they were important in the rhetoric surrounding the year-long consultation. In these ways, party activists were more powerful than they would have been the Liberal Party of Australia (in which campaign labor was not important, activists had no capacity to

⁹⁶¹ Trudeau ignored the party's resolutions on campaign finance reform as well as a raft of other policy areas (including a guaranteed income).

⁹⁶² Lavone, Michael. 17 May 1972. Election Spending Bill to Protect Donors' Names. *Toronto Star*: 4; Campaigning Contributions to be Kept Confidential under Legislation on Election Expenses. 17 May, 1972. *Globe and Mail*: 1.

⁹⁶³ Paltiel, Khayyam Z. 1989. "Canadian Election Expense Legislation, 1963—1985: A Critical Appraisal or Was the Effort Worth It?" In *Comparative Political Finance in the 1980s*, ed. Herbert E. Alexander. Cambridge: Cambridge University Press: 55.

⁹⁶⁴ Clarkson. 1979: 159.

⁹⁶⁵ Whittaker. 1982: 153.

choose not to vote and the party had never sought—or used the rhetoric of—widespread engagement in party policy).

Now, to meet expectations, any campaign finance reform bill would need to contain full disclosure provisions. Bringing to an end an 11 year period leading up to campaign finance reform, Trudeau endorsed full disclosure of all donations to parties, identifying each donor and amount of money donated in mid-1973.

The *Election Expenses Bill 1973*, introduced into the Parliament in June, contained provisions for an extreme form of disclosure: full disclosure of the source and amount of every donation over CAN\$100! As noted, this move was unexpected and has been understood as a concession, made only by the Liberal Party, to the insurgent NDP in return for their confidence votes for the Trudeau Liberal Party government. The NDP undoubtedly had a role in Trudeau's decision, but it is important to see that the Liberal Party was well on its way to endorsing full disclosure and that internal party politics reduced the tenability of passing a campaign finance reform law without full disclosure.

It is true that the old guard remained resistant to disclosure, based on the party interest in campaign funds, democratic ideas about the secrecy of the ballot, and ideas about the proper separation of the party in public office from funding matters. Godfrey wrote, privately, to Paltiel explaining that the *Election Expenses Bill 1973* that his own party had introduced:

does not provide sufficient subsidies to the parties to replace the expected loss of revenue. ... I also consider it highly illogical to give tax credits to donations up to \$1,150, presumably to encourage donations up to that amount and yet require disclosure of donations over \$100. Surely the local merchant should, if he wants to, be able to donate \$500 to a political party or candidate without danger or incurring the wrath of his customers of other political persuasions?⁹⁶⁶

Godfrey had come to accept some sort of disclosure, but only of very large donations, lest the storekeeper and his customers fall out over their political views. He continued to explain his views on disclosure from the perspective of a bagman:

I had always taken the position that I should not disclose to members of the government who gave and how much they gave, otherwise there is always the possibility that they might be influenced, even sub-consciously, because of donations or lack of donations. However, I cannot imagine anyone being influenced by a donation of \$1,150. The Bill

⁹⁶⁶ John Godfrey to Khayyam Z. Paltiel. 13 September 1973: 2.

should be designed to put the spotlight on donations like Fiddinam, [sic] and there is no necessity to go down as low as \$100 to stop that kind of practice.⁹⁶⁷

A few days later, Godfrey let the Liberal Party convention know his dubiousness about the *Election Expenses Bill 1973* his party was pushing—especially its disclosure provisions:

We don't know what the effect of the new Election Expense Act will be on fund raising from corporations. They have a full disclosure act in England and this apparently does not inhibit corporations giving large donations to the Conservative Party which are well publicized in their annual reports and in the Press, and hopefully it will not do so in Canada once corporations get used to the idea. However, this may take some time and we must lay our plans on the basis that we will not be receiving as much money as before from the traditional sources and that, therefore, we must broaden the base of political funding through the medium of such devices as Red Carnation Funds, fund raising dinners, etc.⁹⁶⁸

In Godfrey's mind, broadening the base was a necessity only *after* campaign finance reform had diminished traditional revenue sources, rather than one of reform's initial goals—the reason for reform.

Canadian culture was changing, however, and Godfrey's view, conditioned by years working as a bagman, was clearly on the way out. In 2001, the *Globe and Mail* reflected on Godfrey's time as a fundraiser:

Fundraising was different then — none of the \$600-a-plate dinners on businessmen's and lobbyists' expense accounts where the object was to see and be seen being nice to the government in power. Mr. Godfrey's dinners were much smaller and very private, usually at The Toronto Club, and the contributions were much higher. To paraphrase Gilbert and Sullivan, he had his little list and none of the big spenders were to be missed. But in the days before disclosure, he didn't have to tell anyone, including the prime minister, about who was giving what. He would argue that it was better for the prime minister and his cabinet not to know.⁹⁶⁹

To say that Godfrey's views were outdated is not to say that his motives were bad. Godfrey's stances were more typical than Stanbury's in their motivational bases. As has been often the case throughout this thesis, Godfrey's conception of democratic values (where private fundraising was desirable and best kept secret from both citizens and legislators), was aligned with the party's (and his own) interests. While Godfrey's

⁹⁶⁷ John Godfrey to Khayyam Z. Paltiel. 13 September 1973: 3.

⁹⁶⁸ Godfrey, John M. September 1973. Report of the Chairman of the Standing Committee on Finance and of the Treasury Committee to the Convention of the Liberal Party of Canada. September 14-16, 1973. In *Khayyam Z Paltiel Papers*. Library and Archives Canada. MG 30 E519. Box 21. Folder "Correspondence with Political Parties and Others, Research Materials 1972-1973": 3.

⁹⁶⁹ Winsor. 13 March 2001.

sincerity is hard to accept, this combination of democratic values and party interests, in which people see their party's interests through their understanding of how democracy should be, were common motivational bases throughout the case-studies.

CONCLUSION

The Liberal Party's surge toward campaign finance reform was initiated in response to party-interests and concerns over rising campaign costs for the party. Party activists were involved in the process in 1962, in a controlled way, and approved the party elite's campaign finance reform agenda consisting of public financing and spending caps. After the election of Pearson to government in 1963, and the creation of the Barbeau Committee, the Liberal Party began to lose its control over the campaign finance reform agenda. The Barbeau Committee raised the specter of disclosure—albeit in a limited form—to the reform agenda. Disclosure was a complicating factor, with the old guard of the party resistant to anything beyond the most minor disclosure of political finance.

Yet, the Barbeau Committee, created by the Liberal Party, had set the wheels in motion. A few years later—as part of the fruition of internal efforts by Cell 13—thousands of Liberal Party activists attended policy rallies, generating what they thought was Liberal Party policy. These activists wholeheartedly endorsed full disclosure. At the Chappell Committee, the new guard of the party executives, motivated by social acceptance, appeared to be in favor of full disclosure because they did not disavow the party membership's votes in favor of it. Indeed, they themselves indicated that the party was knowingly heading in the direction of full disclosure. The train bore ever farther down the disclosure track. But the old guard remained viscerally opposed to full disclosure.

As a consequence of a cultural shift, members become more important to party elites in the Canadian Liberal Party. This importance was not solely romantic. While the leader retained ultimate power to decide policy, having involved so many members in participation and engaged in so much rhetoric about participation and grass-roots policy-making, the new guard party executives and—especially—Trudeau had unwittingly increased the consequences of ignoring the membership. The membership now had *expectations* about their policy being adopted and was less deferent.

When those expectations, and many others, were ignored, the party membership was disappointed. Trudeau's Bill C-211 in May 1972 was a big slap in the face to the party membership: a campaign finance reform bill with only the most limited concession to

disclosure. Fortunately, the membership—in the absence of compulsory voting and candidate-centered campaigning—could punish the party leader. The party found activists unwilling to volunteer for the party and to turn-out to vote for them in the 1972 Election. Their poor election performance, and corresponding minority government status, was attributed to a disaffected party membership. In combination with the increased power of the NDP, the time was right for Trudeau to introduce a conciliatory full disclosure bill. That bill soon came.

CONCLUSION TO PART III

Beginning from the premise that the party in public office—or, to be more precise, sub-groups of the party in public office: the party leader in Canadian parties, the party leadership in Australian parties, and individual members of the legislature in Wisconsin—necessarily set final party policy by their votes in the legislature, Part III addressed two core issues: identifying circumstances that facilitated the influence of party organization on the policies adopted by the party in public office and examining the motivational bases of actual campaign finance policy outcomes.

In two of the four case-studies in this Part, the party organization's views were irrelevant to the policy adopted by the party in public office: in neither the Wisconsin Democratic Party nor the Progressive Conservative Party of Canada did the organization affect policy. In Wisconsin, the legislative process proceeded with little regard for the Democratic Party organization largely because the organization failed to persuade members of the party in public office of its agenda, either by meeting members individually or in private. In Canada, the leader of the Progressive Conservative Party unilaterally and unexpectedly reversed the party's established opposition to donation disclosure, and the party organization deferred—despite their fears about disclosure's consequences—because the prevailing party culture demanded obedience to the leader.

By contrast, in the other two case-studies, the party organization did influence the party in public office and directly affected policy outcomes. In the Liberal Party of Australia, the party leadership adopted the policy of party executives: to oppose disclosure laws *holus bolus*. In the Liberal Party of Canada, the party leader, eventually, adopted the full disclosure policy of party activists. Explaining the decisions of the leadership in these two cases is highly contextual, but some general observations can be deduced.

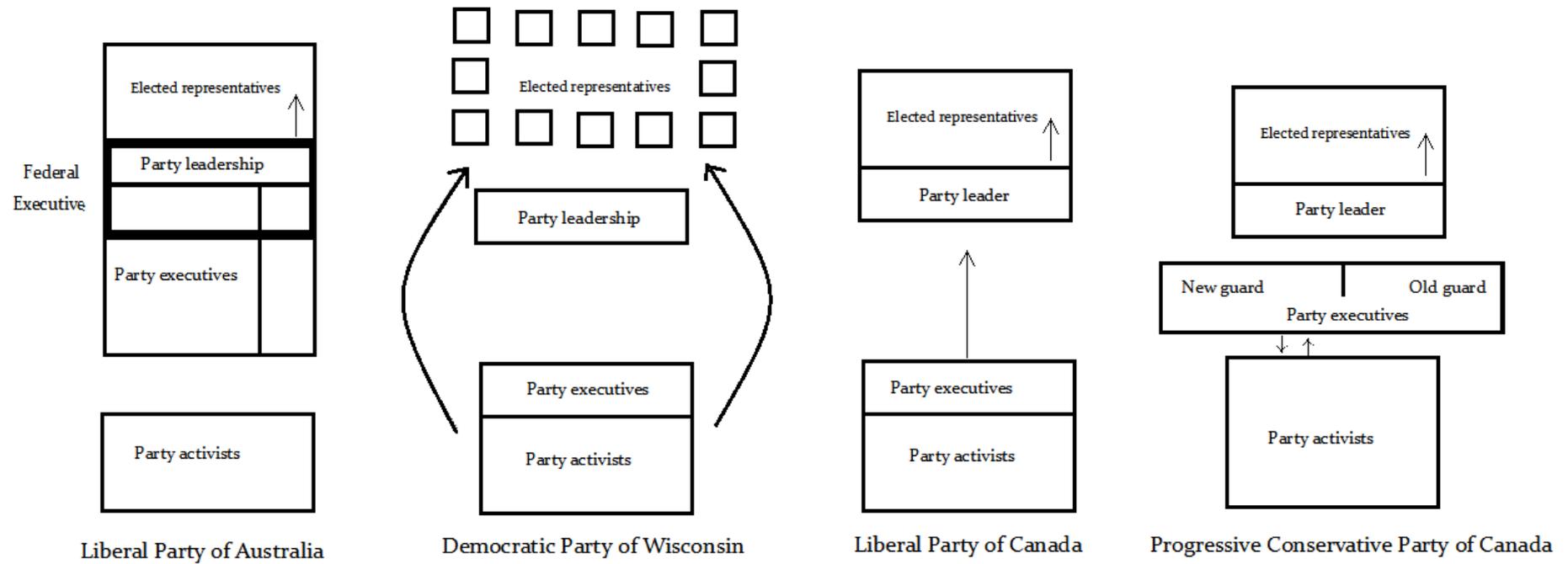
Firstly, party structure played a role in determining whether the party organization would be heard: it was a necessary but insufficient precondition of party organizational influence. Only in the Liberal Party of Australia did a meaningful, regular, and private, shared forum exist for the party organization to freely express its views to the party leadership (Figure 14.8). It was in the privacy of this forum that a well-prepared party executive was able to convince the party leadership to defend its interests in revenue maximization. Similarly, in only the Liberal Party of Canada was the party membership

actively, deliberately and enthusiastically involved in making party policy. Here party activists had a (temporary) structural opportunity to address, grill and advise the party leadership—Pierre Elliott Trudeau—directly and in person. In the debate over campaign finance reform, party activists, party executives and the leader became, for a time, less isolated from each other (Figure 14.8) and the party activists' policy on full disclosure of political donations, eventually, became the party policy adopted in the House of Commons.

In the other two parties—the Wisconsin Democratic Party and the Canadian Progressive Conservative Party—there were no such structures that provided routine private meetings of the organization with the party in public office. Neither were there intraparty consultation and participation regimes as developed as in the Liberal Party of Canada. Correspondingly, in these two parties, the party organization—executives and activists—were distant and isolated from the party in public office and the party leadership (Figure 14.8).

As an explanation, however, party structure is incomplete: structure can only provide opportunities for influence; it does not guarantee it. In the cases considered here, the interplay of culture and institutions in generating expectations and encouraging influence also prove important.

Figure 14.8: Comparative Representations of Party Structure and the Closeness of the Party Organization and Party in Public Office



The Liberal Party of Australia case-study closely mirrors the reasoning, language and outcome of rational choice theory, in no small part because of the political culture in Australia. Calculations about the competing interests, culturally expected in a place where, in the words of the toe-cutter (Liberal Senate Leader Reg Withers), “any political party is suspicious of changes advocated by another”,⁹⁷⁰ help explain why the party leadership acquiesced to the party executives. Without that abiding suspicion of the Labor Party and a conviction it did nothing which would advance any interest other than its own, plus a genuine belief in the exaggerated effects of the law—that disclosure “threaten[ed] the future existence” of the party⁹⁷¹—the party leadership would likely have been less caught up in hysterical fears about donation disclosure.

Other institutional differences, still reflective of the prevailing political culture, were also important. In the Australian case, the risk to the party in public offices’ electoral efficiency interests was reduced by the operation of compulsory voting. Culture and institutions interacted and reinforced each other so that a belief developed in the party leadership that the electoral risks of taking a cynical political stand on (once more in Withers’ words) “laws politicians want to make to help themselves be re-elected”⁹⁷² were few. In essence, the party in public office was freed from the need to behave properly because they understood that that (what would be considered in the other case-studies to be) impropriety would go unnoticed and/or unpunished by the electorate. Expectations that behavior of politicians ought to further the public, rather than private, interest were lower and the ability of the voters to punish politicians by not voting was less. And, so, in the Liberal Party of Australia, the presence of a joint forum was just one factor—in concert with a culture of intense suspicion and institutions (compulsory voting)—that freed the party from expectations of propriety and electoral consequences. These enabled the Liberal Party to go down their implausible political line and listen to their party executives.

In the case of the Liberal Party of Canada, in which the organization also influenced the party in public office, it is important to also observe that the presence of policy

⁹⁷⁰ Withers, R.G. 4 April 1975. Electoral Laws Amendment Bill. In *Alan Missen Papers*. National Library of Australia. MS 7528. Box 223.

⁹⁷¹ Marsh, Ian (Research Department, Liberal Party of Australia). October 1974. Funding Political Parties and Campaigns (draft). In *Robert Southey Papers*. National Library of Australia. MS9901. Box 6. Folder “Federal Executive Meeting 30 November 1974”.

⁹⁷² Withers, R.G. 4 April 1975.

made by party activists did not in and of itself explain why the party in public office adopted that policy. With ease we can explain why the new guard party executives endorsed the activists' policy. The participatory experiment was their experiment and they were committed to a culture of participation. The stated desires about broadening the base and empowering the membership were not empty platitudes. The new guard had been influenced by a cultural shift in Canada, one which, in the cultural currents of the 1970s, endorsed ideas of participatory democracy. A vibrant party membership came to be seen as superior to elite-led democracy. This commitment to participatory democracy and the participatory experiment he created provides a plausible explanation for Stanbury's decision to include, discuss and endorse (if in qualified terms) the views of the party membership on campaign finance disclosure at the Chappell Committee.

Explaining why the party leader, Trudeau, adopted the activists' policy also involves the interplay of culture, institutions and the consequences of the new guard's efforts at involving the membership. As a consequence of party-centered politics and voluntary voting, activist local members were needed by parties in Canada as volunteer labor during election campaigns more than in other jurisdictions. In Wisconsin, volunteers organized around candidates; in Australia volunteers were not needed much because the state mobilized the voters for the parties through compulsory voting. These conditions did not prevail in Canada. Furthermore, in Canada an active membership also provided evidence of legitimacy and popular participation arising from a broad popular base.

The participatory process and the lofty language used by new guard party executives, combined with the apparent endorsement of their policy on disclosure at the Chappell Committee, raised the expectations of thousands of Liberal members across Canada. Those expectations were dashed by the leader—who ignored the activists' adopted policies through 1971 and up to the 1972 Election. Having been encouraged not to be deferent to the leader and elites by the participatory experiment that the elites had launched, the old ways (still on show in the Progressive Conservative Party) of quiet compliance by those lower in the hierarchy were less prevalent. Party activists reacted to their unmet expectations by not volunteering and not voting in 1972. The party had fewer volunteers. Turnout was low among Liberal Party supporters. Trudeau's electoral

victory was reduced. And the Liberals were demoted to a minority government. Liberal Party activists, and Canadians generally, had flexed their muscle.

Only when Trudeau was reminded of some hard realities—that a disgruntled membership could hurt the party—did he change tact. While culture was important, it was institutions and party structure that ensured that the party members' annoyance mattered.

What can we learn from these four cases? Firstly, it is obvious that the party organization can and did influence the policy eventually adopted by the party in the legislature. Secondly, in all of these cases the conflation of the interplay of culture, institutions and party structure created *expectations* which appeared to be very important in influencing the behavior of individuals.

In the case-studies in Part III, there was no connection between who influenced the policy and the motivational bases underlying the policy adopted by the party in public office. That is, policy adopted by the party in public office *without* the contribution or influence of party executives or activists was not more prone to be based on self-interest than party policy adopted by the party in public office *with* the influence of party executives or activists. This is surprising given that Part II identified general tendencies of party activists to be more diverse in their motives than party executives, who tended to be concerned with party-interests, or the party in public office and who tended to be concerned with self-interests. The policy outcomes across the board tended to be a mix of interests and democratic values, consistent with overall motivational mix within parties (Table 14.9).

A weak pattern emerges when the eventual party policy adopted in the case-studies from Part II are added (Table 14.10). Table 14.10 encourages an emphasis on expectations as being a key to reform outcomes. Where individuals from the party in governance roles who took their role—and the expectations of themselves and others that they govern responsibly—seriously, as was the case in both parties in Wisconsin and the Australian Labor Party, democratic values and interests were melded in policy outcomes. Meanwhile, the Australian Liberal Party, free from any governance roles and the expectations that come with them, could pursue its interests and its interests alone.

Table 14.9: Motivational Bases for Policies Adopted in Part III Case-Studies

Case	Measure	Who influenced policy	Motivational base of policy
Liberal Party of Australia	Disclosure	Party executives (and professionals)	Party-interests (revenue maximization)
Democratic Party of Wisconsin	Public financing	Party in governance roles; Party in public office; interest groups	Democratic values; Self-interest
Progressive Conservative Party of Canada	Disclosure	Party leader	Democratic values; Party-interests?
Liberal Party of Canada	Disclosure	Party activists	Democratic values

Table 14.10: Motivational Bases for Policies Adopted in the Case-Studies in Part II and III

Case	Measure	Who influenced policy	Motivational base of policy
Liberal Party of Australia	Disclosure	Party executives (and professionals)	Party-Interests (revenue maximization)
Democratic Party of Wisconsin	Public financing	Party in governance roles; Party in public office; interest groups	Democratic values; Self-interest
Progressive Conservative Party of Canada	Disclosure	Party leader	Democratic values; Party-interests?
Liberal Party of Canada	Disclosure	Party activists	Democratic values
Republican Party of Wisconsin	Contributions of party to candidates	Party in governance roles; Party in public office; interest groups	Democratic values; party-interest
Australian Labor Party	Disclosure	Party in governance roles	Democratic values; social acceptance; Party- interest?

To say that expectations are important is, in some ways, an easy inference. It is not a perfect inference: Trudeau would likely have continued stalling on full disclosure of donations in Canada, if there were not serious pressures placed on him by electoral defeat and a discontented membership (whose expectations had been dashed).

Nonetheless, it is an inference with profound implications. It behooves us not to encourage the view of electoral reform as a contest of interests, lest it becomes one.

CONCLUSION

IT'S COMPLICATED: ELEVATED EXPECTATIONS AND THE RELATIONSHIP BETWEEN PARTY MOTIVES AND ELECTORAL REFORM

For as poor as party spirit often is[,] it is still something which pertains to principles, which operates as a guide to electors, and prevents the House from degenerating into a mere collection of self-seeking individuals.

