

THE INSTITUTIONAL PERFORMANCE OF PARLIAMENTS IN CONSENSUS DEMOCRACIES: A COMPARATIVE STUDY OF AUSTRIA,BELGIUM, NETHERLANDS AND SWITZERLAND

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Abstract

This study wants to assess the institutional performance of parliaments in consensus democracies. It starts with a discussion of the role of parliament in consensus democracies. The Lijphart typology is critically assessed in relation to executive-legislative relations and the distribution of legislative power between bicameral parliaments. The second part discusses the role of parliaments in the specific political systems of Austria,Belgium, Netherlands and Switzerland. The third part discusses three important aspects of parliamentarianism:the legislative process, the role of committees and level of professionalisation, and the use of control instruments. After analysis of the data, the author comes to the conclusion that the Netherlands is the most professionalized parliament. They also work much harder than the other three parliaments. The Swiss Parliament, in spite of their half-professionalised status fares well in relation to Belgium and Austria.

1.PARLIAMENTS IN CONSENSUS DEMOCRACIES

Parliamentarianism in all European countries has been under considerable pressure in the past forty years. The growth in complexity of policy-making made them highly dependent on the information provided by governments. Moreover, the European integration process has been an important factor leading to major transformations of parliaments. The Single European Market

Programme and other policy areas have created European legislation which has been transposed into national law in all member-states and in some of the adjacent countries such as the members of the European Economic Area (EEA) such as Iceland, Norway and Liechtenstein or Switzerland, which is well-integrated through seven bilateral agreements. The parliaments of the small consensus democracies have been not excluded from this trend. The transformation of the past forty years was one of substance. The overall idea is that there was a shift away from rigid government to more flexible governance. This meant that the separation between public and private that existed in the Weberian state was replaced by a mixing of different codes.¹ The erosion of political cleavages based on religion, class and language since the 1970s led to a more consumer-oriented society, which also frames and is framed by the political and electoral market. Major transformations occurred also in the so called stable 'consensus democracies' of 'West Central Europe' meaning mainly Belgium, Netherlands, Luxembourg, Switzerland and Austria. Germany can also be counted as part of this 'West Central Europe' pattern of political organization, but it is also characterised by a stronger pluralist traditions than these smaller democracies.²

The marketization of European politics has led to major challenges for both governments and parliaments. Such aspects of a growing erosion of the neo-corporatist institutions of consensus democracies was felt in all four countries analysed in this paper. Parliament was also affected by a higher level of polarization, because of the emergence of new political parties which wanted to change the status quo. The best example was the Freedom Party (FPÖ) under the influence of Jörg Haider until 2002 in Austria, the Swiss People's Party (SVP) of Josef Blocher, the Vlaamse Belang (Flemish Interest-VB) in Belgium and the Pim Fortuyn List in the Netherlands between 2002 and 2007.

These new parties are signs of a transformation of consensus democracies which in the past were based on clear-cut cleavages and political parties and therefore were able to encapsulate large sections of the electorate. In spite of diversity, the elites of the political parties cooperated for the benefit of the whole country. The neocorporatist structures were a symbol of this working together. The

¹) Sabino Cassese The Age of Administrative Reform. In: Jack Hayward, Anand Menon (eds.), *Governing Europe*. (Oxford: OUP 2003), pp.128-138; particularly pp.131-132.

²) Gerhard Lehbruch, Die korporative Verhandlungsdemokratie in Westmitteleuropa. In: *Swiss Political Science Review*, 1996, 2(4), pp.1-41, particularly, p.4

proportional representation system made it possible that parliaments were able to accommodate possible tensions of society by channelling them into consensual politics. Moreover, coalition government was an important device to preserve and develop a culture of compromise and cooperation.

In this sense, the decline of political cleavages and a more market-oriented electoral behaviour of voters gives centrality to parliaments to continue to accommodate such possible tensions in the four countries.

Parliaments are an important arena to integrate all possible new political parties into the main political culture of consensual politics. Moreover, such integration needs also to show some output legitimacy. In this sense, the institutional performance of these inclusive legislatures is quite important. In this paper, we are very interested in exploring how parliaments evolve in a period of major transformations, that I called elsewhere the 'Great Transformation of the Late Twentieth Century', which in a nutshell led internationally to a transformation of the system of international relations towards global governance and domestically to the emergence of governance.³

We borrowed the concept of 'consensus democracy' from Arend Lijphart, who in two excellent studies developed this as an ideal type against 'majoritarian democracy' or Westminster model. Particularly, in 'Patterns of Democracy' he further expands on the differences between 'consensus' and 'majoritarian' democracies. Lijphart identified several features in this respect which could be mapped along two main dimensions

1. **The executive-parties dimension:** the way parties form government and which kind of government
2. **The federal-unitary dimension:** the way is distributed in the territory

³) José M. Magone, *The New World Architecture. The Role of the European Union in the Making of Global Governance.* (New Brunswick, N.J.: Transaction 2006), p.

TABLE 1.MAJORITARIAN VS. CONSENSUS DEMOCRACY

Categories	MAJORITARIAN DEMOCRACY	CONSENSUS DEMOCRACY
EXECUTIVE-PARTIES DIMENSION		
Nature of executive power	Concentration of executive power in single party	Executive power-sharing in broad multi-party coalitions
Executive-Legislative Relations	Dominant executive	Balance between executive and legislative
Party system	Two-party system	Multi-party system
Electoral System	Majoritarian,disproportional electoral system	Proportional representation electoral system
System of interest intermediation	Pluralism	Neo-corporatism
FEDERAL-UNITARY DIMENSION		
Nature of territorial organisation	Unitary centralized	federal, decentralized
Organisation of legislative power	unicameral system	bi-cameral balanced system
Constitutions	flexible constitution,easy to amend	rigid constitution,difficult to amend
Judicial review	Judicial review lies in parliament	Judicial review lies in constitutional court or supreme court
Central Bank	Central banks that are dependent on executive	Central banks that are independent of the executive

Source:Own compilation based on Arend Lijphart, *Patterns of Democracy.Government Forms and Performance in Thirty-Six Countries.*(Yale:Yale University Press 1999)

In this paper, we want to concentrate mainly on the features related to legislatures in these consensus democracies. In this case, both executive-legislative relations and the organisation of legislative power are of particular importance. For Lijphart, on the executive-parties dimension relations between parliament and government in 'majoritarian democracies' lead to dominance of the executive over the legislative, while in 'consensus democracies' there is a more balance of power.⁴ One of the factors that leads to a more balanced relationship between the executive and legislative branch in consensus democracies is the nature of government. In all four countries that we are studying here coalition government is quite important. Coalition government

⁴) Arend Lijphart,*Patterns of Democracy*,p.116.

has been the rule in Switzerland, Belgium and Netherlands, while Austria had long periods of social-democratic absolute majority governments. It means that in all four countries parliament remained a central place to negotiate and approve legislation. This consensual style of politics still continue to be part of the political culture of the four countries, in spite of the emergence of new challenging political movements. Moreover, all four countries can be called de facto parliamentary systems of government. Switzerland is de jure a hybrid system between presidentialism and parliamentarianism, but in practice it works similarly to a parliamentary system. According to Lijphardt's typology there are differences between these four consensus democracies. Switzerland is probably the most balanced system of executive-legislative relations, followed closely by Belgium and Netherlands, while Austria scores high in executive dominance.⁵ This means that within the ideal type there are differences between countries. This naturally leads us to the inspiring work of Adrian Vatter who wrote an excellent book on the subnational forms of consensus democracy in Switzerland. In his studies, he shows how consensus democracy differs from canton to canton. This is related to different factors including the historical background of the regions, political cleavages and centre-periphery relations. This is also the basis for extrapolating the comparative work of Vatter to the national level, analysing the four democracies of Austria, Belgium, Netherlands and Switzerland.⁶

Such differentiation between the four consensus democracies becomes clearer if we take Lijphardt's unitary-federal dimension. In the pure form, legislative power is concentrated in one chamber in majoritarian democracies, while it is more balanced between two chambers in consensus democracies. Here again we come to a differentiation between the four consensus democracies which have all bicameral parliaments, but the balance of power between the two houses is quite different. Lijphart uses two variables to classify the different parliaments. The first variable is about the balance of power between the two houses. If the upper house is weaker than the lower house than it is asymmetrical, while if both houses have the same powers it is symmetrical. The second variable is about the congruence in terms of representation. If the representation system is different from the lower house and leads to

⁵) *ibid*, p.138.

⁶) Adrian Vatter, *Kantonale Demokratien im Vergleich. Entstehungsgruende, Interaktionen und Wirkungen politischer Institutionen in den Schweizer Kantonen.*(Opladen:Leske+Budrich 2002)

overrepresentation of some units in relation to others than it is incongruent. The closer the representation of the upper house is to the lower house, than it is has to be characterised as congruent. Taking these two variables into account, Lijphart regards Switzerland as the strongest bicameral parliament, because it is symmetrical and incongruent. Again, a medium-strength bicameralism can be found in Belgium and Netherlands, because they are symmetrical and congruent. In contrast, Austria bicameralism is regarded as weak due to its asymmetrical and congruent nature.⁷ This naturally allows already to develop a typology about the four parliaments that we are analysing here.

In this sense, we can use the typology of Lijphart to differentiate analytically between four kinds of parliamentarianism in these consensus democracies.

TABLE 2.TYOLOGY OF PARLIAMENTARIANISM IN CONSENSUS DEMOCRACIES

		BALANCE OF BICAMERALISM		
		STRONG	MEDIUM	WEAK
BALANCE OF EXECUTIVE-LEGISLATIVE RELATIONS	STRONG	Switzerland		
	MEDIUM	Netherlands, Belgium		
	WEAK	Austria		

Such a simple typology of parliamentarianism in these four consensus democracies contributes to be a better analytical understanding of each of these legislatures. The purpose of the chapter is to go beyond these two variables and discuss qualitatively the importance of these parliaments in the political system. The next section, therefore, discusses the different parliaments in the context of the political system. Afterwards, we will go even further and analyse the performance of each of the legislatures , before we come to some conclusions .

2.CONTEXTUALISATION OF PARLIAMENTARIANISM IN THE POLITICAL SYSTEM IN AUSTRIA, BELGIUM, NETHERLANDS AND SWITZERLAND

⁷) Lijphart,op. cit., p.212.

All these parliaments still act in a political culture of consociationalism. 'Consociational politics' was quite important until the 1960s due to the fact that all these four countries were characterised by clear-cut social cleavages, which were translated into political ones through the encapsulation of the electorates by political parties. As already mentioned social cleavages and later on political cleavages began to erode and undermine the basis of such 'consociational politics' in the four countries. However, the erosion of such cleavages has not been symmetrical across the different aspects of religion, class and language. Both religion and class eroded since the 1980s.⁸ In contrast, ethnolinguistic cleavages continue to shape the way politics is undertaken in two of our countries: Switzerland and Belgium. In the case of Switzerland, we have to deal with four different linguistic groups, although only three are really relevant: the Francophones-Romandie(20 percent), the German-speaking population(75 percent), and the Italian-speaking population(4 percent).⁹ Moreover, one percent of the population speaks Romansch(*Grischuna*) which is a Rhaetoromanic language. This part of the population lives in the canton of Graubünden in the southeast of Switzerland close to the Italian border. This means that the government(Bundesrat, Federal Council) has to take this ethnic diversity when forming a new government. Similarly, in Belgium linguistic-territorial cleavages began to become more important since the 1960s. The linguistic conflicts of the 1960s led to a peaceful settlement towards a new constitution which transformed the unitary country into a federal system in 1993.¹⁰ The new federal system looks almost like a confederation due to the high level of decentralisation and deconcentration of public administration. The two main linguistic-cultural groups, the Walloons and the Flemish have separated regions. Moreover, Brussels became a third mixed region. These three regions is complemented by three cultural communities representing the Francophones in the south, the Flemish in the north and the German minority in the southeast. The Flemish region and community decided to merge and create a united

⁸) here is not the place to discuss the erosion of social and political cleavages for some of the literature see Nan Dirk de Graaf, Anthony Heath, Ariana Need, Declining Cleavages and Political Choices: the interplay of social and political factors in the Netherlands. In: *Electoral Studies*, 20(2001), 1, pp.1-20; , Wolf Linder, *Schweizerische Demokratie. Institutionen, Prozesse, Perspektiven*. (Bern: Haupt 2005), pp.86-90; Albert F. Reiterer, *Gesellschaft in Oesterreich. Struktur und Sozialer Wandel im globalen Vergleich*. (Wien: WUV 2003), pp.157-161

⁹) Wolf Linder, *Schweizerische Demokratie. Institutionen, Prozesse, Perspektiven*. (Bern: Haupt 2005), p.40.

