



Legislative Strengthening: Annotated Bibliography

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Introduction

The following bibliography is offered as a broad survey of the literature on legislative development and areas of legislative practice relevant to legislative development.

While seeking to comprehensively highlight literature addressing the broad range of issues relevant to legislative strengthening, it is not intended to be either exhaustive nor to critique that literature.



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A noted moral, political and legal philosopher and human rights advocate he has written extensively on issues of national and international human rights, pluralism, and law in 13 books and over 60 articles.

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Special Thanks: Andrea Wolfe, Senior Associate with CID/SUNY; Prof. Robert Nakamura, Rockefeller College, University of Albany.

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I. Overview

General

Barkan, Joel (ed) Legislative Power in Emerging African Democracies , Lynne Rienner Pub. (2009)

Legislatures are the people's branch of government, the institution where citizen interests and preferences are expressed and transformed in policy, and the point at which at least potentially, people most closely engage their national government. USAID HANDBOOK ON LEGISLATIVE STRENGTHENING (2008)

A puzzle underpins legislative development in Africa: Why are variations in the extent of legislative authority and performance across the continent only partially related, if at all, to the overall level of democratization? And if democratization is not the prime determinant of legislative authority, what is? Exploring the constraints that have retarded the development and power of legislatures across Africa—and how members of some legislatures are breaking free of those constraints—in this groundbreaking study the authors shed new light on the impact of the legislative branch on the political process in six emerging African democracies.

Nakamura, Robert and John Johnson, A Concept Paper on Legislatures and Good Governance. Parliamentary Strengthening Reference Material (1999) <http://www.cid.suny.edu/publications1/Nakamura%20Johnson%20A%20Concept%20Paper%20on%20Legislatures%20and%20Good%20Governance.pdf>

This paper explains the functions of legislatures, different legislative types, and presents different activities for strengthening legislatures.

Office of the National Assembly of Viet Nam/United Nations Development Program, Parliamentary Institutions: Basic Concepts (2005) <http://www2.hull.ac.uk/fass/pdf/Politics-parliament.pdf>

This publication aims to provide a guiding framework to foster a better understanding of parliaments. It is constituted by nine sections, each on a topic of key relevance to understand parliament. The sections are organized in the following order: 1. Parliamentary Models; 2. Executive / Legislative Relations; 3. Legislative Process; 4. Oversight Function; 5. Representative Function; 6. Organization and Operation of Parliamentary Committee Systems; 7. Parliamentary Rules and Procedures; 8. Organization and Management of Parliamentary Affairs; 9. Latest Developments in Legislative Studies. Each section can be read independently, although references are made to complementing sections when relevant. A basic presentation is made of the key issues at

³ Backbench MPs are those parliamentarians who do not hold higher political office, such as being a member of the Cabinet, a junior minister or a senior member of the opposition parties such as party leader or shadow (opposition) cabinet.

stake for each topic, providing simultaneously scholar references that allow for further development of each topic.

Olson, David, *Democratic Legislative Institutions: A Comparative View*. Armonk, NY: ME Sharpe, 1994.

A classic study in comparative politics, this book summarizes the research on, and experiences of, democratic legislatures around the world. It focuses on what legislatures are and what they do as both consequence of and contributor to democratic self-government. Throughout there is discussion of how new democratic legislatures, as in eastern Europe, experiment and make use of the practices developed in older democracies.

Polsby, Nelson W. "The Institutionalization of the U.S. House of Representatives" *The American Political Science Review*, Vol. 62, No. 1 pp. 144-168 (Mar., 1968) Available JSTOR <http://www.jstor.org/stable/1953331>

Polsby describes how the US house became "institutionalized" and posits characteristics of institutionalization and speculates about the causes and consequences of this institutionalization. He suggests ways to measure institutionalization:

1. Well-bounded: Membership and leadership in the House has been increasingly walled-off. This has two aspects. First, membership is less open. Incumbents tend to serve longer (Fig 2) and the proportion of first-term members in any given Congress has fallen over time (Fig 1). Second, leadership positions in the House have increasingly been reserved for the most senior incumbents (Fig 3). Moreover, Congressional leaders leave their positions less frequently than they once did (Fig 4).
2. Internally complex: House functions have been regularized and specialized. This has three aspects. First, the committees have grown more autonomous and more specialized (though not necessarily more numerous). Second, the party leadership has acquired specialized leadership agencies (e.g. whips). Third, Representatives have allocated themselves more staff, office space, and committee staff (see Table 6).
3. Universalistic: The House now follows impersonal, universal decision criteria rather than particularistic criteria. "Precedents and rules are followed; merit systems replace favoritism and nepotism" (p 145). For example, committee chairs are assigned almost exclusively by a seniority rule now (Fig 5). Also, when the House makes a judgment about a contested election, the decision is likely to be made on the case's merits, not on partisan lines (p 163; Fig 6).

Legislative Strengthening – Manuals and Overviews of the Field

European Commission, *Engaging and Supporting Parliaments Worldwide: Strategies and methodologies for EC action in support to parliaments* European Commission/EuropeAid (2010) Available at: http://ec.europa.eu/europeaid/what/governance/documents/engaging_and_supporting_parliaments_en.pdf

There is growing consensus that effective parliaments are of fundamental importance to democratic systems. Without strong parliaments democracy is fragile, incomplete and often ineffective. This document has been prepared in response to the EU's development policy framework, which recommends parliaments to be supported as part of a larger democratic governance agenda. It should be seen as a practical contribution to increasing efforts to work with parliaments and aims to strengthen the quality of the work of the European Commission in this area. It is intended as a practical tool for use in planning European Commission (EC) parliamentary strengthening programmes and to a lesser extent in engaging with parliaments in development cooperation in partner countries. It is geared for use by European Union (EU) Delegation staff, both political and operations staff, but is also of use to other actors (donors, practitioners) as well as parliamentarians and parliamentary staff involved in parliamentary strengthening.

Johnson, John, Robert Nakamura and Jim Kent *USAID Handbook on Legislative Strengthening*. Center for Democracy and Governance, Washington, D.C., USAID, February 2000. Available at <http://www.cid.suny.edu/Publications/pnacf632.pdf>

This comprehensive guide to legislative strengthening is designed to help the reader: (1) Understand the functions of legislative bodies, and how factors such as regime type, electoral and party systems affect legislative behavior; (2) Assess the capabilities and needs of a legislature; and (3) Design effective legislative programs, linking specific activities with legislative need areas. The Handbook includes more than three-dozen examples of specific program ideas used worldwide. This practical handbook is designed to help field people design and manage successful legislative strengthening projects.

Menocal, Alina Rocha and Tam O'Neil, *Mind the Gap: Lessons Learnt and Remaining Challenges in Parliamentary Development Assistance – A Sida Pre-Study SIDA* (2012) <http://www.odi.org.uk/sites/odi.org.uk/files/odi-assets/publications-opinion-files/7925.pdf>

Parliamentary support has been a growing area of assistance since the 'third wave' of democratization in 1980s... The PD universe is diverse and complex, involving a plethora of organizations ranging from bilateral and multilateral agencies to parliamentary associations and political party foundations. There are differences both within and across these different PD actors in terms of what they seek to achieve, how and why. Minocal & O'Neil, MIND THE GAPS SIDA (2012)

Parliaments have received increasing levels of support over the last few decades through a variety of programming formats ranging from discrete short programs of support and issue based efforts to long term capacity development programs. This study reviews the post-2005 academic and policy literature to analyze existing knowledge about contemporary approaches to legislative development, lessons learned from those programming efforts and to identify areas needing further evaluation and potentially emerging issues of concern. The study provides a comprehensive overview of the current practices and problems in legislative strengthening.

Tostensen, Arne and Inge Amundsen, Chr. Michelsen Institute, *Support to Legislatures - Synthesis Study* Norad (2010) <http://www.norad.no/en/tools-and-publications/publications/evaluations/publication?key=160869>

Support to democracy building in developing countries increased after 1990. It is gradually seen less as a technical exercise and more as a challenging, politically sensitive area of cooperation. Norway has supported the strengthening of democratic institutions with approximately 12 billion NOK in the last ten years, and as seen in this study a relatively small share was allocated to legislatures. The study discusses different models of legislatures and political and electoral systems, with particular emphasis on fragile states. It also presents an overview of agencies specialised in this field, and of trends of donor support. The authors find relatively few systematic evaluations of the results of support to legislatures, but identify some lessons from the literature for future work in this area: (i) understand political economy; (ii) have a long-term comprehensive approach; (iii) mobilize sufficient expertise and (iv) establish (in the case strategic donor partnerships).

Online Resources and Databases

Agora <http://www.agora-parl.org/resources/library>

Agora's library offers a broad collection of publications submitted by members.

InterParliamentary Union

IPU Publications <http://www.ipu.org/english/pblctns.htm>

The IPU regularly publishes books, periodicals, handbooks, as well as different reports and surveys.

PARLINE database on national parliaments <http://www.ipu.org/parline-e/parlinesearch.asp>

The PARLINE database contains information on the structure and working methods of 267 parliamentary chambers in all of the 189 countries where a national legislature exists.

IPU Global Database on Women's Caucuses in Parliament <http://w3.ipu.org/en>

The database is a unique tool that provides a global, regional and national perspective on how women MPs have succeeded in coming together to tackle issues in ways that transcend their political differences with information on about 79 women's caucuses that exist so far in 189 national parliaments,

II. CONTEXT AND GOVERNMENTAL STRUCTURE

Legislature and the Constitution

UNDP, "The Constitution and its Relationship to the Legislature" Parliamentary Strengthening Reference Material (2000) <http://mirror.undp.org/magnet/Docs/parliaments/notes/Organization%20of%20Legislatures%20.htm>

The existence of a legislature usually derives from a country's constitution, which stipulates its basic powers and its relationship to other state organs and political institutions. The constitution refers to fundamental principles of government of a nation implied in laws, customs or contained in a document or collection of documents (which may be referred to collectively as a 'constitution', as 'basic laws' or 'organic laws'). A constitution delineates the basic organization and operations of government, describing both its powers and limitations. Essentially, a constitution outlines the rules of the political game.

Elements of a country's constitution that directly impact the work of a legislature include: the type of political party or alternative system it encourages through electoral design or establishes by law, whether it is unitary or federal; the role of the chief executive in relation to the legislature (parliamentary or presidential); and the electoral process and the structure of parliament (for example, unicameral or bicameral chambers, the official powers of a legislative presiding officer, etc.).

There is no single 'correct' model of democracy. Even among longstanding democracies there is a wide variety of different types of democratic system, in which parliaments play varying roles.....Parliament is normally one of a triumvirate of autonomous state institutions, along with the executive and the judiciary. EC, ENGAGING AND SUPPORTING PARLIAMENTS (2010)

Presidential/Parliamentary

Albert, Richard, "The Fusion of Presidentialism and Parliamentarism" *American Journal of Comparative Law*, Vol. 57, No. 3 (2009).; Boston College Law School Legal Studies Research Paper No. 190. Available at SSRN: <http://ssrn.com/abstract=1424084>

While all legislatures serve the same core functions, regardless of political system, there are some notable differences of nuance with regard to the relationships between the branches of government, depending on whether the systems are presidential, parliamentary or hybrids thereof. Tostensen & Amundsen, SUPPORT TO LEGISLATURES, NORAD (2010) p.5

No question of constitutional design is more intensely debated than whether emerging democracies should adopt presidential or parliamentary systems. This is an important debate but it misses a critical point about constitutional design - namely that the structural differences between presidentialism and parliamentarism conceal much more than they reveal. In this Article, the author demonstrate precisely how conventional accounts of the structural differences between presidentialism and parliamentarism actually obscure their functional similarities.

