



ENHANCING THE EFFECTIVENESS OF PARLIAMENTS: CHALLENGES AND OPPORTUNITIES

934th Wilton Park Conference

in cooperation with

the UK Department for International Development (DfID), the World Bank Institute (WBI), and the Commonwealth Parliamentary Association (CPA),

and in association with

the Parliamentary Centre and the Westminster Foundation for Democracy

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CONFERENCE CONCLUSIONS

Three days of lively discussion and debate took place around different aspects of the parliamentary strengthening agenda, particularly in emerging democracies. Participants underlined the need to take **national context as the starting point** for any intervention and to move away from 'one size fits all' approaches. Those engaged in parliamentary strengthening work should seek to understand better the impact of **politics, history and broader social processes** on the functioning of parliaments. Parliament is a political institution and **legislative development is fundamentally a political, and not a technical process**. Social expectations of the role of the MP, and the emphasis on various forms of 'constituency service' can also heavily influence the focus and operation of parliaments in different contexts. Other important factors include: the **constitution** and the powers it gives the legislature; the **electoral system** and rules for choosing candidates; and the legislature's own rules and procedures.

Historically, **donors have neglected parliaments**, preferring instead to channel their assistance through executives and civil society organisations. However, this is beginning to change and there is increasing recognition of the central role that parliaments can play in **reinforcing domestic accountability processes**, particularly in relation to oversight of the **budget process**. The conference included

several examples of how parliaments and parliamentarians were at the forefront of efforts to promote **conflict prevention and peace-building** and address issues around poverty reduction, gender inequality and other forms of social exclusion.

But parliaments do not operate in a vacuum and the **relationship with a range of countervailing and complementary institutions**—such as the executive, civil service, judiciary, civil society and the media—will heavily influence their overall effectiveness. Wherever possible, support should be undertaken within an **integrated framework** that takes into account these linkages and complementarities. This includes looking at the **role that political parties** can play in facilitating the development of effective legislatures.

Donors need to strengthen the **alignment and co-ordination** of their support to parliaments, and improve **monitoring and evaluation**, which has been limited to date. However, it is expected that the emerging agenda around benchmarks and **indicators for democratic parliaments**, will help parliaments themselves to contribute to strengthening their institutions or advocating for reform. Finally, participants noted the importance of **humility and patience** for external actors seeking to play a positive role in parliamentary development.

Background

1. As part of a three year collaborative program on Governance and the Role of Parliament, Wilton Park, World Bank Institute's (WBI) Parliamentary Strengthening Program, Department for International Development's (DfID) Governance and Social Development Group, and the Commonwealth Parliamentary Association (CPA) brought together more than 90 parliamentarians, parliamentary strengthening practitioners, and donors. The conference was designed to allow substantial sharing of information and lessons learned, and to reinforce the growing community of practice in parliamentary development.

2. The organisers took as a starting point that parliaments can play an important role in good governance systems and in making democratic politics work. Parliaments represent citizens, shape legislation, and oversee and hold the executive to account. Yet parliaments are not always effective in carrying out these core functions. Parliaments and parliamentarians face tremendous challenges, often rooted in the way that politics operates in their particular context and in broader governance failures, which are not easily overcome with purely technical solutions.
3. The agenda covered a number of topical issues within the parliamentary development community, including sessions on Parliamentary Strengthening Initiatives: Lessons Learned and Good Practice; Comparative Regional Perspectives on Parliamentary Effectiveness: Latin America, South East Asia, the Pacific and Africa; The Role of Parliaments in Fragile and Conflict-Affected States; Parliaments and the Political Context; Parliaments and Parliamentary Strengthening – a View from the South and Transition Countries; The Role of Parliaments in Poverty Reduction and the Promotion of Gender Equality; Understanding and Engaging with Political Parties, and Parliamentary Benchmarks and Indicators.
4. Plenary sessions were complemented by a series of parallel working groups examining cases studies on Central and Latin America and the Caribbean; the Middle East (Lebanon); Africa (Malawi, Sudan); Political Party Strengthening; Parliamentary Development in Resource Rich Countries (Nigeria); and Gender and Parliaments.¹

