

Australian Parliamentary Democracy: One Cheer For The Status Quo

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Everyone is familiar with the quip that, in the relevant hands, the difficult takes a few moments and the impossible a little longer. I am, today, going to attempt the impossible, and if my timing is correct it should take me about 45 minutes. The impossible feat in question is to provide a defence of the *status quo* in our parliamentary institutions — to argue that, contrary to appearances, things in our political institutional life are in tolerable shape. I am going to argue that much of the current criticism of our parliamentary institutions rests on a picture or pictures of democratic political process that are either extremely remote from political practice anywhere or deeply implausible, or both.

I am going to make this argument, though, in the face of strong intuitions to the contrary. In other words, to make my case in a coherent way is, if not exactly impossible, at least a considerable challenge. And I want to start by conceding something to the critics of the *status quo*.

Some time ago I saw a television documentary account of a high school class visit to Parliament House. Parliament was not sitting at the time, so the class went down to the House of Representatives and played out being politicians. This involved dividing itself into teams, arraying themselves on the benches, and then proceeding to hurl invective and insult across the Chamber (with the occasional 'the Honourable Member' thrown in for theatrical effect). They worked themselves up into a fair lather — spittle and perspiration mingled in a kind of frenzy of verbal warfare. It was not an elevating spectacle. And I found it deeply disturbing. You might, of course, think that one could not expect much subtlety from uninitiated schoolkids — that one would expect them to focus on the specious and not see through to the real process of deliberation, argument and persuasion that our deliberative assemblies really produce. Of course, what the kids acted out was pretty much what they saw in the media, and the media focuses pretty exclusively on the more theatrical dimensions. However, I thought they *did* act out with a fair degree of accuracy what the TV snippets show. And, far from not seeing beyond this to the subtle essentials of parliamentary process, perhaps, as kids are wont to do, they just told it how they saw it — and, like the fable of the emperor's new clothes, focussed our attention on what is, after all, crucial.

If we were to attempt a defence of parliamentary procedure as we know it, what would we say? It seems entirely clear, after all, that the two central pieces of parliamentary process — parliamentary debate and the parliamentary vote — are exercises in total pointlessness. Take the vote first. Within a tight party system as in Australia, it is almost unheard of for representatives to cross the floor and vote for the other side — even when they are known publicly to oppose their own party's position (as with a notable Western Australian parliamentarian on the *Mabo* legislation recently). If no-one ever crosses the floor — and if there are deals between members so that even absenteeism cannot affect the vote — then parliament is virtually a dictatorship of the majority party, all that bell-ringing and stuff is just a piece of theatre and the vote itself is a pointless ritual. And if this is so of the vote it must be no less true of parliamentary debate. No-one is ever persuaded by anything the other side says or, if they are, it does not make any difference. Indeed, it is not even clear who the audience is really intended to be. Perhaps compelling representatives to speak is just a way of monitoring whether various representatives are keeping up with their briefs. Or perhaps, like so much else in our institutional life, it is a kind of habit borrowed from the House of Commons — where, incidentally, with a much larger assembly, backbenchers (particularly Tory backbenchers), cross the floor fairly routinely and there is always a chance, at least in principle, that the government might be defeated on specific measures. But, in the Australian case, the question as to the *point* of our parliamentary procedures is a fair challenge — and the purely theatrical answer that the school children I mentioned played out seems to me to be an entirely fair answer.

