

## Can Senate Committees Contribute to 'Social Learning'?

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This paper assesses the potential of Senate committees to contribute to 'social learning'. Social learning involves the contribution of political processes to the understanding of policy issues amongst relevant participants, including legislators, public servants, ministers, interest groups, the media and the broader community. This paper focuses particularly on interest groups and social movements. It reports the findings of a survey of organisations that were invited to give evidence before Senate committees in the parliamentary year 2000/01. The survey sought to establish the impacts of participation on the groups and their assessments of this mode of inquiry.<sup>1</sup>

The inquiries fell into three broad categories: *strategic or emerging issues* (eight inquiries), *scrutiny and oversight* (six inquiries) and *legislative hearings* (eleven inquiries). A questionnaire was circulated by mail and responses were received from 142 groups or 45 per cent of the total. The questionnaire is too large to reproduce here: copies are available from the author.<sup>2</sup> An identical questionnaire was used some years ago to survey groups participating in House of Commons Select Committee

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<sup>1</sup> Twenty-five inquiries were covered and together they took both oral and written evidence from 316 groups. Details of the inquiries and the number of groups who gave evidence are listed at Appendix 1.

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inquiries—so these present results can be contrasted with (albeit much earlier) British findings.<sup>3</sup>

Three threshold issues concern the idea of social learning, present systemic capacities to promote this activity, and the role of groups in the policy making system. These issues are explored in the first section of this paper. The second section discusses committee outreach to interest groups. The third section discusses committee impact on interest groups. The fourth section contrasts these present findings with those found in a parallel survey in the United Kingdom. A concluding section explores the capacities of Senate committees to contribute to social learning and interest aggregation.

### **Social Learning, Interest Aggregation and Senate Committees**

This section sketches the case for considering the potential of Senate committees to mediate social learning, particularly in the strategic phases of the policy cycle and particularly in relation to interest groups. The connexion between institutions and social learning has attracted increasing scholarly interest in recent years. This is for both theoretical and empirical reasons. The theoretical reasons include the renewal of institutional theory and with it, recognition that ideas mediate both continuity and change, albeit by different means. The empirical considerations derive from the decline of norms of authority associated with traditional hierarchies, office or expertise. Consent, which requires persuasion, is increasingly the ground for collective action. The following paragraphs summarise an argument developed at greater length elsewhere (Marsh 1995, 2005; Marsh and Yencken, 2004).

Social learning involves the impact of institutional processes on the way issues are understood by key protagonists. Its normative genesis is in the democratic ideals of consent and deliberation. Its empirical genesis lies in studies of processes that progressively seek to accomplish these outcomes. Initial attitudes held by many protagonists are assumed to be based mostly on relatively unreflective or narrowly-based considerations. Exposure to a wider array of perspectives can induce the development of views and indicate ways in which apparently differing approaches can be accommodated. Further, all the parties to such a process can ‘learn’. Elites, like legislators, ministers and bureaucrats have the opportunity to listen to a wide cross-section of community views. Community organisations have an opportunity to hear the perspectives of ministers and departments as well as of other organisations that might hold different views.

Of course, in a process of political exchange agreement is only one means, and by no means the most important means, by which participants become reconciled to a proposed course of action. Accommodation can be based on a variety of grounds apart from agreement, for example: issue transformation; log-rolling; compensation; conditional acceptance subject to review of consequences within some specified period; acceptance of the procedure as fair even if particular parties disagree with the substantive outcome; and acceptance because there is a chance to reverse the outcome another day. These are all the normal devices of democratic politics.

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<sup>3</sup> See Table 1 below, and Ian Marsh, *Policy Making in a Three Party System*. London, Methuen, 1986: 151–181.

Parliamentary committee inquiries can represent a particularly valuable vehicle for advancing these processes. Committees draw on the prestige and power of parliament. Committees have the power to require evidence from departments and, if sufficiently funded, they can commission independent research and assessment. Parliament is the primary setting for 'government by discussion'. Committees allow members to investigate issues on their merits, free of immediate partisan preoccupations. This is particularly the case with issues that are relatively distanced from current partisan controversy. In the Australian case, committees of the Senate are particularly attractive vehicles for enquiries. This is because of the Senate's co-equal powers with the House of Representatives and its constitutional role as a House of Review.

The potential of committees to contribute in these ways deserves more attention. This is because of wider changes in the political system. As social class has declined as a predictor of political attitudes, attention has shifted to the 'learning' and 'teaching' potentials of other political institutions. This is emphasised in the current turn to institutional theory (e.g. North, 1990; March and Olsen, 2005; Campbell, 2004). Each variant—sociological, rational choice and historical—attributes causal significance to ideas (e.g. Blyth, 2002; Denzau and North, 1994). But these approaches can differ in three significant respects: first, in their treatment of preferences; second, in their categorisation of the ideas that have causal power; and third, in their assumptions about the calculus of choice that guides protagonists.

For example, sociological analysis includes the formation of citizen preferences amongst the outcomes that are to be explained and focuses on the causal power of ascriptive ideas (i.e. those concerning identity, roles etc). By contrast, rational choice theory takes preferences as given and focuses on the instrumental ideas that mediate exchange (March and Olsen, 1995; Goldstein and Keohane, 1993). For its part, historical institutionalism also makes preferences endogenous but emphasises the contingencies of path dependence and institutional structure in framing citizen choices. In this perspective, and as a result of historical experience, different patterns of ideas will have causal power in different institutional settings. Its explanations draw on sociological and rational choice conceptions as well as on more general narratives (e.g. Schon and Rein, 1994; Steinmo et al., 1992; Campbell and Pedersen, 2001).

Meantime, Zaller (1992) offers a fourth perspective on how, in a political system, new ideas and values contest an established conventional wisdom and come to transfigure public opinion. His study of the formation of public opinion explores the processes through which the views of competing elites (sectional interests) come to frame and shape the formation of public opinion more generally (for a bottom-up approach see also McAdam, McCarthy and Zald, 1996; for a general empirical account, Yankelovitch, 1991).

How effectively does the present two party, adversarial structure facilitate social learning? First, at least in the case of the Australian political system and over recent years, systemic capabilities have weakened in several three areas, namely strategic policy capabilities, interest aggregation and broader public education. I have developed this point extensively elsewhere (e.g. Marsh in Saunders and Walter, 2005). As a consequence, the present policy development structure has very limited

capacity to mediate social learning. Two developments have caused this outcome: first, changing roles of major political parties; and second, the differentiation of community attitudes.

The literatures on political parties and electoral trends speak to the key structural changes. The former is concerned with the changing roles of major parties. It is salutary to recall V.O. Keys' 1964 enumeration of the contributions of the major political parties to general systemic capacities through their electoral and organisational roles:

Parties in the electorate:

- Simplifying choices for voters
- Educating citizens
- Generating symbols of identification and loyalty
- Mobilising people to participate

Parties as organisations:

- Recruiting political leadership and seeking government office.
- Training political elites
- Articulating political interests
- Aggregating political interests <sup>4</sup>

The recent literature on political parties traces their evolution from mass to catch-all, 'electoral-professional' and most recently to cartel patterns (Mair, 1997). Unlike mass parties, cartel party *organisations* have no or very limited roles in two key policy-making areas: agenda setting (strategic policy development—what V.O. Keys included in articulating political interests) and interest aggregation. Unless functionally equivalent capabilities have developed elsewhere in the political system, this change in the role of the party *organisations* will have diminished overall systemic capacities. It is clear that the major party *organisations* have largely jettisoned their former roles in strategic policy development and interest aggregation. Further, there is no evidence of the development of functionally equivalent capabilities elsewhere in the system (e.g. Keating, 2004; Keating, Wanna and Weller, 2000).

