

Parliamentary Reform

**Editor:
Ali Sawi**

2003

All Rights Reserved

**Parliamentary Program
Faculty of Economics & Political Science- Cairo University**

I.S.B.N.

Contents

Topic/Paper	Page
Editor's Introduction	5
The IPU' Perspective on Parliamentary Reform Mr. Martin Chungong, Officer-in-Charge, Programme for the Study and Promotion of Representative Institutions, Inter-Parliamentary Union, Geneva	7
Towards a new parliamentary concept for new democracies, Mr. Robert Myttenaere- Deputy Secretary General- Belgian House of Representatives – Belgium	15
Impact of Economic Globalization on Parliamentary Workings Mr. Ahmed Farag, Lecturer- The American University in Cairo	25
Why to Reform? Mr. Dr. Ali Sawi, Director of the PP- Cairo University, Egypt-	35
What to Reform: A Platform for Parliamentary Reform, Mr. Karim El-Sayed- Political Science Rsearcher- Egypt	41
Bicamerailsm and New Democracies Mr. Sebastian Mosneron-Dupin, Counsellor of the Frensh Senate	51
Parliamentary Reform Initiative in Syria Ms. Rula Quodsi, UNDP-Syria	74
Institutional Reform and its Impact on Members' Performance Mr. Youssef Z. Zeinal, Member of Parliament- House of Representatives- Bahrain	92
Parliament and Parliamentarian Reform in Germany Mr. Dr. Egon Jüttner and Mr. Otto Bernhardt German Parliament	95
Parliament and Human Rights Mr. Dr. Ziyad Baroud- Lawyer, Lecturer at the Saint University- Lebanon	100
Democracy, Elections and Party Pluralism in Africa Mr. Ambassador. Ahmed Haggag, Secretary General, African Society, Cairo	102
Parliamentarians in New Partnership for Africa's Development Mr. Pär Granstedt, Vice President- AWEPA- Sweden	112
Parliamentary Reform for Poverty Eradication Ms. Dr. Amany Masoud, Ass. Professor of Political Science, Cairo University	133
Reforming A Pioneer Legislative Institution: The Case of the European Parliament Ms. Dr. Noha AlMikawy- ZEF- Germany & Mr. Dr. Eng. Reinhard Honert, Head of German Association of Consulting Engineers in Brussels	142

Topic/Paper	Page
A decade of pluralist democracy in Yemen, Mr. Dr. Saadaldeen Ali Talib- Member of Parliament- Yemen	176
Participation in Legislative Process: The Case of Jordan Mr. Dr. Mohamed Al-Masalheh, Secretary General- The House of Representatives- Jordan	212
Special Case Study: “Parliament in the Public Eye: Content analysis of media coverage of parliamentary workings in Egypt”- Research team of the PP	221
Members/Constituency Relationship and Good Governance, Mr. Dr. Werner J. Patzelt- Dresden University of Technology- Germany	291
Oversight and Guidance: The Relevance of Parliamentary Oversight for Security Sector Reform Mr. Arnold Luethold (and Mr. Hans Born) -Geneva Centre for the Democratic Control of Armed Forces (DCAF)	336
Reforming The General Secretariat of Parliament: Lessons from the Lebanese Experience Mr. Adnan Daher, Secretary General, The Lebanese Parliament- Lebanon	346
What Do Youth Want from Parliamentary Reform? Mr. Gomaa Hegazi, Ph.D. Candidate, Political Sociology- Syria	350
Women in Parliamentary Reform Policies, Ms. Iman Abdel-Rahman, Parliamentary Researcher- Egypt	353
Parliament and civil- society encounter: The Lebanese experience Mr. Dr. Ghassan Moukheiber- Member of the Lebanese Parliament	357
The Development of Jordan’s Parliament & its Role in the Legislative Process and Political Reforms, Mr. Dr. Abdel Mahdy Al-soudi-EUA	359
Election Reform as Introduction to Parliamentary Reform, Mr. Yasser Fathy, Parliamentary Researcher- Egypt	394
Reforming The Voter Registration Procedures in Egypt and Impact on Parliamentary Reform, Mr. Ramy Mohsen, Legal Researcher- Egypt	401
Reforming Electoral System & Parliamentary Reform in Kuwait Mr. Ali Radi – Parliamentary Researcher- Egypt	405

Introduction

This book combines the proceedings of the 2nd annual conference of the Parliamentary Program of the Faculty of Economics & Political Science- Cairo University that has been held in cooperation with the Konrad Adenauer Foundation in Egypt, July 15-17, 2003.

The topic of the conference was parliamentary reform. A number of parliamentarians, scholars, and civil society advocates have participated in the paper presentation as well as during discussions. More than 25 countries/organizations have been represented in the meeting, and 27 papers have been presented and discussed.

Youth Initiative

The management of sessions represented a new initiative to empower the youth. The conference embarks on a sort of Youth Initiative, actually unprecedented in such events, at least in Egypt. All chairs are young, no Ph.D, no academic title; but promising people whom we all need to encourage and give a chance to practice leadership. They have been through an “orientation meeting” in order to train and encourage. They are pretty excited. They all speak English, and the whole conference proceedings were simultaneously translated. Except for the second session that is tri-ligual, at the convenience of Mr. Dupin who will present his paper in Frensh, and also translated into English as well as into Arabic), everybody was free to speak in English OR Arabic. Chairs will always speak in Arabic.

The conference seating order was largely designed after parliament. The chair would open the session, then invites paper presenters to speak, then will ask the discussant to comment, then opens the floor for discussion. Participants willing to comment/ask a question will have to send their names to the Chair (members of the Organizational Committee- OC, will be around to assist); then the chair will adjourn, with short final remarks at her/his convenience). All participants addressed the chair with Ms./Mr. Chair.

The agenda included 11 sessions, each for two /one and half hours. Discussants are largely members of the Egyptian parliament (see table of contents).

The research team of the Parliamentary Program have helped editing this book, and translated the papers into Arabic/English by themselves. They have done a lot of efforts, and proved to be promising and enthusiastic. I would like to thank them all: Ms.Neveen, Ms.Iman, Ms.Marwa, Ms.Shaimaa, Ms.Zahra, Ms.Yasmeen, Ms.Reem, Mr. Magdy, Mr. Kareem, Mr. Yasser, Mr. Ramy, Mr. Mahmoud, and (the late) Mr.Abdel-Hamid Sheta. Special thanks to my colleague, Dr. Mohamed Shamel, head of the Organizational committee, and to the the administrative staff Ms. Wafaa and Mr. Saber.

I would like to express sincere gratitude and appreciation to the colleagues at the KAF, led by our dear friend Dr. Michael Lange, the Resident Representative of the KAF, and to the mentor of our team, Dr. Kamal El-Menoufi, Dean of the school and supervisor of the Parliamentary Program.

The book is quit huge in terms of size, so that it seems irrelevant to add more introductory words to it. It is English/Arabic, and contains a wonderful collection of views, experiences and lessons to be learnt in the area of parliamentary development in the Middle East.

In this English section, the reader will find full paper originally submitted in English and English abstracts of those papers originally submitted in Arabic. The same is done in the Arabic section of the book.

The sequence of the book goes after the conference agenda, as simple as that; no chaptering, no more introductions. It is meant to reflect what “really” happened in the conference, with the hope that it might “really” happen in reality, in our beloved Arab countries!

Hope you find reading of this book enjoyable.

Ali Sawi

The IPU'S Perspective on Parliamentary Reform

Mr. Martin Chungong

Officer-in-Charge, Programme for the Study and Promotion of
Representative Institutions, Inter-Parliamentary Union, Geneva

Executive Summary

This paper reviews the evolving roles of parliaments in the contemporary world with a focus on the parliaments in the emerging democracies. It makes the point that these parliaments need to undertake the necessary reforms that will enable them to cope with the emerging challenges facing them, mainly in the context of democratisation and globalisation. It then explains the nature of these reforms, the impediments to be overcome and how these reforms can be undertaken. It points how the international community can assist the parliaments concerned to implement these reforms with a view to improving on governance. The paper is based on the IPU's experience in strengthening parliamentary institutions spanning a period of 40 years.

Introduction

According to the IPU, democracy is founded on the right of everyone to take part in the management of public affairs. It therefore requires the existence of representative institutions at all levels and, in particular, of a Parliament in which all components of society are represented and which has the requisite powers and means to express the will of the people by legislating and overseeing government action.¹

Parliaments, as representative institutions, play a key role in establishing the legal framework whereby society is governed and ensuring that the management of public affairs is accountable and transparent and therefore conforms to the principles of democratic governance. When parliaments perform these roles effectively, they contribute to creating an environment propitious for good governance and democracy, and human rights are better respected.

Recent years have witnessed major transformations in the evolution of political institutions in countries around the world. These transformations have led to parliaments taking on new roles over and above their traditional roles as legislators and controllers of government. Indeed, since the early

¹ Universal Declaration on Democracy, Inter-Parliamentary Union 1997

1990s, partly as a result of the far-reaching wave of democratisation that has taken place across the world, there have been profound transformations in the world of parliaments. An increasing number of countries have undergone structural changes involving transition towards multi-party parliamentary democracy. New constitutional frameworks have been put in place especially in the emerging democracies and the parliamentary institution has been assigned a prominent role in shaping society and making sure that it is governed in a responsible manner which is conducive to the welfare of the people.

Emerging roles for parliaments

As mentioned above, parliaments are increasingly being called on to play a key role in areas that are not within the traditional jurisdiction of parliaments. Recent years have seen parliaments taking on important roles as conflict managers. The examples of the parliaments in Burundi and Rwanda are interesting in this respect. They have made important contributions to the peace processes in those countries by fostering dialogue between the various protagonists and then establishing the legislative framework for managing the post conflict era including the restoration of the rule of law.

There are also numerous cases where parliaments and parliamentarians are increasingly playing the role of development agents, a role normally assigned to the executive arm of government. Parliamentarians in many countries, such as Cameroon, Gabon and Bangladesh, have taken upon themselves to initiate and implement development projects (hospitals, roads, schools, etc) in their constituencies, where government presence may be lacking. In these countries, this role has been officially recognised and funds have been earmarked in the State budget to enable the parliamentarians to undertake such activities.

Parliamentarians, especially in the developing countries, are also seen as social security agencies. They are the ones the poor run to to help pay school fees, medical expenses, funeral expenses, for example.

Furthermore, partly as a result of globalisation, recent years have seen an increasingly prominent role for parliaments on the international scene. Indeed, there is hardly an issue that is brought before parliaments these days that does not have ramifications internationally and vice versa. Also, because of the democratic deficit in the management of international relations, there are calls for parliaments to participate more proactively in the management of these relations in order to make them more transparent, accountable and

democratic and therefore consonant with the interests and the wishes of the peoples of the world. More and more therefore, parliaments are working together with representatives of the executive arms of government in international decision-making fora. Inter-parliamentary institutions are also asserting themselves and are being strengthened to streamline parliaments' inputs into the international decision-making process.

Requirements for Reform

All these transformations have brought about the need for parliaments to review the way they do business. They have to take steps to adapt to these changes mainly for the following reasons::

- In many countries, new laws and adaptations of existing laws are required to ensure compliance with the requirements of an increasingly liberal, democratic and globalised environment;
- For parliament to accommodate the exigencies of democracy and accountable governance, its own functioning has to be more democratic. This calls for parliamentary processes that are inclusive, allow for free expression of parliamentarians and representation of all components in the decision making processes of the parliament.
- The contribution of new actors such as civil society and the media needs to be taken into account in the functioning of parliament.

According to the IPU, a democratic parliament needs to fulfil the following criteria:

- The processes whereby the parliament is constituted should be based on democratic principles. It must therefore be chosen by the sovereign people in free and fair elections by universal and equal suffrage.
- The parliament must be representative and must therefore accommodate diversity and reflect the composition of society (political trends, sexes, ethnic groups, minorities, women, etc.) and ensure processes that are inclusive and participatory. It is therefore important that parliament is pluralistic in nature, especially that the opposition is represented including in the decision-making structures of the parliament, and allowed to perform its role in a free manner.
- The parliament should have constitutionally enshrined guarantees of independence and the faculty to perform its work in an unhindered fashion. In this context, parliamentarians need to enjoy adequate protection, including immunities, in the performance of their functions.

- All parliamentarians should enjoy equal access to information and other support services from the parliamentary administration.
- The parliament should promote and foster integrity, confidence and legitimacy.

Possible Areas of Reform

A review of the present state of parliaments indicates that many of them, especially in the emerging democracies, are far from meeting the above criteria and therefore not in a position to play their role effectively and efficiently. The need thus arises to carry out reforms that are intended to enhance this efficiency. Areas that should receive special attention in any reform process include:

- Electoral systems: that is promoting systems that allow for the election of representative parliaments that reflect the will of the people.
- Constitutional reforms that allow for the establishment and functioning of parliaments with the required credentials and powers. These reforms should also include provisions that allow for the decisions of parliament to be implemented and enforced without hindrance from other institutions or persons.
- Internal structures and working methods of the parliament with a view to making them more inclusive and democratic.
- Administrative and other logistical structures that provide back-up to parliamentarians in the performance of their mission.

IPU's Experience in Parliamentary Reform

The IPU, the world organisation of parliaments, has been involved in efforts to strengthen parliaments around the world, notably in the context of a programme established in the early 1970s. This programme seeks to promote a better understanding of how parliamentary institutions work. It thus collects information, analyses and disseminates this information using various media, including the Internet. The programme also provides support to individual parliaments with a view to strengthening their means of action and enabling them thus to perform their functions in a more efficient manner. In this context it provides advisory services and delivers projects of assistance.

Advisory services cover the whole gamut of parliamentary processes and activities including:

- Help in drafting or revising Standing Orders and Rules of Procedure The rationalisation of methods and organisational improvements in administrative and legislative services
- Improving the efficiency of committee secretariats
- Developing the library, archives, documentation, research, press, public information services, etc.
- Raising awareness of the need for a constructive relationship between the ruling and opposition parties;
- Ensuring greater participation of women in the parliamentary process;
- Promoting the use of IT in parliamentary processes;
- Promoting and protecting the human rights of parliamentarians so that they can perform their duties in an unhindered and independent fashion; encouraging greater participation by parliaments in promoting and protecting human rights

Projects of assistance invariably relate to the development of the human resources (parliamentarians and parliamentary staff) and to the provision of material resources. Recent projects have included:

- Awareness and professional development programmes for members of parliament including seminars and working visits abroad;
- The training of senior parliamentary staff, notably those involved in legislative work (for instance, committee staff),
- Assistance towards the establishment and equipment of parliamentary libraries, documentation, research and information services, including training of their staff;
- The introduction of modern information technology tools;
- The building, enlargement, renovation and equipment of premises suited to the requirements of the parliament.

Lessons Learnt in Parliamentary Reform

The following is based on the IPU's experience in supporting parliaments and much of the information provided is drawn from a survey carried out in the early 2000s

Obstacles to reform:

Parliamentary reform is a very politically sensitive endeavour given that parliament itself is an eminently political institution. It is an arena of constant confrontation between the executive and the legislature and between the majority and the opposition, where politicians and civil servants

with different interests and approaches co-operate in the functioning of the institution in a state of positive tension. When one talks of reform under these circumstances, one invariably implies a redistribution of power or at least a reorganisation of how power is held and wielded. For this reason, efforts at reform usually come up against resistance from within and outside parliament. Experience shows that members of the majority and the opposition have different attitudes to reform. Parliamentarians who belong to the ruling majority may embrace reform when they are convinced that this reform will provide better guarantees for the future and enable them to be better heard and even to gain power if they should lose it. The opposition is generally more eager for reform in a bid to assert the parliament's authority in relation to the executive and to ensure that all voices are adequately taken into consideration.

Of course, one of the main areas of reform is to assert the parliament's independence vis-à-vis the executive and to ensure that parliament can exercise proper oversight over government. There is no gainsaying that few governments favour a strong and overly critical parliament. A hostile or at the very best un-cooperative government is therefore a major impediment to reform.

Parliamentarians have to run for election at regular intervals and in many cases, turnover is very high meaning that it is difficult to maintain a core group of reform-minded MPs to steer reforms in a sustainable manner. This impediment can be attenuated in cases where there is a corps of well trained and dedicated parliamentary administration officials who then are the custodians of these reforms.

Many parliaments in the emerging democracies have only known multiparty politics since the beginning of the 1990's. The one-party, rubber-stamp reputation continues to be a major hurdle to reform. The culture of democracy has not taken root enough for there to be an unflinching commitment to carry out change for the better. Generally, fear of the unknown leads to resistance to reform.

Other impediments to reform include the language barrier. In Africa and the Arab world for example, several parliaments do not operate in the internationally recognised languages and therefore find it difficult to access material that is available in these languages. Similarly, the colonial heritage may be such that there is pressure on the parliament to maintain the system instituted or dictated by the former colonial powers with less incentive to cast the net further a field and embrace positive practice from other systems.

Shortage of resources is also a major handicap. Many parliaments do not have enough resources to operate normally let alone implement a reform agenda. International assistance is often therefore required at least in the initial phases of reform.

Prerequisites for successful reform.

In the IPU's experience, parliamentary reform efforts are successful where there is a political will at the highest level of parliament to carry out reform. The process would normally be driven by the leadership of the parliament steered by the Speaker. The leadership would establish a reform agenda and provide overall guidance. Usually, it is important to establish a parliamentary reform committee representative of the political forces in the parliament and tasked with the responsibility of reflecting on the necessary changes, developing a strategy for implementing those changes and coordinating outside assistance intended to support the necessary transformations. Such committees have been created in Equatorial Guinea, Kenya, Uganda and Zimbabwe and have been very active in asserting the role of parliament.

The committee needs to function in a non-partisan manner. In other words, its recommendations and decisions should be designed to improve upon the overall performance of the parliament without favouring any particular party or group of parties over another.

For parliamentary reform to be successful, it is important for parliament to be able truly to exercise the prerogatives and powers entrusted to it. In order to do so, the institution, its members and those who provide backup support, need to develop new capacities, new procedures and new working methods. It is important that parliament should be in a position to implement measures it has adopted to improve upon its functioning including in its relations with the executive.

The success of a reform agenda requires that structural and systemic changes be accompanied by infrastructure and technical changes. In other words, software changes need to go hand in hand with hardware changes or enhancements.

How a parliament's reform agenda can be supported by the international community.

As indicated above, while a parliament may be reform-minded and is committed to implementing measures that would enhance its efficiency, its efforts in this regard may be hampered by the lack of resources, human,

material and otherwise. Assistance by the international community has thus come in handy in many case to help carry the reform process forward. Donors can support interventions in a variety of areas including the following:

- Standing orders/rules of procedure;
- Restructuring and streamlining committee systems;
- Assistance in drafting or improving legislation;
- Training in public hearings and relations with the media
- Training in oversight role including budget oversight
- Streamline the parliamentary administration
- Introducing information technology in the workings of parliament
- Staff training in various areas
- Provision of technical and infrastructural facilities.

The above assistance can be delivered in a variety of ways including advisory and consultancy services, training through seminars/workshops, working visits and attachments, provision of documentation and equipment.

Conclusion

The ever evolving world environment in a context of globalisation and democratisation requires that parliaments continue to adapt their structures and working methods if they are to make a meaningful contribution to management of public affairs both nationally and internationally. These changes entail political and material resources. While parliament can usually overcome some of the political hurdles especially when they concern the internal workings of the parliament itself, others, particularly those involving constitutional changes over which the parliament has little control, require the co-operation of external actors such as the Executive arm of government. As far as the material constraints are concerned, these are much more difficult to overcome. In this context, the international community can provide invaluable support. Such support needs to be neutral, non-partisan and disinterested given the politically charged environment within which the parliament operates.

Towards a New Parliamentary Concept for New Democracies

Mr. Robert Myttenaere

Deputy Secretary General- Belgian House of Representatives – Belgium

2. Introduction:

Parliamentary efficiency is not only determined by the application of internal procedures but mainly by the degree of interaction with the “*external world*”:

- The constitutional link with other institutions (the government, but also other control and advisory bodies);
- The link with the political parties;
- The link with the civil society.

3. A Parliamentary or / and Presidential System :

- In the framework of a parliamentary system, the parliament is to be considered as the primary organ in the sense that it enjoys the strongest democratic legitimacy.

- The very essence of a Parliamentary system lies in the accountability of the ministers to Parliament. It must be possible to topple a government. The dissolution of Parliament is a consequence of the accountability of the ministers to Parliament.

- In a presidential regime (such as the USA), the president (executive power) is also elected by universal suffrage. The President of the United States cannot dissolve Congress, nor can he be the object of a vote of non-confidence of the House of Representatives or of the Senate. It is a “system of mutual irrevocability”.

- In each organisation of a State, there must be a separation of powers (legislative, executive and judicial). Where the functions of the state are exercised by only one authority (the leader, the party ...) there is no democracy.

4. Bicameralism or Unicameralism:

- A two-chamber system cannot not be conceived if it is limited to organising two identical Chambers in their recruitment, their methods and their allocations, while performing the exact same task one after the other.

- Bicameralism has found a new purpose in Federal States, where the second Chamber ensures the representation of the federated entities as such and allows them to participate in the decision-making of the federation.

5. Multiparty System and Two-party system

- The party system that exists in a country is a key element of its political institutions.

- Under the two-party system, one party is assured to obtain all by itself the majority of the election votes and of the parliamentary seats. (The single turn majority ballot leads to a dual system with alternation of major independent parties, but a majority of the votes in the country can translate into a minority of seats. On the other hand, those elected are « prisoners of their promises », since they cannot invoke the necessary compromises with other parties as a justification for partly reneging on their commitments). The governments can rely on a homogenous and stable majority and find itself in a situation of “majority parliamentarianism”. However, there is the distinction between real bipartism and semi-bipartism. The internal structure of the parties is an element of this distinction: in this respect the voting discipline of the members of parliament is the key element. If every parliamentarian votes according to their personal preferences without consulting their party, the dividing line of the majority and of the opposition does not follow that of the parties.

- Under the multiparty system (systems with more than two parties), it may happen that a single party obtains the majority of the parliamentary seats, yet this is exceptional (An election system with proportional representation leads to a system with multiple parties; the basic principle is that the representation ensures a representation of the minorities). Normally, coalitions are necessary to support the government. Such a majority is always more fragile than that supplied by a single party. So, everything happens as if, in such a case, the debate took place twice : first in the election campaign (and more in general in the political debate through which the parties attempt to demonstrate that they embody the « right » interpretation of the general interest under the present circumstances), next, after the elections, in the game of reciprocal adaptations resulting in the forming of a coalition majority. But beware: it is not about rejecting any compromise. The compromises are subject to

criticism because they take place after the fundamental debate (the elections).

6. The Autonomy of the Assemblies :

- The autonomy of parliamentary assemblies is based on the separation of powers, especially with regard to the executive power. The autonomy is a cornerstone of the institutional organisation of the State of which Parliament is a part.

- In the hierarchy of norms, after the Constitution, the organic laws adopted for the application of the Constitution, the general legal principles and the law, come the regulations of the Assembly (in other words parliamentary law) which confirm and especially organise the functional autonomy of each Assembly. (In Belgium, for example, each of the Chambers establishes their own rules, without any interference whatsoever, neither from the other Chamber, nor from the government bodies, which would have been the case if it had been required for these rules to be established through ordinary legislation).

- The standing orders (procedure of a Parliament) governing the internal working of a parliamentary assembly are a means to protect it from possible pressure exerted by the government through the majority. The preservation of the rights of the minority (as well as the individual rights of the members of parliament) is also a guarantee of real pluralism.

- Overall, this result can be achieved by composing the bodies of Parliament (the Office, the committees,...) in proportion to the parties represented in the Assembly.

- Thus, the principle of separation of powers implies an administrative autonomy of the parliamentary assemblies (the existence of a proper administrative structure, with different staff from that of the Executive power).

7. Rights of the Opposition :

The logic of a democracy demands that the opposition should be able to participate in the debate and to express its arguments, but not that it should decide. The risk is that the opposition would divert the use of the tools put at its disposal, not so much to express its disagreement, but specifically to attempt to keep the majority from playing its decision-making role.

The right of opposition to « exist » :

- Prior to even beginning to exercise any rights, the opposition must already be able to receive recognition and organise itself as such : the political parties and political groups (the parties' parliamentary extras) form themselves and freely perform their activities.

- A variety of measures contribute to making this right effective, notably : the right of access to public funding (of political parties) and pluralism of the means of information (which guarantees to all parties represented at the Parliament that they have access to political programmes broadcast by audiovisual public information service channels on a time basis more or less in proportion to their numeric significance).

- At the parliamentary level, the opposition has means to manifest itself as such through the creation of political groups, which enjoy substantial powers and prerogatives. The Parliament puts at the disposal of these various political groups material and financial resources (housing, credits for the organisation of a secretariat).

The right to « participate » :

Various provisions of parliamentary law guarantee that the opposition is associated with the internal formations and institutions of Parliament, according to two main modalities:

- First modality : participation in the proportional representation according to the numeric significance of the group (particularly for the committees).

- Second modality : the possibility to designate in the internal body a member of each group, irrespective of its numeric significance. When there are groups of considerable strength and other groups of lesser strength within the same assembly, the right assigned to each group to designate a representative in fact amounts to awarding a “premium” to the opposition groups or to the most minority groups. For example, within the Conference of Chairmen, all groups are represented by their Chairman.

- The right to participate comes with the right to be informed.

The right to «intervene»

- The modalities of intervention by the opposition in the discussion of the law in plenary session, notably : the right to take the floor in the general discussion, the right to be heard as regards amendments, the procedural requests and the right to explain their vote.

- The contribution of the opposition in fixing the agenda of the legislative work: the session of parliamentary initiative.
- The participation in control procedures: the interpellations, written and oral questions, parliamentary inquiries.

The right to « appeal » :

- If in a democracy it is up to the majority to decide, it is desirable for the opposition to at least have at its disposal procedures allowing it to either assert its rights in the event of them being unrecognised (during the course of the debate: reminder of the Rules and the exception of unacceptability), or to « appeal » the decision of the majority before an external body.
- In practice, this logic is often applied under the control of the constitutionality (Constitutional Court).

8. Pre-eminence of government authority :

- The coupling of the government function and of the administrative function tends to lead it away to the other functions. (The control function may seem more peripheral in relation to the actual exercise of power). With the diversification and complexity of the tasks of the State, one has witnessed a general phenomenon of extension of the powers of Government. The numerous assemblies felt poorly equipped to take on the challenges of modern life, which require speed in conceiving and executing decisions.
- There is general agreement that the legislative function of Parliament is becoming less significant, not only because this function is exercised, for the most part, on the initiative of the government, but also because it often translates into very sketchy rules, the kinds of guidelines that other authorities apply with a substantial margin of initiative.
- Indeed, the Assemblies have had the tendency of granting numerous delegations of powers to the executive. There are laws of habilitation in the ordinary sense , which impose various tasks upon the government, such as that to set the date of the coming into force of a law, to extend the list of the beneficiaries of a legal provision, to adapt the amounts stated in an article etc.
- The laws of special powers translate yet another stage in the powers granted to the executive.

These laws of special powers come into play in *a context of serious crisis (economic and social)* which calls for urgent solutions. Here, the government is granted the power to make autonomous arrangements governing their object in a sovereign manner, like a law.

Even so, under a parliamentary system (such as that of Belgium), the special powers must remain *an exceptional government procedure*. In this respect, several conditions apply. The recourse to special powers is admissible only in *exceptional circumstances* and for *a limited period* which can vary from 6 to one year. *The orders of special powers, discussed in the Council of Ministers*, must, in accordance with the rules, be the object of *a law of confirmation*, and *the fields* in which the king receives the habilitation must be described in detail.

- Furthermore, several Constitutions devote themselves to combating the instability that threatens the government teams and legislative formations through a host of procedures: the limitation of the right of dissolution, the requirement of a constructive vote of no-confidence, etc.

- In Belgium, for example, the constitutional revision of 1993 has subjected the dissolution of the federal Parliament to more or less stringent conditions, in order to arrive at legislature governments and parliaments, called on to last four years. Henceforth, the power of the government to dissolve the Chambers is an « entirely tied up » competence. It can be exercised only in the three cases set out, in a restrictive manner, by the Constitution:

- Passing by the Chamber of Representatives, at an absolute majority of the members (and not of the votes), of a motion of no-confidence without proposing a successor (the nomination of a new Prime Minister) to the Government (the so-called « constructive censure motion » technique) ;

- Rejection of a motion of no-confidence by the Chamber of representatives in the same conditions ;

- Spontaneous resignation of the Government. Moreover, in the latter case, the power of dissolution is no longer a power of the Government alone, but a power it shares with the Chamber of representatives, called on to give its permission at the absolute majority of its members

Must one nonetheless announce the « *decline of Parliaments* » ? It would be too strong a statement.

9. The control function in relation to the actions of the government :

- The legislative function is not the only responsibility entrusted to the assemblies. Their task also includes the supporting or contesting of actions of the government and administrative bodies.

- The control function in relation to the actions of the government – in the political, administrative or budgetary order – is the essence of a parliamentary democracy. To this end, under a parliamentary system, the Parliament disposes of the following political tools : the approval of budgets and accounts, the interpellations, the parliamentary questions and inquiries. Unlike the interpellations, the questions are not followed by a debate and a vote.

- Under a parliamentary system, the task of a parliamentary inquiry committee cannot be put on a par with the ordinary political control. It must be limited to “the thorough examination of the well defined abuses or troublesome facts for which the normal means of parliamentary control have proved insufficient”. By conducting a parliamentary inquiry, the Parliament exercises an action which is akin, in many respects, to the nature of a jurisdictional function. (Since in the United States there is no political accountability of the executive, the right of inquiry has become the most important means of parliamentary control).

10. “The arms of Parliament” in its function of control of the Executive and of the Administration :

In Belgium, particularly the Audit Office, the Permanent Committees of Control of Police and Intelligence Services as well as the Federal Mediators are « arms of the Chamber of representatives in its function of control of the Executive and of the Administration).

- The Audit Office : To exercise control over the use of the budgetary means it puts at the disposal of the executive power, the Chamber of representatives of Belgium is assisted by a specialised institution which is created by the Constitution : the Audit Office. The members of the Audit Office are appointed by the Chamber of representatives. The Audit Office “sees to it that no article of the expenditure of the budget is exceeded and that no transfer takes place ». In its capacity as external control mechanism, the Office informs the legislative power on the manner in which the executive power manages the public funds. Also, the Audit Office conducts

« management checks » the reference criteria of which are situated at the level of economics, efficiency and effectiveness.

- « The Ombudsman » / Mediator : an institution sui generis. All over the world, the “Scandinavian-styled” Ombudsjan is positioned next to other high colleagues, such as the Audit Office. His task is to handle complaints relating to the working and the acts of the administrations and, based on these operations, to call the attention of Parliament to the structural dysfunctions it might have discovered, while offering solutions to those dysfunctions. It is no jurisdictional institution. Its power is a power of inquiry and recommendation, not one of decision. The Federal Mediators of Belgium are appointed by the Chamber of representatives.

- The Permanent Committees of Control of Police and Intelligence Services : In Belgium, the law has created these Control Committees specifically to guarantee the protection of the rights which the Constitution and the law grant to persons. Each of these Committees comes with an inquiry department, which examines the complaints and denunciations of private persons who have been directly affected by the intervention of a police or intelligence service. If the person who has made a denunciation so desires, his identity will be kept confidential. Each Committee reports to the Parliament, on an annual basis and when the Parliament has entrusted it with an inquiry. The members of these Committees are appointed by the Parliament.

- Interest and lobbying groups :

- “Lobbying is the stimulation of a communication, by someone other than a citizen acting on his own behalf, directed to a government decision-maker with the hope of influencing his decision”. Depending on the strategy chosen, the lobbyist takes action, ranging from sending mails to issuing press releases, providing media training and preparing discussions, organising conferences or sending out petitions.

- A great many Constitutions take a rather reticent approach to lobbying: the member of parliament represents the Nation rather than a specific constituency, the elected mandatarary enjoys full independence vis-à-vis his voters, an imperative mandate is prohibited.

- On the one hand, the discussion about the reason of existence of the interest and lobbying groups serves no purpose. They are there to stay. The thing is to monitor their operation.

- On the other hand, interest and lobbying groups hinge on two fundamental rights: the right of freed speech and the right of meeting and

association. Citizens cannot be prohibited from joining organizations, nor can those organizations be prohibited from exerting pressure on politicians. Finally, one must not lose sight of the fact that members of parliament themselves are often members of lobbying groups and even hold management positions in them.

Types of lobbies

- Institutional lobbyists, they are virtually natural parts of the political process: including employers' organizations, trade unions, health insurance companies. When these interest groups have acquired a permanent seat in the preparation and implementation of government policy, it is referred to as "consultation structure". If the influence of these interest groups cannot be contained through official structures, the term coined is "pressure";

- issue-specific lobbyists, they include companies and trade organizations which operate in the political arena on an issue-specific basis;

- commercial lobbyists: commercial consultancies which assist, at hourly rates, organizations in defending their political interests. They comprise one-man businesses, journalists, public affairs firms having numerous staff as well as law firms.

- There are few grounds to doubt that policymakers are mainly concentrated at the government level (see above). So why is it that lobbying groups continue to work primarily through Parliament? There are circumstances in which Parliament has the actual power of decision (use of "free vote" in some matters). Members of parliament can take a whole host of actions: ask parliamentary questions, submit amendments and resolutions, set up meetings with the minister, adjourn debates, insert parliamentary hearings, organise press conferences.

The regulatory action of Parliaments relating to lobbying groups must observe the following guidelines:

- Free access of lobbying groups to lawmakers is crucial and in the general interest; a system of registration may not impede free and public access (for example, a laissez-passer which is valid for no more than one year and which can be renewed);

- Lobbying is a legitimate activity;

- Both lawmakers and the public need to know who is trying to influence lawmakers (public registers).

11. Conclusion

The following suggestions (sphere) of activities could perhaps give a new impetus to the parliamentary institution:

- A voluntaristic approach consisting in paying more attention to the influences and the information coming from the “outside world” in order to better mastering them but also to transpose them in “agenda setting”;
- Parliament should be the interface between society and the formal institutional and administrative framework (via consultations with the political parties, the civil society and through other communication forms e.g. setting up panels of “privileged witnesses” for the formulation of problems and decision shaping);
- An “evaluative” approach as an alternative for a narrow conception of government control (setting up evaluation panels entrusted with systematic policy evaluation).

Abstract

Impact of Economic Globalisation on Parliamentary Workings

Mr. Ahmed Farag

Lecturer- The American University in Cairo AUC

This paper tackles some economic issues that had an effect on the globalization of the global economic system. The paper tackles the following issues:

- 1- Concepts of Globalization.
- 2- Global economy and the World Trade Organization (WTO).
- 3- The effect of WTO on the global economy.
- 4- Major transmissions of global economy in the existence of the WTO.
- 5- Problems of joining WTO.
- 6- Globalization dangers.
- 7- Technology of virtual reality.
- 8- E- commerce and virtual associations.
- 9- Difference between E-Commerce and E-Business.
- 10- The concept of e-business.
- 11- Economic spy and globalization.
- 12- American Globalization Army (CNN).
- 13- Parliamentary role of businessmen in Egypt and their role in political and economic struggle.
- 14- Egyptian Parliament and Port Said as a Victim Egyptian City of 11th of September's Actions and the GATT.
- 15- Electronic Democracy in the Arab World.
- 16- Globalization and Enternal Debts
- 17- Facts.
- 18- Toward a better economic view for the Arab Parliaments.
- 19- The role of the Arab parliamentarians in the economic complementarity.
- 20- Globalization and the Country.

The last quarter of the 20th century witnessed great changes and transmissions in the economic, social, technological, and political systems. The effect of this change extended to reach all aspects of life on earth. Although the developed countries are considered the controllers of these changes and transmissions, the developing countries, especially the Arab,

finds itself in a situation of a need to cope with these changes and transmissions to support its competitive capacity.

The great change of globalization in the whole world causes the appearance of regional economic blocks, severe competition, deciding international criteria of high quality, giving importance to environment affairs, wide improvement of telecommunication and information technology, ...etc.

The role of information technology increases in the society in an unbelievable way, so it is called either "Information Age" or "Communication and Information Revolution". It is also called the 3rd wave after the Agricultural and the Industrial Waves.

The gape between the Northern Developed Countries and the Southern Developing Countries is not only a "resource gap" as it was in the past. It is now an "information gap" or "Digital gap" as a result of the huge revolution in telecommunication and information technology, and what follows it of transmission in production types.

During information revolution, there is a quite change from concentrating on the material to concentrating on information. This is like the development happened in the machines and its functions.

New technology specializes in the little need of energy. In this regard, the development of electronic technology was great. One of the most important developments of it is the relation between computers from one side, and telecommunication technology from the other side. Generally, Communication and Information Technology depend on 3 main branches: Micro Electronics, Communication, and Computers.

This Digital – Technology Revolution finds the base of new electronics, and to become the controller technology of the 21st century. This helps others to say that this is the Digital Age. Analysts call this economy trend as "Knowledge Based Economy". This means that its value increases much than before.

Hence information becomes digital and able to transmit especially through the Internet, a new way appeared in economy which is called "Internet Economy" as the financial and commercial workings are carried out through the Internet and this is what is known as "E- business" in the business sector.

Information Technology Revolution found an important role for the companies working in information technology in world economy field. "Digital Economy" or "Electronic Economy" as terms started to become

more known and expected to exceed traditional economy in the year 2005. “Electronic Economy” as a term has a concept much different from “Traditional Economy”.

The Internet helped in spreading information technology. Some institutions benefit it well in helping the customer to find his need. Nowadays, the use of information technology becomes a vital need for the institutions to continue the competition in both world and national markets. The decrease of information technology cost, especially in the cost of logging on to the Internet, helped the developed countries to increase communication between the institution and the customer from one side, and between the institutions themselves from the other side.

Since the change of GATT to WTO, which will draft concepts, new industrial and trade theories, to become a constitution for economic and trade work in the coming step. More than 143 countries all over the world joined it, adding to the countries trying to join it, trade relations became an important element of growth in different countries.

Information technology is a fruitful marriage between telecommunication and information revolution and trade. This marriage finds much chances and needs. Giving much importance to electronic trade considered a logic result in Egypt after joining the GATT.

Information Technology Revolution led to an important role for the companies working in information technology in world economy field. “Digital Economy” or “Electronic Economy” as a term started to be well known and is expected to exceed “Traditional Economy” in the year 2005. “Electronic Economy” as a term has a concept much different from “Traditional Economy”.

The Internet helps in spreading information technology (IT). Some institutions benefits it well to help the customer to find his needs. Nowadays, the use of IT became a vital need for the institutions to continue its competition in the global and national markets. The decrease of IT cost helps the developed countries to increase the communication between the institution and the customer from one side and between the institutions themselves from the other side. This also leads to an increase in their interaction.

1- Concepts of Globalization

“Globalization” is a new concept in Arabic Language. It was not used short years ago. It is the Arabic translation of the English word, which

deprived from “Globe” that means a “Ball” or “Earth”. “Globalization” means spreading something to become global, or transmitting it from the national area to the whole world such as the sentence “Think globally and act locally”.

“Globalization” appeared in the USA and Arab thinkers started to translate and explain it. Analysts and scholars differ in explaining if it is action or reaction? Aim or result? In spite of this large difference, they all agree that globalization damages both distance and time. It is the age of success.

The most acceptable definition of “Globalization” is that it is a process through which the cooperation between countries increases in the world economy. This is a result of the growth in trade’s kind all over the world in services, products and money flow. It is a result of the quick spread of technology and institutional bonds.

Although globalization has a great effect on politics, culture and society, economy is still the controller of them and their development.

Differences led to the Spread of Globalization:

It can be said that there are some changes led to the appearance of globalization such as GATT. It relies upon free trade. It is a choice of every country to achieve its benefits in a balanced process with others. WTO is the third organization concerned with global economy and trade relations after The International Monetary Fund (IMF) and The World Bank (WB).

There are many international rules govern and organize different international trade sectors such as:

- GATT which governs products.
- GATS which governs services.
- TRIPS which governs intellectual Property Rights.

2- Global Economy and the World Trade Organization (WTO)

The development of globalization economy is bound to telecommunication technology and information technology (IT), as it is now possible to move freely and manage many branches of a big company through a small office.

Declaring the establishment of WTO was not an acceptable matter. Many countries and institutions refused it and criticized it. This criticism caused the fail of the third conference of the organization. It was normal that

the economy of the Arab countries was effected by this organization because of facing much problems and challenges.

3- The Effect of WTO on Global Economy

The most important characteristic of “Global Economy” nowadays is the free exchange of products, services, and information through national and regional borders. It is bounded to technology development that makes the whole world like a small village.

WTO aims at strengthening global economy through freeing trade of all bonds governing it, increasing national income for the member countries, helping the cooperation with other international institutions like IMF and WB.

Globalizing Economy, last years, wins great importance from the economics, politician, and thinkers all over the world. It is now clear cut that quick economic development of our world led to a modern economy system that help in establishing global economy system more complicated.

4- Major Transmissions of Global Economy in the Existence of the WTO.

After signing GATT and the establishment of WTO, global economy plan is in a continuous change.

“Globalization” is a phenomenon that has economic, social, political and cultural dimensions. The nineteenth century arouses hat we call “financial globalization” which is considered one of the most important financial phenomenons. We need to shed light on the causes of the success of this phenomenon:

1.Reasons of Financial Globalization

- Increase of Capitalism

This means money increasing though financial services industry, so global economy moves according to some indicators lead to transmit money from an investor to the other freely either inside one country or from one to another.

- Appearance of Financial Innovation

Financial globalization is bond to the growth of new financial tools that attracts investors to swap. There is a specialized network to find a way of trade and services challenge, which is the Internet.

- Technology Development

This element is compatible with the previous one in the role that telecommunication network and information transferring play to bound global financial markets. This helps investors to act and react on the development of these markets.

- The Effect of Finance Openness Policy

Finance overflow through borders is bound to the internal and external finance openness.

2- Financial Globalization: Benefits & Risks

- Benefits

People stands for financial globalization thinks that it achieves many benefits such as:

- Finance Openness Policy of developing countries enables them to reach global financial markets to get the needed money for local resources.

- Foreign direct Investment and Investment Foreign Portfolio help in increasing foreign debts.

- Foreign investment enables to transmit technology.

- Risks

Financial globalization causes crises to the developing countries especially in the ninetenths, such as:

- Crucial crises of Mexico, Brazil, and Russia.

- Risks resulted form foreign investment change

- Risks of national finance escape.

- Weakening national authority in the financial field.

3- The Needed Logistics to Benefit Global Economic Situation

The developing countries are not of the same level of development and progress. To achieve their hopes of open policies and free trade, the developing countries need to acquire the following steps:

1e) Stable economic policy

2e) Controlling public traffic

3e) Supporting financial sector

4e) Developing human resources

5e) Political reforms

5- Problems of Joining WTO

WTO is the last step of the organization of global economy, which characterized by the hegemony of Capitalism with its economic and political systems. Countries like to join WTO need to fulfil the following conditions:

- Establishing a democratic system.
- Protecting human rights.
- Protecting intellectual property rights.
- Forbidding child laboring.

6- Dangers of Globalization

Globalization as much as its benefits, it also contains equal dangers such as:

- 1- The increase of unemployment in developing countries because of the use of technology instead of people.
- 2- The increase of trade cooperation of the Western countries on behalf of the developing countries.
- 3- Decreasing the role of the state after globalization.
- 4- IMF experts assert that money market globalization resulted much risks that can be avoided.

7- Technology of Virtual Reality

“Virtual” as a term a newly invented word as we started to hear these days about “Virtual Groups”, “Virtual Institutions”, and “Virtual Countries”. “Virtual” here refers to everything simulates reality. CISCO is one of the most famous virtual companies. It focuses on two main processes that are developing and selling new products.

8- E-Commerce and Virtual Associations

Changes happened because of the spread of virtual institution would exceed what will happen because of the spread of E-commerce. Spread of virtual institutions will help the companies to introduce itself according to its operations.

Most of the companies and institutions recognize that connecting through the Internet and the use of IT are very important factors helping to elevate its capacity and competition.

9- Difference between E-Commerce and E-Business

While being a mistake, E-Commerce is used as a synonymous of E-Business. E-Business is a wide term. It includes E-Commerce, E-bank, and E-Government.

10- The Concept of E-Business

This term is based on the capability to the institution to exchange information, money, products, and services either between business to business (B- to- B), Business to Consumer (B- to- C), or Business to Government (B- to- G).

11- Economic Spy and Globalization

During the late decades, a new concept of spy appeared. It focuses on countries' economic aspects to know what happens in its economy either in the local trade, foreign trade, production, sales, technology, and trade marks.

Economic spy between countries arouses an important fact that it is spreading in the existence of globalization and free trade. These leads person to say that economic globalization is the same as economic spy globalization.

12- American Globalization Army (CNN)

There is a thought that America governs the whole world through the White House, the Pentagon, and the Cable News Network (CNN). This thought is emphasized through the actions of September 11th. CNN used E-mail, mailing lists, chatting rooms, and discussion groups to fight for America, democracy, and judge against Muslims and Arabs.

13- Parliamentary Role of Businessmen in Egypt and their Role in Political and Economic Struggle

On of the surveys of the Faculty of Arts, Sociology Department, Cairo University, emphasizes that:

- 98% of businessmen don not like to join any political party.
- 70% don not like to join political life.

Although businessmen are powerful, last election of the People's Assembly 2000 witnessed 50 businessmen candidates, 21 of them are independent, 18 are from the National Democratic Party (NDP), 10 are from Al Wafd Party, and one is from Al Ahrar Party. 36 of these businessmen candidates won the elections. Some studies carried on this behalf find that 157 of the MPs (35%) are businessmen, 120 of them consider themselves businessmen.

MPs businessmen do not do their expected legislative and oversight role in the PA. They, as a block, do not present even a draft law in the PA during the Legislative Chapter 1995-2000. They introduced only 29 question through the Legislative Cycle 1997/1998, 3 of them are on economic issues (10.3%). These statistics illustrates the weakness of the economic legislative performance especially for the businessmen.

14-Egyptian Parliament and Port Said as a Victim Egyptian City of 11th of September's Actions and the GATT.

Port Said is a victim country for September actions and GATT. It will not be a free trade zone anymore, as GATT will enable the Egyptian markets to be ready for Asian and Western products.

25 years ago, President Sadat made the governorate as a free trade zone as a transmission for the Egyptian economy from communism to market economy.

Many economic experts asked for changing it to an industrial state and not trade state as what happened in Dubai, which became an industrial and trade state.

15-Electronic Democracy in the Arab World

A new trial on the Internet aims to find a new way between citizens and decision makers in the Arab World. They establish new web sites like www.mafhoum.com and www.arabdecision.org to reduce the governmental and parliamentary governments, economic, educational and NGOs in the Arab countries the same as French and European projects.

16-Globalization and foreign and external Debates

Many developing countries fall in the external debts. It started to have an effect on the economic, social and political situation of these countries. When countries started lending money from others, they thought that they could reach balance by getting money to use in various development programs and then payback this money with the over percent.

17-Facts

Marshall Mac Locan, a Canadian professor of Sociology Media-Toronto University, is the first one who invented "globalization" as a term. Finding a definition of globalization is not easy. It is the case or phenomenon of the whole world. It is characterized by some relations,

factors and powers move smoothly uncaring on any geographic borders of countries. It is also bounded by some international obligations and legal support using different mechanisms.

18-Toward a Better Economic View for the Arab Parliaments

Working to find a unique strategy and finding a frame of cooperation for Arab work is the way for better economy.

Arab Parliaments, all over the world, have to work in cooperation to cure globalization's effect on their citizen and find practical suggestions to reduce its bad effect through the following:

- Holding much Arab regional seminars for the deputies to focus on the digital economic field, E-Business, E-Election, and intellectual property rights to oversight the governmental performance toward the used economic policies.
- Organizing cultural programs and training courses for Arab deputies who like to develop their capacities in the oversight field.

19-The role of the Arab Parliamentarians in the Economic Complementarity

Arab economic complementarity in a scientific and actual way is the suitable and needed path for increasing the Arabs to face the regional and international challenges. The correct situation toward globalization is to deal with it in a flexible way to get its positives and make use of it.

20-Globalization and the Country

Globalization does not stand on oppose of the country but tries to make the country a frame for its spread. This is through modernizing country's institutions to be able to destroy the borders. If it succeeds, it also will succeed in establishing "International Institutional Frame" and increases the International Economy.

Abstract

Parliamentary Reform.... Why?

Dr. Ali Sawi

Prof. of Political Science- Cairo University

Introduction:

Few decades ago, it was not possible to talk about parliamentary reform in Arab countries, especially that parliaments in these countries did not have a real role in the political modernization or democratization. At that time, most of the political projects in the Arab world were concerned with changing social conditions to meet the demands of political modernization, loosing political leadership control, or getting ride of out world control in order to allow self development in Arab world.

Such projects are still acceptable to a large extent, as they are not the only approach to democratization, which is considered the real purpose of all political modernization development projects. That is why the institutional approach was thought of seriously examining the possible role of parliaments in such changes.

Political life in the Arab world changed in a way that makes supporting parliamentary work not only an important issue but also a real objective demand for democratization process.

1- Problematic of Parliamentary Reform

This paper aims at highlighting the reasons behind tackling political and parliamentary reform. Thus it is important to refer to criticism of political life in the Arab world.

1- A respectable state loves reform:

a) Reform is one of the basic rights of citizens, which the state has to meet. Reform is also considered an important part of political contract between the government and the citizens.

b) Citizens give the state a unique right that is the monopoly of power that is why they voluntarily accept coercion.

A strong state should keep up with the needs of reform in order to guarantee the commitment of its citizens and their acceptance of its powers.

- c) A respectable state should be civilized. Nowadays civilization is related to democracy.
- d) Political reform in the Arab world is also considered a safe outlet of a political dilemma that all Arab countries suffer from which is the absence of youth in the world of money and policy.

2- Is reform For or Against Us?

The debate on the real use of reform is not new in the Arab political thought. It was widely raised in the 1960's.

The experiences of Arab societies since they had widely differed, but they all had a common characteristics which is considering any thought about democratization and political change a real threat to governments, that is why Arab citizens always worried about what choosing what to accept and what to reject of advanced societies experiences.

Today, this debate is raised once again especially with the west talking about the necessity of political reform in the Arab world.

Discussion in this context is not related only to the Middle East Participation Initiative (MEPI) issued by US secretary of state Collen Powell. They are related to more important issues such as minding political participation, respecting pluralism, establishing effective institutions and reforming Arab countries regardless of who is talking about this reform.

It is worth nothing that political reform is a real national demand in the Arab world, it should also be noted that the international discourse on reform is not total contradiction with these national demands. In fact, the outer pressures in this context could be of great help as they force several governments to do many reforms such as expanding women and minority political participation, exposing corruption and accepting transparency.

3- Parliamentary Reform is an Approach to Political Reform

There are many approaches towards political reform, but the parliamentary (Institutional) approach is considered the most suitable one. This approach depends on less risky mechanism that result in a very high outcome. As parliament represent and tolerate different interests, they also are able to deal with any change. Citizens easily trust parliaments if compared to the government and other political institutions.

4- Parliamentary Reform Prospective in Democracies

Parliament is considered as a subject and an object in democratization process. Democracy can not be achieved without the existence of real representative parliament. Parliament can not support democracy unless it was freely democratically elected. We can say that democracy aim at establishing good parliaments and in the same time depends on the existence of a powerful parliament.

5- The Importance of Parliamentary Reform in Arab World

Although the Arab parliamentary experiences flourished in the beginning of the 20th century, they faced a period of severe deterioration in the 1950's and 1960's with the existence of revolutionary regimes that were based on economic and technological modernization while ignoring or postponing political reform.

Thus the role of parliaments was weekend. But the international changes that took place in the late 1980's together with the new wave of democracy forced these countries to rethink about the role of parliaments in the political life, balance of power op parliament and government especially that most Arab countries state that legislative institutions are more powerful than the executive ones.

Nowadays parliamentary development had became a real necessity is the Arab world because of the following:

- Development process is too late, that it now should face very deteriorated situations rather than developing traditional ones.
- Any change in the political life in Arab countries is related to party life and parliamentary structures.
- The indefinite class systems put many question marks around the ability of political institutions to represent the changing social balances.
- The low opinion of Arab public about parliaments in the Arab world, especially in the shade of spreading corruption among members of parliaments (MBPS).
- The inability of parliaments to deal with economic and communicated changes.
- Legislation in many Arab countries are in sharp contrast with international orientations especially in the field of human rights and civil society.

In general, parliamentary reform in Arab world is so important to deal with the trend of globalisation democracy.

2- Central Issues on Parliamentary Reform

1- The relation between parliamentary reform and developing parliamentary regime:

The establishment and reform of parliamentary institutions in the Arab world is considered a matter of structural and political reform. It exceeds the limits of any technical process related to procedures and means such as judicial oversight over elections or establishing new political parties.

On the other hand developing parliamentary work is related to international development and the challenges it creates. specially those related to globalizing national institutional work and political experiences.

2- Developing parliaments or parliamentary work?

Parliamentary life has 2 dimensions: institutional that is the parliament itself; societal that is the cultural parliamentary context.

Thus it must be clear what the aim of parliamentary reform is?

It could be developing the instillation of parliament itself. That means enhancing its capacity in technical areas. such as updating administrative systems within the parliament.

On the other hand parliamentary reform could be concerned with raising the role and effectiveness in the decision making process, through redefining the powers of the parliament and its relation with the government, the electoral system and party system.

3- Obstacles of development. Parliament as a means and object of development:

recent experiences indicate that parliament could lead the process of change such as in India and China, or be the object of the process of change as in Russia.

Arab parliamentary life is witnessing a real debate among parliamentarians about the importance, directions and areas of parliamentary reform.

Observers may consider the debate a major obstacle to the reform process. But we can consider it a good sign that developing parliamentary life is now occupying an important place on the political agenda.

4- The philosophy of development. Costs of development, and the risks of changes:

Before moving on with the process of parliamentary development, we should decide whether the process aims at making changes in the system or changing the system.

In addition to deciding the costs and risks of all alternatives, and whether the society can stand them or not.

The differences in the effectiveness of the parliamentary life between European countries and third world countries lead to similar differences in the writings about developing parliamentary life, western writings concentrate on legislative reform, where as third world writings refers to political or parliamentary reform as a whole.

5- the purpose of development; enhancing the effectiveness of parliament:

The role parliaments play in political life is related to controlling social conflicts and representing social interests. To do this role parliaments enjoy legislative and control powers to make sure that government never abuses its powers.

Measuring parliaments effectiveness in these areas should be both relative and workable. There is no ideal type for representative parliaments. Thus Arab countries need to intensify efforts in the fields of conducting studies aiming at forming workable theory to measure the effectiveness of Arab parliaments.

6-parliamentary reform is an investment in democracy:

any development process should depend on an approach that designs who, does what, when, with whom, and where?

Such approaches guarantee continuity of development process. Even if the elite carrying the process out is changed.

Development approaches usually suffer a serious deficit that is the wish to start from the point others stopped at. for example parliamentary development in northern world reached a phrase called "electronic democracy" where among other things. Computers are become heavily used in parliamentary work including voting. Using this kind of technology require both the desire and ability to use such technology effectively. Simulating "electronic democracy" in Arab world should not stop at having computers or using it mainly as typewriter. On the contrary using these computers should be a sort of investment in parliament. .

Investment in parliament in Arab world requires working on 4 levels: political effectiveness, institutional capacities, improving performance and enhancing parliaments ability to compete with similar experiences.

It's worth noting that these levels complete each other. Developing is not a decision. It's a continue multilevel process and thus inflating this process should be multi-linear in the context of understanding the importance of parliament as a representative, legislative and controlling institution.

Conclusion

Most of Arabic research work about democratization had ignored the effects of instillation structure of parliaments on this process.

But now most of the debate raised about political life in Arab world is concentrated on re-structuring (re-forming) political regimes to meet the requirements of democracy. Thus there is a growing interest about legislative institutions.

We can notice many proposals that indicate the importance of establishing representative institutions, enhancing their effectiveness in public life through electing (not appointing) their members, giving them legislative powers. Many proposals also take about the role of parliament in the future of democratization and comprehensive development.

Arab regimes are tending to reactivate parliamentary life for many reasons among which: enhancing the legitimacy of their leadership, avoiding public anger, responding to national and international demands to expand political participation; in addition to improving the image of the regime in international arena to look more liberal.

In spite of that the place of parliamentary issues occupying Arab political agenda is not advanced as it is in other countries. This attributes several internal (political, cultural, economical.....etc.) reasons, in addition to external pressures.

Abstract:

What to Reform? A platform for Parliamentary Reform

Karim Sayed Abd el Razik

Political Researcher

The subject of parliament gained more momentum on the political and intellectual scene in the Arab World, and the development of the action of Arab parliaments became more important in view of the challenges posed by the development process and in function of the necessity of development in its own terms as well as keeping up with modern trends in the field of building and developing the institutional capacities of parliament.

It is obvious that the development in parliamentary action and performance in the Arab World is linked to international development in this area, and what it carries in terms of closeness between societal and cultural circumstances prevailing on the one hand, and what this development poses as challenges to keep up with the demands of the epoch in the other. It is also influenced by the trend towards globalizing the action of institutions and the local political experiences on another level.

1 - The Scopes and Methods of Development Parliaments

The most important scopes and methods of institutional development in the parliaments of the contemporary world are as follows:

A - The aspect of the political role of parliament:

In the parliaments of what is called new democracies the processes of institutional development of parliaments are linked to one major issue: "How to make parliament a strong political institution". The issue was exemplified in number of matters more important of which is the nature of electoral arrangements, the relation between the legislative power and government and effect of political elites in power and political parties and influential groups on the efficiency of parliament and the nature of parliamentary committees, the type of rules and listed regulations of parliament's action as well as the extent of information provided to the MPs and the way it affects the role of parliament in its move towards democracy.

B - The Aspect of the Administrative Structure:

There isn't one particular mode which is better than others in the organization of the technical support apparatus for MPs, where the general secretariat is linked to the parliamentary structure which in turn falls within the framework of the existing published system.

The methods of appointing the secretary general of a parliament, differ from one country to another. It lies in the hands of the Prime Minister in the Canadian Parliament, and in that of the President with the approval of Congress in the United States... , but, in any case, the secretary general is the sole top administrator to all those working in the parliamentary apparatuses and enjoys absolute administrative and financial powers to deal with them. On the other hand, there isn't one architypal mode for organizing, dividing or specifying the number of technical apparatuses in the general secretariat of a parliament.

The number of parliamentary committees (permanent ones) in itself differs according to the political and national concerns in each country. It increases and decreases on the basis of these interests. The common ground, however, is represented by the coordination between these apparatuses, on the one hand, and between them and supervisory apparatuses in the other houses of parliament, on the other. Some of these technical apparatuses serve both houses of parliament equally following their laws and procedures, such as the Congress Research Committee (CRS) in the United States and the parliamentary library in Canada.

Most employees of the general secretariat of these parliaments tend to be technically specialized and the proportion of those specialized in law, political sciences and economics exceeds 75 percent, in addition to a proportion whose major fields are History and Sociology. The preparation of non-specialized employees is so low that it is practically not noticeable, as in the parliaments of Poland and the Czech Republic. In the parliament of Canada, even non-specialized services staff who worked within the halls of parliament were replaced by university students and temporary volunteers.

C - The Aspect of Common Qualifications and Skills between Apparatus Employees and Staff of Different Parliaments:

The common ground is the existence of a minimum-shared base between the workers of the parliaments of these countries reflected in their ability to use the computer and modern systems of information (in spite of the existence of centers specialized in computers) and their obvious ability to

handle the sources of fast and modern information gathering like the specialized periodicals and encyclopedias. In addition to this the Canadian parliament is characterized by its common use of Lap Top computers by MPs during parliamentary sessions.

D - The Aspect of Use of Parliamentary Studies and Research:

These are divided into many types, first and foremost are the studies undertaken by the parliamentary committees, which are the central nerve ending of legislative action. The permanent and temporary committees of parliament possess essential research abilities in the fields of law, economics and politics which supply the cadres necessary for legislative action. Second, the directorates of research which could form part of the administrative structure of the parliamentary library (as in Canada) and the national library (as in the Library of Congress in the U.S) or are specialized administration existing in themselves as in Poland and the Czech Republic.

The third type is represented by the research centers linked to parties (Party Caraculs) as in Canada. The fourth type are the non-government research centers that act as centers of experience and are self financed or financed through the government itself, as in the US, Czech Republic and Canada.

In any case, the common ground of these research services generally is the commitment to objectivity and the provision of facts and figures and different supportive positions of various points of view regarding the issues being questioned without favouring one political view and without party bias.

The Development in Internal Regulation of Parliament

There are internal rules and procedures regulating parliamentary action since the parliament is an institution. These rules also regulate how MPs can perform their monitoring and legislative parliamentary tasks. As any other legal frameworks, the internal list of regulations and rules should be considered from a formal / legal and political / practical angles at the same time.

From a formal angle, the list includes a number of regulations pertaining to the performance of the various parliamentary tasks. In this sense, the stipulations mentioned on the list become conditions and regulations to be adhered to in parliamentary action. From the political angle, the list becomes a system or set of ideas and traditions and parliamentary principles aiming at facilitating parliamentary action and the

achievement of a greater degree of democracy within the parliament, as well as transparency towards society and giving power to MPs to represent the citizens. This is why the list should be seen as a whole and examined over the principles it relies upon and the aspects which need to be developed.

The internal procedural list embodies great importance for parliamentary action. Here, the following can be proposed:

- A** - The organized procedural listing of parliamentary discussions and deliberations should never be in contradiction to the freedom of expression of opinion and views of all the MPs or with the variety of views, political allegiances and party affiliations existing inside parliament. In this matter, the party or political differences should not undermine the natural right for all, on equal terms, to participate in the permanent and special committees within parliament, or take part in the leadership of the parliament and its committees.
- B** - The organized procedural listing should guarantee a cooperation between the parliament and the other political and constitutional institutions.
- C** - The organized procedural listing of discussions and the issuing of parliamentary decisions are only a part of a complementary system or set in which the procedural list itself legally occupies the third place, after the rules of the constitution and law. This is why an MP could protect using the stipulations of the constitution or law if he finds that the procedural list does not allow the freedom of discussion.
- D** - The rigid view which considers the procedural list as the primary reference in parliamentary action i.e. a binding order for everyone regarding parliament's structures or discipline of work and its performance of its legislation, monitoring and financial functions, should be constantly discussed and developed.

In this regard, we suggest a discussion of the possibility that parliament elects a committee and calls it "The Procedural Commission". This committee should be specifically concerned with the following: Looking at the possibility of altering the procedural list at the beginning of a legislative session so that the list becomes more in line with the political, economic and social developments and conditions of the society in question. These developments will inevitably improve parliamentary action. The committee should also examine MPs complaints regarding the parliamentary presidency's commitment to the list's provisions whether in the discussions or in issuing parliamentary decrees, and ensure the committee present its

report on these complaints to the presidency of the parliament who will in turn submit it to MPs.

During the parliamentary session whose specific task is to discuss parliamentary complaints, the leader of parliament should temporarily delegate his position to one of his deputies or to the oldest MP in parliament, because he cannot be an adversary and a judge at the same time.

- E - The preparation and organization of the procedural list should not be complicated to an extent that it is difficult to understand it and act upon it by legal experts and people with legal experience. This is a matter that contradicts the task for which the list has been created and its role in "facilitating" the MP's action and enabling him to perform his job. In the case of complicated lists, the MP is left with two choices: Either to do as little as possible in the way of study and analysis for the sake of formality (like the order of presence and procedure of voting) or to spend much effort to adapt to the complications of the list, using special capacities (professional or personal or party provided by a party). There are matters not available to all. He may rely on the general secretariat of parliament, thus becoming more dependent on technical staff, losing his active independence and becoming a mere role figure.
- F - The tendency in procedural lists of Arab parliaments to consider the leader of parliament as a patron over the performance and behavior of MPs contradicts the egalitarian principle among parliamentarians. The leader of the House is the first among equals and his role is primarily organizational.

The Challenges and Important Domains of Institutional Development

Perhaps the most important lessons to be drawn from the attempts of institutional development in contemporary parliaments (particularly the new parliaments in the countries of Central and Eastern Europe) are the following:

- Among the most important basis of the effectiveness of the parliamentary institution is the opportunity it offers citizens to be acquainted with parliament's work. This is why the principle of publishing the proceedings of parliamentary sessions should be applied, except when very sensitive and dangerous issues, such as national security, have been discussed.

- When the proceedings of parliaments cannot be published, it is necessary to publish summaries of them, or at least give access to the media on what those proceedings were so that they can convey them to the public.

- It should be noted that the effectiveness of the legislative role of parliament is linked to the ability of citizens to gain access to the legislative proposals it makes. The latter should be available to the public and the media and at the right time.

- It is necessary to use the modern voting techniques, particularly electronic voting, mainly because of its transparency and the facility in recording the results of voting, and also for the possibility of publishing or conveying it to public opinion.

- Modern parliamentary democracies are concerned with developing the means of interaction and communication and exchange of information between MPs, on the one hand, and the public and civil society, on the other. In addition to media coverage of parliamentary sessions, the public and civil society should be allowed to attend these sessions.

- Serious challenges face the development of Arab parliamentary action and should be taken into account, most important of which is the delay in the development process itself. It has taken the aspect of an urgent intervention to improve a declining situation rather than a conscious act aiming at development and progress. Public opinion's evaluation of Arab parliamentary action is on the decline (internally and externally). Following is some evidence of this:

- The decline in moral stature of an MP because of scandals in which a number of MPs were involved, from corruption cases to others. In addition, the phenomenon of absence from parliaments sessions became quite common. The overall picture of parliament has been shaken, especially from the media point of view.

- The public's concern and expectations regarding changes in Arab political life touches first of all the political parties' activities and the structure of parliament as a whole.

- The dangers in the contemporary economic and communication changes and the inability of parliament to have an impact or to direct these changes. Parliament's role has been limited to approving laws of privatization and the market economy.

- A high degree of "class liquidity" i.e the incomplete representation of the various sectors of society. Questions were raised over the extent to which

the political institutions actually represent the changing forces and social balances and over the fair (or unfair) representation of age, professional and gender groups in parliaments. It has been observed that businessmen (males) are over represented.

- The contradiction between legislative policies of Arab parliaments with the general world trends. This is observed in parliaments positions towards organizing and directing private activity and civil society on the one hand, and human rights, on the other.

- Among the clear paradoxes on the issue of developing Arab parliamentary action is that it is taking place while significant reforms are also happening in the executive power and while public policies are being modernized. The freedom of expression and the space for criticism in politics and the media are relatively widening which is improving the image of government towards public opinion in a number of countries. The judiciary's role in defending rights and public freedoms and monitoring the legality of legislation, is also increasing. All this delayed the necessary reforms and developments of the structure and action of the parliamentary institution.

-

- It may be that the most important aspects in developing Arab parliamentary action lie in the following domains:

-

- 1) Supporting MPs Work

- - The development of an institutionalized system regarding the relations of an MP to the electoral district in particular and citizens in general through two major actions:

- First, the provision of adequate human and technical possibilities for members of parliament to be able to direct their relations to voters/citizens and the creation of offices for them in their electoral districts.

- Second, the concern for financing and the financial capacities of the MP, which will enable him to cover his different activities in his district, and pay for research and studies. Whatever reservations some may have, it is not logical not to trust the MP on the management and use of a limited amount of financing especially when he is entrusted to formulate and defend the laws governing society as a whole.

- The executive power should cooperate with parliament in the provision of information (which is an important matter).The executive branch is the major source of information for MPs and the more they can

cooperate with it easily, the better will their legislative and monitoring performance be. It should also help in responding to voters needs and requests.

- The necessity to organize parliamentary overseas visits so that MPs can visit world parliaments and the different international organizations. These training or study tours are useful for Arab MPs and require good technical preparation through the provision of information on the countries of the world and their parliaments. Exchange of experiences should also take place with world parliaments through MPs themselves and the technical staff assisting them.

- There should be a concern with holding regional and international conferences to discuss the technical and administrative issues in parliamentary institutions. Such conferences could be held in coordination with international parliamentary institutions such as The International Parliamentary Union and the Mediterranean Parliamentary Forum, The Arab Parliamentary Union, the African and Islamic Parliamentary Unions. The latter have become important international organizations and Arab countries are participating in most of their meetings. These organizations are gaining wider importance in view of the contemporary world changes. Arab parliamentary institutions should be prepared to work effectively in them and develop their institutional capacities by participating in their activities. This should not mean just issuing declarations on foreign policy and regional issues. Within this framework, the responsibility of the Arab World should be emphasized. Some thought should be given to the creation of a section or directorate in Arab parliaments which is specialized in enhancing Arab parliamentary life.

- The support of the role of women in parliaments. In this domain, two things are proposed: First, the widening of women's representation base, and second, the coordination between the activities of women MPs, such as the creation of an association or center for women MPs whose principle aim is to activate women's parliamentary role.

- The support for the creation of a Ministry for Parliamentary Affairs to be held by a minister or an MP, depending on the type of political system involved. The existence of this portfolio represents an important means in parliamentary development because it links the executive and parliamentary branches of government and makes them report to one another. It also produces continuity and reduces tension/alienation between members of the two branches. It reinforces the ethics of monitoring and balance and the institutionalization of political, legislative and monitoring roles of parliament in formulating public policies.

2) Institutional Development

- The development of internal regulations of parliaments to provide a degree of balance between the various political and party currents and to enable the effective running of parliament and distribution of leading positions within it.
- The development of committees' regulations and the modernization of their technical performance. The enhancement of their role in initiating legislation and the careful and patient study of legislation. The development of special committees' reports through recourse to scientific experts and their participation in the preparation of these reports regarding pressing issues.
- In addition to this is the need to ensure full cooperation between the various committees and their concern for their legislative role and its implications.
- Concern for parliamentary information and creating chances for public opinion to pursue parliament's work whether through physical attendance or via modern technological and communication means.
- The continuous and serious training of those working in parliament, particularly those working in research and development, with special emphasis on the art of legislative formulation. Members of parliament should be knowledgeable on the skill of legislative formulation which is considered the major obstacle against serious discussion of proposals of laws and the performance of their legislative roles in general.
- The creation and development of a directorate of training in the technical apparatus of parliament and its support with all the human, material and administrative facilities.
- Concern for information and technical support for parliamentary action (such as: electronic voting, a modern method of archiving documents, setting out and issuing guidelines, the creation of channel for direct broadcasting of parliament's action (in both houses where they exist).
- Access to centers of research, ("think tanks ") and the institutions of civil society.
- The creation of a nucleus for Arab parliamentary research. This will represent an initiation to the idea of Arab "Houses of experience" in parliamentary action. It is not known whether there are such specialized "Houses" based in the Arab world, or whether there is such a concern in academic forums (such as the Arab Association for Political Science) or in civil society organizations or Arab universities.

- Despite the existence of a number of Arab and regional reports on economic, literary and political matters (human rights, strategic issues), there is not one Arab report on parliamentary life. The idea of preparing “the Arab Parliamentary Report” will represent an important means to support the development of Arab parliamentary action and simplify parliamentary life for the public and bringing parliamentary studies and research to the public level.
- The expansion of the activities of parliamentary media information, through broadcasting the sessions and organizing student visits to parliament and model programs such as the youth parliament, the small parliament and vanguard parliaments.

Abstract

Bicameralism and New Democracies

Mr. Sebastian Mosneron Dupin
Deputy Secretary General- French Senate

1. Bicameralism: a very mixed parliamentary system inherited from a rather heterogeneous tradition

There is not one, but many bicameral traditions.

Historically, three traditions can be distinguished:

The British Monarchy's tradition which implements a power attributed to a specific social class, who's pre-eminence is to be shaken by the evolution of the whole society;

The United States of America's political tradition, with the 1787 Constitution and the representation of both federate and federal States;

The French tradition, more recent, whose purpose is to represent of local authorities.

2. An institutional architecture frequently found:

These institutional traditions have recently experienced a very important surge and a renewed interest in the recently witnessed democratic transition.

A widespread model

If 45 States had, in the beginning of the 70ties, a bicameral system, nowadays around 70 of them have adopted that political system, to which can be added 15 States that have either considered or decided the creation of a Senate not yet implemented. Furthermore, far from being a sort of "institutional abnormality", bicameralism remains today the parliamentary system under which lives the majority of inhabitants on Earth and has been adopted by the most important economic powers: out of the fifteen States of the world, whose GDP are among the first in the world, only two –China and South Korea– have mono cameral institutions.

The lack of bicameral doctrine:

The development of the two Chambers system has occurred without the support of a genuine political doctrine.

Whereas the powers and the functions of the lower Chambers have been firmly established by a well-identified political theory, the bicameral

institutions derived of sheer pragmatism. Such a fact can easily be explained by the flexibility of this political system, whose purpose is to cope with a diversity of cases.

A great diversity of situations:

The great diversity, regarding the composition and the functions of the Upper Chambers, contrasts with the rather homogeneous aspects of the mono cameral system. Upper Chambers reflect therefore the deep tensions of the States where they occur and which they contribute to alleviate.

1. An heterogeneous composition:

Second Chambers can be either elected or/and be composed of appointed members.

The bicameral Chambers, which are composed through political elections, represent their majority: out of 71 bicameral parliaments, 38 are composed of members who are exclusively elected.

Among these institutions, 21 are elected through a direct suffrage. The indirect suffrage, most often related to local authorities and the votes of already elected, on a local basis, electors, remains in 15 countries, including South Africa, Gabon and the Russian Federation. Moreover, these three system illustrate various cases of indirect representation:

South Africa refers to an election by the legislatif assemblies of the different provinces; a system which has also been chosen by many other States, as Austria and Ethiopia. This system is mostly chosen by federal countries.

Gabon has opted for an electing process based on the vote of various representatives from different levels : local council (“collectivités locales”), communes and departements, as in France and Mauritania.

The Russian system relies on the designation, in the Council of the Russian Federation, of representatives by both executive and legislative organs related to every Republic of the Federation. By the same token, in Germany, the Bundesrat is composed of representatives of the governments of the Länder, who have necessarily been previously appointed by their legislative regional assemblies.

On one hand, two States have nowadays a bicameral system, resulting of both direct and indirect electing process: Spain and Belgium. The Spanish Senate is composed both of 208 members, elected through universal and direct suffrage, and 51 other members, elected by the Assemblies

representing the 17 autonomous community of the country. The Belgium Senate is composed of 40 members, elected through direct and universal suffrage, whereas 21 are elected through the Communities councils; these two groups appointing altogether 10 other Senators.

On the other hand, some Upper Chambers are partly composed of elected and appointed members. Once again, a mixed procedure can be found, as in Chili or Italy, where the election is based on a direct or, as it occurs most, on an indirect suffrage.

Lastly, 16 Senates have their members fully appointed. This occurs mainly in two sorts of States, id est those whose size and population can't easily legitimate two levels of general elections (Antigua, Bahamas...). In this group can be added important States whose transition to democracy has not been fully achieved, such as Jordanian and Cambodia.

2. A great diversity in size and term of office :

Without generalizing too much, bicameralism refers to rather small assemblies as it is proved by the Mauritanian, Gabonese, South African, Ethiopian and Nigerian Senates which gather, each of them, between 56 and 109 members.

Very diverse are also the different terms of office of the Upper House members, whose average is between 4 and 6 years. In a rather exceptional way, the senatorial mandate can last up to 9 years, as in Morocco and Liberia.. More specific indeed, hereditary peerage still existing in the Leaders Chamber of Bostwana, as well as in the Senate of Lesotho for 22 out of its 33 members.

The partial renewing process, which aims at a relative political stability, is also frequently used in bicameral institutions, as in Morocco, Egypt and Mauritania.

Moreover, the lack of power faced by Governments to call for the Upper Chamber dissolution, is also a key for political stability. Only a few national constitutions recognize to the Government the prerogative to call for senatorial elections, as in Morocco and Jordanian.

The official rank of the Upper House's President, in most cases the 2nd or 3rd national figure of the State, and, to a more extent, his part in case of the Head of State's impediment, confer to that institution a real impact on the political continuity. De facto, the President of the Senate deputizes for the Head of State in these following countries: Algeria, France, Gabon, Mauritania, and Liberia.

3. Some diversified powers: Egalitarian and non-egalitarian bicameral institutions:

On one hand, the majority of the Upper Chambers do have the same kind of legislative powers as their lower counterparts. On the other hand, a rather non-egalitarian conception of the Upper Chamber's powers is widely found in the African and Arabic world.

Nevertheless, there is no fixed principle regarding the main aspects of the legislative power, which are the various rights to initiate legislation, to amend, and, in a lesser extent, the capability to influence the law making process.

First, the right to propose bills is granted to most of the Upper Chambers, while being supervised as in Jordanian, or restricted on financial or fiscal matters, as in many countries, whose political tradition remains Anglo-Saxon, such as in Liberia or in Lesotho. Only four Upper Chambers are utterly deprived of that specific right (Algeria, Ethiopia, Lesotho or Namibia). Meanwhile, the vast majority of Second Chambers, apart from the Algerian Senate, is granted the right to amend bills.

As far as the right to decide during the law-making process is concerned, there is a widespread agreement about the positive vote of the Upper House to pass a bill. By the same token, bicameralism can be utterly egalitarian, as it occurs in Jordanian.

Nevertheless, this is far to say that Upper Houses have a totally similar right as their lower counterparts, as in South Africa, the National Council of Provinces can have its veto outpassed by the majority -gathering two-thirds of its members- of the National Assembly. That procedure shows the possible limits, in certain cases, to an egalitarian conception of the power between the two Chambers.

In arabic and african countries, where half of the six consultative assemblies are located (Egypt and Bostwana), a great deal of consultative assemblies can be found. In these three cases, the Upper Chamber does not vote, but give advices on the content of the bill.

In an opposite way, the federal chambers (Ethiopia and Nigeria) have important powers, among those the mediation between federate and federal levels. The Nigerian Senate, whose functions are inspired by the United States Upper House, is a specific case, as it is granted with some outstanding powers, such as the impeachment of the Head of State, audition of Ministers, the implementation of the Financial law, the power of enquiry, as well as the

faculty to censure the government after a general policy declaration. In the same way, in Morocco, the Chamber of the Counsellors is provided with some widespread legislative powers, up to become the efficient part of an egalitarian political system, on issues such as the adoption of organic laws, the backwards and forwards bills examination and the vote of no confidence.

4. Some powers out of the usual legislative process:

Apart from the Law voting process and the political support of the government, the Upper Chambers are granted different powers, which can be classified into three categories:

The fostering of the Constitution;

The participation in the appointment the top civil servantry ;

The power of jurisdiction.

Senates are frequently created to stabilize political institutions. No wonder that, with such a purpose, these institutions have a real constituent power. As a matter of fact, they act accordingly in two ways: first, their agreement – based on a qualified majority of their members - is often requested to revise the constitutional law. Second, Senates can have the faculty to check the respect of the fundamental law, either by appointing supreme judges – on a partial basis, such as in Gabon, Morocco and Mauritania - or by submitting them any bill estimated contrary to the constitution, as it often occurs in Algeria, Morocco and Mauritania.

Beyond the appointing process of the supreme judges, Upper Chambers, when, once again, the continuity of the State is at stake, take their part in the nomination of top civil servantry. Therefore, in Liberia, the Head of State appoints, with the support of the Senate, diplomats, supreme judges and members of different jurisdictions, local public administrators and, to a lesser extent, senior military and police officers. In Nigeria, the appointment of the Federation's general Regulator by the Head of State, according to a proposal made by the Federal Administrative Commission, is subject to the Senate's final agreement.

Senates have their own part in the judicial prosecution of some State officials, either on their own behalf, or in accordance with the lower chambers. They can indict or judge the Head of State, or, in some cases, his ministers. This prerogative can be considered as essential for the executive power, especially when presidential regimes are concerned (as in Nigeria with the impeachment procedure). In Liberia, the Senate is exclusively competent for judging the indictment of both judicial and political officials,

after the Lower Chamber has initiated the prosecution. In these cases, the senatorial decision must be supported by a two-third majority of its members to declare the destitution of or to ban out of office the people implicated, who can, in the meantime, be referred to civil jurisdictions.

3. A way to foster parliamentary institutions :

The great diversity of the above mentioned examples gives evidence of the assets of bicameral institutions, which can foster democracy without disrupting political balance. In this way, the two chambers system contributes to implement, in the long term, parliamentary institutions, by mitigating the mono cameral rigidity.

a. To contribute to the opening up of the political system :

A great deal of newly established democracies has adopted a bicameral system to soften the effects of a representation process, exclusively based on arithmetic standards.

1. To alleviate the rigidity of the one Chamber system :

A strictly arithmetic standard cannot represent the diversity of the population as a whole. Even if the political assembly based on it is a legitimate institution, it cannot reflect the diversity of its territory and population. Moreover, such an institution is also ruled by a political majority, which, in some cases, gives to it the side-effect of a rather partisan fledging institution, which tends to ignore the various characteristics of the population it, therefore, partially represents. Such a situation seems to bring into disrepute the representative system, causing a disinterest among citizens for political institutions; which remains a harmful obstacle to the democratic vitality and a threat to the State.

Far from ignoring the legitimacy of the lower Chamber, The bicameral system strengthens the place of the national Assembly, whose impact on the political life becomes, henceforth, stronger.

2. A way to assure transition to democracy :

The creation of a Second Chamber contributes to the interplay of institutions, by alleviating tensions between the executive and legislative powers, frequently depicted as an exclusive collusion between the Government and its political majority. The setting of a new institution leads the way, especially in authoritarian regimes, for an authentic democratisation, without threatening the political balance. The introduction

of a Second Chamber, in a mono cameral context, can implement a new institutional architecture, more respectful of the specificities of the country.

In some cases, such a decision stands security for the political regime, by creating a new chamber close to the executive power. In an opposite way, a really achieved democratic transition requires the recognition of the political minority in a proper institution, working together with a lower chamber, whose task is to represent the political majority and to support the government.

In such a political context, the challenge is to gauge as much as possible the shape of the bicameral institution, to cope in the best possible way with the various needs of the country. In this respect, there are many possibilities to represent the local and regional diversity where cultural and socio-economic differences matter.

b. A way to represent efficiently the regional, cultural, socioeconomic and religious diversities of any country:

In a democratisation process, the first asset of the two chambers system remains the specificity of its representation.

1. A better representation of the social reality as a foundation stone of democracy:

The specificity of Second Chambers seems to take into account, especially in continents like Africa, its social differences. Such a purpose tends to alleviate the unsteadiness of societies hurt, in some cases, by social, racial and cultural unsteadiness.

This diversified representation refers, in most cases, to two socio-professional groups:

The Lifeblood of the country and its professional groups:

Two fifth of the members of the newly established Moroccan Counsellors Chamber are elected by the Professional Chambers and by the salaried workers' representatives, whereas the rest of the Chamber is elected by the local authorities. The Irish Senate is also composed of some members elected by the Irish Universities, while all of the Senators, even representatives of local councils, are entirely elected through their professional membership.

The traditional elites:

This is obvious in Africa: traditional leaders have been very often ignored by the political powers established right after the independence; a situation which has, in a few years, generated a both social and political threat to the regime. To avoid such a deadlock, many African States consider as legitimate the creation of Second Chambers with an aim is to recognize and associate these leaders to the political power.