Among academic commentators, for example, there seems to be widespread agreement that most parliamentary systems, and the Australian most notably, fall way short of any ideal of responsible democratic government. And the cause of the inadequacy is also a matter of widespread consensus: the problem is seen to be the party system, and in particular the adversarial *two*-party system, at least where party discipline is iron strong, as in the Australian case. I cannot here, of course, *demonstrate* that consensus, but it may be useful for me to offer a couple of illustrative quotations:

The reality of modern Australian government no longer accords with the traditional theory of responsible government. Disciplined political parties have placed the running of parliament in the hands of the executive. Governments relying on their parliamentary majorities have been able to sidestep responsibility for governmental acts.¹

We argue that parties weaken the already strained notion of representation. We go on to develop the view that liberal democracy is under threat from parties and party government.²

All this establishes the context of what I want to say this afternoon. What I want to do is put before you a more or less coherent picture of what our parliamentary system is, and to contrast that picture with two rival pictures both of which make some claims on our

1. Summers, J., *Parliament and Responsible Government in Australia*; in Woodford, D., Parkin, A. and Summers, J. *Government, Politics and Power in Australia*, Longman Cheshire, Melbourne, 1985, 22.

2. Kukathas, C., Lovell, D., and Maley, W., *The Theory of the Politics: An Australian Perspective*, Longman Cheshire, Melbourne, 1990, 121.

ethical attention but neither of which, I shall want to argue, represent a good basis for thinking about reform. The picture that I shall endorse is not a heroic one. It engenders only 'modified rapture', as W.S. Gilbert put it. That is why there is only one cheer — not two.

But I think it is important to have a coherent picture of what we have, and one that shows the status quo in its best possible light. I do not say this for reasons of natural conservatism, but rather on grounds of a kind of 'intellectual charity'. By this I mean that one should always engage the arguments or propositions or theories one aims to criticise in terms of the *best* defence that can be made of them: that procedure serves to test the strength of your criticism. To focus on your opponent's case at its weakest point may be good politics but it is bad intellectual morality. And I think much the same goes for social arrangements that one finds one dislikes. Moreover, having a clear picture, both of what one has and of conceivable alternatives, is I think an aid to clear thinking, and I advance my remarks this afternoon in that spirit.

So to my three pictures.

The first picture is that of what I shall call parliament as 'forum'. Within this picture, the chief activity of parliament is *discussion*. The discussion in question is conceived as revolving around the attempt to identify the true public interest and the actions that government might take in order to promote the public interest in specific circumstances. The discussion is, in other words, disinterested and deliberative. Just as in an idealised university seminar — say, one on macro-economic policy — individuals come together to debate rival views as to the appropriate specification of policy targets in terms of inflation, unemployment and the like, and the appropriate choice of policy instruments to influence these in the right way, so members of parliament may be conceived as coming together in the same sort of spirit of inquiry. The process of deliberation will, so the story goes, lead to a convergence on a view that is more likely than otherwise to approximate to the truth of the matter.

On this view, parliament is valued to the extent that it provides an institutionalised context — literally a forum — for discussion of the right kind, and a means of translating the outcome of deliberation into policy, law or whatever. Parliamentary procedures, on this view, are to be judged against the criterion of promoting effective deliberation.

Now, certain things are clearly presupposed in drawing this forum picture of parliament — that there *is* a 'true' public interest to be discovered by deliberation; that parliamentarians are disposed to discover it and having discovered it to act to implement it; that they are appropriately equipped for these tasks of discovery and implementation; and that the process of debate on the issues will indeed lead to a convergence to a common mind that does indeed approximate the true public interest. This is an idealistic picture; but the nature of the idealism, centred as it is around the role of democracy in promoting and empowering discussion and deliberation, is clearly one that has considerable intuitive appeal among democratic idealists. It is a picture that in modern times is most naturally associated with the writings of Jurgen Habermas and Bruce Ackerman.³

3. See, for example, Ackerman, B. *Social Justice and the Liberal State*, Yale University Press, New Haven, 1980.

The second picture I want to offer is that of parliament as a 'committee of representatives'. The centre piece of this picture is the parliamentary *vote*. The vision here is that proposals come before an assembly whose members vote to decide which proposals will prevail and which will not. A critical requirement of the assembly is that it be *representative*; that is, that it be a reproduction in miniature of the larger polity. There is no necessary presumption that representatives are impelled by considerations of the public interest. They may simply vote their own perceived personal interest. It is the voting procedure itself that transforms the individual interests of the representatives (and, therefore, of the population at large) into a social decision.

