

## 2015/16: The removal of Tony Abbott: Should an Australian Prime Minister be removed from office without a general election?

### What they said...

*'The Prime Ministership of this country is not a prize or a plaything to be demanded. It should be something which is earned by a vote of the Australian people'*

Former Australian Prime Minister and Liberal Party leader, Tony Abbott

*'Leadership of the party is a great honour... It is, moreover, the unique gift of the party room'*

Former Australian Prime Minister and Liberal Party leader, John Howard

### The issue at a glance

Australia's most recent change of political leadership, Malcolm Turnbull replacing Tony Abbott as leader of the Liberal Party and as Australia's Prime Minister, has resulted in extensive comment on the volatility of Australia's political scene and some criticism that Australia changes its political leaders too readily.

A key aspect of this discussion has been whether a political party should be able to remove a Prime Minister put into office at a general election. When defending his position as Prime Minister against Malcolm Turnbull's challenge, Tony Abbott stated that the role should only be conferred 'by a vote of the Australian people.'

Critics of this claim note that it misstates Australia's Constitutional and political reality.

### Background

*The statistics reprinted below on Australia's Prime Ministers and the manner in which each has assumed and departed office have been taken from [australianpolitics.com](http://australianpolitics.com). The full text can be accessed at <http://australianpolitics.com/lists/prime-ministers-since-1901>*

*The statistics detailing the rate of leadership change in prime ministerships per year are also taken from [australianpolitics.com](http://australianpolitics.com). They can be accessed at <http://australianpolitics.com/2013/12/20/the-years-of-the-prime-ministers.html>*

There have been 29 Prime Ministers and 44 elections up to 2015.

The 29 Prime Ministers have served 35 separate terms of office.

Eleven Prime Ministers have been defeated at a general election: Deakin, Fisher, Cook, Bruce, Scullin, Chifley, McMahon, Fraser, Keating, Howard, Rudd.

Ten Prime Ministers assumed the office through winning an election: Fisher, Cook, Scullin, Lyons, Menzies, Whitlam, Hawke, Howard, Rudd, Abbott.

There have been 23 changes of Prime Minister without an election. The reasons include ...

*defeat in Parliament:* Deakin, Watson, Reid, Fisher, Fadden

*party-room coups:* Hughes, Menzies, Gorton, Hawke, Rudd, Gillard, Abbott

*vice-regal intervention:* Whitlam

*death:* Lyons, Curtin, Holt

*stop-gap leaders following death of predecessor:* Page, Forde, McEwen

*voluntary departure:* Barton, Fisher, Menzies

There have been seven Prime Ministers who never won an election: Watson, Reid, Page, Fadden, Forde, McEwen, McMahon.

There have been 10 Opposition Leaders who contested elections but never became Prime Minister: Tudor, Charlton, Evatt, Calwell, Snedden, Hayden, Peacock, Hewson, Beazley and Latham.

Occasions on which there have been three Prime Ministers in a year

There have been five years in the history of the Australian federation when three prime ministers were separately sworn into the position. They are: 1904, 1939, 1941, 1945 and 2013.

1904 First PM - Alfred Deakin Protectionist - defeated in House

Second PM - John "Chris" Watson ALP - defeated in House

Third PM - George Reid Free Trade

1939 First PM - Joseph Lyons United Australia Party - died

Second PM - Earle Page - Country Party relinquished to new leader

Third PM - Robert Menzies United Australia Party

1941 First PM - Robert Menzies United Australia Party - resigned leadership

Second PM - Arthur Fadden Country Party - defeated in House

Third PM - John Curtin ALP

1945 First PM - John Curtin ALP - died

Second PM - Frank Forde ALP - relinquished to new leader

Third PM - Ben Chifley ALP

2013 First PM - Julia Gillard ALP - deposed by party

Second PM - Kevin Rudd ALP - defeated at general election

Third PM - Tony Abbott Liberal Party

### The Years of Two Prime Ministers

There have been 23 years with two prime ministers each. They are:

