

Preface

This is a book, as its subtitle explains, about the Senate of Australia in theory and in practice. Let me explain how and why I came to write it.

The best way to learn something is to explain it to others. I discovered this long ago when, after spending six years teaching about and then working in the United States Congress, I found myself at the Congressional Research Service (CRS) of the Library of Congress. Largely through happenstance, I became one of the CRS ‘experts’ who was tasked with explaining the legislative rules of the game to congressional staff and, less often, to the Representatives and Senators for whom they worked. I soon realized that I knew far less about Congress than I had thought, and I wondered how I could have persevered through all those years of studying political science, a few years of professing to be a professor, and a few more years of acting as if I were a savvy legislative operative, while knowing almost nothing about those very rules that I now was expected to master.

So I read and then read some more, and asked questions and more questions, and listened to my mentor explain the same things over and over again, with most of what I read and heard failing to sink in to my brain, as if all this information and insight were a cloudburst falling on desert soil. Again and again I thought that I had learned something only to discover otherwise when I tried unsuccessfully to explain it to someone else. It was at that point that I started to write. The audience for whom I really was writing was not Congress, and certainly not posterity; it was me. As I pounded away on my typewriter (it was many years ago), I was explaining my subject to myself. I was being paid to write these reports for Congress, of course, but I decided that if I could explain a subject lucidly and precisely enough for me to understand it, then my congressional audience certainly should be able to understand it as well. Sometimes I failed; more often than not, I succeeded.

I review this very ancient history to explain that what follows is an artefact of my efforts to learn something new and different. When I decided it was time to leave CRS after spending roughly 30 years in various incarnations on Capitol Hill, I chose to take advantage of my

new-found freedom by learning something about the counterparts of Congress in other regimes that can make a creditable claim to being called democracies. I was curious to learn more about how other national assemblies, operating in different constitutional contexts, worked in both theory and practice.

I soon realized that Australia would be the ideal venue to begin the next stage of my education. So I was extraordinarily fortunate to secure the support of the Australian-American Fulbright Commission and the J. William Fulbright Foreign Scholarship Board, enabling me to spend six months of 2002–2003 in Canberra, learning about the Commonwealth Parliament. While in Canberra, I was equally fortunate in being invited to enjoy the hospitality of Parliament, where I was a Fellow in the Department of the Senate, and of the Australian National University, where I was a Visiting Fellow in the Political Science Program of the Research School of Social Sciences.

In addition to giving me an unbeatable opportunity for what Richard Fenno has called research by ‘soaking and poking’—poking around Parliament House and soaking up as much as I could—I also was able to do a lot of ‘picking’—picking the brains of an impressive array of scholars and parliamentary officials, all of whom were surpassingly generous in sharing their time, knowledge, and insights. What follows is an extended essay on what I learned while in Canberra and from the additional research I was able to do both before and after my visit there. It is my attempt to explain to myself what I learned, in the guise of explaining it to you.

One of the first things that struck me as I began to study the Australian Parliament was the quantity and quality of communication between political scientists and political practitioners. Senior parliamentary staff have taken time from the demands of their daily work to think and write about the health of Parliament as an institution and about its place in the Australian constitutional system. From the other direction, some of Australia’s political scientists ask themselves important questions about Parliament and then write about those questions in terms that are both interesting and intelligible to Parliament’s members and staff. For example, I encourage interested readers to explore the Senate’s *Papers on Parliament* series, available electronically at www.aph.gov.au/senate/pubs/papers.htm. It is difficult to imagine American political scientists and political practitioners on Capitol Hill in Washington finding such common ground, or even making the effort to look for it.

I believe that an author should have clearly in mind the audience for whom he or she is writing. When I began to write what eventually became this book, I anticipated that my primary audience would be in

the United States. If I am typical of American ‘experts’ on Congress, I expect that most of them know little or nothing about the Australian Parliament. When I started writing, it was with the hope that at least a few students of Congress would come to share my opinion that there are an intriguing array of similarities and differences between the two institutions, and that, in any event, Australia’s Parliament is a fascinating place to visit, even if only vicariously. For American readers, therefore, this book is my way of offering them the fruits of the visit I was able to make—of sharing with them what I have learned and what I think it means.