—Alfred Deakin. 5 January 1886.⁹⁷³

Alfred Deakin—Australia’s second Prime Minister and father of federation—believed the collective goals and purpose of a political party acted as a buffer against the natural self-interest of the individual legislator. Deakin’s estimation, on the evidence in this thesis, appears to be mistaken, at least in regards to campaign finance reform in the 1970s. *In the eight cases studied here*, it was not the appeal to the principles of any party that restrained legislators from a degenerate pursuit of their self-interest in shaping electoral law. Rather we have seen that it was expectations, both self-expectations and self-understandings of the expectations of others that acted as safeguards against an unbridled quest for self- (or party-) interests.

All of the individuals and parties studied in this thesis can, at a push, be understood to have been motivated by “self-interest”—*if* the meaning of the term is stretched far enough. This applies even to Richard Stanbury, the President of the Canadian Liberal Party (Chapter 14). We could infer that it was in Stanbury’s self-interest to speak in favor of the party activists’ policy at the Chappell Committee to avoid irritating the party membership, on whose goodwill he relied for volunteer labor. However, by the same forced interpretation of self-interests, it would have been in Stanbury’s self-interest to have kept silent about the party members’ policy, thus avoiding the awkward grilling that followed—or, even more importantly, to avoid damaging his relations with Trudeau and the old guard of the party, which viewed full disclosure with much trepidation. If we understand self-interests so broadly, however, we quickly get to the point where any behavior in which Stanbury could have conceivably engaged can be

⁹⁷³ Alfred Deakin to Christopher Crisp. 5 January 1886. In *Christopher Crisp Papers*. National Library of Australia. MS743:281.

understood as motivated by self-interest—whether that behavior was to support, be silent about, oppose or burn the members’ policy.

The same sort of *reductio ad absurdum* can be imposed on all the other partisans whose behavior this thesis has followed during campaign finance policy development: Bede Hartcher (Chapter 6), Frederick Daly (Chapter 7), Robert Bédard (Chapter 8), the 30 respondents in the Progressive Conservative Party of Canada (Chapter 9), Ody Fish and Susan Stearn (Chapter 10), Ian Marsh (Chapter 11), John C. Oestreicher (Chapter 12) and Robert Stanfield (Chapter 13). All of their behaviors can be understood as self-interested. Bédard could be understood as having pursued his self-interest in satisfying a desire for influence and control by consulting the widely in the Progressive Conservative Party of Canada. Oestericher, as a Wisconsin Democrat Assemblyman, could be understood as having sought to broker a campaign finance reform bill because it served his self-interests in feeling like he contributed to reform outcomes. Ian Marsh’s attempt to publish dissenters’ views in the Liberal Party of Australia could be understood as satisfying his self-interests in feeling like he was doing the right thing.

However, these conceptions of self-interest do an injustice to the evidence on which this thesis is built. Describing all behavior as, in some vague sense, self-interested adds nothing to our understanding of the reform process. No predictive power attaches to this ascription of self-interest because no behaviors or outcomes can ever be excluded from such a broad conception of self-interest. Deploying a universal notion of self-interest ensures that no behaviors can ever be described or characterized as more desirable than others. Yet, as has been implicit throughout this thesis, not all motives should be equally valued in a democracy (assuming democracy, rather than government or interest aggregation, is the standard at which to aim).

Even though operating within a rational choice framework, Sidney Verba, Kay Lehman Schlozman and Henry E. Brady observed that the “mix of motivations that citizen participants bring to politics makes a difference” to the “quality of civic life” and that:

the mix of gratifications pursued through political activity makes a difference. It matters for the political life of the community whether citizens seek self-interested material goals rather than what are, from the point of view of rational actor theory, equally self-interested civic goals.⁹⁷⁴

⁹⁷⁴ Verba, Sidney, Kay Lehman Schlozman & Henry E. Brady. 1995. *Voice and Equality: Civic Voluntarism in American Politics* Cambridge: Harvard University Press: 105, 104 and 23.

Motives like civic duty, democratic values and, even, social acceptance, are more conducive to a vibrant democratic life than interests. Civic duty, as a basis for participation, may help foster a participatory democracy. The pursuit of democratic values in electoral reform outcomes, whether seen from a conservative, liberal or radical understanding of democracy, may help ensure that election laws do not center on the electoral interests of the governing parties. Social acceptance motives may ensure that the expectations of the public are captured and represented in the behavior of the governing elite.

This thesis has sought to identify the conditions that make less likely the centrality of interested motives in campaign finance reform. Interests are, of course, relevant to parties. However, as soon as it is acknowledged that interests are not the only or the inherent motivation behind all party attitudes and behaviors in electoral reform debates—an admission that, while still rare, is becoming more common—it becomes imperative to discern what other motivations drive parties and partisans and what conditions make non-interest based motivations more likely. This is important not only for our confidence in, and understanding of, democratic reform of electoral institutions, but it is also important for reformers, who seek to improve democracy using electoral reform. These reformers must interact with, and convince, parties and partisans to secure reform: they need to understand what motivates partisans—especially legislators.

In this pursuit, of observing when non-interested motives manifest in reform debates, we have discerned much about the motives of partisans, the private and public lives of parties, party policy development processes and the importance of localized cultural attitudes. These findings are summarized below.

MOTIVES OF PARTISANS IN ELECTORAL REFORM

This thesis has generated a typology of motives toward campaign finance reform that were preserved in archival records—a new, seldom-used and rich source of information about motives. The typology allowed us to gain insights into how the environment, democratic ethos, and the expectations of others, shaped the motives and behavior of partisans. Every one of the eight case-studies shows that assuming interests are the sole guide to the behavior of parties misses a great deal of the full story about why partisans participate in the process of reform and indeed how reform actually does happen. We have seen that serendipity played a role in almost all cases.

Self-interest in electoral reform outcomes was a relatively rare motivator. Party-interest was a more common motivation, but one that did not usually appear in isolation. Party-interests were often moderated by other motives, like democratic values or social acceptance. Indeed, the combination of party-interests and democratic values, where an individual's values about the proper scope and character of democracy formed the lens through which party-interests were understood, was common throughout the case-studies.

When were non-interested motives important? Two processes of socialization proved to be significant in explaining non-interested motives in the eight case-studies: experience and expectations. The very fact that party-interests were more commonly observed indicated that socialization mattered. Partisans got caught up in the mission of the party. The team's interests motivated partisans, with little apparent regard for, or independent conception of, their individual self-interests.

In Part II, the thesis found that *experience* deriving from a partisan's organizational position was central as an explanation for the motives that an individual expressed in their positions on campaign finance reform measures. Party executives were more often motivated by party-interests (especially party-interests in revenue maximization) than other groups. Self-interests and party-interests in electoral efficiency motivated the party in public office more than other groups. Party activists, on the other hand, tended to be especially motivated by democratic values in their sometimes simplistic or romantic positions on campaign finance reform. A general sense emerged from the totality of the evidence: the further up the party hierarchy an individual was, and correspondingly the more knowledge and experience that individual possessed about the operation of electoral law, the greater their interest calculations. The conclusion to Part II argued that partisans learned from their experiences, which in turn affected their motives and positions on reform.

In Part III, *expectations* appeared to be just as important as—and maybe more important than—experience to the content of campaign finance policy adopted by the legislature in the case-studies. Social acceptance motives were common throughout. The behavior of the party in public office, which oftentimes threatened to be dominated by motives of self- or party-interests *in electoral efficiency*, was tempered by the expectations of others.

Partisans rose to the occasion, if rising was expected. The difference between a partisan's behavior in roles with different expectations is most clear in the case of Frederick Daly. In 1971, as an opposition bencher with absolutely no power at all to affect legislation (in Australia's strictly disciplined party-system), Daly was motivated by party-interests in his thinking about reform: the party's interests in winning the battle for public opinion. Three years later, Daly, as a minister in government with real power, authority and responsibility, was no longer preoccupied solely with party-interests: rather, in 1974, democratic values and civic duty were also serious concerns as he generated a campaign finance reform bill.

One clear goal for anyone who wishes for electoral reform outcomes to reflect democratic values, civic duty or any motives that do not involve calculations of interests, is to contribute to the raising of expectations about partisan conduct. In this way, a brake may be placed on the pursuit of interests by the party in public office. This conclusion is bolstered by the observation that, of the eight case-studies considered here, only the Australian Liberal Party case-study in Chapter 11 was explicable in narrow interest terms. This was during an unprecedented period of political upheaval and extreme partisanship in Australia, which culminated in the extraordinary dismissal of the Head of Government by the Head of State.⁹⁷⁵ It also occurred in a very utilitarian political culture, where the pursuit of interests was acceptable and *expected* and in which parties needed to make "little resort to ideals and ideas to clothe their naked intent".⁹⁷⁶

In the other cases, the motives of individuals were usually multiple and, sometimes, conflicting. For many, party- or self-interests coincided with or were informed by democratic values. For example, for Fish and Stearns in the Wisconsin Republican Party, maintaining a central role for the Republican Party in campaign financing was a major goal of participation in the reform processes, motivated by values that saw party financing as inherently less corrupt than decentralized and unprofessional candidate-centered financing. The Republican Party's interests, in being a real political force with sway over candidates, were understood in light of this commitment to party-centered

⁹⁷⁵ For more information see: Kelly, Paul. 1983. *The Dismissal: Australia's Most Sensational Power Struggle and the Dramatic Fall of Gough Whitlam*. Sydney: Angus & Robertson.

⁹⁷⁶ Collins, Hugh. 1985. Political Ideology in Australia: The Distinctiveness of a Benthamite Society. *Daedalus*: 155.

politics. These partisans were extremely committed to ensuring the law allowed parties to fund their candidates' campaigns, and they dedicated the vast bulk of their efforts to this end. By contrast, Republican Party activists and executives had little to say on other measures in which party-interests were present, like laxer donation limits, lesser disclosure requirements and looser spending limit provisions. Indeed, these provisions were not widely considered by Republican partisans, perhaps because they did not concord with their underlying democratic values.

For other partisans, their multiple motivations led to conflicts and mistakes. For example, Oestreicher's motives in his brokerage of a moderate reform bill in Wisconsin conflicted with his positions on campaign reform measures (including a public financing system). His brokerage of the bill was motivated by social acceptance in the process of reform—in particular, in fulfilling the proper role of the pragmatic legislator. Meanwhile, his initial interest in campaign finance law and his positions in favor of a public financing scheme, were motivated by democratic values. Social acceptance took precedent in Oestreicher's case. Regrettably, Daly's impulse to maximize his party's electoral mileage during parliamentary debates on campaign finance reform in Australia contributed to the thwarting of his reform proposals, which were motivated by democratic values and social acceptance.

Mixed motivations were difficult to detect. Even when partisans were motivated solely by party interests, identifying "the" party interests remained complex. Interpretations of interests by different partisans were often multiple, contradictory, subjective and they changed: long-term and short-term interests competed; electoral efficiency and revenue maximization interests conflicted with each other; different interests often pitted one part of the party against another. In short, even figuring out what is the party interest is complicated—and not something that can be easily assumed.

It may be the case that these findings are influenced by the case-studies' fixation on campaign finance reform in the 1970s. In this time, transitions in the nature of campaigning and the structure of parties, combined with the perceived necessity of increased funds, ensured that, at least in the Wisconsin Republican Party and, maybe, the Australian Labor Party case-studies, some sort of change was needed. Yet, the presence of non-interested motives in this context only adds weight to the findings that reform is not dominated only by calculations of interests. Interests in these cases were strong and identified and yet some individuals resisted to pull of those interests.

POLITICS, POLICY, PUBLIC AND PRIVATE

In the eight case-studies, motives like democratic values in *positions* on reform manifested more often at the early stages of the consideration of campaign finance reform than they did later in the process, after concrete legislative proposals had surfaced. Similarly, sincerity about motives and positions was more common in public committee hearings than it was on the floor of the legislature. These differences were related to the distinction between policy-making processes and political processes.

Emerging from this thesis is the idea that suspicion about the veracity of public attestations of partisans about their views on reform, and motives for those views, need not be absolute. Genuine policy development forums like legislative committees, even when conducted publicly and/or in parliamentary systems, elicited more sincere discussion about campaign finance reform than expected. Partisans, in the case-studies, responded well to opportunities for real influence on policy development. In Chapters 8 and 9, the Progressive Conservative Party organization took the Chappell Committee hearings seriously. Similarly, Wisconsin party executives and activists—in both the Democratic and the Republican parties—treated the Senate Judiciary and Insurance Committee hearings as the most important part of the reform process. In Chapter 14, the Liberal Party of Canada's representations to the Chappell Committee were honest, even though they revealed weaknesses and vulnerabilities in the party. This thesis shows that partisans outside the party in public office revel in the opportunity to influence policy outcomes. Indeed, a probable reason why partisans get involved in parties in the first place is to influence policy (rational choice irrationality notwithstanding). Committee hearings offer an unusually direct and legitimate way to do that.

As we have seen in this thesis, people responded to their surroundings. Expectations about the opportunity to make a meaningful contribution to policy encouraged sincerity when partisans presented ideas and evidence to committees. Conversely, we see that, where serious policy-development goals are displaced by policy advancement goals, interests come to the fore. Committee hearings were not equivalent to other floor proceedings such as Question Time or Question Period—which are political, rather than policy, driven. Nor are they like press releases or press interviews. On the floor of the legislature and at press conferences, the political game tended to take over from the policy development process, and self- and party-electoral efficiency interests

tended to dominate. In terms of evaluating evidence, this thesis has shown that outside of serious policy forums, the observer must remain wary of the exaggerated and insincere public communications intended for the general public.

These public presentations should not, however, detract from the very real, and diversely motivated, policy-making processes that occur within legislative committees and within parties. Indeed, a parallel world exists for partisans in parties (Table 15. 1): the private policy-making world. We saw, in Part II, the vast differences between the public faces that parties present to the electorate and their serious policy-development faces. In the highly private and secretive political parties in the parliamentary systems, whole expansive worlds of serious policy development are hidden from public view. In these private processes, we saw unexpected levels of consultation, thoroughness, diverse motives and sincerity. This parallel world was small in the Wisconsin parties, because their party organization was weak and irrelevant (in a candidate-dominated politics) to their party in public office. However, the second—public and policy-orientated—world was much larger for partisans in Wisconsin, with a myriad of routinely held legislative committee hearings open for party executives and activists to argue their reform positions in a policy-driven forum.

Table 15.1: The Three Worlds of Political Parties

World	Public and political	Public and policy-orientated	Private and policy-orientated
Goal	Win political debate/advance policy agenda	Develop policy	Develop policy
Level of Sincerity	Insincere	Sincere	Sincere
Motives	Electoral efficiency party- and self-interests	Diverse motives	Diverse motives

INTERNAL PARTY POLICY-MAKING PROCESSES

In this parallel world, party organizations varied tremendously in their attempts at developing policy and influencing policy adoption in the legislature. In Wisconsin, this parallel world was less organized and developed and more individualized than in the parliamentary systems. Collective party bodies—executive and administrative committees—in the Wisconsin parties did little in the way of campaign finance policy-making, except at the party convention. Collective party bodies had an even smaller role in persuading legislators of the merits of party policy: in policy-adoption, the influence of collective party bodies was much less than the influence of interest groups, which were more practiced at lobbying individual legislators. Instead, *individual*

partisans sought to influence party legislators in both private and public—or, more commonly, individual partisans sought to reform the party organization’s campaign finance practices outside of the public policy-making process.

In the parliamentary systems, the impulse of collective party bodies to involve other parts of the party was great. The party leadership and chief executive in the Liberal Party of Australia consulted with party executives in their party and parties overseas, generating a thorough and well-informed research report. The party executives in the Progressive Conservative Party initiated a costly and labor intensive consultative process that was not called for by their party activists. This process was not undertaken for media publicity (since no one outside the party knew the processes were being undertaken) but to involve the broader party. These consultative impulses appear to be common in parliamentary parties, with their growing use in the 1990s and 2000s documented by Gauja.⁹⁷⁷

The Liberal Party of Canada engaged in a more encompassing participatory experiment than the consultative regimes in any of the other parties considered in this thesis. Power over party policy was temporary delegated⁹⁷⁸ in hopes of creating a more engaged membership. There was no equivalent to the Liberal Party of Canada’s participatory experiment in the other case-studies. This participatory process was motivated by a genuine belief in democratic participation. Criticized for their naivety, Liberal Party of Canada elites forewent self- and party- interests and perhaps overlooked the potential political ramifications that came with giving party activists a direct and public say in policy-adoption, so enthused by their experiment were they. Even after decision-making power was taken back, the participatory experiment’s impact reverberated because new expectations about the efficacy of the policy-adoption process had been created. As a result, the party membership did change some of the party’s policy as enacted in the legislature.

⁹⁷⁷ Gauja identified a series of different ways that a party may involve its members in policy-development: local party meetings, the party conference, direct ballot, and organized consultation, *inter alia*. Most of them fall within Arnstein’s categorization of “tokenism” in that participation does not necessarily lead to influence. Consultations, a form of tokenism, emerged as the main method of involving members in parliamentary parties in the 2000s: Gauja. 2013: 75-79; Arnstein, Sherry R. 1969. A Ladder of Citizen Participation. *Journal of the American Institute of Planners* 35(4): 217.

⁹⁷⁸ See Shelly Arnstein’s ladder of participation, in which power delegation is several rungs above consultation: Arnstein, Sherry R. 1969. 217.

As well-meaning as this attempt to involve the broader party may have been, it did not sit well with the fundamental power of the party in public office. Political parties controlled the path of campaign finance reform, but the organizations of those political parties occupied a lesser role. The party leadership, or—in Wisconsin—the party in public office, was powerful by virtue of its status as the final arbiter of party policy. Even weak party leaders, like Stanfield in Canada and Snedden in Australia, had a lot of power relative to the organization in parliamentary systems. In the US, the party in public office possessed all power and the party organizations, especially the Democratic Party organization, wielded miniscule clout. The influence of the party organization, and especially party members, was not guaranteed by mechanics. Instead, culture—especially expectations—mattered to their ability to influence policy.

POLITICAL CULTURES WITHIN POLITICAL PARTIES

Political culture emerged—as a consequence of the importance of expectations—as a key factor in explaining the differences in motivations across the case-studies. Political culture⁹⁷⁹ forms the unspoken backdrop to any political debate—consisting of shared assumptions about what is true, obvious, right and appropriate. These assumptions are very rarely explicitly expressed primarily because they do not need to be; they are implicitly understood and socialized in individuals. Political culture—whether the political culture developed in a nation, political party or other subgroup of society—may act to limit which motivations individuals interpret as being acceptable and thereby “narrow the range of alternative actions that are possible or desirable”.⁹⁸⁰ Equally culture may create heightened expectations of what individuals and groups are able to do in influencing politics. In some of the cases studied in this thesis, culture limited the domination of interests by ensuring they were not viewed as legitimate—in other case-studies, culture created quite the opposite effect.

This varying legitimacy of interests is evident in the different ways parties in the jurisdictions spoke about reform in *private*. In the Progressive Conservative Party of

⁹⁷⁹ Defined by Sidney Verba and Gabriel Almond as societal tendencies in “political orientations – attitudes toward the political system and its various parts, and attitudes toward the role of the self in the system”. Almond, Gabriel A. & Sidney Verba. 1965. *The Civic Culture: Political Attitudes and Democracy in Five Nations*. Boston: Little Brown: 12. See also Hughes, Colin A. 1973. Political Culture. In *Australian Politics: A Third Reader*. Henry Mayer, ed. Melbourne: Cheshire.

⁹⁸⁰ Elkins, David J. & Richard E. Simeon. 1979. A Cause in Search of Its Effect, or What Does Political Culture Explain? *Comparative Politics* 11(2): 131.

Canada, attempts at encouraging interests as a base of party policy were rejected and conservative democratic values permeated policy positions. Similarly, in the Canadian Liberal Party, goals about increasing democratic participation were a frequent reprise, and activists' policy positions were based on democratic values. Both Canadian parties stood out for their tendency for to involve greater proportions of their party in campaign finance policy-making and to appeal to increased participation and a broader base than did other parties studied in this thesis.

By contrast, in the Australian parties, interests were the natural language used when conversing about electoral reform—even Leo Hawkins, an outlier in the Australian cases, questioned the Liberal Party of Australia's decision to oppose disclosure in terms that used party interests to justify his critique. Australian parties, operating in a utilitarian, adversarial and suspicious political culture, were guided much more by interests than other parties. Party attitudes in Australia more closely conform to the expectations of rational self-interested actors described in the existing literature. The narrative is one of a clash of interests between the Labor Party—which saw itself as the outsider and disadvantaged by “the system” and by its labor heritage—and the Liberal Party—which, once urged to think of disclosure as an attack, greatly exaggerated the danger of reform. One major caveat to this analysis exists: when a party was in government—whether ALP or Liberal—expectations that governments govern, rather than politic, appeared to influence members of the party in governance roles, such as Daly and Allen Fairhall.

The Australian cases and the Canadian cases were worlds apart, culturally. Wisconsin fell somewhere in the middle. In Wisconsin, interests were important: self-interests explain some Democrat legislators' votes on the public financing amendments and party-interests cannot be disentangled from Stearn and Fish's beliefs in the less corrupt nature of party-centered campaign finance. However, in Wisconsin, ideas about how democracy ought to work and party self-interests were typically intermingled. Publicly, interests were acknowledged but ideas and values given precedence. Individuals within the Wisconsin partisans were concerned with appropriateness: for some (particularly in the Republican Party), beliefs about the proper role of party versus candidate organizations in funding political campaigns were front and center of their positions on reform; for others, conceptions of the proper, pragmatic and responsible, role of legislators guided behavior. These concerns about the role of actors in democracy and

governance were also present in the Canadian parties—yet largely absent in the Australian parties.

