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Parliamentary Committees: A Global Perspective

MALCOLM SHAW

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.

Having endeavoured to look broadly at committees in legislatures in the 1970s, I have recently had a further look and would like in this article to convey my current thoughts about this institution. While the earlier study dealt with committees in eight national legislatures, I intend for present purposes to bring a more analytical focus to a subject usually dealt with on a country-specific basis.

THE UNIVERSALITY OF COMMITTEES

In 1955, K.C. Wheare produced a book called Government by Committee. This title suggests the ubiquity of the institution with which we are concerned and affords an opportunity to consider whether there is any significant alternative to the small group in the routines of government. Even a cursory consideration of this matter leads one to the conclusion that public affairs are nearly always conducted by small groups of men and women. They meet in city halls, bureaucracies and legislatures and engage in face-to-face discussion around tables and in armchairs.

Yet, one must quickly add, there are also the less intimate plenary meetings of legislatures, occurring in the ‘chamber’ or on the ‘floor’. Such gatherings of parliamentarians, often in their hundreds, are obviously of

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great importance. Bagehot, writing in 1867, called such meetings ‘the grand inquest of the nation’, providing an opportunity ‘to express the mind of the English people on all matters’. Warming to his theme, Bagehot added: ‘A great and open council of considerable men cannot be placed in the middle of a society without altering that society’ while also providing ‘political education ... to the whole nation’.

At the same time, a mass meeting of legislators is not an outstanding place to get things done, even if, to return to Bagehot, the Commons chamber is better organised than, say, a London club. Bagehot mentions an English saying that ‘a big meeting never does anything’ and points to the paradox that Britain is nevertheless governed by a big meeting. The way this has been got around, according to Bagehot, is by choosing a committee from those of its members in whom the House has the most confidence. He is here referring, of course, to the Cabinet, ‘a committee of the legislative body selected to be the executive body’.

While the relationship of cabinet to parliament is well known, there has been less attention to what is left of parliament’s plenary identity after authority has been delegated to ministers. In this connection, it is certainly the case that the whole membership, or a large part of it, has frequent opportunities for ‘a big meeting’. This arises in relation to broad discussions of major legislation and other issues, often when asking Questions. Yet for the most part meetings in the chamber may be characterised in a different way. Most ‘plenary’ meetings are occasions attended by a relatively small minority of members who have a specialist or constituency interest in the particular item of business before the house. Thus, plenary meetings are largely a series of meetings of informal ‘committees’, with the personnel changing as the business changes. It can indeed be said that nearly all the time of the plenary chamber is devoted to a series of ‘committee’ meetings.

While one does not want to overdraw this pattern, one can say that legislatures not only have committee systems at a structurally devolved level but they also have less structured committees at the plenary level. This arrangement accommodates Wheare’s concept of government by committee in the legislative as well as the more obvious executive side of government. It seems clear that too stark a dichotomy is normally drawn between the floor and committee levels in legislatures inasmuch as informal ‘committee’ work on the floor commonly accompanies formal committee work off the floor. In this matter of false dichotomies, one is reminded of Anthony King’s contention in a different parliamentary context that ‘it is seldom helpful to speak of “executive–legislative relations”’ due to the overriding presence of relations within and among the political parties.
PARLIAMENTARY COMMITTEES: A GLOBAL PERSPECTIVE

AMERICAN EXCEPTIONALISM

Having suggested that committee work in legislatures is more widespread than it first appears, I would like to turn to more specific matters, beginning with an identification of broadly based efforts at committee analysis. During the past 20 years, two book-length, cross-national studies of this subject have appeared. One is the previously mentioned *Committees in Legislatures*, edited by John Lees and myself in 1979; this deals, individually and cross-nationally, with the committee systems in three European countries – Britain, Italy and West Germany – and five other countries – the United States, Canada, Japan, India and the Philippines. The other book-length study is *Las Comisiones Parlamentarias*, edited by Juan Carlos Ochoa in 1994; this deals, individually and cross-nationally, with the United States, Germany, France, Italy and Britain. A number of extended cross-national studies of legislatures which include material on committees could also be mentioned. The most up-to-date of these is Herbert Döring’s edited book *Parliaments and Majority Rule in Western Europe*, published in 1996, which includes chapters on committees in 18 countries by Ingvar Mattson and Kaare Strom, and by Erik Damgaard.

The cross-national studies that include the United States make it clear that committees in Congress are basically different from committees in other legislatures. The following statement, which appears in both the Lees-Shaw and Ochoa books, makes this point: ‘It should be emphasized ... that the committee system in the American Congress is not only the strongest system in the present study; it is by far the strongest. It might in fact be argued that the American committee system is in some ways a deviant case.’

The nature of the congressional committee system as a feature of American government is well known. Since Woodrow Wilson characterised congressional committees as ‘little legislatures’ in 1885, their characteristics have frequently been examined and discussed. Their distinctiveness, when viewed cross-nationally, is occasionally mentioned in textbooks on comparative politics. However, this theme has not been incorporated until relatively recently in multi-country studies of legislatures.

This is not the place to discuss at any length the working of American committees. Their importance, their elaborate staffing, their cultures, their reciprocity and their internal hierarchies have been discussed elsewhere. Nevertheless, by way of illustration, it may be useful to provide details about one of their characteristics, namely the two-tier structure of nearly all of the House and Senate committees. Subcommittees are found in other legislatures, but those in Congress are so much more elaborate that they provide an exceptional example.
In 1997 there were 87 subcommittees in the House of Representatives and 68 in the Senate. The Committee on Education and the Workforce provides an example of the two-tier arrangement. This committee has 45 members, who provide the membership for five subcommittees. This has meant an average of 2.75 assignments per member, including assignments to the full committee and the subcommittees. Such commitments, in addition to members’ other work, are only possible with substantial support (by international standards) by professional and clerical staff at both the full committee and subcommittee levels. In this situation it is common for committee members to devote their efforts mainly to the subcommittees of which they are members and to assume that other members are doing the same.

While such arrangements are interesting and illustrative, it is even more instructive to consider why American committees should be so different from their counterparts in other national legislatures. In the context of the present focus on global patterns, why are American committees exceptional?

