

THE FUTURE OF PARLIAMENTARY STUDIES IN EUROPE
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1. "State of parliamentary studies in Italy"
2. "Draft report on the international round table on the future of parliamentary studies in Europe"
3. "The future of parliamentary institutions in Europe: background paper for the round table to be held on 4-6 April 1975"/ David Coombes

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Round table
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STATE OF PARLIAMENTARY STUDIES IN ITALY

4 - 6 April 1975

STATE OF PARLIAMENTARY STUDIES IN ITALY

Studies regarding the Parliamentary institutions in Italy have only recently acquired an importance outside the framework of the studies on the constitutional law in general.

The reasons for such cultural interest are to be found in certain matters regarding the formation of politico-constitutional practice and conventions which have given a new importance to ^{the Parliament in} the Italian system. The principal phenomena to be specified are the following:

- a) the failure of the Government to give that lead to the Parliamentary majority which is necessary to confirm the Government as "management committee" of Parliament and the theoretical concept of continuation between the Government and Parliamentary majority;
- b) the failure of the Government to carry out important politico-legislative choices to overcome the sectional interests from time to time involved;
- c) the emergence of new constitutional subjects such as, in particular, the trade unions, the big industries (both national and multi-national, public and private), the Regions and the European Economic Community, whose activity, powers and claims are not resolvable in dealings with the Government but call for a combined reference to Government and Parliament together or if one prefers it, to the political class as a whole.

Each one of these phenomena has, on the other hand, been favored by the fact of having discounted (and made this clear) the weakness of the political party, of the subject that is which in our constitutional system was (initially with reason) considered as having the function of unifying the behaviour of the political class so as to render the institutional customs and manners into which such behaviour was from time to time transformed of no importance.

The weakness of the political parties of the majority groups (split into currents) to achieve the strengthening of the connection between the Government and the Parliamentary majority beyond the votes of confidence: this is the phenomenon referred to under a).

The weakness of the political parties of the majority in developing a politico-legislative policy capable of withstanding the pressures of specific groups; but also the weakness of the opposition parties to take up importantly delusive and conttentious sectional suggestions: this is the phenomenon referred to under b).

The weakness of the political parties of the majority and also those of the opposition towards bodies (such as the trade unions, the regions, the big industries, the European Economic Community) possessing only marginal strength which can be conditioned from time to time by the power of the parties. (On the contrary the opposite phenomenon of conditionment has manifested itself - from trade union and regional "independence" to entrepreneurial financing and the "ties" of europeanism with regard to the national policy of each party): this is the phenomenon referred to under c).

Each of these factors (and the fundamental weakness of the political party revealed by them - a weakness aggravated by the general adoption even within the parties of the system of proportional representation) has in one way or another contributed to the giving to Parliament of functions not foreseen by normal practice.

a) The established weakness of any guide from the government makes us look again at the origins and nature of the relationships between the majority and the opposition in Parliament once the opposing positions at the moment of opening have been dropped. The political controversy of the last 15 years on the definition of the majority, the "superfluous opposition votes" the "dirty" votes, "opposition of a different type" etc has, in fact, all been based upon the necessity for the various governments to be able to rely upon a replacement majority to supplement defections from their own nominal majority. Extra support from the right (not only the administration of Tanzi but all the post-De Gasperi administration of the centre and also the neo-centre administrations of Andreotti); extra support from the left (all the centre-left administrations including, of course,

the present one). In the present session we are not interested in analysing the differences so much as to identify the mechanism. Now it is clear that if the discipline of the party (or the group) is such as to enable the relationship of the forces established at the moment of the vote of confidence to be repeated exactly in votes taken upon the legislative provisions of the programme of the government the importance of Parliament is with good reason to be seen as a periphery zone for the recording of the decisions of the majority. If, on the other hand, the discipline of the party (and of the group) is for ever in doubt then the importance of Parliament becomes decisive to establish: 1) the degree of "credibility" of the majority; 2) the colour of the "free" supporters from the opposition; 3) the type of negotiation taking place between the majority and this or that opposition.

On the other hand, it is always well to recall certain fundamental features in our constitutional system which, even when there is a parliamentary majority of the type not recorded any more from 1953 to the present day, would call for (and in fact do call for) an agreement - even if disguised as an agreement "in procedendo" between the majority and the opposition. Here we are referring to the procedure for the approval of laws by the Commission (the source of 80% of our legislation) which can be constitutionally blocked by a small number of Members of Parliament and to the conditions for the conversion of law-decrees which can also be easily placed in jeopardy in the face of slight obstruction. It is repeated that these are procedural facts: they cannot be ignored in the name of the mythical continuation between government and majority; nor can it be said that they would be of interest from time to time to one opposition only (the conversion of law-decrees and passage from the seat of reference to the legislative seat are procedures of fact and law, which require unanimous consent). In substance, the requirements of the political system and constitutional mechanisms make the parliamentary process much more complex than the schematic contraposition: Government plus majority v. minority. In particular, the legislative function (especially in the Commission) is that which to a great degree shares Parliamentary autonomy in the sense that the political decision, to allow a law to pass or not, more than being a formal vote in favour or against, is a decision which is not rigidly tied to the roles of the majority and opposition groups.

b) The limited activity of political decisions against sectional interests and even the difficulty of reaching a political decision against sectional interests which are well protested, constrains the Government to have always more need in political terms of the substantial backing of the opposition: that is it is necessary, at least, that the opposition does not lend political support to such sectional interests, isolating them for what they are.

But beyond this phenomenon which is in a certain sense extreme for normal majority - opposition relations, there is now a parliamentary activity, namely that of cognitive and legislative hearings, which involves work to recognise interests, with ^{the} party approach which the Government would no longer be in a position to carry out by itself.

