Strengthening Parliamentary Institutions:
Australia in Comparative Perspective

This three-year Australian Research Council-funded project builds on a partnership between the ANU and the Commonwealth Parliament to establish a research community of parliamentary analysts to improve international understanding of processes of parliamentary innovation and modernization. The theoretical aim of this project is to revise and renew political science theories of parliamentary capacity-building. The practical aim is to improve governmental and non-governmental strategies of democracy-assistance through analysis of success and failure in institutional strengthening of parliaments, based on lessons arising from Australian change processes.

The research team (Australian and international researchers of parliamentary institutions) will locate Australian experiences of parliamentary change in a wider international context of comparative parliamentary studies. Although theoretically ambitious, this project will keep its eye on feasible outcomes, taking inspiration from specialist agencies like the Parliamentary Centre in Ottawa, Canada (www.parlcent.ca) with its policy-advisory research on 'what works' in the field of legislative strengthening (see also WBI 2002). Parliamentary strengthening refers to a parliament's ability to exercise powers ever more independently of competing political powers.

Aims and background

The fundamental research question is: what are the causes of success and failure in parliamentary capacity-building associated with attempts to modernize and strengthen parliamentary institutions? Explanations of institutional change vary, of course, according to specific political environments: parliaments differ in their prospects of capacity-building depending on the political environment and electoral system (Reynolds, Reilly and Ellis 2005; Farrell and McAllister 2006). But the Australian Parliament offers special advantages to parliamentary scholars. Within a stable constitutional environment, the Commonwealth Parliament has experimented with many institutional variations of its core values: including bicameralism, federalism, constitutionalism, strong party government but also proportional representation, compulsory voting, public funding of political parties, independence of parliamentary administration and independent parliamentary officers like the external auditor and the ombudsman, and so on.

How can one explain institutional change that strengthens parliamentary capacities? Under what conditions will parliaments adopt changes that strengthen their capacities for institutional initiative? One hypothesis might be that parliamentary strengthening can be explained in terms of the density or degree of concentration of what might be termed 'parliamentary professionalism': ie, career specialisation by parliamentarians as holders

of parliamentary offices rather than executive offices. The greater proportion of a parliament's members who are not holders of executive offices, then the greater might be the potential for legislative strengthening. Whether the relevant political parties have the political will to strengthen legislative capacities depends in turn on the range of institutional powers open to them. Freedom from executive domination appears important in how elected politicians think about the roles of 'professional parliamentarians': eg, as chairs and members of investigative committees. Thus the extent of 'professionalism' might indicate potential for institutional initiative. 'Professionalisation' can be measured by the range of, and tenure in, non-executive offices established in a parliamentary institution. In this possible explanatory hypothesis, the crucial measure of parliamentary strengthening is the extent of career specialisation established by parliamentarians. One could further hypothesise that the extent of specialisation-led strengthening will increase as parliaments become: larger; bicameral; diverse in systems of electoral and party representation; open to more offices subject to independent remuneration; and constitutionally responsible for a wider range of legislative decisions.

Research questions

The project's leading research questions deal with patterns of change in three broad functional areas common to parliaments around the world: changes in the functions of parliamentary representation (eg, broadening the representation of community opinion); of law-making (eg, wider use of specialist legislative committees such as the Main Committee in the House of Representatives); and of parliamentary accountability of executive government (eg, more robust examination of ministerial and bureaucratic accountability). These three functions formed the organizational focus for Uhr's *Deliberative Democracy in Australia* and have since been taken up internationally by UNDP (UNDP 1999), USAID (USAID 2000, 7-8) and the Canadian Parliamentary Centre's 'parliamentary report card' (see eg www.parlcent.ca/indicators/index_e.php).

The research strategy arises from the research partnership: to draw on resources and expertise in the Commonwealth Parliament and test a series of case reports from 25 years of Commonwealth parliamentary innovation against international concepts of parliamentary capacity-building. The project involves a blend of Canberra-based case investigations by parliamentary researchers, wider Australian investigations of related parliamentary developments by Australian academic researchers, and international analysis of comparative parliamentary modernization, including evaluation of the limits of Australian lessons for democracy-assistance schemes, by international academic researchers.

The project's rationale is that evaluation of change processes in the Australian Commonwealth (since 1982, the last full year until 2005 when a government had control over both parliamentary houses) can substantially improve our understanding of the dynamics of parliamentary change and so improve prevailing models of parliamentary capacity-building (Uhr 2005). Those with practical responsibility for promoting democracy often express their uneasiness with the US-bias of much of the academic literature on legislatures, which can apply inappropriate models of what a 'strong'

legislature looks like (Seidle and Docherty 2003; Docherty 2005). Hence the international relevance of the Australian experience of success and failure over recent decades of promised capacity-building (Dryzek 2002): in this instance, as a valuable case study of a national legislature with over a century of experimentation in combining 'Westminster-derived' elements of responsible parliamentary government with 'US-inspired' elements of federalism and bicameralism (Stone 2005; Patapan, Wanna and Weller 2005).