The Leaders Council of Botswana fulfils this task, as well as the also newly established Mauritanian Senate, which is often depicted as local councils elect "Tribal Council" despite its members. In such a way, Lebanon, torn apart by so many years of civil war, should be, according to the Taëf Agreements, provided with a Senate not yet been implemented, whose purpose would be to represent and protect its various denominations, evoked, in the treaty, as "spiritual families".

In this respect, the two Chambers system, by associating traditional elites to the good functioning of democracy, contributes to ground political institutions on the socio-economic aspects of the country.

2. A way to regulate tensions between communities:

The bicameral system aims at appeasing internal conflicts, either by taking into account the very existence of communities, or by overtaking it.

For countries hurt by civil, ethnic or religious internal conflicts, a two Chambers system, by associating traditional leaders or having for purpose inter-ethnic reconciliation, as in South Africa, whose National Council of the Provinces after the Apartheid, laid the ground for internal appeasement.

Most of the members of African Senates are elected through an indirect process, notwithstanding that the Ethiopian Federation Council and the Nigerian Senate have some of their members directly elected as their lower counterparts. Moreover, their term in office remains longer than in the National Assembly and appears as another factor of institutional stability.

3. The representation of territories:

In an opposite way, the creation of a Second Chamber can overtake the very existence of communities, represented on a local level. In various ways, specific councils, issued from local authorities, indirectly elect Algerian, Gabonese, Moroccan, Mauritanian and Namibian Senators. Thus, the creation and delimitation of these decentralised organs, which are a

prerequisite, can, in some cases, slow down the establishment of the Upper Chambers.

Nevertheless, this territorial representation has to be declined according to the specificities of each country, which cannot be based on an inconvenient mimetic, for fear to be quickly considered as irrelevant. For instance, in South Africa, the National Council of Provinces, whose functions have been fixed by President Mandela, represents the Provinces, whose interest can, thereby, be taken into account in the law-making process. Such an institution contributes thereby to the national reconciliation evoked in the Preamble to the Constitution of 1996 as a “unity in diversity”.

In Algeria, according to the constitution, “two-thirds of the members of the National Council are elected by the communal and the wilaya’s popular assemblies, without any demographic consideration and on the ground of two representatives for each wilaya”, in order to act as a “vivid intermediary between local authorities and central powers”.

In Chad, the constitutional draft committee, which has drawn up the constitutional bill of March 1996, incorporated a recommendation made by the national sovereign conference of 1993, advising the creation of a Senate to represent decentralised local councils.

Lastly, the development of local democracy has to be fully recognized in Africa, where the risks of balkanisation and public proliferation seem to be rather limited. To take into account local and regional interests implies a new recognition of territorial and small entities. Such a purpose stresses the key part of the Upper Chambers in reinforcing the authority of the State.

4. A way to achieve the implementation of Parliamentary regimes:

The creation of a Second Chamber refers, above all, to a specific definition of political representation, which can achieve a transition to democracy. Moreover, the long-term fostering process of democracy implies a new role for the bicameral institutions, whose constitutional impact is also confirmed.

a. A real benefit to the authority and the quality of the legislative process:

1. To send backwards and forwards a bill : to improve the law-making process :

The two Chambers system is an efficient way to improve the legislative production, as it has a specific impact on the bill’s discussion, by incorporating various aspects related to the situation of its members, who

can use their own experience and background to amend bills, in accordance with the expectations of their fellow citizens. As a matter of fact, the rereading of the bill, through the specific sight of the Upper Chamber, is one of the indisputable assets such an institution brings to the public debate. That political device prevents therefore many risks such as the government's arbitrary as well as those raised by legislative improvisation. Besides, to send backwards and forwards a bill cannot but improve the law-making process, as it provides some further time to deliberate and to express divergent opinions.

Lastly, the two Chambers system, on its own, paves the way for specialization, as it allows one assembly, rather remoted from the political turmoil and agitation, to pursue its own reflection and invest its time into a thorough assessment of the legislation.

2. An actor of the reinforcement of the authority of the Law:

The law, whose terms have been chosen through a conflicting deliberation, gains necessarily a reinforced authority. Its legitimacy is fostered by the backwards and forwards process, which allows the Members of both Chambers, whose representation refers to various standards, to express better the needs of the society.

b. A noteworthy participation in the control of the Government:

The two Chambers system appears also as a modern incarnation of the separation of powers, without which there is no real constitution. The development of political system, where political majority and Government are one and the same, calls for the implementation of a plainspoken Upper Chamber, excluded from the widely found submission to the executive power.

Less directly exposed to the political life and its groups, as well as to the governmental pressure, an Upper Chamber enjoys, more often, a real independence which allows it to check, in a more efficient way, the policy led by the government.

In this respect, in United Kingdom, the European Legislation Committee, constituted by the House of Lords, implements effectively the monitoring of the European process. By the same token, the German Bundesrat, representing the Länder, has a major part in preserving their powers and the regional balance within the federal State.

The French Senate has also innovated in his check and balance power, by implementing, since 1972, a constant supervision of the actual application of the law. It is also associated with the French National Assembly in the monitoring of the legislation and the policy led by the Government, by creating a parliamentary office. Moreover, on European matters, the Senate has sent a delegation, permanently based in Brussels, in order to chek at close range the activities of the European Institutions.

Conclusion: the two Chambers system as a constantly improvable political system:

A system, which can be adapted to national situations;

A system whose aims and tasks evolve in accordance with those of the democratic institutions;

A system whose specificities explain why the transition to democracy comes along with the renewed interest for the two Chambers system.

Bicamérisme et Nouvelles Démocraties

Mr. Sebastian Mosneron Dupin
Deputy Secretary General- French Senate

I - Le bicamérisme : un modèle parlementaire hétérogène

1) Des Traditions Bicamérales Hétérogènes

Il n'y a pas une, mais des traditions bicamérales.

On distingue historiquement trois traditions, la tradition de la monarchie anglaise qui propose avec la Chambre des Lords un partage du pouvoir politique au bénéfice d'une classe sociale dont l'évolution de la société tendait à remettre en cause la prééminence : Il a y ensuite le modèle des États-Unis d'Amérique avec la Constitution de 1787 et la représentation des États fédérés dans les États fédéraux. C'est enfin la tradition française plus récente de représentation des collectivités territoriales.

2) Une architecture institutionnelle de plus en plus utilisée

Ces traditions institutionnelles ont connu un essor important et un regain d'intérêt récent dans les processus de démocratisation.

Un modèle très largement diffusé

Si environ 45 pays connaissaient, au début des années 1970, le système bicaméral, ce nombre s'établit aujourd'hui à 70 et une quinzaine de pays supplémentaires envisagent de créer un Sénat ou en ont pris la décision sans que la Chambre soit encore créée. Plus encore, loin d'être une "anomalie", le bicamérisme est actuellement le système parlementaire sous lequel vivent le plus grand nombre d'habitants de la planète et celui qui a été choisi par les États les plus puissants économiquement : sur les quinze pays du monde bénéficiant des produits intérieurs bruts les plus élevés, seuls deux -la République populaire de Chine et la Corée du Sud- ont un Parlement monocaméral.

Une théorie du bicamérisme en cours d'élaboration

Ce développement du bicamérisme s'est effectué sans qu'il n'y ait la production d'une doctrine du bicamérisme.

Autant le rôle et les pouvoirs des chambres basses dans un régime démocratique s'inscrivent dans une tradition théorique bien assise, autant le bicamérisme est un enfant du pragmatisme. Cette situation s'explique par la

souplesse du système bicamérale qui a conduit à des statuts extrêmement variés.

3) Des Statuts Variés

La grande hétérogénéité de la composition et des fonctions des Sénats ou Secondes Chambres contraste avec l'homogénéité des systèmes monocaméraux. De ce point de vue, les Sénats sont de remarquables révélateurs des tensions profondes qui animent les divers pays en même temps qu'une technique permettant de les prendre en compte.

Des compositions hétérogènes

Des modes de désignation très divers.

Les Sénats élus dans leur totalité sont majoritaires : sur un total de 71 Parlements bicaméraux constitués, 38 comportent une seconde chambre dont tous les membres sont élus.

Parmi ces chambres, 21 sont élues au scrutin direct. Le scrutin indirect, le plus souvent dans le cadre des collectivités locales et par le truchement des élus locaux, est pratiqué dans 15 pays dont l'Afrique du Sud, le Gabon, la Fédération de Russie. Ces trois États fournissent d'ailleurs trois modèles différents de recours au scrutin indirect. Le cas de l'Afrique du Sud correspond à une élection par les assemblées législatives des provinces, système choisi par plusieurs autres États comme, par exemple, l'Autriche ou l'Éthiopie. Il s'agit, le plus souvent, de pays à organisation fédérale. Le Gabon, lui, a choisi une élection par les représentants des collectivités locales, communes et départements. C'est aussi le cas de la Mauritanie ou de la France. Enfin, le système russe prévoit la désignation, au Conseil de la Fédération, d'un représentant des organes exécutif et législatif de la république concernée. Ipso facto, ce sont les présidents des gouvernements et des assemblées des républiques qui siègent au Conseil. En Allemagne, ce sont les représentants des gouvernements des landers, eux-mêmes désignés par les assemblées législatives régionales, qui forment le Bundesrat. On retrouve, ici encore, un modèle fédéral.

Deux États pratiquent à ce jour un système mixte mêlant scrutins direct et indirect : l'Espagne et la Belgique. Le Sénat espagnol compte ainsi 208 membres élus au suffrage universel direct et 51 élus par les assemblées des 17 communautés autonomes du pays. Le Sénat belge, lui, est composé de 40 élus au suffrage universel direct, 21 élus par les conseils de communautés et 10 cooptés par les 61 premiers.

Certains Sénats sont, par ailleurs, partiellement élus et partiellement nommés. Selon les cas, ici encore, l'élection peut être directe (Chili, Italie) ou, et c'est le cas le plus fréquent, indirecte

Enfin, 16 Sénats sont nommés dans leur totalité. Mais il convient de faire ici trois observations. En premier lieu, ce cas concerne, à titre principal, deux types d'États. Les plus nombreux sont des pays dont la taille et la population justifieraient difficilement deux niveaux d'élections législatives (Antigua, Bahamas...). Moins nombreux, mais tout de même significatifs, sont les États en cours de démocratisation (Jordanie, Cambodge).

Des effectifs et une durée de mandat variés

Sans faire de généralisation abusive, on peut affirmer que le modèle bicaméral correspond à des assemblées aux effectifs réduits. Ainsi les Sénats de Mauritanie, du Sénégal, du Gabon, d'Afrique du Sud, d'Éthiopie et du Nigeria rassemblent entre 56 et 109 membres.

La durée du mandat des différentes secondes chambres est, elle aussi, très variable. Elle est fréquemment comprise entre 4 et 6 ans. Exceptionnellement comme au Maroc et au Liberia elle peut être de 9 ans. A l'inverse, la Chambre des Représentants du Burkina Faso dispose d'un mandat inférieur à 4 ans. Enfin, on relèvera les cas d'hérédité au sein de la Chambre des Chefs du Botswana pour 8 de ses 15 sièges ou au Sénat du Lesotho pour 22 de ses 33 sièges.

Le renouvellement partiel, qui vise à assurer une relative stabilité des assemblées, à éviter les à-coups politiques, est fréquemment pratiqué : ainsi l'Égypte, le Maroc et la Mauritanie l'ont expressément retenu.

L'impossibilité de dissoudre les Sénats est une garantie fréquemment utilisée pour assurer la stabilité et la continuité de l'État. Seules certaines constitutions nationales prévoient un droit de dissolution comme en Jordanie ou au Maroc.

Le rang du Président du Sénat, généralement 2ème ou 3ème personnage de l'État, mais aussi et surtout le rôle qu'il joue très fréquemment en cas d'empêchement du Chef de l'État, témoignent aussi de cette volonté de faire des Sénats des éléments de continuité institutionnelle. De fait, le Président du Sénat assure l'intérim du Chef de l'État dans les pays suivants: Algérie, Gabon, Mauritanie, Liberia, Sénégal.

Des pouvoirs diversifiés

Bicamérisme égalitaire et bicamérisme inégalitaire

La majorité des Sénats dans le monde dispose de pouvoirs législatifs équivalents à ceux de l'autre assemblée. En revanche, le modèle dominant en Afrique et dans le monde arabe n'est pas le bicamérisme égalitaire ou quasi égalitaire tel qu'on le retrouve sur la planète.

Ainsi, en examinant les principales composantes du pouvoir législatif que sont le droit d'initiative, le droit d'amendement et la capacité de décision lors de l'examen des textes, le constat est partagé.

Le droit d'initiative est dévolu à la plupart des secondes chambres, même s'il est encadré par certaines conditions comme en Jordanie, ou limité en matière de lois financières ou fiscales, comme cela est souvent le cas dans les pays anglo-saxons, en particulier au Liberia et au Lesotho. Seules quatre chambres hautes ne disposent d'aucun droit d'initiative (Algérie, Éthiopie, Lesotho, Namibie). Par contre, en dehors de l'Algérie, toutes les secondes chambres disposent du pouvoir d'amendement.

En ce qui concerne les pouvoirs de décision des Sénats lors de la procédure d'examen des textes, on constate que, dans un grand nombre de cas, l'accord du Sénat est nécessaire à l'adoption définitive d'une loi. En ce sens, le bicamérisme est totalement égalitaire comme en Jordanie.

Il convient néanmoins de souligner qu'une variante de ce bicamérisme égalitaire limite la similitude des pouvoirs à certains domaines. Ainsi, en Afrique du Sud, le Conseil national des provinces a un droit de veto pour les projets touchant les provinces ; ce droit ne peut être levé que par l'Assemblée nationale à la majorité des 2/3.

Dans les pays arabes et africains, on compte un nombre important de chambre consultative. La moitié des six chambres consultatives recensées sur la planète se trouve, en effet, en Afrique et dans le monde arabe (Botswana, Burkina Faso, Égypte). Dans ces cas, la Chambre haute ne participe pas, à proprement parler, au vote de la loi mais donne des avis sur son contenu

A l'inverse, les chambres fédérales (Éthiopie, Nigeria) ont des pouvoirs notables et un rôle important de médiation entre niveau fédéré et niveau fédéral. Le Sénat nigérian, inspiré du modèle du Congrès des États-Unis, est un cas particulier car il est doté de pouvoirs de contrôle particulièrement importants: procédure d'impeachment, audition des membres du Gouvernement, contrôle de l'exécution de la loi de finances, droit d'enquête, faculté d'être saisi d'une déclaration de politique générale. Il semble en être

de même au Maroc où la Chambre des conseillers dispose de pouvoirs législatifs et de contrôle très étendus (bicamérisme égalitaire pour l'examen des lois organiques, système de navette, faculté de voter une motion de censure).

Des pouvoirs extra législatifs variables

En dehors du vote des lois et de la mise en jeu de la responsabilité politique du gouvernement, les Sénats disposent de pouvoirs extra législatifs qu'il est possible de classer en trois catégories : la consolidation de la Constitution, la participation aux nominations des hauts responsables de l'État et l'exercice de pouvoirs juridictionnels.

Les Sénats sont fréquemment conçus comme des stabilisateurs institutionnels. Il n'est pas étonnant, dans ces conditions, qu'une large part du pouvoir constituant leur soit dévolue. De fait, ils jouent un grand rôle en ce domaine et de deux façons : en premier lieu, ils participent souvent au processus de révision constitutionnelle. Leur accord est généralement requis pour qu'une révision aille à son terme et les constitutions exigent fréquemment un vote sénatorial à la majorité qualifiée pour leur modification ; en second lieu, les Sénats peuvent jouer un rôle en matière de contrôle de constitutionnalité soit qu'ils nomment une partie des juges constitutionnels, soit qu'ils puissent déclencher ce contrôle. Ainsi notamment au Gabon, en Mauritanie et au Maroc, la nomination partielle des juges constitutionnels est pratiquée. La saisine de la cour constitutionnelle est, elle aussi, assez répandue comme en Algérie, en Jordanie, au Maroc et en Mauritanie.

Au delà des nominations des juges constitutionnels, les Sénats jouent un rôle important dans la désignation des hauts responsables de l'État. Ici encore, l'enjeu n'est rien d'autre que la stabilité de l'État par la stabilité de ses cadres. Ainsi au Liberia, le Président nomme avec l'accord du Sénat les diplomates, les juges de la Cour suprême et des cours inférieures, les administrateurs locaux, certains officiers de l'armée et de la police. Au Nigeria, le Contrôleur général de la Fédération est nommé par le Président sur la recommandation de la Commission fédérale de l'administration, sous réserve de confirmation par le Sénat.

Il est fréquent que les Sénats participent avec l'autre chambre, ou seuls, au jugement de certains hauts responsables de l'État. Selon les cas, son rôle est de mettre en accusation ou de juger, ou de procéder à l'une et l'autre de ces opérations. Cette mission concerne généralement le chef de l'État, ou les

membres du Gouvernement. Elle apparaît alors comme une variante de la mise en jeu de la responsabilité politique de l'exécutif, en particulier dans les régimes présidentiels. Tel est le cas au Nigeria avec la procédure d'impeachment. Au Liberia, en ce qui concerne le personnel politique ou judiciaire, le Sénat est exclusivement compétent pour juger des cas de mise en accusation, laquelle est de la compétence de la seule chambre des Représentants. Dans ces cas, la décision du Sénat doit recueillir les voix des 2/3 du nombre total des sénateurs. Les condamnations ne peuvent aller au delà de la destitution et de l'interdiction d'occuper des fonctions publiques, mais la personne mise en cause peut être jugée devant les juridictions ordinaires pour les mêmes faits.

II - Un Vecteur D'enracinement des Régimes Parlementaires

La diversité des exemples précités montre à quel point le bicamérisme peut accompagner un processus de démocratisation sans bouleverser l'équilibre institutionnel. Dans cette perspective, le bicamérisme est un vecteur d'enracinement des démocraties parlementaires qui permet d'atténuer les rigidités du monocamérisme.

1. Un facteur d'ouverture du système institutionnel

Si nombre de jeunes démocraties choisissent un modèle bicaméral, c'est en grande partie pour atténuer les effets d'une représentation arithmétique de la population.

Les rigidités du monocaméralisme

Une représentation arithmétique de la population

Le modèle de représentation fourni par le système monocaméral ne permet pas de prendre en compte la diversité des sociétés. Partout, la fonction des députés est de représenter la population arithmétiquement et cette institution est incontournable en démocratie. Mais elle ne saurait répondre seule à la complexité de la représentation nationale : une assemblée unique ne peut pas refléter les spécificités du territoire non plus que celles de son peuplement.

Une institution nécessairement dominée par une majorité politique

Si l'on ajoute à cette donnée une organisation partisane encore balbutiante dans de nombreuses régions, tout laisse à penser que les populations peuvent s'estimer mal représentées par leur parlement. Ce constat d'une représentation imparfaite de la Nation est de nature à

discréditer la démocratie représentative : il peut générer, outre un désintérêt des citoyens dommageable pour la vitalité de la démocratie, de grandes difficultés pour asseoir la légitimité des institutions démocratiques et donc pour assurer leur stabilité, voire même leur fonctionnement normal. On peut donc redouter une fragilité du jeune État, source de désordres et de conflits.

Une légitimité incontestable

Loin de remettre en cause la légitimité des chambres basses, l'instauration d'un système bicaméral permet d'asseoir les régimes démocratiques et de renforcer l'assise des premières chambres.

a) Un outil de transition démocratique

L'introduction d'une seconde chambre permet d'ouvrir le jeu institutionnel en mettant fin au face à face entre l'exécutif et le législatif, entre un Gouvernement et sa majorité. La mise en place d'un nouvel acteur institutionnel autorise, en particulier dans les régimes autoritaires, l'introduction d'éléments de démocratisation qui ne remettent pas en cause la stabilité des régimes. La présence aux côtés de l'exécutif et de l'Assemblée nationale d'une deuxième chambre ouvre des possibilités d'architecture institutionnelle variées qui peuvent dès lors répondre aux problèmes spécifiques de chaque pays.

Dans certains cas, la démocratisation de la première chambre est rendue possible par la mise en place d'une deuxième chambre dont la composition proche de l'exécutif en place garantit la stabilité du régime. Dans d'autres cas, à l'inverse, la démocratisation du régime passe par l'intégration au sein d'une seconde chambre de la minorité politique face à une chambre basse chargée de représenter la majorité et de soutenir l'exécutif.

Dans une phase de transition démocratique le défi est alors de bien calibrer les institutions afin que le système bicaméral mis en place réponde bien aux problématiques du pays. Pour ce faire, il existe plusieurs façons de représenter la diversité régionale, culturelle et socio-économique de chaque pays.

2- Une fonction de représentation des diversités régionales, culturelles, socio-économiques et religieuses de chaque pays

Dans une phase de transition démocratique, le premier intérêt du bicamérisme est ainsi le mode de représentation de la réalité sociale qu'il autorise.

a) Une représentation de la réalité sociale qui assure un meilleure ancrage au modèle démocratique

L'originalité propre aux secondes chambres, en particulier dans des continents comme l'Afrique, réside probablement dans la prise en compte de la diversité des paysages sociaux et la nécessité de rétablir l'égalité par des mesures spécifiques et des pratiques différentielles, dans des pays affectés par des déséquilibres sociaux, raciaux et culturels.

Cette représentation diversifiée des composantes d'une société concerne en particuliers deux catégories de personnes:

Les professions, catégories sociales ou les "forces vives de la Nation"

Les 2/5èmes des membres de la nouvelle Chambre des Conseillers du Maroc sont élus par les chambres professionnelles et les représentants des salariés (les autres conseillers le sont par les collectivités locales). Le Sénat irlandais compte des membres élus par les universités. De surcroît, s'ils sont désignés, pour une large part, par les conseils locaux, les Sénateurs irlandais sont tous choisis sur la base de leur appartenance professionnelle.

Les élites traditionnelles

Le cas est patent en Afrique. Les élites, qu'il s'agisse des représentants de la "coutume", des chefs de tribus..., ont été très souvent exclues du pouvoir au moment des indépendances. Les conséquences de cette exclusion commencent aujourd'hui à apparaître : des États menacés socialement et politiquement. Pour y remédier, nombre d'États africains considèrent comme utile la création de Sénats associant ces élites traditionnelles.

Le Conseil des Chefs du Botswana joue aussi ce rôle de représentant des chefs traditionnels. Le Sénat mauritanien, récent lui aussi, a été présenté comme un "Sénat tribal" bien que ses membres soient élus par les conseils des collectivités territoriales. Le Liban, déchiré par des années de guerre civile, a aussi vu dans la création d'un Sénat prévue par les accords de Taëf mais qui n'a pas encore abouti, une modalité de représentation et de protection des différentes confessions du pays.

Dans cette perspective, le bicamérisme apparaît comme un mécanisme qui permet d'associer les élites traditionnelles au fonctionnement de la démocratie afin d'asseoir les régimes parlementaires sur les structures de base des sociétés.

b) Un mode de régulation des tensions inter-communautaires

Une technique d'apaisement des conflits soit par la reconnaissance du fait communautaire, soit par son dépassement

Pour les pays qui ont connu des guerres civiles, ethniques ou religieuses, l'instauration d'une seconde chambre peut être un instrument visant à résoudre les conflits. L'intégration des chefs traditionnels dans la vie institutionnelle moderne répond à cet objectif, de même que la réconciliation des ethnies après l'Apartheid visée par le Conseil national des provinces sud-africain, ou encore la représentation des confessions envisagée par le Liban (les accords de Taëf prévoient l'institution d'une seconde chambre qui représenterait les « familles spirituelles »). Ainsi l'article 22 de la Constitution libanaise de 1990 dispose qu'« avec l'avènement de la première chambre des députés élue sur une base nationale et non communautaire, il sera créé un Sénat où seront représentées toutes les familles spirituelles et dont les attributions seront restreintes aux questions qui engagent le destin du pays ». Dans cette même logique, les récents accords de paix d'Arusha prévoient l'installation d'un Sénat au Burundi.

La plupart des membres des Sénats africains sont élus indirectement, à la différence de la Chambre basse (seuls le Conseil de la Fédération éthiopien et le Sénat nigérian, tous deux chambres fédérales, ont une proportion d'élus au suffrage direct). Ils bénéficient d'un mandat d'une durée plus longue que le mandat de député. Ces deux éléments font de la Chambre haute une assemblée plus pérenne que la Chambre basse, à même de favoriser la stabilité.

2 - La représentation des territoires

A l'inverse, l'instauration d'une seconde chambre peut être un instrument de dépassement du fait communautaire par la représentation des territoires.

La représentation des collectivités territoriales est le premier élément qui distingue la Chambre haute de la Chambre basse.

Tout ou partie des membres des chambres de l'Algérie, du Gabon, du Maroc, de la Mauritanie et de la Namibie sont élus indirectement par des

collèges électoraux de grands électeurs, dans le cadre des collectivités territoriales. La création et la délimitation de collectivités décentralisées sont d'ailleurs un préalable qui parfois retarde la mise en place de certaines chambres (Cameroun, Mali).

Pour autant, cette représentation territoriale ne peut répondre aux seules exigences d'un mimétisme inadapté et poursuit, selon tel ou tel pays, des objectifs bien définis.

En Afrique du Sud, et conformément aux souhaits du Président Nelson Mandela, le Conseil national des Provinces représente les provinces, protège leurs intérêts et leur donne la possibilité de s'exprimer au niveau législatif. C'est une action de garantie de l'unité nationale et de réconciliation nationale définie dans le préambule de la Constitution de 1996 comme « l'unité dans la diversité ».

En Algérie, « les membres du Conseil de la Nation sont élus pour les 2/3 parmi les membres des assemblées communales et des assemblées populaires de *wilaya* (préfecture), en dehors de toute considération démographique et à raison de deux représentants par *wilaya* », afin de constituer « un relais vivant entre les instances locales et les pouvoirs centraux ».

Au Tchad, le comité technique constitutionnel, qui a élaboré le projet de Constitution de mars 1996, a pris en compte une recommandation de la Conférence nationale souveraine de 1993 préconisant la création d'un Sénat pour représenter les collectivités territoriales décentralisées.

Ce développement de la démocratie de proximité se doit de prendre une place tout à fait particulière en Afrique. Le risque de balkanisation et de prolifération étatique étant probablement plus limité, aussi paradoxal que cela puisse paraître, que dans d'autres régions, la prise en compte des intérêts régionaux par une décentralisation ou une nouvelle conception de sous-entités territoriales s'impose afin de renforcer l'État.

II- UN ÉLÉMENT D'Approfondissement des régimes parlementaires

Dans un contexte de transition démocratique, l'introduction d'une seconde chambre est donc avant tout une technique de représentation politique. En revanche, l'enracinement de la démocratie permet aux secondes chambres de jouer dans un second temps un rôle constitutionnel important dans l'élaboration de la loi et le contrôle de l'exécutif.

1) Un élément de renforcement de l'autorité et de la qualité de la loi

a) La navette parlementaire, un facteur de qualité de la production législative

Le bicamérisme apparaît comme un gage d'efficacité par sa fonction d'amélioration de la production législative. La complexité et la technicité croissante des problèmes, l'élargissement rapide du champ du droit et de la loi justifient, en effet, l'intervention d'une seconde chambre chargée tout à la fois d'envisager les projets de loi sous un nouvel angle de vue et de procéder à une relecture des textes adoptés par l'autre chambre .

La double lecture d'un texte de loi par deux assemblées distinctes, composées d'élus aux profils différents, assure la meilleure protection du citoyen contre le risque d'arbitraire du gouvernement ou contre les improvisations législatives de circonstance. La navette parlementaire améliore la qualité de la production législative, parce qu'elle assure un plus grand respect du principe du contradictoire, laisse le temps de la maturation et permet à un nombre accru d'avis différents de s'exprimer.

De plus, le bicamérisme, par définition, ouvre la voie à la spécialisation. Il permet qu'une des deux assemblées, moins tributaire des contingences politiques, se consacre à cet engagement prolongé et laborieux que sont la réflexion et le contrôle de la qualité de la législation.

b) Un renforcement de l'autorité et de la légitimité de la loi

Issue d'un débat contradictoire, la loi ne peut ressortir d'un système bicaméral qu'avec plus d'autorité. Non seulement la navette permet à la société civile d'exprimer à plusieurs reprises aux parlementaires leurs points de vue sur les projets en cours, mais la composition même des secondes chambres qui assure une représentation diversifiée des composantes d'une société doit permettre de contribuer à la légitimité de la loi.

2) Une contribution importante au contrôle de l'activité gouvernementale

Le bicamérisme s'impose en tant que modalité moderne d'application du principe de la séparation des pouvoirs, principe sans lequel une société n'a pas de Constitution. Le développement des systèmes majoritaires, où majorité et Gouvernement se confondent légitimement, en effet, une Seconde Chambre libre de ses propos précisément parce qu'elle échappe à la loi d'airain du système majoritaire qui postule que la majorité a pour mission première de soutenir le gouvernement.

Moins directement soumise à l'actualité politique, à la pression gouvernementale et à l'influence des partis, une seconde chambre a fréquemment une indépendance qui lui rend plus aisé le contrôle des politiques gouvernementales.

C'est ainsi qu'en Grande-Bretagne, le suivi de la construction européenne par le Comité de législation européenne de la Chambre des Lords britannique est très apprécié. En Allemagne, par sa connaissance naturelle et structurelle des länder, le Bundesrat joue un rôle essentiel dans le respect des équilibres régionaux et des pouvoirs des länder face à l'État central.

Le Sénat français a innové aussi en matière de contrôle en organisant depuis 1972 un contrôle régulier de l'application réglementaire des lois. Il participe ainsi avec l'Assemblée nationale, au développement de l'évaluation de la législation et des politiques publiques, notamment par la voie d'offices parlementaires. Ainsi, dans le domaine européen, a-t-il pris l'initiative de créer une antenne permanente auprès des institutions de l'Union européenne.

Conclusions : un modèle évolutif

Un modèle qui s'adapte aux réalités nationales

Un modèle dont les missions évoluent avec les institutions démocratiques

Des caractéristiques qui expliquent sans doute pourquoi le développement des institutions démocratiques va de pair avec un regain d'intérêts pour le modèle bicaméral.

Parliamentary Reform Initiative in Syria

Ms. Rula Quodsi
UNDP-Syria

Introduction:

The Syrian Parliament is the oldest parliament in the Arab world. The Syrian National Assembly was established on 1922 which makes the Syrian Parliament one of the oldest Parliaments in the whole world. It has played a major role at the Syrian liberation from the French occupation and establishing the new independent country. It was also one of the few Parliaments in the Arab world that played its role in bringing the work of ministers, even of full Governments, to an end. The Syrian Parliament is still playing a very crucial role in over sighting and monitoring the Government's work.

Due to the Government concern about the Parliament reform, and within the administrative and economic reform process that is taking place recently in Syria, UNDP proposed to support the Syrian Parliament by initiating a project proposal. This project aims at strengthening the role of the parliament in decision making, oversight and legislative processes resulting in more effective and sound public policies leading to sustainable social, economic and human development and poverty reduction. The project will apply an integrative approach leveraging information technology, policy research and development and advanced legislative knowledge and skills targeting Secretariat staff, Elected Members and standing committees.

This paper will highlight the following issues regarding the Syrian Parliament:

- Introduction to the Syrian Parliament
- Situation analysis
- UNDP Strategy , “Strengthening the Institutional Capacity of the People’s Assembly of Syria”
- Point of view regarding the distinguished improvements in the Parliament’s work
- Opportunities and challenges of the Syrian Parliamentary reform.

Technical Capacities of the Legislative Institution

The Parliament in Syria consists of 250 members who are either independents or nominated by the Progressive National Front. The National Front represents the seven parties in the People's Council:

1. Baath Arab Socialist Party
2. Movement of Socialist Arabs
3. Communist Party (Bakdash)
4. Communist Party (Faisal)
5. Party of Socialist Unionists
6. The Arab Socialist Union Party
7. The Unionist Socialist Democratic Party

Members of the People's Assembly are elected through general, direct, equal and secret balloting in accordance with the election law.

Geographical distribution People's council's members:

Damascus	29
Damascus Country side	19
Homs	23
Hama	22
Aleppo	20
Aleppo Country side	32
Idleb	18
Hassakeh	14
Deir Ezzor	14
Al-Raqqa	8
Lattakia	17
Tartous	13
Al-Sweida	6
Daraa	10
Quneitra	5

Political Pluralism in the Parliamentary Life of the Seventh

Legislative Term:

Independents:	83
The Progressive National Front	167
The Ba'ath Arab Socialist Party	135

Women Participation in the People's Assembly:

Gender in the Parliament

The average of women's participation in the People's Assembly is increasing from one Legislative Term to another, as the table

By Appointment	(1971-1973)	4 out of	173	2.89%
1 st Legislative Term	(1973-1977)	5	“ 86	2.69%
2 nd	“ (1977-1981)	6	” 195	3.07%
3 rd	“ (1981-1985)	12	“ 195	6.15%
4 th	“ (1986-1990)	16	“ 195	8.2%
5 th	“ (1990-1994)	21	“ 250	8.4%
6 th	“ (1994-1998)	24	“ 250	9.6%
7 th	“ (1998-2002)	26	“ 250	10.4%
8 th	“ (2003 ..)	30	“ 250	12%

Staff in the People's Council:

- The Secretariat General
 - Secretary General of the People's Council
 - Assistant Secretary General of the People's Council

- The Technical Cadre include:
 - Group of Advisors
 - Press Bureau
 - Private Bureau, Director of the Bureau – Secretary of the Speaker
 - Bureau of Studies: a number of advisors

- The Administrative Cadre:
 - Directorate of administrative affairs that comprise:
 - Personnel Department
 - Department of General Record
 - Follow-up Section
 - Department of Services
 - Typing Section
 - Information Desk

- Directorate of Public relations:
 - Directorate of Protocol
 - Department of Parliamentary Section
 - Directorate of Interpretation

- Directorate of Legislative Affairs
- Department of Records
- Directorate of Committees
- Directorate of Complaints

- Directorate of Financial Affairs:
 - Department of finance
 - Section of Wages and Salary
 - Section of registry
 - Section of utilities

- Directorate of Documents and Records:
 - Library
 - Demographic activity center

- Bureau of Organizations and Parliamentary Affairs:
 - Section of Information and Culture
 - Section of Public Relations
 - Section of Administrative Affairs

Situation Analysis

An assessment of the **institutional capacity** of the Syrian Parliament in Summer 2001, revealed keen interest amongst parliament officials to modernize the tools and mechanisms that are currently implemented in the various Secretariat departments. There was also considerable interest to develop work procedures and routines that parliament staff apply in carrying out their tasks and duties.

The needs assessment carried out **of five departments** (out of eight) during Summer 2001, revealed traditional methods and tools in carrying out the various functions and duties; limited use of computers and software programs due to lack of equipment and trained or computer literate personnel; absence of a central computer server linking the various departments to a central data base; outdated or dysfunctional computer systems; and lack of technical expertise and skills in various fields and disciplines such as policy research, analysis and development, library science and information systems.

Considering the mandate of parliament in **legislation and public policy making**, two departments stand out in need of immediate assistance

in order to develop their work mechanisms and tools and enhance their employees' skills and knowledge: the legislation department and the library of parliament.

Research capacity and information services: are weak in parliament. Access to research, data, policy papers and studies are limited and inadequately available in parliament or outside Ministries sources. Access to accurate data and reliable sources of information is lacking. Information technology has not yet been introduced or integrated into Parliament's procedures, legislative process or information services.

Parliamentary Committees Support System: Committees have no support teams or staff to assist them in their various tasks and responsibilities. A well trained and competent team of researchers, policy analysts and administrators to support Standing Committees is essential to develop Committees' work and functions.

Training and Capacity Building: Research skills and policy analysis are weak amongst current staff in Parliament. Committee staff and research teams should be trained on parliamentary functions and procedures, oversight and legislative processes as well as research skills and policy analysis. Study visits are suggested as one form of training as they offer insights and new perspectives and approaches to modern techniques and methodologies in legislative functions.

Legislative Drafting: There is a need for legislative drafters or experts in parliament to assist Committees in drafting legislation, propose alternatives or amend draft bills. Committees and Members rely on their own personal capacity and knowledge in this field, which vary amongst Members.

Human resources are still weak not only with respect to technical capacity to operate and maintain computer systems, the web site, use of software programs and conducting internet research and browsing, but also in terms of the capacity to use, analyses and provide information for the purpose of supporting Members and committees in their legislative, representative functionative and oversight functions. The People's Council will benefit tremendously from e-government facilities and systems and will ultimately be connected and enjoy access to various available data systems, networks and facilities, which in turn will strengthen the Council's ties and links to citizens and constituencies and afford it to keep abreast of their concerns and policy priorities.

**UNDP Strategy & the Project of
“Strengthening the Institutional Capacity of the People’s
Assembly of Syria”**

The political leadership in Syria is studying the different options to enhance the political action to strengthen democracy and to increase participation to streamline the economic and administrative reform in Syria. This is based on a strong belief that the political and economic reform should be mutual.

The new elected parliament, represented by its leader who is well aware of the requirements of political change, has adopted this project with great concern. He knows that this project, though limited to the technical issues in the Parliament, will deeply impact the Parliament reform in Syria. This project with budget US\$ 410,000 will use a group of national experience for 3 years and will eventually participate in building a research center. This center will be specialized in Governance, democracy, accountability, legislation and monitoring, and will represent a core of national efforts to achieve the economic and political reform in Syria.

Also this intervention was made more specific as part of the Results Based Monitoring System for Syria developed by UNDP early 2002. The RBMS specifies the “creation of an enabling environment for sustainable human development” as a primary area of focus and “strengthening capacity of key governance institutions” as its sub goal. Under this sub goal and the strategic area of support of “institutional capacity building of parliament structures, systems, and processes”, UNDP Syria has selected its intended outcome for the period 2002-2003 as “ increased effectiveness of parliament to perform its legislative and oversight functions”.

UNDP has provided assistance to strengthen the capacity and effectiveness of parliaments in several ways. For the most part, UNDP assistance has been channelled towards activities that strengthen parliamentary operations, or develop the capacity of parliamentarians and parliamentary staff so that they can perform their functions more effectively. Similarly, strengthening the capacity of Legislatures in Arab States is one of three principal components of the Regional Program on Governance for the Arab Region (POGAR). The Regional Programme, which also addresses financial and administrative management and judicial systems, seeks to create a level of awareness on the key role of parliaments in the region with regard to legislative and oversight functions in general.

In 2001, POGAR launched the Arab Parl Web project and worked with several Arab legislature and created web sites for these institutions. POGAR also developed a web site for the Arab Parliamentary Union ensuring connectivity of these institutions to one another and to global networks and links.

The Programme will adopt a strategy to address sustainable human development issues from the following principal angles:

- Enhancing good governance practices such as transparency, accountability and public participation, through strengthening legislative processes.

- Human capital and resources development, by tackling the retooling of legislatures staff and managers, as well as fresh graduates with advanced skills and knowledge in information technology and Internet skills, policy research, development and analysis and exposure to new models and techniques in the legislative development field.

The program will provide the Parliament of Syria with technical, financial and human resources support to strengthen the institutional capacity of parliament, enhance the skills and performance of the Secretariat staff and contribute to the development of the legislative, oversight and representative functions of Elected Members and standing committees. The programme activities aim at strengthening the role of parliament in decision, oversight and legislative processes resulting in more effective and sound public policies leading to sustainable social, economic and human development and poverty reduction.

The program will apply an integrative approach leveraging information technology, policy research and development and advanced legislative knowledge and skills targeting Secretariat staff, Elected Members and standing committees. It will engage local, regional and international experts/consultants and United Nations Volunteers, encourage partnerships with local academic institutions, foster good relations with civil society organizations and promote regional and international parliamentary exchanges and knowledge sharing involving Elected Members and senior officials of parliament. Gender equity is one objective of this program and a cross-cutting theme in its various activities.

Main Objectives:

1. Awareness Raising on the Changing Role of Parliament

Activities under this heading will emphasize building awareness pertinent to the changing role of parliament by engaging in policy dialogues

on issues and priorities common to parliaments and people in the Arab region. The Syrian parliament will have the capacity to effectively participate in policy design, reflecting the concerns of its constituencies, in new areas of concerns and challenges facing the country from an SHD perspective.

2. Enhancing Principles of Good Governance: Transparency, Accountability and Participation

The underlying principles of this Program, is to strengthen the capacity of parliament rendering performance more efficient and effective, decision making processes more transparent and accountable and new legislation and amendments more reflective of public interests and priorities.

3. Developing Research and Information Capacity

Common in all Arab parliaments, legislators have difficult access to objective non-partisan research, policy briefs or social and economic studies. They often rely on information and data from government sources. While the latter is an important source of information, it does not offer parliament much choice in forming independent opinion and proposing policy alternatives or suggestions based on neutral and objective research. UNDP initiative in this domain will create internal capacity to undertake in depth research and decision support mechanisms to members of parliament to insure speedy and substantive discussions of draft legislation and their relevance to the actual development needs of the population.

4. Human Resources Development

The program will seek opportunities to move the human development agenda forward in dynamic and responsive ways by offering tailored training to specific tasks including:

- Information Systems Management.
- Expert technical assistance.
- Knowledge sharing.

5. Introducing Information Technology

The project will introduce the basic infrastructure for an efficient and effective information system allowing the members and the secretariat to perform the parliamentary functions in a smooth and effective manner.

However the success of this intervention will rely on the implementation of other initiatives in the field of research, and legislation aiming at an accountable and transparent process.

Assessing the performance of the project:

- Working papers at the Parliamentary sessions
- Using the terms of good governance, right management, representative functioning, accountability.. in the parliament sessions.
- Technical understanding that will characterize the parliament and committees' work on strategic issues such as the required legislatives for joining the WTO.
- Strengthening the interaction between members of the parliament and people. The project will ensure the close communication between them through the young researchers who will the members of the parliament to the critical issues to citizens.

This will automatically improve representative functioning and will make the citizen feels that a member of the parliament is closely following up issues he was elected to defend. Consequently, elections will build on more representative functioning due to technical infrastructure at the parliament.

General Outcome Indicators:

Enabling environment: Use and update of information technology in various parliamentary functions; increased number of Internet users and research and information browsing. Dissemination of information about parliamentary sessions, schedules. Frequent connectivity to other government departments, UNDP links and global network, national and regional institutions, new mechanisms and approaches to performing parliament activities.

Efficient parliamentary performance: increased number of requests from committees and Members for research and data on specific policies under discussion; better informed Members evident in the questions and investigations carried out; number of questions and requests answered to the public; number of public hearings and consultations held; number of draft bills and amendments initiated by parliament.

Developed human capital and resources: Number of UNVs (fresh university graduates) engaged in the program; type of new skills and knowledge acquired in parliament as a result of the program; improved service delivery as a result of training and capacity building provided; quality of research conducted and policy papers written by researchers. Quality and quantity of Regional and National Seminars and information sharing processes. Quality and quantity of handbooks, reports, journals, studies and other written material relevant to parliamentary functions used by Members. Number of target constituencies reached.

Poverty reduction: More social policies are ratified by parliament which directly benefit the poor. Number of poor beneficiaries reached as a result of more efficient means and mechanisms available to parliament. Quality and quantity of services and goods delivered to the poor.

The programme will carry out appropriate monitoring to examine results beyond the immediate outputs highlighted below and to ensure that sustainable human development targets are achieved.

Results Framework

1. Awareness Raising on the Changing Role of Parliament
 - Parliamentary exchanges at regional and international level
 - Seminars For Members, at the National level, on current approaches and mechanisms to legislating economic, social and trade policies.
 - Workshops at the national level, bringing together Members of parliament and representatives from professional associations, business groups, academic institutions, to exchange knowledge, views and experience in addressing policy changes and current challenges.
2. Enhancing Practices of Good Governance
 - Seminars highlighting the impact and sharing best practices of good governance on sustainable development and poverty reduction
 - A sourcebook (capturing the findings of the seminar) sharing parliaments' experiences and best practices of good governance to serve as a guide to Arab legislatures.
3. Develop Research and Information Capacity
 - Support to modernize and build the capacity of the library of parliament.

- Support to build the capacity of the legislation department leading to improved documentation and service delivery of information and data pertinent to parliamentary records, documents as well as draft bills, legislations and gazettes.
- Creation of a knowledge base and Internet research links to national and regional research institutes, the policy community, think tanks, libraries and academic institutions

4.Human Resources Development

- Expert technical assistance to train staff and managers on use of information technologies, computer systems and programs, web site development and maintenance.
- Expert technical assistance to train staff on new technologies and modern systems used in conducting, recording and archiving parliamentary sessions and proceedings.
- Expert technical assistance in training library staff, researchers and librarians on modern techniques in library and research services.
- Technical assistance in training parliamentary committee staff and research teams on research skills and methodologies, effective writing skills, policy analysis, developing background papers and policy briefs and Internet research and browsing.
- Expert technical assistance to train newly hired UNV's under the program on parliament functions, roles and support needs

5.Wide Use and Implementation of Information Technology

- Provision of computer systems to various parliament departments.
- Creation of a LAN system and an intranet to ensure flow of information and connectivity of all departments.
- Creation of a data-base for parliament's records, legislations, documents and laws.
- Provision of modern equipment and technology used in, record documentation, archiving and conducting parliamentary sessions.
- Support to develop and maintain parliament web site

Output Targets :

Within the intended time span of the project, a qualitative change **on the role of parliament evident in parliaments'** activities and achievements will be assessed. Parliament will be offered at minimum:

- Regional Study Missions for Members to selected Arab Parliaments to examine how global and regional changes have affected the role of parliaments in the region. (Suggested countries: Egypt, Kuwait and Jordan).
- Study Missions to a European and North American country to examine how global changes have affected and changed the role of parliaments in developed countries and what mechanisms, policies and programs are being implemented to face these challenges. (Suggested countries France and Canada).
- Participation of Members in a regional workshop organized by the Parliamentary Centre of Canada and the Parliament of Morocco on the “Role of Parliament, WTO Accession and Poverty Reduction” on April 24-26th, 2002 in Rabat, Morocco.
- Participation in regional workshops and seminars organized by UNDP Regional Program on Governance for the Arab Region (POGAR) aiming at strengthening the legislative and oversight functions of Arab Parliaments to become more effective in facing global and regional challenges.
- Participation in international meetings, conferences and seminars
- A series, coordinated with the regional program and other donors, of national workshops and seminars on specific policy issues and priorities engaging parliament and national institutions and local community groups
 - Assistance in creating a data base of national institutions, think tanks, community groups, experts and academic links and networks.

Enhancing Practices of Good Governance

- Participation in one regional seminar, per year, focusing on parliament and good governance principles and practices.
- One national seminar on the impact of good governance practices on poverty reduction and sustainable human development.
- Seek services of a professional consultant to write sourcebook capturing the findings of activities under this output.
- Coordination with other donors in planning and organizing these activities.

Develop Research and Information Capacity

- Assistance in formulating a work plan to modernize the library of parliament.

- Assistance in formulating a work plan to build the capacity of the legislation department.
- Provision of technical assistance to develop the library and legislation department.
- One Study visit by library staff to two Arab neighbouring countries to examine parliament's libraries in these two countries.
- One study visit by the legislation department staff to two Arab countries to examine procedures, facilities and equipment used in completing their tasks.
- Technical Expert Assistance to create a knowledge base and Internet research links.
- Assistance in identifying useful library resources, periodicals, journals and books in social, economic, environmental studies, parliamentary development and affairs, democratization, economic reforms, trade and investment, sustainable development and other relevant and important fields.

Human Resources Development:

- Five training sessions on computer use and programs, per year, starting with beginner levels and progressing gradually to intermediate and advanced levels.
- One session per year, on web site development and maintenance.
- Two training sessions on the use of modern technology and equipment used in documentation, recording and archiving of parliamentary proceedings and legislation.
- On-the job training offered to staff and personnel of the legislation department.
- Support to enrol one or two staff in library science courses to upgrade their skills and knowledge in modern and contemporary techniques and methodology.
- Support to enrol one or two staff in Training and human resources development courses.
- Five training sessions, per year, offered to parliamentary committee staff, researchers and policy analysts on various areas of expertise (research, policy development, budget analysis, legal interpretations, etc).
- Three training sessions, one per year, in collaboration with the regional program, on legislative drafting.
- Technical expert assistance to train UNVs and parliament staff in the various disciplines outlined under this output.

- Two training sessions on preparation and organization of conferences, seminars and workshops.
 - Two training sessions, for senior staff, on diplomatic procedures and public relations
 - Two training sessions on library administration and techniques and modern mechanisms in the provision of research and information services.
 - Two training sessions per year, on effective writing skills. (reports, policy briefs, study summaries and abstracts, etc).
 - One training session per year on project management and financial reporting.
 - One study visit for senior managers and officials at parliament, to a developed country, to explore the research, administrative, strategic planning and human resources structures and programs.
-
- Wide Use and Implementation of Information Technology
 - Fourteen computers are provided for the various departments.
 - Three lab tops are provided for the leadership of parliament.
 - Modern systems are provided for use in parliamentary proceedings.
 - Modern equipment are provided for use in recording and documentation of proceedings and other legislative information and records.
 - Support to install a LAN system and central server.
 - Support to create and develop a data-base serving all departments, committees and Members.
 - Support to develop and maintain parliament's website

Proposal to Develop the Research and Studies Unit.

Functions and Responsibilities:

The Unit has a series of important tasks and responsibilities to assist the Members and Parliamentary Committees in their legislative and policy-making functions. The Research Unit is responsible for preparing studies and conducting research on various legal, social, economic, educational and cultures issues of interest to Parliament and Committees to assist in their legislative and policy making functions in such important policy issues such as economic, social, health, agriculture, financial matters and other topics relevant to parliament interests.

Structure and Staff

Currently the unit is under-staffed and ill equipped to perform the tasks and duties assigned to it. To activate the Unit, parliament has to take the following steps:

1. Designate office space for the Unit to accommodate the Unit staff, office furniture and equipment, computer stations and other necessary office items to render the unit functional;
2. Select and assign a team of researchers and analysts (13) to provide advice and consultations to parliament and the speaker;
3. Select and assign administrative staff (one) to run the daily operation of the Unit and perform all logistical and clerical support duties;
4. Assign a Director to the Unit to oversee and manage the Unit
5. Train staff and researchers to build their capacity and enhance their skills.
6. Establish links and relations with academic institutions, national libraries and think tanks to access research and information resources, found in the wider society, rendering them available and accessible to Committee and Members.
7. Establish on-line research service for Members and Committees to respond effectively and efficiently to the request of parliamentarians.
8. Install computer systems for use by researchers and staff

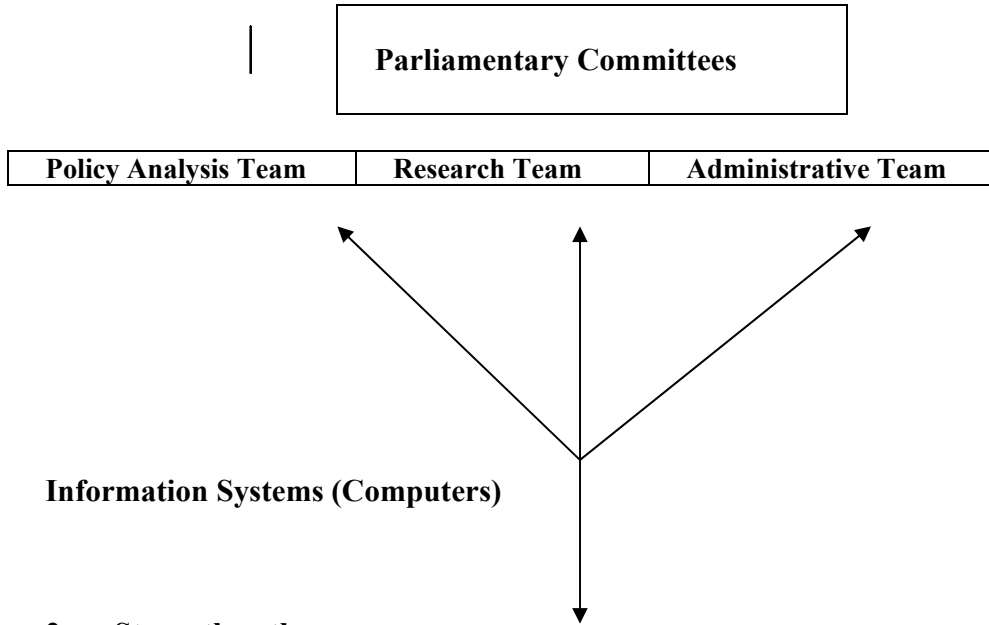
Funding

The UNDP project will fund this activity as follows:

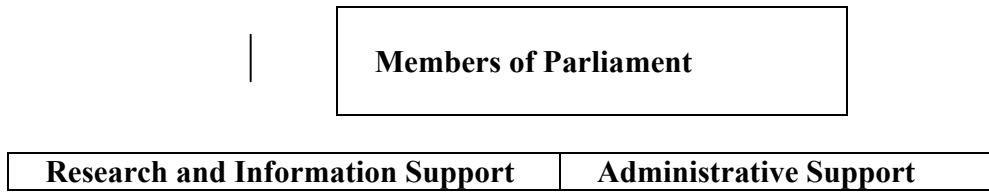
1. Purchase of computer systems and office equipment
2. Select and hire researchers through the UNDP UNVs system
3. Select and hire the Unit staff through the UNDP UNVs system
4. Provide technical expert assistance to train staff and research

**UNDP Project to Strengthen the Capacity of the Syrian Parliament
An Outline**

**1. Strengthen Parliamentary Functions of
Parliament (Legislative and Oversight)**



**2. Strengthen the
Representative function**



3. Strengthen the Institutional Capacity of Parliament

1. Developing the Mechanisms and Tools of the Various Departments

- i. Provision of computer Equipment
- ii. Training on the use of Computer Systems and Software Programs
 2. Developing and Maintenance of Parliament's Website
 3. Developing the Legislative Department
 4. Developing the Research and Information Unit;
 5. Developing the Library of Parliament

Point of View:

Many positive modifications at the political and Parliament level took place this year. The UNDP project in itself is one indicator of the Government's willingness to improve the Parliament work.

- Some of the distinguished modifications at the Parliament are:
 - Formulation of joint committees between the legislative and the executive powers and setting executive plans to follow up the investment plans.
 - Discussions at the new Parliament on the Government decree were serious and constructive
 - Joint workshops between the committees at the Parliament and the concerned ministries
 - Increase of the young members at the Parliament. The youngest member at the previous legislative term was 36 years old, while in this term the youngest member is 33 plus a big number of young members.

- In addition to the above, the last elections was characterized by the following:
 - No critical changes in the organization of elections
 - No new parties, and almost same participation. The participation percentage of Al-Baath party, the rest parties of the Progressive National Front and the independents have not changed.
 - Lack of new elements at the elections
 - Mechanism of elections at the National Front lists has not been changed. This gives the impression that the last elections was not up to the political expectations.

- General Political Work:
 - Local elections: though the mechanism and political divisions at the parliament have not changed, free competency elections were at the local elections.
 - There is a draft law to move all the local authorities to the elected councils instead of the Government bodies. This leads to the separation between the positions of “Governor” and the “head of local executive council” to strengthen the role of directly elected power.

Challenges and opportunities of Parliamentary reform in Syria:

This project opens the door for Parliamentary reform in Syria through out the following:

- Enhancement of technical and administrative structure at the Parliament
- Utilization of new terms of good Governance, oversight, representative functions and accountability.
- Creating the suitable environment for any political decision to improve the Parliament.
- Nevertheless, there are still many challenges facing the Parliament reform in Syria:
 - Lack of developed law for elections
 - Lack of parties law that organizes the political work
 - Lack of national experience in the field of developed political parliamentary work.

Abstract:

Institutional Reform and its Impact on Members' Performance

Mr. Youssef Z. Zeinal

Member of Parliament- House of Representatives- Bahrain

In new democracies there's political reforms projects coming from the governance after the political irritabilities (tensions) that the country is witnessing, this consider a natural thing because the political players across a lot of conflict, no one of them could succeeded so, the political reform is very important for the nation and each one of conflict player tried to transfer from violence phase of this conflict to peaceful phase "civilized" which consider a parliamentary phase.

But the doubts still assisting although of all that, the relation among conflicted power still prevailing as apart of international, regional and domestic balance of power. Each terminal tends to improve its position through the constitution, other law.

The Bahrain had witnessed a serious political conflict and important aim to the struggle of Bahrain people is to reach to popular participation in decision-making.

In reality, the Bahrain witnessed a kind of political development after its independence in 1971. That they put a constitution for a country and the claim to direct election about the membership of parliament in December 1973, but this democratic was failed.

The second part, we will discuss the parliament system, the third part, we will discuss how can we reform disadvantages of legislative power.

The first required

The tow chamber system

Some countries depend on the tow chamber system according to its constitution, for example, France, USA, Uk.

About the Arabian countries, the Jordan kingdom, Morocco, Egypt

But according to countries which depend on 2 council, very important to make a different between those 2 chambers, not to be the same.

1- According to the formation:

There's a basic thing, the each of one assembly should be formed by, people's election, with limited period of time, to make the people super wise

On the member of this council.

2- According to Asset of Pictures:

- Make the higher assembly membership by genetic, like the House of Lords in England.
- Make the higher assembly membership by appointing, like Libyan constitution in the king period.
- Some constitutions collected between the elections and appointing in formation of higher council.
- The higher assembly is elected either on one grad like the French constitution in 1958.

If it was difficult to distinguish between bicameralism according to the former pictures, so, some constitutions tended to use other means to distinguish between bicameralism, the American constitution obliged that the chamber of deputies consists of member who are elected for 2 years from the different estates people, but the senate consist of 2 senates in each estate for 6 years.

3- The advantages of 2 council:

- the ability to represent the different classes and interest in the country in effectively way in side the parliament.
- the bicameralism system lead to increasing the sufficiency inside the parliament through the assisting of elected assembly.

The second required:

The parliament system according to Bahrain's

Constitution that issued in 14/2/2002

the Bahrain passed political development when its constitution was issued in 6/12/1973 as it had the first parliamentary experience which failed after 2 years.

Constitution that issued in 14/2/2002 included:

- Gave the Islamic legislation a great asset in implementation
- Deeding the democracy wave, more number of liberties rights.

To gather between the parliamentary system and presidential system (kingdom system and 2 councils system).

**The 3rd requires
The necessary of reform**

The main principal and the essence of constitution amendments are following the 2 councils system of balance here is explained in 2 different ways between the official meaning and popular meaning.

In many points of view the parliamentary reform should concentratreted on convinced amendments on the internal rules of procedure for deputies council and amendments on some article of constitution.

So, there are some procedures sides, which is very important to make parliamentary reform:

- 1- The constitutions issues.
- 2- The constitutions and internal rule of procedure.
- 3- The constitutions regulated the oversights tools.

So, I want to emphasize on the importance from the deputies to other countries to benefit from their democratic of parliamentary experience.

Also, the programs for improving the parliamentary performance by holding course and attending conference.

Experience with Parliamentarism in Germany

Dr. Egon Jüttner
German Parliament

I would like to begin by describing to you the way in which the two constitutional organs, the German Bundestag and the Bundesrat, work together. My colleague Otto Bernhardt will then talk to you in particular about the role and function of the German Bundestag and its Members.

At the end of the Second World War, governmental authority in Germany was in the hands of the victorious powers, who had divided Germany and Berlin into four zones of occupation. Whilst, in the Western zones, a free pluralist system with competing political parties was established, the Eastern part of Germany was forced to structure itself along Soviet lines. A new political beginning for the Western part of Germany had to involve the creation of a new constitution guaranteeing a parliamentary democracy. The writers of the constitution thus had two main tasks: to introduce safeguards against the re-establishment of a dictatorial or totalitarian regime, and, at the same time, to make fundamental corrections to the constitution which had been in force prior to the Nazi period, with the aim of ensuring social balance, a system of checks and balances, the diversity inherent in a federal system, and parliamentary stability. The federal parliament, the German Bundestag, as the primary organ exercising the authority invested in it by the people, was given a central role in the state structure. The preconditions for this were free elections, freely elected, independent members of parliament and changing majorities in parliament.

Today, 54 years after the constitution entered into force, originally only on a provisional basis, a broad consensus exists in Germany that the Basic Law has proved a stable foundation for the Federal Republic of Germany, for it has allowed a wide range of conflicts in Germany in the post-war period to be resolved. In spite of this, reforms are planned with regard to the relationship between the two constitutional organs, the Bundestag and Bundesrat.

Germany is a state where the exercise of authority is divided between an overarching central state - the Federation - and 16 constituent states - the Federal Länder. This federal order, with political power distributed between two levels, the federal level and the Land level, is an important structural principle of the political system in the Federal Republic of Germany. The powers of the Federation apply to the German state as a whole. It has sole jurisdiction for the areas of foreign and

defence policy. The Länder, i.e. the constituent states, in contrast, may only exercise their authority within a limited regional framework, and only in specifically defined areas of policy, such as education and culture. The Länder also, however, have a general right to participate in the legislation of the **Bundestag**, via the organ which represents them at federal level, the **Bundesrat**, which plays a role in all federal legislation. The Bundesrat, as an organ of the Länder, has the right to lodge an objection to laws approved by the Bundestag. However, the Bundestag may override this objection with an absolute majority. But in the case of laws which affect the Länder directly and thus require their consent - around 50% of laws - the Bundesrat is not restricted to lodging an objection, but may exercise a final veto. Thus, if the Bundesrat vetoes a law approved by the Bundestag, the law has failed. A compromise between the Bundestag and the Bundesrat is only possible if the **Mediation Committee**, which consists of equal numbers of Bundestag and Bundesrat members, is able to reach such a compromise. Responsibility for legislation is thus not in the hands of the Bundestag alone. Further curbs on power exist in the form of the Federal Constitutional Court, which can invalidate laws which have been passed by the Bundestag, and even already come into force, if it judges them incompatible with the constitution. The parliamentary opposition may also apply to the **Federal Constitutional Court** for laws to be reviewed, providing an additional possibility for the power of the majority in the Bundestag in relation to the minority to be curbed. Thus, the Basic Law contains mechanisms to ensure that state power is subject to checks and balances.

Difficulties always arise in the German parliamentary system whenever competencies - primarily in the area of legislation - cannot be clearly allocated to either the Federation or the Länder alone, and whenever the majority of the governments in the Länder are of a difficult political complexion to that of the Federal Government, as is the case at present. In such situations, differing viewpoints often arise, leading to conflict and sometimes to a mere show of strength, in order to defeat the government and force it to abandon the legislation if possible. This occurred in 1997/98 for example, when the Social Democratic majority in the Bundesrat defeated the taxation laws introduced by the then Christian Democrat Federal Government. Many critics thus see this as a weakness of the federal system, since urgently needed reforms can be blocked in this way. Another problem is the fact that, during a Bundestag electoral term, elections and thus election campaigns are constantly underway in the Länder. This means that the political decision-making

process is often blocked, because the political players wish to cater to their voters. Attempts to concentrate all Länder elections on one day, or to hold them on the same day as the Bundestag elections, have failed, however.

A major problem, as I have mentioned, is the blocking of laws in the Bundesrat. When the Basic Law was adopted in 1949, it was assumed that around 10% of laws would require the consent of the Bundesrat. Today, approximately two thirds of laws must be passed by the Bundesrat, the representation of the Länder. Thus, neither of the two levels - the Federation or the Länder - is fully capable of acting on important issues. In addition, many decision-making processes have proved excessively lengthy and complicated. This has led to cross-party recognition of the need to reform the federalist system. The two main parliamentary groups in the Bundestag therefore last week signalled their intention to establish a constitutional commission in the autumn to draft proposals on reform of the federal system. This commission is to consist of 16 members from the Bundestag and Bundesrat respectively. The aim is to propose reforms restoring the Federation and Länder's ability to act and take decisions. In order to achieve this, the division of legislative competences between the Federation and the Länder is to be changed. In particular, the legislative competences of the Länder are to be strengthened and, in return, the number of Bundestag laws requiring the consent of the Bundesrat substantially reduced. Each tier of government will be able to decide freely on its tasks, revenue and expenditure. In the area of public administration, the Länder are to be given greater leeway in executing Federal law. The concrete measures for reform in the field of legislation include the abolition of the Federation's powers to enact framework legislation. These competences are to be divided up between the Federation and the Länder. In order to ensure real competition between the Länder in developing a forward-looking education policy and university research sector, the Länder will in future have sole responsibility for the area of schools, universities, research promotion and vocational training.

In return, the Federation is to have the freedom, to a large extent, to issue statutory instruments without the consent of the Bundesrat. Though reforms are planned, and in spite of justified criticism, the federal order, with the co-existence of two levels of state, the Federation and the Länder, has, in general, led to a very dynamic political process. In our experience, one advantage of federalism is the fact that the parliamentary systems of government at federal and Land level force the parties to constantly court the voters and account to them for their actions. They

must not only offer better policy alternatives, but must also select candidates attractive to voters. Thus it is also important - and this is something which my colleague, Herr Bernhardt, will go into in more detail - to pay considerable attention to the selection process at all levels. One interesting point I should make is that people's view of federalism has changed dramatically. In the fifties, only around 20% of the population was in favour of a system of federal states, whilst around half wanted to see a centralised state. Today, less than 10% of the population is in favour of such a centralised state.

The German constitution places a high priority on the stability of governments. At present, for instance, the polls show that the Federal Government, due to widespread dissatisfaction with the economic situation, would only receive 24% of votes, whilst the major opposition party, the CDU/CSU, would receive over 55% of votes. Nevertheless, the opposition is unlikely to assume government power, since the writers of the constitution built in mechanisms to ensure that governments could not easily be toppled, thus guaranteeing stable governments. The constitution only allows the Federal Chancellor to be voted out of office provided a new chancellor is elected at the same time. This has only happened once so far, when Helmut Kohl replaced Helmut Schmidt as Chancellor in 1982. This is known as a "constructive vote of no confidence", because the parliament has to establish a positive majority for another chancellor before the incumbent can be removed from office. It is not, therefore, sufficient to simply muster a majority of opponents to the current chancellor, unless this majority can also agree on a new chancellor at the same time. This procedure strengthens an elected chancellor's ability to govern. But chancellors themselves are also entitled to table a motion for a vote of confidence. Should a chancellor fail to receive the support of the majority of Members of the Bundestag, he or she is entitled to propose to the Federal President that the Bundestag be dissolved. This is not something which has ever happened so far.

Although dissatisfaction with the political parties and current policies is frequently expressed, the fact that, although it is not compulsory to vote in Germany, up to 90% of those eligible to vote in Bundestag elections have done so to date demonstrates that parliamentary democracy as a whole is accepted. The high turnout at federal level gives a solid foundation of political legitimacy to the parliament and the government which it sets up and scrutinises. The fact that a party only receives seats in the Bundestag if it wins at least 5% of the second votes

or three direct mandates contributes to the stability of the parliamentary system.

Criticism has repeatedly been directed at Germany's representative democracy, with the demand that forms of direct democracy be introduced. However, plebiscitary forms of decision-making have not been supported by the two-thirds majority which is required for a constitutional amendment. Opponents constantly refer to the volatility of the public mood, and express their concern that complex questions, which it would be impossible to answer with a simple yes or no, would be presented in a highly emotional and simplified manner. Last week, the Chairwoman of the German Bundestag's Committee on Internal Affairs launched a renewed initiative in favour of plebiscites. She wants to use the opportunity presented by the current discussion regarding a referendum on the future European constitution to make plebiscites possible in Germany too. In this context, she points out that there are only 5 countries in the European Union whose constitutions do not provide for referenda and that representatives of the opposition parties have also now expressed support for plebiscites, the introduction of which would require a two-thirds majority in both Bundestag and Bundesrat.

Ladies and gentlemen, our experience in Germany has been that the parliamentary system anchored in the Basic Law has proved itself on issues of crucial importance for the nation. Although the parties in opposition at a given time have held different views to those of the governments of the day on such fundamental issues as the introduction of the social market economy, close ties with Western Europe, remilitarisation and integration into the Western military alliance, and have often fought bitterly in parliament for their own political ideas to be taken into consideration, the basic consensus regarding the constitution has never been called into question. It is true that the Federal Constitutional Court has repeatedly been called on to adjudicate on important questions. However, the parties have always accepted the majority or minority role allocated to them by the electorate. These facts are surely a further indication that the constitutional order in Germany has proven its worth and usefulness.

Abstract

Parliament and Human Rights

Dr. Ziyad Baroud

Lawyer, Lecturer at the Saint University- Lebanon

Introduction

"Parliament fails or turns in role", with this sentence present by Feleb Avdan "crisis of role" that recent parliaments suffered from, in his book "political institution and constitution law". This question comes from French people, which see for away from free authority of parliament.

Despite of the "decrees the role" is not only from France, but become in many states. But the constitution of 5th republic 1958, emphasis it really from the constitution council. That council which always respects parliamentary reform and human right protect.

The parliamentary reform" the topic of the annual conference of the parliamentary program" touches of human right, within the role of parliament in making general policy. So the reform must equal must be in time actually development for another roles, as legislative and oversight.

The role parliaments must be active, especially in the time of conflict and the trends of government to security than freedom and human rights.

The role of parliament in this level, affect with two figures:

Constitutionally- institutionally, which determine the location of parliament in political regime.

Political- practical- circumstance, which depend on the ability to play the role. The role of parliament in protect human right, seems as reason of resident it, and come from it as a elected authority, and representative.

Parliaments play these roles from:

Legislative machinery.

Oversight machinery.

Section one: the legislative role

By the end French resolution 1789, it clears that the argument of-jan jack roso - become practices, especial in the advance of constitution than any other laws. And the parliament become more free authority, because of the laws are expressing the public trends. The legislative role of parliament is one of most good figures to making policies in several ways.

The parliament in human right comes from:

Human right in international treaty.

Human right in internal legislation.

Ratification of human rights convention:

The convention of on the elimination of all forms of discrimination against woman {CEDAW}, 1979.

The constitutional council, which oversight the constitutionally of laws.

The Lebanese constitution also provides for a constitutional council to determine the constitutionality of newly adopted laws.

Section two: the oversight role

The oversight role of parliament is important as legislative role, that role is a tool to change the trends of leaders, and that role different from parliament to another, depend on the separation of powers, especially excessive authority and the ability of parliament to oversight the government. This figure affected with the constitution regime and election law, which determine the MPS.

All of this tools are important in parliamentary wore in free and democratic regime, no parliamentary reform without reform the existing institution. But all these tools need the co-operation between parliament and civil society, and must give human right institution to present in parliament.

That the co-operation between parliament and civil society are important to people and their rights.

The Democracy, Multi Party System & The Election in Africa

Mr. Ahmed Hagag

Secretary General, African Society, Cairo

The historical view:

Although the world of democracy deprived from demos kratos but the historians differentiated about the birth & developed of democracy, as the meaning that the whole of the world know it in the past century. Also the democracy standard was differed by the kind of peoples & tradition

So it is very important to discuss the historical side about the development of governance & “democracy”

In Africa .in the first century some thing appeared called “human community” that we can not considered it as a state, because some of them were big & other were very small but all of this was changed until 19th century & the response to political, social, & economical institution to these changes, also the internal & external effects in the same time.

There were changes in Africa depend on regional geographical differences & also in the connection with external world & the degree of technological development, especially using metal. As in the north of Africa some ancient civilization appeared like Egyptian civilization which had related with Mediterranean sea civilization, & this was also applied on the east of Africa which had connection with El Jazeera El Arabeya & North Africa .in the west Africa a lot of strong empires appeared on it & the agriculture development in this empires. So, we can say that there are no people without “state

‘If we agreed on the meaning of a state which mean independent government & has boundaries, this government may has legal or weaker hegemony on its people. But in the same time there were existed in Africa strong governments like which had in “songay ‘empires” in West Africa or ”keloa ‘in east Africa.

There is no people without authority & the basic principles for the authority is to protect the land & negotiated to achieve the peace or dissolve the disputes in the almost of the continent -especially in the rural communities that considered as religious communities. When Europe divided Africa in the last 19th century by using modern technology, so the countries of Africa lost their liberties & colonial power became the power which determined the law of communities, not only that but also each of colonial power had a name & boundaries, capital, central authority & formal language. So as a result

of this it was appeared 48 independent communities instead of thousands of small communities, which were existed before colonialism.

After Africa's independence, it had no real efforts to change the governing system in almost f continent, a lot of ruler used the arms to protect & enhance their position & political pressures became the way to change the government instead of democratic manners & until 1990 three was no president agree to leave his presidency according his desire except 3 only "appeasing" in Nigeria & "Swar El-zahab" in Sudan, in addition to those presidents, there were 6 presidents left their governance, after they spent a lot of time on the authority like "Seakastenfz" in Sera lion, "Leopold Singor" in Singapore, "Nerery" in Tanzania & "Andgo" in Cameroon & there was no doubt that arms were considered as a stone of privilege the democracy in the whole of African countries, so the arms presented themselves to their people as they will build best governments & improve the economic conditions ,but there was no real opposition & the judiciary authority was weaken.

If Africa has a democracy?

The discussion about democracy in Africa turn between 2 waves, the first wave encourages the federalism inside the state, which depends on different ethical basis. The second one claim to exclusion of ethnical group on political power itself to encourage democratic system, which had the priority to the citizen instead of group.

So, in any way if we talked about democracy, we could not neglect the ethnical conflict & its effect on the way on achieving a real democracy, so after the independence of Africa, some of stronger opinions was appeared among who called for federalism inside the state & who called for federalism inside the state & who called for united & central state. But this argument was not turn abut the state itself, but turned about the problem of ethnical groups were protected according the rule of majority.

According to political economical development, this lead to the appearance of new wave that people became lived with each other in cities that specialized of different ethnical group instead of the old phase that speculated that each ethnical group had its geographical separation community. In addition to this, the new generation became from youth, which mean that the concentration about the ethnical conflict will be decreased. So the calling here for accelerating this wave which need to prevent any kind of "ethnic" because it is very important to know about the existence of different identities which depend on geographical existence in the same time, there were big ethnics could be controlled

&affected by cultural &political groups, so a lot of Africans leaders who led their countries to achieve independence, they tried to ensure that there is an Africans way to democracy &they used a lot of slogans to enhance Africans "identification "for democracy like the word "negritude" which used by Signor, or "ujamaa" which used by Nerreyi & "Zambia humanism" by kawanda ,but all of this slogans were hided inside it. The desire of controlling of one party system & the response to those who called for a real democracy, they triad to deny their African identification also, inside the one party system there was no kind of democracy, but the presidency presented one personal only to control all the positions & recourses of his party .so, we can find a party called independent party" which mean the party that led the country to independence &this party was prevailing in a lot of Africans countries. Sometimes they had multi party system, but these parties depend on its ethnics instead of different political programs like what happened in Kenai &Zambia for example. In general Africans multi party model was built on the role of majority instead of the doctrine of the majority decided &minority respected so, this led to political violence in Africa, especially in the elections period.

The implementation of democracy in Africa: one party versus multi party:

There was a famous say for Ibraham Lincoln who determined the meaning of democracy " peoples government by peoples &for people themselves so, if we talked about people government that mean in simply way that government came by negotiated by whole of people whose chose them by their will. So those people who rule should be an immurement for protection &they respected the majority in decision making process, so those who are on the authority can be changed by legal way, as if the people dissatisfy on their government, they can changed it by election.

So, a lot of Africans countries had witnessed a different system of parliamentary democracy &the action which led to the countries to independence turned to one party which ruled there countries &what help this trend that few countries which followed multi party system that its experience not succeeded.

In a lot of cases, one party system happened as a result of armed action, but because the soldiers were younger, this made some of politicians exploited those younger soldiers to rule, so the failure of systems which depend on one party not back to its representation to people, but the opposite was happened as some systems which followed multi party system after independence failed to build strong basis for a real representation to peoples will, also the tradition in states which

followed one party system were prevent the democratic process inside the party itself & the trial of changing the president was considered as it not respectable to Africans tradition.

The second phase to imply the democracy in Africa government for people (the say of Lincoln) this mean that people who are in the authority should be under the supervision of the people & the ministers should be responsible in front of their people also, the democratic system need a free press to declare all things for people.

In Africa, the countries with one party system suffer from the serious democratic problem that the one party was looked at it as state itself, but who are the controller of one party? Who was the ruler of UNIP party in Zambia & Keno," Shamash mapandozy" in Tanzania? These all questions face a lot of researchers when they discussed the democracy in Africa, if the African democracy depended on "one party" or "multiparty" so, we can say that Africa not need multi party only, it needs multi institution which biased on shared & separation of power.

So, you can notice responses of the president "panda" the president of Malawi about the spreading the democracy in Malawi, he made a questionnaire were this people accepted multi party system or not? But the Kenyan president "Moy" was very intelligent to help general elections based on "multi purism" of this was a response to his opponents from given countries which blamed him because of "Keno party" controlled on the authority as he entered "multi purism" in this country, so, there were demands in Kenyan to make the president "Moy" continue in governance after he finished this presidency period according to the constitution.

The 3rd phase to democratic experience in Africa in the last phase to "Lincoln" say (governance by people) this mean popular participation in government, so, the word "the basic democratic right" means providing some conditions which helped in popular participation like peaceful gathering, collecting to parties & the right in participation in governing countries in different way.

Now, we come to search about the future of democracy in Africa & the way to refresh & protected democratic process & push the African countries towards it, so, all of this need some condition like:

1- Social & economical phase:

Africa should take in its mention the democratization process experience in East Europe which happened in different economical conditions, because the existence poverty in any society not lead to any real popular participation, as the people who fear of poverty used the

violence against the state, so, Africa until now suffering from New international economic system, unemployment & mismanagement of the economical institution. & Now I think about the say of Salem Ahmed Salem (the former public honest of OAU) who said that "multi purism" will not achieve the development because whatever the number of parties of any countries in Africa, this will not change the bad economic system in this continent or change the prices of tea, coffee & cotton ...etc. So the democracy should be related with justice in international system & the developed countries created this system to protect their interested in continent.

The report of Unfurl human development emphasis that the absence of any kind of good governess at international level of the developed countries became need from the developing countries to implement it. So, before we talked about the democracy in Africa, it should be implement it at international level especially on the economical field.

2- the security & stability:

The democracy is creating the peaceful means to solve the existing problems, so if we took Chad case for examples we can find that it had one party system since 1962, & this party was the cause of conflicts & wars which suffered from it when the internal wars or internal arms conflicts started, it will be so difficult to stop it or implement the democratization process. So, it is very important for Africa to achieve internal reconciliation before starting of democracy this what happened in Angola as it needed to achieve a real conciliation between "Uneta" action & MPLA & a lot of real trail started to make a conciliation but all of this trial had failed. Although the cold war was the responsible to internal wars in Africa .so, there was a need to end this cold war before making any kind of real conciliation & the leaders of 2 actions exploited the recourses of their states to achieve their interests, & this position did not end until the central governments victory after Safenmy (the leader of Uneta action) was killed.

3-The good governance:

As we said before that it should be necessary to make good governments democracy at international level before calling to apply it in Africa. The word of "good governence" is a American expression instead of British expression "government", the bad governance usually lead to the need of change the existing says. And in the case of the civil governments. This lead to armed conflicts & in the same time arms systems will not achieve good government. Bat it happened in

demilitarization of the state .so, the doctrine of "good governance" became now one of condition of given countries of Africa. It is not very important to create a perfect effective law system to make good governance &this not mean that Africa should modified the law system which caused over government. &The disability of this government to response to peoples assessments, as the shrinking of public sector of specialization process should related to series trail for improving the government Action itself. So, the past Unfor human development want to build non-governmental organization called "honestly international" its function represented in discovering governments & countries which &destroying the human rights, Now there is international institution called" international transparency" in Berlin.

4-- The multi pluralism:

Some people agree that democracy is a special culture in any country, & this culture mean equality among people & respect the opponent's opinions. So the democracy against human nature, which search about an absolute identity & absolute right .so, people are implementing the democracy when they realized that it is not the best way to govern. Although of its disadvantages in political decisions making process. So, the essence of democracy represented in what we called on it "civil society" so, we can find a relationship between civil society in the country &the good governance on it. So, Africa now is now is witnessing lot of NGOs which concentrated it its effort on the education subject which suffer a lot from huge problems in a lost of the continent.

Why multi party system in Africa now?

A lot of people asked about the reasons of continuous discussion .For the necessary to enter the multi purism in Africa, some of these discussions are internal specially after the collapsed of USSR which was enhance the one party system &the political changed waved appeared at the world level, some of these discussions came from outsiders from the giving countries like international monetary institution which related between the presence of assistance & enter the multi purism. So, some of the doubters from the West presents a logical questions that why the West cared more about Africa today this was not before? was the East enhance some of dictatorial systems in the past like Congo, Nigeria & south Africa ,because these systems were helpful to the West in its conflict with USSR through the cold war?

Some of analysis refer to the disappearance of state itself in some of countries, this happens in Somalia & democratic Congo or Liberia that some countries had a name, but all the basis of states had disappeared as a result of internal conflicts for long years. So, the doubters asked: what are the good things in multipliers says if it imposed by force? What are the priorities for African citizens if multi party is important to him or the search for food? What kind of democracy convinced Africa? Is the democratic system which implement in the West that developed for a long years, should be implement in Africa or the continent was accused that its system not democratic? Here is a lot of differentiated among parties in Africa which followed multi party system? What are the rights of women, youth, immigrants & workers in the multi party systems?

There is no doubt that all this questions giving a legal question about the assessments in the frame of democracy. So, all of this need knowledge about African history & its development until 11th century. For 3 century, the West colonelcies Africa used Africans women, men & children as slaves & took Africans treasury, which decorated Europe & USA museums today. & After that, these colonelcies countries created a states or small states with boundaries was imposed by force .a lot of statistics today refer to the West which owned 20% of the world forests produced 80% of the universal wooden production. From where? From African forests .of course that the developing countries have 70% from world forests, but at the same time, it produce 20% from its wooden production.

One of the active side after the collapsed of communism that it failed the reasons that the West was used it to encourage dictatorial system in Africa so, we could not talk about democracy & multi purism in Africa without democracy & multi party at the international level, especially in democratic & political fields. When we take for example "Nicaragua" election, which held in 1984 & that was justified by all the international supervisors witness. But the US did not satisfied no the system & government which came from elections, so, it considered it illegal government & this is lead to inter wars that made the Nicaragua people suffered a lot from it. & We should not forget that the most of human rights destruction was by states which followed multi party system like what happened from USA in Vietnam & Pretoria against the blacks in South Africa also from Israel against palastinians.

The people who accept & agree to multi party in Africa said that the system usually related to free press. But the Africans experience approves the opposite thing. That a lot of Africans countries which followed multi party system opposition newspaper not effect on majority

peoples opinion who could not buy newspaper because of there poverty in addition of this, their illiteracy so, the question here is: the liberty for a whom? If it for minority or it should be practiced by majority? So, here we reached to the essence of the subject that they should be first get rid of poverty & illiteracy as a priority, then followed the multi party system that the "elite" of the society enjoyed from this system only & they concentrated on the wealth & authority.

AT the end, I do not from the past presentation to make the people think that I claim not to applied democracy in Africa or the democratic system not convince the Africa environment, & the best thing ins to protect the existing system without any international or external interference, but I tried to show some of different points of view for many Africans thinkers who presents legal questions about the best means not only to implement the democracy on their countries but also make Africans human to be progress &save them from poverty &achieve best future to them.