Meantime, the recent literature on voting draws attention to the increasing role of cognitive factors in citizen choice. Various studies trace the decline of expressive attachments amongst citizens and the increase of voter distrust of mainstream parties. Party labels or 'brands' are a much less powerful cue of voter decisions. Voter choices are increasingly influenced by cognitive considerations. These changes in electorates are reflected in the titles of recent studies: *Critical Citizens* (Norris, 1999), *Parties Without Partisans* (Dalton and Wattenberg, 2000), *Disaffected Democracies* (Pharr and Dalton, 2000), and *Democratic Challenges, Democratic Choices* (Dalton, 2004). In Australia's case the number of citizens with weak or no party identification has increased from 25 per cent in 1967 to nearly 60 per cent in 2001. Inglehart's (1990) identification of post-materialism provides only a partial explanation for these trends. The turn away from the major parties is much more widely based.

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<sup>4</sup> Cited in Russell Dalton and Martin Wattenberg, *Parties Without Partisans: Political Change in Advanced Industrial Democracies*. Oxford, Oxford University Press, 2000: 5.

The systemic implications of these changes in major party organisational roles and in the decision-calculus of citizens seem to have been insufficiently recognised. In the absence of functionally equivalent capabilities elsewhere in the formal political system, overall systemic capacities will have diminished. This brings us to the third step in the argument. A decline in systemic capabilities would not be a problem if, as the neo-liberal program foreshadowed, the role of the state had itself significantly contracted and citizen expectations of what the state ought to or can do had significantly declined.

Despite various changes over the past decade or so, the proposition that the role of the state has diminished either in substance or in the expectations of citizens cannot be sustained. Public expectations concerning the role of the state remain high (surveyed in Wilson et al. 2005). Meantime, at a substantive level, the need for capacities to identify strategic issues, aggregate interest groups and seed the development of public opinion more broadly has, if anything increased (Keating, 2004). The foreshadowed agenda arising from the Productivity Commission Review of National Competition Policy Reforms (2005) emphasises this. The areas cited for action include health, education, the environment, housing, nursing home funding, disability services etc. These all involve complex stakeholder networks, cut across federal-state relations and are likely to be a focus for political controversy.

These prospective developments focus attention on the state's capacities to set an agenda, mobilise stakeholders and, more generally, to perform a mobilisation, engagement and opinion-forming role in particular policy systems. The state also needs to lead broader community understanding and commitment on major international and domestic issues (e.g. Wesley, 2003). Diminished strategic and interest aggregating capabilities are hardly consistent with the effective performance of these tasks.

In addition, the expansion of the domestic social agenda in recent years (to include, for example, the environment, women's issues, indigenous issues etc) creates more complex interdependencies and spillovers between policy domains. Coordination capacities should have developed to match these more challenging requirements (e.g. Keating and Davis, 2000). Mega-departments represent an administrative response. But capacities to articulate and aggregate interests have barely developed. Outreach capabilities remain basically unchanged. Recent scholarly literature has introduced the image of a network state to capture the segmented and differentiated character of the contemporary polity (Rhodes, 1997). In this mutation, power is more diffused than in the former hierarchical model. Power asymmetries between protagonists can vary depending on the issue, the context, the relevant resource(s) and so on. The term governance has gained currency as a reflection of the more complex linkages between state, supra-state and non-state actors in processes of policy design and implementation. But at its core, the network image reflects the erosion of overall steering and linkage capacities.

In assessing the contemporary context for policy making, the incidence and standing of interest groups and social movements is critical. These intermediary organisations have proliferated. Interest groups and social movements have become an increasingly significant focus for citizen attachments and, despite the efforts of some political leaders, their advocacy and policy-making roles remain substantial. Public choice

theory offered a generally malign interpretation of their influence and this has been one basis for political campaigns to weaken the role of groups, particularly the trade unions and particularly in the Anglo-American world (e.g. Olson, 1982). However, if governments have been more effective as change agents than was predicted by the 'capture' notions of public choice theory, groups too have proved durable actors in policy processes and essential participants in them. The number of protagonists on any issue has multiplied. W.J. McKenzie's assessment of their significance, now four decades old, remains as a classic statement of their systemic role:

I have suggested that any explanation of the democratic process which ignores the role of organised interests is grossly misleading. I would add that it is hopelessly inadequate and sterile in that it leaves out of the account the principal channels through which the mass of the citizenry brings influence to bear on the decision-makers whom they have elected. In practice, in every democratic society, the voters undertake to do far more than select their elected representatives; they also insist on their right to advise, cajole and warn them regarding the policies they should adopt. This they do, for the most part, through the pressure group system.<sup>5</sup>

These varied considerations together suggest the timelines of investigating how capacities for strategic policy development and interest aggregation and for strengthening the broader public conversation about strategic issues might be refurbished. What forums might be appropriate? I have reviewed the array of potential candidates elsewhere.<sup>6</sup> Summits represent one possibility. They may be effective as the capstone of a more extended process. However in themselves, such events are too short to allow for the necessary development of views. Meantime, public inquiries are generally too distanced from decision processes to stimulate the development of public or interest group opinion. Other mechanisms such as task forces and interdepartmental committees are also too distanced from interest groups and from ultimate decision-making authority. The media are currently the most prominent conduit in many of these processes. But the media are too limited in their capacities and too aligned to commercial imperatives to be the predominant vehicles for public and interest group social learning (e.g. Katz, 1998). The media are important disseminators and gatekeepers of the public conversation but they cannot sustain attention to issues over protracted periods or stimulate active processes of social learning. Meantime, commercial imperatives often orient them to colour and controversy rather than to facts that are pertinent but sober and dull.

Committees of the parliament on the other hand are ideally positioned to fill gaps in these processes. They are the only bodies with (potentially) equivalent formal standing and legitimacy to that of ministers. They can attract media attention, call ministers and bureaucrats to account and generally mobilise the resources of the state in ways available to few other actors. They have direct access to the legislature and

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<sup>5</sup> Cited in Jeremy Richardson, 'Pressure groups and parties: "a haze of common knowledge" or the empirical advance of the discipline' in Hayward, Jack, Barry, Brian and Brown, Archie, eds, *The British Study of Politics in the Twentieth Century*. Oxford, UK, Oxford University Press for the British Academy, 1999.

<sup>6</sup> See *Beyond the Two Party System: Political Representation, Economic Competitiveness and Australian Politics*. Melbourne, Cambridge University Press, 1995: 232–233.

can, within a more plural or consensual regime structure, deploy the prestige and authority of parliament against the executive. In particular, in the Australian context, the Senate is ideally positioned as a potential committee house.<sup>7</sup> This is the reason for considering the potential contribution of the committees of that chamber. Indeed its committees acted as agenda gatekeepers and contributed to interest aggregation in other phases of Australian political development, particularly before the development of the ‘strong’ two party system.<sup>8</sup>

What would constitute evidence of the capacity of committees to contribute to overall systemic capabilities for strategic policy development, interest aggregation and broader opinion formation? An empirical study, based in the present adversarial structure of politics, is necessarily limited in scope. Evidence of committee potential could nevertheless be derived from their activities on two planes. One concerns the effectiveness of committees as actors in broader policy processes. Here evidence of their capacities to identify appropriate topics for inquiry, conduct effective inquiries, reach well-developed findings, explore the scope for at least partial cross-party agreement and engage the media would all be relevant. In particular, to demonstrate strategic capacity, there should be evidence of a focus on emerging issues, of capacities to assess and synthesise diverse evidence and of capacities to reach at least partially cross-party findings. This present paper does not attempt to gather this evidence. Rather, it focuses on the potential of committees to contribute to the aggregation of interest groups.

