

ASSISTING PARLIAMENTARIANS TO DEVELOP THEIR CAPACITIES:
EXPERIENCES FROM WORKING IN INDONESIA AND SOUTH PACIFIC
Bern (Switzerland), 20 & 21 October 2011

The Hon. Kevin Rozzoli AM

Abstract

The observations in this paper draw on four years delivering training and development programs including induction programs, representational skills courses and assistance with procedural and administrative development. It explores the similarities and differences created by cultural and historic backgrounds and the challenges this creates for emerging democracies. It looks at the special needs of legislatures, past and future models of training, professional parliamentary development and mentoring in the South Pacific and Indonesia, engaging local expertise to enhance credibility and value, establishing long-term mentoring relationships and an evaluation of parliamentary strengthening programs delivered during the last decade.

Introduction

The need for professional development amongst members of parliament has never been greater. This should cover not only the knowledge skills necessary for members to function in both the parliamentary and constituency fields, but also the ethical and integrity standards that underpin any effective machinery of governance.

Frank Buchman¹ once said; ‘There is enough in the world for everyone’s need but not enough for everyone’s greed’². It is this balance between need and greed that challenges today’s parliaments and places a burden on our leaders which demands more of their potential capacity than ever before.

There is a broad, almost unreasonable, expectation that our leaders will act with integrity in a world where integrity is under attack from many quarters. Political leaders are expected to reconcile competing demands from vocal lobby groups and powerful interests, while trying to respond to the needs and demands of their constituents. The temptation to yield to pressure and to accept favours or unearned rewards are great. This can damage not only the individual parliamentarians involved but can bring the entire institution of parliament into disrepute, as the expenses rorts within the United Kingdom Parliament has done.

¹ Franklin Nathaniel Daniel Buchman (1878 – 1961) was a Protestant Christian evangelist who founded the Oxford Group (known as Moral Re-Armament from 1938 until 2001, and as Initiatives of Change since then). He was decorated by the French and German governments for his contributions to Franco-German reconciliation after World War II, and twice nominated for the Nobel Peace Prize in 1952 and 1953.

² "Remaking the world", Blandford Press, 1947, a collection of his speeches.

At the same time there is also the expectation that parliamentarians can understand and respond to the infinite variety of constituency problems, issues of national importance and policy challenges that are dealt with by a parliament at every session. MPs are confronted with decisions about matters that may be within their area of expertise, but they are also expected to participate in the resolution of issues for which they have no formal training and little previous experience. We live in an information-rich world, but one where the danger of information overload is ever-present.

This paper draws on the author's experience spanning almost forty years; as a member of parliament, seven years as a Speaker, and a role in parliamentary training undertaken since retiring from parliament. It discusses parliamentary capacity-building with the Centre for Democratic Institutions (CDI) at the Australian National University in Canberra. The paper attempts to draw conclusions from the author's effort to convey some of the fruits of his experience as an Australian parliamentarian to other parliaments in the South Pacific and Indonesia. Like all CDI activities, these efforts spring not from the assumption of infinite knowledge but from the reasonable hope that an experienced member of parliament has something useful to share with his counterparts in countries that are in early stages of building up parliamentary institutions and traditions.

The special needs of the legislative branch of government

The underlying principle of most democracies is the doctrine of separation of power. It is popularly thought that this model for the governance of a state was first conceived in ancient Greece, however in terms of its application to modern parliaments its origin is attributed to French social commentator and political thinker Montesquieu (1689-1755) who articulated a theory now taken for granted in modern discussion on governance and implemented either directly or by implication in many constitutions throughout the world. Montesquieu believed in justice and the rule of law; detested all forms of extremism and fanaticism and put his faith in the balance of power and the division of authority as a weapon against despotic rule by individuals or groups or majorities.

Under this model the state is divided into branches, each with separate and independent powers and areas of responsibility so that no one branch has more power than the others. The normal division is legislature, executive, and judiciary. By definition each must be of equal competence.

The judicial system is based on rigorous training and education while the executive, even when drawn from legislative membership, is backed by powerful, well trained and educated public servants supported by a vast range of external experts. The members of the legislature alone have no formal training or education in the specific and particular skills that they need, nor do

they have equivalent support to carry out their role and match the capacity of their governance partners. While hundreds of years ago the respective levels of education and capacity may have been more equal the first two have far outstripped the third.