Stepan, Alfred, and Cindy Skach, 'Constitutional Frameworks and Democratic Consolidation: Parliamentarism versus Presidentialism', *World Politics*, vol. 46, no. 1, pp.1-22 (1993) <http://www.jstor.org/discover/10.2307/2950664?uid=3739832&uid=2&uid=4&uid=3739256&sid=21103307556633>

Does pure parliamentarism present a more supportive evolutionary framework for consolidating democracy than pure presidentialism? This research from Columbia University argues that there is a much stronger correlation between democratic consolidation and pure parliamentarism than between democratic consolidation and pure presidentialism. The range of existing constitutional frameworks in the world's long-standing democracies is relatively narrow. They are almost all presidential or parliamentary or a semipresidential hybrid of the two. 'Pure presidentialism' and 'pure parliamentarism' each have two fundamental characteristics. A pure parliamentary regime in a democracy is a system of mutual dependence: 1. The chief executive power must be supported by a majority in the legislature and can fall if it receives a vote of no confidence. 2. The executive power (normally in conjunction with the head of state) has the capacity to dissolve the legislature and call for elections. A pure presidential regime in a democracy is a system of mutual independence: 1. The legislative power has a fixed electoral mandate that is its own source of legitimacy. 2. The chief executive power has a fixed electoral mandate that is its own source of legitimacy.

UNDP "Governing Systems and Executive-Legislative Relations (Presidential, Parliamentary and Hybrid Systems), Parliamentary Strengthening Reference Material (1999) <http://mirror.undp.org/magnet/Docs/parliaments/>

The relations among a country's governing institutions differ depending on whether a country has a presidential, parliamentary or hybrid political system. Although each country has its own variance on these political typologies, some conclusions have been drawn about the characteristics of each of these systems and their relationship to political conflict and executive and legislative power. These generalizations are useful for helping to determine characteristics of political systems of other nations, but actual practice varies between nations within each type.

This paper examines the following three aspects of executive-legislative relations: 1. Separation of powers – the extent to which the powers of government are separated functionally between branches of government; 2. Removal from office – how each system defines the conditions for removing the executive and dissolving the government; and 3. The structure of legislative parties and leadership – the influence that the governing system has on the structures developed by parties in the legislature; degree of hierarchical control, internal discipline, and latitude for openness to representing local differences. Party discipline is needed to keep control of the executive, a need that varies among the three systems.

Unicameral/Bicameral

Aroney, Nicholas, *Upper Houses, Democracy and Executive Accountability* (October 30, 2007). University of Queensland TC Beirne School of Law Research Paper No. 07-24. Available at SSRN: <http://ssrn.com/abstract=1025781>

Arguments for and against upper houses take many forms. This article seeks to defend a classification of these arguments into four basic, but by no means mutually exclusive, lines of reasoning concerned respectively with (1) democratic representation, (2) public deliberation, (3) legislative outputs and (4) scrutiny of executive government. In describing and discussing these four lines of reasoning, the article also draws attention to the special role in the debate played by arguments from government efficiency and the separation of powers, and shows how these arguments operate against a backdrop of wider debates over the relative merits of parliamentary and presidential systems of government.

UNDP, "Legislative Chambers: Unicameral or Bicameral?" *Parliamentary Strengthening Reference Material* (1999) <http://mirror.undp.org/magnet/Docs/parliaments/Legislative%20Chambers.htm>

How many chambers a parliament should have is a controversial question in constitutional law. Having two legislative chambers grew out of the monarchy system in the UK and other European countries, where there

A parliament is either unicameral (composed of a single parliamentary chamber) or bicameral (composed of two parliamentary chambers). IPU PAR-LINE www.ipu.org

was a need to represent both the aristocracy and the common man, and out of the federal system in the US. where individual states required representation. In recent years, unicameral systems, or those with one legislative chamber, were associated with authoritarian states. Although that perception does not currently hold true, there appears to be a general trend toward two chambers in emerging democracies, particularly in larger countries. Given historical, cultural and political factors, governments must decide whether one-chamber or two chambers better serve the needs of the country.

Jeremy Waldron, "Bicameralism" SSRN PSN Political Institutions: Legislatures eJournal Vol. 6 No. 17, 04/30/2012 available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2045646

This paper considers the political-theory arguments for bicameralism, both in themselves and in their relation to the present debate in the United Kingdom. It explores Bentham's diatribe against bicameralism and it infers that a justification for bicameralism rests on the significance of the difference(s) between the second chamber and the first. If the second chamber is elected, those differences will be partly a matter of the electoral system, the organization of constituencies, and the rhythm of elections. But perhaps the most important difference lies in the way the second chamber is constituted in its relation to the executive. In a Westminster-style system, the first chamber is ordinarily dominated by the executive. The paper makes a number of suggestions about how this can be avoided in the case of an elected second chamber. In this way the principle of the separation of powers is made relevant to the issue of bicameralism.

III FUNCTIONS

Mezey, Michael L. "The Functions of Legislatures in the Third World" *Legislative Studies Quarterly*, Vol. 8, No. 4 (Nov., 1983), pp. 511-550 <http://www.jstor.org/stable/439701>

The research on Third World legislatures reviewed here has dealt with the structure of these institutions; with their decision-making and representational functions; with their impact on the process of societal change, particularly in regard to elite recruitment, integration, mobilization, legitimization, and socioeconomic policy-making; and with those factors that affect the development of the legislature itself, particularly the institution's relationship with the people, the bureaucracy, and political parties. Theoretical work on legislative institutionalization and on categorizations of legislatures is also considered. Some observations are then offered concerning the relationship between this work and other subdisciplines of

[The legislature] is normally tasked to perform three core functions: (a) representing the electorate; (b) legislating or lawmaking, including the passage of the national budget as law; and (c) oversight of the executive branch of government. Tostensen & Amundsen, SUPPORT TO LEGISLATURES, NORAD (2010) p. 3

[T]he four key functions of parliament [are] the legislative function, the budgetary function, the accountability/oversight function and the representation function. EC, *ENGAGING AND SUPPORTING PARLIAMENTS* (2010) p. 51

*Parliaments are best known for their legislative responsibilities. Except in limited circumstances, all legislation must be passed by parliament before it comes into effect. This does not mean that parliaments write most legislation....[P]arliaments and parliamentarians must be able to effectively analyse proposed legislation and make amendments, or even reject proposed legislation when necessary. EC, *ENGAGING AND SUPPORTING PARLIAMENTS* (2010) p. 19*

political science, as well as its relationship to the more general area of legislative research.

Legislative/Lawmaking

Lupia, Arthur and McCubbins, Mathew D., "Who Controls? Information and the Structure of Legislative Decision Making." *Legislative Studies Quarterly*, Vol. 19, No. 3, August 1994. Available at SSRN: <http://ssrn.com/abstract=1003030>

Legislatures around the world first delegate some of their policy making authority to experts and then accept their delegates' proposals without question or amendment. Many scholars see this combination of events as evidence that complexity lead elected representatives to lose control of the actions of government. While the authors agree that complexity and delegation can render legislatures powerless, the authors argue that legislators around the world can, and do, overcome these politically damaging forces. Specifically, the authors use a model of legislative behavior to show how both institutional characteristics and conditions that allow people to learn from others provide legislators with the faculty to protect their interests. The authors conclude that certain structural characteristics, such as those found in the United States Congress, allow ordinary legislators to exert considerable control over the actions of government and that other characteristics, such as those found in Britain and Japan, render most legislators relatively powerless.

Olson, David and Michael Mezey, Eds. *Legislatures in the Policy Process*. New York: Cambridge University Press, 1991.

In *Legislatures in the Policy Process* leading specialists in comparative governments reassess the conventional view that legislatures are either marginal to the policy-making process or becoming increasingly so. In the opening chapter, David Olson and Michael Mezey identify three categories of variables--external influences, internal influences and policy attributes--which can affect the policy-making role of legislatures. They specify sixteen hypotheses that describe the relationship among these variables and the policy participation of legislatures. In subsequent chapters, these hypotheses are examined through a series of individual and comparative country studies which focus on the role of the legislatures in various aspects of economic policy making. These include the influence of the French, German, British and American legislatures on monetary policy; the role of the Brazilian Congress and Indian Parliament in computer and electronics policy and the part played by the Polish Sejm in labor policy.

UNDP, “Lawmaking and Stages of Legislative Procedure” Parliamentary Strengthening Reference Material (1999) <http://magnet.undp.org/Docs/parliaments/notes/Legislative%20Processes.htm>

Each legislature develops a series of steps through which legislation proceeds to the "floor" of the legislature to ensure that the proposed legislation is sufficiently considered and deliberated upon. In most legislatures, bills, or proposed legislation, are first introduced formally to the parliament or the "floor" of the house. The proposed "bill" is then referred to a specialized committee for more thorough consideration. In some legislatures, committees have the power to prevent unwanted legislation from being further considered, in others; the committee stage may be merely a formality. Following the committee review proposed bills are then reported back to the floor for further debate and voting. This paper presents a brief description of the legislative process.

Oversight

Case, W, 'Executive Accountability in Southeast Asia: The Role of Legislatures in New Democracies and Under Electoral Authoritarianism', *Policy Studies* 57, East-West Center, Honolulu (2011) <http://www.eastwestcenter.org/fileadmin/stored/pdfs/ps057.pdf>

This study examines accountability and legislative power in Indonesia, the Philippines, Malaysia, Cambodia and Singapore. Indonesia and the Philippines are new democracies in which legislatures are formed through competitive elections. In Malaysia, however, civil liberties are restricted and legislative elections, although competitive, are manipulated in a variety of ways. Cambodia and Singapore also have electoral authoritarian regimes with elections that are even less competitive. The study finds that while legislatures are weaker under electoral authoritarian regimes (Malaysia) than in new democracies, they define the opposition better. Opposition members try to use their limited powers to check executive abuses. However, this tends to strengthen authoritarian rule by giving it greater legitimacy.

Friedberg, Chen and Reuven Y. Hazan, “Legislative Oversight” CAP Notes (SUNY/CID, 2012) http://www.cid.suny.edu/capnotes1/LegislativeOversight_071112.pdf

This CAP Note focuses on the role of legislative oversight from various perspectives – historical, theoretical, conceptual and comparative. It opens with a discussion of the origin of the concept and its classical definition as interpreted by early philosophers such as Montesquieu and Mill. It then presents the more modern definitions and delineates between

Oversight refers to parliament's role in monitoring government activities and ensuring that they are consistent with national legislation, and that resources are being used efficiently and effectively. In many ways, oversight is the most important function of any parliament because it ensures that government is held accountable to the people's representatives. EC, ENGAGING AND SUPPORTING PARLIAMENTS (2010) p. 19

“strong” political versus “weak” administrative oversight. It then presents the different motivations and incentives for legislators to engage in oversight activities. It expands on the core question of oversight in a parliamentary democracy – where oversight is thought to be institutionally weaker than in a separation of powers presidential regime – elaborating the mechanisms by which parliamentary oversight is conducted and their efficacy. The bulk of the CAP Note presents a comparative survey of the major mechanisms for parliamentary oversight, followed by an assessment of the effectiveness of these tools, alongside a series of recommendations for improving legislative oversight and the practicality of implementing these oversight recommendations. It ends with an argument countering the common assumption that if we place democracies on an oversight continuum, we will see that on the weak side we find mainly parliamentary democracies while on the strong side are mostly presidential regimes – parliamentary democracies are not all clustered at the weak end but are spread out along nearly the whole scale, with a few even overlapping with some of the presidential democracies in the extent of legislative oversight.

