

the competitive game are meant to operate within many democratic institutions and networks -- electoral, representative, governmental -- the emergence of those rules constitutes only the first necessary steps of institutionalization. Viceversa, and more to the point I wish to make, we do not have to wait for institutionalization to be well advanced, before claiming consolidation.

For example, a new democracy whose essential players include none who are recalcitrant should define its rules of the game rather swiftly (and without special crafting). Nevertheless, institutionalization will have to take its time. A good case in point could be West Germany. Let us take, on the other side, a difficult case of democratization -- El Salvador being just one fitting example. The country has had a democratically elected government for years, but crafting has failed, and we do not have a democratic regime yet. Hence, here, the point about institutionalization is not that it is taking its time; the point is that it cannot proceed. These examples bring back my previous points that consolidation benefits from being concluded swiftly (though, witness El Salvador, it may not), and that in any case the process is logically part and parcel of the first phase of democratization. There is an instinctive inclination to think of consolidation as something that follows a phase of democratic transition. But, though the distinction has some immediate convenience, it is largely illusory. The reason we think of the two phases as following each other is that we have difficulties shaking off the strong assumption that consolidation is closely

enmeshed with protracted processes of institutionalization. Once we accept that the relation is not a symbiotic one, we can then look at consolidation as the awaited crowning of the transition itself. It stands to reason that a transition should not be declared automatically over when a first democratic government is elected, or when a constitutional assembly gathers, but (I am thinking again of El Salvador) when competition is no longer at issue. Whether the election of a democratic government or, more likely, the gathering of a constituent body have an impact on closing that issue, is an empirical question to which I shall return.

But the more interesting side about consolidation and institutionalization is not their sequencing; it is their casual relation. In fact, my discussion of phases has already suggested a reversal of the argument that places institutionalization at the roots of consolidation: instead, the removal of the breakdown potentials from the competitive issue has now become necessary and sufficient for institutionalization to proceed -- especially for those institutions and networks encompassing the competitive game. Once the players have entered into the spirit of the democratic bargain, the drama of a potential breakdown is gone, and the routinization of the bargain through institutions and institutional networks will be under way. I should stress, however, that the implications for democratic institutions are less mechanical and straightforward, and possibly more intriguing, than my statement suggests. Institutionalization is not a residual process, and institutions are not inert

containers. The way in which consolidation comes about, the strains and sacrifices that accompany it, tell us much about how institutionalization may proceed, but do not tell us everything. Further, institutional processes may have their own impact, at times greater than others, on how the democratic game is continued. I shall offer two reasons why this should be so. First, the process of translating the terms of the democratic settlement into institutional roles and routines is prolonged and somewhat open. We are dealing with emerging institutions, whose future performance is still in the realm of the probable and expected. This means that whether the risk of a breakdown stays out of the agenda of a new democracy depends also on how institutions turn out. Thus, on one side, as institutions emerge, they should become coveted per se, should make chances that players would reverse themselves ever more remote, or should render inoperative any reservations that players may residually hold. On the other, such players' "socialization" (following, as it were, their recruitment in the game) remains contingent, and consent relies on institutional performance.

This contingency is the more clear if we remember, with Rustow, that (second reason) the democratic compromise is a second best choice for practically all competing players. That is to say that the compromise is instrumental and calculated, and must, on this ground too, be tested against performance.¹⁵ My assertion is not meant to bring back through the backdoor the risk of a breakdown in the phase of institutionalization. Once the players have entered into the democratic bargain, and once

its translation into institutions and networks is under way, I am still arguing that the drama of a breakdown is largely gone. More precisely, the risks of a breakdown must be placed in a new and more constrained perspective -- the perspective given by the new phase. Therefore, my assertion is rather meant to stress that as new institutions begin to emerge and to operate, their manner of operation will constitute more and more the relevant criteria for testing the compromise -- even for reluctant players. In other words, almost by the nature of democracy as an open and open-ended game, testing will progressively occur on democracy's own democratic terms. It will come, less dramatically, from within, as it were, the democratic compromise.¹⁶ But since testing will involve institutions and processes, it may have consequences of its own, possibly unanticipated, for institutionalization.