Representation of the relevant type may take either of two forms — associated with the classic notions of delegation and trusteeship. The representatives may, on the one hand, explicitly represent special interest groups and see their role as that of delegates for the special interests they represent. This is essentially a corporatist vision of democracy. Alternatively, they may simply pursue their own interests, in which case it is the contingent fact that the distribution of interests across representatives mirrors the distribution across the represented that provides the democratic justification.

Debate in such a 'representative committee' parliament would not be aimed at convergence to a common view, so much as at providing information on the subject at hand in order that each representative can clarify her own view and vote accordingly. Indeed, debate here is strictly inessential: representatives may, for example, have alternative sources of relevant information, or their vote may already be determined prior to the beginning of any debate. What is essential within this conception is the parliamentary vote itself, because this reveals the balance of views within the parliament and by extension, within the polity.

Before sketching the third picture, I want to emphasise a couple of aspects of the first two pictures. First, let me say that I believe one or other of these pictures underlie most common criticisms of current parliamentary process. One reason I think this is so lies in the fact that both pictures are uncomfortable with the phenomenon of parties. Clearly, on the forum view, political parties would have no proper role since all parliamentarians are equally striving for political truth: disciplined political parties could only interfere in such a process by restricting the ability of parliamentarians to speak their minds. In the 'representative committee' case too, disciplined political parties must impose undesirable limitations since the hope is that all views will be fairly represented: parties can only serve to constrain votes along predetermined party lines. Of course, parties may — will normally — subsume a variety of interests, but the function of parliament specifically in giving those interests *independent* representation would be essentially undermined.

But if both these pictures allow no room for political parties, they are also deeply ambivalent about the role of popular elections. In both cases, the primary function of elections will be to select parliamentarians. Now, on the forum view, we want parliament to be populated by the wisest and the most clear-thinking citizens — persons capable of discerning the truth and devoted to its pursuit. It is hardly self-evident that popular election will provide the best, or even a plausible, way of selecting such persons. Plato thought they ought to be bred and trained from birth. The Chinese used to use a competitive examination in Confucian theology. Perhaps selection by an elected body,

much as the judges of the High Court are selected, would be one way to go. But simple, popular election? It does not sound too promising.

Equally, on the representative committee view, we would want to select so as to approximate as closely as possible the distribution of political opinion in the polity as a whole. We might do this by stratified selection — as in the corporatist model where representatives of salient groups in society are explicitly put together (Franco's Spain would be one example) or by purely random sampling of the population at large (as, more or less, for jury duty). But popular election hardly seems a reliable mechanism for such selection. In any event, my point is not that these two models are necessarily *inconsistent* with popular elections — just that popular elections are nothing more than an *incidental* feature of parliamentary process in these first two views.

Which brings me to my third picture — that of 'parliament as political *prize*'. The basic idea here is that control over the parliament is a prize awarded to the winner of an electoral competition, and it is the process of electoral competition itself rather than the details of parliamentary procedure that is central to the whole democratic process. In particular, attention should be directed to the way in which electoral competition determines political outcomes. Of course, parliament, and parliamentary procedures, may still play some role — perhaps in allowing the continuous public display of the policy platforms of both government and opposition — but such roles are likely to be of a second order of importance. The primary concern is with the question of how the broader electoral process works to constrain policy platforms, both *ex-ante* in terms of electoral promises of rival candidates and *ex-post* in terms of keeping the promises once elected and keeping things running tolerably well in the interim.

The image of political process involved in this third view of parliament is obviously somewhat analogous to that of market process, and it is an image that in recent times has been associated with economists and with the application of economic ideas to politics (that is, with Public Choice theory and 'rational actor' theory more generally). On this view, voters are rather like consumers in a marketplace; they desire policies from the government and they vote for those policy packages that they prefer. Candidates or political parties are analogous to firms: they bid for custom by offering policies in competition with one another. In this way, electoral competition is analogous with market competition: politicians can be construed as offering alternative bids for office (like competitive tenders for a construction job) and the bid that is most preferred by the electorate is successful. The object of political institutions in this setting is to ensure that the citizen voters actually get what they most want — the object is to secure efficiency in the political market.

