

Evaluating parliament: objectives, methods, results and impact

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DISCUSSION PAPER ON THE TOPIC 'EVALUATING PARLIAMENT: OBJECTIVES, METHODS, RESULTS AND IMPACT' FOR THE CONFERENCE, JOINTLY ORGANISED BY IPU AND ASGP, TO BE HELD ON 22 OCTOBER 2009 IN GENEVA.

Introduction

'Breaking out of democracy' was the quintessence of the achievements of the twentieth century. In the post-cold war era, democracy has emerged as the most acceptable form of governance. Today, majority of the countries, across the world have democratic regimes, though the structure and substance of democracy differ significantly from one another. The justifications for the growth and proliferation of democracy are far too many. But, the affirmation of the principles of liberty and equality, the participation of the people in the nation-building process, free access of all members of the society to public offices, the availability to all members of the society the opportunities to express their will freely and to determine their own political, economic, social and cultural choices, are some of the core values that foster democracy the world over.

2. Even in a democracy, over a period of time, the functioning of a country's democratic institutions may require reform measures, at regular intervals, so as to remain ever equipped to meet the emerging challenges. It is, therefore, paramount that all democracies ought to engage in a continuous process to find whether the existing structure is best suited to promote the democratic ideals. Established democracies are as much in need of such a critical assessment and reforms as developing ones. An effort

in this direction, for example, was made in United Kingdom where a Democratic Audit was undertaken to assess the country's democratic strengths and weaknesses.

3. Democracy thrives where Parliament acts as the pivotal institution of governance. Parliament is not a static but a dynamic institution constantly evolving to meet the challenges of the changing times. It is, therefore, imperative that those who are associated with the functioning of Parliament devise ways to assess its performance. Periodic and meaningful evaluation goes a long way in assessing Parliament's ability to perform its cardinal functions effectively, besides identifying the core areas of reform for strengthening it.

Evaluating Parliament - A Daunting Task

4. The task of evaluating Parliament is certainly a daunting one and it greatly hinges upon the choice of appropriate performance standards. Since each Parliament/ country has its own unique historical, social and political past, no universal standard can be applied to evaluate/assess parliamentary performance. As such, given the uniqueness of each Parliament, the methods of such evaluation is bound to vary from one Parliament to the other. Nevertheless, the core objective of strengthening Parliament as the central institution of democracy and ensuring its continuing relevance remains unchanged.

5. Parliament, being the highest representative institution in a democracy, is the repository of the sovereign will of the people. The public mandate expressed through an electoral process determines Parliament's rationale for existence. Parliaments, the world over, fulfill their mandate

by making legislations, deliberating on public policies and issues of public importance, scrutinizing and overseeing executive actions and ventilating the people's grievances.

6. For evaluating the functioning of any Parliament, both quantitative and qualitative indices should be taken into account. On the quantitative front, efficacy of Parliament can be gauged fairly on the basis of questions such as: How many days Parliament meets in a year? How many legislations are passed in Parliament in a year? How much time is spent in debates and discussions? How many meetings of Committees are held during the year? How much time is lost in adjournments? On how many days Question Hour is suspended? and so on. On the qualitative front, the effectiveness of Parliament can be determined on the basis of questions such as: What is the standard of debates in the Parliament? What is the quality of legislations made by Parliament? How far Parliament's proceedings are relevant to public welfare? Whether Parliament has ensured political stability in the country? What is Parliament's role and contributions in securing good governance? What is the image of Parliament and the parliamentarians in the public eye? and so on. Answers to all these questions are not easy; it requires constant and continuous reforms in Parliament's work, besides streamlining its procedures and redefining its priorities.

7. In brief, Parliament's performance can largely be evaluated in three areas: (i) in the field of making legislations; (ii) in the field of securing executive accountability; (iii) in the field of articulating public concerns.

Making Legislations

7.1 The indicators of strong or weak Parliament are usually taken from the performance of Parliament in the legislative domain. Some general questions such as the time taken for transacting legislative business, the quality and contents of deliberation, the opinion for and against any legislation, number of amendments suggested and accepted into a particular legislation, its passage in the other House and above all, its impact on the welfare of masses are some of the indicators which can clearly demonstrate the efficacy of the Parliament in the sphere of legislation.