FINAL THOUGHTS

It is easy to be cynical about political reform and it is also easy to underplay the importance of expectations. The result is a conception of electoral reform—in academia and in the broader public—that does not center on improving democracy but instead is dominated by the narrative of selfish manipulation to further party-interests: a battle for electoral advantage.

This thesis has shown that, as is so often the case, the importance of interests to electoral reform is overstated. This overstatement is concerning. In writing about the disjunct between theories of self-interest and empirical evidence, Dale T. Miller and Rebecca K. Ratner note:

It appears that scientific theories and collective representations both may exaggerate the power of self-interest. Indeed, much of the power of self-interest in human affairs may derive from the power accorded it by our collective representations. *Homo economicus* is a social construction, not a biological entity. But myth or not, the image of humans as self-interested agents has powerful social and psychological consequences. Myths can create reality.⁹⁸¹

Indeed, on the evidence of this thesis, the people get what they expect from political leaders. By encouraging the expectation that electoral reform is a weapon that legislators and political parties in office employ in order to shore up their re-election, we may be freeing up political leaders to treat reform in that manner.

Indeed, conceptions of reform as a contest for advantage serve not only to confirm and deepen public cynicism, but also to undermine the serious discussion of political reform as a means to enhance democracy—at least insofar as it involves bottom-up calls for reform of the institutions and processes dominated by parties.

In the end, the case-studies show that campaign finance reform is a complicated business, even when our focus is limited to narrowly defined questions about motives in party policy-making. The new evidence from internal party records demonstrated that campaign finance reform proposals in the 1970s were rarely weapons that legislators and political parties in office employed in order to engineer their re-election.

⁹⁸¹ Miller, Dale T. and Rebecca K. Ratner. 1998. The Disparity Between the Actual and Assumed Power of Self-Interest, *Journal of Personality and Social Psychology* 44(1): 61.

The paucity of our current understandings, the existence of real policy development processes within parties, and the diversity of motives within parties, signal the need for further research into party policy development and the role of socialization and social norms in influencing the motives of individual partisans. This study has likely uncovered only the “peak of the “motivational iceberg””, to use Samuel Eldersveld’s phrase,⁹⁸² but it has shown the utility of a new body of archival evidence which uncovered new, and—from a democratic perspective—encouraging, dimensions of party motivations toward electoral reform.

⁹⁸² Samuel J. Eldersveld, *Political Parties: A Behavioral Analysis* 1964 Rand McNally Chicago 277 And certainly he is very cautious in drawing conclusions based off surveys and interviews. (p280-81).

APPENDIX 1: ARCHIVAL SOURCES CONSULTED⁹⁸³

NATIONAL ARCHIVES OF AUSTRALIA

- Australian Government. *Cabinet Records*. CL21 Part 1; CL21 Part 2; A5931.
- Australian Government. *Cabinet Submissions*. CL21 Part 1; A5915.
- *Frederick Daly Papers*. M5330.

NATIONAL LIBRARY OF AUSTRALIA

- *Christopher Crisp Papers*. MS 743.
- *Alfred Deakin Papers*. MS 2503.
- *Andrew Fisher Papers*. MS 2919.
- *Patrick Weller Papers*. MS 3953.
- *Peter Howson Papers*. MS 4697.
- *Federal Parliamentary Liberal Party, Whip's Office Records*. MS 4810.
- *Australian Labor Party Federal Secretariat Records*. MS 4985.
- *Liberal Party of Australia Records*. MS 5000.
- *Jim Keeffe Papers*. MS 5135.
- *Sir Billy Snedden Papers*. MS 6216.
- *National Party of Australia Records*. MS 7507.
- *Alan Missen Papers*. MS 7528.
- *Gordon Bryant Papers*. MS 8256.
- *Gordon S. Reid Papers*. MS 8371.
- *A. J. Forbes Papers*. MS 9875.
- *Robert Southey Papers*. MS 9901.

STATE LIBRARY OF SOUTH AUSTRALIA

- *Australian Labor Party – South Australian Branch Records*. SRG73/37/13.

LIBRARY AND ARCHIVES CANADA

- *Liberal Party of Canada Records*. MG28 IV3. R5727-0-1-E.
- *Progressive Conservative Party of Canada Records*. MG28-IV2. R5929-0-4-E.
- *New Democratic Party of Canada Records*. MG28-IV1. R3239-0-9-E.
- *Khayyam Zev Paltiel Papers*. MG 30 E 519.
- *J.W. Pickersgill Papers*. MG32 E519.

ARCHIVES ONTARIO

- *Progressive Conservative Party (Ontario) Records*. F 2134.
- *Ontario Cabinet Submissions*. RG 75-18.

⁹⁸³ This listing of archival sources is not necessarily exhaustive.

- *Toronto and District Liberal Association Records*. F 97-1.

QUEENS UNIVERSITY ARCHIVES

- *Liberal Party of Ontario Records*. Coll 1002B, Coll 1002C, Coll 1002D.
- *New Democratic Party of Ontario Records*. Coll 1010.

HISTORICAL SOCIETY OF THE HAUTE-YAMASKA

- *Paul O. Trepanier Fonds*. Po63.

TRENT UNIVERSITY ARCHIVES

- *Policy Advisory Committee to Robert Lorne Stanfield fonds*. 86-029.

TORONTO UNIVERSITY ARCHIVES

- *Canadian Pamphlet Collection*. Z 1365 Y67 1984.

WISCONSIN HISTORICAL SOCIETY, MADISON

- *David W. Adamany Papers*. AB 945-AB 946, AB 948-AB 949.
- *Norman C. Anderson Papers*. Mss 664.
- *Michael Bleicher Papers*. MS 643.
- *Walter John Chilsen Papers*. Stevens Point Mss AM.
- *Common Cause in Wisconsin Records*. Mss 415.
- *Delmar DeLong Legislative Papers*. Mss 1012.
- *Democratic Party of Wisconsin Records*. Mss 642.
- *James S. Haney Papers*. Mss 346.
- *Gerald D. Lorge Papers*. Green Bay Mss 111.
- *Lucey, Patrick J Papers*. Mss 785.
- *Donald O. Peterson Papers*. M90-285.
- *Republican Party of Wisconsin Records*. Mss 649.
- *Fred A. Risser Papers*. Mss 391.
- *James D. Swan Papers*. Whitewater Mss BD.
- *Wisconsin Assembly Democratic Caucus*. Mss 855.
- *Wisconsin. Governor's Study Committee on Political Finance Records*. Series 1943.
- *Wisconsin Senate Democratic Caucus*. Mss 856.

WISCONSIN HISTORICAL SOCIETY, MILWAUKEE

- *Lloyd A. Barbee Papers*. Milwaukee Mss 16.
- *Ody J. Fish Papers*. Milwaukee Mss 105.
- *Edward G Jackamonis*. Milwaukee Mss 98.
- *Louise M. Tesmer Papers*. Milwaukee Mss EN D.

APPENDIX 2: RATIONAL CHOICE THEORY, IN MORE DETAIL

Rational choice theory adopts a very particular and peculiar view of human nature. In its pursuit of universal, (ostensibly) objective and deductive theory to understand political behavior, rational choice theory assumes people are (and should be) fundamentally consequentialist and selfish. It models real life operating under the assumption that individuals make rational, self-interested decisions based on a cost-benefit calculation made by the individual participant about the expected consequences of their decision to their interests.

The theory's more immediate ties with economics ensure that material interests are often viewed as being most important to individuals. This conception of the individual is not inherent or neutral, although it is presented as such. Using self-interests as *the* explanation for political behavior is both culturally- and time- specific.⁹⁸⁴ In political theory, self-interests only gradually became an acceptable basis human behavior after the Enlightenment in Europe, when rationality and reason of the individual (rather than superstition, religion or tradition of the group) began to be seen as desirable. Until the middle of the 20th century, the self-interested part of human nature was typically understood as being tempered by the community regarding part, which was motivated by notions the public or common good. It was only after World-War II, with the rise of new theories of pluralism, that the aggregate of individuals' self-interest was conceived as being the public good.⁹⁸⁵

This tilt toward self-interest stripped of any community regardingness was part of a large paradigm shift in the social sciences after WWII.⁹⁸⁶ Political science, along with

⁹⁸⁴ Mansbridge, Jane J. 1990. The Rise and Fall of Self-Interest in the Explanation of Political Life. In *Beyond Self-Interest*, ed. Jane J Mansbridge. Chicago: University of Chicago. 3-24.

⁹⁸⁵ Mansbridge. 1990; Petracca, Mark P. 1991. The Rational Choice Approach to Politics: A Challenge to Democratic Theory. *Review of Politics* 53 (2): 289-319; Elster, Jon. 1990. When Rationality Fails. In *The Limits of Rationality*, eds. Karen Schweers Cook and Margaret Levi. Chicago, IL: University of Chicago Press. 19-51.

⁹⁸⁶ Whiteley, Paul. 1995. Rational Choice and Political Participation: Evaluating the Debate. *Political Research Quarterly* 48 (1): 211-233; Leighley, Jan E. 1995. Attitudes, Opportunities and Incentives: A Field Essay on Political Participation. *Political Research Quarterly* 48(1): 181-209; Larry Bartels. 2010. The Study of Electoral Behavior. In *The Oxford Handbook of American Elections and Political Behavior*. Jan E. Leighley, ed. Oxford: Oxford University Press.

other social sciences, sought to become more “scientific” by adopting positive theories of human behavior and quantifiably testing them. For example, in studies of voting, the Michigan School, led by Campbell, Converse, Miller and Stokes in *The American Voter*, moved toward a new model of rational voting behavior that predicted behavior using a single explanation, “partisan identification”, which could be measured using survey data⁹⁸⁷ and assumed to be deterministic.⁹⁸⁸ In doing so, it made redundant the sociological-based community studies, of the likes of Paul Lazarsfeld, which presented voting decisions in their immediate—and complicated—context.⁹⁸⁹

It should be noted that in its dogged pursuit of a universal model of behavior, political science has often sought to operate under a more limited and exclusive definition of science than do the natural sciences. For example, physics utilizes three competing, mutually incompatible, and non-universal explanations for physical phenomena: classical mechanics, quantum mechanics and relativity. While it strives for one universal explanation (*a la* string theory), the existence of three competing and non-universal frameworks that are applied to different situations is not understood as denigrating its scientificity. If competing approaches are useful then they are considered valuable (for science is thoroughly utilitarian). That has not been the approach of much political science in recent decades, in which alternatives to the rational choice theory (or, as it is often known “game theory”) are often dismissed outright precisely for not being universal theories of political behavior—in spite of their usefulness

More than that, normatively, political theorists have trouble with rational choice theory because it leaves little space for the transformative experiences central to any notions of deliberative democracy.⁹⁹⁰ Democracy looks thin and reduced when conceived of as competition of self-interests.

⁹⁸⁷ If only in terms of voters’ self-identified level of partisanship as very strong, strong or not strong.

⁹⁸⁸ Campbell, Angus, Philip E. Converse, Warren E. Miller & Donald. Stokes. 1960. *The American Voter*. Ann Arbor: University of Michigan Press.

⁹⁸⁹ Lazarsfeld, Paul F., Bernard Berelson & Hazel Gaudet. 1944. *The People’s Choice: How the Voter Makes up his Mind in a Presidential Election*. New York: Duell, Sloan and Pearce; Berelson, Bernard R., F. Paul. Lazarsfeld & William N. McPhee. 1954. *Voting: A Study of Opinion Formation in a Presidential Campaign*. Chicago: University of Chicago Press.

⁹⁹⁰ Petracca. 1991.

Descriptively, too, parsimonious positive theories prove to be weak. Rational choice theory is rigid in its view of humans atomized individuals, detached from their surrounds and neighbors except as their surrounds and neighbors relate to the furtherance of their personal interests. A model operating from such a limited view of humanity will necessarily have trouble explaining the real world in convincing terms. Rational choice theory struggles with concepts like guilt, love, friendship, benevolence, loyalty, pride and spite. Helping someone out with a cup of sugar can only be understood as rational, in rational choice theory, if it can be explained by reference to self-interest in feeling better about one's self or an ability to get some benefit from the recipient of the sugar at a later date. And so, otherwise altruistic behaviors are categorized as self-interested; the self-interest in feeling good about one's self.⁹⁹¹

Notions central to democracy like civic duty do not have a place in rational choice theory except where they can be (tenuously) categorized as self-interests. When political behavior is explained in terms other than self-interest, rational choice theory takes that view that the individual is fooling his or herself: they are "self-delusional and irrational."⁹⁹² Indeed, much extant political participation is perplexing in rational choice theory, at least in the terms used by individual participants to explain their participation. In the context of electoral behavior, Sidney Verba, Kay Lehman Schlozman and Henry E. Brady observed many activists explaining their activism in terms of "a desire to influence public policy." They note that:

According to the rational choice approach, activists who consider that they got involved in order to promote a collective policy goal are deluding themselves in imagining that their contributions would enhance appreciably the probability of achieving the joint end.⁹⁹³

Rational choice theory would be much happier with participation expressed in terms of selfishness: "I participated in politics because it made me feel good."

One might respond, just as John Stuart Mill did to his mentor Jeremy Bentham's brand of utilitarianism (an important precursor to rational choice theory), that such a

⁹⁹¹ See Appendix 5 for more examples, from incentives theory: Clark, Peter B., and James Q. Wilson. 1961. Incentive Systems: A Theory of Organizations. *Administrative Science Quarterly* 6 (2): 129-166.

⁹⁹² Verba, Sidney, Kay Lehman Schlozman & Henry E. Brady. 1995. *Voice and Equality: Civic Voluntarism in American Politics*. Cambridge, Massachusetts: Harvard University Press: 22).

⁹⁹³ Verba, Schlozman & Brady. 1995: 110.

blinkered view denies a large part of the human experience. In reflecting on Bentham's philosophy Mill wrote:

Man is conceived by Bentham as a being susceptible of pleasures and pains, and governed in all his conduct partly by the different modifications of self-interest, and the passions commonly classed as selfish, partly by sympathies, or occasionally antipathies, towards other beings. And here Bentham's conception of human nature stops. ... Man is never recognized by him as a being capable of pursuing spiritual perfection as an end; of desiring, for its own sake, the conformity of his own character to his standard of excellence, without hope of good or fear of evil from other source than his own inward consciousness. ... There remained, as a motive by which mankind are influenced, and by which they may be guided to their good, only personal interest.⁹⁹⁴

More modern critics of rational choice approaches take a similar line, emphasizing that the human experience is more than mere selfishness. Similarly, Michael Taylor, a former adherent to rational choice theory, critiques rational choice's focus on interests. He argues that self-narratives and self-identity are far more important than rational preference choosing to people.⁹⁹⁵ Even in the economics context—the original and most true context for rational choice theory—the assumption of rational self-interested actors has come under fire (admittedly by a small minority of economist) for its inadequacy in explaining real life phenomena.⁹⁹⁶

Nonetheless, the rational choice frame, in which interests are understood to dominate human decisions, dominates in accounts of electoral reform today.

⁹⁹⁴ Mill, John Stuart. 1838. Bentham. In *The Collected Works of John Stuart Mill, Volume X, Essays on Ethics, Religion, and Society*, ed. John M. Robson. Toronto: University of Toronto Press.

⁹⁹⁵ Taylor, Michael. 2006. *Rationality and the Ideology of Disconnection* Cambridge: Cambridge University Press

⁹⁹⁶ Krugman, Paul. 6 Septmeber 2009. How Did Economists Get It So Wrong? *New York Times*; Rose-Ackerman, Susan. 1996. Altruism, Nonprofits, and Economic Theory. *Journal of Economic Literature* 34(2): 701-728; (in suggesting an important role for altruism). See also: Miller. Dale T. & Rebecca K. Ratner. 1998. The Disparity Between the Actual and Assumed Power of Self-Interest. *Journal of Personality and Social Psychology* 44(1): 53 – 62.

APPENDIX 3: CAMPAIGN FINANCE REGULATION UP TO 1970 IN AUSTRALIA, CANADA AND THE UNITED STATES DEBATES

In Australia, Canada and the United States, campaign finance regulation was seriously out of date by the 1960s. This Appendix briefly outlines the existing regulation in 1970 and summarizes the path to reform of those laws in Australia, Canada and Wisconsin.

A.3.1 AUSTRALIA

The campaign finance law that existed in Australia in 1970 was a relic from Federation in 1901. Introduced in 1902 as part of Australia's first national election law and largely unchanged since,⁹⁹⁷ regulation was minimal. From 1946, the law had—in a *de jure* but not *de facto* fashion—required *candidates* to submit brief election expenditure reports while limiting their electoral expenditure (to \$1000 for Senate *candidates* and \$500 for House *candidates*).⁹⁹⁸ These spending limits—set comically low—were routinely ignored by parties and candidates. Furthermore, the Electoral Commission had made it clear that they would not chase up the reports from candidates.⁹⁹⁹ Other than these obsolete requirements, there were no other campaign finance laws: no limits on donation sources or sizes, nor any requirement to disclose donation sources or amounts. The full-text of the existing campaign finance law (“Part XVI”) is extracted in Table A.1.

⁹⁹⁷ *Commonwealth Electoral Act 1902* (Australia) ss 169-172.

⁹⁹⁸ Spending limits were amended in 1946 by the *Commonwealth Electoral Act 1946* (Australia) s 4. See also: Orr, Graeme. 2003. The Currency of Democracy: Campaign Finance Law in Australia. *UNSW Law Journal* 26 (1): 1-31; Australian Government. 26 October 1979. Cabinet Submission 3574. In *Cabinet Submissions*. National Archives of Australia. A5915. 1979.

⁹⁹⁹ J.R. Willoughby to Minister Allen Fairhall. 22 November 1956. Re: Commonwealth Electoral Act. In *Liberal Party of Australia Records*. National Library of Australia. MS5000. Box 134: 3; Liberal Party of Australia (Victorian Division). 1981. Electoral Act Review (Submission to the Harders' Review). In *Alan Missen Papers*. National Library of Australia. MS7528. Box 302: 1.

Table A.3.1: Australian Campaign Finance Regulation, 1970***Commonwealth Electoral Act 1918 (Cth)***

PART XVI-LIMITATION OF ELECTORAL EXPENSES

145. A candidate shall not, in respect of any candidature, incur or authorize electoral expenses exceeding in the aggregate-

- a) in the case of a Senate election-One thousand dollars; or
- b) in the case of a House of Representatives election-Five hundred dollars.

146. A candidate shall not, in respect of any candidature, incur or authorize any electoral expense except in respect of-

- c) advertising and broadcasting;
- d) publishing, issuing, distributing and displaying addresses, notices, posters, pamphlets, handbills and cards;
- e) stationery, telephones, messages, postages and telegrams;
- f) committee rooms;
- g) public meetings and places therefor; and
- h) scrutineers.

147. "Electoral expense" includes all expenses incurred by or on behalf or in the interests of any candidate at or in connexion with any election, excepting only the purchasing of electoral rolls, and the personal and reasonable living and travelling expenses of the candidate.

148. Any person incurring or authorizing any electoral expense on behalf of a candidate without the written authority of the candidate shall be guilty of a contravention of this Act.

149. (1) A candidate or a person acting on behalf of, or in the interests of, a candidate, shall not employ, for reward, any person as canvasser or committeeman or in any capacity in connexion with an election, unless the expense incurred could be lawfully incurred by the candidate under this Part of this Act.

Penalty: Two hundred dollars.

(2) "Reward" in this section includes any payment or promise of payment direct or indirect to the person employed or to the wife or husband or any relative of that person.

150. (1) Any person who, having announced himself within three months before the day of election as a candidate for election to the Parliament, shall before the poll for the election is closed offer promise or give directly or indirectly to or for any club or other association, any gift, donation, or prize, shall be guilty of an offence against this section.

Penalty: Ten dollars, in addition to any other penalty provided by law.

(2) No proceedings shall be taken for a contravention of this section except within three months after the act complained of.

151. (1) Within eight weeks after the result of any election has been declared, every candidate at the election shall sign and declare before a Justice of the Peace and file with the Commonwealth Electoral Officer for the State a true return of his electoral expenses, showing-

- (a) all electoral expenses paid;
- (b) all disputed and unpaid claims for electoral expenses.

(2) The return shall be in accordance with Form G in the Schedule and shall be accompanied by a receipted bill of particulars vouching each payment of Four dollars or more.

(3) The return and the receipted bills of particulars shall be retained by the Commonwealth Electoral Officer for the State, and shall be open to public inspection during ordinary office hours on payment of the prescribed fee, for a period of six months from the date of polling at the election.

152. (1) Every trades union registered or unregistered, organization, association, league, or body of persons which has, or person who has, in connexion with any election, expended any money or incurred any expense-

(a) on behalf of, or in the interests of, any candidate, or

(b) on behalf of, or in the interests of, any political party,

shall in accordance with this section make a return of the money so expended or expense so incurred.

(2) Every trades union registered or unregistered, organization, association, league, or body of persons which has, and every person who has, in connexion with any election, expended any money or incurred any expense in printing publishing or issuing electoral advertisements or notices, or procuring the insertion in any newspaper of any advertisement article or report or matter intended or calculated to affect the result of the election, shall in accordance with this section make a return of the money so expended or expense so incurred.

(3) The return shall be in accordance with the prescribed form, and shall be signed and declared to before a Justice of the Peace by the President or Chairman and the Secretary or other officer of the trades union registered or unregistered, organization, association, league, or body of persons, or by the person concerned, and shall contain particulars of the money expended or expense incurred, and shall be filed with the Commonwealth Electoral Officer for the State in which the election took place within twelve weeks after the result of the election has been declared.

(4) If any trades union registered or unregistered, organization, association, league, or body of persons satisfies the Chief Electoral Officer that it has in connexion with any political campaign expended money or incurred expense on behalf of or in the interests of a political party in all the States or in more than one State, he may permit it to file with him in lieu of any other return under this section a return of the whole of the money expended or expense incurred by it in the campaign.

