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The Role of Parliament in Government

John K. Johnson

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The Role of Parliament in Government

John K. Johnson

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Contents

Foreword	<i>v</i>
Introduction	<i>1</i>
Section 1: The Role of Parliaments	<i>2</i>
Section 2: A model of parliamentary power	<i>4</i>
Section 3: Factors influencing how legislatures carry out their functions	<i>7</i>
Section 4: Efforts by parliaments to become more effective	<i>11</i>
Summary	<i>14</i>
Annex 1: Legislative Structure and Behavior: The United Kingdom and United States	<i>15</i>

Foreword

As part of its Governance program, the Poverty Reduction and Economic Reform Division of the World Bank Institute (WBIPR) has sought to strengthen parliamentary oversight – in part, by improving parliaments’ representative function and its accountability to the electorate. In parallel, efforts have been made within WBIPR and elsewhere in the Bank to promote the greater access to information as a key component of good governance.

With the often substantial turnover of election officials through elections, it has become increasingly obvious that there is a huge need for orientation programs and materials for new legislators. This Paper was developed with that need in mind. It outlines the core functions of legislatures, presents a model of parliamentary power that differs from the traditional presidential-hybrid-parliamentary model which allows legislators to identify their type of legislature, with accompanying strengths and weaknesses.

The Paper goes on to consider those factors that influence parliamentary capacity and influence: namely political and electoral systems, formal parliamentary powers, political will and political space and the technical capacity of parliaments. It concludes by presenting some recent examples of parliamentary development – noting where progressive parliamentary leadership has resulted in substantial increases in parliamentary autonomy and, it is anticipated, parliamentary effectiveness.

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Introduction

Modern democracies are characterized by shared decision making by the legislative and executive branches. Generally, a country's constitution formally structures this interaction. Practicality, precedent and habit then fill in the gaps to create the political system under which a government operates on a daily basis. Because these circumstances differ considerably in each country, democracies vary widely in how political power is shared and the relative influence each branch of government has over policy formulation.¹

For legislators to be able to play their role of representation, oversight, and legislation, "...there needs to be a certain degree of cooperation between the branches in policy making (each side must be willing to bargain and compromise in order to get some policy benefits), the legislature must have some capacity to monitor the executive, and the executive needs to be willing to comply with legislative enactments."²

The role of parliament in government varies depending a number of factors. This paper examines the effect of four factors: the type of political and electoral system, formal legislative powers, political will and political space, and technical capacity.

The question of the role of parliament in government has become even more important to understand in the past decade as more and more countries are making a transition to democratic forms of government. These countries that are making the transition are faced with a number of new challenges as well as opportunities.

In nearly all democracies, leaders of the executive branch (i.e., presidents, prime ministers, cabinet ministers) typically command much of the political power, control the financial resources, possess staff dedicated to developing policies and implementing laws, produce the bulk of legislation, and manage government contracts and administer government programs. Despite executive dominance in many countries, the relative balance of power between the legislative and executive branches in a country can be changed. If new legislatures are going to have a central role in a nation's governance, it is up to legislators themselves to build strong legislative institutions, by asserting themselves in the regular law-making or oversight functions, or through specific structural changes via constitutional amendment, legislation or rules of procedure.³

This paper attempts to document some of the current efforts by which legislatures are trying to play a more influential role in government. The first section of this paper focuses on defining the role of parliaments. The second section presents four models of legislatures, depending on the power and influence they have on the executive. The third section of the paper seeks to outline some factors that impact the relative power of the legislature and the executive.

Section four attempts to describe some of the efforts that parliaments are making to strengthen themselves. The concluding section of the paper summarizes the observations of the paper.

¹ Strengthening Legislative Capacity in Legislative-Executive Relations, Legislative Research Series – Paper #6, National Democratic Institute for International Affairs, 2000

² Remington, Thomas, Separation of Powers and Legislative Oversight in Russia, Legislatures and Oversight, WBI Working Paper Series, World Bank Institute, 2004

³ Strengthening Legislative Capacity in Legislative-Executive Relations, Legislative Research Series – Paper #6, National Democratic Institute for International Affairs, 2000

Section 1: The Role of Parliaments

Parliaments⁴ vary in size, in how members are elected, how long they hold office, in their ways of relating to political parties and to constituents, in their relations with executive powers, in their responsibilities in lawmaking and budgeting, in how they oversee executive spending and activities, and in a dozen other ways. But scholars tend to agree that there are three functions common to parliaments in democracies; representation, lawmaking, and oversight. Parliaments represent the diversity of individuals and groups in society; as the supreme lawmaking institution in a nation they make the rules by which society is governed; and they are designed to oversee executive spending and performance. Just how, and how successfully, they carry out these functions varies dramatically, and for a number of reasons. In this section we briefly examine these three functions of parliaments, and later suggest several reasons parliaments perform them in such different manners.