So far as this activity is concerned the majority-opposition relationship plays a secondary or at least behind the scenes role. The role of Parliament is, in many ways, that of collaborating with the Government (one recalls, for exemple, the "ménage à trois" Parliament - Government - Public Authorities, in which the authority of the Government is often brought to bear upon public enterprise upon parliamentary request or observation ...) The phenomenon is also noteworthy from the point of view of the homogenisation of the political class as a whole which it signifies.

c) Trade unions, industry, regions and the European Economic Community each raise problems of a "constitutional" nature in the sense that the problems concerned cannot be resolved at Government level nor at the level of the Parliamentary majority but like the constitutional problems in our system at the level of the "gross-koalition".

With regard to the trade unions the problems essentially concern institutional arrangements. Is Parliament as a whole definitely destined to play a role in the system of programmization, decision making, political direction or in front of the consolidated Government - trade union contract system? And is the Government, after the often exhausting negotiations with the trade-unions, in a position to re-open the question again in Parliament or is the question not that rather of guaranteeing a Parliamentary participation even if upon a cognitive basis, in contractual relations?

For industry, the position is, so far as concerns direction and decision - making, identical to that of the trade-unions. In addition there is a problem of control, publicity and openness which can be resolved only in Parliament, and not in the old terms of governmental, institutional or broad responsibility, to be evaluated, but in the wider terms of public control over the phenomenon of social power, as such politically important. With respect to these phenomena the structural distinction of the majority and opposition can serve to give a different emphasis to the matter but it does not change the radical terms common to the two components of the system, both of which are interested in the loss of public power which derives from it.

The regions, interpreters of a constitutional development still needing consolidation and development, have for their part from the beginning, refused to conduct a dialogue with the Government alone. Indicating Parliament (with specific reference to the seat of the inter-chamber Commission for regional questions) as the necessary interlocutor regarding their political requests, they have given an authentic interpretation to the constitutional evolution which we are describing. Parliament is clearly seen as place of complete confrontation, guarantee, and composition of the interests in dispute with ^{the} central apparatus of the State.

Finally: the European Economic Community, as a fact limiting sovereignty (article 11 of the Constitution) and as such by now no longer resolvable in the empiric manner of its introduction (and the indifference) raises deep problems of adjustment for the organ which is the direct and immediate trustee of the sovereignty of the people. Therefore, it is made neither by the government nor by the majority but is completely "parliamentary" and profoundly "national" exactly in the moment in which it opens itself internationally (as, not least, the transfer of national Parliamentary powers to the European Parliament...).

These are by now known facts and the compressive value of these facts is that of an institutional evolution which has come about without significant intervention and even without being exactly discerned by the parties, with the concluding epigraph that "there does not exist a sole political class, but two, that which is in the Government and that which is in Parliament and that which is in Parliament and the two are subject to different pressures". (AMATO)

The diversification of the institutional role has arrived so far that, by now, it places itself like a wedge in the famous continuation between the Government and the majority. And, as we have seen, the problem is not only one of the slackening of group discipline, free vote etc. Other factors of a very different significance are at play in the constitutional equilibrium. Such factors are opposed to the Parliamentary "iter" of the political decision being a mere question of formality and indicate with equal clearness the institutional strength of Parliament as the necessary instrument to resolve certain political and constitutional difficulties with general and reciprocal guarantees.

While making these observations it is opportune to explain why the Parliamentary aspect attracts to-day so much attention from students of Constitutional Law. The specialist approach to the life of the institution seems in effect to-day to represent the best key for complete comprehension of constitutional phenomena which otherwise are difficult to understand.

But even the closest attention to parliamentary actions is in itself of no value if the instruments of the study are out of date and moulded by constitutional situations which are no longer valid. Such a type of study can only lead to disappointing results and conclusions which are distorted or common-place.

One of these attempted evaluations which is destined to failure is, in particular, that which observes the new parliamentary situation with the fear of seeing the old idea of "government by the assembly" gain ground, with wide possibilities of influence by the opposition.

In reality, the new situation is not characterised by powers (or the possibility) of government by the assembly according to the direction of the prevailing groupings in it from time to time.

The change is different, namely that the Parliamentary Assembly in our system is proceeding to assume a specific role in the procedure for the formulation of actions of political policy, a function in respect of which there cannot be a better definition than that of "guarantee", in the positive sense of the word.

It is a role establishing itself from time to time in the obtaining of impartial information, effecting mediations, in the opening of the possibility of intervention to parties who otherwise would not have it, in the creation of constitutional conventions. All these are activities preliminary to the moment of the decision but clearly influence it deeply.

Now, even this can be defined as "government by the assembly" but it would certainly go beyond the commonly accepted definition and would risk considerable misinterpretation. Above all, it should be borne in mind that all this strength of the assembly does not detract from the powers of decision of the Government or the majority, provided always that they have the capacity to carry them out in practice as well as in theory.

Even the new Parliamentary Regulations (1971) seem to accept these facts which explains, certainly, the new and increased politico-constitutional importance of the role of the Parliamentary assembly. This certainly does not relate to decisions regarding legislation or trends but to procedural matters and those relating to the constitutional equilibrium. This is why an "assembly" interpretation to the regulations would be wrong as indeed would be one in the opposite sense. The fact is that the background to the new regulations, and that which permits a better understanding of the facts described, is very different to that ascribed in such formulas.

These latter are connected to the concept of the Parliamentary system as a system giving rise to decisions of political trends. Everything considered, such formulas do not make allowance for the anomalous situation of Parliament whether it is the logic of the majority, the faithful recorder of decisions taken in other places or in the absence of such logic, the discredited place of assembly decisions without any real long term strategy. Except that in the modern state with wide and not easily componible powers, the Parliamentary system is not so much a system for decision-making as a system to guarantee the manner in which decisions are taken and to rectify decisions which are made ultra vires the government of the State.