To the extent that electoral competition simulates market competition, public choice scholars identify three desirable properties that electoral process exhibits:

- it provides citizen-voters with genuine choice;
- it provides politicians with an incentive to modify policy platforms by reference to the preferences of voters, and to fulfil their policy promises when (and if) elected; and
- it provides politicians with information about citizens' preferences.

These three 'desirable' properties tend to go hand-in-hand with a particular view of the essential *problem* of politics. This 'problem' is that politicians are always tempted to exploit political power for their own ends — ends which may be narrowly venal, or more broadly defined in terms of particular (unshared) conceptions of the political good. Citizen-voters are vulnerable to political coercion; and information about citizens' political preferences is scarce and relatively easily manipulated. These three aspects of the problem combine to form a non-idealist, or sceptical, view of politics, political power and its abuse. The problem of politics is seen to be that of delegating power over oneself to an agent or agents that cannot fully be trusted. Accordingly, the role of political institutions is to provide mechanisms which will 'bend politicians' interests to the service of duty'⁴ and attempt to 'make good ministers even of bad men'.⁵ In achieving these ends, electoral competition is crucial because it constrains the ambitions and interests of would-be governors, and constrains them in a direction that reflects citizens' interests — at least in so far as those interests are expressed at the ballot box.

The critical question then for analysis in this 'public choice'/ 'economist' tradition is whether political competition does indeed work as market competition does. There is a huge literature on this subject, much of it concerned with the properties of majority rule as an aggregation device. By this, I mean specifically that a majority can be endlessly reconstituted using different coalitions of interests. The problem can be illustrated by the example of dividing \$100 among three entirely selfish persons; there is clearly no outcome such that we cannot find another which is preferred by a majority. An equal division is defeated by a fifty-fifty split between any two; which is in turn defeated by the appropriate sixty-forty split in which one of the earlier coalition members gets the sixty and the other nothing. And so on and so on. The central political problem in the public choice lexicon is to design institutions that suppress the possibility of this 'majoritarian cycling'. Interestingly, political party is one such institution. Electoral competition between two rival parties under reasonable conditions *will* generate a stable equilibrium at the median of the preferred points of the individual citizen voters. This is clearest in the case where the positions can be arrayed along a single spectrum — say, a left-right ideological one — but also applies under reasonable conditions for the case where voters' preferences can only be arrayed along multiple dimensions. In this sense, political parties, by restricting the process of endless reformulation of coalitions among various interests, aids in the good working of electoral competition.

But parties perform another important role in that competitive process. Effective competition requires both that political rivals be able to both offer credible policy packages, and be able to be held accountable for their delivery. By a credible policy package here, I mean one that candidates can plausibly deliver if they win the election. This is important since it is on the delivery of the promised package that the victor will be judged in future elections. It is, in fact, critical that each candidate offer a program that allows performance in office to be monitored and evaluated.

We now see a further distinction between this view of politics and the 'forum' and 'representative committee'. If candidates are elected to parliament under either of the

4. A.Hamilton, The Federalist Papers, No.72.

5. Lord Bolingbroke, in The Craftsman, 28 February 1730.

alternative models of parliament, it is by no means clear how their performance as parliamentarians can be assessed by the electorate. If the candidate's mandate is simply to deliberate, or to vote, how can electors monitor performance and decide appropriately when the time for re-election comes around? On the 'prize' view of politics, candidates make policy commitments and may be judged by the extent to which their actions fulfil those commitments. And, of course, a candidate can only be so judged if winning the election empowers her to implement that policy package. In other words, the winner of the election must be identified as the government with effective control over the legislative and policy making process. The test is clearly met if the elected candidate is an all-powerful president; but it is also met if the elected candidate is a dominant party. However, the test is not met if the candidates are individual members of parliament who are not held together by party ties. In that case, all that each winning candidate can credibly promise to do is to vote in a certain way in the parliament, without any commitment to bring any particular policy into practice.