The experience of Africa parliament:

The most Africans countries have" elected" parliaments today as a result of one party or multi parties elections &all of the Africans parliaments are participated in Africans parliament union, which considered as a member in international parliaments union. But there is a question about the benefits these parliaments? &The importance of this question come from our realizing that Africa want to build Africans union for parliaments beside its national parliaments &this is according to "Apogee agreement". So, will the Africans parliament achieve the aim of Africans people or it turned to be a reflection of ill of people like what happened in European parliament Strasbourg for example so, if we looked to African parliament experience, we will sea that the first aim for any parliament is represented in making a law which the govern national existing parliaments &just a" picture" under the governments controlled ¬ express to the weren't &society will follow it. &In the same time the parliament practice a supervision the government, in Africa there is no agreement about the rule of natural parliament, if any one controlling on the executive power the government controlled also on the- controlled also on parliament .so, some of the Africans politicians devoted on this trend, that they see that Africa, need a big party to control the parliament to lead the country "effectively" but others &real popular participation, as the one party want to protect this trend to continue in its authority. But the pictures not all black, as some countries have parliament, which practices democracy. The accountability of the government. But there is

very important to notice that the palomino traditions not still excise & there was no training for new parliamentarians about the palomino manners in discussion & interfering this is beside that there is no affixes to help Africans parliaments to getting the information according to his assessment.

Also, the frictions communities depended on male specially so, we can find that the parliaments membership are for men basically, & there is marginalization of women role but on the other hand, the south Africa parliament gave a big role to women & followed a serious politics to refresh women's political role. But there is a notice, which represented in decrease the role of youth in parliaments action.

The organization Africans Union (OAU):

From the first year of OAU working since 1964 the main doctrine in OAU constitution is no interfering of in internal affaires of the countries which are considered as a member in OAU but the internal conflicts in Africa & the bad effect of these conflicts on the people had increased especially between the collapsed of USSR & communism & the end of one party theory & as a result of non-recognition of election result, this is divided the society according to ethnic basis because the winner party look forwarded to catch the power & prevent the real participation from the other groups so, these groups tend to violence to face this & as a result of this the election supervisors is very important to prevent the appearance of armed conflicts.

In 26th Africans summit which held in 1990, the African presidents discuss the international changes & its positive or active effect on Africa & they agreed on important declaration which tend to follow the democratization & enhance democratic institution with motion to culture & social conditions in the continent. This declaration has completed what is come in African constitution for human rights since 1980.

Through the past ten years, a new trend had appeared from the side of African countries to call the organization to supervisors the election. The participation of organization to democratic process & to create a convinced environment for the election. The organization selected the supervisors for any election from the states, which had elected parliaments & participated with other supervisors from other non-African countries or UN or EU in supervisions the election itself. Also, the organization participated in election supervisions in 35 African countries. So, the participation of organization in election supervisions in Africans countries had a lot of benefits like its encourage for other countries to follow the democracy & the public honest suggested to build" helpful box

for election process & democracy" but this box did not excite until now & the public budget of the organization is bearing all the costs.

There are some points from the past show like:

- 1- the democracy in Africa stills a recent experience if it was comprised by European Union.
- 2- the democratic system is very important to achieve the progress for African people for feeling of liberty & guarantee human rights & for economic progress itself.
- 3- the African countries looking forward to follow the democracy or multi party which tried to simulate the western model.
- 4- the democratic practicing in some of African countries adjusts only on the "elite" & some of main cities without extended to the majority of people who are lived in rural regions.
- 5- although the disadvantages of political experience in Africa, but it has a good future opening the African people on democratic experiences in the different parts of the world .for examples South Africa, Singapore, Estonia & Kenia.

Empowering Parliaments for NEPAD

Pär Granstedt
AWEPA- Vice President

"This *New Partnership for Africa's Development* is a pledge by African leaders, based on a common vision and a firm and shared conviction, that they have a pressing duty to eradicate poverty and to place their countries, both individually and collectively, on the path of sustainable growth and development and, at the same time, to participate actively in the world economy and body politic. The Programme is anchored on the determination of Africa to extricate themselves and the continent from the malaise of underdevelopment and exclusion in a globalising world." ¹ This is the first point in the NEPAD declaration launched by a number of African heads of states in October 2001.

The NEPAD initiative was made in the recognition of the great challenges facing the leaders of the African continent. And also of the fact that Africa has for a long time been less successful than some other parts of the world in catering for the needs of their citizens: " The Poverty and backwardness of Africa stand in stark contrast to the prosperity of the developed world. The continued marginalisation of Africa from the globalisation process and the social exclusion of the vast majority of its peoples constitute a serious threat to global stability"²

To achieve these objectives, African leaders will take joint responsibility for the following:

Strengthening mechanisms for conflict prevention, management and resolution at the sub regional and continental levels, and to ensure that these mechanisms are used to restore and maintain peace:

Promoting and protecting democracy and human rights in their respective countries and regions, by developing clear standards of accountability, transparency and participatory governance at the national and sub-national levels;

Restoring and maintaining macroeconomic stability, especially by developing appropriate standards and targets for fiscal and monetary policies, and introducing appropriate institutional frameworks to achieve these standards;

Instituting transparent legal and regulatory frameworks for financial markets and the auditing of private companies and the public sector;

¹ The New Partnership for Africa's Development I Introduction. October 2001

² The New Partnership for Africa's Development I. Introduction, October 2001

Revitalising and extending the provision of education, technical training and health services, with high priority given to addressing the problem of HIV/AIDS, malaria and other communicable diseases;

Promoting the role of women in social and economic development by reinforcing their capacity in the domains of education and training; by developing revenue-generating activities through facilitating access to credit; and by assuring their participation in the political and economic life of African countries;

Building the capacity of the states in Africa to set and enforce the legal framework, and to maintain law and order;

Promoting the development of infrastructure, agriculture and its diversification in agro-industries and manufacturing to serve both domestic and export markets.³

The NEPAD Approach

The history of Africa's last 150 years has been characterised by dependence - colonialism, neo-imperialism, client ship to great-powers, and dependency in trade, development assistance dependency. Sometimes that has fostered an attitude among political leaders to expect the solutions to come from elsewhere.

The launching of NEPAD expresses the conviction that even if many of the origins of Africa's problems are foreign, the solutions must be domestic. The outside world has a role to play as partners in Africa's development, but Africa must be in the driver's seat. In the NEPAD documents that is expressed in the following way:

"The New *Partnership for Africa's Development* centres on African Ownership and management. Through this programme African leaders are setting an agenda for the renewal of the continent. The agenda is based on national and regional priorities and development plans that must be prepared through participatory processes involving the people. We believe that while African leaders derive their mandates from their people, it is their role to articulate these plans and lead the processes of implementation on behalf of their people.

The programme is a new framework of interaction with the rest of the world including the industrialised countries and multilateral organisations. It is based on the agenda set by African peoples through

³ The New Partnership for Africa's Development III The will of African Leaders, October 2001

their own initiatives and of their own volition, to shape their own destiny" ⁴

It is for Africa and the African leadership to take the initiatives necessary. At the time of the launching a number of such initiatives were identified:

The Peace, Security, Democracy and Political Governance Initiatives highlights the need for African leaders to co-operate in peace-making and peace-keeping efforts and reconciliation processes in order to manage the many conflicts of the continent in a peaceful way. It also acknowledges the crucial importance of democracy and good political governance to make peace and prosperity possible. Though peer review and other joint measures based on the African experience and African co-responsibility African solutions to existing problems in this field should be sought.

The Economic and Corporate Governance Initiative has as its stated objective "To promote throughout the participating Countries a set of concrete and time bound programmes aimed at enhancing the quality of economic and public financial management, as well as corporate governance.

Bridging the Infrastructure Gap. Here special attention is given to information and communications technologies (ICT), energy, transport, water and sanitation.

Human Resource Development Initiative aims at bridging the "Education Gap" and reversing the brain drain but also health and poverty reduction.

Other important initiatives relate to *Environment, Agriculture, Culture, Science and Technology.*

Sub regional and Regional Approaches to Development

The NEPAD initiatives also want to address the fact that most African countries are small, both in terms of population and per capita incomes. That makes them less attractive to potential investors, while progress in diversifying production and exports is retarded. It also hampers investment in essential infrastructure.

These economic conditions point, according to the NEPAD fathers to the need for African countries to pool their resources and enhance regional development and economic integration on the continent.

NEPAD focuses on the provision of essential regional public goods (such as transport, energy, water, ICT, disease eradication, environmental

⁴ The New Partnership for Africa's Development III The will of African Leaders, §§ 47-48, October 2001

preservation, and provision of regional research capacity), as well as the promotion of intra-African trade and investments. The various initiatives aim at rationalising the institutional framework for economic integration. They should identify common projects, compatible with integrated country and regional development programmes, and promotes the harmonisation of economic and investment policies and practices. There needs to be coordination of national sector policies and effective monitoring of regional decisions.

For NEPAD the regional and sub regional approach is therefore important. It pledges to give priority to capacity-building in order to enhance the effectiveness of existing regional structures and the rationalisation of existing regional organisations. The transformation of OAU to the African Union and the creation of the African Parliament are of course powerful expressions of that. Priority areas are infrastructure, especially ICT and energy; human resources, including education, skills development and reversing the brain drain; health; agriculture; access to the markets of developed countries for African exports.

For each sector the objective is to bridge existing gaps between Africa and the developed countries. The continent's international competitiveness must be improved to enable it to participate in the globalisation process, it is noted.⁵

The Role of Parliament

It is fair to say that the NEPAD framework is covering most of the challenges that Africa is facing today. It is rather a political attitude, than a policy. But an attitude that is meant to materialise in structures and initiatives, and have a strong impact in all relevant policy areas.

NEPAD was launched at the heads of state level, and one of the risks is that it remains there. In order to have a real impact on the future of Africa there need to be popular ownership. Parliaments have a crucial role to make bottom up a reality and empowering Parliaments to play its crucial role in the process is therefore of utmost importance. There is an impression that parliaments of Africa were not properly involved from the outset.⁶

One of several parliamentary conferences dealing with NEPAD, facilitated by AWEPA was held in Accra Ghana in October 2002. There

⁵ The New Partnership for Africa's Development V Programme of Action: The strategy for achieving sustainable development in the 21st century, October 2001

⁶ See i.a. AWEPA Bulletin vol 16 n3 2002: "AWEPA Madrid NEPAD seminar" and nr 4 2002 "NEPAD and Africa's Children.

parliamentarians from 15 West African nations made the following request in order to enhance the role of Parliament in the NEPAD process.

The NEPAD document(s) together with any amendments or revisions and other relevant material should be made available to all Parliamentarians to enable them to do informed debates on the contents of the document;

The NEPAD secretariat should be encouraged to fashion out strategies which can be implemented and which take into account the role and suggestions of African Parliaments;

Parliaments should hold periodic public fora or hearings to engender discussions on non-partisan bases so that national interest on developmental issues becomes the rallying point of carrying all the people on board. MPs should be encouraged to consult and mobilise public opinion to support the objectives of NEPAD;

The Committee system of African Parliaments should be strengthened so that they can take up issues relevant to their functions and report back

Regional and sub-regional workshops should be facilitated for constant review of the NEPAD documents in order that all Parliaments can function proactively in fashioning the NEPAD agenda;

Parliaments must position themselves as equal partners in governance and also strive to achieve real balance of power and equitable distribution of resources among the three arms of government;

Parliaments should work with the Executive arm in seeking common grounds for addressing and resolving conflicts on the continent because NEPAD can only succeed in a conflict free environment. All Members of Parliaments must contribute and work collectively towards conflict resolution:

Even though NEPAD is the brainchild of African leaders, the executive must be encouraged to collaborate with their parliaments in the implementation, monitoring, and evaluation of various programmes under NEPAD:

Individual Parliaments should be encouraged to summon the executive, especially cabinet ministers who attend NEPAD meetings, to brief their Parliaments on matters discussed and new outcomes:

Parliamentary research groups, including university staff should be commissioned to organise periodic conferences for MPs to enable them to upgrade their knowledge at various stages of implementation of the NEPAD agenda.⁷

⁷ AWEPA Conference report : West African Regional Parliamentary Conference on NEPAD Sustainable Development and HIV/Aids, Accra, Ghana October 2002

When the parliamentarians of Africa argue for central role in the NEPAD process, they have a very strong case.

One condition for success is the consolidation of *peace, rule of law, good governance and respect for Human Rights*. Parliament is the necessary instrument for achieving that.

It goes without saying that sustainable peace is a fundamental precondition for sustainable development. A peace not based on democracy, rule of law, respect for Human Rights and good governance is not sustainable.

Indeed it seems that in the long run, democracy is the only available system for peaceful conflict management. In a true democracy with full freedom of expression, transparency and respect for human rights, differences in interest and opinion can be resolved in peaceful negotiation and, eventually by voting. Democracy provides not only a structure for conflict management but also for peaceful change of power. For undemocratic regimes on the other hand, violent force is always the necessary power-base. Sometimes it is not necessary to use it, but without the command of overwhelming force no undemocratic ruler can stay in power. Normally change of power is also not possible without violence. So democracy is a method of peaceful conflict management with proven success - presumably the only sustainable one.

The grand idea of democracy is that public affairs should no longer be based on "The Right of the Strong" but on the Human Rights. Therefore the development of systems for democratic government is largely the development of means for peaceful conflict management. That people have different -and often strong - views on how public affairs should be managed, is a fact of life. The task of the democratic engineers has therefore been to construct systems where these unavoidable conflicts can be managed, not by determining, through fighting or display of force, who is most powerful, but by as best possible reflecting the will of the people.

The main instrument in creating democratic participation is Parliament. Ideally it should have a composition that is a mirror of the views and interest prevailing within the population. Through deliberations, finding consensus wherever possible, hammering out compromises where that is necessary or else determining which policy has the strongest popular support. And the government should be based on that. The government can of course have a popular mandate of its own (presidential system). Or it can be directly dependent on the composition of the Parliament (parliamentary system). But under all circumstances it is important that all major political issues are being

processed in Parliament in a way that gives all viewpoints and interests a chance to be considered. When Parliament functions as it should it renders violence as a political method obsolete. A capacity of force is then only necessary in order to defend the system against those who want to break it by force.

To promote peace and international relations based on democratic principles, the parliamentary model of peaceful conflict management, as indicated earlier, must also be expanded beyond the nation state. On the international arena, in spite of all attempts the Right of the Strong is still prevailing. Here a great task is still ahead of us. Parliamentary assemblies like SADC PF (Southern Africa), EALA (East Africa) and the West African Parliament, and certainly the emerging African Parliaments have an important potential in this regard.

Of course parliaments are not always well functioning. Many times Parliaments are not given sufficient resources. The executive branch might restrict the role of the parliament to avoid its monitoring the regime. Parliamentarians and political parties do not always live up to their responsibilities etc.

Good democratic governance creates the necessary conditions for *the promotion of sustainable development, economically, socially and ecologically.*

As it rightly pointed out in the NEPAD documents Africa is well endowed with natural resources as well as human. Too often, however the natural resources are being under-utilised due to lack of adequate infrastructure, or wasted due to lack of know how, mismanagement and abuse. Likewise the human resources too often are both being under-utilised and wasted due to lack of education, health and nutritional problems and bad governance. The outcome can be noted as widespread poverty aggravated by depletion of natural resources, soil erosion and desertification and general environmental degradation.

The relatively weak position of Africa in the world economy means an inferior bargaining position, not only in high profile world trade negotiations, but indeed throughout the whole web of every day dealing with economic partners and counterparts. Many of the big multinational companies have annual turnover many times bigger than the GNP of African states they are dealing with. This means agreements based on a lack of equality both in bargaining power and bargaining capacity. Thus it is neither difficult to see, nor to understand that the conditions of our globalised world are not too often favouring African interests.

As it is true that peace and democratic governance are necessary conditions for sustainable development, it is also that widespread poverty

and a deteriorating environment is fostering political tension, conflicts and violence.

But without *popular ownership* no programmes to promote sustainable development will succeed in the long run. Such policies are simply not sustainable. And where are the instruments for creating popular ownership? Again parliament is the most important one.

Certain challenges are of such a magnitude that they need a massive *mobilisation* of all social forces to be met. It is especially true about the enormous task to secure the *future of the new generation* and their health, *education*, and *employment* prospects. And again, Parliament is the key instrument.

The absolutely dominant challenge in this regard in most of sub-Saharan Africa is of course the AIDS pandemic. A tragedy in itself for all those who are affected, directly and indirectly, it is also affecting all fields of development. A sad characteristic is that it is those in their most active age that are killed by the disease.

The young generation is being hardest hit by the AIDS catastrophe. They lose their parents and teachers, they are hit by malnutrition and even starvation when farmers are taken away from the land, their health prospects deteriorate when doctors and nurses become more scarce. And when they themselves reach sexually active age the disease is waiting for the many who will not be careful enough.

In too many countries the HIV/AIDS pandemic is nullifying decades of efforts to improve the prospects of the young generations. And it is not just a cliché that the young generation is the future of any country or indeed continent

The magnitude of the pandemic must not overshadow other challenges relating to health, such as malaria, and other areas such as education and training for the young.

Parliamentary Good Governance

So for NEPAD to become more than just another attempt for a new start for Africa there is a need for real *democratic participation*, for *popular ownership* of the development programmes and for massive *mobilisation* to meet the great challenges. For all that well functioning parliaments are needed. Parliament must be given a key role as a link between the power and the people, and indeed different segments of the population.

But in order to fulfil the Parliament's obligation to represent different opinions and interests in the population, its functions must often be enhanced. AWEPA has during almost 20 years of work with African

and European parliaments identified a number of important factors for that.⁸

An electoral system and the conduction of elections that secures that the Parliament makes a fair representation of the different views and interests within the population. True representativity is a necessary condition for Parliament to be able to fulfil its task to channel the concerns of the people to the power, and make sure that any policies, including NEPAD has a popular following. And to serve as an instrument for peaceful conflict management. Basic is of course that elections are conducted in a climate of free debate, without intimidation. A number of unacceptable practices are frequent in Africa - and all over the world - including police harassment of opposition campaigns and rallies, restrictions of access to certain parts of the country, control of media, violence from militants of different parties and outright rigging. Here the domestic authorities, civic society, political parties with the support of the international community can do a lot to develop codes of conduct and monitor their being adhered to.⁹

Transparency in public affairs and a free debate. This is of course necessary also between elections. For the parliament to carry out its monitoring and oversight functions vis a vis the executive branch the members must have full access to all relevant information from the executive branch of government. Too often too much documentation is classified, referring to national security interests, or sometimes without any real motivation at all. To establish a situation of confidence within Government there is a need for clear rules, based on constitutional rights, for MP to get sufficient information, and also to use it in the public debate. But access to information must also be matched by capacity to find and process it. Therefore the research capacity at the disposal of the MPs is of utmost importance.

A constructive relation between government side and opposition based on mutual respect for each other's role is sometimes difficult to achieve, but still badly needed. Ruling parties must realise that a vital opposition is necessary for their own credibility. When the executive is not properly scrutinised, the risk for power-abuse, malpractice and corruption is always there. An even when the situation is not misused the

⁸ See also Balch/Granstedt/Ojanen "Parliament as an Instrument for Peace" AWEPA Occasional Papers Series #8, 2001

⁹ See also IDEA Handbook on Electoral Systems, International IDEA, Stockholm 2002 and Balch/Granstedt/Kenny Standardisation of Practice in the Selection, Training and Deployment of International Election Observers. AWEPA Occasional Paper Series # 2 1997.

suspicion can still be there and undermine confidence. It is also important that working relations are such that ruling parties and opposition sometimes can unite and work together to meet a special challenge to the nation.

Likewise opposition parties must realise that their task is not to make the country ungovernable, but to provide constructive criticism and viable alternatives. This is very much a matter of parliamentary culture where examples from other parliaments and exchange of experience between colleagues can be very helpful. In order for NEPAD to be based on participation from all sectors of the society the active and constructive involvement from all parts of the political spectrum is necessary. Working conditions in the Parliament has to be conducive to that. That means that parliamentary work must be organised in a way that also the opposition can take a real and active part. Here for instance a well functioning committee system is vital. MPs from all parties, as well as the parties as such, must have sufficient means to function adequately, such as funding, office facilities, travel possibilities, research capability etc.

Conditions that facilitate a smooth transfer of power when demanded by the voters. Recent African history, as well as experiences from other parts of the world, shows that transfer of power is one of the most delicate processes within a polity, especially in a young or emerging democracy. At the same time it constitutes the cornerstone of a functioning democracy.

Within the NEPAD context a peer review mechanism is foreseen as a means to secure proper democratic practices in all participating countries. Still when things already start going wrong, it can be very late for neighbours and others to interfere. The peer review needs to be complemented by an inter-parliamentary discussion about how best to prepare for smooth transfers of power. Good working conditions for both ruling parties and opposition, as mentioned above helps a lot. If ruling parties treat their opposition colleagues the way they themselves want to be treated in opposition, that helps a lot. Likewise if opposition parties behave in a way they would like to see from an opposition against them, should they access to power. Reasonable possibilities for the opposition to prepare for a government role is important. There is also a need for some kind of security for those who leave government. This should not mean impunity, but rather security against political harassment and even some sort of economic safeguards.

Good contacts between MPs and their constituencies are of course another necessary condition for Parliament to serve as a link between

people and power. Parliamentarians must be able to put in considerable effort to explain development policies for instance in the NEPAD context to the people, and bring back for attention their views and concerns. Otherwise there will be serious failures. MPs must have easy access to their constituencies. Any politically motivated restriction on that access is of course totally unacceptable. But there must also be practical means secured, as transport facilities, local offices, local agents, telecommunications, where possible etc. An active civic society is a great advantage and it is important that the political power sees that and treats it as such. The attitude of the MP is of course decisive. An MP must see itself as the servant of its constituency, not as a boss. This is again a matter of political culture, where exchange of experience between colleagues can be useful.

Respect for the rights of the minority. Majority interests are normally well looked after in a democracy. But especially in situations where an ethnic or other type of minority seems to be permanently out of political influence, there is a great risk that its interests are neglected. Secured minority rights in both legal and economic terms are therefore absolutely necessary for the Parliament to be an instrument for peaceful conflict management, and for any system to be considered truly democratic-. Development policies within the NEPAD framework must respect also minority interest or it might become more of a conflict generator than the opposite. Here it is important with electoral systems that give representation also to relatively small minorities, and parliamentary processes conducive to that. For instance the committees must be allowed to become platforms also for smaller parties, and parties must respect also minority fractions within themselves and give them appropriate representation and participation in the political processes.

The role of World Community in NEPAD

The Millennium Declaration was signed under UN auspices by 189 countries in September 2000. Thereby the World Community is committed to the Millennium Development Goals:

- Eradicate extreme poverty and hunger
- Achieve universal primary education
- Promote gender equality and empower women
- Reduce child mortality
- Improve maternal health
- Combat HIV/AIDS, malaria and other diseases
- Ensure environmental sustainability

- Develop global partnership for development¹⁰

NEPAD can be seen as an African response to the MDGs. It is about African ownership of its own development. It is also about partnership. In the summer of 2002 the NEPAD initiative was presented to the G 8 summit Kanskis, Canada. And September it was a major topic at the World Summit on Sustainable Development Johannesburg, South Africa.

Already in Kanaskis the leading industrialised countries of the world and the European Union pledged their support to the NEPAD Initiative. As a response to NEPAD they adopted the Africa Action Plan. There they emphasise to the following areas, rather faithfully reflecting the NEPAD priorities:

Promoting peace and security. This includes support to conflict resolution efforts on the continent and to enhancing the capacities of African states and organisations in that field. Also support to action against illegal arms trade, to de-mining programmes and in the work to address the linkage between armed conflict and the exploitation of natural resources.

Strengthening institutions and governance. Hereunder is included support to capacity building programmes for parliaments and other branches of government like improving administrative and civil services, strengthening parliamentary oversight, promoting participatory government, uphold "global standards of democracy" and improve the functioning of the judiciary. Support is also pledged to the African peer review arrangements, and to African efforts to promote and protect human rights. Other areas of priority are gender equality and the empowerment of women and the adoption and implementation of effective measures to combat corruption, bribery and embezzlement.

Fostering trade, investment, economic growth and sustainable development. G 8 is pledging to help Africa to attract investment, both from within Africa and from abroad, and to implement policies conducive to economic growth. Also to facilitate capacity-building and the transfer of expertise for the development of infrastructure projects, with particular attention to regional initiatives. They promise to promote greater market access for African products, especially in the framework of the Doha round of WTO trade negotiations, and to increase funding for trade-related capacity building and technical assistance. They also want to support African efforts to advance regional economic integration and intra-African trade.

¹⁰ The Millennium Declaration and the Millenium Development Goals, UN 2000. Se also appendix 2!

Implementing debt relief. This is mainly a reiteration of the G8 commitment to the already existing HIPC-initiative.¹¹

Expanding knowledge: Improving and promoting education and expanding digital opportunities. Here the G 8-members pledge their support to African countries in their efforts to improve the quality of education at all levels, and especially efforts to access to education by women and girls. Support to African research and higher education should be increased and Africa be helped to create digital opportunities and to make more effective use of ICT.

Improving health and confronting HIV/AIDS. In the struggle against HIV/AIDS a number of activities are mentioned, such as training programmes an capacity building, support to high level political engagement, support to the development, adoption and implementation of gender sensitive, multisectoral HIV/Aids programmes for prevention, care and treatment, as well as special programmes directed to mothers and children. G 8 also pledges support to African efforts to build sustainable health systems in order to deliver effective disease interventions. They also want to help in acceleration the elimination and mitigation in Africa of Polio, river blindness and other diseases and to support research on diseases with e prevalence especially in Africa.

Increasing agricultural productivity and improving water resource management. G 8 promises to give support to African agriculture higher priority, and to assist in efforts to reduce poverty by enhancing sustainable productivity and competitiveness in the sector. This includes areas such as access to technology, training, access to markets, property and resource rights, gender aspects, infrastructure etc. Water resource management should be improved and a number of steps taken generally to improve food security.

At the G 8 Summit in Evian France in early June this year these commitments were revisited with the participation of a number of African leaders. It was noted that not much progress had occurred during the first year. The participants tough reiterated their promised from Kanaskis. However an initiative from France to cut farm subsidies was tuned down by the USA.. A feeling was also expressed that events in the Middle East had pushed African developments back from the top agenda of world politics.

¹¹ Thi is further dealt with i.a in Kimunen/Ojanen: Debt Releif and the HIPC Initiative in African Countries, AWEPA Occasional Paper Series # 10 2002

African-European Parliamentary Partnership

As parliaments have a critical role to play in the realisation of NEPAD, parliaments must also be important in the formation of partnership for Africa's development. In the G8 Action plan, capacity building for parliament is consequently identified as a priority area. In the following three areas partnership, with parliaments and parliamentarians from outside as well as other actors in the international community, could help to empower parliaments for NEPAD.

Technical capacity building

Parliaments in young democracies often need to develop their procedures and resources to be able to play an active and independent government role. Areas where improvements usually are needed include

Developing well functioning committee systems, including rules and procedures, training of staff and officers, clear relations to other functions of parliament and government.

Development of consistent and sufficiently thorough budgetary and legislative processes.

Clarification of the rights and responsibilities of Parliament in its oversight of the Executive branch of government.

Enhancing the research capacity within parliament especially relating to budgetary, legislative and oversight functions

Extension of parliamentary library capacity including, internet and database access.

Training of staff and development of in-house training capacity.

Training of (new) members in parliamentary work, rights and responsibilities.

Sharing experience

The road to real parliamentary democracy in Europe was full of obstacles and is still not finished. In Africa some countries have long democratic traditions, with or without interruption, some have had long periods of stable but authoritarian systems, yet others have a turbulent history of violent internal and external conflicts. Sharing experience between parliamentarians from countries with different historical background and systems have proven to be a good way of mutual learning. Areas of interest in that regard include:

- Constituency relations
- Relations ruling parties - opposition
- Relation Parliament - Executive
- Working with civic society, media etc

- Codes of conduct in elections campaigns
- Codes of conduct and ethics in intra-parliamentary relations and the general political debate
- Gender factors in parliamentary work¹²

The parliamentarians' contributions in areas like poverty eradication, health, including HIV/AIDS, sustainable development, external trade etc.

Capacity building for European parliamentarians

Parliaments in Europe and other rich areas of the world have a responsibility to make sure that their countries play a constructive role in NEPAD. It is important to improve to capacity in European parliaments to understand African conditions and developments, and the consequences for African of different political decisions. With that know-how they can, and should, properly monitor and hold governments accountable for the fulfilment of their promises and commitments in the Millennium Declaration, the summits in Monterrey and Johannesburg and the G8 Africa Action Plan.

AWEPA - European Parliamentarians for Africa

AWEPA was founded 1984 in order to promote human rights and struggle against Apartheid in South Africa. Nowadays AWEPA provides a platform for dialogue, exchange of experience and action in support of sustainable democratisation and development in Africa, while informing parliamentarians in Europe about African developments and realities. AWEPA is a partner and bridge builder in the process of consolidation young democracies, promoting respect for human rights and contributing to reconciliation and peace building efforts. The work of AWEPA focuses on human resource development and institutional capacity building in support of good governance, human development, regional co-operation and conflict prevention.

The membership of AWEPA is drawn from the European Parliament and 20 national Parliaments in countries which are members of the Council of Europe. AWEPA members count some 1200 current and former MPs and MEPs, who agree with the organisation's central priorities. AWEPA is working on the basis of memoranda of

¹² See e.g. IDEA Women in Parliamen Beyond Nubers Handbook and Balch/Bare/Gardiner: Achieving the Advancement of Women in the Post-Beijing Era, AWEPA Occasional Paper Series # 4 1997.

understanding or other arrangements with some 20 African Parliaments and three regional parliamentary assemblies.

AWEPA is working closely with the UN system, based on a Memorandum of Understanding with UNDP and including also UNICEF, UNHCR, UNAIDS and other agencies.

AWEPA's support to the NEPAD process is likewise guided by a Memorandum of Understanding with the NEPAD secretariat

Appendix 1

THE NEPAD APPEAL TO THE PEOPLES OF AFRICA

The African Renaissance project should allow our continent, which has been plundered for centuries, to take its rightful place in the world. It depends on the building of a strong, competitive economy as the world moves towards greater liberalisation and competition.

The New Partnership for Africa 's Development will be successful only if it is owned by the African peoples united in their diversity. Africa, impoverished by slavery, corruption and economic mismanagement, is taking off in a difficult situation. However, if the continent's enormous natural and human resources are properly harnessed and utilised, it could lead to equitable and sustainable growth, and enhance Africa's rapid integration into the world economy.

This is why our peoples, in spite of the present difficulties, must regain confidence in their genius and their capacity to face obstacles and be involved in the building of the new Africa. The present initiative is an expression of the commitment of Africa's leaders to translate the deep popular will into action.

However, the struggle they would be waging will be successful only if our peoples are the masters of their own destiny. This is why the political leaders of the continent appeal to all the peoples of Africa, in all their diversity, to recognise the seriousness of the situation and the need to mobilise themselves in order to put an end to further marginalisation of the continent and to ensure its development by bridging the gap between Africa and the developed countries.

We are, therefore, asking the African peoples to take up the challenge of mobilising in support of the implementation of this initiative by setting up, at all levels, structures for organisation, mobilisation and action.

The leaders of the continent are aware of the fact that the true genius of a people is measured by its capacity for bold and imaginative thinking, and its determination in support of its own development. We must not relent in implementing this ambitious programme of building sound and resilient economies and democratic societies. In this respect, the African leaders are convinced that Africa, a continent whose development process has been marked by false starts and failures, will succeed in this initiative.

Appendix 2
Millennium Development Goals and targets from the
Millennium Indicators for Monitoring Progress Declaration

Goal 1: Eradicate extreme poverty and hunger	
Halve, between 1990 and 2015, the proportion of people whose income is less than \$1 a day	Proportion of population below \$1 a day a) Poverty gap ratio (incidence times depth of poverty) Share of poorest quintile in national consumption
Halve, between 1990 and 2015, the proportion of people who suffer from hunger	Prevalence of underweight in children (under five years of age) Proportion of population below minimum level of dietary energy consumption
Goal 2: Achieve universal primary education	
Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling	Net enrolment ratio in primary education Proportion of pupils starting grade 1 who reach grade 5 Literacy rate of 15- to 24-year-olds
Goal 3: Promote gender equality and empower women	
Eliminate gender disparity in primary and secondary education preferably by 2005 and in all levels of education no later than 2015	Ratios of girls to boys in primary, secondary, and tertiary education Ratio of literate females to males among 15- to 24-year-olds Share of women in wage employment in the non agricultural sector Proportion of seats held by women in national parliament
Goal 4: Reduce child mortality	
Reduce by two-thirds, between 1990 and 2015, the under-five mortality rate	Under-five mortality rate Infant mortality rate Proportion of one-year-old children immunized against measles

Goal 5: Improve maternal health	
Reduce by three-quarters, between 1990 and 2015, the maternal mortality ratio	Maternal mortality ratio Proportion of births attended by skilled health personnel
Goal 6: Combat HIV/ AIDS, malaria and other diseases	
Have halted by 2015 and begun to reverse the spread of HIV/ AIDS	HIV-prevalence among 15-to 24-year-old pregnant women Condom use rate of the contraceptive prevalence rate b) Number of children orphaned by HIV/ AIDS c)
Have halted by 2015 and begun to reverse the incidence of malaria and other major diseases	Prevalence and death rates associated with malaria Proportion of population in malaria-risk areas using effective malaria prevention and treatment measures d) Prevalence and death rates associated with tuberculosis Proportion of tuberculosis cases detected and cured under directly observed treatment short course (DOTS)
Goal 7: Ensure environmental sustainability	
Integrate the principles of sustainable development into country policies and programs and reverse the loss of environmental resources	Proportion of land area covered by forest Ratio of area protected to maintain biological diversity to surface area Energy use per unit of GDP Carbon dioxide emissions (per capita).and consumption of ozone-depleting chlorofluorocarbons Proportion of population using solid fuels
Halve, by 2015, the proportion of people without sustainable access to safe drinking water	Proportion of population with sustainable access to an improved water source, urban and rural
Have achieved, by 2020, a significant improvement in the	Proportion of population with access to improved sanitation

lives of at least 100 million slum dwellers	Proportion of households with access to secure tenure
Goal 8: Develop a global partnership for development	
<p>Develop further an open, rule-based, predictable, Non-discriminatory trading and financial system (includes a commitment to good governance, development, and poverty reduction - both nationally and internationally)</p> <p>Address the special needs of the least developed countries (includes tariff- and quota-free access for exports, enhanced program of debt relief for and cancellation of official bilateral debt, and more generous ODA for countries committed to poverty reduction).</p> <p>Address the special needs of landlocked countries and small island developing states (through the Program of Action for the Sustainable Development of Small Island Developing States and 22nd General Assembly provisions)</p> <p>Deal comprehensively with the debt problems of Developing countries through national and international measures in order to make debt sustainable in the long term</p>	<p>Some of the indicators Listed below will be monitored separately for the least developed countries, Africa, landlocked countries, and small island developing states.</p> <p>Official development assistance (ODA)</p> <p>Net ODA, total and to least developed countries, as a percentage of DAC donors' gross national income</p> <p>Proportion of bilateral ODA for basic social services (basic education, primary healthcare, nutrition, safe water, and sanitation)</p> <p>Proportion of bilateral ODA that is untied</p> <p>ODA received by landlocked countries as a proportion of their GNI</p> <p>ODA received by small island developing states as a proportion of their GNI</p> <p>Market access</p> <p>Proportion of total developed country imports (excluding arms) from developing countries and least developed countries admitted free of duties</p> <p>Average tariffs imposed by developed countries on agricultural products and textiles and clothing</p> <p>Agricultural support estimate for</p>

	<p>OECD countries as a percentage of their GDP Proportion of ODA provided to help build trade capacity e)</p> <p>Debt sustainability</p> <p>Total number of countries that have reached their HIPC decision points and completion points (cumulative)</p> <p>Debt relief committed under HIPC initiative</p> <p>Debt service as a percentage of exports of goods and services</p>
In cooperation with developing countries, develop and implement strategies for decent and productive work for youth	Unemployment rate of 15- to 24-year-olds, male and female and total f)
In cooperation with pharmaceutical companies, provide access to affordable essential drugs in developing countries	Proportion of population with access to affordable, essential drugs on a sustainable basis
In cooperation with the private sector, make available the benefits of new technologies, especially information And communications technologies	<p>Telephone lines and cellular subscribers per 100 people</p> <p>Personal computer sin use per100 people</p> <p>Internet users per 100 people</p>

- a. For monitoring at the country level, national poverty lines should be used.
- b. Among contraceptive methods, only condoms are effective in reducing the spread of HIV.
- c. The proportion of orphan to nonorphan 10- to 14-year-olds who are attending school.
- d. Percentage of children under five sleeping under insecticide-treated bed nets (prevention) and appropriately treated (treatment).
- e. OECD and WTO are collecting data, which will be available from 2001 on.
- f. An improved measure of targets is under development by ILO

The Parliament and Poverty Reduction Strategy Paper Process (PRSP)

Dr. Amany Masaoud Elhediny
Ass. Lecturer of Political Science, Cairo University

Considering that the confrontation of the state and the civil society is not inevitable, and that the civil society needs a strong state to perform well, this paper discusses one of the most important development issues faced by the 3rd world, which is the “Poverty Reduction”.

Even though accumulative literatures interested with poverty issues mentioned various definitions, indicators and reduction strategies to poverty, many analysts agreed on the importance of including the poor in solving their problems, shaping their preferences, and discussing their strategies.

As, the general tendency in poverty literature linked the achievement of sustainable development with the need to lift guardianship on poor, who should be treated as rational and able to develop their personal strategy away from the (other), either that other was the (state) or (any other foreign force).

Consequently, Analysts competed in indicating the important role of civil societies and NGOs, as organized forms replacing the state, in fighting poverty. The poor should be empowered, and provided with various inputs to develop their mental and human resources and to be able to play their new developmental role.

Thus, many literatures reconsidered the culture of the poor, and rejected the common statements that the poor possess special features through which their poverty can be explained. Some literatures even went far to suggest that the poor created new means to overcome their severe conditions. These means were considered as their (Survival Strategies).

And regardless to the rejection or the approval of these strategies, analysts emphasized the need to represent the poor in various NGOs and government institutions to stimulate their new role, and the need for inter- organizational cooperation, whether these organizations were Non-Governmental or governmental, to achieve development.

The discourse on the role of the parliament, which was supposed to be guided by a General Well and representing all sectors of the society (rich and poor), was a newly proposed forum to recapture the absent role of the state in poverty reduction.

This has become a pressing need, since the world faces today even greater challenges than it did 25 years ago. The world population has

kept growing, straining greatly both national and international resources. And out of six billion people on the planet today, three billion live with under \$2 a day. And 1.2 billion live with under \$1 a day, what the economists call absolute poverty; 290 million of them are in sub-Saharan Africa. In another 25 years, there will be an additional two billion poor people inhabiting the developing world.

These deteriorating conditions, coupled with the growing debt burdens in many developing countries, led to a September 1999 decision by the World Bank (and the IMF) to focus on poverty reduction as central in a reformed framework for lending and debt relief. Poverty Reduction Strategy Papers (PRSPs) gives borrowing and debt relief countries the responsibility to develop strategies for domestic poverty reduction.

PRSPs should then be presented to the World Bank and the IMF to be considered and endorsed by both the Fund and the Bank on the one hand, and national governments on the other, as the framework within which financial support from both international financial institutions and from bilateral donors would be provided. And the countries adopting the PRSPs should present a periodical progress report on the progress in implementing the strategy to both international financial institutions, through the Parliament, either the latter intervened in the Formulation, Budget Cycle, Monitoring the implementation, or the evaluation stage.

This new trend followed by the World Bank and the IMF emphasizes poverty reduction as a development goal from one hand. And assures that policies to achieve the goal are country-driven with full participation of the civil society, including the poor, in decisions and implementation of the strategy from the other hand. It also assures the existence of an effective monitoring mechanism on the implementation of the strategy and achieving the required goals.

The World Bank and the IMF introduced this strategy to 70 countries characterized by low- income level, where each country should formulate it and determine its priorities as regard to the national economy and the social development on the medium term. And the strategy provides the country with a base to give loans privileges and debt relieves. The country prepares the strategy after consultation with the civil society groups and the private sector.

As of the beginning of 2002, 70 countries are involved in the PRSP process - as part of debt relief or in the context of negotiations for more lending support from the Bank and Fund.

This paper seeks to discuss this strategy and its implications on parliamentary reforms and poverty reduction in Egypt.

First: Poverty in Egypt and its features, illustrating the problem:

The World Bank defines the poor as a person living in poverty and lacks: opportunity (due to low consumption or income); capability (due to poor health or education levels); security (due to exposure to economic shock); and empowerment (due to inhibited access to power).

The issue of poverty is considered a very sensitive political issue in Egypt. As Egypt is classified number 119 among 174 poor countries of the World, according to the World Development Report issued by the United Nation. Thus preceding only 3 countries.

According to the report, the government policy towards the poor is not concerned with the poor, but with the poverty itself, and participates in its growth as was clear from the official government reports. Many officials deny the existence of poverty in Egypt, as the ex-prime minister describes poverty in Egypt as a normal human phenomenon that exists everywhere in all times. And that the government, which started the financial and fiscal reforms programs in 1991, succeeded in decreasing poverty levels from 10.9% in 1991 to 7.4% in 1996.

The Report of Human Development, issued by the National Planning Institute, questioned these figures, and pointed to the fact that the reality is far better than the number in this report, as most of the data were inaccurate. The report strongly denied that the government is working in favor of the rich, this is proved by the fact the “the state hasn’t imposed a single tax for 4 consecutive years, which hasn’t occurred since the government of Nubar Pasha in 1878”. The government is more occupied with the low-income class and allocates 25% of the total expenditure to wages. Also the public budget in 1999 reflects a major increase in expenditure on social level. This despite the fact that statistics reveal that poverty levels in Egypt reached 29.3%, and that 23% of the population (reaching 16.8 million) do not receive basic food or services.

If these were the main poverty features in Egypt, what about the parliament?

Second: Uniqueness of Parliaments in the 3rd word and in Egypt:

While treating the role of parliament in poverty reduction, it was assumed that actual political and economic changes witnessed by the Egyptian society require enhancing the role of parliament to enable it to undertake the political and economic changes. This could be achieved through legislation consolidating the processes of economic reforms and

liberalization and providing the suitable environment required for attaining maximum possible levels of development in various fields.

Although parliaments in the developed world play an effective role in the legislative process (the Legislative Initiative), and in public decisions making, parliaments in developing countries do not possess this effectiveness. Thus, the involvement of the parliaments in poverty reduction in the 3rd world is strongly linked with the legislative reforms as part of the political reforms in general.

In that regard, how far is the parliament regarded as a catalyst or an obstacle for reforms? In another word, is the parliament a key actor in reforms or is it in need for reforms? A question needing a discussion, especially that parliament members are aware of the nature of their role and that the government is not helping to activate that vital role. For instance the statement of the government is concentrating on its accomplishments, while ignoring the challenges facing the implementation of its policies, on the internal or the external level. Also ignoring any real challenges or actual problems facing any of the government public policies.

Thus, voters were disappointed of the performance of their representatives in they parliament, they were no longer reflecting their interests. Citizens were no longer able to comprehend public policies or participate in them, or even follow what happens in the parliaments of democratic countries.

The only political role of parliaments in authoritarian systems was to support the absolute power, thus, people lost their interest in politics in general. The situation became even worse in many developing countries, which lacked any real representative institutions or elected parliaments since independence.

Poverty Reduction Strategy:

The poverty reduction strategy paper suggests 4 main stages for poverty reduction:

A. Determining the goal for parliament involvement:

State institutions have a key role to play in the growth or stagnation of any national economy. Therefore, greater parliamentary involvement in the PRSP process helps to ensure that a country's PRSP is generated, implemented, and evaluated through national institutions with adequate political legitimacy to ensure ownership, sustainability and success of the strategy. This could be done through:

- 1. Participation:** Under most constitutions, legislatures are the most representative element of a country's national government. Although in some cases this representative potential has been latent or

underutilized due to political conditions or lack of resources affecting the popular participation, parliaments remain an obvious mechanism for encouraging poor people's participation in national poverty reduction policies and monitoring its implementations.

2. **Achieving Results:** the PRSP is designed to ensure that realistic targets for poverty reduction are achieved.
3. **Comprehensive:** Considering the geographic spread, political coverage, and sector - specific committee structure of national parliaments, legislative structures should provide a nationally comprehensive view of poverty reduction, even if this view is motivated by geographic specific interests.
4. **Setting Priorities:** rational decision-making can logically prioritize poverty relief for certain regions or sectors, such decisions have significant impact on popular support for the political parties or individuals in executive offices. Parliaments, which typically include a range of political factors and are vested with constitutional authority to serve as a check on the decisions of the executive, may serve to balance political interests in PRSP formulation.
5. **Continuity in implementation on medium and long-term:** Building broad support for the PRSP by Members of Parliament from both governing and opposition parties is important in ensuring that the PRSP's success will not be derailed by changes in the political environment.

To engender greater continuity in the medium- and long- term, parliaments must be included in the PRSP process well in advance of their examination of the national budget or prior to PRSP approval.

6. **Empowerment:** the parliament represents large sectors of the society among the poor who lacks empowerment to participate in making decisions and policies affecting their daily lives.
7. **Members of parliaments** should bear the responsibility of implementing the strategy in developing countries, rather than leaving it to the west.
8. **Institutionalizing the negotiations:** the World Bank prefers dealing with the parliament than dealing with ministries of finance. As dealing with the parliament, which includes members of the ruling party and the opposition (the potential government), ensures the continuity of the PRSP, as its success will not be derailed when the opposition takes power.

The parliament's involvement can thus build consensus around the PRSP and facilitates its implementation. People, especially the poor, can participate in policy designing through public forums and committee

hearings with national leaders. Thus, testing the support for the strategy prior to PRSP approval.

B. Stages of poverty reduction strategy:

The strategy suggested three stages:

- 1. Poverty Diagnostics:** Understand the features of poverty and the factors that determine its reduction or increase.
- 2. Policy Actions:** Choose priority actions to reduce poverty, in the short and longer term.
- 3. Indicators and Monitoring:** Set targets and identify indicators of progress, and systematically monitor results and feedback into decision making.

The role of parliament in stabilizing the economy is a prerequisite to enable it putting the basis for a growing economic development.

C. Proposed stages to activate the role of parliament in poverty reduction:

1. Poverty Analysis and Diagnosis:

Parliamentarians should determine the following:

who are the poor? What are the roots of their poverty?, which requires clear definition of poverty – multifaceted, (minimum calorie consumption, measure of basic service access..), Where those below those measures live? What are their roles, ties, and assets? Carefully view changes in poverty levels over time.

In this context, parliaments should understand that their role is not to rewrite the PRSP, setting the definitions & and poverty analysis. However, what they can do is to evaluate how well the analysis and diagnosis stage is being done, also to assure that poverty diagnosis and analysis does encompass participation from throughout the country, particularly from the poor, through Poverty Committee which contributes in definition and choosing policies.

The role of parliament in this regard is determining the following:

1. Is definition of poverty clear? Data sources adequate?
2. Is there a link between poverty & economic growth? (positive, or not existing)?
3. What direct redistribution steps are therefore needed?
4. How focus on assets not just incomes?
5. Rural/ urban gap is important, plus poverty groupings in each area
6. Who can good governance, in terms of transparency, be practiced?

This stage aims at shaping longer-run principles of PRSP participation (e.g. importance of transparency, maximum inclusiveness, strengthening existing systems, confronting participation constraints (such as limited trust, abuse of confidences, lack of political will among government agents)).

2. PRSP Policy Choices:

The strategy determined the priorities that should be designed by the state as follows:

1. Better Agriculture: via rural credit, research & extension service, feeder roads, more market access, irrigation.
2. Invest in Education: via better primary schools, lower fee barriers for poor, fewer dropouts, access for girls.
3. Improve Health: via more rural focus, reform of delivery systems, health education.
4. Better Governance: in local government, policing, stress on community social development.
5. Macro-economy stable: low inflation, avoid domestic budget deficits & export-based taxes, and minimize economic shocks.

In this regard the Parliament's task should be:

1. To assess whether priorities chosen make sense, reflect participation.
2. Discussing details of new policies.
3. Guarantee the allocation of resources according to the determined priorities.
4. Monitoring the implementation of these policies.

And if the participation from civil society groups in the first stage was seen as crucial, the key actor in the second stage was the government institutions.

3. Resources allocation and setting the budget:

The Parliament should exercise more authority on budget issues at the budget preparation stage. It should receive more up-to-date, and progressive reports on the implementation of the strategy. Parliament should approve the requirements of the electoral process to prevent vote-related over-spending. Parliament should also approve all extra domestic borrowing beyond budget-approved amounts. Reallocation of expenditure items should be possible for special committees, belonging to the Parliament, and created for that purpose.

Worth telling that the early involvement of parliament in this stage avoids last minute conflict with the government regarding budget allocations, especially with the time pressure before the submission of the paper. It also prevents allocation of financial and human resources, which the parliament severely lacks due to economic reasons, to discuss the PRSP.

4. Evaluation of the PRSP process:

1. Consultation Process: have all voices been listened to, taken into consideration?
2. Diagnostic: are poverty and its multi-dimensional aspects well understood?
3. Accountability: are the targets realistic? The indicators specified? Is there a credible monitoring system?
4. Content: are the recommended actions useful, feasible?

Conclusion:

Despite efforts of the World Bank and many other groups, poverty in developing countries has been increasing. Recognizing that traditional poverty reduction programs have been elite driven, the World Bank has realized that there is a need to include a broad array of stakeholders in developing country- specific plans to eliminate poverty. The PRSP is not the magic recipe of Structural Adjustment Programs issued by the Fund, and if the PRSP is meant to be country driven, and country owned, this process is important to host countries as the Bank gives loans to these countries based on the PRSP.

The PRSP is an important means of including parliaments in the development processes in their nations for several reasons: their overall representation, and oversight functions. Involvement of members of Parliament strengthens the PRSP, and provides a greater voice for the poor in this process.

Although the PRSP – according to the International Financial Institutions – aims to eliminate poverty, it is subject to much criticism. Members of parliaments in many countries are only now learning about the PRSP process, therefore many of them have missed opportunities for involvement in the policy design stage. Most parliament members agree that the budget cycle, and allocation of resources provide the best opportunities for parliamentary involvement. Therefore, building the internal capacity of parliament is needed through including key staff people, or financial aids to break the dependence on outside or foreign consultants, which embarrass the supporters of the PRSP.

Involvement of members of parliaments in designing, implementing and monitoring the PRSP, working in the national context, flexibility in developing the strategy and monitoring it, are all absent in many parliaments of the 3rd world.

In another word, the application of the PRSP, in its different stages, is linked to the political reform of the parliament to enable it to play that role. Raising awareness of the key role of the parliament in poverty reduction, policy makers should abandon their inferior idea of the poor, the correlation between poverty and the absence of democracy, are all major challenges in stimulate the role of parliament in reducing poverty.

Parliament' success in eliminating poverty is related to the society's awareness of its vital role in the political, economic, social and cultural life, and the appreciation of the people towards the members of parliament and their parliamentary, legislator, and monitoring performance.

Since the growing economic, social, cultural, and political crises faced by the modern society, especially in the developing stage, caused the state's failure in adopting political reforms (democracy) and economic reforms (poverty reduction). Will the state be able to overcome all these challenges and attain the preconditions of democracy to eliminate poverty, a question only the future holds its answer.

The European Parliament: A Pioneering Institution and How it Changes

Dr. Noha El-Mikawy*

(Center for Development Research, University of Bonn)

Dr. Ing. Reinhard Honert

Consultant (Engineers' Liaison-Office Brussels)

1) Background

World War II showed the need to unify the peoples of Europe in a way that would minimize, but not destroy, national patriotism. Sir Winston Churchill looked towards a form of "United States of Europe." Other leaders in Europe had less ambitious plans. Jean Monnet, the head of the French recovery programme, and Robert Schuman, the French Foreign Minister, saw an urgent need to pool and hold under a single authority the steel and coal resources of Western Europe.

In 1951 six countries (Belgium, France, West Germany, Italy, Luxembourg and The Netherlands) signed the Treaty of Paris, which set up the European Coal and Steel Community (ECSC). The success of the ECSC led to attempts to create a European Defence Community (EDC), which finally led to the formation of the Western European Union (WEU) and the North Atlantic Treaty Organisation (NATO). In 1957 the same six countries signed the Treaty of Rome establishing the EEC (European Economic Community) and the EURATOM Treaty (European Atomic Energy Community) (Alex Roney, EC/EU FACT BOOK).

The European Parliament (EP) started as the Common Assembly for the ECSC in 1952 with 78 members, and then became the Assembly for the (new) EEC with 142 members, with Robert Schuman as President. In 1962 the title "European Parliament" (EP) was adopted and in 1970 its powers were increased and it was given budgetary resources. In 1973 it grew to 198 members with the accession of the UK, Denmark and Ireland (Alex Roney, EC/EU FACT BOOK). The EP represents, in the words of the 1957 Treaty of Rome, 'the peoples of the States brought together in the European Community'.

Some 375 million European citizens in 15 countries are now involved in the process of European integration through their 626 representatives in the European Parliament. The first direct elections to the EP were held in June 1979 when, 34 years after the end of Second

* Authors would like to thank Ms. Sonja Siart for her assistance.

World War, for the first time in history, the peoples of the nations of Europe, once torn apart by war, went to the polls to elect the members of a single parliament.

The EP, which derives its legitimacy from direct universal suffrage and is elected every five years, has steadily acquired greater influence and power through a series of treaties. These treaties, particularly the 1992 Maastricht Treaty and the 1997 Amsterdam Treaty, have transformed the EP from a purely consultative assembly into a legislative parliament, exercising powers along side the European Council (which is a forum representing the member states through their governments). The Maastricht Treaty gave the EP powers of co-decision-making with the Council¹³, with a negative assent procedure and certain powers of rejection, besides the right to be consulted in many areas. The Amsterdam Treaty further extended its powers and the areas where co-decision procedure is used (Table 1: Treaties Changing the Face of European Parliament).

* Members spend one week each month at a plenary session in Strasbourg, when Parliament meets in full session. Additional two-day sittings are held in Brussels. Parliament's secretariat is located in Luxembourg. Two weeks in every month are set aside for meetings of Parliament's committees in Brussels. The remaining week is devoted to meetings of the political groups. With the assistance of its translators and interpreters, Parliament works in the eleven official languages of the Union: Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish.

¹³ The European Council, which meets twice a year, is made up of the heads of state and government of the Member States and the Commission President. Parliament's President makes a number of recommendations to the European Council as it sets general political guidelines for the Union. After each summit meeting the President of the European Council reports to Parliament. The Council Presidency which rotates between the member states every 6 months presents its programme and half-yearly report to Parliament. It also informs Parliament of the preparation for and outcome of European Councils and the progress of important legislative activities. The Council is represented, sometimes at ministerial level, at meetings of Parliament's committees.

Table 1: Treaties Changing the Face of European Parliament ¹⁴

Treaty	In Force	Summary
European Coal and Steel Community (ECSC)	1952	the original 6 members (Ger, Fr, Neth, Bel, Lux, It); parliament consultative
European Economic Community (Rome)	1958	Setting broad range of economic unity
Treaty of Luxembourg	1971	Laid down budget procedures and “own resources”
Treaty Revision	1975	Four budgetary powers (increase, redistribute, reject, discharge)
Parliamentary elections	1978	Basis for elections by direct universal suffrage (1979); parliament approves of Commission collectively
Stuttgart Declaration	1983	Recognizing Parliament’s right to approve Commission & its President
Single European Act	1987	Cooperation procedure of Parliament & Council; gave parliament assent powers in int’l agreements; qualified majority voting extended
Treaty of Maastricht	1993	Co-decision procedure of Parliament & Council
Treaty of Amsterdam	1998	Extended co-decision
Treaty of Nice	2001	Enlargement, more qualified majority voting

2) Composition of the European Parliament

The EP currently has 626 Members. The number of members per state is laid down by treaty. This number will change with the

¹⁴ Because the European Union has not so far been ruled by a constitution, changes in the nature of the Union and its institutions has so far been done via government treaties. The main features of such treaties are: (a) they are unanimous agreement by governments; (b) they require ratification by national parliaments, in some cases referendum; (c) they set objectives, deadlines, timetables; (d) they specify provisions for own amendment; and (e) they must be accepted in entirety by states wishing to join the Union

forthcoming accession of 10 more member states in 2004. The Treaty of Nice (2000) has introduced a new distribution of seats in the EP looking ahead to a Union of 27 member states. As the Union will not have 27 member states in 2004, it has been decided for the 2004 European elections to increase the number of MEPs to be elected (due to new member states) to reach the total of 732. The number of seats allocated to the current member states will be brought down. Only Germany and Luxembourg will retain the same number of MEPs. However, this reduction will be applicable in full only for the assembly elected in 2009 (Table 2: Members of Parliament Per Member State).

Members of the EP (MEPs) have been elected by direct universal suffrage since 1979 and at subsequent five year intervals. They are elected under a system of proportional representation. Elections are held either on a regional basis, as for example in the United Kingdom, Italy and Belgium, on a national basis, as in France, Spain, and Denmark, or under a mixed system as in Germany. In Belgium, Greece and Luxembourg voting is compulsory. A common core of democratic rules applies everywhere: these include the right to vote at 18, equality of men and women, and the principle of the secret ballot. Since the Maastricht Treaty came into force in 1993 every citizen of an EU member state who lives in another country of the Union may vote or stand for election in their country of residence.

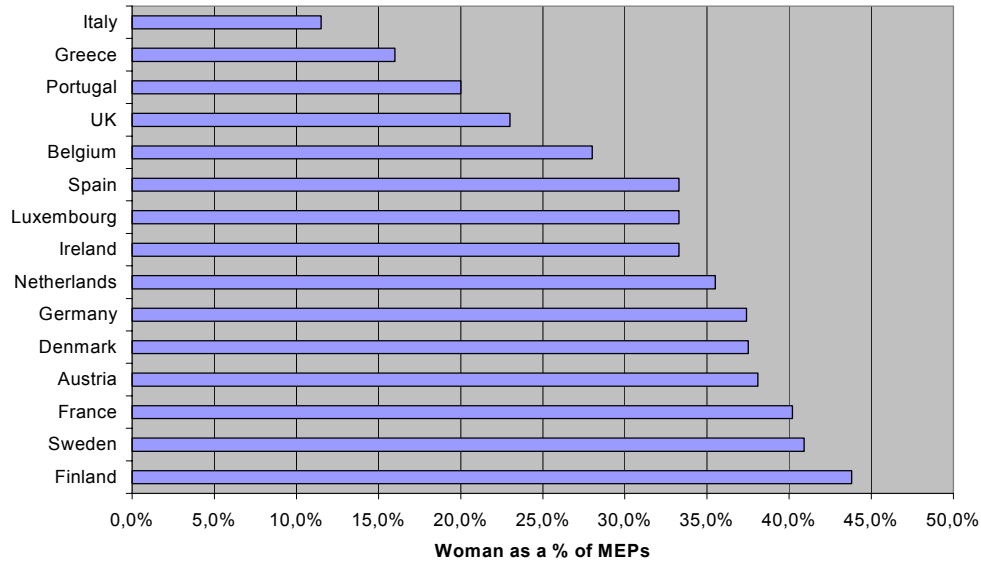
Table 2: Members of Parliament per Member State

Member state	Population (m.)	Population as % of EU	Seats Now	Seats for EU-25 (2004)	Seats for EU-27 (Nice Treaty)	Inhabitants per Seat (EU-27 basis)
Total	480.92	100	626	732	732	657,000
Germany	82.07	17.1	99	99	99	829,000
U. K.	59.26	12.3	87	78	72	923,000
France	58.97	12.3	87	78	72	819,000
Italy	57.60	12.0	87	78	72	800,000
Spain	39.40	8.2	64	54	50	788,000
Netherlands	15.76	3.3	31	27	25	630,000
Greece	10.55	2.2	25	24	22	479,000
Belgium	10.21	2.1	25	24	22	464,000
Portugal	9.98	2.1	25	24	22	454,000
Sweden	8.85	1.8	22	19	18	492,000
Austria	8.08	1.7	21	18	17	475,000
Denmark	5.31	1.1	16	14	13	409,000

Finland	5.16	1.1	16	14	13	397,000
Ireland	3.74	0.8	15	13	12	312,000
Luxembourg	0.43	0.1	6	6	6	72,000

Source: R.C. Mep, F. Jacobs and M. Shackleton: The European Parliament, p. 304.

Fig. 1: Women in the European Parliament as of 1999



Source: R.C. Mep, F. Jacobs and M. Shackleton: The European Parliament, p. 41.

In 1979 16.5% of MEPs were women, and this figure has risen steadily over successive parliamentary terms, reaching 27.5% on 1 January 1996 and 29.7% after the 1999 elections (Fig. 1: Women in the European Parliament).

In the Chamber, members sit in political groups, not in national delegations. Parliament currently has seven political groups, plus some 'non-attached' members. These political groups include members from over one hundred national political parties. (see Fig. 2: European Parliament in Political Groups).

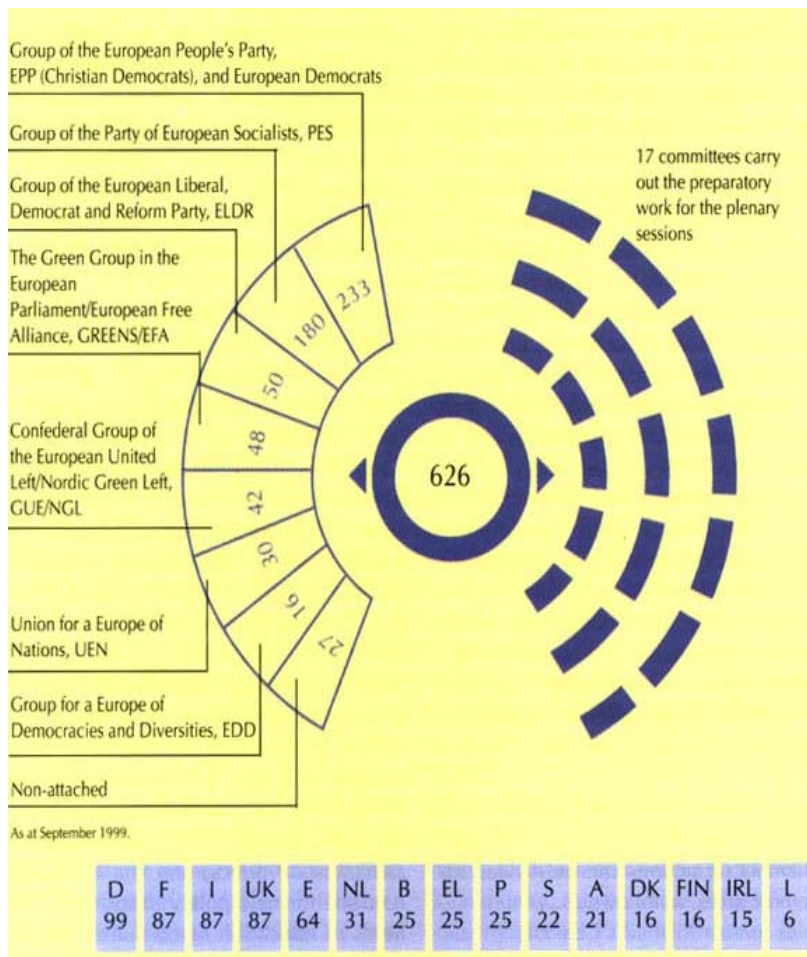


Fig. 2: European Parliament in Political Groups
http://europa.eu.int/eur-lex/en/about/abc/abc_16.html

The committees

Parliament's standing committees, of which there are seventeen, do the preparatory work for Parliament's plenary sessions. Each committee appoints a chairman, three vice-chairmen and a secretariat.

The committees draw up and adopt reports on legislative proposals and own-initiative reports. They also prepare opinions for other standing committees. In addition to these standing committees, the EP can set up temporary committees and committees of inquiry.

The joint parliamentary committees maintain relations with the applicant country parliaments and the inter-parliamentary delegations with parliaments in other non-EU states.

The seventeen parliamentary committees are:

- AFET: Foreign Affairs, Human Rights, Common Security and Defence Policy
- BUDG: Budgets
- CONT: Budgetary Control
- LIBE: Citizens' Freedoms and Rights, Justice and Home Affairs
- ECON: Economic and Monetary Affairs
- JURI: Legal Affairs and the Internal Market
- ITRE: Industry, External Trade, Research and Energy
- EMPL: Employment and Social Affairs
- ENVI: the Environment, Public Health and Consumer Policy
- AGRI: Agriculture and Rural Development
- PECH: Fisheries
- RETT: Regional Policy, Transport and Tourism
- CULT: Culture, Youth, Education, the Media and Sport
- DEVE: Development and Cooperation
- AFCO: Constitutional Affairs
- FEMM: Women's Rights and Equal Opportunities
- PETI: Petitions

The Temporary committees are:

- FIAP: Foot and Mouth Disease
- GENE: Human Genetics and other new technologies of modern medicine
- ECHE: ECHELON interception system
- ESB2: Monitor action taken on BSE recommendations
- ESB1: Inquiry into BSE
- TRAN: Inquiry into the Community transit regime

- CONV: Parliament's delegation to the Convention on the Future of Europe
- CODE: Conciliation

Political groups

The EP has seven political groups. These are:

EPP- ED: Group of the European People's Party and European Democrats

PES: Group of the Party of European Socialists

ELDR: Group of the European Liberal, Democratic and Reformist Party

Greens/EFA: Group of the Greens/European Free Alliance

EUL/NGL: Confederal Group of the European United Left/Nordic Green Left

UEN: Group of the Union for a Europe of Nations

EDD: Europe of Democracies and Diversities Group

Political groups are of central importance for the working of parliament. They play a decisive role in the choice of the President, vice presidents and committee chairs. They set the parliamentary agenda, choose rapporteurs and decide on allocation of speaking time. They have their own staff and receive considerable funding from the parliamentary budget (Richard Corbett et al., p. 59).

EP political groups are very dynamic. Groups were formally established in 1953 by the Common Assembly of the European Coal and Steel Community. The minimum membership per group was set then at 9 members. The first three groups were the Socialists, Christian Democrats, and the Liberals. As more countries entered the union, starting in 1958, the minimum number of members per group was changed from 9 to 17 and then again to 14 to allow the French Gaullists to form their own group in 1965. New groups were formed after the British, Irish and Danish MEPs joined. In 1973 the minimum membership was again changed to 10 per group. Group proportional power changed after direct elections in 1979. The conservatives won new members to their group and moved from fifth to third. With the accession of Greece in 1981 the Socialist Group was reinforced. In the second direct elections of 1984 a new group of Rightists was formed thanks to the French Le Pen, the Italian Social Movement and the Greek EPEN. Spanish and Portuguese accession in 1986 was of great advantage to the Socialist group. The third direct elections of 1989 fragmented the smaller groups and increased the two biggest, Socialist and Christian Democrats. After the elections of 1994, both groups

remained the biggest but their proportion to the whole decreased to 63% of total EP seats. With the accession of Austria, Finland and Sweden in 1995 both Socialists and Christian Democrats (now called EPP) gained new members. In 1999 elections, the EPP overtook the Socialists when the Gaullists joined them. The Liberals and Greens had significant gains (Richard Corbett, p. 59-64).

Political groups have several functions. They design and implement campaigns during EP election campaigns and coordinate positions among their national members once elected to the EP. Political groups constitute fora for communication, they organize seminars and conferences and they receive visitors from all over the world.

These political groups, however, do not function as European political parties. Rather, they create a mechanism of coordination among national political parties of the same colour. Because these parliamentary party groups are not functioning European parties on the Union level, there has been doubt that parliament can act as a representative of "European" interests. Furthermore, the lack of "European" parties has led some to resist any increase in parliamentary power. These people argue that an increase in parliamentary power will only lead to more national rivalries and parliamentary lack of discipline. Nevertheless, there are some studies which proved the opposite, i.e. proved that MEPs in the EP do indeed vote according to a party line that is European and not national (Noury & Roland 2002).

National Delegations

Besides the groups, there are national delegations representing the national parties. They have offices within the EP and receive funds from each political group. They often act as liaison between the European level and the national level. Nevertheless, there is no guarantee of identical views between members of the EP and their counterparts in the national parties. In fact members of the EP often have different views and are thus accused by their fellow party members on the national level of "having gone native" i.e. adopting non-national or Brussels positions (Richard Corbett, p. 87).

Nevertheless, there is no power of discipline from the groups to the members. The power of discipline lies with the national parties. A national delegation to the EP is likely to be able to ask its national party to discipline a member who goes too much out of line. However, in practice such punishments are rare. Having said that, it is not clear that the EP has a left-right ideological divide. This is because the EP is too heterogeneous, the difference between federalists and Europe sceptics

overrides other ideological differences, most of the issues are highly technical, and finally consensus is the name of the game in the EP (Richard Corbett, p. 89).

3) Organisation of Work at the European Parliament

The EP is the only Community institution that meets and debates in public. Its decisions, positions and proceedings are published in the Official Journal of the European Communities.

Parliament's work is divided into two main stages:

Preparing for the plenary session by the MEPs in the parliamentary committees specialising in the European Union's various areas of activity;

Plenary session attended by all MEPs for the concerted examination of proposals. The plenary sessions are normally held in Strasbourg (one week per month) and sometimes in Brussels.

At the plenary sessions, the rapporteurs present their dossiers and the MEPs nominated by their political groups speak on the issues on the agenda. These are usually proposals for legislation, Council or Commission communications or topical questions relating to what is going on in the European Union or the wider world. The assembly votes on amendments to legislative proposals before coming to a decision on the text as a whole.

Parliament's legislative work is organised for the main part as follows:

The Commission submits a legislative proposal to Parliament. One of the standing committees (the 'committee responsible') is instructed to draw up a report and appoints a rapporteur (i.e. a member of the Committee who is charged with the task of drafting the Committee's report). One or more other committees may be asked to deliver opinions. Each adopts its opinion and forwards it to the committee responsible;

MEPs - and the committees asked to deliver opinions - can table amendments to the draft report drawn up by the rapporteur; it is then adopted, possibly with some changes, by the committee responsible;

the political groups examine the report from their own political standpoint;

finally, the report is discussed in plenary session(s). Amendments to it may be tabled by the committee responsible, the political groups or a number of Members. Parliament votes on the report, thereby adopting its position on the original proposal.

4) Powers of the European Parliament

The EP's powers evolved over time. That the Council and Commission require its approval of most significant legislation is a recent development in the late 1990s. There were various rounds along the way in which the EP insisted on more powers.

Initially the EP had a consultative nature; the power of legislation was given to the Council which represented the governments of the member states. The EP had a chance of one reading to give its opinion (Annex 1: Consultative Procedures).

A procedure of cooperation was introduced by the Single European Act in 1987 and it played an important part in the elevation of the powers of the EP. This procedure practically gave the EP two reading chances in which the EP could accept, reject or amend the legislation. Although the Council was free to accept or ignore the EP's position, the EP could try to find allies in the Commission to pressure the Council or find allies within the Council itself. However, this cooperation procedure did not live up to full legislative powers (Annex 2: Cooperative Procedure).

The treaty of Maastricht (1997) established the procedure of co-decision. This procedure puts the EP and the Council on an equal footing, and together they adopt legislation proposed by the Commission. Parliament has to give its final agreement; if it rejects the Council's position in the second reading, the legislation falls (under cooperation procedures, the Council could ignore the EP rejection in the second reading). If the EP amends and the Council does not take all amendments into account, then a conciliation committee of both is called for. If it fails, the legislation fails. This procedure was reinforced in the treaty of Amsterdam which also extended the areas of co-decision to 38. Co-decision was marginally widened in the treaty of Nice to include 5 more areas. Though the EP tries to reach consensus among the various national sensitivities, it acts, like any other parliamentary institution, by majority vote.

Co-decision applies, among other things, to the free movement of workers, the establishment of the internal market, research and technological development, the environment, consumer protection, education, culture and health. It has enabled the EP to be instrumental in the adoption of legislation such as:

- anti-pollution rules,
- emergency safeguard measures to animal feed,
- health warnings on cigarette packets,
- the use of heavy metals - lead, mercury and cadmium - in the manufacture of vehicles,

- the cost of recycling scrap vehicles to be met by manufacturers.

Although co-decision is now the standard procedure, there are important areas in which Parliament simply gives an opinion; these include economic and monetary union, e.g. taxation and the annual farm price review.

As well as reinforcing Parliament's co-decision powers, the Amsterdam Treaty established Parliament's position as a driving force behind EU policy making. At the instigation of one or other of its committees, Parliament frequently adopts reports designed to steer EU policy in a particular direction. However, the EP does not have a formal power to initiate legislation; this is the entire prerogative of the European Commission (Richard Corbett, p. 204 & 242).

Budgetary power

The EP and the Council share the power of the purse. But this power, just like the legislative power, did evolve over time, though with more steadiness. The first time the EP acquired budgetary powers was in 1970 when the member states of the Union decided that the national contributions to the Union would be considered the Union's "own resources". Then the issue of who should control these resources and their means of expenditure came up and the answer was a co-power by the EP and the Council. The preliminary work on Parliament's decision-making in this area is done by its Committee on Budgets in cooperation with the other standing committees.

A treaty revision took place in 1975, establishing four budgetary powers for the EP:

- Right to increase or decrease community expenditure
- Right to re-distribute spending without increase or decrease
- Power to reject the whole annual budget
- Power to approve or not ("discharge") how the Commission spends the money

By exercising its budgetary power the EP expresses its political priorities. During the early stages of consultation and cooperation, when the Council had the supreme upper hand in legislation, the EP tried to use its budgetary powers to push and promote policies. This it could have done by stopping legislative initiatives under the pretext of budgetary limitations or by promoting certain new areas using budgetary appropriations, such as the environmental, urban development and European transport policies. The Council was never happy with this role and many rounds of conflicts, debates and treaty revisions resulted out of that (Richard Corbett, p. 224-225).

Currently the budget does not come into force until it has been signed by the President of Parliament. Parliament has the last word on most expenditure in the annual budget, such as spending on the less prosperous regions, spending on training to help reduce unemployment etc. In the case of agricultural expenditure, the EP can propose amendments, but the Council has the final say. Parliament and the Council consider the Commission's budgetary proposals in two readings (between May and December) in the course of which they agree on how much money is to be spent and on what.

Parliament can also reject the budget if it believes that it does not meet the needs of the Union. The budgetary procedure then starts all over again. Parliament has rejected the budget on two occasions in the past, but has not used this weapon since it began defining a multi-annual financial framework jointly with the Council which was agreed upon in 1988 (Richard Corbett, p. 213).

What is the budget spent on? Let us take as an example the European Union's budget for 2002:

46% agriculture

- 33% 'structural' funds, i.e. funds to develop the EU's less prosperous regions
- 6% other internal policies such as research and social measures
- 5% for running the EU institutions (including 1.08% for the EP's budget)
- 7.5% external measures (foreign policy, development aid, etc.)
- 2.5% preparations for the accession of new member states.

How is the budget financed? The budget is financed from resources belonging to the European Union. The budget cannot exceed 1.27% of the European Union's gross national product. EU resources are currently made up of:

- A contribution calculated on the basis of the relative prosperity (GNP) of each member state;
- A percentage of the VAT on goods and services throughout the Union;
- Customs duties levied at the Union's external borders;
- Taxes on agricultural products imported from non-member countries.

Who controls the execution of the budget? Parliament not only adopts the annual budget, it monitors the way the budget is spent. Parliament's Budgetary Control committee carries out this work, using the reports of the European Court of Auditors and the European Anti-Fraud Office (OLAF) among other sources. It monitors the management and effectiveness of Community spending and strives to ensure zero-

tolerance of fraud and mis-management. It decides each year whether to grant the Commission a 'discharge' for the implementation of the budget. This decision is accompanied by comments, which the institutions in question are obliged to act upon.

Supervisory power

Parliament routinely exercises its supervisory powers by examining a large number of reports that the Commission submits to it on the implementation of policies, legislation and the budget. To facilitate this supervision, the EP can set up temporary committees of inquiry. It has done so on several occasions, as in the case of mad cow disease, when its inquiry led to the establishment of a European Veterinary Agency in Ireland. The EP also secured the creation of the European Anti-Fraud Office (OLAF).

A parliamentary committee, a political group or a given number of members can put oral questions to the Council and Commission. These questions, on topics of political importance, usually lead to a debate. The debate is usually followed by the adoption of a resolution. Individual members can address written questions to the Council and Commission; these receive written replies. Thousands of questions are asked every year by MPs and political groups. For example in the fourth legislative period 1994-1999, there were overall more than 25,000 questions, among which 18,767 were written and 1,124 were oral (Richard Corbett, p. 245).

However, the power of parliament to supervise the Commission is limited. Until now, Commissioners have been nominated by agreement between the governments of the member states and then approved as a body by the EP. The EP cannot vote no confidence in any one Commissioner. If it adopts a motion of censure by a 2/3 majority of votes casted, the entire Commission must resign en bloc. In other words, the EP has no supervisory power on individual commissioners. If they are accused of mis-conduct, they are compulsory retired by the Court of Justice upon an application from the Council or the Commission (not from the EP). This is so in order to secure that individual Commissioners remain independent of parliamentary majorities because they (Commissioners) are supposed to represent the general interest of Europe not that of any particular parliamentary majority (John Temple Lang, 2000). Some argue that the national governments of member states did not want to see any parliamentary encroachment on their capacity to nominate Commissioners and to press with certain agendas via specific Commissioners (David Judge et al 2002).

To date Parliament has never adopted a motion of censure, but its power to do so acts as a powerful deterrent. Parliament tried nine times to table such motions but always failed to get the necessary majority. Even in the Sanders case, it was not possible to force the Commission to go. However, the pressure exerted by Parliament via an independent committee report did finally succeed in forcing the Commission to go 15.

5) Parliament's Growing Political Role

Co-decision on legislation has enhanced the EP's political clout. This influence is gradually increasing in key areas of European Union activity, from the Common Foreign and Security Policy and co-operation in police and judicial matters, to common currency and the Charter of Fundamental Rights and the Convention on the Future of Europe.

The Common Foreign and Security Policy

The Council consults Parliament on major foreign policy decisions. Parliament puts questions to the Council, and can make recommendations. Through its Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy in particular, Parliament is in regular contact with the Union's High Representative for the Common Foreign and Security Policy.

International events are the subject of regular debates concluding with the adoption of resolutions urging a particular approach to the European Union's foreign policy.

International agreements and treaties

Any accession of a State to the European Union and most international agreements require the assent - i.e. the approval - of the European Parliament. In the case of an international agreement or an accession treaty, the EP must be kept fully informed of the mandate and the state of negotiations. It can ask for its recommendations to be taken into account at any time.

¹⁵ The numerous scandals, in which single members of the Santer-Commission were involved, let the European Parliament rightly assume, that some Commission members have been involved in opportunistic conduct. A fundamental basis for trust was therewith undermined. Consequently the Parliament acted for a motion for a vote of no confidence. Although the motion failed to succeed, the MEP'S voted instead in favour of a compromise, which included to setting up an independent inquiry. It was on the basis of the inquiry's devastating report on the deplorable state of affairs in the Commission that the Santer-Commission was forced to resign (<http://eiop.or.at/eiop/texte/2002-014.htm#1>)

Globalisation

Globalisation and the role of the World Trade Organisation (WTO) are a constant concern of the EP. Its recommendations to the Commission, the European Union's main trade negotiator, carry a great deal of weight, since Parliament has to give its assent to the outcome of negotiations in the WTO. The European Parliament is adamant that, for democracy and transparency in the WTO to be reinforced, the latter must establish a parliamentary assembly.

The EP has other concerns in this area, including trade in agricultural products, food safety and quality, biodiversity and cultural pluralism. At the instigation of its Committee on Industry, External Trade, Research and Energy, the EP calls for trade negotiations to take more account of the problems of poverty, development and democracy: the developing countries must derive more benefit from the advantages of globalisation and, if necessary, be granted tariff exemptions. A fair world economic order must go hand in hand with social development and respect for fundamental rights. In the same vein, the EP has called on the WTO to comply with the rules of the International Labour Organisation (ILO).

Defending human rights in the world

The EP uses its power of assent as one way of promoting respect for fundamental rights. It has, for example, rejected a series of financial protocols with certain non-member countries on human rights grounds, forcing those countries to release political prisoners or to subscribe to international undertakings on human rights protection. Thanks to the EP, the Cotonou Convention, which links the European Union to 77 African, Caribbean and Pacific States (ACP), now includes a 'democracy clause', i.e. the option to suspend aid to states guilty of serious human rights violations.

6) Democracy and the European Parliament

It has been argued that the European project has been elitist from the start. The founding fathers who believed in the European project and may have dreamt of a United States of Europe did not want to give the project directly to the people. For one, they were afraid of the inter-governmentalists who place the national interest of member states above the general interest of Europe. The other reason was that the early believers in Europe could not see how the people would support the idea since it was such a novel and pioneering project. Hence, it may be

argued that the parliamentary powers- the democratic powers par excellence- had to wait until the European identity develops over the years (Blondel 1998).

How the EP contributes to democracy in Europe depends on how European citizens identify with the European parliamentary institution. Looking at past trends, one sees a mixed story. To assess the people's reaction to the EP, one let us consider:

- Turn-out in European parliamentary elections
- Popular attitudes toward European integration
- Popular attitude towards the institution of European Parliament
- Connection to Parties
- Electoral Turn-out

European parliamentary elections since direct universal suffrage in 1979 have seen declining turn-out. In a study of the period 1979-1994 turn out declined from 66% to 59% (Blondel 1998). Furthermore, in many member states, the gap between European and national parliamentary election turn-out is between 20% and 40%. This trend has been sustained especially in the old member states. Recent referenda in the accession countries have hovered around the same 60% level (latest case is Poland) (see Table 3: Turnout of European Elections since 1979).

Table 3: Turnout of European Elections since 1979

TURN-OUT in %	1979	1984	1989	1994	1999
EU	63.0	61.0	58.5	56.8	49.4
Belgium	91.1	92.2	90.7	90.7	90.0
Luxembourg	88.9	87.0	87.4	88.5	85.8
Italy	85.5	83.9	81.5	74.8	70.8
Germany	65.7	56.8	62.4	60.0	45.2
Ireland	63.6	47.6	68.3	44.0	50.5
France	60.7	56.7	48.7	52.7	47.0
Netherlands	57.8	50.5	47.2	35.7	29.9
Denmark	47.1	52.3	46.1	52.9	50.4
UK	31.6	32.6	36.4	36.4	24.0
Greece	-	77.2	79.9	71.2	70.2
Spain	-	-	54.8	59.1	64.4
Portugal	-	-	51.1	35.5	40.4
Sweden	-	-	-	-	38.3
Austria	-	-	-	-	49.0
Finland	-	-	-	-	30.1

Source: R. Corbett, The European Parliament

These numbers mean that an extensive proportion of the European electorate abstains from going to the polls. However, a study of abstention between 1979 and 1994 revealed that it is not correct to derive from that that the EP is illegitimate. They found that 40% of those abstentions are circumstantial, i.e. due to circumstances that have nothing to do in a direct manner with the EP, e.g. elections on a work day. Among those who abstained only 4-8% said they disbelieved in the legitimacy of European institutions. The other frequent reason for abstention has been lack of sufficient knowledge over EU-related issues (Blondel 1998).

