



Why engage with parliaments?

International assistance and parliamentary strengthening – an overview.

It seems that almost every system of government needs a parliament. Given that fewer than half the world's countries qualify as 'democratic' by most definitions, having a parliament is not the same as having democratic representation. Parliaments vary massively in terms of power, significance and effectiveness. Yet however flawed they may be, their presence appears to be essential to the idea of the state's legitimacy and its claim to represent the public interest.

Parliaments play a critically important role in emerging democracies. The institution's performance in those early years will shape public expectations, establishing the norms and values which determine the democratic culture. Their work covers every significant policy area connected with political and economic development. Parliaments can perform a pivotal role in poverty reduction strategies, promotion of gender equality and conflict management through debate and deliberation.

In short, parliaments are concerned with the same strategic objectives as international donor agencies. They could be powerful allies in achieving those objectives. Yet, for the most part, they remain ignored, misunderstood and largely avoided in development programmes. Despite increased recognition of the centrality of parliaments, they remain a small part of the international support to governance.

The purpose of this series of notes is to explain parliaments and parliamentary

processes, and identify ways for the international community to engage with them more effectively. This first note offers a summary, which subsequent notes will examine in more detail. It covers:

1. Why engage with parliaments?
2. Political economy analysis and parliamentary support.
3. The functions of parliament: Legislation, oversight, representation.
4. Who runs parliaments? Opportunities and entry-points.
5. The role of parliaments in political development.
6. Conclusion: Parliaments as powerful allies.

1. Why engage with parliaments?

International support to parliaments has a poor track record. Too much international assistance has depended on capacity building, training and the provision of resources. Too often, implementing organisations have rolled out the same programmes and depended on templates, regardless of the country or political context.

Because of such traits the field of parliamentary development has sometimes been regarded as the least effective area of international governance support.

Despite increased donor interest in parliaments in recent years, international

+44 (0) 207 549 0350
gpgovernance.net
hello@gpgovernance.net

governance support still tends to prioritise work with the Executive over parliament for five main reasons.

1. It is easier to work with ministries.

It is far simpler for donor agencies to engage with the executive branch of government, rather than the legislative branch. Ministers and their officials, who have clear responsibility for implementation of policy, offer a way of addressing problems directly, and getting things done.

2. Parliaments hold things up and slow things down.

The process of scrutiny, deliberation and decision takes time, and in a world which prizes brevity and speed, parliaments seem slow and cumbersome. The job of parliament is to improve quality of policy and law, by influencing the policy as it is being made, and examining the quality of implementation afterwards, and then calling government to account on both.

3. Parliaments are complex.

Whereas a ministry (or most public and private sector institutions) has a clear hierarchy, with different levels of responsibility, parliaments do not have the same monolithic structure. Parliaments are often in a state of flux, as collections of competing and shifting coalitions of interest seek to shape its decisions, and how the institution is run.

4. Government has more resources than parliament.

Whereas government ministry employees number in their thousands, parliaments - especially in developing countries - are likely to have a few hundred staff at most. Given the size and complexity of governments, parliaments face a tough job in ensuring scrutiny and accountability.

5. Working with parliaments is inherently political.

Whereas support to a ministry can be couched in terms of efficiency and effectiveness, increasing parliament's ability to scrutinise and call to account means shifting the balance of power between Executive and Legislature. Greater accountability means placing restrictions on government's ability to act. This is difficult territory for donor agencies, which is why they have traditionally relied on training and capacity building. And this is the main reason such programmes have been so ineffective.

2. Political economy analysis and parliamentary support.

In recent years, and particularly since the Paris Declaration on Aid Effectiveness, there has been a greater emphasis on political economy analysis techniques to understand the causes of problems in developing countries. In governance it has led to a greater understanding as to why political institutions are underperforming and how those difficulties might be addressed.

These insights are starting to change the way in which donors engage with parliaments, as they realise that in order to achieve meaningful change, they need to engage at a deeper and more political level with the institutions of governance.

There are undoubted benefits to engaging with the Executive about the development and implementation of policy. However, it is increasingly recognised amongst the donor community that parliaments play a pivotal role in shaping that public policy, securing political legitimacy for the government's policies and entrenching policy objectives in the wider political culture of the nation.