Legislatures throughout the world may be broadly divided into two categories, those based on long standing traditional practice of checks and balances with an educated and stable constituency, and emerging democracies with new institutions and an electorate that is still adjusting to the exercise of democratic choice. Despite the differences in the two categories, which would on the surface appear to create quite divergent dynamics for professional development, the basic principles remain the same. The difference is a matter of degree. All parliaments are confronted with the task of building up the expertise of their members in the absence of any formal qualifications for entry into the profession. Training has to largely happen on the job or, as is discussed in this paper, through mentoring from outside experience.

The traditional “apprenticeship” model

I was first elected to parliament in the Australian state of New South Wales in 1973. At the time there was a relatively large cohort of members with considerable experience. We newer, and in most cases younger, members learnt our craft under what might be loosely termed an ‘apprenticeship’ system. It was almost unheard for a new member to go straight into the ministry, while now it is quite common. It was expected new members should learn the fundamentals before they could expect promotion.

This included training in framing questions, committee work, media, campaigning, research, and management of electoral issues. Members participated in team exercises, identifying and analyzing issues, and creating solutions that involved representations to ministers or legislative proposals. There were also policy committees for individual portfolios and overarching committees that integrated policies to avoid inconsistencies between policy areas and budgetary analysis to ensure fiscal practicality. Under this ‘system’ new members were mentored in an unofficial sense by more senior colleagues with whom they developed a rapport.

Although mostly from the same side of politics this was not always the case. In those days there were members who acknowledged talent on the other side of politics and would pass on tips, recognize good performance and direct the member to areas of beneficial research. Although there were adversarial elements in the Chamber, there was also an appreciation that the best results emerged from a degree of collaborative effort. This greatly enhanced the level of debate and the quality of outcomes. For members of the same party mentoring was more systematic. Senior members would always see new

members were given opportunities to learn. This strengthened the team and in turn helped the party's electoral profile and its electoral prospects.

The 'apprenticeship' model had for many years been a tried and proven method of training particularly in areas where passing on skill as much as knowledge was a vital part of learning the craft. While technical or science based training is taught in formal sessions, passing on elements of skill is much more difficult and requires less clearly prescribed methods. Nonetheless similar rigour is essential. I have studied under both systems. As an apprentice I learned the trade of watch making. Later I acquired a law degree. The former could not then, and still cannot, be learnt from books but one can obtain a law degree by diligent application to the necessary texts. Both need continual practice to reach a high standard of performance but the path to that point is different.

In callings which offer continuing education, whether professions like law or medicine, or trades in which there is constantly changing technology, the incentive to undertake further education is either the requirement of ongoing registration or commercial reward from enhanced capacity. Neither incentive exists for members of parliament.

While an "apprenticeship" model may theoretically still be viable in many present day parliaments, there are indications that it is not happening in practice. This is particularly the case in legislatures in new democracies where there is a dearth of experienced members and little understanding of how this 'system' might be of benefit. In parliaments where there is a high rate of turnover at each general election it is less likely that a cadre of experienced parliamentarians can emerge who might see themselves in the role of mentors for newer members.

In circumstances of limited pools of skilled masters to teach the parliamentary trade we must turn elsewhere for guidance.

Parliamentary professional development in South Pacific and Indonesia

Parliamentarians, whether genius or mediocre, can be visited by creative and worthwhile ideas, but it is not given to them to control at will. I therefore pose the following question. Are there no means by which skill and creativity may be induced to appear more often than it does?' How do we create a favourable condition for the appearance of inspiration by means of the will? If it is impossible to have it at once, then one must put it together bit by bit, using various elements for its construction, to develop each of the component elements separately, systematically, by a series of exercises. If the ability of genius is given by nature, then perhaps we ordinary people may reach a like state after a great deal of hard work, not in its full measure, but at least in part.

So let me explain how I have tried to adapt these principles to my work across a range of jurisdictions.

A core principle is to have faith in oneself and a sense of truth. In this age of the twenty four hour headline the first analysis of an issue presents a fiction. The parliamentarian must discover the truth in the circumstances they are presented with and which demand administrative and legislative attention. What should be significant is the reality of what is happening, its impact on the human spirit of those who are to be represented, and the capacity to understand that reality. Parliamentarians must go beyond the superficial representation of facts with which they are continually assaulted. There are only of use in so far as they provide a general background to the issue.

