INTRODUCTION

There is no agreement on how best to measure electoral bias. The prevailing view in Britain and Australia is that it is probably impossible – Maley, for example, says that “the very attempt is futile for bias in a set of electoral boundaries is a random variable, not subject to precise measurement.” (Maley 1982). The US attitude is quite different. Redistribution of electoral district boundaries in the US is often a bare-knuckle competition, involving public discussion of the partisan advantages of particular boundary options, participation by academic political scientists and appeals as far as the Supreme Court (see for example Dixon 1968, Grofman and King 2007 and McDonald 2009). The outcome in the US is that most seats are safe and “the vast majority of elections are decided the day the district maps are drawn” (Whitman 2010).

Australia solved the problem of malapportionment and potential gerrymandering by appointing independent non-partisan commissions to draw electoral boundaries, and requiring them to work within strict population tolerances and to take account of criteria like community of interest and geography. Partisan support is not one of those criteria, so the Commissioners have effectively been blindfolded. With the possible exception of the most recent Victorian federal redistribution, allegations of unintentional bias are made after every redistribution in Australia, but Commissions cannot defend themselves. Since 1991 South Australia’s Electoral Districts Boundaries Commissioners have been different, because the South Australian Constitution now requires them to consider the way boundaries will translate votes into seats at a subsequent election. Specifically the Constitution Act 1934 (SA) requires:

83(1) In making an electoral redistribution the Commission must ensure, as far as practicable, that the electoral redistribution is fair to prospective candidates and groups of candidates so that, if candidates of a particular group attract more than 50 per cent of the popular vote (determined by aggregating votes cast throughout the State and allocating preferences to the necessary extent), they will be elected in sufficient numbers to enable a government to be formed.

The Parliament has effectively removed their blindfolds, in order to remove unintentional bias from South Australian electoral district boundaries.

When the Commissioners first drew a set of boundaries after this fairness clause was introduced, they were surprised to find that …the requirements of section 83(1) would not have been met on an overall review of these seats. A new kind of imbalance had developed simply out of a faithful application of the criteria …. other
than section 83(1). This result gives an indication of the difficulties under which former Commissions had acted and Commissions elsewhere in Australia are still acting (EDBC 1991a: 69).

The Commission now assesses new boundaries as they are drawn. The political parties no longer consider that an electoral redistribution will potentially build a biased set of districts, but their faith that removing bias will be enough to produce fair election outcomes has recently been shaken. At the state election of 2010, non-uniform swings delivered Labor a majority of seats (and government) with only 48.4% of the two party preferred vote – a result that was clearly unfair in the terms of the Act. No penalty applies if the Commissioners draw a set of boundaries that seem likely to achieve a fair outcome but then do not - the aim is simply to prevent the Commissioners drawing boundaries that would inadvertently translate votes into seats in a biased way. The parties are currently considering other mechanisms that might guarantee a fair outcome at future elections but the Commission has an immediate problem. The pattern of support after the 2010 state election, as shown by the arrangement of seats around the pendulum, is now as asymmetrical as if the Commission had drawn a biased set of districts. Yet the swings that produced that pattern were so unusual that this pattern is not expected to persist. While the Commission has developed a methodology for addressing bias, it has always understood the pattern of voter support to be stable, and hearings have not considered how to address a pattern of voter support that clearly advantages one party but which may not be persistent.

This paper is a contribution to consideration of that problem. It considers several ways that the Commission might assess bias when the usual pattern of support is clearly disrupted by non-uniform swings at an election. The paper will work towards an understanding of election results as part of a sequence that has a memory, and this is likely to be interesting to political scientists more generally. A new measure of partisan support would also give us a more useful measure of swing.

**THE TASK**

While Section 83(1) requires the Commission to draw the district boundaries in such a way that they will not disadvantage either party, the guidance provided in section 83(1) to assess whether the exercise has been successful is an outcome standard – it uses the results of a subsequent election to assess whether the boundaries were biased or not. The Commission needs a standard that can be a guide when it is drawing the new lines, so it has been using the results of the most recent election.

