

I. Untitled introduction: **parliamentary government**

A. **Structure:** far less separation of power than in a presidential system

1. **Legislative branch** is dominant
 - a. Members of the lower house of parliament are **popularly elected**. In some countries this is also true of members of the upper house.
 - b. Bills passed by the parliament are the law.
 - c. No one can overrule them in the U.K.; but some parliamentary systems (e.g., Austria, Canada, Germany, Ireland, Italy, Portugal, and Spain) do have an independent judiciary with the power of judicial review
2. **Executive branch** operates only with the support of the parliament
 - a. The **chief executive** (prime minister [U.K.], premier [Japan], chancellor [Germany]) is selected by the parliament from within its membership and still serves within the parliament.
 - b. Members of the executive **cabinet** are also selected by the parliament and most or all **cabinet ministers** are typically members of the parliament who still serve in the parliament.
3. A majority (or, in some countries, a super-majority of 2/3rds or 3/4ths) **vote of “no confidence”** by the parliament will **dissolve the cabinet** and force new cabinet ministers to be selected.
4. Conversely, the chief executive usually has the right to **dissolve parliament**, forcing a new parliamentary election.

B. **Advantages** (more efficient & responsive government that is also less confusing)

1. Faster response to changing circumstances – fewer checks and balances means less delay or gridlock.
2. Easier for the electorate to assign praise or blame; elections mean more; turnout higher.
3. Government is more responsive to the will of the majority of the electorate; there are fewer opportunities for numerical minorities to force delay or compromise; fewer excuses for the majority party(s) not living up to campaign promises.

C. **Disadvantages** (more dangerous government – fewer safeguards against abuse of power)

1. Less bargaining & compromise can lead to **fewer safeguards** against hasty, passionate, or self-interested policies; especially vulnerable are numeric minorities.
2. May lead to **unstable government** with a paralyzing succession of government breakups, especially in multi-party systems that often entail party coalitions that are marriages of convenience unable to maintain a long-term majority in parliament. Examples: Weimar Republic (1918-33), France until 1958, and Italy (1945-2001, when they switched from PR to winner-take-all elections)

II. **Cabinet control of parliament in the U.K.**

- A. Essential to a stable and productive parliamentary system
- B. **Cabinet** *proposes* legislation and **parliament** *debates* but rarely adds more than minor *amendments*
- C. *Apparent paradox:* the **cabinet** is chosen by but dominates **parliament**
- D. *Explanation:* the cabinet is composed of top party leaders
- E. Tools of party discipline: control of
 1. Debate time
 2. Committee assignments
 3. Cabinet positions
 4. Access to election nominations

III. **What does a parliament do?**

- A. *Provides a forum for the opposition to debate the merits of bills* and sometimes cause their amendment due to pressure from the public
- B. *Opens complicated bills to detailed scrutiny* by friends & foes which then allows (mostly cabinet-proposed) amendments to correct their shortcomings
- C. *Performs an oversight or watchdog role* in evaluating the cabinet ministries’ administration of the laws and policies
 1. Regular reports
 2. *Question time:* a regularly scheduled part of the parliament’s daily calendar when cabinet members can be called on to explain and defend their ministry’s actions
 3. Problem: compared to the national legislature in presidential systems, parliaments typically lack a well-developed committee system
- D. *Provides a pool of trained individuals for service in the executive branch of government*
 1. Parliaments are better at this training than legislatures in the separation-of-powers system in a presidential system
 2. At any given time, about **one-third** of the British Parliament are major-party members who are also serving in one of the cabinet ministries (and about one-third of the MP’s are opposition-party members who are waiting the turn to serve when their party gains control of Parliament)

3. In a **parliamentary system**, the legislature exercises its power through the executive; in a **presidential system**, the legislature more typically exercises its strength in opposing the executive (even one of its own party)

IV. Types of legislative representation roles

- A. *Delegate* model: speaks and votes for *constituents' opinions and interests*
- B. *Trustee* model: speaks and votes based on their greater knowledge and wisdom of the *national interest*
- C. *Politico* model:
 1. Acts as a *delegate* on most day-to-day issues
 2. But acts as a *trustee* on rarer controversies involving fundamental values

V. Parliamentary committees

- A. Weaker and less independent (especially in the U.K.) than legislative committees in a (separation-of-powers) presidential system
 1. Less specialized expertise (because *ad hoc* committees review proposed bills)
 2. *Standing* committees provide limited oversight of ministries
 3. Both types of committees lack important tools:
 - a. No permanent staff
 - b. No authority to call committee hearings
 - c. No *subpoena* power
- B. Real power resides in the majority-party leadership

VI. Exceptions to parliamentary/cabinet supremacy

- A. *Federalism* (e.g., Germany, Canada, India)
- B. *Independent judiciary* (e.g., Germany & Austria) with *the power of judicial review*
- C. Parliamentary government in **India**
 1. Modeled on both the British (strong cabinet) and U.S. (federalism & an independent Supreme Court)
 2. Much evolution through custom and practice
 - a. From one dominant party to party competition (the constitutional crisis of 1977 resulted in a much weakened **Congress Party**)
 - b. From a theoretically strong & independent *president* to subordination to the cabinet
 - c. The power of *judicial review* was weakened by the power of parliament to amend the constitution
 3. Major social diversity – religion (Hindu, Sikh, & Moslem) and language (over 15 major)

VII. “Consensus” parliaments

- A. Found primarily in **northern European countries**: Scandinavian, Germany, Austria, the Netherlands, & Belgium
- B. Most have “**neocorporatist**” interest-group representation that mutes the distinction between the major-party and its opposition and puts greater emphasis on bargaining and compromise
- C. The **cabinet control** of the parliament is much *weaker*
 1. Many important policies are removed from parliament and given to **independent commissions** that must consult with all interested parties
 2. **Committees of parliament** are more independent of the cabinet because chairs are allocated proportionate to party strength in the parliament
 3. *Minority cabinets* sometimes form due to support from non-majority-coalition parties
- D. Main **advantages**:
 1. Less dramatic policy shifts with changes in the party makeup of cabinets
 2. More representation of minority interests
- E. Main **disadvantage**: less clear party responsibility for the success or failure of government policies
- F. Not all *multi-party parliaments* are “consensus” (e.g., Canada, India, Italy, Spain, Greece)
- G. Parliamentary government in **Germany** – much fragmentation of power with many “veto points” imposed by France & U.S. in the **1949 constitution**; many *checks and balances* on the German parliamentary system
 1. U.S. imposed a **strong upper house** of parliament, an **independent judiciary** with judicial review, & **federalism**
 2. France imposed a **mixed electoral system** – a combination of *single-member elections* with *additional-member adjustments* for *proportional representation*

VIII. Parliaments in autocratic systems

- A. Parliaments lack power over the autocratic chief executive or party (e.g., **China**)
- B. Serve primarily to
 1. Rubber-stamp (provide legitimacy to) government policies
 2. Provide limited debate to give the government feedback on public grievances (especially important without a free press or other civil liberties – e.g., assembly and petition for redress of grievances)