(5) If any trades union registered or unregistered, organization, association, league, or body of persons fails to comply with this section, every person who was an officer thereof at the time the money was expended or expense incurred shall be liable to a penalty of One hundred dollars.

(6) If any person fails to comply with this section he shall be liable to a penalty of One hundred dollars.

(7) Any person who wilfully makes an untrue statement in any return under this section shall be liable to a penalty of Two hundred dollars or to imprisonment for six months.

(8) The Chief Electoral Officer may by notice in writing in the prescribed form require the President or Chairman and the Secretary or other officer of any trades union registered or unregistered, organization, association, league, or body of persons, or any person, within such time, not being less than one month as is specified in the notice, to make a return in accordance with this section, of any money expended or expense incurred in respect of which a return is required to be made under sub-section (1) or sub-section (2) of this section, and the President or Chairman and Secretary or other officer or person who neglects or refuses to comply with the notice shall be guilty of an offence, and liable to a penalty not exceeding Two hundred dollars, or to imprisonment for any period not exceeding six months.

(9) Every return filed in pursuance of this section shall, subject to the regulations, be open to public inspection.

153. (1) The proprietor or publisher of a newspaper published in the Commonwealth shall, in accordance with this section, make or cause to be made a return setting out the amount of

electoral matter in connexion with any election inserted in his newspaper in respect of which payment was or is to be made, the space occupied by such electoral matter, the amount of money paid or owing to him in respect of such electoral matter and the names and addresses of the trades unions registered or unregistered, organizations, associations, leagues, bodies of persons, or persons authorizing the insertion thereof.

Penalty (on proprietor): Two hundred dollars.

(2) In this section "electoral matter" includes advertisements, articles, and other matter intended or calculated to affect the result of the election.

(3) Where an election for the Senate and a general election for the House of Representatives take place on the same day, the particulars as regards both elections may be included in one return.

(4) The return shall be in accordance with the prescribed form, and shall be signed by the person making it, and shall be declared to before a Justice of the Peace, and shall be filed with the Commonwealth Electoral Officer for the State in which the newspaper is published within twelve weeks after the result of the election has been declared.

(5) Every return made in pursuance of this section shall, subject to the regulations, be open to public inspection.

As discussed in Chapters 6, 7, and 11, the *Electoral (Disclosure of Funds) Bill 1974*, which would have introduced full disclosure of all donations over AUS\$100 and introduced spending limits, did not pass in 1974 or 1975. Instead, Part XVI remained in the *Commonwealth Electoral Act 1918* until 1980.

In Tasmania, a “kerfluffle” resulted when a court actually took that state’s laws relating to election spending and reporting seriously and invalidated the election of several candidates where those candidates had not filed reports and had exceeded the spending limits in the 1979 state election.¹⁰⁰⁰ In 1980, the spending limits and all of Part XVI’s provisions were repealed in response to concerns that the same could happen federally.¹⁰⁰¹ Nationally, campaign finance was entirely unregulated until 1983.

After a series of commissions into the state of campaign finance reform in the early 1980s, Bob Hawke’s ALP government was able to pass significant reforms, albeit skewed in favor of state assistance to—rather than regulation of—parties.

A.3.2 CANADA

¹⁰⁰⁰ See Orr, 2003: fn 31.

¹⁰⁰¹ *Commonwealth Electoral Amendment Act 1980* (Australia).

Just as in Australia, campaign finance regulation leading into the 1970s was limited and outdated. It came from the *Dominion Elections Act of 1874*, which required *candidates*—but not parties—to appoint an election agent and to submit a report of expenditure¹⁰⁰² and, from 1920, contributions.¹⁰⁰³ Corporate donations were banned from 1908 until 1930, but this ban was neither enforced nor followed by the parties.¹⁰⁰⁴ Indeed, both the Liberal Party and the Progressive Conservative Party national organizations relied heavily on corporate donations.¹⁰⁰⁵ In 1953, it was estimated that only around 10% of the national parties' income came from individuals—the rest was from corporate donations.¹⁰⁰⁶ Surveys showed that in only 5% of households had someone been asked to donate to a party or candidate in the 1965 elections – and in only four percent of households did someone do so.¹⁰⁰⁷

As noted in Chapters 8, 9, 13 and 14, Liberal Prime Minister Lester Pearson created the *Advisory Committee to Study Curtailment of Election Expenses* to investigate election costs in October 1964. In 1966, the Barbeau Committee published comprehensive volumes about campaign financing in Canada and a comprehensive set of reforms. The Barbeau Committee reported 2 years after it was convened, recommending 1966:

- Political parties should be legally recognized and made accountable;
- Some form of providing government subsidy to candidates' and parties' election expenses should be introduced;
- Tax deductions for political donations should be introduced to increase the proportion of people donating;

¹⁰⁰² *Dominion Elections Act 1874* (Canada) ss 121-125.

¹⁰⁰³ *Dominion Elections Act 1920* (Canada) s 79(1)(e); Feasby, Colin. 2007. Constitutional Questions about Canada's New Political Finance Regime. *Osgoode Hall Law Journal* 45(3): 513-570.

¹⁰⁰⁴ Ewing, Keith D. 1992a. *Money, Politics, and Law: A Study of Electoral Campaign Finance Reform in Canada*. Oxford: Oxford University Press: 9-10; Linton, Martin. 1994. *Money and Votes*. London: Institute for Public Policy Research: 48.

¹⁰⁰⁵ Paltiel, Khayyam Z. 1970. Contrasts among the Several Canadian Political Finance Cultures. In *Comparative Political Finance: The Financing of Party Organizations and Election Campaigns*. Arnold J. Heidenheimer, ed. Lexington, MA: D.C. Heath: 114; Mutch, Robert E. 1991. The Evolution of Campaign Finance Regulation in the United States and Canada. In *Comparative Issues in Party and Election Finance*. F. Leslie Seidle, ed. Toronto: Durdurn Press: 58.

¹⁰⁰⁶ Paltiel, Khayyam Z. & Jean Brown Van Loon. 1966. Financing the Liberal Party 1867 – 1965. In *Studies in Canadian Party Finance*. Canada Committee on Election Expenses, ed. Ottawa: Queens Printer: 169.

¹⁰⁰⁷ Paltiel. 1970: 116.

- Election campaigns should be shortened;
- Allowable mass media expenses should be capped; and
- Candidates and parties should disclose their total incomes and expenses.¹⁰⁰⁸

No campaign finance reform bills were introduced into the Canadian Parliament after October 1966 until 1972.

However, in 1970, a bill was introduced containing provisions to legally recognize papers, create a system to place party affiliation on the ballot paper and reduce the voting age to 18 years. It passed quickly.¹⁰⁰⁹ In 1972, Trudeau introduced doomed bill C-211 for a system of campaign finance regulation that did not include full disclosure. It was widely panned.

Finally, in June 1973, the *Election Expenses Bill 1973* was introduced into the Canadian Parliament. It created a rigorous new campaign finance regime.¹⁰¹⁰ The *Election Expenses Act 1974*, when it passed in January 1974, introduced limits on Canadian political party campaign expenditure in federal elections where before spending had been unlimited. It required political parties contesting federal elections to provide detailed reports of their campaign expenditure, income and to list all donations over \$100 received (including the name of each donor) where before party financing was secret and the subject of speculation and gossip. The Act also provided for state support to political parties for the first time in the form of reimbursement of electioneering expenses and tax credits for donors as well as free TV time and mailing expenses. It is, however, important to remember what the reform was not. Relative to the Wisconsin reform, the *Election Expenses Act 1974* was incomplete. It did not ban corporate donations. Nor did it place a limit on the size of individual donations. And so, while subject to disclosure, large donations from corporations could continue.

¹⁰⁰⁸ Canada. Committee on Election Expenses. 1966. *Report of the Committee on Election Expenses*: 31.

¹⁰⁰⁹ *Canada Elections Act 1970* (Canada). In *Revised Statutes of Canada 1970* (1st Supp.) c. 14.

¹⁰¹⁰ Hamel, J. M. 1974. An Election Expenses Act for Canada. *National Civic Review* 63(11): 565-568.

A.3.3 WISCONSIN

Like in Canada and Australia, laws governing campaign finance were old and outdated in 1970. The origins of the existing campaign finance law, the *Wisconsin Corrupt Practices Act*, dated back to 1911 and substantial parts of the law were written in 1849. It was in this context that Governor Patrick Lucey characterized the laws as being from an age when expenses were measured in “bales of hay.”¹⁰¹¹ These old laws were more significant than those in Canada and Australia. They imposed expenditure limits on parties and candidates, required the disclosure of receipts and spending of US\$5 and over and banned corporations from donating.¹⁰¹² The law did not impose limits on the size of donations to parties or candidates. The effect of state Supreme Court’s decisions in *State v Pierce*¹⁰¹³ in 1916 (in which the court decided that the legislature could not limit an individual’s political spending to their county of residence) and *State ex rel. LaFollette v Kohler*¹⁰¹⁴ (which characterized the power of the legislature to regulate elections as plenary, but not unlimited) in 1930 was to reduce the application of the spending limits.¹⁰¹⁵ Spending limits applied only to statutory campaign committees—as the *de jure* political parties, created and strictly regulated by the law—and not to voluntary committees—which were the *de facto* parties, less regulated and the primary vehicle for party campaign spending in Wisconsin.¹⁰¹⁶ As a result, the voluntary party organizations—uninhibited by spending laws—had emerged as the major vehicle of campaign financing and party activity. The Wisconsin *Blue Book* described the voluntary organization as where “the *actual* power” of the organization lay¹⁰¹⁷—whereas the statutory parties existed only in law without any real functions.

¹⁰¹¹ Lucey, Patrick J. 30 January 1974. Partial Text of Lucey’s Talk to Legislators. In *Milwaukee Journal* (30 January 1974): 8.

¹⁰¹² *Corrupt Practices Act 1897* (Wisconsin Session Laws of 1897. Chapter 358); *An Act Relating to the Use of Money by Corporations in Elections 1905* (Wisconsin Session Laws of 1905. Chapter 492); *Corrupt Practices Act 1911* (Wisconsin Session Laws of 1911. Chapter 650).

¹⁰¹³ 163 Wis. 615, 158 N.W. 696 (1916).

¹⁰¹⁴ 200 Wis. 518, 228 N.W. 895 (1930).

¹⁰¹⁵ Anderson Eric S. 1976. Comments: Campaign Finance in Wisconsin after Buckley. *Wisconsin Law Review* [1976]: 821-822.

¹⁰¹⁶ Anderson. 1976: 821-822.

¹⁰¹⁷ Theobald and Robbins. 1973: 750.

In Wisconsin in 1970 no serious moves were being made toward reform. By contrast, in Washington D.C., reform efforts were almost a decade old. Increasing expenses and the rise of candidate-centered campaigning at the presidential and congressional level, gave rise to concerns about money in politics. President John F. Kennedy appointed the President's Commission on Campaign Costs in late 1961, which advocated reform to increase the number of small donations to political parties, thereby "broadening the base" of party financing.¹⁰¹⁸ Later, in 1966, President Lyndon B. Johnson called for reform.¹⁰¹⁹ Congress delivered quickly, but then reneged a year later.¹⁰²⁰ In 1971 Congress passed the *Federal Election Campaign Act of 1971* (US). The law required political parties, candidates—as well as unions and corporations utilizing the newly created entities called "Political Action Committees" (PACs)—to continuously disclose their donations and expenses.¹⁰²¹ More reform would again be needed in 1974, to create an agency to enforce the law: the Federal Elections Commission.

The Democrat-controlled Wisconsin Assembly developed AB1016 in 1973-1974; while the state Senate, dominated by Republicans, generated SB872. The two houses could not agree on a compromise measure in the regular 1973-1974 session. Governor Lucey called a special session of the legislature in May 1974—one of its five agenda items was campaign finance reform.¹⁰²²

In the special session, a new bill—Senate Bill 5 (SB5)—was introduced. Once again, the state Senate and the Assembly disagreed. For example, SB5, as introduced, contained no limits on party contributions. In face of several amendments from Democrat Senators to restrict parties to 35%, 50% or 65% of a candidate's contributions,

¹⁰¹⁸ Alexander, Herbert E. 1964. *Trends in American Political Finance: A Stock-taking*. Paper presented at the Political Finance Research Meeting of the 1964 International Political Science Association: 3.

¹⁰¹⁹ Alexander, Herbert E. 1991. The Regulation of Election Finance in the United States and Proposals for Reform. In *Comparative Issues in Party and Election Finance*, eds. F. Leslie Seidle. Toronto. Dundurn Press: 3-56.

¹⁰²⁰ Federal Election Commission. 1996 (updated 2013). *Public Funding of Presidential Elections*.

¹⁰²¹ It also imposed spending limits, but these were struck down by the Supreme Court in *Buckley v. Valeo* 424 U.S. 1 (1976).

¹⁰²² The four other issues were the 1974 budget review bill, University of Wisconsin merger legislation, location of power generating plants bills and the pensions for retired teachers: Legislative Agenda Expected. 25 April 1974. *Milwaukee Sentinel*: 14.

Republicans held their ground—no limits were added in the Senate.¹⁰²³ The Democrat-controlled Assembly insisted on limits: adding them into SB5. At the very end of a Conference Committee at the very end of the special session (and under the threat of an additional special session from the Governor)¹⁰²⁴, the houses compromised. A comprehensive campaign finance reform package, which limited parties to contributing 65% of the prescribed expenditure limit of any candidate, was signed into law in July 1974.¹⁰²⁵

In addition to limiting party contributions to candidates, the new law¹⁰²⁶ required the registration of individuals and groups that spend money campaigning. It required public reports of receipts and payments made by those individuals and groups. The law also capped expenditure by candidates and restricted the amount an individual or group may contribute to a campaign.¹⁰²⁷ Public financing, endorsed by the Democratic Party and widely supported by interest groups was not legislated until 1977.¹⁰²⁸

¹⁰²³ Senate Amendment 37 from Democrats Doug La Follette, Dale McKenna, Bablitch would have limited political parties and other committees' contributions to 65% of the total amount received by and candidate's committee (ie 35% or more of receipts would have to come from individuals?). Later, LaFollette, McKenna, Bablitch introduced Senate Amendment 45, which proposed that no campaign committee could receive more than 35% of its total donations from committees (including political parties). The same senators moved Senate Amendment 46, which was identical to SA46 except that the cut-off was 50% rather than 35%: Anne Hibbard to All Democratic Senators. 16 May 1974. Re: Progress of Conference Committee on Campaign Finance Bill. In *Fred A Risser Papers*. Wisconsin Historical Society. Mss319. Box 14. Folder 20.

¹⁰²⁴ Legislators Get Lucey Warning. 18 May 1974. *Milwaukee Sentinel*: 7.

¹⁰²⁵ Anne Hibbard to All Democratic Senators. 31 May 1974. Re: Progress of Conference Committee on Campaign Finance Bill. In *Fred A Risser Papers*. Wisconsin Historical Society. Mss319. Box 14. Folder 20.

¹⁰²⁶ Wisconsin, *Laws of 1973*. Ch. 334.

¹⁰²⁷ See Anderson. 1976: 833-842.

¹⁰²⁸ Wisconsin, *Laws of 1977*, Ch. 107.

APPENDIX 4: INDICATIVE AND IMPORTANT DOCUMENTS FROM THE ARCHIVAL RECORDS

A.4.1: J.B. REID (CHAIRMAN OF JAMES HARDIE) TO SIR CHARLES MCGRATH (LIBERAL PARTY TREASURER). 24 SEPTEMBER 1973. IN SIR BILLY SNEDDEN PAPERS. NATIONAL LIBRARY OF AUSTRALIA. MS6216. SERIES 4. BOX 46. FOLDER 46.

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CHAIRMAN

24th September, 1973.

Sir Charles McGrath,
Hon. Federal Treasurer,
The Liberal Party of Australia,
National Headquarters Building,
Blackall & Macquarie Sts.
CANBERRA. ACT 2600

Dear Sir Charles,

Thank you for your letter of 23rd August requesting financial assistance for the Federal Fund of the Liberal Party of Australia. I am happy to advise you that in principle our Board and agreed to a contribution of \$10,000 which will be made through our principal subsidiary James Hardie & Coy. Pty. Limited. I enclose a cheque for \$5,000.

We have been concerned about several unsatisfactory features of the Liberal Party in recent years which are not obscured by the performance of the present Labour Government in Canberra. It is perhaps too easy to forget in at least its last two years of office the former government showed itself very unwilling to listen to any point of view other than those given to it by departmental advisers and in fact its deliberate withdrawal from contact in the market place was a main contributing factor to its dismissal on 2nd December last year.

Second, there is perhaps a tendency to forget that government policy and legislation during the same period included matters which were very offensive to the traditional supporters of the Liberal Party and to the business community which is now being urged to provide financial assistance. Although there are encouraging signs that some of the lessons are being learned in the wilderness of opposition, there is still more that needs to be done.

First, any businessman knows that if he seeks to sell a product or a service to a customer particularly where the price to be paid is high, he is bound to demonstrate what he plans to do in order to earn that confidence. In the present situation the Liberal Party has to put

together a coherent proposal as to why it requires money and what it proposes to do with it like anybody else would have to do, rather than to be taken on open trust.

Second, the Party has more work to do in ensuring that ministerial leadership material is given preselection for blue ribbon seats to give some reasonable prospects of ability to govern if the party is re-elected. A number of the present occupants of these seats have either failed or shown themselves unsuitable even after trial.

Third, the Party will have to state quite clearly that it has a very different policy from the present government on centralism and that it supports a true federal system rather than carrying on the impression that it conveyed during its last years of government - that Canberra contained more wisdom than the rest of Australia as to what was good for the country and that dollars spent by the Australian Government are somehow non-inflationary whereas those spent by the private citizen or corporation make direct contributions to inflation.

Fourth, the three most serious objections to the present Government's policy have been little touched on -

(a) The super-inflationary growth of the Commonwealth Public Service, which in the light of history will never be reduced by any succeeding government in the absence of a clear commitment to do so now. The cost of this enlarged administration in Canberra will be a more crippling load for Australia than many of the other social services or other commitments being entered into.

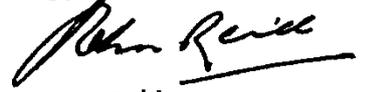
(b) The very serious loss to the Australian community of creative people being recruited to the Commonwealth Public Service. Australia is desperately short of able people to be engaged in useful employment; the withdrawal of talent from the private sector will have a serious effect upon Australia's ability to grow.

(c) The business community particularly is now learning the very high cost, in high priced ability and time through having now to make submissions to the increasing number of statutory bodies which overlap others in their activity and in some cases have no adequate statutory basis for their operation. The current phenomenon of government by intimidation and suggestion is an insidious one and should be pointed out for what it is.

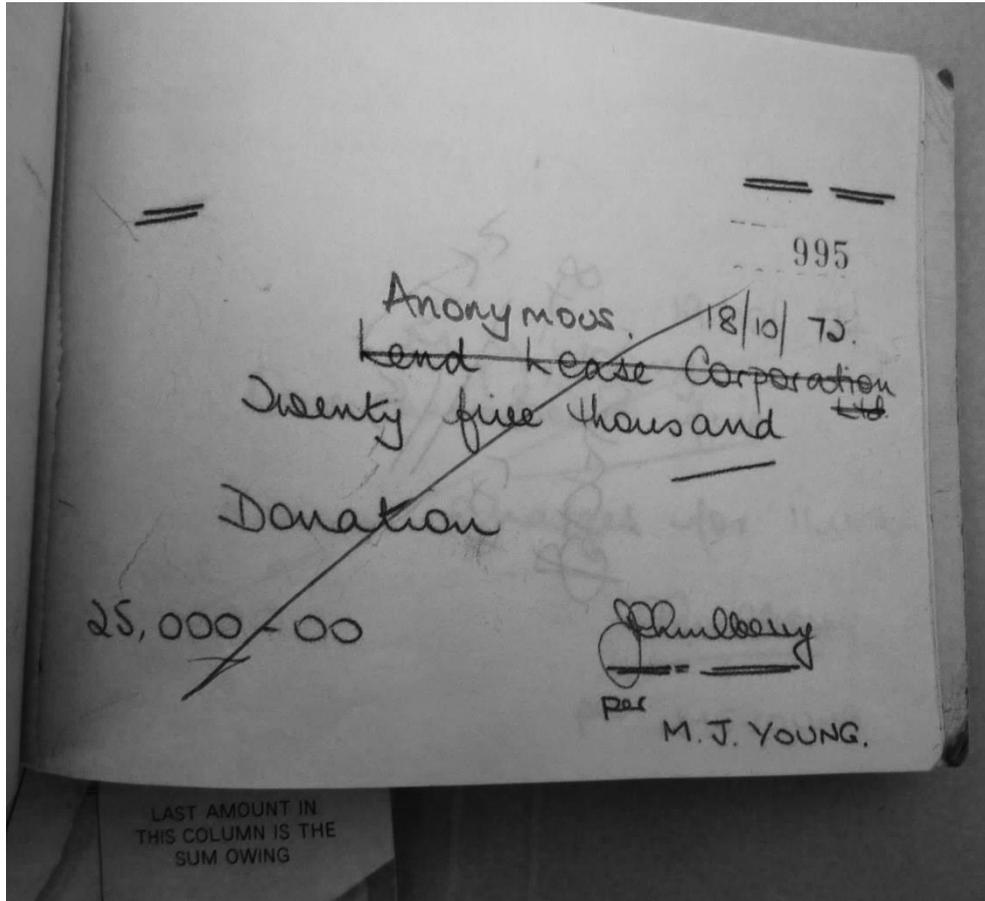
What I have said above seems to be a reasonable set of requirements for a Liberal Party seeking support to enable it to return to government. We in this Company shall wait and see what sort of tangible response emerges to the suggestions outlined above and we shall then decide on the payment or otherwise of the second \$5,000.