I realized that there might be little in these chapters that is not already well-known to practitioners of parliamentary government in Canberra and to Australian political scientists with a special interest in Parliament. On the other hand, I also came to realize that there was no single book devoted solely to explaining essential facets of Australia’s Senate and that was written with a general audience in mind. Although it might seem presumptuous for a non-Australian to try to fill that gap, I prefer to think that my initial ignorance of the subject has proven to be an advantage. In trying to explain the Senate to myself, I have had to start at the beginning and assemble the pieces of the puzzle in what, to me, is a logical, intelligible order. I hope that approach will make this book interesting and digestible to Australian readers who may not have thought very much about their Senate, as well as to readers in the United States or elsewhere.

Writing with two audiences in mind has been a challenge. I have included some references and comparisons intended to help American readers better understand some aspects of the Australian political system. When I was trying to understand cricket, I found it very useful to read an explanation that emphasized the game’s similarities and differences with baseball. What works for cricket may work for politics as well. In turn, I also have included some references to ways in which the Parliament in Canberra resembles or differs from the Congress in Washington. These comparisons may help Australian readers understand why some aspects of their parliamentary practices are particularly intriguing to an American observer.

Except where my readers felt that my meaning would be unclear to Australian readers, I have used American spelling and grammatical conventions throughout. Australian readers also will note that I sometimes have used American rather than Australian nomenclature. For example, I refer to those elected to the House of Representatives (but not to the Senate) as ‘Members’, as Australians and Americans both do, and also as ‘Representatives,’ as Americans do but Australians do not. In other instances, I adopt both Australian and American

usages—for example, by referring to a motion being moved (Australian) or offered or proposed (American). In addition, I capitalize certain words in some contexts but not in others. For example, I capitalize ‘Representative’ when referring to someone elected to the Australian or the US House of Representatives, but not when referring to someone serving in an unspecified representative capacity. Similarly, ‘House’ is capitalized when used as an abbreviation for ‘House of Representatives,’ as is ‘Member’ when used as an abbreviated form of ‘Member of the House of Representatives’ or ‘Member of Parliament,’ or ‘Member of Congress,’ but not, for example, when referring to a member of a committee or some other collectivity. I also capitalize ‘Government’ when referring to a specific ministry such as the Hawke Government, but not when referring to the government of Australia or the institutions of government in a broader or more generic sense.

In some of the chapters to come, I have quoted others frequently and sometimes at length. I have done so for three reasons. First, some of the books and articles on which I have relied are not likely to be widely available in the United States, so my quotations will give American readers some sense of the richness of this body of work. Second, Australian political analysts and political scientists usually write with a clarity and grace that is less often found in the work of their American counterparts. If an author already has made a point or an argument more elegantly than I could, I have chosen to let the author speak for himself or herself. And third, much of what I have to say is largely, though not entirely, my exposition of what I have learned from what others already have written. By quoting instead of paraphrasing, I am able to give credit where credit is due.

Readers will observe that this book has been published by the Department of the Senate, which pleases me greatly. But I am certain that everyone in the Senate—from the President, Senator Calvert, and the Clerk, Harry Evans, and on through the ranks of Senators and all those who work in and for the Senate (and, without any doubt, everyone associated with the House of Representatives as well)—would want me to emphasize that, in the pages that follow, I am speaking only for myself. The Senate has not endorsed the contents of this book, and it should not be assumed for a moment that any Senator or Senate officer necessarily agrees with any particular statement in it.