1903: Barton, Deakin - Barton retired, appointed Justice of the High Court

1905: Reid, Deakin - Reid defeated in House of Representatives

1908: Deakin, Fisher - Deakin defeated in House of Representatives

1909: Fisher, Deakin - Fisher defeated in House of Representatives

1910: Deakin, Fisher - Deakin defeated at general election

1913: Fisher, Cook - Fisher defeated at general election

1914: Cook, Fisher - Cook defeated at general election

1915: Fisher, Hughes - Fisher retired, appointed High Commissioner to London

1923: Hughes, Bruce - Hughes deposed as party leader following general election

1929: Bruce, Scullin - Bruce defeated at general election; loses own seat

1932: Scullin, Lyons - Scullin defeated at general election

1949: Chifley, Menzies - Chifley defeated at general election

1966: Menzies, Holt - Menzies retired voluntarily

1967: Holt, McEwen - Holt disappeared, presumed drowned

1968: McEwen, Gorton - McEwen relinquished position to new leader

1971: Gorton, McMahon - Gorton deposed as party leader

1972: McMahon, Whitlam - McMahon defeated at general election

1975: Whitlam, Fraser - Whitlam dismissed by Governor-General

1983: Fraser, Hawke - Fraser defeated at general election

1991: Hawke, Keating - Hawke deposed as party leader

1996: Keating, Howard - Keating defeated at general election

2007: Howard, Rudd - Howard defeated at general election; loses own seat

2010: Rudd, Gillard - Rudd deposed as party leader

2015: Abbott, Turnbull - Abbott deposed as party leader

### The Years of One Prime Minister

There have been 85 years with one prime minister each. They are:

1901, 1902: Barton

1906, 1907: Deakin

1911, 1912: Fisher

1916, 1917, 1918, 1919, 1920, 1921, 1922: Hughes

1924, 1925, 1926, 1927, 1928: Bruce

1930, 1931: Scullin

1933, 1934, 1935, 1936, 1937, 1938: Lyons

1940, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965: Menzies

1942, 1943, 1944: Curtin

1946, 1947, 1948: Chifley

1969, 1970: Gorton

1973, 1974: Whitlam

1976, 1977, 1978, 1979, 1980, 1981, 1982: Fraser

1984, 1985, 1986, 1987, 1988, 1989, 1990: Hawke

1992, 1993, 1994, 1995: Keating

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006: Howard

2008, 2009: Rudd

2011, 2012: Gillard

2014: Abbott

### **Internet information**

The full text of the Australian Constitution (as amended) can be found at <http://australianpolitics.com/constitution-aus/text/complete>

The Internet petition site change.com carries a petition to the Australian Governor General not to authorise the appointment of Malcolm Turnbull as a replacement for elected Prime Minister Tony Abbott.

The petition is titled 'Bring Back Tony Abbott as PM Because We Voted for Tony'

At the time this issue outline was written the petition had attracted 7,010 signatures.

The full text of the petition can be accessed at <https://www.change.org/p/sir-peter-cosgrove-we-want-tony-abbott-because-we-voted-for-him>

On September 18, 2015, The Daily Telegraph carried an opinion piece by Simon Benson titled 'Burned at the stake for taking a stand'.

The comment considers the differences and similarities between the Australian and United States political systems as well as the particularly poll-driven nature of Australian politics.

The full text can be accessed at <http://www.dailytelegraph.com.au/news/opinion/burned-at-the-stake-for-taking-a-stand/story-fni0cwl5-1227532069056>

On September 16, 2015, The Lowy Institute for International Policy's The Interpreter published a comment by Nick Bryant titled, 'Australia's prime ministerial shuffle is hurting its diplomacy'

Bryant argues that frequent changes of political leadership in Australia are making it difficult to build the relationships upon which international diplomacy relies.

The full text of this comment can be found at <http://www.loyyinterpreter.org/post/2015/09/16/Australias-prime-ministerial-shuffle-is-hurting-its-diplomacy.aspx>

On September 15, 2015, the ABC's current affairs commentary site, The Drum, carried an opinion piece by Annabel Crabb titled 'Can Malcolm Turnbull end the cycle of political violence?'

The comment considers whether Malcolm Turnbull will be able to end the pattern of short-term leaders which has characterised Australia's recent political history.

The full text can be accessed at <http://www.abc.net.au/news/2015-09-15/crabb-pm-turnbull-will-need-moderation-and-compromise/6776066>

On September 15, 2015, The Goulburn Post carried an opinion piece by Chris Gordon titled 'No use crying over Spill Syndrome'

The piece considers the rationale behind Australian political parties' apparently increasing tendency to jettison their leaders.

The full text can be accessed at <http://www.goulburnpost.com.au/story/3349708/no-use-crying-over-spill-syndrome/>

On September 15, 2015, The Sydney Morning Herald carried a news report by Tom Allard giving the view of former Prime Minister John Howard on the reasons why the Liberal Party had removed Tony Abbott as its leader.

The full text can be found at <http://www.smh.com.au/federal-politics/political-news/bad-polls-not-media-to-blame-for-tony-abbotts-demise-says-former-pm-howard-20150915-gjn8am.html>

On September 14, 2015, BBC News published a comment and analysis by Nick Bryant titled 'Australia: Coup capital of the democratic world'

The article treats the recent removal of Tony Abbott by Malcolm Turnbull and gives an overview of four other recent Australia 'coups'. The full text of this treatment can be found at <http://www.bbc.com/news/world-australia-34249214>

On March 25, 2015, The Conversation carried an opinion piece by Mark Balnaves, Professor of Communication at the University of Newcastle titled, 'Finding new ways to track voters' moods, beyond polls and punters'

The piece considers new ways of tracking voter opinion and also considers the perils of a poll-driven system.

