

Seanad Article For Sunday Independent 28th December 2013

“Demeaning” was the term chosen this week by Minister Frances Fitzgerald to describe aspects of the Government’s failed campaign to abolish the Seanad. We could add “Cynical”, “Crass” and “Damaging” to that list.

While it is welcome that a Minister of the present Government would acknowledge that it had behaved in a demeaning way, her statement raises other important issues.

Was she simply hinting that the Government could have succeeded if it had been more subtle in its campaign? Was she herself still lamenting their failure to abolish Seanad?

After all, she herself participated in the abolition campaign – however half-heartedly and unconvincingly. But her face had shown her shock and displeasure way back when Enda Kenny first announced his “personal initiative”, as he called his stunt politics.

She was not the only Fine Gael Minister who secretly disagreed with the abolition proposal. Three other FG cabinet colleagues have since admitted privately that they were also against abolition. A radio station poll during the campaign found even then that 46% of FG TDs also privately opposed the idea. The great majority of FG Senators were also opposed. All of which is hardly surprising, given that Enda crash-landed his “personal initiative” on the party’s decks.

As for Labour, a good 70% of their parliamentarians opposed abolition.

Is “demeaning” not also very apt to describe the behaviour of all those parliamentarians who voted to support the Bill to amend the Constitution while privately believing it was wrong? What is it about the occupants of Leinster House that so many of them demean themselves in this way? Which comes first – loyalty to conscience, loyalty to the State’s Constitution, loyalty to the whip, or loyalty to a leader?

Why did they lose their voices on the issue? I witnessed an FG parliamentarian openly admit to university students that s/he was opposed to abolition but could not be publicly seen to oppose the Bill. The students were taken aback in equal measure by the parliamentarian’s candour and cowardice.

The truth is that they were afraid to stand up for their opinions. Afraid of the consequences for their careers. Afraid of the dud opinion polls which suggested that resistance to the “personal initiative” was pointless.

Nor were they alone in that fear. Many others were cowed by the prospect of openly opposing the Government. They included prominent public figures, NGOs, learned institutions, representative bodies and unions. Newspapers which had run opposing editorials trimmed their sails in the last week to advocate a Yes vote. Large swathes of civil society decided to keep schtum.

And now there is the issue of Seanad reform. Labour and Fine Gael Ministers recently meekly agreed in Cabinet to Enda Kenny’s proposal to avoid Seanad reform by simply drafting a Bill and legislating to

extend the university franchise, a measure of which 92% of the voters approved of decades ago in a referendum.

Let's be very clear. That reform leaves 90% of the Seanad *un-reformed*. Only six seats out of sixty are affected.

How cynical can you get? Can you remember Government Ministers attacking the narrow base of the electorate for the Seanad's panel seats during the referendum campaign? They decried the fact that they themselves had seven votes while many citizens had none. Is that not to change now?

If Frances Fitzgerald found that her Government ran a "demeaning" campaign for abolition, is she now satisfied to rubberstamp a "demeaning" pretence at reform?

What about Labour? Have they lost their compass completely?

There isn't going to be another referendum on Seanad reform. This Government is not going to sponsor two Seanad reform Bills in this term of office. If there is no real reform Bill passed now, the next Seanad will look more or less the same as this one.

Real reform starts now or is postponed for a decade. That is the choice we all face.

This issue will not go away. Those who championed Seanad reform are not going to lie down.

Without any referendum a Seanad Reform Bill could give a single vote to every citizen on the panel of his or her choice in the next Seanad election in two years time. That could include citizens in the North and Irish passport holders abroad. The Bill could give us a gender balanced Seanad – again without a referendum.

It is arrant nonsense to say that a reformed Seanad would become a rival Dail or would make the business of government unworkable.

The Constitution was devised to ensure that the Dail would enjoy supremacy. The limited powers given to the Seanad and President in relation to legislation mean that the Government does not have to control the Seanad's membership. The Dail is and will remain the chamber which elects and removes the Government, and the chamber to which Ministers are responsible and accountable. The dail alone decides budgetary policy.

When you think about it, the very limitations on the powers of the Seanad were a clear acknowledgment that the Dail and the Government could function properly *without* controlling the Seanad.

Enda Kenny thinks he can get away with leaving 90% of the Seanad seats in a rotten borough controlled by the political parties. He said he got a wallop for getting the referendum wrong.

He will get far more than a wallop if he rides roughshod over the vote of the people.

The people voted to keep a reformed Seanad in our constitution. Enda, Frances and Labour are asking for much more than a wallop if they shortchange us now.