Under some circumstances, testing the democratic compromise against institutional performance is not that "difficult". It may be occasional and implicit, and may accommodate considerable variation around institutional arrangements, considerable uncertainty around expected outcomes, and considerable tolerance for a string of defeats. This should be the case when the original convergence on the rules of the game involves preponderantly players with a largely implicit bias for democracy. In such a case, not only is consolidation achieved early and smoothly, it also opens no particular issues of lingering contention for the emerging institutions. Under other, and in fact more common circumstances, a whole assortment of

recalcitrant or uncommitted players may be induced to subscribe to these rules, with second best sacrifices that are not sustained by an instinctive bias for democracy. This may leave substantial fuzziness concerning the terms of the compromise, and its exact interpretation. Players may pull on those terms and, later, on how they are being implemented institutionally, more than is naturally expected of players in a competitive context. Here, more interesting vistas open up, as embarking upon institutionalization shows the extent to which the beginning of the democratic game may reflect a constrictive stalemate of contrasting expectations.

One institutional outcome is that contrasting expectations and understandings disappear more or less of their own accord, by informal accommodations and without dogged renegotiations, during the phase of institutionalization. After all, routinization has its ways of socializing players, clarifying norms, reshaping roles, beyond original projections. In such a case, institutionalization serves to perfect and improve upon the original game. One example could be Greece as it moved from conservative to socialist governments. What appeared to be a democratic system slanted in a presidential direction and unappealing to the socialists of PASOK, has evolved into a fully accepted more genuinely parliamentary system. But matters may not always work this smoothly. Given a constrictive stalemate to begin with, institutionalization should have its share of problems. Can institutions still respond; is there a range of responses? In one, rather unpromising scenario, best exemplified

by the Portuguese transition to democracy, an excessive concern with the terms of the democratic agreement may call upon wary and reluctant players to work out early on -- in constitutional or preconstitutional pacts -- a rather elaborate and detailed set of competitive rules, including perhaps -- as in Portugal -- rules "monitoring" competition by means of a special institutional guarantor (the army, a joint council or junta of sort). The rules should reconcile -- in the relations between institutions (electoral machineries, parties, parliaments, governments, presidents, guarantors) but often within the same institutions -- contrasting expectations of government versus opposition, governments versus presidents, elected institutions versus self-appointed guarantors. Hence, operational difficulties will surface exactly when those rules must be implemented within institutions; as Portugal's problems with its unwieldy constitutional pact show. Though it may be too little or too late to pull out, one response, pursued in Portugal, is to renegotiate the original agreement, perhaps with the help of change in the relative popularity of players. In the mores, institutional processes fail to acquire value and coherence; though in failing they also help reveal the problems created by the direction that the bargain first took. But in another scenario, that concern with the terms of the competitive agreement may lead to exactly the opposite strategy: no painstakingly detailed pacts to begin with, but a broadly couched agreement a futuro so as to increase the interest in entering the game.¹⁷ Here, the most intriguing possibility, if the fuzziness

thus engendered does not go away of its own accord, is to let fuzziness be, agree to disagree, and continue to argue. Trying to clarify and pin down the agreement once and for all, we know, has costs that are not always palatable or necessary. Somebody will be called to previously hidden sacrifices. Or it may not be possible, given an unchanging balance of forces. If properly understood and put to use, fuzziness has, on the other hand, its merits -- as readers familiar with my work, especially on Italy, may appreciate. In a nutshell -- but the matter will reappear in my treatment of parliaments -- learning to live with fuzziness is giving the reasons for fuzziness a political dignity of their own. It recognizes the essential role of all players, even as they entered the compromise from different perspectives. And it calls for a degree of muddling through and accommodation in institutional implementation and performance that makes that recognition operative. All of this is of substantial value exactly because, as already stated when discussing the reproduction of consent, fuzziness invites a more demanding and continuous testing of institutions.

But with this, notice that we have come to a counterintuitive conclusion, especially if one moves from a close equation between consolidation, institutionalization, democratization. Poor institutionalization -- especially a degree of incoherence in single institutions and in institutional networks that encompass the competitive game -- is not always and entirely detrimental to democratic stabilization. It can be a passive and inert cost of bringing reluctant players in the game.