The full text can be found at <https://theconversation.com/finding-new-ways-to-track-voters-moods-beyond-polls-and-punters-38229>

On February 16, 2012, the ABC's current affairs commentary site, The Drum, carried an opinion piece by Tim Dunlop titled 'The paradox of a presidential prime minister'.

The comment considers the contradictions and instability inherent in focusing on the Prime Minister as a political selling point.

The full text can be accessed at <http://www.abc.net.au/news/2012-02-16/dunlop-paradox-of-presidential-prime-minister/3832750>

### **Arguments against a prime minister being removed from office without a general election**

1. The importance of the role of Prime Minister has grown in the media and in the public mind

Although the Australian Constitution does not refer to the role of Prime Minister and so does not treat it as a distinct entity within an elected executive, the significance of the prime ministerial position has grown over many decades.

It has been claimed that the increased importance of a governing party's media presence has meant that its leader has assumed a higher public profile and has become the public face of his or her party and the government it forms. This

means that many electors actually vote for a Prime Minister rather than a party.

After Mr Abbott's removal the Internet petition site change.org carried a petition to the Governor General protesting against the removal of an elected Prime Minister. The petition was posted by Karen Mooney, who stated, 'We the people cast our vote at an election based on many factors, one of which is who is leading a Political Party at the time of an election.'

The Australian Political Studies site [australianpolitics.com](http://australianpolitics.com) notes, 'The PM's position assumes power and prestige because the media focuses on the PM. This means that the PM is able to go over the head of his colleagues and party and communicate directly with the electorate.'

[australianpolitics.com](http://australianpolitics.com) further notes, 'The PM is the public face and spokesperson for the government, both domestically and internationally. Even though a Foreign Minister is appointed, the PM usually takes on the role of international spokesperson for the nation.'

It has been claimed that the role of the Parliamentary leader of a federal government has become more like the role of a president, such as that of the United States, who has clearly defined powers distinct from his or her role as leader of his or her party and who has a major role in government defined within the United States Constitution.

In an opinion piece published on the ABC's political commentary site The Drum, Tim Dunlop stated, '[Y]ou can argue that in a parliamentary system the role of prime minister is less central than say, the role of President in the US system, and you can even lament the fact that our system has drifted towards the presidential model. But the fact is, it has so drifted, and not only the media but the parties themselves treat the office as a semi-presidential one. In so doing they create certain expectations amongst the electorate.'

## 2. A Prime Minister is only seen as legitimate if he or she has attained that position through an election

It has been argued that a Prime Minister can only claim to hold that position legitimately in a democracy if he or she has been elected to it.

Neither the Prime Minister nor Cabinet is mentioned in the Australian Constitution. Both operate by custom and convention, which determine that it is the party elected to power which determines who its leader will be and thus who will be Prime Minister.

However, that Australia is a democracy inclines many to believe that no prime minister who has not been elected by the people has the moral authority to lead the country.

This argument was put by former Prime Minister, Tony Abbott, in response to Malcolm Turnbull's recent leadership challenge. Mr Abbott stated, 'The Prime Ministership of this country is not a prize or a plaything to be demanded. It should be something which is earned by a vote of the Australian people.'

After Mr Abbott's removal the Internet petition site change.org carried a petition to the Governor General protesting against the removal of an elected Prime Minister. The petition was posted by Karen Mooney, who stated, 'We do not believe it is the right of a Political Party to remove a sitting Prime Minister. It is the democratic choice of the people to vote in a Prime Minister.... It should be the choice of the people to vote out a sitting Prime Minister at the next election.'

When removed from the Prime Ministership by his party in June 2010, Kevin Rudd had protested, 'I was elected by the Australian people as the prime minister.' After he was deposed Kevin Rudd called his successor, Julia Gillard, a 'coup plotter', suggesting he saw her taking of power as illegitimate.

After she had deposed the elected incumbent, Kevin Rudd, Ms Gillard stated, 'I also certainly acknowledge that I have not been elected Prime Minister by the Australian people. And in the coming months I will ask the Governor-General to call for a general election so that the Australian people can exercise their birthright to choose their Prime Minister.'

When returned to the Prime Ministership, again by a vote of his party, in 2013, Kevin Rudd successfully sought to change the rules governing the manner in which the party's leader could be changed so that an elected Prime Minister could not be readily removed outside a general election.

The caucus ratified a move that requires the support of 75 per cent of its number to force a ballot against a sitting prime minister, which drops to 60 per cent for a Labor opposition leader.'

Mr Rudd made it plain that these changes were intended to make it virtually impossible to remove an elected Labor Prime Minister. Mr Rudd stated, '[T]he prime minister the Australian people vote for is the prime minister the Australian people get.'