Attitudes toward European Integration

Nevertheless, it is still legitimate to ponder about the reasons that keep turn out in European parliamentary elections declining. The aforementioned study found that benefits that one's economy accrues from European integration have had (in the electoral analysis of 1994) a weak correlation with turn-out (Blondel, p. 80). However, the voter's positive or negative views on the proper scope of EU policy correlated strongly with turn-out; those who thought the EU scope of policy was good (i.e. who believed it was appropriate for the EU to get itself involved in so many aspects of European citizens' economic, social and cultural lives) were more likely to come out to vote in European parliamentary elections. By the same token, those who were indifferent about whether the EU project succeeds or fails seemed to be more likely to stay home (Blondel, p. 82-83)

Attitudes towards European institutions

Citizens' participation in EP elections partly depends on the voters' opinions about EU integration. Here, one needs to consider three aspects: awareness of, interest in and knowledge of the EU project.

Awareness:

As to awareness, which is measured in the Eurobarometer by asking if the respondent has heard or read about a particular EU institution within the previous 3 months, results show a 40-50% level of awareness of the European Parliament. Higher awareness could be associated with certain EU-related issues such as the common market or the Euro (Blondel, p. 86-87). But this does not automatically translate into awareness of other aspects of the EU project.

Interest:

Interest in European politics is partly connected to interest in politics in general. Unfortunately, all old democracies of the industrialized world have been witnessing declining interest in politics over the past 10 years. Within that context, it is easy to understand the equally low interest in European politics (Blondel 90-91).

Knowledge:

As to knowledge of the EU institutions and procedures, recent studies have shown that 2/3rds of respondents were not adequately informed about EU institutions and procedures, while 34% were more informed. The same would apply specifically to the European parliamentary institution (Blondel 93).

Attitudes toward the EP

Within the context of weak awareness of the institution and its workings, it is still safe to argue that those who have a positive attitude about the European parliament and those who perceive it as a reliable institution will invest in the electoral process for the European parliament and may even create popular pressure or unorganized support for policies that increase the power of the EP. The most important factor, however, is how much European citizens want the European project to become less elitist and more representative. That seems to be a noticeable trend nowadays.

Connection to Political Parties

There is no strong democracy without well-functioning political parties. This is a complex issue in the case of the European parliament as there are not yet any political parties functioning as such on the European level. The parliamentary groupings that exist in the EP are coordinating national parties' positions. Indeed, there might be a tendency for voting inside the EP to respect such coordinated positions, yet the fact still is that elections to the EP are done within national frameworks and with national parties as the reference point. Some suspect that this may lead voters to consider European parliamentary elections as of second-order importance. There is some evidence that European citizens will come out and vote in European parliamentary elections only if they think they are expressing an opinion regarding the national incumbent (ruling) or opposition party (Blondel p. 163).

7) Lobbying the European Parliament

Lobbying in Brussels

Democracy has three moments: referendum, elections, lobbying. The former happens rarely but when it happens it involves and engages every one because the issues are usually of supreme national importance. The second happens more regularly and results in the selection of a government and a general public policy. The third concerns more short-term issues, where specific interest groups, associations, firms, and non governmental organisations, etc. lobby, by providing information the decision making body with insights and access to expert knowledge about certain topics.

In German the word “Lobbying” has a rather negative connotation attached to it, thus we label the same phenomena “Interest Representation” (see Fig. 3: Flow of Information for the Representations of Interests). The figure shows in particular the contributions / influences to the law maker (Parliament).

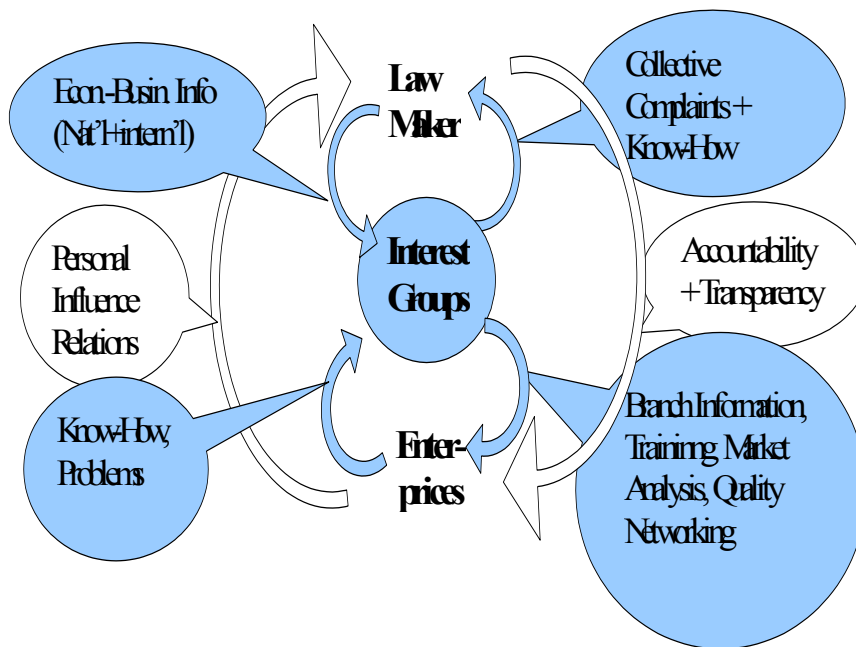


Fig. 3: Flow of Information for the Representations of Interests

The phenomenon of EU lobbying is as old as the Community. European-wide interest groups and especially European confederations have existed since the early 1950s in industrial sectors such as coal, steel

and agriculture. By 1970, it was possible to identify more than 300 EU-wide interest groups (Euro-groups). In 1980, Community officials created a register of all the formally recognized Euro-groups and these were found to number 439.

While the Community institutions have always been the object of lobbying, the degree and nature of lobbying have changed dramatically, particularly during the 1980s. The number of lobbyists has increased ten times since the early 1970s, and four times since 1985. While European interest organizations have grown steadily, the explosive growth in lobbyists over the last years is due to the invasion of professional lobbyists, accounting firms, legal advisers and representatives of individual companies, counties and cities.

Of all European Union institutions in Brussels, the Council of Ministers, the European Commission, and the European Parliament are subject to intensive lobbying (see Fig. 4).

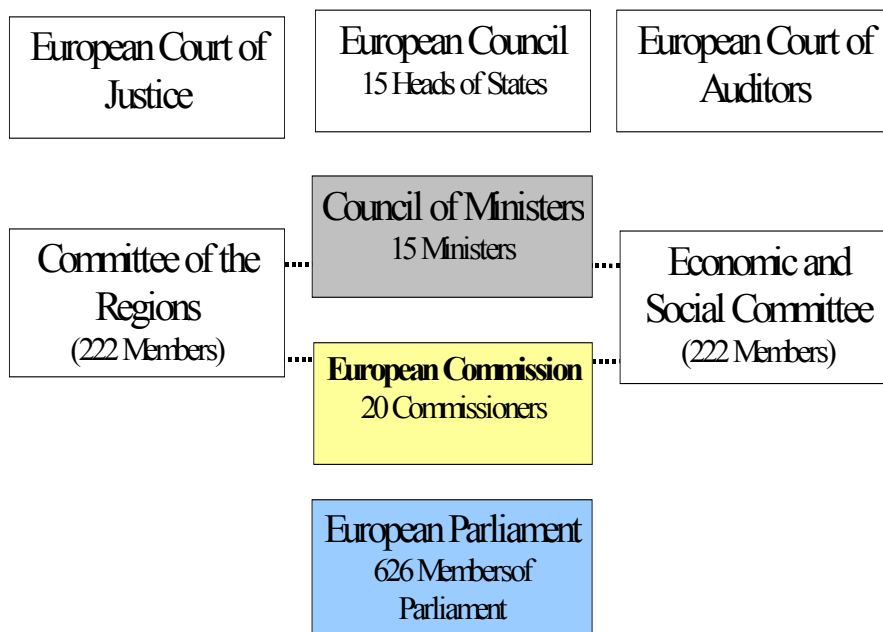


Fig. 4: European Institutions; in Brussels mostly Council, Commission and Parliament are target to intensive Lobbying

According to the 'European Affairs Directory' (1996) there are 828 Euro-groups, 320 representations of corporations, 131 national interest groups, 107 liaison offices of European and non-European regions, 142 consultants and 160 lawyers specialized in EU affairs. Further there are

46 chambers of commerce, 14 think tanks, 147 missions and delegations of third countries, and 86 liaison offices of international organisations represented in Brussels. In accordance with the ‘Directory of Pressure Groups in the EU’ we can estimate that there are over 1.800 interest representations with around 10.000 employees dealing with lobbying in Brussels. It is easy to imagine, that for some 7.000 EU officials who actually deal with EU decision-making, it can be difficult to cope with this volume of interest representation; even when many of these lobbyist are basically information-collectors. Further there is a danger that the ‘growing army of Euro-lobbyists’ might lead to a lack of transparency in the policy-making process and in the reputation of the institutions.

<http://www.ipw.unisg.ch/publikationen/266.pdf>

Pieter Bouwen (11 / 2002) published recently “A Comparative Study of Business Lobbying in the European Parliament, the European Commission and the Council of Ministers”. For the European Parliament he found that of all the lobbying activities taking place in Brussels, 38% is done by European Associations, 37% by National Association (see Fig. 5: Relative Access to European Parliament (EP) and other institutions).

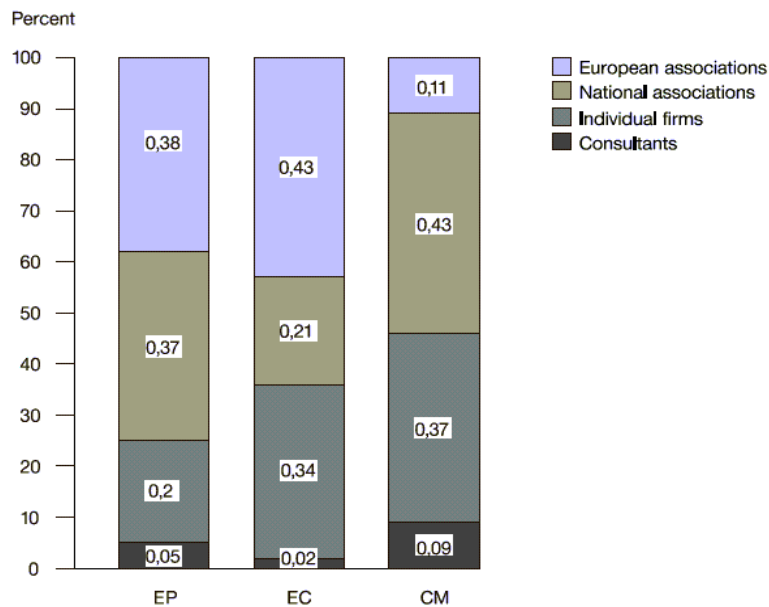


Fig. 5: Relative Access to European Parliament (EP), European Commission (EC) and to the Council of Ministers (CM)

Source: A Comparative Study of Business Lobbying in the European Parliament, the European Commission and the Council of Ministers by Pieter Bouwen 11/2002

In other words, if we divide lobbying into that done by individual associations, collective associations (umbrella associations) and individual firms (see table 4) then 75% of all lobby activities is done by big, collective associations which represent the interests of tens of thousands to millions of members. Lobbying as the work of individualistic and particular interests constitutes roughly 25% of all lobbying activities according to Bouwen.

	Individual Action	Collective Action	Third Party
National Level	Individual. National Action	National Association	National Consultant
European Level	Individual EU Action	European Association	Brussels Consultant

Table 4: Interest Representation (Lobbying) enhances democratic institutions in EU

Source: A Comparative Study of Business Lobbying in the European Parliament, the European Commission and the Council of Ministers by Pieter Bouwen 11/2002

Code of conduct

Parliament has a code of conduct for its members. The code is adopted pursuant to Rule 181(2) and attached to these Rules of Procedure as an annex (1). The code shall not in any way prejudice or restrict a Member in the exercise of his office or of any political or other activity relating thereto.

Lobbyists receive nominative passes valid for a maximum of one year to persons who wish to enter Parliament's premises frequently with a view to supplying information to MPs within the framework of their parliamentary mandate in their own interests or those of third parties. In return, these persons shall be required to respect the code of conduct published as an annex to the Rules of Procedure.

<http://www2.europarl.eu.int/omk/sipade2?L=EN&OBJID=3091&LEVEL=1&HNAV=Y&MODE=SIP&NAV=X&LSTDOC=N>

In the context of their relations with Parliament, the persons whose names appear in the register provided for in Rule 9(2) have to:

- State the interest or interests they represent in contacts with MPs, their staff or officials of Parliament;
- Refrain from any action designed to obtain information dishonestly;
- Not claim any formal relationship with Parliament in any dealings with third parties;
- Not circulate for a profit to third parties copies of documents obtained from Parliament;
- In order to avoid possible conflicts of interest, obtain the prior consent of the MEP or MEPs as regards any contractual relationship with or employment of a MP's assistant, and subsequently satisfy themselves that this is declared in the register provided for in Rule 9(2).

Any breach of this Code of Conduct may lead to the withdrawal of the pass issued to the persons concerned and, if appropriate, their firms.

<http://www2.europarl.eu.int/omk/sipade2?L=EN&OBJID=3355&LEVEL=2&HNAV=Y&MODE=SIP&NAV=X&LSTDOC=N>

Lobbying tips

Here are some simple tips about how lobbying efforts with the EU parliament work.

First of all, lobbyist makes sure that the member of the European Parliament being approached has an important say in the matter. This is often only the case when he or she is a MP of a relevant parliamentary committee. There are most information on the MPs and their interests on-line. This environment as communication tool has grown dramatically over the last 3 years.

Usually, a decision of the European Parliament starts with the work of a single MP. He/she responsible for writing the first draft of a report from the Committee meetings is called the rapporteur. A rapporteur is assisted by his/her assistants and civil servants in the EP-administration (3 to 4 persons). Any rapporteur has a certain political background. But all parties in the Parliament would like to have a say in the matter. Therefore, they appoint "shadow rapporteurs", MPs from other political groups than the rapporteur, who monitor the report for their respective political groups. Lobbyists make their views known to the rapporteur and shadow rapporteurs by means of a short, well argued note in a language they understand and then the lobbyists try to arrange a meeting or other contacts. Note the EU has a multitude of languages and not each MP speaks English! There are some law firms offering their services to assist and prepare good amendments and identify an MP who will introduce them in the committee. This brokering for expert knowledge

and introduction to MPs is called “access goods theory of supply and demand” (see table 5).

Access Goods Theory Supply and Demand for:

1. Expert Knowledge (EK)
2. Information about European Interest (IEI)
3. Information about Domestic Interest (IDI)

Table 5: Supply and Demand Theory of Expert Know-How for Access to Information

Source: A Comparative Study of Business Lobbying in the European Parliament, the European Commission and the Council of Ministers by Pieter Bouwen 11/2002

Decisions can be influenced in various stages with increasing effort on the lobbyist side.

- (1) It starts with formulating a proposal by the European Commission. Expert knowledge brought in at this point in the development is most efficient and least expensive.
- (2) Once the proposal has been presented to the Council and the EP, lobbyist have a much more difficult time trying to influence a report by bringing in more expertise from associations and/or industry.
- (3) the negotiations are most intensely in the committees.
- (4) Once that report of the parliamentary committee has been adopted, it goes to the plenary and that is the last stage to influence an upcoming law.
- (5) From experience, most issues have more than one reading (The current Co-Decision Procedure is presented in Annex 3, with historical view of the consultative and cooperative procedures in Annex 1 and 2). <http://docs.tob-eur-opa.com/jims/lobbying.doc>

Lobbying also happens indirectly via think tanks and in seminars to which decision makers from the Commission and parliamentarians are invited. These influences take place at a much earlier stage, mostly when the first proposal is being formulated by the commission.

As a final note on such complex theme, it is important to remember that EU organizations which are subjected to intensive lobbying are manned by public servants with home experience in administration, decision-making and legislation. That means, they are seasoned public figures who are expected to know how to deal with intensive interest representation and are also expected to strike a balance between being responsive to the interests of thousands of European citizens (on whose behalf the collective umbrella associations speak) and being captured or corrupted by such interests. If they fail to do so, there are several

corrective mechanisms inside the European Union to guard against massive corruption.

8) Rapping up changes until the Convent

The first phase was that of the European Coal and Steel Community. A parliamentary assembly was included among the Community's institutions. It had no legislative powers.

The second phase came with the 1965 agreement on the formation of a common agricultural policy. Dutch opinion wanted to give more powers to the Community's parliament within the long Dutch tradition of "no spending without approval of the representatives of the people": However, the French influence under De Gaulle stopped the process. With the disappearance of De Gaulle in 1970 it was possible to give the Community's parliament some budgetary powers. These powers were increased by another treaty amendment in 1975. However the French still stood in the way of parliamentary budgetary power so that about 2/3 of total expenditure remained outside parliamentary reach (John Pinder 2000).

The responsibilities of the EP have been extended in the Treaty of Nice by expanding the scope of the co-decision to establish enhanced cooperation with the Council. Co-decision is accordingly applicable for seven provisions which change over from unanimity to qualified majority voting (voting weighted by demographic size so that not only a majority of the votes constitute a majority but this majority has to correspond to more than 60% of the total population of the European Union):

- Freedom of movement for the citizens of the Union;
- Judicial cooperation in civil matters;
- The conclusion of international agreements in the area of trade in services and the commercial aspects of intellectual property, with some exceptions;
 - Industrial policy;
 - Economic, financial and technical cooperation with third countries;
 - The statute of the political parties at European level;
 - Rules of procedure of the Court of Justice and the Court of First Instance.

The member states have not, however, extended the co-decision procedure to legislative measures under agricultural policy and trade policy. The changeover to qualified majority voting has been deferred until 2007 for the Structural Funds and the Cohesion Funds.

The picture is somewhat mixed for the five areas the Commission had identified as key areas:

- Taxation (maintenance of unanimity, i.e. member states can use veto power);
- Social policy (maintenance of the status quo. However, the Council, in unanimity, can make the co-decision procedure applicable. This cannot, however, be used for social security);
- Asylum and immigration (application of the qualified majority rule has been postponed (2004) and will not concern the central elements of these policies, e.g. the “sharing of the burden” or the conditions for entry and residence of nationals from third countries);
- Common commercial policy (agreements are concluded by qualified majority, except when the agreement includes provisions for which unanimity is required for the adoption of internal rules or when the agreement concerns an area on which the EU has not yet exercised its responsibilities).

Harmonization of cultural and audiovisual services, education services, social services and health services (continue to be subject of responsibility shared with the Member States).

The Treaty of Nice has introduced the possibility of establishing enhanced cooperation in the area of common foreign and security policy (second pillar), for the implementation of joint action or a common position. Enhanced cooperation of this kind cannot be used for issues which have military implications or which affect defence matters. The authorization for enhanced cooperation is given by the Council after receiving the opinion of the Commission, particularly on the consistency of this enhanced cooperation with the Union’s policies. The Council will decide by qualified majority but each member state may ask that the matter be referred to the European Council for the purposes of a unanimous decision (“emergency brake”).

For police and judicial cooperation in criminal matters (third pillar), the possibility of the “veto” has been removed in line with what is envisaged for enhanced cooperation for the first pillar.

Convention on the Future of Europe

With the aim of democratising the EU reform process, the EP has helped create a Convention on the future of the European Union. At the EPs instigation, the Laeken European Council in December 2001 convened a Convention bringing together the main parties involved in the debate on the Union's future.

The EP has called on the Convention to put forward reform proposals that will make the Union 'more democratic, more effective, more transparent, more vigorous and more responsive to social issues', so that the general public 'fully embraces the process of European integration, for which purpose it needs to understand clearly who does what in the European Union, what the latter is required to do and how it should set about it'.

Among the topics to be addressed, Parliament has singled out political, economic and social progress, the security and well-being of Europe's citizens and peoples, the affirmation of the Union's role in the world, the simplification of legislative procedures, the election of the Commission president, defining the status of the Charter of Fundamental Rights and the simplification of European treaties.

The Convention ended its work in July 2003. It consisted of a president, Valéry Giscard d'Estaing, 2 vice-presidents, 16 MEPs, 30 members of national parliaments, 15 representatives of the member states' heads of state or government, 2 European Commissioners and, in the role of observers, 39 representatives of the 13 applicant countries. The result of the work of the Convention, which met for the first time on 28 February 2002, was then be submitted to the European Council.

The impact of the work of the Convention on parliament is going to be immense.

In 70 instead of 34 areas, the EP will have the right of co-decision;

In around 40 cases, the majority rule will go (no right of veto).

These areas will include domestic and legal policy;

EP will elect the President of the Commission;

EP will elect President of the Council (new position) for 2.5 years by qualified majority ("Interview with Valery Giscard d'Estaing in FAZ, 2003, p.2 and <http://european-convention.eu.int/docs/Treaty/cv00770.en03.pdf>).

In two areas the EP will continue to have limited powers:

Agricultural policy (consultation right but no budgetary power)

Defence and security policies (FAZ, 2003, p.12).

What the Convent process has shown is the continuing struggle between European federalists and inter-governmentalists. The former want the European Parliament and the Commission to be strong legislative and executive institutions which balance each other for the sake of the whole of Europe, dreaming of some sort of United States of Europe. The inter-governmentalists, however, want the member states to retain the right to contain the European project and keep it as an inter-

state project (as opposed to a supra-state project). Hence, the inter-governmentalists want to keep the Council strong because it represents the interests of the individual member states. This debate between inter-governmentalists and federalists is to be seen in the discussion over parliamentary seats, distribution of votes in the Council and the majority or anonymity rule. The Convent in fact strengthens the morale of the federalists because it attests to the failure of governmental complex bargaining which were witnessed in Amsterdam and Nice (Luedger Gerken, FAZ, 2003).

However, the fact that the principle of subsidiarity (retention of competences with the sovereign member states and their regions) has been maintained illustrates that the inter-governmentalists may not go away without putting up a long fight. Subsidiarity entails that the member states and even regions within member states can object to EU rulings in certain areas they deem a serious impingement on local sovereignty (FAZ 2003, p. 13).

The process of institutionalising the European Parliament shows that integration processes are historical laboratories of change that require persistence, perseverance and wisdom.

The EP has been and still is a pioneering institution within a pioneering union. Its future will depend on the political will of the member states as well as on the organized and non-organized popular support it receives as the main pillar of democratic representation. If political parties manage to develop strong functions on the European, as opposed to the national, level, that could add positively to the power of the EP in the future. The convent has certainly laid the ground for a strong EP.

However, it is by no means easy to build a supra-national union and a supra-national parliament from among well established nation states and others not all that well-established (either because of recent return / transition to liberal free market democracy or because of tensions of multi-ethnicity and multi-regionalism). This mixture of states, languages and cultures will prove to be a tremendous challenge. Nevertheless, the driving forces for the European project are still strong, namely a) a desire to maintain European peace, i.e. to prolong 50 years of peaceful co-existence among countries that used to be dangerous neighbours with bloody conflicts; b) a desire to make the economic unity of Europe succeed and compete internationally. Both combined are too strong to be easily overwhelmed or defeated.

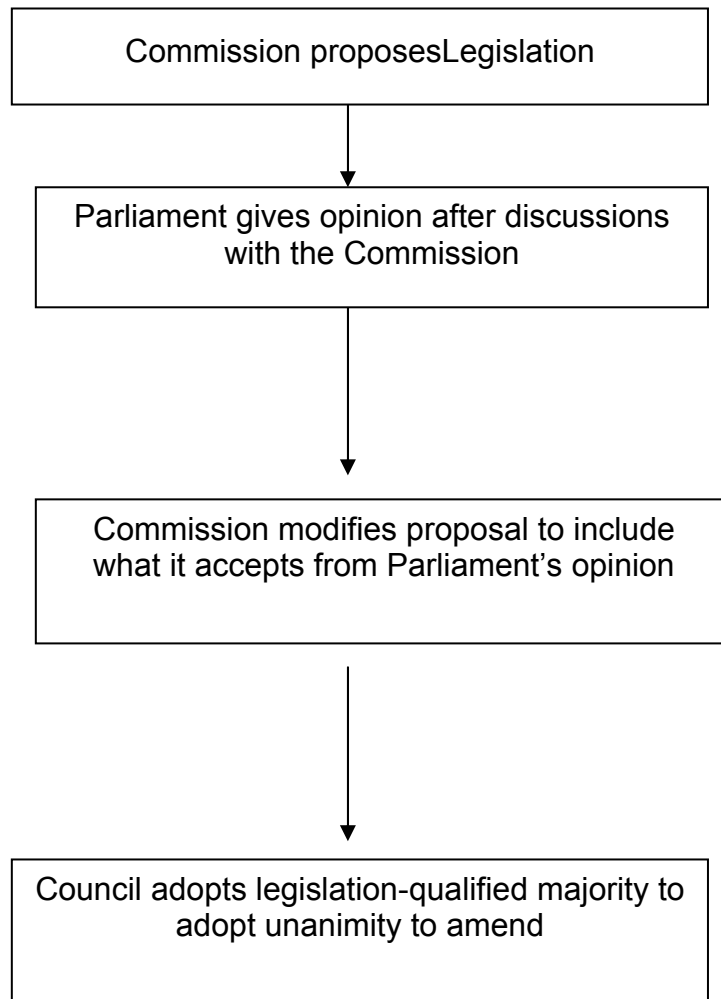
References

- Blondel, Jean et al (1998) People and Parliament in the European Union. Oxford: Clarendon Press.
- Pieter Bouwen (2002) "A Comparative Study of Business Lobbying in the European Parliament, the European Commission and the Council of Ministers".
- Corbett, Richard et al. (2003) The European Parliament. fifth edition. London: John Harper Publishing.
- EC/EU FACT BOOK, A Complete Guide; Alex Roney, Kogan Page Limited, ISBN 0-749-43192-X
- FAZ (Frankfurter Allgemeine Zeitung), „ Erweiterte Koordinierung, Vetos, Klagerechte“ 14.06.03, p. 12.
- Gerken, Luedger (2003) "Eine Garantie der Subsidiaritaet" in FAZ (Frankfurter Allgemeine Zeitung), 14.06.03, p. 13.
- "Interview with Valery Giscard d'Estaing" FAZ (Frankfurter Allgemeine Zeitung) 14.06.03, p. 2.
- Judge, David et al. (2002) "The European Parliament and the Commission Crisis" Governance, An International Journal of Policy, Administration and Institutions, vol 15, # 3 July.
- Lang, John Temple (2000) The Commission and the European Parliament After Nice. Oxford: Europaeum.
- Noury, Abdul G. & Gerard Roland (2002) "European Parliament: Should it Have More Power?" Economic Policy, October.
- Pinder, John (2000) "Steps Toward a Federal European Parliament" The International Sepctor, vol 35, #1, January-March.
- Links:
- http://www.europarl.eu.int/presentation/default_en.htm
- <http://docs.tob-eur-opa.com/jims/lobbying.doc>
- Homepage EP: http://www.europarl.eu.int/home/default_en.htm
- Presentation EP:
- http://www.europarl.eu.int/presentation/default_en.htm
- Members of EP:
- http://wwwdb.europarl.eu.int/ep5/owa/p_meps2.repartition?ilg=EN&iorig=abc
- Addresses and links:
- <http://www.europarl.eu.int/addresses/parliament/default.htm>
- Info on EP: <http://europa.eu.int/inst-en.htm>
- Committees:
- http://www.europarl.eu.int/committees/home_en.htm

- Convention: http://www.europa.eu.int/futurum/index_en.htm
- EP + Convention:
- http://www.europarl.eu.int/europe2004/index_en.htm
- Text of Treaties, etc. <http://europa.eu.int/eur-lex/en/index.html>
- Fact-sheets about European Community:
- http://www.europarl.eu.int/factsheets/default_en.htm

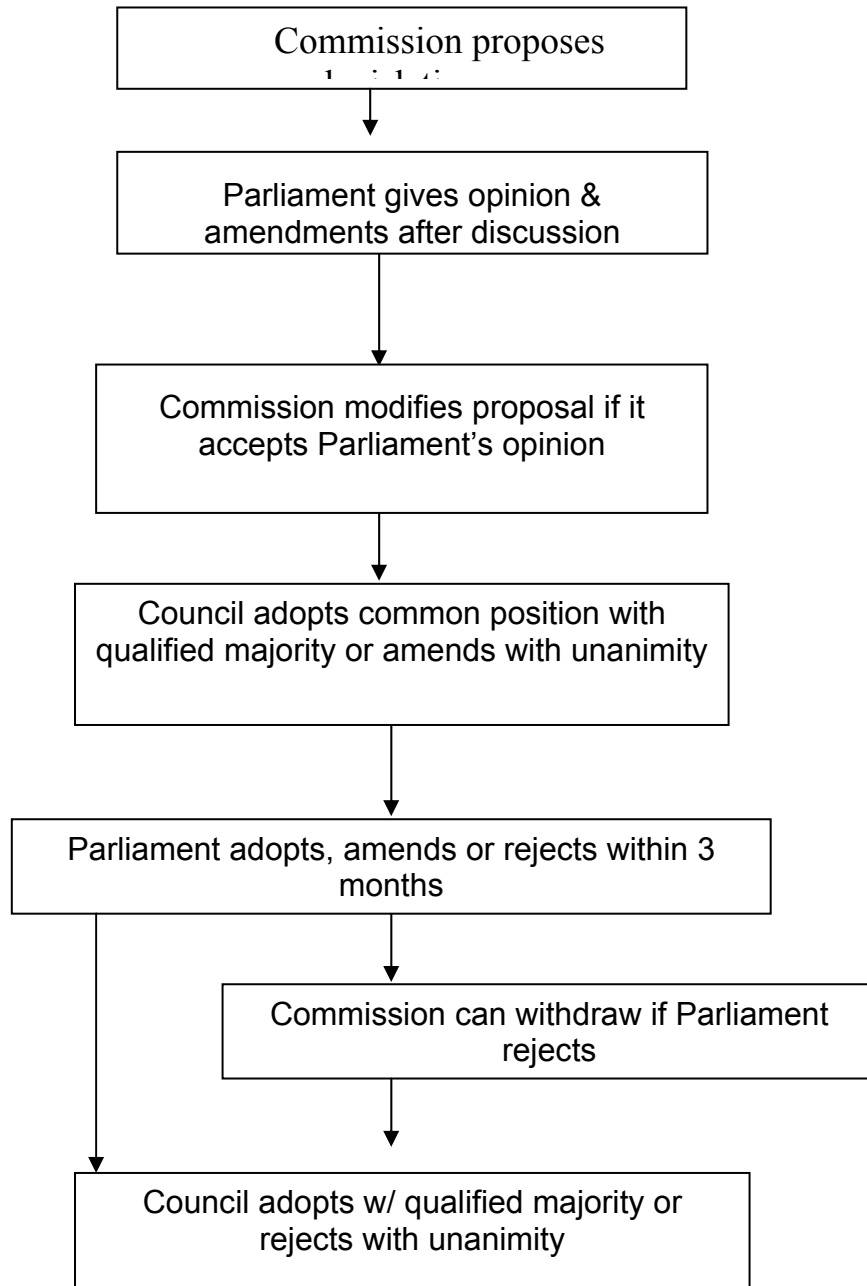
Annexes

Annex 1: Consultative Procedure

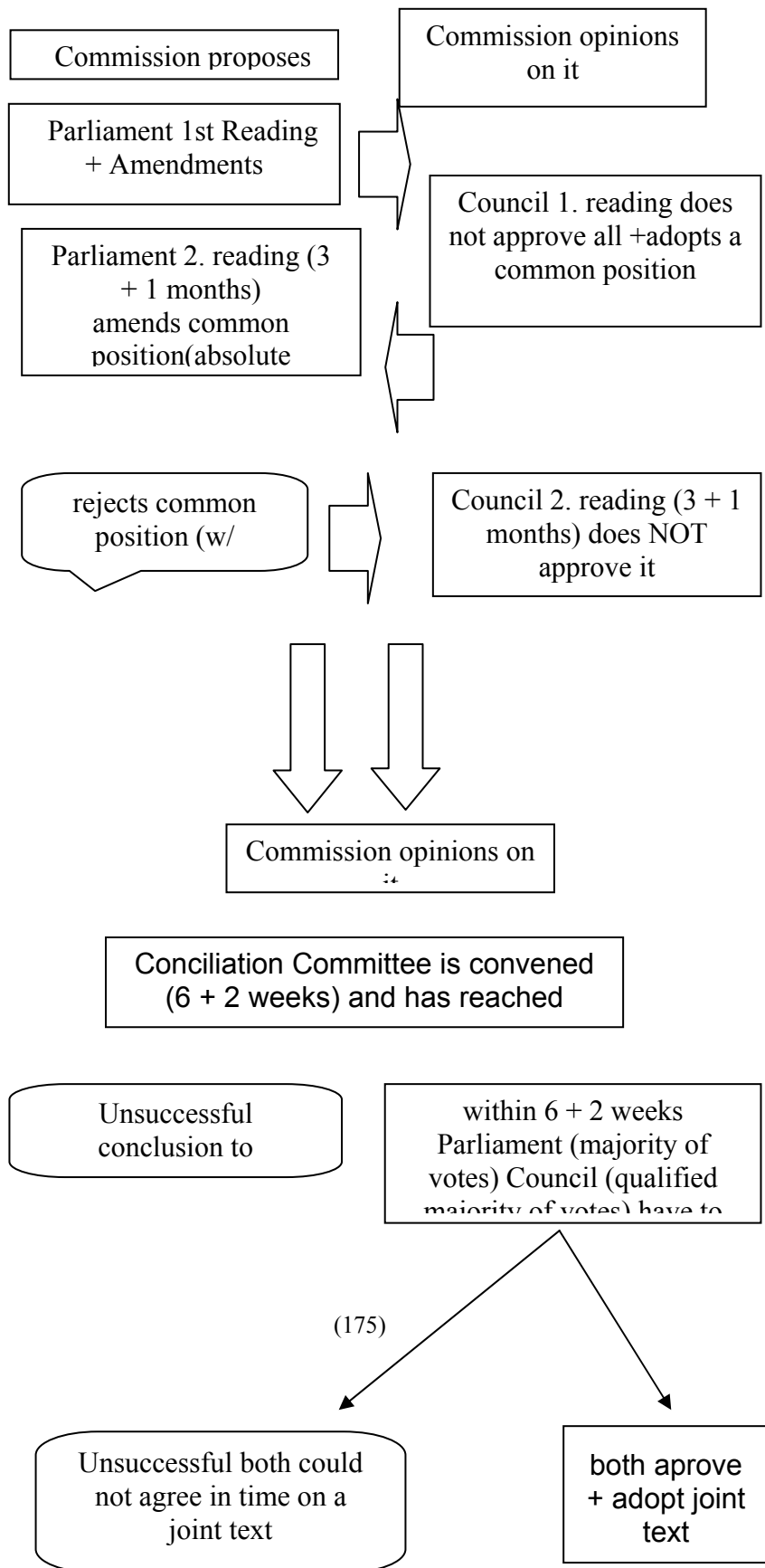


Source: R.C. Mep, F. Jacobs & M. Shackleton. *The European Parliament*, p. 173.

Annex 2: Cooperation Procedure



Annex 3: Co-Decision Procedure



A Decade of Pluralist Democracy in Yemen

The Yemen Parliament After Unification

(1990-2003)

Dr. Saadaldeen Ali Talib
Member of Parliament 1997 - 2003

Abstract

Freely elected parliament in a pluralist political system is the core of the true democratic process. In a new democracy, when parliament succeeds in the representation of the values and interests of the people it achieves credibility in the public eye as the true seat of 'power of the people'.

This enhances the development and instills the values of democracy and civil society. In Yemen, after a decade of the first multiparty elections (1993), the process has not progressed well. Reasons for this are socio-cultural, political, historical, economic, and lack of political will and vision.

Parliament of 1997 elections has demonstrated weakness and minimal effectiveness in monitoring the executive. It has failed to utilize its constitutional means to assert itself as the 'supreme power' in the nation and protect the people from corruption, mismanagement, crippling burdens of structural economic reform, and increasing poverty.

All this lead to loss of credibility of parliament as an institution, and public disillusion and disappointment with the process of democracy.

For democracy to become viable it should lead to good governance and betterment of lives of people.

Introduction

This paper aims to discuss the practice of multiparty democracy from its beginnings in 1990 until the recent parliamentary elections of April 2003. During that period, there had been three parliamentary elections, one presidential election and one local councils election. There had also been two constitutional amendments and a civil war that had a severe impact on development of democracy in Yemen.

This paper will attempt to give an account of the different stages of developments and study the events and the active forces involved and the eventual outcome of these events.

Hence, this is not a typical academic study of a period of time. Rather, it is an "insider" perspective and evaluation of progress of democracy during that period. Great effort was made to remain within the bounds of objectivity, aiming to arrive at justified conclusions.

There is much literature on the development and practice of pluralist democracy in Yemen, some of which were referred to in this paper. However, the “insider” perspective presented here is rare, if not absent.

The very close look at the mechanics of political actions and decisions tell us more about the intentions and motives of major players.

It is hoped that the findings and conclusions drawn will be more realistic and accurate. It should not be assumed that all the “truths” were captured, but at least some important and relevant ones.

It has been noticed that the majority of political studies and observations on Yemen are too generalized and rarely seek the occasionally crucial details. Sometimes the devil is in the details.

Furthermore, the study of current politics, where power and major interests are at stake, is subject to close monitoring by authorities in most developing countries, even those that claim democracy and protection of freedoms. Criticism is not always tolerated well, particularly from the local scene. In Yemen, this is definitely true. Politicians, journalists, and activists have been subject to different kinds of persecutions; including prosecutions, dismissal, and even kidnap and secret detention by political security agents. Civil society organizations are not very effective yet and the judiciary is not independent and generally corrupt.

It is through democracy that the people should exercise their power and affect change towards betterment of their lives.

This change, to the extent of peaceful transfer of power, is done generally through parliaments, the real seat of power of the people. This paper looks at this arena more closely and whether the parliament in Yemen has achieved progress towards empowering democracy as a value in society or was it a source of disappointment and disillusion of the people towards democracy.

The faith of the people in the viability and feasibility of the process and value of democracy is like the air that democracy breathes on. Cut that air and we have a dead corpse.

Open the windows and take a deep breath.

Background

There were two Yemens, north and south, that each had a unique recent and old history and a different cultural, social and religious heritage.

In the north, the Imamate kingdom had survived for a thousand years. In 1962, when pan-Arab nationalism and Nasser in Egypt were at their peak, young army officers overthrow the Imam, and declared a

revolution and a republic. The powerful tribes resist and Egypt sends ten of thousands of its troops to support the revolution while Saudi Arabia supports the tribes and a brutal guerilla war goes on. When Egypt lost the 1967 war with Israel with loss of the Sinai Peninsula and the closure of the Suez Canal, it withdrew its army from Yemen. The Egyptian army had suffered many casualties and had difficulty dealing with the tortuous and rugged mountains, and even more tortuous and rugged tribes. The tribes continued receiving support from Saudi Arabia and soon had the capital Sanaa under siege that lasted 70 days and eventually ended with a brokered agreement of power sharing.

Before the overthrow of the Imam, no modernization was allowed into the country. There were no schools, except religious ones, no radio, no proper roads, and no airport. Foreign newspapers and books were looked at with suspicion and foreign visitors were generally not welcome.

In 1948, when some men led a call for a constitution (the constitution revolt), the Imam stained them as 'communists' who called for the replacement of the Qoran of God with the 'constitution of humans'. They were beheaded and their heads hung on the 'Gate of Yemen' in Sanaa, a common fate of reformists. One revolutionary, Al Thalaya, when paraded towards his execution in Sanaa in the midst of masses calling for his death, said a famous quote "God will curse the people for whom I wanted Life, and for me they wanted Death"

The people were poor, illiterate and loyal only to who provided food and sustenance. For the individual this loyalty was for the tribe and its sheikhs and for the sheikhs the loyalty was for the Imam. The chain of loyalty has been viable for centuries and is part of cultural and political tradition till today.

In 1967 there was another important development in South Yemen. The British brought forward their declared date of withdrawal and hastily pulled out of Aden after agreement with one of parties that were fighting for independence. The original design was to create a federation of the seventeen sultanates and sheikhdoms with the colony of Aden. The 'Federation of South Arabia' was actually existent with its government, parliament, and armed forces. The nationalist fronts, namely the National Liberation Front (NLF) and the Front for Liberation of South Yemen (FLOSY) were in tandem with the pan-Arab nationalism and Nasserism and were fighting an armed struggle to 'liberate the country from colonialists and their puppets'.

Nasser was heavily involved in trying to unify the two fronts and gave them support and refuge in the newly formed republic in the north.

When the British declared their early date of withdrawal, a bloody civil war broke out in the streets of Aden between the rivals, NLF and FLOSY. NLF has found popular support in the hinterlands and finally became the de-facto power, with whom the British summarily negotiated independence terms in a meeting in Geneva. On 30th November 1967 the last Union Jack flag sailed and the Peoples Republic of South Yemen was declared by the NLF. The others, FLOSY, Rabitah, the Sultans and Sheikhs have all fled the country and sought refuge in North Yemen, Egypt and Saudi Arabia. None were to return to their homeland until after unification in 1990.

From that time (1967) the rulers of the two Yemens have always declared that their strategic goal was to unite into one country. However, they have taken different paths and even normal relation have always been overshadowed with suspicion, antagonism, conspiracy, sabotage and armed confrontation for more than two decades.

In the north, rivals for power continued their struggle and eventually the traditional tribal wing prevailed with support and interference from Saudi Arabia which, later, gave the Saudis a heavy hand in steering policy in Yemen, both local and foreign.

In the South, in 1969, the Marxist flank of NLF overthrew the president, put him in detention, and assassinated the prime minister. Many of the president's men fled the country to the north. The new regime was later to be known as the most extreme and brutal Marxist, Leninist, and Maoist regime in the Arab world. They forced their new strange policies with an iron hand. Thousands were detained and executed without trials. The Marxist and Maoist teachings were implemented indiscriminately and any opposition was brutally silenced. In 1973, in an attempted duplication of Mao's cultural revolution, all lands, buildings, and businesses were confiscated. It was the 'uprising' of the workers and farmers.

In a small village in Hadhramaut, seven 'counter revolutionaries' who were landowners and religious figures were put to trial in the village 'Red Square' by the farmers' union. The court bench was the back of two jeeps. The prosecution was the masses gathered in the square and the charges were their cries and curses. They passed the sentence as cries as well. 'Rope, Rope' they cried. The seven men were then blindfolded, struck to the ground and tied at their ankles with a 'rope' to the jeeps that have just acted as court bench. The jeeps then drove away, dragging the seven men on the rough road for five kilometers. The 'criminal' seven men were stripped of their clothes, skin and lives. They arrive at another larger gathering of thousands holding a revolutionary carnival in

celebration of the uprising. Political leaders of the party gave fiery speeches and then commenced folk dancing and singing around the naked corpses. The government celebrated the incident and similar ones throughout the country as 'the popular uprising'. Government television and press referred to time as "the Glorious Seven Days". The masterminds and heroes of these acts still live today and some hold high positions in government. They have changed alliances many times since then, but have always sided with the strong rulers, and today from them are the stars and spokesmen of this new age of democracy.

In that age of horror the Yemen Socialist Party was born, with strong alliance with the Soviet Union. Political, technical, and military support from Moscow made South Yemen the regional front of the Cold War and a threat to its neighbours; North Yemen, Saudi Arabia, and Oman, who were on the other side.

In 1974 in North Yemen, Ibrahim Al Hamdi became president. He was a young army officer without strong tribal backing. The powerful sheikhs saw in him easy ruler to manipulate. However, he quickly started to undermine their positions with the support of non-tribal officers from the Sunni southern regions of Taiz and Ibb. The tribes of the northern regions were mostly Zaydis. Al Hamdi set out to bring North Yemen to modern statehood. Armed tribesmen were not allowed into the capital and tribal leaders had their status and influence revoked. Some sheikhs were not allowed even entry into Sanaa. Relations with South Yemen began to improve and dialogue initiated. The institutional state was beginning to emerge. Stability and security, and some economic progress, were felt. North Yemen was open to most countries of the world. Economic aid came from America, Europe, Soviet Union and China. One particular matter was evident and important. This was that Yemeni students were offered scholarships from so many countries that most secondary school graduates were able to go abroad for university education. This later helped the country to gain a large number of graduates who would be depended on to modernize institutions of government, business, universities, and civil society. It was evident to the tribal leaders that Al Hamdi was not serving their interests and they had to react.

In 1977, Al Hamdi had agreed with the leaders of South Yemen to attend celebrations of 'Revolution day', on 14th of October, in Aden. On, or about, the 10th of October, when invited to the home of one of his army officers, Al Hamdi was taken to room and stabbed to death.

The 'Revolutionary Council' met and Al Ghashmi was made president, and a rumour circulated that Al Hamdi's death was related to a

moral scandal. Soon after, the tribal leaders regained their status and influence in the state with the support and subsidy of Saudi Arabia. Also, the improved relations and dialogue with the South took a reverse course and tensions resumed.

In 1978, Al Ghashmi was to receive an envoy from South Yemen's president, Salim Robaya Ali. The messenger entered Al Ghashmi's office with a briefcase which, when opened, exploded. Al Ghashmi and the envoy were killed.

The South Yemen government was accused with the assassination and war soon broke out along the border. Each side had the opposition of the other fighting with them.

With this scenario of events, the post of president of North Yemen was not a favorable one. The 'revolutionary council' could not easily agree on the successor. Finally a young officer, Ali Abdullah Saleh, from Sanhan, Sanaa, was chosen.

Saleh had the backing of the largest tribal coalition; Hashed, whose leader, Sheikh Abdullah Hussain Al Ahmar, had strong connections with the Saudis.

Saleh used his alliance with the tribal leaders and Islamists to strengthen his position and contain the leftists of the southern regions. With loss of Al Hamdi, the leftists were on the defensive, especially after the attempted coup on Saleh by the Nasserites in 1978.

After Arab mediation, the war was ended and an agreement was signed in Kuwait in 1979 between the Yemens laying the grounds for dialogue and negotiations towards unification.

Saleh, after containing local leftist opposition and settling relations with the South, set out to institutionalise the many political forces in the country, with exercise of some degree of tolerance. All political forces were invited to a conference named 'General Peoples Congress' and a national political charter 'Al Mithak' was issued.

The GPC had brought together a wide spectrum of political forces and agendas. Leftists, Nasserites, Islamists, liberals, Baathists and even the refugee politicians from the South were under this umbrella organization.

Saudi Arabia, by now a rich and influential power in the Arab world, increased its economic support to North Yemen and allowed millions to work and live in its oil rich economy. Throughout the eighties, North Yemen enjoyed political and economic stability.

Saleh, by mastering the art of striking alliances both locally and internationally, has strengthened his position as an unrivalled leader who had more friends than enemies.

Locally, Saleh has learnt that it is easier to deal with his rivals by inclusion into his system, and not exclusion. That way they would be 'digested' more easily. As with most Arab leaders, he has developed a strong security apparatus, with help from Iraq's Saddam Hussain.

With a strong sense of balance, Saleh has managed to use different sides against each other; Islamists against the leftists, traditional against modernists, and tribes against each other. That way, no single front or power was allowed to reach strength that would threaten his position. Key posts in security, army and government were always held by trusted kinship. Furthermore, access to wealth, authority or influence is always dependant upon proximity to the center. This resulted to and established a state of mind that patrimonialism and client networks are the only way to achieve anyone's progress. (3)

Although this system works well to reinforce the rulers' grasp on power and regime maintenance, it does not help institutionalization and progress of civil society. There is also inefficiency in the use of resources and lack of effectiveness in resolving developmental problems, which may lead to a lot of distortions in economy, business, government and, most importantly, in the standards of moral values of society.

Nevertheless, patrimonial networks, permeating through society and converging at the power centre is the tool of political management for survival in most of the Arab and third world authoritarian regimes. (3)

In brief, Saleh has created an environment where major political, tribal, Islamic, military and security leaders were drawn into a position where to challenge the system would undermine their positions and interests.

The limitations with such an arrangement are that interest groups grow larger and more voracious and, in the case of North Yemen, the portions got smaller. Hence, Saleh was tempted to look south.

During the same period in South Yemen, the cycle of political violence and power struggle continued with almost periodical accuracy. In 1978, after the assassination of Al Ghashmi and accusation of the South Yemen regime, the comrades needed a scapegoat. The Yemen Socialist Party (YSP) politburo accused, and summarily sentenced, the president Salim Robaya Ali (Salimin). The official story was that he was executed. But there was no court trial. A more credible scenario, as written by many, was that Salimin has developed good relations and contact with President Al Ghashmi and had agreed to send him his personal envoy. The comrades were not happy with this friendship and have arranged for the envoy to be secretly replaced, by a man named Alhaj Tafarih, together with the infamous briefcase, which exploded in

Al Ghashmi's room. A typical "two birds with one stone" was achieved by the comrades. Ali Nasser Mohamed was made head of state after Salimin was disposed with. (5)

Throughout the era of Salimin, the YSP had taken an extreme form of socialism, nearer to the model of Maoism. Local and international policies have placed South Yemen in continuous confrontation with its Western allied neighbours, namely Saudi Arabia, Oman and North Yemen. Hundreds of thousands fled the country to seek refuge and livelihood abroad, particularly in Saudi Arabia whose economy was experiencing an oil boom in the 70s and 80s.

Ali Nasser realized that these policies were not favourable to his economy and people and, with the blessing of the Soviets, began slowly liberalizing local economic and social policies and improved relations with his neighbours. This process was made easier with the exclusion of the then secretary general of the YSP, Abdel Fattah Ismail (Fattah), who was from Taiz in North Yemen, and has risen the ranks of power to become the strongest ideologist and the most loyal to the teachings of Marx and Lenin. There had been a fierce debate of the new policies within the party in the early 80s and, to avoid bloody confrontation, the Soviets 'invited' Fattah to Moscow where he remained for a few years.

Ali Nasser then became secretary general and prime minister, in addition to his presidency of the state. His liberal policies were well received locally and regionally, but his popularity and political influence raised the concern of his fellow comrades. By 1985 tensions within the leadership was mounting and divisions of the politburo into regional and tribal flanks became apparent. The YSP had a scheduled conference in late 1985 and rumor was rife that something confrontational was going to happen. In the height of tension and apprehension, Fattah returns from Moscow for the conference, only to add fuel to an explosive situation.

In January 1986, in a decisive meeting of the politburo, Ali Nasser and his allies did not show. Instead, two men with machine guns entered the room and opened fire at the comrades. Four leading figures, including Fattah, were killed and others injured before the armed men were overcome. Contact was made to army units, and regions and tribes quickly formed alliances and, then, hell broke loose.

With navy on one side, air force on the other, tanks on this side, air defense on the other, this soldier on this side, his friend on the other; killing and devastation raged on for ten days. The toll reached ten thousand dead.

Ali Nasser's flank, mostly from Abyan and Shabwa governorates, were defeated. He and his soldiers, followers and many impartial, but

terrified, citizens crossed the border to the north to add another layer of refugees of political struggle, persecution, and senseless killing.

It is estimated that about 30,000 fled to the north at that time and formed quite a sizeable force of military, technical, and administrative expertise. Ali Nasser was able to agree with Saleh their assimilation and accommodation.

In battered Aden, Haydar Alattas was made president. However, Ali Salim Albaidh took the powerful post of Secretary General of the YSP. Both men were from Hadhramaut governorate.

By this time the Soviet Union was under Gorbachev's perestroika and China had launched its new economic policy. The cold war between East and West was melting away. And the safe sanctuary that South Yemen and YSP have enjoyed over the 70s and 80s was disappearing quickly.

South Yemen; with a poor economy, divided military and disheartened people, had very limited choices. There was little choice but to mend fences with neighbours and continue open door policies started by Ali Nasser.

In the north, an American company discovered oil, Hunt, in Maareb, which by 1986 was beginning to be exported, though in small quantities of 120,000 barrels a day.

However, this development encouraged the two Yemens to talk about exploration along their border where prospects were promising.

In 1986, a small Canadian oil company, Canadian Oxy, was given exploration rights in Hadhramaut. Previously, western oil companies were denied such onshore rights. Only Soviets were doing exploration with outdated technology and very small reserves were discovered in Shabwa governorate.

Through this period dialogue between North and South was initiated towards unification, which many have thought, quite reasonably given the history, was an elusive and impossible goal.

The pressure on the YSP, facing internal disintegration, was greater than on Saleh whose major interest was to expand in land and resources. Indeed, when the Canadians discovered a sizeable oil reserve in summer of 1989, Saleh and Albaidh signed the unification agreement on 30th November 1989.

The Unification

The late eighties saw pressures on the two regimes to achieve unification. Of these, the popular drive was probably the greatest pressure. People in both countries were disillusioned and disappointed

with the failures of their governments since the revolution. Saleh was facing a deteriorating economy, increasing population and dwindling sources of revenue. Newly discovered oil in Mareb was too small in quantity.

Similarly, the YSP was under great pressure, both locally and internationally. Locally, the party had lost its credibility with the people and had actually begun total policy revision in tandem with the collapsing communist ideology internationally. People in South Yemen could not tolerate more cycles of bloodshed after the violent and devastating events of January 1986.

The first steps of actual unification were hurriedly taken by non-governmental organizations, which rushed to unify with counterparts. Labour unions, professional syndicates, students union, etc all met and declared their commitment to unification. Political parties emerged openly, although banned by law in both countries, and both governments could act against them in their old ways. People were allowed to cross the border with only identity cards since 1988. Thousands crossed the previously tense border each day. The chain of events seemed irreversible.

On signature of the unification agreement of 30Nov1989, no agreement was reached, yet, on whether the political system should be a single party or a pluralist system. However article 39 of the draft constitution of the new state did contain “ the right of citizens to organize themselves into political, professional, labour, etc organizations”. Though elastic in terms, it did open the door for political party formation. Curiously, article 39 came as ‘compromise terms’ resulting from negotiation, but it effectively opened the door, finally, for pluralist democracy.(2)

Another important matter was the negotiation on whether the state was to be federal or a merged state. It is interesting that it was the YSP that insisted on a complete merger although the south had the population of only 2.5 million, less than a quarter of the north. We know later that YSP leadership had assumed they would get the support from the Sunni southern regions of North Yemen. They later discover that it was a tragic miscalculation.

The agreement has stated that both parliaments endorse it and on the 22nd May 1990, merely six months later, the two states would merge into one. A referendum on the constitution was to be called within six months, was eventually held in May 1991.

The parliaments of both states were to merge and another 30 members appointed to make the total 301 as stated in the constitution.

The GPC and YSP were to share power throughout state organizations through an interim period and new parliamentary elections to be held on 27th April 1993. The presidency was formed of a presidential council of five members, 3 from the north and 2 from the south. The south was also given the posts of prime minister, speaker of parliament, and minister of defence.

The popular joy, both locally and across the Arab world, from the birth of the unified Yemen and the new freedoms, was overwhelming. Events were occurring at such a rapid tempo that no one had time for crucial and prospectively dangerous details.

Politically, the 'committee for political unification', as a de-facto case, accepted pluralism only in January 1990 after the emergence of tens of political parties. By the unification day there were more than 40 declared political parties and organizations. The press also enjoyed unforeseen freedom, with more than 40 daily, weekly, and periodical publications. (2)

Liberalization resulted also in economic, social, cultural and administrative changes in society, particularly in the South, where people had been deprived of economic and socio-cultural freedoms under the socialist rule.

The refugee political forces of the South mostly returned. Only Ali Nasser Mohamed "voluntarily" left Sanaa for Damascus to avoid becoming an obstacle to the unification. However, his followers joined the GPC and formed an important faction in it. In 1994 they would become a crucial factor in the civil war between the armies of the North and South and an important element of its justifications.

As mentioned earlier, during the interim period government positions were shared between GPC and YSP. Military units were also translocated, where southern units were moved to positions in the north and vice versa as a step towards unification of the armies. Governors from the north were appointed in the south and vice versa as a 'show' of unification. However the 'command and control', both in the military and civil institutions remained in the hands of their old rulers. The GPC and YSP were actually parties and states and transfer of power was not in their agendas. The essence of plurality and democracy "peaceful transfer of power" was not, and eventually never, achieved.

On another aspect, people in the south were generally government employees and small traders and farmers. There were no large businesses or large landowners. In attempting to correct the imbalance with the north, the YSP started on a campaign of distribution of state land. Confiscated agricultural lands were returned to their original owners and

state lands were distributed to citizens for personal housing, investment or agricultural purposes. Naturally, under loose or absent supervision, massive corruption was exercised. With massive influx of money from the north and returned emigrants land prices rocketed and huge transfer of wealth occurred to those favoured with marketable plots. The ruling elite were the major beneficiaries. The scale of wealth generation from land, particularly in Aden and Hadhramaut has definitely clouded the rationale of the YSP leadership in their difficult course of establishing a foothold in the new Yemen. New wealth was the order of the day throughout the interim period.

The lack of discipline spread everywhere, military, security, administration, judiciary, and the fiscal policy. This led to widespread, and long-term, damage. Although corruption was known to exist in a large degree in the north before unification, the scale it reached after unification was unforeseen. Power, at different levels, was perceived to mean access to wealth. And hence wealth became a very potent political tool, and Saleh had mastered its use over the years.

Differences and arguments did occur between the two parties in the coalition, however compromise was always reached, in the run up to the first multi-party election in April 1993.

Although the parliament after unification did have two parties represented, being the result of the merger of the parliaments of the north and south, it cannot be regarded as the first pluralistic parliament of unified Yemen for two reasons; firstly, that the members were elected under single party rule and 30 members were appointed to make 301 members; and secondly, that the two parties, GPC and YSP, formed a coalition government leaving the parliament without any opposition members. It was, however, understood that it was an interim period leading to the first multi-party elections in 1993.

Therefore the parliament during that period did not really have much impact on political life or in decision-making and merely reflected the agreements and compromises reached by their party leaderships.

During the interim period several crisis were encountered, in addition to the fact that the serious matters which needed to be resolved, were not. In 1991, as a consequence of the invasion of Kuwait by Iraq, hundreds of thousands of Yemeni workers in Saudi Arabia and other gulf countries were expelled. Estimates make them at 800,000 or more. This was done as reaction to Yemen government's position, which was perceived as leaning towards Iraq. This issue had been a cause of friction between the two parties as South leaders were sympathetic to Kuwait's position while the North leaders could not antagonize Saddam Hussain.

The expulsion of the Yemeni workers was probably the most severe economic damage that the two Yemens had ever encountered. This serious matter was never discussed in parliament till today.

Furthermore, the parliament was not an effective forum discussing the steps to be taken to complete the actual unification of the military and the civil administration. The country continued to be governed by two 'heads' and deterioration was the natural outcome. Currency devalued, inflation set in, and corruption was unchecked.

Although pluralism was not present in parliament, this was not the case in the general arena. New political players have appeared of which the most important was Islah, an Islamic and tribal party headed by Sheikh Abdullah Hussain Al Ahmar, head of the powerful Hashed tribe and close ally to the Saudis. He had been very influential in maintaining power and status of the tribal institution and an important factor in supporting and strengthening Saleh's rule.

Islah has been vocal against partnership with the YSP regarding them infidel communists. They had also campaigned and voted against the constitution, as it did not specify that Islamic Sharia was the only source of legislation. Their popularity was gaining ground throughout the tribal and Islamic constituencies. This new force added militancy with the return of the mujahideens from Afghanistan in the early nineties. Attacks on YSP leaders and hotel and entertainment establishments in Aden were linked to the mujahideens. The YSP felt threatened and explained Saleh's inaction as a planned conspiracy to weaken them. Saleh, seemingly, could not act against his old allies who helped him dismantle the leftist opposition in his southern regions in the early eighties.

As the elections were nearing, there were open discussions on whether the interim period should be extended and elections postponed. Naturally the political parties outside the coalition opposed such postponement. The YSP and to a lesser degree, the GPC, were apprehensive of the tensions in the political arena and of the unfinished business of merger of the armed forces and the numerous organizations. The real exercise of power was, to a large degree, still in the hands of pre-unification single party entities and there were no indications as to where the post election era would lead. This dilemma encouraged GPC and YSP to seek formulation of an agreement on the 'management' of the elections and post election government. The YSP was guaranteed no competition from GPC and a free hand in the supervision and execution of the elections in the southern governorates' fifty-seven constituencies. Both ruling parties had the advantage of public funds and public officials

to support their candidates, in addition to the control of the election committees. This was particularly important, as the voting slip in these elections did not have candidate symbols, rather the voter needed to write the name of his candidate. The illiterate had to obtain the help of the members of the election committee, and these were appointed by the ruling parties. With widespread illiteracy, especially in female voters, results were generally predictable. The YSP was able to dominate constituencies in the south, losing less than a handful. But the disappointment was the very few constituencies they were able to win in the north, where they were allowed to compete freely. We know later that the YSP had large hopes of winning in the Sunni southern regions of the north, which had a large population and hence equivalent constituencies. It was Islah that provided the surprise, winning almost an equal number of seats as the YSP.

The elections resulted in 145 seats for GPC, 68 for YSP and 66 for Islah. It became evident that the political balance has changed dramatically and the YSP realized that it was loser in these elections. As described, control over military remained in place as before unification and so did control over resources, which became a potent tool in local politics. The interim period has been marred by crisis and, many a time, complete breakdown of communications between the leaderships. This would often be resolved by mediation, ending in promises and compromise. A common point of difference was the method of rule. Saleh was locked in his old non institutional dispensing of public funds while Al Baidh and his co-leaders of the YSP sought their old state methods and more control of their historical antagonists, namely the tribal and Islamic forces. State institutionalization was not how Saleh had maintained his regime, rather by accommodation and generally paying off troublemakers. Tribal kidnapping of foreigners had become a common method of blackmailing the state, which continuously paid off. Some of this violence was directed at leading figures of the YSP. Saleh was probably not ready to contain his allies, but had always promised that he would gradually diminish their influence through institutionalization of the state. Needless to say, during the time of the formation of the new post-election government of April 1993, conditions in the economy, administration, security and judiciary had reached frightening deterioration. To add insult to injury, corruption reached monstrous proportions throughout the system.

Parliament of 1993 – 1997

Civil War and Reverse on Unification

The government after the first multi-party democratic elections was a three party coalition, again representing the three major parties, GPC, YSP, and Islah. Opposition parliament members were diminished to less than 30 of independents and Nasserites and Baathists. Islah was given the Speaker of Parliament post, which was held by Dr Yassin Saeed Noman of the YSP. The new speaker was the head of Islah, Sheikh Abdullah Hussain Al Ahmar. The prime minister remained Haydar Al Attass and Islah was given a few ministerial posts and a member in the Presidential Council, taken by Sheikh Zindani, an Islamic cleric with vast popularity with newly emerging Islamic activism and militancy.

Al Baidh remained vice-president of the council, but must have realized that the power structure was not the same.

It is important to notice that the 'rule' was the central issue and not the development of democracy. This is evident from the unnatural coalition between the, then, rival and opposing Islah and YSP. They had no common agenda on any policy. Their economic, educational, social, and religious were actually in direct collision courses. Saleh took middle ground and continued his manoeuvring.

Al Baidh had been in and out of crisis with Saleh before the elections and this continued after the elections and the common expression of his anger was the retreat to Aden and issuing statements to the media. The YSP held control of the television and radio stations in Aden, which Al Baidh used as his platform, while Saleh did the same with the Sanaa television and radio stations. Al Baidh did not attend the first session of parliament of 1993, as required by protocol, and only Salem Saleh attended as the other member of the presidential council from the YSP.

The crisis atmosphere continued for many months and resulted in tension between different political forces. Many personalities and political groups offered mediation, which sometimes resulted in compromise. By the end of 1993 it was clear that problem was becoming more and more personalized between Saleh and Al Baidh.

The personalities of the two leaders had significant relevance towards the conduct and outcome of the crisis. Saleh had more stamina and manoeuvrability and was able to better use allies, both in the north and south. He was used to rendering handouts to his seekers and antagonists, as well as promises that he may never keep. Al Baidh, on the other hand, was self indulged, believed religiously in his convictions and was rash enough to gamble large stakes on them. His calculation that

YSP would win the elections to become the ruling party was a clear example. Also, it was evident that he never took wisdom from his mistakes and his perceptions were not always realistic. A story narrated by witnesses accurately describes Al Baidh's personality. In 1967, he was the minister of defence accompanying the president Qahtan Al Shaabi on his first visit to the Soviet Union and a list of weaponry purchases was presented to the Soviets, who asked on how the newly independent republic was going to pay for them. While the aides attempted to explain the revenue sources of South Yemen, Al Baidh jumped to say that when he obtained the weapons he would be able to invade Saudi Arabia and become a rich country. True enough, when removed from that office in the early seventies, he joined the Omani Liberation Front fighting to topple the Sultanate and was their ideologist in Marxism and Leninism.

Eventually, the crisis between Saleh and Al Baidh reached their extreme limit, which by January 1994 was threatening total breakdown. The dialogue processes in Sanaa reached an agreement which may be signed by all political forces, but Al Baidh refused to set foot in Sanaa, declaring it was unsafe. Eventually King Hussain of Jordan invited everyone to sign the document in Amman. On 10th January, three planeloads carried the Yemeni politicians to Amman to sign 'The Document of Vow and Agreement', which everyone did. Saleh, Al Baidh, Sheikh Al Ahmar and other party leaders signed the document, which was meant to end the crisis and restart the process of building the unified Yemen on new basis and terms. Al Ahmar curiously added to his signature a proviso that Al Baidh returns straight to Sanaa from the ceremony in Amman. King Hussain witnessed the whole event and eventually pulled the two leaders to shake hands and make up. This event, quite ironically, has lifted the popularity of Al Baidh throughout Yemen as the man who stood up to Saleh and extracted rights for the people. He could have returned to a hero's welcome, regardless of the actual implementation of the 'Document'. Instead, Al Baidh took his plane directly to Riyadh, Saudi Arabia, where he had discussions and then returned to Aden. Almost immediately, the hostile rhetoric restarted between Sanaa and Aden. The sudden visit to Riyadh has lost Al Baidh much of his credibility because of the sensitive Saudi – Yemeni relations after the Kuwait invasion. The Yemeni leadership was split on it, and ironically, the south leadership was sympathetic to Saudi Arabia and Kuwait. It was evident later that Saudi Arabia has fueled and encouraged Al Baidh in his dissent from Sanaa. Saudi Arabia in that period has looked at Yemen's unification as a long-term strategic disadvantage at its

southern border. This was looked at by north Yemenis as a challenge and attempted sabotage by the Saudis and Al Baidh's visit seemed unforgivable. Was that another of Al Baidh's miscalculations?

By February 1994, tension was so high that the army units of opposing sides were beginning to have friction. Some of the units of the two sides were stationed in one camp. A joint military committee was formed, aided by French and Jordanian officers, to prevent any clashes from occurring. No new troop movements were allowed.

The rhetoric eventually reached the limit of threatening the use of force. In late April, Saleh declared in a televised rally that he would use force to defend the Union. Al Baidh replied with even more scorching words, with fighter planes screeching overhead as a sign of strength. Government officials from the south then began their mass departure from Sanaa to Aden, as both sides seemed to assume irreversible positions. The smallest spark was enough to ignite the whole situation, and that happened in the army camp in Amran, just outside Sanaa. Tanks from the north and tanks from the south faced each other, separated by only a few meters. A small misunderstanding, apparently at the gate of the camp, ended with the units loading their ammunition and open fire at the tanks just across. The situation was contained and a parliamentary committee was formed to investigate and eventually ended blaming the YSP.

A few days later, incidents erupted in Dhamar, Abyan and Aden and full scale war broke out between the armies of the north and the south. Each side claimed that the war was started by the other. Saleh claimed that he defended the constitutional integrity of Yemen, while Al Baidh claimed defense of south by those who had not honoured the unification agreement and the document signed in Amman.

The war took a fierce turn with all branches of the armies taking part, air force, navy, missiles, artillery, etc. Soon the northern forces were near Aden and besieged it. The forces allied with Saleh were Islamists (Islah and Mojahedin) and the southern forces defeated in 1986. Interestingly, the YSP allied forces that left Aden during the 60s and 70s, and the neighboring Gulf States and the Saudis, all traditional enemies.

On 22nd May 1994, on the fourth anniversary of unification, Al Baidh declares succession from the union and names a new Yemen Democratic Republic. The long exiled politicians, including FLOSY, returned and were given high posts in the new state.

Saleh declared that the union was a matter of life or death, and indeed most northerners believed that. That step by Al Baidh has completely destroyed any credibility that he may have gained in his

struggle with Saleh. It was also a vital matter for all those southerners living in the north not to surrender the south to YSP again. Al Baidh and his colleagues were now seeking the recognition of international community, which must have been promised by his supporting neighbours. Only the secessionist Somaliland Republic recognized them.

The war was eventually taken to the Security Council of the UN, which issued a resolution for ceasefire and sparing civilians.

It was the civilians of Aden who suffered the effects of this war. Besieged for nearly a month without water, power and sufficient food, they took the artillery and rocket fire into their neighborhoods. It was such a painful reminder of the events of 1986, only eight years ago. Was it destined for such regular and destructive violence?

The front of the war was across the country, more than a thousand kilometers long and, to Saleh, it was more important to capture Hadhramaut than to enter Aden. Hadhramaut was the main source of revenue from exported oil and that is where Al Baidh and his colleagues resorted to when the siege around Aden tightened. Saleh's nightmare would have been the declaration of independent Hadhramaut, if Aden were to fall. Hence, Aden was not entered until after the fall of Mukalla, capital of Hadhramaut.

That eventually happened on 7th July 1994, when Saleh's troops came near Mukalla and Al Baidh and his followers went eastwards by land and crossed the border into Dhofar, Oman, where he was given asylum by Sultan Qaboos and remains there till today. Ironically, it was Sultan Qaboos that Al Baidh was helping the Oman Liberation Front to topple in the early seventies.

With that outcome of the war, Saleh has effectively removed the YSP from the political scene, with all the interests it represented and the conceivable entitlements that may be expected. The YSP represented the south in the power sharing formula, and the south had twice the land area, triple the wealth, and a sixth of the population.

After the victory, it was time for the sharing of the spoils of war amongst Saleh's men and the allies. The lands of Aden, particularly, were the stage of mass undisciplined forceful acquisition by the military and tribal strong men. Property and houses of Al Baidh and his men became available for seizure and assignment to the victorious men of unification forces, and the defenders of constitutional integrity of Yemen. Al Baidh's house in Maasheek became the 'rightful' property of the Speaker of Parliament Sheikh Abdullah Hussain Al Ahmar. Aden was under another war of ransack and theft that lasted for years. Any opposition to these practices was brushed aside as voice of the criminal

secessionist Al Baidh and his gang, as referred to by official media. Another mass transfer of wealth was taking place, as in the early nineties, only the players are different, all at the expense of Aden lands and its peoples' rights and integrity.

During the extended crisis period before the war, there had been debate and relative consensus on constitutional amendments, under the objective of strengthening democracy. These amendments were eventually made in December 1994. The important articles amended or added were:

The presidential council to be replaced by President and Vice President, but to be directly elected by the people and limited to two terms, The constitutional amendments to be by referendum of the people instead of parliamentary voting,

An article that clearly declares that the political system is a pluralist and a multi-party system (article 5).

Saleh agreed to these amendments under the pressure of previous agreements and the clear concentration of power in his person, instead of a five member presidential council, in spite of the apparent concession of the two-term limit and referendum requirement. These issues were to be tackled later, and they were. The multi-party issue was already in de-facto practice and was an international trend and a requirement to obtaining aid from international community.

The three-party coalition became a two-party coalition with the exclusion of the YSP. Islah became "the strategic ally" and has shared much of spoils of the war with the GPC. Government and administrative posts were given to them throughout the south, in displacement of the YSP personnel. To many people in the south, unification and democracy have taken a sour turn.

After the war, gross mismanagement and inattention, the economy was in shambles. Foreign debts were too high and inherited from the previous states, especially debts of the south to the Soviet Union. The declared figure was near US\$8 billion.

Under such pressures, Yemen began to embark on executing the terms of its agreement with the Paris Club of donors. The debts were reduced to about US\$4 billion and Yemen is to undergo the severest restructuring program of its economy.

Saleh was chosen president after the constitutional amendment and Abd Rabo Mansur Hadi was appointed vice-president. He was appointed minister of defense during the war and was instrumental in its outcome. He was a seasoned military man from Abyan in the South and exiled together with Ali Naser after the events of January 1986 in Aden. He and

the other followers of Ali Naser inherited from the YSP the position of representation of the interests of the south. Their role in the war was both vital in military terms and central in its justification, preventing it from appearing as an invasion of the south by the northern army, with granting the fact of the horrifying possibility that the YSP was to regain its authoritarian rule of the south.

By 1995, Saleh was in control again as the only strongman of Yemen politics and without any challenging opposition. He has recalled all the strings of power back in his hands. The military, finances, and foreign contacts were all in his control again. From that position he was able to manage any situation to his advantage, including democratic frameworks, like parliament or the press. To arrive at this dominant position, Saleh had taken a big risk and was ready to sacrifice almost anything. During the war, he repeatedly declared on media the slogan 'Union or Death' and that he was ready to sacrifice one million martyrs to defend the union. Indeed, the south meant indispensable new wealth, greater opportunity and a new lease of life for his rule.

A new government was formed after December 1994, headed by an old associate of Saleh from Taiz, Abdul Aziz Abdul Ghani. The government was to begin implementing the agreements with donors under the "economic reform" formula of liberalization of the economy and abolishing Government subsidies on food and services. The World Bank and the International Monetary Fund (IMF) were to advise Yemen on its restructuring of its economy and assist in providing new soft loans and restructuring of the old ones. This program of reform officially started in 1995 with the aim of initiating growth in the economy and better fiscal management of Yemen's resources and formulating increased private sector involvement and investment to create jobs and improve the standard of living of the people.

Most third world politicians are aware of this World Bank 'reform' formula and that it has never succeeded without the accompanying good governance, the absence of which has always remained the obstacle to achieving private investment and growth. On the contrary, the lifting of subsidies and increased prices of food and services has always resulted in lowering of the standards of living and increased rates of poverty. With the governments decreasing its number of employees and lowering its job quotas, unemployment becomes an added factor to increasing poverty levels.

This is exactly what has occurred to the Yemeni economy. The dependence on oil exports increased to near 80% of the budget revenue, and the economy was precariously dependant on the price of oil.

Corruption became vicious and clearly the main obstacle to real development. Each government declared its vocal and media war on corruption, while it was apparent that it was institutionalised and protected. Interests in the country were thought to have been carefully divided, and finely balanced, amongst known interest groups, who were each represented in the ruling power centers.

In this atmosphere of corruption, lack of security, ineffective judiciary, government mismanagement, and tense political atmosphere after the war, no real meaningful private investment took place and the economy began its slide. The per capita income continued to decrease from above US\$800 in 1990 less than US\$450 in 1997 and continued to slide in the following years, placing Yemen among the poorest nations in the world in per capita income.

In spite of the very severe impact of the new economic policies on standards of living of the people, they were under no real scrutiny by the parliament in the years 1995-1996 and later to the run up to the elections of 1997. With a coalition government of GPC and Islah and few remaining YSP members, there was hardly any opposition in parliament. The few voices of opposition would always be answered with the natural explanation that Yemen is just out of a devastating war in defence of sacred union. It is alarming to note that in this parliament, and later one, not even one government official or minister was subject to questioning by parliament as prescribed in the constitution and the parliamentary rules of procedure. The occasional request for questioning to any minister was squashed by the presidium, although the constitution and rules of procedure stated that it was mandatory to answer even one member's request for questioning. The presidium of parliament, headed by Sheikh Abdullah Hussain Al Ahmar (Sheikh) would always manage parliament procedures to their own convictions and directions, regardless of the rights and opinions of the members. This has decisively affected performance of parliament and transformed it to become submissive to the executive and not the reverse, as envisioned by the constitution. Tragically, most of the elected members considered the Sheikh to be the paramount Sheikh of Yemen, which he was, and therefore beyond questioning or correction by them. And the Sheikh considered his post as an honorary one, and not a constitutional one; whereas in actual practice, he and Saleh regarded themselves as the chief executives of Yemen.

Sheikh Abdullah has, also, always acted to protect the status and absolute immunity of the tribal sheikhs of Yemen by always resolving their numerous breaches of the law through traditional tribal arbitration, bypassing the law legislated in the parliament he presides. In a famous

incident in 1994, where a prominent sheikh had a quarrel with the deputy prime minister (and acting prime minister), Hassan Makki, and later sent his armed men to intercept his car and shower it with gunshots. Makki was severely wounded, and had to be flown abroad for treatment, and two of his guards were killed. No one was held and the matter was resolved when Makki returned. The “prominent” sheikh towed several bulls to his victim’s home and slaughtered them and planted a kiss on his head, a common tribal method of resolving differences, and the matter was forgotten. A frustrated politician, in his reference to the incident, said that the day the bulls were slaughtered the constitution was buried.

Parliament of 1997 – 2003

Reversal on Democracy

After the civil war, the YSP was in serious crisis, both internally and in its relationship with GPC and Islah. After reforming its organizational frameworks, it began demanding return of its properties, confiscated and disbursed as rewards to the victors. YSP was not in a strong negotiating position as it was before the war. The threat of boycott of the 1997 elections was carried out, leaving the GPC and Islah to compete for its constituencies. Whether this decision was politically, or on principle, correct, is debatable. But, certainly, it made devastating impact on the YSP and the process of democracy. The popular following of the YSP, seeing their party in such weakness and withdrawal, deserted it to GPC, Islah or to apathetic reclusion. This was particularly true in the southern regions, where YSP was the dominant political force.

Hence, the outcome of the elections of April 1997 was almost predictable. GPC was declaring that it was aiming for a comfortable majority. And that is what it achieved, 221 seats of the 301 against Islah’s 64 seats, and the rest to smaller parties and independents. With this majority, GPC set out to form the government by itself, leaving Islah to become an opposition party for the first time.

By 1997, the economic situation has taken a new turn of difficulty and an elaborate debt rescheduling agreement with the World Bank and IMF, which involved massive economic reform towards market economy and liberalization, had to be fulfilled. Towards that, Saleh appointed an independent personality as prime-minister, Dr Faraj Bin Ghanem, a technocrat who has gained respect and admiration both locally and internationally. Dr Ghanem, an economist, was principally involved in the negotiations for debt rescheduling and economic restructuring agreement with international donors. His appointment did create an air of public optimism that things were heading in the right direction. However,

this optimism did not last for long. Within six months, Dr Ghanem's plan for reform of government and public administration and public finance, the major nests of corruption, hit a stone wall of resistance and non compliance. Soon, Dr Ghanem placed his difficulties, and conditions for continuance in his post, to the president and left for Geneva, awaiting response. Saleh sent envoys to ask the prime minister to return with promise of execution of the conditions, and Dr Ghanem eventually returned, but refrained from attending ministerial council meetings before the declaration of acceptance of his conditions, which included strict fiscal policy and the departure of some ministers, including the finance minister. The alternative was his resignation. Saleh was aware that the resignation will have damaging public opinion repercussions and acceptance of the terms meant removal of his powerful tools of control and rule. The crisis lasted for months and intensive public debate in the press and local political scene. Inevitably, Dr Ghanem's resignation was accepted and a new government had to be formed, all in less than a year from the elections.

The new prime minister was Dr Abdel Karim Al Iryani, the secretary general of the GPC and a seasoned politician. The rest of the government was the same. Of the first decisions was the implementation of price hikes agreed with the World Bank. When diesel prices nearly doubled, riots broke out in the streets of Sanaa, and the demonstrators demanded the return of Dr Faraj Bin Ghanem.

On the parliamentary front, Sheikh Abdullah returns to become speaker again. The GPC block were clearly instructed on who were to form the presidium of parliament. On the first day, in clear violation of the constitution and rules of procedure, which is law, no nomination or election took place. The members simply raised their hands when the instructed names were suggested.

Alongside Sheikh Abdullah was Yehia Al Raei, a military officer, who assumed second man to Sheikh Abdullah in the presidium, as he was assistant secretary general to the GPC. Later, Al Raei became publicly known for his disregard for the institution of parliament, constitution, rules, fellow members or plain courtesy. Repeated protests and hints on his damaging effect to parliament's image, locally and internationally, were disregarded; which gave an indication that this behaviour of casting insults to parliament and its members was supported. Apart of his remarks and interruptions to members' speeches and disregard for rules, Al Raei has come down from the presidium bench to physically attack several members and has once referred to a member by 'donkey'. Yet, there was no public reprimand, either within parliament or from the GPC

leadership, at least none that would maintain the respect of parliament in the public eye.

Sheikh Abdullah and Al Raei managed parliament in a manner that contained its development and thwarted any attempt by any member to pursue any monitoring of the executive. The majority of members do bear some responsibility in succumbing to such diminishing of the role of parliament. Some were obedient, some not courageous enough, some disheartened, some were hypocrites, and many apathetic. However, most had their eyes on the benefits, particularly travel with parliament envoys, which were controlled by the two men. These ‘benefits’ and others were, in fact, disbursed in a manipulative manner. The, few, members who stood their ground, including some from GPC, were treated suspiciously and punitively. Debate and decisions of parliament were contained and controlled, to an “allowable” degree. Even an important matter, like the resignation of the prime minister, and hence the government, was never discussed in parliament, although many members have raised the issue in the general public sessions. The methods and measures used by the presidium to achieve such control were:

Non-compliance to constitution and rules of procedure, such as interrupting speeches, directing voting, thwarting of any questioning to government ministers

Complete unquestioned control over parliament finances and its disbursements, and its use in a manipulative manner

Limitation of necessary funds, equipment, or expertise to parliament committees to properly conduct their work

Use of insults, harassment, and sometimes, physical abuse, to inflict fear or terror to those who resist their methods

Silencing committee reports when considered too damaging to government or other protected entities

With such means the presidium can claim control of parliament, and, therefore manipulate it to serve special interests and pass approvals, which may translate into sizable commercial benefits. This is obviously true in approvals relating to petroleum concessions and loans, both of which require parliamentary approval. Sometimes the beneficiaries of such approvals were members of parliament and direct relatives of members of the presidium. One member once protested and cried foul. He was called to the presidium bench and threatened with a beating. The other members looked on apprehensively, more surprised at the member than at the presidium. In time everyone knew the rules and limits, the ambitious for democracy developed techniques and alliances to bypass, only when possible, the hurdles of the presidium and the indifferent

fellow members. Small victories were achieved, large defeats suffered, but the battle of democracy was certainly lost.

In 1999, the presidential elections were due, as stipulated by the constitutional amendment of 1994, after which Saleh was elected by parliament, as an exceptional occurrence, for a term of five years.

The constitution required that would be candidates present their application to the presidium of parliament, which studies their eligibility, and the accepted names are presented to parliament members for approval or seconding by at least 10% of members, i.e 31 members, to become approved candidates. The election law also stipulated that approved candidates receive funds to cover their election campaign from the public treasury.