¹⁰) André Leton, André Miroir, *Les conflits communautaires en Belgique*. (Paris: Puf 1999)

administration. It means that apart from the central government which has coordinating functions, the Belgian state consists of five further subnational units.¹¹ Although originally Belgian was dominated by the Francophone population, after the second World War the Flemish speaking population not only became economically stronger, but also constituted the largest language community. Today, 57 percent of Belgians are Flemish speaking, 42 percent are Francophones and 1.1 percent German speaking.¹²

In contrast, Austria and Netherlands are to a large part ethnically and linguistically homogenous. However, in Austria there are some parts of the country where there are concentrated ethnic minorities. This is the case of the Slovenian minority in Carinthia which borders Slovenia. It represents only 0.3 percent of the population, but led occasionally to tensions with the new right populist Freedom party, particularly in relation to the right to have the name plates of certain localities in the two languages.¹³ The most homogenous of the four countries is naturally the Netherlands. Most of the social cleavages are based on class and religion, which have survived in spite of the fact that they have been eroding.

In terms of political systems, these parliaments operate in different environments. While Swiss, Belgian and Austrian parliaments operate in a federal structure, the Dutch one works in a unitary decentralised system. However, even between the three federal systems are major differences. The Swiss and Belgian federal systems are quite decentralised and devolved lots of powers to the subnational units. In the case of Switzerland, the central government has major difficulties to achieve an even-playing field in all policy areas. There are major differences between the different parts of the country in terms of welfare provision. This has naturally consequences for taxation. The high level of autonomy of the cantons and half cantons goes back to the original formation of the Swiss state. There is a general resistance to allow the central state to be too dominant, so that calls for tax harmonisation have been resisted so far.¹⁴ The Upper House, the Council of States (Ständerat), represents the 20 cantons and 6 half cantons. The 2 representatives of each canton and one

¹¹) Alain Gerlache, Johan Vande Lanotte, Marc Uyttendaele, Siegfried Bracke, Geert Goedertier, *La Belgique Pour Debutants*.(Brugge:la charte 2004),pp.32-33.

¹²) *Fischer Weltalmanach 2005.Zahlen,Daten,Fakten*.(Frankfurt a. M.:Suhrkamp 2005),p.70.

¹³)

¹⁴) Klaus Armingeon, Fabio Bertozzi and Giuliano Bonoli,Swiss Worlds of Welfare.In:*West European Politics*, vol.27,nr.1,2004,pp.20-44; particularly p.22.

representative of each half canton are elected by a simple majority system and are a counterweight against the 200 strong National Council(Nationalrat) elected by proportional representation by the population. While Switzerland, central government has gained more powers over time, because of the complexity of modern life, the Belgian case after 1993 has been one of decentralization to the subnational units. This is leading to calls to move from federalization to confederalization, meaning a looser structure than the present one. Important policies such as education and health have been devolved completely to these subnational units. Similarly, to the Swiss case, differences between the regions begin to be a major problem. It means that national parliaments operate in a context, where subnational parliamentary assemblies have a high level of autonomy and can challenge the centre. This has also implications for foreign policy. Subnational units are allowed to conduct foreign policy, most of it naturally 'paradiplomacy' with other regions, with the centre having only a primus inter pares role, more accurately, a coordinating role.¹⁵ This also accounts for the quite difficult formula to accommodate all the different subunits in the Upper House, the Senate. The Senate consists of four kinds of Senators:

1. 40 senators are elected directly by the people(25 Flemish-speaking and 15 French-speaking)
2. 21 senators are appointed by the parliaments of the three linguistic communities out of their midst(10 by the Council of the French Community,10 by Flemish Parliament, 1 by the Council of the German Community)
3. 10 senators are elected by the 60 Flemish and Francophone members(35 Flemish Senators coopt 6 additional senators and 25 Francophone Senators coopt 4 additional senators)
4. The daughters and sons of the King as Senators by law(at the moment 3 Senators-Prince Philip,Princess Astrid and Prince Laurent)

In total, there are seventy four senators, but this may vary depending on the Senators by law.¹⁶ This complex formula allows for a considerable input of the

¹⁵) Peter Bursens, How Multi-level are IGCs?The Belgian Federation and the 2000 Conference.In: Intergovernmental Conference,In:*Regional and Federal Studies*, vol.12,2002,3,pp.181-204; particularly pp.187-188.

¹⁶) Gerlache,et.al.,op.cit.,pp.47-49.

subunits on the legislative process. The symmetrical nature of parliamentarianism needs probably more time to establish itself. The recent structure of the state entered into force 14 years ago, so that Belgian national parliament has certainly lost some power since the restructuring.

This naturally constrains national parliamentarianism in the two cases. The big difference between these two countries is that in the case of Switzerland the centre has gained more power over time, although the autonomy of the cantons and half cantons continues to be quite high, while in Belgium the national executive has lost power to the subnational units in order to accommodate the tensions emerging from the ethnic conflict.¹⁷

Both Austria and the Netherlands are on the other end of the spectrum. Although Austria is a federal state with nine Bundesländer, Vienna as the centre of national administration had always a tendency towards concentration. It means that Austrian federalism is defined as 'executive federalism'. It means that decision-making processes are concentrated at national level, while autonomy of implementation is left to different subnational executives and legislatures.¹⁸ The Bundesländer nominate 62 representatives out of their regional parliaments(Landtage) according to the strength of their populations to the Upper House(Federal Council) The Netherlands is the only unitary state, but extremely decentralised. It consists of 12 provinces with their provincial assemblies which are elected every four years and nominate 75 members to the Upper House(*Eerste Kamer*, the Senate). However, since the 1960s there has been an attempt to restructure the territorial organisation by creating new more comprehensive tiers. It means the Netherlands is divided into four Landsdelen

- (one for the northern provinces(Friesland,Groningen,Drenthe)
- one for the western provinces(North and South Holland,Utrecht,Flevoland)
- eastern provinces(Gelderland,Overijssel) and one for the
- southern provinces(Limburg,Brabant und Zeeland)

¹⁷) Théo Hanchez, Communauté française et société belge. In: Marie Therese Coenen, Serge Covaert, Jean Heinen(eds.), *L'État de la Belgique. 1989-2004. Quinze Années à la Charnière du Siècle.* (Bruxelles: de boeck 2004), pp.82-108; particularly pp.101-103

¹⁸) Anton Pelinka, Sieglinde Rosenberger, *Österreichische Politik. Grundlagen, Strukturen, Trends.* (Wien:WUV 2003), pp.223-224.

In spite of these and other attempts to achieve a more efficient organisation of the territory, the twelve provinces continue to be the main intermediary structure between central and local government.¹⁹

In spite of the erosion of social and political cleavages all these different political systems are characterised by fragmentation in terms of political representation. Governments are therefore, more than other European countries, accountable to parliament. The role of parliament in these countries is crucial to keep the high level of consensual and consociational politics. In all four countries, there was a general trend to upgrade the human and material resources of parliaments, so that they are able to fulfil the role that it is assigned to them. It means that there is an increase of professionalization and institutionalisation going on. From all four political systems, the Swiss one is the less professionalised. The militia system is an important feature of the system. Members of Parliament normally have a normal job. Parliament is dependent on the dedication of its members. The militia system does not apply to the Bundesrat. The full-time job of the seven members of the Swiss government prevents them for doing other things. Apart from this exception the militia system can be found at all levels of the Swiss multilevel system. There have been regular discussions about the appropriateness of such a system in the twentieth-first century, but any change has been resisted. However, problems of recruitment at lower levels of the political system, particularly at local level begin emerge. Due to lack of new recruits, some militia politicians remain eternally in some local top positions. Even if they want to leave the job, there seems to be a difficulty to find a replacement. Switzerland also stands out as a different political system from the others in two particular aspects. One aspect is the considerable use of direct democracy instruments such as referendums. The population has the possibility to initiate legislation or even to block major legislation through referendums. Switzerland has the highest number of referendums in the world. The other aspect is that the government consists of members from the most representative parties. A magical formula was devised in 1959 and has been constant until the last elections in 2003, in which the Swiss People's Party was able to gain most votes. In this sense, they were entitled to a second seat in the Bundesrat, which in the end the other parties had to concede. It meant that

¹⁹) Rudy B.Andeweg,Galen A.Irwin,*Governance and Politics in the Netherlands*(Basingstoke:Palgrave 2002),pp.162-163.

a seat was transferred from the Christian democrats to the Swiss People's Party.²⁰ This means that there is no clear-cut separation between government and opposition. The political parties can oppose the government if they wish so, there is party discipline, because all relevant parties are represented in the government. This makes the whole parliamentary process quite unpredictable.²¹ Before, we discuss the institutional performance in each of these political systems, it is important to make some comments on the party systems in these four countries. The Swiss party system is quite fragmented. The party system is shaped by the original political cleavages of class and religion. There was less an impact of the linguistic cleavage on the party system, but territorial-cultural regionalised political parties at canton level are also relevant. The traditional parties are the Socialdemocratic Party(SP) which was able to improve its share of the share in the past three decades and is presently the second largest party with 54 seats, the liberal democrats(FDP) has its roots in nineteenth century liberalism and is the third largest party of the country with 36 seats, for decades the Christian-democratic People's Party(CVP) were an important party in the political system, but most recently as been losing votes and has only 35 seats in the Nationalrat. Last but not least, the Swiss People's Party of Christoph Blocher became the largest party. Although the Swiss People's Party has been labelled as a rightwing populist party, it has roots in the resistance of the rural areas against the dominance of the urban centres. Blocher was able to expand the support by attracting new groups that are not only against further erosion of the Swiss model of politics, but also against integration into larger entities like the European Union. Eleven other smaller parties including the Greens with nine seats are also represented in the National Council. The SVP is also the strongest party in the House of Nations with 15 seats, followed by the liberal democrats with 14, the Christian democrats with 9 and the Socialdemocrats with eight. This means that the composition of the Federal Council is now 2 from from the SVP(including Christoph Blocher), two from the SP, two from the FDP and one from the CVP. Federal Council are not allowed to be members of parliament.²²

²⁰) Swiss Federal Chancellery, *The Swiss Confederation. A brief guide 2005.*(Zurich:Swiss Federal Chancellery 2005),p.37.

²¹) Ruth Luethi, Das Parlament.In:Ulrich Kloeti, Peter Knoepfel,Hanspeter Kriesi, Wolf Linder and Yannis Papadopoulos(eds.), *Handbuch der Schweizer Politik.*(Zurich:Verlag NZZ 2002),pp.131-158, particularly p.134.