## 3. Frequent changes of leader make it difficult to implement government policies

It has been claimed that when leaders are changed often, it is difficult for a government to implement its program.

One of the reasons offered for this is that Prime Ministers become fearful of poor results in public opinion polls as poor polling can result in them being deposed by their party.

In an opinion piece published in The Daily Telegraph on September 18, 2015, Simon Benson stated, 'The peculiarity of Australian politics is the poll-driven responsiveness to, not just policy, but leadership...'

The incipient problem is that governments - beginning with the first Rudd administration - now take these public and internal polls to conduct quasi-internal elections at any point they choose to in the electoral cycle, through an unbroken cycle of performance assessment.'

Critics are concerned that governments will not pursue necessary but unpopular policies because leaders are afraid of being replaced by their party before an election and members of the government are afraid of being replaced as a result of an election.

In a comment published in The Conversation on March 25, 2015, Mark Balnaves, Professor of Communication at the University of Newcastle, stated, 'We know that Australian politics is already highly poll-driven, with everyone from the

prime minister down closely watching opinion polls and focus groups. So do we really want one more method of telling politicians their reforms are unpopular, when sometimes those policies might be the right thing to do?'

Another reason frequent change of leadership makes it difficult to implement policies is that the new leader is unlikely to follow the full program of his or her predecessor. Thus when Julia Gillard replaced Kevin Rudd in 2010 she immediately changed the manner in which the government was dealing with the implementation of the mining tax and its handling of asylum seekers.

Similarly, though Malcolm Turnbull has promised to proceed with the policies of the Abbott government, there is a popular expectation that he will soon be adopting policies more distinctly his own. Laura Tingle expressed this expectation in an opinion piece published in *The Financial Review* on September 19, 2015, in which she wrote, 'The government and its agenda will be completely restructured under Malcolm Turnbull.'

#### 4. Frequent change of leader creates instability within a political party

It has been claimed that frequent change of leader creates disunity within a party. The argument put is that ambitious men and women within a party focus on their own personal advancement and sometimes actively undermine their leader in order to promote their own leadership hopes. Such tensions, it is argued, damage leaders and parties alike.

In the last speech he gave after being deposed as Liberal leader and Prime Minister, Tony Abbott stated, 'The nature of politics has changed in the past decade. We have more polls and more commentary than ever before - mostly sour, bitter, character assassination. Poll-driven panic has produced a revolving-door prime ministership, which can't be good for our country, and a febrile media culture has developed that rewards treachery.'

On Monday September 21, commentator and cartoonist Larry Pickering stated on his blog of Abbott's removal, 'Monday was a sad day for the Liberal Party, it is deeply fractured, possibly beyond repair, and the Abbott experience tolls an eternal warning for all Party leaders.'

The period between 2010 and 2013 during which Labor Prime Minister Kevin Rudd was deposed in favour of his deputy Julia Gillard who was then deposed in her turn by Rudd has been described as a period of damaging instability which created serious divisions within the Labor Party. In an opinion piece published in *The Conversation* on June 28, 2013, Shaun Carney, Adjunct Associate Professor in the School of Political and Social Inquiry at Monash University, stated, 'The truth is that the Australian Labor Party nationally has in the past three years experienced its most rancorous divisions since the split of the 1950s. Unlike the period of the split, which occurred in opposition and guaranteed many more years of it, the party has endured these divisions while holding office, and the enmities have, for the most part, grown from ego rather than ideology.'

Liberal Senator Cory Bernardi opposed the removal of Tony Abbott and criticised those in his party whom he believed had fomented instability in the name of personal gain. Senator Bernardi stated, 'I think it was absolutely wrong to roll a first-term sitting prime minister. Australia has now had six prime ministers in the last eight years. This is making politics a circus... and it's wrong.'

Senator Bernardi further claimed that the change in leader had rewarded 'treachery and disloyalty'. He stated, 'It's treachery of the highest order but what's done is done and they'll get the spoils of office... We'll see who's taken their 30 pieces of silver in the promotional ranks of the ministry. We've learnt nothing from Labor's mistakes and I just think this a huge step in the wrong direction.'

#### 5. Such changes of prime minister damage Australia's international standing

It has been claimed that frequent change in political leadership damages Australia's international reputation, as it makes the country's political institutions appear unstable and disrupts established relationships between countries and leaders.

In an opinion piece published in *The Goulburn Post* on September 15, 2015, Chris Gordon stated, '[W]hen a country changes leadership this frequently and there is a perpetual "Now Under New management" sign at the door, it reduces our international reputation which flows on into many other areas, not the least of which is our economy and international trading.'

Gordon made comparisons between Australia and coup-prone Fiji, stating, 'It's become a learned behaviour, like a more peaceful and civilised version of the Coup Culture that developed in Fiji where if, they weren't happy with election results or political decisions, they held a Coup (as they did in 1987, 2000 and 2006)...