At an early stage, the YSP and other opposition parties, have indicated that they will present a candidate for presidency. Their obstacle was the 10% requirement of members of parliament. They have named the candidate as YSP secretary general Ali Saleh Obad (Mokbil).

Islah, however declared that their candidate was Saleh, the president and head of GPC, even before the GPC itself had declared their candidate. Then, it became apparent that YSP and allies were the only real competition and GPC was under pressure to get their members of parliament to approve Mokbil. There were several public statements from GPC leadership saying that they were committed to approve the YSP candidate. This was confirmed by Mokbil himself in an Arab television interview and added that GPC has no choice but to approve him. When asked if the GPC members of parliament would agree to that, he replied that they were 'sheep', who would follow orders.

Amongst those who applied for presidential candidacy was Najeeb Qahtan Al Shaabi, member of parliament and son of Qahtan Al Shaabi, the first president of South Yemen after independence. Interestingly, Saleh, Mokbil, and Najeeb have all entered their application on the last day of the period allowed.

Over the next ten days, a heated debate went on within the GPC block and strong objections were raised on approving Mokbil after his insult of the members. Eventually, they settled on approving Najeeb and another applicant, an unknown lawyer named Khalid Al Zorka. The needed number of members to vote for them was allocated. On the of voting for approval some confusion happened and Zorka did not get enough votes and failed the approval. The presidium of parliament had suggested and decided on the procedure of the day experienced for the first time in Yemeni history. They required that each member places the name of his nominee on a paper where his name was written, making the

process a non secret ballot. This has put the whole procedure under very strong criticism by all interested in the democratic process in Yemen. Nevertheless, the final result was Saleh with 186 votes, Najeeb with 41 votes, Al Zarka with 24 votes, and Mokbil with 7 votes, mainly of the Nasserites and some independents. Everyone knew who the seven were. So the candidates for presidential elections became Saleh and Najeeb, both members of the GPC. The rest of the events were the all too probable scenario. Saleh won with 96.4% of the votes in the first presidential elections in Yemen held on 23rd September 1999.

The international observers have refused to monitor the elections, considering it non competitive and its results pre-determined. There was also no monitoring at the ballots due to insufficient funds given to the competitor. There were no results declared for each constituency, or even each governorate. Only the total results were announced without any means of qualifying them. Nevertheless, though no one expected Najeeb to win, but the attendance of voters and the correct percentage of votes were important, and most observers agree that they were subject to misrepresentation.

The official end result was that Saleh now has a new mandate by direct election of the people. The official media glorified the new age of democracy in Yemen.

The following democratic entitlement was supposed to be the parliamentary elections in April 2001. However, in the late part of the year 2000, a proposal for constitutional amendment was presented to parliament by the president under the justification of promoting democracy and economic progress. The amendments were widespread and constituted deep changes to the political system. What interested parliament members was the extension of the duration of parliament from four to six years, including the current parliament. The parliament returned the president's proposal by one of its own, to extend the duration of presidency from five to seven years. Islah, at first, showed some reservations to the limitations to parliament's jurisdiction, but later approved the amendments with some alterations. The required three quarter vote of parliament was attained, which, without Islah members, would have been almost impossible. The other opposition parties, YSP, Nasserites, Baath and independent democracy activists, have considered the amendment as regression of democracy and an escape from the elections due in a few months. The extension of the current parliament by the current members vote was considered unconstitutional and unethical. The constitution required a referendum after parliament approval, a requirement to be abolished by the amendments for the greater part of the

constitution. This was an ironical referendum asking the people to give up their right to approve future constitutional amendments, and be replaced by three quarter vote in parliament.

Another interesting amendment was regarding the election or appointment of heads of administrative units i.e governors of governorates and directors of districts. During the legislation of the local authority law in parliament, this matter has caused much debate and argument. The proposed bill from government had stated their appointment and their heading of the local councils, both in governorates and in districts, thought by many legalists to be in contravention to constitutional articles that required them to be elected. Most parliament members, in a rare stand, insisted on the election. A long debate and struggle followed, particularly on the constitutional issue. Sheikh Abdullah made it clear that he was against election, irrelative of the constitution. After much negotiation, the government's, and the Sheikh's, view prevailed. The GPC members were clearly instructed to vote for the 'appointment', with weak and twisted interpretation of the constitutional articles that stated their election. This matter will remain a classic example of reluctance of power centers to share power with the people through elections. The local councils law has been a constitutional requirement since unification, and the bill has gone back and forth for years without approval by parliament, differences always raised about the powers to be surrendered to the councils. This has become a requirement of the World Bank to better improve governance and democracy through citizens' involvement in decision-making. Eventually, the bill became law in 1999, in its crippled and unconstitutional form.

Hence, when the time for constitutional amendments came, article 143, of the election of the heads of administrative units, was amended to become "elected OR appointed". All members felt cheated and humiliated at their leaderships' insistence that they violate the constitution they have sworn to uphold. Those who refused to vote in violation of the constitution were served with letters of reprimand from the secretary general of the GPC. To add insult to injury, in the justification of this article's amendment, it was written 'to correct the misunderstanding by some in their reading of this article'. Therefore, the article of the constitution was amended to 'agree' with the law.

Some activists did raise the matter of the law to the constitutional court, which never gave a verdict till after the constitutional amendment, two years later, ordering that the matter has become 'of no relevance' after the amendment; a serious blow to the principle of judiciary independence, so vital to true development of democracy.

The referendum for the constitutional amendments was to take place early 2001, after the parliamentary vote. In quite a sudden way, it was announced that, together with the referendum, the local councils elections would be held. Local and international observers criticized the constitutional amendments and the hurried, and inadequately prepared, local elections. Still the referendum and elections did take place, allowing for the postponement of the parliamentary elections till 2003. The surprise was the relative success achieved by Islah in seizing control of many local councils, both at district and governorate level.

Towards preparing for the next parliamentary elections, the opposition parties were insisting on new voter registration and assuring fair and free elections, through a fair share of the voting committees. These negotiations were tough and continued for many months of the year 2002. The opposition succeeded in forming a unified front against the hegemony of the GPC over democratic life, as referred to by the opposition. The unlikely alliance actually succeeded in maintaining cohesion and succeeded in their collective negotiation. As the elections drew closer, talk began about election cooperation to the extent of forming a single candidate list. This coalition was called the “Joint Meeting of Opposition Parties”. As this coalition grew stronger, it attracted harsh attack from the GPC, including Saleh, the president, who referred to it as the axis of the devil, as it contained the extreme right (Islah) and the extreme left (YSP). Saleh was aware of the real danger presented by this coalition, particularly in view of the very deteriorating economic situation, as a result of the economic restructuring program that led to increased prices of services and goods, unemployment, and increased rates of poverty. All that, together with rampant corruption, made most observers believe that the GPC will find it very difficult to win the comfortable majority it has, if not losing the majority altogether.

The real architect of the “joint meeting” coalition was Jarallah Omar, the assistant secretary general of the YSP. It took great negotiation skills and generous compromises to bring together the YSP, Islah, Nasserites, Baath, and other smaller parties, around a common cause, which all agreed was the protection of the democratic life in Yemen. The “joint meeting” was extending the cooperation from the leadership to the grassroots, including the students’ union elections, and achieving success. Optimism and confidence in the opposition was at its peak at the opening session of the Islah General Conference on 28th December 2002, just four months before the elections. Jarallah Omar gave the speech of the YSP, speaking about the dream of a free, civil, democratic Yemen and the importance of holding the joint meeting together for a better

future. When he finished the speech, a reporter approached him to give a statement on the fringe of the hall that had more than 3000 attendants. Another man with a beard approached Jarallah Omar, spoke a few words, then pulled out a pistol and shot him several times, in front of live television and 3000 shocked onlookers. Jarallah Omar died on the way to hospital.

The death of Jarallah Omar caused shock and sadness across the country. It was a blow to democracy, civil society, and hope for a better future. The official media immediately announced the name of the killer, calling him a member of Islah, and attacking Islah for harboring such extremist and terrorist elements. After the incident, the killer was immediately taken to Sheikh Abdulla's home, where he was interrogated by representatives of all political parties, before he was surrendered to government security officials. The killer admitted killing Jarallah because he objected to the closeness between Islamic Islah and the infidel YSP. He was part of the ideologically extreme factions of Islah and a student of Iman University, which was teaching Islamic studies and headed by Sheikh Zindani, a cleric and prominent leader of Islah and previous member of the Presidential Council after the elections of 1993. The central question was whether the killing was a solitary case or a politically inspired one, schemed and executed for political ends and, if so, who was behind it. That question is still unanswered till today.

Notably, the funeral of Jarrallah was attended by crowds unforeseen in size in any funeral in the history of Yemen. It was an indication of the anger and concern for the values represented by the assassinated man.

In spite of the efforts of the GPC to dismantle the Joint Meeting and the continuous attack on it and the attempt to utilize the assassination of Jarallah, the coalition continued towards coordination for the elections.

The GPC, previously indicating they were aiming for 'sweeping' majority, have toned down their expectations to maintaining their comfortable one.

The American invasion of Iraq has cast a shadow of doubt on whether the elections will be held on time. However, the preparations continued and, with international pressure and limited repercussions of the war, the elections were scheduled to be held on the 27th April 2003.

Elections of April 2003
Parliament of 2003 – 2009
Back to Authoritarian Rule?

The elections of April 2003 were to be held under the recently legislated Elections Law, which had particularly severe restraints on the nomination of independents. They were required to obtain 300 signatures from registered voters of their constituency, signed by the local notary and stamped by the Court Judge. This has led to a great limitation of the number of independent nominees and the competition was mainly partisan. There is a legal question as to the constitutionality of the requirement of the signatures, as it nullifies the principle of secrecy of voting. Nevertheless, the numerous small parties were offering to nominate any independent to bypass the tedious and time-consuming signature collection.

With the appearance of the nominations, it became apparent that the coordination of the Joint Meeting parties was not successful in many parts of the country. In many constituencies they were competing against each other.

The GPC, in an unprecedented manner, have utilized to the extreme the influence and capabilities of government to sway voters. Threats and promises of reward were widely exercised, particularly in the constituencies out of the cities, where people were more susceptible, poverty ridden and uneducated. Governors, security officials, district directors, school principals and teachers were all part of the campaign for the GPC candidates. Government employees, including teachers, who were on opposing campaigns, were subject to punishment, including dismissal from work.

Government members came down to the constituencies in full force, including the prime minister, in complete disregard for the law, which prohibits use of government funds or personnel in campaigning.

In threatened constituencies, vote buying was exercised diligently and overwhelmingly, particularly against candidates marked for exclusion from parliament. The official media was utilized to promote GPC candidates, through reporting official visits and project inauguration with the appearance of election candidates. These excesses and unfair manipulation of state officials and funds were not witnessed in 1993 or the 1997 elections.

The National Democratic Institute (NDI) has worked for a number of years towards development of democracy in Yemen and has monitored several elections, including that of 2003. In their initial report, published on 29th April 2003, just two days after the elections day, NDI

have witnessed many of these irregularities and reported “the international observers of NDI have noticed numerous incursions of the Election Law, including threats and political intimidation and increased numbers of voters who were under-aged and undisciplined behaviour of some security personnel, and vote buying and hindrance to the process of vote counting by some members of the election committees related to the GPC”. (6)

Naturally, the NDI and other international observers could not be everywhere and were concentrated mainly in Sanaa, Aden, and other major cities. This presence may have had an effect on the results, particularly in Sanaa city, where Islah won 10 out of 19 seats. The overall results, however, were a shock and a disappointment to the opposition and to anybody interested in the development and progress of democracy. The GPC won 237 seats, Islah won 46 seats, YSP won 7 seats, Nasserites won 3 seats, and Independents won 7 seats. Four seats remain undecided until after re-election in some constituency centers.

Hence, contrary to all expectations including those of some GPC leaders, the GPC won more seats than the previous parliament and has shown relentless effort, mostly by use of illegal and unfair means, to minimize the presence of the opposition.

Another very revealing development in the elections was that Sheikh Abdullah, the Speaker of Parliament, won his seat, and so did four of his sons. Actually five sons were candidates, but one had a gunfire shooting incident with the governor and the elections in that constituency were suspended by the elections committee. To resolve the matter, the original candidate was replaced by his brother, who was already nominated and was registered in another constituency. This happened in the last few days before elections. This was a clear and flagrant breach of the constitution and law, with total disregard of the credibility of the state and of the principles of equality of citizens and their equal abidance to the law, or to the image and credibility of Yemen’s democracy. The parties to such an arrangement were the President, the Speaker of Parliament, and the Supreme Election and Referendum Committee (SERC).

The new parliament convened on 10th may 2003 for its first session, where the members deliver their oath on the Holy Qoran that they will respect the constitution and the law and protect the freedoms of the people. One by one they swore, with their right hand on the Holy Qoran. Then it was time to elect the new presidium, as stipulated by the constitution and law, by allowing nomination of candidates. A member comes to the podium and suggests that the same presidium of the last

parliament be re-instated. A few members object, reminding the rest of the oath they had just taken. But the majority of members raise their hands and the same four of the last parliament take their seats on the presidium bench. It was a non-constitutional and an undemocratic start of the first parliament of the third millennium. Seven members raise the matter to the constitutional court to nullify the seating of the presidium. The matter is still pending.

Conclusion and Recommendations

Democracy, in the pluralist form and as known to the modern world, was born in Yemen together with the unification. It may have been an accidental development, but most people in the nations of the world seek it as the contemporary means of representing their interests and aspirations of freedom.

Democracy, as well, is an attitude and behaviour that must be manifest by all parties interested. The values of democracy, and the disastrous alternatives, must be comprehended, and protected, by the people.

In Yemen, the people have lived decades since the revolution that promised them freedom and rule of the people, and yet, democracy remains an illusion. Will they protect what little they have, or will it vanish, like their other dreams of a decent life and a promising future?

Parliaments in Yemen, since 1990, have been a representation of the accidental rulers, rather than the victimized populace. They have become tools of legitimizing the continuance of the impoverishment and marginalization of the people, and the usurping of its rights, wealth and future. The, occasional, voices of protest were always silenced by the tools of power. Why were journalists, in a mostly illiterate country, kidnapped and hidden for months without explanation, and released, without explanation, from the dark dungeons of those who claim that they are the protectors? Were they protecting the people or their oppressors?

Parliaments cannot develop and improve without the necessary atmosphere created by the healthy conditions for democracy. Free press, sound judiciary and a motivated middle class are vital for the protection of the values of democracy. In Yemen, though the press is enjoying a relatively wide margin of freedom, the effective judiciary is absent and the middle class was systematically weakened and muted. The loud voices remain the tribal ones, with their values that directly clash with modern democracy, or any value of justice and equality. For how long will Yemen be burdened with this handicap called tribalism? Is it on the

way to recede or is it on the rise? Indications are that tribalism has become the state. And it cannot tolerate the other forms, particularly those of democracy, where people must be free and equally represented.

Dr Yassin Saeed Noman, former speaker of parliament (1990-1993), has diagnosed Yemen's rule and democracy in an article in Al Sahwa newspaper on 23rd May 2003 and titled 'Democracy... between Yemen's uniqueness and the common Arab case'. He wrote " And from the ashes of war emerges the 'dominant state' which has returned Yemen to the environment of the Arab experience of 'allowable' democracy after it has failed, for subjective reasons, to continue with the democratic project that was born with the union ...". He then writes " And the dominant state in all societies produces its controlling will, which is called the paramount will, which sets about to suppress the other wills to run them into one stream and then it turns to the popular will and, in a long and complex process, to extract from it any flagrant opposition"(4)

It would be justified to agree with Dr Yassin that Yemen, as most other Arab states, has transformed its recently emerged democracy to that of a 'contained' one of the dominant state with its 'paramount will' that does not lose, rather it relinquishes, to the limit that does not infringe its power or its pride. To such a state, 'un-allowed' loss may paralyze some circles of its will, which may lead to consequences reaching to further circles which may threaten the dismantling of vital nexuses of interests. That would not be allowed. Furthermore, the interests of the powers that form the corpus of the system have stabilized at a state, that it has become unable to affect any change from within from fear that the interests of these powers may clash. (4)

Omar Daair, in his MSc dissertation " Authoritarian rule in a plural society: the Republic of Yemen", School of Oriental and African Studies, London (September 2001) describes President Saleh's methods and means of rule. He writes in his conclusion of the dissertation " In fact, tribes and Islamic groups have become part of a modern corporatist system that is headed by Saleh. Business interests, personal quests for power and internal disunity have all served to transform counter-elites from something that could challenge the state to something that works within it and, thus, reinforces it"

Granted that not many tribes receive the status and benefits that Sanhan, Saleh's tribe, enjoys or the prominent figures of Hashid's tribal alliance, which includes Sanhan, and headed by Sheikh Abdullah. Yet Saleh was able to draw elite members of other tribes into his corporatist system and distancing them from their traditional constituencies and thus, fragmenting them and preventing them from challenging the regime. (3)

Hence, tribes outside the regime were never united to form any real challenge to the state, in spite of the fact that traditional loyalty of tribesmen to their tribal leader remains intact and was never attacked by Saleh's regime, as was the fact of the tribes of the South under YSP rule.

Therefore, who would take the burden of opposition to correct the massive imbalances, corruption, stalled economic growth, increasing poverty and, most importantly, the eroding levels of freedoms and democracy? Islah, the largest opposition party, has not shown any real challenge, particularly with Sheikh Abdullah as leader and always acting as part of the regime and the GPC. In fact, two of the four sons in parliament are representing the GPC. The YSP, the party state of the South, has lost most of its strength and following after the 1994 civil war. It, also, will always be burdened with its history of political violence, and economic and social policies that had won them more enemies than friends, during their rule of the South.

Unfortunately, Yemen is located in a neighbourhood of states where democracy is still at infancy, and therefore no motivation or pressure is expected from there. Contrary to that pressure, Yemen is praised by Western states of being the foremost democratic country in the Arabian Peninsula, just for holding elections or for allowing women voting rights. Democracy should not transform into mere forms, devoid of purpose, thus justifying the continuance of regimes, no matter how much destitution they have incurred on their people. Common people often refer to politics as a 'dirty word' from their loss of faith that it brings any good. This view is the same towards democracy, and that is the most devastating element obstructing the flourishing of democracy. Even many of the intelligentsia await the American vision or call to develop democracy in the Middle East, in the aftermath of the 11th September 2001 attacks. While the regimes exploit their alliance with America to fight terrorism in the crushing of their opposition. The World Bank and the IMF do link some loose conditions pertaining to democracy and public involvement, accountability and fighting corruption, but these conditions are never fulfilled to the extent that hurts the regimes interests. While the price hikes that hurt the people and brings more revenue to the regime are always applied. The World Bank sees that as satisfactory and a step in the right direction.

Parliaments will remain tools of manipulation in the hands of the executive if the rules of the game of democracy are not applied. That takes an extra ordinary political will, for the ruler must relinquish all the unfair tools of power that have survived him in the past. Is that a tall order? Not if he was 'wisely' advised, from within the country or from

out of it. The lengthy narration of a ruler's, or a regime's, history tells us of their behaviour patterns, motives, and inherent values. Then, we would be able to learn what actions, or reactions, to expect.

Recommendations to improve democracy or parliaments, in seeking their reform, are difficult, in the absence of the political will to improve democracy and its mechanisms, particularly if the 'paramount will' holds most of the strings. Yet, Dr Noman, after his long elaborate article of diagnosing the state and stage of Yemen's democracy, suffices in a few lines his suggested remedy. He puts hope on the honest, decent, and capable 'democrats' within all political parties to come together and start a dialogue and then action, always keeping open minds and hearts. He sees that such a political block may become the engine pulling the train of democracy. Admittedly, Dr Noman sees that as finding a jewel in a haystack. Nevertheless, the suggestion seemed too valuable to ignore, in the absence of much else.

Political forces must continue their struggle, particularly in spreading awareness among the, seemingly, surrendering populace. They should not, as some do, hang too much hope on foreign pressure to democratize Yemen. Such hopes have not materialized anywhere in the vicinity. The west, particularly America, may find it safer to deal with stable regimes, though authoritarian, than with unforeseen products of democracy.

The intelligentsia, locally and regionally, must be motivated to take a more active role in leading society to protection of freedoms and rights, and help in getting the message to the people, and bypass all obstacles on the way, and risk the oppressive measures.

In Yemen, does the time seem ripe for a new political force, free from the burdens of the past, and able to capture the people's faith and hope? It must carry the right message of freedom and equality. The messenger must be credible, brave and hold a new, clear vision. In time, the message will arrive, and the people will break loose from the chains of containment, defend their rights, and cause the awakening.

Bibliography

The Yemen Constitutions of 1991, 1994 and 2001

Al Sumairy, Nashwan Mohamed, "Political Plurality in Yemen: The basis of the experience and limits of the practice" January 2001

Daair, Omar, "Authoritarian rule in a plural society: the Republic of Yemen" MSc dissertation, School of Oriental and African Studies, London (September 2001)

Dr Noman, Yassin Saeed, “Democracy..... between Yemen’s uniqueness and the common Arab case”. Article published in Al Sahwa weekly in Sanaa on 23rd May 2003

Ashal, Ali Hussain, Member of Parliament, M Arts scholar in Political Science, Khartoom University, dissertation on “Cycles of political violence in Yemen

National Democratic Institute for International Affairs preliminary report of Observation of Yemen Parliamentary Elections held on 7th April 2003

Participation in Legislative Process: The Case of Jordan

Dr. Mohamed Al-Masalheh

Secretary General- The House of Representatives- Jordan

Introduction:

The legislation based on the legality warding which need personals are belong by sovereignty of low, that mean they was be in special level on knowledge & ability to right legality warding, legality analysis, deduction the facts, & offer all point of view whether were theories or explanation or legality criticism, so to be the legislator capable on setting the wards, terms, & the legal forms which necessary to give the conscious meaning, also there are must be the legality articles

Texts have any ambiguity.

Although all repeated attempts by legislators to cover the whole variable & news , but the are new that come on the society life & their economic & social permanent development . so, there had better to frequent development on some of legality articles text to take in considerable the society behalf and their increasing needs.

In order to can understand all procedures what are done to setting the bills that require we must have enough information about the low & that ought us to explain the international from term of low, determine its role in society, then the birth of bills & its procedure which care at setting the legislation. Also recognition in all procedures for arrival to modernity legal that able to convoy the warren scientific development with form can grantee to serve the society in all classes & its needs.

The definition of low" The set of legality rules which regulate the living in groups & the all must respect. Also the public authority may suppose to respect that by force".

This definition appear that the low involve same elements which aims to regulate the common living with group of people that suppose on the all to care that in their relationship with earl others also with the power. And that with condition what the public authority may suppose the payment for people where will not respect that (or will dissent that.)

There no doubt that the legislation what done in different countries have main role in leave specific impression toward the advancement countries or failure one & that will measurable the range of civilization, cultural & economically development by the convoy the low to scientific and universality development in one hand the range of reaction this low with public life & its appliance in other hand.

Also in the other hand can say that the existence the development legality not enough evidence for program the states & there are another important factor is the right appliance for the law.

NOW, The importance of talk are come from existence the elite which capable of legislation modernity that can its appliance in all society. That led the table to issues about suggestion for the bill & warding (reform) the effective procedures in that, and to know the legislation text making & who can lead that whether parliamentary or government or bath of them, we must say that the parliamentary system in Jordan let the right to introduce the bills of law on the base of participation between this power (authority) such as that: -

The executive power

It consider the right of suggestion the bills of law from its main job to can administrate the states affairs as it have all information, experience & special personals to do that. Also that right are restrictive by two things: - First is the bills of law must introduce to chamber of deputies at the beginning alone but not to chamber of deputies. Second is the disapproval bills never can introduce from which rejected it before.

The legislative power:

At the Jordan constitution (95 article) say that 10 members of " Nation Assembly" have the right to introduce the bill of law, but that must be transfer to the appropriate committee to give their opinion & then transfer that to government to setting the warding of bill & introduce to the Assembly in the same session or the next session. The some offers the possibility to performance the legislature to warding the bills instead of the executive power which have this function now, also the absence of experience & professional can prevent that personals & to get them are qualified to execute this work . beside that this process need to more know knowledge with all legality & technical parts which require preparation & warding the bills.

Also the Jordan constitution not explain clearly about suggestion the bills that are by two power (executive & legislative) alone, But there also unions or personals can introduce suggestion around that, and then give it to these power which can have this suggestion & make it as a bill of law.

*The procedures to legislation in Nation Assembly "Chamber of deputies".

All stages for process of making legislation text, which passed, are by both Assemblies, in the Jordan parliamentary system & of bath

Assembly there are inside (within) system can regulate the working in legislation.

So, The procedures which follow in the legislation at "Chamber of deputies".

- When the bill go back to "chamber of deputies" from the government, that will apply on it the procedures which follow the within system rules in the Assembly and this procedures are starting by : -
- Insert the bill of law in Assembly agenda that must distribute to all members before 24 hours of holding the session .
- The assembly start to look in the bill , then argument that and offer it to the voting .
- After that whether sent the bill to appropriate committee or rejected (disapproval) it.

In case sent the bill to appropriate committee the procedures start with executive power to look to the bill with (58 article) then recall the specialist minister or the proponent or see the important of hearing the counselor point of view, also personals that have experience & are specialist in this field with (61 article) .

-After that the head of committee rise the decision to the head of assembly & its recommendation about the bill what insert it in assembly agenda for halter bill.

The fact is the legislation argument in the competent committee is opportunity with idealism phase. Also that achieve the argument by large participation from member of assembly & with presence the government representative for that legislation. But may be it can made expansion in all participation hands which have attention about the bills & recall them to introduce their suggestion . so here will note to models for argument the bill by committee .

FIRST: the decision of national orientation committee in thirteen chamber of deputies which held their session with large sector participation that have experience about Journalism issue & public freedom to offer their ideas & opinion around bill of press to year 1998, then the committee invite the responsibility minister, also the captain (chief) of press, lawyer, pharmacist, physician. The Arab human right organization, political parties & national press daily & weekly.

SECOND: invitation the labor committee & social development to argue the law of social security to year 2000.

So the committee invite all of government & private sector.

Government like: minister of work, minister of state for parliamentary affaires, public director of social security, he director legality affaires bureau ,the assistance of investment director at social

security institution. Private sector: the head of labor union, the head of industry room at Oman the staff of Jordan university.

THIRD: the decision of agriculture & water committee by invitation the whole experience to argue the bills of Jordan valley power to year 2000. Also this committee invite all parts of government like: Minister of water & Minister of state for preliminary affairs minister of agriculture, & the head of environment protection institution & Of the academies like: the head of Jordan university, & the head of Jordan valley power & Also of unions alliance like the head of agriculture engineer union & the head of Jordan valley power.

FOURTH: the decision of legality committee by invitation womenfolk activity, the head of political parties, many of staff of Jordan university, & the representative for argue the bill of election. The procedures for the argument the bill of law at chamber of deputies with (71 article). From regulation is by offer the argument with any amendment. after finish the argument with take the opinion about this amendment at first then in all articles. But they're no possible to voting on one paragraph alone. After finish the argument in the all articles, the voting starting in the whole bill with (73 article). & This article allows possibility for the assembly to delay of taking the opinion about the bill to next session as reargue in one article or more. That in case of the order of president of assembly or the head of committee, or the government or ten members of assemblies.

But if the majority decide the accepted the bill or rejected that, the bill will arise to the head of chamber of deputies, & here the all procedures which follow are be similarity the chamber of deputies with (14,32 article)

The effective factors in legislation process:

Whatever what it is, there are factors plays main role in legislation modern law, & capability to convey the development effectively. So we must refer to number of law that came at chamber of deputies (eleventh, twelfth, thirteenth) & their resolve & suggestion such as it is a table:

TABLE (1):

Assembly	The law which ratification
The eleventh	146
The twelfth	103
The thirteenth	197

All temporary law & bill, which came to the chamber of deputies, are come from the government.

The suggestion of law by members of chamber of deputies such as it is:

TABLE (2):
Suggestions of eleventh chamber of deputies:

Session	The number	The subjects	The hand which sent it	The procedures which follow
The first	/	/	/	/
The second	7	Financial ,administrative & social	The appropriate committee at chamber of deputies	Not argue this suggestion
The third	10	Social administrative & amendment constitution	The appropriate committee at chamber of deputies	It was argue this suggestion
The fourth	8	Administrative &social	the appropriate committee at chamber of deputies	Unconstitutional of some suggestion & not argue the other

TABLE (3):
The suggestions of twelfth chamber of deputies:

Session	The numbers	The subjects	The hand which sent it	The procedures
The first	1	Financial & administrative	The appropriate committee at chamber of deputies	not argue this suggestion
The second	5	Financial & political	//	//
The third	5	Financial &administrative.	//	//

The fourth	9	Financial, administrative, public freedom & social	//	//
------------	---	----------------------------------------------------	----	----

TABLE (4)
The suggestions of thirteenth chamber of deputies:

Session	The numbers	The subject	The hand which sent it	The procedures
The first	11	Financial & administrative	The appropriate committee at chamber of deputies	Never take any procedures
The second	1	//	//	//
The third	3	//	//	//
The fourth	3	//	//	//

But the effective factors in legislation process it is with conclusion:
The relationship between the executive power & legislative power:

The legislation process is be one of the most important process for executive & legislative power, so in the practical side this process refer to the executive power to introduce the bills that are ready for the parliamentary. And for dominate the relationship between the government & parliamentary have more effecting in making the low & that appear with existence of strong objection within the parliamentary.

First: the parliamentary objection at legislation Assembly:

The existence of parliamentary objection has positive effect in the legislation by trail to profit its existence & to gain the public opinion which suitable with their attitudes general aims. So we can note to the role of the executive power in issue the temporary low, which enable the government constitution to decide it. And that in Case of absence of

chamber of deputies on condition it exists in the emergency & that leave the government power alone.

Second: constitution security for safety the law

This situation in cases of absence the parliamentary. And the government can issue the temporary law without the parliamentary participation & it have this right with (1/9 article) from constitution which said that; when the nation assembly was be breakdown (not holding) , the minister assembly have right to setting the temporary law in matters which need that , and that with king approval .so for this temporary law must be not against the constitution & it have the force of law.

But it must offer in the assembly at the first session that will be made, so the assembly have right to approval or amendment this law . but if the assembly rejected it , the minister must declare that with approval of the king .

So the government have right to determine the emergency case to setting the temporary law , but the people also have right to rejected that if the law prevent their rights .

Third: the benefit of the experience in others countries with care about the specialist culture:

As some countries have large legality experience in economic field that will be very important in the new universal system who based on economic opening & encourage the outside investment. And there are some fearing on the culture identity & the emerge (or compact) the local economic with global one, and this attitude follow some opinion which refer to the opposition of globalization that are mean the economic opening, freedom in transformation the capitals between countries , so the law will facilitate this process.

Now, there are some problems were appear & need to resolve. Specially, after the globalization and the expansion of international relationship also the communication & technology development, so it requires taking that into considerable. Also we must know the progress of states governments, which named "electronic government".

Now, the researcher & legal man must have more knowledge about this technology to can reach to accurate & rightful information which share in development legislation in sight of universally variable, also economic, political & social change

And the expansion of international relational between states can create the economic interaction, which have the big effect in the economic low. Such as world trade organization (WTO) that due to large change in more of countries low to con living with each other by apply this agreement, So the researcher & legal man must have information about that.

Also that will led us to anther problems and the ability of researcher to know every language to can understand the researcher must have information of all foreign language to enable to studying the other countries lows.

Fourth: The Lake to reformation of assembly & trail to the social classes are not representation in it:

As always the representation assembly have no social classes which have not political quota as the lows have social side that require it reflect the social reality & that led to take into consideration this social classes like labor union which represent the wide sector in society. And that will get this sectors can express about their needs & issue in legislation argument.

Fifth: rise the effective of members of assembly:

That by setting the condition for any one want to share in the election for example the same suggestion to increasing the scientific qualification as a condition and that will create the representative have a minimum of effectively & legality studying which have the positive effect in legislation argument . so we must note to the Gordon chamber of deputies which provide for members all administrator services & communication .

Sixth: the necessary of taking the principle of expansion of participation:

Those by procedures that mean referendum in some countries that have democracy. Also by give the right to objection for the lows & this right will be accepted to large sector of society, finally that will led the legality reform to satisfy all society.

There are suggestions in this field that the referendum must be sequence with each election whether local or representative to high cost which require it.

Now there is need to this participation in legislation process by this channel:

- 1- Recall the legality committee in chamber of deputies & in chamber of elite, who have the experience & counselors in this subject, which back it to legislation argument.
- 2- Open the suggestion door, which came from public people, especially what have behalf from the low or the research center or civil society organization.
- 3- Encourage the researcher in university & faculty to concern on manipulate all subjects which have contact to legislation work & legality suggestion that will help the members of parliamentary & its committee during their argument in legislation process.
- 4- The necessary of initiative of legislative assembly to suggest legislation specially, that final staying are appear of parliamentary at the world are suggestion by the executive it to parliamentary.

Parliament in The Public Eye

Edited by: Dr. Ali Sawi

Revised by: Dr. Kamal Al Manoufy

(Sponsored by Konrad Adenauer Stiftung, Egypt)

The public view of parliament:

The media plays a prominent role in shaping and affecting the public opinion, not only by its role of creating the public awareness, but also through affecting the public views and perceptions of the various issues, beside the media role of highlighting certain cases and providing information about the parliamentary life.

No doubt that Egypt improved its media practice in the field of parliamentary coverage especially the press coverage of parliamentary life.

The experiences of parliamentary editors gave rise to an important sector of qualified editors focusing on parliamentary affairs, highlighting parliamentary issues and making it the focal point of the public debates and interest.

This is the case not only in the press but it spilled over to the visual as well as the audio channels of mass media, giving the parliamentary interested editors-though few in number, less than a 100- an important status in the journalists syndicate.

Though the captioned implies the important role played by media as far as it concerns shaping the public cognitive map, it could at the same time play an illusive role by providing false information, or failing to provide all the necessary information or even providing stereotype analysis of certain public figures or segments of the society, thus playing a hindering role, and forging public awareness.

Thus raise the importance of observing and analyzing the media coverage-especially the press coverage- of the parliamentary life, which is the core of this study.

No doubt that the media coverage of parliamentary life plays a vital role in decreasing the problem of popular participation in the political life, as well as the limitation of participation to certain segments of the society usually involved for personal gains, such problems our society has been suffering from for a long time now.

News coverage decreases such problems as it offers a channel of information for the public, encouraging them to get more involved in politics especially that parliaments are the main organ of government in which the political decisions get formulated in any democratic oriented country.

News coverage also plays a vital role in widening the scope of the political and legislative life, correcting the wrong popular impression that politics is a monopoly of certain individuals, who know the roles and conditions of the game, thus no one else should even think of getting involved.

Selectivity is one of the main issues related to the parliamentary media performance, the editor highlights some elements and conceals others based on his/her political orientations and party affiliations, selectivity is also present in the targeted audience, the audience select what they watch or read about from parliamentary news or even don't bother to know anything about parliament if they have a negative perception of it.

In general, parliamentary media became the focal point of modern parliamentary life, as it has the role of reflecting the public opinion concerning the parliamentary workings, parliament members (MPs) performance, covering the realms of development, or its responsibility of analyzing the workings of parliament, covering it to the public and criticizing the political parliamentary scene.

Thus good parliamentary media is the complementary element of democracy, and an important source of parliamentary and democratic development.

This study was made as a result of the conviction of the importance of parliamentary media and its role in formulating public opinion concerning the legislative institution, its organs, workings and functions, in addition to informing the public of MPs and their performance.

It aims at raising some brain storming questions, like; do the media affect the parliamentary development process? Can it be a tool used by MPs? What is the image reflected by MPs?

Do parliamentary editors' affiliations affect their coverage of events or they are characterized by being objective and independent? Is the Egyptian media independent or full under certain pressures? Does what appears in the mass media concerning parliament affect the Egyptian parliament image? How can we evaluate the Egyptian media performance today? And what are its future prospects? Does MPs' parliamentary performance encourage public political participation? On one hand, while on the other what is the parliamentary media role in supporting MPs, concerning providing them with information, affecting their stands on the various issues and providing them different options, how could MPs benefit from the parliamentary media? And how this benefit could be maximized in the future?

The structure and methodology of the study:

This study is based on a content analysis of parliamentary press for a period more than 9 months.

The main question that the study raises is: How do the press see parliament? As it is the mirror which reflects the public opinion of parliament.

As for the duration of the study it started July 2002 till March 2003 i.e. it covers the press before, during and after the 2000 elections.

This study is composed of two parts, the first part is divided to three sections, the first deals with the media vision of MPs, the second section is a coverage of the elections, as for the third section it deals with the press vision of parliamentary life in Egypt in general terms.

The second part is a quantitative analysis of the press concerning the captioned three sections of the first part.

This study was carried out by a researching team of the parliamentary program, how gathered and analyzed the materials necessary for the study.

This team (in alphabetic order): **Eman Abdel Rahman, Karim Al Saeed, Neveen Mohsen, Yasser Fatthy Kaseb.**

Introduction:

1. The importance of parliamentary media:

No doubt that the changing international scene as well as the developments that took place in the technological as well as the communication fields increased the importance of the role played by parliamentary media in our daily life.

Parliamentary media involves the discussion of almost all issues that could be of any importance on the social, economic, political, cultural, and sport levels, this is due to the vast circle of issues that could be presented for discussion and debate in parliament. Parliamentary media not only covers the workings of parliament as a popular institution but also analyses, criticizes and evaluates its performance.

Parliamentary media works in two ways, it conveys the public opinion, problems and feedback to parliament in addition to informing the public of the workings and functions of parliament.

Thus parliament must be backed by a media that reflects the public opinion and demands and at the same time reflects the actual workings of parliament to the public so as to really be presenting the community and is a part of the society.

In addition the media is the binding factor between the parliament as a legislative institution and the public as being voters, it's a tool to evaluate the institution and the MPs.

Also parliamentary media enforces the practice of democracy and further empower the parliamentary system, ensuring the correctness of its decisions.

The question that is raised frequently is: How could parliament inform the public about its workings and functions? Especially that parliament discusses and is a forum for various issues involving all aspects of life, socially, economically and politically, the same could be claimed as MPs performance is concerned, the clear answer would be, through media parliament as well as MPs could get coverage and exposure.

We could agree that parliament has a legislative, oversight and political functions, thus media, with its various kinds (audio or video), would be the tool of making such functions public, so without the media major aspects of the democratic practice and its principles as well as political participation would not be know to the public or the voters.

What would be the outcome of a piece legislation that the public do not.

Second; is during the parliamentary year, i.e. covering parliament performance.

This is the most difficult phase the parliamentary editor is faced by.

To rap up the main functions of parliamentary media is:

- Increasing public political awareness and public participation, in addition to breaking the state of political alienation and isolation.
- Performing some kind of public oversight over there MPs.
- Widening the public participation in the political decision making.
- Presenting different points of views that back MP performance in parliament.
- Measuring the degree of public acceptance to the legislative decisions and the various outcomes of parliament.
- Enforce the principle of interaction among the different groups of the society, accepting the opinion of the others, hold different arguments and encourage the idea of being affiliated with a certain political party or program (platform).

2. Parliamentary press in Egypt:

There exist various factors controlling the way media deals with the Egyptian parliamentary life.

One of those factors is the ownership of government of most of the media, the audio and video media are completely owned by government not the case for the press.

The press ownership is regulated by seven legislatives; the 1971 Egyptian constitution, the press regulating law number 96 of the year 1996, publication law number 20 of the year 1936, law number 40 of the year 1977 concerning political parties, law number 159 of the year 1981 and its amended version number 5 of the year 1998, law of the syndicates of journalism number 76 of the year 1970 and law number 317 of the year 1956.

All of the captioned laws subject the freedom of press to 11 constraints.

By year 1998, there existed 150 licensed journals, some government owned and some owned by the various political parties.

The constraints imposed on the practice of journalism gave rise to a new underground way of publishing a journal, like the ones who get there license from a foreign country or the ones who rent the license of an already established journal of a political party.

Another factor is the press status in the political system, this status had been defined in the constitution as being a forth branch of government, but the real life practice shows many legislative interventions in the practice of the press, and the media in general.

Since 1866 (the establishment of the first Egyptian parliament) the Egyptian press had the task of covering what takes place inside parliament with all what this task represents from importance as the government itself obtains its legitimacy from parliament and its stand towards the government statement and platform.

Press, since its development, had one main function which is news reporting.

The Egyptian press had the same function since the first journal was issued (alwaka'a almasria), it used to publish the events of the parliament sessions word by word, and some times this consumed 382 pages like the issue of April 25, 1940.

This developed over time from simple news coverage till it has become an art involving analysis, criticism, evaluation and a high degree of competition among parliamentary editors to win popularity.

3. The good parliamentary editor:

In general the editor must have; a high level of general knowledge, intelligence, the ability to use the various writing techniques.

As for the parliamentary editor, in particular, must in addition to the captioned be aware of the various laws, legislative activities and be observant of the current events.

Parliamentary media is an on going process all year long that requires the observation of the government branches activities locally and internationally, in addition to the constant observance of MP activities, whether inside parliament or in general terms.

The parliamentary editor must be alert all the time especially at elections time.

In addition it's a full time job which requires flexibility in working hours and field missions.

Parliament also involves a high level of transparency in its workings, more than any other entity or institution, thus the work of parliamentary editor has a minimum level of disclosure.

Also the parliamentary editor deals with all government branches, thus it is very hard for the editor to have a balanced relationship with the three branches and satisfy them, resulting in a psychological load on the editor.

4. The parliamentary news industry:

Parliamentary news is of the complex type i.e. a historical background of events need to be mentioned along side with the current events, in addition to a complete analysis of the news so as the reader would get the news and the chain of events that lead to it and the possible future stream of events.

Thus the parliamentary editor must have a great deal of knowledge of the various workings of parliament and its committees, in addition to the various current events, whether locally or international..

People might be interested in parliamentary news concerning the new legislatures or the news of their MPs.

The public rely on the press to get informed of the various issues of interest to them, thus the editor must be observant of the events and its analysis even if that meant to have an expert opinion, in addition to comparing the present to other experiences in an attempt to foresee the future situation.

The editor must be objective in his/her coverage of events in addition to being credible.

Another feature must be present in the parliamentary editor is having a wide circle of acquaintance in parliament or in the executive branch to act as sources for the inside news, in addition to keeping a personal archive including all aspects of parliamentary life; issues, MPs,etc., such an archive acts as a data base for the editor in order to provide a background to the current events.

TV could be faster to report but the press presents an analytical tool more efficient and more effective, though less spread among the public.

Also parliamentary press is of great importance for scholars who are interested in content analysis helping them in their research paper, in addition to providing them with a historical archive of events.

TV could be faster to report but the press presents an analytical tool more efficient and more effective, though less spread among the public.

Also parliamentary press is of great importance for scholars who are interested in content analysis helping them in their research paper, in addition to providing them with a historical archive of events.

In addition the press coverage is more difficult than that of the other media medium coverage, and is characterized by being more competitive as a result of the diversification in the issued journals or newspapers and each different orientation than the other, this is not the case in TV or radio coverage.

5. The press view of parliament:

This view differs from one journalist to the other and from one group to the other.

Journalists working in national media face 11 constraints. There existed 150 licensed journals, some government owned and some owned by the various political parties and their activities.

This is due to their feeling and conviction that behaving differently would lead them to get unpublished.

As for the opposition papers, their work reflects their party platform and perspectives.

Thus there are in constant quest to highlight the negative aspects of parliamentary life, especially those of the ruling party which dominates parliamentary majority, with a high sense of exaggeration.

Both groups of journalists agree on one thing, which is the individualism of MPs, in the sense that they deal with each MP on an individual basis not as part of an institution.

Also their view of parliament tends to be cynical, which leads to a decreased respect of the role of parliament in the Egyptian political life.

All of the captioned is clear in the analysis presented in the coming three chapters of this study.

Part One

The press coverage of parliamentary workings

Introduction:

One of the main hopes of the public is the elimination of some of the aspects related to MPs, among which the high absence rates of MPs in the sessions, their nervous and sometimes violent behavior in addition to the cancellation of MPs membership of parliament due to the errors during elections.

Some of the legal expertise's predict that parliament will not continue its sessions, it will be resolved and re-elections would take place for a new parliament before 2005, as a result of the court verdict concerning the invalidity of 2001 elections, especially in the districts which elections were supervised by personnel who are not judges, this comes as a violation of the new election law thus elections are illegal in turn parliament should be resolved.

The press actually started to discuss the issue of political reform in Egypt, in light of the expected new elections, and the new American hegemony, with its slogan of spreading democracy and liberty, which sometimes is an excuse to intervene in the political life of other nations.

All of the captioned were parallel to a new resurrection in the political party system in Egypt, which have been suffering from marginalization for long now.

In addition, the press pointed that the channels of communication between MPs and the public ends at the end of the elections which raises the question of why those MPs got to parliament? Is it for personal gains?

One of the strange events that took place at the time frame of the study was the detention of two MPs for 15 days with the claim that they were involved in a conspiracy to overthrow the government.

No doubt that the absence of MPs from the parliament sessions is of great danger and leads to the inefficiency of parliament. This phenomenon could be explained through the strive of MPs to make personal gains from their parliament membership, as long as they are in parliament, instead of acting for the public benefit.

Only a minority of MPs think it's important to attend parliament sessions, the majority think of it as being a burden especially that the government present bills instead of MPs and don't expect real true oversight over its conduct by MPs, thus it's not really important to attend parliamentary sessions, only the important ones, and not all.

More over the press argues that with the high percentage of MP absence, its illegal to pass bills or even take any other decision, especially important ones like oversight decisions.

Before discussing the press view of MPs news, we have to shade some light on MPs view of parliamentary work and there definition of being part of parliament, in addition to shading light on the factors that affects the media role as far as news coverage and MPs practices are concerned.

In general terms parliamentary media shares in the degree of success the parliament achieve.

A fact which is worth mentioning is that every day media develops in a noticeable way, which spillover to the performance of parliamentary media in particular, this is because of the following:

- 1- The international changing environment in the political, economic, social and cultural fields which spillover to the local level.
- 2- The major technological development in the communication field.
- 3- The development in news coverage by the international news networks in the era of open skies, satellites, computers and the Internet.

All of the captioned forces the media to develop and evaluate its performance and policies each now and than, in order to always have the people trust, which can only be achieved if the media is honest, objective and brave enough to present various issues and various view points. The real criteria of evaluating the media is to what extent does it provide the individual citizen with his/her right to be informed or to present hi/her opinion through national owned media channels.

No doubt that the media plays a major role in formulating the Egyptian image on the local as well as the international levels, also in supporting MPs, and in covering the various workings of parliament.

Factors affecting parliamentary media:

Parliamentary media is affected by various factors, sometimes these factors are related to the media medium in itself or by the chief editor policy or the editor chrematistics or the MPs themselves.

Factors related to the media channel:

1. The general political orientation of the media:

It is normal for a journal, which is affiliated with a certain political party to be influenced by its ideology and advocate its principles. In

addition to dedicating large spaces to their MPs coverage. This way there exist equal opportunities among the government party to get heard through their paper "Mayo" and the opposition parties through their papers "Al Wafd, Al Tagamoua, Al Ahrar, Al Amal, and Al Nassery".

But what is not acceptable is for the national press " Al Ahram, Al Akhbar, Al Gomhouria and others" to constantly advocate the ideologies and principles of the ruling party (NDP) in addition to the newspaper, newspapers affiliated with it.

2. The chief editor policy:

It is must for the parliamentary editor to know the orientations of the chief editor, so as to search for the material that goes with such orientations, but this should not be in absolute terms. There must exist a certain minimum level of objectivity in what gets published, which doesn't seem to be the case in a lot of papers.

3. The character of the parliamentary editor:

Most of them get influenced by some MPs who share with them the same ideologies, so they focus on their platform more than the others, dedicating them a constant amount of space in their writings thus losing their objectivity.

4. The space given to parliamentary media:

Usually the morning sessions have the lion's share of press coverage, as for the covering of the evening session it decreases more and more as the time passes.

In general terms the space given to parliamentary coverage is not proportional to its importance.

5. The objective view to judge an opinion and the debate outcomes:

This is one of the most important issues related to parliamentary media. As this judgment and evaluation of events changes from one point of time to another, according to the opinion and stands of MPs, or the parliamentary editor, or the government orientation and stands at that time.

6. The popular acceptance of the media:

The more the popularity of the medium, the larger its effect. What is noticeable is that the opposition papers are more popular than that of the NDP paper (Mayo newspaper).

As for the national press, it is the most popular among all papers and scores the highest circulation rates for many reasons:

- i. It gives the reader the conservative view, the popular view and the intermediate view of events.
- ii. The parliamentary section is characterized by representing a variety of opinions, and presenting structural criticism.
- iii. The parliamentary editors in those journals are flexible and cover various opinions, which is not the case in the parliamentary editor who is affiliated with the political party.
- iv. Such papers make sure to present a chance to the various view points to get published, broadening its readers base.

Factors related to MPs and affect parliamentary media:

7. MPs party affiliation:

The affection of MP affects the frequency of their appearance in the news and the coverage of their activities and views. National press usually dedicates more space to government MPs than to opposition, which should not be the case now after the space given to the political reform and democratization.

8. There level of performance:

The better the performance of MPs, the better the performance of parliament, thus reflecting positively on parliamentary media.

9. The general relation between MP and media:

The common interest of MPs and the media, strengthen the ties between them, resulting in a constant flow of news, serving the national interest by increasing the national awareness levels and the public political participation levels. Thus being more representative of the public demands and orientations.

The coming three sections will cover three main issues starting with the media view of MPs, the press coverage of elections time (before and during it) and the press view of parliamentary life in Egypt in general term.

Media View of MPs

In light of what was captioned, the following will shade some light on the press view of MPs activities, workings and practices, in the duration of the study.

1. MPs fiascos:

Some papers were interested to disclose the up normal and indecent behavior of some MPs, whom lack many important ethics that must be in the people's representation in parliament.

Such pattern of behavior is not appropriate to there political or social status.

This type of coverage of MPs is clearer in the opposition press and the independent press, and occupies a large space.

Source	The news
Sout Al Aouma (not related to any political party, thus it criticizes the opposition MPs as well as NDP MPs)	The involvement of MP Hemada with a prostitute in Alexandria, he confirms that it's a fabricated story.
Sout Al Aouma, news	The first case of khola against an MP, the wife of MP Ahmed Abdel Aziz had the first khola case against her husband.
Sout Al Aouma, article	The psychological analysis of MPs, this analysis targeted MPs Al Balady, Lakah and Abou Al Fottoh.

2. MPs stands in parliament:

MPs stands could be highlighted from two viewpoints, either to highlight the positive side of there practices and give them support, or to highlight there negative aspects and try to correct them.

Source	The news
Al Wafd	A lesson given by Azzmy to the hypocritical MPs.
Akhbar Al Youm	The chair of the people assembly corrected MP Aiman Nour in his claim that 25% of the Egyptians are mentally retarded, such behavior of the chair created a new parliamentary tradition and ethical roles.

3. MPs role in parliament:

MPs have a lot of tasks to achieve, some of which are on a national level and some are on the local or district level.

The view of an MP must be different according to his/her level of practice i.e. does MP interest is limited to the task of achieving the interest of his/her district or beyond that in the sense that his/her interest

includes his/her role as a legislature, and the role of oversight on the government practices.

Source	The news
Akhbar Al Youm	A law to protect the public from medical experiments, MP Houssam Badrawy presented a bill regulating the medical experiments of medicine on the public.
Akhbar Al Youm	A bill presented by MP Mohammad Ibrahim Khattab to eliminate the labor force ministry, and delegate its tasks to the ministry of planning and the ministry of administrative development.
Sout Al Aouma	After the refusal of MP Houssam Badrawy bill regulating the medical experiments of medicine on the public, he said the Egyptian citizen had been transferred to a genie pig for 300 pounds a day, and asked for the implementation of the ministerial commands regulating that matter.
Akhbar Al Youm, opinion	It describes MPs who only know there way to the casher of the parliament as being Abou Al Houl of parliament.
Akhbar Al Youm, news	The committee of complaints and proposals of the people assembly is discussing MP Mohammad Abdel Mouaty proposal to establish a national institution for small industries to sponsor family production.
Akhbar Al Youm, report	The Alexandria MP Dr. Samy Algandy proposal to establish the first Egyptian stock exchange...to found new industries.
Akhbar Al Youm	Are MPs with the public or working against them? MP Ali Alrfaay proposed to collect annual taxes on all types of cars and spend them on repaving the streets.
Akhbar Al Youm	The first amendment to ALkhola law, by Dr. Zaenab Radwan.
Al Ahally	MP Mohammad Abdel Aziz Shaban and the issue of the Arabic company of medical packaging.
Akhbar Al Youm	MP Dr. Saeed Alkhrashy of Alexandria and

Source	The news
	his demand to reactivate dewan almazalim.
Al Ahally	A parliamentary committee agrees to the proposal of MP Abdel Aziz Shaban to increase the minimum wage from 38 to 150 pounds and an annual raise of 5% of the salary.
Al Gomhouria	MP Ahmad Azzat of Alexandria questions the finance minister about the repercussions of librating the price of the exchange rate on the subsidization basic necessary goods.
Al Ahram	MP Ahmad Salem proposed a plan to people assembly in order to decrease unemployment rates in Egypt.

In light of the captioned, it's clear that the national press, the party press as well as the independent press all highlighted the legislative and oversight role of MPs.

4. MPs membership of parliament:

This issue fills a large space in parliamentary coverage especially in this round.

Source	The news
Al Ahram	The termination of Al Kwass and Hemada membership to parliament.
Al Ahram	The assembly agrees to the termination of Al Kwass and Hemada membership to parliament, reelection will take place in the district of Abdein and Al Moussky to fill there seats.
Akhbar Al Youm	An inquest will take place of MP Mohamad Farid Hassanain, for his behavior and the publications he distributed against the assembly chair and his vise.
Al Ahram	The assembly agreed to alleviate the immunity of MP Abdel Wahab Koutta...!?

In light of the captioned, it's obvious that the press, especially the national press, highlighted the issue of alleviating immunity of MP or even expelling an MP and ending his/her membership of parliament. This is a new phenomenon of the 2000 parliament.

5. parliamentary immunity:

Source	The news
Al Ahram	All the detained in addition to Sobahy and Hassanain got their freedom.
Al Araby	"The detention of immunity" about the detention of people assembly members and the demonstrators against the American British war on Iraq.
Al Araby	Arabic calls to free MPs Sobahy and Hassanain, in addition to the call to free MP Al Bargoty.
Al Asboua	The detention of people assembly member Sobahy, for his participation in anti American and British war in Iraq.
Sout Al Aouma	The repercussion of the detention of MP Sobahy and Hassanain without alleviating there immunity, predicted tension in the coming sessions of parliament.
Al Ahram	The detention of MP for 15 days, for his participation in a demonstration. Mohamad Farid Hassanain was detained for 15 days for participating in the violent actions that took place in central Cairo last Friday

In light of the captioned, the press highlighted the incident of the detention of the two MPs who participated in the demonstrations of Friday in different ways, the opposition as well as the independent press covered that event in a critic way, as the immunity of MPs were not alleviated before there detention which put forth a new pattern of conduct concerning immunity of MPs, but as for the national press there coverage of the event was in the framework of news coverage, without any analysis or expression of opinion.

After all the captioned new phenomena that the Egyptian parliamentary life faced, still there is one.

The most important, which has a major political significance, it is the phenomenon of MPs going to court not for personal cases but to be able to perform there oversight function as members of parliament after they lost hope to practice this function through parliament.

This issue is directly related to the principle of separation between authorities i.e. separation between the three branches of government, the executive, the legislative and the judicial.

This new phenomenon, of going to court against the government, is not only among opposition or independent MPs, but also it was apparent among the rolling, majority party MPs.

MPs function of oversight as written in the constitution is practiced through public debates, questioning, or forming an investigation committee based on certain necessary conditions to establish such a committee.

Thus it does not include going to court in order to practice the lawful function of MPs oversight.

From the most famous cases now in court; is the one made by an NDP member of parliament against the prim minister position (office), not only is it the first time such an event takes place, but also he tried to get other MPs to collaborate with him in his case against the prim minister.

The other famous case now in court is the one made by opposition MP Al Badry Farghally against the government, as he claims that it's no longer possible to practice oversight over the government conducts.

A point worth mentioning is that the apparent weakness of the function of oversight has another dimension, related to the voting style of NDP parliament members, they appear to be having the majority view point of MPs during the debates, but when it comes to voting they change there stand and vote for the government, thus more and more weakening the parliament function of oversight.

In conclusion of that matter, a lot of the views of whom work in parliamentary and legal affairs see such new phenomenon (going to court) as being a strive to get famous by some unknown MPs, wanting to be in the spot lights.

In addition to the unconstitutionality and illegality of such an act, as people can only go to court to claim personal rights and not public ones.

16- Quantitative analysis of public opinion for election

Press concert in this period

The period	Proportion %
September, 2-8	-
September, 9-15	5.3
16 Sep to 22 Sep	11.7
23 Sep to 29 Sep	2.7
30 Sep to 6 Oct	-
7 Oct to 13 Oct	-
14 Oct to 20 Oct	0.4

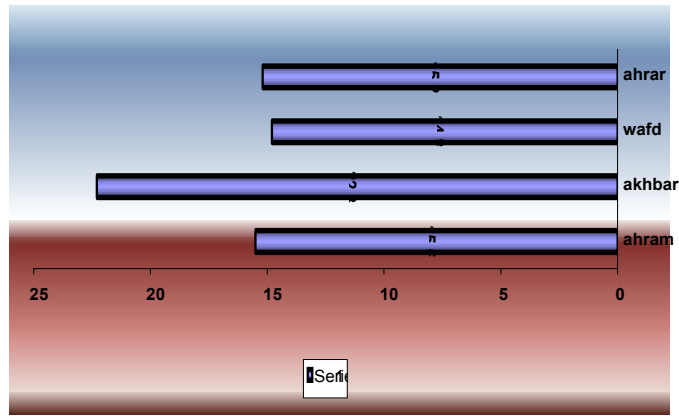
The period	Proportion %
21 Oct to 27 Oct	2.7
28 Oct to 3 Nov	5.7
4 Nov to 10 Nov	11.4
11 Nov to 17 Nov	21.6
18 Nov to 24 Nov	15.9
25 Nov to 1 Dec	11.4
2 Dec to 8 Dec	5.7
9 Dec to 15 Dec	2.7
16 Dec to 22 Dec	3
23 Dec to 29 Dec	-
30 Dec to 5 Jan	-
Total	100

Type of press and its concert

The recourse	Proportion %
Al ahram	15.5
Al akhbar	22.3
Al gomhoraih	9.1
Al wafd	14.8
Al ahaly	2.7
Al araby	5.3
Al asboaa	8.7
Al ahrar	15.2
Al ahram el ektasady	0.8
Mayo	2.7
Roser yousef	1.9
Octobar	1.1
Total	100

The concert of press in election period and its type

Formatiert

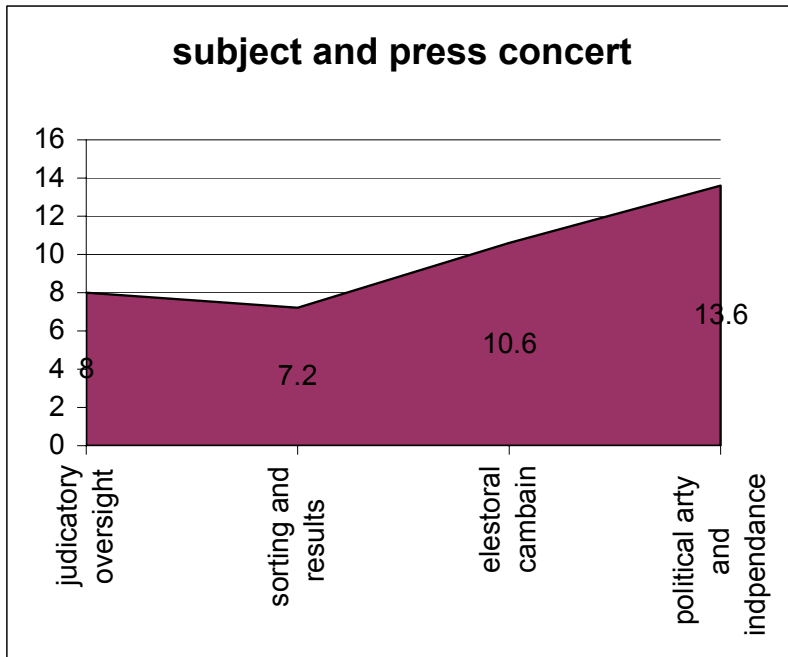


Concert of press in what subject

Formatiert

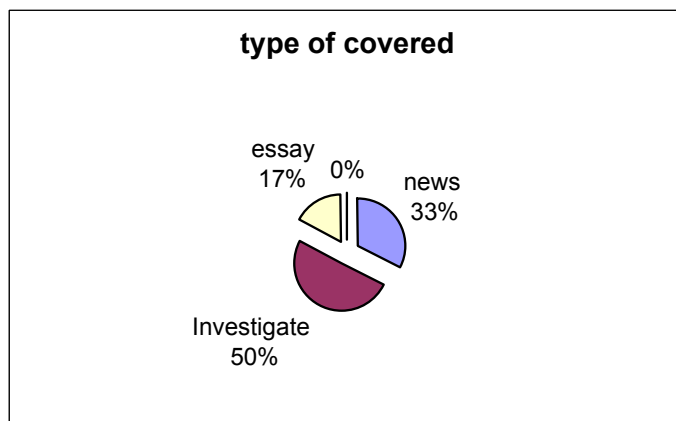
The subject	Proportion %
Judiciary oversight	8
Organize election	6.1
Voting and voter	5.3
The result	7.2
Double nationality	4.2
Electoral campaign	10.6
Election accidents	4.9
The election and the parties	5.3
Political party and	13.6
Constituencies	4.5
Police and judge	3
Minister and government	6.4
Electoral lists	7.2
Women and Christine	4.2
Elections consequences	2.7
Rigging	4.2
Political groups	0.4
Political money	2.3
Total	100

Subject and press concert

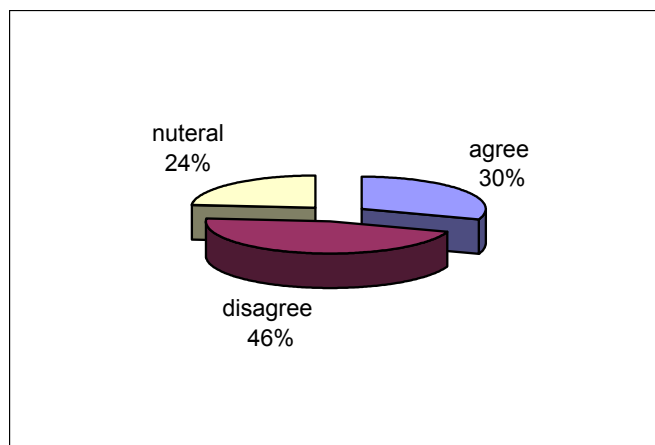


Types of information	Proportion %
News	21.6
Investigate	33.3
Essay	11.4
Karcater	1.9
Colaun	8.7
Indierct news	2.7
Report	12.1
Comment	4.2
advertising	4.2
Total	100

Type of covered



	Proportion %
Agree	25.8
Disagree	39
Neutral	20.1
Reframing	4.9
Sarcasm	4.5
Expectation	5.7
Total	100



Media's View on the Parliamentary Elections (2000)

Before tackling media's view on elections as a phenomenon, we need to go through one of the most important phenomenon of 2000 election. During this we will focus on two periods, before & during elections and the period of the study.

We need first to shed light on the important effect of press in convincing voters' to vote in a specific behalf. Hence, it should be impartial, and enable all political parties and political forces to present and publish their party platform.

o New Phenomena in the Elections:

The Peoples' Assembly's election (2000) was full of new phenomenons in the Egyptian parliamentary life which will have a

general effect on the Egyptian political system and all the Egyptian political forces in the future.

These phenomena cannot be understood unless deciding the circumstances of this election and then present an account of the most important phenomena.

Firstly: Thematic circumstances of the 2000 elections that has a clear effect on this election which can be summarized in the following:

It is the first elections of the 21st century with its need of change and development in different political institutions performance and the parliament is on top of this development especially in its legislative, oversight and the less famous functions for public opinion that are the financial and political functions. Also it is the first time for judicial supervision on the Egyptian elections after the presidential resolution to execute the ad judgment of the Supreme Constitutional Court in this regard. This election started after issuing many judicial judgments doubting the legality of the previous assembly. This led to the severe need for change to give the assembly the chance to gain back its needed credibility to do its role as a representative of public needs.

During this election, there was also a strong direction in the Egyptian political authority to do a change through the ballot box. It became clear that the Egyptian political authority is cautious to run impartial elections where the executive authority is impartial and does not interfere in the electoral process on behalf of one of the candidates. There is no doubt that this elections is characterized by a wide media coverage especially the governmental media as it particularized suitable space for the political parties and independents to present their ideas through TV channels and for the first time in Egypt. We also will tackle Egyptian journalism direction in this period.

This election also carried for the first time on three stages and not only one as it was before. This gave the chance for the candidates of the political parties and the independents to reevaluate their situation and methods according to the results of every stage. From another side, this election were carried in some economic actions as the increase of the American Dollar, the trials from businessmen to escape from their debts to the banks, collapse of stock market shares adding to the intended sugar crises. All what is mentioned are important issues for any citizen because it has a direct effect on his income. These actions are considered another factors encouraging people to search for a suitable way to express his opinion and the policies dealt with these actions.

- **New Phenomena of 2000 Elections:**

We can divide them into the following groups:

- **Phenomenon Related to Judicial Supervision on the electoral Process.**

All the political parties and the Egyptian political power agreed on the resolution while some of them, especially the candidates of the National Democratic Party (NDP), were not expected that this supervision would be carried out as what happened. The unimagined obligation from the judges arouses new problems from the candidates especially when they find themselves in a hard situation. Adding to this.

Judicial supervision on the electoral process was not confined on voting process only, but it extended to candidacy process. Challenging the rightness of the candidacy of many candidates because of double nationality, the candidate is not registered in the voters' lists in the constituency he is presenting, illiteracy, and opposed challenges between the candidates.

These challenges were directed to famous candidates of high positions. It also was not confined to the candidates of opposed parties but extended to reach the candidates of NDI. Many of the arbitrates of the challenges have great effect political power plan in different constituencies as a result in the arbitrates to change the adjective of many candidates from labor to brackets or the lack of a condition of candidate conditions as mentioned in the law.

The judicial role also extended to the challenges of the elections in some constituencies, such as Alraml at Alexandria that repeated its elections. The reason of this repetition is newly happened which is preventing the candidate of Muslim Brothers Party to do his electioneering as all other candidates in the same constituency. This violates equality condition. It also extended to the challenges presented from many candidates about the rightness of Voters' Lists that the elections carried according to it, adding to challenge the result in some constituencies. It reflects the great judicial political role in the political life. The judicial supervision also sheds light on the effect of logistical aspects on election's results. There was not a punctilious in the voters' lists, which was an element of hardness of the judges' work. It also prohibited voters from voting. This is added to the change of committees to be in high buildings, and all these logistical issues increase the difficulty facing judges. These issues need a review in the coming steps

and it has a bad effect on the credibility of the electoral process especially for those who went to do their role but failed.

○ **Phenomenon Related to the Egyptian Political Parties**

The elections of 2000 shed light on many phenomenon related to Egyptian political parties. These phenomenon symbolized in parties' inability to present candidates in all the constituencies except for the NDI then Alwafd party which presents 224 candidates. The candidates of other parties were so limited. On the other side, political parties faced comparison between their candidates to choose the suitable one. This problem is quite clear in NDP while the objectivity criteria of choice were not applied in huge number of constituencies. This encouraged the candidates to run the elections as independents in a great challenge with their parties. This led to a fight between the party and the oppose candidates. Alwafd party faced the same problem, which is the decrease of its candidates.

NDP presents new faces in some constituencies but it does not succeed, this is because of the lack of objectivity in choosing the representatives. As for Muslim Brothers, it presents new faces as Independents joined it after the result, while the old members did not succeed.

Adding to what is mentioned, election results emphasized that the candidates are trustless. It is clear through the success of the Independents that joined parties after their success, especially for the case of NDI.

As for partial abidance, the election reflected the weakness of partial abidance in general as the candidates have their alliances even if it opposed another candidate of the same party.

There is no doubt that the weakness of partial abidance, as a phenomenon, aroused the weakness of internal cohesiveness of all parties except Islamic Current, which presents an organizational and effective module. We see the candidates of Alwafd party rented people to carry out their campaign rallies especially in the extreme constituencies. As for the candidates on NDP, they depended on public conferences only.

○ **Phenomenon Related to the Candidates**

These phenomenon are the existence of a huge number of the Independents, more than partial candidates, in a percent of about 200%. This huge number had an important effect on the electoral process. It was clear that elections repeat will end the result in (90%) of the constituencies.

Second phenomenon is the succeeded Independents joined NDP. This aroused intertwine in the political area. Here we need to differentiate between two kinds of Independents. The first are those who introduced themselves as independents from the principles of NDP. The second are those who did not mention in their campaigns if they are following the principles of NDP or not. They also are divided into two groups, the first one are those who joined the party after their success, and the second are those who did not join it.

As for the third phenomenon of elections 2000, it was the fail of a huge number of political symbols. This phenomenon is not related to NDP only, but it is for all the other political forces. The main reason of this success is that the deputies were away from their constituencies during the past legislative chapters. The parties organized to celebrate the new MPs in different constituencies are clear event on what is mentioned and the need of change.

Finally, one of the most phenomenon related to the candidates is the increase of businessmen as candidates. Election 2000 witnessed interest of businessmen to run the elections. They depend on their financial capacities in their campaigns.

○ **Phenomenon Related to the Voters**

Elections 2000 clarified that voters preferred candidates that they trust to do their services. The main criteria of choice is the capability of the candidate to do many services to the voters. This is a traditional criteria did not change since the last elections. Also, the voters preferred the candidate who live with them and not in Cairo.

One of the modern characteristic of the voters is their need of change. This is quite clearing the Egyptian political street during the last elections. This is emphasized through the results of many constituencies.

One of the noticed issues, during the elections, is the increase in the political awareness to voters. One of its indicators is the choice of limited financial capabilities. The voters are convinced of the judicial supervision. This is clear through their turnout to vote in their constituencies.

○ **Phenomenon Related the Electoral Campaign**

Electoral campaigns witnessed new phenomena as the candidacy of the MPs. They faced critical situations, as the question was “What did you present last chapters & what can you present in the new one?”. Discussion reaches its peak in some cases till the candidates lose their calmness.

A large number of un-attached candidates made the NDP candidates qualified to receive severe criticism in most constituencies specially that they represent the ruling party which government is responsible for everything.

Most election campaigns were random, unorganized, unsustainably expressive and with limited effects in the same time.

On the other hand, many constituencies witnessed the phenomenon of election brokers for the first time, whereas certain individuals offer their selections services to many candidates. These individuals are specialized in organizing meetings between the candidate and the voters, collecting voting tickets, ...etc.

Finally, election campaigns did not witness any real violence except in those constituencies with heavy police force existence.

In general, we can say that most of the phenomenon that emerged in 2000 election attributes to Egyptian political powers and parties failure to develop themselves in accordance with the new Egyptian realities. Many people did not understand the aim and essence of judicial supervision over the elections. Others did not have enough experience to deal with the surrounding circumstances of elections.

But in spite of all that, the 2000 elections redraw the map of political powers in Egypt and showed the democratic steps needed for political change.

o The following pages show how did the press deal with the 2000 elections:

1- The content of press coverage of the elections

Source	The News
Al Ahram	Judicial supervision in fair elections.
Al Ahram	Indicators of elections in upper Egypt, businessmen lose the extermination of 25 years representatives' phenomenon.
Al Akhbar	The 2000 elections is considered a political mechanism of political reform that already started.
Al Akhbar	The PAK Advantages of the first stage. Large participation, fairness, neutralism, no violence, no complaints.
Al Ahrar	Issues! The Egyptian public opinion asserts the fairness of the first round of the elections.
Al Ahrar	The NDP loses 2/3 of the first round seats, fair judges and a crisis for the ruling party.
Mayo	The respectable phenomenon, Mubarak protected our

Source	The News
	dignity in the new parliament, No monopoly of seats, views or decision making.
Al Ahaly	The necessity of judicial oversight over elections, the success of restraining governmental ability to forge voters well.
Al Ahram	New representatives admire election's fairness.
Al Ahram	Election season. Many areas in the world are witnessing elections either presidential or parliamentary. In Egypt we are still looking for new rules that make elections both democratic and constitutional. Although these elections witnessed many violence events, they are still free, with a good public participation because of the judicial oversight.
Al Ahram	The last elections are considered a positive and important step on the road of political reform and democracy.
AL Goumhoria	Election is the big day of democracy. Citizens choose freely in elections of 2 rounds in what is considered a declaration to the whole world that we are reaching the essence of democracy
AL Ahrar	the beginning of the fifth for election in AlBadarwy, August , 28 condition multiply candidates from within a single family making it same to be a severe high this time .
AL Akabar	round ALAhrar : the reelection because a tribal war
Al Akabar	would the blood ties determine the result of reelection of Bouny Souaf.
AL Ahrar	the formation of alliance among different tribes in Kana ,party deceived is weaker than expected
AL Arobouaa	the hinalword in this times election is for the tribes no important is given to party discipline, winning is the ultimate goal due to the conviction that election are corrupt ,even after the judicial review of it participation level are still low .
AL Goumhoria	popular participation increased in the second round of ejection
AL Goumhoria	democracy took place at the second round of election, increased participation that never happened before limited disputes some errors in the voter's registry book.

Source	The News
AL Ahram	an increased women participation level this election in Aousym& Kardose districts, an expected major role of women vote s in the captioned too districts.
AL Ahram	the characterize of successful MPs, the majority of voters & some candidates don't understand the parliament function, this drawback could be reminded by better political socialization & education.
Mayo	increased level for participation in the second round of election, police forces secured the voting process

According to governmental newspapers judicial oversight resulted in lots of advantages among which having fair and free elections, enabling voters to participate in real political change in what is described by press as a mechanism to reform parliamentary life. In general these papers say that judicial oversight purified elections.

This was not in contradicting with opposition newspaper coverage, which asserted that judicial oversight the governmental ability to forge voters well.

In general, all newspapers showed much interest in judicial oversight, they all agreed that it had many advantages, where as governmental newspaper where much more daring in dealing with disadvantages and proposing ways to get over them.

2- International admiration of Egyptian elections

Source	The News
Al Akhbar	Kuwait: The Egyptians election is fair.
Al Akhbar	Egyptian Minister of justice meets the Korean President of the national committee on election who described the Egyptian elections as unique experiment that will be considered a model for the Korean government.
Al Akhbar	Dr. Ebeid: all countries participating in the Islamic conference held in Doha.
Al Akhbar	UK ambassador in Egypt admires the fairness of the judicial authority that managed to administrate elections with an exempted success. He described elections as a step on the road of demo organization in Egypt.
Al Akhbar	History will remember that President Mubarak

Source	The News
	supported legitimacy, constitutionality and democracy.

All governmental newspapers, especially Al Akhbar, showed considerable interest in highlighting international admiration of Egyptian elections.

3- Election rounds (stages)

Source	The News
A Akhbar	In Shubra district, voters were ready to vote for their candidate Minister Youssef Botross Ghaly in order to consider interest in the constituents.
AL Goumhoria	72, 000 voters vote in 48 committee in El Dakhla and El Kharga in Al Wady Al Gedeed governorate
Al Ahrar	Pipes emerged in elections, cell phones and receivers in the north. Perfumes and lunches in Upper Egypt.
Al Osbou'	In Demitta, competition is very hot.
Al Ahram Al Ektesady	How do public opinion see the 2000 elections?
Al Wafd	Public opinion in Port Said votes for "Seif Mahmoud" who managed to beat roomers and redraw alliances.
Al Ahram	In the 2 nd round, competition is onely between (NDP) and unattached candidates. Elections are over quietly in 9 governorates.
Mayo	Citizens headed by Mubarah are the 1 st winners. The 2 nd round is quite.

According to the previous analysis, we can say that there is a considerable differences between governmental and opposition newspapers' view of the elections course. Governmental papers focused on candidates' news and arrangements in different committees and votes in each district whereas opposition papers focused on the disadvantages that appeared in elections such as the influence of money.

4- The role of the programs of political parties

Source	The News
Al Akhbar	Notes on the elections The weak existence of NDP was not met by strong

Source	The News
	existence of opposition parties. We have pluralism with no parties, is the weakness of NDP a new thing, elections are very fair.
Al Osbou'	For the first time tribes in south Sinai say no to the NDP.
Al Ahrar	In Sohag governorate, NDP candidates rearrange their position, unattached candidates seem sure of their winning.
Al Wafd	Dr. Salah Darweesh: Al Wafd candidate supports housing for poor people, building schools and hospitals adding to transportation.
Al Ahaly	Expressing election program of Al Tagamou' party.
Al Ahram	The President: Parties should not define the names of their candidates for the coming elections. I don't have the power to present unattached candidate from joining the NDP.
Al Wafd	Before voting for the NDP remember its program.
Al Akhbar	NDP is a governmental block, Al Wafd party has no ideology, Al Naserry party lives with principles so there is no winner.
Mayo	Al Wafd party lost the battle. It was happy for winning one seat forgetting that it lost 100 seats.

Both governmental and opposition newspaper were interested in political parties in Egypt especially that elections showed parties future to affect public opinion. The governmental papers asserted that all parties were weak but opposition papers focused only on the weakness of the NDP, which they considered a real burden.

5- The unattached and dissident phenomenon

Source	The News
Al Ahram	Dr. Waly: The NDP will accept the unattached candidates.
Al Akhbar	One of the fatal mistakes of the governments, in elections, was held electoral meeting for candidates such as Mohammed A. El Enein.
Al Ahram	The unattached and the independents survive among the falling political parties.
Al Wafd	Political change between the Egyptian dream and

Source	The News
	the American reality: Citizens voting for the NDP is considered a message from the nation to the rolling party saying, "we don't want you?"
Al Ahram	The defeat of many NDP candidates indicates that important changes in the NDP will happen in the near future.
Al Wafd	NDP attracts the unattached members, we can't face the real political composition of the PA, and the NDP is unable to control its parliamentary body.
Al Ahrar	In Mallawy district, the NDP completes with the NDP after the extremities of three of the NDP candidates.

II. Disadvantage of Elections

Source	The News
Al Ahram	In an unjustifiable act, public force arrested 3 of Al Ahram Journalists when they were covering the second round in Mayo district. They were detained for more than an hour.
Al Wafd	Shobra Al Kheima district turned into a volcano of public anger after police harassment of citizens, such as using gas bombs and built shots against them.
Al Wafd	No voting in Al Hawamdia district: Al Hawamdia district witnessed very sad events when police forces stopped citizens from voting for the Islamic candidate Dr. Abou El Ela Korani. Police force surrounded voting headquarters, with the help of highly raised forces.
Al Wafd	Police force and NDP supporters preventing Al Wafd supporters from getting into voting headquarters in Toukh and Kafr Al Sheikh. Citizens who managed to get into voting headquarters were astonished by errors in voters' lists. These events led to a real fail in voting rules which reached only 2% in Shubra and Mahmasha district were only 3 out of 65 thousands managed to vote.
Al Ahrar	Candidate: I want to win elections in order to able to take along loan parks, steal lands, sell my signature and beat down my realities.
Al Ahrar	The fairness of elections in Sharrabia in Zawia is big

Source	The News
	lie. A report to reveal what did NDP candidate and police force do against voters.
Al Wafd	Questions about the reasons: behind the delay is announcing the results of Al Badary District in Assiout; sorting ended at 11 AM while the result was announced at 6 PM. Al Wafd candidate lost 2000 votes at this period of time of time for the NDP candidate.

Based on the captured sample of what was published in the newspaper all of them focused on tribal discipline & stated that tribal & blood ties had the upper hand in the election outcome, especially in the second round of election, this came in both national & opposition journals.

It was noticed that the participation level in rural areas was higher than that of urban ones, due to higher blood or tribal discipline in rural areas.

In addition to fact that blood and/or tribal discipline over weight party discipline.

The second issue that was wildly highlighted especially by national journals was the faulting levels of participation.

In the first round of election participation levels were so low ,but this changed in the second round another issue that was highlight by the press was the increased level of women voters participation in elections, in addition to pinpointing some drawbacks & negative aspect that faced elections, anyone which the presence of some errors in the voters registration schedules.

o **Voters registration & the voters schedules:**

This is one the wildly criticized issue related to election. The process of registration is hard & is of limited time period ,hard in the sense that a lot of voters are not interested in getting registered, as it take place in police station & people don't prefer to enter police station , beside it is characterized by a high level of red tape.

The following is a simple of the press view of this issue:

Source	The News
Alwafd	errors in the voters schedules in Aswan
Alwafd	candidates went to court to stop the election' result due to the manipulation those voters' schedules

Source	The News
ALAhram	the government atomically takes place in the register the youth in the election schedules, lots of people are still not registered and don't participate, some see the whole process as a waste of time.
ALAourbaa	carious in Aldakhliia schedules, and a constant police intervention is obese
Alwafd	: the manipulation that took place in the voters schedules in the first round, also took place in the second round, leading to less participation

The national as well as the opposition press pinpointed the errors that took place in the voter's registration schedules, this less need the practice of democracy & spread confusion in the process of election

The opposition press said NDP of manipulating the election schedules for there interest & said the government of deliberate neglect of the schedules in addition to calling for the swift registration of all voters to increase participation.

The phenomenon of the election: AL:Ahrar: noted activity of candidates in Monifia for the re election round , NDP candidate is facing (preparatory) severe competition from the independent & the opposition candidate.

Source	The News
ALgoumhoria	reelection in 67 districts, the autonomy general is confirming that the drawbacks of the first round will be avoided
AL Asbouaa	the ponibility of re election is high in most of the districts of Demiata
ALahram	in quiet environment and participation rate no more than 20% re election took place in 9 districts in Asyout, 32 candidates competed, 13 from NDP & 19 independent for 18 seats
ALAkbar	reelection took place for the tow seat of Alameda ALbasation districts
ALAkbar	re election took place in the district of Shobra

Based on the captained, all newspapers whether national or opposition heavily covered re elections. The fact is that in rare lasses elections' outcomes were determined from the first round.

Thus the re election process & the involve competition were heavily covered by national journals in many districts ,it was

characterized by being tough & leading to many alliances regardless of party discipline the issue in stack was who to win the seat . it emphasized personal ties ,i.e. it was rather a public relation campaign than being a political campaign.

○ Campaigning and platforms:

Till when would T.V one of campaigning tools of government, where is the opposition airtime?

Source	The News
ALAkbar	the economic of election, tea coffee ...etc
Alaric	campaigning and its spending a process not government by any low
ALgoumhria	Mohamed Mohamed Abu Sadira's campaign (district of urban Demyata) had the slogan: the back pone of my platform is giving due to attention to infrustruction & services
ALahram	the candidate's platforms include issues of concern to youth, mainly the issues of employment, housing, health services & training

Mom the captioned sample it's noticeable that the press highlighted the various campaigning tools of the candidates. The independent & opposition press highlighted the issues of monopolizing the media by NDP & the government as for the national press. It covered the campaigns in general terms & highlighted the issues of campaign spending and that there should exist calling for such experience in addition to criticizing some of the candidate' platform.