With kindest regards,

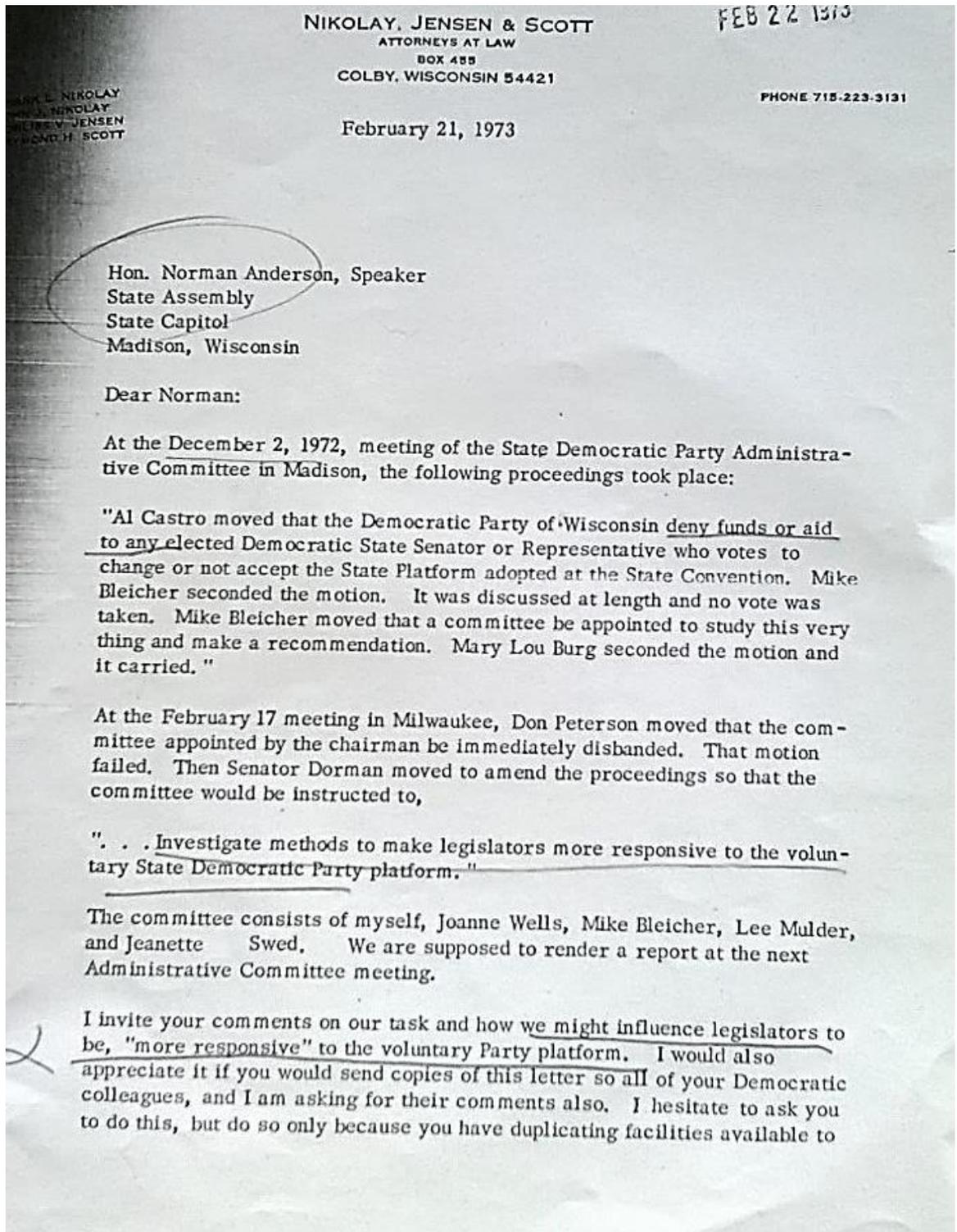
Yours sincerely,


J.B. Reid.

A.4.2: PAGE FROM RECEIPT BOOK. 18 OCTOBER 1972. AUSTRALIAN LABOR PARTY FEDERAL SECRETARIAT RECORDS. NATIONAL LIBRARY OF AUSTRALIA. MS4985. BOX 138.



A.4.3: FRANK L. NIKOLAY TO NORMAN C. ANDERSON. 21 FEBRUARY 1973. IN NORMAN C. ANDERSON PAPERS. WISCONSIN HISTORICAL SOCIETY. MSS 664. BOX 7. FOLDER 24.



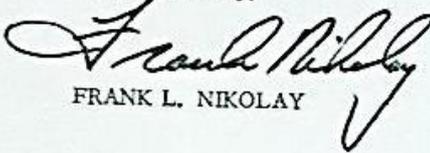
Hon. Norman Anderson, Speaker

Page -2-

February 21, 1973

you, which I do not have. Any responses that are received will be held in strictest confidence if the legislator responding requests that his name not be used.

Yours sincerely,



FRANK L. NIKOLAY

A.4.4: PROGRESSIVE CONSERVATIVE PARTY OF CANADA. 28 JUNE 1973. CONFIDENTIAL, COPY NO. 22: AGENDA FOR SPECIAL MEETING WITH RESPECT TO AMENDMENTS TO THE CANADA ELECTIONS ACT. IN PROGRESSIVE CONSERVATIVE PARTY OF CANADA RECORDS, LAC, MG28 IV2. BOX 629. FOLDER "ELECTION, 1974. ELECTION EXPENSES ACT 1974":

C O N F I D E N T I A L

COPY NO. 22

A G E N D A

SPECIAL MEETING WITH RESPECT TO AMENDMENTS
TO THE CANADA ELECTIONS ACT

2:00 p.m.
June 28, 1973
Room 409-S

1. PERTINENT CHANGES IN THE ACT
2. CONSEQUENCES OF AMENDMENTS ON
CONSTITUENCY CAMPAIGNS
3. CONSEQUENCES OF AMENDMENTS ON
NATIONAL CAMPAIGN
4. COMMENTS RESPECTING MEDIA CHANGES
5. DESIRABILITY OF PASSAGE OF THIS BILL
PRIOR TO THE HOUSE RISING AS OPPOSED
TO DELAY UNTIL THE FALL

EXPLANATION OF CONSEQUENCES OF AMENDMENTS
ON THE NATIONAL CAMPAIGN

There would seem to be little doubt that the policy of disclosure of amounts in excess of \$100 will have very far-reaching and detrimental consequences on fund raising at the National level.

Mr. Stanfield has, however, made it quite clear that he, in fact, supports the principle of disclosure of sources of income; and while I might personally have some reservations about it, preferring rather that disclosure be linked some way with the proposed amendments to the Income Tax Act, which would permit deductions of up to \$500 from tax payable, I can see no other course but to agree with his judgement.

Effectively, the campaign in terms of print and electronic media will be restricted to 29 days, with somewhat serious effects on the National Leader's Campaign.

A limit on the amount of money which can be spent by a National Party is proposed and this limit is set at 30¢ for each name appearing on all preliminary lists in Canada. In the last election, there were 12,845,000 voters X 30¢, amounting to roughly \$3.8 million.

It is entirely possible that this is one area where consideration should be given to amendments which might permit more flexibility with respect to the Leader's campaign, with reference to promotion of meetings other than an individual candidate's nominating

HOUSE RISING AS OPPOSED TO DELAY UNTIL THE FALL.

The most direct effect on the National campaign, and one that we as Members will require some direction from you, will be with respect to disclosure. Assuming that disclosure will impair your ability to raise funds, is it the more desirable that we delay passage of this Bill until the Fall, while appearing, in principle, to be in the fullest support of it. Being as broke as most of us are, that won't be difficult to do.

On the other hand, if there is any danger of Trudeau calling a general election for this coming Fall, then we would welcome your advice with respect to early passage.

In other words, your opinion as to the advantages gained under the Act - do they outweigh the disadvantages created in terms of raising funds.

A.4.5: STANBURY, RICHARD J. 1971. RESOLUTIONS ADOPTED AT THE LIBERAL POLICY CONVENTION, NOVEMBER 20-22, 1970 RE: FINANCING OF CANADIAN POLITICAL PARTIES. IN *PROGRESSIVE CONSERVATIVE PARTY OF CANADA RECORDS*. LIBRARY AND ARCHIVES CANADA. MG28 IV2. BOX 618. FOLDER 15 "ELECTION EXPENSES - BRIEF TO THE SPECIAL COMMITTEE OF THE HOUSE OF COMMONS, CORRESPONDENCE."

RESOLUTIONS ADOPTED AT THE LIBERAL POLICY CONVENTION,
NOVEMBER 20 - 22, 1970
RE: FINANCING OF CANADIAN POLITICAL PARTIES

- File on Ryan*
- Canadian political parties should be financed on a permanent basis by a mixture of public funds and donations.
 - The Federal Government should enact legislation
 - (a) requiring full disclosure of the sources of all political financing, direct and indirect;
 - (b) limiting the amount of money expended on election campaigns;
 - (c) making donations to political parties up to the amount of \$500 tax deductible;
 - (d) guaranteeing free access to the public media for all political parties;
 - (e) requiring refunding by the government of a proportion of all campaign expenses when a candidate receives a certain minimum number of votes in an election.
 - Union dues should not be transferred to a political party without the expressed, written consent of the union member.
 - Political donations of over \$1,000 to individual candidates must be disclosed.
 - The Federal Government should enact legislation requiring all political parties to publish their accounts.

A.4.6: B.G. HARTCHER TO STATE PRESIDENTS AND GENERAL SECRETARIES. 2 AUGUST 1973. IN LIBERAL PARTY OF AUSTRALIA RECORDS. NATIONAL LIBRARY OF AUSTRALIA. MS5000. BOX 377. FOLDER 142.

LETTER TO STATE PRESIDENTS AND GENERAL SECRETARIES

Y

2 August 1973.

Dear

With the likelihood of the Electoral Act being introduced again by the Government during the Budget session, the Parliamentary Leader, Mr. Snedden, has asked the Federal Secretariat to obtain the composite views from all States on a number of electoral issues.

Could you please set out your views, or those of your Division, on the following matters :

- (i) the voting system - the existing preferential system, Labor's proposed "optional preferential" system, proportional representation, first-past-the-post etc.;
- (ii) compulsory voting;
- (iii) retention of the nexus between the numbers in the Senate and the House of Representatives;
- (iv) the desirability of concurrent Senate and House elections - the effect of this on the Liberal vote and on the support of small parties;
- (v) the one vote - one value principle and any desirable modifications in its present legislative application;
- (vi) the Senate (Representation of Territories) Bill;
- (vii) drawing for positions on ballot papers;
- (viii) the listing of party affiliations on ballot papers;
- (ix) basing electoral divisions on population instead of enrolled electors;
- (x) the desirability of introducing voting machines;

2.

- (xi) tax deductibility of contributions to political parties ;
- (xii) public disclosure of contributions to political parties ;
- (xiii) public financing of political party expenses ; and
- (xiv) any other relevant matter.

These questions are being examined by the Research Department, so I would be grateful if you could forward your views to Dr. Graeme Starr.

Yours sincerely,

B. G. Hartcher
Federal Director.

A.4.7: ROBERT BÉDARD TO MPS, DEFEATED CANDIDATES, CONSTITUENCY PRESIDENTS AND SECRETARIES AND MEMBERS OF THE NATIONAL EXECUTIVE. 16 SEPTEMBER 1970. IN PROGRESSIVE CONSERVATIVE PARTY OF CANADA RECORDS. LIBRARY AND ARCHIVES CANADA. MG28 IV2. BOX 618. FOLDER 15 "ELECTION EXPENSES – BRIEF TO THE SPECIAL COMMITTEE OF THE HOUSE OF COMMONS, CORRESPONDENCE."



September 16, 1970.

MEMORANDUM TO: Members of Parliament
Defeated Candidates
Constituency Presidents and Secretaries
Members of the National Executive

FROM: Robert Bédard, Executive Secretary

SUBJECT: House of Commons Special Committee on
Election Expenses

The House of Commons Special Committee on Election Expenses has requested the Progressive Conservative National Association to present a brief outlining the position of our Party on new legislation to be proposed for election expenses.

This House of Commons Committee is now studying the possibility of election expenses being paid, to a certain extent, by the Federal Government. Moreover, it is also studying disclosure of financial sources of both candidates and the Party as such. In addition, it might also present some legislation to control the expenditures a candidate or a Party can make during an election.

Since the brief to be submitted to this committee by the Progressive Conservative Party has to be ready in its final form before the 15th of October, 1970, I would appreciate it if you could forward to me before September 30th any ideas and comments you might have on this subject of election expenses. It might be very helpful to us if you could cite examples of how election expenses have, in the past, curtailed or put at a clear disadvantage a candidate during a general election. These real cases could be used to support our position on election expenses.

Any ideas and comments should be directed to myself at National Headquarters. I will send you a copy of the brief as soon as it is finalized.

PCHQ 382

PROGRESSIVE CONSERVATIVE PARTY OF CANADA AND THE QUEBEC PARTY

A.4.8: LIBERAL PARTY FEDERAL SECRETARIAT. 21 JUNE 1962. DO WE BENEFIT FROM THE DONKEY VOTE? IN LIBERAL PARTY RECORDS. NATIONAL LIBRARY OF AUSTRALIA. MS5000. BOX 134. FOLDER "ELECTORAL ACT".

102

DO WE BENEFIT FROM THE "DONKEY" VOTE?

While it is obvious that a majority of individual Liberal-CP MP'S benefit from the "donkey vote" it is no longer obvious that the Party does.

At the 1961 election, we set out primarily to retain existing seats. The fact that the great majority of our members in marginal seats had high names alphabetically was a strong argument against any change in alphabetical arrangements.

Today, it is still true that a majority of our members in marginal seats are highly placed alphabetically. But the same is true in the Labor Party. In a new election, we will not be seeking primarily to hold existing seats. We will be seeking to win seats from Labor.

A glance at a list of members appended to "Hansard", reveals that there are 64 members in the left column and 60 in the right. The left begins with Adermann and ends with Harding. The right begins with Harrison and ends with Wilson. (By contrast, Senator No. 30, is Senator McKenna and Senator No. 31, is Senator McManus.)

Of the 124 members, ~~26~~²⁷ would lose their seats in the event of a swing of five per cent against them. Alphabetically they are :

Adermann - Harding

Allan, Armitage, Barwick, Bate, Brimblecombe, Cameron (Lilley), Collard, Comber, Cramer, Dean, Einfeld, Failes, Farihall, Fuller, Gray and Harding.

A. L. P. 8
LIB. 5)
C. P. 3)

Harrison - Wilson

Hayden, Jack, Killen, McGuren, McMahan, Monaghan, O'Brien, Robertson, Snedden, Stokes and Webb.

A. L. P. 5
LIB. 5)
C. P. 1) 6

So, the fact that the Government have ~~seven~~^{eight} members in the "high" list to six in the "low" is no longer a consideration when our task is to win back seats. (It was when our task was merely to hold seats.) If it is a consideration, it is outweighed by the consideration that eight of Labor's thirteen marginal members are in the "high" list.

Interestingly enough, of the five seats at the election in which the result would plainly have been reversed had ballot-paper positions been reversed - Evans, Bennelong, Bowman, Moreton and Lilley - Labor won three.

21 June, 1962.

A.4.9: STATE ADMINISTRATIVE COMMITTEE, WISCONSIN DEMOCRATIC PARTY. 14 APRIL 1973. MINUTES. IN DEMOCRATIC PARTY OF WISCONSIN RECORDS. WISCONSIN HISTORICAL SOCIETY. MSS 642. BOX 1.

DEMOCRATIC PARTY OF WISCONSIN

April 14, 1973

Administrative Committee

Lake Delton, Wis.

CALL TO ORDER & ROLL CALL:

The meeting was called to order by Vice Chairman Marge Pattison at 11:15 a.m., Saturday, April 14, 1973 at Kahler's in Lake Delton. The following guests were introduced: Bud Morton, Steve Holmgren, Bridgett Lepak, Jim DeLorme, Pat Erdman, Marlea Joyce, Nick Nichols, and Ellen Abbot. Roll call was taken as follows:

Present: S. Albrecht, M. Bleicher, M. Burg, A. Castro, R. Cornell, M.W. Gerrard, L. Gram, J. Helliesen, L. Lepak, L. Longley, J. Malloy, L. Mulder, F. Nikolay, M. Pattison, D. Peterson, S. Rizzo, N. Schomisch, N. Simenz, L. Weidenfeld for J. Swed, R. Tobiasz, J. Wells, D. Nielson, and J. Wimmer -- 23

Absent: L. Eichstedt, J.L. Hanson, S. Huber -- 3

Excused: H. Dorman, S. Schmerling, H. Sigmund, C. Tenuta, and J. Schmitt -- 5

MINUTES OF PREVIOUS MEETING:

Al Castro moved the minutes of the previous meeting be approved as published. Mary Lou Burg seconded the motion and it carried.

MEMBERSHIP REPORT:

The membership report was discussed. Membership is down from last year. The new quotas were to be discussed later on in the agenda, however, Mr. Beno requested to establish 3% of each county's quota as a goal for Century Club memberships. He explained that Dane County was doing very well, and Mr. Bud Morton, Chairman of Dane County talked a bit out what effort is being made in the county. He said their main concern at this point is determining how many poll workers representing the Democratic Party are not members, and using every means available to get them signed up. If this is the case, Dane County stands to gain about 300 new members. Mr. Beno urged district chairmen to have their counties submit the names of Century Club Chairmen. Larry Gram suggested that poll workers lists be submitted in proper form and that statutory requirements be followed to the letter.

FINANCIAL REPORT:

The financial report was discussed. The addressograph machine was paid off last month, saving the Party \$1200 in interest. \$500.00 was sent to Kenosha County to open a convention account, and 1st quarter refunds to be paid to the counties went out. Larry Longley moved approval of the financial report. Larry Gram seconded the motion and it carried.

OLD BUSINESS:

Constitution Committee Report.

Sue Albrecht moved adoption of the Fourth District Constitution subject to the recommendations of the Constitution Committee. Norm Schomisch seconded the motion and it carried.

Administrative Committee Meeting Minutes
 April 14, 1973
 Page 3

Legislative Committee Report

Frank Nikolay stated that he had sent letters to all legislators requesting their views on the matter of withholding funds for not adhering to the platform adopted at the State Convention. He received a number of responses and read excerpts from two. He stated that legislators are now at least aware of the problem, and with this in mind, moved to disband the committee. Sue Albrecht seconded the motion and it carried.

Membership Quotas.

The new membership quotas were discussed. Mike Bleicher moved that the quotas be accepted. Sue Albrecht seconded the motion. Lee Mulder questioned what method was used to devise the quotas and was informed that it was a combination of intuition and calculation based on voting records of past years. He then stated that the third district did not have the resources available to some of the other districts and yet had one of the higher quotas. The new quotas failed on a roll call vote of 14 noes and 8 ayes. John Malloy moved to establish a century club quota at 3% based on the old quotas. Sam Rizzo seconded the motion and it carried.

Larry Gram reported on the progress of the Racine County challenge. No hearing has been held yet, and as a result, he had nothing to report.

NEW BUSINESS:

Resolutions

Don Peterson moved adoption of the two resolutions he introduced. Resolution #1 reads as follows:

"The Nixon Administration is skillfully pitting American farmers, consumers and wage earners against each other. Farmers are being criticized for attaining long deserved price justice. Consumers are being gouged by high prices. Workers are being laid off by boycotts.

The Democratic Party of Wisconsin condemns the Nixon Administration for creating these kinds of conflicts as a smokescreen for its own inadequacies in dealing with inflation and the meat shortage. We call for price and wage justice for all."

Larry Gram moved a division of the question.

Resolution #2 reads as follows:

"The Nixon Administration claims we have peace with honor. Yet, Americans and Asians are still being killed in Southeast Asia. Americans are still dropping bombs and devastating large areas of Indochina.

To be sure, the native combatants in the area -- on both sides -- have refused to lay down their arms. Nevertheless, there is absolutely no justification for continued American military involvement.

It is time that President Nixon stopped talking about honor and acted with honor in accordance with the law.

Handwritten note:
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 Congress

A.4.10: MARSH, IAN (RESEARCH DEPARTMENT, LIBERAL PARTY OF AUSTRALIA). OCTOBER 1974. FUNDING POLITICAL PARTIES AND CAMPAIGNS (DRAFT). IN ROBERT SOUTHEY PAPERS. NATIONAL LIBRARY OF AUSTRALIA. MS9901. BOX 6. FOLDER "FEDERAL EXECUTIVE MEETING 30 NOVEMBER 1974."

FUNDING POLITICAL PARTIES AND CAMPAIGNS

Public concern about the funding of political parties can arise when any of the following conditions are not fulfilled:

- "(1) sufficient money needs to be available to sustain the great debate that is politics, and to assure the main contestants an opportunity to present themselves and their ideas to the electorate;
- (2) the needed sums should be obtained in ways that do not inordinately weight the process of government in favour of special political interests;
- (3) the system needs to command the confidence of the citizenry whose governmental officials are chosen through it."¹

Legislation to fulfil these aims can involve introduction of one or more of the following controls or incentives.