My experience in delivering training programs for the Centre for Democratic Institutions³ is as follows;

2007 - Design and deliver an induction program for the National Parliament of Papua New Guinea,

2008 - Design and deliver an induction program for the National Parliament of Vanuatu,

2009 – Write procedural manual for the National Parliament of Papua New Guinea,

2009 – Consultant to National parliament of Indonesia on Induction Program,

2009 - Workshop with members of National Parliament of Vanuatu to review existing Standing Orders with a view to developing new and more appropriate Standing Orders,

2009 - Professional Development Course for Speakers, Clerks and Parliamentary Leaders from Cook Islands, Kiribati, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu,

2010 – Workshop with Parliament of Vanuatu Standing Orders Review Committee to rewrite the Standing Orders,

2011 – Advise Dewan Perwakilan Daerah (DPD) on development of a Parliamentary Leadership Program, National Parliament of Indonesia.

While giving members the basic rules of practice and procedure of parliamentary logistics and facilities, we must also try to give them the capacity to understand the truth and to believe in the truth of what they know exists. This is the first crucial step to finding solutions. This is why the phrase ‘professional development’ is more complete than education and training.

When I started delivering programs of professional development the differences in each parliamentary system were soon evident. I found I could not move forward without first educating myself in the culture, legal structure

³ The Centre for Democratic Institutions, Australian National University, Crawford School of Economics and Government, College of Asia and the Pacific supports the efforts of new democracies in the Asia-Pacific region to strengthen their political systems. It provides training, technical assistance and peer support for parliamentarians and emerging leaders in Southeast Asia and the South Pacific, with a particular focus on Indonesia, Timor-Leste, Papua New Guinea, Solomon Islands, Vanua

and parliamentary framework of the country with which I was working. It was equally important to recognize the capacity of the people I was working with, that they had been functioning as political leaders in their country for a number of years. The legal and legislative rules under which they operated had developed models of practice which often shaped their task more than the formal processes.

I also found that working in the field is vastly different to running structured courses. The techniques available in such courses are of limited use and maximum mileage must be made from intensive interaction.

By contrast many courses run by parliaments concentrate on matters directly affecting parliamentary administration, practice and procedure, structure of bills, reporting debates, committees, chamber services, library and research functions, salaries, remunerations and emoluments.

There is much more to being an effective member than can be gleaned from this information. My experience indicates what is presented amounts to information overload. Much is forgotten within days. Induction programs take members on a practical and emotional rollercoaster. While the program may be clear to the presenters it makes little impact on members. When interviewed they will express appreciation of the opportunity to access information but its true significance is lost on them. Research⁴ underscores the need for continuing education once members have become settled, but they get caught up in the many aspects of their role and, with heavy demands on their time, find it difficult to contemplate further programs even if on offer.

Parliaments also distribute copious material in the expectation that members will use it later, but research reveals this material sits on the shelf unread. My point is information from inductions or fact sheets does not readily lead to acquired knowledge. If the education process goes is not ongoing the investment in undertaking initial programs is lost.

My experience with CDI indicates that innovative and flexible approaches are called for. Parliamentarians will only retain information, ideas and techniques if they are engaged in active learning. There is still a place for more conventional presentations and lectures, including on technical elements, but there is a clear need for interactive workshops to develop the skills of analysis to define problems and shape solutions. All activities should be framed against a foreground of national interest and a background of integrity.

Subjects may include;

⁴ Interviews, 'Parliamentary Careers: Design, Delivery and Evaluation of Improved Professional Development', research project, Monash University, Australia

The role of an MP, managing voter expectations, getting re-elected; making parliamentary service a career; enhancing the profile of parliament in the public eye, the concept of service to the public; ethics – doing what is right because it is right; using standing orders; understanding and analysing bills – how can a bill be improved to serve the public better; scrutiny, management and performance assessment of a budget; tactics and structuring parliamentary speeches – getting value from what is said in parliament, the role of political parties – creating a party based a philosophy of governance rather a loose knit group based on trying to pick winners; the role of an Opposition – the alternative voice – the alternative government; identifying barriers to good governance, communicating with the electorate, including profiling an electorate; how to work with the public service; analysing problems; research techniques and how to put them to use; developing solutions; developing local and national policies; the media and how to write press releases.

Examples of the success of this approach may be found in some of the courses I have run for CDI. Two examples are the Induction Program for the National Parliament of Vanuatu and the Professional Development Course for Speakers, Clerks and Parliamentary Leaders in the Pacific.

In the case of the induction training in Vanuatu, we experimented with break out groups led by members of the CDI team. Each group was about eight in number and explored the practical application of the principles and information that had been presented. Each leader drew out local problems, took their group through a process of analysis and worked through an approach applicable to local culture that might resolve the problem.

