



Sinn Féin Proposals for Seanad Reform

Tograí Shinn Féin le haghaidh Athchóiriú an tSeanaid

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INTRODUCTION

Sinn Féin has consistently argued that a fresh Constitutional Convention would be the best mechanism in our view to agree proposals for political reform – including Seanad Reform. This was rejected by the Government. We have given a cautious welcome to the establishment of the Seanad Reform Working Group, given the approach of the Government and the Taoiseach to date on this important matter, which has without doubt compounded public distrust in politics and the political system which must be restored. This requires urgent and meaningful reform which puts the interests of citizens' first.

In October 2013 the government's referendum proposal to abolish the Seanad was rejected by the people. However, all participants and parties involved in the referendum campaign were clear in saying that the Seanad in its current form is elitist, undemocratic and unacceptable. The result cannot be viewed as a vote to retain the Seanad in its present form and piecemeal reforms are not enough.

The Seanad must become a fully inclusive, representative, relevant and accountable institution. Post-Referendum the Taoiseach and the Government committed to reform the political system and to ensure the Seanad is a modern and effective second chamber, yet to-date they have done nothing to achieve this end. Instead, An Taoiseach deliberately abused the Seanad as recently evidenced by his direct involvement in the John McNulty affair. Fianna Fáil campaigned for the retention of the Seanad, but neither Micheál Martin nor his former government colleagues made any effort to reform the Seanad.

The Seanad in its current form is elitist, undemocratic and unacceptable as an institution. It is not elected by the people but by only one per cent of the electorate. It has sixty members, six of whom are elected by the graduates of some universities; forty three who are elected by other politicians from five panels of nominees, which supposedly represent key elements of society, such as agriculture and education, public administration, the trade unions and business; and eleven who are nominated by the Taoiseach.

Today's Seanad was created by the 1937 Constitution and in the decades since, with a few honourable exceptions, it has become synonymous with cronyism and corruption, particularly by the Fianna Fáil party. That party used the system of political nominees to reward close political allies. The Seanad was also used as a safety net for those who failed to get elected to the Dáil. At no point has the Seanad acted as a real check on the actions of the government. Since Fine Gael and Labour came to 2011 the Seanad has supported the government on almost every occasion, including the introduction of the Property Tax and Water Charges.

REFORM

Despite numerous promises over the decades by all of the establishment parties that they would reform the Seanad, this has not happened. On twelve successive occasions reports were produced proposing reform yet none were ever implemented. In 1979 the people voted in a referendum to broaden the franchise to all graduates of institutes of higher education, but nothing was done to give effect to this result. The fact is that no government has ever been prepared to allow the second chambers scrutinise in a meaningful and effective manner its legislative programme.

Representing the public interest: Proposals for change

There can be no place in a democratic system for an elected institution to which only a small minority of people have the right to vote. All citizens must be treated equally. It is also clearly unjust and entirely undemocratic that a citizens' right to vote is determined by their level of education.

Reform of Seanad Éireann requires:

- » Direct election by way of universal franchise of all Irish citizens, on the same day as the Dáil vote.
- » Northern and diasporic representation.
- » Fifty percent representation of women.
- » Representation of traditionally marginalised groups within Irish society.

For the Seanad to truly fulfil its potential as having a 'balancing' function in the Oireachtas, its powers must be increased and it must also have a distinct and complementary role and functions that do not merely replicate those of the Dáil in a weaker form. In particular, the primary role of the Seanad should be independent initial scrutiny of EU legislation from proposal stage; of Statutory Instruments and Ministerial appointments; and to ensure equality-proofing of all legislation.

To best represent the general public interest and reflect the priority of public accountability in decision-making, the Seanad should also:

- » Act as a forum for dialogue between the many interests in Irish society, ensuring the inclusion of those sectors with less power and influence.
- » Use public consultation and deliberative democracy for enhanced citizen participation.
- » Have a specific focus on consulting with children and young people about the impact of proposed decisions directly affecting them.

In a unitary state it is right if the electorate's political and geographic interests are represented in the lower chamber on a population basis, that their social, economic and cultural interests should be represented through the upper chamber, on a sectoral basis. This is an important distinction that should not only be retained, but strengthened in a new Seanad. Finally, the Seanad should also include the representation of regional interests on a non-population basis to redress the power imbalance for those currently marginalised by reason of residence in the North, the west, Gaeltacht areas and the diaspora.

On 16th October 2014 Sinn Féin tabled a Dáil motion for debate during our Private Members time on Seanad Reform. This was opposed by the Government. The text of the motion is detailed below.

"That Dáil Éireann:

- » acknowledges that the citizens of this State rejected the Government's Constitutional amendment to abolish the Seanad through referendum vote in October 2013;
- » recognises that all participants and parties involved in the referendum campaign were clear in agreeing that the Seanad in its current form is elitist, undemocratic and unacceptable;
- » notes that the Taoiseach gave a commitment in October 2013, post-referendum, to reform the political system and ensure that the Seanad is a modern and effective second chamber, yet has abjectly failed to deliver that commitment; and

calls on the Government to:

- » immediately engage with all parties and groups within the Oireachtas, but also broader civic society, to consider how best to reform the Seanad to ensure that it becomes a fully inclusive, representative and accountable institution;
- » introduce direct election by way of universal franchise of all Irish citizens;
- » introduce northern and diasporic representation;
- » introduce 50 per cent women members; and
- » ensure representation of marginalised minority groups within Irish society."

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