In seeking an explanation, one should first turn to the party system. As I have maintained elsewhere, when parties exert only a weak control over legislative committees, the committees are free to develop a life of their own and to make a strong contribution to the outputs of the legislature. Lack of party control may result from such party characteristics as weak cohesion or multi-party situations. David Olson has discussed the party-committee relationship, concluding: ‘Parties and committees are ... contradictory and even mutually exclusive means of internal organization [in a legislature]. The importance of each is inversely proportional to the other. The more important the committees, the less important the parties, and vice versa.”

American parties normally exert sufficiently loose control over House and Senate committees that this circumstance provides an important explanation as to why US congressional committees can function as they do. On the other hand, parties exert weak control over committees in the legislatures of a number of other countries, yet their committees do not conduct themselves like American ones. Therefore, further explanations are required as to why congressional committees are unique.

This inquiry has taken me to the literature on American exceptionalism. A number of scholars – including Seymour Lipset, Aaron Wildavsky and Richard Rose – have provided some general ideas about American exceptionalism. While none of them mentions legislative committees, their observations nevertheless provide useful guidelines. There seem to be three further explanations for American-style committees.

First, there is the matter of anti-statism. While one finds this elsewhere, a particularly virulent strain of hostility towards public authority exists
among Americans. Entrenched in revolutionary origins and constitutional doctrine, its persistence is noted by Lipset:

The American public has indicated in opinion polls that it continues to favour a divided government and a weak state. Whenever samples of the population are asked by pollsters whether they prefer the President and both Houses of Congress to be controlled by one party or divided between two, they choose the latter response by goodly majorities.18

This is where the committees of Congress come in. Complying with public preferences, their job is to hold the executive in check by exposing and excising misguided policies, incompetence, and venality.

Second, the president and the other American political executives do not constitute Bagehot’s committee of the legislature in whom fellow members have particular confidence. These executives operate in another place and have their own agenda. Montesquieu would be pleased to see his separation of powers applied so vigorously for so long. The name of the game is for Congress to do what it can to overcome the numerical odds – 535 to three million – in the name of balance. This can only be accomplished by creating a counter-bureaucracy centred on Capitol Hill. A crucial part of this balancing act consists of committees, subcommittees, and their staffs.

Third, there is comity. John Hart has suggested that an unspoken arrangement exists whereby neither the White House nor Congress interferes with the other’s staffing arrangements. ‘It may be’, says Hart, ‘that most members of Congress are reluctant to go too far in criticising presidential staffing practices for fear of drawing attention to their own staff explosion.’19 In practice, Congress has a relatively free hand to acquire the financial resources needed to operate a committee-driven counter-bureaucracy. My impression is that parliaments elsewhere do not enjoy comparable resource autonomy.

COMMITTEE CHANGE

Whether in America or elsewhere, it is widely agreed that the impact a legislature has is crucially dependent on its committee arrangements. As Mezey has noted, if a legislature is to have strong policy-making power, it also has to have a highly developed committee system generating policy expertise.20 In order to achieve this, significant change in committee arrangements occurs in countries where the legislature seeks to play a significant role. Because the details matter – to the executive as well as to legislators – it is not uncommon to find relatively frequent changes ranging from tinkering to moving the goal posts drastically, as occurred in France in
1958. The importance of committees is made clear by the vigour with which committee reform often is pursued.21

Such change is not only a matter of increased structural differentiation associated with political development in the Third World or in emerging democracies in central and eastern Europe.22 It is also found in mature Western democracies,23 where one of the most interesting changes in recent decades needs to be identified and accounted for. This is a trend away from ad hoc arrangements and towards parliamentary committee systems that are specialised and permanent and replicate executive departments. The committee-specific contributions to Döring’s valuable and up-to-date study of 18 parliaments in western Europe provide details about this.24 The situation is that no fewer than six countries in western Europe have recently made the aforementioned transition. Britain, Denmark, Portugal and Spain established systems of permanent, specialised committees in the 1970s and 1980s. Ireland did so in 1993, and Switzerland brought its previously unused specialised committees into use when reforms were effected in 1991.25 By now all 18 countries have such committee arrangements in their parliaments. In 16 cases the committees deal with legislation.26 In Britain and Ireland they are concerned with administrative oversight.27

A related development is the increased use of public hearings by parliamentary committees in western Europe.28 In some cases committees concerned with legislation have begun conducting hearings for the first time. This occurred in Belgium in 1985, in Sweden in 1989, in Finland29 and France in 1991, and in Greece in 1993. In Italy30 and Germany the use of hearings, exceptional before the 1970s, has increased. Although not concerned with legislation, the departmental select committees in Britain began a significant increase in public hearings in 1979.31 In parliaments with a long tradition of conducting public hearings, they are holding more of them. In general, the trend concerning hearings reflects a desire for fuller information and enhanced administrative accountability.

Let us now consider the tendency for committee jurisdictions increasingly to replicate those of executive departments. As several writers have suggested, such an arrangement facilitates oversight and law-making as well as the formation of issue networks involving legislative, administrative and interest group specialists.32 Replication is not usually exact, and some legislatures, notably in Denmark, have narrower jurisdictions in their committees than in their ministries. But linkages have typically become close. The advantages in such linkages tend to preclude excessive one-tier particularity and to ensure that subcommittees report to more inclusive parent committees whose jurisdictions resemble those of ministries.

It is apparent that there are some instructive similarities between
legislative and executive hierarchies. If one ignores scale, they have broadly comparable policy demarcations. They also have similar agendas at any point in time. In both branches of government there are advantages – as for leaders in all large organisations – in a devolved arrangement which enables legislators and administrators to get their work done more effectively through a division of labour and the encouragement of specialisation. Moreover, the arrangement enables specialists to defer to one another in accordance with norms of reciprocity.

Yet things do not always work out this way. There is the case of France. The founders of the Fifth Republic were sufficiently disillusioned with the powerful parliamentary committees of the Third and Fourth Republics that they were determined to jettison them. They had had enough of these committees’ ‘advantages’.

