

## Parliament is Not a Waste of Time?

John Hyde

Think about the exact terms of this remark, by the Western Australian Minister for Education, Dr Carmen Lawrence: "I think [Parliament is] not only personally degrading but a waste of time". It sounds alarmist, but does she not reveal an attitude which is a threat to Western Australian democracy?

Dr Lawrence is not some embittered, never-going-to-make-it back-bencher. In fact, she is a widely-respected Minister. Both because of her general competence and because she has not been personally tainted with the WA Inc. scandal, she is touted, not unreasonably, as a future Premier. I believe her attitude is all too typical of Ministers of the Crown. After a few years in office they---like Stuart Kings---come to view their own authority as God-given.

It no longer seems to occur to them that they themselves might have about the usual amount of original sin. They no longer seem to understand, or care, that Parliament alone stands between ordinary mortals and Government tyranny. Even if most are not foolish enough to say so, after a few years in office they usually come to hold Parliament in contempt. I know from experience that the Whitlam and the Fraser Ministries did---but even the Great Gough did not say it was a waste of time.

Power is a dreadful destroyer of character. Lord Acton observed long ago that it tends to corrupt. Like morphine and alcohol, power is an addictive drug which encourages those who use it to believe that they can handle it. Thus Ministers come to resent the proper checks on their use of power. Such hubris is the prime cause of political corruption---most MPs are innately no worse than the rest of us.

Dr Lawrence may gain instruction in the dangers inherent in the use of power by contemplating the Dowding government's, almost inexorable, slide from grace. If that is too unpleasant, she might read some Tolkien. For instruction in the essentials of Parliamentary democracy she might turn up some maiden speeches---most are made by people who believe in the institution.

We all know that Parliament does not function as it should. Dr Lawrence was right when she asserted that Parliament was a

"stupid place" where everyone talks "absolute nonsense". But it is not a "waste of time". Parliament and the Constitution are the only formal reins on Minister's unbridled authority. Parliament stands, as it always has, between us and the tyranny of even the nicest Ministers, such as Dr Lawrence.

One only has to consider the modern alternatives to a government which is sanctioned and limited by a parliament-- the one-party state, the military dictatorship, and Iran-style theocracy--to understand the virtues of a Westminster-style Parliament.

Now, Dr Lawrence is not so silly as to propose any of these alternatives. But how on earth could a Minister of the Crown be so blind to the nature of the institution she nominally serves? I suspect she reveals a state of mind which is downright dangerous. I further suspect that it pervades the whole Cabinet of which she is a member.

There is today, as there always has been, a fundamental tension between the High Court of Parliament and the Crown. Therefore, most Governments, at least sometimes, deliberately weaken Parliament. They do this, not merely by speaking disparagingly of it, but also by placing obstacles in the way of its proper functioning. They fear that Parliament will, in fact, fulfil one its traditional functions--that of holding Ministers to account.

Westminster-style Parliaments have four prime functions: to legitimise a government, to hold it to account, to educate the public in the affairs of state and to identify potential leaders. Dr Lawrence seems to worry that Parliament is not an effective place for parley. But since the Labour Party introduced the practice of caucusing, decisions, and hence the debate, have been removed from Parliament. Modern Westminster-style Parliaments merely ratify bills which were designed elsewhere. How often did she as back bencher cross the floor?

True, most parliaments fail in the educative function. As Dr Lawrence rightly said, "few ideas actually flow through Parliament". However, it is in the disciplinary function that the Western Australian Parliament fails most conspicuously. Even so, the Western Australian Parliament is not "a waste of time" because it fulfills its legitimising function--i.e. upholds Dr Lawrence's right to be a Minister.

If Dr Lawrence really wants the Parliament to perform better she should encourage the Premier and Caucus to reorganise Parliament so that it:

- 1 sits much more often,
- 1 forms committees through which MPs may improve legislation and reveal to what extent the Government is keeping trust with the public,
- 1 conducts question time in a manner that facilitates the exposure of government actions to public scrutiny,

appoints a genuinely impartial speaker.

She should also endeavour to change Government and Labor Party thinking to respect Parliament's right to know---so-called commercial confidentiality and secrecy provisions are just not on.

So long as Parliament continues to rubber stamp Cabinet and Caucus decisions there will be little rational debate in Parliament. After all, why bother, when argument changes nothing? Compare the usual inanity and vitriol with the debate which is heard on the all-too-rare occasions when there is a "free vote"---usually a matter related in some way to sex. Then the chambers fill up. Debate is reasoned and civil. Interjections are to the point and answered by the person speaking. The only votes which should require unswerving party loyalty are those granting supply or affirming confidence.

Minister, the ball is at your feet. If you want Parliament to behave respectably, treat it with respect.

John Hyde is Executive Director of the Australian Institute for Public Policy.

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