Securing Executive Accountability

7.2 Similarly, to assess the effectiveness of Parliament with regard to executive accountability, it would be pertinent to ascertain the number of oral answers given by the executive and the quality of supplementaries asked by members. Another very important mechanism is the committee system which keeps a constant vigil over the functioning of a concerned Ministry/Department. In this context, a study of the functions of the Committees, for example, the number of sittings held by the Committee to produce a report, whether detailed information was promptly furnished by the concerned department or they had to be persuaded for providing such information and the percentage of recommendations of Committee accepted by the government, goes a long way in assessing Parliament's effectiveness in securing executive accountability. Besides, for evaluating the efficacy of Parliament to exert financial control over the executive, it is imperative to analyse the quality and contents of the deliberations during the discussion on budget, time taken for transacting and passing of budget, percentage of demands for grants guillotined during each budget session, etc.

Articulating Public Concerns

7.3 As regards evaluating the representational role of Parliament it is important to examine how effectively the available devices are used by the members to attract the attention of the House to the problem of their respective constituents. The number of issues of critical public importance taken up for debate and the quality of deliberations would signify the sincerity with which Parliament articulates the public concerns and fulfills its democratic mandate. The time taken for the debate and the number of members who participated in the debate would fairly indicate Parliament's effectiveness as a responsive democratic institution at the apex level.

8. Apart from the tangible domain-specific assessment, Parliament's performance can also be measured through several intangible, yet profound ways. Participation of the full range of party and partisan viewpoints in the deliberative process, Parliament's ability to reflect and refine public debate, deliberation on national issues, gender sensitiveness of the Parliament, transparency, accessibility and accountability of Parliament to the public, participation of the public in the parliamentary processes, their access to the institution and its members, and information provided to the public, are some of the important enabling measures which have the potential to connect Parliament with the people, besides ensuring the functional efficacy of Parliament.

Parliamentary Democracy in India

9. India has the distinction of being the largest working democracy in the world and can take legitimate pride in the impressive record of the uninterrupted continuity of its hallowed parliamentary tradition for over half

a century. The march of parliamentary democracy in the country has had witnessed fifteen successive general elections. Today, when the country has traversed six decades of long, arduous and eventful journey in sustaining and deepening parliamentary democracy, there is a need to look back with pride and see as to what more can be done in future to further strengthen the democratic edifice.

10. Parliament is the pivotal institution of India's representative democratic polity. Over the years, it has assumed a multifunctional role. The changing needs of the people warranting legislations in newer areas have made the legislative and surveillance role of Parliament more complex and diversified. The unprecedented growth in the range and magnitude of the governmental activities has increased the responsibilities of the Parliament. However, to meet the ever-increasing expectations from Parliament, it needs to constantly review its structural-functional requirements as also the entire gamut of its operational procedures and strengthen the resources at its disposal.

11. Of late, the functioning of Parliament in the country has come under severe criticism from various quarters, including the parliamentary fraternity itself. This criticism is due to the way the Parliament and the State legislatures are functioning. It may be due to a decline, in recent years, in both the quantity and quality of parliamentary work. Over the years, the number of days on which Parliament sits to transact legislative and other businesses and the number of hours devoted to debating national issues has come down significantly. Even, the relatively fewer days on which the Parliament meets are often marked by pandemonium, resulting in frequent adjournments on much less trivial topics. There is an increasing concern

about the decline of Parliament, the behaviour of Members of Parliament both inside and outside it, falling standards of debate and erosion of public faith on Parliament and its Members. Corrective steps are urgently needed to strengthen Parliament's role as the country's highest democratic institution, representing the sovereign will of the people. Also, it is of the utmost importance for survival of democracy that Parliament continues to occupy an esteemed position in the minds and hearts of the people.