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<sup>7</sup> Referring to the consequential adjustments that might be made if ministers withdrew from the Senate, David Hamer wrote:

The answer would be to give the chairs of major committees the status, salaries and rewards of ministers, for they are, or should be, at least as important. There would have to be some control of the number of senators who would receive such rewards. A figure of half the number of ministers in the House of Representatives would seem fair, for this is about the proportion of Senate ministers under the current system (and p. 374) The chairs would be divided among the various parties on a pro rata basis, so that the chairs would owe their position, not to who was in government, but to their standing in the Senate. David Hamer, *Can Responsible Government Survive in Australia* 2nd edn, Canberra, Department of the Senate, 2004: 370.

<sup>8</sup> See Marsh, 1995, Chapter 8. Parliamentary committees also played a critical role, before the development of mass parties in the UK in the nineteenth century, in seeding public education about critical social issues:

After 1820 ... Select Committees were used with a regularity and purpose quite without precedent. It is difficult to overestimate the importance of this development. Through session after session, through hundreds of inquiries and the examination of many thousands of witnesses a vast mass of information and statistics was being assembled. Even where (as was uncommonly the case) the official enquiry was in the hands of unscrupulous partisans, a sort of informal adversary system usually led to the enlargement of true knowledge in the end. A session or two later the counter-partisans would secure a counter exposition of their own. All this enabled the administration to act with a confidence, a perspective and a breadth of vision which had never hitherto existed. It had also a profound secular effect on public opinion generally and upon parliamentary public opinion in particular. For the exposure of the actual state of things in particular fields was in the long run probably the most fruitful source of reform in nineteenth century England. Oliver MacDonagh, *Early Victorian Government, 1830-1870*, New York, Holmes and Meir, 1977: 6.

In particular, it probes the capacity of committees to identify and engage groups, to stimulate their internal enquiry and policy development processes, to stimulate linkages between groups and between groups and other actors in the political system (including coalition building and information exchange). It also explores the standing of Senate committees in the eyes of groups.

### **Senate Committee Outreach to Interest Groups**

For the purposes of analysis, the twenty-five Senate inquiries were divided into three categories covering strategic issues, programme and agency oversight, and assessment of legislation.

Strategic inquiries covered issues at the frontier of public debate. Eight inquiries were of this kind. These included such matters as Australia's response to Greenhouse and Kyoto, appointments to the ABC Board, the radiation hazard posed by mobile phones and the administration of higher education. One hundred and ninety-three interest groups gave oral or written evidence to these inquiries. Replies to the survey were received from 87 of these groups, a response rate of 45 per cent.

The scrutiny and oversight category involved six inquiries. These covered such issues as the enforcement of the superannuation guarantee charge, fees on electronic and telephone banking and the fate of the IT strategy in the Australian Public Service. Sixty-eight groups gave oral and written evidence to these inquiries. Replies were received from 22 of these groups (response rate 33 per cent).

Finally, legislative hearings reviewed the provisions of bills. This involved eleven inquiries covering issues such as financial services reform, interactive gambling and regional forests agreements. One hundred and fourteen groups gave evidence to these inquiries. This represented 31 per cent of the total of groups. Replies were received from 33 groups (a response rate of 29 per cent). This means coverage extends reasonably across all types of inquiries and the response rate approximates this distribution.

The degree of engagement of groups has been influenced by the way parliamentarians have assessed their role. Anecdotal evidence suggests most senators do not see outreach to groups as an important dimension of inquiries. This latter consideration has influenced the way committees engage groups. Most committees prepared a circulation list for notification of individual inquiries. Unlike their House of Commons counterparts, they have not cultivated on-going relationships with the groups who are stakeholders in the area of the each committee's remit. The pattern of inquiries is insufficiently consistent in relation to departments or subjects to warrant the maintenance of routine lists. The approach of the Australian committees is much more ad hoc and much more subject to day-to-day political exigencies.

Outreach to groups is formally by advertisement in major metropolitan dailies. However, responses to the survey show this was a relatively less important source of engagement. On the contrary, 56 per cent of respondents (79 groups) responded to a direct contact from committee staff. Press advertisements were the second principal source of participants. Forty-three respondents (30 per cent) learnt of the inquiry by this means. Two other categories were each the source of 13 per cent of participants.



These were 'general reports or gossip' (18 respondents) and industry/interest group newsletter or website (16 respondents). This finding suggests the very considerable importance of committee awareness of the relevant policy network or interest group community. It also draws attention to the capacity of committees to mobilise interests. This is potentially an important responsibility of committee staff.

The range of groups engaged covered a wide cross-section. It included well-resourced business umbrella organisations such as the Business Council of Australia, Australian Bankers' Association, or the Australian Mining Industry Council and relatively smaller and more specialised sectional bodies such as the Lone Fathers' Association. Groups representing environmental, welfare, trade union, women, indigenous, professional, scholarly, shareholder and a variety of other interests and concerns were all represented. Evidence was also taken from think-tanks and from university research bodies. Most groups gave evidence to only one inquiry. However, some of the national organisations such as the Australian Council of Social Services, the Australian Conservation Foundation or the Businesses Council figured in several.

Finally, five groups indicated they had lobbied for establishment of the inquiry on which they subsequently gave evidence. These inquiries constitute a particularly interesting group since they highlight not only the agenda-setting role of groups but also the 'gatekeeper' potential of committees. It would be particularly instructive to isolate both the effects of the experience on their social learning and on their views concerning the 'standing' of committees. This present study lacked the resources to pursue this inquiry.

In general, committees have demonstrated a capacity to reach widely and deeply into interest group and stakeholder networks and, at least in some cases, to register and respond to interest group pressure.

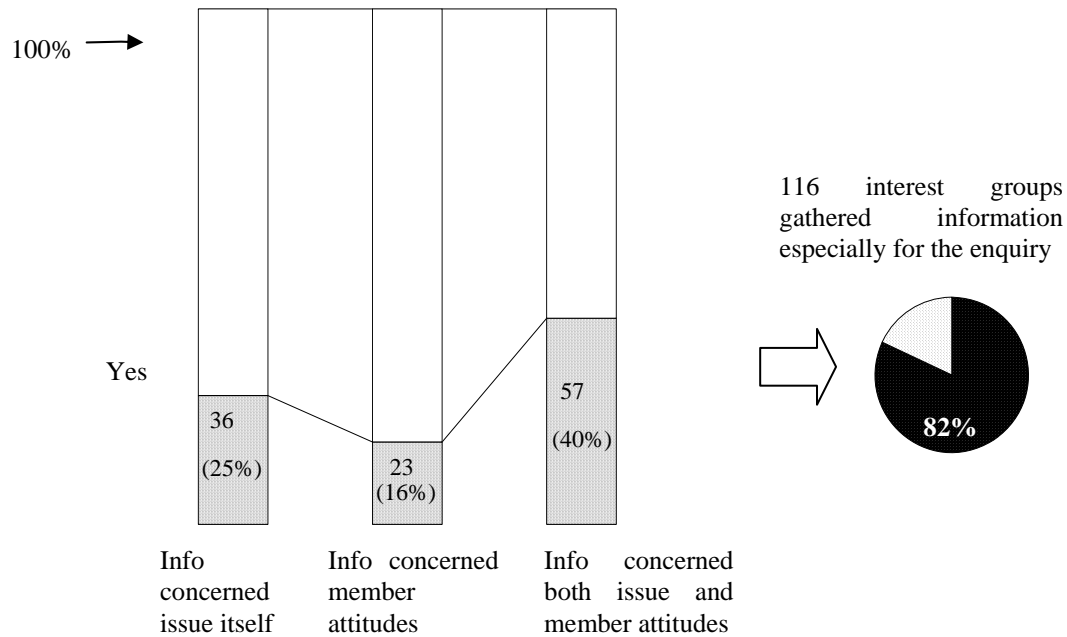
### **Senate Committee Impact on Interest Groups**

The survey of interest groups sought to establish their experience and attitudes in four areas: first, preparation for the inquiry; second, their experience of the inquiry itself; third, their reaction to the Senate Committee report; and finally, their overall evaluation of the process.