That made Fiji the pariah of the South Pacific for a while - and they didn't have five changes of leadership in eight years like we have. Just what damage these repeated and rapid changes in leadership are doing to our reputation in the region, or around the world, is anyone's guess.'

In an article published on September 16, 2015, in the Lowy Institute for International Policy's *The Interpreter*, Nick Bryant stated, 'With five prime ministers in as many years, so much change has come in such a short space of time that it has surely damaged the conduct of Australia's foreign affairs. No Australian prime minister can cast a long shadow on the international stage for the simple reason they do not get to stride it for long enough. The personal chemistry so important in international diplomacy seldom gets the chance to brew.'

Bryant further explained, 'What adds to the sense of disorientation internationally is that these overnight changes of leadership can come with sudden changes of personal belief and style. Turnbull, a committed environmentalist, republican and foreign policy thinker with more of an Asian focus, has replaced a climate change sceptic, monarchist and Anglophile. Rudd, a thrusting internationalist and multilateralist, was replaced by Julia Gillard, a prime minister who told the ABC's Kerry O'Brien in an early television interview that she had no great appetite for summitteering. What were fellow world leaders to make of that?'

## Arguments in favour a prime minister being removed from office without a general election

1. Constitutionally, the electorate votes for neither parties, party leaders nor prime ministers

The Australian Constitution makes no mention of the position of Prime Minister, of the Cabinet, or of political parties. A literal reading of the Constitution suggests that the Governor-General runs the government.

The operation of the Australian government is in fact determined by a mix of Constitutional regulation and convention. A convention is a long-established practice that has become an accepted part of the Westminster system of government on which the Australian system of government is modelled.

Section 64 of the Australian Constitution states: "The Governor-General may appoint officers to administer such departments of State of the Commonwealth as the Governor-General in Council may establish. Such officers shall hold office during the pleasure of the Governor-General. They shall be members of the Federal Executive Council, and shall be the Queen's Ministers of State for the Commonwealth."

In practice, under established conventions, the Prime Minister is the person who leads the party with a majority in the House of Representatives. The ministers are chosen by the Prime Minister who advises the Governor General of the names and portfolios to be allocated to them.

When the Australian electorate votes it is not electing a Party or a Prime Minister, but a set of local representatives. In practice the elected representatives are generally formed into parties and it is the party with the majority in the House of Representatives that forms government. The members of this party elect their leader who is then the Prime Minister.

Therefore, those who defend a party's right to change the Prime Minister, point out that this has never been a popularly elected position, guaranteed under the Australian Constitution.

In an opinion piece published in The Goulburn Post on September 15, 2015, Chris Gordon stated, 'Each spill (and as a point of comparison, we've had five prime ministers in Canberra in the time that there's been two Doctor Whos in the TARDIS) there are the usual howls of outrage from large sectors of the community, including some woefully uninformed members of the media, that we didn't vote for this new prime minister.'

Gordon goes on to remind his readers that in fact the Prime Ministership has never been a popularly elected position, 'But of course we never do and never have. In Australia, we vote for a local member and those local members get together and elect the prime minister. The recent Spill Syndrome hasn't changed that.'

In an opinion piece published in The Age on September 22, 2015, Dr Joff Lelliott?, lecturer in political science at the University of Queensland, similarly stated, 'Of all 34 prime ministerial terms only four have begun with an election victory and then ended with the voters turfing the prime minister out again...'

The reason for all this uncertainty and instability is the system itself. The Westminster system does not give prime ministers the direct mandate and fixed term that US presidents get.

Instead prime ministers are chosen indirectly, via the parliament (which means by the governing party). Parties can replace leaders at whim, without consulting the voters. Similarly prime ministers can hand to successors comfortable that the electorate is held at bay.'

2. Parties should be able to remove Prime Ministers they believe are dysfunctional

It has been claimed that it is in the interests of the best functioning of a democracy that parties be able to remove Prime Ministers who have demonstrated that they are incapable of properly performing their function.

Those who present this argument claim that a prime minister's fellow ministers and elected members of parliament are in a better position to gauge his or her effectiveness than the general public is. It has been suggested that a dysfunctional prime minister represents a threat to the proper administration of the country. This was the argument presented by the Labor Party in 2010 when it deposed Kevin Rudd and replaced him as Prime Minister with Julia Gillard.

On August 23, 2014, The Australian's editor-at-large, Paul Kelly, offered the following explanation of Rudd's removal from office. 'The Rudd prime ministership is a truly tragic tale of a leader with the potential to become a great prime minister brought undone by his flaws. The explanation lies in Rudd's complex personality. Kevin was a brilliant solo player but not an effective team leader. This was the heart of the problem. It is the best explanation for the extraordinary saga that saw Kevin transition in just 21/2 years from Labor hero to repudiated prime minister.'