Under democratic elections the parliament is the most important representative institution within the system of government. It is the highest legislative authority in a country and the only institution to which government must account for its actions. Although presidents and governments are directly accountable to the people at elections, in between elections it is a parliament's job to hold them to account on the public's behalf. The parliament exists to articulate and aggregate public opinion during debates and decisions. In that representative role it presents the public face of government to citizens, and provides the nerve-endings of the system of governance.

Effective international governance support needs to ensure effective parliamentary oversight, accountability and representation. A country in which government is not required to account for its actions or justify its decisions risks bad policy and poor administration. Put crudely, while support to the Executive is likely to produce some quick wins,

working with parliaments offers far greater opportunities for long-term institutional, cultural and behavioural change.

The international community now appears to be understanding the point made by the British political scientist, Professor Bernard Crick 40 years ago that, “parliamentary control, rightly conceived, is not the enemy of effective government, but its primary condition.”

3. The functions of parliaments.

Parliaments have three principal functions in the system of governance: i) legislating – initiating, assessing and amending bills, ii) oversight – scrutinising the performance of ministries and calling them to account, and iii) representation – articulating and debating public concerns. All of these functions provide opportunities for donor-funded programmes to engage with both process and policy substance, improving the quality of governance and making government more responsive to public concern.

- **Legislation.**

In developing countries and nations transitioning from authoritarian rule to democracy, there is usually a massive legislative agenda, designed to address the country’s ills. The pressure on the government to act quickly, in turn places pressure on the parliament to swiftly pass laws.

A balance needs to be struck, though, between speed and effectiveness. Quickly-made laws are usually bad laws, which subsequently don’t work in the way they were originally intended. Parliament provides the opportunity to reflect on both the intention of the law, and whether the provisions of the law are likely to achieve the stated objectives.

Parliamentary scrutiny of legislation means the opportunity to amend badly thought-out, poorly drafted and ill-conceived bills.

Most parliaments also have the ability to initiate legislation. The likelihood of that legislation becoming law will vary according to that parliament’s influence. However, even where the chances are slim, the introduction of a bill into parliament is a way of highlighting an issue of public concern.

- **Oversight.**

The tension between Executive and Legislature in developing democracies manifests itself most frequently in the ability of the parliament to call ministers

and ministries to account. It is often a fraught relationship with parliaments attempting to assert their authority and ministries resisting what they see as attempts to limit their power.

There is no simple way of resolving this tension, but parliamentary projects should seek to build a more constructive relationship between ministries and politicians. In essence, the government needs to be convinced that parliamentary scrutiny is useful.

Our GTP paper on this issue will touch on some of these themes, but parliaments usually have a number of oversight tools to call government to account in the form of parliamentary questions, interpellations, debates and committee investigations. Each can be used in different ways to reassure ministers they do not present a mortal danger.

One area where parliaments are often effective is in financial oversight. One of the oldest functions of parliament is the approval of the budget, and most systems still depend on this parliamentary approval. Enhancing financial oversight means that programmes can engage with almost every policy area that spends money, address issues of financial propriety and corruption, and ensure that parliament assesses value for money in government spending.

As mentioned above, parliaments will often lack the resources or capacity to scrutinise the entirety of government activity. But this means that they should be building links with other state audit institutions and regulators who are able to do the detailed scrutiny of spending in specific policy areas, placing the parliament at the apex of the system of oversight.

- **Representation.**

Parliament provides the principal institutional channel by which public concerns are transmitted to government, and government policies explained to citizens through debates and statements. But the representative role that takes up most of a member of parliament’s time, and is regarded by citizens as their most important function, is that of constituency service, providing direct support to citizens.

The recent IPU/UNDP Global Parliamentary Report (written by GPG Director Greg Power) highlighted the expansion of constituency work in almost every country around the world. It also highlighted some of the innovative responses to constituency pressure in different countries such as the establishment of micro-finance credit

unions by MPs and use of technology. Projects which engage with constituency outreach potentially offer direct benefits to citizens, politicians and the parliamentary system as a whole.

