

100 not out

At the end of its first 100 years, Australian parliamentary democracy is, by and large, strong and healthy. That's the conclusion of Associate Professor Elaine Thompson in her Centenary of Federation essay for the Parliamentary Library's *Vision in Hindsight* project. Dr Thompson's essay presents a generally positive score card at the end of Parliament's first century.

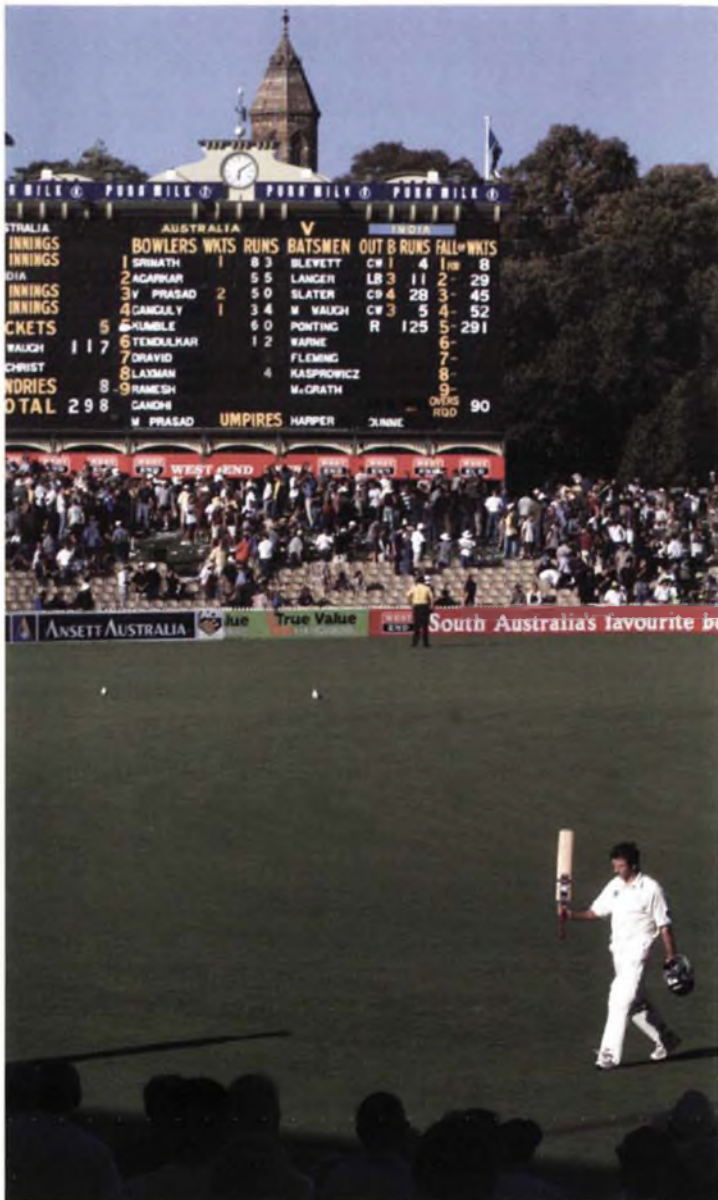


Photo: Newspix

"The domination of politics by Executive Government makes it easy to downplay the role of Parliament," says Dr Thompson. "Almost from the first Parliament, and certainly by 1910 when party discipline and Executive domination were well in place, it has been easy to criticise Parliament as theatre in which there is a great deal of meaningless ritual and absolute silliness."

In actual fact, argues Dr Thompson, Parliament has been central to Australia's success as a stable, flexible, democratic country.

"From the beginning, Parliament has been the theatre in which constant election and leadership campaigns are waged. The existence of the Opposition in Parliament has meant, and continues to mean, that Parliament is the forum of a constant adversarial election campaign between the major contenders for the people's vote. This exposes those contenders to public scrutiny and assessment, especially through Question Time and in the debates in the lead-up to an election."

According to Dr Thompson, the strength of Parliament is that it guarantees a forum to the Opposition from which it can critique Government, show its credentials as an alternative Government and gain media attention.

Weak parliamentary performers quickly lose credibility.