TABLE 3 :MAIN PARTIES IN SWISS PARLIAMENT(2003-2007)

	NATIONAL COUNCIL		COUNCIL OF STATES
	%	SEATS	SEATS
SVP	26.7	55	8
SPS	23.3	52	9
FDP	17.3	36	14
CVP	15.9	35	15
Greens	7.4	13	-

In the case of Belgium, there are five main party families, three of them being core to the Belgian party system. The three core party families are the Christian democrats, the Socialdemocrats and the Liberals. The other two families emerged in the 1980s and can be regarded as new parties: The Greens and the extreme rightwing parties. The complexity of the Belgium is increased by the fact, that there are two party systems with the same party families in Flanders and Wallonia. It means that 10 parties regularly are represented in parliament. This is a high level of fragmentation which forces winning parties to form a coalition with other parties. Coalition government is part of the political culture of the country. This naturally fosters a culture of cooperation and consensus. Until the mid 1990s, the Christian democrats tended to dominate the political system, because they were strongest in the Flemish part, while the socialdemocrats were able to keep some hegemony in Wallonia. The party system began to change in the second half of the 1990s, when the political scandals in Belgium began to have a major effect. In the 1999 elections, the liberals became the strongest in both Wallonia and Flanders. Prime Minister Guy Verhofstadt was able to achieve a high level of reputation, due to the political scandals of the 1990s. In the 1999, elections the Greens took part in government, but the performance of their ministers was so catastrophic, that they suffered considerable losses at the legislative elections of 2003. Similar to the Swiss case, the Flemish party system is being challenged by a populist rightwing party called Vlaams Belang(*Flemish Interest-VB*). There is a general institutional boycott of cooperation with VB, because it has quite a xenophobic discourse against the Muslim population and wants to achieve the independence of Flanders. In spite or maybe due to this institutional boycott, VB has been able to win more votes from election to election. Due to the institutional boycott the party tends to concentrate their efforts at the levels where they are able to

²²) Clive H. Church, The Swiss Elections of October 2003:Two Steps to System Change?In: *West European Politics*, vol.27,nr.3,May 2004,pp.518-534.

influence, particularly the local level. The city of Antwerp is one of the strongholds of VB. It is the second largest political force in the Flemish region. On the turn of the millennium all major parties changed their names in a quest to modernise itself and create a new more inclusive image. In Flanders, the former regionalist party Volsunie split in two. Some of their members, calling themselves Spirit, joined the Socialist Party and created SP.A(*Sociaal-Progressief-Alternatief*). The Christian People's Party became the Christian democrats and Flemish(*Christen Democratische and Vlaams, CD&V*) in 2001, whereas the Liberals had undertaken their name makeover to Vlaamse Liberalen en Democraten(Flemish Liberals and Democrats-VLD) in 1992. The Greens were called Live Differently(AGALEV), but after the catastrophic electoral results of 2003, they simplified as to Groen(Green). In the Francophone part, the Socialist Party(PS) did not see any necessity to change the name. In contrast, the Christian Democrats became now the Humanist Democratic Centre(*Centre Démocrate Humaniste(CDH)*) in order to broaden its base. The Francophone Greens retained their name Ecolo(*Ecologistes Confédérés pour l'Organisation de Luttes Originales-Confederated Ecologists for the Organisation of Original Struggles*). Similarly, the extreme rightwing National Front followed the same politics as its French counterpart based on a xenophobic, law and order, and hypernationalistic discourse.²³

TABLE 4: LEGISLATIVE ELECTIONS IN BELGIUM 10 JUNE 2007: CHAMBER OF REPRESENTATIVES

	SHARE OF THE VOTE	SEATS
Cd&V NVA	18.51	30
MR	12.52	23
PS	10.86	20
VLD	11.83	18
VB	11.59	17
SP.A	10.26	14
ECOLO	5.10	8
GROEN!	3.98	4
FN	1.97	1

²³) For the transformations of the Belgian party system see Pascal Delwit, *Composition, Décomposition et Recomposition du paysage politique en Belgique*. (Bruxelles: Editions Labor 2003)

Source Official Belgium website, <http://www.polling2007.be> accessed 6 July 2007

The Dutch party system has been undergoing major transformations in the past thirty years. Similar to the Belgian case, the Dutch party system is dominated by three core party families: Christian Democrats (*Christen-Democratische Appél-Christian Democratic Appeal-CDA*), the Socialdemocrats (*Partij van der Arbeid-Labour Party-PvdA*) and the Liberals (*Volkspartij voor Vrijheid en Democratie-People's Party for Freedom and Democracy-VVD*). Splinter parties joined these core party families since the end of the 1960s. The emergence of the more leftwing and radical Socialist Party (*Socialistisch Partij-SP*), the reform-friendly liberals in the D66 (*Democrats 66*) and the ecologist Green left (*Groenlinks*) represent new social movements and a challenge to the old traditional parties. Moreover, the Calvinist-confessional Christian Union (*Christen Union-CU*) and the Reformed Political Party (*Staatskundig Gereformeerde Partij-SGP*) are two small parties in the party system which have survived the erosion of the mobilising ability of religious-political cleavages. The decline of cleavages and a growing protest vote against the policies of the established parties has led to the emergence of the Pim Fortuyn List in the 2002 legislative elections. Pim Fortuyn was a Professor at the University of Rotterdam and expressed issues that were tabu in Dutch society, such as the lack of integration of the Muslim population in Dutch society and the negative aspects of a traditional interpretation of Islam. Before the elections, he was killed by an environmentalist. This contributed to an inflation of the electoral result of the Pim Fortuyn list which got 17 percent. This naturally led to major confusion in the political class. Prime Minister Jan Peter Balkenende from the CDA formed a coalition government with the Pim Fortuyn list and other parties, which collapsed after one year. The new elections in 2003 led to a collapse of the vote to 5.3 percent. In the elections of 2007, the party collapsed completely without receiving any representation. One of the main reasons for this collapse were the internecine fights between individuals within the party, which led even to court cases. Nonetheless, Prime Minister Balkenende and the CDA adopted tougher stands on immigration and pushed through a tougher law and order policy. The erosion of the social and political cleavages led to the reduction of the core encapsulated electorate by each party. Most voters are now in what several Dutch political scientist call the battlefield.

They are voters that behave in terms of electoral market. They vote for the parties that may offer the best deal.²⁴ On the other hand, the nature of consensus democracies does not allow parties to translate voters priorities entirely into politics. They have to compromise and work together due to the fragmented nature of the party system. In this sense, there is some constraint for populist parties which in the end have to work with other parties, if they want some of their priorities to be implemented in a softer version.²⁵

TABLE 5. LEGISLATIVE ELECTIONS 2006 FOR TWEEDE KAMER

	SHARE OF VOTE	SEATS
CDA	26.5	41
PvdA	21.2	33
SP	16.6	25
VVD	14.6	22
PVV	5.9	9
GROEN LINKS	4.6	7
CU	4	6
SGP	1.6	2

The Austrian party system has been undergoing major changes. However, the party system differs substantially from the three mentioned above. The party system is dominated by two core main parties which clearly represented the Lagerkultur since the end of the nineteenth century. On the one hand, the Socialdemocrats(*Sozialdemokratische Partei Österreichs-SPÖ*) have their origins

²⁴) Joop J.M. van Holsteyn, Galen A. Irwin, The Dutch Parliamentary Elections of 2003. In: *West European Politics*, vol.27,1,2004, pp.157-164.

²⁵) Paul Pennings, Parties, Voters and Policy Priorities in the Netherlands 1971-2002. In: *Party Politics*, vol.11,1,2005, pp.29-45.

the strong Austrian Labour movement and strongly connected to the trade union tradition. On the other hand, the Austrian People's Party (*Österreichische Volkspartei-ÖVP*) represent the bourgeois Lager including farmers and the old middle classes. The Liberals have also a long tradition since the nineteenth century, but the post-1945 Freedom Party (*Freiheitliche Partei Österreichs-FPÖ*) consisted of elements from what is called in Austria 'nationaldeutscher' (national German) Lager which was quite influential in the nineteenth century and real liberals. This is the main reason why the FPÖ has these tensions inside the party. The declining fortunes of the liberal wing of the party since the 1980s, led to a takeover by the more populist rightwing faction inside the party. In the 1990s, the Liberals split from the FPÖ creating the Liberales Forum, but they did not survive for very long. After 2002, a further splinter party called the Future of Austria Alliance (*Bündnis fuer die Zukunft Österreichs-BZÖ*) under the leadership of Jörg Haider left the FPÖ. It means that there are now two populist rightwing parties representing the same electorate. This led to a weakening of rightwing populism. Last but not least, there is also the Greens, who emerged in the 1980s and were split in two groups. Slowly they found common ground and merged to one party called the Greens-Green Alternative (*Grüne-Grüne Alternative-GA*). Although there was a grand coalition the SPÖ and the ÖVP 1986 and 1999, there has been a tendency towards a polarization between left and right. The decline of the neocorporatist institutions created after the second world war such as the social partnership (*Sozialpartnerschaft*) opened the possibilities for the FPÖ to become a party of social and political change.²⁶ In view of the transformations since 1945, Müller differentiates between five different periods of the party system:

1. 1945-1949: Consolidation of the party system, emergence of a cartellisation of politics by SPÖ and ÖVP;
2. 1949-1966: Highly cartellised party system;
3. 1966-1986/1987: highly competitive party system;
4. 1986/7-1999: cartelised party system
5. Since 1999- 2006 highly competitive party system.²⁷

²⁶) Franz Fallend, *Regierungsproporz in der Krise: Zur aktuellen politischen Debatte ueber die konkordanzdemokratische Regierungsform in Österreichs Bundesländern*. In: *Österreichisches Zeitschrift fuer Politikwissenschaft*, 26(1997), 1, pp.23-39; Emmerich Tálos, *Vom Siegeszug zum Rueckzug. Sozialstaat Österreich 1945-2005*. (Wien: Studienverlag 2005).

²⁷) Wolfgang C. Müller, *Parteiensystem: Rahmenbedingungen, Format und Mechanik des Parteienwettbewerbs*. In: Herbert Dachs, Peter Gerlich, Herbert Gottweis, Helmut Kramer, Volkmar Lauber, Wolfgang C. Müller, Emmerich Tálos (eds.), *Politik in Österreich. Das GRUPO DE TRABAJO 06 Parlamentos y Rendimiento Institucional en un mundo en cambio.*

TABLE 6. LEGISLATIVE ELECTIONS 2006 IN AUSTRIA: NATIONAL COUNCIL

	SHARE OF THE VOTE	SEATS
SPÖ	35.3	68
ÖVP	34.3	66
FPÖ	11	21
Greens	11	21
BZÖ	4.1	7

Source: Wiener Zeitung, <http://www.wienerzeitung.at>, accessed 6.7.2007

In sum, in all these so-called 'consociational democracies' based on consensus politics have been challenged by social change, new domestic social movements, Europeanization and globalization. Parliaments are at the core of the political system and it is important to see how these social and political processes had an impact on the performance of the parliaments in these west central countries.

3. THE INSTITUTIONAL PERFORMANCE OF PARLIAMENTS IN AUSTRIA, BELGIUM, NETHERLANDS AND SWITZERLAND

There are limits to a comparative study of parliamentary performance. The differences in the parliamentary culture and particularly the place of parliament in the respective political systems makes it quite difficult to compare parliaments against each other. However, there is some merit in trying to find out, how similar functions which are common to all parliaments are performed by each of the legislatures of these consensus democracies. In this sense, we will concentrate on three specific aspects of modern parliamentarianism. The first one is the role of parliament in dealing with the constant and growing dominance of government legislative proposals. If possible, the possibilities of influence or even of legislative initiative are discussed in this context. The second aspect is the role of committees in the parliamentary system. Are we dealing with a 'Redeparlament' (Debate parliament) or 'Arbeitsparlament' (Working parliament). This naturally leads also to the question about the human and financial resources that are allocated to the respective parliaments. The third aspect we will discuss is naturally how successful have been the instruments of parliamentary control in these parliaments.

Handbuch. (Wien: Manzsche Verlagsbuchhandlung 2005), pp. 279-321; particularly p. 301.