Within developing parliaments, one of the strongest trends has been the development of strategies for engaging with the public. Efforts have ranged from encouraging more people to visit parliament, to the creation of mobile parliamentary buses to tour the country and provide information, through to the creation of parliament-only radio stations. There has also been much focus on getting the public voice into the parliamentary process by increasing the volume and quality of parliamentary consultations over policy proposals and legislation.

4. Who runs parliament? Opportunities and entry-points.

The answer to the question “who is in charge?” is not easy to answer in relation to a parliament. It can only be answered with another question, which is “in charge of what?” Parliaments are complex institutions, and unlike any other organisations there is never one identifiable person in control of their development.

However, this should be seen as positive aspect of engaging with parliaments rather than a deterrent. Although more complex to understand than a hierarchical government ministry, it offers parliamentary support programmes multiple points of entry to reinforce the same objectives and, if structured properly, increases the chances of success.

In general there are six sets of stakeholders within a parliament that programmes should seek to engage:

i. The Speaker or President of Parliament.

The Speaker or President is the most important person within the institution in that he or she is at the centre of a web of interactions between parliamentary stakeholders. He or she will have a role in determining parliamentary business, decisions about the administration of parliament and be a focal point for negotiations between the main political parties. They will be the public face and be critical in determining the tone of parliamentary debate. However, in most emerging parliaments the Speaker’s authority is frequently a subject of contestation.

ii. **Political party leaders.** Political parties are the vehicles through which the political negotiation and the organisation of parliamentary business is conducted. The leaders of the parties will often meet regularly to decide parliamentary business in a Bureau. Their power will stem from their ability to get their MPs to follow them and the public profile they enjoy as the principal spokespeople for their party. Projects in general need to engage more with parties in parliament, improving their organisation, internal structures and the way that they engage with one another.

iii. **Committee chairs.** Committees are the engines of parliamentary activity, providing a forum in which MPs can do the detailed scrutiny of government policy and legislation. The chairs of these committees will often have been appointed because of their seniority or importance to their party, and the office of chair gives them additional responsibilities and influence. In addition, the members of the committee build up an expertise for the policy issues of the committee and build up working relationships with politicians from other parties on the committee.

iv. **Influential backbenchers.** There are likely to be significant figures within the parliament who, although holding no formal position enjoy significance because of their longevity, seniority or prior status outside parliament. They are likely to be able to sway opinion within the parliament and are thus useful allies in any programme that seeks to build support for change.

v. **Secretary General or Clerk of the Parliament.** The Secretary General (SG) or Clerk of the Parliament does not usually have a public profile, but will be responsible for how the parliament is run. Whereas politicians come and go at elections, key parliamentary staff tend to stay for some time, providing continuity and institutional memory. But the longer such a person is in post the more power they are likely to have in controlling the institution.

vi. Heads of key parliamentary directorates.

The relationship between key staff and members of parliament is critical to parliament. Members of parliament, in order to be effective, need to be able to depend on reliable staff, and need to be able to delegate effectively to them. Within the parliamentary structure certain directorates will have a disproportionate influence on how the institution is run. These will often include the research directorate as a focal point for many MPs’ enquiries, a parliamentary directorate which co-ordinates the legislative agenda and work of

committees and the media directorate which communicates parliamentary activity to the outside world.

All these stakeholders are likely to be important for improving the effectiveness of parliament. Projects should start by understanding the relative influence of such key figures. They will derive their authority from their control of procedure, resources or patronage. For example, the political parties tend to keep their politicians in line with the promise of political patronage. The SG is ultimately responsible for the allocation of parliamentary resources and implementing parliamentary business. And the Speaker is likely to have a role in all three.

5. Parliaments and political development.

The value of parliament to wider international donor assistance objectives exists at two levels. First, there is the extent to which the parliament can shape the direction and detail of government policy on particular issues of concern to donors, such as poverty alleviation. Second, as the focal point for discussion of a country's main political issues both the subject of the debate and the way it is conducted, can have a direct effect on public perceptions of issues such as gender equality and managing tensions in post-conflict environments.

There are four specific areas worth highlighting:

Anti-corruption.