1. Limits to Contributions
2. Limits to Expenditure
3. Disclosure of Contributions
4. Controls on the Use of Media
5. Subsidies, Incentives and Taxes²

The Australian Labor Party has decided that only the second and third of these controls - limits to expenditures and disclosure of contributions - are to be used in Australia. The Broadcasting Control Board has also recommended controls on the use of media, but this has yet to be reflected in legislation.

CONFLICTS
with Executive
Decision.
12.

This paper analyses Labor's proposals and the alternatives available to the Parliamentary party in reacting to them. It is arranged in four sections:

- SECTION 1 summarises Labor's proposals in relation to public disclosure and limitation of campaign spending.
- SECTION 2 discusses the practical consequences of public disclosure in the United States and United Kingdom.

- 1 A. Heard "The Costs of Democracy" 1969
- 2 A.J. Rosenthal "Campaign Financing and the Constitution" 1972

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SECTION 3 considers some difficulties involved in the proposed limitation on campaign spending.

SECTION 4 discusses the options available to the Opposition in reacting to the Labor proposals.

1. SUMMARY OF LABOR PROPOSALS

The major proposals are as follows:

- (a) Require the publication of returns disclosing donations, contributions, etc., exceeding in the aggregate \$100, made to or in the interest of a candidate or political party.
- (b) Require every donation, contribution, etc. made in or against the interests of a candidate or a political party and all expenditure in the electoral interest of a party or candidate to be made through a registered agent.
- (c) Require the filing by each registered agent of certified audited statements of receipts and expenditure with the Chief Australian Electoral Officer - the cost of such audit to be met from consolidated revenue to an amount not exceeding \$200 (or as prescribed).
- (d) Limit the aggregate expenditure of a political party (National and State), including the electoral expenditure by the party's candidates, in accordance with specified formulae, e.g. in a House of Representatives election 7.5 cents for every person enrolled for the Divisions contested as at the issue of the Writs - thus, the aggregate permissible expenditure of a party contesting all seats (including the expenditure by its candidates) would be \$590,186, based on current enrolment.
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4/7/76 (e) Increase the limit of expenditure presently imposed on candidates.
- (f) Penalise breaches of the new expenditure provisions. Penalties are to be determined by the Attorney-General and the Minister for Services and Property in consultation. In addition, the section of the Act concerning the institution of proceedings for offences relating to the new expenditure provisions is to be expanded.

2. OVERSEAS EXPERIENCE WITH PUBLIC DISCLOSURE

Numerous countries have legislation requiring public disclosure of donations to political parties. However, the machinery for enforcement of the legislation varies. No country has yet introduced an effective system. A new approach has recently been adopted in the United States following the patent failure of a system broadly similar to that proposed for Australia. The situation in Britain and the United States is as follows:

- The British system of disclosures operates under their Companies Act which requires the inclusion in company reports of political contributions in excess of 50 pounds. This was introduced in 1967 and has had the long term effect of reducing both the size and number of corporate donations. There is no control on Union or individual donations. However, the legislation is difficult to enforce and there is more public funding of political campaigns in the United Kingdom (e.g. considerable statutory free media time; cost of mailing for all candidates to constituents, etc.).
- The United States legislation requires political parties to file annual returns of funds. There is a prohibition on contributions by business corporations or labour unions and a limit to individual donations. United States public disclosure provisions, on which the proposed Australian legislation is modelled, totally failed to achieve their stated goals. The results of public disclosure were as follows:
 - little impact on contributions
 - significant increases in party staff work and costs
 - massive increases in the bureaucracy charged with administering what has proved to be unenforceable legislation
 - an increase, not a decline, in political corruption (e.g. Watergate and campaign "slush funds" operated by both major parties).

Watergate accelerated the process of reviewing the United States' approach and amended legislation has recently been passed. (See attached "Economist" extract : Appendix A).

4.

The revised United States provisions include:

- public financing of Presidential campaigns based on voluntary assignment of a portion of personal income tax for political purposes
- limits on candidates' expenditures to be enforced through an independent Elections Commission.

In summary, the following appear the major difficulties in attempts to stop corruption through public disclosure.

- A foolproof method of public disclosure of funds has not yet been devised. The systems in use are open to malpractice and easily bypassed.
- By having their contributions disclosed, donors are tempted to give to:
 - the party in power, thus perpetuating a government in office; or
 - the front-runner in an election, thus creating a further electoral imbalance.
- Discrimination by governments or trade unions could be used to encourage funds for a government and discourage them for an opposition.
- No account is taken of such items as time or advice freely given by supporters of particular parties or individuals.
- Politically oriented campaigns by extra-party organisations are not covered by the legislation.

The public disclosure of funds can be considered an invasion of privacy equivalent to abolishing the secret ballot.

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appeals*

3. OVERSEAS EXPERIENCE WITH STATUTORY LIMITATION OF SPENDING

Much the same conclusions arise from a review of overseas attempts to limit campaign spending. Statutory limitations on spending have not curbed the spiralling costs of campaigns. Typical of the provisions introduced and their weakness is the Canadian situation:

The Canadian system seeks to limit campaign spending through the use of an official agent for each candidate. The agent must record every donation and every item of expenditure and supply a list of bills and receipts, along

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(1.) Opposing Legislation Outright

To oppose the legislation outright would create difficulties in public presentation. It flies in the face of current practice overseas. It ignores the recent Watergate trauma in the United States. It would make it difficult for the Liberal Party to counter the "foreign money" and "big business" allegations that are levied against it.

The comments of the Victorian General Secretary following his recent overseas tour are pertinent:

"Australia is one of the very few western style democracies that does not have effective limits on election expenditure, and/or government subventions to political parties. It is certainly one of the very few in which the ability to raise money is the sole requirement for access to the media....

It ought to be clear that we as a Party stand for reasonably equal opportunities in electioneering, and would rather be judged on the strength of our arguments, than the length of our purse."

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(2.) Accepting Labor's Proposals

This course could threaten the future existence of the Liberal Party. Unlike the A.L.P., the Liberal Party does not have access to the pool of resources, both human and financial, which are available to Labor indirectly through the trade union movement. The Liberal Party organisation has deliberately eschewed being dependent on any sectional interest group.

The dangers inherent in this course, for a party drawing support from the entire community, were clear in the collapse of the United Australia Party. Nevertheless, if we are robbed of the financial resources which enable us to maintain an independent organisation and staff capability, the Party will have no future. The Labor proposals in their present form could lead to intimidation of our backers and are designed to destroy the Liberal Party rather than encourage clean politics.

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(3.) Amending Labor's Proposals

The legislation could be amended to take account of overseas experience with public disclosure and limitation of campaign spending. Provisions along the lines of those proposed for Australia have been tried elsewhere and eliminated as unworkable. Several courses are available to us:

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- minutes*
- (a) We could propose establishment of an independent Election Commission (composed of a judge and appropriate support staff) to whom donations to political parties above a defined figure would need to be reported in the first instance, in confidence. The Commission would have the power to:
- investigate the audited accounts of donors lodged with it to satisfy itself that contributions had not been made to gain specific advantages or benefits;
 - investigate the financial affairs of companies; unions or individuals if it believed undisclosed political contributions had been made;
 - conduct its investigations in private until it was in a position to lay charges against organisations or individuals;
 - publicise related donors such as corporate chains or union branches who in total contribute more than \$10,000. This would require establishing a maximum contribution to any one party of \$10,000.

A commission with these or broadly similar powers would better ensure the cleanliness of political funding, without permitting situations to develop in which donors could be intimidated.

- (b) Provisions relating to limitations on campaign spending could be eliminated on the grounds that they are unenforceable.
- (c) We could propose placing the onus for disclosure on companies and unions or individuals where the amount exceeded a nominated sum.

(4.) Deferring the Legislation

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The legislation could be deferred pending an independent inquiry into trends in election and organisational costs and financing. This course of action would enable political parties and interested members of the public to make submissions on all matters involved in trends in election costs and in maintaining party organisations. It would ensure that relevant overseas experience is taken into account and that any legislation emerging from the Australian Parliament genuinely contributes to equality and cleanliness in the political process.

An independent inquiry would also provide an opportunity for the wider issues involved in funding political parties to be considered. The new United States' provisions are instructive.

There is a clear trend here and in Europe towards some element of public funding and more statutory free time in the media. Clearly, the terms of reference for a public inquiry would need to be carefully formulated. But support for an inquiry which looks to the trends in costs and future needs of the political process would be seen as positive and forward looking. This would contrast with the Daly proposals which can be demonstrated to involve an approach which has been tried and found bankrupt and which is not in tune with contemporary needs.

Again, it is salutary to note the Victorian General Secretary's recommendations.

*Victorian Sec
compro*

- "(i) The Party should have clear statements in Federal and State Platforms that it stands for fair, open politics. Perhaps we will gain support by calling for a (Royal ?) Commission into Election Costs and Financing.
- (ii) We should recognise that spiralling media costs can only be met by the provision of statutory free time for State and Federal purposes, for policy presentations and spot announcements, and that this should not be restricted to election periods.
- (iii) We should not automatically reject government financing of political parties on the German or Scandinavian system. This could be investigated by the above Commission. The advantage to the Liberal Party is that control would then be in the hands of members, not backers, and we could almost certainly get better value for our money because of our more rational management."

* * * * *

A.4.11: STAFF PLANNING COMMITTEE (LIBERAL PARTY OF AUSTRALIA). 1 AUGUST 1974. PUBLIC DISCLOSURE OF POLITICAL CONTRIBUTIONS. IN ROBERT SOUTHEY PAPERS. NATIONAL LIBRARY OF AUSTRALIA. MS9901. BOX 5. FOLDER "FEDERAL EXECUTIVE 1973":

~~confidential~~

~~The Liberal Party of Australia
discussing of Federal Executive~~

PUBLIC DISCLOSURE OF POLITICAL CONTRIBUTIONS

It is not uncommon overseas for the law to require some form of public disclosure of contributions for political purposes.

The two ways that disclosure can be required are typified by the American and British practices.

- i) U.S.A. In the United States, campaign finances are regulated by a number of laws. The first such law was the Corrupt Practices Act 1925, and the most recent is the Federal Election Campaign Act which came into effect in 1972. The main feature of the relevant American laws is that they require the recipient political committees to make detailed and frequent reports of all contributions over \$100 and all expenditures over \$10. The effects of these laws are that they require massive paper work by the Government, increased staff work by the parties, and produce complex administrative problems. The laws probably have little effect on contributions but they have a significant impact on party costs.
- ii) U.K. The British Companies Act 1967, introduced by the Labour Government, requires directors' reports to include particulars of contributions exceeding £50 for political purposes. This law appears to have had the effect of increasing contributions to the Conservative Party (this assumption is being researched), but it is also suspected that it has boosted Labour Party funds.

The Minister for Services and Property has been studying overseas practices, and his recent public statements (together with those of other Labor spokesmen) suggest that the Government is preparing to introduce legislation. It appears that such legislation might be quite comprehensive and severe. The following exchange occurred in the House of Representatives last week:

Donations to Political Parties

Mr. Cohen - Will the Minister for Services and Property introduce legislation similar to that operative in the United States to make it compulsory for all political parties to disclose the source of their funds so that the Australian people can see for themselves how much foreign money is being poured into Liberal Party coffers so that it can sell this country out to overseas interests?

.../2

Mr. Daly - The practice of publishing contributions made to political parties that the honourable member has mentioned is common in a number of countries throughout the world. It is followed in the United States and it is about to be followed in Canada. In a recent visit overseas I saw that this commendable practice was well adopted by those countries. I think all people in this country want to avoid any Watergates, and therefore there is a great case to be made for the names of the donors to political parties to be made public. That particularly applies in regard to multi-national companies, which seek to defeat duly elected governments by contributing funds to their opponents in Australia and other places. I believe also the sources of the \$1 m fund that the Liberal Party is collecting from these kinds of organisations to defeat this Government should be made known. The Australian Labor Party has under consideration a number of electoral reforms. Very high on the list is consideration of the proposal that we do what the honourable member for Robertson has said and that is to make it necessary by legislation for donors and the amounts they contribute to political parties to be made known. I am hopeful that in the immediate future we may be able to bring down in this Parliament that kind of legislation. Then we will see where the Liberal Party stands with respect to its anonymous donors who seek to defeat this Government.

Staff Planning Committee Recommendations.

The Liberal Party should not initiate action to require disclosure, but it should have a clear attitude in response to any Labor proposal.

We cannot credibly oppose disclosure legislation outright, but we should be prepared with amendments to ensure that any such legislation would not work exclusively in Labor's favour, e.g. all contributions should be tax-deductible, or the fraction of trade union fees going to political purposes should be non-deductible. Another amendment might restrict the application of the law to organisations and not to individuals, thus protecting individual privacy. We should also insist on disclosure by the contributor rather than by the recipient - thus minimising the bureaucratic and cost impact of disclosure. We might also include some less tangible amendments, e.g. a "code" to apply to political funding which would require the return or refusal of all contributions carrying any expressed or implied conditions.

We should also make the following points :

- i) We are prepared to support disclosure in order to show that we have nothing to hide.

- ii) Generally speaking, however, public disclosure does not work. There is no evidence of it preventing corrupt practices in the U.S.A. or U.K. If anything, disclosure might have resulted in bigger and more expensive deals.
- iii) Public disclosure can be seen as constituting a gross invasion of privacy. Individuals should be free to support the party of their choice.
- iv) A large portion of Liberal Party funds is given anonymously. Public disclosure would make this impossible and, to this extent, it would be self-defeating.
- v) Public disclosure is subject to abuse. An unscrupulous party in Government can discriminate against those who contribute to the Opposition parties.
- vi) Public disclosure is impossible to police, e.g. there is no way to account for professional services offered by performers, public relations people, printers etc.
- vii) In many countries where disclosure is required, other provisions also apply, e.g. U.S. law also forbids contributions by corporations and labor unions - would Labor want this?
- viii) Since its early days, the Liberal Party has refused to accept money from other associations, such as groups of businessmen, labour unions etc.
- ix) As recently as October 11, 1973, Mr. Snedden stressed the Liberal Party policy :

"But what I do want to make absolutely , abundantly clear to you, without any qualification or equivocation in any way at all, is that I would not agree to the party receiving any funds which had attached to it any conditions whatever.

If there is a gift of funds then it must be totally free of any conditions.

If there are any conditions, expressed or implied, then they would be returned, refused."

This should be reiterated and followed religiously.

- x) During its 23 years in Government, there was not a single credible charge against the Liberal Party in relation to the sources of its funds or to advantages being given in return for contributions.

Labour Party of Australia

Confidential

4.

- xi) Labor admitted receiving vast contributions last year. Why did they not call for disclosure then? They appear to be interested in disclosure only since the dry-up of their own funds.
- xii) Labor's unfounded charges of contributions and manipulation by "multi-nationals corporations" is akin to older charges of manipulation by "international financiers", e.g. Eric Butler.
- xiii) The only example of conditional contributions in recent years was in 1972 when the Metal Workers' Union gave the Labor Party \$25,000 on the apparent undertaking that a Labor Government would remove the penal provisions of the Arbitration Act.

A.4.12: JOHN C. OESTREICHER TO ROBERT B. ASHMORE AND CARLYLE H. WHIPPLE. 18 OCTOBER 1974. IN COMMON CAUSE IN WISCONSIN RECORDS. WISCONSIN HISTORICAL SOCIETY. MSS 415. BOX 3.

Common Cause

OCT 21 1974

54

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WISCONSIN LEGISLATURE
ASSEMBLY CHAMBER
 MADISON
 53702

REPRESENTATIVE
 70th District

CHAIRMAN:
 Committee on Elections

VICE-CHAIRMAN:
 Committee on Judiciary

MEMBER:
 Committee on Rules

October 18, 1974

Mr. Robert B. Ashmore
8074 North Seneca Road
Milwaukee, WI 53217

Mr. Carlyle H. Whipple
111 S. Fairchild Street
Madison, WI 53703

RE: Common Cause roll call on campaign finance reform

Gentlemen:

I am disappointed with the inclusion of Amendment 53 to Assembly Bill 1016 in the Common Cause roll call. Since I worked closely with you gentlemen in the drafting of the bill, and relied upon your assistance in getting a campaign finance reform bill passed, I feel a right and an obligation to express my disappointment. You ~~know~~ know enough about the working of the State Legislature and the legislative process to realize that individual legislators sometimes sublimate their individual desire in order to permit an acceptable compromise to be arrived at. While Lyndon Johnson receives credit for saying that, "Politics is the art of the possible", Bob Huber was my mentor and had a great impact on the progressive members of the Wisconsin Assembly Democratic Caucus. Those of us who achieved any degree of success as members of the Legislature learned that lesson from Bob Huber.

I told both of you that I favored public financing of campaigns as early as March of 1973. At that time I also told you I did not believe it would be possible to pass a bill which included public financing during the 1973 legislative session. I discussed the matter not only with you, but with the Governor personally on at least two or three different occasions, with members of the Governor's staff, with the leadership of the Assembly Democratic Caucus, with the Assembly Republican Caucus, and with the leadership of the State Senate, over a period of one and a half years. In spite of all the discussion relative to a campaign finance reform bill, and the question of public financing of campaigns, it remained obvious to me that no bill containing a public finance provision could become law in Wisconsin during 1973-74. For that reason, I made the strategic decision to come up with a comprehensive bill without including public finance. I asked the responsible members of my caucus to support that position in spite of their individual desire for public finance to the contrary.

Mr. Robert B. Ashmore
Mr. Carlyle H. Whipple
Page 2
October 18, 1974

Common Cause

After much debate in our House, Amendment 53 was offered to include public finance provisions in the bill. I explained to your representatives prior to making a motion to reject that amendment, it was essential that the public finance provisions not be attached or we would not have had sufficient votes to suspend the rules to move the bill over to the Senate. I asked the membership of my caucus to support my motion for rejection. Most of those persons who supported public finance had enough confidence in my leadership to support my motion to reject. A few individuals who had aspirations for higher office in liberal Democratic districts, or who felt so strongly about the question that they would rather have seen no bill at all than a bill which neglected to include public finance, refused to follow my lead. There were some damned good people who supported me and who are now listed in the negative on your roll call. You know that Representatives like Berger, Conta, Dueholm, Earl, Grover, Jackamonis, Kedrowski, Nager, Otte, and Plewa, to name a few, appear on record against their individual wish because of the sacrifice they made to help get Assembly Bill 1016 out of our House and into the Senate.

The amusing thing is that a number of other individuals who voted for Amendment 53, later sought me on the floor to explain that they agreed with the strategy we were using in order to move the bill, but they "watched the board" and when they were satisfied that I had the votes necessary to reject the Amendment, they took their leave. These individuals actually expressed less loyalty to the passage of a campaign finance reform bill than the persons above. By playing this game, they indicated they would put their own political careers or their own records above the passage of a meaningful campaign finance reform bill.

I don't suppose any candidate is going to be defeated in his or her bid for office this forthcoming election because of your unfortunate inclusion of Amendment 53 in the Common Cause roll call. I do believe that when organizations such as Common Cause include this type of question in the roll call, they are encouraging those legislators who would rather advance their own political career than see a meaningful piece of legislation become enacted into law, to play their little game.

I have now had my say and I thank you for reading this little epistle. I bid you fond wishes during future legislative sessions.

Very truly yours,


JOHN C. GESTREICHER
State Representative

JCG/gjn

APPENDIX 5: TIMELINES OF REFORM

Below are three timelines for reform in each jurisdiction. Blank spaces roughly approximate times in which no action on campaign finance reform was taken.

A.5.1 AUSTRALIAN TIMELINE OF REFORM

1958	November	TV first used in Election campaigns
1968	January	John Gorton becomes Prime Minister and Leader of the Liberal Party
1971	March	William McMahon becomes Liberal Party leader
1972	November	ALP campaigns using slogan "It's Time" in 1972 Election campaign.