Representation

Throughout the world citizens tend to identify with parliament members in more personal ways than they do other public officials. Constituents talk of “my MP”, “my congressperson”, “my senator”, “my deputy”, or “my representative.” One does not often hear people speak of “my president”, “my judge”, or “my bureaucrat.” Unlike chief executives, who represent entire nations, or bureaucrats and judges, whose responsibility it is to carry out and interpret the law impartially toward all citizens, legislators are responsible for representing the differences in society, and for bringing these differences into the policy-making arena. These differences may be rooted in geography, ethnicity, religion, political identification, gender, or other characteristics, but MPs are expected to represent them at the national level. But representation involves more than simply living in a specific area in the country, or having characteristics in common with those one represents (e.g., gender, political beliefs). It involves listening to those one represents and making decisions and exercising influence on their behalf. Political scientist Nelson Polsby calls parliaments the “nerve endings” of the polity.⁵ Parliaments are the branch of government closest to people, and MPs, more than any other officials at the national level, need to be aware of the needs of constituents, and are expected to respond to those needs.

Democratic parliaments are the most transparent and accessible of the three branches of government. Most parliaments open their plenary sessions to the public and to the press, and a growing number allow citizens to attend committee meetings. South Africa’s parliament publishes committee schedules on the Internet, as do several others. Daily news reports cover events in parliament, and an increasing number of parliaments televise their plenary sessions, giving citizens the opportunity to view their parliament in action. Not only are parliaments more open and accessible than other government branches, MPs themselves are more accessible. In many systems, the legislature’s representation function involves constituent services, (i.e., helping citizens cut through government bureaucracies to receive their benefits, assisting with special problems), and accessing government funds for projects to benefit the constituency, such as bridges, clinics, water systems, schools, etc. Parliamentarians become well known, and help ensure their re-election, through providing such services.

Lawmaking

The second function of legislatures is to make laws, the rules that govern society. Effective legislatures not only represent the differences in society, they must also reach agreements on policy, taxing

⁴ This paper uses the words parliament and legislature interchangeably for the generic word, legislature.

⁵ Nelson W. Polsby, “Legislatures,” in *Handbook of Political Science: Government Institutions and Processes*, eds., Fred Greenstein and Nelson Polsby (Reading, MA: Addison Wesley, 1975).

and spending with which groups and individuals generally agree. This is difficult under the best of circumstances, but it becomes more so in deeply divided societies and in poor nations with few resources to distribute. Depending on the political system and several other factors we discuss below, the way a legislature carries out its lawmaking function, and its independence and strength in lawmaking varies widely.

Oversight

In addition to representing individuals and groups in society, and establishing the policies and budgets that govern society and distribute wealth, legislatures oversee the actions and spending of the executive branch. Oversight is one of the legislature's "check and balance" functions, through which it seeks to ensure that programs are carried out legally, effectively, and for the purposes for which they were intended. In practicing oversight, parliaments look back on government spending and activities to determine whether money was spent appropriately, and to ask "value for money" questions. Different political systems practice oversight in different ways; a nation's political structure, formal oversight powers, and access to budget information all influence the practice of oversight. Legislative oversight tools include the question period for ministers, the use of public accounts committees, investigatory and departmental committees, auditors general, subpoena and other court type powers. The increased national and international attention on government corruption in recent years has led to a greater focus on this aspect of parliamentary responsibility.

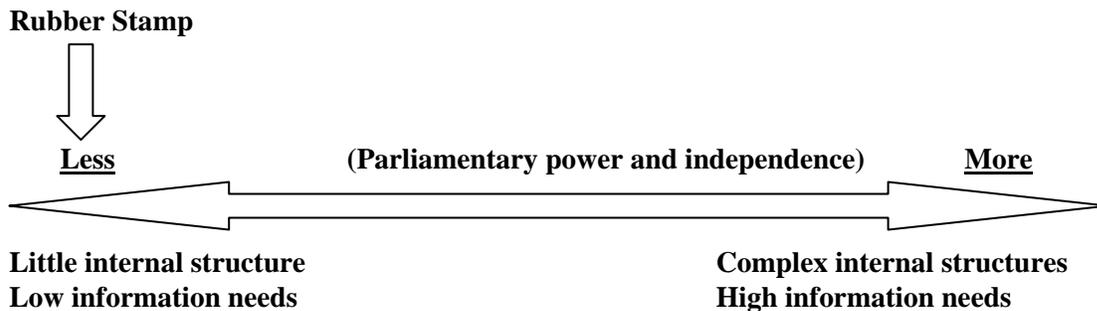
Section 2: A model of parliamentary power

Parliamentary power to hold the executive to account depends on a number of factors. This section seeks to categorize parliaments based on the extent of power they exercise over the executive.

