

Index

- Aboriginal Affairs Committee, House of Representatives, 236–7
- Aboriginal and Torres Strait Islander Commission, 236–7
- accountability, arenas of
 legal, 159
 parliamentary, 160
 political, 158–60
 public, 159–60
- accountability, in Australian practice
 electoral, 170–1
 of executive government, 158–61,
 184–8
 of parliament, 170–8
 of public service, 204–8
- accountability, in political theory
 Burke, 64–6
 Coombs report, 164–9, 186–8
 Locke, 52–5
 March and Olsen, 161–4, 169–70
 Mill, 70–4
- accountability, proposed reforms,
 242–7
- administrative review, 192–4, 243–4
- Ajzenstat, J., 69
- appropriations process, 132–3,
 240–1
- Aristotle, 4, 6, 14–18, 213–14, 232–3
 Hobbes' critique of, 44–5
 on classical republicanism, 19–31
 on political deliberation, 21–4,
 219–20
- Audit Act, 182–3
auditing, 167, 180–90
- Auditor-General, 179–82
 debate over independence of,
 188–90, 242–3
- Australian Democrats, 146, 148, 149,
 156–7, 202
- Australian Electoral Commission,
 237–8
- Australian National Audit Office
 and Coombs report, 167, 186–8
 and Sports-Rorts Affair, 152–8
- backbench, 135
 in Burke, 62–4
 in Mill, 73–4
- Bagehot, W., 84–5, 91–5, 194
- Baker, R., 80, 183
- Barker, E., 83, 214, 222
 on 'government by discussion',
 xiii, 4, 218
- Barton, E., 80
- Bentham, J., 83, 221, 225
- bicameralism
 in political theory, 218
 and Federalist Papers, 90–1
 and Mill, 73–4
 in Australian practice, 77–80,
 108–9, 131–5
- Blackstone, W., 60, 74
- Bland, F., 185–6
- Blewett, N., 198, 240
- Brown and Fitzpatrick* case, 172
- Bryce, J., 119
- budget process, 132–3, 240–1
- Burke, E., 37, 60–6, 174, 181

- cabinet deliberations, 95, 194
 Calwell, A., 185–6
 Canada, origins of responsible government, 66–70
 Chaney, F., 130
 checks and balances
 Aristotle, 30
 Madison, 88–91
 Cicero, 19, 21, 28, 30
 civil society, xiii, 7–9, 49–50
 closure rules, 136, 144
 codes of conduct, 157, 170–6, 246
 Colston, M., 107
 committees, Australian parliament
 budget estimates, 168, 191–2, 240–1
 legislative scrutiny, 126–8, 144–5
 party, 190
 privilege, 173–4
 procedural, 137–8, 147, 199
 public finance, 179–82, 187, 201
 public policy, 129–30, 138–40, 156–7, 191
 committee system
 Australia, 142–3, 147–8, 184
 US, 93
 conflict of interest, 175–6
 consensus, and deliberative democracy, 10, 17–19, 24–30
 Constitution, of Australia
 framework for representative government, 115–20, 222–3
 legislative provisions, 131–6
 origins in 1890s, 77–80
 reform proposals, 233–4
 Constitutional Commission, 223, 233–4, 240
 constitutionalism, and deliberative democracy, 14–19, 217
 contingency motions, 134
 conventions, 62, 74–7, 79–80, 195
 Coombs report, 164–70, 186–8, 235
 corruption, 42, 64–6, 86
 Crown initiative, 69, 221
 Dahl, R., 213, 216–19, 231
 Dawson, D., 116–17
 Deakin, A., 78, 110
 debate
 closure rules, 136, 144
 effectiveness of, 214–19, 227–31
 time limits, 136, 144, 222–4
 delegated legislation, 122
 deliberation, 19–29, 94–8
 defined as weighing options, 12, 22, 93–4
 deliberative assembly, model of, 26–9, 92–4, 219–31
 deliberative democracy
 defined, 4–9
 models of, 9–13, 16–19, 88–91, 214–31
 deliberative method, 144–6
 deliberative process, 214–19
 deliberative vote, 98–9, 132
 democracy, 4, 9–12, 215–19
 Democratic Labor Party, 142
 Dicey, A., 74–7
 Dunleavy and Margetts, 120
 Durham Report, 59, 66–70
 efficiency auditing, 167, 186–8
 elections, 103–8
 electoral college, in Bagehot, 84–5
 Electoral Commission, Australia, 237–8
 electoral system, Australia, 109–15, 141–2
 Emy, H., 165
Engineers case, 80–1
 estimates hearings, Senate, 168, 191–2, 240–1
 ethics
 codes of, 174–6, 246–7
 of parliament, 170–6
 proposed Parliamentary Integrity Commissioner, 246–7
 Evans, G., 230
 Evatt, H., 113–14
 executive government
 in Burke, 62–4
 in Dicey, 76–7
 in Durham, 68–9
 in Mill, 72–3
 executive privilege, 171–4, 202–4, 207–8
 Expenditure Committee, House of Representatives, 187
 federalism, 77–80
 and Dicey, 76
 and Durham, 67
 and Federalist Papers, 84–6, 89–90
 and Mill, 73