3.1. The Legislative Output: The Contribution of Parliament

As already mentioned all four parliaments have two chambers, but the distribution of legislative power is different. While in Switzerland and Belgium the two chambers are symmetrical in terms of power, Austria and Netherlands have asymmetrical chambers. It means that in the first case, the two chambers have to approve legislative initiatives by the government, one of the chambers or in the case of Switzerland initiatives by the population. Although both chambers are equal in theory, in both Switzerland and Belgium, the lower house is in practice the dominant one. Apart from the fact that it has more members, the institutionalisation and professionalization is more advanced in the lower houses. So that the Belgian Chamber of Deputies 11 standing committees, while the Senate has only five standing committees (institutional affairs, Justice, foreign policy and defence, finance and economic affairs, home and administrative affairs and social affairs). The Senate has also the power of reconciliation between the legislatures of the federal state. Apart from the fact that both chambers are committed to a process of concertation through the committee of concertation, the Senate can express a well-founded advice in order to resolve the particular question, but it is not binding. In the end, the Belgian Senate, which probably may be reformed in the future, is a chamber of reflection on the legislation which predominantly presented by the lower house. It fulfils a deliberative function, in order to create better legislation. In Switzerland, there is a stronger symmetry. Both chambers are of equal importance, so that both have the same number of committees. Although the Swiss Parliament meets only four times a year for three weeks each time, it is regarded as a Arbeitsparlament.²⁸

In the case of Austria, the Bundesrat has a suspensive veto, while in the Netherlands the veto of the Eerste Kamer is final. In the case of Austria, the Nationalrat can overcome the suspensive veto of the Bundesrat by voting with a simple majority if more than half of its MPs are present.²⁹ However, it seems that informal discussions and other means have led to no such objections of the Bundesrat since 1994. The last legislature in which there was quite a conflict between the two houses was during the coalition government between

²⁸) Luethi, op.cit., p.136.

²⁹) Austrian constitution, Art.42,4

the SPÖ and the FPÖ between 1983 and 1986. There were 47 objections to legislative proposals, of which 44 were again upheld by the lower house.³⁰ It means also that the Nationalrat dominates the legislative process. Therefore, there are 28 standing committees in the lower house and just 19 in the upper house. However, the meetings in the upper house are short due to the fact, that most of the decision-making and deliberation is taking in the lower house.³¹ The Dutch General Staten give a final veto right to the Senate or also known as Eerste Kamer. The veto right is used sparingly and avoided, because Dutch parliamentary culture is one of consensual politics. It means, that in reality informal signs at committee stage in the Senate leads to a withdraw of the proposed legislation in order to be reconsidered by the Tweede Kamer, the lower house, and adjust accordingly to the changes indicated by the Upper House. The constitution also demands that government and parliament work together in the legislative process. The whole process starts in the Council of State which reviews the legislative proposal before is sent to the Tweede Kamer. This kind of double check of the legislative proposal before it is put before the parliamentary agenda strengthens the quality of legislation. In this context, the Tweede Kamer is in a better position than the Eerste Kamer. The main reason is that it is more stable in terms of its composition and is also the centre of decision-making. The Eerste Kamer is more of a deliberative chamber.³² This shows that all four parliaments have both formal and informal structures in order to achieve cooperation between government and parliament. This combination of formal and informal structures is certainly an indication of a mature strong parliamentarianism which puts the interest of the population at heart. It also reinforces the cooperative consensual nature of the political system. The best way to find out, is to analyse the way the legislative process is undertaken in practice. Particularly, if government imposes or negotiates legislative bills, and on the success of bills coming from committees or members of the house .

TABLE 7.LENGTH OF PLENARY SESSIONS IN SWISS PARLIAMENT IN BOTH HOUSES

³⁰) Guenther Schefbeck, Das Parlament. In: Dachs et. Al., *Politik in Oesterreich*, pp.139-167; p.154.

³¹) *ibid*, p.33.

³²) Norbert Lepszy, Das politische System der Niederlande. In: Wolfgang Ismayr (Hrsg.), *Die politischen Systemene Westeuropas*. (Opladen: Leske+Budrich 1997), pp.331-364, pp.340-342

VIII Congreso Español de Ciencia Política y de la Administración
Política para un mundo en cambio.

YEAR	NATIONAL COUNCIL	COUNCIL OF NATIONS
1987	272.6	113
1988	276.3	143.2
1989	320.4	133.4
1990	345.3	174.7
1991	342.7	162.3
1992	385.2	208.8
1993	314.9	169.9
1994	316.3	203.7
1995	321.3	186.5
1996	276.3	161.2
1997	327.5	189.3
1998	334.3	194
1999	294.8	160.8
2000	238.05	138.45
2001	298.15	157.1
2002	314.25	194.55
2003	302.25	174.8
2004	310.10	145.55
2005	290.20	183.05
2006	288.50	184.65

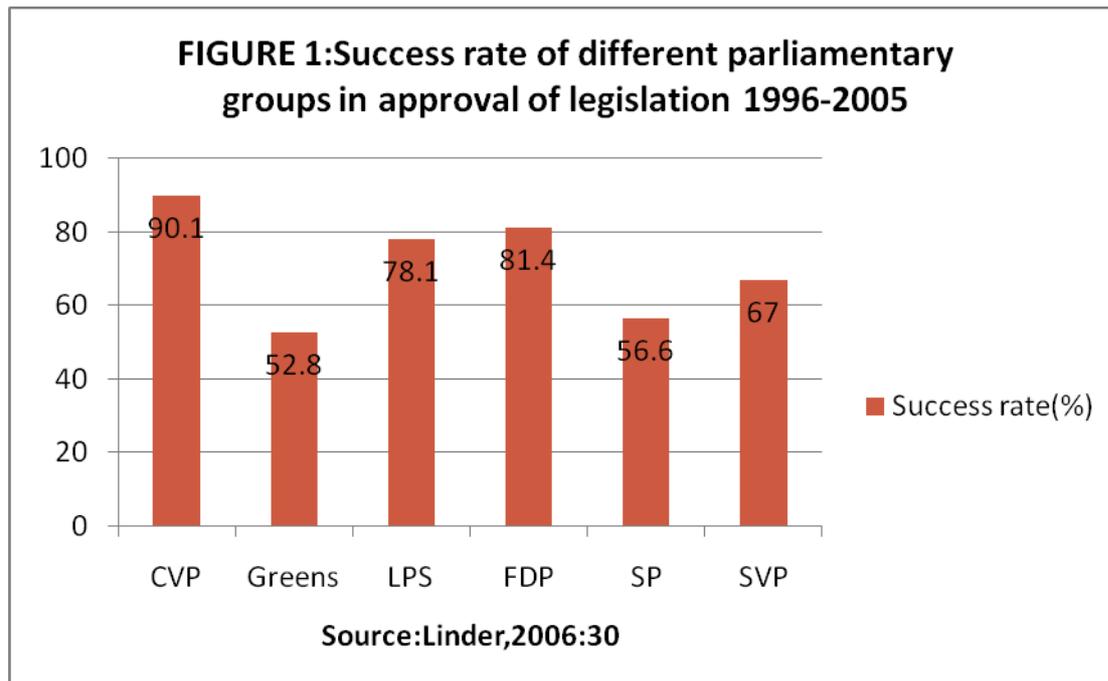
Source:Website of Swiss Parliament. Accessed on 6 July 2007

If we look at the length of sessions in both houses of the Swiss Parliament, we come to a clear verdict on the relationship between the two. There is a higher workload in the National Council than in the Council of Nations. The Council of Nations spend one third less than the National Council in sessions.(Table 7). Like in most other countries the Swiss government dominates the legislative process. However, government is challenged by a very active parliament. According to an excellent study by Wolf Linder, 39.1 percent of legislative initiatives are undertaken by the government, while 60 percent, mainly through motions(27.3 percent) or legislative initiatives(20.7 percent) are brought forward by parliament.³³ Another finding of the study is that the economy, finance and law dominate both the business as well as the voting in the National Council. Together they represent 40 percent of all votes. In contrast, European Union related issues only account for 2.5 percent. It means that the budgetary process and other financial issues are central to the work in the National Council.³⁴ One of the characteristics of the legislative process is that it is quite consensual. The parties represented in the federal council may have different

³³) Wolf Linder, *Mehrheits- und Koalitionsbildung im Nationalrat 1996-2005*. Studie im Auftrag der Parlamentsdienste der schweizerischen Bundesversammlung .Bern:Universitaet Bern, Juli 2006,p.27

³⁴) *ibid*,p.29.

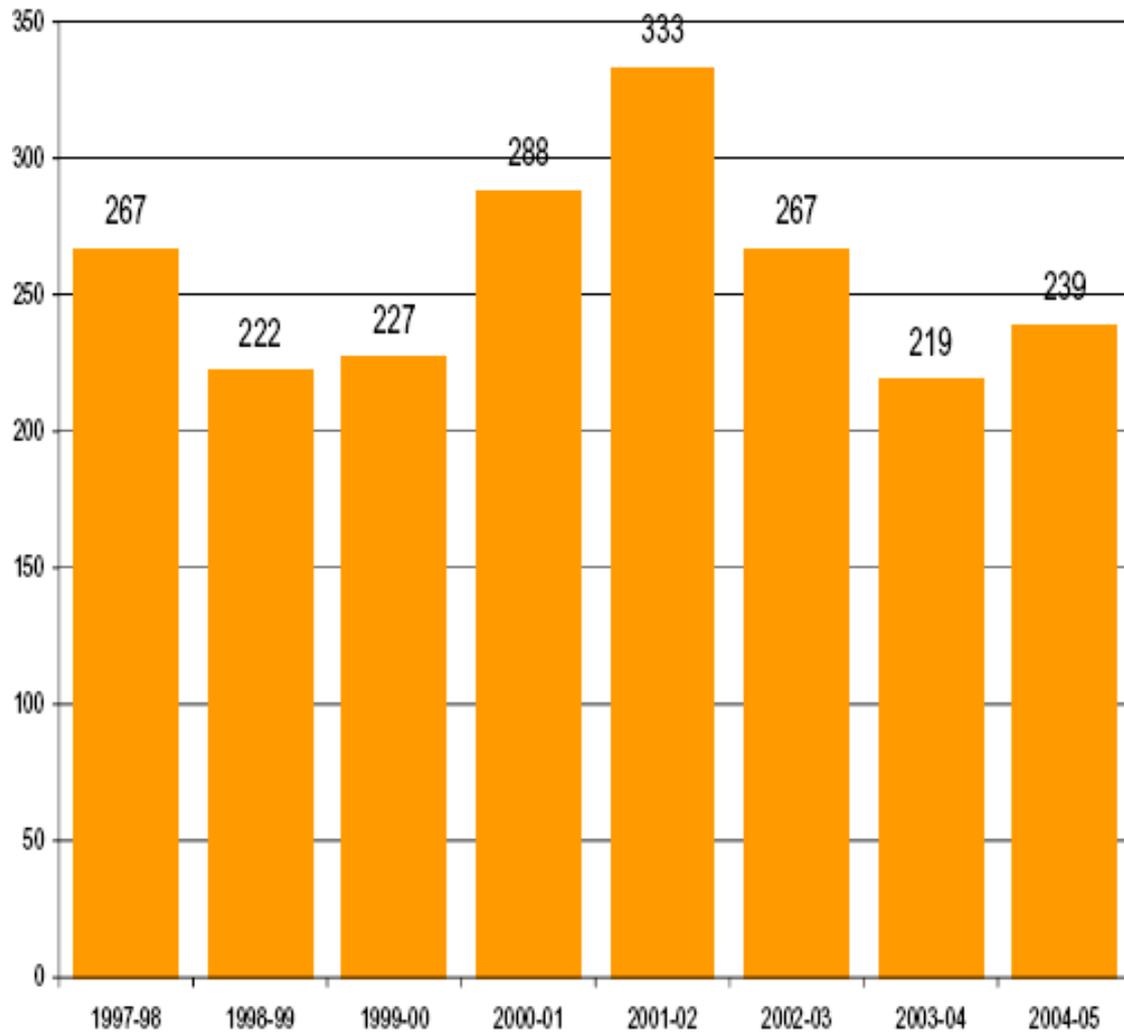
preferences, but there is a strong tendency to support legislative acts in parliament consensually. The only party that has so far been voting outside this consensual framework has been the Swiss People's Party and the Social democrats. While 67 percent of all supported legislative acts by the SVP and 56.6 percent of the Socialdemocrats, the Christian democrats have a 90.1 percent success rate and the liberals 81.4 percent.