¹ The conference programme and additional papers can be accessed via the Wilton Park website
<http://www.wiltonpark.org.uk/documents/conferences/WP934/pdfs/WP934prog.pdf>
http://www.wiltonpark.org.uk/highlights/viewstory.aspx?url=/wp_128701988963933750.html

Key Messages

Some of the emerging debates and conclusions were as follows:

5. **Politics matter:** Traditionally legislative aid programmes have focused on providing technical assistance. Donors, who wish to maintain a certain level of neutrality, have been wary of legislative aid being perceived as political interference or ‘engineering’. This combined with other bureaucratic and organisational incentives has promoted a standardised approach, which is rarely tailored to individual country circumstances.² Yet parliament is inherently a political institution and legislative development is fundamentally a political, and not a technocratic process. Politics, as much as lack of capacity or knowledge, can hinder parliaments in carrying out their core functions.
6. Donors and implementers providing assistance to parliaments now recognise that they must take a more politically informed and context-specific approach – one that is knowledgeable about political and personal dynamics within the legislature – in assessing parliamentary needs and designing parliamentary strengthening programmes. Ideally, programmes should be aligned to parliament’s own strategic plan, and legislative aid providers should avoid attempting to apply their national models. There is no ‘one-size-fits-all’ model. Indeed the importance of political and other contexts makes the concept of universal strategies for parliamentary development unrealistic and potentially harmful.
7. Where the political context has not been taken into account, critiques of legislative assistance have been particularly damning. As Thomas Carothers notes:

“All too often, however, legislative aid efforts have barely scratched the surface in feckless, corrupt, patronage-ridden parliaments that command little respect from the public and play only a minor role in the political process. Legislators emerge unchanged from repeated training seminars. The training sessions for legislative staff do not deal with the facts that the trainees are

² A useful discussion of these incentives can be found in Sida’s groundbreaking evaluation *Approaches to Parliamentary Strengthening: A Review of Sida’s Support to Parliaments* (2005), p. 24

rolled into powerful political bosses and are not given much of a role. Shiny new computers sit unused on legislators' desks or disappear. New parliamentary committees are formed at the urging of outside advisers but end up as fiefdoms of the senior legislators who are the root cause of the parliament's poor performance. More public hearings are held, again on the advice of aid providers, but they are mostly for show. Anti-corruption committees are set up but the corruption continues. The drafting and negotiating of laws continues to take place in a few key government offices or behind closed doors at meetings of select members of the ruling party.”³

8. Taking a more politically contextualised approach entails taking into consideration several factors. First, a parliament is a collection of individuals, not a monolithic institution. As such, a parliament does not speak with one voice. Key decision-makers within poorly functioning legislatures may be benefiting in some way from these legislatures' inadequacies (e.g. lack of transparency and accountability may translate into lucrative sources of corrupt revenue for some legislators). Legislative development results in 'winners' and 'losers' and one of the greatest challenges to reform may be the lack of interest among main power holders in the legislature. Those seeking to assist parliaments need to understand who the individual actors are and the incentive structures within which they operate. These actors include key figures in the political and administrative structure (e.g. the Speaker, Chief Whip, certain Ministers, Committee Chairs, Backbenchers, the Clerk, etc), as well as political parties and others who can influence legislators.

9. Those engaging in parliamentary strengthening work need to consider:
 - Why do individuals seek to become parliamentarians in the first place?
 - What are the existing forms of patron-client relationships in operation and how will potential reforms affect them (for example, how might patron-client politics undermine those pushing for more effective oversight)?

³ Carothers, Thomas, *Aiding Democracy Abroad: The Learning Curve* (Washington: Carnegie Endowment for International Peace, 1999), p.182.

- Does the executive use tactics to perpetuate executive dominance such as paying parliamentarians poorly, appointing large numbers to cabinet and parastatal enterprises to buy or ensure loyalty, or dispensing patronage to backbenchers to facilitate constituency service?
- Once within parliament, what sorts of behaviours will foster a successful political career and what opportunities does the institutional shape create?
- Keeping in mind that MPs normally want above all to be re-elected, to what extent do they rely on their party or voters to get re-elected?

