The Role of Parliamentary Procedures in Strengthening, Preserving and/or Hindering Democracy

Lessons from the Solomon Islands 2026 Constitutional Impasse

Australasian Study of Parliament Group Annual Conference 2026

Duane Baiabe and Jayson Rimamata
National Parliament of Solomon Islands

Abstract

Parliamentary procedure is central to representative democracy because it provides the institutional framework through which elected representatives deliberate, governments are scrutinized and political authority is tested. Yet parliamentary procedures can also become a source of institutional vulnerability where rules governing parliamentary time, confidence and executive accountability contain gaps or depend excessively on political convention.

The 2026 Political Impasse in Solomon Islands provides a contemporary case study of this tension. Following the resignation of ten Cabinet Ministers in March 2026 and the lodging of a Motion of No Confidence, Parliament did not immediately determine the question of confidence in the government. The resulting constitutional impasse ultimately required judicial intervention. The episode raised fundamental questions about the relationship between the Prime Minster, Parliament, the Governor General and the courts, and about whether parliamentary procedures were sufficiently robust to protect Parliament's constitutional accountability function during a period of political instability.

This paper argues that Parliamentary Procedures should not be assessed only by whether they provide orderly mechanisms for debate. They must also be assessed by whether they contain safeguards against procedural paralysis. The Solomon Islands experience demonstrates that Westminster-derived procedures may operate differently in a fragmented and coalition-based political environment, particularly where parliamentary scheduling, confidence and political-party regulation leave important questions unresolved.

Using the 2026 Impasse as a case study, and drawing on comparative experiences from the United Kingdom, Canada, South Africa, Papua New Guinea and Fiji, the paper examines how Parliamentary Procedures can strengthen, preserve, and hinder democracy. It concludes that reforms should prioritize clearer parliamentary procedures for Motions of No Confidence, greater certainty concerning parliamentary sittings and carefully defined mechanisms for dealing with exceptional circumstances, while ensuring that any reform of political-party regulation remains constitutionally compatible and protects the legitimate independence of Members of Parliament.

Introduction

Parliamentary Procedures are often understood as the machinery through which a legislature conducts its business. Rules governing sittings, motions, debate, voting and parliamentary accountability provide order and predictability and enable elected representatives to perform their constitutional functions.[1] Yet procedure is not politically neutral. The manner in which parliamentary rules are designed and exercised can determine whether Parliament is able to scrutinize executive government effectively or whether procedural discretion can delay, frustrate or prevent parliamentary accountability.

The Solomon Islands political impasse of 2026 illustrates this problem with a particular clarity. Following the resignation of ten Cabinet Ministers from the Government of National Unity and Transformation (GNUT) on 16 March 2026,[2] a Motion of No Confidence was lodged against the Prime Minister. The subsequent failure to bring the motion before Parliament within a clearly defined period generated a Constitutional Impasse and ultimately judicial proceedings.

The significance of the episode extends beyond the immediate political contest. The issue was not simply whether one government retained a parliamentary majority. It was whether the constitutional and procedural framework contained sufficient safeguards to ensure that Parliament could perform its essential function of determining confidence in the Government.[3]

This paper therefore asks three related questions:

i. How do parliamentary procedures strengthen and preserve democratic government?
ii. Under what circumstances can parliamentary procedures hinder democratic accountability?
iii. What lessons can Solomon Islands draw from the 2026 Impasse for the design of parliamentary procedure and related constitutional and statutory arrangements?

The paper argues that parliamentary procedures strengthen democracy when they provide predictable mechanisms for representation, scrutiny and decision-making; they preserve democracy when they protect institutional continuity, minority participation and executive accountability: but they may hinder democracy when procedural ambiguity, executive discretion or institutional weakness allows Parliament's constitutional functions to be delayed or frustrated.