Halfteck, Guy, Legislative Threats. Stanford Law Review, Vol. 61, (2008). Available at SSRN: <http://ssrn.com/abstract=1113173>

This Article introduces a theory of legislative threats, which not only pierces the fundamental construction of the legal system as a social regulatory institution but, more fundamentally, shows that the conventional wisdom on the role of the legal system in achieving and maintaining social order cannot explain how social control actually works in modern society. Contrary to received wisdom, the theory demonstrates that the threat of legislation, rather than legislation itself, plays a remarkable role in controlling behavior, in creating and setting incentives, and in maintaining social order.

Inter Parliamentary Union, Tools for Parliamentary Oversight (2008) <http://www.ipu.org/PDF/publications/oversight08-e.pdf>

Tools for parliamentary oversight examines the mechanisms and processes used in oversight activities. It identifies and analyzes the tools that are commonly found in plenary and in committee work, where detailed scrutiny of governmental policies can often be carried out most effectively. By developing a catalogue of tools for parliamentary oversight, the study invites parliaments to examine their own practices, and offers a range of examples from national parliaments that may be of wider interest.

Martin, Shane, “Parliamentary Questions” CAP Notes (SUNY/CID, 2013) http://www.cid.suny.edu/capnotes1/Cap_note_Martin041713.pdf

The ability of legislators to question members of the executive is an important feature of many democratic legislatures. This paper provides an account of the procedures and practices of parliamentary questions across a variety of countries. The roles and functions of questions on the floor of the legislative chamber and in written form are explored. Parliamentary questions help elected politicians accomplish their representative roles while also providing the legislature with a tool to monitor and hold accountable the executive. Drawbacks to aspects of parliamentary questioning are discussed and measures to maximize the value of questions are suggested.

Parliamentary Center of Canada/WBI, Parliamentary Accountability and Good Governance A Parliamentarian's Handbook (CPC/WBI,)
<http://www.parlcent.ca/publications/pdf/sourcebooktext.pdf>

This collection of essays focuses on parliamentary accountability, the role of parliament as an important link in the chain of accountability between government and citizens. Some people regard the concept of parliamentary accountability as a contradiction in terms. Though most people believe that parliaments are supposed to be one of the primary institutions holding governments to account, in many countries of the world they are seen as failing dismally at the task. From this gap between parliamentary principle and practice, some draw the conclusion that parliaments are hopeless. They now look to so-called arms length institutions, such as ombuds offices, human rights commissions and auditors general, to fill the accountability vacuum. While specialized institutions like this have an important role to play in strengthening accountability, they have little chance of being effective without a surrounding environment of open, competitive politics. In other words, specialized accountability bodies are only a supplement, not a substitute, for parliamentary accountability.

Budget Process

John Johnson, Robert Nakamura, Rick Stapenhurst, Legislative Oversight and Budgeting: a World Perspective (NDI, 2008) <http://www.ndi.org/files/Legislative%20Oversight%20and%20Budgeting%20-%20Introduction.pdf> (Intro)

<http://www.ndi.org/files/Legislative%20Oversight%20and%20Budgeting%20-%20Chapter%2010.pdf> (Chapters 1-10)

Using case studies from numerous countries including the Czech Republic, Israel, Italy, Poland and South Africa, Legislative Oversight and Budgeting brings together scholars and practitioners to explore oversight from a variety of perspectives and legislative settings.

The budget process is a cycle that involves [1] development of the budget proposal, [2] consideration and approval of the budget, [3] execution of the budget and finally [4] accounting and auditing of how the budget was executed. EC, ENGAGING AND SUPPORTING PARLIAMENTS (2010) p. 19

Krafchik, Warren and Joachim Wehner, **The Role of Parliament in the Budgetary Process**. Available through the International Budget Project website. <http://www.internationalbudget.org/wp-content/uploads/The-Role-of-Parliament-in-the-Budget-Process.pdf>

This article investigates the role of parliamentary amendment powers in the Budget process from a comparative perspective. It is proposed that the ability of Parliament to change the Budget depends on two sets of necessary conditions: the actual configuration of powers vested in parliament and a set of factors determining the role of committees in the Budget process. It is concluded that even if the South African Parliament were to immediately gain amendment powers in budgetary matters, committees do not yet have the capacity to effectively utilise them. The article therefore proposes the introduction of amendment powers in conjunction with a set of procedural and institutional changes.

Parliament and the Budgetary Process, Including from a Gender Perspective. Nairobi, Kenya: May 2000. Available through the Inter Parliamentary Union at <http://www.ipu.org/splz-c/kenya.htm>

This report highlights the key issues and guidelines that emerged from the Inter-Parliamentary Union's seminar with particular reference to the English-speaking African context.

Lienert, Ian, 'Who Controls the Budget: The Legislature or the Executive?', International Monetary Fund, Washington (2005) <http://www.imf.org/external/pubs/ft/wp/2005/wp05115.pdf>

Country-specific factors prevent a strong linear relationship between the legislature's budgetary powers and the extent of its separation from the executive. Electoral and voting systems, bicameralism, constitutional and legal constraints, voluntary contracts of political parties, and long-standing traditions all influence the relative budgetary powers of executives and legislatures. Differences in the legislature's budgetary authority in twenty-eight countries with five different forms of government are examined. It is concluded that differences in budgetary powers within a particular form of government are as great as those between different forms of government.

McGee, D. The Overseers. Public Accounts Committees and Public Spending, London, Pluto Press. 2002

This book presents the results of a survey conducted among PACs from the Commonwealth, investigated the role, the function, the activities and

the performance of two very important oversight tools: the Auditor General (AG) and the Public Accounts Committees (PAC).

The book has been for many years the standard work on PACs. In the book McGee advanced several claims. He claimed that size matters, that when PACs are too small they are less likely to function effectively, that bigger PACs may be dysfunctional when they are not adequately staffed, that opposition Chairpersons are essential for securing the successful performance of PACs and that an adequate representation of opposition forces and MPs is essential for making PAC work effectively.

Straussman, Jeffrey D. and Ari Renoni *Establishing a Parliamentary Budget Office as an Element of Good Governance*” CAP Notes (SUNY/CID, 2012) [http://www.cid.suny.edu/capnotes1/Straussman-Renoni CAP Note.pdf](http://www.cid.suny.edu/capnotes1/Straussman-Renoni%20CAP%20Note.pdf)

A parliamentary budget office is central both in the development of an annual government budget and in oversight of a government’s financial accountability. To assess the role of parliamentary budget offices in the practice of legislative strengthening, Straussman and Renoni examine USAID-funded projects in Afghanistan, Kenya, Jordan, and Morocco.

Wehner, J., 'Strengthening Legislative Financial Scrutiny in Developing Countries: Report prepared for the UK Department for International Development', London School of Economics and Political Science, London (2007) <http://www.agora-parl.org/sites/default/files/DFID%20-%20Financial%20scrutiny%20report%20-%202016.05.2007%20-%20EN%20-%20PI.pdf>

The success of direct budget support requires robust oversight at the country level, including financial scrutiny by the legislature, to ensure that resources are utilized to combat poverty and to mitigate fiduciary risk. This calls for effective legislative engagement with all four stages of the budget process, i.e. drafting, approval, implementation and audit, underpinned by the provision of comprehensive, accurate, appropriate and timely information. However, legislative bodies in developing countries frequently encounter obstacles to fiscal oversight. These include insufficient legislative involvement in medium-term planning, as well as limited formal authority and organizational capacity to review the annual budget. Moreover, large deviations from approved budgets during implementation and ineffective audit processes undermine parliamentary authority. Low levels of fiscal transparency hinder oversight. Moreover, political dynamics may not be conducive to independent parliamentary scrutiny. The promise of effective financial scrutiny is that it enhances accountability, participation and transparency and that it deepens democracy. On the

other hand, there is evidence that powerful legislatures can undermine fiscal discipline, which highlights a possible dilemma for legislative strengthening work. However, institutional safeguards can mitigate the risk of legislative financial indiscipline, in particular disallowing amendments that lead to higher spending or deficits.

Joachim Wehner and Winnie Byanyima, Parliament, the Budget and Gender, IPU, UNIFEM, World Bank and UNDP collaboration, February 2004. http://www.ipu.org/PDF/publications/budget_en.pdf

Through national budgets, governments outline their policy intentions and the resources they intend to use to implement them. Increasing demands for democracy and good governance require, inter alia, that parliaments play a more active role in the budgetary process. As supreme representative institutions at national level, parliaments and their members are under obligation to ensure not only that the needs of their electorates are met, but also that public money has been equitably raised, well spent and can be properly accounted for. Democracy is premised on a genuine partnership between men and women and the eradication of gender inequalities. Analysing the budget from a gender perspective provides a useful mechanism to assess the effects of government policies on men and women, boys and girls, and the real contributions all individuals make to the economy. In this way, government can evolve and implement policies that ensure equity. Intended as a reference tool, this handbook sets out practical examples of parliament's active engagement in the budgetary process. It seeks to advance parliament's own institutional capacity to make a positive impact on the budget, and to equip parliament, its members and parliamentary staff with the necessary tools to examine the budget from a gender perspective. Finally, it is hoped that the handbook can be used as a follow-up guide for participants of past and future seminars on the budgetary process.

Wildavsky, Aaron, and Naomi Calden, The New Politics of the Budgetary Process, 5th Edition. Pearson; 5th edition (July 28, 2003).

Among the new class of inductees into the "Longman Classics in Political Science" Series, this Fifth Edition updates and revises Aaron Wildavsky's classic exposition of how federal budget decisions are made and how formal budget institutions and processes are interwoven with political dynamics. This text explains how the federal budget process has evolved and analyzes recent developments in key areas: entitlements, defense, deficit/surplus and reforms. Its critical and stimulating approach and clear, readable explanations make it essential reading for students of politics and public administration, as well as anyone trying to understand a decision-making process that affects virtually all Americans.

Representation

Fenno, Richard, *Home Style: House Members in Their Districts*. Boston, MA: Longman, 2002

Home Style, Fenno's groundbreaking study of the constituency relations of 18 congressmen won the 1979 Woodrow Wilson Foundation Award and the 1980 D.B. Hardeman prize. It has been re-issued in a "Longman Classics" Edition. Fenno traveled with congressmen from around the country and examined how they interact with their constituents while "at home" and out of the Beltway.