These and other questions can help identify who in parliament needs to support (or at least not object to) reforms, their capacity to block or dilute reform, where they derive their authority from, and external pressures for (or against) change.

10. Their answers are not always straightforward: politics is 'messy'. Managing the uncertainties of change thus implies a need for consultation and coordination with those who can influence behaviour; getting the timing right (e.g. planning around election cycles, capitalizing on new members etc); seeking to package reforms so as to maximise winners and minimise losers; and making parties integral to parliamentary strengthening projects. Even then it was argued that reform will only take place if it is driven from within (or owned by) the legislature by a 'coalition for change', usually comprised of reformers committed to both democratisation and the expansion of legislative power and opportunists who support initial 'quick win' reforms because it is in their personal interests to do so.⁴

11. ***The nature of political parties clearly affects the way a parliament operates.***

As with politicians, donors and others have traditionally shied away from engaging with political parties, particularly in the context of their work with parliaments. Where they have engaged political parties it has often been through direct assistance between 'sister' parties foundations, or through 'non-party' projects, such as election or gender programming. While keeping in mind the very real sensitivities involved, those seeking to strengthen parliaments need to examine

⁴ The Westminster Foundation for Democracy (WFD) is currently developing a political framework for legislative strengthening programmes.

the structural strengths and weaknesses of political parties. Where support to parliament and political parties already exists, more should be done to improve coordination and integration of parliamentary and political party programming. (The Westminster Foundation for Democracy (WFD) and National Democratic Institute (NDI) are examples of organisations that do both). Strategies to mitigate sensitivities were debated, such as multiple donors coordinating on joint projects, or ensuring a multi-party approach (at arms length from government). For example, the Netherlands Institute for Multiparty Democracy's (NIMD) multi-party approach is characterised by multi-party ownership, collective participation by political parties in developing projects, and an emphasis on cross-party dialogue.

12. Legislative aid providers must ask tough questions:

- Is the legislature dominated by one party with little incentive to open up the legislative process or is it divided between factions that engage in intense partisan conflict, paralysing the institution?
- Are parties patronage dominated machines, whose politics are replicated in the legislature?
- Are they personality based?
- How do parties and party groups affect the internal workings of the legislature?

For example, parties in Latin America have tended to exercise greater control over committees, often removing members from committees after only one year and thus making it difficult for them to develop subject area expertise, relationships with experts, interest groups, or the ministries that they oversee. By contrast, committee members in East Africa are more likely to serve on a committee for the five-year life of the parliament and to 'leave their party affiliation at the door'.

13. It should be noted that there was some debate around the relationship between the type of party system, party discipline, and legislative development. It is clear

that dominant political parties can sometimes inhibit progress on parliamentary reform. However, weakly institutionalised and fragmented multi-party systems can also be problematic, particularly in post-conflict environments. Many of the reforms in the Ugandan parliament took place under the 'no-party' system when parliamentarians were arguably able to act more independently. Again, there are no general rules and it is therefore important to understand the dynamics between parliaments and political parties on a case-by-case basis.

14. ***It is also important to take into consideration the institutional design of parliament.*** *Inter alia* this is shaped by the constitution and the powers it gives the legislature, particularly in relation to the other branches of government; the type of electoral system and rules for choosing candidates; the legislature's own rules and procedures; campaign finance laws; and the particular history and development of the political and representative process in a given country. An example was given from the initial findings of the African Legislatures Project (ALP)⁵, a comparative, ongoing study of legislatures across the African continent, which has shown that the presence of Ministers within the legislature and the effect of proportional representation can trump formal constitutional powers.
15. There is likely to be little that legislative aid providers can (or should) do to change these factors, although it was noted that there may be (limited) opportunities in cases where parliament is taking the initiative to reform its own internal rules or standing orders. Nevertheless legislative aid providers must be conscious of the institutional strengths and weaknesses and ensure that capacity building programmes are relevant within the legislature's institutional constraints.
16. There was much discussion devoted to the centrality of the representative role and constituency service in many countries, sometimes at the expense of parliamentarians' legislative and oversight roles, thus highlighting the tension that

