

Parliament and Democracy in the 21st Century: Parliament as the Pinnacle of Accountability

We have all heard Abraham Lincoln's definition of democratic government "government of the people, by the people, for the people": but on what basis can people be governed by themselves for the benefit of their own society?

Over the last 800 years, starting with the Magna Carta signed in Runnymede in 1215, societies have been learning how to govern themselves in a democratic way. The Magna Carta was forced on King John by a revolt of the aristocracy of England who had enough of being taxed by the autocratic King without any say about how much they had to pay and what the money was to be used for. The Magna Carta in essence stated, "if you want to tax us, you must ask for permission first". By forcing the King to sign the Magna Carta, the aristocracy was able to demonstrate that the King's powers were limited and could only be used with the consent of others.

A hundred or so years later, the common people in England started to exercise their will by saying to the King "if you want us to go and fight battles for your benefit, then you will ask us first". So began the evolution of the institution, which came to be known as the House of Commons. These democratic stirrings created the institution of accountability for the monarch, which has come to be known as Parliament.

As the institution grew and evolved, its capacity to hold the monarch accountable became its fundamental responsibility. Over time, parliamentary approval became necessary in order to enact legislation, while Parliament already had control over taxation and gained control over spending (estimates). In addition to these three responsibilities, Parliament became increasingly involved in demanding that the monarch report to Parliament, and that the monarch listened to what Parliament had to say. That evolution, which required the monarch to obtain Parliamentary approval for

its actions, and required that the monarch reported and listened to Parliament, formed what we have come to know as a democratic government. A democratic government is one that is held accountable for its actions by Parliament and is in turn held accountable by the people.

The simple theory of accountability has become lost in the partisan debate. Yes, Parliament is about the debate of ideas; 'your' concepts versus 'my' concepts, 'your' vision for the country versus 'my' vision. But Parliament is much more than the debate of ideas, it is also about the exercise of authority mentioned above, approval of legislation, approval of budget and taxation, approval of spending and reporting of government to Parliament. In addition, it also has a clear place in the structure of delegated authorities in a democratic society.

At election time, the people choose a Member of Parliament, to speak on their behalf and to represent them in the House of Commons. They are elected to be a member of the government or a member of the opposition, to speak on behalf of the party that they represent, but most of all, they have been delegated the authority by their constituents to participate in the enactment of legislation for the governance of the society. This delegated authority is given to Members of Parliament on the basis that they communicate with their constituents and offer themselves for re-election on a periodic basis. This is the accountability of Members of Parliaments, to seek and obtain the confidence of their constituents.

Parliament in turn, grants to the government the authority to run the country, to manage the public service and the programmes that it delivers, to manage economic policy, to defend our borders, and do all things necessary to run the country. This delegated authority again comes with the accountability to seek Parliament's approval and to report to Parliament. There is one overriding principle in the Westminster system of governance, which is that government



must at all times enjoy the confidence of the House of Commons. This is the accountability of government.

In turn the government delegates authority to its ministers and departments for the administration of their own particular programmes within the scope of being required to report to Parliament. In the event that there is a serious misdemeanour by a Minister, or within his or her department, than he or she is required to submit his or her resignation to the Prime Minister. The Minister is accountable to the government and cabinet where he or she has a seat. The Minister holds office at the pleasure of the Prime Minister. Sadly, this concept of ministerial responsibility seems to exist only in theory.

The administration is designed on the standard hierarchical basis and every employee is subject to the scrutiny of his or her seniors and is required to perform his or her work on a satisfactory basis. Failure to do so will bring about administrative sanctions and penalties up to and including dismissal.

There is the complete chain of command. The citizens, through elections, delegate authority to Parliament which in turn passes that delegated authority to government to Ministers, to senior public servants, all the way down to the bureaucracy. In turn each stratum is accountable to the one above.

Unfortunately, Parliament is now largely dysfunctional. The ability of Parliament, to hold government accountable for its actions, has been lost as Parliamentarians are lured by patronage to the government in power. In this way, governments have gained control over Parliament, making Parliament a "rubber stamp" to its whims. When Parliament ceases to act as a true watchdog of government, then government is free to act without repercussions. In effect, government is no longer motivated by Parliament, the democratic institution of the people. Parliament has no longer become the sole accountability structure beyond the government's control.

In our everyday lives, motivators beyond our control cause us to think and act in a responsible way. For example, when driving one's vehicle, many people will speed ten kilometres over the speed limit because they know they will not likely receive a ticket. However, most people will not

drive thirty kilometres beyond the speed limit, as there may be a police officer that will be waiting around the corner. In effect, the police officer is a motivation beyond one's control that causes one to act in a responsible way. Parliament was created to provide such a motivation beyond the control of the monarch, and subsequently the government, thus holding those in power accountable for their actions.

For too many years, Parliamentarians have abrogated their responsibilities to act as true watchdogs of government, instead they have fallen into the partisan traps of defending or attacking the government based on what side of the aisle they are on. When Parliamentarians fall into this trap – Parliament becomes unfocused. It becomes a rubber stamp for the executive, and fails to serve its citizens in the way it was intended.

Sadly, in some countries, an institution that "rubber stamps" the wishes of the executive allows the executive to get away with literally anything. We only have to look at countries such as Zimbabwe, Ukraine and Peru, where current and former heads of state have been accused of sanctioning the most serious of crimes, including murder. In each case, we see that a weakened Parliament (though, in many cases through no fault of Members since they are often living in fear for their lives) has allowed the executive to carry out its wishes with impunity.

We in the developed world must continue to work towards ensuring our Parliaments regain their position as the pinnacle of accountability for government. But we also owe it to our friends and neighbours in the developing world to stand up with all of those who are willing to speak out and put their lives on the line to defend accountability, democracy and the rule of law.

There is hope that Lincoln was right: a democracy can have government "of the people, by the people, for the people", but only through delegated responsibilities and the effectiveness of Parliament to hold government to account.

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