The parliamentary committees that existed in France during the first six decades of this century are sometimes linked with those in the American Congress in terms of importance. They achieved the kind of impact that one associates with congressional committees. In fact the French committees prior to 1958 could accomplish things beyond what can be accomplished in the US Congress. For example, the French committees could in effect bring down the government. They ‘could manoeuvre to upset the carefully balanced compromises by which coalitions live’. In addition, they sometimes benefited from the participation of former ministers from the departments with which they were dealing. A variation on this theme found the committee chair converted from being the effective shadow minister to becoming the real minister. As Philip Williams has said concerning the Finance Committee:

[It was] a rival centre of leadership to the cabinet: the most “governmental” committee of all in outlook, but also the most dangerous if it decided to oppose. In the Third Republic it was accused of being a “committee of successors”. ... In the Fourth it harassed and hampered most governments ... due to rising young politicians using it as a springboard for promotion.

Charles de Gaulle was determined to bring an end to this situation. Accordingly, the Constitution of the Fifth Republic sought drastically to curb the committees of the National Assembly. Article 42 requires that discussion of bills on the floor has to take place on the government’s text rather than, as before, on a text produced by a committee. This was a straightforward change that had the desired effect although committees could still proffer amendments during debates so long as they did not have financial implications.

The change incorporated in Article 43 of the French Constitution has
had a more interesting history. This provision limits to six the number of permanent committees in each house. The idea was that such cumbersome committees, ranging in size from 60 to 120 members, were unlikely to be centres for intrigue by specialists and lobbyists. But students of committee behaviour will see loopholes in this scheme, and they were realised in two ways. Meetings of the committees were attended differentially by members with a specialist interest in the business of the day. Additionally, informal subcommittees were set up to bring back to some extent the jurisdictions of the Fourth Republic. Efforts by the government to curb subcommittee development have been unsuccessful, and these subcommittees are now officially sanctioned. Nevertheless, the constraints on committees, together with other constitutional requirements aimed at diminishing the power of the French Parliament, have produced changes in France at variance with those occurring elsewhere in western Europe.

Change in Britain provides us with another interesting case. In 1979, after 700 years, the Mother of Parliaments acquired its own set of permanent, specialised committees replicating the Whitehall departments in their jurisdictions. Originally consisting of 14 committees, there are now 16 departmental select committees. However, unlike developments of this kind elsewhere, the select committees at Westminster are not authorised to deal with legislation. Instead, these committees are concerned with overseeing the departments with which they are associated and investigating relevant policy issues. A detailed consideration of bills after second reading continues to be the concern of a separate set of ad hoc committees (illogically called standing committees) unless this stage is kept on the floor, as often occurs.

It is not a simple matter to assess the impact of the departmental select committees in Britain. One has to accept that their outputs are recommendatory, that is, the committees cannot compel the government to do anything. Yet since they were created the government has not infrequently been susceptible of persuasion. For example, the responses by the government to recommendations from two of the committees during the 1979–83 Parliament are set out in Table 1. The Education, Science and Arts Committee is shown to have had its recommendations accepted more than one-quarter of the time. The Social Services Committee had even more success; its recommendations were accepted more than one-third of the time.

In view of the foregoing, it has to be concluded that the new British committees have made their mark. Sometimes they have persuaded governments to change their views – occasionally on a basic matter, more often on details. Yet government policy isn’t everything. There is also the matter of public opinion. While the executive dominates, the battle for the
TABLE 1
REPORTS OF DEPARTMENTAL SELECT COMMITTEES IN THE BRITISH HOUSE OF COMMONS AND GOVERNMENT RESPONSES TO THEIR RECOMMENDATIONS, 1979–83

<table>
<thead>
<tr>
<th>Committee</th>
<th>Meetings</th>
<th>Reports</th>
<th>Accepted</th>
<th>Kept under Review</th>
<th>Rejected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education, Science &amp; Arts</td>
<td>166</td>
<td>19</td>
<td>26.5</td>
<td>46.4</td>
<td>27.1</td>
</tr>
<tr>
<td>Social Services</td>
<td>154</td>
<td>11</td>
<td>35.1</td>
<td>45.2</td>
<td>19.7</td>
</tr>
</tbody>
</table>


Note: The reports exclude special reports. These are mainly government responses to committee reports.

TABLE 2
PROPORTIONS OF TELEVISED SUMMARIES OF PROCEEDINGS IN THE BRITISH PARLIAMENT DEVOTED TO DEPARTMENTAL SELECT COMMITTEES

<table>
<thead>
<tr>
<th></th>
<th>‘The Record’</th>
<th>‘Westminster Live’</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Minutes N</td>
<td>Programme</td>
</tr>
<tr>
<td>Departmental select committees</td>
<td>7 May 1996</td>
<td>0</td>
</tr>
<tr>
<td>Other items</td>
<td>-</td>
<td>50</td>
</tr>
<tr>
<td>Departmental select committees</td>
<td>8 May</td>
<td>6</td>
</tr>
<tr>
<td>Other items</td>
<td>24</td>
<td>44</td>
</tr>
<tr>
<td>Departmental select committees</td>
<td>9 May</td>
<td>0</td>
</tr>
<tr>
<td>Other items</td>
<td>13</td>
<td>50</td>
</tr>
<tr>
<td>Departmental select committees</td>
<td>10 May</td>
<td>-</td>
</tr>
<tr>
<td>Other items</td>
<td>25</td>
<td>-</td>
</tr>
<tr>
<td>Departmental select committees</td>
<td>14 May</td>
<td>3</td>
</tr>
<tr>
<td>Other items</td>
<td>25</td>
<td>47</td>
</tr>
<tr>
<td>Departmental select committees</td>
<td>15 May</td>
<td>0</td>
</tr>
<tr>
<td>Other items</td>
<td>23</td>
<td>50</td>
</tr>
<tr>
<td>Departmental select committees</td>
<td>16 May</td>
<td>0</td>
</tr>
<tr>
<td>Other items</td>
<td>19</td>
<td>50</td>
</tr>
<tr>
<td>Departmental select committees</td>
<td>17 May</td>
<td>-</td>
</tr>
<tr>
<td>Other items</td>
<td>25</td>
<td>-</td>
</tr>
<tr>
<td>Departmental select committees</td>
<td>21 May</td>
<td>0</td>
</tr>
<tr>
<td>Other items</td>
<td>22</td>
<td>50</td>
</tr>
<tr>
<td>Departmental select committees</td>
<td>22 May</td>
<td>-</td>
</tr>
<tr>
<td>Other items</td>
<td>24</td>
<td>-</td>
</tr>
<tr>
<td>Departmental select committees</td>
<td>23 May</td>
<td>-</td>
</tr>
<tr>
<td>Other items</td>
<td>20</td>
<td>-</td>
</tr>
</tbody>
</table>
public’s support in the next general election proceeds, and the select committees play their part in this arena. As Michael Rush has said of their performance: ‘Government policy and administration now comes under far more detailed scrutiny than was the case even in the recent past, not only by subjecting ministers and senior civil servants to much more public questioning, but by gathering and publishing ... oral and written evidence ... which would not otherwise be available.’