The survey first sought to establish whether preparing for the enquiry led the interest groups to engage in some special, non-routine action (see Figure 1). Such activity is the starting point of social learning. One hundred and sixteen groups or 82 per cent of respondents gathered information especially for the inquiry. Respondents were invited to indicate whether this concerned member attitudes and/or the issue itself. These involve quite separate assessments: in the case of attitudes to the issue itself, an analytic and deliberative process is required to develop opinions and arguments; in the case of member attitudes, an outreach process or evaluation to determine viewpoints is the necessary mechanism. In fact, a significant proportion of respondents (57 groups or 40 per cent of respondents) said their special information-gathering involved both dimensions. Thirty-six groups or 25 per cent of the respondents said their information-gathering only related to the issue itself and 23 groups (16 per cent) said it only related to member views.

**Figure 1 : Impact of inquiry on information gathering**

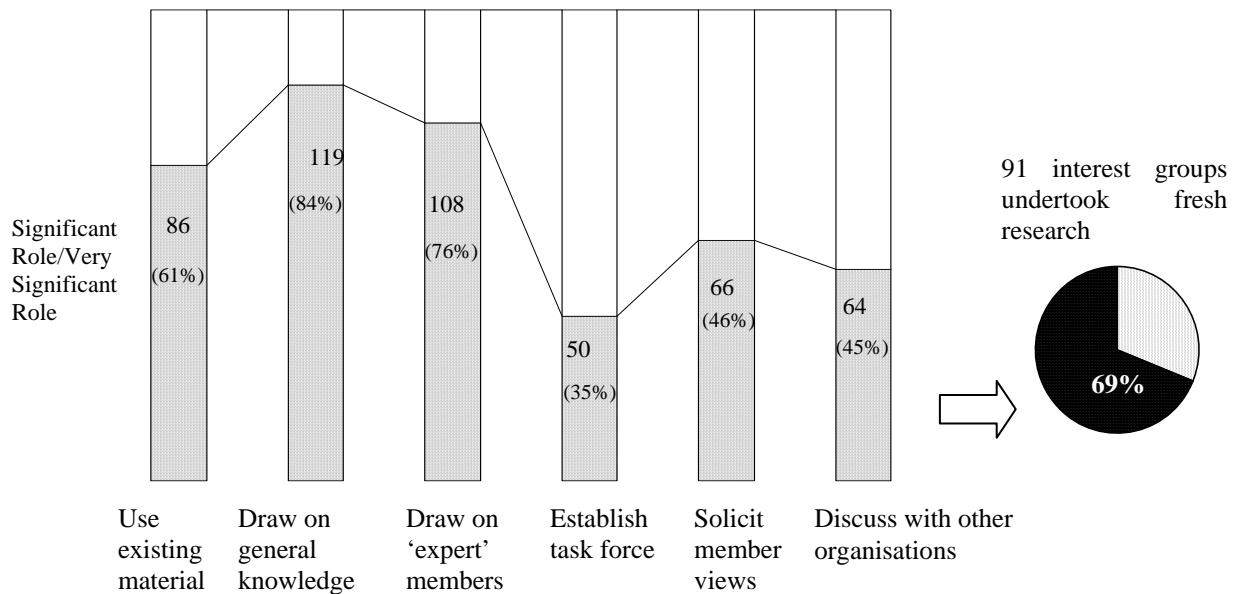
100% = 142 responses



*Question: Was the information gathered concerned with :*  
*The issue itself?*  
*Member attitudes?*  
*Both?*

The questionnaire then sought to establish what interest groups did in preparing for the inquiry (Figure 2). Sixty-nine per cent of respondents (91 groups) undertook fresh research. The questionnaire asked the groups to indicate which of six research approaches they adopted. Further, groups were asked to indicate whether they regarded the research approach as having played an important, very important or minor role in framing their organisation's position. The results reported the sum of the 'very important' and 'important' responses. Two approaches do not indicate any significant extra research effort: these involved recycling existing material and drawing on general knowledge of the issue. The other four choices involved more intensive analytic and deliberative activity. These covered: drawing on 'expert' members; establishing a task force; soliciting member views; and discussing the issue with other organisations. This last is a particularly significant activity since other organisations typically represent different perspectives and concerns. Interaction and linkage can seed an expansion of perspective as alternative or additional values, viewpoints and evidence come into sight. By such means, approaches can develop and awareness of potential solutions can expand. The grounds for accommodation can amplify from the binary agree/disagree to include log-rolling, compensation, issue transformation, issue expansion, procedural acceptance, and tactical acceptance and so on.

**Figure 2 : Impact of inquiry on internal research**



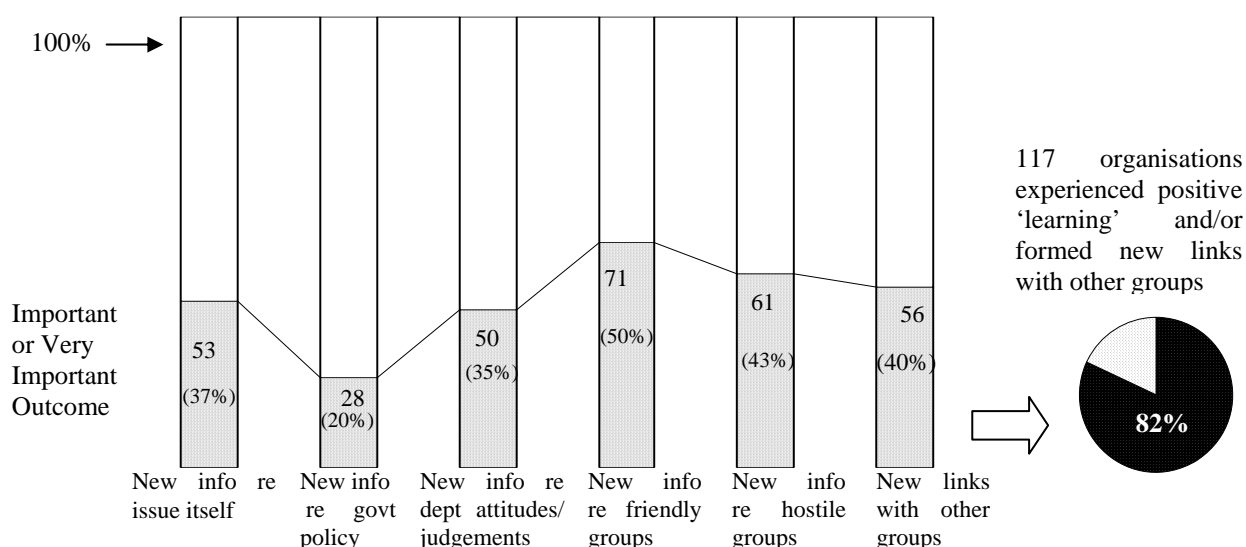
*Question: Please indicate the role of the following actions in preparing for the inquiry. (The questionnaire offered six choices—establish internal task force; circularise members inviting views; consult informally with selected members with special knowledge; use material already prepared; draw on general knowledge of existing office bearers; discuss with other organisations. The questionnaire invited groups to indicate the relative importance of these actions.)*

Research for the majority of groups involved both relatively passive and relatively more active approaches. At a passive pole, groups could undertake such activities as draw on existing or general knowledge; at the other more active pole they could take such steps as establish a task force, initiate discussions with other organisations or solicit member views. Ninety-one interest groups (69 per cent) of respondents took one or more of these actions. The single most commonly followed activity involved drawing on general knowledge of the issue. One hundred and nineteen or 84 per cent of the groups in the overall sample said they used this approach. Further, 86 groups or 61 per cent said they used existing material. These results are to be expected since parliamentary committee inquiries will typically only occur after protracted periods of advocacy and lobbying by groups and/or by the executive. In relation to more 'active' approaches, 108 groups (76 per cent) drew on members with expert knowledge, 50 groups (35 per cent) established an internal task force, and 66 groups (46 per cent) solicited member views. These approaches all contribute to social learning since they involve focusing member attention on particular issues. Finally, 64 groups (45 per cent) engaged in discussions of one kind or another with other organisations. For the reasons noted in the preceding paragraph, these linkages can be a particularly important source of social learning.