The most recent South Australian state election may not be useful because it produced a pattern of support across the state that is so unusual it seems unlikely to persist. At the election held in March of 2010 there was a Statewide two party preferred swing of 8.4% against Labor, but swings were markedly non-uniform. Seats that went into the election as Liberal seats recorded swings that averaged 6.7% against Labor, but Labor seats were very different. The average swing against Labor was 11% in seats that went into the election as safe Labor seats, 9.2% in seats that went in as fairly safe Labor seats, but only 2% in Labor’s marginals, and indeed two Labor marginals swung towards Labor. Overall, the swing against Labor was quarantined to districts where Labor could not lose seats or could not win them, and the pattern of support has changed as a result. I use the term *pattern of support* to refer to the set of two party preferred results across the state – at district level or booth or even census collectors district level - and the term *level of support* to refer to the major parties’ share of the two party preferred vote.

There is now a real difficulty for the Commission. To assess bias or the probability of a fair outcome the Commission holds constant the pattern of support at the most recent election, and hypothetically adjusts the level of support by a uniform amount to bring it to a 50:50 outcome for the state as a whole. The Commission assumes that the pattern of support that was delivered by the
most recent election will persist at a coming election and only the level of support will change. That would not be an appropriate assumption if the new pattern is not expected to persist.

If the Commission follows precedent and uses the most recent election results then it would need to draw three Labor seats as notional Liberal seats and another as so marginal that either party could easily win it, and then to move several more Labor seats into marginal territory to ensure that the system will remain responsive to a swing in either direction. That could cost Labor government at the next election. So the Labor Party can be expected to argue that the pattern of support at the 2010 election will not persist and that the Commission should change its methodology and use some other pattern of support when drawing the new boundaries.

By contrast, the Liberal Party may be expected to argue that the Commission should not change its methodology. It may argue that a party which governs for four years without having achieved the support of a majority of voters has already been advantaged, and building that advantage into the new boundaries would build in a bias.

If the most recent election results are not used there are several possibilities. The Commission could assess its new districts against the pattern of support of several previous elections, or against a more representative or average pattern, or finally, against a pattern that is a composite of election results and survey or census data. If the Commission chooses to use something other than the pattern of results at the most recent election it would be an interesting moment for political scientists because that would recognise partisan support as dynamic and more complex than simply the most recent election result.

Swing could then be understood in a more meaningful way too, as the difference between an expected level of support and the level actually achieved. There has been a long debate over the variability of election results in Australia. At least within states, swings have been considered to be fairly uniform and it has been useful to think of the pattern of support at each election being so similar that the newest results can simply replace the pattern at the previous election. That understanding has underpinned a concept of swing as change from a previous election. But parties have a different understanding of swing: parties understand their vote in a given district to be a function of a stable, underlying level of support, boosted or deflated by a variety of factors including the state-wide campaign, the local campaign, underlying demographic trends, unpredictable events and the stage of the political cycle. Parties expect campaign effects to persist for some time after the election but not to be permanent.

The Australian Election Study supports the parties’ view. It asks respondents how they voted at a previous federal election, and finds that the major parties can expect to lose about 20% of the voters who had supported them at the previous federal election. If there is a swing in a party’s favour that party will shed fewer of these defectors and usually they will move to the minor parties and return via preferences, rather than moving straight across to the opposing major party. But in the landslide federal election of 1996 Labor lost almost 25% of its voters and roughly three quarters of them moved straight across to the coalition. In 2007 the same thing happened in reverse (McAllister and Clark 2008: 50-52). What these data do not tell us is how many of these voters stay with the new party at the next election and how many return – how persistent is a swing?