A measure of how high a profile the departmental select committees have is found in Table 2. This table records the amount of time devoted to these committees in the two television programmes which broadcast edited summaries of proceedings in parliament, namely ‘The Record’ and ‘Westminster Live’ on BBC2. The survey covers three weeks of such broadcasts in May 1996 and shows that 15.4 per cent of this broadcasting time was devoted to the departmental select committees. This seems a relatively impressive level of coverage in view of the fact that these committees compete for broadcasting time with all the other proceedings in the plenary-oriented Commons and Lords as well as interviews in the television studio. As for coverage of other committees during these broadcasts, the only instances were three minutes of the Scottish Grand Committee and less than one minute of the Welsh Grand Committee.

VARIATIONS ON A THEME

In their study of committees in 18 west European parliaments Mattson and Strøm remarked that committees come in almost endless varieties. These authors dealt with such variables as committee types, tenure, numbers, size, jurisdictions, internal devolution, leadership, degree of privacy, legislative role, minority party membership and use of hearings. Having classified varying practices under these headings, they added that ‘the analytical literature has only managed to scratch the surface of committee arrangements ... many of the critical questions have not yet even been asked, much less answered’. In another contribution to the 18-nation study, in which he explores the impact of party on committees, Damgaard reacts similarly, suggesting that ‘a very huge number of specific national circumstances and peculiarities have deliberately been ignored or subdued’.

It is noteworthy that Mattson, Strøm and Damgaard deal only with western Europe. Complexity is magnified when one moves farther afield, geographically and systemically, where increased disparity can undermine efforts at generalisation. Some features related to legislative committees seem to be widespread: committees are consensual; their membership in all cases I have come across is proportional to party strength in the chamber;
they facilitate expertise and encourage participation. But probing beyond such broad generalisations can uncover novel variations.

The need to get beyond form to discover reality is illustrated by the case of Japan. Various indicators lead one to expect a strong committee system in the Japanese Diet. The Diet has permanent, specialised committees which are widely utilised. They are based on the American congressional model, a legacy of the post-war military occupation. In relation to the eight committee systems in the Lees-Shaw study, it has the most generous staffing other than the American Congress. Nearly all of the Diet's committees have seven or more researchers, although, significantly, some are on loan from the relevant ministry.

Hans Baerwald, a leading authority on the Diet, has no doubt about the extent of the influence of Japanese committees. Notwithstanding their specialised orientations, American influence, and generous staffing:

Most committee work in the Diet is an exercise in futility. Committees have extended meetings. The meetings are open to the public ... and some sessions are televised. The committees have an elaborate staff. ... They can and do call Cabinet ministers to respond to interpellations, as well as experts to testify. They can and do conduct investigations. ... They publish their proceedings on a verbatim basis ... but their authority is a chimera and their accomplishments largely meaningless.

Why does one find this dissonance between image and reality? Baerwald accounts for it by describing the pre-legislative stages in policy formulation in Japan. He depicts an elaborate sequence of party and ministerial bargaining. After a bill is drafted in a Japanese ministry it is then considered by the appropriate study group of the dominant Liberal Democratic party, which is noted for the numerous organised factions that comprise it. The policy council of the party then considers it. Next it goes to the party's executive council. Then it goes to the Council of Vice Ministers and finally to the Cabinet. All this occurs before the bill is introduced in the Diet. By the time the bill reaches a standing committee it has been subjected to so many accommodations that it is unthinkable for the committee, where the government has a disciplined majority, to alter it.

The Japanese example illustrates the difficulties one encounters when trying to say something general about committees in legislatures. Mattson and Strøm make a commendable effort to do so, and we now return to their efforts, commenting in particular on three theories concerning committees that they have adapted from other sources and which they proffer as possible explanations concerning committee behaviour.

First, there is the idea of committees operating as instruments for
obtaining gains from trade. According to this theory, policy equilibrium is attainable in the context of varying preferences which may derive from differing constituency interests. This scenario finds committees obtaining 'property rights' over particular policy areas, with committees deferring to one another as trading ensues.

This view from the pork barrel is too American to be applicable elsewhere in a robust way, although the hypothesis should be tested in other legislatures. It is difficult to envisage such an arrangement in a parliamentary setting where single-party control over a majority of the members prevails. In Japan, trading may well occur somewhere in the political system, but clearly not in the Diet's standing committees.

Second, there is the idea that committees are about acquiring information. The emphasis here is on improving the quality of the policy process by realising the strengths of a large membership with differential expertise or potential for it. The assumption is that specialisation will be encouraged on a cost–benefit basis. If a member will incur the cost of becoming an expert and applying his knowledge to public problems, he will obtain respect and deference in exchange. 'The trick for the legislature as a whole', according to Mattson and Strom, 'is to generate an incentive structure that induces members to take the trouble of acquiring expertise'.

This goes to the heart of organisational devolution. One not only enhances the quantity of the outputs but also the quality. This explanation for the functioning of committees in legislatures seems highly plausible. At the same time, the specifics vary.