Better than that, it can be in fact a somewhat virtuous and somewhat fortunate, if not an entirely willed, outcome of the need to keep players in the game. Further, poor institutional coherence may give institutions, strange at it seems, a value of their own in the eyes of contrasting players.

ON PARLIAMENTS

Much of what I am about to say regarding the place of parliaments in democratic consolidation is already contained in, or can be derived directly from the first part of this essay: from my minimalist view of consolidation, and from my call for a more guarded distinction between strategies of consolidation and processes of institution building. To restate my case, we must distinguish between the role of parliaments as agents of consolidation, and their role as agents-subjects of institution building. It is in regard to the latter role, more than in regard to the former -- when parliaments are themselves still in fieri -- that they reveal more fully their importance as institutions, by the way they weigh on the reproduction of democratic consent.

Bearing on parliaments as agents of consolidation, what understandably captures the attention of the analyst is that parliaments are elected. Elections being the benchmark of the competitive game, it stands to reason that the election of a first parliament, especially in a parliamentary system and especially if entrusted with constitution-making power, should

bring consolidation closer. Yet, there are limits: in more cases than we realize, parliaments can either be institutionally insufficient, or an unnecessary surplus in removing breakdown games. To be sure, there are good reasons why moving the democratic transition toward "founding elections" should have consequences for consolidation. As Guillermo O'Donnell and Philippe Schmitter well argue, calling for elections, and by extension putting the first representative body to work, means that political parties should emerge at last as the central political actors; that their attention should shift to the more orderly and constructive businesses of building diverse national support and defining-implementing the rules of contestation; that even a prospective opposition should have an added incentive to sacrifice the support of more radical groups and reluctant players, in the interest of finally holding elections and securing representation from the very start.¹⁸

All of this is eminently sensible, but it is based on an obvious and yet insufficiently stressed assumption. The assumption is that, in one way or another, explicitly or implicitly, willy-nilly, the significant parties have already come to an understanding, before entering the elections, that the electoral context will offer tolerable chances of representation to all, and that the newly elected body will act to constitutionalize the rules of contestation.¹⁹ If so, it does stand to reason that the convening of that body and its works should further strengthen previous commitments to the game. Once the democratic bargain is entered into, this initial success is

an incentive to continue; and reward should go to those who believe in the bargain or can at least rationalize it. Nonetheless, I should stress that, given the previous understanding, the actions of parliament -- though necessary to further articulate, possibly renegotiate, and finally constitutionalize the bargain -- may be, more often than we think, overdetermining (to use a word that, by claiming too much, should nail down my point). The chances of going back have been severely curtailed, and the democratic game looks more and more like the only game in town. On the other hand, if a previous understanding of sort does not exist, elections and parliaments may lose considerable effectiveness as devices to remove breakdown games. The contrast between the experiences of democratization in Europe and Central America serves to illustrate the difference.

I have argued elsewhere that the democratic transitions of Europe, after World War Two and during the Seventies, were considerably advantaged by the fact that the new democracies could count on recycling for democracy a host of political and state institutions with a long historical tradition of their own -- predating dictatorship and stronger than any alliance of convenience with the latter.²⁰ Thus, once the crisis of a European dictatorship was underway, those institutions, each with their coveted spheres of autonomy and social presence to reassert, were compelled toward coexistence -- the kind of institutional coexistence that is at the heart of democracy. That is why, I argued, the founding elections of Europe's new

democracies were never really meant to decide upon democracy. As a tool for democracy, they were a surplus; as a tool against it, they proved late and insufficient. Rather, elections and elected institutions were knowingly used to legitimize after the fact, and even with some delay, choices that had already been made through the revival of civil society and of political and state institutions. And it is instructive to notice that in possibly the only case where the legitimizing function of elections and a new parliament were impeached (Portugal in the midseventies), the eventual losers were those forces -- the military/civilian left -- that tried to impeach the process.²¹ In other European democracies, the fact that elections and representation were open to all sorts of political forces, including parties whose commitment to democracy may have been originally in question, never seriously endangered the process. It is true -- to limit my remarks to Southern Europe -- that both in postwar Italy and post-Franco Spain interparty negotiations continued after elections and during the constituent periods, acquiring legitimacy from this very fact. But was there ever a serious risk that negotiations would break down and democratization suffer a major setback? In effect, even in the Italian case -- a highly contentious one, for reasons that hardly need restatement -- the commitment to mutual survival, the realization of its advantages and the costs of acting otherwise, had prepared political parties, even discounting the similar influence of the international context, for the hard-fought sacrifices required of constitutional negotiations. In Italy, those negotiations