When they considered this question in the US, Box-Steffensmeier and Smith modelled campaign effects (“shocks”) and found that …more than one-half the effects of any shock to aggregate partisanship persist for as long as a four-year term. More than one-quarter of the effects remain after eight years. (1996: 578).
While Australian work has not quantified the persistence of swings, recognizing the level of support won at an election as impermanent, with a tendency over time to revert to an underlying level of support, is not a new idea. Joan Rydon broached it in 1973:

The notion of even swings tends to treat the movement between any two consecutive elections in isolation. Yet it has been customary to discuss electoral changes in terms of a pendulum. This implies at least some suggestion of equilibrium tendencies. Moreover studies of basically two-party systems have suggested that there are normally upper and lower limits to the support any party is likely to gain. In Australia this seems to be as true for particular states as for the nation.

If (as in 1969) the swing to the ALP in an election was far greater in South Australia than elsewhere, when there is a further movement to the ALP in a subsequent election (as in 1972) there is at least a strong possibility that South Australia will not move evenly with the rest of the country. It is the same with individual electorates where a particular candidate or particular factors may produce an unusual change (such as in Riverina in 1969 or in Cowper in 1961). In a subsequent election such a change may be sharply reversed. Thus many changes in voting may only make sense when studied over a number of elections. (Rydon 1973: 261)

This reversion (Bean and Kelley (1988: 84) refer to it as a ‘homing’ tendency) rings true at State elections in South Australia. When either of the major parties has won an unusually high vote across the state, that result has reverted at the next election to a level much closer to the long-term trend.

While early studies of bias used the cube rule as an external standard, that standard gradually fell from favour as it applied less and less to the Australian system (Butler 1997). Instead of using an external standard, Soper and Rydon reasoned in 1958 that bias could be measured as the difference between the two party preferred vote in the median seat, and the average 2PP vote across the jurisdiction. The contribution of malapportionment to the overall level of bias could be measured as the difference between the average of all districts’ 2PP vote for one of the parties and the statewide 2PP vote for that party; what was left was due to the differential geographic concentration of party support. Meanwhile Brookes (1959) differentiated the components of bias even further, into malapportionment, geographic concentration of party support, differential levels of support for minor parties and differential turnout.

In the early 1990s Charnock used Soper and Rydon’s measures and noted the effect of non-uniform swings at the federal election of 1993:

...the ALP’s advantage from differential concentration of voters persisted, being very large in 1987, and was still significant in 1990, before reversing in 1993 to a significant disadvantage for the ALP. Part of the explanation for these findings lies in the better performance in marginal seats by the ALP, but this is not by itself a sufficient explanation, since the differential concentration of voters is essentially related to the degree and type of asymmetry of the complete voting distribution … not simply to its central section (representing marginal seats) (Charnock 1994: 490).

More recently, Jackman modelled electoral bias at Australian state and federal elections using a method that owes its assumptions to Philip Converse and the Michigan school. Jackman’s model understands the swing in each district as a function of a jurisdiction-wide swing and a district-specific swing. That model was a simpler one than could have been used in the US, because Australian survey data were simply not available to Jackman.

The specific form of the model I employ here is complicated by the absence of constituency-level covariates: with data on incumbency, local economic conditions, characterizations of the candidates or the social-structural composition of constituencies, a better model of constituency-level swings could lead to improved measures of bias and responsiveness. Gathering and using these contextual data is standard fare for students of politics in the United Kingdom or the United States, but rare in the study of Australian politics (Jackman 1994: 349).
While many methods have been used to measure bias, the concept of bias itself needs more attention. Should that concept include both long-term bias and advantage that may be unlikely to persist?

Where boundaries translate votes into seats in a biased way, asymmetry around the pendulum at a hypothetical 50:50 result shows the disadvantaged party holding a larger number of very safe seats, unmatched by a similar number on the opposite side of the pendulum. The pattern of support may be made more or less asymmetrical by a single election, but it seems reasonable to recognise asymmetry as bias when it persists over several elections, and to differentiate bias from short term change in the pattern of support we need a more dynamic understanding of the pattern of support – one that has some memory.