1972	December	Australian Election; Whitlam ALP Government Elected ending 23 years of Liberal/Country rule; Billy Snedden is chosen as leader of the Liberal Party
1973	January	
1973	February	Parliament passes <i>Commonwealth Electoral Act 1973</i> lowering the voting age; Rumors circulate about the government's electoral reform agenda
1973	March	The House of Representatives passes electoral reform bills for redistricting reform and representation of the territories; Rumors circulate about the government's electoral reform agenda
1973	May	
1973	June	Minister Frederick Daly visits the USA and Canada to research campaign finance reform
1973	July	Liberal Party leader Billy Snedden requests the views of the party on tax deductability and donation disclosure
1973	August	Liberal Party researches campaign finance reform
1973	September	Liberal Party researches campaign finance reform
1973	October	Liberal Party researches campaign finance reform; Cabinet endorses donation disclosure; Minister Fred Daly indicates plans for disclosure to hurt Liberal Party in House of Representatives (Figure 6.2)
1974	March	Cabinet endorses disclosure of donations over \$100 and spending limits
1974	April	Cabinet decides to introduce a bill for the disclosure of donations and spending limits within the week
1974	May	Double Dissolution Election (see Appendix 8)

1974	July	Minister Frederick Daly visits Canada to research campaign finance reform and observe July 1974 Canadian Election; Liberal Party Federal Executive hears about the expected "severe" impacts of donation disclosure.
1974	August	The Liberal Party decides to oppose any disclosure legislation
1974	November	Malcolm Fraser unsuccessfully challenges Snedden for the Liberal Party leadership
1974	December	<i>Electoral (Disclosure of Funds) Bill 1974</i> introduced into the House of Representatives
1975	March	Malcolm Fraser becomes leader of Liberal Party; <i>Electoral (Disclosure of Funds) Bill 1974</i> defeated in Senate
1975	August	<i>Electoral (Disclosure of Funds) Bill 1974</i> defeated in Senate; ALP scraps its plans for spending limits and orders a new bill on disclosure only.
1975	November	Prime Minister Gough Whitlam dismissed; Malcolm Fraser appointed as caretaker Prime Minister; New election ordered; ALP seeks campaign funds from Iraqi Ba'ath party.
1975	December	1975 Election
1976	February	Iraqi Breakfast Affair uncovered

Australia

A.5.2 CANADIAN TIMELINE OF REFORM

1957	April	TV used for the first time in an election campaign
1957	May	TV used for the first time in an election campaign
1957	June	June 10 Canadian Election: Surprise loss by St Laurent's Liberal Party
1957		Lester Pearson elected to Liberal Party leadership
1963		Liberal Party elected to government under Pearson's leadership
1964	October	Pearson commissions the Barbeau Committee

1966	October	Barbeau Committee reports, identifying reduced electoral expenses, a broader base of political parties and public confidence in the systems as goals of campaign finance reform
1967	November	Robert Stanfield elected leader of the Progressive Conservative Party
1968	April	Pierre Trudeau elected leader of the Liberal Party
1968	June	Liberal Party wins majority government in 1968 Election
1969	October	Progressive Party of Canada holds its <i>Priorities For Canada</i> Conference, at which Flora MacDonald argues in favor of donation disclosure

1970	September	Progressive Party of Canada consulting its members and developing a submission to the Chappell Committee
1970	October	Ontario Liberal's London Policy Rally endorses disclosure; Progressive Conservative Party completes drafting its submission to the Chappell Committee; October Crisis
1970	November	Liberal Party National Policy Convention
1971	January	Chappell Committee public hearings
1971	May	Progressive Conservative Party drafts an Election Expenses policy that contains no disclosure provisions
1971	June	Chappell Committee reports, recommending Barbeau-style limited disclosure
1971	October	Progressive Conservative Party votes on electoral expenses policy at its AGM
1972	May	Bill C-211 introduced without full disclosure provisions

1972	October	1972 Election; Trudeau Government re-elected, but without a majority; Found it hard to recruit volunteers
1972	November	Fidnam Scandal breaks in <i>Globe and Mail</i>
1973	June	Robert Stanfield endorses full disclosure; Progressive Conservative Party organization hears about the "far-reaching and detrimental consequences" of full disclosure; <i>Election Expenses Bill 1973</i> introduced into the Canadian Parliament with full-disclosure and a public financing scheme
1973	December	<i>Election Expenses Bill 1973</i> provisions on public financing of elections amended to reimburse the expenses of candidates who receive 15% (rather than 20%) of the vote in their riding
1974	January	<i>Election Expenses Bill 1973</i> passes the Canadian Parliament

Canada

A.5.3 WISCONSIN TIMELINE OF REFORM

1961	November	John F. Kennedy appoints the President's Commission on Campaign Costs.
1966	November	First US law providing for public financing of Presidential Campaigns signed into law by President Lyndon Johnson.
1967	March	Amendment in Congress serves to make public financing law of 1966 inoperative.
1970	November	John C. Oestreicher elected to the Wisconsin state Assembly for the first time
1971	December	The <i>Federal Elections Campaign Act</i> signed into law.

1972	June	Break-in at Democratic National Committee Headquarters in the Watergate Building (June 17)
1972	October	FBI concludes that the break-in at the Watergate is part of a larger scheme of "political spying and sabotage" conducted by Nixon's re-election campaign (Bernstein and Woodward. 10 October 1972. <i>Washington Post</i>)
1972	November	Nixon re-elected with Electoral College landslide (520 to 17); 62 Democrats elected to the Wisconsin Assembly, including Oestreicher (37 Republicans were elected); the state Senate constituted by 18 Republicans and 15 Democrats.
1973	February	Democratic Party of Wisconsin organization creates a sub-committee to try and coerce members of the party in public office to follow the Party's platform; Common Cause begins liaising with Oestreicher.
1973	April	Democratic Party of Wisconsin organization disbands the sub-committee.
1973	May	Governor's Study Committee on Political Finance created; Senate Watergate Committee begins televised hearings (17 May); AB1016 generated by the Assembly Elections Committee with rigorous disclosure provisions; Susan Stearn writes to Senator Percy about reform.
1973	June	Spending limits added to AB1016; Democratic Party state convention endorses campaign finance reform
1973	July	Contribution limits added to AB1016; AB1016 reported out of Assembly Elections Committee
1973	August	AB1016 reported by the Assembly Finance Committee.
1973	October	Governor's Study Committee on Political Finance releases its preliminary report.

1973	November	David Adamany suggests limiting party contributions to candidates' campaigns
1973	December	Senate Insurance and Judiciary Committee public hearings into Campaign Finance reform; early draft of SB872 emerges <i>with</i> public financing of election expenses
1974	January	AB1016 amended in the Senate to limit parties to contributing 50% of a candidate's campaign funds; SB872 passes the Senate without such limits on party contributions.
1974	March	Governor's Study Committee on Political Finance releases its final report.
1974	April	Special Session of the Legislature debates SB5
1974	May	Special Session of the Legislature debates SB5
1974	June	Special Session of the Legislature debates SB5
1974	July	SB5 is signed into law by Governor Lucey on 2 July, limiting party contributions to 65% of each candidate's campaign funds; Wisconsin Democratic Party creates the "Legislative Liaison Committee" to try and encourage legislators to follow the platform.
1974	October	Oestreicher ends his relationship with Common Cause.

APPENDIX 6: DEVELOPMENT OF THE TYPOLOGY OF MOTIVES

In developing a typology of motives, the first task was to clarify what was meant by “self-interest”. This is vitally important in a typology that does not label or describe every behavior as motivated by self-interest and to distinguish it from party-interests. For this, the writer drew on incentives theory in organizational study, which is a rational choice-based universal theory. To generate additional motives, the nascent literature on motives in electoral reform was supplemented with literatures from psychology and an older civic attitudes tradition in political science.

Incentives Theory

The most influential contribution to understanding individual participation in organizational studies comes from organizational studies. “Incentives theory” is a rational choice influenced theory that explains individual participation in organizations in terms of a cost-benefit calculation made by the individual participant about the *consequences* of decisions and views the central dynamic within organizations to be an exchange of benefits from organizers to members and vice versa.¹⁰²⁹ All actions are understood as being motivated by the pursuit of expected benefits (ie. all behavior is self-interested). In this logic, organizations must provide incentives to motivate self-interested people to participate.

The understanding of self-interest in incentives theory is universally broad: all observed activities are understood to be self-interested and very broad categories of incentives are thus needed to explain behavior that is not obviously self-interested. Such an understanding is necessary in rational choice framework in which everyone is utilitarian and pay-off seeking.

Peter B. Clark and James Q. Wilson, the originators of incentive theory, identify three categories of incentives organizations provide to motivate individuals to participate in them in their 1961 study: material, solidary, and purposive.¹⁰³⁰ These categories have

¹⁰²⁹ Clark, Peter B. & James Q. Wilson. 1961. Incentive Systems: A Theory of Organizations. *Administrative Science Quarterly* 6(2): 129-166, especially at 130.

¹⁰³⁰ Clark and Wilson. 1961.

been adopted by political scientists seeking to explain citizen participation in politics.¹⁰³¹

Material motivations are those motivations that spur an individual into action based on the pursuit of tangible benefits that are, or can be easily made, monetary, such as goods and salaries. Solidary motivations are based on the pursuit of intangible benefits that individuals receive from socializing and identifying. These benefits are not focused on the purposes of the organization, but derive from participation itself and include benefits such as entertainment and enjoyment from socializing. Purposive motivations are those based in the pursuit of the goals of the organization. The benefits that individuals get, in incentive theory logic, are the feelings of satisfaction at having contributed to the cause.¹⁰³²

For our purposes, Clark and Wilsons “material” incentives category is taken as being indicative of “self-interest”.

Alternative views

Alternatives to self-interest are few in electoral reform writings.¹⁰³³ In thinking about motives in electoral reform debates, the starting point was the only works that specifically explores the attitudes of legislators toward electoral reform proposals. A series of articles by Shaun Bowler, Todd Donovan and Jeffrey A. Karp surveyed legislators asking for their views toward hypothetical electoral reform proposals and analyzed the responses for evidence of values, ideology or interests based opinions.¹⁰³⁴

¹⁰³¹ For example: Rosenstone, Steven J. & John Mark Hansen. 1993. *Mobilization, Participation, and Democracy in America*. New York: Macmillan; Verba, Sidney, Kay Lehman Schlozman & Henry E. Brady. 1995. *Voice and Equality: Civic Voluntarism in American Politics*. Cambridge: Harvard University Press; Seyd, Patrick & Whiteley, Paul. 1992. *Labour's Grass Roots: The Politics of Party Membership*. Oxford: Oxford University Press.

¹⁰³² Clark and Wilson. 1961: 130.

¹⁰³³ Those writers who do acknowledge self-interest is not the only motivation of political parties do not typically attempt to come up with alternative motivations. For example, while Andre Blais and Louis Massicotte go so far as to acknowledge that self-interest is “only part of the story” and that “ideas count as much as interests” in electoral reform outcomes, they do not develop a menu of possible motivations. Blais, Andre & Louis Massicotte. 1997. Electoral Formulas: A Macroscopic Perspective. *European Journal of Political Research* 32(1): 117.

¹⁰³⁴ Bowler, Donovan and Karp find that interests—the interests an incumbent legislator has in maintaining his or her seat—were important in explaining legislators’ attitude but “not the entire explanation”: Bowler, Shaun, Donovan, Todd & Karp, Jeffrey A. 2002. When Might Institutions Change? Elite Support for Direct Democracy in Three Nations. *Political Research Quarterly* 55(4): 749; Bowler, Shaun, Donovan, Todd & Karp, Jeffrey A. 2006. Why Politicians

In other applied policy literature, the presentation of values and/or ideology as natural alternatives to interests in individuals' policy preferences is already well-established.¹⁰³⁵

We can relate Bowler, Donovan and Karp's trichotomy of the *bases of attitudes on electoral reform proposals* to Clark and Wilson's categories in order to refine our thinking. Clark and Wilson's first category, *material* motivations, impel an individual into action based on the pursuit—and expected receipt—of tangible benefits that are, or can be easily made, monetary, such as goods and salaries. In essence, material motivations are synonymous with the “self-interest” that the electoral systems literature assumes and are so called in this dissertation (Table A.6.1). This self-interest includes the part of the “interests” category in Bowler, Donovan and Karp's trichotomy that relates to an individual's self-interest—but not to his or her party's interests. In the electoral reform context, this includes interests legislators have in retaining their seats (and therefore their salaries) and the interests individual partisans within party organizations might have in attaining or maintaining a paid position in the party. Material motivations manifest as positions and attitudes on specific electoral reform proposals and outcomes, such as opposition to a redistricting proposal based on its unfavorability to the individual's prospects for winning the a seat or the favoring of public financing of party campaigns because it will guarantee the continuation of the individual's employment in the party secretariat.

Clark and Wilson's second category, *purposive* motivations, are those based in the pursuit of the goals of the organization, such as the pursuit of the introduction of socialism for a socialist political party or the elimination of perceived corruption for an interest group aimed at cleaning up politics. The benefits that individuals pursue, in

Like Electoral Institutions: Self-Interest, Values, or Ideology? *Journal of Politics* 68(2): 436-7; Bowler, Shaun & Donovan, Todd. 2007. Reasoning About Institutional Change: Winners, Losers and Support for Electoral Reforms. *British Journal of Political Science* 37 (2): 455-476.

¹⁰³⁵ For example, in the area of symbolic politics in psychology, there is evidence that individuals dealing with important political issues often view those issues by reference to values and ideas—even when they have identifiable interests in the subject matter. Sears, David O. 1997. The Impact of Self-Interest on Attitudes—A Symbolic Politics Perspective on Differences Between Survey and Experimental Findings: Comment on Crano. *Journal of Personality and Social Psychology* 72(3): 492-496; Jaeger, Mads Meier. 2006. What Makes People Support Public Responsibility for Welfare Provision: Self-interest or Political Ideology? A Longitudinal Approach. *Acta Sociologica* 49 (3): 321-338.

incentive theory logic, are the feelings of satisfaction of having contributed to the cause.¹⁰³⁶ In the electoral reform debate context, purposive motivations take in both the ideology and interests categories in Bowler, Donovan and Karp's trichotomy, insofar as they relate to the individual's pursuit of their political party's ideological goal and/or interests and are reflected in attitudes towards specific electoral reform proposals.

One set of (ideological) purposive motivations for action take in individual partisan participation for the purpose of enshrining the party's ideological ideas about representation in election law.¹⁰³⁷ Another (interest-based) set of purposive includes participation for the purpose of enacting election laws that will further the party's interest in winning elections. While party interests are about electoral success, financial viability and similar (which indirectly enable the party to implement its policy), the party ideology motivation is about furthering party goals with little regard for electoral success.¹⁰³⁸ In this way, purposive motivations—whether for the party interest or party ideology—manifest as positions and attitudes on specific electoral reform proposals and outcomes. In this typology, the two kinds of purposive motives, party ideology and party interest are separated.

There are tensions between the two types of interests—self- and party- interest—identified. The party-interest motivation is the motivation that all of the electoral reform literature surveyed in Chapter 1 assumes underlies party attitude and

¹⁰³⁶ Clark and Wilson. 1961: 136. In many instances, purposive benefits will be collective, in that any benefits from participation are not excludable; they do not go back to the participants exclusively but instead reside in the whole society. In order to conceptualize purposive incentives in terms of benefits attained by the individuals (and thus fit in with rational choice thinking) incentives theory emphasizes the satisfaction one attains from expressing their individual values. In effect, incentives theory explains, individuals are motivated into action by the satisfaction they receive from affirming their values or contributing to a cause. In the political party context, such expressive purposive benefits might include the satisfaction from affirming allegiance to a political party or political ideology.

¹⁰³⁷ Party ideology, because it is about furthering the goals of the party, would fall into Clark and Wilson's "purposive" category: Clark and Wilson. 1961.

¹⁰³⁸ Bowler, Donovan and Karp find that ideology plays a role in shaping politicians' opinions about electoral reform. Though the impact was less predictable than interests, they find that those on the left side of politics were more predisposed to electoral reform than other politicians: Bowler, Donovan & Karp. 2006. Bowler and Donovan also did a piece on the determinants of the attitudes of voters to electoral reforms based on whether they were "winners" or "losers": Bowler & Donovan. 2007.

behavior.¹⁰³⁹ However, the individual and party self-interest may directly conflict, and Bowler, Donovan and Karp find that individual self-interest dominates over party self-interest when legislators are surveyed.¹⁰⁴⁰

Clark and Wilson's third category, *solidary* motivations, are based on the pursuit of intangible benefits that individuals receive from socializing and identifying with a group. These benefits are not necessarily the purposes of the organization, but derive from participation itself and include benefits such as entertainment and enjoyment from socializing.¹⁰⁴¹ These motivations are outside Bowler, Donovan and Karp's trichotomy because they do not relate to specific reform outcomes. Solidary motives include participation in electoral reform debates within parties because one enjoys discussing political reform issues or enjoys the company and drama of party meetings.

Clark and Wilson's three categories and their relationship with Bowler, Donovan and Karp's trichotomy are summarized below, in Table A.6.1.

¹⁰³⁹ In an interesting irony, it should be noted that rational choice theory itself—when applied to motivations rather than electoral reform—does not expect individuals to be motivated by collective concerns, such as party interests however since this thesis is not adopting rational choice theory, that is not a bar. Indeed, a whole literature exists on the distinction between selective benefits and collective benefits.

¹⁰⁴⁰ Bowler, Donovan and Karp. 2006: 434-446.

¹⁰⁴¹ Clark and Wilson. 1961: 134-135.

Table A.6.1: Clark and Wilson's Typology Juxtaposed against Bowler, Donovan and Karp's Trichotomy and the Typology adopted in this Thesis

Clark and Wilson			Bowler, Donovan and Karp		My Typology
Motive			Basis for opinion		Self-interest
Material	Pursuit of benefit: consequent on having tangible self-interests reflected in electoral reform outcomes.		Interests (part)	Self-interests in the consequences/effect of the electoral reform	
Solidary	Pursuit of benefit: consequent from enjoyment derived from process of participation	Enjoyment	N/A	N/A	
		Acceptance by others			
Purposive	Pursuit of the individual benefit resulting from having your parties' goals or ideology reflected in electoral reform outcomes		Ideology	Working toward ideological goal of organization	Party Ideology
			Interests (part)	Working for the electoral interests of the political party	Party Interests
N/A	N/A		Values	Ideas and attitudes about politics etc	Democratic Values

Motives that Relate to Process not Electoral Reform Outcomes

Bowler, Donovan and Karp's trichotomy of bases for opinion on electoral reform proposals—values, ideology, interests—was useful in developing a menu of motives. But these three motives, by virtue of the research design employed by Bowler, Donovan and Karp, only related to *electoral reform outcomes* (ie. views toward the desirability of particular electoral reform proposals). In examining the policy development process, a full menu of motives needed to include motives related to participation in that *process* of reform, as well as to motives that relate to policy positions.¹⁰⁴²

Here, the trichotomy of values, ideology, interests was augmented to include process-related motivations, as well as a fuller menu of outcome-related motivations, by drawing on an abundance of literature on the motives of individuals from outside of the electoral reform context—literatures that have had surprisingly little impact upon scholars of electoral reform. These literatures come from three distinct traditions: a rational choice tradition on the participation of individuals in organizations generally in organizational studies (incentives theory), a psychological tradition on the motives of individual political actors (especially leaders and voters) in political psychology and an older civic attitudes orientated tradition about individual civic participation in political science.

Firstly, returning to Clark and Wilson's solidary category and considering the intangible social reasons why individuals might participate in party debates over electoral reform, the idea of social norms or "social acceptance" motives immediately appears. In rational choice theory, psychology, and organizational studies, social acceptance may impel participation.

Working within the rational choice framework, Patrick Seyd and Paul Whiteley develop a "general incentives model" in the context of explaining individual participation in British political parties in which they separate the enjoyment of the process from conformance to social norms.¹⁰⁴³ Social norms are motivations based on "a desire to

¹⁰⁴² As can be seen in Table A.6.2, outcome-based motives appear principally in economics and the political science literatures influenced by the economic approach to politics that are prevalent today.

¹⁰⁴³ Seyd & Whiteley. 1992: 56-85; Whiteley, Paul & Patrick Seyd. 1996. Rationality and Party Activism: Encompassing Tests of Alternative Models of Political Participation. *European Journal*

win the respect or approval of other people.”¹⁰⁴⁴ Attitudes and behaviors are evaluated by reference to the predicted reactions of other people. And they have been found to be quite important in explaining why individuals participate in politics.¹⁰⁴⁵ Similarly, social norms are subtly different from solidary motivations because they are not motivated by enjoyment but acceptance.¹⁰⁴⁶ A social norm motive is different from an enjoyment motive in that the former seeks the benefit of acceptance rather than fun. In other forums, the social norms motive has been termed the “approval motive”.¹⁰⁴⁷

Psychology offers a different take on the motives of political actors. Like rational choice theory, individuals are still understood as purposive and goal orientated. Rather than the rational pursuit of selective benefits, motives are understood as being driven by needs, in particular three: affiliation, power and achievement.¹⁰⁴⁸ These concepts are shaped by political psychology’s interest in the motives of political leaders like national presidents and dictators, and are different to the purposive, solidary and material incentives discussed above.

of Political Research 29: 215-234; See also: Bennie, Lynn G. 2004. *Understanding Political Participation: Green Party Membership in Scotland*. Burlington, Vermont: Ashgate.

In the context of participation in political parties and civic organizations, in which material benefits are limited or non-existent (especially since reforms like the *Pendleton Civil Service Reform Act 1883*), incentives theory is less compelling than in many other organizations (such as companies). Explaining civic participation solely in terms incentives offered and benefits sought ensures that participation in many civic activities, where there is no material benefit to the participant and purposive motivations are often dilute, seems irrational. Known as the “paradox of participation”, individuals engage in political participation—such as participation in voluntary organizations, interest groups or political parties, as well as voting in elections—in much greater numbers and more often than rational choice influenced incentives theory would seem to predict.

¹⁰⁴⁴ Seyd & Whiteley. 1992: 64-65.

¹⁰⁴⁵ Verba, Schlozman and Brady. 1995: 22.

¹⁰⁴⁶ Whiteley, Paul F. 1995. Rational Choice and Political Participation: Evaluating the Debate. *Political Research Quarterly* 48: 217-8.

¹⁰⁴⁷ Crowne, Douglas P. & David Marlowe. 1964. *The Approval Motive: Studies in Evaluative Dependence*. New York: John Wiley and Sons.

¹⁰⁴⁸ Winter, David G. 2003a. Measuring the Motives of Political Actors at a Distance. In *The Psychological Assessment of Political Leaders: With Profiles of Saddam Hussein and Bill Clinton*. Jerrold M Post, ed. Ann Arbor, MI: University of Michigan Press. 154-156; Winter, David G. 2003b. Assessing Leaders’ Personalities: A Historical Survey of Academic Research Studies in Post. In *The Psychological Assessment of Political Leaders: With Profiles of Saddam Hussein and Bill Clinton*. Jerrold M Post, ed. Ann Arbor, MI: University of Michigan Press: 23.