Another aspect of this process concerns the dissemination of new information to protagonists as a result of their participation in the inquiry. The questionnaire invited respondents to indicate whether this had produced new information about the issue itself and/or about the attitudes of other groups. In relation to the latter, three choices were offered: the issue itself; attitudes of the executive; and attitudes of departments.

In relation to other groups, respondents were invited to indicate whether this concerned the attitudes and approaches of friendly and hostile groups and whether they formed new links with other groups. One hundred and seventeen interest groups (82 per cent) experienced positive learning of some kind or another and/or formed new links to other groups (Figure 3). Of the interest groups who obtained very significant or significant new information, 53 groups (37 per cent) said this concerned the issue itself. Twenty-eight groups (20 per cent) said the new information they obtained concerned government policy. Fifty groups (35 per cent) said it concerned departmental attitudes and judgements. Finally, three choices related to awareness of other groups. Seventy-one groups responded they obtained new information about friendly groups, 61 groups said they obtained new information about hostile groups and 56 groups (40 per cent) said they formed new links with other groups. This is another strong indicator of the potential contribution of committees to social learning. It points to their capacity to intervene in networks and/or contribute to the formation of networks.

**Figure 3: Impact of inquiry on interest group learning and links to other groups**



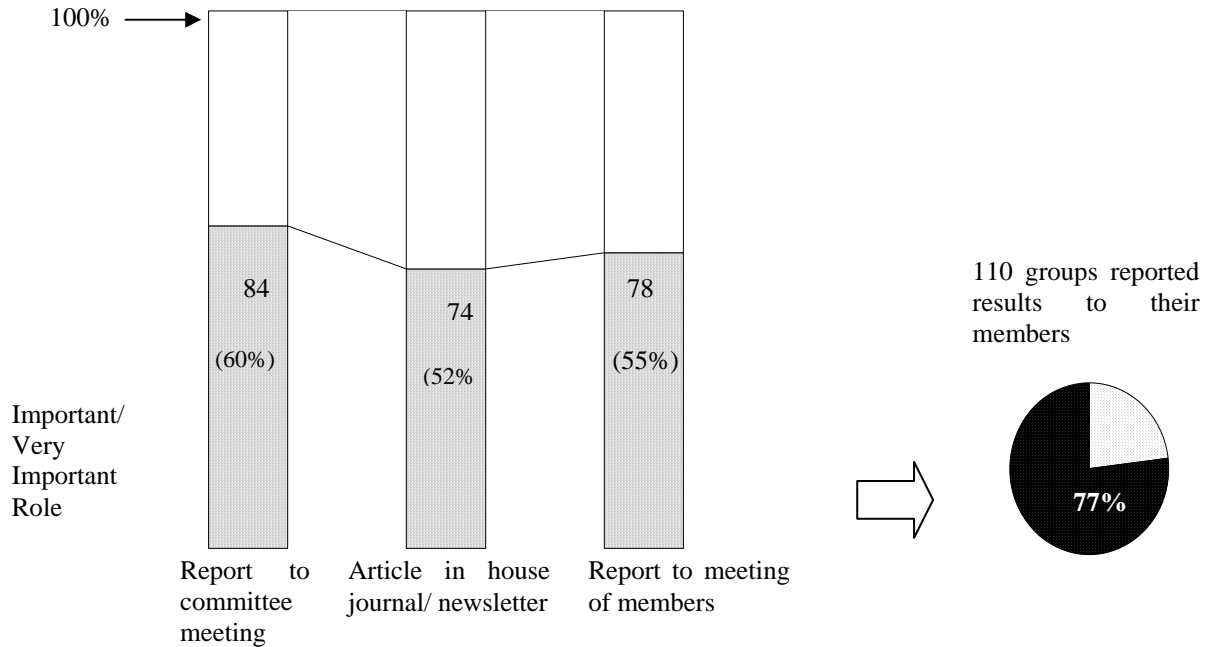
*Question: Please indicate which, if any, of the following outcomes occurred as a result of the inquiry:*

- We obtained new information re issue*
- We obtained new information re government policy*
- We obtained new information re department attitudes/judgements*
- We obtained new information re friendly groups*
- We obtained new information re 'hostile' groups*
- We formed new or strengthened links with other groups*

The survey then sought to establish how interest groups communicated the experience to their members thus contributing to the diffusion of social learning (Figure 4). The narrowest dissemination involved a report to a committee meeting. More widespread dissemination would result from articles in the interest groups' newsletters and/or reports to general meetings. In total, 110 groups or 77 per cent reported the results to their members. Of these, 32 per cent of groups undertook all three activities; 40 per cent two activities and 28 per cent all three. In relation to individual items, 84 groups

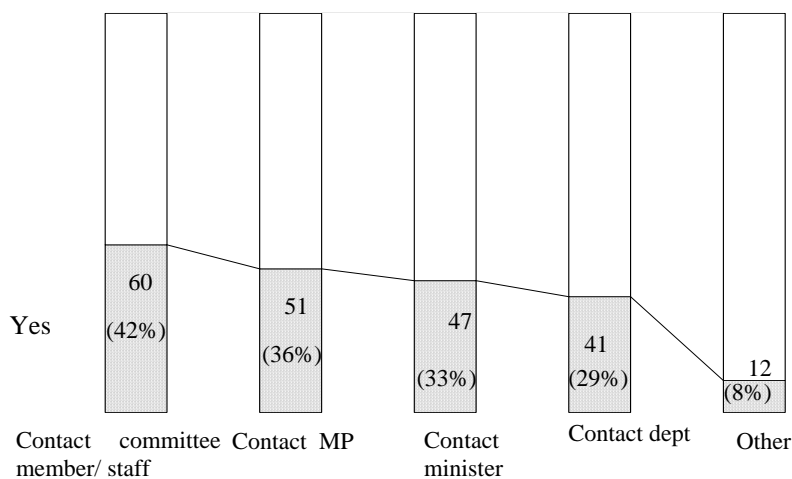
(60 per cent) reported to a committee meeting, 74 groups (52 per cent) reported the results in interest groups newsletters and 78 groups (55 per cent) reported to special meetings of members. Committees could themselves stimulate these processes by preparing special articles and offering them to interest groups for publication. No committees currently undertake such activity.