Inspite of these differences, one can safely say that the institutional performance in the legislative process in Switzerland is one where there is a high consensus. Even the SVP has a high rate in contrast to other European countries. Naturally, most of the legislation is supported by coalitions of the parliamentary groups. It seems that the Christian-democratic parliamentary group is an important pivotal actor in sustaining this consensual politics. According to Linder, there are two kinds of coalitions and both include the Christian democrats. On one hand there is the rightcentre coalition formation CVP-FDP-SVP which normally leads to the voting on traditional issues such as economy, finance, immigration policy, agriculture. On the other hand, there is the leftcentre coalition formation CVP-Greens-SP, which is used more for education bills, international politics and also the European Union policy.³⁵

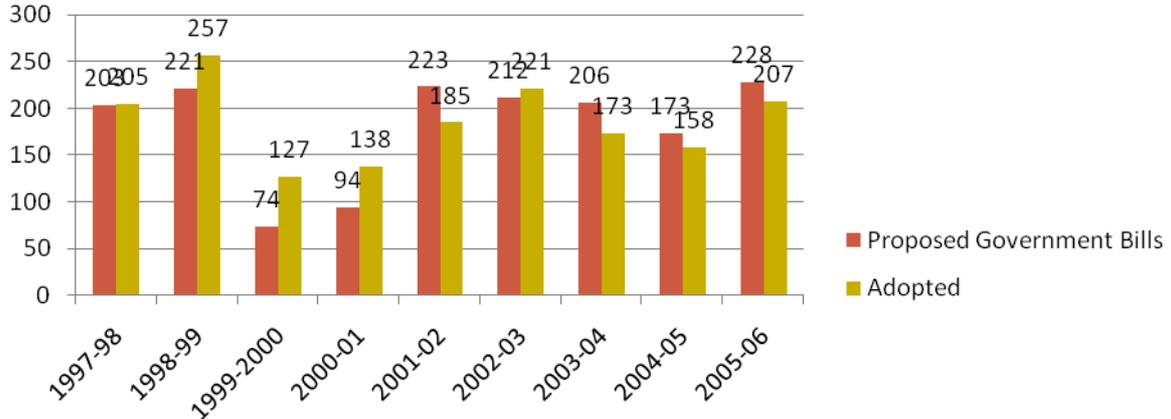
FIGURE 1.LENGTH OF PLENARY SESSIONS IN BELGIAN CHAMBER OF REPRESENTATIVES IN HOURS (1997-2005)

³⁵)ibid,p.52



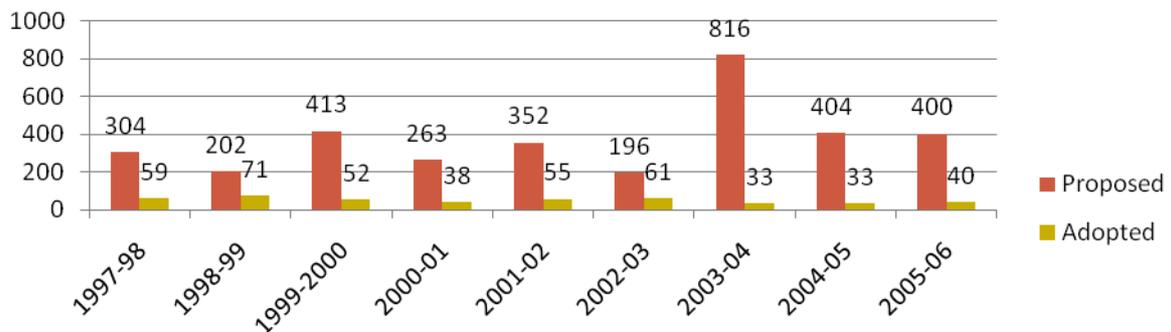
Source:Chambre des representants, La chambre des representants. Fonctionnement.La chambre en chiffre,Fiche Info 13.1

FIGURE 2: PROPOSED AND ADOPTED GOVERNMENT LEGISLATION IN BELGIUM 1997-2005



Source: Chambre de representants, *Rapport annuel 2005-06*. (Bruxelles: Chambre des Representants 2007), p.14.

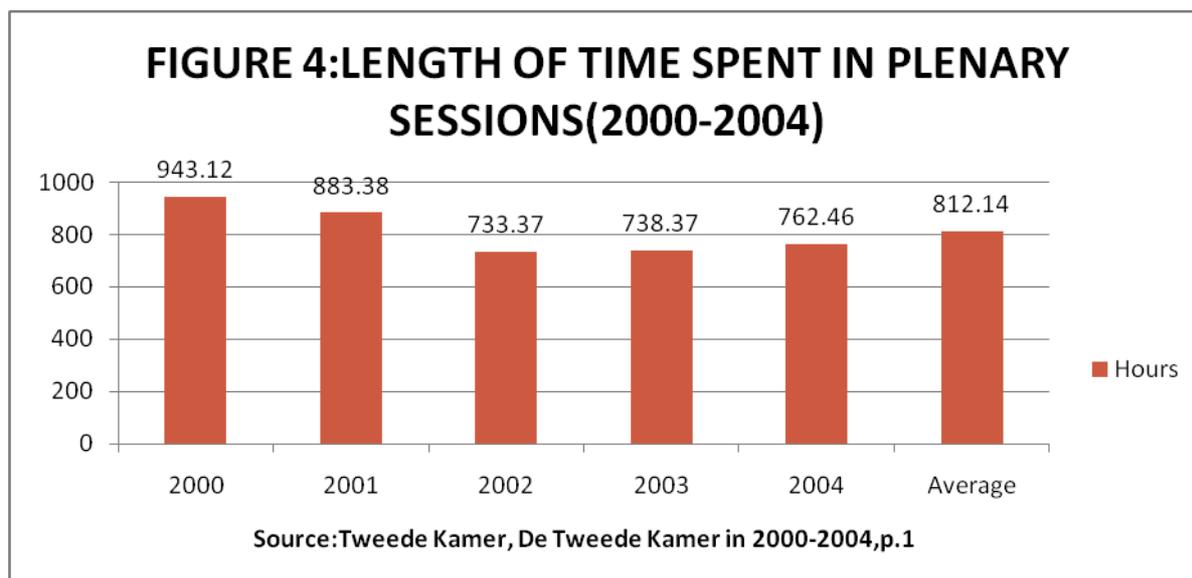
FIGURE 3: PRIVATE MEMBERS' BILLS IN BELGIAN CHAMBER OF REPRESENTATIVES 1997-2006



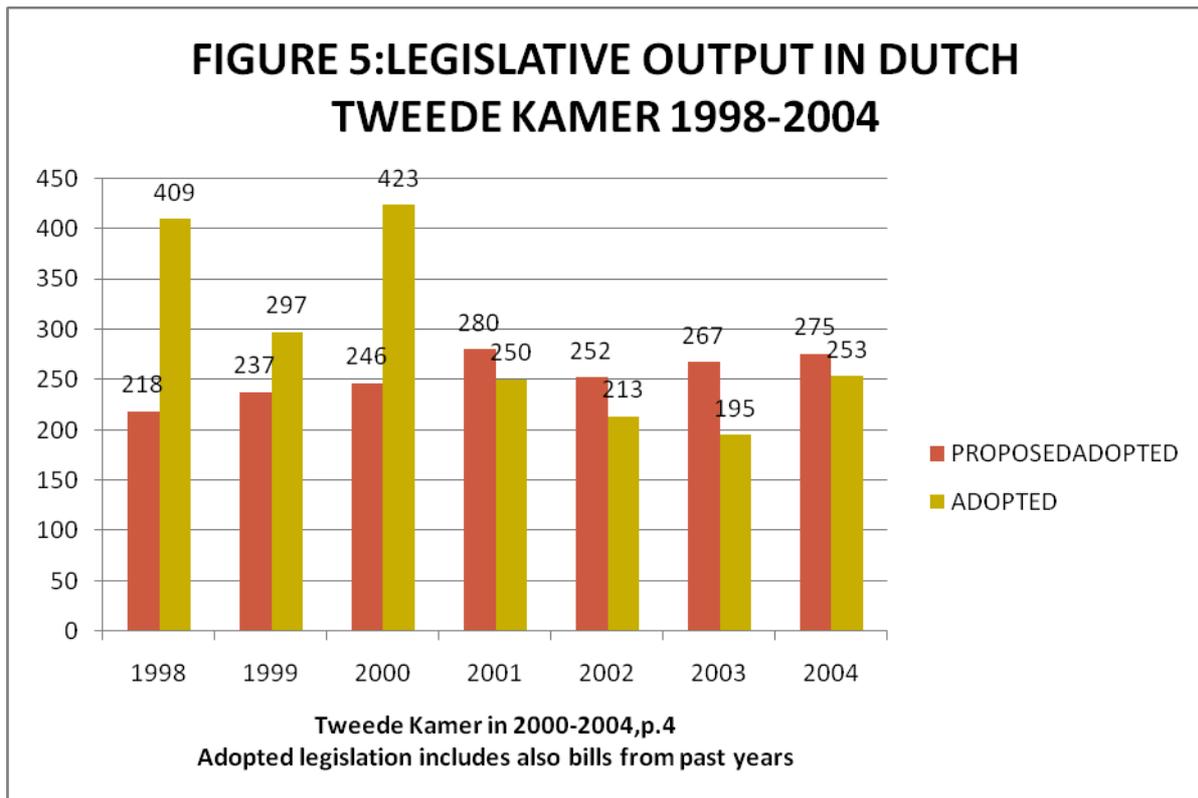
Chambre des representants, *Rapport Annuel 2005-06*, p.14

Here it becomes clear that there is a stronger dominance of the executive in the Belgian Parliament. Private members' bills have very few changes of being adopted. In 2003-04 and 2004-05 only 4 and 8 percent of all private bills were adopted, while government legislation had a much higher rate. The legislative production by the Senate is much lower.

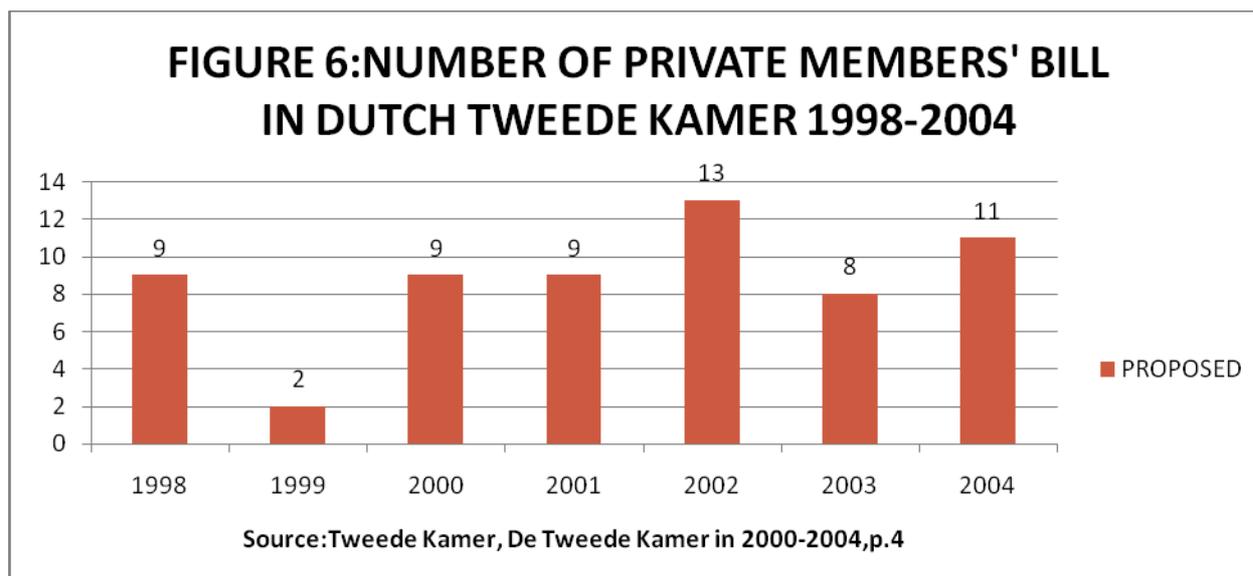
According to data from the Tweede Kamer, Dutch parliament works more than the Belgian and Swiss Parliament. On average, the Dutch Lower House works between 800 and 700 hours over the year. Similarly, the Dutch parliament is also characterised by a strong dominance of the executive. However, there is a large input of parliament in terms of amending and changing the proposed governmental bill. In contrast, there is a lower number of private members' bills and their rate of success is quite lower than the government bills. As already mentioned, Government and Parliament are supposed to work together.³⁶



³⁶) Rudy B. Andeweg, Galen A. Irwin, *Governance and Politics of the Netherlands*. (Basingstroke: Palgrave 2002), pp.127-128.

