

# Managing Parliaments: A Challenge for Administrative Sciences: Report of the Specialist Working Group on Managing Parliaments in the 21<sup>st</sup> Century

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The EGPA 2000 conference explored for the first time how new ways of thinking and new concepts in public administration affect the relations between executives and legislatures. To this end the organizing committee committed themselves to the very original conference theme: 'managing parliaments'. The aim of this year's conference was to: "explore the legislative branch of government from a public administration perspective, focusing on relations between executives and legislatures, and in particular on the organisation of parliaments, the management of their law making functions and the ways in which parliaments act to exercise different forms of management over the executive branch." Three sub-themes were foreseen, legislative oversight, the legislative process, and parliamentary organisation and structure: support organisation and staff. The following report is on these sub-themes which were treated together in a specialist working group.

The working group discussed four papers, all of which are printed in subsequent chapters. The starting point for discussions was the question of whether or not new modes of governance affect parliament and if so, how? Do traditional established legal and democratic principles and values still apply, albeit it in a new setting, or do new modes of governance combined with the impact of new technology influence the traditional role of parliaments in a more fundamental way? This was, according to the working group, one of the interesting points of Werner Jann's inspiring keynote speech.

Before addressing this question in more detail it is important to establish the traditional agreed roles and functions of parliaments. To what extent are these roles and functions being challenged by changes in society and in policy making and public service delivery? What are the effects of new structures of governance? Are parliaments still an effective counterbalance to an ever more powerful executive? And what kind of possibilities and threats do new information and communication technologies pose for parliament's traditional way of working and traditional representational arrangements? Ultimately the key question is whether these changes in society have implications for parliament's actual role and functions? To ask this question invites an obvious answer. Of course parliaments are evolving, but comparative and empirical research is necessary to examine developments in their roles and functions, and to examine how parliaments (and members of) react to changing state-society and inter-organisational relationships.

Professor Tanquerel explored these questions via a specific case: the perceived democratic deficit regarding the establishment of specialized policy making agencies and interregional agreements with parliaments. This is a problem which regularly arises in the inter-cantonal arrangements of Switzerland. He suggests that new 'specialized' parliaments could be a useful alternative to 'normal' parliaments by providing better control of state institutions. The members of these parliaments could either be directly chosen or be delegates from the

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representative bodies of the agreement-making cantons. The main advantages, apart from the gains from a democratic point of view, would be flexibility and the feasibility within the political situation. Professor Wuyts, the Belgian ombudsman, introduced a new idea of parliament as an ombudsman. Whilst traditionally the handling of citizens complaints was a main role of parliaments, this function is now carried out by a range of public agencies. Professor Wuyts suggested that the ombudsman's function should be re-integrated in the analysis of the controlling role of parliament.

The paper by Van Kralingen *et al* discussed the question of how ICT influences governmental and parliamentary procedures. The paper itself focuses on the impact of electronic subways on government decision-making processes. ICTs make the routing of formal documents more efficient and also presents possible new ways of routing. On the other hand, several new problems arise; organizational problems (how to unite hierarchy with the horizontal way of sharing information electronically), logistical problems (how to deal with the problems of version management, authorization and access) and legal problems (Dutch law on public archives). The paper shows how new techniques do change the very nature of the handling of formal documents and the procedures and routines connected with them. The working-group observed these same possible obstacles and effects of ICT as far as the working-processes within parliament are concerned.

This discussion was followed by Monique Esselbrugge's paper 'Interactive policymaking and the primacy of the Dutch Parliament: in search for new roles for its legislative function'. Interactive policymaking is comprehended as a process to form a common conception of policy. A collective policy process involving a network of mutually dependent participants as a way of facilitating the participation of citizens, consumers and interest groups (etc) in policy-making. Traditionally the administration manages these tools for these new forms of participation. Increasingly these developments have serious implications for parliament. What is the role for representative assemblies where a collective interactive policy process engages widespread social participation? Esselbrugge argues that parliament's new role in interactive policymaking should be one of a catalyst or facilitator. Which of course raises the question of whether or not members of parliament would be willing to take this new role, even if they were able to do so. The study-group did not draw a clear conclusion on this point.

Nieuwenhuizen and Snellen's paper examined the limited use of ICT's in Dutch parliamentary practice. They argue that expectations, at least in the Netherlands, should not be too high in the short term. The Dutch parliament did not go through a learning process by the arrangement or the organization of its information provision. ICT is only used for de-politicized and more technical activities of law making. This course of action according Nieuwenhuizen and Snellen, inevitably leads to a loss of function of parliament. Parliament is in their view not a learning organization, it is a collective of individuals, to whom information sometimes is desirable and welcome and at other times something to be kept away from. The working group was divided as far as the implications of ICT's for parliaments are concerned. Some felt that ICT's do not bring about fundamental change: ICT merely facilitate existing processes, but it does not alter parliament's roles and functions. Others took the opposite position by stressing the shifting balance between parliament and the administration. It is even possible to perceive a situation where parliaments claim a stronger position through their use of ICT's. Others in the group saw ICT's as a problem for parliamentary oversight and thus for parliament itself. The discussion explored Austrian, Polish, Dutch, Scottish, Italian and German experiences.

The general conclusion of the working group's considerations was that there is considerable scope for further in depth research. Clearly we do not know enough about the influence of new ways of policy-making, together with the impact of ICT's on parliamentary (control) processes. Furthermore, it is apparent that the role and function of parliament is evolving and will continue to change as society itself changes. The importance of the management of parliament, of new parliamentary roles and functions and the evolving relations

between parliaments and policy-making and service delivery agencies presents considerable scope for further investigation. The working group concluded that the evolution of this subject could feasibly be considered by a permanent study group of EGPA, especially as the emergence of new parliaments and the development of existing parliaments will provide a wealth of interesting material.

### **Papers Presented**

Contrôle Parlementaire et Démocratique sui les Établissements Publics Intercantonaux en Suisse, *Thierry Tanquerel*

The Impact of Electronic Subways on Government Decision-Making Processes, *Robert Van Kralingen, Wim Voermans, Luuk Matthyssen and Pascal Kolkman*

Interactive Policymaking and the Primacy of the Dutch Parliament: In Search of New Roles for its Legislative Function, *Monique Esselbrugge*

Informatisation Policies in the Dutch Parliament: Do ICTs Support the Dutch Parliament as a Learning Organisation?, *Bas Nieuwenhuizen and Ignace Snellen*

### **Editors Note**

Subsequent chapters of this book include updated versions of each of these papers. Also, because of their relevance to the sub-themes considered by the specialist working group additional chapters by Nicola Lupo and Gyorgy Jenei are included in this section of the book