On this view, both single presidents and political parties have the potential for credibility. The question naturally arises as to whether there is anything to distinguish between a presidential and a party system. An answer to this question arises from the requirement that political actors must have an eye to the future in order for the electoral constraint to bind appropriately. Presidents must come and go: parties, by contrast, can go on forever. Presidents in their final term of office, or approaching retirement, are effectively released from the electoral constraint and may pursue interests of their own. The same may seem to be true of party leaders in similar situations, but here the continuity of the party will impose the required discipline. Provided that a majority of the party's members of parliament will fight the next election, that majority will still feel electoral constraint and will impose it on the party as a whole through internal voting procedures in the party room. Parties are always susceptible to the electoral threat — even if some individual party members are not. On this count, then, political parties are to be preferred to presidents as potentially credible candidates for office, since parties will fall more fully under the discipline imposed by popular elections.

The view of politics in which parliament is essentially a prize offers, then, a relatively straightforward account of the roles of political parties and elections. These roles are broadly positive in that parties provide the mechanism for credible and long-lived political agents without which electoral competition could not operate effectively. There are, of course, many aspects of the processes of electoral competition that deserve elaboration — and some of them have negative implications. I do not have time to elaborate here on these negative aspects — the dark side of the force, as it were. I can, though, refer interested people to my recent book *Democracy and Decision* (with philosopher Loren Lomasky) in which they play a central role.

Instead, I want to return to the question of *parliamentary process* under the parliament as prize view. Clearly, parliamentary process is to be seen as part of the broader electoral process. This is most clearly seen in connection with parliamentary debate. The relevant audience in parliamentary debate should not be construed as the parliamentary members (as in the forum view) but as the wider citizenry. The role of the opposition is to interrogate the government and offer its alternative views to that wider citizenry as a salient and practically relevant alternative. If the government can rely on making anodyne policy statements without the possibility of retort, the requirement to make public statements would be a diminished one. Of course, it might be possible to imagine

that the role of governmental interrogator be played by a vigorous and independent press corps, but it appeals to economists to give the role of interrogator to those who stand to benefit most directly from any exposure of governmental weakness: the opposition has the right incentives to ask the tough questions.

Moreover, the opposition also plays the role of alternative government. The process of debate, in particular, the role of the opposition in debates, ensures that the public is always informed about the alternative to the present government. That is, the alternative is always conspicuous and salient. Even if it has no real power, the opposition receives considerable prominence under current arrangements so that the ongoing political debate is easily seen as a continuation of electioneering by other means. This is in sharp contrast with the United States presidential system where losing candidates rapidly disappear from sight: there is no alternative president except during popular elections. In the Australian system — and others based on political parties — each party is constantly jockeying for position in the race for the next election, and this constant jockeying process extends the constraining role of electoral competition. The continuing debate between parties in the parliament is, then, aimed not at influencing the votes of members of parliament — which are already committed — but at the general public via the media. If much of what goes on in parliament has an air of theatre and seems more designed to catch attention than to inform — if, in short, it has more of the quality of a TV commercial than of a seminar on social policy — we should not be too surprised. The comic opera of exchanged insults that regularly enlivens the TV news is presumably exactly the sort of thing that will secure the attention of many voters. The overall effect of politicians clamouring for attention may not be particularly elevating — but it is only a cause for rank despair if we mis-identify parliamentary process as *the* central element of democratic political process. If parliament is perceived instead as a not altogether useless piece of popular theatre, with the real political game being mainly played out elsewhere, then serious and intelligent reform efforts can be focused on the relevant 'elsewhere'.