**Figure 4 : Reporting participation to members**



*Question: Would you please indicate the role of the following actions in reporting back to members (indicating the relative importance):*  
 Report to committee meeting  
 Article in journal/newsletter  
 Report to general meeting

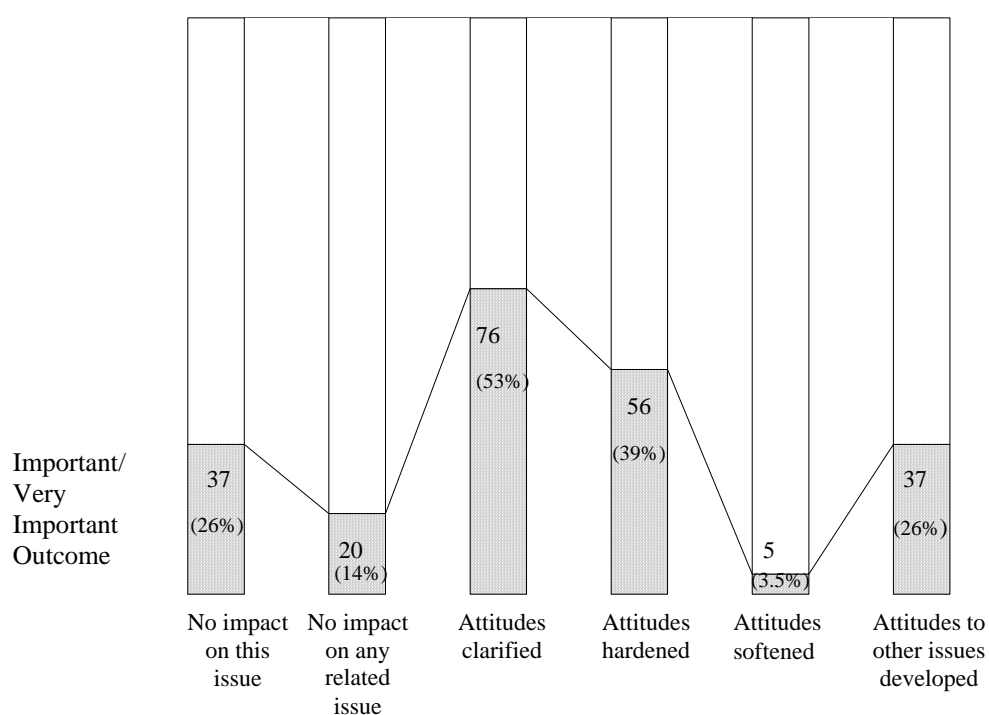
**Figure 5 : Interest group follow-up to committee report**



*Question: Did you take any action as a result of the committee report?*

Eighty-six per cent of groups took some action as a result of the committee report (Figure 5). This reflects the iterative process that characterises social learning, particularly where strategic issues are concerned. The questionnaire offered five choices: contact committee members or staff, contact an MP, contact a minister, contact department. An open choice was also offered. 30 per cent of groups undertook four of these activities, 24 per cent groups three, 26 per cent groups two, and 20 per cent of groups one only. In relation to individual items, 60 groups (42 per cent) contacted committee members or staff, 51 (36 per cent) contacted an MP, 47 (33 per cent) contacted a minister and 41 (29 per cent) contacted departments.

**Figure 6 : Impact of inquiry on interest group attitudes**



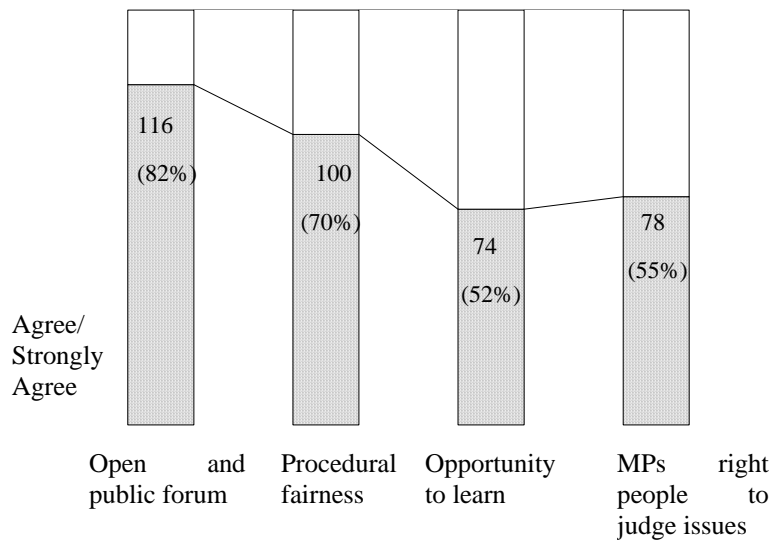
*Question: Please indicate the impact of participation on your attitude:*

- Attitudes clarified*
- Attitudes hardened*
- Attitudes softened*
- Attitudes to other issues developed*
- No impact on attitudes to this issue*
- No impact on attitudes to other issues*

The questionnaire then sought to gauge the impact of the inquiry on interest group attitudes (Figure 6). It sought to establish whether the process had any impact on group views in relation to this or a related issue. It also sought to define the nature of this impact: with respondents asked to indicate whether their views had hardened, softened or been clarified. This is in a context in which the present Senate committees have almost no formal standing in the policy process. Their ability to affect issues either formally or informally is very low. This would not of course be the case in a more plural or consensual policy-making structure. But in the present context it is not surprising that the greatest impact is reported to be a ‘clarification’ of interest groups views (76 groups, 53 per cent). Only 5 groups (3.5 per cent) reported their attitudes had ‘softened’ whereas 56 groups (39 per cent) reported their attitudes had hardened.

37 groups (26 per cent) reported a development in their views on some related issue as a result of the experience. Finally, 37 groups (26 per cent) said the experience had no impact on their views on this issue and 20 groups (14 per cent) said it had no impact on any related issue.

**Figure 7 : Specially valued attributes of Parliamentary Committee inquiries**



*Question: How would you describe worthwhile features of a Select Committee compared with other ways of determining public policy questions?*

*Open and public form makes it preferable to departmental or other private approach*

*Select Committees are fairer*

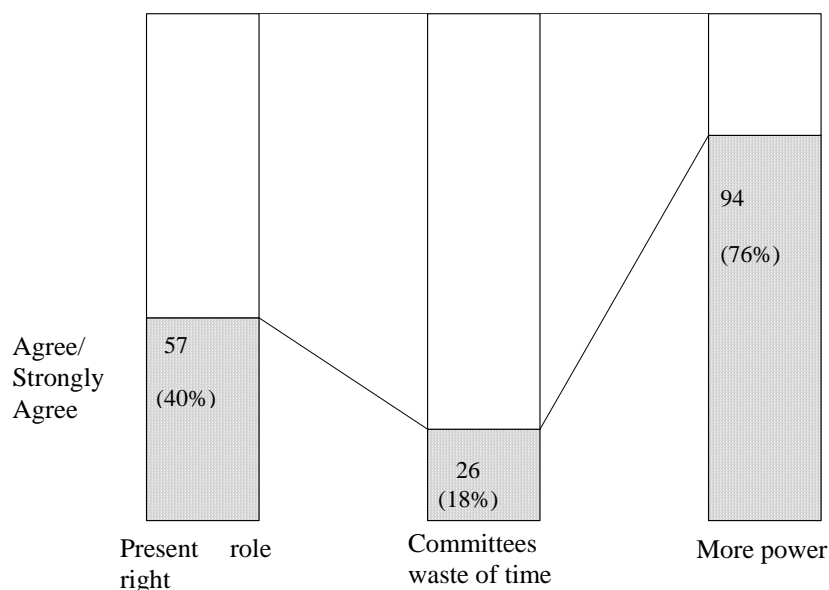
*We learnt more this way*

*MPs are better qualified than civil servants to decide issues*

Next, the survey sought to establish what attributes of Senate committees were especially valued by respondents by comparison with other modes of inquiry into public policy issues of which they had experience (Figure 7). As already noted, committees have very little actual power in the current policy-making structure but they have potentially very considerable latent powers. Further, the financial and staff resources available to committees are very limited, even by comparison with their House of Commons (UK), Canadian or New Zealand counterparts, much less those of the United States. Nevertheless, the views of respondents point to the potential of committees. The two most valued attributes were the open and public forum presented by committees (116 respondents or 82 per cent) and the procedural fairness of inquiries (100 respondents or 70 per cent). Seventy-four (52 per cent) groups welcomed the opportunity to learn provided by committee hearings and 78 groups (55 per cent) indicated they believed members of parliament were the right people to make a judgement about the particular issue. Meantime, of the groups responding positively to this question, 52 groups (37 per cent) agreed with all four options, 38 groups (27 per cent) with three, 36 groups with two (27 per cent) and 14 groups ticked one box only (10 per cent). These outcomes are particularly encouraging from the perspective of the potential of committees to play a more prominent role in strategic policy-making processes.