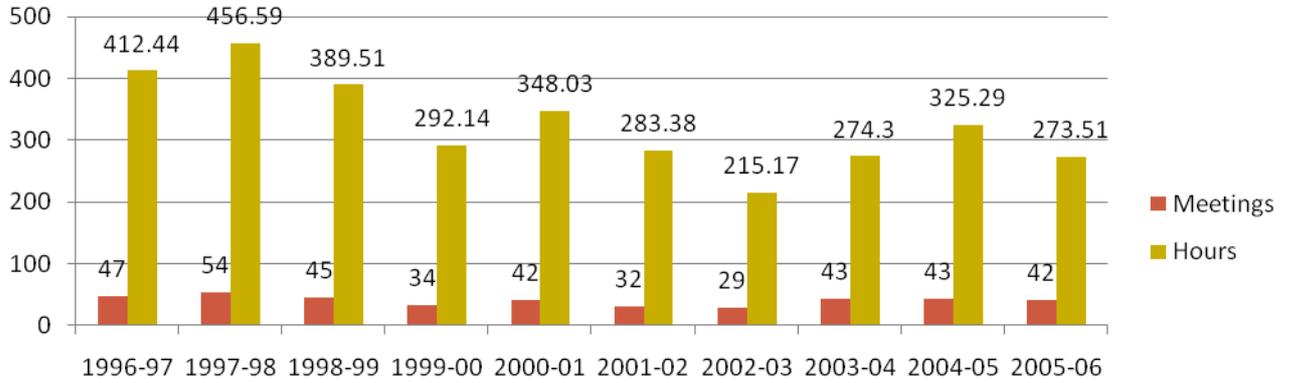


As already mentioned there are very few private members' bills of the total. This naturally shows that the main work in the Dutch parliament is in the committees where amendments to the legislation are made.



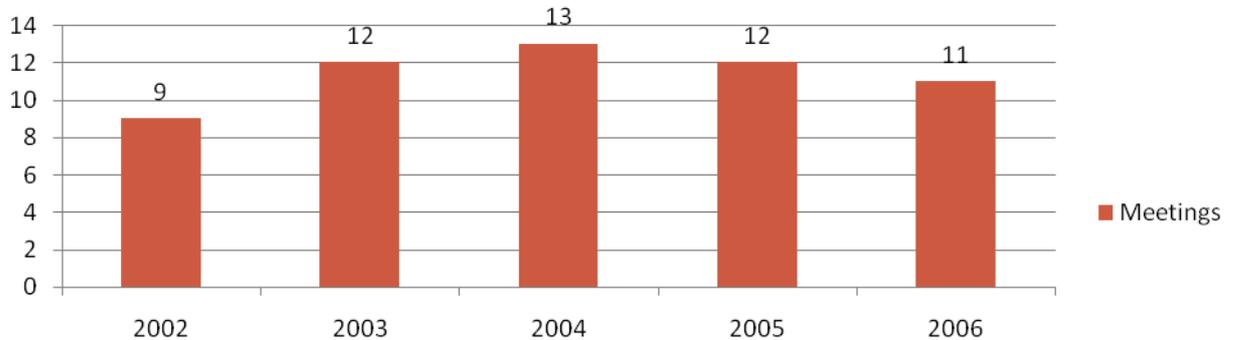
Last but not least, the Austrian parliament is also characterised by the dominance of government legislation, but also here it is the input of parliament at the committee stage that seems to matter. The figures confirm more or less the thesis, that legislation is changed and transformed in order to achieve a broader consensus. In terms of work, it seems that the Austrian National Council is closer to Switzerland and Belgium, than the Netherlands.

**FIGURE 7:MEETINGS AND HOURS SPENT IN
PLENARY SESSIONS AUSTRIAN NATIONALRAT(1997-
2006)**



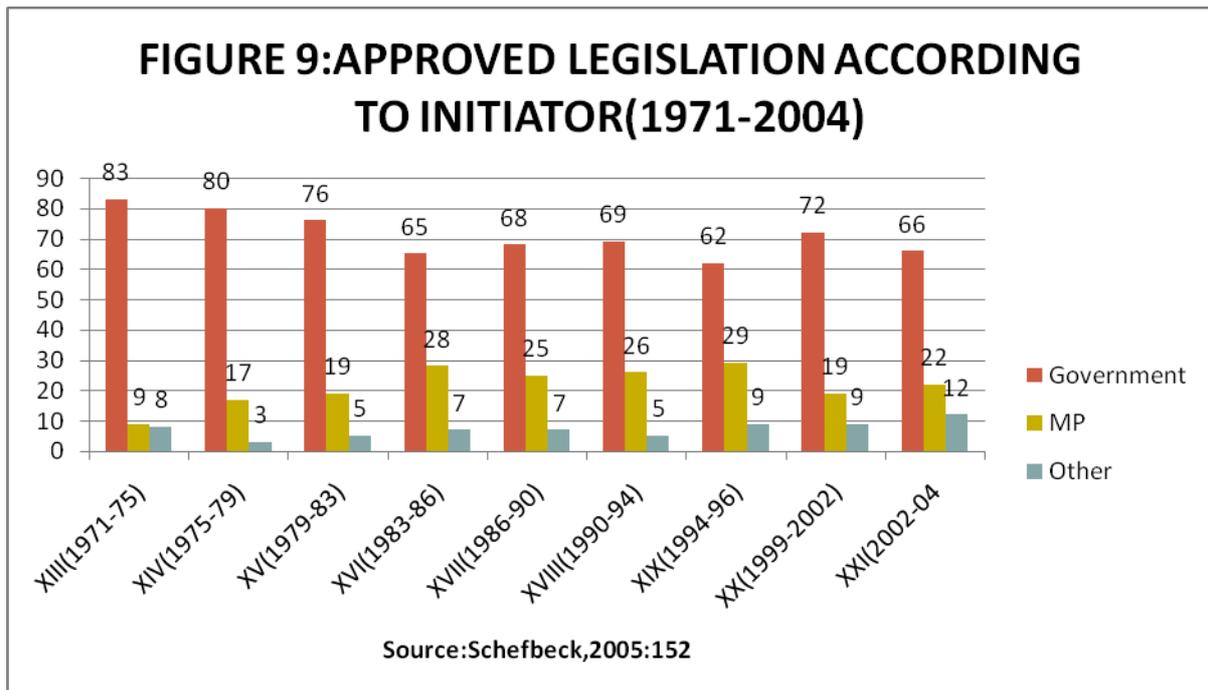
Source:Nationalrat website, accessed on 6 July 2007

**FIGURE 8:Meetings of Austrian Bundesrat(2002-
2006)**

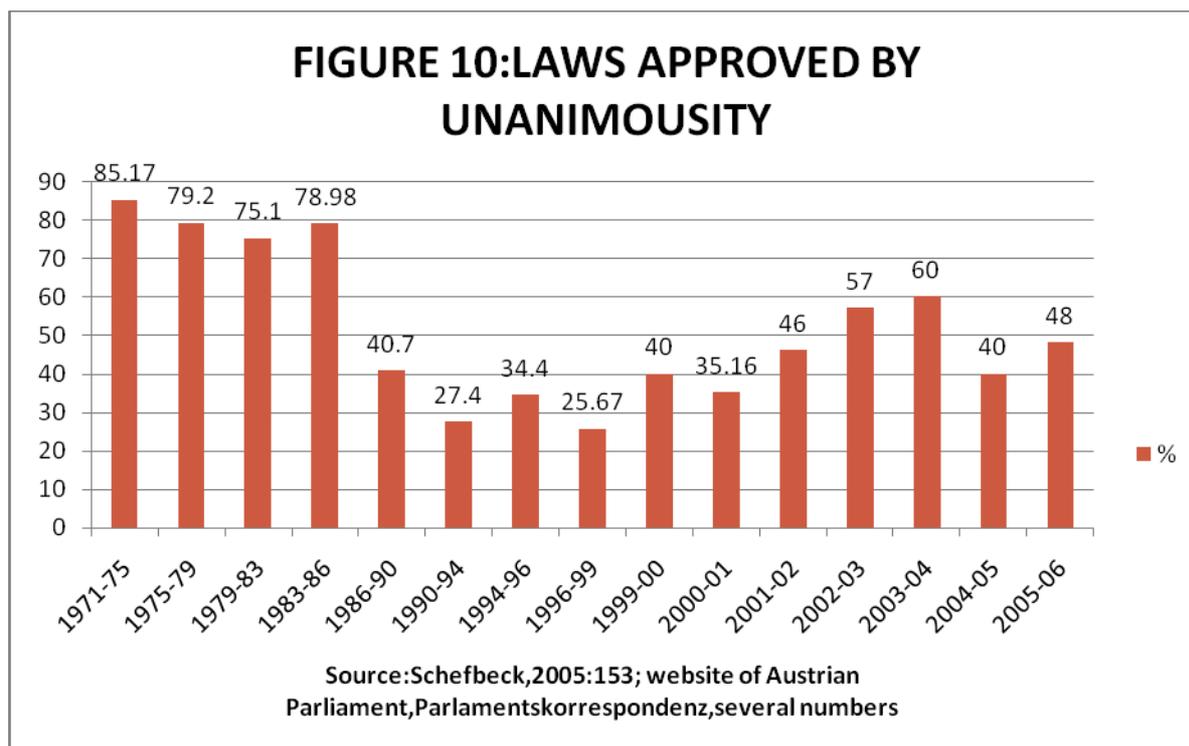


Source:Austrian Parliament website, accessed on 6 July 2007

It shows that the Bundesrat has been so far a low-key second chamber. In terms of legislation, the government dominates the whole process. This is reinforced by a very high discipline of the parliamentary groups. Similar to the Dutch parliamentary culture the opposition tends to work more in the committees and concentrate their power influence in amending and changing legislation. There is also a growing tendency towards informal agreements outside the formal structures of the Nationalrat and the Bundesrat.³⁷



³⁷) Schefbeck, Das Parlament, op.cit., p.153.