Johnson, John and Jesse Biddle. *Understanding Representation: Implications for Legislative Strengthening*, Center for Democracy and Governance, Washington, D.C., USAID. 2001. Available at <http://www.cid.suny.edu/Publications/pnach303.pdf>

This short paper presents highlights from the Second International Conference on Legislative Strengthening. It addresses a number of the dominant themes and issues that emerged from both presenters and conference participants. It discusses: (1) how legislatures can better reach out to constituents, civil society, and marginalized groups; (2) the manner in which globalization has influence legislatures and legislative development; (3) a range of donor and service provider considerations; and (4) alternative approaches to legislative programming.

Mezey, Michael L. "Representation and Constituency Relations." CAP Notes (SUNY/CID, 2012) http://www.cid.suny.edu/capnotes1/Mezey_CapNote_011912.pdf

This paper explores the complex relationship between representatives and their constituents from normative, empirical, and cross-national perspectives. Among the issues considered are the extent to which representatives are obligated to take into consideration the opinions of their constituents as they make public policy decisions, and the potential tension between the representative's obligations to constituency interests and to the national interest. Empirically, the difficulties that representatives encounter as they seek to determine the views of their constituents are considered as well as his or her efforts to shape constituency opinion. The service activities of legislators and their efforts to deliver public resources to their constituents are explored from a comparative perspective. Cross-national variation in the manner in which legislators perform their various representational roles is traced to variations in electoral and party systems. Finally, lessons for legislative development are identified with particular emphasis on the tension between the representational activities of

Parliament derives its legitimacy from its ability to reflect and articulate the people's individual and collective concerns. Parliament should seek to broadly reflect the profile of the society it represents in both its membership and its activity...[by] communicat[ing], consult[ing] and act[ing] in response to the concerns of voters. EC, ENGAGING AND SUPPORTING PARLIAMENTS (2010) p. 51

legislators and their capacity to both build public support for the institution and make effective public policy.

Nakamura, Robert and John Johnson *The Legislature and Constituency Relations Parliamentary Strengthening Reference Material* (1999) <http://www.cid.suny.edu/publications1/Legislature%20and%20Constituency%20Relations.pdf>

Discusses the importance of legislative–constituency relations and interaction, some of the key issues and challenges faced by legislatures in developing countries regarding relations with constituents (resource constraints, etc.), and activities and structures which can enhance constituency relations (such as opening the legislature to the public, electoral reform, etc.).

National Democratic Institute and UNDP, *Guidebook on Strengthening the Representative Capacity of Legislatures: A background paper for a UNDP Staff Training Seminar “Strengthening the Legislature – Challenges and Techniques”* National Democratic Institute and UNDP (2001) <http://www.ndi.org/node/12885>

This paper is intended as a practical guide for those designing programs to strengthen the representative capacity of legislatures in emerging democracies. It takes a broad, process-oriented approach to representation – viewing the representative capacity of a legislature in terms of the quality and quantity of the interactions between the citizens and their representatives. This representation may take place in a variety of contexts. Often, representation involves the incorporation of public input into the law-making or oversight functions of legislature; “representative capacity” in this case refers to the capacity of legislatures to obtain quality public input and effectively incorporate this input into its legislative and oversight processes. However, representation also encompasses “constituent relations” and “constituency casework” that is not directly linked to legislative or oversight activities. Citizens often seek the assistance of their representatives in answering questions about government policy or programs, or in redressing perceived grievances against the government. Here, representative capacity refers to whether representatives have the incentives and the skills to resolve these issues appropriately, and whether citizens seek the involvement of representatives in appropriate cases. Representation also includes other activities that connect the representative with the people he or she represents – speaking at the dedication of a new building, presiding at a local festival, or attending the funeral of a prominent constituent. The quantity and quality of interaction between constituents and their representatives is also impacted by the degree to which the representatives reflect the demographic characteristics of their

constituents, i.e., whether women and various ethnic groups are sufficiently represented as legislators.

Power, Greg with Rebecca A. Shoot, Global Parliamentary Report: The Changing nature of Parliamentary Representation IPU/UNDP (2012)
<http://www.ipu.org/gpr/>

The focus of this first Global Parliamentary Report is the evolving relationship between citizens and parliaments. The intention is to analyze how citizens' expectations are changing, and how parliaments, politicians and parliamentary staff are responding. In 2012 parliaments are more prevalent than ever before. 190 of 193 countries now have some form of functioning parliament, accounting for over 46,000 representatives. The existence of a parliament is not synonymous with democracy, but democracy cannot exist without a parliament. Although varying hugely in power, influence and function, almost every political system now has some form of representative assembly. Global Parliamentary Report "Public pressure on parliaments is greater than ever before." There are three dominant pressures facing parliaments. Each is playing itself out in different ways and at different speeds in specific countries and regions. But there are common themes in the greater public desire for: (1) information and influence in parliamentary work; (2) accountability and responsiveness to public concerns; and (3) service and delivery to meet citizens' needs. The report uses the experience of institutions and individual politicians to illustrate the challenges and the variety of initiatives aimed at enhancing parliamentary representation in different parts of the world. It aims to help parliaments and politicians understand the pressures better, identify some of the tensions that they need to manage and provide examples of good practice which might offer insight, inspiration or emulation.

IV. ELECTIONS AND SELECTION PROCESSES

Aroney, Nicholas, A House Divided: Does MMP Make an Upper House Unnecessary for New Zealand? (2012). (2012) 3 *New Zealand Law Review* 403; University of Queensland TC Beirne School of Law Research Paper No. 13-09. Available at SSRN: <http://ssrn.com/abstract=2354812>

The Mixed Member Proportional voting system (MMP) was introduced in New Zealand as a remedy for four particular problems that characterised New Zealand's unicameral Parliament. These problems were (1) lack of effective representation, (2) inadequate public deliberation, (3) lack of executive government accountability and (4) rushed legislation. This paper evaluates the capacity of MMP to remedy these problems. The paper

Perhaps the single most important lesson to emerge from the experience of PD efforts over the past two decades is the absolute necessity of understanding the political economy of parliament. Minocall & O'Neil, MIND THE GAPS SIDA (2012) p.34.

PARLINE recognises three groups of electoral systems: Majority (including First Past the Post, Alternative Vote and the Two-Round system), Proportional and Mixed (which combine elements from majority and proportional systems). The Others category includes a number of situations, and particularly parliamentary chambers whose members are appointed or indirectly elected. This is notably the case of certain second chambers of bicameral parliaments. Parline

concludes that while MMP has substantially improved the descriptive representativeness of Parliament, and has helped to improve the quality of public debate and legislative deliberation, it has led to little — if any — significant improvement in the level of government accountability to Parliament. While MMP creates strong incentives for minor parties to maintain their distinctiveness from the two major parties in matters of policy, when minor parties cooperate with one of the major parties to form a government, those minor parties have no real incentive to scrutinise the exercise of executive power by the government, as they themselves share in its spoils. Only if executive and legislative power are more effectively separated can the Parliament function as an effective check on executive power. This separation can only be achieved effectively in Westminster systems through a second house of Parliament over which the governing party (or coalition of parties) does not have majority control.

Reynolds, Andrew, Reilly Ben and Ellis, Andrew et al., 'Electoral System Design: The New International IDEA Handbook', International Institute for Democracy and Electoral Assistance, Stockholm (2005) http://www.idea.int/publications/esd/upload/Idea_ESD_full.pdf

The choice of electoral system is one of the most important institutional decisions for any democracy. In almost all cases the choice of a particular electoral system has a profound effect on the future political life of the country concerned, and electoral systems, once chosen, often remain fairly constant as political interests solidify around and respond to the incentive presented by them. Any new democracy must choose (or inherit) an electoral system to elect its legislature. Equally, political crisis within an established democracy may lead to momentum for electoral system change, and even without political crisis campaigners for political reform may attempt to put electoral system change onto the political agenda. This Handbook is aimed at political negotiators, the designers of constitutions and those involved in debate on political institutions in new, fledgling and transitional democracies, though it will serve other reformers as well. Systems discussed include plurality/majority systems proportional representation systems, mixed systems, and other systems and evaluate the consequences of each.

Reynolds, Andrew, 'Electoral Systems and the Protection and Participation of Minorities', Report, Minority Rights Group International, London (2006) <http://reliefweb.int/report/world/electoral-systems-and-protection-and-participation-minorities>

In every successful case of peaceful and democratic conflict avoidance in the world, minority communities and their rights have been included and protected the legislative process.

But minorities are still consistently excluded from electoral reform, constitution drafting and the creation of new governments. However, attempts at inclusion made by non-minority rights specialists during electoral reform can entrench segregation and lead to the same result. Electoral systems are the skeletons on which the body of a peaceful or a conflict-ridden society grows. By considering the electoral systems behind different conflict situations worldwide, and examining and evaluating the level of minority inclusion, this report shows clearly how the participation of minorities in the legislative process at the stage of electoral reform is a key tool, both in peace building and in future conflict prevention.

UNDP, The Impact of Electoral Design on the Legislature, Parliamentary Strengthening Reference Material (1999) <http://mirror.undp.org/magnet/Docs/parliaments/>

The way that chief executives and legislators are elected in two-party and multiparty systems has an impact on various aspects of legislators' primary roles and responsibilities. A major feature of political systems concerns the formula by which the seats are attributed to the winning legislative candidates (assuming the citizens can vote). Certain types of electoral systems may provide for greater stability and/or fewer opportunities for executive or government turnover when combined with other political factors. Changes in a system may reduce or increase political conflict. There are three broad categories of electoral design that are examined below (1) plurality-majority; (2) proportional representation; and (3) semi-proportional. This report provides a comparative analysis of the potential advantages of each type of system. Electoral design influences legislative behavior by shaping circumstances under which a member wins election or re-election. Other important influences on those circumstances include: the perceived value of legislative seats, the degree of electoral competition, the system for nominating candidates, and the size of the district. An additional variable to consider is constituency size. Constituency size varies considerably; from fairly discrete geographical units to whole countries (as in the Netherlands). Typically, the smaller the unit, the more homogeneous the interests and more likely it is that there is a single dominant interest or group. Conversely, greater size is associated with greater diversity and higher levels of electoral competition. Plurality-majority systems are often associated with smaller electoral districts, while proportional representation systems can range into the very large.

V. ORGANIZATIONAL STRUCTURE AND ADMINISTRATION

UNDP “Internal Organisation of the Legislature” Parliamentary Strengthening Reference Material (2000) <http://mirror.undp.org/magnet/Docs/parliaments/notes/Organization%20of%20Legislatures%20.htm>

Legislatures serve three functions to varying degrees; they are: 1) law-making; 2) oversight; and 3) representation. How these functions are operationalized is dependent on the structure of the legislature (presidential, parliamentary or hybrid and unicameral vs. bicameral), as well as a country’s particular political, historical and economic context. Given these variations, it is still possible to pinpoint commonalities in the execution of legislative functions and, by extension, how legislatures are organized internally in order to expedite these functions. This essay examines these communalities and is based on a review of the internal workings of several legislatures, (including Australia, Canada, Germany, Hungary, Ireland and the United Kingdom. In addition, South Africa and the United States are used as illustrative case studies.)