While the parties might expect that the level of support in a seat will soften as campaign effects dissipate over time, they may also expect that in those seats that have been newly-won as a result of those swings, incumbency will provide an opportunity to work against that dissipation, and to consolidate whatever support was gained. Can these effects be measured and what would their net effect be? This is an area where the parties’ polling research is likely to have given them rule-of-thumb estimates, but political scientists have no access to data on these effects and cannot take them into account in an analysis. Neither can they be ignored, although the tendency for seats to revert to a long-term average does imply that incumbency may be a wasting asset. (“When a swing is on”, Cavalier has said, “it is no respecter of sandbags” (Cavalier 2009: 202).)

If campaign effects are recognized as persistent but not permanent, then an election is best understood as a variation on a stable, long-term pattern, not just the pattern of support at the last election. Election results should then be understood as part of a sequence with a memory that makes them gradually revert towards the longer term pattern. Fractional integration modellers use the term “decay” (Box-Steffensmeier and Tomlinson 2000; Lebo and Clarke 2000). A different understanding of what happens at an election, which can accommodate change and gradual reversion to a long-term mean, would allow a different understanding of bias too. It could differentiate between long-term bias due to the differential geographic concentration of parties’ core support and short-term disadvantage due to an unusual election result.

As noted above there are several ways that the Commission could now assess the fairness of the boundaries it draws: the next section considers four of these choices.

THE OPTIONS
1. A Time Series.

Arguing in 1989 that the Parliament should adopt a fairness requirement, Hon. Trevor Griffin took the view that if longstanding bias existed it would be apparent in a sequence of election results. The only way to assess whether or not the result of an election is fair in political terms is to look at the voting results at past elections. In South Australia in 1975 the Liberal Party would have required 55 per cent of the two-Party preferred vote across the State to have had a reasonable prospect of governing. In 1977 it was 55.3 per cent; in 1979, 54.8 per cent; in 1982, 51.9 per cent; in 1985 51.1 per cent; and in 1989 it is estimated that the Liberal Party requires 52 per cent of the two-Party preferred vote to have a reasonable prospect of forming a government (SAPD 1989: 113).

There is a precedent for the Commission using something other than the most recent election results to check its newly drawn seats. After the landslide election of 1993 the Commission drew new boundaries using the most recent pattern of support but then checked some districts against the results that they would have generated in 1985 and 1989.
Assessing draft seats using the results from several other elections is common in the U.S., and a 
fairness criterion forms part of the good governance criteria applied by successive Chairmen of the 
New Jersey Apportionment Commission. That Commission assesses competing plans submitted by 
the parties, using election data from several Upper and Lower House state legislative contests. The 
Chairman of that Commission stated in 2001 that one of his 

… primary concerns was that the plan eventually adopted be a fair plan in the sense that the 
configuration of districts would give neither political party an inherent advantage. The basic idea 
underlying my analysis of partisan balance is that, if candidates for the two major parties receive the 
same number of votes statewide, an unbiased map should produce an even allocation of seats in the 
State Legislature. To determine the partisan balance of any given configuration of districts I used 
results from a variety of recent elections to simulate the expected outcome of an election in which 
statewide voter support was evenly divided between the two parties. (Because none of these recent 
elections actually produced a statewide “tie,” the observed results had to be normalized to reflect a 
50-50 election.) In accordance with the precedent established by my predecessor as Eleventh 
Member, Dean Donald E. Stokes, I relied primarily on election results from recent state legislative 
contests, including 1999 and 1997 General Assembly contests and 1997 State Senate contests 
(Bartels 2001: para.17).

The New Jersey Commission seems to have given each of the elections equal importance.

For the plan adopted by the Commission, NJ2001, my projections suggested that a 50-50 statewide 
vote would result in Democrats carrying 19 or 20 of the 40 legislative districts (19 using the results 
from 1997 State Senate elections, 20 using the results from 1997 or 1999 State Assembly elections). 
The corresponding projections based on the Republicans’ plan GOP-H20 suggested that a statewide 
tie vote would result in Republicans carrying 20 or 21 of the 40 legislative districts (21 using the 
results from 1997 State Senate elections, 20 using the results from 1997 or 1999 Assembly 
elections) (Bartels 2001: para18).