"Weak parliamentary performers, both Government and Opposition members, quickly lose credibility as potential leaders. Parliament acts as a hothouse and Governments and leaders must demonstrate a capacity to be in control. The Opposition and the media will form a partnership in pursuit of a Government not in control of its internal discipline or where the leader is weak.

"While strong leadership in the Parliament and a domination of the theatre of Parliament are not sufficient for good government, they are necessary. Weakness in Parliament inevitably indicates weaknesses within the party and almost always leads to division and leadership challenges. A party cannot concentrate on governing effectively if it is subject to those sorts of problems."

Dr Thompson argues that today's Parliament is in an improved position to hold Executive Government and individual Ministers more accountable.

"Its power largely rests on the power of the Senate. However the entire committee system of both Houses has vastly improved as have the overall levels of information and expertise available to the Parliament on which it can challenge the Executive."

Dr Thompson suggests that tensions between Executive Government and Parliament have heightened since the mid-1980s. Since then, the traditional functions of Government departments have been contracted out to the private sector. She notes that there has been a clash between Parliament and those who argue that accountability can be assured through legally enforceable contracts.

Report released on “rough justice” in the Army

Serious incidents have occurred in one section of an Army unit, but there is no culture of violence evident in the wider Army. That’s the conclusion of the Joint Committee on Foreign Affairs, Defence and Trade following its probe into allegations of brutality within the Army’s parachute battalion (3 RAR).

In its recently released report – *Rough Justice?* – the Committee noted that during its investigation it had been made aware of specific incidents in 3 RAR that “reflected no credit on the individuals involved, and sullied the reputation of an outstanding and highly-decorated Army unit”.

“There were failures of character, command and process,” the Committee said. “In its entirety the episode was poorly handled.” At the same time the Committee noted that pressure from the Committee and subsequent action by the Chief of the Defence Force and the Chief of the Army have “put a process in place to correct the situation.”

In its report, the Committee has made eight recommendations aimed at improving military justice processes.

For a copy of the report – *Rough Justice?* – or for more information

Visit: www.aph.gov.au/house/committee/jfadt

Call: (02) 6277 2313

Email: jscfadt@aph.gov.au



Chief of the Army, Lieutenant-General Peter Cosgrove, gave evidence to the Foreign Affairs, Defence and Trade Committee’s inquiry. Photo: Newspix

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“Parliament, especially through its committees, has tried to remind the Government that letting the managers manage does not imply that only the managers have any right to know how they are managing.

“Parliament as an institution (and most parliamentarians) are committed to the position that, so long as Government activities involve the spending of public monies or are believed to be areas for which the Government must bear a special responsibility (health, the welfare of children, the armed services, the police – for example), the Government as a whole must be accountable to and answerable *through the Parliament* to the people for those monies and those activities.

“Because they depend on taxpayers’ monies as their financial base, all the processes of Executive Government must be subject to parliamentary supervision and public auditing both for financial propriety in an accounting sense and for policy propriety in terms of responsible government. This includes departments, agencies, statutory organisations and great public institutions such as the ABC.”

Dr Thompson concludes that while highly-disciplined parties and Executive dominance are still the foundation stones of Australian parliamentary democracy, they have been moderated substantially since the late 1960s.

“Parliament as an institution may be the weaker partner in the Executive/Legislative relationship but it is far from irrelevant.”

Vision in Hindsight

Dr Elaine Thompson is Associate Professor at the School of Politics and International Relations, University of NSW. Her essay ‘Australian Parliamentary Democracy After a Century: What Gains, What Losses?’ is part of the *Vision in Hindsight* project of the Department of the Parliamentary Library for the Centenary of Federation.

Vision in Hindsight: Parliament and the Constitution is a collection of essays each of which tells the story of how Parliament has fashioned and reworked the intentions of those who crafted the Constitution. The essays are published as research papers available on the Parliamentary Library’s web site (www.aph.gov.au/library). A selection of the essays will be included in a volume of work to be published in November 2001.

With the agreement of the Parliamentary Library and essay contributors, *About the House* is publishing summaries and extracts from some of the *Vision in Hindsight* essays.

A full copy of Dr Thompson’s essay is available from the Parliamentary Library’s web site at: www.aph.gov.au/library/pubs/rp/1999-2000/2000rp23.htm

For more information on the *Vision in Hindsight* project call Judy Hutchinson on (02) 6277 2512 or email: dpl.publications@aph.gov.au