(prof. Andrea MANZELLA,
for the Italian Group
partecipating at the
"International round
table on The study of
parliamentary institu-
tions in Europe")

DOCUMENTARY NOTE

- * There are chairs for the teaching of Parliamentary Law in at least 12 Italian universities (Faculty of Political Sciences)- Florence, Rome, Milan, Savona, Messina, Catania, Sassari, Pisa, Pavia, Palermo, Cagliari, Siena. The teaching is for the major part juridical-procedural with little room for analysis of sociology or political science.
- * Since 1965 the University of Florence (Faculty of Political Sciences) has held an annual post-University Seminar on Italian Parliamentary law in which 20 post-graduates take part. These are selected by national competition by a committee of teachers and Parliamentary officials on the basis of their curriculum of studies and the value of the thesis presented for their degree. The courses are held by university professors in collaboration with Parliamentary officials and cover, in addition to aspects of procedure and the Parliamentary system, historical aspects and those arising from the relationship between representative and economic institutions. The Seminar is financed by contributions from the Chamber of Deputies, the Senate, the Prime Ministers' Office, the A. Olivetti and G. Agnelli foundations and the Istituto Accademico Romano.

As from the present year (May-November 1975) the Seminar will acquire upon a European scale (importance). The Chamber of Deputies has in fact made available 8 Scholarships for that number of post-graduate foreign students, and has therefore invited the Parliaments of each of the other member states of the European Economic Community to select a post-graduate specialized in constitutional problems who could benefit from taking part in the Seminar.

Without taking into account the contributions of individual students of the subject who, for the reasons indicated in the introductory note are becoming even more numerous, certain works of particular importance are worthy of mention as an essential bibliography for the study of Italian Parliamentary law:

- Il Parlamento italiano (Somogyi, Lotti, Predieri, Sartori)
ESI, Napoli, 1963.
- Enciclopedia del diritto (giunta alla lettera LO -v. le voci parlamentari) Giuffré, Milano.
- La sinistra davanti alla crisi del Parlamento, Giuffré, Milano, 1967.
- Il Regolamento della Camera dei Deputati (pubblicato a cura del Segretario Generale della Camera dei Deputati e redatto da funzionari parlamentari; anteriore, però all'ultima modifica regolamentare), Colombo Roma, 1968.

- Indagine sulla funzionalità del Parlamento
(2° vol. a cura dell'ISLE) ed. Giuffré, Milano, 1969.
- Studi per il ventesimo anniversario dell'Assemblea Costituente
(particolarmente i volumi 4 e 5) ed. Vallecchi, Firenze, 1969.
- Il processo legislativo nel Parlamento italiano
(ricerca diretta da A. Predieri), ed. Giuffré, Milano, 1975.

* Le fonti ufficiali disponibili per aver dati e informazioni sulla attività del Parlamento italiano sono:

- Resoconto sommario e Bollettino delle giunte delle Commissioni parlamentari della Camera dei Deputati; Resoconto sommario e Sedute delle Commissioni del Senato della Repubblica;
- Resoconti stenografici delle sedute dell'Assemblea e delle sedute delle Commissioni in sede legislativa della Camera dei Deputati e del Senato della Repubblica;
- Indagini conoscitive e documentazioni legislative della Camera dei Deputati e del Senato della Repubblica;
- Repertorio legislativo e parlamentare della Camera dei Deputati; Resoconto dei lavori del Senato della Repubblica;
- Notiziario di statistiche della Camera dei Deputati con "Supplemento mensile di informazioni parlamentari";
- Bollettino di informazioni costituzionali e parlamentari a cura del Segretariato Generale della Camera dei Deputati;
- Quaderni di studi e legislazione a cura del Servizio Studi della Camera dei Deputati; Quaderni di documentazione a cura del Servizio Studi del Servizio Studi del Senato della Repubblica.

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DRAFT REPORT ON THE INTERNATIONAL ROUND TABLE
ON THE FUTURE OF PARLIAMENTARY STUDIES IN EUROPE

Held at St Edmund Hall, Oxford 4-6 April 1975

Introduction

The Round Table was held at the invitation of the Hansard Society for Parliamentary Government as part of its programme (financed by the Ford Foundation) on the Future of Parliamentary Institutions in Europe. The participants were academics, parliamentary officers, journalists and others known to be active in the practical study and reform of parliamentary institutions, some of whom were representing existing groups and centres devoted to the study of parliament. (See list of participants attached.)

The main aims of the meeting were to decide which problems affecting the future of parliamentary institutions in Europe were in most need of study at the present time, and also to decide how study of those problems could best be organised and conducted.

Report of Proceedings

I Introductory Session - Friday 4 April

Chairman: Professor Bernard Crick (deputising for Professor J. P. Mackintosh, MP, Absent)

Professor Crick welcomed the participants on behalf of the Hansard Society and described:

- (a) the organisation and activities of the Hansard Society;
- (b) the genesis and objectives of the Society's programme on the future of parliamentary institutions in Europe, of which the Round Table was a part;
- (c) the principles underlying the Society's programme which had also inspired the aims of the Round Table.

Professor Crick spelled out these guiding principles as follows:

- (1) the need for parliamentary studies to focus on problems of policy-making in the next ten to twenty years in an effort to make

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practical recommendations for conserving and developing parliamentary institutions;

(ii) the desirability in this respect for academic students of parliament to collaborate closely with practitioners engaged in the work of parliament, particularly the professional officers of parliaments, but also parliamentary correspondents and other public figures directly concerned with the activities of parliament;

(iii) the urgency of giving a European dimension to parliamentary studies, not only because the sense of anxiety about the security of the parliamentary system seemed to be common to European states, but also because the future development of common institutions in the European Community would present a special challenge to the role of parliaments.