Rubber stamp legislatures

It is possible to think of parliamentary power as moving along a continuum from little independence and power to very influential and active legislatures. The simplest of legislatures are called rubber stamp legislatures. These bodies simply endorse decisions made elsewhere in the political system, usually by parties and/ or the executive branch. They are often associated with communist or totalitarian nations, where decisions are made by a leader or vanguard party, and in which the parliament is expected to simply endorse their decisions. Because demands on them are few, rubber stamp legislatures need little internal structure or expert staff and should not need long legislative sessions. The Duma of the former Soviet Union and the Mexican Congress during the decades of PRI dominance could be considered rubber stamp legislatures. “Rubber stamp” generally connotes non-democratic, but it could also describe bodies such as the American US Electoral College, whose delegates are expected to vote according to the dictates of those who sent them, and not according to personal opinion. Rubber stamp legislatures are the least expensive to operate.

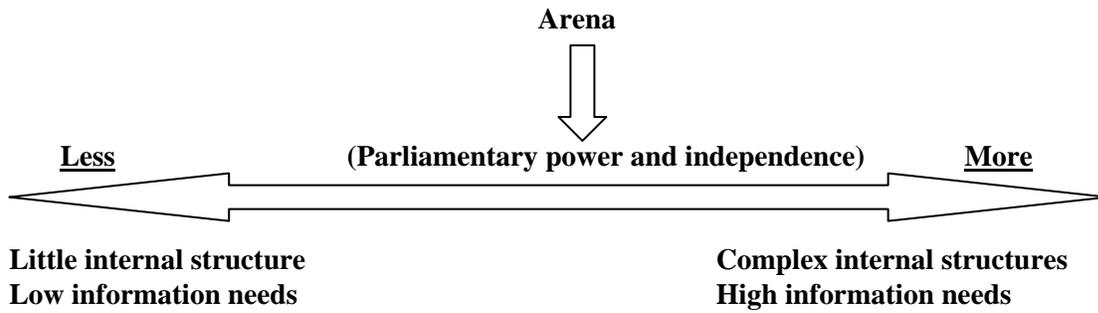
Model 1: Rubber stamp legislatures



Arena legislatures

Moving right on the arrow of parliamentary power and independence, we come next to arena legislatures. Arena legislatures are more powerful than rubber stamp legislatures, and are places of real discussion, speech, and debate. Policy initiatives still come from outside the legislature, generally from executives or political parties. In arena legislatures, differences in society are articulated and government actions and plans are evaluated from different perspectives, but they tend not to initiate or dramatically reshape policy proposals. Arena legislature information needs are greater than those of rubber stamp legislatures: they need sufficient internal capacity to organize debate; a committee system adequate for channeling the business of the house; and capacity to analyze proposals in order to comment on them critically, and to some degree, refine them. A useful analogy for an arena legislature is a thermometer. As thermometers take accurate readings of the temperature around them but do not change the temperature, so arena legislatures accurately reflect the “political temperature” with regard to the issues before them. The British House of Commons today might be considered an arena legislature.

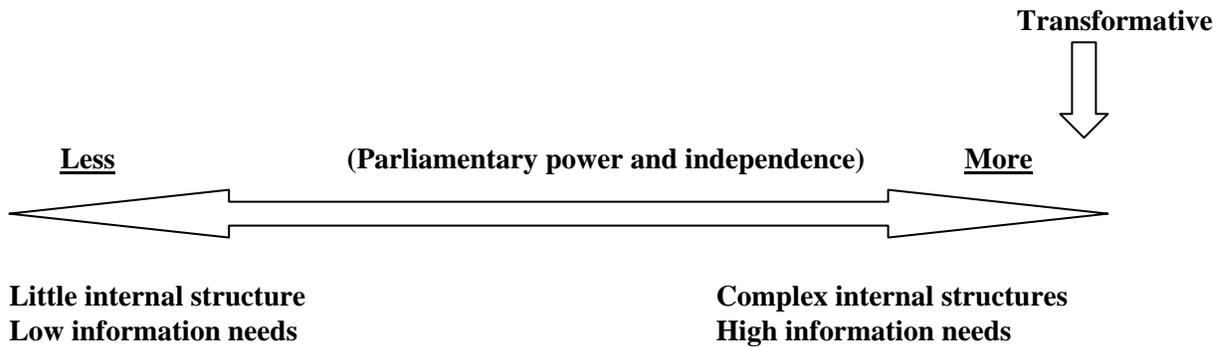
Model 2: Arena legislatures



Transformative legislatures

Moving right again we come to the least common type of legislatures, transformative legislatures. Transformative legislatures not only represent diverse societal interests, but they shape budgets and policies. Transformative legislatures can be likened to a thermostat. As thermostats change the room temperature by activating heat or air conditioning, transformative legislatures change policies and budgets proposed by government, and even initiate policies of their own. Not surprisingly, transformative legislatures are the most expensive. They have highly complex internal structures (including strong committee systems), great information needs, and depend heavily on highly trained professional staff. The US Congress is probably the best example of a transformative legislature.