Such an approach might involve village meetings to achieve local consensus on a preferred outcome and an assessment of cost. The next step might be to determine whether it was a purely local issue, part of a wider regional problem or came within the scope of national policy. Next a strategy was developed to raise the issue, and ways and means considered by which the strategy could be implemented through the parliamentary process. This may include gathering support both locally and with other members of parliament, identifying forms of debate through which the matter could be raised, approaches to the relevant minister, using the media if available or using local methods of communication where that was more applicable, keeping the pressure on and reporting back to constituents. I also explain how this approach can be used to show a member's constituents that their representative is working for them. It builds connectivity with voters and raises their prospects of re-election.

These sessions were enthusiastically received because they translated something esoteric into practice. They also were useful in helping those members with a poor knowledge of English to participate in the session using a mix of English and Bislama, the local common language. In the evaluation

carried out with participants these were the sessions that were most highly valued.

In the Professional Development Course for Speakers, Clerks and Parliamentary Leaders, a similar process of interactive engagement was applied. Given that the course involved eight Pacific countries, parliamentary differences in practice, size, nature of problems and culture were critical factors. It was also clear that few participants had any detailed knowledge of the operation of the other parliaments in their region, but once their natural reserve was overcome they discovered both common ground and differences. A representative of each parliament outlined a problem and the group worked through it.

For example one Speaker indicated when he took up his position he was given a copy of the standing orders and nothing else. In the Pacific many senior staff such as Clerks come to their position from the public service and have little understanding of parliament, so are not able to provide the necessary advice to make up for the Speaker's lack of experience. Although parliaments are small in small countries they still need to function as proper parliaments if they are to deliver functional services to their people. This revelation led to a very positive discussion during which participants shared experiences and guided the Speaker to a way forward. My only regret was that there was no mechanism to follow through with practical assistance to consolidate what had been achieved.

Solomon Islands has probably the best established committee system in the Pacific and their delegate's presentation was used to demonstrate their committees at work and how they can empower members. The subsequent discussion showed however that while the system worked well in the capital Honiara it still lacked rigour in gathering evidence in remote communities. The exchange was very useful for both Solomon Islands and for those other countries struggling to establish effective committee systems.

A leading role for local expertise

CDI provides a wide range of continuing education programs with the key element being support. It is not the role of an external provider to suggest it has all the knowledge or that its training can provide all the answers. Training must be respectful of the dignity and culture of the parliament it seeks to help. It is important not to appear patronising but to acknowledge the achievement of the parliament in serving its people. At the same time it is useless to talk about practices that are beyond the capacity of the jurisdiction.

CDI strives to ensure parliaments take ownership of the activities with which it is involved. One of the most effective ways of achieving this is by using local rather than imported expertise, whether from staff within the parliament itself

or from other sources within the country. This can include officials from national government institutions, local NGOs, universities or training institutes. In most programs CDI acts as a facilitator with presentations being made by members and staff of the country. CDI has a role in ensuring presentations are thorough and targeted to an overall theme agreed to by the parliament. In instances where staff is not accustomed to making presentations CDI will provide coaching in preparation and delivery including PowerPoint presentations and other visual aids. Its aim is always to raise the stature of parliamentary staff in the eyes of members and to reinforce their role as an important resource for members.

In this way, CDI can make use of expertise and advice that may exist in-country but which is not be effectively used because of a lack of communication on the ground. Within parliaments themselves, the mechanisms for communication between members and parliamentary staff are often poor and members often have little idea of the resources and services available to them. By developing working connections between members and staff, CDI can facilitate the relationships of respect for each other's skills and for the trust in one's staff that is so important in the political environment. When it comes to outside sources of expertise, members of parliament often do not have connections with individuals and organisations that could provide them with vital sources of advice. In the course of our training activities, CDI gives emphasis to building up such relationships.

Long-term mentoring relationships

The programs developed by CDI do more than provide information and impart knowledge. They assist in developing working skills over an extended period. Anecdotal evidence indicates members and staff who have received training in, for example, the conduct of committees may still have difficulty applying what they have learned. It is one thing to show examples of framing terms of reference for a committee inquiry, taking evidence from witnesses and compiling useful reports but only by mentoring committee members and staff through an actual inquiry will the inexperienced practitioner gain insight into how to apply the principles enunciated in formal courses. Similarly 'experts' can talk about practice and procedure in the chamber but only the experience of dealing with their own standing orders and precedents through exercises such as mock parliaments and break-out sessions gives members the chance of mastering their use.