The issue of anti-corruption and probity in public life is one that affects almost every developing democracy. Strategies for tackling corruption and improving ethical standards need to operate at many levels, and parliament is a valuable ally in such strategies, in two ways:

- **Audit and oversight of the public realm.** First, through its oversight role parliament can play a critical role as a watchdog. Specific committees will be charged with the role of scrutinising and highlighting examples of corruption and malpractice. Parliaments should be at the apex of the accountability system of any country. Parliament is the only institution with the formal responsibility of calling ministers to account. However, parliaments lack the resources to scrutinise every aspect of government activity. They should though have close

links with the state's audit institutions and regulators that can provide detailed scrutiny of spending and administration. The job of parliament is to draw on their expertise, pull out the most salient aspects, bring them to public attention and hold ministers politically accountable on that basis.

- **Ethical standards and financial transparency in public service.** Second, parliaments should also be playing a role in establishing standards for public service – both for MPs themselves and for other areas of the public sector. The number of parliaments that have implemented codes of conduct has increased significantly in recent years. Such codes are often the response to public concern about standards in public life or instances of corruption. Typically the codes describe a set of principles for MPs to act in a way which maintains public confidence in the integrity of the political system. They also tend to include provisions which require financial transparency and disclosure of any potential conflicts of interest. The existence of the code in one area of the public sector also tends to have implications for others, establishing basic standards for all public servants.

PRSPs and poverty alleviation.

In the last decade parliaments have often been absent from the development of poverty reduction strategy plans (PRSPs), with donors tending to work directly with the Executive on their design and implementation. However, PRSPs are much stronger where the parliament is an advocate and ally for their objectives, as they are then integrated in to much of the parliament's work. Perhaps more importantly, parliaments have an invaluable role in diagnosing the problems that a PRSP should address. Through their daily contact with citizens doing constituency work, MPs have a detailed understanding of the problems faced by individuals. This is enhanced through committee work and engagement with civil society, which often means that MPs have a level of experience that is beyond the grasp of most policy-makers.

Gender equality.

The under-representation of women in parliament and political decision-undermines the quality of government policy-making. By virtue of their life experience women are likely to have valuable perspectives that need to be brought bear on the policy process; women are more likely to suffer

financial hardship, lack property rights and take responsibility for the welfare of dependents. It is estimated that 70% of the world's 1.8 billion people living in poverty are women. Specific initiatives, such as gender-sensitive budgeting means that parliament has a pivotal role in assessing the differential impact of all financial decisions on women and men. Programmes which seek to increase the number of women in parliament, and improve their impact in the policy process, are likely to improve policy but also likely to change the tone of political discourse.

Conflict resolution.

The international community has paid increasing attention to the importance of long-term democratic development and inclusive political settlements in the aftermath of conflict. This, in part, means creating the opportunities for genuine dialogue within the formal political process. Parliaments are critical in this process as the main arena for national social dialogue. This might be through their work on oversight of the security sector, protection of human rights or building confidence in the justice system. More specifically, many parliaments in post-conflict environments will have committees responsible for reconciliation and dialogue. The work of promoting dialogue, reforming the judicial process and building trust in the institutions of government is central.

6. Conclusion: Parliaments as powerful allies.

Parliaments are complex and sometimes unpredictable institutions, and their significance is often misunderstood. Engagement with parliaments offers donor programmes a way into almost every area of public policy, a means by which to influence the democratic culture and routes for addressing a number of cross-cutting themes. But the fact that they are comprised of competing sets of interests means that donor programmes require a sophisticated strategy for engagement.

Parliaments in every part of the world face numerous problems. Many parliaments are clearly under-performing. But the problems should not be overstated, and the opportunities for meaningful political change should not be missed.

Parliaments should be playing a pivotal role in developing and tracking government targets in health and education, monitoring budgets and ensuring value for money. An effective parliament should be amplifying

the public voice. It provides the connective tissue between people and power, and should ensure that government priorities reflect and respond to the needs of the people. But, as the primary space for national social dialogue and negotiation between different interests, it is also critical in securing and entrenching an inclusive political settlement.

A more sophisticated approach to international assistance would offer donor agencies multiple points of entry and several mechanisms to achieve the programmes objective. It would see parliaments as the potentially powerful allies that they are in achieving wide-ranging political and economic development.