○ The outcome of the various rounds of election:

Source	The News
ALAhram	is it a parliament or local council?

At the end of election a fact is noticed that all the candidates' campaign were very poor. There exist a wide spread confusion between the role of MPs and the role of local council member.

Source	The News
ALAhram	Did the opposition parties loss their way to parliament?
ALAhally	Did the political parties really failed?
Rosall Yousef	the sleepers had lift & the trouble marks came

All indicators point to the decency of the new people assembly (PA) and that include various opposition parties ie,more representative than before.

Source	The News
Akbare Alyoum	Election by lists is better, this way it would strengthen political parties & party discipline
ALAkbr	A more clear version of the political parties map is in order now, ac call for the enforcement of article 95 of the constitution
Akbar Alyoum	after the failure of ALDien Dawoud in elections, would he still preside the Nassist party
AL Asbouaa	NDP last 9 seats in ALBhara & they would loss anther 8 seats in the re elections
Mayo	the first round of election was for Alwafd political party, they didn't win even 1% the seats
AL Asbouaa	Important reports disclosing the reasons behind the wining of independent and opposition candidates & conferring the failure of NDP
Alwafd	A great victory for ALwafd candidates in the second of elections
AL Goumhoria	The elections have come to an end & we are entering a new stage of democracy

From the caption led sample a great emphasis was put by the press (national or opposition) on covering the election from its early beginning to its very end. National press focused on the change that happened in the compassion of parliament indicating a high level of democracy, also focused on the decreasing roil of a party discipline which make political parties more marginal.

As for the opposition press, it focused on political party failure especially NDP, whose failure is no surprise as it doesn't reflect the people's vision or demands also as it highlighted that NDP didn't hesitate to manipulate the election outcome in order to continue on dominating the PA.

o **The negative aspects of the process of election:**

Source	The News
ALAhram	A strong behavior of the police forces took place ,they held two of ALAhram Journalists for more than 2 hours confiscated the camera of the

Source	The News
	photographer ,when they were covering re election in the districts of May and Tabbig
ALwafd	voting is boned in ALhawandia, the police men boned the voters from voting for the Islamic candidate DR / Abou Alala Karany in the district of Alhawandia
ALwafd	the executive agencies in association with NDP ALwafd voters from voting for the re candidates by not allowing them enter discovered a high level of manipulation ALdawaily, Toukh and Kefir Alshaikh
AL Asbouaa	wining election in the red sea district is bought by money , influence & prestige only for the powerful
AL Asbouaa	the second round of election indicators & drawback of NDP, election are decent within the election committees, outside pressure by police force are noted
ALAhrar	government intervned in the second elections, conservative s faced thousands of employees to vote for there candidate

Based on the captioned sample, it is obvious that opposition press focused much on the negative aspects of the election process as for national press, it covered those aspect but in a limited way.

Opposition press claimed that elections were sabotaged by the police forces and transformed election to a battlefield, this lead to the decrease of participation rates in some districts. Both national and opposition press agreed that the election process resulted in some material as well as human losses as a result of the violent conflicts which took place among the police forces and the public. The national press mentioned what the journalists covering elections suffered, from harassments and detention by the police, in addition to camera confiscation, as for the opposition press they focused more on such incidents, to illustrate the negative government behavior.

In addition Alwafd newspaper highlighted the issue of election results forging and manipulation, and that such behavior is not new in the Egyptian election process and society.

o **Women, youth and Christians:**

Some attention by national as well as opposition press to the issue women participation in the election process. The press highlighted that this election, the Egyptian women were empowered and encouraged to enter the political sphere, in addition to shading some light on the important role that was played by the women national council, headed by Suezan Moubarak. Still there existed some obstacles that faced Egyptian women like; there disability to mobilize women voters and the lake of support given to them from there affiliated political parties.

○ **Elections appeal:**

The Egyptian press intensely highlighted this issue, as it was one of the main features of the 2000 elections. They focused on the various debatable issues like the precondition of having the Egyptian nationality, in addition to fulfilling the other precondition of the military service, all of which many MPs don't enjoy.

○ **Weighing the election process:**

Source	The News
Alwafd	a post election prescription
Alahram	is there any change in the election process? Popular change took place, and waiting for the political one
Algomhouria	political reform headed by president Moubarak in conjunction with the economic reform
Alakhbar	Azza Alkashif failed as an independent candidate, but won a seat when she got affiliated with NDP, the 1995 elections were much easier than the 2000 ones
Alahram	Some notes on the results of the second round of elections

In general terms the press weighing of elections was positive. This points to the dramatic change-taking place regarding the democratization process in Egypt.

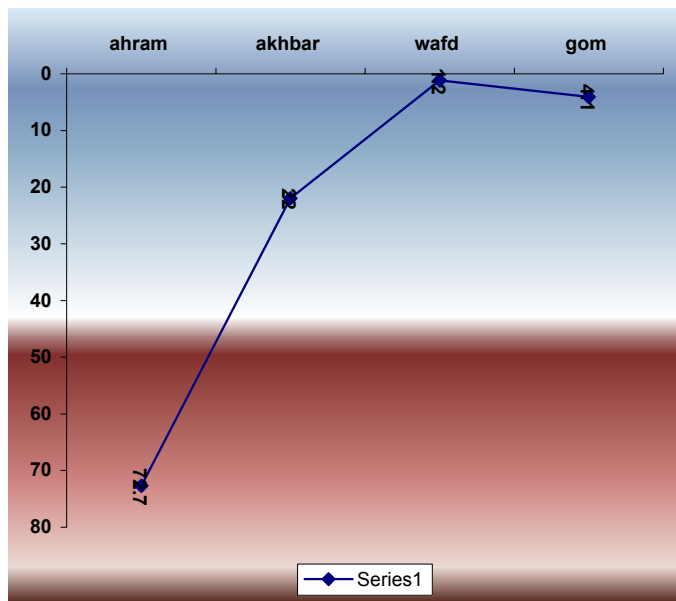
**9- Quantitative analysis of public opinion to parliament
Press concert in this period**

The period	Proportion %
Sep, 1-6	4.6
Sep, 7-13	8
Sep, 14 -20	8.1
Sep, 21 - 27	2.4
Sep, 28- Oct ,4	0.8

The period	Proportion %
Oct, 5 - 11	0.8
Oct, 12 - 18	1.5
Oct, 19 - 25	1.5
Oct, 26 - Nov, 1	0.5
Nov, 2-8	0.4
Nov, 9 -15	0.7
Nov, 16- 22	1.5
Nov, 23 -29	1
Nov, 30 - Dec, 6	3.4
Dec, 7 -13	7.2
Dec, 14 -20	4.4
Dec, 21- 27	1.4
28 Dec, 28 -Jan, 3	4.9
Jan, 4- 10	4.3
Jan, 11- 17	0.7
Jan, 18- 24	2.7
Jan, 25 -31	5.6
Feb, 1- 7	7.4
Feb, 8- 14	1.7
Feb, 15-21	1.9
Feb, 22- 28	6.1
Mar, 1- 7	5.1
Mar, 8- 14	1.8
Mar, 15- 21	4
Mar, 22- 28	3.7
Mar, 29- 31	1.9
Total	100

Souses

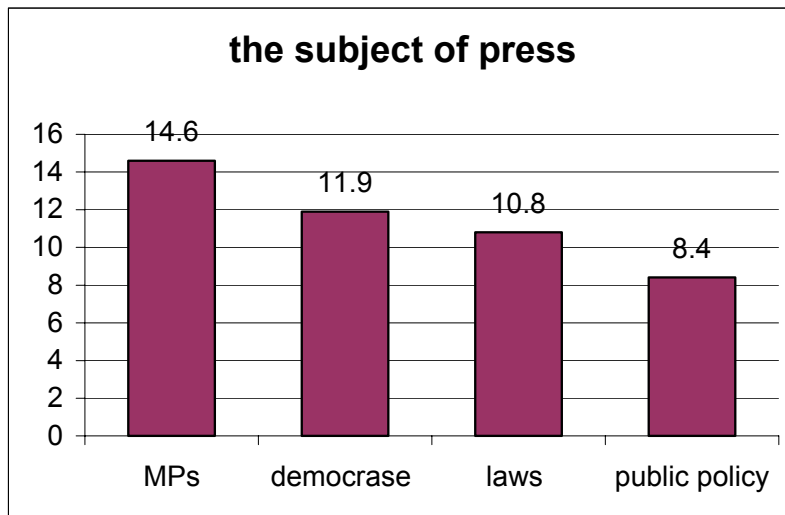
The Souses	Proportion %
Al ahram	48
Al akhbar	26.7
Al gomhoraih	8.1
Al wafd	3.5
Al ahaly	3.8
Al araby	0.7
Al asboaa	6.2
Sawt el amaa	1.1
Total	100



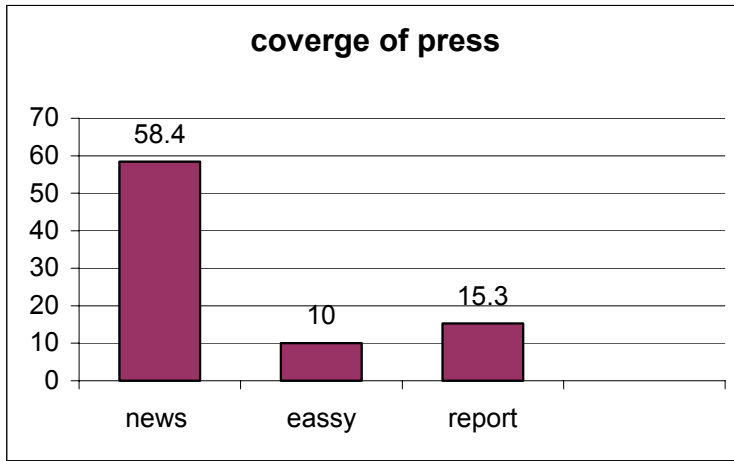
The Subject

The subject	Proportion %
Devalopment plan	3.1
Budget	2.9
Public policy	8.4
Unemployment	3.3
Women and childern	1.3
Civil society	0.8
Poverty	0.2
Education	4.9
Media	2
Public opinion, youth	3.1
Stability of policy	1.3
Foreign policy	5.8
Democrase	11.9
Beruacrase	1.3
Service	4.2
Health	4.1
Housing	3.1
Mp s	14.6

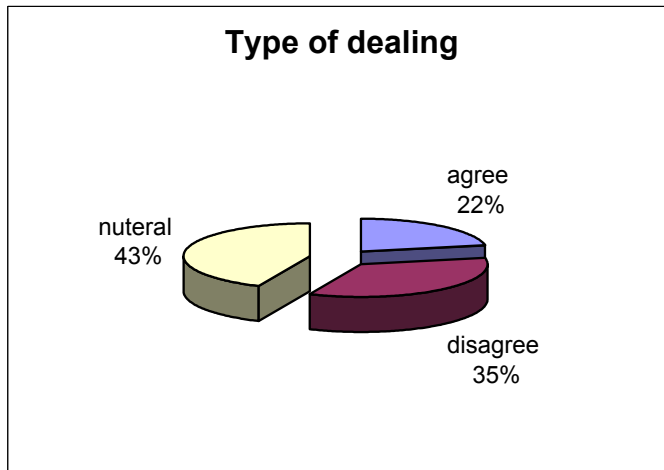
The subject	Proportion %
Minister	3.1
Election	2.6
Laws	10.8
Agreement	1.2
Women in parliament	0.1
End the role of parliament	0.1
Government report	5
The beginning of parliament	0.8
Total	100



Types of information	Proportion %
News	58.4
Investigate	4.7
Essay	10
Parliament seesion	5.3
Colaun	4.1
Indierct news	1.9
Report	15.3
Comment	0.3
Total	100



Type of Dealing	Proportion %
Agree	22
Disagree	34.6
Nutral	43.3
Total	100



Part 3

Media's View on the Parliament in General

One of the most important workings of the parliament that attracts much attention of the public opinion is its role in legislative drafting, the oversight role, the financial, and the political role. This is added to the issues of parliamentary institution development, committees' work and the situation of the MPs toward different issues facing the assembly.

This part will tackle number of issues that have an effect on media's view on the parliament.

1- Legislative Performance

This point tackles what have been said that the parliamentary editors aim at informing the public opinion about the debates and negotiations inside the assembly on the drafted laws to be issued later.

From this starting point, media coverage clarifies the kind of the discussed, their impotence, government's aims, the most important amendments, and different points of views of the MPs.

Source	The News
Al Ahram	President Mubarak will transfer the draft law on banks to the Peoples' Assembly, the Shoura Council and the Central Bank, which is concerned with applying these policies and oversight borrowings, in few days, adding to holding a presidential meeting to discuss the achieved projects before presenting it to the President.
Al Ahram	PA agreed on decreasing the fees of documenting (25%) as the PA agreed on the draft law on amending the rules of law 70 year 1964 on the fees of documenting to decrease the financial burden of the citizens.
Al Ahram	MPs will start discussing the draft Uni. law on banks next week as the Minister Dr. Mokhtar Khatab that combining processes in the world economy are related or bounded to the noticed increase the flow of foreign investments.
Al Ahram	Extending work according to extraordinary law. In every time the government asks to extend working with the extraordinary law, much negotiation arouses from the opposing parties and the Independents.

Source	The News
Al Ahram	"Al Shazly: the extraordinary law is not an obstacle of political reform". Dr. Kamal Al Shazly thinks that declaring the working with the extraordinary law will not stand as an obstacle in front of the political reform as the government is obliged to fulfil its obligations.
Al Gomhoreya	Dr. Fathi Sorour asked the Minister of labors to keep the balance between labor law and penal law.
Al Ahram	In an overview of the report of the Shoura Council on public participation, the SA declared the importance of reviewing the law on political parties in Egypt aiming at increasing public participation
Akhbar Al Youm	The 1 st amendment of the new law of renting buildings declared the failure of the current law
Akhbar Al Youm	For the 4 th time, the MPs asked to cancel the use of safety belt in the downtown and use it out.
Akhbar Al Youm	In the case of good relation with the banks and paying back the debts of the escapes, it was an amendment of the draft law on banks presented by the deputy Ahmed Karkoura before the debates of the MPs in the PA
Akhbar Al Youm	After freeing spend rate, 20% monthly bonus for every employee. The deputy Hussein Ibrahim presented a draft law for the chair of the PA proposing to present all the employees a monthly bonus of 20%
Akhbar Al Youm	Two MBPS present a suggestion to cancel the Ministry of Industry as it has no role in the shade of free economy that Egypt witnessed these days.
Akhbar Al Youm	Adopting the law means re-forming the PA and this aroused nervous and shouting among MPs
Akhbar Al Youm	Standards for precautionary imprisonment to prevent being a penal. This is a draft law presented by the deputy Hamdy Hasan.
Akhbar Al Youm	Refusal of the law of increasing mother nursing to 15 years before discussing it in the PA.
Al Ahram	Re-discussing the law on checks.
Al Ahaly	A parliamentary trial to pass the labor law in the absence of the MPs

Source	The News
Al Ahram Al Ektesady	What do we want out of the new PA. The legislative role, the role of oversight, the sessions discussing economic issues.
Al Ahram	A general consensus in PA that the petroleum sectors in Egypt is one of the most successful sectors of the economy.
Al Ahram	The SA discusses the case of mini industry and its development.

Based on the captioned examples (samples) most of the national journals highlighted the legislative role of parliament. One of those legislative is the bill of Banks presented to parliament by the president, also some light was shade on the amendment of present laws like the law of housing rent, in addition to presenting and commenting on various use of petitions from MPs like the one covering the seat in city zones.

An important issue discussed in many newspapers whether national or opposition was the issue of prolonging the application of the Marshall law.

In this concern, a display of the various party opinion were made. It could be noticed that opposition newspapers presented the many opposed opinion to such prolongation as for the national papers it highlighted and explained the government stand towards this issue and explained that such prolongation would not intervene with the general rights of the people.

In a sense it could be claimed that the national newspapers covered all aspects of the legislative role of parliament as for opposition papers, they only highlighted the negative aspects of the legislative function of parliament in almost all cases.

It could also be noticed that the national papers discussed the issue of the Egyptian industry, its good performance especially in the petroleum sector as well as the issue of small and medium industries and the need to support and encourage such industries.

In addition to the clear attention of the press concerning cultural issues especially the issue of protecting the Egyptian moments and its restoration.

2- The Oversight Role of Parliament

The coming table will focus on the oversight role that attracts the attention of national, partial and independent journals of the oversight

role of the MPs. Press tackled this issue from different points of views. The National journals tackled it, as the oversight role is one of the most important roles of the MP. The opposed and independent journals tackled it as a kind of ministerial nonfeasance.

Source	The News
Al Ahram	President Mubarak will reveal the draft law on Banks during few days to the PA, SA and the Central Bank to oversight and discuss the financial processes on this behalf in a ministerial meeting before presenting it to the president.
Al Osbou'	The legislative function over rides the oversight function. It was mainly about the policy committee of NDP presided by Gamal Mubarak and its working as the kitchen of policies.
Al Osbou'	The government and the PA chair deliberately sabotaged three questioning demands by intimidating MPs who presented them.
Al Ahram	PA is discussing a demand for questioning of the education ministry. A demand to formulate an investigating committee to point out the negative aspects of the Egyptian educational system and putting forth some recommendations for its reform.
Al Gomhoreya	"The rotten meat Mafia" The 26 opposition MPs asked for conducting an immediate investigation of the meat trade.
Akhbar Al Youm	In the 2 nd session after the feast vacation, after 3 months, a duplicated inquiry on "education black market".
Akhbar Al Youm	Who asks the minister? "Transferring Abou Tartour and Negm El Maghara cases to the prosecutor is the only evident on the crime".
Akhbar Al Youm	3 million foreigners are working in Egypt. A demand was presented by MP Al Boughdady to band foreigners from working in Egypt, except those who enjoy certain qualifications and experience that is not available in the Egyptian labor force.

Source	The News
Al Ahram	As soon as the law of canceling the free trade zone in port said was issued, many petitions were presented to question the government about this issue.
Al Gomhoreya	The suspicious disappearance of Dr. Yousseif Botros Ghaly. He left the podium of National Security committee meeting during discussion smuggling 170,000 kg of rotten meat and sat among the MPs.
Al Ahram	A comparison between NDP members of parliament, independent ones and opposition MPs.

It could be noticed from the captioned that national press as well as opposition and independent press discussed the oversight function of parliament but each from a different perspective.

So far national press covered the petition presented by MPs, it was a rather reporting then having an independent in depth look of the oversight function.

The opposition press as well as the independent press examined different aspect of oversight, they highlighted the government manipulation to override any attempted to activate this function and effectively practice it. This way clear in the writings of Al Osbou' journal and Al Ahaly journal.

3- The Financial Role of Parliament

Source	The News
Al Osbou'	A deliberate ignorance of parliament to the CATMAS. The article was calling for more attention to the reports going to parliament from CATMAS.
Akhbar Al Youm	CATMAS report reveals the real reasons behind not benefiting from aid and loans given to the government.
Al Ahram	War in parliament, it was about the debates about the balance and the government plan in light of the inevitable war that is going to take place.
Al Gomhoreya	The new balance sheet and the CATMAS report according to the captioned sample, the national papers all covered the discussions of the new balance sheet CATMAS report which highlighted the negative aspects of the weak economic institutions and the resulting fiscal defecate in light of a critical timing due to war in Iraq. In addition, Al Osbou' newspaper criticized the parliament for not giving due discussion of CATMAS report.

4- The Political Role of Parliament

Source	The News
Al Ahram	The government achievements, it highlighted the economic aspect of Ebeid's statement, that the Egyptian economy would survive the pressures coming from outside in addition to making available job opportunities for the youth.
Al Wafd	PA is still discussing the governmental statement. The project of housing for the limited income people, law of checks, and the trade interaction protection law.
Al Ahram	Covering the debates of the government program, investment promotion, expert promotion, and jobs for the youth are the main aspects of debates.
Al Gomhoreya	Covering the effort to realize the government statement.
Al Ahaly	The government statement: Marginal solution for the Egyptian economic problems. An overview of Ebeid's statement.
Al Ahaly	Where is the effect of war in Iraq in the statement of the head of government? A critical view of the government statement, raising the point that this statement should have counted for the economic

Source	The News
	repercussions in the Egyptian economy of war in Iraq.
Al Ahram	A parliamentary committee is calling for an international law to make cloning the crime.
Al Ahaly	It highlighted the response of the World Bank (WB) and International Monetary Fund (IMF) to Ebeid's statement.
Al Ahram	Debates of the government statement: The urgent need for self-sufficiency in the agricultural sector and the critic of the opposition to the floating of the pound.

The national as well as the independent and the opposition newspapers spread a vast space to highlight the parliamentary political role. The national newspapers focused on the various promises that came in the government statement, as for the opposition papers they focused more on giving a detailed analysis of the statement highlighting its weak points and comparing reality to what come in the statement, also it was criticized for not counting for the regional events and its reproductions especially on the economic performance.

5- Development of the Organizational Performance

The national press focused on the statements of the officials about the government role and the relation among the three branches of government.

In addition to the captioned, some critic was directed to the slow performance of the government and its inflection to the achievement of the planed projects, also the issue of dumping was brought up.

Source	The News
Al Ahram	Electronic voting in SA. This topic is not so important on the agenda of the Egyptian press though its importance.

6- The Parties and the Independents

Source	The News
Al Wafd	Al Wafd party refused to take financial subsidies from the government. There exist 17 political parties.
Al Ahram	Club of the Independents: The Independent MPs have a new face in the round.
Al Osbou'	A group of farmers are calling for the foundation of a political party for the farmers.
Al Akhbar	NDP in a rebuilding phase.
Al Ahram	The reform of the party system in Egypt.

The national, as well as the opposition party newspapers, focused on the parliamentary work of some parties and the Independent MPs. The party press highlighted its party platform and its stand toward certain issues like the issue of government subsidies and their MPs performance in the parliament.

As for the national papers, they highlighted issues like the independent MPs performance and their attempt to form some kind of a collection among themselves, they also discussed the issue of party reform especially the reform taking place in NDP.

7- The Committees and the Reports

The committees of the parliament are a parliamentary kitchen. They have a vital role concerning the various functions of the parliament (Legislative, oversight,.....). Also they are the main source of the analytical studies and reports for further discussion on the floor. It is the place of debating, studying and analyzing.

The various issues put forth to the parliament before reaching final decision about them. Thus it provides the parliamentary editor with a rich material for his/ her writings.

Source	The News
Al Ahram	The report of the industrial committee, the SA called for establishing a ministry for small enterprises while the MPs refused that.
Al Wafd	The SA discussing the European partnership and the report of the economic committee.
Al Ahram	The health committee in the SA about the issue of cloning.
Akhbar Al Youm	The report of the culture committee in the SA about protecting the monuments from the nature.
Akhbar Al Youm	Recently some of the committee meetings were not accessible to the press though this was never the case before.

The national as well as the opposition papers highlighted the various committee reports but the following points have been noticed.

The parliamentary editors primary interest is in covering the sessions of parliament and what happens in the various committees comes second. Even when they cover the workings of committees it is not in an analytical way but just reporting certain events.

Less interest is given to committees on the days parliament is holding a session.

The space given for committees news is no more than 5% of the space dedicated to parliamentary news.

Not all the committees are of interest to the parliamentary editor only the ones discussing issues of popular attraction.

Mps interest in the committees deliberations are so limited. This is clear in the limited presence of MPs in its session.

8- General Debates on the Future of the Parliament

The national as well as the opposition newspapers covered the issues that were brought to the floor of the parliament in the sessions of general debates.

Some social issues like the health insurance umbrella. The role of government in social projects like the system project.

The issue of price levels and living standards. The issue of completing the project of housing for youth and for the limited income segments. All are issues of great importance for the Egyptian society.

10- Comparative analysis for the view of press to parliament

Time and recourse

Time/ recourse	Ahram	Akhbar	Gom	Wafd	Ahaly	Araby			
sep, 1- 6	2.1	1.2	-	-	0.6	-			
Sep, 7-13	4	1.4	1.2	0.5	-	0.1			
Sep, 14-20	5	2.1	0.4	0.1	0.4	0.1			
Sep, 21-27	1.7	-	-	-	-	-			
28 Sep, 28- 4Oct	0.4	-	-	-	0.4	-			
Oct, 5-11	0.4	-	-	0.4	-	-			
Oct, 12- 18	-	1.2	-	0.3	-	-			
Oct, 19- 25	0.8	0.7	-	-	-	-			
26 Oct, 26- 1 Nov	0.1	0.4	-	-	-	-			
Nov, 2-8	-	0.4	-	-	-	-			
Nov, 9-15	-	0.4	0.3	-	-	-			
Nov, 16- 22	0.4	0.9	0.3	-	-	-			
Nov, 23 -29	0.6	-	-	-	-	-			
Nov, 30 - Dec, 6	2.1	-	-	-	0.6	-			
Dec, 7-13	3.6	1.2	1.2	1.2	-	-			
Dec, 14 -20	2.4	1.4	-	-	0.4	0.1			
Dec, 21- 27	1.4	-	-	-	-	-			
Dec, 28 -	2.4	0.4	1.6	-	0.4	-			

(271)

Time/ recourse	Ahram	Akhbar	Gom	Wafd	Ahaly	Araby			
Jan, 3									
Jan, 4- 10	1.7	1.9	-	-	-	-			
Jan, 11- 17	-	-	0.4	0.3	-	-			
Jan, 18- 24	0.8	1.9	-	-	-	-			
Jan, 25 -31	4.2	1.2	0.1	0.3	-	-			
Feb, 1- 7	3.7	3	0.1	-	-	-			
Feb, 8- 14	0.1	1.7	-	-	-	-			
Feb, 15-21	1.3	-	-	0.2	0.2	-			
Feb, 22- 28	2.8	1.1	0.8	0.5	0.5	-			
Mar, 1- 7	2.8	0.2	0.7	0.3	0.3	-			
Mar, 8- 14	0.8	1	-	-	-	-			
Mar, 15- 21	0.4	2.6	1.1	-	-	-			
Mar, 22- 28	1.6	1.6	-	0.2	0.2	-			
Mar, 29- 31	0.5	0.7	-	-	0.1	0.3			
Total	48	28.6	8.1	3.5	3.8	0.7			

Time and subject

Time/ subject	Plan	Budget	Public policy	Social sector	Women	Civil society			
Sep, 1- 6	0.1	0.1	0.8	0.2	-	-			
Sep, 7-13	0.4	0.3	0.4	0.2	-	-			
Sep, 14-20	0.1	0.2	0.6	0.4	0.1	0.1			

(272)

Time/ subject	Plan	Budget	Public policy	Social sector	Women	Civil society			
Sep, 21-27	0.1	0.1	0.3	0.1	-	-			
28 Sep, 28- 4Oct	-	0.1	0.1	-	-	-			
Oct, 5-11	-	-	-	0.1	-	-			
Oct, 12- 18	-	-	0.1	0.1	-	-			
Oct, 19- 25	-	-	-	0.1	-	-			
26 Oct, 26- 1 Nov	-	-	-	-	0.1	-			
Nov, 2-8	-	-	0.1	0.1	-	-			
Nov, 9-15	-	0.1	-	0.1	-	-			
Nov, 16- 22	-	0.1	0.3	-	-	-			
Nov, 23 - 29	-	-	0.1	-	-	-			
Nov, 30 - Dec, 6	0.1	0.1	0.5	0.1	-	-			
Dec, 7 -13	0.3	0.2	0.6	0.1	-	-			
Dec, 14 -20	0.1	0.1	0.1	0.1	-	0.1			
Dec, 21- 27	0.1	0.1	0.2	0.1	-	-			
Dec, 28 - Jan, 3	0.1	0.2	0.5	0.2	0.1	-			
Jan, 4- 10	0.1	0.1	0.2	-	0.1	-			

(273)

Time/ subject	Plan	Budget	Public policy	Social sector	Women	Civil society			
Jan, 11- 17	-	-	-	-	-	-			
Jan, 18- 24	0.1	0.1	0.7	0.1	0.1	0.1			
Jan, 25 -31	0.1	0.1	0.4	0.1	-	-			
Feb, 1- 7	0.4	0.1	0.6	0.6	0.1	0.1			
Feb, 8- 14	-	-	0.1	0.3	0.4	-			
Feb, 15-21	0.1	-	-	0.1	-	0.1			
Feb, 22-28	0.3	0.1	0.6	0.1	-	-			
Mar, 1- 7	0.1	0.1	0.4	0.1	0.2	-			
Mar, 8- 14	-	-	0.1	-	-	0.3			
Mar, 15- 21	0.1	-	0.5	0.1	0.1	-			
Mar, 22- 28	0.3	-	0.1	-	-	-			
Mar, 29- 31	0.1	-	0.2	-	-	-			
Total	3.1	2.9	8.4	3.3	1.3	0.8			

Time/ subject	Youth	Security	Foreign policy	Freedom	MPs	Housing			
sep, 1- 6	0.1	-	0.1	0.7	0.6	0.1			
Sep, 7-13	0.3	0.1	0.2	1	1.1	0.3			

(274)

Time/ subject	Youth	Security	Foreign policy	Freedom	MPs	Housing			
Sep, 14-20	0.3	0.1	0.4	0.9	1.5	0.4			
Sep, 21-27	0.1	0.1	0.2	0.4	0.5	0.1			
28 Sep, 28-4Oct	-	-	0.1	0.2	-	-			
Oct, 5-11	-	-	0.1	0.2	0.2	-			
Oct, 12- 18	-	-	-	0.2	0.4	-			
Oct, 19- 25	-	-	0.1	0.2	0.1	-			
26 Oct, 26- 1 Nov	-	-	-	-	-	-			
Nov, 2-8	-	-	-	-	0.1	-			
Nov, 9-15	-	-	0.1	-	0.2	0.1			
Nov, 16- 22	0.1	-	-	0.3	0.3	0.1			
Nov, 23 - 29	0.1	-	0.1	0.1	0.3	0.1			
Nov, 30 - Dec, 6	0.1	-	0.1	0.6	0.4	0.1			
Dec, 7-13	0.3	0.1	0.1	0.9	0.9	0.3			
Dec, 14 - 20	0.1	0.1	0.3	0.6	0.5	0.1			
Dec, 21-	-		0.2	0.1	0.1	0.1			

(275)

Time/ subject	Youth	Security	Foreign policy	Freedom	MPs	Housing			
27 Dec, 28 - Jan, 3	-	0.1	0.1	0.8	0.6	0.1			
Jan, 4- 10	0.1	-	0.3	0.6	0.6	0.2			
Jan, 11- 17	0.1	0.3	-	-	0.1	0.1			
Jan, 18- 24	0.2	-	0.1	-	0.3	-			
Jan, 25 - 31	0.2	0.1	0.3	0.8	1	0.2			
Feb, 1- 7	0.1	0.1	0.1	0.3	0.8	0.3			
Feb, 8- 14	-	-	-	-	0.3	0.1			
Feb, 15-21	0.8	-	0.3	0.1	-	0.1			
Feb, 22- 28	0.1	-	1	0.6	0.5	0.1			
Mar, 1- 7	0.1	0.1	0.3	0.8	1.1	0.1			
Mar, 8- 14	0.1	-	0.1	-	0.2	0.1			
Mar, 15- 21	0.1	0.1	0.3	0.5	0.6	0.1			
Mar, 22- 28	0.1	0.1	1	0.5	0.6	0.1			
Mar, 29-	-	0.1	0.2	0.3	0.8	-			

(276)

Time/ subject	Youth	Security	Foreign policy	Freedom	MPs	Housing			
31									
Total	3.1	1.3	5.8	11.9	14.6	3.1			

Time/ recourse	Beging role	Government report	End role	Women in parliament	Agreement	Laws			
sep. 1- 6	-	-	-	-	-	0.7			
Sep. 7-13	-	0.2	-	-	-	1.2			
Sep. 14-20	0.2	0.1	-	-	0.1	1.3			
Sep. 21-27	-	0.1	-	-	0.1	0.1			
28 Sep, 28- 4Oct	-	0.3	-	-	-	0.1			
Oct. 5-11	-	0.1	-	-	-	0.1			
Oct, 12- 18	-	-	-	-	-	0.3			
Oct, 19- 25	-	0.4	-	-	0.1	0.3			
26 Oct, 26- 1 Nov	-	-	-	-	-	0.2			
Nov, 2-8	-	-	-	-	0.1	0.1			
Nov, 9-15	0.1	-	-	-	-	0.1			
Nov, 16- 22	0.1	-	-	-	-	0.1			

(277)

Time/ recourse	Beging role	Government report	End role	Women in parliament	Agreement	Laws			
Nov, 23 - 29	0.1	-	-	-	0.1	0.1			
Nov, 30 - Dec, 6	-	0.1	-	-	-	0.9			
Dec, 7 -13	0.1	0.1	-	-	-	1.2			
Dec, 14 - 20	0.1	-	-	-	-	0.3			
Dec, 21- 27	-	1	-	-	0.2	0.1			
Dec, 28 - Jan, 3	0.2	0.6	-	-	-	0.3			
Jan, 4-10	0.2	0.6	-	-	-	0.3			
Jan, 11- 17	-	-	-	-	-	-			
Jan, 18- 24	-	0.1	-	-	-	0.2			
Jan, 25 - 31	-	0.1	-	-	-	0.4			
Feb, 1-7	-	0.6	-	-	0.1	0.5			
Feb, 8-14	0.1	-	-	-	-	-			
Feb, 15-21	-	0.1	-	-	0.1	0.1			
Feb, 22-	-	0.4	-	0.1	0.1	0.4			

(278)

Time/ recourse	Beging role	Government report	End role	Women in parliament	Agreement	Laws			
28									
Mar, 1- 7	-	0.1	-	-	0.1	0.3			
Mar, 8- 14	-	0.3	-	-	-	0.4			
Mar, 15- 21	-	0.1		-	0.1	0.1			
Mar, 22- 28	0.1	0.2	0.1	-	-	0.3			
Mar, 29- 31	-			-	0.1	-			
Total	0.8	5	0.1	0.1	1.2	10.8			

Time and coverage

Time/ recourse	Report	Comment	Indirect news	Session	Column	Essay			
sep, 1- 6	0.8	0.1	-	0.1	0.1	0.5			
Sep, 7-13	1.2	-	0.3	0.2	0.4	0.6			
Sep, 14-20	0.8	0.1	-	0.3	0.3	0.9			
Sep, 21-27	0.1	-	-	0.1	-	0.3			
28 Sep, 28- 4Oct	0.2	-	-	-	-	0.4			
Oct, 5-11	-	-	0.3	-	-	0.3			
Oct, 12- 18	0.1	-	0.1	-	-	0.1			

(279)

Time/ recourse	Report	Comment	Indirect news	Session	Column	Essay			
Oct, 19- 25	0.1	-	-	0.1	0.1	0.3			
26 Oct, 26- 1 Nov	0.1	-	-	-	-	-			
Nov, 2-8	0.1	-	-	-	-	-			
Nov, 9-15	-	-	-	-	0.1	-			
Nov, 16-22	0.1	-	-	0.1	0.2	0.1			
Nov, 23 -29	0.4	0.1	-	-	-	0.4			
Nov, 30 - Dec, 6	0.8	0.1	-	0.1	-	0.4			
Dec, 7-13	0.9	-	0.3	0.1	0.2	0.6			
Dec, 14-20	0.8	-	-	0.3	0.3	0.3			
Dec, 21-27	0.2	-	-	0.1	-	0.1			
Dec, 28 -Jan, 3	0.8	-	-	0.1	0.1	0.8			
Jan., 4- 10	1.2	0.1	-	0.2	0.2	0.4			
Jan, 11- 17	0.2	-	0.2	-	-	-			
Jan, 18- 24	0.2	-	-	0.1	0.3	0.1			
Jan, 25-31	1.2	-	-	0.4	0.1	0.5			
Feb, 1- 7	0.7	-	0.1	0.6	0.4	0.4			
Feb, 8- 14	0.1	-	0.1	-	0.3	-			
Feb, 15-21	0.4	-	0.1	0.2	0.1	0.1			
Feb, 22- 28	0.8	-	0.1	0.6	0.1	1.1			

(280)

Time/ recourse	Report	Comment	Indirect news	Session	Column	Essay			
Mar, 1- 7	0.8	-	0.3	0.8	0.1	0.3			
Mar, 8- 14	0.4	-	-	0.2	0.1	0.2			
Mar, 15- 21	0.9	-	-	-	0.4	0.1			
Mar, 22- 28	0.7	-	0.2	0.3	0.4	0.3			
Mar, 29- 31	0.4	-	-	0.3	0.1	0.2			
Total	15.4	0.3	1.9	5.3	4.1	10			

Time/ recourse	Time and situation		
	Neutral	Disagree	A
sep, 1- 6	2	1.5	
Sep, 7-13	2.4	3.9	
Sep, 14-20	3.3	2.6	
Sep, 21-27	1	1.2	
28 Sep, 28- 4Oct	0.5	0.3	
Oct, 5-11	0.3	0.4	
Oct, 12- 18	0.7	0.6	
Oct, 19- 25	0.6	0.4	
26 Oct, 26- 1 Nov	0.2	0.3	
Nov, 2-8	0.2	0.1	
Nov, 9-15	0.3	0.4	
Nov, 16- 22	0.6	0.6	

(281)

Time/ recourse	Neutral	Disagree	A
Nov, 23 -29	0.7	0.3	
Nov, 30 - Dec, 6	1.2	1.2	
Dec, 7 -13	2.4	3.5	
Dec, 14 -20	2.3	1	
Dec, 21- 27	0.5	0.2	
Dec, 28 -Jan, 3	2	1.9	
Jan, 4- 10	1.9	1.4	
Jan, 11- 17	0.4	0.1	
Jan, 18- 24	1.3	0.8	
Jan, 25 -31	2.5	1.7	
Feb, 1- 7	4.7	1.7	
Feb, 8- 14	1.1	0.6	
Feb, 15-21	1.2	0.3	†
Feb, 22- 28	4.2	1.2	†
Mar, 1- 7	1.3	1.7	†
Mar, 8- 14	1.2	0.3	†
Mar, 15- 21	1.3	1.3	
Mar, 22- 28	0.7	2	
Mar, 29- 31	0.4	1	†
Total	43.5	34.5	

Recourse and subject

(282)

Recourse subject /	Media	Education	Poverty	Civil society	Women	Social issues			
Ahram	1.2	1.7	0.2	0.5	0.4	1.2			
Akhbar	0.5	2.2	-	0.3	0.8	1.5			
Gom	0.2	0.4	-	-	0.1	0.3			
Wafd	-	-	-	-	-	-			
Ahaly	-	0.3	-	-	-	0.3			
Araby	-	-	-	-	-	-			
Asboaa	0.1	0.2	-	-	-	0.3			
Soot omaa	0.1	-	-	-	-	-			
Total	2	4.9	0.2	0.8	1.3	3.3			

Service	Bureaucracy	Freedom	Foreign policy	Security	Youth	!			
1.7	0.3	7.2	3.8	0.4	2.1				
1.4	0.9	1.4	1.1	0.3	0.8				
0.5	0.1	0.5	0.4	0.3	0.1				
0.1	-	0.2	0.3	0.1	0.1				
-	-	1	0.2	0.1	0.1				
-	-	0.2	-	-	-				
0.5	0.1	1.1	0.1	0.1	-				
-	-	0.3	-	-	-				
4.2	1.3	11.9	5.8	1.3	3.1				

Recourse/ subject	Beging role	Government report	Ending role	Women in parliament	Agreement	Laws			
Ahram	0.6	3	-	0.1	0.5	5.5			
Akbar	0.1	0.5	0.1	-	0.4	3.1			
Gom	0.1	0.4	-	-	0.2	0.3			
Wafd	-	0.3	-	-	-	0.3			
Ahaly	-	0.6	-	-	0.1	0.6			
Araby	-	-	-	-	-	0.1			
Asboaa	-	0.3	-	-	-	0.8			
Soot amaa	-	-	-	-	-	-			
Total	0.8	5	0.1	0.1	1.2	1.8			

recourse and coverage

Recourse/ coverage	Report	Comment	Indirect news	Session	Column	Essay			
Ahram	6.2	0.2	-	3.8	0.3	6.8			
Akbar	5	-	-	0.6	3.3	0.8			
Gom	0.6	-	0.2	0.3	0.3	0.4			
Wafd	0.5	-	-	0.3	0.1	0.3			
Ahaly	1	-	1.7	0.4	-	0.7			
Araby	0.1	-	-	-	-	-			
Asboaa	1.7	0.1	-	-	-	-			
Soot amaa	0.4	0.1	-	-	-	-			
Total	15.4	0.3	1.9	5.3	4.1	4.1			

Recourse and kind of coverage				
Recourse/ kind of converge	Agree	Disagree	Neutral	
Ahram	13.6	12.9	21.6	
Akhbar	4.5	10.8	13.2	
Gom	2.3	2.9	2.9	
Wafd	0.1	2.7	0.6	
Ahaly	0.3	1.8	1.7	
Araby	0.1	0.3	0.3	
Asboaa	1	2.4	2.8	
Soot amaa	0.1	0.8	0.3	
Total	22	34.6	43.4	

Subject and kind of coverage							
Subject/ coverage	News	Report	Comment	Indirect news	Session	Column	
Plan	1.7	0.3	-	-	0.4	0.3	
Budget	2.2	0.3	-	-	-	0.1	
Public policy	6	0.9	0.1	-	0.3	0.1	
Social issues	2.6	0.5	-	-	-	-	
Women	0.6	0.1	-	-	0.1	0.3	
Civil society	0.5	0.1	-	-	0.1	0.1	
Poverty	0.2	-	-	-	-	-	

(285)

Subject/ coverage	News	Report	Comment	Indirect news	Session	Column			
Education	3	0.8	-	-	0.1	0.5			
Media	1.5	0.3	-	-	-	0.1			
Youth	1.9	0.5	-	0.1	0.1	-			
Security	0.9	0.2	-	0.1	0.1	-			
Foreign policy	2.5	1.1	-	-	0.8	0.2			
Political freedom	5.7	2.3	-	0.1	0.4	0.3			
Bureaucracy	1.2	0.1	-	-	-	0.1			
Service	3	0.3	-	0.1	0.1	0.2			
Environment	2.8	0.8	-	-	0.1	0.3			
Housing	1.7	0.6	-	-	0.1	0.1			
MPs	8.7	1.8	0.2	1.2	0.3	0.8			
Minister	2.2	0.5	-	-	-	0.3			
Election	1.5	0.6	-	0.1	-	-			
Laws	5.4	2.2	-	0.1	0.9	0.3			
Agreement	0.6	0.1	-	-	0.2	-			
Women in parliament	0.1	-	-	-	-	-			
End the role	0.1	-	-	-	-	-			
Government report	1.6	0.9	0.1	0.1	1.2	0.1			
Begin the role	0.5	0.1	-	-	0.1	0.1			

(286)

Subject/ coverage	News	Report	Comment	Indirect news	Session	Column			
Total	58.4	4.7	10	4.1	5.3	1.9			

Subject and kind of coverage

Subject/ coverage	Disagree	Agree	N
Plan	1.1	1	
Budget	1.2	0.2	
Public policy	3	1.7	
Social issue	0.7	0.8	
Women	0.4	0.4	
Civil sosity	0.1	0.2	
Povarty	0.1	-	
Education	1.6	0.7	
Media	1	0.4	
Youth	0.7	1	
Security	0.8	0.1	
Forign policy	2.4	1.3	
Political fredam	3.1	4	
Benurace	0.2	0.4	
Service	1.6	0.8	
Enviroment	2	0.5	
Housing	1.3	0.3	
MPs	7.6	3.2	

(287)

Subject/ coverage	Disagree	Agree	N
Minister	1.3	0.8	
Election	0.6	0.2	
Laws	2.1	2.3	
Aggrement	0.1	0.2	
Women in parliament	-	0.1	
End the role	0.1	-	
Government report	1.2	1	
Beging the role	0.1	0.5	
Total	34.6	22	

Coverage/ type	Coverage and types		
	Agree	Neutral	Dis:
News	14.2	24.5	1
Investigate	1.2	1.9	1
Essay	2	5.1	
Column	0.7	0.4	
Session	1	3.7	(
Indirect news	0.1	0.1	1
Comment	0.1	-	(
Report	2.8	7.7	4
Total	22	43.4	3

Concluding remarks

An evaluation of the parliamentary journalism

Some recommendations for the future: (as for the points that the press should raise)

- 1- It's a must for the parliamentary journalist to cover the events and discussions taking place inside the various committees, so as for the public to know the background of the issued laws.
- 2- Committee news should occupy a larger space and coverage than what is the case now.
- 3- Parliamentary journalist should cover all of the committee news and in all of the committees.
- 4- The presence of specialized journalists in the various committees meeting is beneficial for both parties, for the journalist: it's important to cover committee meetings, as for the committee: the journalist might add to the discussion even if they don't get directly involved in it.
- 5- The journalist must make use of all writing tools to explain and discuss the various issues.
- 6- There should exist cooperation and collaboration among the various departments in a journal, in order to enhance the quality of the material for the reader.
- 7- More light should be shed on MPs, through covering their views, stands and activities.
- 8- Should attention should be directed to field visits that some committees make.

Some of the national press publishes in its parliamentary division what could be regarded as being opposition oriented.

There is no real difference among the various newspapers, the only difference is the ability of the journalist to access backstage political figures and present the current events in an appealing way to the public.

The press as seen in Egypt is divided into two main groups, political party affiliated papers, whether opposition or government supporters, and government owned (national) papers, each defending, supporting and advocating for their own goals.

As the Egyptian party system is a multiparty system, a diversification of opinions appears in the various media channels, especially the press.

Due to all of the captioned, objectiveness is hard to find qualities in the media especially the ones covering the parliament.

9- The party perspective:

The national as well as the independent journalism is operating in the framework of reporting only, as for the journals affiliated with a political party, they support their platform and ideologies.

The situation of parliamentary seats distribution, is reflected in the workings of parliament, due to the government majority in parliament a vote of no confidence is quite impossible to achieve, but still there exist some limited opposition action in both houses of parliament.

10- The cognitive map of the elite:

Party press plays a major role as far as expressing the opinion of the elites and their policies.

Finally it could be claimed that not always do journalists fish for the mistakes of ruling party MPs, some times they do have a point in their criticism.

11- The conclusion:

what can be noticed lately that parliamentary coverage has increased, this might be due to the increasing interest to know what happens inside parliament and an increasing popular interest in the Egyptian political scene.

These further burdens the people in parliament by further deepening the principles of democracy as well as informing the public of the role of parliament in their life.

A final point concerning the elite mentality, which is in most cases a hindering factor of having an independent, impartial, and free parliament.

Members/Constituency Relationship and Good Governance

Dr. Werner J. Patzelt

Dresden University of Technology- Germany

At first sight, members/constituency relationship appears as quite a narrow and even technical topic. How are members of parliament linked to society? What is their constituency service like? How can they possibly contribute to effective political leadership and to good governance? How may all of that be improved? But ‘narrow’ and ‘technical’ is this issue only if Western premises are accepted. These include (a) that institutionalized representative bodies are desirable themselves, because otherwise there is simply no need for members of parliament and *their* relations with constituents; (b) that political power should be separated in a certain degree between different institutions, among them parliaments, since otherwise it makes no sense to cultivate relations between citizens and powerless members of powerless representative bodies; and (c) that citizens should have an impact on the shape and contents of members/constituency relations, because otherwise there could hardly be a relationship of representation and only one of dominance or irrelevance. If these premises are accepted, well-developed Western representative systems can be used as models and benchmarks. If members/constituency relationships are to be improved in a presidential system of government with weak parties, one might turn to the legislatures in the USA; and if they should be optimized in a parliamentary system of government with an (albeit not excessive) multitude of competing strong parties, German parliamentarianism would be a good case in point.

Yet in inter-cultural dialogue these premises should not simply be taken for granted. Institutional learning across different cultural settings will work only if equivalent conclusions are drawn from equally accepted (or equally given) premises, at least if more is attempted than superficial assimilation. Claiming that those three premises should not be taken for granted means not, of course, that something might be wrong with them. But to put them in relative terms leads to a broader look at why, and in which overall context, the issue of members/constituency relationship is very important indeed. Having taken such a broader look, even the usual ‘benchmarking approach’ to parliamentary reform will be more useful than otherwise. It does not suffice to describe current practices in well-established Western systems if the point is whether, and which, ‘Western’ elements could be transferred to non-Western settings. But at

least tentative answers to questions of transferability must be given if intra-cultural discourse on parliamentary reform shall yield useful results.

This paper is an attempt of this kind. Centred on the role of parliaments as 'linkage institutions' between the central executive and society, in section I the most notable peculiarities of Western experiences with representative government are outlined and exploited for 'inter-cultural lessons'. Section II sums up the academic 'common sense' with regard to the advantages of representation; in addition it draws conclusions on how member/constituency relations should be organized so as to make best use of such advantages. Section III goes into details and uses Germany as a model and benchmark. On the one hand, Germany is a well researched case,¹ presumably second only to the abundant work on US-legislators and their constituency relations. On the other hand, the German case with its still strong role of central authority (instead of civil society), its reliance on strong parties (instead of candidates' personal campaigning), and its relatively limited resources for individual members of parliament (instead of putting deputies into the role of well-equipped political entrepreneurs) is not so unique as the US-American case. Therefore more practically relevant inspiration might be drawn from it.

Since this text is meant for stimulating discussion, it draws broad lines of argument and prefers, whenever appropriate, overstating assertions to getting trapped in details. For this purpose, no extensive review of the literature is required. It suffices to refer summarily to the extremely helpful discussions of pertinent research on parliaments and legislatures by Jewell, Loewenberg/Patterson/Jewell,

¹ Much of this research has been done by the author. Most is published in German, some in English. See Werner J. Patzelt, *Abgeordnete und Repräsentation. Amtsverständnis und Wahlkreisarbeit* [Representatives and Representation. Role Orientations and Constituency Work], Passau 1993 (Wissenschaftsverlag Rothe); idem, *Communication Networks of German legislators: The Case of Bavaria*, in: *German Politics* 2, 1993, pp. 40-61; idem, *Abgeordnete und ihr Beruf. Interviews, Umfragen, Analysen* [Deputies and their Vocation. Interviews, Surveys, and Analyses], Berlin 1995 (Akademie-Verlag); idem, *Die gesellschaftliche Vernetzung ostdeutscher Parlamentarier* [Social Networks of East German Members of Parliament], in: *Historical Social Research / Historische Sozialforschung* 20/4, 1995, pp. 87-122; idem, *Deutschlands Abgeordnete. Profil eines Berufsstandes, der weit besser ist als sein Ruf* [Germany's Members of Parliament. A Profile of Professional Group that is better than its Reputation], in: *Zeitschrift für Parlamentsfragen* [German Journal of Parliamentary Affairs] 27, 1996, pp. 462-502; idem, *German MPs and their Roles*, in: Wolfgang C. Müller / Thomas Saalfeld, eds., *Members of Parliament in Western Europe: Roles and Behavior*, London / Portland 1997 (Frank Cass), pp. 55-78; idem / Karin Algasinger, (gemeinsam mit Karin Algasinger): *Abgehobene Abgeordnete? Die gesellschaftliche Vernetzung der deutschen Volksvertreter*, [Detached Deputies? Social Linkages of German Representatives], in: *Zeitschrift für Parlamentsfragen* [German Journal of Parliamentary Affairs] 32, 2001, pp. 503-527; idem, *Learning Constituency Work: The case of East German MPs*. Paper presented at the 'Workshop of Parliamentary Scholars and Parliamentarians', Science Center Berlin, August 1994; idem, *Societal Roots of new Parliaments: The case of East Germany*. Paper presented at the 16. World Congress of the International Political Science Association, Berlin, August 1994; idem, *The Development of Interest Groups and Lobbying in a Context of Democratic Transition. The Case of Eastern Germany*. Paper presented at the Annual Conference of the Slovenian Political Science Association, International Round Table, Ljubljana, May 27, 1995.

Moncrief/Thompson/Cassie, Loewenberg/Squire/Kiewiet and Gamm/Huber,² all of them with special sections on members/constituency-relations. For the overall position of the author see his recent book chapters on parliamentary theory,³ for ongoing research numerous articles in leading journals like *Legislative Studies Quarterly* (USA), *Journal of Legislative Research* (UK), and *Zeitschrift fuer Parlamentsfragen* [German Journal of Parliamentary Research] (Germany).

To avoid confusion on concepts as well as lengthy theoretical elaborations, some key concepts should be clarified in simple definitions right now. Together with the word ‘*assembly*’, the notion of ‘*parliament*’ is regularly used in a broad sense, that is, as a generic concept for all kinds of representative assemblies, be they based on elections (like ‘parliaments’ in the narrower sense of democratic parliamentarianism), appointment (like most consultative bodies), positional rights to be a member of an assembly (like in corporatist bodies, estates, or federal councils), or on something else. Therefore, the status of ‘member of parliament’ is in no way restricted to elected deputies. By the same token, the notions of ‘*constituency*’ and ‘*constituents*’ can comprise quite different persons or bodies. They range from voters in a voting district to officials of a province government whose head is, because of his position, member of the higher chamber of a bicameral parliament. ‘*Parliamentarianism*’ is a concept to cover the functioning of parliament (as defined above) as well as parliament’s interaction with other institutions and society, at least as far as this interaction is significantly shaped by the existence and functioning of that given parliament. In some cases, the notion of a ‘*legislature*’ is employed additionally whenever a distinction is needed between a parliamentary assembly restricted to the power to legislate and to control government via legislation (‘*legislature*’), and a parliamentary assembly with the

² On the ‘state of the art’, see Jewell, Malcolm E.: Legislator-constituency relations and the representative process, in: *Legislative Studies Quarterly* 8, 1983, pp. 303-337; Loewenberg, Gerhard / Patterson, Samuel C. / Jewell, Malcolm E. (Hrsg.), 1985: *Handbook of Legislative Research*, Cambridge, Mass. / London (Harvard University Press); Moncrief, Gary / Thompson, Joel A. / Cassie, William, 1996: Revisiting the State of U.S. State Legislative Research, in: *Legislative Studies Quarterly* 31, 301-335; Kitschelt, Herbert, 2000: Linkages Between Citizens and Politicians in Democratic Polities, in: *Comparative Political Studies* 33, 845-879; Loewenberg, Gerhard/Squire, Peverill/Kiewiet, D. Roderick (Hrsg.): *Legislatures. Comparative Perspectives on Representative Assemblies*, Ann Arbor 2002 (University of Michigan Press), pp. 3-22; Gamm, Gerald/Huber, John: *Legislatures as Political Institutions: Beyond the Contemporary Congress*, in: Katznelson, Ira/Milner, Helen (Hrsg.): *Political Science: State of the Discipline*, New York/London/Washington 2002 (W.W. Norton/American Political Science Association), pp. 313-341.

³ In Werner J. Patzelt, ed., *Parlamente und ihre Funktionen. Institutionelle Mechanismen und institutionelles Lernen* [The Functions of Parliaments. Institutional Mechanisms and Institutional Learning], Wiesbaden 2003 (Westdeutscher Verlag).

additional right to overthrow, or even to create, the cabinet or the chief executive ('parliament', as used in a narrow sense).

The concept of '*representation*' is used in the sense of Hanna Pitkin's 'core theory' of representation.⁴ It means a form of political division of labour, in which (a) representatives are meant to act both in the interest of the represented and in a responsive way, that is, taking serious what the constituents themselves claim to be their interests; in which (b) representatives and represented can act independently from each other, such that conflict may arise between representatives and represented at any time;⁵ and in which (c) such conflict is either rare or is not too intense because representatives regularly succeed in acting responsively, in balancing diverging interests, and in exerting convincing leadership. The institutions and organizations that help to bring about representation will be designated by the term of '*representational machinery*'. Free and regular elections are a good and reliable means to make deputies and parliaments responsive and to impose strong efforts towards leadership on them. Therefore, '*democratic representation*' can pass as a very well institutionalized form of representation, as effectively constructed representational machinery. However, democracy is rather a catalyst than a prerequisite of representation; by no means there is any causal nexus between democracy and representation. '*Representative government*' is the label for systems of government in which representative assemblies play an important role for the control of government and legislation, be they based on democratic mechanisms or not. '*Governance*' shall denote processes of government together with their rules, mechanisms, and behavioural patterns. In no way is governance restricted either to 'formal' governmental structures or to the framework of 'the state'. Much rather it is exerted in all complex social processes that need to be organized and to be directed to the fulfilment of expected functions. Finally, the notion of '*good governance*' depicts governance that goes on without major procedural problems and whose results are usually considered as serving the common good or at least as being acceptable.

I. Building and Reforming Parliaments: 'Westernization' or Development towards Universally Useful Institutions?

It is commonly understood that modern parliamentarianism has its roots in Western civilization. The US congress, at present the most

⁴ See Hanna F. Pitkin, *The Concept of Representation*, Berkeley 1967 (University of California Press).

⁵ This comprises a 'free mandate' on part of the deputies, and all freedom of speech, and every right to demonstrate or to freely vote, on part of those that are represented by members of parliament.

powerful and best researched legislature in the world, goes back to those colonial representative assemblies that were established in England's American colonies. Hence it originates in English parliamentarianism. This latter, with its houses of Lords and of Commons, was part of Europe's widely spread representative systems. Well-established by the late middle ages, they were based on estates, that is, on distinct social classes with rights, rules and representatives of their own. Usually there were the three estates: the (high) clergy owning land, the nobility, and the commons. The latter included town-dwellers, sometimes even peasants. Such estate assemblies, usually summoned for rather short periods of time by princes, comprised a general assembly, composed of distinct bodies of each estate, and separate meetings of those distinct bodies and joint committees. They became important elements of Europe's pre-absolutist political systems wherever the 'density' of government increased, that is, where public administration reached down to even low levels of society and, therefore, had an increased need for resources.⁶ Such resources included initially advice, administrative service, and military help. Yet after the development of societies with economic systems beyond barter, these asked resources comprised money as well, raised in form of taxes or contributions especially from town-dwellers. Of course, all these resources were more easily obtainable if the people, from whom they were to be drawn, became in some way involved in the process of government, either personally or by representatives. In Europe, such need for administrative service and military help required that the well educated clergy and the nobility be included from the outset. When subsequently an economy based on money had emerged in the high middle ages, towns as centres of commerce and their citizens had to be included as well, such that they could be addressed straightforwardly whenever their resources were needed. So it seems that nothing else started representative government than a regime's need for 'linkage institutions', with the executive's desire to get sustainable access to useful social resources being the central incentive. Such access is realized by organizations that provide a network for steady communication and transactions between the central political decision-making system and society. For this purpose, society can be accessed either as a whole (directly in small communities, by use of elections or plebiscites in large societies), or via its elite groups, the latter being involved either through

⁶ The European history of representative institutions can be further traced back to the chapters and general councils of the religious orders, to the synods and councils of the Christian church, via these ecclesiastic institutions to the senate of Rome and to the Roman empire's city and provincial councils, and finally even to the federal councils ('synhedrions') of the late Hellenistic federal republics of ancient Greece.

outstanding individuals who act on their own, or as representatives of social groups.

There is nothing genuinely ‘western’ in such ‘linkage institutions’, neither in their functions nor in their structure. Much rather, such institutions can be useful everywhere. Therefore it is not surprising that similar, or analogous, linkage institutions can be found in many cultures. They include elders’ councils or regular meetings of kings with tribal leaders as well as the institutions of ‘consultative authoritarianism’, for example socialist or other forms of ‘minimal legislatures’.⁷ However, representative government did just not start everywhere, even though its advantages might have been of no less use in other than Western cultural settings. Even in Europe, where it originated, effective representative government widely disappeared for nearly two centuries in the era of absolutism, that is, after the advent of governments with the threefold capacity to monopolize resources, to achieve obedience by its subjects, and to unfold efficacy *without* participation of citizens or their representatives. On balance, Europe’s absolutism comes closest to the political systems of those numerous high cultures that have experienced brilliant eras without ever relying on representative institutions. Apparently there is no causal nexus between high culture and the existence of parliamentarianism, nor between being a great power and having representative institutions. But it is equally true that the absolutist monopolization of resources on the European continent⁸ displayed its limits and shortcomings towards the end of the 18th century. As a consequence, a series of revolutions and reforms began throughout western and central Europe. Their result was the revitalization, sometimes even the re-creation, of representative institutions in most countries. At the end of the 20th century, nobody could ignore any longer that exactly those countries had done better in economic, social, and cultural development that had established powerful legislatures and parliaments for a long while. It is even evident that the most successful and lasting colonial or imperial powers of the 19th and 20th centuries were precisely those with effective representative institutions, that is, England, France, and the USA.

⁷ A still very useful typology of legislatures with different levels of power, ranging from ‘minimal parliaments’ to ‘active legislatures’, can be found in Michael L. Mezey, *Comparative Legislatures*, Durham 1979 (Duke University Press).

⁸ In England, the attempt to build up absolutism ended in the 17th century’s civil war, with parliament prevailing over the crown. This is why contemporary parliamentarianism has its roots rather in England than on the European continent where either its evolution was interrupted by absolutism (like in France), or where its old form of ‘estate parliamentarianism’ with prevailing power of the crown subsisted (like in some parts of Germany) until the beginning of the 20th century.

On balance, there seems to be a U-shaped distribution of the advantages of representative government. Its benefits are high if there are no really reliable central policy-making institutions;⁹ the advantages of parliamentarianism decrease whenever effective executive authorities work; and the returns of representative institutions rise again when more is required than the solution of the most basic challenges of government, that is, more than securing peace within a country, maintaining peace between states, and creating a stable economic and fiscal system. Yet to go beyond that has been a challenge of governments wherever people started to expect from their leaders not only effective, but also *good* governance (including social security and political participation). This challenge has even increased since growing international commerce, and later globalization, gained immediate impact on national economies and societies. Hardly can it be denied that those countries have better met this double challenge that make use of *both* effective central government *and* of reliable linkage institutions between the central government and society, like most Western democracies. But again there is nothing ‘western’ in such a U-shaped distribution of the benefits that go along with representative government. It rather appears that all societies who undergo periods of stagnation, or whose authoritarian regimes come close to their limits of effectiveness, could take advantage of active and influential parliamentary ‘linkage institutions’.

It is true that all processes of institution-building are highly path-dependent, that is, dependent on culture and tradition. It would be a surprise if nothing peculiar could be found in representative government just as it evolved in the West. But possibly even these peculiarities can offer inspiration for institution-building, or for institutional reforms, in *other* cultural settings. Three among those particular features are especially important. First, the original development of representative government in Europe was possible only because of the absence of reliably powerful executive authorities for centuries. This was the case after the conquest of the West Roman Empire by Germanic tribes in the 5th century, and remained so until the 9th century. In those centuries of the migration of the peoples and its aftermath, political structures were fluid and changing at best, frequently weak and vulnerable, and more often than not restricted to central places and to an elite network on top of society. The European answer to this challenge was as simple as inevitable: Governments cooperated with those groups and corporations of society that were too important to be ignored, especially the Christian

⁹ Therefore, ‘soldiers-and-worker councils’ or ‘round tables’ use to come into being in the course of an unfolding revolution.

church and the great nobles. Thus, no central political authority has created or shaped European culture and society at its beginning. On the contrary, executive power needed support by society and its elites. Moreover, institutionalized political power was uncontested only as long as it restricted its claims for governance. All of that resulted in considerable manoeuvring space for society's elite groups, in leeway for the emergence of representative institutions, and in various forms of separation of power.

It is true that the symbolic claims of Europe's kings and emperors went far beyond. But so did not their resources for exerting executive power. Much rather, political stability could be maintained only if the administrative services and the resources of the estates were used for governance. But the order-generating and order-maintaining capacity of estates came to an end with the Reformation and its subsequent religious and civil wars in the 16th and 17th centuries. In this period, it became both necessary and plausible in many parts of Europe to take last resort to central political authorities with legitimate monopolization of power.¹⁰ The result was absolutism as Europe's solution to the problem of re-establishing social order in a society where established order-generating intermediate systems had ceased to function. Yet when *new* intermediate systems became available, especially in form of civil society's voluntary associations and economic institutions, the absolutist solution of the problem of order became a problem itself: It hindered the further development of civil society and of modern economy. This problem was solved by the re-establishment of institutions of representative government, now not longer based on estates, but on elected representative bodies.

So the first and presumably generalizing lesson from Western experience with representative institutions seems to be: 'Linkage institutions' provide low-cost governance in the middle and long run, and they can even substitute a non-functioning central executive to a certain degree. However, they depend on peaceful domestic politics and on social consensus on their necessity and type. If a society lacks internal peace or such consensus, then monopolizing and centralizing power is a good choice. But the problem of centralized power is sustainability. On the one side, there will develop influential social and economic institutions especially in a well-governed society, and they will subsequently claim participation in the process of government. On the other side, we find usually the following nexus: The more complex a

¹⁰ Thomas Hobbes (1588-1679) was the most clear-thinking theorist of this problem; see especially his book 'Leviathan'.

society becomes because of successful development as caused by good governance, the more will its government need reliable information on society's actual shape and problems. Such information is most easily made available by representative bodies. Therefore, much should be invested in the (re-)construction of a society's self-organizing and self-representing capabilities from the outset.

The second and highly consequential peculiarity of how representative institutions evolved in Europe is connected with the role of the Christian church. Between late antiquity and the re-establishment of reliable political structures during the 9th century, the institutions of the church fulfilled the functions of many political and administrative institutions that had faded away. This is a central factor of European constitutional history. It influenced the development of representative government all the more since the representative institutions within the church (first its synods and councils, later the general chapters of its religious orders) could serve, along with their rules of procedure, as models for the developing 'secular' institutions of representation. Even greater were the consequences of the fact that the Christian church simply preceded all European states that emerged after antiquity, because it is the only European (and presumably world-wide) institution whose life-span reaches from antiquity to present times. In this role, it always resisted any claim that people could be represented or be taken care of by a *single* political or 'secular' authority. This latter authority, subsequently organized as 'the state', might and should take care of the rule of law, of security within and between states, even of social welfare. But whatever transcended man's secular being, especially man's inner world and his religious creeds, could not be taken care of by the state, at least not by a state that would not accept the church's both autonomous and leading spiritual role. This line of reasoning made it impossible even for the absolutist state to monopolize all resources: Man's soul was to be left under responsibility of religious institutions that were proud to be distinct from 'the state', even from a state under control of religious leaders.

So a normative a system of 'double representation' emerged, that is, of two different applications of the representational machinery. Such a double institutionalization of 'secular' and 'spiritual' affairs was demanded and defended by Christian theorists as early as in the writings of St. Paul and St. Augustine, that is, in antiquity. Man's soul, his immortal personality, was to be represented by the church and their bodies, his mortal personality, and man's material interests connected with it, by secular government. It is true that ecclesiastic bodies found their place among the institutions of government as well, even as

Europe's 'first estate'. But they did so as politically and economically powerful actors, not as institutions of spiritual guidance. This 'double representation', realized both in theory and in practice, made the European way of institutionalizing political and spiritual power quite different from how this was done in other cultures, especially from the Muslim world. Wherever political institutions succeeded to get strength of their own in Europe, they inevitably had to find an arrangement with the Christian church and its various institutions. What is more, they had to make arrangements with spiritual and, more often than not, even economic and political leaders who did not attempt to run the machinery of government directly and on their own. Exactly this opened the path towards separation of power and constitutionalism, and it did so from the very beginning of European constitutional history. Progress on this path was made easier because already antiquity's political theory had known a doctrine of 'mixed government'. For all of these reasons, representative assemblies never occurred as something 'alien' or 'imposed' to European politicians or political theorists; they were 'simply there', and they were so for convincing reasons. Political goals led to either support or fight them, to either cultivate prince-assembly and assembly-people relations respectively, or to hamper and remove them. But representative assemblies, along with the power they could mobilize because of close interaction with princes or people, were an integrative part of Europe's institutional world.

The two generalizing lessons from this second peculiarity of Europe's representative systems may be less obvious. The first is that it can be a real challenge to accept separation of power, an independent role of representative institutions, and non-government controlled relations between representatives and represented in cultures and societies, where parliaments never have played an important role. In such cases, acceptance of constitutionalism and parliamentarianism will depend on whether both is conceived as nothing else than useful forms of modernization, of making the machinery of government more efficient. Doing so is much less offending than to perceive – or even to handle – such institutional innovations as processes of 'Westernization'. As a consequence, results of reforms will be different if own cultural traditions are rather inspired by ideas from abroad than superseded by foreign institutions.

The second lesson is that religious institutions must be both respected *and* brought in distance to the machinery of government. There is no doubt that religious institutions are quite important linkage institutions. Working with them will usually lead to better governance

than working without or even against them. But the legitimate claim of religious institutions to deal with man's presumably most important challenge, that is, to live a good inner or spiritual life, has far-reaching political consequences: Not every political setting will allow good life, and certainly not that good spiritual life that is defined by a given religion. Therefore religious institutions will *legitimately* try to influence public policy. Yet this becomes harmful as soon as that purely political manoeuvring space of the state gets confined too much which is indispensable to balance the divergent interests and claims of all religious, social, and political groups that try to shape public policy. Of course, such competing groups and interests organizations will rise (and unfold their enormous contributions to good governance) wherever authoritarian rule fades away and pluralism emerges. In such a situation, huge – and never fulfilled – demands for conflict-management will be addressed to the government if the pluralist representation of claims for interests becomes not separated from the religious representation of claims for truth. Yet separating these two so closely intertwined and nevertheless distinct applications of representation creates follow-up problems for subsequent re-linking religious institutions with political institutions, and it stirs challenges for how politicians in general, and members of parliament in particular, should interact with them. Of course challenge is even greater for cultures in which political organization and religious convictions pass as two sides of the same medal. But without moving from a direct linking of religious and political institutions to an indirect one, many advantages of representation (see section II) will simply not be available.

A third distinctive feature was added to the Western handling of representation by the Reformation, originating in 16th century Germany. The Reformers contested the claim of religious and ecclesiastic institutions to act as necessary mediators between man and God. They argued that all powers of such institutions were acceptable only insofar as people found them helpful for their spiritual well-being and religious life. So not religious institutions should dominate people, but people should control their religious institutions. Therefore, officers and priests of protestant churches were considered as agents of the Christian community, and this latter as their principal.¹¹ As a consequence, religious community leaders were usually brought into office by elections among community members, and they were accepted as legitimate authority only as long as the community felt represented by those in

¹¹ On the principal/agent model in contemporary legislative research see D. Roderick Kiewiet / Mathew McCubbins, *The Logic of Delegation*, Chicago 1991 (Chicago University Press).

office. It is obvious that this line of reasoning could easily be generalized from religious institutions in particular to political institutions in general, thus connecting the idea of democracy with the principle of representation. Doing so, protestant theology opened the path towards democratic representation. Many protestant communities – especially formed by emigrants to England’s American colonies – went down on this path very far. From them, America’s institutions of democratic representation received their central inspiration. Modern democratic legislatures and parliaments have their roots here as well as in the ongoing evolution of England’s Houses of Parliament and in the national assembly of the French Revolution. With the European nations’ rise to world power, the latter shifting to England’s former American colonies in the 20th century, the type of a representative institution based on democratic elections made its way around the world, either by ‘institution export’ (with parliaments left behind after the colonial powers’ retreat), or by ‘institution imitation’. However, many ‘exported’ or ‘imitated’ parliaments did not work, or did not work well, in the cultural settings to which they were linked. More often than not those societies would accept neither pluralistic competition nor political power based ‘only’ on majority and not on ‘truth’, and in more than only a few cases ruling political elites simply refused to give up power as a consequence of electoral defeat. Sustainable democratic representation apparently depends on prerequisites that are neither given everywhere nor at every time in a sufficient degree.

From this, two last generalizing lessons can be drawn. First, representation may work in many cultural settings, but this needs not be true for its specific form of *democratic* representation. Therefore, the general benefits of the representational machinery for good governance should be strived for in the first place, whereas attempts to combine representation with democracy should be undertaken only when a society has no more serious problems to accept a given set of representative ‘linkage institutions’ and the rules of pluralistic competition. Second, it is much more important to link representative institutions reliably to the really important elite networks and to major social groups, than to bring into office freely elected individual representatives at an early stage of institution building. It is true that sometimes only elections will help to avoid arbitrariness in the composition of a representative assembly. But often a given society’s already existing social structures can be more easily linked to the central political system by means of admitting their positional elites to some kind of a corporatist representative assembly. Such a ‘higher’ corporatist chamber can subsequently be ‘balanced’, and

later even dominated, by the democratically elected 'lower' chamber of a bicameral setting. Therefore, Europe's former systems of estate representation need not to be considered as an outdated 'aberrations'. Much rather, they were solutions of a more serious and lasting problem than that to complete an effective government *for* the people by an – even more advantageous – government *by* the people. After all, good governance – how ever established – is the first what people care for. As a consequence, democracy must be only the second step in building viable government. But only when this second step is taken, all of representation's benefits can be used and best possible governance will be realized.

II. Good Governance and the Benefits of Representation

1. Political Representation: Division of Labour

Representation is no end in itself. It is a proven means to achieve better – and even good – governance. Having discussed some of representation's important prerequisites, its universal benefits will be outlined subsequently. The core of the following argument is that the 'representational machinery' will be useful quite independently from the cultural setting where it first got its shape, and that this machinery – adapted to ever new and specific environments – can 'travel' to quite different cultural and social settings. So can as well the generic institutional type of a parliament. Exactly this makes 'benchmarking' possible. At least inspiration may be drawn from well-functioning parliamentarianism of other countries.

Representation is division of labour. On the structural level, representation means that a representative assembly is set up in addition to a central executive and its administrative bodies. In this way, much more people can be brought into the process of government. This is especially true if members of parliament do not restrict their activities to deliberations in the assembly, perhaps even limited to one or two short sessions per year. Much rather, deputies can define their role as being mediators and 'networkers' between a parliament that is part of the central machinery of government, and their constituents, be these people and organizations in voting districts, interest groups, corporative bodies, or tribes. If a representative assembly turns out to be a permanent one with real political influence, there is even a strong incentive for further 'satellite organizations' to emerge around parliament and parliamentarians. These include lobbying interest groups, different political action groups, competing parties, and even professional political advisors. Based on all of them, an impressive and efficient machinery of

representation will evolve around parliament in the course of time. Centred on members of parliament and stratified according to their 'political rank-order', a reliable multi-layer network of contacts will develop between the centre of the political system and the governed society, in which information, opinions and demands can easily and effectively be circulated. Whereas incumbent members of parliament will leave office and newcomers will take their places, the overall 'representational network' will not end to exist, since it is based rather on positions held by changing persons than on the individual position holders who always find a substitute.

There is even division of labour possible and quite common *within* such a representative institution. Some members of parliament may specialize on intra-parliament bargaining and on parliament-cabinet relationships, others on cultivating parliament/constituency-relationships. If deputies are paid to be full-time and professional politicians, their networking and cultivating of contacts can even be carried out in great intensity and reliable sustainability.¹² Deep and firm roots of the political system in society will be the first result, parliament's resilient legitimacy the second. On balance, representation discloses the advantages of specialization as well as any other division of labour. In particular it leads to different profiles of specialization between those who run the executive machinery of government and those who specialize in politically relevant social networking, thereby creating much more interfaces between political institutions and citizens than are available in a political system without representation. But this enormous benefit is only brought in if members of parliament are really linked to the different layers and sections of society, and if such relations are cultivated thoroughly with different constituencies and with great numbers of constituents. Therefore, mere consultative bodies with rare and short sessions, composed of political amateurs without major networking incentives, cannot avoid to be weak and of very limited use.

2. Parliament's Functions and Good Governance

a. Linkage Function and Good Governance

Fulfilling its 'linkage function' is the basic task of every representative institution, be it a consultative, corporatist, federal or democratic assembly. For obvious reasons, all other benefits a parliament

¹² Contrary to what is frequently believed, part-time parliamentarians who continue to work in their original, often non-political professions will not realize the same effect. It is simply not sufficient for the representative of a given constituency to be firmly rooted *only* in his personal life-world. Yet to this he will be restricted if he pursues his non-political vocation without sufficient time to develop and to maintain much larger network structures.

can offer for good governance depend on its linkage achievements. Of course, the very type of assembly determines in the first place which kinds of networks have to be set up or can be cultivated. In the case of corporatist bodies (like estates) or of federal councils it is clear from the outset, that the sending institution, or that an institution whose leadership position goes along with a seat in a representative assembly, is the single member's most important 'role partner' or linkage structure. Of course, things are much more complicated in consultative or democratic assemblies. In the case of a consultative body, the summoning person or office will usually decide on own discretion from which groups to chose members, and because of which personal or positional qualifications. However, informal coalitions will quickly develop among members, and quite unforeseen cross-networking, or additional networking, may occur far beyond the 'nominally represented group'. In democratic assemblies, coalitions of members will be formed within the representative body case by case or on a regular base, because only this enables the assembly to collective action based on majority decisions. In addition, those electoral decisions that shape a democratic assembly's actual composition will usually be made along social or economic preferences, along ethnic or religious tensions, and along regional or genuinely political cleavages. Therefore, under circumstances of majority decisions and elections irrefutable incentives for the formation of political parties will be set from two sides: top-down in intra-parliamentary processes, and bottom-up in electoral processes. And once formed, parties will become important network structures themselves. They are vertically integrated by their different layers of decision-making and leadership structures, that is, by chains of delegation and of reporting, reaching bottom-up from local to national party organizations and top-down the same way. Horizontally they are connected with persons and organizations that are active on different leadership levels in public life, business, or administration, wherever party leaders establish and cultivate such relationships on their levels of action. In addition, parties are connected with civil society's own social structures both in the person of individual party members and by the constituency work of the parties' parliamentarians.

The most powerful methods to tie party network structures on the parliaments' or to the executive's network structures comprise *double/multiple-leadership* and *double/multiple membership*. The first term means that local or regional party leaders are members of

parliament¹³ and that national party leaders are heads of government or heads of parliamentary opposition parties. The second notion signifies that members of parliament are members of interest groups as well, or of those numerous associations of civil society that exist in their voting districts. They may also hold mandates in local representative bodies or even be mayors of towns or villages. Both means are complemented by *continuous networking activities*. Among them, establishing and upholding close relations with journalists is of special importance because. Otherwise a member of parliament will hardly gain that visibility in his voting district which is the prerequisite for accessibility by his constituents and, therefore, a dominant objective of his 'home style'.¹⁴ On the one hand, news coverage of the deputy's own activities, or of the activities of his party or parliamentary party group, must be achieved if citizens are to become aware of their representative(s). On the other hand, journalist themselves are usually quite effective 'networkers'. For that reason it is highly attractive for both journalists and members of parliament to get access to each other's networks and to the information circulated therein. At the core of the deputies' all other networking activities are their attempts to find broad audiences in their voting districts and to get personal access to many citizens. This can be done most easily, albeit in often quite narrow limits, on occasion of sport events, of festivals and of jubilees in their voting districts, to which parliamentarians are invited and where they may even have the chance to deliver a short speech to the crowd. Of course, neither each single MP nor each single parliamentary party group can, or even must, optimize all these means to accomplish a parliament's linkage function and to build close member/constituency relations. But in a combined effort, all members, or all party groups, of a given parliament can and should try to reach this end.

Cultivating the other end of the 'chain of representation' is part of the linkage function as well, that is, linking parliament with the cabinet and with other institutions of the executive branch of government. In parliamentary systems this is easily done by double-leadership or double-membership of parliamentarians: Members of cabinet can be, and usually are, members of parliament as well, and parliamentary leaders use to become prime ministers or chief executives. Such linkage must be

¹³ In some countries it may be the prerequisite for successful running for a parliamentary mandate to have gained local or regional party leadership position, whereas in other countries a seat in parliament may be the base from which access to party leadership positions is easy.

¹⁴ See the very impressive and highly consequential theory of 'home style', developed in Richard Fenno, *Home Style: House Members in Their Districts*, Boston 1978 (Little, Brown). Fenno's work was the bases of most of the author's empirical research and has deeply influenced this analysis of members/constituency relationships.

achieved in more complicated and less clear ways in presidential systems of government and in those systems that implement a rule of incompatibility between a parliamentary mandate and a seat in cabinet. However, the purpose is always the same, namely to impose parliament's own responsiveness to cabinet and to public administration. Of course, different countries have developed different means to reach this goal. They can be ordered along the type of regime in which they are most successfully applied, that is, either along the presidential – semi-presidential – parliamentary dimension of system differences, or along the confrontation of competitive democracy and consociational democracy. In every case it must be made sure that the interaction between the representative assembly and the represented people is continued, and brought to bear on policy issues, by equally effective interaction between the representative assembly and the executive branch of government.¹⁵ Otherwise, representation will lose many of its possible benefits. But as soon or as long a parliament is built on successful and sustainable performance on this *two-sided* linkage function, a parliament has good chances to accomplish quite well also its other functions:¹⁶ the functions of responsiveness and of leadership, and the functions of government oversight and legislation.

b. Responsiveness Function and Good Governance

Responsiveness means that a system, or a single institution, is prepared and willing to be stimulated and lead to action by initiatives from outside, be they desires and demands, opinions or information. Therefore, a representative assembly is responsive if input by its constituents is easily possible and is taken into consideration, and if such input leads really to (re-)actions. These may range from support for expressed demands to explanations why no such support will be given. Even though single members of parliament may not be responsive at all, the representative body itself may be nevertheless if there are enough and sufficiently powerful members of parliament who practice responsiveness on their part, or if non-responsive parliamentarians and parliamentary parties can be reliably removed from office and power

¹⁵ This is simply another way to think and talk about separation of powers and even about (early stages of) democracy. If a president or cabinet has to interact closely with a parliament, a simple system of checks and balances has been established by this very fact. And if close interactions between parliament and people cannot be ignored by a cabinet or president interacting with this parliament, then a chain of (pre-) democratic influence and responsibility has been forged.

¹⁶ In addition, there is the *elective function* of parliament. It is shaped quite differently in each single political system. In parliamentary systems, its most important element is the election, the support, or at least – in form of a 'negative election' – the overthrow of a parliament-based cabinet. Fulfilling exactly this additional function will shape all other processes of government and leads to the enormous differences between parliamentary and presidential systems of government.

after a short while. Regular free elections are the most effective way to this end.

Four forms or components of responsiveness may be distinguished, and all of them will contribute – within certain limits – to good governance.¹⁷ *Service responsiveness* means that members of parliament engage in constituency service and in casework, that is, that they are accessible to individual citizens, listen to their practical problems, and try to help them whenever interference with government officials and administrative bodies, or simply arranging useful contacts, will be promising. *Allocation responsiveness* is exerted whenever MPs influence the executive's decisions such that investments (or deals) are made in the interest of voting districts, of local governments, of regional economy, or of single interest groups. *Policy responsiveness* is brought to bear whenever parliamentarians support policy positions that have been proposed to them, or are at least expressly shared, by their constituents. *Symbolic responsiveness* finally means that representatives take at least 'soft' symbolic measures whenever 'hard' practical support for constituents' demands is neither possible nor desirable on part of the deputy. Such 'soft' symbolic measures may include declarations and promises, limited (personal) donations, or personal presence on occasions that are important for a various groups of constituents. Symbolic responsiveness should by no means be denounced as *only* a surrogate for 'real' responsiveness. People simply long for policy happening on two levels: They want to see effective 'instrumental' measures, and they like it when the meaning and value of political measures is equally conveyed by symbolic expression of what these measures are about and for which ends they might be good.