A major element of our work in CDI involves the forging of long-term mentoring relationships between us and our partner institutions and individuals. This may involve personal connections by individuals such as myself who have long experience of working in parliament who can act as a regular source of advice to my counterparts in new and developing democracies. It also includes CDI's support for cross-institutional relationships

where an Australian parliament or other institution maintains a permanent connection with a selected parliament.

An example of the institutional relationship assisted by CDI is the arrangement auspiced by the Commonwealth Parliamentary Association, where each Commonwealth country in the Pacific is twinned with an Australian State Parliament. This has worked in varying degrees but most states and their twins have worked together to an extent practical for both. The most successful is probably New South Wales which has employed a dedicated officer to oversee professional development opportunities in the Solomon Islands and Bougainville. Many members and most staff have received training in committees and practice. Particular emphasis has been given to Public Accounts Committees. New South Wales parliamentary staff visit the Pacific countries to work with their partner parliaments for say a month while Pacific staff are engaged on longer secondments working in their equivalent position in New South Wales.

Another success has been the review of Standing Orders in Vanuatu where the principles I have enunciated were applied. This resulted in standing orders which blended the value of typical Westminster provisions with Vanuatu practice. This contrasts favourably with many Pacific country standing orders which are hand-me-downs from established Westminster parliaments. The process was also a valuable exercise in subject specific workshopping within the committee process.

Conclusion

What has failed? Well perhaps nothing has failed and everything has failed. Every effort to assist these countries has left some legacy but the rate of progress is slow and frustrating. In these countries parliament is the biggest show in town. Competition to achieve the status that comes with election to parliament defeats the national aspirational goals that should inspire the leadership. For example the Parliament of Vanuatu has recently been paralysed by a struggle for the Prime Ministership. We have to accept this, however, as part of the cultural evolution.

Systems of governance and even more so systems of democratic governance cannot be forged in a short time. The world's greatest democracies have evolved over hundreds of years and some would say are still far from perfect. In Indonesia the parliament functions on a far bigger scale than any Pacific country and yet the same basic problems exist. Many of the difficulties it faces in establishing a system that truly reflects the aspirations of the majority of its people stem from the fact that it has only relatively recently emerged from a dictatorship. Despite a very genuine attempt to improve the electoral process and to involve members in a substantive committee system as a practical means for working through issues of concern, entrenched hierarchal attitudes

make it difficult for new members to participate at a level that gives voice to their desire to represent their constituent's interest.

A further problem lies in the fact that very little is done in plenary sessions, with all legislative outcomes brokered in committees in which rules and procedures are largely undefined. One member describes it in this way, 'And we weren't being given the time to learn, to understand or to digest the procedure, the rules of being a parliamentarian. We practically didn't know anything..... We don't understand the tricks. We only know, for me and probably young parliamentarians, we do a lot of things based on instinct, or idealism, and we want to move forward. We want to achieve something. We want this law passed. But the process is very frustrating.'⁵

Even with this qualification, in a culture such as Indonesia, members tend to see themselves as being in a special and privileged position. They do not see themselves as needing to be educated or trained so we tend to 'workshop' ideas, methods and issues. Despite having 'expert staff' to assist them there is a real disconnect which means they do not get the advantage from this resource they should have.

A member of parliament who comes from a traditionally powerful position in society or who has managed to stay around for several terms may well learn the unwritten rules of the system in which they operate. This assists them to get what they wish to achieve although it might not always represent a majority view. But in a world in which parliamentary membership is quite short and in which most of the population demand policies that are more encompassing of all stratas of society, we need processes that empower members in a much shorter time. We need also to encourage members to look beyond their own predilections in favour of initiatives that will serve the public. The challenge for trainers is to discover and articulate the key principles that can drive this process. Each trainer must be prepared to shed preconceived ideas of what may be needed based on conventional practice so as to explore ways in which the psyche of the parliamentarian can resonate in tune with the psyche of the people.

This is our challenge.

Acknowledgement I wish to acknowledge the support of Dr. Stephen Sherlock, Director of Centre for Democratic Institutions, Crawford School of Economics and Government, College of Asia and the Pacific, The Australian National University for his valuable comments on my paper and for the financial support of CDI which has enabled me to attend the conference.

⁵ Interview with Indonesian MP, 'Parliamentary Careers: Design, Delivery and Evaluation of Improved Professional Development', research project, Monash University, Australia