

# About Parliament 02

## A Brief History of Parliament

### A General History of Parliament

The word *Parliament* comes from the Latin *parliamentum* and the French *parler* (to speak), and is descriptive of the method by which members reach decisions in our Houses of Parliament - by talking to each other.



Palace of Westminster

Parliamentary Government is steeped in English history. From early times the sovereign (the King or Queen) took counsel with the most powerful of his or her subjects. In the 14<sup>th</sup> century, the Knights of the Shires and town representatives were also, from time to time, invited to attend the King's Council in his Parliament.



House of Lords

Soon the Knights and the representatives of Boroughs began to meet separately in what became the House of Commons, and the powerful Barons and church leaders became the House of Lords<sup>1</sup>.



House of Commons

By the middle of the 14<sup>th</sup> century, it had been established that taxation was illegal without the consent of the two Houses, and that the agreement of the Houses was necessary for all statutory legislation.

Control over finances, or supply, was a means whereby Parliament changed its role from petitioning the Monarch to make changes to the laws, to actually making new laws itself. Successive Monarchs continually tried to circumvent Parliament's control over money by raising revenue by other means.

The competition between Parliament and the Monarch intensified during the English Revolution, which commenced in 1642, and resulted in the beheading of Charles I outside his palace in Whitehall in 1649.



Banqueting House, where Charles I was executed

Even after the Monarchy was reinstated in 1660, conflict continued until the Glorious Revolution of 1688 when King James II fled to France.

At this time Parliament asserted its authority to determine the conduct of governmental affairs.

Indeed, relevant portions of the revolutionary settlement contained in the *Bill of Rights 1689* are part of Western Australian parliamentary law today, and include important provisions regarding parliamentary sovereignty and privilege.

<sup>1</sup> The British House of Commons (or Lower House) is the equivalent of the Western Australian Legislative Assembly, and the House of Lords (or Upper House) is the equivalent of the Legislative Council.

## Parliament in Western Australia

Western Australia inherited the English system of government and law when it was colonised in 1829. Its first legislative body was the Legislative Council, which met for the first time on 7 February 1832 and was presided over by the Governor of Western Australia, Captain James Stirling, who nominated four other members.



Owen Garde's depiction of an Early Meeting of the Legislative Council

Between 1850 and 1868 Western Australia was a Penal Colony and, under the *Australian Colonies Act* (1850), was denied the opportunity to adopt representative or even responsible government, as took place in the Eastern Colonies.

As a compromise, in 1867 the Governor agreed to nominate to the Legislative Council those persons elected by all free adult males in the colony who owned property.

In 1870 Western Australia was granted Representative Government with a Legislative Council consisting of 12 elected members and six members nominated by the Governor.

Western Australia was not granted Responsible Government until 1890 when Parliament was formed with a Legislative Assembly of 30 elected members and a Legislative Council of 15 members, who were initially nominated by the Governor.

When the Colony's population reached 60,000 in 1893, the Legislative Council became an elected body of 21 members (three members elected from each of the seven provinces).

In 1899 the Legislative Assembly increased its number of electoral districts to 50; in 1968 to 51; in 1975 to 55; and in 1981 to 57. In 2005 the number of electoral districts in the Legislative Assembly was increased to 59 (which took effect from the 2008 State Election), and the number of members in the

Legislative Council was increased from 34 to 36 (which took effect from 22 May 2009).

In 1899 the Legislative Council had 10 electoral provinces, each returning three members for a term of six years. In 1963 this was increased to 15 provinces returning two members each, with half of the total number of members elected every three years. In 1976 it was increased to 16 provinces with two members each and in 1981 to 17 provinces with two members each.

In 1987 the Legislative Council underwent a major reform when all members' terms were reduced to a fixed term of four years, and all members retired at the same time for an election. This reform took effect from the 1989 election<sup>2</sup>.

Until the 1964 election, only those people who satisfied a property requirement were entitled to vote in Legislative Council elections. Voting rights were only granted to Aboriginal people in 1962. Women were not entitled to vote until 1899; however, few were able to vote in the Legislative Council because most did not own property.



Edith Cowan

In 1920 women became eligible for election in Western Australia, and in 1921 Edith Cowan became the first Australian woman to be elected as a member of Parliament. At that time the only other female member of Parliament to be elected in the British Empire was Lady Astor, who took her seat in the House of Commons in 1919.



Lady Astor

<sup>2</sup> More information on elections is available from the Western Australian Electoral Commission website: [www.waec.wa.gov.au](http://www.waec.wa.gov.au).