The central proposition is therefore not that parliamentary procedure itself caused the 2026 crisis. Rather, the crisis demonstrated the consequences of an interaction between parliamentary procedures, executive control of parliamentary time, coalition politics, constitutional convention and the regulation of political parties.

---

[1] *Standing Orders of the National Parliament of Solomon Islands* (Solomon Islands, 2014)
[2] Office of the Prime Minister, 2026. Prime Minister Confirms Resignation of Ten Cabinet Ministers. Accessed at: https://solomons.gov.sb/prime-minister-confirms-resignation-of-ten-cabinet-ministers/
[3] *Kologeto & Others v The Governor-General & Ors* [2026] HCSI-CC 154, [3]-[8]

Parliamentary Democracy and the Challenge of Institutional Resilience

The Westminster model rests on an institutional relationship between representative government, responsible government and parliamentary accountability. Its procedures developed not merely to regulate speech and order in chamber, but to structure the relationship between the executive and the legislature. The procedures surrounding the confidence, supply, ministerial responsibility and parliamentary scrutiny are therefore central to the constitutional operation of the model.[4]

Solomon Islands adopted a Westminster-derived parliamentary system at Independence in 1978. The Constitutional establishes a representative parliamentary democracy and a system of responsible government in which executive authority is accountable to the elected Parliament. The constitutional architecture is therefore concerned not only with who holds office, but also with how continued authority to govern is demonstrated and tested.

Four principles are particularly relevant to the present discussion. The first is Majority Rule: government must ultimately rest upon the support of the parliamentary majority. The second is Minority Participation: opposition and minority Members must retain meaningful opportunities to place questions before the House. The third is Transparency: parliamentary proceedings allow governmental decisions and political claims to be tested publicly. The fourth is Accountability: Ministers and the Government must remain answerable to Parliament.

Parliamentary Procedure gives practical effect to these principles. Notice provisions, the Business Paper, rules governing debate, voting procedures, committee arrangements and the Speaker's control of proceedings are the means by which political disagreement is translated into institutional decision-making. When those procedures function predictably, disagreement is contained within constitutional channels. When they become uncertain at moments of constitutional stress, procedure can itself become part of the problem.

This issue is particularly important in coalition systems. Westminster assumptions often develop in environments where political parties are relatively stable and the government's parliamentary majority is reasonably clear. In a fragmented system, however, changes in coalition support may occur quickly. The law and parliamentary procedure must therefore be capable of responding to changes in political support without allowing the process for testing confidence to become dependent entirely upon political convenience.[5]

The 2026 experience illustrates this tension. The problem did not arise because Solomon Islands lacked parliamentary procedures. It arose because a mature constitutional question, whether the Government retained the confidence of parliament was confronted by uncertainty concerning the timing and facilitation of parliamentary consideration. The distinction is important: institutional

[4] See generally John Uhr, 'The Theory and Practice of Parliamentary Procedure' in Brian Galligan and John Wanna (eds), Parliaments and Democratic Consolidation (ANU Press, 2001) 45; J A G Griffith, 'The Political Constitution' (1979) 42(1) Modern Law Review 1.

[5] Interview with Hon. Manasseh Sogavare, Leader of the Official Opposition, 24 July 2026

resilience depends not simply on having procedures, but on having procedures that continue to function during exceptional circumstances.

Constitutional & Parliamentary Framework for Democratic Accountability

The constitutional position concerning Motions of No Confidence is central to the paper. Section 34 of the *Constitution* establishes the consequences where Parliament passes a resolution of no confidence in the Prime Minister by an absolute majority. It also requires that notice of the motion be given to the Speaker at least seven clear days before it is introduced. The seven-day notice period therefore establishes a constitutional threshold before the motion can be introduced (*Constitution of Solomon Islands s.34*).