In the immediate aftermath of Rudd's removal Julia Gillard stated, 'I know the Rudd government did not do all it said it would do and at times it went off track.' She further stated that she had taken over the leadership 'because I believed that a good government was losing its way'.

Commentators later suggested that these explanations were understated because Gillard and her supporters were afraid of doing their party electoral damage by admitting how bad the situation had become and that they believed Rudd to be a dysfunctional leader. Gillard did make comments of this nature some years later. 'Kevin's operating style was dysfunctional... Kevin's fatal flaw was that he couldn't delegate, he couldn't manage his time, he couldn't plan strategically as opposed to plan tactically.'

Gillard elaborated, 'Under pressure he was a great prevaricator. His reaction to not being able to decide was to ask for more and more briefs and more and more paperwork that would never get read. Then he felt the pressure more and more; there was more paper and more chaos. It would get worse, not better.'

When Opposition leader Malcolm Fraser blocked supply in the Senate in 1975 triggering the removal of not merely a prime minister but an elected government, he did so because he stated the national interest demanded such action in response to 'most extraordinary and reprehensible circumstances'.

3. Parties should be able to remove Prime Ministers they believe are political liabilities

It has been argued that the positions of party leader and prime minister are political gifts bestowed by the party upon the

person it believes best placed to implement its platform and ensure its re-election. Thus any party leader and prime minister who becomes a serious political liability can expect to be removed by his or her party.

In July 2006, when party polling was poor, then Prime Minister John Howard wrote a letter to his fellow Liberal members of Parliament stating, 'Leadership of the party is a great honour, of which I remain profoundly conscious. It is, moreover, the unique gift of the party room. Just as the party now wants me to continue as leader I accept that it has a perfect right to change its mind if it judges that to be to the party's benefit.'

This factor seemed to be a major reason behind the growing pressure within the Liberal Party to remove Tony Abbott as Prime Minister. As early as November 2014, political commentator Graham Richardson, noted, 'The latest Newspoll should give Tony Abbott and his team plenty to think about. Despite the performance of the Prime Minister and Foreign Minister Julie Bishop in belting Vladimir Putin over the downing of flight MH17 and standing up to the threat posed by Islamic extremists, to find themselves trailing a lacklustre opposition 54-46 is a problem not easily dismissed. No amount of the usual "the only poll that counts is on election day" or "we don't govern by the opinion polls" will clear the fetid air.' One of the primary reasons Malcolm Turnbull gave for challenging Tony Abbott for the Liberal Party leadership and the Prime Ministership was that Tony Abbott was likely to lose the next election. Mr Abbott stated, 'Now if we continue with Mr Abbott as Prime Minister, it is clear enough what will happen. He will cease to be Prime Minister and he'll be succeeded by Mr Shorten [the leader of the Opposition]...

The one thing that is clear about our current situation is the trajectory. We have lost 30 Newspolls in a row. It is clear that the people have made up their mind about Mr Abbott's leadership.'

In response to the removal of Liberal Prime Minister Tony Abbott, former Liberal Prime Minister John Howard claimed that it was Tony Abbott's persistent inability to generate good numbers in public opinion polls that led to his being deposed. Mr Howard stated, 'I think the major reason why the Liberal party made the change was because of the polls. Politics is governed by the laws of arithmetic, and I do think if the polls had been different, even to a modest but measurable degree, then there may not have been a change.'

Public opinion polls are used by political parties as an indication of how likely the different parties are to be successful at the next election. Persistently poor polling is seen as an indication of a probable loss at the ballot box and thus can be a trigger for the removal of a Prime Minister.

#### 4. The next election either validates or repudiates the new leader

It has been claimed that the electorate has the opportunity to endorse or reject any decision a political party takes about its leadership or about the prime ministership at the next election.

This point was made by former Prime Minister John Howard when he gave his qualified support to the new, party-appointed Prime Minister Malcolm Turnbull.

When asked whether the Liberal party room had made the right decision in deposing Mr Abbott, Mr Howard stated, 'The Australian people will decide that, but the important thing is they made a decision with a clear margin. In the end though the voters have a say in their judgment at the next election and I hope it is very favourable to the government.'

After she had deposed the elected incumbent, Kevin Rudd, Ms Gillard stated, 'I also certainly acknowledge that I have not been elected Prime Minister by the Australian people. And in the coming months I will ask the Governor-General to call for a general election so that the Australian people can exercise their birthright to choose their Prime Minister.'

In the most significant power shift in Australian politics, the 1975 removal of an elected Labor government in favour of a caretaker Coalition government led by Malcolm Fraser, one of the terms under which the Governor General had agreed to revoke Labor Prime Minister Gough Whitlam's commission and appoint Malcolm Fraser in his place was that an election be held shortly after.

