

**“Parliamentary Practice and Procedures:  
Member’s roles in the House and their  
impact on the promotion of democracy”**

Lauofo Fonotoe Nuafesili Pierre Lauofo (MP) Parliament of Samoa  
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## **1. Member’s roles**

People enter politics for different reasons. Some have a utopian vision of a world they wish to see. Others are drawn by a desire to oppose injustice, corruption or incompetence. Many simply want to represent their community and speak up for its needs. The opportunities to achieve great social change through political action are huge. Galvanising the support of a nation, winning a strong electoral mandate, and seizing the reins of power can enable politicians to lead their nations and communities to great heights of development. There are numerous privileges that are attached with being a Member of Parliament; however, as with any organisation, there are also many correlating responsibilities.

According to “role theory”, a role is the pattern of behaviour and cluster of attitudes expected from persons occupying a given position in a social structure.<sup>1</sup> It explains roles by presuming that persons are members of *social positions* and hold *expectations* for their own behaviours and those of other persons.<sup>2</sup> However, roles are often highly complex and multi-dimensional; and it has been asserted that each position in a social structure is associated not with a single role, but with a specific ‘role-set’.<sup>3</sup> Parliamentarians are an example in point, since they interact with individuals and groups whose ‘patterned expectations’ of parliamentarian behaviour may vary.<sup>4</sup> This paper will address the role-set of Parliamentarians in the House and the impact it has on promoting democracy.

Besides being defined by institutional, public and media expectations, the member’s role-set is also shaped by the expectations emanating from different audiences with whom they are in contact with. As far as constituents are concerned, it is the service and aspects of responsiveness that compose the major tasks of a member, such as promoting the interests of their constituents, protecting them against

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<sup>1</sup> Biddle 1992.

<sup>2</sup> Ibid.

<sup>3</sup> Robert K Merton, The Role-Set Problems in Sociological Theory, in *The British Journal of Sociology*, Vol. 8, No.2 (Jun. 1957), pp.106-120.

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the challenges of public bureaucracy and providing jobs to ones electoral supporters.<sup>5</sup> The very core of being a representative is to interact with various social spheres, which implicates being able to play different roles. Whatever a member's dominant characteristics are, they must take into account the plurality of their roles.<sup>6</sup> A Member is expected to be a spokesperson for local interests; an ombudsman and facilitator who deals with concerns about government matters; a law maker; an examiner of the work of the Government and how it spends its money raised from taxation; and a contributor to debates on national issues.<sup>7</sup> The culmination of the objectives of each of these roles however, is the promotion and realisation of the fundamental ideals of democracy; namely accountability, transparency, respect for the rule of law and public participation.

## **2. The importance of parliamentary practices and procedures**

The parliamentary system of the Samoan parliament dictates the functions and duties it must fulfil, canvassed against the underlying ideals and norms of democracy. Democracy, without attempting to belabour the obvious, introduces an element of fundamental societal isonomy; an equality of citizenship in which the individual and collective preferences of the populace can be expressed. It also provides in principle, some opportunity for all citizens to compete for some share in power and it creates and legitimizes power, but does not allow the perpetuation of power.<sup>8</sup> These ideals reflect the notion that democratic governance is "*of the people, for the people*", and therefore members, constituents, and parliament as an institution are inextricably interconnected.

As the role of a Member of Parliament is fundamentally one of "representation", the idea of stable and effective parliamentary procedures is essential to facilitate such a role. It has been said that "[i]n general, parliamentary procedures were developed to allow for the orderly conduct of business in an assembly. They are the most formal means of communication ever used, but they are also "common sense" when they are fully understood by all participants."<sup>9</sup>

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<sup>5</sup> Ibid.

<sup>6</sup> Lagroye, 1994.

<sup>7</sup> "Government Accountability and Parliamentary Committees"

<sup>8</sup> Berg-Schollosser, *Democratization: The State of Art, 2007*, pp. 143 – 145.

