

Commonwealth and Parliaments Module Self-Test Unit 2

1. What responsibilities would be shared between presiding officers in a bicameral parliament?

It may be convenient to start with saying that the responsibilities that cannot be shared are those relating to the practice and procedure in each House. However for obvious reasons of economy of time and effort as well as of efficiency, the two Houses may for instance appoint joint committees with terms of reference jointly agreed and endorsed by the presiding officers and which then report separately to each House (and each House may vote differently on the report).

The other area in which responsibility may be shared is the administration of precincts and allied matters though areas of possible conflict of interest will be jealously guarded by both Houses.

If you are a participant from a bicameral parliament, your experience of practice in your legislature or country will be especially illuminating.

A post-script: just as an aside, do you know of any tricameral parliaments (that is, consisting of three chambers) that exist or existed in the Commonwealth or outside it?

2. Discuss the ways in which the opposition could help presiding officers to carry out their duties. Is it in the interests of the opposition to do so?

A presiding officer's duties would be considerably eased if the government and the opposition agreed with each other more often! While this may not occur, oppositions can help by cooperating in the administration of the activities of the House and not unnecessarily raising difficulties in this regard.

They can also help by cooperating in expeditiously agreeing procedures of debate and allocation of times for the business of the House and, say, in sorting out the membership of various committees.

What are the situations in which participants have seen their presiding officers seeking the assistance of the opposition parties? Has such cooperation been extended generously, especially if the presiding officer comes from the party of government?

The problem for members of the opposition, especially those of the major opposition party, is that in cooperating with the presiding officer, they may be seen by their supporters as cooperating too much with the government. Smaller opposition parties may use this as an opportunity to show themselves as the 'real' opposition.

3. Apart from the Auditor General and the Parliamentary Commissioner for Administration (Ombudsman), what other posts of similar status do you consider should be created in your country to assist the Speaker and parliament in their work?

The oldest of these posts, which have been created to help parliaments with impartial and independent assessment of the functioning of various aspects of good governance, is that of Auditor General. He or she is not in most parliaments an officer appointed by parliament but has the status of an officer of parliament for the purpose of carrying out his/her duties which in this case relate to the executive's use of funding voted by the legislature.

The Parliamentary Commissioner for Administration is of a much more recent vintage and examines problems of grave maladministration which have led to cases of injustice.

What other areas may parliaments wish to have investigated independently in such depth? The answer will depend to a great extent on the desire of parliament to have such matters examined in this way. Do you think, for instance, that parliamentarians might like to have their own standards of public life and their behavior in carrying out their duties looked at in this way? What else might be worthy of such a close look in your country?

Unit 3

1. What would be a realistic assessment of the number of women Members in the Parliament of your country in five years' time?

There is obviously no general answer to this question and participants will make their judgments according to their reading of the situation in their countries and legislatures.

What are the factors that will help in making his assessment? Are cultural factors going to be predominant or are questions of education and literacy of greater importance? Then again, do women experience problems of access (in every sense of the word) that are less applicable to men?

How do women outside parliament feel about the life and work of women members?

Do participants expect an increase in the number of women members at all? Are women satisfied with the current level of representation?

There are undoubtedly a lot of women who would like to take a greater role in political matters but feel that their families and children would lose out if they took up such time-demanding activities. Would this be the most important factor when everything is said and done? Can anything be done to help and of so, what?

2. What role can the media play in helping women to attain their full potential in public life?

When women have entered a non-traditional area, their usual problem has been that of not being taken seriously. This has been true in the field of politics as it has been elsewhere.

The reporting of what they say and do can be crucial especially in the field of parliament and politics. Negative or sarcastic reporting and the downplaying of contributions by women can lead to frustration and make or break situations for women but sadly these have all happened regularly.

The media thus have a crucial role in assisting women to attain their full potential. If what they say in parliament is not correctly reported, they could technically request the speaker to call the publication to account but this would not be the preferred method of action except in cases of very serious importance.

Sympathetic media interviewing and reporting has helped women in many parts of the world but it need not remain at that – as an example, journalists who have a good knowledge of parliamentary operations can help in positive ways by sharing their knowledge with women parliamentarians so that they will not be caught off guard, as it were.

