



Fine Gael's minority government has ushered in a new Dail where every voice holds more sway — and less work gets done, writes **Justine McCarthy**

After TDs voted to cancel their scheduled Halloween break, administrative staff in Leinster House approached government chief whip Regina Doherty and asked for a week off leading up to Christmas Day as compensation. "When the business committee agreed in September to take the Halloween week, we decided to work Christmas week to compensate," said Doherty. "Staff came to me after the decision was overturned. They said they had families and homes to get ready for Christmas."

Such are the exigencies of the new politics, a device incorporated into Fianna Fail's confidence-and-supply agreement to support the minority Fine Gael-led government. Rule by consensus is designed to reduce uncertainty in a Dail where Fine Gael TDs are outnumbered by more than two to one. But sometimes uncertainty is exactly what the new politics achieves.

Secretaries, ushers and journalists working in Leinster House were not the only ones who had made alternative plans when the Dail backtracked and decided to work through Halloween. Politicians' cars, which usually pack Leinster House's car parks, were on sparse display that week. For the order of business in the chamber on Wednesday, 59 of the 158 TDs were absent. Micheál Martin, the opposition leader, was accused of staging a PR stunt. By forcing a vote to cancel the planned holiday, his accusers claimed, Martin had sabotaged the new regime.

Speaking at a media event in Dublin's Temple Bar the next day, Noel Dempsey, a former Fianna Fail ministerial colleague of Martin's, denounced "the rise of populism", adding "maybe we saw another example of it in the Dail yesterday".

Just 12 government bills are expected to be passed by the Oireachtas this year. The Dail has sat for only 76 days since January and the Seanad for 45. Last February's election followed by protracted negotiations to form a government drastically reduced the time available to legislate.

"The Dail rose on July 21 [for summer holidays] and resumed on September 27," Martin said. "In July, we were told major works were to be undertaken to refurbish the chamber, but that did not happen. Therefore, it transpired, there was no necessity for the longer-than-usual summer recess." He claimed the Dail not sitting on Halloween week would send "the wrong signal completely".

Fianna Fail, Fine Gael, the independent members of the government, Sinn Féin, Labour and the Social Democrats all voted to come back to work for Halloween. Only nine TDs voted against, including a visibly furious Clare Daly. Afterwards, she wrote to the ceann comhairle, saying the decision had undermined the business committee, and she was tempted to resign from it.

"We pleaded with her to stay," Doherty said. "She's respected. The 10 of us on the committee work well together."

A question mark hangs over the new politics, however. Is it really a brave new dawn? Or is it obstructing the workings of democracy by creating distractions, procedural wrangling and a lack of decision-making by the government?

"In some ways it's working really well," said Leo Varadkar, the social protection minister. "We have new family-friendly hours, which means people can make plans for time with their families. The downside is that the government has much less time to get legislation through. What's impeding business is that, because the government don't have a



FIANNA FAIL ARE PRETENDING TO BE IN OPPOSITION WHEN THEY'RE REALLY IN GOVERNMENT

majority, we have to take on the concerns of other parties. Where new politics potentially falls down is that it operates on the presumption that the big opposition party will devise policies according to what is best for the country, rather than what is expedient for themselves."

There have been complaints that some changes are cosmetic, such as the new facility for TDs to register "abstain" votes. "Nothing has changed," said the Wexford independent Mick Wallace. "They're playing games the way they always were. Fianna Fail are pretending to be in opposition when they're really in government. They're the ones who decide what will be passed in the chamber."

While many veteran TDs welcome the changes, newcomers are less impressed. "I've found it frustrating getting what appears to be stock answers to parliamentary questions," said Lisa Chambers, a Fianna Fail TD for Mayo. "They seem to reuse previous replies. When you put questions to ministers in the chamber, you can see the unwillingness to stray from the script. When you ask a follow-up question, you'll often get the same reply read back."