The High Court's decision in *Kologeto v Governor General* provides the most important contemporary interpretation of that framework. The Court described parliamentary determination of confidence as the Constitution's central safeguard in circumstances where the Government's majority is disputed. It further identified the structural relationship between the Executive and Legislature as a central constitutional question in the case.[6]

The Court also drew on earlier Solomon Islands authorities. In *Hilly v Pitakaka*, the Court of Appeal described the principle of majority rule as a central feature of the constitutional structure and stated that the Constitution should be interpreted in a way that advances rather than impedes majority government.[7] In *Prime Minister v Governor General*, the Court of Appeal similarly linked responsible government with the requirement that a Prime Minister who has lost the support of Members of Parliament should resign.[8]

The decision in the *Speaker v Danny Philip* is particularly significant because it treats the right of a Member to move a Motion of No Confidence as a constitutional right rather than merely a procedural privilege created by the Standing Orders. The Court of Appeal reasoned that parliamentary procedure cannot be interpreted in a way that effectively removes a right which is necessary to the operation of representative parliamentary democracy.[9]

This jurisprudence means that the relationship between the Constitution and the Standing Orders must be understood hierarchically. Standing Orders are essential to the orderly conduct of Parliament, but they cannot be interpreted or applied so as to defeat a constitutional right or constitutional purpose. The issue in 2026 was therefore not simply one of scheduling. It was whether the existing procedural framework could operate consistently with the constitutional requirement that confidence in the Government remain capable of determination by Parliament.

---

[6] *Kologeto v Governor-General* [2026] HCSI-CC 154, [3]-[8]

[7] *Kologeto v Governor-General* [2026] HCSI-CC 154, [17] quoting *Hilly v Pitakaka* (1994) (Court of Appeal of Solomon Islands)

[8] *Kologeto v Governor-General* [2026] HCSI-CC 154, [65] citing *Minister v Governor-General* [1999] (Court of Appeal of Solomon Islands)

[9] *Kologeto v Governor-General* [2026] HCSI-CC 154, [48]-[54] citing *Speaker v Danny Philip* (Court of Appeal of Solomon Islands, Appeal No 5 of 1990, 30 August 1991)

The current Standing Orders provide detailed rules for parliamentary business, including provisions concerning the arrangement of motions, notices of motions and the manner of debate. Those provisions are important, but the 2026 case demonstrates that detailed procedural rules do not by themselves answer every constitutional question. The unresolved issue was what should happen after the constitutional notice period had matured but Parliament had not been convened.

Kologeto addressed that issue directly. The Court held that once a Motion of No Confidence had been validly lodged and the seven-day period had expired, a constitutional duty arose to ensure that the motion was brought before Parliament at the earliest opportunity. The Court further held that the Prime Minister could not lawfully use procedural discretion to block or indefinitely delay the motion.[10]

This finding gives the 2026 experience a broader institutional significance. The key weakness was not the absence of every relevant procedure, but the absence of sufficient procedural certainty at the point where ordinary parliamentary scheduling intersected with the constitutional question of governmental confidence. A resilient parliamentary system should minimise the possibility that this type of constitutional question can remain unresolved because the ordinary machinery for scheduling Parliament is itself dependent on the political actor whose authority is being tested.

The Solomon Islands 2026 Political Impasse: A Case Study

The Political Crisis Unfolds – Parliament Under Democratic Challenge

The 2026 political impasse developed following a change in coalition support within the Government for National Unity and Transformation. The High Court recorded that the governing coalition had been formed following the 2024 General Election and that, in March 2026, coalition partners withdrew, a rival coalition emerged, Ministers resigned, and a Motion of No Confidence was lodged.[11] The case record before the Court recorded that the Motion of No Confidence had been validly lodged, that the seven-day notice period had matured, and that the Speaker considered a Motion of No Confidence to take precedence over other business when Parliament next sat. Parliament, however, had not been convened.[12]

These facts are important because they separate the political question from the constitutional procedure. Whether the New Coalition actually commanded a majority was ultimately a matter for Parliament to determine. The Attorney-General's position, as recorded by the Court, was that the proper place to determine confidence was on the floor of Parliament. The difficulty was precisely that Parliament was not sitting to make that determination.[13]