⁵ The ALP is a social scientific project dedicated to accurate and precise measurement of legislative context, powers, structure, resources, attitudes, and performance. It is a practical research intervention designed to insert research results into the hands of elected representatives, civil society leaders, donors, news media, or other publications. Data is collected mainly from documentary and secondary sources (e.g. on the historical background, social context, constitutional design, and political powers of the national legislature), in-country interviews, surveys of Members of Parliament, and the Afrobarometer.

can exist between the core functions. Sheer size, lack of resources, and complications around travel can make the role of a constituency focused parliamentarian in a large country like the Democratic Republic of Congo more difficult. While in small states, where parliamentarians and constituents are on a first name basis, constituents may feel freer to make inappropriate demands. In large, small, developed or developing countries alike, constituents may have unrealistic expectations, believing their MPs should provide them directly with jobs, land, or financial assistance. MPs who cannot meet these demands risk losing in the next election. Some parliamentarians have benefitted from constituency development funds (CDF), although it was noted that these funds have certain risks attached to them. Others turn to the corporate world for assistance where the resulting *quid pro quo* can leave them equally vulnerable if they do not deliver something in return (e.g. procurement contracts). Ultimately, what many see as corruption has become a matter of survival. Changing constituents' expectations is a challenging, long-term process.

17. ***Parliament does not operate in a vacuum - rather, it is situated within a broader governance context***, or a web of countervailing and complementary institutions, including the executive, civil service, judiciary, civil society, and the media. All can play a role supporting parliament, and increasing accountability, and voice. Parliament can pass legislation but an effective executive is required to implement it and an effective judiciary to enforce it. In addition, parliament relies heavily on different media to publicise its work. Pakistan provides a concrete example of how the executive, judiciary, and even the military have the potential to limit parliaments' effectiveness.
18. Wherever possible support should be undertaken within a comprehensive framework that is rooted in the political economy and takes into account support to these other actors. For example, given that a robust civil society has been identified as an enabling factor for legislative development, legislative aid providers are increasingly complementing traditional legislative strengthening programmes with issue-based and bottom-up approaches. Civil Society

Organisations (CSOs) may encourage citizens' advocacy efforts directed at the legislature, or provide the legislature with analysis and technical support on key issues of concern to citizens. Participants noted several positive examples of specialised CSOs assisting parliament in their oversight role by providing alternative budget analysis and helping to track expenditure. A case in point is the Uganda Debt Network which helped to monitor and correct serious leakages that were occurring in the transfer of funds from the National Ministry of Finance to individual schools.

19. Nevertheless, it was cautioned that parliaments have traditionally been neglected compared to their counterparts, and thus deserve special attention as a critical domestic accountability institution. While it is important to design programmes within a comprehensive framework, support to executives and domestic civil societies should be complemented with a vigorous parliamentary strengthening agenda. Moreover, assistance programmes, whether focused on the legislature directly or not, may need to take into account parliament's potential role in poverty reduction or their contribution to conflict prevention and peace-building (which is often linked to the former).

20. ***The role of parliaments in conflict prevention and recovery in particular has emerged as a key issue in parliamentary development.*** In addition to the factors mentioned above, the overall national context – whether countries are richer or poorer, their resource base, geographical location, and whether they have are involved in or emerging from conflict – clearly plays a role in their political development. In conflict-affected countries the trend has been for donors to mobilise large-scale resources for ending hostilities and organising pluralist elections in conflict-affected countries, while providing comparatively little support to help build and sustain core democratic institutions such as parliament. Competitive elections should not mark the beginning of an exit strategy for the international community; they must engage in long-term peace and democracy building strategies that seek to support parliament to become part of the solution (rather than a contributor) to conflict.

21. ***Parliament's role in financial oversight, especially through the budget process and taxation is critical.*** Parliaments differ in their ability and determination to influence the budget process. In some instances they can play a positive and influential role; in others they are unable to do so or are inhibited. They may be further stymied by aid revenues, or revenues from natural resources, being kept off of the national budget. Moreover, governments will not start taking parliaments seriously unless they are seen as representatives of taxpayers. Taxation and domestic resource mobilisation are crucial to development prospects, and taxation is fundamental ingredient of state-building and in forging a contract between the governing and the governed.

