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Submission to the Working Group on Seanad Reform Consultation Process

Distinct role for Seanad in debating and scrutinizing EU legislation

It is estimated that approximately 80% of legislation originates at EU level, and at present EU legislation is scrutinised via a very crowded Oireachtas Committee system.

We should instead establish a distinct role for the Seanad in debating the scope and depth of EU policy. The Lisbon Treaty facilitates this function of oversight and this should feature strongly in a reformed Seanad. For example in the United Kingdom, the House of Lords has a select committee specifically empowered to examine European Union legislation in advance of a decision being taken on them.ⁱ

This reform could also allow space for MEPs to make regular presentations in the Seanad.

Rules for electing members of Seanad Éireann

Any meaningful reform of the Seanad should also involve widening the candidate base. Although the number and categories of members of Seanad Éireann are specified in the Irish Constitution, the following mechanisms could be introduced without the need for a referendum. These changes would start the process of opening up the Seanad to a wider section of Irish society:

- Introduced new legislation to ensure gender balance on the panel lists.
- Elections for the Seanad should take place on the same day as elections for the Dáil.
- Candidates should not be a candidate in both Dáil and Seanad elections on the same day.

Whip system reform to promote collaboration and creativityⁱⁱ

Finally, because the Seanad cannot block legislation, any examination of its reform could include removing the traditional rigid whip on all votes.

The whip system operates as a disincentive to many people who would consider entering politics. In their report, *'A Parliament of all Talents: Building a Women-friendly Oireachtas'*, the National Women's Council of Ireland (NWCi) identified the whip system as a particular problem:

‘Secondly, the Whip system re-enforces the masculine, combative ‘winner-takes-all’ culture as it assumes that one ‘side’ has a monopoly on good policy. Finally, as a consequence of these the Whip system stifles collaboration in problem-solving and leads to a culture where politicians tend not to take the initiative to develop individual policy proposals outside of the main programme for government.’ⁱⁱⁱ

To attract diverse voices, both male and female, we need to move towards a culture of debate, identifying areas of consensus. Allowing the Seanad to operate without a whip system would be the first step in allowing a new political culture to develop in Irish politics.

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ⁱ RADICAL SEANAD REFORM THROUGH LEGISLATIVE CHANGE CONSULTATION PAPER Proposals for Measures to Transform Seanad Éireann Without The Need For Constitutional Amendment

http://www.senatorkatherinezappone.ie/files/Open_It,_Dont_Close_It_-_Seanad_Reform.pdf, page 13.

ⁱⁱ A Parliament of all Talents: Building a Women-friendly Oireachtas: Published by the National Women’s Council of Ireland http://www.nwci.ie/images/uploads/A_Parliament_of_all_Talents.pdf

ⁱⁱⁱ http://www.nwci.ie/images/uploads/A_Parliament_of_all_Talents.pdf. Page 36.