---

[10] *Kologeto v Governor-General* [2026] HCSI-CC 154, [73]-[102]

[11] *Kologeto v Governor-General* [2026] HCSI-CC 154, [9]-[13], [34]-[35]

[12] *Kologeto v Governor-General* [2026] HCSI-CC 154, [13]

[13] *Kologeto v Governor-General* [2026] HCSI-CC 154, [11]-[14]

The resulting impasse therefore created a circular problem. The Government maintained its authority to continue governing while arguing that the parliamentary meeting would occur at an appropriate time. The opposing coalition maintained that it had the majority and sought the earliest possible sitting to test that claim. The Speaker confirmed the priority of the motion, but the Speaker's procedural responsibilities could not alone produce a sitting of Parliament. The Governor General, meanwhile, was subject to constitutional constraints concerning the convening of Parliament in the absence of the Prime Minister's advice.[14]

The High Court resolved the immediate legal issue by characterising the circumstances as a constitutional impasse. It concluded that the Prime Minister had a primary duty to facilitate immediate parliamentary consideration of the matured motion and that judicial review was engaged if that duty was breached. Only if that failure persisted did a residual question arise concerning the Governor General's powers.[15]

The decision is constitutionally significant because it places parliamentary confidence back at the centre of the analysis. The Court did not determine which political grouping should govern by assessing the competing claims outside Parliament. Instead, it held that the constitutional system required the question to be tested through the parliamentary process.

This is important for democratic theory. Democratic legitimacy in a parliamentary system is not exhausted by the fact of an election. Governments derive continuing authority through the constitutional relationship between the executive and the elected legislature. A government whose majority is disputed must therefore have access to Parliament for that dispute to be resolved. The 2026 impasse demonstrated the danger that arises when the political contest continues but the institutional forum for resolving it is temporarily unavailable.

The crisis also showed that parliamentary procedure has consequences beyond the chamber itself. The Speaker's evidence before the Court indicated that ordinary parliamentary functions were being affected, including difficulties concerning committee chairmanships. The Court noted that the wider functioning of Parliament appeared to be affected by the impasse.[16] The issue was therefore not limited to one confidence motion; it concerned the capacity of Parliament to continue performing its functions during a period of political instability.

How Parliamentary Procedures strengthen and preserve Democracy

Parliamentary procedures strengthen democracy by transforming political disagreement into lawful institutional processes. A mature parliamentary system does not attempt to eliminate political conflict. It provides procedures through which political conflict can be debated, tested and resolved.

---

[14] *Constitution of Solomon Islands 1978*, ss. 31, 34, 72

[15] *Kologeto v Governor General* [2026] HCSI-CC 154, [100]-[102]

[16] *Kologeto v Governor General* [2026] HCSI-CC 154, [61]-[64]

The Motion of No Confidence is a clear example. It gives Members a constitutional means of challenging the Government's authority. Where a Government retains majority support, the vote confirms that support. Where the Government no longer commands the majority, the Constitution provides a mechanism for political change. In either case, the dispute is settled by Parliament rather than by political pressure outside the constitutional system.

Procedures also preserve democracy by protecting continuity. Regular sittings, rules of notice, orderly debate, committee structures and the authority of the Speaker ensure that legislative business does not depend entirely upon informal political arrangements. These mechanisms allow Parliament to continue operating even when political relationships are contested.

Transparency is another democratic function of parliamentary procedure. When a question of confidence is determined on the floor of Parliament, Members publicly state their position and the result is recorded through an institutional process. This improves accountability to the electorate and provides a clear constitutional basis for the continuation or termination of executive authority.

