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To seanadreformwg@taoiseach.gov.i
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cc

Subject

History:

This message has been replied to.

3 attachments



Seanad Bill 2013 contribution 1.docx Seanad Electoral Reform Bill 2013 contribution 2nd.docx



Seanad Reform third contribution.docx

Dear Sir/Madam,

Attached please find contributions which Senator David Norris would like to bring to the attention of the Working Group on Seanad Reform.

Yours sincerely,

Miriam G. Smith

Assistant to Senator David Norris

(See attached file: Seanad Bill 2013 contribution 1.docx) (See attached file: Seanad Electoral Reform Bill 2013 contribution 2nd.docx)

(See attached file: Seanad Reform third contribution.docx)

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Seanad Bill 2013: Second Stage (Continued)

Wednesday, 15 May 2013

Senator David Norris: 📺 I admire the Minister because I admire affrontery. I have never seen anything quite as dazzling as the Minister's affrontery here tonight. In fact, it calls to mind the popular association between political neck and the undercarriage of a jockey as he approaches Becher's Brook. I shall prove this from what the Minister said. He, for example, said with regard to the Seanad and this Bill that any decision for change should be fully teased out.

What a pity that the Minister and the Taoiseach did not tease out the consequences and their own squalid motivation in attempting to sacrifice the Seanad in exchange for the complete bags everyone in the other House made of the economy in defiance of the voices, including my own, raised in this House to warn them against what they were doing. I am glad that I voted against the bank guarantee and that, despite interference from the Chair, I mentioned the squalid names of those to whom we were paying the money - the bondholders.

The Minister dares to invoke the convention. I ask him to reconsider. He has suggested we be allowed to consider including voters from abroad but not, of course, reform of the Seanad or its abolition. That makes a farce of the convention which we are treating with contempt. That is why the Minister has a gall to come here and refer to it. I will be there on Saturday and certainly hope his call which I will present to the convention for it to be considered will be taken up by it. He then referred to the 156,000 people currently registered to vote whom he seems to promote in some way. I remind him that they vote for the university Senators who were the original target of all parties in this House because we had spoken out. Thank God, independence has been declared. This is a very important moment for Seanad Éireann.



The Minister's final point was unscripted. He said he welcomed this opportunity, that he was very conciliatory and all the rest of it. He also said he was accommodating because he liked debate - like hell he does. The reason he is here is he is facing a rebellion on the Government benches. As this Bill would have gone through anyway, he was faced with *realpolitik*. That is the only reason he is here; there is no other. Thank God, Seanad Éireann has at last found its teeth. I would that it had done so on the business of the budget and the issues of carers, but, thank God, it has happened now, which is about bloody time.

I will be taking over as spokesman - not quite leader - of this group and some initiatives are in train. We have 30 Bills on the Order Paper which are being stymied by the Government. The Dáil can look forward to a few messages from this House. This is a very significant moment for Seanad Éireann because of what is happening this evening and we must carry all Members with us without division. We must ensure we present a united front to those who seek to divide and diminish us. I will be supporting the Bill if it is ever put to a vote.



I refer to an aspect of significance that has not been referred to as yet. Despite the machinations of the Government and its attempts to cheat the people of a decent choice, from tonight the people will know - I hope it will go out as the message from this debate - that it is no longer a question of abolition or retention. It is now vitally and significantly a question of reform or abolish. We have the capacity to reform and will reform. I do not entirely agree with some aspects of the Bill and look forward to having the opportunity on Committee Stage

to indicating what they are. We are presenting the people with an opportunity to make a real choice, not a choice between desecrating the Constitution and creating a very serious problem. The Government has everything. It won the Presidency and the general election. It controls the Seanad, the Dáil, councils, the Army, the Naval Service, the Air Corps, the police and the banks that it bought with our money.

Acting Chairman (Senator Jillian van Turnhout):   The Senator has one minute left.

Senator David Norris:   It will scarcely be enough to recite the crimes of this lot. We are being handed out as a sacrifice, as a little lump of meat in order that the ravening voters can savage what is handed out as a deceit by the Government for its own crimes, for what it did. I remind the Minister that we are precluded from tinkering with the economy, but, of course, the people have an appetite to kick politicians, thanks very largely to the other House.

Senator Sean D. Barrett:   That is what they want.