Gough Whitlam saw the election as an opportunity for the electorate to repudiate the undemocratic government that had been foisted upon it. He declared, 'A great wrong must be set right. Only the people of Australia can do it, and they will. The shame must be wiped away...Parliamentary democracy as we know it must be saved...'

Malcolm Fraser saw the election as an opportunity for the electorate to endorse his Party's style of government and reject that of his immediate predecessor. He stated, 'This election is about the way Labor has been destroying our way of life. We sought the election so you could choose the way of life you want.'

Both men saw the election as either an endorsement of the dismissal or a rejection of it. Supporters of parties' rights to change their leaders similarly see elections as the people's opportunity to validate or reject the parties' decision.

#### 5. Internationally Australia is viewed as a strong, stable democracy whose foreign policy positions remain relatively constant

Those who support the right of elected governments in Australia to change their leader and thus the country's prime minister argue that it does no harm to international relations.

It has been reported that most international leaders with whom Australia has close relations approached the leadership change with equanimity. On September 16, the White House Office of the Press Secretary issued the following release: 'President Obama called Tony Abbott and Malcolm Turnbull of Australia yesterday. President Obama thanked Tony Abbott for his strong support and contribution to the U.S.-Australia bilateral relationship and for his partnership on a number of issues of mutual concern. He also wished Mr. Abbott well on his next endeavor.'

The release continued, 'President Obama congratulated Malcolm Turnbull on his selection as Prime Minister. The President said he looked forward to working with Prime Minister Turnbull on the range of issues that are of mutual interest, including regional security, the conclusion of the Trans-Pacific Partnership, and the continuing effort to address national security concerns such as the Islamic State in Iraq and the Levant.'

It has been claimed that the United States recognises that a change of leadership within the Liberal Party is unlikely to affect the fundamental foreign policy settings of a stable democracy such as Australia.

It has also been suggested that despite Mr Turnbull's previous support for an emissions-trading-scheme as part of Australia's contribution to the combating of climate change, there is little likelihood that Australia's international position on the question will change in the short-term.

In a report broadcast on Radio New Zealand International on September 17, 2015, Jonathan Pryke stated, 'The leaders of the Pacific Island countries have stated in the [Pacific Islands] Forum communique that they really want to ramp up their target going into [climate change negotiations] in Paris at the end of the year. Prime Minister Turnbull has already made it clear that there will be no changing of Australia's policy with regards to what targets we will be taking to those negotiations.'

Thus it is assumed that despite the changes in Prime Minister, Australia's foreign policy settings can be expected to remain fundamentally the same and not disturb international relations.

### **Further implications**

There is a popular misconception regarding Australian politics. There is the mistaken belief that the Prime Ministership is meant to be and generally is conferred on a party leader as a result of a general election. This view is wrong in law and is not supported by the political history of this country.

The Australian Constitution not only makes no reference to how a Prime Minister should acquire the office, it makes no reference to the office of Prime Minister at all. The manner in which an individual becomes Prime Minister is determined by convention, and by convention the power to confer that position lies with the political party which has a majority in the House of Representatives.

Historically only ten Prime Ministers have assumed office as a result of winning a general election while twenty-three changes in prime minister have occurred without an election. Popularly elected Prime Ministers are the exception not the rule, as is the removal of a Prime Minister as the result of a popular vote.

Where then has the belief that the Prime Ministership of Australia should begin and end with a general election come from? Part of it is likely to derive from the Menzies era, the period furthest back in the active political memory of most Australians. Between 1949 and 1963 Menzies won an unprecedented seven general elections as leader of the Liberal Party (which he had founded). He was installed as Prime Minister in 1949 and retained that position until he retired in 1966. Thus the idea of an elected Prime Minister became firmly entwined in Australia's political DNA. This supposed norm was probably reinforced by the Prime Ministerships of Bob Hawke and John Howard. Each won four general elections as party leader and each became the country's Prime Minister, enjoying a high level of popular support for much of their period in office.

In addition, the marketing of political parties for election purposes has come to focus increasingly on the person of the party leader, presented to the electorate as their next Prime Minister. This is a trend that began with televised campaigns and has intensified with the extension and diversification of forms of media coverage. Twenty-four hour news cycles and the proliferation of photo opportunities and sound bites have turned party leaders into potential celebrities with all the attendant scope for idealisation or ridicule. The Internet, tweets, twitters and selfies have taken the focus on leaders and their pre-packaged personalities even further.

The trend has also been aggravated by the tendency of the Australian electorate to exaggerate the similarities between the American political process and that which pertains here. The President is a key figure in the United States Constitution with significant powers delineated in that document. Though nominated by the party, he or she stands for election in his or her own right and has a very high profile both within the United States and internationally. He or she serves a minimum four-year term and can stand for one further re-election such that each of the last three United States presidents, Bill Clinton, George W Bush and Barack Obama, has or will have served for eight years. Australians tend to see this country's Prime Minister as the direct equivalent of the United States President. This is not the case. The Australian Prime Minister serves at the pleasure of his or her party, does not have an independent office with significant constitutionally defined powers and is not popularly elected. Yet the confusion persists. Oddly enough, however, it is the increased profile of the Prime Minister and his or her significance to the electorate that tempts Australian political parties to try a new one when polling starts to go awry.