To illustrate how expertise can be organised, the example of the German Bundestag is instructive. In Germany information is marshalled through a distinctive style of interaction between committees of the Bundestag and committees of the major parties, all of which are specialised on policy lines. The committees of the parties and the Bundestag constitute parallel structures whose experts interact with an unusual degree of symmetry. Party committees for the three main parties meet on Monday. A striking feature about these party committees is that their work is thorough; they form subcommittees; receive evidence; and meet with ministers, civil servants and spokesmen for interest groups. Party executives and plenary party caucuses then meet on Tuesday. The Bundestag and its committees meet on Wednesday, Thursday and Friday. Thus, having met in their party groups to determine policies and tactics, members converge in Bundestag committees to deal with issues during meetings where genuine give-and-take on substantive points occurs. A consequence of this arrangement for the Bundestag is that less time is spent in floor sessions than is usual in other comparable parliaments. On the other hand, the policy outputs are broadly based.
The third idea about why committees function as they do has to do with what Mattson and Strøm call 'partisan coordination'. According to this theory, strong committees are an instrument of party leaders. Where there is strong party leadership, so it is argued, the leaders exercise their authority through strong committees in the legislature. This view has been put forward by Gary Cox and Matthew McCubbins, who mainly have in mind a recent phase of strong influence by party leaders in the US House of Representatives.48

There is a definitional problem here, namely what is a strong committee? This author's view of this is that a strong committee in a legislature is one that has a significant independent impact on public affairs. Apart from the exceptional circumstances of Capitol Hill, domination of parliamentary committees by the leadership of a single governing party has tended to mean a constricted impact by the committees, as in Japan and Britain. In general, partisan co-ordination, Washington style, does not seem to provide a widespread example.

COMMITTEES IN THE THIRD WORLD

It is difficult to achieve a global perspective on committees without considering their roles in Third World legislatures, to which the rest of this article is devoted. Here we are dealing with more than 100 countries in Africa, Asia and Latin America where one finds a disproportionately high incidence of economic underdevelopment, dependence and poverty; adverse social statistics on such matters as educational attainment and life expectancy; and a heritage, with a few exceptions, of colonialism. Yet, if information on the complexities of committee arrangements in some industrial countries is sketchy, the problem is magnified in the developing countries where data is sparse and the settings range from stable democracy to tyranny.49

Notwithstanding such variation, the national legislature as an institution is ubiquitous. In 1973 Blondel found that only five countries, all in the Middle East, had never had a legislature.50 While legislatures in the Third World are sometimes abolished or suspended by authoritarian rulers, they tend in due course to be reinstated as a symbol of regime legitimacy. In this context, what kind of legislative settings are provided for their committees? One has to say that the typical Third World legislature is not intended to play a very important part in governing arrangements. Although Packenham and others have advised us that such an intention does not preclude the performance of significant functions by legislatures such as mobilisation and recruitment, this commonly occurs within a framework of domination by authoritarian, often military, leaders.51
In order to provide a framework for analysis it is useful to consider various efforts to classify legislatures. Polsby has depicted a ‘continuum of legislative power’, with independent ‘transformative legislatures’ at one end and ‘legislative arenas’ at the other. Blondel has grouped legislatures on four levels in accordance with their influence within the political system. Weinbaum has set out a typology of five classes of legislatures based on relations with the executive. They are: co-ordinate, subordinate, submissive, indeterminate and competitive-dominant. At one end of Polsby’s continuum are ‘legislative arenas’ in which members are so constrained by the executive or the ruling party that they exercise little independent authority. Where Blondel sees the ‘lowest influence’, there is only a small amount of activity during infrequent meetings of the legislature. As for Weinbaum’s ‘submissive’ legislatures, they ‘are without purpose or program’; they ‘neither modify laws nor provide a setting for the careful consideration of alternative policies’. Legislatures to which the foregoing descriptions apply are commonplace in the Third World.

If legislatures in the Third World tend to be constrained, low in influence and short of purpose and programme, one would not expect the committees within them to amount to much. Devolving work on sub-units is normally linked, as has been suggested, with expanding the capacity, effectiveness and impact of the legislature. If Third World legislatures which are dominated by authoritarian rulers perform a modest role, it would seem likely that their committees must do the same. Writing in the 1970s, Weinbaum found this to be the case with ‘submissive’ legislatures:

The centralized structure of submissive chambers leaves little room for competent legislative committees. The job of a committee [in a submissive legislature] is to educate and exhort rather than to produce a set of experts to parallel those in the ministries. Whether because of membership turnover or assignment procedures, most submissive legislatures turn out few committee veterans.

Blondel, on the other hand, is not so sure. He acknowledges that in legislatures of the lowest influence we know little about their committees but he suspects that, in the privacy of these institutions, group influence on detailed matters may have an importance which is absent in plenary meetings.

**DISCONTINUITY**

A factor which cannot help but detract from the effectiveness of committees is discontinuity. One reason why the Ways and Means Committee in the US House of Representatives and the Public Accounts Committee in the British
House of Commons are so important is that they have been around since 1795 and 1861 respectively. In contrast there is often severe discontinuity in Third World committees due to regime, personal and legal factors.

As far as regime discontinuity is concerned, a recent study has shown that between 1960 and 1990 one-third of the states in the Third World experienced more than 20 years of military rule. Another one-third experienced lesser periods of military rule, leaving only one-third of these nations with no experience of military government. All parts of the Third World have seen regime discontinuity, with constitutional and non-constitutional phases succeeding one another. Such sequences have been accompanied by numerous suspensions and reinstatements of legislative authority. A study of the Iranian Parliament (Majlis), which was created in 1906, traces its history up to 1971. During this 65-year period five ‘legislative eras’ existed amid bombing of the Majlis and physical threats against deputies by mobs. An extreme example of discontinuity arose in Burma in 1947 when the leader of the opposition arranged for the entire cabinet to be assassinated in the belief that he would then be invited to form the next administration. Instead he was hanged.

Discontinuity in committee membership is a logical consequence of high turnover in the chamber. In Latin American countries, for example, a high proportion of members tend to be renewed in each election. Also, motivation on the part of legislators may be low, with membership of the legislature commonly seen as a staging post in a political career, not a destination. The end result is often a conspicuous lack of expertise on the part of committee members, a tendency reinforced by high absenteeism and erratic meetings. Some committees never meet.

The matter does not end with the aforementioned dimensions of discontinuity. Such tendencies are accentuated by formal requirements of high turnover. Members of some Latin American congresses are affected by such requirements. Costa Rica has the longest unbroken record of stable democracy in Latin America, beginning with the conclusion of a civil war in 1949. But its democracy is associated with legislative term limits of two kinds. First, members of Costa Rica’s Legislative Assembly are prohibited by law from serving consecutive terms. Even more drastically, Costa Rican legislators are required by tradition to rotate committee chairs and other leadership positions in the Assembly annually.

