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The power and prestige of parliament are at a low ebb. Parliament should at least try to reassert itself, denying governments unjust laws and wasteful appropriations. Michael James ('Parliament and the Public Interest' published by AIPP, 25 Mount St, Perth) writes that if parliament proves itself incapable of confronting and acting upon the straightforward and comprehensible issues, it will become an increasingly irrelevant and despised institution, reduced to sanctioning in a merely ceremonial way deals between special interests concluded elsewhere.

'Yes Minister' fans are familiar with one way by which the practice of Westminster democracy has departed from the theory. There is a very great need for another 'Yes Minister', in which 'Yes Minister' is mouthed less smugly, portraying a back bench MP's relationship with the Ministry.

Parliaments legitimise Governments without bloodshed, and Ministers will go to great lengths to gain the necessary majorities. However, Ministers rarely respect the opinions of ordinary MPs and they see the collective opinions of parliament as obstacles to be avoided. As the Ministry's control over the parliament is almost complete - it controls the majority party which is usually half the parliament, the notice paper and within limits the procedures, - parliament's real opinion is seldom even discovered.

Even so, Governments fear Parliament and cannot adjourn it quickly enough. In one day, May 23 of this year, the last day of the session, the House of Representatives carried 16 bills on matters as momentous as the Queensland power dispute and the ACTU blockade of that State, and debated issues from the quality and style of the Government's leadership to AIDS. Needless to say, no issue was canvassed thoroughly enough to establish what might pass for a considered collective opinion. The really sad thing is that it did not much matter that the parliament was rushed so that all pretence of considered judgement was abandoned. The resulting legislation and public understanding of the issues were much the same as if parliament had taken time over its task.

In 1867 Walter Bagehot wrote this of the House of Commons: "It is its office to express the mind of the English people on matters which come before it....A great and open council of considerable men cannot be placed in the middle of society without altering that society. It ought to alter that society for the better. It ought to teach society what it does not know". If we accept Bagehot's assessment of the English Parliaments of his day, then we must ask what has since gone wrong?

It was not only because of haste that May 23 did not teach Australians much about the issues before the House of Reps. Most Members' speeches were not intended to be instructive but were the set pieces of ritualised inter-party warfare. When the Fraser Government fell, Mick Young and Ian Sinclair exchanged jobs; they also swapped speeches.

It is not obvious why parliament should, except in its sanctioning role, be so irrelevant to governing. There are many able men and women within it. Private members do after all outnumber Ministers, and there is nothing inherent in the rules of Parliament itself which requires its members to restrict debate, indulge in games dreamed up by the front bench or otherwise be subservient to the executive. Even so, individual members, however cross they may have been in party room or caucus seldom break party ranks in the parliament. I rarely did myself.

The occasions when they do break ranks are instructive. Most often when a member is heard taking on his own party he is making a speech to Bunkum - serving the narrow interests of his own constituency, or pretending to do so; and in that, his own interest in re-election. Up to a point, this is tolerated by his front bench because it is in their interest to see him returned. It is much more rare to hear a government taken to task by its own back bench for failures to advance general interests such as sound budgets, monetary policy or adequate defence provision; and it is even much rarer still to hear an Opposition spokesman praise a Government for serving these general interests well. There have of course been honourable exceptions such as Bert Kelly's struggle to limit industry protection and John Howard's support for Keating's attempt to reform the taxes, but these are not the norm.

Like almost everybody else, Members of Parliament, act through self interest. They have three major and obvious interests - continuing employment (re-election), remuneration and preferment. These are the same ambitions which motivate most people who are often critical of MPs who pursue them. Any theory of political behaviour which assumes that Mr. James Hacker MP. will place a national interest, of which he has but a small share, ahead of his chances of holding his portfolio, or party endorsement, is clearly deficient.

It is the same with the larger electorate. Its individual members sell their support to Hacker for satisfaction of individual wants; the general good embodied in budget, money and defence aggregates, of which they have but a small share, does not much concern them and therefore does not much concern Hacker.

MPs who get elected by satisfying each of many narrow vested interests get few thanks for looking to the general interest. One consequence of this is that Governments are encouraged to promise too much. In the short run, by deficit budgeting, they have delivered more than the economy can sustain. Until recently their behaviour had been sanctioned by elitist/pluralist theories of government and by populist interpretations of Keynesian economics but opinions are changing. Parliament, in spite of its traditions, has been even more inclined to pursue narrow interests and to spend big than has Government. Note the Senate's behaviour over the past month and that of the US Congress to Reagan's budget cuts.

Democracy's most fundamental problem is that, what Rousseau called the 'general will', becomes dominated by combining vested interests. Modern Public choice theory explains political processes from the assumption that most voters and most politicians most of the time act in their own rather than others' interests. The theory seems a fair representation of reality. Michael James suggests ways to reduce this problem in Australia. The Senate already has the advantages of proportional representation, long terms, and very large electorates encompassing more opposed interests than Repts electorates; if Ministers were not present it might become a genuine house of review. Two thirds or other reinforced majority votes might break up party solidarity and make logrolling (you scratch my back if I scratch yours) much more difficult. Constitutional limitations might be placed in the way of expenditure, taxes and deficits. Mr. Hawke's trilogy was a significant attempt to impose constraints on his government that the Constitution in its present form does not impose.

Finally, depressing though much of the theory is, we must believe that it is at least possible that 'a great and open council of considerable men' might again alter society for the better.