The South Australian Commission has data from 1997, 2002, 2006 and now 2010 on census 
collectors district basis (Gully 1998) and that material is available to the parties. It is not available 
more widely, but the SA Parliamentary Research Library has compiled a time series using polling 
booth results, and the two data sets generate district-level estimates that are similar (to within 1 or 
2 percentage points). The SAPRL time series data can be adjusted to a hypothetical 50:50 result 
across the State, and when the data are graphed the 2010 results follow the 1997 and 2002 lines 
quite closely, indicating that these three elections are quite consistent in their pattern of support, 
except in the areas where Labor’s 2PP vote was between about 55% and 40% - i.e. except in the 
marginal seats. The variation in pattern between the three elections cannot be overlooked because 
these marginal seats’ ability to change hands is the mechanism by which the boundaries can 
translate votes into seats fairly or in a biased way.

In summary, if the new boundaries are produced using the 2010 results and checked using several 
previous elections, 1997 and 2002 seem to be the elections which would be most useful, but 
because the pattern of support produced at these elections differ most in the marginal seat area it 
seems unlikely that it will be possible to draw any set of seats that would be fair under both the 
2010 and the previous patterns of support. This option may not help the Commission at all.

2. A Representative Election Result
The Commission could draw a new set of districts by using data from another election. This would recognize that the pattern of results at the 2010 election was so different to a normal pattern that a future election would not be expected to return results like 2010.

During its 1991 hearings, the Commission did consider using a pattern of support other than the most recent election’s results. The Chairman of the Commission asked Professor Jaensch …do some areas have a discernible, fairly permanent voting pattern which could be relied on by the Commission and how would you determine such areas and what movement would you expect in such areas, movement in terms of votes which are expected in such areas? (EDBC 1991b: 246).

If the Commission chose to re-examine this option, which election might the Commission now choose as representative? When the two party preferred results in each district are seen through the framework of the 2010 district boundaries, the pattern of results at the election of 2002 seems to be most representative of the four elections prior to 2010. If the Commission were to use the pattern of support from the 2002 election, applied to the 2010 boundaries, and adjusted to a 50:50 outcome, it would be likely to find that there is no bias in the boundaries at all. With an ALP 2PP statewide result of 50% there would be 24 Labor seats, one of which is so marginal that either of the major parties could easily win it. This means that if the Commission chose to assess its boundaries on the basis of the 2002 pattern of support it would not need to make any seats currently held by Labor, notionally Liberal.

Adopting this approach would be appropriate if the Commissioners believed that the 2010 pattern of support is likely to revert or decay completely to the average pattern by the time of the next election due in 2014, but that cannot be proven. Still, the 2002 pattern could be an option if the parties agreed.

3. An Average Pattern of Support

An alternative to using the results from the most recent election would be to use the average of several elections as a proxy of the vote that might normally be expected in each new electoral district. Using an average pattern has a precedent: Soper and Rydon averaged the pattern of seats at the federal elections of 1949, 1951 and 1954 to produce ‘a “representative” curve of the distribution of seats for the House of Representatives for the period’ (Soper and Rydon 1958: 96).

Should the 2010 results be included in the average? If the Commission ignored the 2010 results and average the results of elections prior to 2010, this would assume (again) that the pattern of support in 2010 would decay to the average by the time of the state election in 2014, which (again) cannot be proven. It would be better to include the 2010 results in the average, to recognize that the 2010 campaign and incumbency effects will persist for some time, and will therefore affect the 2014 outcome to some extent.