By service responsiveness, members of a parliamentary assembly fine-tune governance in concrete cases: They offer help wherever legal regulations or political framework conditions lead to serious disadvantages for individual people. By the same token, they receive input for improving legislation, or motivation to urge the executive to measures otherwise avoided. Allocation responsiveness fine-tunes governance as well: Rivalling representatives have a look at, and a say in, whether the best possible use will be made of available public money and investments. But it is clear that in both cases serious problems of justice may emerge: Those will preferably get more support and over-average allocation advantages who know how to make a deputy act, or who have better access to particularly effective or influential parliamentarians. Yet

¹⁷ See Eulau, Heinz / Karps, Paul D., 1977: The Puzzle of Representation. Specifying Components of Responsiveness, in: Legislative Studies Quarterly 2, pp. 233-254.

there is no real alternative to leave it to members' personal discretion and responsibility how far they will go with these forms of responsiveness. The golden rule seems to be: Secure accessibility for all constituents; carefully check the plausibility and value of desired measures; and always care for the common good, defined by yourself as well as you can. The better this rule is followed, the better service and allocation responsiveness will contribute to good governance. Sometimes, real service and allocation responsiveness can be substituted by symbolic responsiveness, thereby replacing 'really' good governance by the mere appearance of good governance. In case of lacking means, symbolic responsiveness must even suffice, and for good reasons. But it will be a 'sufficient' substitution only to a certain degree, especially when key issues are at stake. Policy responsiveness in particular can be substituted only for a very short while by symbolic measures, at least if the personal life of many constituents is concerned. Therefore, the whole representative assembly will lose credibility and reputation if continuously more support is symbolized than realized.

Especially policy responsiveness is fine-tuning governance. At first sight, good governance seems to imply perfect policy responsiveness, that is, the conduct of public policy such that it keeps pace with the constituents' desires and demands. But there are much more limits to policy responsiveness than lack of resources or of good will on part of the representatives. On the one hand, politicians have to balance the diverging and competing policy interests of different population and constituency groups, such that a government's overall policy can come close to what a majority may consider as the common good. On the other hand, there is no guarantee that people who call for policy responsiveness have a correct or sufficiently comprehensive perception of those problems 'outside' that must be addressed by political measures. If representatives come to the conclusion that their constituents cultivate erroneous or misleading policy views, then it may even be their duty to oppose publicly to their constituents' policy views and to refuse policy responsiveness. So pursuing the goal of good governance itself can lead to reduced or refused policy responsiveness.

This is even true in political systems based on democratic representation. A representative institution is always more than only a 'mirror', or a 'technical device', of constituents' policy preferences. The evolution of an adequate relation between policy responsiveness and good governance rather depends on the understanding that representation is nothing else but division of political labour. In such an arrangement, it is certainly the representatives' duty to *know* their constituents'

empirically detectable policy preferences. But it is no less their duty to find out which *hypothetically supposable* policy preferences people *might* have if they had as ample opportunity to gather information, and the obligation to balance diverging, yet equally legitimate interests, as professionally working members of parliament have.¹⁸ So it turns out that the medal of good governance has two sides. On the one side, good governance means that policy measures turn out as useful and effective in *reality as it is*, although constituents may cultivate erroneous perceptions of reality and, therefore, may advocate useless or ineffective policies. On the other side, practicing *supposedly* good governance while actually working *against* most people's convictions and feelings for a long while will lead to 'enlightened authoritarianism' at best and can hardly avoid repressive measures if public policy is pulled through against broad resistance. Even starting such an attempt will entail high transaction costs and bring about a process of government that is far away from really good governance. Obviously this is a problem of the plague-and-malaria type: There is simply no guarantee exists that (presumable) effective measures will ever be considered as (widely) acceptable. If action must be taken nevertheless, tremendous leadership challenges must to be met on the part of the political class and of parliament. Sometimes they may successfully generate understanding at least, possibly acceptance, and in a few cases even support for hurting, yet necessary measures. But more often such attempts will fail. Then the 'best possible' governance has to replace 'good' governance, ending up in cautious 'muddling-through'.

There is no more effective means to make representatives responsive than free elections, hold in regular intervals, with each incumbent having the right (and sufficient incentives to make use of it) to run for office as often as he wants. Under such circumstances, representatives cannot afford to ignore for too long a while, or in too large a scale, the empirically detectable policy preferences of the electorate. The reason is obvious: If an unbiased electoral system is used, a deputy (or a party) preferring not to comply with voters' preferences (for whatever reasons) will be substituted, or at least be removed from power, by a rivalling candidate (or party) who promises to better practice policy responsiveness. The same mechanism works on service, allocation, and symbolic responsiveness: All of that increases as soon as repeated free elections (with the possibility to get re-elected) are built into the representational machinery.

¹⁸ On this, see Siehe Ernst Fraenkel, Die repräsentative und die plebiszitäre Komponente im demokratischen Verfassungsstaat [Representative and Plebiscitary Components of Democratic Constitutionalism], in: idem, Deutschland und die westlichen Demokratien [Germany and the Democracies of the West], 7. ed., Stuttgart 1979 (Kohlhammer), pp. 113-151.

It is true that nothing prevents members of parliament to practice all forms of responsiveness even *without* democratic elections. Of course there are other incentives as well, like moral obligation to duty, or social control. If they are effective, the benefits of parliamentary responsiveness can be used even without basing them on democratic elections. But nothing imposes responsiveness better on even reluctant representatives than combining representation with democracy. Most important is, however, that parliaments fulfil their linkage function successfully and without major networking biases. The reason is once more obvious: If the networks for communication and transaction between a representative institution and those to be represented are too narrow, too thin or otherwise biased, the same will be true for the stimuli that originate from within these networks, and therefore for all responsiveness practiced by parliament and parliamentarians in reaction to demands from such sources. As a result, mere insider deals can result within a closely confined power-and-policy cartel, whereas good governance seems to happen on the surface.

Here, the guiding idea of ‘descriptive representation’ comes in. This concept denotes the belief that the composition of a representative assembly should mirror the composition of the society that is to be represented by this institution. Put in concrete terms, this claim means that a parliament should reflect the society’s gender ratio, vocational and age distribution, social class structure, or even religious structure. The rationale behind this wants the deputies to be something like a ‘representative sample’ from the overall population, such that the opinion distribution in parliament would replicate the opinion distribution among the rest of the population. Especially this is supposed to combine democracy (‘representing the people’) with the representative principles of parliamentarianism. If such ‘descriptive representation’ is absent, this passes as a serious distortion of members/constituency relationships and a danger for fair and balanced responsiveness. That no democratic parliament has ever lived up to the expectation of ‘descriptive representation’ continuously stirs criticism nearly everywhere.

The merit of this criticism is that it points to a central requirement of good governance: Parliament must be linked to *all* layers and parts of society if balanced responsiveness is to be practiced and if as much benefit is to be drawn from parliamentarianism as is really possible. Yet there are two serious shortcomings of this criticism. First, a parliament has to do much more than merely to reflect the empirically detectable ‘will of the people’. After all, this can be achieved by polls at much lower costs. Second, ‘descriptive representation’ is neither a necessary

nor even a sufficient requirement of good fulfilment of parliament's linkage function and of balanced responsiveness. Neither will a 'representative sample' of the population necessarily include only 'good networkers', nor is there any reason why deputies whose social composition differs from society's overall social composition should not be principally unable to practice balanced responsiveness if they really care to do so. So the truth seems to lie in the middle: Neither is 'descriptive representation' required for a sufficient fulfilment of parliament's responsiveness function, nor is every bias in the 'roots of parliament' acceptable if good governance is the goal. Therefore we should continuously evaluate the existing network structures and responsiveness incentives between parliament and society and look for corrective measures whenever they seem desirable.

c. Leadership Function and Good Governance

Parliament's *leadership function* comprises two elements. First, parliament has to gain steady and pro-active influence on the executive branch of government. There is no need to consider 'government by assembly' as the necessary or 'natural' goal of attempts to optimize this part of the leadership function. Much rather, parliamentary co-leadership suffices, that is, a system of checks and balances in which the representative assembly has an irrefutable say in all important policy matters. This can be achieved, albeit by different means, in presidential systems of government as well as in parliamentary systems. But in both cases parliament's position will be the stronger the better the assembly is linked to society and the closer it interacts with powerful constituents. Exactly this, however, will transmit all advantages of parliament's fulfilling the responsiveness function to the executive's capacity to exert good governance.

Whereas this first element of parliamentary leadership relies on good serving the linkage function, the second element of exerting parliamentary leadership makes the linkage function precarious. The problem is that MPs must explain policy to their (different) constituents, while there is no guarantee whatsoever that explanations for even quite necessary or sound policies will be accepted, or even appreciated, by their constituents. Only in times of economic abundance and in case of popular policy measures such explaining policy will be unproblematic. But it will become quite a demanding challenge if unpopular measures are necessary or when resources are lacking that previously were used to settle distribution conflicts. In such periods, leadership efforts may be futile and in vain. Attempts at explaining policy and at securing political

support may then end up in popular disdain for the assembly and in contempt for its members. By contrast, those are good times for charismatic leaders who want to override the representative machinery for personal power.

But even in such circumstances it makes an enormous difference whether attempts at explaining policy and efforts to exert 'communicative leadership' are undertaken by members of parliament. On the one side, there will be just less leeway for demagogues in this case. On the other side, continuous efforts by hundreds of MPs to get their arguments through numerous proven channels into the people use to have an impact. Even if a majority of constituents should not be convinced by the information and arguments they are confronted with, information and arguments are passed to them at least. Both provide crystallizing points for further political talks and reflections. Out of them much more and resistant legitimacy will emerge than could be produced by political leadership in a command-and-control mode. If explaining policy should even lead to a majority's acceptance of political measures, as is quite often the case, still much more legitimacy will be created. And if people have not got discredited their expectation for a long while that politicians will certainly discuss contested policies with them, thereby making real and serious efforts to convince them, then legitimacy will be generated for the whole political system. On the basis of recognized legitimacy, however, even single unpopular measures will stir dissatisfaction at most and no risks of regime collapse. Therefore, MPs' explaining policy to constituents paves the way towards good governance.

d. Oversight Function and Good Governance

Oversight of the executive branch of government, and even *control of important governmental activities*, is parliament's most important function in concrete processes of policy making. There is no need to discuss here the various forms and means of parliament's scrutiny over the executive. The same is true for the fundamental differences of how an assembly's oversight works in presidential and parliamentary systems. It suffices to recall that parliament's means of control include public criticism of government's policies, the assembly's 'power of the purse', a legislature's voting and veto powers, and a full-fledged parliament's power to either support or overthrow a cabinet. Again is it evident that parliament's chances to make real and effective use of its legal powers depend on two factors whenever it comes to a conflict between the legislative and the executive branches of government. The first is the

representative assembly's capacity to stir public outrage and indignation at cabinet policies or at cabinet members. The second is the credible claim that parliamentarians really know of what they are talking when they criticize government measures for bad consequences in their constituencies. Apparently both factors are created, and made available as a political resource, by nothing else than by deputies' good and efficient performance on the linkage function.

If members of parliament additionally succeed to accomplish a good balance between practicing responsiveness towards their constituents and serving the common good, then fulfilling the oversight function will contribute even very much for good governance. The obvious reason is that the executive will either anticipate well-taken criticism on part of many parliamentarians, and will shape its policies such that serious criticism can be avoided. Or the cabinet will better modify and correct implemented policies if deputies make clear that unintended and unwelcome side-effects have been generated and continue to come out. It is true that cabinet members and executive officials often feel that good governance would rather be promoted by 'fact-oriented expert policies' as formulated within the ministries without 'political interference' on part of members of parliament. But bringing the peoples' experiences, opinions, and desires into the process of policy formulation will usually raise and not reduce the chances of effective policies to be formulated and of good governance being exerted.

e. Legislative Function and Good Governance

The same is true for parliament's function of *legislation*. Although most bills are drafted within the executive branch of government, at least in efficient systems of government, powerful parliaments hold significant co-authorship during the process of legislative deliberations, or have reliable means to amend bills before the final votes are taken on the floor. Again, parliamentary influence will be the greater the better deputies can claim that they know even better than executive officials how a given piece of legislation will work out in the daily lives of their constituents. It is even quite common in several systems, like in Germany, that amendments of laws originate in practical problems that get known to parliamentarians in the course of their constituency work, that is, when they practice service or allocation responsiveness. Because good legislation is the backbone of good governance under the rule of law, the high importance of well-organized and effective members/constituency relationships becomes here evident once more.

Apparently good fulfilment of the parliamentary functions discussed above will contribute very much for good governance. Because good performance on the linkage function is a prerequisite for successful serving the other functions, the quality of members/constituency relationships can pass as a central factor of good governance. To improve member/constituency relations must, therefore, rank high on the agenda of parliamentary reform. It is true that the concrete nature of member/constituency relations depends widely on two quite variable factors: on the kind of the representative assembly whose linkage with society is at issue, and on the nature and social structures of the represented society itself. An allegedly democratically composed lower house of a bicameral parliament will apparently need and create quite other linkage structures than Germany's Federal Council or the senates of France and Canada. It is equally obvious that a rural society with strong religious institutions and little experience with peaceful handling of open conflict will call for other networking attempts on part of parliamentarians than a secular industrial society with well-established pluralism and proven political parties.

For these reasons, many different ways may lead to the same goal of securing good governance by an effective machinery of representation. Comparative analyses that end in statements on averages will level out these differences. Case studies on single forms of effective members/constituency relations will not lead to 'direct lessons' either, unless for countries that are very similar to the one under analysis. When this latter is not the case, one still can look for functional equivalents in one's own system for what has been found useful in a different country, and one may at least draw inspiration for new solutions of well-known problems from abroad. For this purpose the following analysis of members/constituency relationships in Germany may be helpful.

III. Members/Constituency Relations in Germany

1. Preliminary Remarks on Institutional Factors and Data

Germany has members of parliament on three levels: some more than 2000 members of Germany's 16 state ('*länder*') parliaments,¹⁹ on average some more than 600 members of the German federal parliament ('*Bundestag*'), and 99 German members of the European parliament. In addition there are tens of thousands of local and regional councilmen. Most similarities exist between the members of the federal parliament and the state parliaments ('*Landtage*'). Members of the European

¹⁹ For linguistic variation, for this level in Germany's system of government the notions of 'state level', '*länder* level' and 'provincial level' will be used with the same meaning.

Parliament have to represent huge territories and populations; nevertheless they must spend more than three thirds of the year at Brussels or Strasbourg, the two seats of their parliament. This makes their constituency work very untypical of what 'normal' MPs do. By contrast, most local councilmen are part-time or hobby politicians with a very low level of professionalization. Yet members of the national parliament and the state legislatures use equally to be professional full-time politicians who have quite similar social and educational backgrounds, careers, role orientations, behavioural patterns, and linkage structures.

It is true that members of the *Bundestag* usually work on other policy fields than members of the *länder* parliaments, which leads to different 'chains of communication'. Of course the *Bundestag* members have also much larger voting districts, both in size and population. This poses challenges for networking and constituency service that are different in degree from those of the members of the *Landtage*. But deputies of the *Bundestag* have more staff and means available to maintain offices in their voting districts: They can usually afford one full-time staffer, whereas most *Landtag* members can pay a half-time staffer at best. As a consequence, there are differences between MPs on federal and on state level in the profile of their networking activities and time budgets.

But much more important are the differences that exist between deputies of the large parties on the one side (Christian-democrats, labelled 'conservatives', and Social democrats, labelled 'progressives'), and the deputies of the small parties on the other side (the Liberals, and the left-lenient ecologist Green party). Deputies of large parties use to run seriously as candidates for Germany's single-member voting districts and to accept an enormous workload of constituency activities.²⁰ With them, deputies from the small parties simply cannot rival. Because they are so few, most of their working capacity is consumed by the work they have to do in parliament. For the same reason they never can concentrate their constituency work on a single voting district, as is possible for their colleagues from the large parties, but have to 'represent' four and much more voting districts. Even an attempt to rival with major parties' deputies in constituency work would be futile. So they concentrate on cultivating linkages with their core supporter groups.²¹ As a consequence,

²⁰ This is even true if they are *defeated* candidates who nevertheless won their seat in parliament from their party list and not in their voting district. For details on Germany's electoral system see below

²¹ In a special situation is East Germany's PDS ('Party of Democratic Socialism'), the follow-up party of East Germany's communists. In East Germany it is a large party with deputies that work quite like their pairs in West Germany's large parties, whereas this party is insignificant in West Germany and has no MPs there. In

the most important dividing line across Germany's parliamentarians does not run between federal and provincial level, but between those of large and small parties, and it affects especially the member/constituency relation. This dividing line between large and small parties affects even the most important incentive for MPs' constituency work, that is, the need to create favourable conditions for re-nomination and re-election. Therefore some remarks on Germany's electoral system are required. Because the central features of the electoral systems applied in federal and *länder* elections are quite similar, the following comments will cover both.

Half of the seats in parliament use to be won in single-member voting districts by a plurality of votes. Those who run for office in the voting districts are called 'direct candidates', those elected 'direct deputies'. The other half of seats is filled with candidates from party lists. Each party presents a list of candidates of its own. Consequently, German voters have two votes: one for a direct candidate, and one for a party list. This allows voting for the direct candidate of party A and for the list of party B at the same time. However, not too much use is made of such splitting of votes.

Because Germany has an electoral system of proportional representation, the percentage of votes that a party gets for its party list will decide about the percentage of seats it gets in parliament. This makes the vote for the party list the more important vote. Of course, those on top of a party list will have better chances to enter parliament than those close the bottom of the list. In addition, seats 'from the list' will be more important for parties that have small chances to win voting districts. On the one side, this is true for all candidates of Germany's small parties; hardly ever they won a 'direct mandate'. On the other side, a 'safe' list position is important for candidates of large parties who run in contested voting districts or where the competing large party is even likely to win the direct mandate. A mandate won from the party list is called a 'list mandate', and he who only runs for office on a party list is a 'list candidate'. Those elected from a party list are 'list deputies'. Direct candidates can run on their party list as well, but are not required to do so. The incentive to run both as a direct candidate and on the party list is to increase one's chances to be elected: A defeated direct candidate may become an elected list member. Inversely, parties use to require running

addition, linkage structures between deputies and society are still less well developed in East Germany, including less close relations with journalists and media. But processes of assimilation of East German MPs to their West German colleagues were observable from the outset, such that most of the formers' still existing peculiarities can be judged as transitional phenomena of no importance for the subsequent analysis.

as direct candidate in not promising voting districts as the price for getting a 'safe' position on the list.

Although the legal status of 'direct deputies' (nearly always members of large parties) and of 'list deputies' (the usual category for members of small parties) is exactly the same, there are major and highly consequential differences for the deputies' linkage activities between these two 'types' of German MPs. 'Direct deputies' depend for nomination on their local or regional party organizations, and for election on personal popularity in their voting district. Therefore they will try to control their local or regional party organization, especially by being its chairperson, and they will invest enormously in constituency service and in regional networking activities in order to make their seat a 'safe seat', that is, one that is usually won with a broad margin. The result of successful attempts to do so is the deputies' considerable independence from higher party leadership groups: They owe both their party leadership functions and their mandates to personal activities and achievement, not to support from above. Apparently, they must secure their political position by 'outside activities' in the first place, since only this makes them attractive as local and regional party leaders. In contrast, 'list deputies' depend for (re-)election on a safe list position, that is, on one close to the top. The smaller the party's usual turnout of votes, the more important is being placed on top of the list. The party lists, however, are set up by party conventions on *land* level. In practice, list positions are allocated to the various regional party organizations as the result of intern negotiations, along with a certain succession of list positions to make sure fair regional representation. In addition, the list is supposed to be balanced in terms of both gender and membership in one of the party's intern organizations (young party members, senior party members, business-leaning wing, labour-leaning wing etc). Usually the party leadership group on *land* level will come up with a proposal of how the list positions should be allocated and which candidate should be placed on which position. But all final decisions will be taken by the delegates of a party convention after more or less heated debates. This nominating procedure entails serious consequences for list candidates: They must secure support from a majority of regional party organizations, of influential party leaders on *land* level, and of the majority at the nomination convention. This requires them to concentrate on 'inside activities' within their party organizations and makes them responsive much more to demands from their party than from constituents outside their party. List deputies' most important constituency, therefore, is their party organization on and above its regional level. By contrast, the most

important constituencies of direct deputies are both the population in their voting districts and the local party organizations below that regional level on which they use to be the party chairpersons themselves.

The absence of direct deputies in case of small parties produces in the networking activities of their MPs a clear party-oriented bias. This bias is 'corrected' to a certain degree in case of the list parties of large parties (more often than not defeated direct candidates!) by the usual requirement that they do constituency work as if they were direct deputies. Exactly this leads to considerable similarity in the pattern, even though not fully in the structural results, of the constituency activities of deputies from large parties. Bearing in mind all these larger similarities and smaller differences,²² it is possible to describe how the 'modal' German member of the *Bundestag* or of a *Landtag* organizes and uses his constituency relations.

The data for the following analysis stem from two major studies, carried out in 1994 and 1997. The first was a survey among all German members on parliament, that is, on deputies both on *länder*, national and European level. A written questionnaire was mailed to all of them; roughly one third responded.²³ This is still the most comprehensive data base on German MPs' role orientations, on their work in the parliamentary and constituency arenas, and on their linkages to society. The results of this study verified the findings of previous, more restricted analyses, and have in turn been confirmed by subsequent, more focused studies. Below, average data for all German MPs on state and national level will be presented, usually without differentiating between deputies from *land* and federal level or from large and small parties. If there were significant differences between East and West German MPs, figures for West German deputies are given since these better represent the 'normality' of German parliamentarianism than the figures for East Germany. The second study was, in its first part, a very detailed observation and interview enquiry of how 25 members of the *Bundestag* and of two state legislatures (Hesse in West Germany, and Saxony in East Germany) did constituency work in selected rural and urban voting districts. The second part of this study included a very detailed analysis of the network structures that have been created and are maintained by these members of parliaments.²⁴ Starting from the deputies themselves

²² The latter include differences between MPs of the large parties and between deputies who represent urban and rural voting districts respectively.

²³ On methodological details and the central results see Patzelt, *Deutschlands Abgeordnete* [Germany's Members of Parliament], op. cit.

²⁴ On methodological details and the central results see Patzelt/Algasinger, *Abgehobene Abgeordnete?* [Detached Deputies?], op.cit.

(n=25), three layers of ‘role partners’ have been studied, that is, of key persons for constituency work both for MPs and for these key persons themselves.²⁵ In sum, a network of about 800 persons could be identified, that is of the most important ‘middlemen of politics’ in the researched voting districts. Interviews conducted with them and mailed questionnaires covered the nature and history of the detected network structures and the contents of the communication and transactions that are circulated within them. The results, some of which will be reported below, deepened and confirmed the findings of the 1994 survey.

2. MPs’ Social Background, Leadership Positions, and Membership

It is not surprising that Germany, like all democratic countries, lacks ‘descriptive representation’. That the deputies’ social background is not ‘representative’ in demographic terms, can be easily recognized: 22% of German MPs were teachers or even university teachers before entering parliament, 21% employees in the public service. In addition, 15% were employees of business enterprises, 5% of parties, 4% of interest groups or other organizations. 21% were self-employed in various vocations, ranging from lawyers to farmers. In addition, most of them have higher education and stem from society’s (slightly) higher middle-class. Obviously this is no average of the German people. The same is true of those different layers of their role partners, out of which the social fabric of MPs’ network structures is made and from the ranks of whom parliamentarians use to be recruited. Therefore, establishing parliament-centred networks across the German society cannot be simply a by-product of the deputies’ continuation of what they did before entering parliament. Much rather, mindful and environment-adapted linkage activities are required on their part.

In the case of German MPs, such conscious networking activities start with the very beginning of political careers. This is usually in local politics, in local party organizations, and in the voluntary associations (sport clubs, voluntary fire-brigades etc.) of civil society in their local communities. On average, German deputies have served as local councilmen for more than six years before entering parliament. 70% say to have previously been active in voluntary associations and political action groups, 56% in larger interest groups, and 82% in their parties for a long while before running for mandate. Doing so, and establishing

²⁵ The deputies were asked which ten persons were ‘most important’ for their constituency relations (‘1st order role partners’). Subsequent interviews or written questionnaires were done with 107 among them, including the question of who the most important persons were for their political work in the voting district (‘2nd order role partners’). With 179 among them further interviews or questionnaires were done, including the aforementioned question that generated data on further 273 ‘3rd order role partners’.

many reliable personal relations along this way, entering parliament was a step-by-step process for nearly every second deputy. Many relationships and networks that were created in the course of this process will endure. Of course this is true for intra-party linkages in the first place. After all, 16% among German MPs are still chairpersons of their local party organizations (members of their executive committees: 20%), 22% of party organizations on regional level (members of their executive committees: 38%), and 4% (deputy) chairpersons of party organizations on *länder* level (members of their executive committees: 20%). Only 10% of MPs report of no party functions at all, but without signalling thereby any linkage problems within their parties, or even 'inner distance' from it.

In addition to their indispensable intra-party networks and their party positions, no less than 5% of German MPs are still mayors, mostly of small communities. 29% continue to be councilmen on local level, 22% on regional level. 39% of German deputies are members of the executive committees of voluntary associations or interest groups on regional level,²⁶ 22% on *länder* level, and 12% on national level. 41% have positions in foundations, advisory bodies or supporting organization of nearly every kind, among them 19% in the area of culture and education, 15% in the domain of social welfare, and 7% in the media sector. In addition, 25% of deputies are members of the supervisory boards of business enterprises. On balance, one cannot ignore that German MPs are much better linked, even by mere leadership and membership positions, to many parts of German society than most of the citizens themselves.

3. Members/constituency Relationship and Parliamentary Role Orientations²⁷

Being linked to one's co-citizens is one thing. The other thing is real willingness to make the best of these linkages for the benefit of those represented. It is true that 98% of German MPs regard control of government, and 94% legislation, as their most important task, thereby clearly indicating that parliament itself is their most important arena of political activity. But caring for citizens and constituents passes as quite an important task as well. 89% say they should represent citizens'

²⁶ In addition, many MPs are 'ordinary' members in many voluntary associations, simply to be part of such networks (which is useful for getting access to larger groups of people during constituency work) or to demonstrate 'symbolic responsiveness' by means of membership. Among those associations, leisure time organizations dominate (sports, gardening, voluntary fire brigades etc.). They are followed by social welfare organizations and associations in the domain of culture and education.

²⁷ On details for this and the following section, see Patzelt, German MPs and their Roles, op. cit.

interests in parliament. No less than 56% feel that they should work with the executive branch of government on behalf of single citizens or of groups of citizens (that is, to engage in ‘case work’ and in ‘service responsiveness’), and even on behalf of local governments (that is, to engage in ‘allocation responsiveness’). Moreover, 79% stress their aspiration to link parliament with society by their personal contacts as deputies (‘linkage function’), and even 90% emphasize that a member of parliament should get well informed, based on those manifold contacts, on his constituents’ feelings, opinions, and desires (‘responsiveness function’).

It is true that the claim of German deputies to exert leadership towards citizens is second to their readiness to fulfil the linkage and responsiveness functions. Nevertheless, this claim is a strong motivation as well: 63% want to influence citizens’ political opinions, and 65% wish to get their party’s positions accepted and realized. Conversely it is no attractive role for German MPs to simply follow their constituents’ desires. Only 6% regard themselves as having a ‘bound’ mandate, and 47% definitively refuse to act like ‘delegates’. Instead, 85% prefer the role orientation of a ‘trustee’, that is, working for the best of the citizens according to own definitions of what this ‘best’ might be. Accordingly, 81% consider themselves as exerting a ‘free’ mandate.

4. Caring for the ‘Common Good’ and Complying with Constituents’ Desires

One of the most demanding challenges for parliamentarians is to pursue policies that presumably serve the ‘common good’, while the empirically detectable majority ‘will of the people’ expressly prefers different policies. This is a challenge all the more because the ‘hypothetically supposable’ will of the people (that is, what people might prefer if they could base their opinions on the same level of information and overall policy considerations as deputies) may very well be in harmony with MPs’ actual policy choices that actually are not welcomed here and now. Of course, this is a core problem of members/constituency relationships, at least in a really representative system. In Germany, 86% of parliamentarians feel that they should act in the first place as promoters of the common good. Yet this commitment is definitively not seen as entailing unavoidable contradictions to a representation of their constituents’ interests: 67% think that they should likewise serve the interests of the citizens in their voting districts, and 58% those of their electors. Only the policy objectives of interest groups appear as possibly

detrimental to the 'common good', as defined by MPs: Only 13% believe that they should represent interest groups, even those close to themselves.

Denying contradictions between 'common good' and particular interests 'in theory' is, however, no answer to the question whether there are such contradictions in practice. No more than 25% of German deputies experience conflicts between what they consider to be the 'common good', and particular interests in their voting districts or on part of their constituents. Much more, namely 41%, report that such conflicts between the 'common good' and constituency desires are (rather) rare. And no less than 53% among German parliamentarians claim even that their personal policy views are congruent with those of their electors, whereas only 6% tell about such conflicts. So there seem to exist no real problems of combining the 'common good' and constituency desires, apart from single, yet not quite infrequent exceptions.

Should these occur, 60% of German members of parliament would try to solve them in favour of the 'common good', whereas only 20% want to follow their constituents. With 90% even much more MPs assert that a deputy should ignore even expressly articulated interests of constituents and engage in conflict with them if he feels that there are good reasons to do so, for instance, if the 'common good' is concerned. Obviously enough, German deputies really want to serve their constituents; but they desire to do so on own discretion, and giving preference rather to the 'hypothetically supposable will of the people' than to that 'empirically detectable will of the people' that can be discovered by polls or by evaluation of actual public opinion. Of course, practical and tactical political considerations will lead to exceptions, and possibly they will do so more often than has been reported.

5. Member/Constituency Relations in the Deputies' Work Profile

For good reasons, work in the parliamentary arena is the centre of German MP's work. More than half of their working time (on average roughly 60 hours per week) is devoted to talks and office work at the seat of parliament, to meetings of their parliamentary party caucuses, to gatherings of the caucuses' policy-specialized working groups, to committee sessions, to plenary sessions of the parliament, and to a large variety of informal networking. Yet a third of their overall working time is devoted to constituency activities proper, the rest to further linkage activities, especially within the own party organization. German deputies would even like to invest more time in constituency work: 35% say that parliamentary work would take away too much time from work in their voting districts ('not the case': 17%).

When asked to assess the practical importance of their different types of work, German MPs mentioned in the first place government oversight by activities in the policy-focussed working groups of their party caucuses or in the parliament's committees (86%), and further their work in the process of legislation (68%). This is consistent with their main focus on parliamentary work. But their linkage-and-responsiveness activities are of not much less importance. 83% of the deputies referred to cultivating contacts with their constituents as a very important task, 81% to gathering information as a prerequisite for sound political work, another 81% to talks aiming at coordination and compromising. 54% called the representation of citizen interests a very important part of their activities, 33% work for interest group objectives, and 51% public relations activities. Apparently they really care for cultivating member/constituency relationships and for comprehensive networking.

In weeks that are assigned to work in the voting district,²⁸ German MPs usually spend 54 hours for constituency activities, among them up to 8 hours for travelling to different places in the voting district where the deputy's presence is required. Roughly 10 hours may be added for private life and, in some cases, for vocational activities beyond the sphere of politics. The 'net time' of weekly constituency work is assigned to the following activities: on average 2 hours each for visits in local communities, at business enterprises in the constituency, for talks with representative of interest groups, for contacts with officials of administrative bodies and for conversations with local councilmen; 5 hours for intra-party activities, mostly for participation at party meetings; 4 hours for one's activities in a deputy's other social or political functions; 4 further hours for presence and talks at political gatherings, panel discussions and seminars; 2 hours for 'socializing' at inaugurations, receptions, or celebrations; 1 hour each for contacts with journalist and for 'surgeries' in the voting district where 'ordinary

²⁸ Constituency work is organized differently in the *Bundestag* and in many *länder* parliaments. In the *Bundestag*, much more than half of a year's weeks are devoted to parliamentary work in the capital, with members travelling to Berlin on Monday latest and leaving for their voting districts usually on Friday afternoon. In such weeks, the time between Friday evening and Monday morning is devoted to constituency work, apart from a few hours spent with one's family. In all other weeks, members of the *Bundestag* are free to allocate their time to whatever kind of activities in their voting districts, in Berlin, or elsewhere in Germany or abroad. Most *länder* parliaments, however, have a different sequence of work. They usually distinguish four 'types' of weeks that alternate in a long-fixed pattern. Each week is devoted to a special type of activity: 'party caucus weeks', 'committee weeks', 'plenary session weeks', and 'constituency weeks'. In the three weeks that are 'exclusively' assigned to parliamentary work, as much constituency work as possible is done nevertheless, either by commuting between the capital and the voting district, or by limiting the time spent at the capital to as few days as possible. For these reasons, all following figures level out the differences between different 'types of weeks' much more than is desirable.

citizens' have institutionalised access to their representative,²⁹ and no less than 16 hours for office work: doing one's mail, doing phone calls, and reading or writing.

Apparently most of these activities serve two purposes. They make the deputy visible in the local or regional public, and they make him accessible for all who want to get in touch with him.³⁰ In fact, 84% percent of German MPs say it is important to be nearly always accessible for citizens, and 82% even claim to succeed in such an attempt. It is true that most Germans doubt this contention and think that it is hard to establish contact with a deputy. But so do especially those who never tried to get in touch with an MP and have never taken a closer look at a deputy's work.

6. Networking Processes and Network Structure

The network, or the different networks, between members of parliament and their different constituencies can be identified along various approaches. In our German studies, we used two of them. On the one side, we asked deputies in interviews and in written questionnaires about (a) their most important 'pullers' or 'pushers' towards policy and allocation responsiveness; about (b) how intensively different groups of constituents would contact deputies on their own; and about (c) their most important sources of information on ongoing developments in their voting districts, or about the opinions and desires of the people there. On the other side, we reconstructed the linkage structures between MPs and their voting districts by a multi-level network analysis that focused on the key persons for constituency work.³¹ Both approaches yielded convergent results. In addition it turned out that networking activities and other linkage features were described in nearly identical manner by deputies and their role partners. So the following analysis relies not on 'subjective assertions', but on inter-subjectively verified findings.

Both the deputies and their most important role partners for constituency work were asked in the 1997 study to assess, on 5-point-rating scales,³² how strong they personally were linked to different network structures within their voting districts. For all of them the party organization was the most important network (means: deputies 1,6 / 1st

²⁹ Also this value is not very telling. Many contacts between citizens and deputies occur at 'socializing events' or are fixed on the phone, such that the citizen becomes an appointment at a certain time and place that is convenient for both the citizen and the deputy. On 'office time' for surgeries, many MPs disagree. For some such surgeries are an indispensable and well-used means of 'citizen service', whereas others find that their constituents prefer those alternative ways of establishing contact that were mentioned above.

³⁰ This is exactly what was found by Richard Fenno in the USA as well; see Fenno, *Home Style*, op.cit.

³¹ See the brief outline on this study's methodology in note 25.

³² '1' meant 'strongly linked', '5' meant 'very weakly linked/not linked at all'.

order role partners 1,7), followed by the networks of local government (mayors, local councilmen etc.; means: deputies 2,0 / 1st order role partners 1,9) and – only in the third place – by their personal environment, like family, friends, or staffers (means: deputies 2,2 / 1st order role partners 1,9). For MPs, there follow networks in the domain of social and charitable work (mean 2,5), journalists (mean 2,6), administrative bodies (mean 2,6), political action groups (mean 2,7), ‘ordinary citizens’ (mean 2,7), and different interest groups, ranging from a mean value of 2,9 (trade unions) to one of 4,1 (agriculture interest groups). On balance, social and charity-practicing organizations play quite a significant role in these network structures, being most helpful for deputies’ usual side-role as regional ‘additional social workers’ and ‘ombudsmen’. By contrast, ties with the business world are much less developed.

The same linkage pattern emerged when the deputies were asked about the most important parts of their linkage structures in the 1994 study. 82% called their party organizations on regional and local level a (very) important part of their network structures. So did 72% with respect to local governments and their representatives, 69% regarding the voluntary associations and interest groups in their voting districts, 63% with respect to administrative bodies there, and 61% with regard to individual citizens, especially those who hope for assistance. No less than the same number of MPs report that people in their voting districts would contact them intensively on their own. This happens not only on occasion of social events or in surgeries, but also via those ten letters that a German deputy receives from ‘ordinary citizens’ on average each week. More than 60% of MPs call these letters even an important source of information.

Who else tries to contact German deputies intensively? 47% of MPs report that voluntary associations (devoted to leisure time activities or social welfare) would do so, 39% say the same about interest groups in general, 34% about business enterprises, and each 30% about administrative bodies in the constituency and about journalists. ‘Intensively’ can really mean intensively: Two thirds of deputies report of even daily contact with their 1st order role partners, and one more quarter reports of at least weekly contact with them. For obvious reasons, the frequency and intensity of contact slightly decreases when interaction shifts from such between members and 1st order role partners to such between 2nd and 3rd order role partners. And whereas 92% of members call their relationships with their 1st order role partners (very) intensive, the intensity ratings (measured on 5-point-scales) decrease from an

average of 2,1 between the 1st and 2nd order role partners to one of 3,0 between the 2nd and 3rd order role partners. All of that reflects on the one side a fairly high degree of ‘connectivity’ between members and constituents, and on the other side that the ‘roots of parliament’ become sparser fine the farther they are from the trunk.

The party structures are, of course, part of the trunk. Therefore, the most intensive contacts comprise those within the deputy’s party. 74% of German MPs say that functionaries of their parties would contact them (very) intensively, and 71% claim the same of ‘ordinary’ party members. Even 82% of the deputies call their local and regional party organizations a very important ‘group of reference’. By contrast, this was said about the party organization on the *land* and national level only by 58%.

Of course, journalists are important role partners as well. Without their covering of MPs’ local and regional activities, a deputy would achieve neither notable visibility nor credit for his work. Since access to television on national and regional level, and even to regional radio stations, is usually dominated by top politicians, the local and regional newspapers are the most important site for an average MP to gain coverage. Therefore, 34% of German deputies regard newspaper journalists as important role partners, whereas only 23% and 14% respectively do so with respect to radio and television journalists. When, the other way round, getting informed on the situation in the voting district and on the constituents’ opinions is the challenge, then local and regional newspapers still are most important for 82% of German parliamentarians. 79% of MPs refer to representatives of local governments as the most important source of information, 70% to their own local and regional party organizations. By a quite considerable margin follow civil society’s voluntary organizations and interest groups (important for 53% of German MPs), administrative bodies (51%), individual citizens (48%), and colleagues (46%), not to forget policy experts (56%) and – very few – own staffers (54%).

So it is quite clear what the most important network structures between German parliaments and the German society are: Deputies’ party organizations and the people involved in local government as mayors, councilmen, and officials come in the first place, and the organizations and interest groups of civil society appear shortly behind, followed by journalists.³³ Apparently there are no other organizations, institutions or persons better prepared than these to convey a proper

³³ The findings about the whole network structures with four ‘layers’ (MPs, and 1st through 3rd rank role partners) usually reflect all results from the analysis of individual MPs’ interview and questionnaire statements.

perception of real problems, demands, and opinions in the voting district to representatives. In fact most active networking on part of MPs is directed towards these groups. There is not even much variation in this linkage structure and linkage activities across MPs from different parties. The reason for this is obvious: Germany's social and political system is simply structured along such institutions or organizations, such that no great choice is offered for *effective* linkage strategies.

On balance, Germany's system of members/constituency relations can pass as well organized and as well maintained. Hence the assertion would be strange that there should be no causal nexus at all between Germany's well-developed structure of members/constituency relationship and that undoubtedly 'good governance' which allowed this country's recovery and resurgence after the Second World War. But it is equally true and an important finding of our detailed network analyses, that the linkage structures of MPs cluster around the semi-professional 'political class' of their voting districts, and that they reach the active and participation-oriented citizens in the first place, but only in a quite limited degree ordinary citizens. Therefore two seemingly contradictory assertions are likewise true: German deputies *are* well linked with their constituencies, and they are *not* in direct and close touch with most of the people.

7. Communication Contents

Well known are the usual topics of communication processes between German MPs and their constituents. As far as ordinary citizens are concerned, communication does not concern 'great policy'. Much rather, those problems are dealt with that ordinary people have in their daily lives. For handling them, citizens seek help from their representatives. No less than 76% of German deputies report that personal problems and desires are a frequent topic in the letters they receive from citizens and in the talks they have with them.³⁴ So service responsiveness is a central issue. The same is true for allocation and – to a certain extent – for policy responsiveness: 73% of MPs tell that questions, desires, and opinions on problems in the voting district are topics in their exchange with ordinary citizens, and 74% say the same

³⁴ The most important issues that deputies report as frequently addressed by citizens are the following: problems with one's job (mentioned by 61% of MPs), problems with unemployment (57%); trouble with administrative bodies (60%); demands for better performance of local governments (46%); problems with housing or pay for rented apartments (43%); problems with social security measures and payments (37%); problems with pensions (31%); problems with regulations on building or reconstructing houses (26%). A look at this list discloses that MPs are right when they claim not to have lost touch with ordinary citizens' problems.

about their communications with associations and interest groups.³⁵ But policy responsiveness proper is of significantly less importance: Only 51% or 33% of MPs report respectively that general questions on *land* and national policy are raised by citizens, or that there are asked questions on legislative matters.

But quite a different pattern can be detected in the topics of communication within the centre of the deputies' linkage structures, that is, between MPs and their 1st, 2nd, and 3rd order role partners, or among these key persons of constituency work. Here we see genuinely political issues dominate, ranging from local to national politics. Next there is much communication about the contents, tactics, and organizational infrastructure of party politics. In addition, a large variety of specific policy issues is discussed. Again it turns out that the linkage structures of members/constituency-relationships become both sparser and 'less political' the farther one moves away from the deputies' closest circles to the citizenry in their voting districts in general. There, policy issues are a matter between ordinary citizens and *parties* in the first place, not between individual citizens and their deputies. As a consequence, serious problems of understanding the representatives' linkage achievements will arise whenever the relationships between parliamentarians and parties are misunderstood, as is largely the case in Germany.³⁶

8. Communication Results: Can German Representatives Represent Their Constituents?

Acting on behalf of others, in their interest and in a responsive way, requires knowledge about their points of view and desires. And if real representation is to emerge, instead of a patron's mere care-taking of his subordinate clients, then the represented people must have effective means to bring their opinions and interests to bear or to signalise in a not ignorable ways any dissent with their representatives. This second necessary element of a relationship of representation is easily available in Germany, and it is widely used. Taking action against politicians in general, and against deputies in particular, ranges from internal criticism in party caucuses to overt and severe political criticism in the media, from regular polls on contested issues, and from public discussions of their results, to large demonstrations with enormous news coverage, and

³⁵ Here the most important topics include: government money to support whatsoever measures (54%); problems with labour market regulations (52%); traffic planning (51%); improving the economic situation by public subsidies (48%); housing market and construction of residential buildings (43%); urban planning and development (37%); kindergartens (33%).

³⁶ See Werner J. Patzelt, Germany's Latent Constitutional Conflict, in Arthur B. Gunlicks (ed.), *German Public Policy and Federalism: Continuing Issues in the Post-Unification Era*, New York / Oxford 2003 (Berghahn Books), pp. 110-134.

from ‘punishing results’ at the nomination conventions of political parties to significant ‘protest voting’ at general elections on *länder* or even national level. To all of that, German politicians and parties use to react in quite a responsive way.

The situation appears just as unproblematic with regard to the deputies’ knowledge about opinions and desires of their constituents. 76% of German MPs assert to know quite well the political viewpoints and claims of their most important role partners for constituency work; only 2% of deputies think to be rather ignorant about what these feel or want. With respect to the citizens in their voting districts in general still 66% of the representatives claim to know very well their political opinions and desires; only 3% say that this is not the case. By contrast, 59% of German parliamentarians refuse the popular assumption that deputies are not aware of people’s viewpoints (‘is the case’: 14%), and 50% contradict the equally wide-spread belief that political representatives are ‘detached’ from the life of ordinary people, or are ignorant of what citizens’ everyday problems look like (‘is the case’: 21%).³⁷ Consequently, 61% among German MPs are satisfied with their member/constituency relationships, whereas only 8% call themselves ‘not content’ – either because they apply higher standards of evaluation than their colleagues, or because they are really ‘disconnected’ to a certain degree.

To know about somebody’s opinion does, of course, not mean to agree with it. By the same token, MPs will not support policies only because they are popular in the voting districts. This may be one of the reasons why most Germans do not agree with their representatives’ self-evaluation of members/constituency relationships. Polls show that only 12% among Germans think that it might be easy to get in touch with a member of the *Bundestag*. 48% consider this as difficult, and 25% even feel that such contact might be impossible (rest: no opinion). It fits into this picture that only a quarter of Germans think that members of the *Bundestag* would really try to establish and to maintain close contacts within their voting districts. Accordingly, no more than 22% of Germans regard the MPs knowledge about the opinions and desires of ordinary people as sufficient. Intellectuals and journalists rather confirm than contest these popular views.

Only the role partners of deputies come to a much better evaluation. They were asked, like MPs themselves, to assess the deputies’ knowledge

³⁷ Especially deputies of opposition parties used to claim such ‘detachment’ or ‘ignorance’ on part of politicians. Apparently they direct their implicit criticism less to themselves than rather to their political opponents.

of the policy preferences in their constituencies on five-point rating scales, with '1' meaning 'very good knowledge', and '5' meaning 'very bad knowledge'. MPs came up with an average of 2,2, whereas their 1st order role partners evaluated them with an average 1,7 and their 2nd order role partners with an average of 2,6. So it appears that judgments on MPs become worse the farther the rating person is away from the deputy. But the greater the distance between a deputy and a citizen, the less the latter's judgment will be based on personal experience. As a consequence, popular assumptions and actual news media coverage will fill the citizen's knowledge gap. Therefore it will not suffice that MPs really cultivate close members/constituency relationships that can be experienced in practice. Much rather, such close ties must also be demonstrated and communicated to the public, if citizens are meant to judge fairly the linkage achievements of their representatives. Here the most important shortcomings of members' constituency work can be detected, and the sore point in members/constituency relationship as well.

IV. How to Measure and to Improve Member/Constituency Relationships?

There are nevertheless good reasons to be quite content with the kind and quality of members/constituency relationship in Germany. Therefore it may not be mistaken to deduce a preliminary framework for its analysis, measurement, and possible improvement, from the German case. Yet the categories of such a framework could, of course, be inferred from any other well-developed representative democracy as well. These categories comprise *opportunity structures*, *incentives* and *resources* for 'good networking', and *indicators* for the quality of the accomplished representational activities.

The *opportunity structures* on which well-established members/constituency relationships depend include the following at least:

- Well-developed organizational structures of 'civil society',³⁸ (a) from which future parliamentarians can be recruited as a 'bottom-up elite group', (b) to which MPs can address their networking activities, and (c) into which deputies can plug whatever linkage structures they have established already;

³⁸ Depending on the type of society, these organizational structures may be based on tribal structure, religion, social class, vocational structure, or self-determined interests. Although practiced pluralism and a self-conscious civil society seem to be the best basis of representational system, such a basis is certainly not given, or is not probable to become rapidly available, in all cases. On this topic, see section I.

- Well-working representative institutions in local government, where political careers can start and with which parliamentarians can remain linked via the possibility of double membership;
- A sufficiently well developed party system which makes the (future) deputy independent, at least to a certain degree, from exploiting personal resources.

Such opportunity structures can hardly be created out of nothing. They will evolve only over a long period of time. Yet the executive can make significant contributions to the development and flourishing of such opportunity structures. Existing structures of civil society (that may include everything between tribal affiliations and political organizations) can be respected and cultivated; encouragement and resources for building further bottom-up structures can be given; executive distrust and suspicion vis-à-vis them can be lessened; and administrative control over them can be lightened. Especially deputies' networking via local governments can be stimulated.

As *incentive structures*, the following will work:

- social control of representatives, either by their peers or by their delegating / electing groups, or by both;
- moral commitments and professional standards of how a representative should do his work;
- public opinion, especially effective when based on free and critical mass media;
- the institutional mechanism of re-election, especially effective when organized in the form of really free and general elections, and possibly combined with a competitive party system. Even details of the electoral system will be of utmost importance in this context.

The most easily available means to create reliable incentive structures seems to be organizing social control of MPs, and to relate such control to clear norms of role behaviour. If standards for such norms are not yet offered by a given political culture, benchmarks could be adopted from well-proven representational systems abroad. To open deputies' minds for such norms, it might be helpful to bring them in touch with colleagues from farther developed representative systems. The more effective incentives (free mass media and free elections) will often require, or entail, deep and far-reaching system transformation. But these incentives can be introduced incrementally and in a try-and-see-approach. After all, there is an easy bargain: Representative institutions will yield all their benefits *only* if free media work, and if an endless series of free elections is beyond any question.

The most important *resources* of good member/constituency relationships comprise the following:

- Representatives' legal and practical freedom of speech and action;
- MPs' easy access to all branches and levels of public administration, with the requirement that the executive branch of government assist the deputies for the purpose of service responsiveness as far as possible;
- Enough time of deputies to engage in constituency service, which entails that members of parliament should have full-time jobs with adequate pay, and that parliamentary work proper does not consume more than two thirds of an MP's overall working time;
- Public money for each individual MP, such that he can establish offices both at the seat of parliament and in his voting district, and that he can pay qualified staffers.

Most of these resources can be made available by purely political means. This is true for the MPs' desirable legal status and for the institutional privileges combined with a deputy's position. Other resources require the government's willingness to bear the cost of representation and, one day, even of democracy. This may pose problems when it comes to endow members of parliament both with an attractive salary and with good infrastructure for their challenging political and networking duties.³⁹ Yet without the possibility to act as a full-time MP, and without sufficient money for offices and staff in the voting districts, deputies will certainly not be able to establish, to maintain, and to cultivate such close relations with their various constituencies as are desirable for guaranteed responsiveness, effective leadership, and good governance.

As *indicators* of the degree to which members/constituency relations are developed may serve the following items:

- parliamentarians' weekly or monthly hours devoted to constituency work, especially to meetings with representatives of local government, with associations and interest groups in the voting district, and with individual citizens, either in form of institutionalized surgeries or otherwise;
- number and kind of the deputies' other functions and positions than being a member of parliament, for instance, serving as a chairperson of an association or as a member of a local council;

³⁹ Cf. Werner J. Patzelt, Making Parliament Effective. Paper prepared for the Cairo International Workshop on 'Parliamentary Think Tanks: Visions and Missions', December 2001.

- Structure and working of the multi-level network between individual members of parliament and their different constituencies: Who are their most important ‘pushers’ or ‘pullers’ for manifold responsiveness and political action, and who are their most reliable sources of information on constituency issues? What role is played by civil society’s corporations and voluntary organizations, or by political parties, in members/constituency relationships?

- The deputies’ infrastructure for constituency work: the size, infrastructure, organization, and procedures of the MPs’ offices in their voting districts, and their work profile and workload for constituency service;

- The contents of the communication between members of parliament and both the key persons for constituency work and ordinary citizens;

- The level of subjective satisfaction with members/constituency relationship on part of deputies, their role partners, and the citizens in their voting districts.

All of these indicators can be reliably measured with well-established methods of social science research. The development of these indicators can be observed over time and can be correlated with the development of other features of a polity’s culture and performance. Especially written questionnaires and interview studies, along with observational analyses, will yield the necessary findings. Any monitoring of the linkage part of the representational process will, of course, produce valid and reliable results only if the research is done by independent scientists; if participation is voluntary on part of the deputies; and if no relation whatsoever can be reconstructed from the published data between the findings and any individual MP.

On balance, many reform activities can be launched that may not appear far-reaching in each single case. But all together will make a real difference. Certainly not all steps towards well-working and powerful representative institutions must be done at the same time. But if viable representation is to be the outcome, then neither all reform measures can be combined such as may please for political reasons, nor can the steps be undertaken in whatever sequence. Real decisions must be taken from the outset, because even instrumentalism will work the better the clearer the final objective is defined. Such decisions, however, require honest answers to the following questions: Does a country’s political elite really believe in the benefits of representation? And will political leaders sincerely accept that they cannot avoid highly consequential institutional commitments if these benefits shall be produced? It is true that many

important questions will remain open even after a basic decision has been taken to create, or to bring in better shape, representative government in a Non-Western country. These questions concern the degree of democracy that one feels safe to accept in the first place, and then the particular challenges of adapting the representational machinery to a given cultural, historical, and political setting. But presumably the best answers will result from an open-minded attempt to exploit other countries' experiences.

**Oversight and Guidance:
The Relevance of Parliamentary Oversight
for Security Sector Reform**

Hans Born & Arnold Luethold

Geneva Centre for the Democratic Control of Armed Forces (DCAF)

Myths

There is a widespread belief that security policy is a ‘natural’ task for the executive as they have the requisite knowledge and ability to act quickly. The decision to go to war, to contribute troops to multinational peace support operations, to conclude international treaties or to raise defence spending, to mention just some of the most important governmental security responsibilities, are regarded to be executive decisions. The stubborn perception exists that parliaments should be kept out of these decisions. Parliament tends to be regarded as a less suitable institution for dealing with security issues, especially given its often time-consuming procedures and lack of full access to the necessary expertise and information. Additionally, parliaments are regarded as ill-suited institutions for keeping classified information secret. However, this is a misperception. The past teaches us that parliaments do play a major role in matters of security in democratic states, both in times of war and peace. In the times of the Roman Republic, the Dutch Republic in the sixteenth century, Great Britain in the Second World War, or, more recently at the outbreak of the Second Gulf War, Parliaments across the globe have debated, influenced and exercised oversight over security policy and security sector reform, even in the middle of war.

In this short essay, we put forward the main arguments for (a) why parliamentarians should put security sector reform and policy high on their political and legislative agenda and (b) why parliamentarians should exercise oversight of the security sector reform and policy. First we turn to the new concept of security sector.

What is Security Sector Reform?

‘Security sector reform’ is a relatively new but ill-defined concept. By replacing ‘defence reform’ as a staple phrase in security studies, it seems to be a more adequate policy concept with which to address the problems of the new security environment. Security threats today not only include military threats, which require defence responses, but also non-military threats such as terrorism, civil wars, organised crime, illegal

trafficking or proliferation of or small arms or even weapons of mass-destruction. These new threats require that all state security services operate in a concerted manner.

The security sector includes all 'state institutions and agencies that have the legitimate authority to use force, to order force or to threaten the use of force'.⁴⁰ Normally these institutions are the Military (Army, Navy, Air Force), Intelligence, Border Guard and Paramilitary organisations. The reform of the security sector takes place 'in order to create systematic accountability and transparency on the premise of increased, substantive and systematic democratic control'.⁴¹ The accent on accountability and transparency places security sector reform within the context of the good governance agenda, characterised by a substantive concern for human rights, democracy and the rule of law.

On the other hand, a non-reformed security sector is often characterised by:

- Lack of transparency and flourishing corruption, especially in the arms procurement and trade sector;
- Too large an organisation and budget, both of which overburden and endanger the national economy;
- Lack of the rule of law due to a non-existing or weak legal footing;
- Lack of professionalism: poorly trained units, amateurism, selection and promotion of servicemen on the basis of nepotism instead of merit;
- An inward looking bureaucracy, risk-avoiding, resistance to change, and organisational structures that are ill-suited to new security threats;
- The political abuse of security services by using intelligence services for domestic spying purposes such as manipulating political enemies, as well as the use of paramilitary units to intimidate or neutralise political enemies;
- A de-motivated and frustrated officer-corps due to a lack of professionalism, career opportunities, low salaries, or their low esteem in society;

⁴⁰ Hans Born, Philipp Fluri, Anders Johnsson (eds.), Handbook for Parliamentarians N°5, Parliamentary Oversight of the Security Sector: Principles, Mechanisms and Practices, IPU/DCAF, (Geneva: Belgrade, 2003) p. 16.

⁴¹ Definition of 'security sector reform' in the glossary of: Hans Born, Philipp Fluri, Simon Lunn (eds.), Oversight and Guidance: the NATO-PA Vademecum, (Geneva/Brussels: forthcoming 2003).

- Conscripts perceiving service as a waste of time, the misuse of conscripts for personal gains, and the ‘hazing’ of conscripts in the barracks.

A non-reformed security sector coincides with the concept of ‘poor governance’ (as opposed to good governance), which refers to ‘arbitrary policy-making, unaccountable bureaucracies, unenforced or unjust legal systems, the abuse of executive power, a civil society unengaged in public life and widespread corruption’⁴².

	Reformed Security Sector (good governance)	Non-Reformed Security Sector (poor governance)
Accountability	Accountable to democratically elected leaders	Unaccountable bureaucracies, arbitrary policy making due in-transparency, political misuse
Work ethos	Professionalism, adapting to the demands of the new security environment, predictable execution of tasks	Amateurism, hazing of conscripts, political leaders cannot trust on loyal execution of orders
Norms	Transparency, dedication	Nepotism, corruption, risk-avoiding

Table 1: Reformed as Opposed to Non-Reformed Security Sector

The Necessity of Security Sector Reform

Regarding the nature and scope of security sector reform (and its opposite, the non-reformed security sector!), the reforms are necessary for at least four reasons.

Progression towards Conflict Prevention and Stability

An unreformed security sector often fails to prevent and sometimes causes violent conflicts which leads to increased suffering and poverty⁴³. NGOs working in conflict zones, report that an ill-functioning security sector is a key-impediment to peace-building and stability:

⁴² See: The World Bank, *Governance: The World Bank’s Experience*, (Washington, DC: World Bank 1994).

⁴³ Department for International Development, *Understanding and Supporting Security Sector Reform*, (London: Stairway Communications DFID, 2002) http://www.dfid.gov.uk/Pubs/files/supporting_security.pdf p.2.

Agents of security that not play a legitimate and democratically accountable role in providing security for citizens not only are unable to prevent conflicts occurring but can also be a *source* of violence.⁴⁴

Effective security sector reform, on the other hand, in the sense of the provision of security in an effective and efficient manner under democratic control, can add to stability both internally and externally⁴⁵. Internally, security sector reform can take away causes which lead to instability in, for example, civil-military relations. Externally, a transparent and democratically controlled security sector can be regarded as a regional confidence building measure⁴⁶. Therefore, security sector reform can promote stability, which is a basic condition for democratisation and economic development.

Contributing to Sustainable Economic Development

A non-reformed security sector, leading to instability and insecurity, does not create a favourable investment climate. Foreign and domestic investors are very reluctant to commit themselves to financial investments if the country is in a instable and insecure situation. Otherwise, a security sector that is plagued by corruption and that constitutes a burden to the national economy does not contribute to sustainable economic development either. One should keep in mind that security sector reforms does not come cheaply, due to, among other factors, investment in new equipment, training and offering service personnel salaries competitive in the national labour market. In the long run, however, security sector pays off as it contributes to sustainable economic development.

Professional sing: Creating a Reliable and Dedicated Corps of Servicemen

As the security sector services are managing, on behalf of the democratically elected political leaders, the state's monopoly of violence, it is important that the monopoly is carried out by a professional work force. Dealing with violence professionally is what distinguishes the security services from other governmental organisations. It is 'more than

⁴⁴ See Damian Lilly, Robin Luckham, Michael Von Tangen Page, A Goal Oriented Approach to Governance and Security Sector Reform, (International Alert: London, September 2002) available at <http://www.international-alert.org/pdf/pubsec/Goa.pdf>

⁴⁵ Timothy Edmunds, 'Defining Security Sector Reform', in Proceedings of the 2001 DCAF/IISS Conference, Geneva, 23-25 April, 2001, (Oxford: OUP for IISS) pp. 3-6.

⁴⁶ See Heiner Hänggi, 'Good Governance of the Security Sector: its Relevance for Confidence Building', paper presented at the conference on "Practical Confidence-Building Measures: Does Good Governance of the Security Sector Matter?", New York, October 16, 2002. http://www.dcaf.ch/news/NewYork_161002/Hänggi.pdf

just another job'. Professionalism entails dedication, the ability to carry out the tasks and orders of their superiors and to provide security within the context of the dynamic and rapidly changing 'new security environment'. Professionalism also means that the officers' corps operates in a predictable and disciplined manner. Without professionalism, democratic control would not make any sense as the military's political superiors would never be assured whether their orders will be implemented due to a lack of discipline and quality. Professionalism implies that the political leaders trust that the servicemen are up to their job.

Democratising Security

Last but not least, security sector reform enhances democratisation by the creation of a legal framework which subordinates the security services to the legitimate political authority as well as defining and limiting its purview. Installing a legal framework which affirms civilian supremacy may be regarded as the bottom-line and point of departure for successful democratisation efforts in countries in transition. In principle, the legal framework rests on two core values, which are accountability and transparency. The relations between the political leadership and the security services should be governed by these two important twin concepts of democratising security.

Making Oversight Democratic: the Necessity of Parliamentary Involvement

The security sector services can be characterised as a *Janus*-faced organisation. On the one hand, the security services have to meet their functional demands, that is to maintain law and order, protect the national interest and civil rights. The security services, be it the military, intelligence services or border guards, all have to be prepared and show readiness to fulfil their duties. On the other hand, the security services have to comply to normative societal, democratic and legal standards. All security services have to operate within the law and are accountable to the democratically legitimate political leaders. In other words, democratic governance applies to security services as well.

When it comes to civilian supremacy and democratic governance, parliaments fulfil a crucial role. Due to parliamentary involvement and debates, civilian oversight becomes democratic oversight. It is a way to give voice to the people's needs and concerns in the debates about security. In fact, parliamentary involvement makes the difference between civilian oversight and democratic oversight, or, between good

governance and democratic governance. It is important to make this distinction. Civilian oversight is a pre-requisite, but insufficient condition for democratic oversight. This is what the authoritarian regimes of 20th century teach us. For example, Hitler and Stalin had perfect civilian control over their military, but their type of oversight is not really desirable in a democratic society. In this respect, parliament plays an important role in safeguarding the democratic element of overseeing the security sector.

There are at least five reasons why parliamentary involvement in security policy and security sector reform is essential⁴⁷.

A Cornerstone of Democracy to Prevent Autocratic Rule

Former French Prime Minister Georges Clémenceau once stated that 'War is a much too serious matter to be entrusted to the military'. Beyond its humorous side, this statement recalls that in a democracy, the representatives of the people hold the supreme power and no sector of the state should be excluded from their control. A state without parliamentary control of its security sector, especially the military, should, at best, be deemed an unfinished democracy or a democracy in the making.

According to the eminent American scholar Robert A Dahl, 'the most fundamental and persistent problem in politics is to avoid autocratic rule'. As the security sector deals with one of the state's core tasks, a system of checks and balances is needed to counterbalance the executive's power. Parliamentary oversight of the security sector is thus an essential element of power sharing at state level and, if effective, sets limits on the power of the executive or president.

No Taxation without Representation

To this day, one of parliament's most important mechanisms for controlling the executive is the budget. From the early days of the first assemblies in Western Europe, parliaments demanded a say in policy matters, their claim being: 'No taxation without representation'. As security sector organisations use a substantial share of the state's budget

⁴⁷ Born, Fluri, Johnsson, Handbook, pp. 18-19; see also Hans Born, 'Between Efficiency and Legitimacy: Democratic Accountability of the Military in the US, France, Sweden and Switzerland', Geneva Centre for the Democratic Control of Armed Forces (DCAF), *Working Papers*, No. 102 pp. 2-3 available at http://www.dcaf.ch/publications/Working_Papers/102.pdf; and Hans Born, 'Democratic Oversight of the Security Sector: What Does it Mean?', Geneva Centre for the Democratic Control of Armed Forces (DCAF), *Working Papers*, No. 9 pp. 2-3 available at [http://www.dcaf.ch/publications/Working_Papers/09\(E\).pdf](http://www.dcaf.ch/publications/Working_Papers/09(E).pdf).

it remains essential that parliament monitor the use of the state's scarce resources both effectively and efficiently.

Creating Legal Parameters for Security Issues

In practice, it is the executive that drafts laws on security issues. Nevertheless, members of parliament play an important role in reviewing these drafts. They can, if need be, suggest amendments so as to ensure that the proposed legal provisions adequately reflect the new thinking about security. Moreover, it falls to parliament to see to it that the laws do not remain a dead letter, but are fully implemented.

A Bridge to the Public

The executive may not necessarily be fully aware of the security issues which are priorities for citizens. Parliamentarians are in regular contact with the population and are well-placed to ascertain their views. They can subsequently raise citizens' concerns in parliament and see to it that they are reflected in security laws and policies. Due to their representational function, parliamentarians have the unique possibility to give or to withhold democratic legitimacy to government's decision about security policy and security reform. Parliamentary debates may fulfil a catalytic role in creating or diminishing public support for, among other decisions, the government's decision to contribute troops to multinational peace support operations.

Balancing Security and Liberty

In the post-Cold War era, the security services are confronted with a new security environment. Among others, security threats today include failed states, terrorism, uncontrolled proliferation of weapons of mass-destruction, political threats and organised crime. Particularly after 9/11, a whole series of new-anti terrorism legislation and measures are put into place. It is important the security services make the right choices under democratic guidance. That is, firstly, that the 'generals are not preparing for the previous war'. Parliaments have to ensure that the security services are up to the demands of the new security environment. Secondly, parliaments have to oversee that the new directions and actions of the security services are at all times consistent with the constitution, international humanitarian and human rights law.

Challenges for Parliamentary Oversight of the Security Sector

▪ In sharp contrast between the desirability of parliamentary oversight of the security sector, as described above, is the actual state of

affairs of parliamentary oversight in many countries. In many countries, both in consolidating and consolidated democracies, parliaments are confronted with serious challenges:

- Secrecy laws may hinder efforts to enhance transparency in the security sector. Especially in emerging democracies or conflict-torn countries, laws on secrecy may limit or jeopardise parliamentary oversight of the security sector; this is also due to the absence of legislation on freedom of information.

- The security sector is a highly complex field, in which parliaments have to oversee issues such as weapons procurement, arms control and the readiness/preparedness of military units. Not all parliamentarians have sufficient knowledge and expertise to deal with these issues in an effective manner. Nor may they have the time and opportunity to develop them, since their terms as parliamentarians are time-bound and access to expert resources within the country and abroad may be lacking;

- The emphasis on international security cooperation may affect the transparency and democratic legitimacy of a country's security policy if it leads to parliament being left out of the process. It is therefore crucial that parliament be able to provide input to, participate in and follow up on debates and decisions in the international arena.

- Perhaps the most serious challenge is to convince all the concerned actors throughout the military, civil society, the executive and democratic institutions that parliamentary oversight is in the interest of both democracy and security.

References

Born, H. (2002), *Between Efficiency and Legitimacy: Democratic Accountability of the Military in the US, France, Sweden and Switzerland*, Geneva Centre for the Democratic Control of Armed Forces (DCAF) Working Paper N° 102,

http://www.dcaf.ch/publications/Working_Papers/102.pdf

Born, H. (2002), *Democratic Oversight of the Security Sector: What Does it Mean?*, Geneva Centre for the Democratic Control of Armed Forces (DCAF) Working Paper N° 9,

[http://www.dcaf.ch/publications/Working_Papers/09\(E\).pdf](http://www.dcaf.ch/publications/Working_Papers/09(E).pdf).

Born, H, Fluri, Ph. Johnsson, A. (eds.), (2003), *Handbook for Parliamentarians N°5, Parliamentary oversight of the security sector: Principles, mechanisms and practices*, IPU/DCAF, Geneva, Belgrade.

Born, H, Fluri, Ph., Lunn, S. (2003). *Oversight and Guidance: the NATO-PA Vademecum*. Geneva/Brussels.

Born, H., (2002), *Democratic and Parliamentary Oversight of the Intelligence Services: Best Practices and Procedures*, Geneva Centre for the Democratic Control of Armed Forces (DCAF) Working Paper N° 20, http://www.dcaf.ch/publications/Working_Papers/20.pdf

Caparini, M., Fluri, P., (2002), Introduction: The Relevance of Democratic Control and Reform of the Security Sector, in Born, H., Caparini, M., Fluri, P., (eds) (2002), *Security Sector Reform and Democracy in Transitional Societies*, Nomos Verlagsgesellschaft, Baden-Baden, p. 13 - 20.

Chalmer, M., Structural impediments to Security Sector Reform, in Proceedings of the 2001 DCAF/IISS Conference, Geneva, 23-25 April, 2001, p. 21 – 26.

Chuter, D., Big men, little soldiers: does Africa need Security Sector Reform?, in Proceedings of the 2001 DCAF/IISS Conference, Geneva, 23-25 April, 2001, p. 85 – 106.

Department for International Development (2002), *Understanding and Supporting Security Sector Reform*, Stairway Communications, London. http://www.dfid.gov.uk/Pubs/files/supporting_security.pdf

Edmunds, T., (2002), *Security Sector Reform: Concepts and Implementation*, Geneva Centre for the Democratic Control of Armed Forces (DCAF) Working Paper N° 86, http://www.dcaf.ch/publications/Working_Papers/86.pdf

Edmunds, T., *Defining Security Sector Reform*, in Proceedings of the 2001 DCAF/IISS Conference, Geneva, 23-25 April, 2001, p. 15 – 19.

Hänggi, H. (2002). *Good governance of the security sector: its relevance for confidence building*. Paper presented at the conference on "Practical Confidence-Building Measures: Does Good Governance of the Security Sector Matter?", New York, October 16, 2002.

http://www.dcaf.ch/news/NewYork_161002/Hänggi.pdf

Hendrickson, D., Karkoszka, (2002). A., *The Security Sector and the Challenges of its Transformation*, SIPRI Yearbook 2002.

Lilly, D., Luckham, R., Von Tangen Page, M. (2002), *A Goal Oriented Approach to Governance and Security Sector Reform*, International Alert, London, September 2002, <http://www.international-alert.org/pdf/pubsec/Goa.pdf>

Netherlands Institute of International Relations "Clingendael" (2002), *International Alert, Saferworld, Towards a better practice framework in security sector reform: Broadening the Debate*, Occasional SSR Paper No. 1, August 2002,

<http://www.international-alert.org/pdf/pubsec/occssr1.pdf>.

Worldbank (1994). Governance: The Worldbank's Experience. Washington DC.

Wulf, H.(ed), (2000), Security Sector Reform, Brief 15, June 2000, Bonn International Center for Conversion (BICC),

<http://www.bicc.de/general/brief15/brief15.pdf>

Established in 2000 on the initiative of the Swiss government, the Geneva Centre for the Democratic Control of Armed Forces (DCAF), encourages and supports States and non-State governed institutions in their efforts to strengthen democratic and civilian control of armed and security forces, and promotes international cooperation within this field, initially targeting the Euro-Atlantic regions.

The Centre collects information, undertakes research and engages in networking activities in order to identify problems, to establish lessons learned and to propose the best practices in the field of democratic control of armed forces and civil-military relations. The Centre provides its expertise and support to all interested parties, in particular governments, parliaments, military authorities, international organisations, non-governmental organisations, academic circles.

Abstract

Reforming The General Secretariat of Parliament: Lessons from the Lebanese Experience

Mr. Adnan Daher

Secretary General, Lebanese Parliament

Introduction

Legislative institutions in democratic regimes perform three basic functions; issuing laws, monitoring the work of the executive authority and representing the interest of voters. The efficiency of parliamentary in performing these functions depends on its history, capacities, and locations in the political life, in addition to facilities and information provided by parliamentary administrations help members of parliament (MPs) to do their work..

It is not a coincidence that strong parliaments contain strong parliamentary administrations. This is the case in the advocated countries such as USA, France, Canada ...etc, while in developing countries and new parliaments, these administrations are few in number and poor in capacities.

This paper tries to form a clear idea about the role that parliamentary administrations play in a parliamentary system through concentrating on the absence of experience.

1- Parliamentary Administration

The size and functions of the administrative body of any parliament is a real reflection of the parliamentary life type. There are three distinguishable types of parliaments all over the world

All the deputies' bureaus and administrative cadres are connected to the Internet.

The preparation of IT programs for the legislative operation, starting with the submission of a proposition or a draft law at the administration council until its final ratification in the plenary session.

Mechanization of the administrative and financial works in the administrative and financial sections.

To note that the assembly is preparing a comprehensive program to supervise all the IT operations (data base, the internet, the program of documentation and archives...)

2- Development of the capacities of the Assembly's personnel

Many activities were accomplished in this direction in order to develop the personnel's capacities, especially those in touch with the

legislative operation. Thus, a series of training sessions were organized at the assembly, including:

- French and English sessions for the civil servants.
- Use of informatics programs.
- The rules and procedures for the administration

In addition to these internal sessions, a series of technical sessions were organized in cooperation with the French Senate in Paris, concerning the preparation and the requirements of the legislative operation, the new law of the Finance in France, the cases and legal studies, the documentation, the library, the parliamentary friendship committees and the inter parliamentary cooperation.

3- The promotion of the parliamentarian library

The parliamentarian library was established at the assembly in a large area with the best equipment. Lately it was enriched with more than 10 thousand law, judicial, economic, social and administrative references, not to mention the CDs of legal terms and definitions. The library also gets a large number of periodic and specialized magazines in Arabic and foreign languages.

4- The parliamentarian Media:

The following was successfully realized:

A National Assembly site was created on the internet, a similar site in French is under construction in order to open to other parliaments, whereas the plan of the English site is already in place.

The "Hayat el Niyabiyah" magazine, a quarterly magazine that includes studies of legislative issues, reports, legal documents and texts.

The monthly parliamentarian bulletin which deals with the President's activities, the bureau of the Assembly and the parliamentarian committees, in addition to the legislative related news.

The "international development issues", which is a quarterly bulletin that talks, in each number, about an international development issue in all its international, regional and local aspects (environment, poverty, human rights, water,...)

Furthermore, the live transmission of the plenary session concerning the discussion of the ministerial statement, the budget sessions, the questioning and the answers enriches the democratic life and allows the citizen to participate effectively in the activities of the National Assembly.

The ruling principles of the Developed Lebanese parliamentary

The principle of the administrative autonomy:

The Lebanese National Assembly has the complete autonomy of defining the status and the choice of its employees, whether by organizing competitions or by appointing persons known for their skills, with no competition, whereas the French National Assembly and the Senate choose their employees upon competition. This autonomy concretizes the separation between the Legislative and the Executive.

The National Assembly applies, like the Senate and the French National Assembly, the principles of the enrollment policies and the rules of the civil servants administration.

2- The principles of the enrollment policy:

The employees are civil servants, they benefit of the immunity of the public service but their status is defined by the assembly bureau.

A crucial commitment to the job ethics and requirements: political neutrality.

3- The adopted policy in the personnel administration:

A detailed job description

The adjustment of the employees to the qualification

The movement of the civil servants in the administrative departments.

The establishment of a permanent social dialogue with the civil servants.

The continuous rehabilitation of the personnel

The balance between the different categories of the personnel, to whatever administration they belong. They get their salaries from the funds in the Assembly budget as mentioned in the article of salaries.

In the light of the above mentioned, the following questions are raised:

Do the legislators need parliamentary administration services? And which kind of services and how?

Are the parliamentary administrations independent in their work, objective in the services they provide or are they submissive to the power of the president of the National Assembly or that of the parliamentary majority?

What are the limits of the parliamentary administrations, are they restricted to the parliamentary committees or do they outstand them to the parliamentarians themselves or to the political groups that form the

legislative committees?

How the parliamentary administrations ought to be created and organized to be effectively at the service of the Legislative?

Are the deputies allowed to urge the parliamentary administrations to provide them with what they need in their legislative work, with no material hinder?

Are the public and the citizens allowed to know the work of the National Assembly in a detailed and organized way?

Abstract

What Do Youth Want from Parliamentary Reform?

Mr. Gomaa Hegazi

Ph.D. Candidate, Political Sociology- Syria

Parliamentary reform is considered the cornerstone in the process of administrative and economic reform. Reforming Arab parliaments is becoming much important than before, especially when considering the international current events. The existence of democracy is to face any threats, in addition to tightening the relations between leaderships and citizens.

In the context of parliamentary reform project, this paper presents some proposals that aim at making youth (as an important social stratum) a central part of parliamentary reform plans and programs: through empowering them to participate economically, socially and politically.

It is important to refer to the following procedures concerning the role that youth can play in parliamentary reform:

1- Legislative Authority

It is important to enhance the powers of the parliament within the framework of the national institutions. The following suggestions could help achieving this:

- Improving the internal organizations of the parliament through providing it with data banks that help the MPs to participate in discussing bills and also providing them with the needed information concerning youth problems and their role in life.

- Organizing training courses for the MPs that are concerned with enhancing the ability of the members to deal with technical issues such as how to run electoral campaigns, how to draft bills, how to discuss laws, and how can the members fulfill their representative functions in the best possible way.

- Providing information and technical assistance that is necessary for wide based legal institutional reform.

- Helping political parties, civil society, women and youth organizations to access legislative deliberations.

2- Electoral System

- Establishing standing bodies to run elections, in which youth can have a considerable role through certain committees or institutions.

- Planning elections and budgeting them.

- Monitoring elections by civil society, judicial authority and youth organizations.
- Organizing programs to expand women's, youth's, and other social systems' participation in elections to enhance their representation in parliaments.
- Providing technical assistance in the field of reforming the working electoral law, proceeding development proposals that help enhancing the representative function of the legislative authority.
- Computerizing voters' lists, helping mass media to take part in elections.

3- Enhancing Means and Mechanisms of Political Participation

- Developing and modernizing the activated law of institutions and associations in a way that guarantees representing civil society, businessmen and youth.
- Issuing a new law on political parties allows youth to expand their participation, training young leaderships in parties to understand it. It is also important to restructure political parties in order to cope with international criteria especially internal democratization.
- Training young leaders to work according to modern methods.

4- Social Participation of Youth within the Parliament

- Participants should have standing committees to focus on youth problems.
- Informing youth of their rights and duties as mentioned in laws.
- Studying laws and regulations related to labors.
- Studying educational courses on youth. It should discuss parliament and the parliamentary issues.
- Youth organizations should be represented in parliament.

5- Political Participation of Youth in the Parliament

- Youth should be well informed about electoral rules, voting and ballot systems.
- Youth also must be informed about electoral programs and campaigns.
- They should be aware of the importance of voting and political participation.
- Electoral campaigns and programs should focus on youth problems.

6- Youth and Elections

Young Candidates

- Young Candidates should be trained and specified in their electoral campaigns. Their programs should focus on large part of their concern.
- Young candidates should be trained to contact public through mass media, discussions and public discourses.

Young Voters

Voters should overcome the phenomenon of political apathy, and learn how to care for elections, candidates and electoral system.

The Position of Women on the Parliamentary Reform Map

Ms. Iman Abdel-Rahman
Parliamentary Researcher- Egypt

The subject of the parliamentary reform has become the center of debates in the Arab world due to the current challenges imposed on the Arab countries nowadays, therefore a huge efforts are being made to develop and reform the legislative bodies. This issue occupies a very high position not only on the agenda of parliamentarians and political think tanks but also in the mass media which indicates its social dimension. Parliamentary reform is a must since a weak parliament will undermine moves towards any democratic transformation.

We have to admit that the parliamentary reform in the Arab world becomes many steps behind the reforms taken place in the social fields of the society, the Arab countries has achieved many successes in the fields of public policy, human rights and judicial reform, as a result many call have risen to reform the legislative institution to cope up with the current changes in other fields.

There are three main levels for parliamentary reform, the first is the institutional level which refers to the organizational structure of the parliament and its main units, the second deals with the technical level which means the personnel of the general secretariat and other technical units, while the third is the political one that mean providing support to the work of the parliamentarians themselves.

We also have two main methods for political reform, the first is the legal reform which means changing the current legislation to cope up with the new circumstances, and this is the easiest way to achieve political reform. The other method is to achieve cultural reform thorough changing the deep-rooted systems of values, beliefs, concepts and customs of the whole society, therefore it represents the most difficult step in the process of reform as it needs a very long period of time and a collective work and coordination between the different institutions of the society.

The political reform has many and various fields including the reform of the partisan system, which resulted in 17 political parties, most of them are fragile and ineffective in the political life. There is also the reform of the electoral system in order to reinvigorate the political parties, but we have to take into consideration that we don't have the ideal electoral system that can be applied for all societies and at any period of time, what we might have is the suitable one

which meets the needs of the society at certain period of time by improving the democratic process. At the same time changing the electoral system is not sufficient by itself to achieve the expected improvement in the democratic process.

One of the most important pillars of the parliamentary reform is to improve the position of women in the legislative body. Needless to say that the insufficient representation of women in parliament was due to the lack of democracy, respect for public freedoms and human rights in the previous decades. Also, we have to admit that many traditions not only in Egypt but also in the Arab world still constitute a hindrance to the acceptance of women's involvement in political life.

The Egyptian women are not encouraged to express their opinions and participate positively in life outside the family sphere. They remain virtually excluded from the political arenas for the following reasons:

- 1-The Egyptian woman is an essential part of the society, which is still suspicious towards participation in the political process in general.
- 2-The social and cultural norms and traditions especially in the rural areas and Upper Egypt which articulate that women can't be credible in political life, and therefore as parliamentary representatives.
- 3-The prevalence of the "masculine model" of political life and of elected governmental bodies;
- 4-The nature of the electoral system, which may or may not be favourable to women candidates.

Although Egyptian women won the right to vote in 1956, many political parties still question the wisdom of nominating women candidates to run against men given the social attitudes that are sometimes antagonistic to women's political activism. The argument goes that women are a liability on a party list. Opposition parties feel that if their candidates stand little chances of winning, the women among them stand even less. To risk naming a woman is to effectively give up a potential seat on an already limited list.

The number of women MPs in modern Egypt has always been extremely limited. The women's representation in the Egyptian parliament has traditionally ranged between 2 and 3 per cent. The only exception came in the 1979 and 1984 parliaments when the figure jumped to 8.9 and 7.86 per cent respectively. Not coincidentally, a law instituted in 1979 designated specific seats for

women, but in 1984 the procedure was annulled by the supreme constitutional court on the grounds that it was discriminatory. Despite an increase in the number of female candidates to 87 in the 1995 elections, only five women won seats, all of them NDP candidates. Four more were appointed by the president, bringing the total of women MPs to nine in the People's Assembly, which has 444 elected members and 10 appointed ones. Also in the 2000 elections, there were 112 female candidates, only seven women won seats and four more were appointed by the president.

But does more women representatives really mean better representation for women? To answer this question we have to study women's performance in the political and supervisory fields inside the parliament. We have to trace the number of interpellations (questions that must be answered by cabinet ministers), requests for information, requests for debates and bills proposed by women MPs with regard to the discussion of the government statement, the budget bill and the legislative performance.

