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## Summaries in English

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## Summaries

**The use of the parliamentary right to propose legislation ('het recht van initiatief')**  
by G. J. P. de Vries

This article is the outcome of an exploratory examination of the legislation proposed by members of the Second Chamber of the States General (Parliament) in the Netherlands in the period of 1814-1977.

All 231 private bills proposed in this period were divided up according to 6 categories:

- period of time in which proposed;
- subject matter of the bill;
- results of the bill;
- party, to which the member of Parliament proposing the bill belonged;
- parliamentary group, to which the member of Parliament proposing the bill belonged (oppositional or government-aligned group);
- political composition and parliamentary status ('parliamentary or extra-parliamentary') of the Cabinet in being, when the bill was proposed.

Combining the results the matching of these categories yielded and combining these with important political events during this period, the following conclusions with regard to the use of the parliamentary right to propose legislation ('recht van initiatief') can be drawn:

I Several factors influenced the use of this right

- in a negative way:
  - a) the deference shown by Parliament towards the Crown in the period 1814-1871;
  - b) the economic depression in the 1930's.
- in a positive way:
  - a) the rise of the 'parliamentary system' at the end of the sixties in the 19th century, i.e. the introduction of the 'supremacy of Parliament' in as far as in case of a conflict between Cabinet and Parliament the former in the end will have to go;
  - b) the forming of groups in Parliament along political lines and consequently along government-oriented or government-opposed lines in the second half of the 19th century;
  - c) the membership of oppositional groups in Parliament, that turned out to have a constant, positive influence on the use of the right to propose legislation, especially when so-called 'parliamentary Cabinets' were in power: in that case private bills contained clearly an element of opposition against

the ruling Cabinet.

II The value of the parliamentary right to propose legislation can be ascertained properly only, if it is correlated with other means of leverage members of Parliament have at their disposal, such as the agreements to form an (always multi-party) Cabinet and means of power that can be brought to bear during the Cabinet period (e.g. the parliamentary right to amend Cabinet-bills).

III Bills proposed by members of Parliament are heavily outnumbered by bills proposed by the Cabinet; their subject-matter is limited; their results are furthermore poor, as compared with Cabinet bills.

**On legislatures and societal change: the Netherlands and the United Kingdom**  
by M. P. C. M. van Schendelen and Valentine Herman

This article examines how the Dutch and British Parliaments have adapted to societal change in the twentieth century. The growth of the public sector and other socio-political developments in the post World War II period are examined, as are various legislative responses to this growth. In neither country has there been an increase in the amount of legislation enacted commensurate with the growth of the public sector: but, new legislation has had a cumulative effect on old legislation and there has been an increase in the amount of delegated legislation enacted, and a greater recourse to pseudo-legislation.

The individual experiences of the Second Chamber of the Netherlands' Parliament and the House of Commons of the United Kingdom Parliament are considered in the light of these developments. The Dutch Parliament has adapted to societal changing by establishing a series of specialised standing committees to process individual items of legislation: the resultant pattern of segmental specialisation has resulted in the development of a system of cue-givers and cue-takers. The large parties in the Second Chamber have also established a series of specialised committees, and the Chamber has been transformed from a parliament of generalists to a parliament of specialists.

In contrast to the Dutch experience, very little change has taken place in the structure and functioning of the House of Commons; that change which has taken place has been carefully controlled and regulated by Governments; and the limited amount of change permitted by them has by no means matched wider societal changes.

In conclusion, historical, cultural, structural and processual reasons are advanced as to why the two legislatures have reacted differently to comparable environmental stimuli.

**Law and order supported?**

by M. D. Bogaarts

This article describes how shortly after World War II the Dutch government thwarted unwelcome initiatives from right-wing former resistance groups and pre-war voluntary auxiliary army forces ('landstorm'), which might have constituted a threat in the precarious years (poverty, decolonisation) that followed the Liberation. This was achieved by manoeuvring all these militant groups into one anti-communist organisation of rather ineffective and subordinate reserves for the new army and police force.

The right-wing resistance groups were composed of adherents of the Dutch Reformed Churches, conservative Catholics, ex-soldiers and staunch monarchists. During the war there had been fears among these groups that the communists, who played a major part in armed resistance, might want to use their weapons when the hour of the revolution would strike. When the first post-war elections resulted in a 10% communist vote, many militant right-wing organisations offered the government armed support against any violation of its authority. The new coalition cabinet, consisting of the Labour Party (PvdA) and the new progressive Catholic People's Party (KVP) – for the first time in Dutch history the conservative parties had not been included – at first declined these offers. The Labour Party believed that accepting support from these groups would provoke the communists and jeopardize the proposed political reforms with respect to social security and the decolonisation of Indonesia. Labour's suspicions proved to be well-founded, for, when agreements were signed with the Indonesian rebels in 1946, some right-wing militants publicly announced their intentions to oppose the government's decolonisation politics with illegal means. Moreover, the government had no wish to revert to the pre-war tradition of independent auxiliary forces, which had been founded in 1918 in response to the threat of revolution by the Socialist Party (SDAP) and had been supported by the religious and conservative parties as an anti-socialist stronghold. The pre-war Socialist Party had now shed its revolutionary character and had been transformed into a broad Labour Party, which was not eager to reinstate this memorial to the pre-war political situation.

In 1947, however, the government decided that it was necessary to start talks with the militant right-wing groups to prevent them from having recourse to illegal opposition tactics. It was prepared to employ their services in police reserves, but the groups insisted on forming an independent auxiliary army, similar to the Home Guard in Britain, though with political aims. This idea was rejected by the cabinet. The deadlock in the negotiations was broken by the coup in Czechoslovakia in February 1948. This event made all parties rally against the pro-Moscow Dutch Communist Party (CPN), including the Labour Party, which had previously been afraid to lose votes to the communists. The government managed to unite all the organisations which had volunteered to support law and order into one anti-communist propaganda-unit for the recruitment of reserves for the army, the police and border patrols: the National Institute Support Law and Order (Het Nationaal Instituut Steun Wettig Gezag NISWG). The groups were not allowed to operate independently. Though they were not altogether satisfied, they still cherished hopes of future eminence. Especially the Labour Party was unwilling to give them free rein, because it feared that their anti-communism might turn into anti-socialism. To allay these fears the National Institute invited the Labour Party, together with the other democratic parties and trade unions, to take a number of seats on its Executive Council.

The National Institute has never prospered. Of course the government did not really want to entrust the maintenance of law and order to this voluntary organisation and therefore it had to subsist on a very low budget. The administration expected the movement to peter out gradually, as the ex-partisans were integrated in the new political and social framework that formed itself in the post-war period, and as a well-trained new (NATO-)army and police force obviated the need for the participation of middle-aged reserves. Meanwhile the communists lost popular support. In the 1956 elections they obtained only 4% of the votes, so they were no

longer regarded as a threat to the country's stability. It came as no surprise when in 1958 the government withdrew its financial support for the 20,000 reserves and thus made the propaganda-organisation NISWG redundant. The decision concluded this aftermath of World War II and, at the same time, it announced the beginning of the end of the Cold War in The Netherlands.