Committees

Adler, E. Scott and Wilkerson, John D., *A Governing Theory of Legislative Organization* (August 31, 2007). Available at SSRN: <http://ssrn.com/abstract=1013048>

The authors propose a theory of legislative organization that centers on the governing responsibilities of legislatures. Many legislative issues are non-discretionary in the sense that considerations besides the pre-existing policy priorities of the lawmakers or parties motivate action. For example, it is easy to predict that Congress would take up children's health insurance this term because the law authorizing the SCHIP program is due to expire. Governing obligations of this kind consume valuable agenda space, giving electorally motivated lawmakers reasons to support structures and routines intended to increase overall legislative productivity. Committees exist to advance this collective goal. The authors begin by developing a theory that explains how committees are able to overcome the attendant collective action problems first articulated by Mayhew (1974). The authors then derive predictions concerning who sets the floor agenda, and test them against the predictions of leading partisan and informational theories.

As with any organization, management and infrastructure problems can hinder a legislature from performing its core democratic functions effectively.....[A] legislature without adequate...staff, physical facilities, or equipment, timely access to useful information or adequate organizational structures or process....has an infrastructure problem. Johnson, Kent & Nakamura, USAID HANDBOOK ON LEGISLATIVE STRENGTHENING (2008) P. 8.

Fenno, Richard. *Congressmen in Committees*, Reprint. Berkeley, CA: Institute for Governmental Studies Press, 1998.

In this classic study, Fenno describes the structure and activities of six committees of the House of Representatives and their Senate counterparts during the 1955-66 period and analyzes their influence on congressional policy making. Using his extensive fieldwork, he demonstrates how the different organizational environments of congressional committees affect the behavior of members and shapes legislative outcomes.

Shaw, Malcolm “Parliamentary Committees: A Global Perspective” *Journal of Legislative Studies* Vol. 4:4 pp 225-251 (1998)

This article begins with a discussion of the nature of committee arrangements in parliaments and explores various theories about committee behaviour. The exceptional legislative committees found in the United States are discussed. Attention is devoted to recent changes in committee arrangements in the industrial democracies, such as a movement away from ad hoc to standing committees and a tendency to replicate executive jurisdictions. The special circumstances in France are considered. The wide variety of arrangements in legislatures in the Third World are noted, with case studies illustrating weak committee systems in the traditional and authoritarian Third World and stronger systems in continuous and intermittent Third World democracies. Whether established, new or future democracies are considered, pressures to enhance legislative authority can be seen at the committee level throughout the world.

UNDP, “Legislative Committee Systems,” *Parliamentary Strengthening Reference Material* (1999) <http://magnet.undp.org/docs/parliaments/Legislative%20Committee%20System.htm>

Legislative committees (sometimes called commissions) are units of organization within a legislative chamber that allow groups of legislatures to review policy matters or proposed bills more closely than would be possible by the entire chamber. In many countries, referral to committee is a formal step in the process of adopting a bill (see Stages of Legislative Procedure). The possible roles of the committees vary from country to country, depending upon the governing system, strength and organization of political parties, available resources and other political factors. Roles might include initiating and amending bills, administrative review, investigations and budgetary review. Committees may also be the locale where inter-party negotiations occur. Few countries, even those that also have a presidential system, have a committee system that approaches the power of the US congressional committees to initiate, amend or bury legislation.

Caucuses

Keila Gonzalez, and Kristen Sample, *One Size Does Not Fit All: Lessons Learned from Legislative Gender Commissions and Caucuses* (NDI/IDEA, 2010) http://www.ndi.org/files/One_Size_Does_Not_Fit_All_eng_0.pdf

This report offers insight on gender commissions and caucuses while also serving as a tool to help legislators implement well-rounded practices for organization and joint initiatives in order to promote gender equality. The report is based on the results of the regional conference of congresswomen, “Women Working Together: Promoting Gender Mainstreaming in the Legislature,” as well as, NDI and IDEA prior work with congresswomen from different countries. The first chapter presents arguments for the collaboration of women across parties in the legislature and gives options to achieve this, highlighting experiences from Latin America and a few countries from other regions of the world. The second chapter describes experiences and best practices related to gender commissions and caucuses, based on actual cases.

IPU Guidelines for Women’s Caucus’ IPU (2013) <http://www.ipu.org/PDF/publications/caucus-e.pdf>

Women account for only about 20 per cent of the world’s MPs. In nearly every country they form a minority in parliament, an institution traditionally governed according to the principles and worldviews of their predominantly male memberships. Under these conditions, women MPs tend to coalesce and create spaces enabling them to make their voices heard, forge ties of mutual solidarity and contribute to the work of parliament. IPU has identified 81 parliamentary women’s caucuses created over the last 20 years. And the trend continues. More and more women parliamentarians are seeking information about these groups and related practical guidance – how to create a caucus, how to run it effectively and sustainably, and how to find information about existing caucuses. The purpose of these Guidelines for women’s caucuses is to answer such questions, equip women with the tools needed to create a caucus and outline a standardized, step-by-step process for doing so. These Guidelines can also help to improve the effectiveness of existing caucuses, focusing the attention of parliamentarians on the key issues and all of the various aspects entailed in creating and running a caucus and achieving its objectives. They are illustrated by examples observed in different parts of the world.

Political Parties

Diermeier, Daniel and Vlaicu, Razvan, Parties, Coalitions, and the Internal Organization of Legislatures (April 2010). Available at SSRN: <http://ssrn.com/abstract=1150963>

The authors propose a model of legislative organization and policymaking that provides microfoundations for the organization of democratic legislatures along party lines. They claim that their theory encompasses as special cases the claims of both partisan and non-partisan theories in the ongoing debate over party influence in the U.S. Congress. This differs from current theories, however, in that in their model party influence does not hinge on the existence of party-enforced voting discipline either on policy or on procedural issues. Rather, partisan outcomes can also arise endogenously, without outside leadership pressure. This occurs when a majority of like-minded legislators, in pursuing their individual policy preferences, vote to form an agenda-setting coalition that limits floor amendments.

Carroll, Royce and Cox, Gary W., Shadowing Ministers: Monitoring Partners in Coalition Governments (February 23, 2010). *Comparative Political Studies*. Available at SSRN: <http://ssrn.com/abstract=1157615>

In this paper the authors study delegation problems within multi-party coalition governments. The authors argue that coalition parties can use the committee system to “shadow” the ministers of their partners; that is, they can appoint committee chairs from other governing parties, who will then be well placed to monitor and/or check the actions of the corresponding ministers. The authors analyze which ministers should be shadowed if governing parties seek to minimize the aggregate policy losses they suffer due to ministers pursuing their own parties' interests rather than the coalition's. Based on data from 19 mostly European parliamentary democracies, the authors find that the greater the policy disagreement between a minister's party and its partners, the more likely is the minister to be shadowed.

Owens, John E. “Parties in Democratic National Assemblies” CAP Notes (SUNY/CID, 2011) http://www.cid.suny.edu/capnotes1/Owens_CapNote_051513.pdf

This paper argues that the analysis of democratic national assemblies is not only impossible without discussing political parties, but also incomprehensible without recognizing parties as the most significant organizations within them. Parties have structured political groupings and demands on government even before assemblies were democratically elected. And although parties may be in decline as institutions mediating between society and government in the current era, they remain significant

as organizing forces within government. The paper first explains the origins of party organizations within parliaments by exploring why individual members and the assemblies taken as a whole need parties: what are their costs and benefits? It then describes the manner in which party organizations operate in different national assembly chambers. The third section analyses types and sources of party influence, including the role played by party leaders in manipulating legislative agendas, structuring Members' policy choices and shaping policy outcomes. The final section reviews how political scientists have sought to explain intra-party cohesion and discipline across different national assemblies.

UNDP Political Parties in the Legislature, Parliamentary Strengthening Reference Material (1999) <http://magnet.undp.org/Docs/parliaments/>

Along with committees, political parties are one of the major means of organizing the work of the legislature and developing public policy. The role of political parties in a given legislature may be influenced by the following: type of governing system (i.e. parliamentary, presidential or hybrid); whether and how many political parties are in parliament; the relationship between the executive and legislature (are the President and the majority party/coalition from the same party?); historic and cultural development; and relative strength of internal party structures and resources. This section examines party systems, party functions and the internal organization of parties in a legislature.

Secretariats and Staff Support

Chaitep, Wannapat, Simon Usherwood and Mark Olssen "The Role of Parliamentary Secretariat staff in supporting International Diplomatic Duties of Parliamentarians (Case Study: Thai Senate)" Parliamentary Conference: Assisting Parliamentarians to Develop their Capacities. Bern (Switzerland) 19-20 October 2011. <http://www.ipu.org/splz-e/asgp11/Chaitep.pdf>

This paper seeks to discuss about the significance of the supporting role of parliamentary staff in facilitating parliamentarians' professional skills in conducting international diplomatic duties. An example will be drawn from the Thai Senate, focusing on the role of the Secretariat of the Senate officials in facilitating international diplomatic missions of the senators e.g. attending international parliamentary conferences or travelling on official visits as guests of other national parliaments. This case also highlights the relevant issues in the development of parliamentarians' skills and knowledge.

VI. INFORMATION, COMMUNICATION AND TECHNOLOGY

Research and Parliamentary Libraries

Datta, Ajoy and Nicola Jones, Linkages between researchers and legislators in developing countries: A scoping study Overseas Development Institute (2011) <http://www.odi.org.uk/sites/odi.org.uk/files/odi-assets/publications-opinion-files/2989.pdf>

The need for legislative information and research, especially in developing and transition countries, is growing as policy-making processes become more complex, particularly in the context of globalisation, regional integration and decentralisation. Since the executive branch of governments generally has access to a larger pool of knowledge and expertise than the national legislature, there is a need to address the imbalance in access to knowledge between the executive, legislature and judiciary in order to promote better quality policy-making. Better access to information and research can help empower legislatures to formulate and pass effective legislation and perform effective scrutiny of government. Using the Research and Policy in Development (RAPID) framework, this study maps the links between researchers and legislators in a number of transition and developing countries; explores the role of politics in influencing researcher–legislator linkages; and comments on the type of research produced as well as the credibility of the research/researchers.

Cunninghame, Keith, Guidelines for Legislative Libraries (2d Ed) IFLA Publications 140 (2009)

A parliamentary library is a specialized institutional library. This publication provides a comprehensive overview of considerations in the development and design of an effective library. It starts with a review of the types of information and research services that may be needed and the services that may be offered to members and staff. It discusses collection development including both hard copy and digitized materials. It then surveys the means of disseminating that research and information to members and staff.

IPU, Informing Democracy: Building Capacity To Meet Parliamentarians' Information And Knowledge Needs (2008) http://www.ipu.org/PDF/publications/inform_dem_en.pdf

"Knowledge is power" runs the adage. During the Conference on 'Informing Democracy', held in October 2008, a participant completed it by adding "and we are trying to make very powerful MPs". This aspira-

tion is fundamental to the quality of parliamentary performance and the quality of democracy itself. The conference aimed at enhancing dialogue, mutual understanding and good practices among three segments of the parliamentary community – parliamentarians, Secretaries General and parliamentary library and research officers. The report of the conference identifies some of the numerous information challenges faced by parliamentarians, and by parliamentary libraries and research services in meeting their needs. It also points out ways in which parliaments are addressing these challenges, and sets out a path for greater international cooperation.