All of this may appear as an unduly cynical view of parliament and the parliamentary process. It need not be so interpreted, and is certainly not offered as such. My central point is that parliamentary activities should be seen in the context of a plausible model of the overall political process in a parliamentary democracy. Only in the context of such a model can the significance of specifically parliamentary activities be assessed and the possibilities for institutional reform examined. I reckon that a necessary test of plausibility in this connection is the capacity to account for the centrality of general electoral processes within parliamentary democracy, including specifically the role of political parties. The parliament as prize model sketched here is, I think, such a plausible model, and one that helps us to see parliamentary practice in an appropriate, and appropriately diminished, light.

The model contains little that is unfamiliar. My object is not to provide a *startling* picture — merely one that accommodates most of what actually goes on. In that sense, it represents a good point of departure for thinking about reform. As a model, it may muster only one cheer. But it is a better basis for thinking about these things than more heroic alternatives, however appealing they might be as notional ideals.

Questioner — I found implicit in your talk a piece of advice. The advice is that those of us who are concerned to make government operate better, to get more deliberative

decision making going, ought not to focus on the floor of parliament, but ought to address ourselves to the place where most decisions are probably made and where consensus is most likely to emerge as a result of deliberation. I suspect that that place is probably in the committees. So for those of us who are trying to get better use of policy information, better deliberative decision making and decisions made in what we have broadly defined as the public interest, should we be focusing on committees rather than politicians in parliament?

Professor Brennan — No, I do not actually think that the committees are a place to look to for this sort of thing that I have in mind. I would see the committee system as being much more a model of the forum than I would of the parliament as prize. As I have indicated, I think there are elements of the forum in parliament, obviously. The problem with ideal types is that they are ideal types. I see the committee process as being a kind of evasion of what I think is the main game in town, which is the determination of policy platforms within parties, within the party room, and the presentation of that to the electorate. So I would not see committees as being the source of salvation of democratic politics.

Questioner — I like to regard government as all the people in parliament, and their freedom to cross the floor as absolutely essential and vital, because if we have not got a government that can change the balance of a decision we have not got a democratic process. Those men are elected still to represent the people of their constituency. Although it is not happening, that is intended to be the motive, and I believe it is still true.

The other point I would like to raise is the terrific injustice done to the general public by the manipulation of the media, who sometimes not only mislead wilfully but also omit very wilfully and skilfully — and now the media include influential academics. I find that taxi drivers are a very reliable mentor.

Professor Brennan — I certainly would not want to deprecate the taxi drivers — or support academics for that matter. I will talk about the first thing that you raised. If you believe in — and I think many people do have this in the back of their minds — a model of politics as a representative committee in which the freedom of people to cross the floor is not just an incidental kind of notional ideal that is never effectuated but something that is a part of standard parliamentary practice — you ought to feel very depressed indeed about parliamentary practice.

I also believe that the freedom to cross the floor is important. But I think it is important much more as a fail-safe device than it is as part of an ongoing democratic procedure. The truth of the matter is that most of the action is done in the party room; that is where policies are thrashed out. Of course, if things went wildly astray, the option as a kind of insurance policy device for parliamentarians of good conscience to cross the floor would be a useful device. It does act as a constraint in that sense.

I do not think the fact that nobody ever crosses the floor — it very rarely happens — should necessarily be construed as a failure of that constraint. It may actually be proof of the fact that it is working fairly well. However, having said that, the idea that the government is representative of all the people and that we ought to have or conceptualise

government as an ideal government in which parties have negligible influence is actually a mistake. As I have tried to argue in this paper, I think it would be inimical to the processes of larger scale electoral competition, which I see as central in the whole panoply of democratic institutions.

Questioner — How would your model of the electoral process of competition between policies which the different parties are putting forward accommodate the tendency in recent politics in Australia for a party which has no policies, or does not want to declare its policies until after the election, to be more successful in practice? Similarly, the Prime Minister does not say things like, 'We were elected to put into place various policies'. He says, 'We were elected to govern', which seems to carry with it the idea that it was elected to make up policies after it got into parliament.