coincided with the expulsion of the extreme left from the postwar government coalition and did not collapse because of that. As to Spain, the particularly smooth and consensual nature of the constitutional process makes it a very fitting illustration of over-determination in the European context. Again, this is not to belittle constitutional crafting, but rather to emphasize that the need for mutually tolerable solutions was already recognized and only asked for constitutional legitimation. But, in different ways, Greece is just as revealing an illustration of overdetermination. Here, the drafting of the constitution showed little cooperation among parties. By and large, the left stayed out, and the process was dominated by Karamanlis' Nea Demokratia. It was not as auspicious a beginning. But did this greater partisanship reflect a realization that the left was lost to the democratic process (hence Karamanlis' decision to go it alone)? The opposite can more convincingly be argued. Did the left at least reject the particular democratic model embodied in the constitution? Though it did at first -- since presidentialism and the electoral law seemed to stack the cards against the left -- I have stated in the first part of the essay that constitutional revisions (rather than ongoing mutually accepted adjustments) have never loomed large in the Greek political agenda.²²

When we move, on the other hand, to Central America, elections -- which in Europe seem to be within democracy -- seem instead to be about democracy. They seem to be employed as one strategic tool during periods of uncertain and protracted

transition in settling the contest between still dissenting political forces. And they seem to be preferred by some factions at the sufferance or against the resistance of other factions. In this and similar cases elections are employed and parliaments convened despite the absence or weakness of those conditions for institutional coexistence more typical of new European democracies. Assuming that good intentions are present -- assuming that elections and parliaments are revived, in a fuite en avant, to deny the predicament against institutional coexistence -- it is still intuitive that even a string of parliaments will find the feat exceedingly difficult. Will it find it downright impossible? I would not claim this much. Forcing an electoral and parliamentary solution is one way of convincing reluctant players of the need for a democratic compromise. Assuming that committed democratic players manage to run free competitive elections in a stalemated context and to obtain significant electoral support, this per se would be a major strategic achievement. Electoral support is an added resource, and discounting a freely elected parliament takes some doing. Nevertheless, attractive as this scenario may be from the perspective of a possibilistic approach to consolidation, the great difficulties in execution remain. Political developments in El Salvador since 1984 resemble very much the scenario, but consolidation is not yet in sight -- despite the presence of a freely elected parliament.²³ On the contrary, a combination of centrifugal pulls within and outside parliament continues to prevent its emergence as the institution for processing conflict.

centrifugal pulls within and outside parliament continues to prevent its emergence as the institution for processing conflict. Similar considerations apply to the freely elected parliament of the Philippines, after the fall of Marcos.²⁴

Let me finally move to the treatment of parliaments operating in systems where the danger of a breakdown has been removed. My observations concentrate on parliamentary systems, as the postwar democracies of Southern Europe basically are. Whatever the role of parliaments in removing breakdown games -- whether disputed, as in Portugal, or overdetermining, as in Spain, Greece, and Italy -- parliaments now emerge as subjects/agents in the phase of institution building. As such, they assume a central role in the reproduction of democratic consent.

To be continued:

NOTES FOR THE REST OF THE PAPER

I have shown in the discussion of institutionalization that democratic institutions have ways of turning out and ways of affecting the reproduction of consent that are somewhat or

largely independent of how consolidation has been achieved. For example, even if the removal of breakdown games has been particularly difficult and drawn out, ways of shoring up or monitoring and correcting the precarious agreement thus reached can develop in the process of building institutions.