Senator David Norris:   It is very important that we save the Seanad because we are a check, although an imperfect one. I have campaigned for the past 30 years for reform of the Seanad and every time we have returned I have tabled the decisions of all-party committees for debate and every time Governments of different complexion have voted against them. It was my proud privilege, as father of this House, to give the opening address and I spoke from the heart about preserving the Seanad. I was proud to second Senator John Crown's Bill. We will be depriving the people of a necessary check on hasty, unwise legislation, introduced by a Government that otherwise would be unchallenged. There are many other constitutional aspects. For example, I wonder if the people realise that if they manage to abolish the Seanad, the Lower House on its own will be able to dismiss judges.

I will conclude by making two quick points. We must stay united, as we have an opportunity of winning, but the playing field must be level and fair. Finally, as an academic, I cannot resist making the point that if President Kennedy did, in fact, make that reference to the Atlantic Ocean as the bowl of bitter waters he was, as they say in America, misspeaking. When Stephen Dedalus in *Ulysses* makes this reference, he is talking about the Irish Sea and the reference is actually to the tragic fate of his unfortunate mother. The reference to political life is more likely to be made when Stephen Dedalus describes Ireland as the old sow that eats her own farrow. We have a sow attempting to devour us to the disadvantage of the people.

Seanad Electoral Reform Bill 2013: Second Stage

Senator David Norris: I commend my colleague, Senator Crown, for this very professionally drafted Bill. When I read it, I suspected that fine legal minds were behind its production. I am glad the Senator referred to the work done by those to whom he referred because when he used the word "We" in framing the Bill, I was afraid people might have thought I was involved in its drafting. Although I would have taken great pride from such involvement, the legislation which emerged might have been slightly different.

It is important that we should take the Bill as a first step and that we should use it to move on. Last week I indicated to the Minister that it is quite possible to have a Seanad Bill which can then be amended. The Government acted like a dog in the manger, however, removed the relevant legislation and stated that it had something better to offer. After all, the differences involved were distinctly marginal. The differences are not marginal with the Government or the Minister, Deputy Phil Hogan, whose views on the matter are fairly widely well known. There is a huge amount of prejudice in respect of this matter. The Government has prejudged it and in an act of quite extraordinary political cynicism - for no other reason - the Taoiseach has decided to offer up this second Chamber of the Oireachtas as a blood sacrifice in respect of the follies and mistakes of the Lower House.

remind the Minister that we had nothing to do with the parlous situation into which this country was dragged by Dáil Éireann, despite the warnings from myself and many others in this Chamber that the country was going down the road to ruin. It is cynical and hypocritical. It is an indication of the standard of morals which the Minister's Government has that he would purport this to be a reform to abolish Seanad Éireann. He knows perfectly well because he has been around this place a long time, that there has been report after report. I have spent 25 years since I was elected trying to get this House reformed because good though it is, it could be better. It was corrupted, deliberately and specifically by the Minister's party, by the Labour Party and by Fianna Fáil, in their own small-minded interests. As I well remember the days when the Minister's party and the rest of them used to stand over the Senators and tell them what names to mark, do not talk to me about the corruption or the removal from reality of Seanad Éireann because the finger prints of every Government are all over it.

Time after time, I have sat on committees to reform the Seanad. All-party groups have signed up to them and time and again, including this very session of Seanad Éireann, I have tabled, as the first item under my name, the passage of those very proposals for reform that all the Government parties agreed. How much hypocrisy are the people expected to take? I want an assurance that there will be fairness and truth in the referendum and the Referendum Commission because the Government has a bad record on that one. I do not want to hear any lies or any false statements. Perhaps leading members of the Government are almost as innumerate as I am but that does not excuse the untruths they told about the cost of this House.


I commend Senator John Crown because he has proposed a root and branch reform. I think it splendid that we involve people outside this country, our own emigrants, who were left out by the political circumstances. That is something that needs to be done and it is commendable. People should be able to vote from abroad. I accept that rationalisation of the university seats is long overdue but they must be kept. I will defend them to the death because I am fed up and tired of what people say about them. Another bleary-eyed academic

in today's newspaper says that it impugns the democracy, that we are the least democratic seats. We are the most democratic. I have an electorate of 65,000 and think Senator John Crown has 120,000. It is a bit better than the 227 who voted in the last by-election on the panel system. I am not impugning any of the Members. In fact, I think the Taoiseach owes an apology to the marvellous people, the wonderful and most stellar group of Taoiseach's nominees who have ever graced this House. To deride this House as corrupt and rubbish in that way is an insult to those Members, all of whom have performed brilliantly. They are the best I have ever come across in this entire House. What an insult was paid to them.