The Solomon Islands case illustrates these positive features. The lodging of the March 2026 Motion of No Confidence was itself an exercise of democratic accountability. The Speaker's confirmation that the motion had priority ensured that the parliamentary process recognised its constitutional importance. The High Court's intervention then reinforced the requirement that the political dispute be returned to Parliament for determination.[17]

The earlier Solomon Islands cases also support this understanding. The Court of Appeal's reasoning in *Hilly v Pitakaka* and *Prime Minister v Governor General* placed majority rule and responsible government at the centre of constitutional interpretation. These cases show that the Constitution is not concerned merely with formal office-holding; it is concerned with the continuing legitimacy of executive government.

Accordingly, parliamentary procedure preserves democracy when it keeps the legislature functioning as the authoritative forum for testing political legitimacy. Its success should therefore be measured not only by procedural order but also by whether the rules remain capable of producing a timely constitutional decision when political stability is under pressure.

When Parliamentary Procedures Hinder Democratic Accountability

The same characteristics that provide order can become sources of vulnerability. A scheduling rule designed to facilitate efficient government business may create difficulty when the Government's own tenure is the subject of a confidence dispute. Executive influence over the parliamentary timetable is not inherently undemocratic; governments must be able to organise legislative business. The difficulty arises when ordinary scheduling discretion interacts with a constitutional question that requires the Government itself to be tested by Parliament.

[17] *Kologeto v Governor General* [2026] HCSI-CC 154, [54]-[62], [73]-[89]

The 2026 impasse demonstrated this problem. The seven-day constitutional notice requirement provided a clear threshold for the introduction of a Motion of No Confidence. The subsequent stage, however, depended upon the practical ability to convene Parliament and place the motion before the House. The absence of a clearly defined maximum period between maturation of the motion and parliamentary consideration created uncertainty that became constitutionally significant during the crisis.

The High Court's reasoning effectively filled this gap through constitutional interpretation. It held that once the motion matured, Parliament had to be given the opportunity to determine confidence at the earliest opportunity. The judgment therefore transformed what might previously have been treated as a question of political timing into a constitutional obligation.[18]

This is an important example of procedure hindering democracy without any individual procedural rule necessarily being unlawful on its face. A legal framework can be formally comprehensive while remaining institutionally incomplete. The vulnerability lies in the interaction between separate rules: the *Constitution* regulates the notice period and consequences of a vote, the Standing Orders regulate parliamentary business, and the executive ordinarily participates in the process of convening Parliament. The crisis arose in the space between those provisions.

The episode also demonstrates why parliamentary procedure should contain safeguards for exceptional circumstances. Ordinary rules are designed for ordinary political conditions. A mature procedural framework must additionally anticipate situations in which the Government's majority is uncertain, Parliament is not sitting and a constitutional confidence process is already underway.

In this sense, parliamentary procedure hinders democracy when it permits uncertainty about institutional timing to override the need for a timely constitutional determination. The answer is not to remove all executive scheduling authority. The answer is to establish a clearly defined exception for constitutional business of exceptional importance, particularly a matured Motion of No Confidence.

Political Parties, Coalition Government and Democratic Resilience

The Political Parties Integrity Act (PPIA) 2014 forms part of the broader legal framework governing political parties and coalition arrangements. Although the Act does not itself determine whether a Prime Minister retains the confidence of Parliament, the organisation of political parties and changes in coalition support can affect the parliamentary numbers on which confidence in the Government depends.[19] The 2026 impasse therefore illustrates the interaction between political-party organisation and parliamentary procedure: changes in political support may alter the

[18] *Kologeto v Governor General* [2026] HCSI-CC 154, [74]-[101]

[19] *Political Parties Integrity Act 2014* (No 9 of 2014) (Solomon Islands)

composition of a governing coalition, but the constitutional question of whether the Government retains the confidence of Parliament must ultimately be resolved through Parliament.