One interesting measure of consensus is the percentage of laws that were approved unanimously. One can see from figure 9 that in the 1970s, during the Socialdemocratic absolute majority of Chancellor Bruno Kreisky, the level of unanimously approved bills was between 75 and 86 percent. However, between 1986 and 1996 this figure declines quite substantially. This is the period of single minority government under Chancellor Franz Vranitzky. The grand coalition period between 1986 and 1999 led to an all time low of 25.67 percent. Quite interesting is that the ÖVP-FPÖ and later on BZÖ coalitions between 2000 and 2006 have contributed to an increase of unanimously approved legislation, but still far away from the consensus culture of the 1970s. This confirms that in Austria consensus democracy has become more polarized between left and right. In sum, all four parliaments are working parliaments. They all present still high levels of consensus in the legislative process. While in Switzerland different coalition formations seem to be able to achieve a high level of approval of

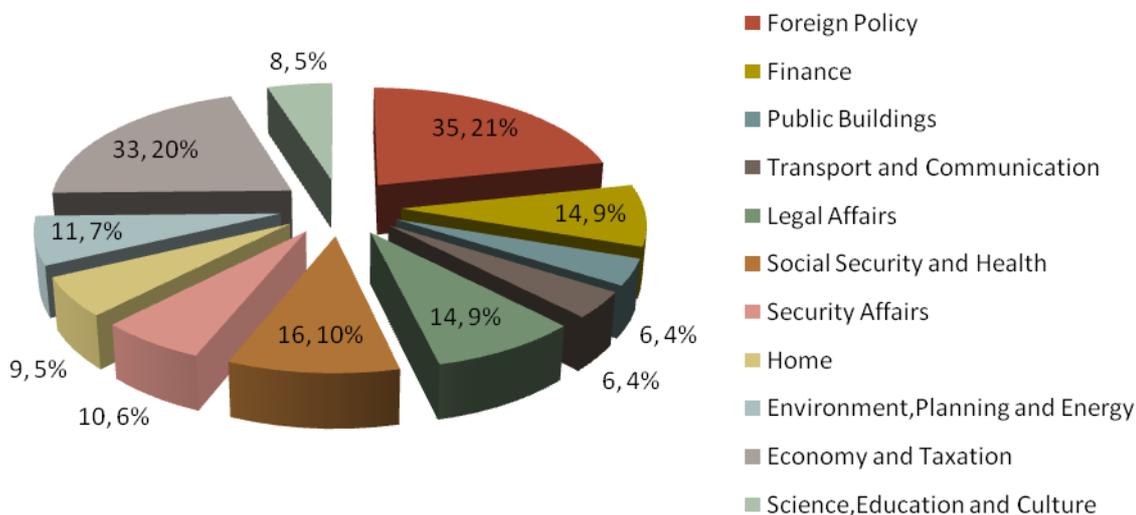
legislation, in the other countries the cooperation is more about amending and changing bills. In the Netherlands, the constitution states that both government and parliament have to work together in order to achieve better legislation. In the case of Belgium, the new constitution has created a symmetrical bicameralism which is still trying to develop its own workings. Discussion of further reform of the upper chamber continues to be on the agenda. As documented, Austria had a very polarized period since the late 1980s, but on the turn of the millennium consensual politics was able to gain more importance, having its impact on the legislative process.

3.2. The role of parliamentary committees in consensus democracies

At the centre of the legislative process are the committees. The amount of time spent in committees is a good indicator of the nature of the parliament. The more time is spent in committee work, this means that the particular parliament may be regarded as a working parliament. Moreover, it is important also to know how much support exists for the individual MP, the Committee and the parliamentary groups. This section will try to find out how important committee work for the parliaments in consensus democracy.

In Switzerland, committee work is quite important. A study by Annina Jegher and Wolf Linder on the legislative process of 162 bills during 1995-1997 shows that the Committees for Foreign Policy and Economy and Taxation are the ones that are busiest in the Swiss National Council. Overall Foreign Policy(20 percent), Economy and Taxation(21 percent) and Finance(9 percent) account for 50 percent of all business. Public buildings and Transport and Communication are the ones with less work.(see figure 11)

**FIGURE 11: BILLS DISCUSSED IN THE
COMMITTEES OF SWISS NATIONAL COUNCIL
1995-97**

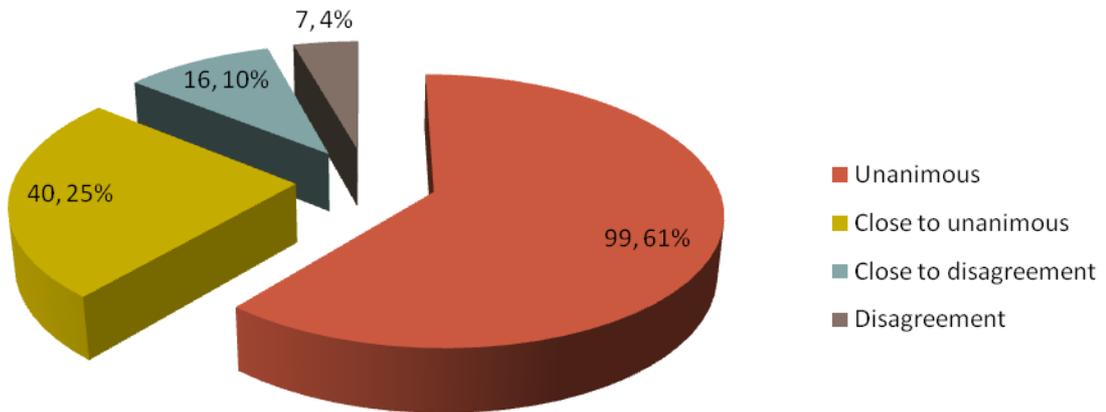


Source: Jegher, Linder, 1998:36

The vast majority of bills are decided by unanimity in the committees and this sets the tone for the continuing legislative process. Just a minority of bills lead to disagreement. The highest level of unanimity can be found in the Committee for Foreign Policy and Environment, Planning and Energy. The lowest level of unanimity can be found in the Finance Committee, the Economy and Taxation Committee and Legal Affairs Committee. However, the consensus is quite higher in the Council of States, but the higher levels of disagreements are also in the same committees. (see figure 12,13)³⁸

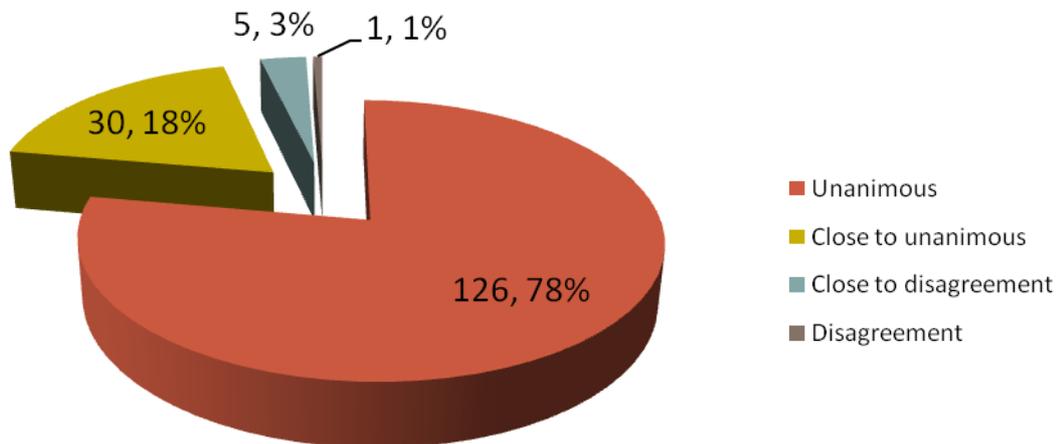
³⁸) Annina Jegher, Wolf Linder, *Schweizerische Bundesversammlung. Ein actives Gesetzgebungsorgan. Eine empirische Untersuchung des Gesetzgebungsprozesses 1995-97*. Bern 1998. Dokumentationszentrale der Bundesversammlung.

**FIGURE 12: LEVEL OF UNANIMOUSITY OF BILLS
DISCUSSED IN COMMITTEES OF SWISS
NATIONAL COUNCIL 1995-97,
N=162**



Source: Jegher, Linder, 1998: 41

**FIGURE 13: LEVEL OF UNANIMOUSLY OF BILLS
DISCUSSED IN COMMITTEES OF SWISS
COUNCIL OF STATES 1995-97
N=162 ABSOLUTE NUMBER, PERCENTAGE**



Source: Jegher, Linder, 1998:42.

Although for Lijphart Switzerland has the strongest parliament in relation to both the distribution of legislative power as well as executive-legislative relations, an excellent study by Heidi Z'Graggen and Wolf Linder on the level of professionalization and institutionalisation shows that the Swiss parliament is one of the weakest in the OECD countries. This becomes evident in the number of hours spent in committee work per MP. The half-professional militia MPs spent quite a considerable time in committee work, but they have very low human and financial resources. Some upgrading of daily payments and funding for research assistantship has improved the situation, but still today MPs wait for office space and other facilities. Z'Graggen and Linder write that in spite of the

hard work of the Swiss MPs they are the second weakest professionalised and institutionalised parliament, only the Spanish Parliament is weaker. This means that they receive the lowest income for their work in the OECD, they have the weakest human and financial resources supporting their work and although they spent more time than Portugal and Belgium, they still remain among the weakest parliaments.³⁹

TABLE 8. YEARLY TIME SPENT IN PLENARY SESSIONS AND COMMITTEES

COUNTRY	AVERAGE PLENARY SESSIONS(OVER FOUR YEAR PERIOD)	YEARLY AVERAGE MEETINGS MP(OVER FOUR YEAR PERIOD)	COMMITTEE PER FOUR YEAR
NETHERLANDS	902	366.7	
SWITZERLAND	298	265.7	
BELGIUM	268	209.3	
AUSTRIA	372	86.7	

Source: taken from Z'Graggen and Linder, 2004:50.

This figures confirm really that Switzerland has a working parliament, in spite of not being supported adequately due to the continuing importance of the militia system. Since decades, a reform of the system is being discussed, but no major change of regime was undertaken. The danger that this may entail is that the 'usual suspect' remain in politics. About one third of MPs are new to the job, and this increases considerably in the upper house.⁴⁰

In terms of human resources there were 146 civil servants working for the Swiss Parliament in 2001.⁴¹ In contrast, in 2004 the Dutch Tweede Kamer had 367.5 people working for the parliamentary groups and 615 civil servants supported the work of the lower house. Among them 222 part-time workers.⁴² In Belgium, in 2006 there were 638 civil servants supporting the chamber of representatives, in addition there were the personnel attached to the parliamentary groups.⁴³

In the Netherlands, the constitutional framework makes it imperative that government and parliament cooperate in the making of legislation. The committee stage is the most important one, and where most of the changes and

³⁹) Heidi Z'graggen, Wolf Linder, *Professionalisierung der Parlamente in internationalen Vergleich*. Studie im Auftrag der Parlamentsdienste der Schweizerischen Bundesversammlung, p.18

⁴⁰) *ibid*, p.36.

⁴¹) Luethi, p.137.

⁴²) Tweede Kamer, *De Tweede Kamer in 2004*, p.8.

⁴³) Chambre des representants, *Rapport annuel 2005-6*. (Bruxelles:Chambre des Representants 2006), p.129

amendments of the opposition can have some success. This fact is also constrained by the power of the Upper House to reject legislation. Moreover, parliament is also constrained by pre-parliamentary informal negotiations which structure the legislative process, before even started. According to Kenneth Gladdish there was a substantial increase of amendments and request for changes since the late 1980s.⁴⁴ Rudy Andeweg and Galen Irwin show that there is a more conflictive approach between government and parliament at committee stage, while in general terms the vast majority MPs regard the relationship as one of cooperation.⁴⁵ Similar processes of pre-parliamentary informal negotiation take part also in Switzerland, Austria and Belgium. Negotiations start within the coalition governments, before it is extended to the opposition parties.

As the Austrian case shows, there is a clear dominant input of committees in the transformation of most bills. Table 6 shows that about 50 percent of all bills have been changed at committee stage.

TABLE 9.AMENDMENTS AND CHANGES OF GOVERNMENTAL BILLS IN COMMITTEE AND PLENARY IN THE AUSTRIAN NATIONALRAT(1966-2004)

	CHANGED BY COMMITTEE	CHANGED IN PLENARY	UNCHANGED GOVERNMENT BILLS	SUM*
XI(1966-70)	51	49		100
XIII(1971-75)	52.2	10.1	38.5	100.8
XIV(1975-79)	49.7	10.7	47.5	107.9
XV(1979-83)	49.2	19.8	46.4	106.4
XVI(1983-86)	51.8	9.6	45.6	107
XVII(1986-90)	54	16.3	41.5	111.8
XVIII(1990-94)	49.4	12.7	46.5	108.6
XIX(1994-96)	35.5	9.2	63.1	107.8
XX(1996-99)	50.8	13.8	36.1	100.7
XXI(1999-2004)	50.6	26.6	31.2	108.4

⁴⁴) Kenneth Gladdish, *Governing from the Centre. Politics and Policy-Making in the Netherlands.* (London: Hurst and Company 1991), p.115.