I suggest that, in order to understand how parliaments in particular play their own role in this domain and in order to conduct systematic comparisons, we start by removing a misconception. To speak of parliaments as agents in the reproduction of consent is to speak elliptically and elusively. The language is the legacy, often inadvertent, of 19th century constitutionalism, which sees parliaments (and governments) as independent institutional subjects in their own right.²⁵ It is a legacy still present in postwar constitutional pacts, where rules and prerogatives concerning parliaments and executives occupy central space (but little is said about parties). However, within parliamentary systems, parliaments, like governments, are not so much their own institutional agents, as they are arenas within which -- since the demise of 19th century constitutional dualism -- political parties act as agents. Because of this unique "heteronomy" of parliaments, it is to parties that we must turn to understand how the constitutional functions of parliaments come to be implemented and how, as implementation (i.e., institutionalization) occurs, parliaments come to play a role in the reproduction of consent. As Nelson Polsby puts it, in drawing its classical distinction between transformative parliaments (the only paradigmatic example of which is the

American Congress) and arena-like parliaments, the student of transformative parliaments will be drawn to focus its attention on the internal structures of those parliaments, the student of arenas will focus instead on party systems, social stratifications, government expectations.²⁶ Furthermore, since in parliamentary systems the same heteronomy applies to governments, since parties cut across both parliaments and governments, since the latter constitute the connected arenas within which the competitive game is implemented and the range of its anticipated outcomes is tested, the institutionalization of parliaments does not develop in isolation. What gets institutionalized is not so much parliament, as the government-parliament sottosistema -- i.e., an interaction network (what Schmitter calls a partial regime) controlled by parties, whose institutions are defined, to begin with, externally, and in view of their role within the sottosistema. Compared with a parliament's external roles, its interna corporis develop later and as a function of the former: in other words, they lack, especially in the early phases of institutionalization, both internal autonomy and external weight. Once again, in such phases, and whenever institutional changes and adaptations occur, it is to party controlled interactions within the sottosistema that we turn.²⁷

But what can be said about parties in parliaments/governments that makes systematic sense of how parliaments in particular are formed to reproduce consent? I am inclined to turn to themes and levers that I already employed in previous works and that recur in Cotta's just cited essay.

Given the nature of the two reciprocally connected issues in the reproduction of consent -- how the parties will fill the gap between the original compromise and its implementation in the sottosistema, how they will verify that implementation against original expectations -- three sets of factors seem appropriate and central. They are: the number of parties in government (most decisively, whether the government is coalitional or monocolore), their internal cohesiveness (especially that of a dominant formateur party, if any), the foreseeable chances of credible alternance in government. None of these factors are usually fixed and known at the time of consolidation; hence the gap I just referred to, hence the need to verify it, hence the possibility that parliament's rules of the game be defined or redefined in ways that consolidation could not predict.

Drawing from Cotta's analysis, it can be argued that the smaller the number of parties in government (optimally, the government is monocolore), the more cohesive the majority party(ies), the better above all ²⁸ the prospects of credible alternance, the more the set of institutional rules developed by the parties, to regulate their interaction within the sottosistema and in parliament, will approach the model of party government. The model is consensual by definition (otherwise it could hardly operate), and assigns clearly stated and congruent roles to government and opposition, as well as to party and institutional leaderships, in the institutions of the sottosistema. In this sense, we may speak of those roles as fully institutionalized roles, in Huntington's sense -- even as

we recognize the essential heteronomy of the sottosistema. One important aspect of the party government model that speaks to the point of full institutionalization, despite heteronomy, is that its parties act fully and predictably within the institutions they have given themselves. The same cannot be said, as we will see later, when the absence of alternance (as in Italy) rules out party government.