Henry Murray's 1938 study of personality concluded that that people want to feel at ease, or at one with themselves or others, and named that need "affiliation."¹⁰⁴⁹ Abraham Maslow included "esteem" as one of his categories in his hierarchy of human motivations.¹⁰⁵⁰ In more recent times, the affiliation motivation has been more formally defined as the "concern over establishing, maintaining, or restoring a positive affective relationship with another person or group of persons."¹⁰⁵¹

Adapting psychological concepts to organizational studies, James G. March and Johan P. Olsen developed the "logic of appropriateness" to explain what governs people's behavior. March and Olsen tie individual identity to social expectations and suggest that human behavior is best understood not as being motivated by interests but by a desire to follow social rules—whether those rules are codified or not—of acceptable conduct. In their universal explanation of human behavior, March and Olsen posit that individual participants ask themselves this question before acting: "What does a person such as I do in a situation such as this?" It is, they argue, answered by reference to the individual's "internalized prescriptions of what is socially defined as normal, true, right, or good, without, or in spite of calculations of consequences and expected utility." In this logic, the desire to behave in accordance with social norms and to be accepted—by society and one's self—is the motivator of human action.¹⁰⁵²

¹⁰⁴⁹ Murray. 1938: 144; Maslow, Abraham H. 1943. A Theory of Human Motivation. *Psychological Review* 50(4): 389-391.

¹⁰⁵⁰ Maslow, Abraham H. . 1943. A Theory of Human Motivation. *Psychological Review* 50 (4): 370-396.

¹⁰⁵¹ Koestner, Richard and David C. McClelland. 1992. The Affiliation Motive. In *Motivation and Personality: Handbook of Thematic Content Analysis*. Charles Smith, ed. Cambridge: Cambridge University Press: 205. In other forums, social norms-type motives have been termed the "approval motive". See: Crowne & Marlowe. 1964. A similar motive is among the six identified by Robert E. Lane in 1969, namely to "defend and improve ... self-esteem through political activity.": Lane, Robert E. 1959. *Political Life: Why People Get Involved in Politics*. New York: Free Press: 102.

¹⁰⁵² The logic of appropriateness, like rational choice theory, is intended as a universal explanation of human behavior. Here, its ideas are borrowed, without the intention of ascribing all human action as being motivated by a desire to do what is socially acceptable (although the author does find such an interpretation more encouraging than the harsh and selfish economic interpretation): March, James G. & Johan P. Olsen. 2006. The Logic of Appropriateness. In *The Oxford Handbook of Public Policy*. Michael Moran, Martin Rein and Robert E. Goodin, eds. Oxford, England: Oxford University Press: 690.

If we return to psychology for a moment, a particularly appealing motive in the context of politics presents: power.¹⁰⁵³ Power is a key concern in political psychology and the original concern in the study of politics. Power is the ability to influence others and affect the outcome of events through that influence. More precisely, David G. Winter defines power as “*the ability or capacity of [an actor] to produce (consciously or unconsciously) intended effects on the behavior or emotions of another person.*”¹⁰⁵⁴ With its origins in economics rational choice theory often overlooks power as a motive or equates it with self-interest.¹⁰⁵⁵ Yet, the paradigm of power as a motivation is fundamentally different from paradigm of interests that organizes economics.

Power can be conceived of in terms of interests, but not very compellingly. When power is directed at specific material outcomes in the future, it might be included in “material” category in incentives theory. When power is directed toward achieving some particular purpose, it could be classified as “purposive”. When power is pursued for its own ends, because it makes the person feel good, perhaps power could be classified as “solidary” since it is sort of about the enjoyment obtained from participation. This is not particularly compelling and instead power ought to fill its own category.

If we return to political science, and literatures on participation that pre-date the dominance of rational choice theory in the social science, another motive is apparent: civic duty. This motive is based on values about how citizens and the political system ought to interact and a desire to personally conform to those values. Initially developed by Sidney Verba and Norman Nie in *Participation in America*,¹⁰⁵⁶ the civic orientations

¹⁰⁵³ For information on the achievement motive, not utilized here, see: McClelland, David C, John W. Atkinson, Russell A. Clark & Edgar L. Lowell. 1976. *The Achievement Motive*. Oxford: Irvington.

¹⁰⁵⁴ Winter. 1973: 5 (italics in original).

¹⁰⁵⁵ For example: Both Bawn and Benoit define utility maximization as party “power-maximization interests”: Bawn, Kathleen. 1993. The Logic of Institutional Preferences: German Electoral Law as a Social Choice Outcome. *American Journal of Political Science* 37(4): 965-989; Benoit, Kenneth. 2004. Models of Electoral System Change. *Electoral Studies* 23: 363-389.

This tendency reflects that the literature is focused at the party-level and on party-interests—rather than on individuals and self-interest. Certainly, some of this is semantics. But if we are to get away from a broad and meaningless definition of self-interest to one that describes a subset of possible motives, then the distinction between power and material self-interests is cogent.

¹⁰⁵⁶ Sidney, Verba and Norman H. Nie. 1972. *Participation in America: Political Democracy and Social Equality*. New York: Harper and Row.

framework focuses on the attitudes and socio-economic status of individual participants.¹⁰⁵⁷ In this view, motives for participation are not conceptualized as rational responses to incentives in pursuit of benefits; instead motivations for participation may lie in relationships and self-image, identity and those “attitudes which individuals hold toward themselves or the political system”.¹⁰⁵⁸ Civic duty is not a “rational” motive in the sense understood by rational choice theory—because it is not about expected consequences or outcomes for the individual participant and so they fall outside any rational choice inspired framework. Civic duty is not directed at any specific ends or electoral reform policy other than participation for its own good. Thus, in the context of participation in electoral reform debates within political parties, civic duty does not predispose an individual toward action in favor of a particular electoral reform outcome but only toward action.

Civic duty is an important motivator according to empirical studies conducted in the 1970s and 1980s (in a time when rational choice theory was not as dominant as it is today). Constance Cook, in examining the motivations of individuals participating in American public interest groups, found civic duty was an important motivator for activist (as opposed to non-activist) members of public interest groups like Common Cause.¹⁰⁵⁹ This disparity led Cook to observe that civic duty is a very powerful motive—it is the motive that impels the actions of those individuals who dedicate the most effort and time to an organization.¹⁰⁶⁰ Similarly, when Alan Abramowitz, Ronald Rapoport, and John McGlennon surveyed the motivations of activists—state convention

¹⁰⁵⁷ Whiteley. 1995: 211. Leighley. 1995: 181-209.

¹⁰⁵⁸ Leighley. 1995: 183. Actual participation requires both motives and capacity according to Verba, Schlozman and Brady: 1995: 3. In this logic, participation is enabled by the accessibility of resources to the individual. Participation has costs, and so who participates depends on individuals’ capacity to bear the costs of participation.

¹⁰⁵⁹ Cook, Constance Ewing. 1984. Participation in Public Interest Groups: Membership Motivations. *American Politics Research* 12: 409-430.

¹⁰⁶⁰ Similarly, George C. Perlin observed that motives with an emotive component were more likely to be fiercely held and lead to intractable arguments. Material self-interest and power are likely to be weaker motives, more prone to compromise, because they lack an emotive aspect to the relationship formed with others. See: Perlin, George C. 1980. *The Tory Syndrome: Leadership Politics in the Progressive Conservative Party*. Montreal: McGill-Queen's University Press: 4.

delegates—in American parties, they found that a sense of civic duty was a significant motivation of participants.¹⁰⁶¹

The discussion above identified seven motivations: self-interest, party interest, party ideology, democratic values, power, social acceptance and civic duty. For clarity, they are summarized below, organized by the ideational home (rational choice, political psychology, organizational studies, or civic attitudes) and their focus (on specific electoral reform outcomes or the process of reform).

¹⁰⁶¹ Abramowitz, Alan, Ronald Rapoport, & John McGlennon. 1986. *The Life of the Parties: Activists in Presidential Politics*. Lexington, KY: University Press of Kentucky: 63 (Table 4.1); This is not a universal finding. In the context of the decision to vote and civic responsibility being unimportant see: Rosenstone and Hansen. 1993: 47.

Table A.6.2: The Seven Motives, their Disciplinary Homes and Ascendancy

Motive	Outcome or Process?	Disciplinary Home	Approach	Time most prevalent
Self-interest	Outcome	Economics	Rational Choice Theory	1970s -
Party-interest	Outcome	Political Science	Rational Choice applied to Electoral Reform	1990s -
Democratic Values	Outcome	Political Science	Behaviorist studies of political participation	1960s -1970s, 1990s
Party Ideology	Outcome	Political Science	Surveys of party participants	1990s-
Power	Process	Political Science	Political Theory Political Psychology	Pre-WWII 1970s-
Social Acceptance	Process	Psychology	Observational studies	1930s-
Civic Duty	Process	Political Science	Behaviorist studies of political participation	1960s-1970s

APPENDIX 7: POSITION IN PARTY

An individual's position within his or her political party is the key ascertainable characteristic about individuals within parties that may be relevant to motives. Other individual characteristics, like sex, age, ethnicity or income may be related to motives, but are best investigated at the broader level (about motives generally, rather than partisan motives in electoral reform processes) using surveys.

Rational choice theory, as it is applied in theaters *outside* the study of electoral reform, grants significance to an individual's position in their party. Rational choice literature on political parties suggests that the *attitudes* of individuals participating within parties tend to differ according to the roles associated with various parts of the party. John D. May's "Special Law of Curvilinear Disparity" postulates that the characteristics of different offices within parties are correlated with different characteristics (in particular, the extremity of political attitudes) in the individuals who fill those offices.

Party elites necessarily tend to be more moderate, May predicts, because their job requires compromise and broader leadership. Party activists tend to hold more extreme views otherwise they would be disinclined to engage in their time- and labor-intensive roles of mobilizing the party masses and arguing the party's case. Due to different incentives in different positions, May's theory predicts individuals with high status positions in the party—those who have worked their way up through the party, have appealed to a broader audience, and have been able to think holistically about the party—will be more moderate than "sub-leaders", who mobilize the masses using fierce partisan rhetoric and tend to hold the most extreme views. Those partisans who had no leadership roles are understood to be moderate, in line with high-status elites. The logic for this is that those without leadership roles are less committed than others—they are not committed enough to the cause to put so much effort into their party so to rise from the level of participant to a leadership role.¹⁰⁶²

¹⁰⁶² May, John D. 1973. Opinion Structure of Political Parties: The Special Law of Curvilinear Disparity. *Political Studies* 21(2): 135-151. May's specific conclusions have been disputed, but not the overall logic that different levels of party might have different attitudes: Narud, H. M, and A. Skare. 1999. Are Party Activists the Party Extremists? The Structure of Opinion in Political Parties. *Scandinavian Political Studies* 22 (1): 45-65; Norris, Pippa. 1995b. May's Law of Curvilinear Disparity Revisited: Leaders, Officers, Members and Voters in British Political

Likewise, in the context of interests groups, a prominent rational choice theory (“Exchange Theory”), predicts that leaders, organizers and elites of organizations have different attitudes, emerging out of their different incentives, than rank and file participants.¹⁰⁶³

In considering the influence of activists on their party’s policy and behavior, Joseph A. Schlesinger predicts that their influence will be virtually none. This lack of activist influence stems from the different incentives of different roles within the party and the characteristics of those who occupy those roles. Schlesinger posits that party activists tend to be motivated by the collective goals of the party. By contrast, the party in the public office, party executives and party professionals, all have some very material interests (their jobs) in the party. Thus, Schlesinger predicts, that there will be a high-turnover of local party activists, as either they drop out of the party because their contributions seem not to make a difference or they attain positions that reward them materially and replace their collective motivations with self-interest. Schlesinger explains that “[a]ttending meetings and running for office are costly, and will be done only by those with a personal stake.” Because, “[i]n a political party it is clear enough which people have the best defined personal stake: those with ambitions for office”, a party’s behavior will be dominated by the party in public office or those individuals with aspirations for office, who are motivated by their self-interests in being elected.¹⁰⁶⁴ And so, the self-interest of the party in public office will prevail over the purposive goals of the party activists.

More broadly, the idea that people in different roles might have different characteristics is bolstered by John Zaller’s study of popular opinion. Zaller found that one’s place in the political order was related to their policy positions: individuals with higher levels of political awareness and stronger identification with one of the political parties were

Parties. *Party Politics* 1 (1): 29-47; Ware, Alan. 1987. *Citizens, Parties and the State: A Reappraisal*. Cambridge: Polity Press.

¹⁰⁶³ Salisbury, Robert H. 1969. An Exchange Theory of Interest Groups. *Midwest Journal of Political Science*. 13 (1): 1-32.

¹⁰⁶⁴ Schlesinger, Joseph A. 1984. On the Theory of Party Organization. *Journal of Politics* 46(2): 387-388.

more likely to reflect the policy positions of the political elites from their party than were individuals with lower political awareness or weaker partisanship.¹⁰⁶⁵

In the opposite direction, individuals might also be “shaped by their place in the political order of things”.¹⁰⁶⁶ If we are open to the effects of socialization, then an individual’s position in their party might shape their characteristics, including their motives. Certainly, it may be the case that different positions may attract different sorts of people, but once an individual is in a particular role, context or organizational culture, their responsibilities and the expectations of others may shape their sense of self and propriety. The people with whom they socialize in a new role may inculcate different expectations to those from a prior role.

In this direction, Alan Renwick predicts that an individual actor’s experiences of office seeking will affect their motives for engagement in electoral reform debates. The experience or imperatives of office seeking, according to Renwick, ensure that politicians are more likely to be motivated by self-interests than those political actors who do not pursue office. Renwick posited that this tendency gets greater the longer the politicians and parties have been in office and the more to which their status, power and prestige depends on retaining their office.¹⁰⁶⁷

The operation of the rational choice logic and the socialization logic run in different directions. In rational choice theory, it is self-interests and incentives that encourage people with different characteristics to participate in different capacities. In the socialization logic, it is the perspective, obligations and relationships developed in a particular position shape the individual. In reality, a two-directional, symbiotic relationship between an individual’s position and personal characteristics is likely. This was recognized by George Perlin in the context of membership and non-membership of the Canadian Conservatives. Perlin noted:

First, there are characteristics of the party that attract people with particular dispositions to active membership; second, there are characteristics of the party which influence the dispositions of members once they have joined it.¹⁰⁶⁸

¹⁰⁶⁵ Zaller, John. 1992. *The Nature and Origins of Mass Opinions*. New York: Cambridge University Press.

¹⁰⁶⁶ Bowler, Donovan and Karp. 2002: 749.

¹⁰⁶⁷ Renwick. 2010: 50.

¹⁰⁶⁸ Perlin (1980: 6)

Whatever the cause for the differing motives, it is entirely plausible that motives may tend to differ between different roles across parties—and, indeed, some studies indicate that motives for participation differ according to the position of an individual within his or her party or the broader political order. For example, Eldersveld found some empirical evidence that motivations for involvement in political parties differed according to the individual's place in the party; however the differences were not consistent between parties.¹⁰⁶⁹ In the electoral reform context, Bowler, Donovan and Karp found that individual legislator's position—and conception of their interests—was shaped by their position within the broader political order.¹⁰⁷⁰

Fortunately, an individual's position within their party is the characteristic most amenable to observation. The inherited and idiosyncratic characteristics or traits of the individual (their personality) are not systematic and so cannot tell us much beyond the isolated case. The other important variable, the characteristics of the society in which an individual is socialized (its culture), is inherently subjective—though it is discussed in Part III.

Deducing an analytically useful typology to place the individuals in this study within sub-groups of roles within political parties proved to be difficult. Using an iterative grounded theory process and the archival data to identify relevant variables, three potential classes of variables that are likely related to differences in individual motives were identified: individual and idiosyncratic personality factors; social expectations and political cultural; and the objective position of the individual in the order of things.

It was decided that innate personality traits and temperament likely would be related to only *ad hoc* differences in the motives (ones that vary between one individual and another without any broader pattern emerging). So personality, which is largely domain of studies is psychology of individuals using in-depth personality analyses, is not the primary focus of this investigation into the motives.

Systematic variations observed between individual motives in intraparty debates over electoral reform might be explained by the characteristics of the society in which the individual lives (political culture) or the position of the individual in the order of things

¹⁰⁶⁹ Eldersveld. 1964: 272-303.

¹⁰⁷⁰ Bowler, Donovan and Karp. 2002: 749.

(their situation). A single measure of political culture available for all nine case-studies was difficult to ascertain and so, instead, the situational variable, an individual's position within their party, was chosen.

Borrowing from V.O. Key,¹⁰⁷¹ utilizing the insights of Pippa Norris,¹⁰⁷² May¹⁰⁷³ and Anika Gauja,¹⁰⁷⁴ and placing particular emphasis on the responsibilities of different roles,¹⁰⁷⁵ this thesis divides individuals involved in party debates over electoral reform into six categories: three within the party in public office (to borrow Richard S. Katz's terminology¹⁰⁷⁶) and three within the party organization. This hierarchy takes into account the differing roles, socialization and generalized experiences of electoral law that individuals within those groups tend to experience (Tables 5.5 and 5.6).

If an individual's position in the party order of things is related to their motives, differences between the motives of individuals in various subgroups within parties will be observed and hold across jurisdictions.

¹⁰⁷¹ Key, V.O. 1947. *Politics, Parties and Pressure Groups*. 2nd ed. New York: Thomas Y. Crowell Company.

¹⁰⁷² Norris. 1995b.

¹⁰⁷³ May. 1973.

¹⁰⁷⁴ Gauja, Anika. 2013. *The Politics of Party Policy: From Members to Legislators*. Basingstoke, UK: Hampshire Palgrave Macmillan: Chapters 3 and 4.

¹⁰⁷⁵ These categories in Table 5.5 are a modified version of the categories identified by Key, with "party as organization" divided into three: (1) party executive (high in the hierarchy, second only to party in the legislature); (2) party professionals and (3) party activists (lower in the hierarchy): Key. 1947: 163-165, 663-664; See also Katz, Richard. S. 1996. "Party Organizations and Finance." In *Comparing Democracies: Elections and Voting in Global Perspectives*, eds. Pippa Norris and Lawrence Leduc. Thousand Oaks, California: Sage Publications: 110-113.

¹⁰⁷⁶ Katz. 1996: 110.

APPENDIX 8: THE DOUBLE DISSOLUTION PLAN THAT BACKFIRED

The Liberal Party-Country Party coalition had usually controlled the Senate during its 23 years in government, giving them—in the strictly-disciplined Australian party environment—almost absolute power to pass legislation (subject to constitutional boundaries). By contrast, when the ALP rocketed into office in the House of Representatives, it did not control the Senate, winning only 26 of 60 seats in the 1972 Election.

The ALP had to negotiate with the Liberal Party or the Democratic Labor Party (a break-away party, dominated by Irish Catholics that split from the ALP because it wanted a harder anti-Communist line to be taken) for the passage of legislation in the Senate (Table A.8.1). On multiple occasions in 1973 and early 1974, the Senate blocked the ALP's bills. Hoping to overcome the hostile Senate, the ALP called a Double Dissolution Election, which was held on 18 May 1974.

In the immediate term, the holding of a double dissolution election—a constitutional process designed to resolve disputes between the houses by dissolving all of the Senate (instead of half) and the house, holding an election and then a joint-session to vote on the bills causing the disputes—enabled progress on the ALP's electoral reform agenda. Both the *Commonwealth Electoral Bill (No. 2) 1973* and the *Senate (Representation of Territories) Bill 1973* passed into law during the Joint Sitting of the two houses of parliament which followed the election.

Table A.8.1 Party Standings in the Senate before and after the 1972 Election

	ALP	Coalition	DLP	Independent	Lib. Movement
2-Dec-72	26	26	5	3	
18-May-74	29	29		1 (Conservative)	1

However, beyond the immediate term, the results made it even more difficult for the ALP to pass legislation through the Senate. The ALP won only 29 of the 60 seats in the May 1974 Double Dissolution. Whereas before May 1974, in the face of Liberal-Country opposition, the ALP could seek the 5 additional Senate votes necessary to pass bills from the Democratic Labor Party, after May 1974, it had a more difficult task facing 30 members aligned with conservative parties. The Liberal-Country opposition could

easily block the passage of laws with the support of the one conservative Independent, Michael Townley. By contrast, the ALP needed the Liberal Party's support or both Towney's and Steele Hall's support. Hall was a better prospect on social legislation: he was a small "I" liberal, and leader of the Liberal Movement that broke away from the Liberal Party in 1970.

That is not to say that the Liberal Party always blocked laws: the Liberal Party gave its support on some major ALP reforms, such as the *Family Law Act 1975* (Cth), which introduced no fault divorce during this time. Indeed, hyper-partisanship only really began after December 1974, when highly dubious financial dealings with Middle Eastern nations were revealed as part of the Loans Affair.

The Liberal Party was in the grips of leadership turmoil at the time: Malcolm Fraser unsuccessfully challenged for Snedden's leadership in November 1974. He was successful in his March 1975 attempt. The appointment of ALP Senator Lionel Murphy to the High Court in February 1975 and his replacement with an Independent, Cleaver Bunton, gave the Liberal Party even more power in the Senate (Table A.8.2). By mid-1975, the Liberal Party—revitalized by new leadership and its power in the Senate—took the extremely bold and partisan decision to block the budget in the Senate. Hyper-partisanship and deadlock were upon the Australian Parliament. In June, ALP Senator Senator Bertie Milliner. His non-ALP replacement, yet again, lessened the ALP's grip on the Senate (Table A.8.2).

Table A.8.2 Party Standings in the Senate 1972-1975.

	ALP	Coalition	DLP	Ind	Lib. Movement
2-Dec-72	26	26	5	3	0
18-May-74	29	29	0	1	1
9-Feb-75	28	29	0	1	1
27-Feb-75	28	29	0	2	1
30-Jun-75	27	29	0	2	1
3-Sep-75	27	29	0	3	1

By June 1975, the electoral reform bills of the ALP, like all of its bills, had little chance of passage. The ongoing budget crisis was resolved on 11 November 1975, when the Governor-General dismissed the Prime Minister and called fresh elections.

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