Studies of Latin American legislatures show that formal requirements and informal traditions of rapid turnover are widespread. In addition to the turnover requirements already mentioned, one finds procedures whereby presiding officers, chamber directorates, members of committees, and even committee staffs must change annually. It is significant that the short-term committee staff officials are often seconded temporarily from executive
departments. It is also significant that the exceptional case of Chile, where Western-style continuity of committee members and committee staffs is usual, is considered historically to have the most powerful legislature in Latin America. More will be said later about the Chilean Congress. For now, it can be noted that discontinuity in most Latin American legislatures impedes the acquisition of specialist knowledge and expertise by committee members and staffs. According to Loewenberg and Patterson, the one-term tradition in Latin America 'prevents parliament from being an independent force in politics'.

An example of discontinuity in a legislature in another region is provided by Iran, where the Majlis followed a practice of assigning members to its committees by lot. This procedure obviously inhibits the development of expertise.

THE TRADITIONAL THIRD WORLD

It would be useful to draw together some of the foregoing generalisations as well as new ones by looking at specific countries. First, settings which seem representative of the Third World and which are therefore designated as traditional Third World examples are examined, followed by settings which are less representative but which are nevertheless illuminating. The first category consists of examples from Latin America (Colombia), Africa (Kenya), and the Middle East (Lebanon). The second category consists of examples from Latin America (Chile) and Asia (India).

A rare example of field research on the committee system of a Third World legislature exists in relation to Colombia. This research was produced by James Payne, who deals with the Colombian Congress in the late 1960s. He depicts a committee system whose input into the policy process is modest.

Committee activity generally takes the form of (1) acrimonious debates scarcely connected with policy matters, as twenty or thirty congressmen make political attacks, or (2) boring rubber-stamp sessions in which a few stout-hearted congressmen sit through a reading of some document and drearily vote unanimous approval. In short, Colombian committees are not policy-making bodies ... their members do not wish to make policy.

When Payne wrote, there were seven standing committees in each chamber of the Colombian Congress. The workload on committee members was not arduous. Some committees never met; others met only a few times each session. Payne estimates that the average congressman spent about one hour a week in committee meetings. Witnesses were rarely called to give
evidence. Investigations were not conducted. Committee staffs were modest – usually a secretary and two typists. Congressmen had no office and no secretary. Specialist knowledge was quite limited, and there was little interest in legislative detail. At the floor level, debates not infrequently featured *zambra* (physical violence), with observers in the galleries cheering and shouting down speakers. In summary, Payne found the Colombian Congress superficial and demagogic. In line with Latin American practice, the Colombian congressmen did not stay around for long. There was a high rate of turnover, with only about 20 per cent of the members serving consecutive terms.

In Kenya, committees in the single-chamber National Assembly were found to play an even less prominent role than those in Colombia. This is perhaps not surprising since Kenya had had less time to develop politically, having achieved its independence 144 years later than Colombia. It follows that Kenya is also less integrated socially and economically than Colombia. A further factor is Kenya’s colonial connection with the Westminster tradition of weak parliamentary committees.

As a consequence of the foregoing, the committee system in the Kenyan National Assembly is very rudimentary. Legislation, appropriations and tax measures are all dealt with by the full membership on the floor. This means that there is a severe shortage of time available to members. The alleviation of the time constraint which a Western-style system of standing committees provides is missing. Consequently, the most important committee in the Assembly is the Sessional Committee, which makes crucial determinations of the order in which business is dealt with on the floor. There is also a Public Accounts Committee, which meets regularly and audits government expenditure, and select committees which are sometimes appointed to deal with specific issues and occasionally to conduct investigations.

Loewenberg and Patterson commented concerning Kenya:

> The Kenyan National Assembly, with its fragmentary committee system and dominant party leadership, falls at one end of the range of possibilities. The very limited influence of this parliament on policy making is clearly related to the weakness of its committees and to the powerful role played by the leaders of the only permitted party.\(^{65}\)

Further signs of legislative weakness of Kenya’s National Assembly can be mentioned. Members tend to be weak in the depth and breadth of their specialist knowledge. Facilities and services, including staffing, are modest. Direct criticism of the government’s policies is avoided, leaving the details of policy implementation and constituency issues as the main concerns of members. Yet one can be too dismissive of what is achieved. Where national unity is weak, as in Kenya, a unifying and legitimising instrument such as a
national parliament has utility even by existing. The alternative was indicated in the early 1990s when tribal clashes in the western provinces claimed thousands of lives and left tens of thousands homeless.

In Lebanon one finds a country which is even less unified than Kenya. Its religious and ethnic cleavages are as profound as any in the world. This has meant that little attempt is made to find common ground. An overriding historic principle has been to moderate and contain differences. As one observer of Lebanese politics has said: 'The system has not been built on consensus but on accommodation.' Holding the country together as a single governing entity, whenever possible, is considered to be achievement enough.

Accordingly, by agreement, the top political offices, from president on down, have traditionally been allocated to different religious groups so as to ensure balance. Likewise, in elections to the Chamber of Deputies, balance has been sought by a law allocating seats to the various religious communities, with, for example, a Maronite Christian running against a Maronite Christian. Groups are also to be represented proportionately in the Council of Ministers and the public service.

In this context what is the role for the Chamber of Deputies and its committees? Like James Payne, Ralph Crow has provided us with a picture of a committee system in a Third World legislature around 1970. Crow depicts Lebanese deputies as experiencing a situation not unlike that of their counterparts in Colombia and Kenya: infrequent meetings, modest expertise, meagre support resources and a dominant executive. Placing Crow's findings in a broader perspective, Kornberg and Musolf conclude of the Chamber of Deputies: 'Its overt performance tends to be so desultory that little status is ascribed to it as an organization.' Crow found that deputies were holding plenary meetings only 44 days each year, with quorums painstakingly achieved only after long delays.