⁴⁵) Andeweg, Irwin, *Governance*, p.137.

2002)

XXII(2002-04 57.2 24.7 37.1 119.3

Source:Schefbeck,2005:152; Sickinger,2000:165. *) Sum includes also changes made to bills in both plenary and committee, therefore more than 100 percent.

There is a substantial use of subcommittees to discuss details of certain bills. However, over time subcommittees have become less important and informal extra-parliamentary forums have been in charge of negotiating changes. There is a general phenomenon of accelerating the legislative process by bypassing the tedious subcommittees.⁴⁶ Committees are also central to Belgian parliament. The role of the Senate as an equal chamber makes it imperative that legislation is negotiated before it goes through the parliamentary procedure. There are three procedures, the monocameral one, the compulsory bicameral one and the facultative bicameral one. For bicameral issues, the two chambers have a committee of concertation which is designed to achieve compromise about legislation. It means that some legislation can be adopted by the lower chamber. However, coalition government is a major framing factor for a consensual style of politics.⁴⁷

In sum, committees are at the centre of all these four consensus democracies. The Dutch Parliament is the strongest professionalized, while the Swiss militia parliament still has a high level of deficit in terms of resources. In between, are the Belgian and Austrian parliaments which can be considered working parliaments, but work less than the Dutch parliament. The dominance of coalition government frames committee work towards a consensus. It means that there is always the search for a compromise in order to achieve the broadest support for legislation.

3.3. Controlling instruments

The third aspect that we want to study here are the use of control instruments against the government. It is quite difficult to discuss this in terms of the qualitative input of the use of such instruments. However, a quantitative

⁴⁶) Schefbeck, Das Parlament, p.153.

⁴⁷) Lieven de Winter, Marleen Brans, Belgium: Political Professionals and the Crisis of the Party State. In: Jens Borchert and Jürgen Zeiss (eds.), *The political class in advanced democracies. A comparative handbook*. (Oxford: OUP 2003), pp.45-66; particularly p.50

comparison may give us an indication how often the instruments are used. Among these instruments are interpellations, oral and written questions, motions and ultimately the use of committees of enquiry. Here is not the place to make a thorough discussion of these control instruments, just to give an impression of such use in the different countries.

In all four parliaments, written questions are the most important way of controlling government. The Austrian, the Belgian and Dutch parliament have a high level of questioning. The oral questions in all parliaments are less, but Belgium stands out as a very active chamber in this respect. In contrast, the activity in the Swiss parliament is much lower in this respect. There is even a big difference between the National Council and the Council of States. The Council States uses less these forms of control. Overall, both the lower houses of the Dutch and Belgian Parliament are the most active in terms of using control instruments. The structure of the Fragestunde in the Austrian case shows that the allocation of time is done according to the strength of the parliamentary group and therefore it does not show a biased towards the opposition. In the case of the Netherlands, in the year 2003, 26.3 percent were put by the Labour party and 19.9 percent by the leftwing Socialist Party. Both together account for 46.3 percent. In 2004, it had risen to 52.6 percent. It shows that is a frequently used instrument by the opposition. This becomes even more interesting, because the government tends to respond all questions, which shows that the feedback loop is complete.⁴⁸ In the period 2002-04, the Austrian socialdemocratic party has undertaken 61.8 percent of all written questions. The opposition share increases considerably, if we add the written questions of the Green parties than we come to a figure of 94.4 percent.⁴⁹

Last but not least, committees of enquiry are used sparingly by all four parliaments discussed here. They represent the last step towards major problems with government policy or issues that affect the whole country. In Belgium committees of enquiry were quite important during the period of scandals in the late 1990s. The legitimacy of partyocracy was undermined considerably during this period. In the new millennium, committees of enquiry were established to investigate the murder of Patrick Lumumba in the Democratic Republic of

⁴⁸) own calculations based on figures of Tweede Kamer, De Tweede Kamer in 2004, pp. 4 and 6.

⁴⁹) own calculations based on figures from Schefbeck, Das Parlament, p.158.

Congo(2000-2002) and the bankruptcy of Sabena(2001-2002).⁵⁰ In Austria, there were 16 committees of enquiry since 1945. Like in most countries the need to achieve a relative majority for the establishment of such committees is always a major obstacle to their approval. The rationale is related to the fact, that there is always a danger that the opposition may abuse such a right and destabilise unnecessarily the political system.⁵¹

⁵⁰)Chambre des representants, Rapport annuel 2001-2, pp.111-112; Rapport annuel 2002-3,p.111

⁵¹) Franz Fallend, Demokratische Kontrolle oder Inquisition?Eine empirische Analyse der parlamentarischen Untersuchungsausschuesse des Nationalrates nach 1945.In:*Oesterreichische Zeitschrift fuer Politikwissenschaft*,29(2000),2,pp.177-199;pp.182-184.

TABLE 10:CONTROL INSTRUMENTS OF SWISS PARLIAMENT(2003-2006)

	Motion	Postulate	Interpellation	Questions	Parliamentary Initiative	Cantonal Initiative	Motion	Postulate	Interpellation	Recommendation
National Council	960	424	1,161	617	263	36	57	34	2	-
Council of States	80	74	147	24	34	-	31	20	4	1

TABLE 11:CONTROL INSTRUMENTS OF DUTCH TWEEDE KAMER(1997-2004)

	MOTIONS	WRITTEN QUESTIONS	ORAL QUESTIONS
1997	913	1543	105
1998	784	1522	112
1999	975	1674	95
2000	970	1451	96
2001	997	1424	92
2002	1158	1563	99
2003	1007	1678	65
2004	1309	2101	98

Source: Tweede Kamer, De Tweede Kamer in 2000 and 2004, p.4

TABLE 12. INTERPELLATIONS IN THE CHAMBER OF REPRESENTATIVES IN BELGIUM(1985-2006)

LEGISLATURE PERIOD	INTERPELLATIONS IN PLENARY SESSION	INTERPELLATIONS IN MEETING OF PUBLIC COMMITTEES
1985-1988	129	388
1988-1992	114	560
1992-1995	184	910
1995-1999	197	1745
1999-2003	109	1039
2003-2006	25	681

Source:Chambre des Representants,*Rapport Annuel 2005-6*,p.19

TABLE 13.WRITTEN AND ORAL QUESTIONS IN CHAMBER OF REPRESENTATIVES IN BELGIUM(1985-2006)

LEGISLATURE PERIOD	ORAL QUESTIONS	WRITTEN QUESTIONS
1985-1988	332	9,118
1988-1992	671	9,482
1992-1995	975	8,960
1995-1999	1,670	10,110
1999-2003	1,827	7,534
2003-2006	1,489	10,237

Source:Chambre de Representants, *Rapport Annuel 2005-6*,p.21

TABLE 14.CONTROL INSTRUMENTS IN THE AUSTRIAN NATIONAL COUNCIL(1971-2004)

	WRITTEN QUESTIONS	ORAL QUESTIONS
XIII(1971-75)	2,428	
XIV(1975-79)	2,480	
XV(1979-83)	2,553	
XVI(1983-86)	2,365	
XVII(1986-90)	6,095	
XVIII(1990-94)	7,145	
XIX(1994-96)	2,150	
XX(1996-99)	6,797	157
XXI(1999-2002)	4,451	192
XXII(2002-06)	2,502	225

Source:Schefbeck,2005,p.158 for written questions;oral questions from *Parlamentarische Korrespondenz* several numbers, posted on the Austrian Parliament website <http://www.parlament.at> accessed on 6 July 2007

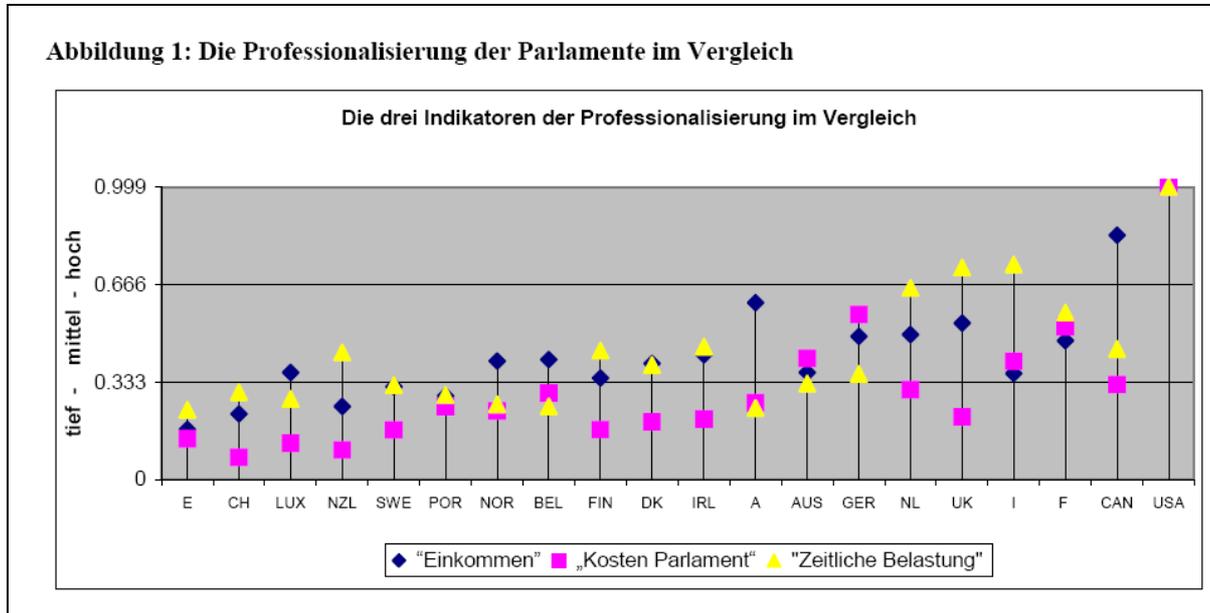
In sum, the control instruments are used differently in the different consensus democracies. It seems that the Netherlands is the country that is more active in controlling the government. Belgium and Austria take an in-between position, while Switzerland gives the impression of being weaker in controlling the executive.

4.CONCLUSIONS:PARLIAMENTARIANISM IN CONSENSUS DEMOCRACIES

This paper intended to compare parliamentarianism in four classic consensus democracies. It shows that there are big differences between them. In terms of professionalization and institutionalisation, the Swiss parliament is the weakest, while the Netherlands is the strongest. Belgium and Austria take an in-between position. This is confirmed by a study by Z'Graggen and Linder on 20 OECD countries. However, all four parliaments can be considered as working parliaments. Committee work is at the centre of all parliaments. Committee work is quite important in the Netherlands and Switzerland. There is also a strong input of the Belgians in committee work. At the bottom is the Austrian parliament, in which MPs spend the less time of all other countries in committees. In terms of the legislative process, all four countries are framed by coalition government. It means, that there is a strong inclination towards cooperation and consensual agreement. In the committees, different parliamentary groups make an effort to achieve agreement and government parties are willing to allow changes. However, in all four countries informal processes and negotiations parallel the formalized structures and processes. The so-called 'pre-parliamentary' period of the legislative process has gained in importance over time. In terms of control mechanisms in relation to the work of the government, all four parliaments use the instrument of written questions. Oral questions are used less and they are designed for a wider audience.

A final assessment of this study, shows that the Netherlands is the strongest legislature of all four, followed by Belgium, Switzerland and Austria. This has to do also with the structure and constitutional framework of the political system. Switzerland could be the strongest parliament, but the militia system makes it very difficult for MPs to work even more on behalf of the electorate.

ANNEX:THE LEVEL OF PROFESSIONALISATION OF PARLIAMENTS IN OECD COUNTRIES(2004)



Source:Z'Graggen,Linder 2004:18

1.Income; 2.costs of parliament,;3.workload