INDEX

263

- Federalist Papers, 82–91
- financial control
 - in parliamentary practice, 132–3, 180–3
 - in political theory, 64–6, 68–9, 72, 90
- Finn, P., xiv, 179, 183, 195, 200, 206
- Fisher, A., 184
- gag rules, 227–30
 - in House, 136
 - in Senate, 144
- gender balance, 12–13, 237–8
- Goodin, R., 215–16
- government business
 - in House of Representatives, 136–7
 - in Senate, 143–4
- ‘government by discussion’, xiii, 4, 218
- Governor-General, 126, 132
- Green parties, 146, 149
- Griffith, S., 79–80
- guillotine, 146–7
- Gummow, W., 118–19
- Habermas, J., 4–9, 20, 232
- Hackett, J., 80
- Haldane, J., 81
- Halverson, J., 198
- Hamer, D., 240
- Hanson, P., 229–30
- Hare–Clark voting system, 109–10
- Harradine, B., 107, 149
- head of state, xiii, 233, 247–9
- Hewart, Lord, 184
- High Court of Australia, 95–6, 171, 244–5
- Hindess, B., xiii, 216, 219
- Hobbes, T., 19, 43–7, 96
- Holt, H., 114
- House of Representatives
 - Australia, 105–9, 123–4, 135–41
 - Main Committee of, 137–8, 141
 - US, 88–91
- house of review
 - Australian Senate, 106, 108, 143
 - in Mill, 73–4
- Howard, J., 106, 152, 174, 196, 229, 236
- independents, 60–1, 107, 109
- institutional design
 - of accountability regimes, 161–4
- of political assemblies, 214–19
- Isaacs, I., 80–1
- judicial review
 - in Australian practice, 115–20, 171, 244–5
 - in democratic theory, 6–7, 29, 31, 231–3
- Kant, I., 225
- Keating, P.
 - on Mabo legislation, 127–8
 - on question time, 198
 - on Senate, 104, 109, 202
- Kelly, R., 152–7, 196, 198
- Kernot, C., 106
- Kingston, C., 79–80
- Lang, J., 114
- Langer case*, 115–17
- Langmore, J., 152–7
- Legal and Constitutional Affairs Committee, House of Representatives, 139–40
- legislative process
 - Australian norms, 131–49
 - reform of, 238–42
- legislative trust, 87, 89, 92
- liberalism, 40–1, 43–4, 47–9, 55–7
- limited government
 - Locke, 50–5
- Mabo legislation, 124–31
- Machiavelli, 41–3
- Mack, T., 109
- Macklin motion, 146
- Madisonian model, 83–91
- Main Committee, House of Representatives, 137–8, 239
- majoritarianism, 10–11, 217
- majority rule, 10–11, 58, 73–4, 94, 217–19
- mandate, 62
 - Australian debates over, 105–8
- Mansbridge, J., 20
- March, J. and Olsen, J., 151–2, 161–4, 216
- Mason, A., 81, 233
- McHugh, M., 119
- McGinty case*, 117–20
- media, xiii, 16, 225–6
- Menzies, R., 114, 172, 185