During the period under examination, the eight standing committees in the Lebanese Chamber of Deputies replicated executive jurisdictions and there was reasonable continuity of committee membership. However, the distribution of work among the committees was very uneven in that the Budget and Finance Committee handled all bills having a financial aspect, which meant most of them. This left the other committees with a shortfall of bills. In general, a lack of specialist knowledge by committee members and the prominent involvement by ministers and civil servants in their work resulted in a very weak input by the committees, with the government being authorised, from time to time, to issue decree laws.

DEMOCRACY IN THE THIRD WORLD

Despite recent significant advances of democratisation, the political systems in the Third World have historically been mainly authoritarian. They may
have had democratic arrangements when independence was gained; they may call themselves democratic; they may be under pressure from aid donors to move in a democratic direction. But their governing systems, at least in past decades, typically have embodied predominantly authoritarian features which include a weak legislature with an underdeveloped committee system.

Yet there are also countries – increasing in numbers recently – whose economic and social characteristics place them in the Third World but who also govern themselves democratically. A handful of such countries have been democratic continuously since attaining independence, namely India, Papua New Guinea, Botswana, Mauritius and several island states in the Caribbean. The Gambia was part of this select group until a military coup ended 29 years of multi-party democracy in 1994. Various reasons have been suggested to explain these cases, but there is an absence of agreement. One theory is that very small countries have a better chance of experiencing stable democracy than larger countries where social complexity and cleavages make its achievement more difficult, but India cannot be explained in this way. There is also the case of Singapore, a very small country with authoritarian rule combined with legendary economic success. A ‘global competitiveness report’ issued by the World Economic Forum in 1997 places Singapore first in the world in its economic rank order.

A much larger category of Third World democracies than continuous ones are intermittent democracies. One of the latter is Chile. Although its political culture is so strongly democratic that the intermittency label may be misleading, the 17-year span of military rule under General Pinochet from 1973 to 1990 cannot be brushed aside.

Compared with former colonies in Africa and Asia, those in Latin America have had a much longer period of independence. With its independence achieved by 1818, a new constitution in 1833 set Chile on the path to democracy. A competitive multi-party system developed, and proportional representation was adopted. The powerful legislature which became established in Chile in the nineteenth century is reminiscent of that of the French Parliament during the Third and Fourth Republics. At times there was something close to government by Congress. As an authority concluded of Chilean government in the 1950s: ‘The center of power has virtually been transferred from the president to legislature.’

Since a powerful legislature normally realises its potential through structural differentiation, it is not surprising that the committees in the Chilean Congress are strong and well developed. They have not only provided Chileans with procedures for rigorous administrative oversight and a review of the details of legislation, but they have also fulfilled a rare decisional role beyond what one finds in many parliaments in industrial
democracies. The committees in Chile often provide a major input into the substance of legislation, some of which originates in Congress. This occurs in both the Senate and the Chamber of Deputies. Riders are appended liberally. Budgets are altered. Committees pigeonhole bills. One study found pigeonholing to be the fate of more than one-third of the bills referred to Senate committees in the 1960s.\(^7\)

Weston Agor's study of the Chilean Senate includes an analysis of the time taken to pass eight key administration bills.\(^7\) The average number of days spent in committee per bill was 73 while the average number of days spent on the floor was 19. Put another way, 84 per cent of the time spent on the average bill was in committee; 16 per cent on the floor. This dominant role for committees in Chile contrasts markedly with their position in traditional Third World legislatures. The Chilean Congress has a committee system more like that in the American Congress than elsewhere in the Third World. For example, the executive in Chile often fails to get his way; the non-presidential party often controls at least one of the houses; compromises are commonly struck; there is a high level of continuity of committee members and staff; staff provision is generous by Third World standards; and norms of expertise and specialisation prevail when members are allocated to committees.

However, this situation produces strains. While Chile has one of the more developed economies in the Third World, there is nevertheless imbalance: Chile is more developed politically than economically. Between 1932 and 1970 competition between the executive and Congress led to no administration succeeding in securing re-election. Each president saw his political backing evaporate before the end of his term. This discontinuity ended with the Pinochet coup in 1973.\(^7\) Commenting on the coup, an authority on democracy in the Third World said: 'In Chile, political structures that had facilitated political participation proved too much of a threat to elites. Elites and populist demands could not be compromised.'\(^7\)

India provides a different kind of Third World democracy from the example found in Chile. While American influence can be seen in the Chilean Congress, the Westminster tradition is prominent in India. While Chilean democracy was interrupted, India has enjoyed continuous democracy since its independence in 1947, although restrictions imposed in 1975–77 when Indira Gandhi was prime minister gave cause for concern. While legislative assertiveness was brought to a halt in Chile in 1973, the 'emergency' in India was met with a firm rejection of Mrs Gandhi's previously invincible Congress party in the election of 1977.

Authorities on the Third World have noted that India, like Chile, had the advantage of a long historical development towards democracy. While
democratic institutions tended to be imposed rapidly and superficially on African colonies, there was a measured and gradual ‘nativisation’ of the civil service and other aspects of political life in India, as there was in only a few other Third World democracies such as Jamaica, Trinidad and Tobago, and the Philippines. Indigenous political parties came on the scene early in these countries. The Congress Party in India was founded in 1885. Even partition, however painful, was functional in democratic terms since Pakistan has proved much less receptive culturally to democracy than India.

A number of other explanations have been offered to account for the survival of Westminster-style parliamentary democracy in India, despite the poverty in which one-third of its people live. The complexity of group patterns involving linguistic, religious, regional and caste cleavages has resulted in a heterogeneity that avoids the dichotomous divisions of Canada, Belgium and Northern Ireland. Moreover, central political control is restricted in the federal arrangement, with diversity so profound that inter-group compromises and moderation have become the norm. It has also been argued that there is less at stake for elites in political outcomes in India than elsewhere. Finally, the quality of political leadership can be mentioned. India benefited from the early guidance of Nehru and others committed to representative government and social improvement.

Subhash Kashyap has written about the committee system in the Indian Lok Sabha. He depicts an arrangement with striking similarities to the committee system in the British House of Commons before the reform at Westminster in 1979 which produced the departmental select committees. At the same time, there are significant differences. The absence of committees overseeing the individual executive departments in India is an important difference. Such scrutiny is provided in the Lok Sabha by three financial committees – the Public Accounts Committee, the Estimates Committee and the Committee on Public Undertakings. These are the most important standing committees in the Lok Sabha, and they provide a more thorough oversight than is usually found in Third World legislatures.