Written comments covered a wide range of issues. Some affirmed the general points in the question (e.g. ‘Allows detailed exploration of complex issues; allows evidence from people directly involved in issues with specific experience and expertise’). Some criticised the attendance and civility of senators (‘Intimidation of witnesses a bad feature’; ‘Only half the committee turned up; they clearly did not want to hear our views and had an outcome in mind long before hearings closed.’) Some noted the lack of follow-up. Some noted the politicisation of committees (‘Committees have become disturbingly predictable, with majority and minority reports now almost standard on any controversial issue. This reduces the policy-making value of the process.’)

**Figure 8 : Group attitudes to extension of committee powers/role**



*Question: Do you favour extension of the Select Committee powers (indicating strength with choices given)?*

Finally, the questionnaire asked respondents to indicate if they would welcome an extension of Senate committee powers and role (Figure 8). Groups were not given an indication what more extended powers might entail—and anecdotal evidence suggests it is hard for protagonists to imagine another structure of power. On the other hand, committees have themselves attracted more publicity in recent years (e.g. estimates hearings, GST inquiries, Tampa inquiry). So interest groups have presumably become more aware of their activities. Indeed, as noted earlier, Senate committees played a much enlarged role in an earlier mutation in Australia's political system and they currently play much stronger roles in a number of other political systems, such as in New Zealand and the UK. Ninety-four respondents (66 per cent) indicated they would welcome more powers for the Senate committees. A further 57 respondents (40 per cent) said the present powers were about right. Twenty-six respondents judged the process to be waste of time. Positive comments included:

‘Very, very strongly support the bipartisan parliamentary role. The Senate is fulfilling its role.’



'Would like to see the recommendations of committees more binding on governments. Too often, reports are released and their recommendations ignored'

'It was rewarding to see 'the University' in the media spotlight and openly discussed. The process provided an opportunity to shape public debate and 'perhaps' influence the agenda, if not the outcome, as there are so few opportunities to take part in the political process.'

'Parliamentary committees often provide a safety valve for community debate/views.'

'Something is needed to make departments toe the line.'

Others offered negative comments about process:

'I found that the committee panel I addressed showed little respect for witnesses, their presentations or the time and effort on preparing them'

'Presenting was pretty intimidating for many at the session I attended ... less stupid questions from some committee members would help.'

'I would not support greater influence for committees unless they have adequate time, resources and motivation.'

### **Senate Committees, Social Learning and Interest Aggregation**

In assessing the capacity of committees to contribute to interest aggregation, some qualifications are first in order. First, the Senate committees have not sought to focus their efforts on interest groups. Outreach, whilst extensive on certain inquiries, has mostly been ad hoc and unsystematic. All the committees have established procedures to notify at least some interest groups about their inquiries. But no committees have deliberately sought to cultivate interest groups. The committees have not seen impact on interest groups as a significant aspect of their activities, much less a primary aspect. Similarly, some committee chairs have met informally with groups, particularly on major inquiries. But chairs have not seen interest groups as an important target for their efforts. Further, interest groups themselves seem very uncertain about the role of committees. They welcome the access that the committees provide. They generally hold the Senate and its committees in very high regard. But they realise committees are largely impotent in a predominantly adversarial system. Though they see committees as a way of registering views in the political system, the precise role of committees remains ambiguous.

Despite their relative impotence in the current scheme of things, the results of this survey point to the potential of committees to contribute significantly to interest aggregation. This process has normative, substantive and procedural dimensions (e.g. March and Olson, 1995). Interest groups need to believe the system is fair in an abstract sense, that relevant evidence on the issue under review has been adduced and fairly weighed and they need to build their awareness not only of what other members

of the relevant policy network or community think but also of what they are likely to do. This is a serial and iterative process pursued through a variety of forums. But parliamentary committees are uniquely placed to make 'catalytic' contributions, particularly in relation to strategic issues and to interest aggregation and perhaps by these means, also to seeding the broader development of public opinion. Indeed, there is strong evidence of the ability of committees to contribute to the first two of these outcomes.

Recognition of the abstract fairness of this process is reflected in the characteristics most valued by participating groups. Seventy-seven per cent of participating groups specially valued the 'visibility' or 'transparency' of the Senate process and 70 per cent their 'fairness'. Sixty per cent specially valued at least three of the four suggested positive qualities of Senate inquiry processes. The attractiveness of Senate committees to groups is further suggested by the number who favour enlargement of their role, despite the recognition that it is a forlorn hope under the adversarial political- and policy-making system.

If social learning is to be a primary means of interest aggregation, the potential of committees to contribute to the development of interest groups' attitudes also needs to be weighed. This process too is an iterative and serial one and the contribution of Senate committees is clearly at an elemental stage. Despite the formal impotence of committees, 82 per cent experienced positive learning and/or formed new linkages with other groups. Fifty-three per cent reported important or very important development of attitudes. Only 3.5 per cent said their attitudes had been 'softened' as a result of participation in the inquiry. This result is hardly surprising, if for no other reason than the protracted character of the process of opinion formation and the need to provide bases other than agreement for accommodation amongst protagonists (e.g. re-expression of a sectional interest in terms of the public interest; more expansive definition of the issues; log-rolling; compensation; tactical acceptance; procedural fairness etc).

Meantime, 53 per cent of groups said participation 'clarified' their attitudes to the issue and 40 per cent said the process stimulated the formation of new links with other groups. Forty-five per cent 'consulted' other groups in preparing their submissions. A further 80 per cent said the inquiry process introduced them to new information—significantly, as might be expected, 45 per cent said this involved departmental attitudes or executive positions; but 70 per cent also said this information concerned the approach of other groups. Sixty-nine per cent of the groups indicated the inquiry process initiated an exercise in fresh research. Finally, as already noted, 94 (66 per cent) took some action as a result of the Committee report. These are exactly the stimuli that, reinforced by further interactions, might contribute to interest aggregation. These results point to the potential of committees to be catalysts in opinion formation within particular policy communities.

The 'vertical' reach of committees is also suggested in the number of interest groups reporting their activities to their members. Seventy-seven per cent reported their evidence and 81 per cent reported the committee's findings to their members. This suggests attention to committees amongst interest groups. It suggests that committees are capable of stimulating interest groups internally and in their relations with each other. What invites further testing is the capacity of these structures to be the conduit

for the shaping of behaviour. The capacity to disseminate factual information both ways and to influence attitudes is clear. What needs to be further explored is their capacity to influence judgements about links between interest group aspirations and definitions of the public interest and to alter government or interest group behaviour in ways that serve this outcome. The survey results suggest possibilities, but further deliberate effort by committees and further effort aimed deliberately at interest groups is required for a forthright judgment about committee potential.