With respect to the principles (i) and (ii), Professor Crick dwelt on the valuable experience in Britain of the Study of Parliament Group (of which he had been a founding member) and which was a joint sponsor with the Hansard Society of the programme of which the Round Table was a part.

Professor Coombes then gave an introductory report elaborating the arguments in a background paper for the Round Table (previously circulated to participants). He began by developing the principles stated by Professor Crick, and suggested that they should underlie future studies of parliament on a European dimension:

(i) it was necessary urgently to reconsider what were the basic values and purposes of the parliamentary form of government and then to decide which of these were in greatest need of "conservation and development" in the face of the new threats facing them;

(ii) in this respect the priority for political scientists interested in parliamentary studies was, not so much to collect more data or develop comparative theory, but to apply what was known already to what could be an impending crisis;

(iii) the European dimension needed closer attention, not so much for collaboration in research (where the European Consortium for Political Research was already achieving a great deal), or for studying the European Community's institutions (the development of

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which seemed to be blocked by the intransigence of the member-states' governments), as to get a much better understanding among those involved in parliament in the nations of Europe of the existing problems and opportunities of the parliamentary form of government. That understanding would be essential before the parliamentary element of any future constitutional structure for a united Europe could be properly designed.

Professor Coombes did not think that these principles would be disputed by the participants in the Round Table, so that the weekend should be spent in deciding in the light of these principles:-

- (i) the priorities in terms of themes for collaborative inquiries;
- (ii) what was practical in terms of collaborative organisation; and
- (iii) what was needed in terms of financial and other resources.

On themes Professor Coombes suggested that the future role of parliaments in Europe should be examined in three different, but inter-related, perspectives, from all of which the value and purpose of existing parliaments in Europe was being seriously questioned:

(1) Parliament in relation to the public: first, parliament's status as a representative institution is challenged by other channels, methods and ideas of representation; secondly, parliament's 'educational' function is being challenged by various forms of direct access by government to people.

(2) Parliament in relation to the executive: the powers traditionally associated with parliament (legislation, budgetary control, appointment and dismissal of the executive) have in many respects lost their traditional meaning and might not be so important as often supposed in controlling the executive; this leads also to a widespread questioning of the functions properly performed by parliaments in view of the changing nature of government in modern welfare societies (for example, is parliament concerned with settling major questions of principle, or is its function rather to determine and supervise the methods of administration?)

(3) Parliament in relation to the nation-state: although the rise in power of parliaments has been associated with the establishment or defence of independent, sovereign states, two important modern trends now challenge the viability of government at the level of the nation-state: first, the growing interdependence of states and the conduct of international organisation (like the Communities); secondly, the pressure for devolution to regional authorities within states both to achieve better representation and to find more efficient units of administration.

On organisation he envisaged three possible steps towards inquiring into specific topics within these themes in a collaborative way, so that practical conclusions and recommendations for conserving and developing parliamentary institutions might emerge:

(a) A group for the study of parliament could be formed on a European basis with a relatively loose and inexpensive organisation, consisting of academics, officials, journalists and others sharing the concerns and interests which had led to the present Round Table. The group could meet annually at some convenient centre (such as the European Parliament) to discuss particular themes with guest speakers, and to plan individual projects of research and inquiry which it would then supervise and monitor.

(b) Individual themes or topics could be made the subject of parallel inquiries undertaken simultaneously and in co-operation in a number of countries. The inquiries in each country would need to be directed by a centre or group for parliamentary studies, representatives of which would need to meet regularly with their counterparts in the groups or centres in other countries also engaged.

(c) An inquiry could be organised at a European level by a working party representing a number of countries, but directed from a common centre.

Step (c) seemed the most ambitious and least practicable at the present time, in view of the absence of a suitable common centre, and the difficulties of conducting research and inquiry on a multi-national basis. Steps (a) and (b) were probably essential before step (c) could be considered.

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Although (a) and (b) could be tried separately, there seemed no reason why the two steps should not be attempted together, and indeed (b) would provide a good incentive for the success of (a).

Where resources were concerned the main need was to have groups or centres within the relevant states representing those engaged in parliamentary studies, and able to take responsibility, not only for corresponding with groups in other states in a general way, but also directing inquiries. It was not possible to rely on organisations like universities or parliaments themselves, because one essential principle of the activity envisaged was collaboration between academics and practitioners, and another was to provide general coordination of parliamentary studies in the country concerned. The model of the Hansard Society's current programme might be worth considering in this respect.

Even so it should not be too difficult, even before national groups were set up, to find resources for step (a) mentioned above. The marginal cost to the European Parliament of making its existing facilities available for annual meetings of a European study of parliament group would probably be very low.

Step (b) would, however, call for considerable financing, although to some extent the inquiries being undertaken in individual states could be financed from national sources. The costs of coordinating the work of the different national inquiries would also need to be met.

Step (c) would be very much more expensive than steps (a) or (b).

In general it would seem to be premature to seek to establish any sort of European institute or centre for parliamentary studies. Such bodies were expensive to establish, and then difficult to maintain after the initial priming. It was essential first to discover how much support there was for collaboration on a European basis and how viable it was in practice. Steps (a) and (b) could serve this purpose.

Finally, Professor Coombes expressed his hope that these three practical matters would be discussed over the weekend and that some decisions on future measures could be made during the meeting.

II The State of Parliamentary Studies in Western Europe

(a) Reports by participants from different countries of the state of parliamentary studies in their own country

Chairman: Dr Karl-Heinz Neureither.