Does any of this matter? In the short and the medium term, yes. The commodification of the Prime Minister has reduced rather than increased his or her authority and the respect he or she receives. The focus on polling figures seems to have made party leaders expendable. This is unlikely to be good for the internal functioning of a party. Not only are policies unlikely to be persisted with, but personnel are jettisoned. Instability and uncertainty are the probable consequences. That this has happened in the past does not diminish its significance now. The reasons for the current rapid turn-over of leaders appear to be somewhat different than at other times in our history. Parties seem to be caught up in on-going election mode, with every poll seen as a marker of likely success at the big one. Thus governments no longer attempt to diagnose the long-term needs of the nation; they propose policies determined largely on what they believe the electorate will accept and change them if the next poll demonstrates otherwise.

### **Newspaper items used in the compilation of this issue outline**

The Australian: September 19, 2015, page 24, editorial, 'Is the drought in good leaders about to break?'

<http://www.theaustralian.com.au/opinion/editorials/is-the-drought-in-good-leaders-about-to-break/story-e6frg71x-1227533908081>



The Australian: September 19, 2015, page 19, analysis by John Lyons, 'Revolving door: a passing phase or the new normal?'

<http://www.theaustralian.com.au/opinion/turnbull-era-costello-carr-kennett-on-revolving-door-pms/story-e6frg6zo-1227533946195>

The Age: September 19, page 34, comment by Michael Gordon, 'The ten commandments'

<http://www.theage.com.au/comment/malcolms-10-commandments-20150918-gjppjr.html>

The Age: September 18, 2015, page 18, comment by Waleed Aly, 'Turnbull's first task: soothe the angry beast'

<http://www.smh.com.au/comment/malcolm-turnbull-needs-to-ditch-the-neocons-and-connect-to-middle-australia-20150916-gjojxk.html>

The Age: September 18, 2015, page 19, comment by Benjamin Clark, 'A switched-on PM could woo young Labor voters'

<http://www.theage.com.au/comment/alp-must-move-with-the-times-to-earn-the-youth-vote-20150917-gjoqk2.html>

The Age: September 18, 2015, page 19, comment by Chris Johnson, 'Malcolm? Consultative? Since when?'

<http://www.theage.com.au/comment/malcolm-turnbull-consultative-really-20150917-gjouly.html>

Herald-Sun: September 17, 2015, page 13, comment by Andrew Bolt, 'Turnbull will fail if he can't lead his party'

<http://www.heraldsun.com.au/news/opinion/malcolm-turnbull-will-fail-if-he-cant-lead-the-liberal-party/story-fni0ffxg-1227530799513>

The Australian: September 17, 2015, page 13, editorial, 'Abbott won power but didn't learn to master it'

<http://www.theaustralian.com.au/opinion/editorials/tony-abbott-won-power-but-didnt-learn-to-master-it/story-e6frg71x-1227530756975>

The Australian: September 17, 2015, page 1, comment by Paul Kelly, (ref to role of Scott Morrison) 'Winners don't get off Scott free'

<http://www.theaustralian.com.au/opinion/columnists/winners-dont-get-off-scott-free/story-e6frg74x-1227530939861>

The Australian: September 16, 2015, page 1, news item (photos) by David Crowe, 'Malcolm in the middle' (with related items - see also pages 2-10 for more items on the new Turnbull leadership).

Herald-Sun: September 16, 2015, page 2, news item (with photos, other items), 'At last, the prize is mine' (see also front cover and pages 3-9 for more on first day of new leadership).

The Age: September 16, 2015, page 1, news item (photo) by M Kenny, 'Hockey defiant' (see also pages 2-8 for general items, photos on the first day of the new Liberal leadership).

The Age: September 16, 2015, page 9, comment by Andrew Bolt, 'Turnbull a thief in the night'

<http://www.heraldsun.com.au/news/opinion/malcolm-turnbull-stole-the-prime-ministership-he-could-not-have-won/story-fni0ffxg-1227527354753>

The Australian: September 15, 2015, page 1, comment by Paul Kelly, 'Self-interest wins keys to the party'

<http://www.theaustralian.com.au/opinion/columnists/abbott-v-turnbull-self-interest-wins-keys-to-the-party/story-e6frg74x-1227527437019>

The Age: September 15, 2015, page 16, editorial, 'Turnbull must provide a vision' (see also page 17 cartoon).

<http://www.theage.com.au/comment/the-age-editorial/liberal-leadership-malcolm-turnbull-should-lead-the-coalition-20150914-gjmghc.html>