We need an efficient Seanad and no hypocrisy. We should not be ashamed of the remuneration we receive. Instead of €24,000, the person writing in *The Irish Times* suggested €10,000, less than half the minimum wage. He suggested we should get rid of our personal assistants, the people who behave so marvellously for us. We would be utterly neutered and the House would be a laughing stock. What nonsense comes out of academe.

There have been Bills and rumours of Bills all over this House. There have been solo runs predicted here, there and yon, with people included and excluded. I say to fellow Senators to get their act together if they want to save this House. Let us get behind a Bill. If this is the Bill it has to be, then so be it. Let us vote for it. Do not extinguish a voice. I would not have been allowed a voice. The Minister's party would not have allowed me a voice in the Oireachtas of this great republic. I would have been excluded. People like me never would have had a chance. However, I got my own way in.

Acting Chairman (Senator Marie Moloney):  Q The Senator must conclude.

Senator David Norris:  Q Yeats got in and said that we were no petty people. This is no petty Chamber to be dismembered by the likes of the Minister or the Taoiseach. We must stand together in the name of democracy because the Government has everything else, from the President down. It has won all the elections. What more does it want? It has the banks, the councils, the Dáil; it will not get Seanad Éireann if I have anything to do with it.

Seanad Reform: Motion

Wednesday, 3 November 2010

Senator David Norris: 📍 I compliment my colleagues on the Independent benches on tabling the motion. I have listened to the entire debate up to now and I am of the view that not one new idea has been brought forward. A number of interesting ideas have been propounded but not a single new one has been offered. I challenge colleagues to demonstrate that I am incorrect in this regard.

There has, however, been one interesting and welcome development, namely, the statement by Senator O'Malley to the effect that she proposes to cross the floor of the House and vote with the Independents. The Senator has displayed a remarkable and courageous attitude. However, she could not have received a more seductive invitation to cross the floor than that offered in the weak, vapid and inane amendment placed on the Supplementary Order Paper by Senator Cassidy whose name is unaccompanied by any of those of his party colleagues which may perhaps reflect their embarrassment regarding the amendment.

I wish to consider amendment No. 1 in detail. As usual, it proposes to delete all words after "Seanad Éireann" and then states the House "notes", which means nothing at all will be done. It notes the deliberations which took place on various proposals, the lack of adequate consensus, the absence of such a consensus, the commitment contained in the renewed programme for Government and blah, blah, blah. It then resolves to request the Minister for the Environment, Heritage and Local Government to blah, blah, blah.

I have been through all of this before and have campaigned on the issue of Seanad reform for 30 years. It is nearly a quarter of a century since I was elected to the House. One of the platforms on which I was first elected was reform of the Seanad. I assure Members nothing has happened during the entire period to which I refer. Not one scrap or iota of Seanad reform has been introduced. I accept there has perhaps been some minor and ineffective tinkering at the edges of the Order of Business, but there has been absolutely nothing else. On my first day as a Senator I tabled a motion in which I welcomed and suggested the implementation of the recommendations of the all-party committee. Those on the Government side voted down the recommendations to which I refer and which had been brought forward by a committee established by the then Government. That will inform Members as to the degree of movement they can expect on this issue.

[465] I was later appointed to and sat on the all-party group on Seanad reform chaired by the current Minister for the Environment, Heritage and Local Government, Deputy Gormley. The Minister of State has indicated that not everyone agreed that we should proceed with just reforming the university constituency. That proposal was made and I am absolutely unapologetic. The notion that we should tackle the position on the university seats first has often been brought forward. I respectfully demur from what Senator O'Toole stated. There may perhaps have been a slight blurring in the language he used and he may not entirely have meant what he said. However, I make no apology whatever for being a member of the only democratic element in the House. University Senators do have constituencies, of 65,000 and 110,000. Senator Dearey made a most engaging contribution and was humble in a way to which I could only aspire. However, he was elected by the votes of only 237 people. I find it

difficult to take lessons from an apparatus which produces elections in which candidates need only 237 votes when people such as Senator O'Toole and I are required to attract the votes of tens of thousands of individuals. I apologise if what I am saying appears to be arrogant in nature, but it is also a fact.