Model 3: Transformative legislatures

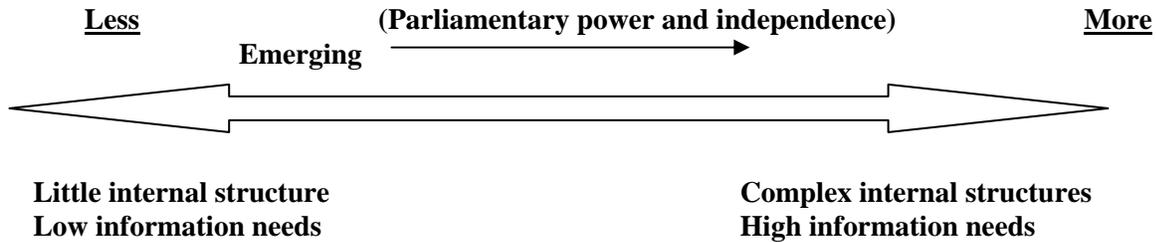


Emerging legislatures

And finally, a fourth legislative type, which is not part of the continuum described earlier in the paper, is called an emerging legislature. Emerging legislatures are in the process of change from one type to another. Worldwide several legislatures are exercising greater influence over government policies and could be classified as emerging legislatures. Expanding their powers usually requires major legislative changes, among them amending rules and procedures, building stronger committees, expanding professional staff, developing improved information systems, and others. Mexico's Congress and Kenya's and Uganda's Parliaments could be classified as emerging legislatures. In recent years both Mexico and Uganda established professional budget offices, helping those parliaments play a more assertive role in the budget process. All three legislatures expanded professional staff, and Kenya and Uganda have made their administration independent of the executive. Kenya and Uganda staff members are no longer civil service; they serve at the pleasure of parliament's leadership. The parliaments also now set their own budgets.

Emerging legislatures are under significant stress, as parliament's managers and staff struggle to meet the growing demands. Staff and resources that once met the demands of a less assertive legislature are no longer adequate. Emerging legislatures need professional staff, information systems, office space, and other capacities to enable them to expand their budget, policy making and oversight roles. MPs demand more of parliamentary staff members, who must respond more quickly, work faster, and do more than they have in the past. Model 4 shows a legislature growing in strength relative to parties and executives.

Model 4: Emerging legislatures



The balance of political power in any political system ebbs and flows, with the legislature at times gaining, and at other times losing power relative to the executive. In balanced governments, the branches act as checks on one another so that no branch becomes overly powerful relative to the others. A common problem in developing countries is that legislatures are usually much weaker than the executives, and the final section of this paper describes several tools legislatures are using to try to redress this imbalance. An overly assertive legislature is much less common, but as legislatures grow in strength we should pay heed to James Madison's warning in Federalist Paper Number 48. Madison warns of the dangers of "... legislative usurpations, which, by assembling all power in the same hands, must lead to the same tyranny as is threatened by executive usurpations."⁶ Checks and balances in democracies are meant to keep any branch of the government from gaining too much power, and this can include parliaments.

⁶ James Madison, Federalist No. 48, *These Departments Should Not Be So Far Separated as to Have No Constitutional Control Over Each Other*, from the New York Packet. February 1, 1788.

Section 3: Factors influencing how legislatures carry out their functions

Several factors help determine a parliament's level of independence and power, and whether it is classified as a rubber stamp, arena, transformative, or emerging legislature. We will examine the impact of four factors: the type of political and electoral system, formal legislative powers, political will and political space, and technical capacity.

Political and electoral systems

Political systems

The degree of separation or unity between the legislative and executive branches is perhaps the major factor in determining legislative strength and independence. Specifically, the cleaner separation between executive and legislative powers in presidential systems encourages presidential legislatures to play more independent lawmaking and oversight roles than their parliamentary counterparts.

In parliamentary systems, the parliamentary majority party or coalition selects the chief executive from among its members. Cabinet members are also named from the parliamentary majority. This unity between the legislature and executive is a disincentive for the legislature to develop a strong committee system or deep policy expertise, which could be used to challenge the executive. A loss of support or vote of no confidence in the government results in both the government and parliament leaving office. Not surprisingly, committees in parliamentary systems tend not to have large professional staffs, and policy-decisions will generally be made within the ruling party or coalition and through government ministries. Overt executive – legislative conflict is not common in parliamentary systems, nor is the parliament likely to exercise aggressive oversight. Divisions within the governing coalition however, will reduce this executive – parliamentary unity.