Robinson, William H, Knowledge & Power: The Essential Connection between Research and the Work of Legislature The European Centre for Parliamentary Research and Documentation (2003) <https://ecprd.secure.europarl.europa.eu/ecprd/getfile.do?id=5083>

The author examines the contribution to be made by legislative research towards improving legislative decision-making and strengthening democracy. The author explores ways of enhancing the usefulness of legislative research and the criteria by which such efforts should be judged. It is clear from this study that there is no single role model to suit everyone. Some parliaments opt for a small analysis unit with all research being done by externals either via outsourcing or specific contracts; others go for the in-house model and build up sizeable services in one central unit which caters for all clients. Naturally, all kinds of variations exist between these two extreme examples. However, what can be recognized is that the role of parliamentary committees, either standing or ad hoc, is increasing everywhere and that most of the legislative work is being carried out here rather than in plenary sessions. As a consequence many parliaments have decided to strengthen those support services which deal directly with committee activities. Often this has resulted in the creation of policy clusters composed of related parliamentary committees assisted by a permanent, integrated group of researchers and administrators.

eParliament

The European Parliament, Information and Communication Technologies in Parliament (EPU, 2010) http://www.agora-parl.org/sites/default/files/ICT_FINAL.original.pdf

In this report, the European Parliament describes how new ICT can be used to enhance parliamentary efficiency, transparency, and strong relationships with citizens. In addition to discussing how ICT capabilities can help enhance achieve the above goals, this report also explores the impact of ICT on policy formulation, strategic planning, management

roles, and other important technical matters that impact the effective adoption of ICT in parliaments. The report also lays out important steps for parliaments when adopting ICT capabilities and provides guidance on the use of more advanced technological capabilities.

IPU, World E-Parliament Report 2012 (IPU, 2012) <http://www.ictparliament.org/world-e-parliament-reports>

The World e-Parliament Report intends to help legislatures to harness the potential benefits of ICT for their work and establish key goals and priorities for exploiting this valuable resource. The findings presented in the 2012 edition are based on data from 134 parliamentary assemblies. While providing evidence of the complexities of e-parliament, the Report suggests ways to overcome some of the obstacles to the effective use of technology in parliamentary settings. The Report was prepared by the Global Centre for ICT in Parliament and published by the IPU and the United Nations.

IPU Guidelines For Parliamentary Websites – New Edition (GCICT, IPU, 2009) <http://www.ipu.org/PDF/publications/web-e.pdf>

The Guidelines published by IPU in 2000 helped many parliaments to set up or develop their website. Now almost every parliament in the world is present online. Today's challenge is to make the most effective use of the Internet to enhance the relation between parliaments and citizens. The new edition of the Guidelines offers guidance on how to use the key elements of a successful website – content, tools, design, management – in the parliamentary context. The revised Guidelines take into account changes in technology and lessons learned since 2000, and have been prepared in cooperation with the United Nations and the Global Centre for ICT in Parliament.

Penjira Kanthawongs, “Critical Success Factors of e-Parliament Systems to Enhance User Engagement” (AGORA Parl, 2008) [http://www.agora-parl.org/sites/default/files/Bangkok University - Critical Success Factors of e-Parliament Systems to Enhance User Engagement - 25-26.11.2008 - EN - PI.pdf](http://www.agora-parl.org/sites/default/files/Bangkok%20University%20-%20Critical%20Success%20Factors%20of%20e-Parliament%20Systems%20to%20Enhance%20User%20Engagement%20-%2025-26.11.2008%20-%20EN%20-%20PI.pdf)

In this piece, Penjira Kanthawongsof Bangkok University investigates social factors which increase the effective use of e-Parliament technologies. After discussing the interactive and conceptual design of e-Parliament technologies and their strategic use by parliamentarians, she presents a case study of their adoption in Thailand. By using mail surveys sent to Thai MPs to gauge their relationship with e-Parliament, the author finds that trust, usefulness, and word of mouth are important factors

in increasing the level of MP engagement. As engagement increases, MPs intention to use e-Parliament technologies subsequently increases.

Williamson, Andy, Social Media Guidelines for Parliaments IPU (2013) <http://www.ipu.org/english/surveys.htm#SMGP2013>

One lesson that parliaments have learned from their efforts to engage citizens is the following: you cannot wait for the people to come to parliament; you need to go where the people are. In 2013, the people are on social media. More than one billion to date and the number continues to grow exponentially. Data from the World e-Parliament Report 2012 shows that one-third of parliaments are already present on social media and another third are planning to join them. These parliaments have recognized the need to keep pace with changes in society; they also see the potential for revitalizing public engagement in political discussion and decision-making. But we should not fool ourselves. Parliaments are still exploring how to use social media effectively. Finding an engaging, non-partisan manner to use interactive online tools is a major challenge for all institutions, but perhaps particularly for parliaments. These are the reasons why IPU has decided to prepare this first-ever set of Social Media Guidelines for Parliaments. The Guidelines draw on lessons learned by parliaments so far and on good practice in the social media sphere. The objective is to encourage more widespread, more efficient and more effective use of social media by parliaments.

VII. REGULATION AND RULES OF PROCEDURE

Rules of Procedure

Bach, Stanley, Rules of Procedure for National Assemblies: An Introduction (SUNY/CID, 2009) <http://www.cid.suny.edu/capnotes1/StanBachCAPNote.pdf>

The rules of procedure of a national assembly are as important to the assembly as the constitution is to the nation. The rules establish a framework for governance for the assembly just as the constitution does for the nation. Bach focuses on the nature and sources of rules of procedure for democratic national assemblies, and how those rules relate to the larger framework of governance. He then discusses some key issues that rules of procedure often address, especially the procedures for engaging in deliberation and decision-making and for debating subjects of national importance.

Rules of Conduct/Ethics

Powers, Greg *Handbook on Parliamentary Ethics and Conduct: A Guide for Parliamentarians* (GOPAC/WFD/ARPAC, 2010) http://arpacnetwork.org/arpdocs/political_guidebook_20100701.pdf

The aim of this Handbook is to provide a tool for parliamentarians to develop and strengthen ethics regimes in their own parliaments as well as to promote best practice in this area. The Handbook was first released on 10 November 2009 at the Conference of States Party to the UN Convention Against Corruption (UNCAC). This Handbook is a joint product of the Global Parliamentarians Against Corruption (GOPAC) the Arab Region Parliamentarians Against Corruption (ARPAC) and the Westminster Foundation for Democracy.

Strategic Planning

Bélisle, Paul C. and Jill Anne Joseph “Results-Based Management in the Parliamentary Environment” (Canadian Senate, 2009) www.societyofclerks.org/Documents/TheTable_2009.pdf

Results-based management (RBM) has become widespread in Commonwealth countries in recent years. The value of engaging in this function is multiple, allowing institutions to streamline their activities, better allocate resources, improve services, and increase transparency and demonstrate results to their citizenry. The Senate Administration started to put RBM in place in 2004, and has made great strides in planning and performance management in years since. The challenges of RBM in a parliamentary milieu are many, but the rewards more than compensate. The commonalities between parliamentary environments and their objectives, however, are what should exact an increased sharing of planning experiences and methodologies.

VIII. ASSESSMENT

Defining an Effective Legislature – Indicators, Benchmarks and Self-Assessment Tools

Commonwealth Parliamentary Association Benchmarks for Democracy (2013) http://www.cpahq.org/cpahq/Mem/Resources/Documents/Benchmarks_for_Democratic_Legislatures/Mem/Document%20Library/Benchmarks_for_Democratic_Legislatures/Documents%20on%20Benchmarks%20for%20Democracy.aspx?hkey=a08dbc0a-e05e-4f9e-a737-ca6a65eb95f4

In developing its benchmarks, the CPA, in line with its international membership, has sought to develop benchmarks that, while they share

many common features, are also tailored to the specific context of the regions in which those parliaments work. Accordingly, it has developed a series of regional benchmark guides:

[Benchmarks for the Caribbean, Americas and Atlantic Region](#) (5/10/2013)

The Caribbean Benchmarks booklet is the latest regional version of the CPA Benchmarks based on the unique traditions and parliamentary practices as well as the dynamic nature of the Legislatures of the Caribbean, Americas and Atlantic Region.

[Recommended Benchmarks for Asia India and South East Asia Regions Democratic Legislatures](#) (5/10/2013)

The aim of this regional workshop held in Dhaka, Bangladesh, 25-27 January, 2010 was to identify and recommend Benchmarks to national and state/provincial parliaments and legislatures in the CPA Asia, India, and South East Asia regions.

[Recommended Benchmarks for Democratic Legislatures](#) (5/10/2013)

These benchmarks are the outcome of a Study Group hosted by the Legislature of Bermuda on behalf of the CPA and the World Bank Institute with support from the UNDP in 2006.

[Benchmarks for the Caribbean, Americas and Atlantic Region](#) (2/2/2012)

The Caribbean Benchmarks booklet is the latest regional version of the CPA Benchmarks based on the unique traditions and parliamentary practices as well as the dynamic nature of the Legislatures of the Caribbean, Americas and Atlantic Region.

[Paris Benchmark Conference Final Statement](#) (5/10/2013)

Results of the International Conference on Benchmarking and Self-Assessment for Democratic Parliaments in Paris, held 2-4 March, 2010.

[Recommended Benchmarks for Pacific Democratic Legislatures](#) (5/10/2013)

The 2009 Conference of the Pacific Legislatures for Population and Governance, formerly the Forum Presiding Officers and Clerks, in Rarotonga, Cook Islands, adopts the Pacific Islands Benchmarks for Democratic Legislatures.

[I]f PD assistance is to be more effective, it needs to become better attuned to context, more politically aware and better suited to facilitate processes of change. Minocal & O'Neil, MIND THE GAPS SIDA (2012) p.58.

In a diverse world it is normal that the functioning of state institutions such as parliaments varies substantially between countries and between constitutional systems. At the same time, however, there is a growing international consensus that there is a need to differentiate between what is legitimate variance taking into account differences between cultures and systems, and practices that mapper or negate possibilities for democratic governance. EC, ENGAGING AND SUPPORTING PARLLAMENTS (2010) p. 175

Fish, M. Steven, “Stronger Legislatures, Stronger Democracies” *Journal of Democracy* Volume 17, Number 1 January 2006

In this article, the author argues that a strong legislature contributes without qualification to a strong democracy. Fish introduces the Parliamentary Powers Index a 32 item assessment of powers wielded by a parliament which he helped develop with Matthew Kroenig and subsequently expanded into the *The Handbook of National Legislatures: A Global Survey* (Cambridge University Press, 2011) The PPI looks at issues ranging from the ability of the legislature to appoint the prime minister, approve executive officials and impeach the executive to the ability of the legislature to initiate bills and mandate compliance with budget allocations.

IPU, *Evaluating Parliament: A Self-Assessment Toolkit For Parliaments* (IPU, 2008) <http://www.ipu.org/PDF/publications/self-e.pdf>

This self-assessment toolkit invites parliaments to evaluate their democratic performance against a set of criteria based on the core values set out in IPU's ground breaking study *Parliament and democracy in the twenty-first century: A guide to good practice*. The purpose is not to rank parliaments. It is to help parliaments to identify their strengths and weaknesses against international criteria, in order to determine priorities for strengthening the parliamentary institution.