Spain, Greece, perhaps Portugal offer today reasonably developed approximations of the party government model. However, if not in Spain, at least in Greece, and certainly in Portugal, it was difficult to imagine such model at the moment of democratic consolidation, when breakdown games were removed. Not only was the question of alternance still an open one, also an interesting and special aspect of the Greek and more so the Portuguese transitions was that the original compromise took a guided and presidentialist form, as I pointed out in the section on institutionalization, not in keeping with a parliamentary system. The problem with this was the duality of authority: the president popularly elected and (Portugal) buttressed by a nondemocratic institution (the military); the parties, representing the electorate in parliament and government. If this institutional duality was possible under 19th century constitutionalism, it becomes instead the source of grave conflict (the more grave for a new democracy) in an era when parties see themselves as the exclusive propulsive force in the parliament/government sottosistema. It is these original institutional choices, made at the sufferance of some of the

parties (Greece) or practically all of them (Portugal), that put these new democracies on the wrong footing: hence the original reluctance of some of the players, and the later corrections (Portugal) or self-adjustments (Greece). It would be interesting to document how and to what extent those corrections have caused or are causing corrections in the interna corporis of the Greek and perhaps more likely the Portuguese parliaments, but this is a matter for other conference papers.

The party government model, however, does not apply when the prospects of alternance in government are not credible. This is the Italian case, a case in which the parties have been led to adopt what Cotta calls a policentric model, and what I call a garantista model. Here too, the model was not quite fixed from the outset, but developed over time. True, the constitutional provisions adopted in Italy, when the question of who could legitimately govern was still open, were designed so as to place a minimum of "rationalizing" institutional obstacles to free and plural political competition, to the free and effective expression of organized opposition, and from that, to entry into government. By the same token, however, if the prospects of alternance had become credible, nothing in those constitutional provisions -- fuzzy and sketchy as they are -- would have prevented parties from interpreting and applying them as part of a party government model. The features of the policentric model, as it finally took hold, are rather well known and can be discussed in the final paper. In brief, the model operates by dispersing and diffusing centers of decisional influence between

government and opposition, between parliamentary and government leaderships, and between these institutional leaderships of the sottosistema and party leadership proper. What deserves special emphasis are two connected effects of the model. The first is that, by dispersing and diffusing the centers of influence in ill-defined and ill-agreed upon ways within the sottosistema, and by allowing party secretariats to overstep the very institutional structures they have created, the model erodes institutional congruence. The second effect permits me to return to a counterintuitive point made at the end of the section on institutionalization. Lack of congruence, the fuzzy institutionalization of parliament in particular, should assist rather than discourage the reproduction of consent. It does this by opening spaces for the opposition that lack of alternance would otherwise have closed.

In sum I would like to use this last section of the paper to validate two themes that have structured my analysis: the separation between consolidation and institutionalization, and the possibility that the original democratic compromise be altered during institutionalization, without jeopardizing consolidation.

ENDNOTES

1. I am referring in particular to the work of Guillermo O'Donnell and Phillippe Schmitter, and their research groups. See, edited by these two authors and by Laurence Whitehead, Transitions from Authoritarian Rule (Baltimore and London: Johns Hopkins University Press, 1986). This is a series of five volumes, of which the most important for us is authored by O'Donnell and Schmitter and is subtitled Tentative Conclusions about Uncertain Democracies. See also, O'Donnell, "Notes for the Study of Democratic Consolidation in Contemporary Latin America," (mimeo, Notre Dame, December 1985); Schmitter, "The Consolidation of Political Democracy in Southern Europe," (mimeo, Stanford, July 1987); Leonardo Morlino, "Consolidamento democratico: definizione e modelli," Rivista Italiana di Scienza Politica (16, August 1986), pp. 197-238; Leonardo Morlino, "Consolidamento democratico: alcune ipotesi esplicative," Rivista Italiana di Scienza Politica (16, December 1986), pp. 439-59; Scott Mainwaring, "The Consolidation of Democracy in Latin America: a Rapporteur's Report," (Working Paper #73, The Helen Kellogg Institute for International Studies, University of Notre Dame, Notre Dame, July 1986).
2. Since I do not wish to select scapegoats, I will refrain from listing authors. Actually, more than a literature, we are talking about a whole paradigmatic view about new

democracies, an orthodoxy implicitly reflected even in works that did not necessarily address issues of democratic development.

