

Britain's parliamentary shambles – a view from Australia

Philip Benwell MBE, Chairman of the Australian Monarchist League, offers a view from Australia on the damage done to the British parliamentary system by the Fixed-term Parliaments Act 2011. Australia is a country where the royal prerogative powers, exercised by the Governor General on behalf of the Queen, can be used to break a constitutional deadlock or dismiss a government which exceeds its constitutional powers. Understandably, Australians are looking at the UK's self-inflicted constitutional shambles with a mixture of bemusement and disbelief.

Winston Churchill had famously said in 1947 “*democracy is the worst form of Government*”. No truer words could have been spoken in regard to the example in recent times given by the mother of modern parliaments, the Westminster House of Commons.

However, Churchill went on to say, “*except for all those other forms that have been tried from time to time.*”

Whereas we, in Australia, experience problems with our parliaments (State and Federal), many often turning into shambles due to the bad behaviour and rowdiness of our elected representatives, we still have checks and balances in place to ensure a continuance of stable governance.

In Australia, whenever a government loses a majority and finds itself unable to govern, the prime minister will call on the Governor-General to seek a mandate from the people. And if the Governor-General is unable to find an alternative leader in

the parliament who is able to receive the confidence of the lower house, he will approve an election.

In the event that the government is unable to govern, and the prime minister does not seek an election, the Governor-General is entitled to withdraw his letter of appointment and appoint another leader who has undertaken to call an election. This occurred in 1975.

Under our Westminster democracy, it is the people who are supreme and it is they who should be called upon to resolve any crisis or deadlock.

However, in 2011 the Cameron government of the United Kingdom legislated the Fixed-term Parliaments Act through the British parliament. This guaranteed five years for the life of a parliament, with an early election allowed only if there is a vote of no confidence in the government, or a vote of two-thirds of the House of Commons.

It is due to this Act that Boris Johnson, who now leads a minority government, is unable to hold a snap election so that the people can decide on whether he remains prime minister or whether Labour or even the Liberal Democrat Party is elected to office. Essentially, the election would be a second referendum between those who want to leave the European Union and those who want to remain.

Eventually, things will work out in the United Kingdom, but it is impossible to predict the outcome. We should not forget that, whilst the Leavers secured 51.9% of the votes, that was of the 72.2% who voted. Since 2016 there would be several million new voters, additionally a number of those who did not vote in 2016 could be encouraged to vote one way or another if there is an election in December.

What is happening in the UK, is a warning to us to be very careful about any proposal to amend the constitution to enable fixed four-year terms in Australia. In no way would we want to

create the ungovernable mess that Britain is now in. Yes, at present, the Australian prime minister has the power to decide upon the date of an election, generally one considered to be most favourable, but that is subject to many factors outside his control, including the Senate election, the national calendar and the agreement of the Governor-General. Furthermore, on many occasions deciding the date has not helped a sitting government win.

Afterword by Edward Spalton, CIB chairman:

Friends and members who attended our rally of 2017 were greatly impressed by the speech made by Philip Benwell MBE, Chairman of the Australian Monarchist League. The title was 'Commonwealth and Constitution – Welcome back to the Free World', but Philip went far deeper than that into the long standing ties of history, kinship, friendship, shared values and comradeship in wartime between our two nations.

I have heard some stirring speeches over the years but rarely have I seen an audience so deeply moved as with Philip's speech. I think we all looked forward to the opportunity of righting the wrong done by Edward Heath who cut off most of our agricultural trade with our Commonwealth friends, as he locked us into the European Economic Community.

Unfortunately our return to the free world, which we so eagerly awaited in 2017, has not yet been achieved. We are still under the under the unwanted domination of Brussels. In one of the television programmes about Mrs May's negotiations, EU civil servants boasted that they had reduced us to 'colonial' status!

So, pending our own deliverance we can heartily wish "Advance, Australia Fair!" whilst looking forward to joining Australia as a free nation again ourselves, linked by so many ties of history that overcome distance and the ocean between us. Ties

of deep sentiment and constitutionality render distance and the ocean less for us than the width of the Channel.