

Freeing Speech (part 3)

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'I remember feeling as if I was suffering from brain rot. As a former academic accustomed to hearing tight argument supported by evidence, the empty nature of much parliamentary debate came as a shock. ... [M]ost speeches are delivered without an audience, into the void. Speech after carefully prepared speech disappears without a trace, having no impact on the fate of legislation. ... Scrutiny of the executive is limited to the charade that is question time, when no questions are answered.'

[Former Western Australian premier Carmen Lawrence, on being a new MP; in Mike Steketee.]

This briefing continues our 'work in progress' concerning 'free speech'. Our first instalment (#49a) made some legal, philosophical and theological observations about it, and our second (#49b) told the story of its theological origins (thanks to Oliver O'Donovan's argument in The Desire of the Nations, details below; again, page numbers are to that book).

Christians reading about free speech will be keen by now for us to get to the 'good stuff'. What should we make of those anti-Islamic cartoons earlier this year? And just how evil are religious anti-vilification laws? We're saving those matters for a later instalment.

But this instalment is digression. It is a lament, of sorts.

As we saw, O'Donovan thinks that the 'free speech' of Pentecost eventually gave rise to societies where Parliaments and Congresses are "a forum of deliberation before which a government is expected to explain itself and expose itself to critical interrogation" (270). In these assemblies, the 'common good' is discovered together.

But when speech becomes 'totalised', *what* is said becomes less important than *that it gets said*. At its worst, public speech is merely a tool to amplify and express the power of interest-holders. This process is another sad moment in a fallen world, where the very best gifts become corrupted into an evil parody of themselves.

Hence the point of parliament is lost, and "built into our expectations [is] the idea that common deliberation is, in effect, no more than a condition of suppressed civil war" (283). Parliament degenerates from a deliberative assembly to "a court of common pleas, defending the interests of particular sectors or persons against governmental impositions" (271). When speech is totalised, private and sectional goods can only ever compete for supremacy over any conception of a common good.

The deterioration of public free speech is accelerated under the influence of political parties:

When the real debates about the common good occur, in which ideas and arguments prove influential and common understandings are formed, we are used to seeing the political machinery of a democracy deployed to suppress them, since they threaten the predictability of the party conflict and so, by implication, the legitimacy of its outcome. (283)

O'Donovan's melancholic depiction of the U.K. parliament is, for Mike Steketee, even more bleakly true of its Australian counterpart:

Australia is not alone in witnessing a trend towards the erosion of parliamentary sovereignty, but it has gone further than elsewhere. In no other Westminster parliament is such priority given to enforcing party discipline. Nowhere does the Speaker have less independence. In no other comparable country does so much of the government's spending escape the scrutiny of the parliament. According to Clerk of the Senate Harry Evans, the proportion of government expenditure not covered by the annual budget rose from 10 per cent in 1910 to 49 per cent in 1950 and 78 per cent now. This is because it is allocated automatically under legislation covering large areas of welfare, health and education. Parliament can change these arrangements, but only if

and when it suits the government. ... [T]he Senate has become the chamber that fulfills the classic parliamentary role.

Some might argue that this lament is altogether too bleak. After all, the political process seems to roll along satisfactorily enough in Australia, whatever the shortcomings of the top-level event called 'The Parliament'. A general and a specific example of how things 'really' work might give us hope:

1. In modern Western political processes, deliberation towards the common good takes place at the 'committee stage', a process well upstream of the passing of Bills into law. Members hear submissions from any interested member of the community, and apprised of all this input, become better placed than anyone to mould a proposal that is likely to work, both politically and socially. Decisions may well be a fait-accomplit before they are voted on by the Parliament, but that is because no Parliament can apprise itself of all the relevant details on every issue. A democratic committee stage, with a Parliament that only scrutinizes some issues closely, may be the only practicable arrangements in a complex modern democracy.
2. Not long ago we witnessed an astonishing 'breach' of party discipline, when a cadre of brave Liberals successfully challenged the Prime Minister to soften his Government's harsh mandatory detention policies toward illegal immigrants and some asylum seekers. (However, our briefing #50 considered whether recent proposals will harden this policy again.) Such a parties-within-a-party indicate another avenue in Australian political life where freedom of speech, toward a common good, can find a voice.

Nevertheless, the point of this lament is that true freedom of speech is not just a problem for the way religious people might speak. The defence of free speech matters for all (and is recognised in international law as critical for ongoing life of a vibrant society). But just as in ancient Rome, no leader particularly welcomes "a forum of deliberation before which a government is expected to explain itself and expose itself to critical interrogation", and will almost always gradually seek to silence such a forum.

Christians who value free speech will not only be interested in the responsibilities and freedoms involved in speaking truth about God. They will vigilantly expect their Government to explain itself. They will expect their leaders to remain open to proper critical interrogation. They will strongly support those public spaces where deliberation toward the common good takes place. The following practises might help:

- Keep writing thoughtful, probing, supportive and/or challenging letters to MPs on various issues that are coming before them.
- Watch for State and Federal Parliamentary committees of enquiry, which are advertised on their websites.
- Find out when Parliament is broadcast, and listen to a bit of it every so often. Write letters of encouragement to MPs who speak well. Write letters of protest to MPs who seem merely to be going through the motions, or who a making that forum less than what it could be (whether through grandstanding, abuse, time-filling, or uninformed argument). It matters for them to know that people are thoughtfully listening to their words.

In all these interjections, do speak wisely! Not all words are created equal; we don't just speak in order to be heard; what we say should always be offered that the community might begin to discern its common good.

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Sources/Further Reading:

O'Donovan, Oliver M.T., *The Desire of the Nations: Rediscovering the Roots of Political Theology*. Cambridge: Cambridge University Press, 1996, pp. 268-70, 281-83.

Mike Stekete, 'Federal Parliament—a Struggle for Relevance,' in Peter Wilson (ed.), *Australian Political Almanac: The Essential Guide to Australian Politics* (South Yarra: Hardi Grant, 2002), pp. 21, 23, 24.

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