Professor Brennan — I think this goes to the question of the relative weight of promises versus performance in the evaluation of the ruling parties by voters; that is an open question. It may be that voters will say, 'Right, here are rival tenders and we will bid for the one that we like the best'. In this case, it is crucial to put up policy, but it may also be that a substantial part of the evaluation is ex-post: 'These were the guys that were in last time; they built us some very good bridges, so we will let them continue to build bridges'.

I do not think the model of parliament as prize necessarily generates very clear presumptions one way or the other as to whether the better strategy in particular cases is to announce the whole policy platform first or to stand on one's record. Both are in play and, as I said, it does not seem to me that you would have to offer a very well-articulated policy platform in order to get elected. But, of course, if voters are prepared to elect members on the basis of that kind of trust, they will punish them if they do not deliver, and that is a central part of the democratic system.

Questioner — Given that we accept your assertion that parliament is a prize — the evidence for it is overwhelming — could the whole thing be done a lot more cheaply by simply electing sufficient members to form a government and a shadow government and — excuse me for saying so in this place — abolish the Senate completely?

Professor Brennan — I am a great fan of bicameralism actually. I do not want to air too many unpopular views in the one day. I concede that if you were fanatic about electoral competition you might think the Senate was a bad thing, since it does in some sense inhibit the capacity of elected parties to deliver on their promises. But, on the whole, it is part of a sceptical tradition in politics, of which the parliament as prize model is one kind of articulation, that the capacity to constrain the party of the day in a variety of ways is a good thing. The idea that one's own members might cross the floor is one such constraint.

We have actually lucked into a system in which the party composition of the House and the Senate is almost invariably going to be different, and I think that is a great thing. Over the recent past — not the immediate recent past, but over the last 10 or 20 years or so — on the whole, the Senate has been a force for sense and a constraint on the wilder aspirations of governments. My information is that if you compare us with New Zealand we may have moved more slowly but perhaps more surely than it has.

Questioner — I have two questions: one big one and one little one. First, the big one. I have read earlier versions of the model you have put forward. What has kept me on tenterhooks throughout that process is the question of whether your model is intended as a prescriptive one or as a descriptive one. In other words, putting it the other way around, is it simply claiming to be the most apt description of the essential elements of what actually happens in the parliamentary game, or is it put forward as an indication that, if the parliamentary game goes on being played according to those rules, it is the best of all possible worlds? That is the big question: prescriptive or descriptive?

The little question relates to the median voter theorem. For example, if the theorem went on continuously being true for some time, the policies of at least the main parties would be brought so close together that it would leave the voters with no real alternatives; a situation that we think we are closely approaching at the present time. How would you deal with that?

Professor Brennan — They are good questions. In relation to the difference between descriptive and prescriptive, of course all economists believe madly in — in fact value — distinctions. I certainly do not want to give the impression that what we have is the best of all possible worlds. But I do think that any prescriptive model ought to take proper account of what we have and where we are going. I think there is an economist's professional disposition against idealist and reformist moves which take no account of feasibility, in particular, or where we are going.

So I do not want to offer my model as a model of prescription in the sense that it is supposed to show the world as it ought to be. But you are right to push me on this because it is a model which has two elements in it. One is that it is supposed to be a model of a general picture of what we have, but seen in its best possible light.

I am really concerned about this question: what are the central bits of the Australian democratic parliamentary system? If we recognise certain bits as being central, we will focus our reformist energies on those bits and not on sideshows. The sideshows can cause one cynicism.

As I said when I began, I was deeply depressed when I saw these students because it seemed to me that implicitly they were treating our sacred parliamentary institutions with total contempt — and I was suggesting that perhaps they were right to do so. But, when I think of the alternative models in play, the images that drive one's anxieties about that, they involve elements that I would not seek to discard. The main game is as I have described it, and one's reformist activities ought to be focused on that main game; that is, making electoral competition more effective and, in the light of what we have, seeing what other constraints there are or what the worst dangers are and putting fail-safe mechanisms in place.