In presidential systems, by contrast, the president and legislature are elected separately, from different constituencies and often for different terms. The president selects the cabinet from outside parliament. Term lengths for presidents and parliaments are fixed and the fates of the legislature and president are not intertwined as they are in parliamentary systems. With the government thus divided, parliament has incentives to develop strong, effective committees and to play a competitive lawmaking role. These incentives, however, do not mean that the legislature will necessarily become a powerful, independent institution. Lack of political will to develop a strong legislature, poor infrastructure, strong political party control from outside the legislature, a tradition of acquiescence to a strong executive – these all reduce the likelihood that the legislature will become a strong and independent institution.

Many national assemblies are actually a hybrid, with characteristics from both presidential and parliamentary systems. Some African nations elect the president through direct nationwide elections as in presidential systems, but the president selects ministers from the parliament, as in parliamentary systems (Kenya, Zambia, Uganda, for example). Another combination of parliamentary and presidential characteristics is presidents elected directly through nationwide elections who have the authority to dissolve the legislature. The hope of being named a cabinet minister, and the concern that the president can dissolve parliament can discourage MPs from acting independently or contrary to the executive's will.

Does the decision to adopt a parliamentary form of government then relegate parliament to be a rubber stamp legislature, and mean that the legislature in a presidential system will be a “transformative” in-

stitution? By no means. While the strongest legislatures in presidential systems will be stronger and more independent than the strongest parliaments in parliamentary systems, there are considerable variations. Legislatures in presidential systems with very strong political parties or weak internal capacity (Mexico prior to the end of PRI dominance in the late 1990s) may be little more than rubber stamps, and some parliaments exercise more authority than others.

Annex 1 illustrates the impact of structure on the behavior on what are probably the best-known parliamentary and presidential legislatures in the world – the House of Commons of the United Kingdom, and the House of Commons in the UK.

Electoral systems

MPs in every nation must win elections to get into, and to stay, in office. But the system through which they compete will affect the way they relate to constituents, and their independence once in office. MPs elected in single-member districts (also called plurality-majority, or constituency-based), where constituents in a geographic area vote directly for a candidate and the candidate receiving the most votes wins, will likely be more independent and responsive to constituents than MPs elected through proportional representation systems. Especially if electoral districts are fairly small and elections are frequent, MPs are likely to be more beholden and responsive to constituents than to their political parties. Several factors can reduce MPs independence, however, even in single member districts. If political parties are very strong, if candidates need a party's endorsement to run for office, if they rely on party patronage for positions in parliament, if they are MPs in a parliamentary system, or if they depend on the party for funds to run for office, MP independence will be checked. Parties with several "carrots and sticks" at their disposal are better able to enforce party discipline, even in single member districts. The United States and UK elect legislative members through this system.

In proportional representation (PR) systems, in contrast, candidates are placed on a list, and citizens vote for parties rather than for candidates directly. The percentage of votes the party – not the candidate – wins, determines whether or not the candidates gets into office. If, for example, a party wins 40% of votes cast in an election, the top 40% of candidates on its list are elected. MPs in PR systems will tend to be most responsive to their parties' leaders who determine whether and where a candidate will be placed on the party list in the next election. Most continental European countries elect parliamentarians through the PR method.

Semi-proportional electoral systems, like hybrid political systems, combine aspects of both single-member and PR systems. In a nation with a bi-cameral legislature, members from one house may be chosen according to a PR system, and in the other through a single-member district system. Alternatively, some percentage of members in a house would be selected through a single-member district system, and others in the same house through PR. Russia, Germany, Bolivia and Mexico all use semi-proportional systems. Nations will often mix the two systems in an attempt to ensure that the parliament is connected to and responsive to citizens (through the single-member district legislators), as well as to broader party and national concerns, through the PR systems.

Formal parliamentary powers

A legislature's formal powers, usually defined in its constitution and standing orders (or rules of procedure), are another factor help determine its independence and power. Some parliaments enjoy broad formal powers, allowing members and committees to introduce legislation (even legislation with significant financial impact), to dramatically rework executive taxing and spending plans, and requiring the executive to obtain legislative approval to borrow money. Formal powers in other legislatures are

more circumscribed. For reasons we have noted above, legislatures in presidential systems tend to possess greater formal powers than do legislatures in parliamentary systems. But parliamentary systems have oversight mechanisms not common to presidential systems, specifically, question periods for ministers and public accounts committees which routinely examine how governments use their funds. Many parliaments used those powers to conduct oversight more thoroughly than their presidential counterparts. Table I lists several formal parliamentary powers.