The experience of Papua New Guinea provides a useful regional comparison. The *Organic Law on the Integrity of Political Parties and Candidates* contains detailed provisions concerning resignation, defection, voting restrictions and motions of no confidence.[20] The PNG experience demonstrates that legislation can promote stronger parties and greater coalition stability. However, it also demonstrates that such measures must operate within constitutional limits and that stronger party discipline is not always the appropriate answer to political instability.[21]

Reform should consider how the existing legal framework can support stable political parties and coalition government without weakening the constitutional role of Members. The *PPIA* may play a supporting role where coalition arrangements are clearly documented and political parties operate according to transparent rules. Democratic stability means ensuring that political changes can occur through lawful and predictable processes, not simply keeping an existing government in office. The Kologeto judgment concluded that once a Motion of No Confidence has matured, a constitutional duty arises to bring it before Parliament at the earliest opportunity.

The relationship between party regulation and parliamentary procedure should be seen as complementary. Political-party laws can help provide a stable framework for political organisation and coalition building, while parliamentary procedure provides the mechanism through which disputes about governmental support are resolved. A resilient parliamentary system is one in which political disagreement, changes in coalition support and changes of government can occur through established constitutional procedures. Democratic resilience depends upon these elements working together: parties organise support, coalitions form governments, and Parliament determines confidence.

Comparative Lessons for Parliaments when Democracy is Under Challenge

The comparative jurisdictions considered in this paper are useful because they illuminate different responses to tension between executive power and parliamentary accountability. The purpose is not to identify a single model for Solomon Islands, but to determine what principles can be adapted to the local constitutional context.

The United Kingdom's 2019 prorogation litigation demonstrates that executive powers affecting Parliament may be subject to judicial review where their exercise frustrates Parliament's constitutional functions. The Supreme Court held that prorogation was unlawful because its effect was to frustrate or prevent Parliament from carrying out its constitutional functions without reasonable justification.[22] The relevance to Solomon Islands is not that prorogation and a Motion of No Confidence are identical. They are not. The comparative principle is that executive discretion

[20] *Organic Law on the Integrity of Political Parties and Candidates 2003* (Papua New Guinea).

[21] *Re Organic Law on the Integrity of Political Parties and Candidates* [2010] PGSC 3 (Supreme Court of Papua New Guinea).

[22] *R (on the application of Miller) v The Prime Minister; Cherry v Advocate General for Scotland* [2019] UKSC 41, [2020] AC 373, [39-60], [69]

affecting the functioning of Parliament is not immune from constitutional scrutiny when its effect is to frustrate parliamentary accountability.

The Canadian experience illustrates a different aspect of Westminster constitutional practice: the importance of conventions and vice-regal judgment where prorogation occurs during a period of political uncertainty. The controversy surrounding *Prime Minister Stephen Harper's* advice to *Governor General Michaëlle Jean* demonstrated the institutional sensitivity of decisions that affect Parliament's ability to determine confidence.[23] For Solomon Islands, the lesson is that vice-regal intervention should be approached as an exceptional safeguard rather than a normal substitute for clear parliamentary procedure.

Furthermore, South African constitutional jurisprudence illustrates the willingness of courts to protect constitutional accountability while recognising the importance of parliamentary autonomy. In *Economic Freedom Fighters v Speaker of the National Assembly*, the Constitutional Court reinforced the binding character of constitutional obligations. In *Doctors for Life International v Speaker of the National Assembly*, the Court also addressed the relationship between parliamentary procedure and constitutional duties.[24] The relevant lesson is that parliamentary procedure remains institutionally autonomous until its exercise or omission produces a failure to fulfil a constitutional obligation.

Moreover, Papua New Guinea provides the most relevant regional comparison for political-party regulation. Its Organic Law expressly regulates defection, voting restrictions and political-party stability. The legislation itself recognises that such restrictions operate against a constitutional rights framework.[25] The central lesson is therefore caution: political-party regulation can support government stability, but its restrictions must be constitutionally justified.

Additionally, Fiji's political-party legislation provides a different comparative model, emphasising registration, governance, funding, disclosure and accountability.[26] The lesson for Solomon Islands is that party regulation need not depend solely on sanctions for political realignment. Transparency, organisational integrity and accountability can also strengthen procedures of political institutions.