We refer to this further in the next question.

3. Discuss methods whereby staff may assist women Members to play a fuller role in Parliament.

Any new members coming to parliament for the first time, however confident they may be as individuals, know how overwhelming the experience can be. For women members the experience has been even more difficult because they are aware that a spotlight is upon them and that it is sometimes cast in an unfriendly manner.

Parliamentary staff always assist new members to find their feet without of course taking sides in a political way. They have to be aware that women members may need more than the traditional forms of assistance and have to be innovative about it.

They could assist in helping to form women's caucuses irrespective of political ties of the women members. Assistance could be arranged for mentoring if the new member wants that. Special training programs could be arranged for women, for instance, in dealing with the media (and the more sympathetic and helpful journalists might be willing to help in that sort of exercise).

The research officers of parliament may be able to help with finding the type of material that the women members would find useful for their interests and they may have to reach out more in offering their assistance than they would with experienced male parliamentarians.

In short, staff have to be able to provide access to areas of information, practice and procedure and to be proactive in doing this especially as the new women members may not be aware of the availability of some of these given their inexperience or background.

Unit 4

1. Make a summary of all motions moved in your parliament during the last three months and attempt classifications for them.

This is a question that will have as many answers as there are participants who work in legislatures or who have followed what has recently taken place in them. I hasten to say that there is no classification or taxonomy that I am asking you to apply – what I suggest you do is seek to understand the type of motion that was placed before the House. The Unit mentions some of the different types of motion – substantive, subsidiary, procedural, adjournment etc. and that might be of use to you.

The purpose of the question is to ensure that by doing so you will understand and appreciate the various types of motion that a House has to deal with in the course of a reasonable period of time, and the type of approach that a presiding officer, a government member and an opposition member may take in dealing with them.

2. Do you think that the opposition in your country makes effective use of the opportunities given to them to raise issues in parliament?

An opposition has no hope of passing its own legislation: its purpose in parliamentary debates will be to show what could have been conceived or done better if its policies were in operation.

Accordingly an opposition must make use of every opportunity to make this point with the House and therefore with the people. Parliamentary procedure in a democratic state recognizes this and allows many chances every working day for the opposition to make its points. (We shall see this further when we study the Role of the Opposition in greater detail in a later unit.)

First there are the debates on the motions moved by the government, primarily bills. At least once a day there will be the chance to highlight some matter of public importance under the day's adjournment motion. Some legislatures have 'early day motions' or 'ten minute rule bills' which afford similar opportunities. There are also private members' bills which may never pass into legislation but can demonstrate what an opposition is capable of. In many people's opinion, most powerful of all is a well thought-out put to a minister.

This is by no means a complete list but which of these - and others not listed - have you seen used to good effect? Are there other methods possible but not yet utilized?

3. In what ways do debates in parliament differ from debates in society?

A debate in parliament always takes place on the basis of a proposition that has been put to the members (a motion). That is the beginning of the debate and there are firm rules that govern how the debate should proceed. The speaker will intervene if necessary to ensure that the rules are observed though he

or she will try very hard not to say anything more than absolutely needed. These rules will usually require, in a plenary meeting of parliament as distinct from a committee meeting, that a member does not speak more than once during the debate. At the end of the time allotted or when everyone has contributed, the speaker will take a vote and announce whether the motion has been accepted by the House or been rejected.

Debates in society take many forms. If it is in a debating society, matters will proceed in a way similar to that of a legislature. However we use the word 'debate' in many other forms in society, for instance, a debate could proceed through a newspaper. Anyone can say what they want provided that the law of the land is not violated in what is stated and the editorial staff will act as a sort of referee in that regard, though one would hesitate to say that they act like a speaker. The purpose of such a debate is to air different views but there is usually no final conclusion.

We may note that in parliament too the purpose of a debate could be to air views and to bring them to the notice of other members and, through reporting in the media, to the notice of the public. The opposition seeks debates for this purpose even if they know that their numbers do not give them a majority in parliament and that they will therefore lose in the end when the vote is taken. Indeed this is one of the important aspects of work in the parliament of a democratic country – the government may rule but there is always an opportunity for various or contrary opinions to be freely stated.