Table I: Examples of formal parliamentary powers

- Power of members and/or committees to introduce legislation
- Power of members to introduce legislation with fiscal costs.
- Power to override executive vetoes.
- Power to approve cabinet officials
- Power to approve treaties
- Power to approve Government borrowing money, or granting loans
- Power to approve or disapprove overseas travel of the chief executive
- Power to compel the executive and others to provide information.
- Power to censure government ministers and other officials
- Power to approve/disapprove the budget
- Power to reduce, increase, shift spending in the budget
- Power to remove the chief executive
- Parliamentary authority to set the parliament's budget, and over staff

Political will and political space

Possessing formal powers does not mean that legislatures will use them. In fact, constitutions and standing orders generally grant parliaments more power than they ever use effectively. Two factors which impact on how legislatures use their powers are political will and political space. Political will is the strength of the desire of parliamentary leaders and influential members to exercise or expand the powers of parliament. Power gained in one place is generally lost in another, and because of this, MPs leading efforts to expand the role of parliament may pay political costs inflicted by those who fear losing their power.

Political space refers to the willingness of others in the political environment to cede or to share political power with parliaments. Authoritarian political systems grant legislatures little political space, while more pluralistic, competitive systems permit more. In parliaments where the party discipline is strong, much of the use of the available political space, and any attempts to expand the political space, is largely determined by the political party's disposition.

Parliamentary technical capacity

Finally, a parliament's ability to exercise its representation, lawmaking and oversight functions effectively rests to some degree on its managerial and technical capacity. Listening to citizens and processing their input, seeking and considering expert advice on budgets and policies, drafting technically sound amendments and legislation that accomplishes the desires of their sponsors, requires effective systems and experts to staff and manage those systems. Most parliamentary strengthening efforts being made today focus on building parliamentary capacity – strengthening management, infrastructure, and staffing. Those involved in strengthening their parliaments know that the process puts their institution under tremendous stress. More assertive parliaments need more expert staff to meet their greater information needs, and faster, more effective, and better-coordinated administrative systems.

The need for rapid reform is especially challenging for traditional, hierarchal legislatures that rely on long-established traditions and procedures to guide them in what was formerly a methodical and moderate workflow. Legislatures expanding their roles struggle with increased workloads, growing demands by MPs, and new kinds of requests, even as they are attempting to restructure the institution. Change is not easy, and reforming complex institutions like parliaments is especially challenging.

Table II, below, summarizes much of the above discussion on factors influencing parliamentary power and independence by listing factors which tend to encourage, or discourage, parliamentary independence and power.

Table II: Characteristics influencing legislative independence and power

← Less Independence and Power	More Independence and Power →
(1) Parliamentary political system	Presidential political system
(2) PR electoral system	Single member districts
(3) Limited lawmaking/oversight power	Significant lawmaking/oversight powers
(4) Strong parties	Weak parties
(5) Weak political will to exercise independent power	Strong political will to exercise independent power
(6) Limited political space to expand parliament's power	Broad political space to expand parliament's power
(7) Strong technical capacity	Weak technical capacity

Section 4: Efforts by parliaments to become more effective

As noted earlier in the discussion on models of parliamentary power we noted that their power ebbs and flows, that parliaments become stronger, and become weaker relative to other political actors. Today parliaments in several regions of the world are expanding their powers and making themselves more effective, and they do this through organizing to modernize, expanding their formal powers, using their powers more effectively, building internal capacity, and reaching beyond their walls for help.

Organizing to modernize

Legislatures are most successful at strengthening themselves as institutions when leaders and members come together across party and other divides and cooperate to build the legislature. Leaders of the Bolivian and Nicaraguan legislatures formed modernization commissions, comprising members from all political parties, in the 1990s. Under their authority the legislatures were able to bring on additional staff and improve their information systems. Bolivia's modernization commission also spearheaded constitutional changes and rules reforms establishing direct election for half of the House of Deputies. The three East African nations of Kenya, Tanzania, and Uganda have established similar leadership groups, called parliamentary commissions. Kenya and Uganda parliamentary commissions led efforts to expand parliamentary staff, provide offices for MPs, and drafted plans for the development of their parliaments. The legislation establishing the two commissions made the parliaments administratively independent of the executive; parliamentary budgets, staff, and administrations are now under the control of the parliamentary commissions, not the executive.

Expanding formal powers

Several legislatures have acquired additional powers. Reforms made by the Nicaraguan Assembly which took office with the departure of the Sandinistas from power in 1990 increased the power of the Assembly and reduced the independence of the military and the president. The reforms:

- Prohibited the President from appointing family members to political office;
- Reduced the power of the executive and put more fiscal authority in the hands of the National Assembly;
- Reduced the presidential term from 6 to 5 years, and prohibited the president from serving more than 2 nonconsecutive terms;
- Gave the Assembly sole authority to create, modify, and approve taxes;
- Gave the Assembly authority to approve international loans and treaties;
- Put the army under civilian control; and
- Reduced the role of the state in the economy.

Uganda's 1996 constitution gave the parliament power to censure ministers and approve presidential appointments, and granted committees the authority to introduce legislation. Later reforms initiated by parliament established a permanent budget committee, established a professional budget office to assist MPs in analyzing the proposed executive budget, set limits on what government could borrow without prior parliamentary approval, and required Government to submit a draft executive budget to parliament three months prior to the normal budget submission date. Kenya's parliament enacted legislation establishing a constituency development fund, with each MP receiving equal funding for his or her district.