Recalling the causal ideas identified by sociological and rational choice institutional schools, it would also be instructive to learn what kind of social learning was stimulated by the inquiry process, in particular if this varied between the *strategic* and the other types of inquiries of inquiries (*legislative* and *scrutiny*). For example, following sociological perspectives, did it stimulate the relevant groups to consider the connection of the issue being explored to the group’s identity and/or role? Did the social learning stimulate attention to, or even affect, the particular group’s assessment of its preferences? Or, following rational choice approaches, did it rather introduce new instrumental considerations and perhaps broaden the potential repertoire of exchange strategies? The literature suggests considerations of identity and roles stimulate deeper cognitive engagement and are a stronger foundation for the development of solidaristic approaches (March and Olsen, 1995). One hypothesis might be that in the strategic phase of issue development questions of identity are more likely to come to the fore and preferences are thus more likely to be open to adaptation. By contrast, in later more ‘operational’ phases of the policy development cycle, instrumental ideas and possibilities of exchange play a more prominent role. These differences might arise because a core task of the strategic phase in the policy cycle is to deepen understanding of who has stakes in the issue, the nature of these stakes, the overlaps and intersections between stakeholders and the implications for their preferences (e.g. how the relevant issue might implicate citizens in their roles as Australians, business people, women, trade unionists, environmentalists etc.). Meantime, later ‘operational’ phases in the policy development cycle might be expected to involve closer attention to the instrumental factors that would make possible a wider or narrower repertoire of exchange strategies. Unfortunately, evidence gathered for this present survey did not gather this information.

Overall, there is virtually no conception amongst policy makers, ministers or parliamentarians of the potential of Senate committees as a medium for interest aggregation or strategic policy development. The notion that interest groups might represent a primary focus for committee work is not recognised. Further, the notion that the overall system has major gaps in its capacities to aggregate interests or manage strategic issues is not widely recognised.<sup>9</sup> Nor are deficiencies in capabilities for more general public education about issues acknowledged, not least by political elites. Structures are well developed. Committee roles have developed in recent years, including contributions to budget deliberations in 1993 (Young, 1999) and, more recently, notable inquiries on the GST and Tampa episodes (Marr and Wilkinson, 2003). But committee resources are very limited, even by comparison with those

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<sup>9</sup> Speaking in the House of Representatives in a debate on education strategy, Prime Minister Howard observed: We have got to have a capacity in this country to have a sensible discussion about long-term policy issues without everything being distorted and blown out of the water by misrepresentation.’ *Sydney Morning Herald*, 16th October 1999: 49.

available in comparable parliaments. The committee structure could as easily remain an ambiguous adjunct of the two party system as provide the infrastructure for introducing a strategic phase to the policy development cycle and creating new capacity for aggregating interest groups.

Earlier discussion pointed to the need to seed the development of public opinion more generally as a third important gap in present policy making capacities. Zaller (1992) has developed a powerful model of this process which focuses on the interchange between elite (sectional) opinion and more general public opinion. Committees of the legislature are the critical actors in his model. The general foundation for such a development of the role of Senate committees in Australia is clear. Survey data highlights the general standing of parliament in the broader community and the particular standing of the Senate. According to the Australian Electoral Survey, 49 per cent of respondents expressed some or a great deal of confidence in the institution of parliament, whereas only 36 per cent expressed equivalent degrees of confidence in the major parties. Further, 44 per cent of citizens favour an independent role for the Senate. This question has not been asked on a consistent basis. However there is a clear indication of the growth in the number of positive responses. The development of split-ticket voting is a further indicator of the standing of the Senate amongst citizens.

There are powerful grounds for believing the addition of a 'strong' committee structure could add significantly to the renewal of strategic policy making, interest aggregation and public education more generally. In the particular context of interest aggregation, the addition of a structure, independent of the executive, but based in parliament, offers four potential benefits. First, policy makers could learn about interest group views before they became publicly committed to a course of action and interest groups could develop a deeper understanding of official thinking. Second, processes of social learning could be stimulated amongst interest groups, departments, ministers and parliamentarians. Third, the scope for at least partial multi-partisanship between some or all of the parties might be explored. Fourth, ministers and/or groups could assess the deployment of interests on a particular issue and determine the potential for building coalitions in support of the course of action they favour. The survey has particularly explored aspects of the potential of committees to contribute to the iterative process of social learning amongst groups.

Because all these developments remain in embryo, the potential of committees remains to be more fully tested. The results of this survey provide strong grounds for future work. They give strong support for further development aimed specifically at building interest group understanding of, and engagement in, this process. But an empirical judgement that the work of the committees affirms their theoretical potential to renew now atrophied policy-making capacities would be premature. Such a judgement must await further development of the Senate committee system.

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**Table 1.****Comparison of Outcomes: UK and Australian Surveys**

	Participants in House of Commons Select Committee hearings	Participants in Senate Inquiries.
Proportion of eligible groups responding to the survey	30% (127)	45% (142)
Groups gathering special information	64% (81 groups)	82% (116)
Groups undertaking fresh research	87% (109 groups)	64% (91)
Groups experiencing positive learning	55% (70 groups)	82% (117)
Number of groups reporting participation to members	90% (115 groups)	77% (110)
Groups following up committee reports	64% (81 groups)	66% (94)
Number favouring extension of powers	63% (80 groups)	66% (94)



## **Appendix 1**

### **List of Senate committee inquiries and the number of groups who gave evidence**

Universities in Crisis: Report into the capacity of public universities to meet Australia's higher education needs, September 2001—32 groups

Lost Innocents: Righting the Record – Report on Child Migration, August 2001—13 groups

Report on Fees on Electronic and Telephone Banking, February 2001—4 groups

A New Research Reactor? Report of the Select Committee for an Inquiry into the Contract for a New Reactor at Lucas Heights, May 2001—15 groups

The Proposed Importation of Fresh Apple Fruit from New Zealand: Interim Report, July 2001—7 groups

Above Board? Methods of appointment to the ABC Board, September 2001—2 groups

Inquiry into Electromagnetic Radiation, May 2001—19 groups

The Heat is On: Australia's Greenhouse Future, November 2000—38 groups

Interim Report on the Provisions of the Family Law Legislation Amendment (Superannuation) Bill 2000, November 2000—10 groups

Australia New Zealand Food Authority Amendment Bill 2001, April 2001—4 groups

Inquiry into the Provisions of the Customs Legislation Amendment and Repeal (International Trade Modernisation) Bill 2000, the Import Processing Charges Bill 2000, and the Customs Depot Licensing Charges Amendment Bill 200, May 2001—4 groups

Report on the Provisions of the Dairy Produce Legislation Amendment (Supplementary Assistance) Bill 2001, June 2001—4 groups

Report on the Provisions of the Regional Forest Agreements Bill 2001, September 2001—7 groups

Inquiry into the Provisions of the Cybercrime Bill 2001, August 2001—1 group

Inquiry into the Provisions of the Administrative Review Tribunal Bill 2000 and the Provisions of the Administrative Review Tribunal (Consequential and Transitional Provisions) Bill 2000, February 2001—9 groups

Airspace 2000 and Related Issues, April 2001—3 groups

Inquiry into the Provisions of the Sex Discrimination Amendment Bill (no. 1) 2000, February 2001—22 groups

The Incidence of Ovine Johne's Disease in the Australian Sheep Flock, July 2001—19 groups

Inquiry into the Provisions of the Fair Prices and Better Access for All (Petroleum) Bill 1999 and the Practice of Multi-Site Franchising By Oil Companies, March 2001—4 groups

Enforcement of the Superannuation Guarantee Charge, April 2001—21 groups

Prudential Supervision and Consumer Protection for Superannuation, Banking and Financial Services, August 2001—21 groups

Report on the Provisions of the Parliamentary (Choice of Superannuation) Bill 2001, August 2001—1 group

Report on the Financial Services Bill 2001, August 2001—20 groups

Inquiry into Mass Marketed Tax Effective Schemes and Investor Protection, June 2001—2 groups

Re-booting the IT agenda in the Australian Public Service, August 2001—6 groups

Interactive Gambling Bill 2001, May 2001—4 groups