### 3. Case in point – procedures that guide the Parliament’s core functions

- *Legislating*

The term portrays the fundamental function of law making in Parliaments through deliberation.<sup>10</sup> Legislatures are responsible for formulating and enacting public policy, in addition to authorising the creation of secondary or delegated legislation.<sup>11</sup> The Assembly, through the legislative process, will transform a piece of paper with no initial effect ‘[i]nto a statement of rules with binding effect which will be enforced by the full might of the state’.<sup>12</sup> Members must scrutinize proposed laws and assist in its development into credible Acts of Parliament, which will ultimately bind the public at large. The Parliament of Samoa has on average passed 79 Acts each parliamentary term, with the XVth Parliament (2011-2016) passing 135 Acts - the highest number of Acts enacted in a single parliamentary term to date.<sup>13</sup> As the statistics show, in the Samoan context, not only is law making a fundamental parliamentary function, it entails the bulk of Parliament’s yearly work.

The series of motions for bill readings is crucial as not only do they permit the progression of a Bill, but they permit debate. It has been said that political activity in a parliamentary assembly centres firstly on influencing what kinds of motions are put on the political agenda, and secondly, on taking part in debates on those motions that have reached the agenda. A parliamentary body is an assembly of which the primary function is not to legislate, but to debate according to certain rules.<sup>14</sup> This assertion provides deep insight into the crucial nature of parliamentary procedures, which perhaps many Members of Parliament overlook or forget throughout their parliamentary terms. The rules of the House which govern what action may be taken or what words may be spoken at any particular point in time, speaks volumes to their effect on the work of Parliament.

In terms of legislating, if a motion for a particular reading is not carried, a Bill may be delayed in its passage through the House. In a different scenario – it may be withdrawn. Furthermore, motions which permit debate may conclude in amendments to specific provisions, and a Bill which could possibly differ greatly in meaning and effect to that which the responsible Minister had envisioned may be later enacted. If one realises the importance of parliamentary procedures on the effects of the work of Parliament, and specifically to their constituency or party objectives, it becomes clear that each Member of Parliament should take the time to learn and understand the rules guiding all work in the House.

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<sup>10</sup> Ibid.

<sup>11</sup> Saward 1996.

<sup>12</sup> Ibid.

<sup>13</sup> Bills and Acts Official Record, Office of the Clerk of the Legislative Assembly, 2015.

<sup>14</sup> Redlich 1908b, p.215.

- *Oversight*

Another example which can be used is the Assembly's role of providing effective oversight of the government. This is a function which is generally synonymous with scrutiny as it 'involves monitoring executive activities for efficiency, probity and fidelity'.<sup>15</sup> The Assembly must hold the government accountable for its actions to ensure true conformity to democracy and to avoid complete Executive control of public affairs. Members are entitled to seek clarification on government policies as well as survey, appraise and criticise, consider financial proposals, examine public accounts and pursue inquiries through the committee process. Furthermore, in terms of public finances, the Assembly has the authority to scrutinize financial proposals as it is the 'duty of the House to ensure that public money is spent in accordance with parliamentary approval and in the best interests of the taxpayer'.<sup>16</sup>

- *Budget Setting*

Budget setting is another particular element of parliament's legislative function; it is the legislation which authorises revenue collection and the expenditure of public funds. However, the Budget is treated separately due to its significance. Its legal instruments determine the allocation of the polity's resources and the direction of economic and other national policies.<sup>17</sup>

If a Member familiarises him or herself with the standing orders which guide the "questions" and financial bills, he or she can effectively use their time in the Chamber to promote Government accountability. For example, knowing what issues can be raised at various points of debates will aid one in formulating relevant questions or querying specific policies or laws. Any gaps in one's knowledge on relevant standing orders which guide Chamber debates can lead to ineffective use of one's speaking time on important national issues. In terms of questions, it is essential that all Members are familiar with the procedures that must be used when querying a Minister or Member on issues; beginning with the various types of 'Notices' and how they may be given.

The idea that democracy is promoted through the representative role of Members equates to a strong focus on active and well informed debates in the Chamber. This focus on debates requires that all Members of parliament learn the rules and traditions of parliamentary work.

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<sup>15</sup> Johnson and Nakamura 1999.

<sup>16</sup> Ibid.

<sup>17</sup> Robert Hazell, 2001.