The time series should not be so long that it might start to register long-term changes in the underlying pattern of party support. In practice, the Commission’s two party preferred estimates for CCDs only go back to 1997, so the longest series the Commission is likely to consider would be four elections - 1997, 2002, 2006 and 2010. If campaign effects dissipate over time – and here it would be useful to have the parties’ rule-of-thumb on how long campaign effects last - then the series would not need to be longer than this.

Indeed, the time series should not be so long as to mute the unusual pattern of 2010 completely. If, for example, Box-Steffensmeier and Smith’s results were applicable in South Australia, half of the 2010 campaign effect will persist until the election due in 2014, so an average giving the 2010 results the same weight as the (1997 to 2006) series average might be a useful way to represent both
continuity and change in the pattern of support. That would produce a pattern of support that would have 24 ALP seats so the Commission would only be obliged to draw one seat as notionally Liberal or as so marginal that either party could win it easily. Three seats won by Labor in 2010 - Newland, Frome and Bright - would be seen as already Liberal seats under this option.

To embrace this option the Commission would need to be satisfied, or the parties would need to agree, that it is likely that the campaign effects in Newland, Frome and Bright will dissipate by the time of the 2014 election.

4. An Estimated Normal Vote

In 1994 Labor argued that the Commission might use swings as an initial basis for its work but should then apply another level of judgement to the new seats, based on a more detailed understanding of how individual seats have actually swung in the past. Labor argued that a. Swings are never uniform, as the ’93 results clearly indicate, b. Demographic changes can reinforce or underline the party’s hold in the particular area, and c. Personal votes including the Sitting Member advantage will benefit the Liberal Party more than the Labor Party between now and the next election (EDBC 1994: 61).

In order to be fair the Labor Party believes that the commission must reject a simplistic application of the pendulum theory or the political commentator test as the Liberals would call it and take into account the range of factors specified above….you have got to take into account more than just a simple viewing of past voting figures, you have got to look at what is happening on the ground as well. That makes it a more complex task and a difficult task, I don’t disagree, but nonetheless I believe that is the task before the commission (EDBC 1994: 67).

Labor has argued that incumbency provides elected Members with an advantage which mutes the swing required for their seats to change hands; similarly Labor has argued that swings in South Australian state seats in country areas have historically been lower than swings in metropolitan seats. Walmsley (1977) and Mackerras agree, although Mackerras notes that when rural seats do swing “they go about it in a big way” (1975: 219).

In 1966 Phillip Converse confronted the difficulty of using the most recent election when it is atypical:

When aggregate statistics are analyzed on some geographic basis, it is customary to choose as a measuring stick for change the most recent prior election which is at all comparable to the current voting in turnout, level of office contested, and the like. This criterion of recency has both virtues and shortcomings. Most notable among its shortcomings, perhaps, is its insensitivity to the possibility that the most recent prior election was itself rather unusual (1966: 10).

Converse noted that “the obvious remedy for this shortcoming of a recency criterion in ecological studies is to establish baselines with a more extended time series of election results, through some averaging process” but he rejected that option because large-scale population movement across the US in the post-war period threatened comparability at district level. He turned to modelling. Using methodology developed by the University of Michigan’s Survey Research Centre (where Campbell, Converse, Miller and Stokes produced the American Voter series of studies), he proposed

…an operational construct of a “normal” vote, which may be estimated for any segment of the population on the basis of single-wave, cross-section survey data. Such a construct is, of course, primarily an analytic tool rather than a theory or a set of substantive findings. It suggests a means of splitting the actual vote into two components: (1) the normal or “baseline” voting division to be
expected from a group, other things being equal; and (2) the current deviation from that norm, which occurs as a function of the immediate circumstances of the specific election (Converse 1966: 11).

Converse modelled the size of the campaign effect or incumbency/personal vote effect using voter defection rates which he obtained from panel survey data. He considered elections when the net defection rates were the same, as normal elections. More recently these defection rates have been called transition rates or voter loyalty rates (see Brown and Payne 1986; Hawkes 1969; McCarthy and Ryan 1977; Upton 1978).