Innovation

The terms 'capacity building' and 'institutional strengthening' are the current terms of art used in international political science to refer to the process of knowledge-based improvements in the independence and integrity by institutions of democratic governance (see eg; USAID 1997; AusAID 1997; USAID 2000; IPU 2003; World Bank Institute 2004; UNDP 2005). From a democratic perspective, almost all contemporary institutions of governance can be strengthened by enlarging their capacity to make constructive contributions to democracy. As is emphasized in the institutional strengthening literature, the three branches of government (legislature, executive and judiciary) do not operate as completely separate and independent institutions but instead as interdependent institutions sharing many governance powers (Mauro 1997). International political science has long recognized a basic distinction between 'weak' and 'strong' legislatures, with a traditional implication that Westminster-derived parliaments tended to be at the 'reactive' and weak end of the range -- certainly when assessed against the implicit benchmark of the 'active' US Congress (Mezey 1990; Uhr 1999; Binder 2003; Davidson 2003; Polsby 2004).

The project's significance is the theoretical ambition to overhaul international concepts of capacity-building in parliamentary institutions, with the aim of improving practical schemes of democracy-assistance through new understanding of the institutional dynamics of parliamentary innovation and modernization (USAID 2000, 2005; Uhr 2003; AusAID 2004; Morgan 2005). The project's innovation arises from the partnership with the Commonwealth Parliament, itself intent on forming an international research community to make use of the Commonwealth experience to identify international lessons about parliamentary strengthening. Many of the best recent theoretical research has come from researchers either working in or placed in a parliamentary environment where they have been able to see the larger theoretical relevance of parliamentary practice (see eg Reid and Forrest 1989; Lynch 1999; Bach 2003; Grundy 2003; Hughes 2003; Maley 2003; Russell 2003).

Internationally, there is now some urgency in identifying fresh models of institutional strengthening that are more closely aligned to the potential of parliamentary regimes (UNDP 2005; Uhr 2003; Uhr 2005). Thus one important innovation is the provision of Australian parliamentary evidence to international audiences. This project greatly expands the international availability of Australian evidence, responding to growing international interest in Australian parliamentary institutions. The Australian Parliament is increasingly looked to as a source of international instruction: of what works, of what does not work, and of what can and can not easily be changed (Uhr 1998; Lijphart 1999a;

Halligan et al 2001; Sharman 2002; Uhr 2005). The Australian Commonwealth Parliament has begun to feature as an interesting composite parliament, worthy of international attention (for the UK see Russell 2002; for the US see Bach 2003; for Canada see Smith 2003) for its unusual and largely unnoticed history of institutional innovation (Lijphart 1999b). It is notable that all of these changes have developed largely without formal alteration of the relevant constitutional provisions: these changes are classic examples of institutional strengthening, even if (or perhaps because) only some have delivered on their original promises (see eg Uhr 1998; Maddox 2000; Uhr and Wanna 2000).

Fields of research

The project will investigate patterns of institutional change affecting, positively or negatively, performance across three core parliamentary functions:

1. *Parliament's function as a representative institution*: what changes have strengthened or can strengthen institutional capacity for more effective political representation of Australian citizens in parliamentary processes of national self-government? To be investigated through research into such issues as:
* Public attitudes to and expectations of Parliament and parliamentary inquiries
* Capacities of electoral and party systems to promote inclusive forms of participation
* Parliamentary innovations in public participation and e-democracy

2. *Parliament's function as a legislative institution*: what changes have strengthened or can strengthen institutional capacity for more effective legislative processes required by Australia's developing national and international interests? To be investigated through research into such issues as:
* The effectiveness of legislative processes for primary and delegated legislation
* Lessons about best practice in the many types of legislative committees
* Innovations in intergovernmental dimensions, domestic and international

3. *Parliament's function as an accountability institution*: what changes have strengthened or can strengthen institutional capacity for more effective accountability of executive government to Parliament and through it to the community? To be investigated through research into such issues as:
* Innovations in collective and individual ministerial accountability
* Innovations in inquiry and reporting strategies by committees
* Lessons about best use of accountability agencies reporting to Parliament (eg, Australian National Audit Office; Ombudsman)

The place of parties

The project recognizes that party politics is at the heart of 'institutional strengthening': something not prominent in the existing literature (see eg WBI 2002, 2004; AusAID 2004; and generally the UNDP site 'capacity.org'). The Partners are uniquely placed to bring elected members and former members into the research community. Members of

parliament are the trustees of the representative system, the authors and justifiers of institutional change, and they can bring their distinctive insider-knowledge of parliamentary dynamics to the project (eg Hamer 1994; Coghill 2001 and 2002; Beazley 2002; Rozzoli 2002; Andrew 2003; Gillard 2004; Brandis 2005). With the generous assistance of the Commonwealth Parliament, the project will bring together over a three year cycle a wide range of researchers: parliamentary officials on secondment, preparing case studies of institutional changes strengthening or weakening parliamentary capacities; parliamentary researchers from around Australia with an interest in change processes in the Commonwealth and other Australian parliaments; and international researchers capable of locating the Australian experience in a wider comparative context of parliamentary studies. Academic researchers will have much to teach many parliamentary officials; but so too, many academics will have much to learn from parliamentary officials. The Linkage partnership will be a genuine if quite rare exercise in research collaboration, with the ANU taking the lead in providing the right environment for first-class research: through the three streams of research activity; through the publication of regular Discussion Papers, the holding of regular research workshops and conferences of wider public appeal, designed to attract media and community attention.

Who benefits?

Participation in this project will not only build bridges between the Commonwealth Parliament and the ANU, but also establish a research network of national and international scholars interested in Australian parliamentary developments. The Parliament is already a research institution in its own right, with elected members working with many research staff employed by the parliamentary departments. Most existing parliamentary research facilities are externally-focused, giving Parliament greater capacity to participate in public policy debates. But this partnership is unusual: it establishes a research community to investigate parliamentary effectiveness and the public role of Parliament itself.

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