Reports were made for all the countries represented at the Round Table, and the rapporteurs answered questions.

The Hansard Society is now in the process of completing a project of its own, which will provide a bibliography of parliamentary studies in a selected number of European states and brief surveys of the state of parliamentary studies in Europe. The rapporteurs at the Round Table have been asked to submit brief written statements based on the reports which they made orally in Oxford, and these will be incorporated when the report of the Hansard Society's project is published. No attempt will be made here, therefore, to summarise the reports made at Oxford.

It is worth noting, however, that it was clear from the reports that the degree of coordination of parliamentary studies, as well as the amount of established contact between academics and parliamentary officials, varies considerably from one country to another:

(i) Great Britain and Germany seem to be well developed in both respects. In Britain the Study of Parliament Group has for ten years provided regular contact between academics in the field of parliamentary studies and officers of both Houses of Parliament, while the Hansard Society's current programme includes inquiries by working parties consisting of representatives of a wide range of professions and interests concerned with parliament. In Germany the Vereinigung für Parlamentsfragen, which actually has close contacts with the Hansard Society, also maintains established relations between the academic world and parliament itself.

(ii) In France the Centre d'Etudes des Parlements has had an active research programme in the field of parliamentary studies. However, although it has good relations with the two chambers of the French Parliament, it does not have any formal links with them. Moreover, there are a number of academics working in the field of parliamentary
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studies who do not belong to the Centre. It is essentially part of a university faculty and not an independent, coordinating body like the Study of Parliament Group or the Vereinigung.

(iii) In the Netherlands and Italy parliamentary studies have been even more dispersed among research institutes and universities. However, in both these countries groups of individuals from parliaments and universities are currently attempting to found societies or groups to bring together different professions interested in parliament and to attempt to coordinate activities. The individuals concerned included the representatives of these countries at Oxford. Participants from those countries felt that any positive results for European collaboration arising from the Round Table would help them a great deal in their own efforts to establish groups in their own countries. The holding of the Round Table had already been a great incentive.

(iv) In other countries, such as Denmark and Ireland, it was felt that parliamentary studies were far less developed in terms of the numbers of people participating, the numbers of studies carried out, as well as of the lack of contact between academics and parliament itself. A strong view was expressed from Denmark, however, that any initiative to create some sort of group for parliamentary studies in that country would be welcomed, not only on the academic side, but also on the official side of parliament; again, steps towards European collaboration could help a great deal to provide some encouragement and guidance.

(b) Reports by participants from international organisations on their activities in the field of parliamentary studies.

Chairman: Professor G. Ionescu

Of the organisations represented two were engaged in activities which could contribute to the sort of European collaboration which the Round Table was designed to promote.

(i) The European Parliament had held in 1974 a symposium on The Future of Parliaments and European Integration and was considering ways of following up that initiative. It certainly saw as one of its tasks the bringing together of academics and practitioners concerned with parliament at a national level to focus on common European problems of parliamentary institutions.

(ii) The Council of Europe was organising a symposium on The Future of Democratic Institutions in Europe to be held in April 1976 and to be attended by members of parliament, academic specialists, parliamentary officials, representatives of trade unions and of professions, as well as representatives of youth organisations.

It was the general feeling of the Round Table that the European Parliament probably had the greatest contribution to make to the sort of work which was likely to flow from the Round Table. It was felt that the disparate membership and broader objectives of the Council of Europe gave its own interest in the future of democracy less in common with the sort of inquiries envisaged at the Round Table. In a similar way, the Inter-Parliamentary Union had carried out and sponsored a number of studies relevant to the interests of the Round Table, but did so on a much wider geographical basis.

III Preliminary Discussion of Means and Purposes of Future Studies

Chairman: Dr A. Maccanico

There was some disagreement among the participants whether it was most suitable at this stage to discuss themes for future inquiry or organisation of the next steps. Although there was considerable discussion of a proposal made by Mr van Wijnen for agreement on practical measures to follow up the Round Table, the debate finally focussed on the question of themes, further consideration of Mr van Wijnen's proposal being postponed for the next session.

There was clearly some difficulty in holding a discussion at this stage on the selection of themes for future inquiry. In one intervention, however, the point was made that there were many different ways of approaching the

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role of parliament, depending on one's theoretical or ideological perspective. Again one or two of the academic participants were anxious that the methodology of parliamentary studies might have received insufficient attention in the discussion so far. It was generally agreed, however, that opportunities already existed for academic students of parliament to explore theoretical and methodological problems of research on a European basis. The aim of the Round Table, and of any organisation resulting from it, should be to select themes and methods of inquiry suitable for producing policy-recommendations in the relatively short-term.

Four lines of inquiry were suggested and discussed:

- (1) A study of public attitudes to and expectations of parliament in a number of European states;
- (2) A study of the functions of legislation in modern European societies;
- (3) The role of parliaments in relation to economic crisis (including the relationship between parliament and organised social and economic interests);
- (4) The consequences for parliamentary government of the growth of regional levels of government.

It was suggested that these themes needed further elaboration and discussion, but that any of them might form the subject of a collaborative inquiry. The need to examine them further might be one reason for providing some follow-up to the Round Table.

After dinner on Saturday 5 April the Round Table was addressed by Herr Kai-Uwe von Hassel, who spoke on the future role of parliament in the light of European Union. Mr Michael Ryle from the chair thanked Herr von Hassel warmly for having given up his valuable time to visit the Round Table and for having answered the very great number of questions which were put to him. It was particularly symbolic to have as the Round Table's special guest a distinguished political figure who held office in both British and German centres for the study of parliament. (Herr von Hassel is Vice-President both of the Hansard Society and of the Vereinigung für Parlamentsfragen.)