Using powers more effectively

It is not always necessary for legislatures to expand their powers; often they simply need to use their powers more effectively and creatively. Public accounts committees without censure or enforcement powers, for example, might still pressure government to reduce corruption by publicizing the findings and conclusions of their investigations. Parliaments worldwide use public hearings, including budget hearings, to pressure government through the press coverage hearings receive. Kenya's Parliament has not amended its legislative or budget powers, but within the past five years has begun introducing – and passing – private member bills, and making significant changes to Government tax policies. Committees may have authority to conduct investigations; they simply need to use their powers.

Building internal capacity

Since World War II government's role in society has expanded dramatically, as have the levels and types of expertise governments need. As governments expanded and professionalized legislatures fell behind, even in wealthy nations with systems of divided government. To redress this imbalance, and in order to continue to play a meaningful lawmaking and oversight role, the US Congress developed several new professional agencies and expanded professional partisan staff in the 1940s and 1950s. During this period Congress established the General Accounting (now General Accountability) Office (GAO), the Congressional Research Service (CRS), and the Congressional Budget Office (CBO). US states followed Congress' lead beginning in the 1960s, and today legislatures throughout the world are making a concerted effort to build professional capacity. While this is especially important in presidential systems, legislatures in parliamentary systems also need the technical capacity to perform increasingly complex oversight, ensuring that government funds are being spent for the purposes for which they were budgeted and that government is getting "value for money." Following are several ways parliaments are building necessary internal capacity to enable them to effectively carry out their representation, lawmaking, and oversight responsibilities.

Management and infrastructure

Infrastructure requirements of modern parliaments are unique, and if parliaments are to expand their representation, lawmaking and oversight they generally need to upgrade their infrastructure. Modern parliaments need information systems, including intranet systems for internal communication, as well as high-speed connections to the Internet to enable MPs and staff to connect quickly and efficiently with the World Wide Web. A number of parliaments now broadcast parliamentary sessions over radio and television, and a growing number now open committee meetings to the public.

As parliament workloads increase, as committees conduct more meetings, as parliaments seek to do more things faster, administrative procedures often need to be streamlined and regularized. Forms and procedures need to be established to enable staff to make routine purchases and conduct procedures quickly and transparently. Many parliaments are reforming rules of procedure in ways that open the institution and allow more voices into legislative processes. Rules reform is one of the most difficult and politically sensitive reform areas because parliamentary rules help determine where parliamentary power lies, and those in power may not be supportive of change. Finally, if parliaments are to work faster and more efficiently, new, more open and responsive management structures are often needed. Management retreats, bringing together department heads to rethink systems and procedures, may be needed.

Equipping Members and Staff

New MPs, or MPs wishing to be more effective, benefit from several kinds of training provided by parliaments. Orientation programs introduce new members to legislative facilities and their new responsibilities, and help returning MPs learn about changes to parliament. MPs in several nations take advantage of computer training programs to enable them to use email, surf the net, and write correspondence. Similarly, orientation and technical training programs help new professional staff understand the workings of parliament, and, when needed, their areas of responsibility. Parliamentary staff in many nations – particularly among commonwealth parliaments – frequently support staff attachments to other parliaments. Finally, parliamentary internships for university students or recent graduates are becoming increasingly common. Internships bring talented young people into parliaments to assist with research and other needs, help open parliaments, and assist parliaments in finding new professional staff.

Effective parliaments divide work among committees, and there is much activity to strengthen parliaments worldwide. Some committees hold committee retreats for setting agendas for parliamentary sessions, and some make use of public hearings to receive both expert and citizen comment on executive budgets and proposals. Parliamentary assistance organizations provide expert directories, broken down by committees and listing experts willing and able to testify and advise on relevant policy areas, with their contact information. Expert studies and seminars on committee issues are also provided.

Building new capacities

In addition to training MPs and staff, and strengthening committees, parliaments worldwide are building new expert capabilities. Several have established parliamentary research offices, whose staff conducts research for committees and members. Others have built budget or fiscal offices, which interpret complex executive budgets for MPs and assist them in carrying out their oversight responsibilities. And as more MPs seek to introduce legislation, several parliaments have established bill-drafting services, which take MP ideas and translate them into parliamentary language.

Reaching beyond the walls of parliament

And finally, several parliaments are improving the ways they communicate with, and listen to society. Several have established district offices for MPs, making parliamentarians more accessible to constituents. Others have established public affairs or press offices to provide information to the press and public about the parliamentary actions and events. Such offices also publish newsletters for use both inside and outside the parliament, as well as publications on parliament for children and adults. Public affairs offices conduct public outreach activities, such as youth parliaments and essay contests for students. Public affairs offices are frequently charged with developing and maintaining parliamentary web sites and ensuring that the parliamentary record is on line.