As far as legislation is concerned, the Lok Sabha, like the British House of Commons, appoints a new ad hoc committee to take the committee stage for each bill dealt with off the floor. But there is a difference. Most bills in the House of Commons go to ad hoc committees whereas only a small proportion of them do so in the Lok Sabha. During the Lok Sabha session that ended in 1970, 216 bills were passed, but only 25 had been referred to a committee. The others were taken through all their stages on the floor. It is obvious that the Lok Sabha devotes less time to scrutinising legislation than occurs at Westminster. However, in one vital respect the committees on legislation are similar in the two parliaments: changes made in bills in committees are normally ones that are acceptable to the government.
A further difference is that the specialised committees of the dominant Congress Party in India play a more important role than is the case with party committees at Westminster. Kashyap considers the party committees to be more important than the Lok Sabha committees in relation to policy making, a tendency which reminds one of the Japanese Diet.

Generally speaking, while the Lok Sabha is not a strong legislative chamber and the outputs of its committees are far less important than those produced in Chile, the Indian legislature provides a profoundly important service. It serves as a focus for national integration in one of the world's most heterogeneous countries. While there is a high turnover of Lok Sabha members, it is common for most of them to have university degrees. In contrast, when Congo (formerly Zaire) was granted its independence in 1960, there were only 16 university graduates in a population of 13 million.  

**RECENT DEVELOPMENTS**

Kashyap has remarked, 'A legislature is known by the committees it keeps'. Until recently, the committees found in legislatures in the Third World typically accorded with a generalisation about them by Blondel: 'Outside western countries, the committee system is usually not well developed. In many Third World states, few committees exist and those which do meet infrequently.'

It appears that this situation is changing in view of the recent increase in the incidence of democracy in the Second and Third Worlds. As Pinkney notes in his study of democracy in the Third World: 'A book on democracy in the Third World would have been a very short book if it had been written 20 years ago'. Writing in 1993, he continues:

Today virtually all the governments of Latin America have been chosen by means of competitive elections. In Asia, South Korea, Pakistan, Bangladesh, Thailand and Nepal have all emerged from military or personal rule. In Africa, 25 of the 41 nations have held contested elections during the past five years or expect to do so in the near future. ... The transformation of so much of the world in so short a time is remarkable.

As has been found in eastern Europe and the former Soviet Union, the oncoming of democracy requires the development of institutions associated with self-government. This means the development of political parties, interest groups and a national legislature. Such institutions may already exist in new democracies, but they need reorienting and elaborating. The legislature is a particularly vital part of this reordering for both substantive
and symbolic reasons. As Olson and Mezey have said, 'the strength of a nation’s legislature is often viewed as directly related to the strength of that nation’s commitment to democratic procedures'.

In order to examine the consequences for legislative committees of democratisation it is illuminating to examine recent developments in Asia. The Philippines is an obvious starting point since it is back in business with a strong congressional committee system following the interruption of the Marcos dictatorship from 1972 to 1986. The situation in the Philippines bears obvious similarities to that in Chile, where an interregnum occurred at about the same time in a context of developmental tension.

Gordon Hein’s study of various Asian legislatures provides valuable insights concerning committee development in the region. He presents a picture of country after country expanding the capacity of its parliamentary committees either to achieve congruence with a new democratic order or in anticipation of possible movement in that direction:

As legislatures in many Asian countries have taken on a greater role in lawmaking, policy formulation, and budgetary oversight, the need for an effective, well-functioning committee structure has expanded dramatically. ... It is hoped that through effective and well-staffed committee operations, it will be possible to achieve a much more in-depth level of discussion and analysis of policy issues.

Hein also reports a perception that committees are seen as settings in which issues can be addressed in a more reasoned and issue-focused manner than on the floor.

Thus we have come full circle. As was noted earlier, parliamentary committee change – in particular through structural differentiation – is happening in the First World. So, too, is change – particularly the development of parliamentary committee infrastructure – happening in the Third World. Fiji builds a new parliament building. Indonesia adds computers to its committee operations. Library and research services are enhanced in Taiwan and South Korea. Parliament in Pakistan gives greater independence to its committees. As Hein says, the days of the passive, rubber stamp legislature in Asia may be numbered. Further, this pattern of new and more meaningful parliamentary committee roles appears to be a global development.

NOTES

6. Additional to this, of course, are the 30 new studies of parliamentary committees, ranging from Russia to South Africa and from Korea to the United States, collected in the just-published book, L. Longley and A. Ágh (eds.), *Working Papers on Comparative Legislative Studies II: The Changing Roles of Parliamentary Committees* (Appleton, WI: Research Committee of Legislative Specialists, 1997).
12. See, in particular, C.C. Campbell and R.H. Davidson, ‘U.S. Congressional Committees: Changing Legislative Workshops’, this publication.
21. See, for example, R. Hazan, ‘Political Reform and the Committee System in Israel: Structural and Functional Adaptation’, this publication.


26. They may or may not deal with other matters as well.

27. Concerning the British instance, see P. Norton, ‘Nascent Institutionalisation: Committees in the British Parliament’, this publication.


30. See Della Sala, ‘The Italian Parliamentary Committees’.


33. It could conceivably be argued that the Ervin Committee in the Senate and the Judiciary Committee in the House brought down the Nixon government, but the analogy is a loose one.


36. It is interesting that, specifically following the French example, Greece established six permanent committees in its parliament with broad responsibilities.

37. For further assessment of the changing roles of British parliamentary committees, see Norton, ‘Nascent Institutionalisation: Committees in the British Parliament’.


39. This survey was conducted by the author. Further evidence of public interest in the select committees is found in the practice of the BBC of broadcasting on the radio each week a half hour summary of their proceedings.


43. See also the geographically linked study of Asian parliamentary committees provided in C. Park, ‘The Organization and Workings of Committees in the Korean National Assembly’, this publication.


47. N. Johnson, ‘Committees in the West German Bundestag’, in Lees and Shaw, *Committees in


56. Blondel, Comparative Legislatures, p.137.


67. Crow, 'Parliament in the Lebanese Political System'.


