Controlling middle & backbenchers in PNG Parliament for political “stability”

by Andrew Anton Mako

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PNG politics was labeled unstable for many years, but today we have the opposite problem: too much stability and of the wrong kind.

The notion of political “stability” in PNG has often been used by many governments to increase their political longevity in Parliament, and to quash any attempts of change in government. This is a narrow definition of political stability, which was described as elusive at best and has been “achieved” in many ways that have undermined parliamentary democracy, and lessened the power of the Parliament or the Legislature over the years.

Constant change in government is disruptive to socio-economic development and should not be encouraged. However, in PNG the Executive Government’s practice of amassing power, particularly in the last decade, at the expense of the Legislature, the second arm of government, is in itself undemocratic, and impedes the separation of power between these two arms of government.

Since 1977, PNG has had only coalition governments – small parties coming together to join a party which had won many more seats (although on average less than 30 percent of total seats contested across PNG) than the other parties. Successive coalition governments have been fragile and, until the last decade, haven’t lived out their full terms of five years in Parliament. In the PNG Parliament, the balance of power that ultimately determines the lifespan of a government lies with the middle and backbenches of the Parliament. This is where “unattached” Members of Parliament (MPs) are seated. By “unattached” I mean those MPs who either aren’t in government, or at least do not occupying portfolios in the government. They aren’t important powerbrokers in the coalition.

History shows that ensuring the support of the middle and backbenchers has been

an important goal of any government. If a coalition government can successfully "shut out" the middle and backbenchers of the Parliament, it can ably last a full term of five years. This was brought to the fore in the last decade under Prime Minister (PM) Somare's two terms of government.

How did the previous governments control the middle and backbenchers?

Formal attempts were made by the Executive Government during the early 2000 to bring stability into Parliament – in the context of this article – to "control" the middle and backbenchers. The government headed by then PM Sir Mekere Morauta enacted the Organic Law on Integrity of Political Parties & Candidates (OLIGPPAC) in 2000 which required that all MPs voted along party lines, including in an event of a change in government. For a decade, the OLIGPPAC successfully "controlled" the power shifting forces of the Parliament until 2010, when Supreme Court ruled that the particular provision (of compelling voting along party lines) of OLIGPPAC was unconstitutional. This high court ruling rendered OLIGPPAC ineffective as far as "controlling" the middle and backbenchers was concerned. The middle and backbenchers of the Parliament have since become the key power brokering/shifting force of the political landscape of PNG.

Before the 2010 Supreme Court ruling, from 2002 to 2010, the coalition government headed by then PM Sir Michael enjoyed nearly a decade of political "stability" in the history of this nation. This is largely due to OLIGPPAC, as well as by employing other control mechanisms to evade any opposition. This included gagging of debate in Parliament, and "appeasement" of the middle and backbenchers by promises of privileges like easy access and timely release of District Services Improvement Program (DSIP) funds, and other funding streams like the Provincial Services Improvement Program (PSIP). However, during this period, a dangerous precedent was set as far as the balance of power between the Executive Government and the Legislature is concerned, i.e. the former amassed powers by eating into the latter's powers in its quest to successfully control the middle and backbenchers.

Yet, there would always be disgruntled middle and backbenchers that made this group a "powder keg", ready to explode any time when ignited. This became apparent at the end of the last decade, and apparently after the OLIGPPAC was quashed by the Supreme Court in 2010. In 2011, when the opposition finally had a breakthrough in having its voice heard in Parliament, it moved for a change in government when the incumbent PM was in hospital overseas. Almost the entire middle and backbenchers crossed the floor to join the opposition to form a new government.

How is the government currently dealing with power shifting forces of Parliament?

The above is the unfortunate situation of PNG Parliament the current coalition government inherited after the 2012 National Elections. Given the legislative void, the Executive Government faces a mammoth challenge in ensuring the middle and backbenchers are appeased and supportive. The current coalition government couldn't use the same tactics as its predecessor mainly because: (i) the Parliament now has a Speaker who is "resilient", and has proven that he cannot be easily influenced to gag Parliamentary debate; (ii) promises of privileges to "appease" the middle & backbenchers can be ineffective mechanism to contain them because, like in 2011, they can easily cross floor to form a new government; and (iii) the coalition government has publicly announced that it will be a transparent and responsible government. So to ensure political "stability" or for the coalition government to live out the full five years term in Parliament, the Executive Government had to further lessen the powers of the Legislature by amending key legislations including specific sections of the supreme law of the land, the Constitution. An example of such legislative change enacted in recent months was to extend the grace period to 30 months (from 18 months).

Recently, the government has announced that further legislative changes will be made to ensure political "stability". The proposed Constitutional amendments will: (i) require a mover of motion of no-confidence against an incumbent PM/Government give three advance months (an increase from one week), and ensure signatures of 1/3 (an increase from 1/10) of total MPs nominating an alternative PM; and (ii) reduce the minimum sitting days of Parliament from 63 to 40 days. The nature of the proposed legislative changes is such that the demarcation of powers will again be negatively impacted – more powers will be amassed by the Executive Government at the expense of the Legislature. Essentially, this will lessen the noise (if any) the middle and backbenchers could make against the government.

The opposition strongly opposes these proposed legislative changes. However, it is powerless to effect change given it now has less than eight MPs as the majority of its initial MPs (some of whom were very vocal and critical of the Executive Government) have left. They have either joined the government (and become backbenchers) or are in the middle-benches. All these former opposition MPs claimed on their dates of departure that being in the opposition would be to miss out on bringing development to their electorates/provinces. This is a diplomatic way of saying they'd miss out on privileges enjoyed by those MPs in government or middle-benches, e.g. the timely and easier access of DSIP and PSIP funds. And those MPs

still in opposition claim their development funds have been withheld.

What has been happening in the parliament and the actions successive Executive Governments have taken since the last decade (and proposes to take) are due to the “fear” the incumbent governments have of being ousted by the (minority) opposition when the (majority) middle and backbenchers rise against them. How can this dilemma be addressed? This calls for a bi-partisan approach that could introduce radical political reforms to be passed by Parliament which would bring meaningful solution(s). Reforms that would turn political “stability” in PNG on its head are needed. Such reforms for example, should include the reduction of the number of political parties. This could be done without restricting democracy, for example, by lifting the bar on the registration of political parties, and/or, requiring that they contest a larger minimum number of seats.

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Andrew Anton Mako is a Research Fellow under the Economic Policy Research program at the National Research Institute. The views expressed here are his own and do not necessarily reflect those of NRI or any political party.

Author/s:

Andrew Anton Mako
Andrew Anton Mako is a visiting lecturer and project coordinator for the ANU-UPNG Partnership. He has worked as a research officer at the Development Policy Centre and as a research fellow at the PNG National Research Institute.

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