A further regional comparison is provided by Vanuatu. *Kologeto* itself discusses *Speaker of Parliament v Kalsakau,* where the court treated the right to have a valid Motion of No Confidence debated as constitutionally protected and intervened to require parliamentary consideration at a

---

[23] See generally James W J Bowden, 'The Governor General's Decision to Prorogue Parliament: A Chronology and Assessment' (2009) 32(1) *Canadian Parliamentary Review 14*; Andrew Heard, 'The Governor General's Prorogation of Parliament in 2008' (2009) 23(1) *Constitutional Forum 21.*

[24] *Economic Freedom Fighters v Speaker of the National Assembly* [2016] ZACC 11*; Democratic Alliance v Speaker of the National Assembly* [2016] ZACC 11, 2016 (3) SA 580 (CC)

[25] *Re Organic Law on the Integrity of Political Parties and Candidates* [2010] PGSC 3 (Supreme Court of Papua New Guinea)

[26] *Political Parties (Registration, Conduct, Funding and Disclosures) Act 2013* (Fiji)

specified time.[27] This is particularly relevant because it illustrates a regional parliamentary democracy dealing directly with the relationship between parliamentary procedure and constitutional accountability.

Taken together, these examples support three conclusions. First, executive discretion must remain subject to constitutional accountability. Second, judicial intervention may be necessary when parliamentary processes fail to give effect to constitutional obligations. Third, party regulation must be designed with constitutional rights and institutional independence in mind. None of these jurisdictions provides a complete template for Solomon Islands, but each contributes a principle relevant to institutional reform.

Reform Options for Democratic Resilience

The 2026 impasse suggests that reform should be **targeted** rather than attempt an immediate wholesale reconstruction of the constitutional system. The principal objective should be to ensure that Parliament can continue to perform its constitutional functions during periods of political instability.

This paper suggests;

i. The Standing Orders should expressly address the procedural treatment of a matured Motion of No Confidence. The rules should specify how the motion is prioritised, when it must be placed on the Business Paper, the maximum period before debate must commence, and the sequence for debate and voting. The objective should be certainty rather than complexity.
   - A clearly defined period would reduce the possibility that a matured motion remains pending while the ordinary parliamentary timetable is controlled through arrangements designed for routine government business. The rule should also recognise limited procedural safeguards against dilatory amendments or repeated adjournment being used to frustrate the constitutional process.

ii. Solomon Islands should consider adopting a more predictable parliamentary calendar. The calendar would retain flexibility for urgent or exceptional business but should also make clear how constitutional business is prioritised when Parliament is not sitting.[28] The existence of a calendar would not eliminate executive responsibility for parliamentary business; it would provide a clearer institutional framework within which that responsibility is exercised.

iii. The Parliament should consider an exceptional mechanism for the recall of Parliament where a constitutional condition has been objectively established. The *Kologeto judgment* considered the Governor General's role as a strictly residual safeguard and only after failure by the primary constitutional duty-bearer.[29] Any reform in this area should therefore be

[27] *Kologeto v Governor General* [2026] HCSI-CC 154, citing *Speaker of Parliament v Kalsakau* [2025] VUCA 47

[28] John Patteson Oti (Speaker of the National Parliament of Solomon Islands), Jurisdiction Report, Presiding Officers and Clerks Conference, Perth, 8 June 2026.