Effective parliaments do not just speak to society; they also listen. In many nations the richest source of policy expertise is found in civil society organizations (CSOs) and think tanks, but relations between CSOs and parliaments in many nations are very poor. In others, however, parliaments have learned to tap the expertise of CSOs to build up their own expertise.

Summary

Parliaments' basic functions are representation, lawmaking, and oversight, and they carry out these functions in unique ways. Parliaments can be classified as rubber stamp, arena, transformative, and emerging, based on their level of independence and power. The dramatic increase in democratic and free states over the last thirty years has meant that a significant number of legislatures may now be classified as emerging, as legislatures attempting to – and to some degree succeeding at – becoming more powerful and independent. How powerful they become depends on several factors, among them their political and electoral system types, their formal powers, the desire of political leaders to exercise power and the willingness of other political actors to allow them to (political will and political space), and their technical capacity. Ways they attempt to make themselves more effective include organizing themselves to modernize their institution through establishing multi-party management boards, expanding their formal powers, using the powers they already possess more effectively, through building their internal capacity, and through reaching out to society to take advantage of its expertise.

Annex 1: Legislative Structure and Behavior: The United Kingdom and United States⁷

The United Kingdom	The United States
<p>The Prime Minister is selected from among and by the parliamentary majority, retains his/her position until he/she loses party support or the majority party calls for new parliamentary elections.</p>	<p>The President is elected in a national election. Members of Congress are elected by separate constituencies that represent the nation in the aggregate. Only when the presidential candidates fail to achieve a majority will the outcome be decided in the House of Representatives. Presidents serve for a fixed term and can be removed by impeachment. Caveat: In those Latin American nations with parties not strong enough to win presidential elections outright, elections are more frequently decided in legislatures.</p>
<p>REPRESENTATION: Popular will translated into majority party dominance</p>	<p>REPRESENTATION: Popular will translated through the efforts of separately elected officials</p>
<p>Greater incentive for party discipline. The majority party and its' government retain power as long as members maintain enough unity. The electoral fate of the government and of individual members is tied together. Caveat: Incentives for unity are influenced by the size of the majority; a minimum winning coalition needs more unity (and offers more rewards to members) than a larger majority.</p>	<p>Less incentive for party discipline. Separate terms and separate constituencies encourage independence. Caveat: In the late 19th century, parties in the House of Representatives maintained high levels of discipline and unity. This was a period of close national party competition and disciplined voting.</p>
<p>LAWMAKING: Less need for a committee structure. Ministries and parties may provide the expertise that would otherwise be provided by committees.</p>	<p>LAWMAKING: Incentive exists for a strong committee system. Caveat: The strength of the committee system has varied considerably over time, and the relative capacity of committees to command deference to their expertise continues to vary within periods.</p>
<p>Professional staff support tends to be minimal. Caveat: The Australians with the same model have a more extensive staff system than that found in the U.K.</p>	<p>More extensive professional staff support. Caveat: Level of institutionalization is an important variable; the surge in congressional staff is a post World War II phenomenon. The larger American states started developing their more elaborate staff structures beginning the 1960s.</p>

⁷ From "A Concept Paper on Legislatures and Good Governance" UNDP, by Robert Nakamura and John Johnson, July 1999. It is useful to remember that these lists of differences apply to comparisons between the U.K. and U.S. rather than to parliamentary and presidential systems in general. There are significant variations across these types and within types, and across time

<p>Less of a need for rank-and-file legislators to develop policy expertise. (Although "shadow" ministers are expected to do so)</p>	<p>Individual legislators have some incentive to develop policy expertise.</p>
<p>Policymaking functions tend to be concentrated in parties or ministerial bureaucracy.</p>	<p>Legislative policymaking functions tend to be concentrated in specialized committees. Caveat: Many presidential systems of Latin America lack much in the way of policy-making capabilities, and members have deferred to parties or ministries.</p>
<p>OVERSIGHT: Oversight powers include the threat of removal (votes of no confidence), ministerial question periods, and the power to investigate. In general, the majority party is not inclined to investigate operations of government for deficiencies and problems, and the minority party lacks the means. Majority party members often want to gain a place in the government, and this career goal discourages a more adversarial stance. Caveat: There are devices for parliamentary oversight such as directly questioning ministers and in some African nations there have been parliamentary investigations of executive branch performance, primarily regarding corruption.</p>	<p>OVERSIGHT: Oversight powers include threat of impeachment, committees can compel testimony and require information of executive officials, and Congress can review some administrative regulations.</p> <p>Members often make a career of legislative membership. Committees and members can gain influence by finding problems with how government is performing. Caveat: In Latin American systems without "divided government," few oversight activities are undertaken.</p>