In the South Australian context, defection rates would show the proportion of Labor voters in 2006 who voted Liberal in 2010 and the proportion of Liberal voters in 2006 who voted Labor in 2010. As noted above, defection rates are available through the Australian Election Study but not for state elections and certainly not at district level or anything smaller.

Over time, the Michigan surveys did show fluctuations in the rate at which electors in each group appeared to defect or simply not turn out, but these remained minor factors compared to the effect of the partisanship groupings. With compulsory enrolment and compulsory attendance to vote, vote shares approximate party identification, and the normal vote model is simplified until it approximates the earlier method – using an average of the patterns of support at several previous elections. In the past twenty years both Gelman and King (1990) and Cox and Katz (1996) have used a lagged vote (averaging the past two results in the district); and Levitt and Wolfram (1997) used a “district specific constant” which appears to be the average vote in each district between redistributions (or a ten-year average if redistributions had not taken place). More recently Ansolabehere, Snyder and Stewart (2000) used the results in each district at presidential elections, averaging them over several periods. Levendusky, Pope and Jackman used census returns and voting returns from both congressional and presidential elections during the 1990s. Each of these models has aimed to strip campaign effects out of election results to find the underlying, stable pattern of support.

Like Converse, we seek to identify the more or less stable partisan force driving election outcomes. As such, our measure of district partisanship provides an estimate of how Democratic a given district would be, absent the impact of a given campaign (election-specific partisan swings, incumbency etc.). That is, without any short-term forces, how Democratic or Republican would a given district be? (Levendusky, Pope and Jackman 2007: 737).

Even more wide-ranging in the data it incorporates, Gelman and King’s JudgeIt software is able to incorporate census, survey and election data over extensive periods. This software is apparently widely used in the US to assess competing redistricting plans. Could JudgeIt be applied here?

In Australia there is a dearth of publicly-available survey data, but there have been enormous amounts of polling and focus group data produced for the major parties at each federal and state election, both at the small-area level and statewide. The major parties are the main users of applied political modelling techniques in Australia. Parties are understandably reluctant to release their material or methodology but it seems likely that a basic framework (identifying the characteristics of specific groups, their general party allegiance and their trigger issues) is constructed and recalibrated from time to time using data obtained from relatively broad scale surveys, perhaps including the Australian Election Study. Then in a particular campaign this data could be the basis of small-scale polling of particular seats or particular groups, and campaign material could then be targeted to households with relevant characteristics identified through the household information stored in parties’ database systems (Howard and Kreiss 2009; van Onselen and Errington 2004; Ward 2006).
Realistically, constructing a voting model is not an option for the Commission. Survey data are not available for small areas and it seems unlikely that the Commission would have access to the parties’ polling survey data.

CONCLUSION

In 1990 the South Australian Parliament attempted to prevent bias being built into district boundaries and then being inadvertently perpetuated by Commissions unable to consider the political effect of the lines they drew. In order to do that, the Parliament removed the Commission’s blindfolds. The Commission’s methodology is challenged if a set of boundaries that are not biased going into an election subsequently translate votes into seats in an unfair way. And the Commission must be confident that when it assesses its new districts, it uses a pattern of support that will be relevant to a subsequent election. Holding the pattern of support constant while adjusting the level of support to a hypothetical 50:50 outcome is an inappropriate methodology when the pattern of support is unusual and may not persist. Like the Emperors found to have no clothes, the Commission is in need of a new understanding of the pattern of support and of swing, and the Parliament is in need of a new understanding of the limits of a Commission’s ability to provide a fair election outcome.

The Commission need not accept Levendusky, Pope and Jackman’s conclusion that “…researchers ought to deal with the fact that district partisanship can never be known with certainty” (2007: 738). It may be possible to reach agreement on a measure of partisan support that is dynamic, that understands election results as part of a sequence that has a memory. A new measure of partisan support would also give political scientists a more meaningful measure of swing as the distance from the expected vote to the vote achieved at a given election. We do have the election data to produce that.

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