My first debt is to the good people of the Australian-American Fulbright Commission—Mark Darby, Judith Gamble, Melinda Hunt, and Sandra Lambert—not only for the Fulbright Senior Scholar Award which made my research possible, but for their continuing kindness during my time in Canberra. Without a little help from my friends—Alan Frumin, Charlie Johnson, Barbara Sinclair, and Steve Smith—I

could not have hoped to receive the Fulbright award. I happily express my appreciation to Professor Marian Sawyer and to Mary Hapel of the Political Science Program of the Research School of Social Sciences at the Australian National University for welcoming me as a Visiting Fellow and allowing me access to the resources and, even more important, the people of the RSSS and the ANU. Ken Coghill, Murray Goot, and John Hart also made important contributions to my education. My sojourn in Canberra would not have been possible without the cheerful support and assistance in Washington of Elizabeth Rybicki, Brian Merry, Mark Wigtil, Wendy Wigtil, and Ruth Widmann, who provided the umbilical cord that kept me connected. I am grateful to them all; my gratitude to Elizabeth is boundless.

Any errors of fact, analysis, or interpretation in what follows are my responsibility alone, of course. They would be far more numerous and much more serious, however, if not for the generous assistance of so many people in the Senate and outside, whose knowledge of the Senate and the Parliament exceeds mine by orders of magnitude and decades of experience, and who have been so willing to share with me their wisdom and advice. At the ANU, my friends John Uhr and Ian Marsh have been unstinting in their encouragement, support, and sound advice throughout this enterprise, from its inception to its completion. They have been my professors. In the Senate, Harry Evans, Anne Lynch, Rosemary Laing, Cleaver Elliott, Wayne Hooper and Kay Walsh, and Scott Bennett in the Parliamentary Library, all cheerfully undertook the laborious task of reading parts or all of this manuscript and improving it in countless ways. For their helpful comments, I also thank Elizabeth Rybicki, Marian Sawyer, Campbell Sharman, and former Senator Michael Macklin. I will borrow a delightful comment that J.A. La Nauze made in the preface to his *The Making of the Australian Constitution*. La Nauze (1972: v–vi) wrote that his colleague, Geoffrey Sawyer, ‘most cheerfully gave me instruction, but it was not necessarily in his power to give me understanding.’ One thing I do understand, though, is how much I owe to all of my teachers at both institutions.

I wish I knew how to express adequately my gratitude to all the wonderful men and women at Parliament House whose kindness and hospitality far exceeded anything I could have imagined before I arrived in Canberra. If I were to try to identify them all by name, the list would go on and on, and I still would commit serious sins of omission. So let me ask that my expression of appreciation to Ian Harris, Clerk of the House, and Robyn McClelland, Clerk Assistant (Table), extend to all their colleagues in the Department of the House of Representatives who welcomed me so warmly and shared with me their time and insights. And in the same manner, let me hope that everyone in the

Parliamentary Library and especially its Information and Research Services will understand that when I thank June Verrier and Judy Hutchinson for all their help and support, I mean for my thanks to flow to all of their colleagues as well.

Most important, of course, have been everyone in the Department of the Senate who welcomed me, helped me with my work, and made me feel at home. Never in my professional life have I encountered such a fine group of people all working together in the same place. I hope none of them will feel slighted when I express my profound thanks collectively to the officials and members of the Clerk's Office, the Procedure Office, Black Rod's Office, the Committee Office, and the Table Office. Finally, there is the mob in SG49 of the Senate wing whom I always will cherish as friends: Wayne Hooper, my host, my friend, and the godfather of this book; Kay Walsh and Rebecca Eames, who devoted so much time and care to bringing it to fruition; and (strictly in alphabetical order) Sarah Bannerman, Amanda Bennett, Sue Blunden, David Creed, Amanda Hill, Irene Inveen, Margaret Lindeman, Janice Paull, David Sullivan, and James Warmenhoven. When I have forgotten everything that I have written here, I will continue to remember them fondly.

All these people share a dedication to the Commonwealth Parliament and an interest in improving public understanding of what the Parliament, and especially the Senate, is and what it does. If this book is useful in that regard, then I shall be satisfied, because I will know that I have been able to offer some small repayment for the hospitality and kindness I was shown during my days in Canberra.

Stanley Bach
Canberra and Washington
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