Analysis of the activities of women MPs during the first and second terms of the eighth People's Assembly reveals the following:

- 1- During the discussion of the government statement, women MPs focused on social and technical issues which means that technical experience and knowledge (not gender) are the most important factor in influencing their performance.
- 2- The issue of women's representation is not a quantitative one. It depends on whether the women selected are capable of presenting the issues and problems of society and acting as representatives in an informed and efficient way.
- 3- They were more interested with the national issues rather than provincial or domestic ones.
- 4- The activities of the appointed women MPs in the legislative field were greater than the activities of the elected MPS.
- 5- The supervisory performance was very low, it represented only 36.4%.

Criticizing remarks:

- 1- The performance of women MPs is not separable on the performance of the parliament as an entity, as both women and men MPs are exposed to the following obstacles:
 - Having insufficient knowledge regarding many issues such as property rights, political right, chambers of commerce.
 - Lack of parliamentary experience especially for the new MPs.

- The under-representation for women Mps inside the parliament.
- The majority of the Mps belongs to the National Democratic Party which affects negatively the use of supervisory methods.
- Prevailing social attitudes and cultural values do little to enhance women role in the parliamentary life, as traditions continue to emphasize, and often dictate, women's primary role as mothers and housewives.
- The prevailing political climate places a number of restrictions on women's political role and limits their opportunities to become members in the parliament.
- The turnout of women voters has been very low in comparison with the turnout of men, and has never exceeded 44 per cent.
- The lack of party support as women were not regarded as pivotal members of the electoral process and had little chances to succeed.
- The type of electoral system as well as the lack of quota reservations.

But all these obstacles should never be interpreted as women have no chance in participating in political life, in contrary women has great opportunities to improve their rate of representation in the parliament especially with the support of the political leadership to their role. At the same time women have to exert more efforts in order to overcome the hindrance of the traditional culture and value system.

Thus it remains imperative to emphasize that women themselves must organize and mobilize their networks, learn to communicate their interests with different organizations, and push for mechanisms to enhance their own representation. To that end, two of the most significant mechanisms have to be used to overcome many of the obstacles to women's legislative representation: namely, electoral systems and quotas.

Changing a country's electoral system in the short run often represents a far more realistic goal to work towards than dramatically changing the culture's view of women. At the same time there should be a long-term strategy to ameliorate the social and economic conditions of women in order to be able to run for parliamentary elections and to put forward policies demonstrating the importance of women role in all fields of the society.

Cooperation Between Parliament and Civil Society in Lebanon

Dr. Ghassan Mokheiber
Member of Parliament- Lebanon

No doubt that the basis of democracy is free and fair election and respects the laws. In addition, the role of civil society organization (CSOs) is a key element in democratic societies. Parliament is the one institution that has to empower civil society through transparency, access to information and mutual cooperation.

The logic of a democracy demands that the opposition should be able participate in debate and to express its argument. That is what all parties try to guarantee in Lebanon.

In Lebanon, the CSOs (of all forms) have the freedom to work, and to link with all institutions.

However, the relation between the parliament and CSOs as well as with other non governmental organizations have not yet been fully institutionalized, nor fully recognized; rather they are personalized and are affected by the impact of their representatives vis-a-vis the government.

Nevertheless, parliament has a variety of means through which cooperation can be launched and further solidified with the CSOs in Lebanon. Some of those major institutional channels are the parliamentary committees.

The demand and aims behind calling upon cooperation between parliament and the CSOs can be illustrated in the relationship between free election and good parliament. CSOs are those who would monitor freedom of elections and transparency.

It is also important to highlight the following factors affecting linkage between parliament and the CSOs:

- Development in parliamentary action and performance.
- Good mutual relations and trust between parliament and non parliamentarians.
- Improvement of non-governmental research centers that act as centers of experience and are self financed or financed through the government itself, as in the US and Canada.
- Systematic and organized procedural listing of parliamentary discussions and deliberations.

- Enhancing cooperation between parliament and the other political and constitutional institutions, e.g. political parties.
- Making the workings of committees effective and transparent .
- Forming joint committees between parliament and civil society.
- Offering citizens means to be acquainted with parliament's work.
- This is why the principle of publishing the proceedings of parliamentary sessions should be applied, except when very sensitive and dangerous issues are concerned.
- Publish summaries of proceedings of parliaments, or at least give access to the media on what those proceedings were so that they can convey them to the public.
- Strengthen relations of MPs with the electoral district/constituencies.
- Training the researchers in parliament.

Development of Jordan's Parliament & its Role in the Legislative Process and Political Reforms: A socio-Political Prospective

Dr. Abdel Mahdi Al-Soudi

Associate Prof. Jordan University, Sociology Department

Parliamentary life in Jordan started in 1928 when the basic law was established followed by the election of the first legislative council in 1929. The legislation council consisted of 16 members and the role of the legislative council was restricted to approve bills introduced by the cabinet.

In 1946 Jordan declared its independence from the British Mandate and a new constitution was established. The new constitution changed the country into a hereditary monarchy, allowing the establishment of two houses of parliament the Representatives and the Senate. The role and duties of Parliament were limited to approve bills and discuss public matters without the right to cast a no confidence vote in the cabinet.

In 1950 Jordan united with the West Bank forming the Hashemite Kingdom of Jordan. And in 1952 a new constitution was established making the nation as the source of powers, the cabinet accountable before Parliament, and allowed the establishment of political parties. The Parliament consisted from two houses, the Representatives 40 elected members and the Senate 20 appointed members. But due to internal and external political events political parties were prohibited and parliamentary life was suspended until 1984 when Jordan decided to resume parliamentary life after it suspended all legal and administrative relations with the West Bank. The country took several steps on the road towards democracy including issuance of political parties, press and economic laws, and organized three regular general elections since 1989. The paper revealed that despite the fact that Jordan has an acceptable constitution, election and political parties laws, its parliament suffers from several weak points among which are the followings, 1. It consists of individual members who lack any organizational power. 2. M.Ps. finance their own election expenses and depend on their families' support instead of political parties. 3. The Executive Authority has the power to dissolve parliament at any time and has control over the process of election. This situation has limited the Parliament's role in the process of democratization, political reform and the transformation of the country into a real constitutional parliamentary monarchy.

The paper suggests that in order to overcome these defects Jordan must take several steps towards strengthening the position of parliament and change into a real constitutional parliamentary monarchy, representative government and the Prime Minister must be an elected M.P. and the head of the largest political party.

Jordan is a small country with a population of 5 millions, surrounded and has common borders with five strong countries: Saudi Arabia 15 millions, Egypt 65 millions to the south, Iraq 22 millions to the east, Syria 20 millions to the north and Israel 6 million to the west. The Country was deeply affected by all political and military wars and conflicts that took place in the area. According to the constitution, the people of Jordan form a part of the Arab Nation, and its system of government is parliamentary with a hereditary monarchy. Islam is the religion of the State and Arabic is its official language. Jordan political system consists of three main authorities:

1. The Executive authority consists of the king as the head of the three authorities, the Prime Minister, and the Council of Ministers.
2. The legislative authority consists of: the Lower House of parliament 104 elected M.Ps, and the upper house 52 senators appointed by the king.
3. The Judiciary Authority consists of different types of courts.

Democracy, Political Reform:

Understanding why some countries develop democratic systems of governance and why some do not have perplexed political philosophers and social scientists from Plato to Lipset, S. (1963), Dhahl, R.(1971) and Huntington, S. (1991). The literature is diverse in methodology but also in its conception of democratization. For some, democratization is the process by which a peaceful and competitive political process takes place at regularly scheduled intervals to transfer power from one political actor to another. Still others view the process as one where the individual citizen undertakes a greater political role in society regarding how one articulates needs and interests either formally or informally, (Piro, 2001:5)

For the purpose of this paper, I define democracy and political reform as the process by which Parliament participates more fully in the legislation and control of government public performance. The Parliament may use political parties or blocks to achieve more meaningful control of the state on behalf of the population who elected them to their office.

Jordan knew parliamentary traditions, political parties and general elections since the beginning of the 20th century. But its parliamentary life was never continuous or consistence rather it was always varying from time to time and changing in shape, numbers and authority. Parliamentary life started in 1929 as a Legislative Council governed by the Basic Law, which adopted "a one chamber system". The Legislative Council's powers were limited to the approval of bills, and consisted of 16 elected members. Jordan witnessed the establishment of 5 legislative councils between 1929 -1946. In 1946 the country became independent from the British rule and the first constitution was established, with two chambers system. Between 1946 and 1967 Jordan political life witnessed more political changes including the unification of the East and West Banks of Jordan, the emergence of several political parties and the establishment of a third constitution in 1952. The new constitution made the nation the source of authority, increased the number of M.Ps to 40 members and made the Parliament responsible for the government's public action. The country witnessed free general elections with the participation of many political parties and the establishment of the first parliamentary government.

However, during the 1950 the area witnessed wars and instability, which was negatively reflected on Jordan's internal affairs, including its political and parliamentary life. The period 1950-1957 witnessed the establishment and the fall of several governments and at least four parliaments were elected and dissolved before they end their terms because of their opposition to governments. This situation reached its peak in 1957 when the regime decided to dissolve all political parties and prohibited them from working in the country. (Nagresh, 1991, p. 86-87). Therefore, one can say that the parliament was not effective in playing any significant role in the political life during this period and failed to prevent the prohibition of political parties for about 40 years, which resulted in negative effects on Jordan's political life.

However, the worse thing has yet to come when Israel in 1967 occupied the West Bank and consequently parliamentary life was disrupted and almost paralyzed for three decades. Only in 1984 the parliamentary life was resumed by calling the last parliament to hold an extraordinary session and it was extended until 1988.

In 1989 Jordan Parliamentary life has resumed and took a new shape. It started with free parliamentary elections, and introduced a new elections' law and new political parties law 1in 1992. The people of Jordan had great hope on the eve of that election and expected a real political change for democracy. More than 20 Political parties were

quickly formed during this period, and three general elections took place in 1989, 1993 and in 1997. The fourth election was supposed to take place in 2001 but unfortunately, the government dissolved the parliament and postponed the election for no specific reason until June 2003.

The Jordanian Regime tried during the 1990s to be a pioneering and a model in democratization in the Arab World, and therefore, the country took several steps towards achieving this goal. The Parliament played an important role in the process of legislation, democratization and economic reforms. This was evident through passing the followings:

1. The National Charter which was designed to regulate the work of the political parties. (National Charter, 1990)
2. Political Parties' Laws, which led to the establishment of more than 22 political parties, including Islamists and communist parties.
3. Four Election Laws, the last one issued in 2003.
4. Press, publishing and print laws, which allowed the establishment of several daily and weekly newspapers and magazines.
5. Several economic laws including investment laws, privatization laws, property laws, etc.
6. Abolishing the martial law, and restoring regular parliamentary elections.

However, Jordan's 100 years experience with many general elections, political parties and parliaments has not established a stable political and parliamentary system and traditions. And even the more liberal and open political process during the last decade, has not produced the dynamic democracy so many Jordanians, intellectuals and politicians had hoped for, following the first free parliamentary election in 1989 (Piro, 2001 p.1). By most accounts, the depth and extent of democratization in Jordan has been limited. Some scholars have described the democratization process as "managed liberalization" (Brand Laurie, (1995, p.184); "controlled pluralism" (Piro,1992, p.44); "defensive democratization" (Glenn Robinson,, 1998. P. 389), and " façade democracy" (Wiktorowicz, 1999, p. 607). They agree that stability of the regime was, and still is, the goal of the democratization process, political and economic reforms.

I can argue that despite all parliamentary and political changes and achievements Jordan still faces several problems, regarding the role of parliament in the political life in general and in the process of legislation in particular, among which are the followings.

1. The king has great executive powers, such as: the right to appoint or dismiss the Prime Minister and the Cabinet at any time; calls for general elections, to dissolve parliament or adjourn its meetings, and to rule without parliament (Article 34). This made the average age of governments around one year and the majority of parliaments did not finish their terms of office.

2. The vast majority of M.Ps. are independent individuals representing themselves, their tribes, sects or local communities, and not members or representative political parties. This led to the fact that most M.Ps are more interested in achieving their personal interests than the interest of the nation, and most importantly they look very weak before the government since they acting individually against the organized power of government.

3. The government is responsible for the administration and supervision of the process of election. This led to a wide consensus among Jordanians that the government interferes in the election process and in its results.

4. There are some problems regarding the bureaucratic process of elections, voting system, administration and the existence of some restrictions regarding the eligibility of voters and the unfair division of the electoral circles.

5. Since, the government is not a representative government, it some times introduces provisional laws and put them in practice without the approval of parliament especially during the absence of Parliament, such as the election laws, press laws and economic laws.

6. The government influences Parliament or individual M.Ps to ratify provisional laws through different means and pressure among which threat to dissolve Parliament, promises of future ministerial post, or other favors for individual M.Ps.

7. The continuous process of changing governments, dissolving Parliament before finishing its period and changing laws, that led the people to loose faith in the parliament and government's intention towards democracy.

Objectives:

The objectives of this paper are:

1. To give brief history to the development of the Parliament and the Constitution.
2. To study and analyze the process of legislation

3. To study and analyze the role of Parliament in the process of legislation and political reforms with particular reference to the 1990s.

4. To analyze the relationship between Parliament, senate and Cabinet.

5. To shed light on the role and effectiveness of Political Parties and Parliamentary Blocks in legislation and political reforms.

Methodology:

The data and information used by the study are taken from the primary resources such as the constitution, the official records of both houses of parliament, the records of the Statistical Department, the records of the Ministry of Interior Affairs, Elections and Press Laws and from other secondary resources. I examined and compared the three constitutions established between 1929 and 1989 including the composition of parliament and its duties and the process of legislation. I followed the bill from its initiation to the moment it reaches parliament and until it reaches its final stage. In addition to that I analyzed the process used by the Parliament to discuss and debate the issues and laws brought to it by the government and the voting system. Finally I examined the role and influence of Political Parties and Parliamentary Blocks on legislation and political reform.

First: The development of the Parliament & the Constitution:

Jordan knew Parliamentary traditions since 1928 and developed into a legislative institution by the end of 20th century. The main duties of the present Parliament are:

a. Legislation duty, as its main duty is to approve, modify, or reject bills that are introduced to him by the government, or to suggest bills

Economic duty, as the parliament must discuss, debate, approve or reject the national budget, which is usually presented to him by the government.

Political duty, as the parliament has the duty of supervising the government's overall performance and to ratify certain political agreements and treaties with other nations.

As I said before Jordan's Parliament, the constitution and the legislative process passed through many stages, forms and shapes between 1928 and 2003 and here is a brief history for these developments.

1. The Era of Emirate 1921-1946

The Emirate of East Jordan was established in 1921, and declared independence on 25/5/1923, but stayed under British Mandate until 1946. The Basic Law was established for the Emirate of East Jordan in 1928 by virtue of which East Jordan was given constitutional legitimacy for the administration of the country affairs. Then an Elections Law was issued for the election of the 1st Legislative Council. Five more Legislative Councils were elected during the period of (1929-1946) the first of which was in 1929 (Alrabee' 1995, p.26).

The Basic Law of 1928 adopted the “One Chamber” system. It consisted of 16 elected M.Ps., the Prime Minister and the Members of the Executive Council numbering (6). They all had the right to vote in the Legislative Council. The Speaker of the House was the Prime Minister who was a non-elected member. He didn't vote except for preponderance in case of a tight vote. The powers of the House were restricted to the approval of bills presented by the Executive Council. A law wouldn't be implemented even if approved by the House unless approved by Prince Abdullah (later king of Jordan) who would order its issuance. The Prince's powers of authentication were absolute. The powers of the House- from the legislative aspects- were powers of approval only and the House couldn't propose any bill.

The house didn't have any control powers on governmental policies or on any matter related to public administration, treaties or international agreements. The House didn't have any right to address questions, request any debate, or cast the vote of confidence in the Government's political and administrative programs. The term of the House was three years extendable for two further years by the Prince (The basic law of 1928).

2. The Era Between 1946-1951

Jordan became independent from British rule on 25/5/1946, on the basis of a parliamentary monarchy system. As per this change, the Basic Law of 1928 was replaced by the 1946 constitution. The new constitution adopted the principle of a bi-cameral parliament and called it “The House of Parliament” consisting of an elected House of Representatives and a Senate whose Members are appointed by the King, provided their number does not exceed one half that of the House of Representatives.

The 1946 Constitution specified the term of the elected House of Representatives as four years, while the term of the Senate 8 years, and half of the Senators to be renewed every four years. The term of

Parliament's session was three months with four ordinary sessions, which could be extended to finalize urgent matters.

The Constitution gave the King the power to appoint the Speaker of the House from the elected Members. The appointed Speaker exercises his powers for a period of one year. However he may be appointed for a further year.

As for the legislative powers of the House of Parliament, the 1946 Constitution did not give the House of Parliament the right to propose laws rather it restricted this right to the Executive Authority. Its powers did not exceed the right to pass the bills presented thereto by the Executive Authority, (the 1946 constitution).

As for the political powers of the House of Parliament, the 1946 Constitution gave the House of Parliament the right to discuss any subject or matter related to public administration, and has the right to address questions and debate issues related to public administration. The House of Parliament's control on politics remained incomplete as this Constitution did not give the House the right to cast the vote of non-confidence in the Cabinet.

The House of Parliament didn't have the right to consider, approve or control international treaties and agreements, nor the right to control the manner of granting concessions related for the utilization of the natural resources of the country, (the 1946 constitution).

3. The Period between 1952-1967

In 1952 a new Constitution was adopted and included many constitutional principles contained in the 1946 Constitution, but it contained new principles. Definitely the unity between East and West Banks of Jordan in 1950 was one of the most important reasons behind the new principles included in the new constitution. (Mashagbeh, 1998:115)

Moreover, this period witnessed a very active role to several political parties and many M.P.s were elected as members of these parties (Masaleh: 1999:40-60). But due to the disturbances that took place in the country on 25/4/1957, an order was issued abolishing all political parties except the Muslim Brotherhood, which was at that time registered as society and not a political party. Suspension of political parties continued in effect for 40 years. This suspension continued, despite the fact that the 1952 constitution provides in chapter II Article 16/2 that "Jordanians are entitled to establish societies and political parties".

However, the 1952 Constitution contained important new principles different from the previous constitutions these are:

3.1. The principle of the sovereignty of the nation:

Article 24 of the 1952 constitution made the "Nation" the "source of powers" and provided for the sovereignty of the nation something, which was missing in the 1928, Basic Law, and the 1946 Constitution. However, the sovereignty was before concentrated in the hands of the Council of Ministers and the King, from both the formal and actual aspects. But in the new constitution sovereignty was transferred to Parliament and that change has far-reaching effects as it eventually open the door for the Parliament to play a more active role in the political life in general and in legislation in particular.

3.2. The principle of separation between authorities:

This principle was adopted in the 1952 Constitution but not in an absolute way. It establishes the need for cooperation between the Legislative and the Executive but it gave the Parliament the right to interfere in the various functions of the government. Parliament has for the first time the right to watch the government performance, to control its performance, and to hold the Cabinet as a whole or the individual Ministers accountable for their deeds.

On the other hand, the constitution gave the executive the right to play an important role in the functioning of the Legislative. It gave it the right to present bills and to issue provisional laws in case of necessity; call the House to convene in ordinary and extraordinary sessions; adjourn and postpone the convening of the Parliament and most importantly dissolve the Parliament, (Article 34, (iii)).

This is the most serious weakness of Jordan's Parliament in comparison with the executive. The M.Ps. work under three threats: The first threat comes from the possibility of dissolving the Parliament, if they go too far in their opposition or criticism to the government's policies or in case they don't agree to the government's demands in passing certain laws. The second threats comes from their fears of being classified as opposition to the regime and consequently loose their hope or ambitions to get a ministerial or high rank jobs in the future. We know that every M.P. in Jordan and in the Arab World dreams of getting a ministerial post. The third threat comes from losing their salaries if the executive dissolves the Parliament. We know that individual M.Ps. spend a lot of money from their pockets on the election campaign, and they expect to compensate this money from the salary they get during the four years term in office.

3.3. The Regime is Parliamentary with a Hereditary monarchy:

Jordan's constitution adopts the parliamentary system; the head of the state is not held responsible; the cabinet is responsible before the House of Representatives, (Article 28). However, the king has great executive powers including appointing and dissolving the cabinet and the Senate and calls for election, postpones it and dissolve the Parliament itself. Jordan monarch system is completely different from any other democratic constitutional monarchy system. The king has almost absolute executive powers and in this regards he is what I may call a "president king". This situation is true in all Arab countries where there is no different between presidents and kings they all have one thing in common, absolute executive powers with unlimited rule duration.

3.4. The Parliament is bi-cameral:

According to 1952 Constitution Majless Al-Ummah, consist of two Houses, the House of Representatives consists of 80 elected M.Ps representing public opinion for four years, and the Senate consists of 40 appointed members and works in parallel with the term of the House of Representatives. When the later is called to convene in its first ordinary session after elections, a new Senate is appointed. The King appoints the President of the Senate for two years, renewable, while the Speaker of the House is elected by its Members for one year at the start of every ordinary session and continues until the start of the following session. (Articles 62-63)

3.5. The Right of the Parliament to propose laws.

Article (95) provides, (i) "Any ten or more Senators or Deputies may propose any law. Such proposal shall be referred to the Committee concerned in the House for its views. If the House is of the opinion that the proposal be accepted it shall refer it to the Government for drafting it in the form of draft law, and to submit it to the House either during the same session or at the following session." Unfortunately no parliament has proposed any laws during the 1990s, which is an indication to its weakness before the executive.

The Senate and the House are equal in regard to the proposal of bills and many observers see this equality unfair sense the parliament is elected by the people while the Senate is appointed by the king.

3.6. The balance of power Between the Authorities:

The balance of power between the executive and the House of Representatives is established, through the right of the House to

withdraw confidence from the government or any minister and in return the government has the right to dissolve the Parliament. Although this balance of power between the two authorities helped stabilizing the relationship between them, as during the last half century only once the Parliament used this right and withdrew its confidence from the government.

I can argue here that this balance was always to the executive's benefits. The executive has dissolved 9 out of 11 parliaments between 1947-1989 before finishing their four years terms in office (Alrabee', 1992. pp. 26-28). The difference between the situation in the democratic countries e.g. U.K and Jordan is that the government in Jordan consists of individuals who are appointed by the king and they are not representative or elected. Therefore, they are not affected by dissolving parliaments, because they stay in power after dissolving the parliament. The best example is the continuation of the present Jordanian government, which dissolved the Parliament more than a year and half ago and still ruling the country without parliament since then, and this is in my view a violation of the constitution and democracy itself.

4. Freezing parliamentary life between 1967-1984:

Parliamentary life in Jordan was frozen after the occupation by Israel of the West Bank of Jordan in 1967. This occupation prevented new election in Jordan and the last parliament continued until 1978, when it was dissolved. The parliament institution was replaced by the National Consultative Council (NCC), which was formed in 1978 as a formula to fill the resulting parliamentary vacuum. The function of the (NCC) was to give opinion and consultation to the Executive Authority, debate public policy, consider all the legislation and laws issued by the Government, discuss the general policies of the State in a framework of cooperation with the Government and in a spirit of public interests. On this basis, the (NCC) Law was issued. During this period three NCCs were formed as follows: The 1st NCC: formed on 20/4/1978, the 2nd NCC, formed on 20/4/1980, the 3rd NCC, formed on 20/4/1982 and was dissolved on 8/1/1984 in order to return to parliamentary life.

5. The Era Between 1984- 2003

In January 1984 Jordan returned to parliamentary life, and the last (NCC) was dissolved and the 9th House of Parliament was called to convene in an extraordinary session to amend one of the articles of the Constitution that allows elections in Jordan without the West Bank. This House was called the 10th House of Representatives and continued until

1988 when it was dissolved as a result of the Government political decision in July 1989 to officially sever the administrative and legal ties with the West Bank. The Government returned to parliamentary life without the representation of the West Bank.

The 1990s witnessed major developments in the political, economic and legislation fields. In the political field the country witnessed the establishment of more than 20 political parties, accomplished peace treaty with Israel and executed three general elections. In the legislation field parliament issued four election laws three press laws and many economic laws.

In 1989 the first general parliamentary elections for the Hashemite Kingdom of Jordan took place without the West Bank. Its 80 Members were all from the East Bank. The 11th House of Representatives was elected and lasted from 11/11/1989 until 4/8/1993. It was dissolved three months before the completion of its constitutional term to prepare for the new elections.

In 1993 a second general election took place and the 12th House of Representatives was established. It continued from 22.11.1993 up to 1.9.1997. It was dissolved three months before the end of its term to prepare for new elections. A new election law was issued by the government in the absence of the parliament and it introduced the one man one vote, that led the largest political party the Islamic Action Front and other opposition parties to boycott the next elections.

On 23/11/1997 the new election took place and the 13th House of Representatives established without the Islamic Action Front's participation. It was dissolved 6 months before the end of its term and elections were postponed until July 2002, but later it was delayed until June 2003 (Mashagbeh 1998:295-99).

However, despite all these political developments Jordan did not come close to real democracy. The election and press laws were continuously modified to prevent their effectiveness on public opinion and to limit the dominance of the religious parties, and electoral circles (constituencies) were crafted and designed to influence the election results. The country was divided into several electoral constituencies according to government's desire and not according to population density or numbers. This resulted in a peculiar vote ratios where in some constituencies one seat was assigned to every 30 thousands citizens while in others the ratio was one seat for every 100 thousands citizens (Table, 2), (Horani, 2002, p. 137). The government adopted the election system one-man one vote without dividing the country equal electoral constituencies. E.g. you can have in one constituency three seats and you

are allowed to vote for one candidate only while in others you have 8 seats and you are allowed to vote for one candidate only.

Taher Almasrey, a previous Prime Minister, believes that democracy faced its first setback in the middle of 1993 when the government introduced the election law, which presented the famous one-man one vote. This law was faced with very strong opposition and criticism from most of the political parties and M.Ps. The Islamic Action Front and other opposition parties used the new law as reason for boycotting the elections. The Freezing of the political dialogue and imposing restrictions on general civil liberties was seen as an indication of the regime baking off from democracy. (Almasrey, 2001, p. 32)

It is true that the regular election and the political parties continued to exist. But the process of democratization came to a halt because the government started reviewing and amending the liberal laws, which were approved by parliament before, including the press, printing and publishing law of 1997 (Almasrey, 2001 p. 32).

Among the reasons behind the failure of the democratization process and the Parliament Hadadeen a previous M.P. mentioned the weakness of the political parties, the opposition of some powerful anti-democratic groups among the old elite and other economic factors such as poverty and unemployment. (Hadadeen, 1996, p.107)

All these governments' actions took place under the eyes and ears of the parliament and without trying once to introduce a no-confidence vote on the government, it rather endorsed these actions. This was a clear indication that the parliament was unable to influence the regime or the government to adopt a more liberal attitude towards democracy and consequently its role was indeed absent or very marginal at best. The Parliament's role was confined to approving bills introduced by the government and not once it proposed a bill or used its authority to veto any of the bad laws concerning election, political parties, press and publishing or any other economic, social or political policy. The fascinating thing about Jordan's Parliamentarians behavior is that they give endless speeches, lot of criticism and accusation for the government's behavior and its economic policies during the budget's discussion. But when it comes to voting the majority of M.Ps give their endorsement and vote with yes for the government's policy. Moreover, they speak a lot about corruption among ministers and other high ranking officials during the ordinary sessions but never gave a vote of no - confidence or impeached any minister.

As Taher Almasrey, put it "the parliament failed in keeping its independence and did not use its powers and role in the right way. The

democratic process turned into an empty shell despite the continuation of the election process and the existence of several political parties" (Almasrey, 2001, p. 32).

I can argue that the failure of the parliament to carry its expected duties and roles in the democratization process resulted in losing the people's trust and confidence. Indeed less than 42% of the eligible voters turned into the three elections took place during the 1989, 1993, 1997 elections (See table 3), and (Horani, 2001, p. 174)

The 2003 election law and election:

After two years of suspending parliamentary life (2001-2002) The Jordanian government introduced a new election law which kept the "one man one vote" but included many other improved principles. The new law lowered the age of voters to 18 years instead of 19 years, increased the electorate's circles from 23 to about 54 and adopted the identity card as the only official document for voting. The identity card easy to get from the civil and passport department for 1 Jordanian Dinnar, (1JD=1.3 US\$) and it includes the full name of the citizen, his national number (every citizen has a notional number) and the electorate circle. The new law also provided that vote's counting must be done in each voting station before the candidates or their representatives instead of transporting the voting boxes to main stations. Using the identity card for voting and counting the votes in the voting stations was an advanced step in the election's process in Jordan. It abolished the need for voters' registration and voters lists and enabled the voters to vote at any voting station in his constituency instead of voting in specific station.

This action removed all the previous claims and accusation regarding the false names in the voting lists and government's interference in the election process and indeed improved citizens' trust in the election process.

There was a little problem with this process. There were claims that some candidates and citizens (and not the government) tried to falsify the identity cards through two methods: first, removing the "mark" put by the authorities in each cards after voting. Exposing these cards to high heat and ironing did remove these marks, second by producing false identity cards using special machines. The Parliament is investigating these claims now.

This problem however, could be solved easily by punching (making a small hole) each identity card after voting instead of marking it, second by using sensitive machines that check each card for authentication and

guarantee that it would not be used again like the machines used to check credit cards.

The new law increased the numbers of M.Ps from 80 to 110 with six guaranteed seats for women (women quota) regardless of the votes they get in the election. This allowed the presence of six women in the new parliament for the first time in Jordan's history. It is a good thing but I think it is not enough it should be between 30-40% of the total seats not only in Jordan but also in all Arab parliaments.

Second: the Role of Parliament in the Process of Legislation:

Pursuant to Article 25 of the Constitution, the legislative process is not restricted to the House of Parliament; the Senate and the Executive takes part therein as well. The main stages through which ordinary legislation passes are three:

1. Proposal of the bill
2. Approval of the bill
3. Authentication and issuance of the bill

1. Proposal of the Bill:

The right to propose bills is for both the Executive and the Legislative Authorities as follows:

1.1. The right of the Executive to propose:

Article 91 of the Constitution provides, "The Prime Minister shall refer to the House of Representations any draft law.

The reason for this right is that the Cabinet is responsible –as per the Jordanian Parliamentary System –for the internal and external policies and for the implementation of programs and best knows the real needs of the people.

There are two restrictions on this right: the necessity of submitting the bill to the House of Parliament; and that it is not permitted to present the rejected bill again the same session.

The Prime Minister shall refer the law drafts to the House Speaker attaching thereto the reasons necessitating their presentation to the House. It must be distributed to every M.P at least three days before the start of its deliberation (article 65 and 67 of by-laws)

However, the Cabinet may restore the law draft before voting on its referral to the competent committee.

1.2. The Right of the Legislative to propose:

Article (95) of the Constitution provides, "(i) Any ten or more Senators or Deputies may propose any law. Such proposal shall be referred to the Committee concerned in the House for its views. If the

House is of the opinion that the proposal be accepted it shall refer it to the Government for drafting it in the form of draft law, and to submit it to the House either during the same session or at the following session.”

The second paragraph of the same Article provides, “(ii) any law proposed by Senators or Deputies in accordance with the preceding paragraph and rejected by either House shall not be presented for a second time during the same session”.

The Senate and the House are equal in regard to the proposal of bills. Thus if a Member of parliament or more would propose a new bill or the amendment or cancellation of an applicable bill, he (they) should present the proposal and the necessitating reasons. The proposal will be referred to the relevant Chamber. If accepted, it will be referred to the competent Committee for opinion. If it is approved, it will be referred to the Government to be put in bill format and presented to the House of Representations in the same or following session.

We must notice here two things: first that the role of parliament during the 1990s was confined to approve bills introduced by the government and second that the constitution gave the Senate equal rights with parliament in legislation. So no bill can pass without the approval of the senates which is appointed by the king and it always reflect the official view of the regime and the government. More over, where there is a difference of opinion between the two houses regarding any article in a bill a joint session chaired by the Senate speaker is called and decide the matter by two third majorities of the both houses. And keeping in mind that the M.Ps are individuals with no formal or party power compared to the organized power of the government and the Senate it is expected that the later opinion always prevail.

1.3. Withdrawal of Bills:

It has been the tradition in Jordan – as regards the bills presented by the Government to the House of Representations – that it can withdraw them as long as the House has not yet decided to accept or reject the bill. The Government bill may be withdrawn by a decision from the Cabinet. It is not conditional for such withdrawal to have a royal decree issued. As for the bills proposed by the House of Parliament, it is agreed that the Government may not withdraw them.

2. Approval of Bills:

The Constitution gave this right to the House of Parliament. Article (91) of the Constitution provides, “No law may be promulgated unless

passed by both the Senate and the House of Representatives and ratified by the King.”

The legal session requires the presence of two third of the total M.Ps. (article 76 by – laws), While the decisions of the House shall be issued by the majority of the votes of the M.Ps present excluding the Speaker. Voting shall be by show of hands except in: a) voting relating to the Constitution b) voting relates to confidence in the Cabinet, voting shall be cast by roll call in a loud voice: confidence, withholding, abstaining. (Article 77 by-laws). Voting on draft laws shall be done article by article, and chapter by chapter for the budget. (Article 78 by-laws). However, the final approval should be passed by the House, then the Senate, and ratified by the King.

The normal procedure for legislation is that the government drafts a bill and referred it to the House of Representatives. The Speaker presents the bill to the House for debate and voting. If the House contends that there is a need for such a bill, it will refer to the competent Committee for opinion. If it doesn't, it may decide to reject the bill.

The authority of the House in this regard as per article (91) of the Constitution is limited to three options:

To accept the bill as received from the Government, to amend it, or to reject it. In all cases, it should be referred to the Senate. The bills are referred from the House of Representatives to the President of the Senate who in his turn refers it to the competent Committee. Any Member has the right to make proposals to the Committee through the Speaker/President.

After the Committee completes its study, it returns the bill to the House along with its report. Then voting takes place. The Senate, as well, has the right to accept, amend or reject the bill. If the Senate accepts the bill as received from the House, it is referred to King for ratification and issuance. If the Senate refuses the bill, it will be returned to the House of Representatives along with the justifying reasons in the session when the bill was rejected. However, the bill may be submitted in the following session.

If both Houses differ as regards the bill, i.e. if the Senate doesn't approve it as approved by the House of Representatives – whether the decision of the Senate is by amendment or rejection- it will return to the House. The House will debate it again in the light of the suggestions made by the Senate. If the House approves the amendment or rejection of the Senate, it will return it to the Senate for approval and for referral to the King for ratification and issuance.

If the House doesn't approve the bill as received from the Senate and insists on its attitude, it will be returned to the Senate. If the Senate accepts it, then it will be referred to the King for authentication and issuance. If it insists on disapproval, the President of the Senate shall call for a joint session. In this case, Article (92) of the Constitution stipulates that in order for the bill to be accepted the decision must be taken by a two-thirds majority of the Members present at that joint session. If the bill is rejected in the joint session, it may not be presented again to the House in the same session.

3. Authentication and issuance of bills:

The Constitution gives the authority of issuance to the King. Article 31 provides, "The king ratifies the laws and promulgates them. He shall direct the enactment of such regulations as may be necessary for their implementation." It regards the King as part of the Legislative Authority as mentioned in Article (25) in his capacity of the head of all authorities as provided for in Article (30) of the Constitution.

3.1. The Right of Authentication

As we mentioned, the King ratifies laws, and that no law may be issued unless approved by both Houses and ratified by the King.

To exercise this right by the King, Article 93 provides for the manner of his exercise of ratification as follows:

Every draft law passed by the Senate and the Chamber of Deputies shall be submitted to the King for ratification.

If the King does not see fit to ratify a law, he may, within six months from the date on which the law was submitted to him, refer it back to the House coupled with a statement showing the reasons for withholding his ratification.

If any draft law (other than the Constitution) is referred back within the period specified in the preceding paragraph and is passed for the second time by two-thirds of the members of each of the Senate and the Chamber of Deputies, it shall be promulgated. If the law is not returned with the Royal ratification within the period prescribed in paragraph (iii) above, it shall be considered as promulgated and effective. If any draft law fails to obtain the two-thirds majority of votes, it cannot be reconsidered during the same session, provided that the National Assembly may reconsider the draft during its next ordinary session.

3.2. Issuance of laws:

For the issuance of laws, there is a legal process performed by the King. It includes two points:

- a. The declaration of the birth of a new law: which is a certification by the Head of State that the House of Parliament approved the law to be issued.
- b. An order, from the Head of the Executive Authority (the King), for the implementation of the provisions of the law, each in his competence. This process of issuance is a legal procedure, which the legislation should go through.

Third: The relationship between Authorities.

The House of Parliament performs political functions in addition to its main job, i.e. legislation, that is to say the control over the performance of the Government according to the Constitution. Article 51 provides "The Prime Minister and Ministers shall be collectively responsible before the Chamber of Deputies in respect of the public policy of the State". In addition, "each minister shall be responsible before the Chamber of Deputies in respect of the affairs of his ministry". Control is done according to Article 53 through the motion of "no-confidence in the council of the Ministers or any Minister may be raised by the Chamber of Deputies". And if the Chamber of Deputies casts a vote of no confidence in the Council of Ministers the Council shall resign and the same is true to individual ministers (Article 53, ii). Such control emphasized by Article 54, which requires from any newly appointed government to present its program for the Parliament after taking over its functions. Article 54 provides that: "every newly formed Council of Ministers shall within one month of its formation place before the Chamber of Deputies a statement of its policy and request a vote of confidence on the basis of the said statement". Moreover the Chamber of Deputies is entitled to impeach Ministers through a bill of impeachment passed by a majority of two-thirds of the members of Chamber (Article 56).

It is obvious that the parliamentary system in Jordan adopts the principle of a flexible moderate separation among the different Authorities based on cooperation and integration. In order to achieve such cooperation, each Authority should be familiar with the function of the other Authority. This is what is stipulated for in the Constitution. This is coupled by the idea of balance between the Government and the House of Parliament so that each Authority can influence the other within its competence.

According to the previous Prime Minister, Rawabdeh, the Executive Authority has equal powers to Parliament and it is not under its control. This is due to the powerful position of the king as the head of the executive and his power exceeds that of the parliament. The king is not responsible before the parliament for his political behavior and the parliament has no authority to dismissing the king as long as he show competence. (rawabdeh, 1992, p. 76)

1. Questions:

It is one of the means meant to know an unknown matter. It may also means to draw the attention of the Government to a certain matter. The Question is regarded as a personal right for the person addressing it whether he is a Senator or an M.P.

2. Accusations:

They are a very important means of control. This method is more important and more dangerous than Questions because it is not meant to be an inquiry about a certain matter but it involves the accounting of the Government and addressing blame to it for a certain issue related to the general policy of the Government. This method would go as far as requesting the casting of the vote of confidence in a certain Minister or the whole Cabinet. Ministers are tried before the High Tribunal (Supreme Council). It is composed of the President of the Senate, as President, and eight members, three of which are appointed by the Senate from amongst its Members by ballot, and five from amongst the Judges of the highest regular courts in the light of seniority. The Supreme Council shall by itself establish the manner of trial of Ministers until a special law is issued for this purpose. The Minister charged by the House of Representatives shall be suspended from work until the Supreme Council decides on his case. His resignation shall not prevent the filing of a suit against him or the continuation of his trial. The High Tribunal has the right to interpret the provisions of the Constitution if it is so requested by a decision issued by the Cabinet or by a decision taken by either House of Parliament by absolute majority (Articles 57-61).

3- Investigation:

It is an important means of control in order to know about certain matters through the formation of special Committees of the Members of the House. Through these Committees, contact is made with individuals and employees to get information on the issue. It has the right to resort to various means it deems fit for the purpose.

4- Request of Debate:

Through it, facts can be known and it is a means for the exchange of opinion with the Government on a certain issue to disclose facts or to hear the Government policies. The Government as well has the right to request debate with the Parliament to familiarize the House with the policies of the Government regarding a certain issue

5- Motions:

It means to ask the Government to perform a certain function or adopt a certain plan. This establishes the House's right to generally supervise the affairs of the State and to control the policies of the Government.

6- Hearing of Petitions:

This is to hear the petitions and complaints of citizens regarding a certain issue related to the functions and policies of the Government.

Moreover, M.P. may not be legally prosecuted; nor legal or administrative measures taken against him; nor arrested or detained except by the house permission with exception of the case of criminal act (article: 135 by –laws).

However, the executive authority as well has its own means to influence the functions of the Legislative Authority. Through the means available to it by the Constitution, it can watch the functions of the Legislative Authority and influence them, Amongst them are: (1952 constitution)

- The right to call for general elections or postpone them.
- The right to call for the convening of the ordinary session.
- The right to call for postponing the ordinary session.
- The right to adjourn the ordinary session.
- The right to attend the sittings of the House of Parliament.
- The right to appoint the Members of the Senate.
- The right to call for an extraordinary session.

Through these means the government always seen as the strongest authority especially in comparison to parliament and the Senate and the media which is owned by the state. On top of all authorities comes the king who is the real player of politics. He has the legal power to appoint, dismiss and accept the resignation of the Prime minister and the council of ministers, to call for the general election, the meeting of parliament in

the ordinary or extra ordinary sessions, adjourn its sessions and dissolve it.

Indeed the Executive Authority has the upper hand in the relationship between the two Authorities. Only two parliaments finish their terms in office out of 13 parliaments between 1950 and 2001, the other 11 were dissolved before ending their terms in office (Mashagbeh, A. 1990, pp. 134-135) (Table 1). As for the Senate 6 councils out of 16 councils were dissolved 7 complete their term and two had resigned (Alrabee' 1995: p. 41).

I can Argue therefore that the existence of these different political institutions in Jordan, the parliaments, Senates, cabinets, and political parties are not more than games in the hand of the governments who use them for the benefit and security of the regime.

This situation is true in most Arab Countries where such institutions do exist but without real political powers and that every thing is in the hands of the ruler being a king a president a Shaych Sultan or Amer. And unless we all agree on this we will never change to democracy, with its real components: political institutions, opposition and free press.

Fourth: Committees & Political Blocks in Parliament:

1. Committees

According to article (35) of the By-laws of the House of representatives the House shall-at the begging of every ordinary session-elect the members of many committees. Each committee elects a chairman and reporter from amongst its members (for duties see by-laws pp22-28). The decision of each committee shall be taken by a majority vote of the members present. It has the right to summon the relevant minister, and may ask him to provide the required information or document. These committees are:

- The Legal Committee
- The Economic and finance Committee
- Arab and International Committee
- Administrative Committee
- Education, Culture and Youth Committee
- National Guidance Committee
- Health & Environment
- Labor & Social Development Committee
- Agriculture & Water Committee
- Energy & Mineral Committee
- General Services, Tourism and antiquity Committee

- Liberties & Citizens Rights Committee
- Rural & Badia Committee
- Palestine Committee

The main role of these committees is to study the proposed bills, and submit a report and recommendation to the house of parliament advising them to accept, reject, amend or modify it. Each committee consists usually of several members or deputies from different groups parties and blocks, whom background is the nearest to the subject, (education, economic, legal, political etc.) However, its recommendation is not binding, but rather respected.

These committees complete the role of parliament and they do not represent political power because they are not affiliated to political parties.

2. Political Blocks

There are different parliamentary blocks, each one consist of different numbers of M.Ps, from different background, thought and ideology. These blocks however, do not represent a specific political ideology nor they are affiliated to political parties. Rather, they are formed to give their members some of the following posts: prestigious administration position, Ministerial job, speaker of the house, head of parliamentary committees, or less important benefits such as services to their election circles, or employment for their relatives or friends.

The block has some sort of informal power on its members during voting on some matters. But this is not an obligatory commitment rather voting is almost a free matter. Moreover, members of different blocks keep changing alliances and blocks each session, and therefore, they are not effective in influencing government's performance, decisions or the legislation process.

The following is a brief description of numbers and token voting power ratio inside the last Parliament (1997): (Ministry of Interior records, 1998)

- The solidarity Block: 17 members, voting ratio: 21.25 %
- Agreement Block, 14 members, voting ratio 17.50%
- Parliamentary gathering Block, 13 members, voting ratio 16.25%
- The National Block, 11 members, voting ratio: 13.75%
- The Parliamentary work Block, 6 members, voting ratio: 7.50%
- The national Block, 11 members, voting ratio: 13.75%
- The independent Block, 8 members, voting ratio: 10 %
- The Opposition Block, 11 members, voting ratio: 13.75%

And because they are fragmented with no one hold a majority they do not have real influence on government's policies or on the parliament's voting manner.

Fifth: Political Party Representation and effectiveness in Parliament.

From the start, Jordan adopted the parliamentary system, which means the right in participation, opposition and political plurality. The Jordanian Constitution provides the means to develop the country into a democratic polity. Jordan's 1952 Constitution provides in Chapter II "Jordanian's Rights and Duties", Article 16/2, "Jordanians are entitled to establish societies and political parties provided that the objectives of such societies and parties are lawful, their methods peaceful, and their bye-laws not contrary to the provisions of the Constitution".

Paragraph 3 of the same article provides "The establishment of societies and political parties and the control of their resources shall be regulated by law. But the consecutive governments did not allow the development of a real democratic system based on political parties' competition for power. Rather they allow the establishment of several weak political parties without any prospect for establishing a parliamentary government.

However, several such political parties were established in 1950s and many of their members succeeded in the parliamentary election which took place in 1956. It happens that most of these parties were branches outside pan-Arab and foreign parties and they worked under the influence and instructions of their leaders abroad.

The area was suffering from disturbances, wars and instabilities including many military interventions and Jordan was deeply affected by these events and witnessed serious disturbances and political unrest during 1957. As a result of the disturbances that took place in the country on 25/4/1957, an order was issued suspending the function of all political parties (Nagresh:1991:86). The government gave several reasons for its action including accusing them of being agents and have connections and ties with some foreign bodies; that each party took the others as enemies; that every party regarded itself as the sole representative of legitimacy and truth in the country. These things according to the government have caused serious threat to the stability of the country (Hamarneh: 1995: 61). Consequently the country practically stayed without any official or legitimate political parties until the 1990s.

In 1990 the government issued the National Charter which was designed to lay down the principles for the establishment of political parties and regulate their work. Paragraph 10 of Chapter 1 stressed the

importance of pluralism and provided that, “Political parties and intellectual plurality is the vehicle for the deep rooting of democracy and achieving the participation of the Jordanian people in the administration of the State; it is the guarantee of national unity and building of the balanced civil society”.

This was followed by issuing of the Parties' Law number 32 in 1992, which was seen by many observers as a big step on the path of restoring political parties after a suspension for some forty years. Indeed many Jordanians became enthusiastic and optimistic about the prospects of accomplishing real democratization and political pluralism, because they knew that political pluralism is the basic corner stone in democratization, and the first step towards the State of institutions and the sovereignty of law.

The Parties' Law of 1992 opened the way for political plurality but it wasn't the creator of all parties, since political parties continued to exist in Jordan informally or underground all the time. The Law 1992 consists of 28 articles that accurately detail the definition of parties, the conditions for their license, the exercise of their activities, the need to adhere to Jordanian laws and rules, the respect of political plurality, national unity and the preservation of national identity.

The appearance of political parties coincides with the softening of the centralization of the exercise of power and the individuality of taking decisions by some government's officials. Political Parties leaders expressed their hope and ambition to represent the people in the Executive and to influence the decisions on the Legislative, because political plurality guarantees the rotation of power and the freedom of expression of opinion and interests.

Upon the issuance of the Political Parties' Law of 1992, parties started to submit license applications in order for their functions to be legitimate. The number of Political Parties reached 26 by the end of the 1990s (Masaleheh:1999:106).

This large numbers of Political Parties is not a phenomenon particular to Jordan, but it is a general phenomenon in every country that witnessed a sudden movement to political party plurality after a long period of suspension from the exercise of democracy. This consequently affects the effectiveness of these parties since they are competing for limited willing numbers who are interested in joining political parties.

Political Parties in Jordan faced several problems among which: 1. The small number of its memberships, 2. Lack of finance, weakness of organization, and the absence of democratic values, 3. Traditional leadership, and similarity of objectives and programs. Most of these

parties hardly met the condition stipulated by the political parties' law for their formation. Some of their leaders realized this weakness and were forced to look for unity with others. On 6/5/1997 nine centrist parties united under the name of "The National Constitutional Party". The exception of this is the Islamic Action Front, which is the largest, the strongest and the more popular party in Jordan. It got 22 seats in 1989 election but decreased to 16 seats in 1993 (Masalhah: 1999: 114)

Although the Parties' Law gave every Jordanian the right to enroll in Political Parties, yet citizens are hesitant to do so. This is because of several reasons: first, some people afraid that their membership could affect their chances to get a government job in the future. Second, others believe that political parties are not accepted in Islam. Third, others think that it is not suitable for women to join political parties because this is against Islam and the traditional Arabic culture. Fourth, some do not see significant differences among these parties, and argue that the large number of them had similar objectives and programs. (Nagresh:1991:94-95 the political party experiment) The weakness of political parties appears clearly during the general elections where many party members candidates introduce themselves as independent or a family members, during their elections' campaign and not as a political party candidates, in order to gain more votes (hamarneh:1995:143). It is hoped that such fears and weakness will diminish alongside the deep rooting of democratization; and the unification of parties, so that they become influential forces in political life. I think most citizens would be more enthusiastic to join political parties when they see that the government is serious to become a parliamentary democracy, and states clearly that, the largest party would be asked to form the Cabinet, should it have the majority in the House of Representatives. However, the Political Parties in Jordan can be divided into four main groups they are:

- a. The Centrist Parties: It emanates from local and tribal backgrounds with conservative political and intellectual orientations. (7-8 parties)
- b. The Nationalist Parties: It represents a broad trend in the Jordanian political life in spite of its ineffectiveness in reaching the Parliament. (6-8 parties)
- c. The Islamists Parties: It is the strongest party orientation operating in Jordan.(2-3 parties)
- d. The Leftist Parties: Its roots go back to the Communist Party and socialist thought.(4-5 parties)

Many of these parties participated in the 1989 elections before the issuance of the Political Parties Law and the National Charter in 1992. But such participation of the existing political parties in the elections

took place without officially confessing political party affiliations, although some candidates were affiliated to political parties.

Many candidates affiliated to political parties succeeded in the elections and reach the House of Representatives as individuals. Their percentage as compared to the total number of M.P.'s, in 1989 Parliament were:

- The Islamic Movement: The main component thereof is the Moslem Brotherhood: 23 M.P.'s: 30% .
- The Jordanian National Group: 3 M.P.'s : 3-8% .
- Almustakbal Party: 3 M.P.'s: 3.8%
- The Democratic People Party (HASHD): 1 M.P.'s: 1.25%.
- The Jordanian Democratic Popular Unity Party: 1 M.P.: 1.25%.
- Altaqtha Party: M.P.: 1.25%.
- The Socialist Democratic Party: 1 M.P.: 1.25%.

This shows that political party nominal representation in the 11th House of Representative was 42%. But in practical terms the political party representation is not effective because it is fragmented and not organized.

The 8/11/1993 elections were a test of the extent of effectiveness of political parties, their programs and their steadfastness on the Jordanian arena. Prior to the elections, there was a hot argument regarding the "One Man One Vote" Law between those supporting and these opposing the Law. Those supporting thought that it promotes equality amongst citizens; while others opposed it because they thought it caused changes in the balance of political forces; limited choices to a narrow preference and deep rooted tribalism.

The percentage of political party representation in the 11th House was larger than it was in the 12th House. In the 11th it was 42% while in the 12th it was 20%. This drop in political parties' representation was a result of the Islamic Action Front and other opposition parties boycott of the elections. However this was seen as a clear evidence to the failure of the political parties in politics in General and in parliament in particular (Hamarneh:1995: 143).

Here is the representation of the Political Parties in the 1993 Parliament:

- a. The Islamic Action Front Party: 16 M.P.'s
- b. The Jordanian National Group: 4 M.P.'s
- c. AlAhd Party: 3 M.P.'s
- d. AlYaqtha Party: 2 M.P.'s
- e. The Socialist Democratic Party: 1 M.P.
- f. The Socialist Arab Baath Party: 1 M.P.

- g. AlWatan Party: 1 M.P.
- h. The Democratic Arab Party: 1 M.P.
- i. AlMustakbal Party: 1 M.P.
- j. The Communist Party: Couldn't make it to this House.
- k. The remaining M.P.'s were independent.

On the light of the above facts I conclude that there are more than 22 political parties in Jordan but despite this large number they are ineffective in the political life in general and in parliament in particular. This is due to the efforts of the consecutive governments to discredit them, harass their members, blacklists them prevent them from getting high ranking jobs and in some cases deny their members regular jobs and arrest their leaders during unrest or demonstrations. They are nominal parties with no real political financial or organizational powers and their members did not exceed 2% of the voters. Practically and according to the regime's long standing policy they have no chance in forming a government even if one party succeeds in controlling 90% of all parliament seats. They are not effective in parliament as a result of their general weakness and their division and fragmentation and the opposition of the regime to give them any leading role in the political process.

There are of course other reasons behind the failure of the political parties other than government interventions among which according to Nagresh (1990, P. 96-97), are the following:

- a. They did not reflect the actual class division in the society rather they are closer to personalized groups representing a loose elite formation.
- b. Deep differences among the extreme religious and leftist parties.
- c. They did not introduce the best example in the democratic behavior.
- d. They did not believe in the parliamentary system.
- e. They did not accept political sharing with other political parties.
- f. They did not follow democracy in their internal affairs and consequently their leaders continue in their position permanently.

Therefore, if Jordan wants really to transform into democracy it must give the political parties a leading role in government and parliament by allowing the party with majority seats in parliament to form the government and lead the country like any other constitutional democracy. I think there is an important role for international organization to play and that is helping Jordan and other Arab countries to change peacefully to democracy and they must raise their voice and press these governments to move towards democracy, political participation and economic reform.

Summary and Concluding Remarks

Jordan experienced three forms of legislative and parliamentary councils since 1929, and witnessed the establishment of three constitutions in 1929, 1946 and 1952. The history of Jordan and its legislation process passed through three important stages. The first stage was between 1921 -1946, and witnessed the emergence of the Emirate of East Jordan in 1923 and the establishment of the first constitution (the basic law) in 1928; the establishment of five legislative councils, the first of which was in 1929. The basic law adopted the "one Chamber" system and the legislative council consisted of 16 elected M.Ps, the Prime Minister (the speaker of the house) and the members of the executive council numbering 6. The members of the executive council had the right to vote in the legislative council. The powers of the house were restricted to the approval of bills presented by the government, and it had no influence of any kind over government's performance. The house did not have any control powers on government policies or any matter related to public administration, and did not have the right to address questions, request any debate or cast a vote of confidence in the government political and administration program.

The second stage between 1946-1952, witnessed Jordan's independence from British Mandate and the establishment of the Hashemite Kingdom of Jordan and the birth of a new constitution in 1946. The new constitution adopted the principle of a bi-cameral parliament and called it the house of parliament consisting of two houses: the representatives 40 members elected by the nation and the senate 20 members appointed by the king.

As for the legislative powers of the house of parliament, the new constitution did not give the house of parliament the right to propose laws and its powers did not exceed the right to pass the bills presented thereto by the government. As for the political powers the new constitution gave the parliament the right to any matter related to public administration. It has the right to address questions and debate issues related to public administration. But the constitution did give the parliament the right to cast vote of non-confidence in government.

The Third Stage between 1952-1967. In 1952 a third constitution was adopted and included many principles from the 1946 constitution but came with new principles suitable to the unity between East and West banks which took place in 1951. Among the new principles: 1.The principle of the sovereignty of the nation. 2. The principle of separation between authorities. 3.That Majless Al-Ummah consists of two houses. 4.The right of parliament and Senate to propose laws.

However, the parliamentary life was disrupted in 1967 when Israel occupied the West Bank of Jordan ending the unity between the East and the West banks, and consequently the parliamentary elections were suspended between 1967-1984. In 1984 the last parliament was recalled for a session to amend the constitution to allow parliamentary election for the people of Jordan without the participation of the people in the West Bank.

During the 1990s the Parliament approved many elections, press, publication and economic laws and the country witnessed the establishment of three general elections and more than 22 political parties.

The study revealed that despite the long history of parliamentary life in Jordan and the establishment of more than 13 parliaments and five legislative councils and three consultation councils, the parliament was ineffective in both legislation and political reform. This is due to the establishment of parliament from individuals without reasonable organizational power, the absence of political party system and the imbalances of power between the parliament and the government.

As for the role of the political parties in the process of political reforms the study revealed that despite the existence of more than 22 political parties they were ineffective in society in general and in parliament in particular. This is because all these parties are suffering from organizational problems, lack of financial resources, small size membership and the continuation of interference and harassment by the government in their affairs.

However, despite all the achievements on the field of legislation, general election, political parties, press and freedom, Jordan has a long way to reach real democracy. There are many obstacles on the way of parliament and political parties that must be removed if the Jordan's regime is serious about changing into democracy, among which are the followings:

1. Jordan should adopt true parliamentary and political party system, and the regime should change into a constitutional parliamentary monarchy.
2. The Government should change into a representative government based on political plurality.
3. The Government should be accountable before Parliament and parliament should be immune from dissolve during the four years term.
4. Senate members should be elected from the all Districts in a manner that they can represent these districts.

5. The Government should support political parties, politically, economically and encourage people to join these parties and stops its harassment activities towards political parties and their leaders.
6. The Political Party that wins the majority seats in the election must form the government regardless of its ideology and the Prime Minister must belong to that party.
7. The Government should make it clear in words and in deeds that joining political parties is a national duty and stop harassing political parties' members and classifying citizens as loyal or opposition according to their political affiliation.
8. The Government should assign parliament seats in each district according to a fair and just formula taking into account the size of population.
9. Election law must be modernized to allow all citizens to participate in the election including military personnel and under judiciary administration.

This is not to suggest that all these parliamentary development, constitutional changes and political reform are lost politically for Jordan. The 2003 election law was a positive step towards real parliamentary reform in Jordan and indeed it is more advanced than most election laws in the Arab World. Moreover Jordan Parliament consists of two houses with equal rights for legislation but the Senates are half the numbers of representatives. The parliament has the right for dismissing the government or any minister and all Jordanians men and women are eligible for voting and to run for election. These are advanced steps in comparison with other Arab countries where women are not allowed to vote or run for elections like Kuwait or where the Senates numbers are equal to representatives like Bahrain or where the Senates have only consultative duties like Egypt and the Arab Gulf States.

However, despite all these positive developments I argue that these steps are slow, limited, Fluctuating and simply not enough. The fact that there is greater freedom of political expression, general election, election law, pluralism is a positive development. Assessing the possibility for greater political inclusion and meaningful role for parliament and political parties in legislation and political reform should begin with understanding and changing the dominant role of the regime not only in Jordan but through out the Arab world.

Table1
The development of parliaments between 1950-2003

Parliament no.	Members no.	Year	Status
1st	20	1947-1950	Dissolved
2nd	20	1950-1951	Dissolved
3rd	40	1951-1954	Dissolved
4th	40	1954-1965	Dissolved
5th	50	1956-1961	Extended
6th	60	1961-1962	Dissolved
7th	60	1962-1963	Dissolved
8th	60	1963-1966	Dissolved
9th	60	1967-1974	Extended
10th	60	1984-1988	Dissolved
11th	80	1989-1993	Dissolved
12th	80	1993-1997	Dissolved
13th	80	1997-2001	Dissolved

Source: Parliament's records 2002.

Table2
Election Circles, population and the actual and expected seats,

Constituency	Population	Actual seats	Expected seats	+ and -
Amman1	318821	3	6.1	-3.1
Amman2	517269	3	9.9	-6.9
Amman3	160445	5	3.1	+1.9
Amman4	197418	2	3.8	-1.8
Amman5	361850	5	7.0	-2
Middle Bedouin	44600	2	.9	+1.1
Irbed	464958	9	8.9	+1
Ramtha &Kenaneh	143002	3	2.7	+3
Korat&Ghur N.	146831	2	2.8	-.8
Balqa	283309	8	5.4	+2.6
Karak	165677	9	3.2	+5.8
Ma'an	58635	3	1.1	+1.9
South Bedouin	49869	2	1.0	+1
Zarka	643323	6	12.4	-6.4

Mafrq	97649	3	1.9	+1.1
North Bedouin	62622	2	1.2	+ .8
Tafeleh	54525	3	1.1	+1.9
Madaba	104062	3	2.0	+1
Jarash	124664	2	2.4	-.4
Ajloon	95698	3	1.8	+1.2
Aqaba	68773	2	1.3	+ .7
Total	4164000	80	80	

Source: Hani Horani, (2002 p.162).

Table (3)
Statistical figures regarding parliament elections in Jordan: 1989,
93, 97

Year	1989	1993	1997
Population	33708867	4122000	45802 34
No of candidates	645	543	524
Registered Voters	1020446	1501279	18381 99
Ratio of registered Voters to population	30%	36%	40%
Population received Voting cards	874475 (86%)	1203329 (80%)	14808 98 (80)
Actual voters	41.2%	41.4%	41.8%

Source: Information Center, Ministry of Interior, Jordan

References

1. Alrabee' Ahmed (1992) the democratic behavior, Amman Jordan (Arbic)
2. Alghazwey, M. (2000), views on Jordan's political life, Amman, Jordan
3. Aruri, N. Jordan: A Study in political Development, 1921-965: The Hague.
4. Almusa, Suliman. The History of Jordan, 1996, Amman
5. Brand Laurie, "in the beginning was the state..." the quest for civil society in Jordan, in civil society in the Middle East, Augustus Richard Norton, ed. (Leiden .E.J. Brill, 1995, pp. 148-185. p. 184
6. Dahl, R. Polyarchy new haven, Yale Univ. Press 1971

7. Glenn Robinson, "defensive democratization in Jordan" *International Journal of Middle East Studies*, vol.30, no. 3, 1998, pp. 387-410,, p.389.
8. Hadadeen, B. "Evaluation of the 11th Parliament performance" in Horani H. *The Democratic Path in Jordan*, Amman, Dar Sendebad, pp. 104-107.
9. Hamarneh, M. (1995) *The Project of Civil Society*, Ibn Khaldoon Center, Cairo. (Arabic)
10. Horani, H. (2002) *study of Jordan's parliamentary election of 1997*, Dar Sendebad, Amman.
11. Horani Hani and others,(1996) *Jordan's Democratic path for where?* Dar Sendebad Amman
12. Huntington, S. (1991.). *The third wave, democratization in the late Twentieth Century*, Norman, Univ. of Oklahoma Press
13. Lispet, S. Martin, *Political man, garden city*, Anchor Books, Doubleday & company, 1963.
14. Mashagbeh, Amin (1990) *Jordan Political System*, Amman Jordan (Arabic)
15. Mashagbeh, A. (1998) *National Education*, Amman, Jordan, Arabic.
16. Masalheh, M. (1991) *The Experience of Political Parties in Jordan*, Amman (Arabic)
17. Nagrash, A. , (1991), *The Jordan's political parties experiment*, national library, Amman, Jordan. (Arabic)
18. Noamman, alkateeb, *Voter and candidate, under the election law of 1986*, Mutah Journal, vol.7, no. 6, 1992. Pp. 13-93.(Arabic)
19. Piro J. Timothy, "Islam and democracy, the limits of political inclusion", paper presented at the Center or the study of Islam and democracy's annual conference at, Georgetown university 2001, p. 2.
20. Piro, J.Timethy, (1992). "Parliament, politics and pluralism in Jordan: Democratic trends at a difficult time, *Middle East Insight*, vol. 8, no. 6, p.44.
21. Rawabdeh, A.(1992). *Democracy between theory and practice*, national library, Amman, p.76 (Arabic).
22. Taher Almasri, (2001) *The development of democracy on Jordan and its future prospects*" Jordan new Center for studies, (2001} *Decade of Democracy in Jordan 1989-1999*, conference papers (Arabic)
23. *The Basic Law of 1928*, East Jordan Emirates.

24. The 1946 Constitution, the Hashemite Kingdom of Jordan
25. The 1952 Constitution, the Hashemite Kingdom of Jordan.
26. The Election Law no. 22 of 1986, in Jordan.
27. The Election Law no. 15 of 1993, in Jordan.
28. The Election Law no. 34 of 2001, in Jordan.
29. The National Charter, Jordan 1989.
30. The 1989 Elections, November/8/1989. Information Center, the Ministry of Interior
31. The 1993 Elections, November/8/1993. Information Center, the Ministry of Interior
32. The 1997 Elections, November 8/1997, Ministry of Interior, Amman, Jordan.
33. Wiktorowicz, the limits of democracy in the middle east, the case of Jordan, Middle East Journal vol. 53, no. 4, 1999, pp. 606-620 p. 607

Abstract

Election Reform as Introduction to Parliamentary Reform

Mr. Yasser Fathy

Parliamentary Researcher- Egypt

Why Elections?

The efficiency of the political system is based upon the efficiency of the electoral system, which is also based on general culture and electoral culture. In other words, the development of deputy's culture and capacity to live in the existence of elective representative institutions is a condition for the effectiveness of the political institution and its performance as there is no democracy without democratic people and no effective political system without elections.

The importance of elections, as one of the most important mechanisms of democracy and a tool of reform is deprived from the following:

- Parliamentary election is an important mechanism of political participation in voting, candidating, partial and political power presentation in the parliamentary life. So, participating in voting could be an important indicator for the case of democracy in any society.

- Free elections have an important role in supporting political legitimacy for the rolling system.

- Elections play an important role in evaluating the case of political and partial diverse in the society.

- The importance of election is to reach a well-formed parliament able to deal with national, regional and international problems. It also helps in doing legislative, oversight, political and financial missions in a more effective way. So, election is considered a main tool of stating general policies to express citizens' hopes.

- Election is a tool of balancing power and a safe too of change in authority.

- Election is a suitable tool of learning competition in a safe competitive way without any looser, because it is continuous and suitable to all.

- Election is an evaluation tool for the MPs. It is also considered a stress tool on the deputies' performance to act according to public needs.

Why to Reform the Electoral Process?

Electoral studies either in Egypt or in the Arab world, conveys many negatives in the electoral system, electoral behavior and electoral process management. Egypt used to face severe critical wave after every parliamentary election starting with rigging, threatening and boycott.

As for the idea of reform and its benefits, there is a rejection of it summarized in the following four ideas:

- 1) Changing and reforming the electoral system does not mean anything but a political and constitutional change.
- 2) Changing is nothing but a kind of trial. There is no need for many trials in the electoral systems.
- 3) Electoral reform is useless if it does not lead to a full democratic reform in people's point of view or a full political reform in others points of view.
- 4) Electoral reform will lead to opposite results in the current circumstances.

Change is an evident of the vitality of the political system. It is a response to the changeable reality to reach better forms.

The democratic reform and political reform are needed but there is a severe need for the electoral reform for many reasons:

- 1) "Political and Democratic" reform needs long time and a kind of reform. I think that the electoral reform is the beginning to be followed by other kinds of reform process.
- 2) Electoral reform is the key of achieving other types of reform because it is the peak of reaching democracy and the essence of political reform in general.

The aim of electoral system can be summarized in the following points:

- Widening political participation.
- Empowering partial life.
- Empowering the role of political parties.
- Representing all effective elements in the political life.
- Increasing women representation.
- Improving the administrative process in elections.
- Achieving balanced representation.

Political Participation

The electorates, who have the right to vote, represent a level of political participation. This participation is not automatic but depends on many cultural, social and political factors. The electorate also represents different types and elements.

2000 Elections

2000 elections witnessed much participation more than what happened ever before. It is represented through the crowded in front of the electoral committees. This reflects the need for participation because of the optimism of judicial supervision. This means that the decrease of state's body to interfere or affect the electoral process.

The slowness of voting in front of the committees returns to many important reasons as combining the committees that increased the number of voters in front of the committees. It is also related to the mistakes in the voter' lists wastes much time in voting.

Aspects of Political Participation

- Political participation is a role of citizens, either individually or in groups, to form governmental bodies, setting public policies and deciding the main aim of the society.
- The aim of political participation is to affect, directly or indirectly, on the rules of drafting political decisions.
- Political participation get matured and stable by achieving its aim when political institutions, social institutions and public councils are available.

Obstacles of Participating in Voting

Participation in general is supported by stability and improving reality. Here we can find the difference between the reason and the result. Does participation lead to stability and improvement of reality? Or to find participation, reality should pave its way?

We can summarize the reasons of weakening political participation in the following points:

- Bounded diverse in Egypt is related to a certain governing party. This is added to many other small and weak parties.
- Electoral system is not formed after a century of the immersing of the Egyptian parliamentary life.

- Economic and social institution adding to the unsuitable distance of national income, the wide spread of poverty and emerging social classes live on the margin of the society.

- Cultural situation in Egypt helps in widening the spread of participation that need a kind of cautious that help citizens to understand the political development. This can not prevent the spreading of illiteracy among different social classes.

There are some political and logistical obstacles facing the voters in participating in voting as the following:

- The incomplete registering of voters. This is because of youth careless and escape from the binding procedures.
- Voters' escape from their electoral rights.

Political Participation: A Review of 2000 Election

In spite of the different changes in the atmosphere of the electoral system encourage the efficiency of participation process in voting, this election recorded the lowest percent of participation since the beginning of diverse political systems. Participation reached 20.21% according to the statistics of the Ministry of Internal.

Toward More Political Participation

To reach more political participation, we need to focus the following points:

- Cancellation all binds on establishing political parties in Egypt, while the parties need to take positive steps toward an increase of political participation.

- All political powers and authorities have the right to express their thoughts freely.

- Spreading democratic culture among youth and children.

- Facing poverty, unemployment and balancing national income.

- Elections should be the main mechanism of rolling in the society.

Electoral Campaign

The most famous types of electoral campaigns in Egypt is the direct way through public meetings and conferences either in mosques and churches or in wedding parties and funerals.

As for the indirect ways, it is through the publications, electoral signs, posters and media.

Organizing electoral campaigns in Egypt was and still a point of criticism from the opposing political parties. It closes the door in front of these parties that lead to “silent’ elections as some see.

Notes on the Electoral Campaign

First, The leading party is controlling the media to the extent that there is no balanced chances between the opposing parties and the National Democratic Party (NDP) as the party of the government.

Second, Every candidate should present an electoral platform to be effective of the voter especially if it tackles a discussion on a case or new idea.

Third, the electorate and the electoral process. The electorates are those people who reached the political age to vote in the elections (18 Years) and are registered in the voter’s lists. It is also limited to the Egyptians only and not for those who have double nationality. As for the military officers, judges, police officers, mad people, and other social classes are forbidden from charring in elections and any political rights.

Voting in the Elections

- Voting is a public action. It is not limited according to social classes or financial abilities.

- It also should be in secret and the electoral committee is responsible for this.

- Voting should be directly as the voters have to chose their candidates themselves.

Voters should Prove their Personality

Every voter should present a document to prove his personality, age and nationality either a passport or an Identification Card.

Supervision on the Electoral Process

Judicial supervision is recently applied in Egypt after the new amendment of the law of proceeding political rights. This is according to what is mentioned in the Egyptian constitution, that the electoral process should be under a supervision of a judicial institution to have the right to judge in disputes.

Political Parties, Capabilities and Chances: The Case of Egyptian Parties

Egyptian parties suffer from a fragile organization adding to the struggle between the old and youth members. There are also financial crises facing the political parties that have side effect on their newspapers.

Women

There is nothing new in women's position on the electoral and political plan in 2000 elections. There was a weak candidacy of women in this election. As for the political parties, it also did not candidate a suitable number of women.

120 women run the election (87 as Independents. 11 from the NDP, 8 from Al Wafd party, 4 from Al Tagamo' party, 7 from Al Ahrar party and 3 from Al Khodr Party). It is very low presentation that is not suitable with the percent of women in the society.

Constituencies

There are 222 constituencies since 1990 election till 1995 election. There was a change in 32 of these constituencies either in their organization or names.

What is happened aroused a doubt in the political parties because of this amendment. There was also a call for reorganizing these constituencies to reach the balanced representation.

The Relation between the Parliament and The Constituency

Electoral process helps in strengthening the relation between the parliament and the constituencies. It enables the citizens to express their points of view and those whom they prefer to represent them in the parliament. The electoral system also paves the way for enhancing the relation between the deputies and their constituencies.

The Relation between the Candidate and the Constituency in Egypt

According to the laws organizing the electoral process, every citizen who has the right to vote can candidate himself in any constituency, but he should be suitable according to the following conditions:

- He should be born in the same constituency he candidates himself in.
- He has to be an inhabitant in the same constituency.
- He should work in the same constituency.

There are some suggestions that support the role of the parliament and its relation with the constituencies:

- 1- Reforming the electoral process to find a strong relation between the deputies and the electorates.
- 2- Opening the parliaments to the public or all citizens.
- 3- Providing the MPs with the needed issues that are helpful in their deal with the electorate. This could be through finding a bureau for every constituency either in the parliament or in the constituency itself. This is adding to finding the needed time and resources to enable the MPs to reach their electorate.
- 4- Finding communication tools to strengthen the relation between the parliament and the constituencies. This could be through publishing the workings of the parliament free press covering the parliamentary sessions and updating the web site of the parliament on the Internet.

At the end I need to put some questions and try together to find their answers:

- Does the improvement of social and economic situation citizens leads to a strong participation, or political participation and the initiative from the citizens are the reason for change and improve the reality?

- Does fair election support and strengthen the governing system, or it documents the degradation of its percentage and make it lose it as a next step?

- Does the reforming of the political system lead to a reform in the electoral system or reforming the electoral system leads to reforming the political system?

Abstract

Reforming The Voter Registration Procedures in Egypt and Impact on Parliamentary Reform

Mr. Ramy Mohsen

Legal Researcher- Egypt

There is a doubt about the rightness of the Egyptian last elections held under judicial supervision. Some people say that it is the first time in the Egyptian Parliamentary life to have judicial supervision on the elections. Others say that it is the same as the previous elections and there is nothing new. The third opinion, which I agree with, stands in mediation between the previous two opinions. It says that the election of 2000 is a step toward reform in the parliamentary life in Egypt. As being a legal researcher, I think that what happened in the last elections in Egypt is an unstable case because of the mistakes in voters' lists such as:

- Repetition of voters' names that enables one voter to vote several times.
- Absence of voters' names makes people lose their right to vote.
- Spelling mistakes of some voters' names that prevents them of voting.
- Giving the ability to others to vote for the dead people.
- People of the legal age of vote haven't been added to the lists.

According to what is mentioned, this paper will focus on the points of weakness in every process of the elections the Egyptian parliamentary life and will tackle the following points:

Electorate according to the Egyptian Law and Constitution

Many years ago, political area in Egypt witnesses discussions and wide dialogues on the best ways to support democracy in Egypt. In spite of the exerted efforts on this behalf, its results is not as expected. There is still a need for many dialogues to reach the needed results.

There is no doubt that political reform, starting with organizing people's political right, the electoral system and the rules of getting public jobs especially in the political area, is on the top of the interests of huge number of researchers and the public opinion. The best step to solve this problem is to start with organizing citizen's political rights tackled in Law 73 for 1956.

In reality, the mentioned law should be highlighted as one of the most important achievements of July revolution in the political field. It is

considered the first complete legal document confirming citizens' political rights.

The Egyptian electoral system stands for two main elements that are the voters and the candidates. As for the supervision committees, they are considered the logistical frame and responsible for applying the rules of this system.

The voters are the basic element of the electoral system, while law (235) for 1956, (4) for 1958, (23) for 1972, (76) for 1976 and (13) for 2000 govern the electoral process in Egypt.

Problems of Registering in Voters' lists

Clauses 4, 5, 6 of the Law of Proceeding Political Rights

The clauses 4, 5, 6 state that every citizen who has the right to vote should register, either male or female, in the voters' lists except those gained the Egyptian Nationality.

Although the three clauses also state that preparing voters' lists should be prepared by a specialized committee formed according to the rules of procedure of this law, it is given to the Ministry of Internal.

Adding to what is mentioned above, the opposing parties is calling for erasing the dead people and the emigrants, and adding the youth who reached recently the age of proceeding their political rights.

This shows that what is happening opposes what is mentioned in the rules of procedure of the law of proceeding these political rights.

Problems of Obligatory Automatic Registering in Voters' lists

Clauses 8, 9, 31 of the Law of Proceeding Political Rights

Clauses 8, 9, 31 state that registration committee has the right to ask those who register to prove their personality, age and nationality. This shows that registration is obligatory for both men and women as equal.

These three clauses shed light on six main problems:

1- The Problem of Direct Automatic Registration

Management sector is responsible for automatic registration for citizens of complete conditions, according to the law of Proceeding Political Rights. It is also responsible for purifying these voters' lists to avoid the names of dead people and those who have not the right to vote. In spite of what is mentioned, it is completely different of what is happening in the real life.

There is no way to solve this problem except for using mechanism and new technologies in registration and purifying voters' lists from now to then. There is also a need for legislative amendment to decide who

should be responsible for registration, either the management sector or the individuals themselves.

2- The Problem of Assuring Voter's Personality before Registering

Every voter should prove his personality, age, and nationality according to clause 8 of the law of Proceeding Political Rights. It looks like a normal action in the modern areas, Like Cairo and Giza governorates, as every body has an Identification card, a National Number Card, a Passport or any other legal document proving his personality. But it is so difficult in the rural areas especially for women who have not any document to identify their dignity. It is a critical problem that does not be solved until now.

3- The Problem of Assuring Voter's Personality and its effect on Voting Process

This problem reaches its peak after the last amendment related to the electoral process. According to it the voter should identify his personality either through the above-mentioned documents or through the candidates' delegates in the polling stations. This option helps in rigging elections' results.

4- The Problem of Repeated Voting and Repeated Registration

Repeated registration is one of the most dangerous phenomena that affect the credibility of the electoral process, as the voter should vote for only one candidate in only one constituency. On the contrary, the law of Proceeding Political Rights states that every voter has the right to choose his constituency according to his address, place of work or his family's address. This gives the voters the chance to register in more than one constituency and vote for more than one candidate.

5- Electoral Crimes of Voters' Registration

These are political crimes violate the constitution, so we can say that constitution protection should not be through protecting its contexts published, but protecting its system working.

6- The Problem of Voters' Absence (Clause 39, the Law of Proceeding Political Rights)

This clause states that every one, who is registered in the Voters' list, and absents from voting without a respectable reason should pay an amount of less than twenty pounds.

These absent people are one of the fatal problems affecting the candidate in the Election Day. We can divide them to the following types:

- Those who likes to be away from the political life and think that it does not make them achieve any direct or indirect benefits.

- Those who does not trust election's result and likes to relax. This type likes to share in the political life but it does not trust that his vote will affect the result of the election.

- Those who refuse the basics of the society and express this through election boycott.

Hence, there is a problem in clause (39) of the law of Proceeding Political rights, I think that there should be an amendment in this clause by raising the mulct of the absent people in the elections.

Recommendations

I think that the most important recommendations in this behalf are in the following steps:

- 1- Reviewing the context of registration in the Voters' Lists and make the Minister of Internal responsible for it.
- 2- Registering in Voters' lists should not be limited in a specific period as what is happening nowadays. It should be available through the whole year with a cooperation of other agencies and institutions like universities, clubs, and syndicates.
- 3- Reviewing clause (6) of the Minister of Internal order on registering women at the end of the lists after men.
- 4- Reviewing the clause concerned with deciding the constituency of every voter either to be according to his proved address or the place of his work or anything else.
- 5- An emphasis penalty for the abstentions to be more than one Egyptian pound as what is mentioned in the law.
- 6- I suggest that sharing in the elections and referendums should be an important condition for getting better jobs.
- 7- Media also has an important role in this behalf through convincing people of the importance of sharing in the elections.

Abstract

Reforming Electoral System & Parliamentary Reform in Kuwait

Mr. Ali Radi

Parliamentary Researcher- Egypt

Section 1: the role of electoral system in the reform process

- 1- The electoral system and social- economic environment.
- 2- Electoral system and public oversight.
- 3- Electoral system and public well.
- 4- Electoral system and the parliamentary life.
- 5- Electoral system between reform and corruption.

Section 2: types of electoral systems:

- 1- Direct and indirect election.
- 2- Majority system and proportional representatives.
- 3- Profession representing system.
- 4- General ballot and restricted ballot.
- 5- Individual and slate election system.

Section 3: reframing the electoral system in Kuwait:

- 1- The electoral system and the election.
- 2- The electoral system and types of constituency distributing.
- 3- The electoral system and election issues.
- 4- Reforming the Kuwait electoral system

Introduction

Electoral system automatically affects the way to executive bodies carry out their functions in any country, as it show weather servers all the societies, it decides the types of governance.

In this contest the perfect electoral system is which ensures free political competition, such a system must:

1- most be used by a noun popular party or group to undercover its illegal seizure of power.

2- aims at ensuring communications channels between citizens and government and thus achieving voluntary obedient of citizens to executive decisions.

Section 1- The role of electoral system in the reform process

There are many types of electoral systems that differ from one another; we can distinguish between one constituency and mostly constituencies system, single and majority systems, list based electoral system.

The role of electoral systems in the reform process is determined in the light of many aspects among which we may refer to:

The electoral system and social- economic environment, the electoral system of any country reflects the social, economic, and political conditions of this country.

Electoral system and public oversight. The electoral system plays a considerate role in periodical evaluation of government practices, special though election which help enhancing participation.

Electoral system and public will, electoral system are supposed to reflect the desires of public, but sometimes these systems give incorrect indications.

Electoral system and the parliamentary life, electoral system determines to a large extent the nature of the legislative authority, as it affect the control function of parliament.

Electoral system between reform and corruption, electoral system could play an important role in either fighting or supporting corruption, this largely depends on the nature of political system.

Section 2: Types of electoral systems:

Direct and indirect election, distinguishing between direct and indirect electoral system depends on the steps of voting.

If the voter directly choose the candidate without any mediation the electoral systems as said to be direct.

Majority system and proportional representatives, the reselect of election are determined according to one of the following systems, majority vote, proportional representatives.

Profession representing systems, the main goal of this system is to ensure the representation of all political, social, religious minorities in parliament. It can be done through one of two ways:

- 1- Assigning a proportion of parliamentary seats to different minorities.
- 2- Adopting by cameral parliament.

General ballot and restricted ballot, General and restricted suffrage (ballot), which give the right to vote to all citizens who have 18 years old.

Individual and slate election system, according to Individual elections voters chooses the Individual candidate they like.

Section 3: Reframing the electoral system in Kuwait:

Kuwait may be the only heredity, constitutional, parliamentary regime that has no political parties and that presents many social classes from political participation.

Kuwait is in divide into 25 constituencies, each constituency is represented in the parliament by 2 candidates who mange to get a simple majority.

The electoral system and the electoral college, according to article 29 of the constitution all people are equal before the law regardless of grander, language, or colors.

The Electoral College in Kuwait is very contrarily is regret of three important elements, which are:

- 1- Age of eligibility.
- 2- Gender (women political right).
- 3- Nationality (the political right of the bedrooms).

The electoral system and types of constituency distributing, elections in Kuwait are held according to secret ballot. Where as a member of parliaments are elected according to simple majority vote. The electoral system and election issues, interventions in elections are the most important election issues, thus legislatives tried to face different types of intervention though, defining actions that is considered (election crimes) and defining appreciate punishments for these who community any them.

Reforming the Kuwait electoral system, to be more efficient the electoral systems must depend on following on:

- 1- Widening the Electoral College.
- 2- Equability of churches.
- 3- Fair representatives for political power.
- 4- Getting rid of tribalism and secretions.