

Does it really matter if we call Australian politics ‘semi-parliamentary’?

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By Democratic Audit UK

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*Australia’s ‘hybrid’ executive-legislative relationship, whereby the two chambers of parliament have distinct and separate powers, has been described in numerous ways, including ‘semi-parliamentarism’. In this, the final of three pieces on the subject, **Marija Taflaga** argues that the terminology matters, and the term helps both politicians and political scientists clarify how the Australian system works, and understand the political incentives and behaviours it produces.*



Picture via [Pixabay](#).

Immediately after Australia’s Governor-General, John Kerr had sacked then Australian Prime Minister Gough Whitlam in 1975, Whitlam returned to the Lodge, set the table and sat down to eat steaks. As they ate, he and his closest colleagues thrashed out the wording of a motion to take to the House of Representatives. In all the hubbub, no one remembered to tell the Labor Senators what had happened. When the Senate resumed at 2pm, Ken Wriedt, Labor’s Leader in the Senate, introduced a compound motion that would see the budget pass in a single bill. Naturally, knowing that their leader Malcolm Fraser was now Prime Minister, the Liberal Senators voted in favour. The rest is history.

The 1975 crisis turned on the very question of the Senate’s capacity to assert near identical powers. This wasn’t the first and nor will it be the last time, that lower house MPs had failed to fully consider the Senate in their calculations. But the Senate, and the potential of its constitutionally defined powers, has altered the way Australian politics operated compared with Britain.

Political scientists have long known this, and struggled to come to terms with the 'hybrid' nature of Australia's executive-legislative relationship. This led to a great flowering of descriptive labels such as 'strong bicameralism', the 'washminsiter mutation' or my favourite, which simply describes Australia as 'not parliamentary'.

What's so 'semi' about Australia?

Steffen Ganghof and his colleagues have recently argued that Australia is not a pure parliamentary system. Semi-parliamentarianism describes an executive-legislative system where the assembly is divided into two equally legitimate parts, but the survival of the executive only depends upon the confidence of one part of the assembly. Thus, only the lower house has to supply confidence for the cabinet, (which is what Whitlam was counting on when he passed a motion of no confidence in Fraser).

So, even though voters elected two legislative agents (House and Senate), only one needs to supply confidence to the executive. Thus, a semi-parliamentary system produces a formal separation of powers between the executive and only one part of the assembly.

By contrast, a parliamentary system originates and depends for its survival on an undivided assembly. The implication is that instrumentally, the lower and upper chambers can orient themselves to different tasks, and normatively, different democratic goals.

As Rodney Smith has argued recently on this blog, it wasn't until the voting system for the Senate changed in the late 1940s that the full potential of the Senate was unlocked. When people came to understand that they could vote for smaller parties in the Senate, governments' capacity to secure majorities in that chamber fell away and the Senate began to change its own rules to more effectively exploit its powers.

It's long forgotten now, but Australia's forefathers spent a considerable amount of time during the federation debates arguing about whether or not it was even possible to have a parliamentary system and a Senate as powerful as the one proposed. While they decided that it was possible to create a powerful Senate, they never really resolved the issues that creating two equally legitimate chambers produces. They simply listed both chamber's powers in the constitution and put their faith in the common sense of elected representatives.

And it wasn't just the 1975 crisis that brought the two chambers into conflict. Recall other examples, such as Paul Keating's infamous characterisation of the Senate as 'unrepresentative swill', or the Howard government's failed attempts to emasculate the upper chamber in its proposed reforms in 2003. More recently, Tony Abbott's characterisation of the Senate as 'feral' as a result of his failure to negotiate a path for his 2014 budget demonstrates how this problem of accurate labels impacts politics every day.

Do names matter?

Government executives, dominated by lower house MPs, regularly fail to acknowledge the Senate's legitimate powers. The core of their argument against 'obstructive' Senates rests on the concept of their government's mandate, and that a failure to facilitate the government's will is somehow illegitimate.

If MPs had a more accurate way of describing the political system in which they operate, perhaps we would see fewer arguments of this type between the two chambers. After all, its politicians and political parties that inhabit, interpret, and shape our political institutions like the parliament or cabinet. Perhaps, our politicians could move beyond arguing over whether or not the Senate's capacity to block initiatives is legitimate (it is), and focus on arguments about securing an outcome.

Describing Australia as semi-parliamentary, rather than just purely parliamentary, neatly sums up why a powerful upper chamber with equal legitimacy transforms politics into a form that is no longer recognisably parliamentary.

By distinguishing how Australia's executive-legislative system differs from the countries that our politicians look to for comparison, namely the UK, New Zealand and Canada, our politicians could be empowered to consciously account for the procedures and norms that shape their actions. This would be far better than what happens today, with politicians muddling through, largely unconscious of how the fact of the Senate's significant powers significantly changes political dynamics compared to other Westminster systems.

But it's not just politicians who will benefit. A descriptive label that accurately describes the institutional reality of the relationship between the executive and the legislature will help political scientists. It should help us to be more mindful when we make comparisons. Perhaps more exciting still, it will encourage us to examine the explicit behavioural incentives underpinning the relationship between principals and agents, agenda setters and veto players, given the important institutional differences between parliamentary and semi-parliamentary systems.

This article represents the views of the author and not those of Democratic Audit. It was originally published on [Pop Politics Aus](#) and it draws on the journal article: ['What's in a Name? Semi-Parliamentarism and Australian Commonwealth Executive-Legislative Relations'](#) in the [Australian Journal of Political Science](#) .

About the author



Marija Taflaga is a Lecturer at the Australian National University

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