IV Decisions on next steps in collaborative parliamentary studies

Chairman: Professor Bernard Crick

The meeting took up discussion of the proposal made in the previous session by Mr van Wijnen that a committee should be set up to represent centres of parliamentary studies in as many states as possible and to organise future activities, along the lines proposed in Professor Coombes' introductory presentation (see I above).

Two particular obstacles to such a decision were discussed at some length;

- (i) not all the participants at the Round Table acted as official representatives or spokesmen of centres of parliamentary studies in their own countries;
- (ii) in most countries centres of parliamentary studies, which could be suitably represented, did not even exist. It was also pointed out that two countries of the European Community (Belgium and Luxembourg) were not even represented at all at the meeting, while two others (Denmark and France) were represented only by academic participants.

Some also recognised a danger of duplicating the work being done already by some other bodies operating on a European or international level (such as the European Consortium for Political Research on the academic side and the secretary-general's association on the official side). It was generally felt undesirable at this stage to try to create any new institute or physical centre for European parliamentary studies.

On the other hand there was general support for following up the initiative which had led to the Round Table. At the very least another European meeting with similar participation should be held in at least a year's time to discuss general topics of interest to students and practitioners of parliament and to review the situation. In addition substantial support was expressed for attempting collaborative inquiries into one or more aspects of common problems of parliamentary institutions in Europe at the present time (for example one of the topics mentioned in Session III). In particular, it was felt that an initiative towards greater collaboration at a European level might well provide a valuable incentive for improving collaboration among scholars, and between scholars and practitioners, within the states.

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It was therefore agreed to create some form of organisation to follow up the initiative of the Round Table and to maintain contact among the groups, centres and individuals participating in it. However, this organisation should be as flexible and informal as possible, being also subject to review at a later general meeting of those interested in parliamentary studies. In particular, the present meeting was not empowered to elect representatives to any such organisation, so that its members could only be regarded as correspondents, being in other words points of contact in their own countries and institutions for the sake of any European co-operation envisaged. While it was hoped that groups of collaborators might form in the individual states, it was stressed that that was entirely a matter for the individuals and organisations concerned at a national level.

The Round Table finally adopted the following formula (proposed from the chair with some amendments) which was unanimously approved and minuted:

1. It was agreed to set up a COMMITTEE OF CO-OPERATION FOR EUROPEAN PARLIAMENTARY STUDIES.
2. The purpose of the committee would be to discuss and investigate common problems of parliaments in Europe and to maintain regular contact and exchange of information among national groups.
3. The committee would consist of not more than two correspondents from each country or international organisation where there are groups and individuals willing to participate in its work.
4. The committee would be chaired for one year from 5 April 1975 by Professor David Coombes of the Hansard Society for Parliamentary Government, London.

After this formula was accepted, it was further noted:

(a) that the Committee of Co-operation should plan to hold its first meeting not later than the autumn of 1975 and to organise a second Round Table on Parliamentary Studies in Europe not later than the spring of 1976 at which its chairmanship, composition and terms of reference could be reviewed.

(b) that among its tasks would be to consider a report on the state of parliamentary studies in Western Europe, based partly on the results of the

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Round Table and partly on work previously undertaken by the Hansard Society.

(c) that on this basis it should attempt at its first meeting to select the themes which were most in need of collaborative study and inquiry, and to seek support for them, whether from international or national foundations or other institutions.

(d) that the Committee should reflect in its membership, as evenly as possible, both academic students and practitioners of parliament.

(e) that for the first year the administrative and secretarial work required by its activities would be entrusted to the Hansard Society as part of its programme on the future of parliamentary studies in Europe without prejudice to future arrangements.

(f) that if different projects arose from (c) above it was desirable for them to be administered from different national centres; it would be undesirable to contemplate, at this stage, any European centre, other than the COMMITTEE OF CO-OPERATION itself.

(g) that some of the participants should be invited immediately to serve on the Committee as correspondents while correspondents for other countries and organisations would be invited by the chairman at a later date: (list attached).

In concluding the Round Table, Professor Crick thanked warmly all those who had participated in, and helped to organise the conference, drawing special attention to the indispensable contribution of Mrs Maxine Vlieland (who had acted as organiser of the meeting) and her helpers. He also thanked the Ford Foundation for having supported the Hansard Society's present programme, thus enabling it to hold the Round Table. He felt the initiative had been fully justified, was grateful for the positive response received from people with similar interest in other European states, and expressed his optimism about following-up the results. The Hansard Society was happy to have launched this new initiative and would be happy for others in turn to take up and to share the work.

HANSARD SOCIETY FOR PARLIAMENTARY GOVERNMENT

THE FUTURE OF PARLIAMENTARY INSTITUTIONS IN EUROPE

Background Paper for the Round Table to be held on 4-6 April, 1975

I. Is there a crisis of European parliamentary institutions?

1. It would certainly be premature to say that there was, but European parliaments have become aware of an increasing challenge to their traditional powers and status. There is not the direct threat which there was in pre-war Europe of an overtly anti-parliamentary force liable to seize power; and there are of course other areas of the world where the cause of parliamentary institutions is currently in much more obvious plight. The challenge faced by parliaments in the Europe of the Community is much more discreet, slower in its effect, harder to define and explain, and more subtle in its tendency to take different forms. At any one moment, however, it can become a direct and immediate threat. Even before the alarm felt across Community Europe following the coincident political and economic crises at the end of 1973, and the prospect of economic conditions which parliamentary government would find it especially hard to manage, thoughtful students and practitioners of politics were already aware that the survival of the parliamentary model of government could not be taken for granted - even in the part of the world where it is most celebrated. The particular initiative for some common European approach to the question, which led to this Round Table, was first made in the summer of 1972. Events since have made it seem more appropriate than ever. It is after all one of the main advantages of living in an advanced, industrial society that we should have the means to foresee unwelcome change and so forestall it.
2. The sense of a decline - whether actual or impending - in the prestige and influence of parliamentary institutions has causes which seem to be common to all the states of Community Europe.
 - (i) There is, of course, the present nervousness about the ability of parliamentary forms of government to cope with the problems of postwar economic policy, which once seemed to be primarily those of the scope and size of governments pledged to promote economic growth, but which now increasingly appear as those of finding the discipline, equity and flexibility in the face of inflation, uncertainties in world trade and currency values, and the effects of growth itself. This adds general urgency to our theme, but we would rather not see it as the main focus of our initiative, for there are other sources of concern more closely related to political institutions and of deeper origin.