- Mill, J., 70–4, 238
 - influence in Australia, 77, 111
 - ministers, resignations of, 152–3, 196–8
 - ministerial responsibility, 76, 165–6, 194–204
 - minor parties, Senate representation, 110, 114, 141–3, 146–9
 - misleading the House, 197, 229
 - misrepresentation, in Federalist Papers, 86–8
 - Montesquieu, C., 54
 - Mulgan, R., 26–8
 - Murphy, L., 179
- Native Title bill, 127–31
- Nolan Committee, 175
- Normanton, E., 176, 180
- Offe, C., 218
- Paine, T., 36–40, 56, 59–60
- Parkes, H., 77–80
- parliamentary budget, 245–6
- parliamentary calendar, 239–40
- parliamentary control, 63–4, 200
- Parliamentary Counsel, Office of, 125
- parliamentary deliberation, 94–9
 - three tests, 219–31
- parliamentary privilege, 171–4
- parliamentary reform, 233–47
- parliamentary sovereignty, 52–5, 74, 76
- parliamentary supremacy, 52–5, 74
- participatory democracy, 11
- party, importance of
 - in Australian practice, 95, 107, 112–13
 - in democratic theory, 60–3, 69, 74–5, 82–3
- party committees, 95, 190
- pecuniary interests, 175–6
- Polsby, N., 122–3
- powers, separation of, 27–8, 53, 64–5, 69, 72–3, 88–91
- presiding officers, 132, 228–9, 247
- Procedure Committee, House of Representatives, 137–8, 199
- proportional representation, Australia, 104, 108–15, 228, 235
- privilege, executive, 201–3, 208
- privilege, parliamentary, 171–4
- Privileges Committee, Senate, 203–4, 208
- public account, 180–2
- Public Accounts Committee, 182–90, 241, 245–6
- public interest immunity, 202–3, 208
- public service, accountability of, 166–7, 204–8
- question time, 198–9, 247
- quorum rules, 132
- Rawls, J., 4–9, 142, 231–2
- Regulations and Ordinances Committee, Senate, 144
- representation
 - and Burke, 61–3
 - and gender, 12–13, 237–8
 - and Locke, 49–50
 - and Madisonian model, 83–91
 - ends and purposes of, 103–4, 108–15
 - reform of, 234–8
- representative government
 - in Australian practice, 77–81, 115–20
 - in political theory, 49–50, 61–3, 70–5
- republicanism, Paine, 37–40
 - civic republicanism, 1, 14, 40–2, 99
 - classical, Aristotle, 19–29
 - focus on corruption, 42, 64–6, 86
- resignations, ministerial, 196–8
- responsibility, 91, 176
- responsible government
 - doctrines of, 58–76
 - in Australian practice, 77–81, 170–6, 194–204
- Richardson, G., 197
- Rousseau, 65
- royal assent, 126
- Saxonhouse, A., 214
- Scrutiny of Bills committee, Senate, 126–7, 129, 145
- secrecy in government, 202–4, 224–7, 230–1
- Select Committee on Legislation Procedures, Senate, 147
- Selection of Bills Committee, Senate, 147

Cambridge University Press

978-0-521-62465-7 - Deliberative Democracy in Australia : The Changing Place of Parliament

John Uhr

Index

[More information](#)

INDEX

265

- Senate
 - Australia, 105–9, 141–9
 - US, 88–91
- separation of powers
 - and Burke, 64–5
 - and Durham, 69
 - and Madisonian model, 88–91
 - and Mill, 72–3
- Aristotle, 27–8
- Locke, 53
- Sinclair, I., 139
- Snedden, B., 196, 199
- social contract, 5, 49–50
- sovereignty
 - parliamentary, 74, 76
 - popular, 51, 54–5
- speaker, independence of, 228–9, 247
- Spence, C., 111
- Sports-Rorts Affair, 152–8
- statutory authorities, 199–201
- Sunstein, C., 13–19, 231–2
- supremacy of parliament, 74
- Taylor, J., 187–8
- uniform legislation, 241–2
- voting systems, Australia
 - preferential, 105–6
 - proportional, 109–15
- Waldron, J., 24, 232–3
- Weber, M., 202
- Westminster system
 - Australian differences from, 165–6, 175, 179, 205
 - and ministerial responsibility, 194–5, 205
 - and public account, 180–2
- witnesses, 168, 207–8
- women, under-representation of, 12–13, 237–8