London School of Economics and Political Science, *Parliamentary Assessment: An Analysis of Existing Frameworks & Application to Selected Countries* LSE/World Bank Institute (2009) <http://siteresources.worldbank.org/PSGLP/Resources/LSEWBICapstoneReportFinal.pdf>

As parliaments play a crucial role in the effectiveness of national governance systems, many organizations provide support for their strengthening. In working towards this aim, international and non-profit organizations, as well as parliamentary associations, try to help parliaments evaluate their essential needs and greatest challenges. To this end, a number of assessment frameworks have been created by different organizations, displaying different approaches and focus areas. The existence of several different frameworks for the same purpose poses the risk of producing divergent evaluations within a given country and thus creating difficulty and confusion for parliaments attempting to assess themselves. This report examines five parliamentary assessment frameworks developed by different organizations in order to understand how and to what degree they differ. These frameworks are the National Democratic Institute Standards (NDI Standards), the Commonwealth Parliamentary Associa-

tion/World Bank Institute/United Nations Development Programme Benchmarks (CPA/WBI/UNDP Benchmarks), the InterParliamentary Union Self-Assessment Toolkit for Parliamentarians (IPU Toolkit), the Parliamentary Centre - Budget Process (PC-Budget) framework, and the Parliamentary Centre - Parliamentary Audit (PC-Audit) framework. Our report compares frameworks in terms of their composition, their performance on good question design, and the differential scores they generate when applied to sample countries. We then propose a holistic framework based on areas of agreement between frameworks, which may assist these different organizations in harmonizing their frameworks in the future.

NDI Toward The Development Of International Standards For Democratic Legislatures (2007) http://www.ndi.org/files/2113_gov_standards_010107.pdf

In January 2007 NDI published *Toward the Development of International Standards for Democratic Legislatures*. The process leading up to this publication involved a broad survey of existing documents from a range of organizations such as the IPU, CPA, the Organisation for Security and Cooperation in Europe (OSCE), the Organization for Economic Cooperation and Development (OECD), SADC, the International Conference of New or Restored Democracies (ICNRD), the Community of Democracies, and the United Nations. As such, the 88 standards identified in the NDI publication are an attempt to codify already widely agreed principles. The standards are grouped into four main categories: (1) election and status of legislators; (2) organization of the legislature; (3) functions of the legislature; and (4) values of the legislature.

NDI Standards Based Questionnaire (2009) <http://www.agora-parl.org/sites/default/files/NDI%20Standards-based%20Questionnaire.pdf>

Based on the International Standards for Democratic legislatures, NDI developed a shorter self-assessment instrument for use by parliaments.

Parliamentary Centre (Africa Programme), Africa Parliamentary Index (API): A Report for Seven African Parliaments, Parliamentary Centre (2011) http://www.agora-parl.org/sites/default/files/api-african-parliamentary-index_0.pdf

The organization, powers and effectiveness of Parliaments vary from country to country across the continent. Because of this reality, implementers and legislature need a set of indicators to provide a comparative framework in which to assess and measure the performance of partner

Parliaments. These indicators are derived from a series of variables and are combined into an index to measure cross-country variation in legislative budgeting and to facilitate empirical application based on a survey designed by the Parliamentary Centre (Africa). This has been done through a participatory process that includes consultation with a wide spectrum of stakeholders. Such consultation was to ensure ownership of and participation of partner Parliaments in the design of the index. The African Parliamentary Index (API) is a tool kit developed to show the level of engagement of select African Parliaments in the budget process in their respective countries. These indicators were derived from a series of variables and combined into an index to measure cross-country variation in legislative budgeting. The self-assessment tool covered six core areas: (1) representation; (2) legislation; (3) oversight functions; (4) financial scrutiny; (5) institutional capacity; and (6) institutional integrity.

UNDP, Benchmarks and Self-Assessment Frameworks for Democratic Parliaments UNDP (2010) <http://www.undp.org/content/dam/aplaws/publication/en/publications/democratic-governance/dg-publications-for-website/benchmarking-and-self-assessment-for-democratic-legislatures/benchmarks%20Legislatures.pdf>

In the words of the participants at the Second World Conference of Speakers of Parliaments at the United Nations: Parliament embodies democracy. Parliament is the central institution through which the will of the people is expressed, laws are passed and government is held to account.

The different assessment frameworks described in this publication, and the principles that underpin them, are helping to further define our shared vision of what constitutes a democratic parliament. As demonstrated in this publication, many areas of consensus have already emerged within the different assessment frameworks. These include principles related to parliaments' core representative, legislative, and oversight functions, parliamentary committees and their work, parliaments' staff and infrastructure needs, parliaments' budgetary autonomy, parliament's ability to set their own agenda, and many others.

Staff/Support Benchmarks and Assessments

National Conference of State Legislatures, Assessment Survey for Legislative Staff Organizations NCSL (2011) <http://www.ncsl.org/research/about-state-legislatures/assessment-tool.aspx>

[L]egislative strengthening programming is an art, not a science. Carrying out assessments and understanding the proper roles of legislatures and their constituent parts (parties, members staff), the factors that affect legislative performance, and the purposes of specific programming activities will not inexorably lead to certain results. Like art, however, there are principles, skills, and knowledge that define guidelines for making informed judgment calls that will likely result in effective programming. Johnson, Kent & Nakamura, USAID HANDBOOK ON LEGISLATIVE STRENGTHENING (2008) P. 8.

The NCSL Self-Assessment Survey for Legislative Staff Organizations content is based on widely accepted standards of organizational and managerial effectiveness and performance. The assessment survey questions rely heavily on benchmarks and practices presented in the Baldrige performance criteria, the research of Jim Collins (Good to Great), the writings of renowned management theorist Peter Drucker and legislative staff performance indicators derived over 25 years of NCSL consultation with state legislatures. Further reading on these resources is recommended and a bibliography at the end of this document offers a short reading list. The survey is divided into the following six performance areas: 1. Leadership; 2. Organizational Planning and Performance; 3. Management; 4. Employee and Workplace Development; 5. Information Management and Process Improvement; and 6. Customer Focus/ Results Orientation. For the purposes of the survey, the term “staff organization” refers to a team, office, agency or other group of legislative staff that has a singular mission or purpose. This term includes nonpartisan staff agencies, partisan caucus staff groups, or a member’s personal staff team. The assessment is taken online and administered by NCSL with no charge to US state legislatures

External Assessment of Legislatures

See also: EC, ENGAGING AND SUPPORTING PARLIAMENTS (2010) pp.29-70; . Johnson, Kent & Nakamura, USAID HANDBOOK ON LEGISLATIVE STRENGTHENING (2008) pp. 13-26.

Johnson, John and Robert Nakamura “How to Conduct A Legislative Needs Assessment” Parliamentary Strengthening Reference Material (1999) <http://www.cid.suny.edu/publications1/How%20to%20conduct%20a%20legislative%20needs%20assessment.pdf>

This paper is designed to help decision-makers decide when to conduct a legislative needs assessment, and what the assessment should review. It includes a model "terms of reference" policy-makers can use in writing their own TOR and finding appropriate experts to conduct the assessment

Power, Greg, The Politics of Parliamentary Strengthening: Understanding political incentives and institutional behaviour in parliament support strategies Westminster Foundation for Democracy and Global Partners & Associates (2011) <http://www.gpgovernance.net/publication/the-politics-of-parliamentary-strengthening/>

The Politics of Parliamentary Strengthening applies a political economy approach to parliamentary support. Published jointly by GPA and the

Westminster Foundation for Democracy (WFD), the publication provides a way of mapping influence within parliaments, identifying the incentive structures that promote or inhibit reform, and sets out a framework for designing parliamentary support projects along these lines. The paper argues that the purpose of all parliamentary support projects is to change political behaviour. An effective parliament depends on the willingness and ability of MPs and staff to use their powers to the full. Yet in every parliament there is a gap between the institution's theoretical power and how it is used in practice. What gets in the way is almost always to do with the political incentives that shape behaviour. Projects need to be judged by how far they promote new patterns of behaviour in parliament. The paper therefore seeks to improve understanding of the factors that shape political behaviour. It suggests that projects should be guided by five core principles including understanding what the institution looks like through the eyes of those in power and framing parliamentary development in personal rather than institutional terms.

Monitoring and Evaluation of Legislative Support Programs

GSDRC, 'Monitoring and Evaluation of Parliamentary Strengthening and Electoral Support Programmes', Helpdesk Research Report, GSDRC, Birmingham (2008) <http://www.gsdrc.org/docs/open/HD556.pdf>

Monitoring and evaluation (M&E) appears to be one of the most neglected components of both parliamentary strengthening and electoral support programs. The political nature of such programs presents particular challenges in formulating indicators and attributing impacts. In the case of legislative strengthening, much of the literature emphasizes the importance of a baseline assessment and participation of national stakeholders to ensure program sustainability.

VIII. ACCOUNTABILITY AND CIVIL SOCIETY ENGAGEMENT

Mandelbaum, Andrew, *Strengthening Parliamentary Accountability, Citizen Engagement and Access to Information: A Global Survey of Parliamentary Monitoring Organizations* National Democratic Institute and the World Bank Institute (2011) <http://www.ndi.org/global-survey-parliamentary-monitoring-organizations>

During the past decade, parliaments have received increasing attention from the international development community. Citizens and civil society organizations have also realized the importance – or, in some instances,

the potential importance – of parliaments to democratic governance, due to their roles in lawmaking, conducting executive oversight, and representing citizens and their interests. As a consequence, citizen-based groups have begun to monitor or assess the functioning of parliaments or their individual members, often seeking to facilitate and promote public knowledge of, and participation in parliamentary processes. These parliamentary monitoring organizations (PMOs) have shown promise in strengthening a number of components of democratic governance, including the accountability of parliaments to the electorate, citizen engagement in the legislative process and access to information about parliaments and their work. To a lesser extent, they have shown the capacity to encourage parliamentary reform.

In this study the National Democratic Institute (NDI) and World Bank Institute (WBI) undertook a joint project to: 1) identify PMOs worldwide and collect basic information regarding their activities; 2) document good practices in parliamentary monitoring, and; 3) suggest recommendations for the international donor community regarding PMOs.

[T]o whom [is] the MP...accountable, and for what?....[T]his sense of having to account for themselves can be a powerful force in shaping what the MP does.... Power, THE POLITICS OF PARLIAMEN-TARY STENGTHENING (2011) p.32.

Corporacion Participa/National Endowment for Democracy, Regional Index of Parliamentary Transparency Participa Corporation (2008)
<http://www.agora-parl.org/node/8754>

The objective of the Regional Index of Parliamentary Transparency project (hereafter referred to as RIPT) was to design and implement a methodological instrument that would allow us to make a comparative analysis of the levels of transparency and access to information from the Congresses in Chile, Argentina and Guatemala, thus establishing a minimum standard of transparency in the administrative and legislative affairs of these institutions. The RIPT seeks to become a point of reference in terms of transparency for use in managing such issues by the different Congresses in the region.

IX. SPECIAL TOPICS

Anti-Corruption

GOPAC, Controlling Corruption: A Parliamentarians Handbook (2005) <http://www.gopacnetwork.org/Docs/CCH%20FINAL%20Aug%2005%20ENG.pdf>

Controlling Corruption rests on the 1998 Laurentian Seminar participant's assertion that the institution of parliament and parliamentarians are crucial in serving as a bridge between state and society and in implementing and/or strengthening the good governance values of accounta-

bility, transparency and participation (see Figure 1: The Ecology of Governance). It also claims that parliaments play a key and a leadership role in encouraging good governance and, furthermore, that parliaments and parliamentarians need to work regionally and internationally in order to effect change.