22. ***There is emerging international agenda around normative frameworks, or benchmarks and indicators, for parliamentary development.*** However different organisations have taken somewhat different approaches: collecting good practice; developing performance metrics; or identifying minimum standards or benchmarks. These efforts seek to build a common understanding on the essential attributes of a strong, democratic parliament and to ensure that assistance is linked to those standards.

23. Such principles or standards are not inconsistent with taking into account country-specific context. A comparison was made with the development of international norms and standards around elections. Just as parliamentary systems are diverse, so are electoral systems. And as with electoral standards, there may never be one, universally agreed upon set of principles or standards for democratic parliaments, but rather a body of mutually reinforcing norms and standards that develop over time. A country's choice of electoral system is context specific but there are principles that transcend individual systems (e.g. that the secret ballot is respected, and that voters are able to cast their ballots freely, without fear or intimidation). Both domestic civil society and the international community can use these principles to assess the legitimacy of elections.

24. In addition, the majority of the efforts to codify existing international standards or benchmarks deal primarily with the nature of democratic parliaments, as *expressed by parliamentarians themselves*, and avoids prescriptive provisions on how those norms should be operationalised. For example, the CPA Benchmark 8.1.1 states “The legislature shall provide all legislators with adequate and appropriate resources to enable the legislators to fulfil their constituency responsibilities.” It does not mandate specific funding for constituency offices, travel allowances, constituency development funds (CDF), or any other number of mechanisms which are context-dependent, nor does it identify a particular strategy for implementing that standard. Finally, debate generated during any application of standards, or assessment of parliament, should allow for context to be fully explored.
25. Four major frameworks were reviewed: the Commonwealth Parliamentary Association’s [Recommended Benchmarks for Democratic Legislatures](#); the National Democratic Institute for International Affairs’ *Minimum Standards Assessment Survey*; the Inter-Parliamentary Union’s [Self-Assessment Toolkit for Parliaments](#)⁶; and the Parliamentary Centre’s [Parliamentary Report Card](#) and related indicators of parliamentary performance in the budget process. All of the frameworks are ‘works in progress’, and all strive for a certain level of simplicity and accessibility. The use of the frameworks is voluntary; it is not imposed on parliaments from outside, nor do the frameworks attempt to rank parliaments. Assessment is primarily seen as a tool for parliaments seeking to strengthen their own institution and advocate for reform, for example as part of the preparation or review of a parliamentary strategic plan. The frameworks are designed to be used by parliaments or parliamentarians themselves, as well as parliamentary staff and civil society groups. As one participant observed – “don’t talk about us without

⁶ The IPU toolkit was informed by International IDEA’s [State of Democracy Assessment Methodology](#), which now includes a new section on the democratic effectiveness of parliament. Frameworks not examined, but which deserve further study, include the Congressional Capabilities Index (IDB), the Parliamentary Powers Index - PPI (Prof. Steven Fish and Matthew Kronig, University of California at Berkeley), the IFES State of the Parliament Report, and additional indicators developed by UNDP (2001) and other donors such as USAID.

us.” Having been developed, however, they now need to be applied. At the same time as legislatures are continuously evolving, standards will likely evolve and presumably rise. Some organisations may eventually choose to develop more aspirational benchmarks.

26. ***Parliaments have been neglected by donors.*** It is important to take into consideration that parliamentary development is a relatively new field for many donors. Only a few donors have established significant parliamentary development programmes. More generally; donor behaviour has sometimes served to weaken the legislatures in developing countries. In the past, many donors (and the governments they partnered with in developing countries) supported a dominant executive branch, viewing it as necessary to enact reforms quickly. In heavily budget dependent countries, aid can distort domestic accountability and have the perverse effect of making the executive more accountable to donors than to parliament.