With regard to the median voter theorem, there is an interesting question here about two kinds of things. Firstly, why do policies diverge at all? There is an explanation for that because in the standard formulation the median voter model assumes that the only thing that motivates parties is a desire to be elected, whereas there is no doubt that parties are also motivated by independent ideological considerations, and there are good reasons why that should be so.

There is a second question and I do not know if this is what you were thinking about. Sometimes when we talk about choice we think it is very important for the electoral processes to generate real choice — that the party positions be different so that individuals can indeed exercise choice. I come to that question with an economist's predisposition, thinking that, if both parties are led, one might say, as if by an invisible hand to coalesce on something which is stable and close to being ideal — that is, if the institutional forces are such that that is how parties are constrained — the fact that there does not appear to be any choice because there is no difference in the tenders that are offered is not necessarily a cause for anxiety. There are rival tenders in a perfectly competitive market and the bottom tenders may all be very close to one another. The fact that the institutional structures have pushed all those tender prices down to the bare minimum may be regarded as being a good feature of the processes and not necessarily an undesirable one.

Questioner — Having regard to what some regard as the clear-cut differences between the Senate and the House of Representatives, would you agree that your three pictures are not exhaustive but there is at least a fourth and possibly a fifth and sixth picture that could well have been drawn? Secondly, having regard to Kate Carnell's view that the Australian Capital Territory Legislative Assembly should operate more collegially, does it follow from your views that you regard that as either not practical or not desirable or as neither practical nor desirable?

Professor Brennan — They are very good questions. There is certainly an abundance of pictures that might be drawn. It is also arguable — although it would take more time — that there are elements of all three pictures in our actual parliamentary institutions and that maybe there is something to be said for those elements — the committee system and so on — where different models are relevant.

But the three pictures that I have sketched are sufficiently different in what they see as being central and in what they require in terms of institutional support — for example, the role of the party system, elections and so on — that I think one could too easily say, 'Yes, we have the best of all possible worlds' because we have a combination of all my three pictures. I do not know whether or not the Senate represents a fourth or a fifth picture and what the essential features of that picture would be. Other pictures might be drawn.

My answer to the question about being more collegial is yes, it might be feasible, but if it were feasible it might not be desirable. Within my frame, which is generally sceptical about the exercise of power, there are common interests that politicians have; often those common interests are at the expense of the citizenry. Just as we defend the adversarial system in the criminal justice system — some people think it is not a good system; I actually think it is a good system on the whole — I think the adversarial system in politics is a good system because I believe in competitive processes, I suppose. That is a general predilection I have; I think that belief is well grounded. When politicians get together and make life comfortable for themselves I think that is the model of the monopoly cartel. We know something about the way in which monopoly cartels operate and whose interests are expended when those cartels are in operation.

Questioner — I wish to draw out some of the subnormative implications of what you said. Most of what you said seems to be defensive of the role of parties in democratic politics. If that is so, do you have any views on the best type of party system, especially in terms of the number of parties? A number of things that you said seem to be in defence of the two-party system. Is that the best, or should there be a three- or four-party system with the possibility of governing coalitions and changes in governing coalitions, or should there be a party system with a larger number of parties?

In turn, that relates to the question about the median voter idea. I think it is well known within that model that in a party system with a large number of parties, the parties can take positions very much away from the median position in terms of carving out niche markets. That can be seen in Australia today. The policies of the Democrats are quite different from the median position of the major parties.

Professor Brennan — That is a good question because it is clear that the logic of the position that I have developed here is that the two-party system is best. When there is a large number of parties, surprisingly very stable coalitions form and cement and accountability is undermined. The three- or four-party case can also be a recipe for instability. There is much to be said for the two-party system and in some ways our institutions ought to be designed to bolster the two-party system, as indeed I believe they are. Our form of electoral process — the single-member electorates and so on — are implicitly or otherwise supportive of the two-party system. I actually think that is a good thing.