[29] *Kologeto v Governor General* [2026] HCSI-CC 154, [112]-[114]

narrowly framed so that the Governor General is not converted into a routine political arbiter. A possible model could involve a Speaker-certified constitutional trigger, a judicial declaration, or another objective condition specified in legislation.

iv. The *Political Parties Integrity Act 2014* should be reviewed as part of a wider coalition-governance reform programme. The review should examine party registration and governance, coalition agreements, transparency, party accountability, and the legal consequences of post-election political realignment. Any proposed seat-loss or disqualification mechanism should be assessed separately for constitutional compatibility before being adopted.

v. Parliamentary institutional practice should be strengthened. Parliament should maintain clear precedents on Motions No Confidence, the treatment of urgent constitutional business, and the interaction between *Standing Orders* and *Constitutional* rights. Presiding officers and parliamentary staff should have ready access to authoritative constitutional and procedural advice during periods of political instability.

These reforms should be seen as mutually reinforcing. A clear procedure for Motions of No Confidence reduces the need for exceptional intervention. A predictable **Parliamentary Calendar** reduces uncertainty about when constitutional business will be considered. A carefully framed recall mechanism provides a last-resort safeguard. Stronger political-party governance improves the wider coalition environment. Together, these measures strengthen resilience without requiring an immediate wholesale rewrite of the constitutional settlement.

Conclusion

Parliamentary procedures are not merely technical rules for organising legislative business. They are constitutional mechanisms through which democratic authority is exercised, tested and protected. The Solomon Islands political impasse of 2026 demonstrates why this matters when democracy is under challenge: the resilience of parliamentary government depends not only upon the existence of constitutional rules, but upon whether those rules enable Parliament to perform its accountability function when political authority is disputed.

The central lesson is that parliamentary accountability must remain operational when the Government's majority is disputed. Section 34 of the Constitution provides the mechanism for testing confidence, and the jurisprudence of the Solomon Islands courts confirms the constitutional importance of that mechanism. The Kologeto judgment made the point especially clear by holding that once a valid Motion of No Confidence has matured, a duty arises to ensure that it is brought before Parliament at the earliest opportunity.[30]

The crisis also demonstrates the limits of relying on ordinary parliamentary scheduling arrangements when the very authority of the Government is being questioned. Procedure that works adequately in stable circumstances may become inadequate in exceptional circumstances.

[30] *Kologeto v Governor General* [2026] HCSI-CC 154, [73]-[89], [100]-[102]

This is not an argument against executive control of parliamentary business. It is an argument for ensuring that constitutional business has safeguards against delay when the Government's legitimacy is the question to be determined.

The comparative experience reinforces this conclusion. The United Kingdom demonstrates that executive powers affecting Parliament may be reviewed where they frustrate constitutional functions. Canada highlights the sensitivity of vice-regal intervention. South Africa demonstrates the role of courts in protecting constitutional accountability while preserving parliamentary autonomy. Papua New Guinea shows the constitutional risks of strong party-discipline measures. Fiji demonstrates that political-party integrity can also be strengthened through transparency and organisational regulation.

For Solomon Islands, the appropriate response is targeted institutional reform. The immediate priority should be to clarify the procedure and timetable for matured Motions of No Confidence. A more predictable parliamentary calendar would strengthen continuity, and a narrowly defined exceptional recall mechanism may provide a last-resort safeguard. Political-party regulation should be reviewed as part of broader coalition-governance reform, with careful attention to constitutional rights and the independence of Members.

The broader conclusion is that parliamentary democracy depends not simply upon the existence of constitutional rules, but upon whether those rules remain capable of functioning under pressure. Parliamentary procedures strengthen democracy when they provide reliable ways to resolve political conflict; they preserve it when they keep Parliament at the centre of executive accountability; and they hinder it when uncertainty or discretion prevents constitutional questions from reaching the institution authorised to determine them.

The Solomon Islands experience therefore offers a practical lesson for Westminster-derived parliaments: when democracy is under challenge, democratic resilience depends upon procedures designed not only for ordinary parliamentary business but also for moments of institutional stress. Parliamentary procedure must keep the legislature at the centre of political contestation, ensure that executive authority remains accountable to elected representatives, and provide lawful and timely means for resolving disputes about political confidence. In that sense, the effectiveness of parliamentary procedure is itself an important measure of democratic resilience.