Having dealt with the amendment, I wish to proceed to the Minister of State's contribution. She stated "I am pleased to set out the Government's position on the matters in question." Where have we heard that before? We hear it every night on radio and television when people state "I am glad you asked me that question," which in reality means they are not glad at all and are going to provide a completely woolly response. That is, of course, what happens. The Minister of State also referred to the all-party group on Seanad reform chaired by the Minister, Deputy Gormley, but stated "a number of detailed issues must be addressed with regard to implementing possible changes in this area." Translation: one should not hold one's breath because nothing is going to happen.

The Minister of State then began to wander around various areas of the Constitution, stating an enabling amendment would be required, that the higher education constituency would have to be expanded, etc. I absolutely applaud and support the latter. However, it must be managed efficiently and properly and reflect the interests not only of Seanad Éireann but also those of voters.

I stated not one new idea had been expounded during the debate. However, Senator O'Toole did bring forward a fairly new idea — it represents the most valuable suggestion made during the entire debate — namely, the creation of a hybrid method of election in respect of the panel system. He suggested some element of contact with local authorities could be retained but that the other sections of the panels could be broadened to encompass universal suffrage. That is the way to proceed because it would make Seanad Éireann truly representative.

The Minister of State referred to the commitment to establish an independent electoral commission. It is just that — a commitment. I once heard a very decent Leader of the House, former Senator Mick Lanigan, give a commitment to Senator O'Toole which he then failed to honour. The Senator will confirm that Mr. Lanigan accepted that he had given a commitment but that it was not binding. We know, therefore, how much commitments are worth. The electoral commission is not even in existence but Ministers are relying on it to defend their position.


The Minister of State made a number of interesting comments. For example, she referred to "making recommendations on the feasibility of extending the franchise for Presidential elections to the Irish abroad," to which I say, "Hear, hear." However, the franchise should not just be extended to the Irish abroad, it should also be extended to the Irish on this island. People who are citizens of the Irish Republic and live north of the Border are prohibited from voting in Presidential elections. Members are probably asking why I am referring to the Presidential [466]election. I am doing so because I am interested in it and my hat is in the ring. If anyone did not know that, they do now.

Since we have wandered into this area and given that we are discussing democracy, a recent poll carried out by MillwardBrown Lansdowne indicates that my level of support among members of the public is greater than that of the next two candidates put together. However, I may never be able to enter the contest for the Presidency because the political parties control the mechanism of election. In order to stand, I would require the support of either 20


Members of the Oireachtas or at least four county or city councils. If the political parties believe in democracy, they should take steps to prove it by removing the rigid application of the Whip in order to allow councillors to make an independent determination in this matter.

The Minister of State has referred to whether we are content to have the House viewed as some sort of debating society. I am all in favour of such societies. However, the Minister of State displayed some cheek when she said the House really was a debating society and asked whether it could play a more meaningful role. We could if the Government produced legislation. There are more than a dozen items of legislation from this side of the House; every single one of my Independent colleagues has placed legislation before the House. That takes work, determination and expertise.

I respectfully disagree with Senator Alex White who said we should reduce the time involved. That would be the death of the Seanad. If we were to reduce it further, we would be a total laughing stock. The work we do does not just take place in the Chamber. Colleagues on both sides of the House work 14 to 18 hours a day and I do not want to work for nothing. I want decent, modest recompense. I want my work to be recognised, not just financially. I want people to know about it because I sometimes leave here at midnight. On my way home I hear repeats of programmes in which radio broadcasters say the Seanad does a day and a half's work in the few weeks it meets. Lots of us work hard in this place and we deserve respect.

Senator Donie Cassidy:  I want to inject balance into this debate because there seem to be a few inaccuracies. I have had the unique distinction of serving in both Houses. It is a marvellous experience and a wonderful privilege.

Senator David Norris:  There are one or two others who have done so.

Senator Donie Cassidy:  I do not see anything wrong with colleagues serving in either House and going on to become a member of the Cabinet or the President of Ireland as has happened.

Senator David Norris:  Hear, hear.