Others say the requirement for consensus is stifling government initiatives. Big issues — such as the repeal of the eighth amendment, garda disclosures of wrongdoing, and water charges — have been

long-fingered by being consigned to special inquiries and consultative processes.

Last Wednesday, however, something extraordinary happened because of the new regime. After more than two years of public protests against Irish Water, TDs overwhelmingly backed a bill by the independent Joan Collins to hold a referendum safeguarding the public ownership of water. Despite minister Simon Coveney telling the Dail the government "has legislated twice to protect its public ownership", Fine Gael allowed the bill past the second stage without a vote. After Fianna Fail chose to support the bill, the government's choice was to abstain or vote against and suffer a humiliating defeat.

There have been other examples of new politics working in the past month, such as the endorsement of an anti-fracking bill by Fine Gael's Tony McLoughlin, and an all-party motion that Ireland should receive 200 unaccompanied children from the Calais refugee camp in France.

"The old politics had broken," said Martin. "With the new politics, the balance of power has changed between the government and the Dail. I admit there are teething problems. I think the Dail is trying to do too much between 2pm on Tuesday and 5pm on Thursday. I don't understand why we can't start at 9.30am."

Leinster House has become a busier place. There are new committees on budgetary oversight, Oireachtas reform, health policy reform and Dail business. Committees meet at 9am and Dail voting is done en bloc on Thursday mornings so committee members do not have to be in two places at once. Three slots of Dail time are allocated to private member's bills each week. Tuesdays and Wednesdays are reserved for the opposition. For the Thursday slot, a bill is randomly chosen.

With more time allocated for opposition and backbenchers' bills, the Dail has a wider focus. Jim O'Callaghan, Fianna Fail's justice spokesman, got his Parole Bill through unopposed, and Michael McGrath, the party's finance spokesman, steered in a Central Bank Bill, extending powers to regulate mortgage interest rates.

"One thing that isn't working very well is the fact that government backbenchers don't have much time," said Varadkar. "They find it hard to get speaking times."

Under the new politics rules, a private member's bill that survives the second stage is guaranteed completion within 10 weeks. Government bills have no such guarantee. Nor can it guillotine bills, a previously common method of fast-tracking legislation through bypassing debate. This is against the new rules. The government set a target of publishing 25 bills before the end of January but, such is the growing backlog, Doherty has discussed the issue with Máire Whelan, the attorney general.

"We have six hours for opposition legislation every week but I have five hours [for government legislation]. How can you pass legislation without a guillotine in five hours?" she said.

Yet Martin insists the Dail is not stopping the minority administration from getting legislation through. "That is a failure of the government, because it has failed to set a new vision for the country," he said.

With 10 parties and alliances in the Dail — compared with the old "2½-party" system — new politics may be working too well for the liking of Fine Gael and Fianna Fail. The big two parties want to retrench the allocation of time for formal statements, such as there were on Brexit. At present each party leader gets five minutes, but Fianna Fail and Fine Gael want 20.

"This would be a significant reversal of what we have been trying to do for the past

six months," said Eamon Ryan, the Green Party leader and a member of the Dail reform committee. "Micheál Martin would get 20 minutes, and I'd get two."

"I'm aware the public are not lying awake at night thinking, 'What process is at play in the Dail?' But I still prefer our new politics to Britain's Brexit politics or the new politics we're seeing in America."

Tweaking the schedule of business in the Dail is unlikely to make as big a mark on the electorate as a decision made without fanfare last week.

While the government faces industrial unrest over public pay restoration, the Dail defeated a Sinn Féin motion to stop two scheduled pay rises for TDs, amounting to €5,414. The two-phase hikes, over two

years, will bring basic salary to €92,672. The government and Fianna Fail joined forces to pass a counter-motion that, while ministers would forgo separate €12,000 increases, deputies could keep theirs.

The other good news for the denizens of Leinster House is that Christmas holidays start on Friday, December 16. It means the Dail will have sat for just 92 days in 2016.

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