Performance Appraisal of Parliament of India

12. Till now, performance appraisal of Parliament of India has been done by the outside agencies like the public, media, civil society, etc. But, there is a need for an inbuilt mechanism in Parliament to assess its own working. Though no dedicated in-house evaluation process has been undertaken, it is not that the Indian Parliament is oblivious to the necessity of evaluating its performance. Presiding Officers continue to make several efforts with regard to effective management of scarce parliamentary time through procedural changes so as to enhance greater effectiveness of parliament. Recently, the Chairman of the Rajya Sabha, the Upper House of Parliament of India took the initiative to commission a study by the Secretariat to identify the problem areas and to suggest the possible procedural solutions so as to enhance the legislative output and efficiency. It may not be possible to quantify the outcome of such evaluation but a qualitative change in the functioning of Indian Parliament is clearly discernible.

13. The Indian Parliamentary system has a well-established committee system to secure executive accountability. There are twenty-four Department-related Parliamentary Standing Committees in both Houses that scrutinize demands for grants of respective Ministry/ Department, examine

Besides, committees have also been constituted from time to time to look into the effectiveness of various procedures. For instance, in the year 2000, a Joint Parliamentary Committee was formed to look into the question of jurisdictional overlap between Parliamentary Committees. Another Committee was constituted in 2003 to assess as to what extent the Upper House of the Indian Parliament can preclude the discussion of State matters as discussion of the same primarily comes in the domain of the respective State Legislatures. However, since the member of the Upper House in Indian Parliament are elected by the elected representatives of the respective State Legislatures and the Upper House in this way represents the interests of the States too, the issue assumes critical significance. During a meeting of the General Purposes Committee held recently, several members took serious objection to the fact that due to absence of the concerned Member, sometimes a significant question remained unanswered on the floor of the House, thereby letting the executive go un-scrutinized on a matter of public

importance. On this, the Chairman observed that the relevant rules relating to Questions may be revisited so that such questions could be taken up for answers at their own places in the list even in the absence of the Member in whose name it was originally listed.

Efficient Time Management

14. Efficient time management holds the key in promoting efficiency in the activities of the legislatures. A number of innovations and changes in the established norms and conventions have been made by the Indian Parliament in this regard from time to time. For instance, in the Rajya Sabha, the Chairman has regulated the number of supplementaries to starred questions besides emphasizing the need for asking short and crisp supplementaries to save the time of the House. The provision of 'Special Mentions' was introduced in the year 2000 and a limit of 250 words was fixed in order to accommodate maximum number of members for raising issues in the House. Recently, the 'Zero Hour' has been regulated in the Rajya Sabha, providing opportunity to those Members whose notices have been admitted by the Chairman to raise issues of urgent public importance within a stipulated time in an orderly manner. Besides, there is a practice of calling a meeting of the Leaders of Parties in the House by the Chairman on the eve of every session to discuss matters likely to be raised by members during the Session. The Chairman also holds informal discussions with the leaders of the political parties in the House, every day before the start of the day's business on the issues agitating the members, which they are most likely to raise in the House. This helps in better time and floor management, leading to effective performance of the House.

Capacity building of the Members

14. Capacity building of the members is the cornerstone of parliamentary democracy as it enhances Parliaments' efficiency and output. In the Indian context, the Parliament Secretariat has well established means of providing valuable information and knowledge inputs for building the capacity of the members like research and reference support by research personnel, a well endowed library, Orientation programmes, computer training programmes, lecture series organized by the Bureau for Parliamentary Studies and Training, etc. Besides, new mechanisms are continually being put in place to add and improve the existing capabilities.

Conclusion

15. The need to strengthen the working of the Parliament has been discussed in various fora, national as well as international. Time Management of the House, decorum and dignity of the House, efficacy of various procedural devices, etc. have dominated the agenda of the IPU Conferences, ASGP meetings, CPA conferences, Presiding Officers' Conferences or Whips' Conference over the years. Though undertaking a task like evaluating Parliament is quite challenging, the possible outcome it offers would be equally befitting. There is no alternative to an effective Parliament as an effective and responsive Parliament is the harbinger of peace, prosperity and progress. Further, if such exercises are undertaken by all member countries, it can come up with many lessons on best practices which can be replicated in other countries. Such a coordinated effort would help in strengthening parliamentary democracy on a wider canvass.