GOPAC/UNDP Anti-Corruption Self- Assessment Tool for Parliamentarians GOPAC/UNDP (2013) http://gopacnetwork.org/Docs/AntiCorruptionAssessmentTool_EN.pdf

This tool developed by UNDP and GOPAC focuses on the role of parliaments in combating corruption in general, and in assisting in a country's compliance with UNCAC more specifically. It comprises a series of questions or checklists, answers to which serve to identify gaps in the effectiveness of a parliament's contribution to the implementation of the Convention. By identifying the most serious gaps, plans can be put in place to strengthen a parliament's anti-corruption procedures with targeted improvements in legislation, executive oversight, budgetary control and the protection of standards of conduct in public life, as the case may require.

Stapenhurst, Rick, Niall Johnston, Riccardo Pelizzo, eds, The Role of Parliaments in Curbing Corruption (WBI, 2006)

In most countries, parliament has the constitutional mandate to both oversee government and to hold government to account; often, audit institutions, ombuds and anti-corruption agencies report to parliament, as a means of ensuring both their independence from government and reinforcing parliament's position at the apex of accountability institutions. At the same time, parliaments can also play a key role in promoting accountability, through constituency outreach, public hearings, and parliamentary commissions. This title will be of interest to parliamentarians and parliamentary staff, development practitioners, students of development and those interested in curbing corruption and improving governance in developing and developed countries alike.

Conflict/Peacemaking

Dutta, Nikhil, Christina Hajdu, Paul Oh, Sarah Peterson, Bacharee Puengpak, Simon Sternin, & Suman Sureshbabu "Strengthening Legislatures for Conflict Management in Fragile States" Princeton University/Woodrow Wilson School (2008) <http://www.agora-parl.org/node/3463>

[A]n issues based approach can be very useful in ultimately reinforcing parliament. Parliamentary development activities are likely to attract greater interest and support among parliamentarians if they are tied to issues on the national political agenda or issues that are dear to most parliamentarians. EC, ENGAGING AND SUPPORTING PARLIAMENTS (2010) p. 90

In the past half-century, scores of countries have escaped the hegemony of resource-seeking colonial regimes and ideologically-driven Cold war patrons. Frequently, the transition from colony or Cold war protectorate to a stable, independent state has not been smooth for a wide variety of internal and external reasons. As a result, there exist today over a hundred ‘fragile states’ in which institutional capacity to govern is weak. In these states, the government could lack the ability or willingness to provide services to its people including territorial control, safety and security, capacity to manage public resources, and delivery of public services.

It is in this light that the “Strengthening Legislatures in Fragile States workshop” of Princeton University’s Woodrow Wilson School, in partnership with UNDP and USAID, conducted the following study on strengthening the role of the legislature for conflict management in fragile states. In addition to reviewing the academic literature and the literature of donor organizations working on strengthening legislatures, the workshop conducted field research in Uganda, Bolivia and Bosnia over a nine-day period. Interviews with legislators, representatives of civil society organizations, journalists, local donor agency staff, and local government officials were arranged with the help of local partner agency staff to inform this report.

Mitchell O'Brien, Frederick Stapenhurst, Niall Johnston, eds. *Parliaments as Peacebuilders in Conflict-Affected Countries* (WBI, 2008)

The changing nature of conflict and the increase in intrastate conflict during the 1990s, followed by its slow decline since the turn of the century, have led to changing priorities in the field of conflict resolution. No longer is the international community solely concerned with resolving existing conflicts; it also is managing emerging conflicts to ensure that they do not flare into violent conflict. This book outlines some of the strategies parliaments and parliamentarians can adopt to reduce the incidence of conflict and effectively manage conflict when it does emerge. It is hoped that by developing a better understanding of the nexus between parliament, poverty, and conflict parliamentarians will be more aware of the array of options open to them as they seek to contribute to conflict management in conflict-affected societies.

Ethnic Identity

Pildes, Richard H., *Ethnic Identity and Democratic Institutions: A Dynamic Perspective* (August 5, 2008). *Constitutional Design For Design For Divided Societies: Integration Or Accomodation?*, Oxford University Press, 2008; NYU School of Law, Public Law Research Paper No. 08-45. Available at SSRN: <http://ssrn.com/abstract=1205182>

The most urgent problem in the design of democratic institutions today is the appropriate structure of such institutions in the midst of seemingly profound internal heterogeneity, conflict, and group differences. In different parts of the world, the relevant differences can be religious, racial, linguistic, tribal, cultural, regional, or perhaps of other forms (as a shorthand, "ethnic differences"). This problem is central, not only to newly forming democracies over the last generation but also to more established democracies, as various groups more assertively press claims for political recognition, representation, and influence. Bringing together empirical and theoretical work in ethnic-identity development, this article has three main themes that follow from better recognition of the fluidity and contingency of ethnic identities: (1) to provide an account of the extent to which the design of democratic institutions can both shape the ways ethnic identities are expressed and the extent to which these institutions, if not well designed, can entrench these identities; (2) to offer a partial taxonomy of the different devices and structures by which democratic institutions can mediate the tension between majoritarianism and minority interest; (3) to assess which of these devices enable protection of minority interests while retaining as much flexibility as possible for democratic systems to remain responsive to the ways ethnic identities can shift over time.

Human Rights

Clarence Dias, Human Rights Expert and Nancy Taylor, **Primer On Parliaments and Human Rights** (UNDP, 2008) <http://content.undp.org/go/cms-service/download/publication/?version=live&cid=2219828>

This Primer explores how to enhance the contribution that legislators, parliaments and parliamentary processes make towards the protection, promotion and realization of human rights. It suggests elements for assessing the human rights capacities of parliaments and examines approaches to enhance parliament's contribution to human rights

OECD, **The Development Dimension: Integrating Human Rights into Development - Donor Approaches, Experiences and Challenges** (OECD, 2006)

This book enhances understanding and consensus on why and how we need to work more strategically and coherently on the integration of human rights and development. It reviews the approaches of different donor agencies and their rationales for working on human rights, and identifies the current practice in this field. It illustrates how aid agencies are working on human rights issues at the programming level, and it draws to-

gether lessons that form the core of the current evidence around the added value of human rights for development. Lastly, it addresses both new opportunities and conceptual and practical challenges to human rights within the evolving development partnerships between donors and partner countries, as well as in relation to the Paris Declaration on Aid Effectiveness as a new reference point of the international aid system. By giving numerous examples of practical approaches, this publication shows that there are various ways for donor agencies to take human rights more systematically into account – in accordance with their respective mandates, modes of engagement and comparative advantage.

Development/MDGs

DFiD, Helping Parliaments and Legislative Assemblies to Work for the Poor: A Guideline to the Reform of Key Functions and Responsibilities
DFID (2004) <http://www.agora-parl.org/node/1502>

If government is to work for poor people it must be accountable: the three main pillars of the state - executive, legislature and judiciary – should each be strong enough to hold the others to account; and everyone, including the poor and disadvantaged, should have the opportunity to influence state policies and practices. Parliament should act as a bridge between the people and the executive, both by overseeing the executive – its actions and policies, its stewardship of public funds, its legislative proposals - on behalf of the people; and by keeping the public in touch with major issues, encouraging public participation in debate, and helping to develop a well-informed electorate. MPs should be able to raise specific concerns of their constituents, or the wider electorate, with the executive. The guidance identifies potential entry points for initiatives to support parliaments. But in the broader governance context - obstacles to parliamentary effectiveness often originate in the outside institutional environment rather than in parliament itself.

UNDP, Parliamentary Engagement with the Millennium Development Goals: A Manual for use in Parliaments (UNDP, 2010) <http://content.undp.org/go/cms-service/download/publication/?version=live&cid=2597589>

The UN Millennium Campaign and the UNDP Parliamentary Development team have launched a Manual on “Parliamentary engagement with the millennium development goals”. It outlines mechanisms that can be used in Parliaments to improve MDGs engagements; good practices in how Parliaments have made the MDGs a central part of their work and provides practical advice on how to work on MDGs in parliaments.

Women and Parliaments

Julie Ballington and Azza Karam, *Women in Parliament: Beyond Numbers* Rev. Ed. (IDEA, 2009) http://www.idea.int/publications/wip2/upload/WiP_inlay.pdf

This handbook examines the obstacles confronted by women when entering politics, which include political, socio-economic, ideological and psychological factors. It presents a range of solutions, such as changing electoral systems and introducing quotas, and it provides strategies for women to influence politics once elected to parliaments. The book includes case studies from Argentina, Burkina Faso, Ecuador, France, Indonesia, Rwanda, South Africa and Sweden, plus overviews from the Arab world Latin America and South Asia, and a case study on the Inter-Parliamentary Union.

NDI, IDEA, *One Size Does Not Fit All: Lessons Learned From Legislative Gender Commissions And Caucuses* (NDI/IDEA, 2010) http://www.idea.int/publications/lessons_learned/upload/IDEA-NDI.pdf

Worldwide, women represent fifty percent of the population. However, in the political sphere, the presence of women political leaders, party leaders, candidates and elected representatives is not proportional to this percentage. In the case of Latin America, for instance, women represent only 20 percent of lower chambers or unicameral congresses in the region. In response to this problem, parliaments in this and other regions in the world have created gender commissions and caucuses that seek to address women's needs and interests. Aware that the equal participation of women in government and politics is essential in building and sustaining democracy, the NDI and International IDEA have created a guide on the experiences of gender commissions and caucuses. This guide seeks to provide information to gender commissions and caucuses and to serve as a tool to help men and women legislators in different countries to exercise good practices in organizing and developing joint efforts that promote an agenda for gender equality.

Sawer, Marian, Manon Tremblay, and Linda Trimble, eds. *Representing Women in Parliament A Comparative Study* (Routledge, 2006)

This study features twelve chapters on both new and established parliaments, including Australia, Canada, New Zealand and the United Kingdom. It tests the latest theories about women's political representation within Westminster assemblies and is organized into three key sections that: (1) examine the extent to which the descriptive representation of women in the 'old' Westminster parliaments has progressed in recent

years, and the factors which have enhanced or impeded development.; (2) explore the relationship between the numbers of women elected and the substantive representation of women and the extent that women 'act for' women; and (3) review the recent experiences of four 'new' Westminster parliaments (Northern Ireland, Scotland, Wales and Nunavut) and evaluate the political opportunities for women provided by the creation of new institutions.

Tadros, Mariz, “Introduction: Quotas – Add Women and Stir?” *IDS Bulletin Special Issue: Quotas: Add Women and Stir? Volume 41, Issue 5, pages 1–10, (September 2010)* <http://onlinelibrary.wiley.com/doi/10.1111/j.1759-5436.2010.00160.x/abstract>

Quotas have become increasingly popular as a fast track option for securing enhanced political representation largely because of their proven impact on increasing the number of women in parliament. As more countries have adopted one form or another of the quota, it is now timely to reflect on what the implications have been for transforming gender relations and the nature of politics at large. This introduction examines from the country case studies presented in this *IDS Bulletin*, the insight offered into the dynamics of motorways and pathways of increasing women's decision-making power (with or without a quota) and the underlying assumptions about gender, power and politics as well as the policy issues for consideration.

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