27. Donors have now committed to the Paris Principles on Aid Effectiveness around ownership, alignment, harmonisation, managing for results and mutual accountability. This year’s follow-up Accra High Level Forum, and its resulting Accra [Agenda for Action](#), has opened up the dialogue on aid effectiveness to include parliaments (as well as CSOs and the media), thus ending traditional government to government exclusivity. In spite of this, coordination and donor application of best practice is still far from universal in the field of legislative assistance. The message from a joint ODI/Parliamentary Centre study of parliamentary strengthening from the vantage point of the Paris Principles is that attention to these principles is patchy at best and that data on the effectiveness of parliaments and parliamentary strengthening is in short supply.

28. It should be noted that DfID, UNDP and WBI helped establish a new Donor coordination Group on Parliamentary Development in 2007. While the coordination group acknowledges that more needs to be done in terms of coordination on the ground, this is a step in the right direction. New initiatives

emerging from this coordination group, such as the planned knowledge portal on parliamentary development and mappings of donor support to parliaments, should help donors and others to improve sharing of information and coordinate in the future.

29. ***Those assisting parliaments (and donors in particular) appear to be falling short in monitoring and evaluation, and collecting lessons to be fed back into future programming.*** At worst this means decisions on parliamentary strengthening are left up to guess work or hunches. If the flow of resources to parliamentary strengthening is to be sustained, then the parliamentary strengthening community needs to up its game in terms of monitoring and evaluation, particularly in light of commitments on managing for results.

30. The parliamentary strengthening community, and parliaments themselves, have struggled to develop meaningful measures or indicators, and to establish solid baseline data. This is a problem that is exacerbated by poor legislative record-keeping systems and other relevant infrastructure. As reliable data and useful analytical frameworks for assessing the effectiveness of parliaments and parliamentary strengthening are a prerequisite for the donor-recipient commitment to mutual accountability, it follows that not enough has been achieved in terms of mutual accountability.

31. Information can be hard to come by but it may be attained from several sources including monitoring Hansards, committee reports, the budget and other issue focused debates, private members bills and media reports, interviews with the parliamentary secretariat or clerk, MPs, staff and CSOs, and tools such as scorecards, indexes and surveys. This was demonstrated in the case study of USAID's support programme to the Parliament of the Ukraine which used biannual surveys of MPs and staff, combined with information from Global Integrity Surveys for the Ukraine to assess impact. It is hoped that the new self-assessment frameworks will begin to contribute to filling this information gap. They should also help to put parliament in the drivers seat.

32. Monitoring and evaluation is costly, time consuming, and requires a firm commitment on the part of donors and implementing partners. Donors are encouraged to carry out joint evaluations whenever possible, so as to conserve already scarce resources and increase coordination. Even if evaluations cannot be undertaken jointly, donors and others in the parliamentary strengthening community should ensure that they are shared.⁷

33. ***The need for humility and patience was stressed particularly for external actors seeking to play a positive role in parliamentary development.***

Practitioners across the board highlighted among lessons learned the need to make long-term commitments, potentially of up to a decade or more, and to maintain a certain level of flexibility and adaptability in order to react quickly to the needs of any given parliament or country in the execution and implementation of parliamentary strengthening programmes. The benefits of parliamentary reform processes are rarely spectacular and immediate. Yet sound, positive examples exist, such as Uganda's parliamentary-led reforms around the budget process which included setting up an independent Parliamentary Budget Office now being emulated by other parliaments in the region and beyond. Donors in particular should be conscious that they operate at the margins. They cannot simply export their own models of parliamentary democracy, nor can they impose change. For example, efforts will likely be unsuccessful if a true 'coalition for change' does not emerge within parliament. This is an internal process over which donors have little control.

34. There is a need for more applied research in several of the areas discussed. WBI committed to undertaking research on the potential benefits and risks of controversial constituency development funds and how these risks can be mitigated. Participants were encouraged to increase information sharing, and to continue to develop a community of practice on parliamentary development.

⁷ For further discussion see DfID/UNDP/WBI, *Donor Consultation on Parliamentary Development and Financial Accountability Report* (Brussels, 2007). Available at: <http://sdnhq.undp.org/governance/parls/docs/Final%20Report%20-%20DFID-UNDP-WBI%20Donor%20Consultation.pdf>

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