2. (ii) Not always as a consequence of parliamentary activity itself, sociological and political changes seem to be reducing respect for parliaments and even for the consultative and co-operative way of conducting politics which they represent. There is much evidence that the civic values of participation in and concern for politics are declining. At the same time new kinds of political action by-pass parliaments, and take the form sometimes of peaceful 'extra-parliamentary opposition', sometimes of violent protest. We are still far from understanding the real meaning for parliamentary government of the closer ties between governments and representatives of social and economic forces, often organised in formal institutions of concertation. Nor have we assessed the consequences of the economic association (for example, in multi-national companies) which evades the formal channels of government altogether. Governments are also finding that direct contact with the people through referenda and by television in some ways can substitute for parliamentary support.
- (iii) New forms of European organisation, of which the European Community is the fullest expression, not only affect our existing national parliaments, but challenge us to develop parliamentary institutions in an entirely new context. So far European integration has been at its weakest in its contribution to parliamentary life.
- (iv) In face of all this, two aspects of the academic contribution have been wanting. The attention of political scientists in Western Europe has been directed at subjects like interest groups, voting behaviour, political socialisation, the role of bureaucracies and so on, and there has been a general decline in the status and number of parliamentary studies. Yet the latter have far more to offer than their dull, legalistic image would suggest (and more even than their recent revival in the United States in the form of studies of "legislative behavior" has yet had to offer). Secondly, the study of parliamentary institutions suffers particularly from a wider problem in the social sciences, the divorce of theory from practice. Much more should be done to encourage interchange between academic students of politics with officials, politicians themselves and the press where this subject of common interest to all of them is concerned.

II. The Need for an independent, but practical, inquiry

3. One way of responding positively to this challenge would be to bring about a revival in parliamentary studies at both the national and the European

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3. level. The emphasis would be on the immediate problems of parliamentary institutions and the aim would be to influence policy in the perspective of the next ten or twenty years. In other words the focus would not be that of political science alone, and the essential purpose would be to bring together practical experience, research capability, existing knowledge and new ideas in a form appropriate for dealing with existing problems in a constructive way.
4. There could be various steps in achieving this, but the most immediate practical and fruitful one would be to set up an inquiry into one or more problems of parliamentary institutions cutting across a number of European states, or even concerning the European Community itself. Other possibilities might include launching a joint programme of short-term fellowships and studentships for both practitioners and scholars to be held at different universities and institutes throughout the Community and intended for the study of European parliamentary institutions. This programme might include the opportunity for students to get some experience as interns in parliamentary secretariats. That undertaking would require the co-operation of a number of institutions, including governments and universities in different countries, and is better seen as a later objective. Another approach might be to establish a new European institute devoted to the study of parliamentary institutions, but many quasi-academic and political institutions already exist at a European level. Such ventures can be expensive in money and staff, threaten to become cumbersome in procedure, and take a long time to get into operation, not to speak of the problem of keeping them financed after their initial priming.
5. If the right amount of co-operation and understanding were forthcoming, however, an inquiry (or programme of inquiries) could begin to work at fairly short notice and could be run by existing organisations acting in collaboration. It would seek to produce results in a relatively short time, say, two years, and promise to deliver a tangible return of meaning to those with direct responsibility for the future of parliamentary institutions. Also, by combining the efforts of academics and practitioners on a joint undertaking, it would serve as an experiment, on the basis of which anything more ambitious or permanent could be designed later. Although it would commission particular pieces of research, and would have its own research and other supporting staff, it could achieve a great deal simply by reviewing the results of previous research and drawing on existing ideas and expertise. Suggestions for organising such an inquiry and for likely topics are given below. It is unlikely that anything of this kind will be done by governments or parliaments themselves, and it is something which is probably better not done by them on their own, given the need

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5. for combining different backgrounds and skills, and given also the advantages of getting the view of an independent body. At the same time no university or institute acting alone could manage such an ambitious undertaking, covering as it would different countries and drawing, as is essential, on different sources of expertise.

III. The importance of the European dimension

6. Some work has already been undertaken on lines similar to those proposed here both at a national and a European level. We are particularly anxious not to distract resources from productive national studies simply in order to bring in the European dimension for its own sake. Similarly there would be no point in duplicating the efforts of existing international organisations (like the European Parliament, the Council of Europe, the Inter-Parliamentary Union and so on) with an interest in the subject. Our reasons for making this essentially European initiative follow from a belief that the European dimension is essential to the aim. Moreover, the very essence of our proposal is for a European undertaking to operate through national centres and to consolidate what has already been achieved.
7. As was said above, the causes of the problem on which we focus seem to be common to the states of the European Community with its present membership as a necessary step towards it. The present difficulties of the Community, including the doubts expressed in Britain about continued membership, do not affect our belief that the Community presents a solemn political undertaking which no practical study of political institutions can ignore. As a consequence of what has already been done in the name of European unity, our political institutions will to a great extent be interdependent. That does not mean that we wish to exclude from the study states currently outside the Community but considered as potential members, (including some of the states formally associated with it). The final criterion for inclusion can be left open to discussion and it would really up to these other states to decide how far our perspective should include them.
8. Academically, too, a unique contribution can be made by approaching the problem on a European basis. It is high time European scholars began to derive the benefits available to their American counterparts of having a larger scale on which to work: a greater supply of expertise in fields of study which are essentially similar: the opportunity to compare one's own work with that of colleagues working in similar circumstances: the chance to put one's ideas to the test of a larger and more diverse audience. (As in some other respects, those who have taken most advantage of greater ease in studying the rich field of comparative politics in Europe are so

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8. far American.) In some states, for all sorts of historical and other reasons - often accidental - the organisation of parliamentary studies on a national basis is more advanced than in others. Those who have made greater advance have much to offer to their counterparts in other states. In particular we would hope that the initiative proposed here would serve as an impulse, not only to strengthen existing centres for the study of parliament, but also to bring others into being. For studying the European dimension itself we think that the need for cross-national study is self-evident. However the organisation of parallel and linked studies of common problems as they affect national institutions is no less desirable, for the reasons given here.

IV. The organisation of the proposed inquiry

9. We commend as a basic guide the form of organisation adopted by the Hansard Society for its current programme and described in an annex to this paper. As part of this programme two working parties have been set up, consisting of academics, parliamentary officials, members of parliament and others with previous parliamentary experience, journalists and representatives of interest groups and local government. Each working party is examining over two years a particular current problem of the British Parliament. To do so, it takes oral and written evidence from a wide range of those informed and interested in the subject concerned, and backs this up with research conducted by its own staff and in some instances by special work undertaken by its own members. The bulk of the work, including the direction of the research staff, is the responsibility of the working party's chairman, who acts also as a kind of project director.

The advantages of this approach are that it is cheap to run, and yet is able to draw on a wide range of knowledge and ability.

The working parties will report at the end of their inquiries and will also publish interim reports.

10. This model could be followed on a European dimension in either of two ways. If it was decided to take as a subject for inquiry some aspect of parliamentary institutions at the level of the European Community, then a working party should be organised on a multi-national basis and should seek to establish its staff at a common centre. National and other institutions could be brought into its work, either to carry out particular pieces of commissioned research, or to give evidence to the working party, and the latter could travel to different places in its work, but it would need to have one centre of direction. On the other hand, the approach could be to set up an inquiry with working parties in different states running

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10. parallel studies. In this case national centres would have to be found to take responsibility for each working party. In addition there would have to be provision for regular contact among the various national groups and some arrangement for permanent co-ordination.
11. Which of these approaches should be taken, as well as the precise topics to be investigated, are matters for discussion at the Round Table itself. Clearly the revival of national parliamentary studies itself would make a major contribution to the strengthening of Parliament at a Community level. At the Community level itself, however, a number of possibilities spring to mind: the working problems of an international assembly like the European Parliament have yet to be adequately studied with a view to recommending possible improvements and reforms; however, it might be considered more appropriate to inquire into the likely consequences of introducing a system of direct election to that body; there are various aspects of parliamentary control of the Community's budget which still deserve examination; perhaps it might be considered more relevant to institute a general inquiry into the European Parliament's existing and future powers. At the national level it is not difficult to think of particular topics which have sufficient general importance in a number of states: the way opposition parties make policy when out of office; the functions of the back-bench member of parliament; the sources of recruitment of candidates for parliamentary membership; the relations between individual members and their constituents; parliament's general public relations - how parliament informs the public of its own proceedings and how the public make it aware of their own interests and opinions; the role of parliament in economic decision-making; the relationship between national parliaments and local or regional institutions of government; the consequences for national parliaments of membership of international organisations. Some of these topics are covered by the Hansard Society's existing programme on the British parliament, and it is certainly a possibility that parallel inquiries could be instituted in other countries to match either of the two inquiries currently being undertaken in Britain. In addition, however, the Hansard Society is committed as part of this programme to designing a third inquiry to be organised on a European basis and some extension of the subject-matter of this programme is therefore envisaged. The topic or topics selected could be broader in scope than... the ones mentioned above, given that the focus of this whole enterprise is wider than the internal, procedural aspects of parliament and includes all aspects of the representative function associated with parliament in the modern, industrialised states of Western Europe. It might be thought

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11. desirable, therefore, to seek a topic dealing with representative assemblies at a sub-national level, or with councils and committees for functional representation.

V. Purpose of the Round Table

12. The precise agenda and organisation of the Round Table can be determined at a later date after further consultation. In broad terms, however, the following matters need to be considered:

- (i) The nature of the problem as stated in this paper, and in subsequent papers which others interested in the problem will probably submit.
- (ii) The precise topics to be treated by an inquiry or inquiries:
 - (a) at the level of the European Community,
 - (b) at the national level.
- (iii) The possible additional methods of meeting the aims of this proposed initiative.
- (iv) The organisation of any further activity, in particular:
 - (a) the existing level of organisation of centres of parliamentary studies within the nation-states, and the extent of further assistance which they need to enable them to participate in the activities planned;
 - (b) the possible contribution of national governments and parliaments;
 - (c) the possible contribution of international organisations and private international institutes;
 - (d) possible sources of finance (including, of course, some assessment in broad terms of the amount of financing required).
 - (e) the principles of the organisation of a proposed inquiry or inquiries.

13. It might well be that some of these questions will need to be entrusted to a steering committee for further discussion and examination, but it is hoped that not too long after the Round Table (and at the latest by the autumn of 1975) a joint proposal for further action can be agreed.

David Coombes,
Director of the Programme on the
Future of Parliamentary Institutions
in Europe.
September 1974