3. Giuseppe Di Palma, "Government Performance: An Issue and Three Cases in Search of Theory," West European Government (7, April 1984), pp. 172-73.
4. Juan Linz, "Il fattore tempo nei mutamenti di regime," Teoria Politica (vol. 2, #1, 1986), pp. 3-47.
5. David Collier and Deborah L. Norden, "Promoting Political Change in Latin America: The Strategic Choice Models of Hirschman, Przeworski, and O'Donnell," (mimeo, Berkeley, November 1986).
6. Juan Linz's classical contribution is in his The Breakdown of Democratic Regimes: Crisis, Breakdown, and Reequilibration (Baltimore and London: Johns Hopkins University Press, 1978). Though published in the late Seventies, the work is a compendium of Linz's scholarship to that date. See also, more recently, Juan Linz and Alfred Stepan, "Political Crafting of Democratic Consolidation or Destruction: European and South American Comparisons (mimeo, undated). For Hirschman, see Albert Hirschman, "Political Economics of Possibilism," in Hirschman, A Bias for Hope (New Haven: Yale University Press, 1971), and "Models of Reform-Mongering," in Hirschman, Journeys Toward Progress (Garden City: Doubleday, 1965). For Rustow, see

Dankwart Rustow, "Transitions to Democracy," Comparative Politics (2, April 1970), pp. 337-63.

7. Di Palma, op. cit., p. 173.
8. Since trial and error may be involved, it may take some time before rules and players mesh. But time is not irrelevant. We will see that a process that stretches too long, because for example elections are now and then called but their convocation is questioned, can founder.
9. O'Donnell, "Notes for the Study....," cit..
10. Ibid.; Juan Linz, "Legitimacy and Efficacy," (mimeo, undated); Adam Przeworski, "Some Problems in the Study of the Transition to Democracy," in Guillermo O'Donnell, Philippe Schmitter, Laurence Whitehead, eds., Transitions from Authoritarian Rule: Comparative Perspectives (Baltimore and London: Johns Hopkins University Press, 1986).
11. Insisting on the search for reliable and fail-safe indicators may involve us in stultifying, talmudic, and reifying discussions, in which we lose track of our objective. Our objective is not to say exactly "when" consolidation is present, as if consolidation were a clear-cut tangible end-state. Our objective is to give the concept of consolidation theoretical validity. Besides, there is general agreement, as stated in the opening of the essay, that there are different paths to consolidation.

Thus, an event that can be taken as an operational pointer of consolidation in one case, would not serve the same purpose in another.

12. One interesting recent contribution to this revision is Joseph LaPalombara, Democracy Italian Style (New Haven: Yale University Press, 1987).
13. Schmitter, "The Consolidation of Political Democracy....," cit., p.
14. Samuel Huntington, "Political Development and Political Decay," World Politics (17, 1965), esp. pp. 392-405.
15. Giuseppe Di Palma, "Party Government and Democratic Reproducibility: The Dilemma of New Democracies," in Francis G. Castles and Rudolf Wildenmann, eds., Visions and Realities of Party Government (Berlin and New York: de Gruyter, 1986), p. 184.
16. Ibid., p. 189.
17. There is yet a fourth possibility: contrasting interpretations lead to a subsequent breakdown. I am not including the case in the text because my topic is institutional adaptations and responses. Nonetheless, if the terms of the compromise stay fuzzy and controverted, we must recognize that the chances of a breakdown are comparatively enhanced. Players involved in perfecting or renegotiating the original compromise, though eager and

willing, may not be skilled at the task. Good as they may have been at the inception, they may be less adept in the phase of institutionalization. Lack of skills, sophistication, and understanding, inability to learn, lack of habituation to the give and take of democracy, excessive fear or boldness, may all carry heavy unanticipated costs. Democratic players may themselves set in motion, inadvertently, a breakdown spiral that other players will exploit. However, dramatic examples notwithstanding (the Spanish Republic being possibly one), I do not consider this scenario the most likely -- once the players have entered even in the spirit of the democratic bargain. Therefore, if a breakdown occurs, I am also very skeptical of interpretations that play heavily on "original sins." It is still not useful to take a later breakdown as built in, and leave the analysis at that.

18. O'Donnell and Schmitter, "Tentative Conclusions...", cit., pp. 57-59.
19. O'Donnell and Schmitter do make the assumption explicit.
20. Giuseppe Di Palma, "The European and the Central American Experience," in Giuseppe Di Palma and Laurence Whitehead, eds., The Central American Impasse (London: Croom Helm, 1986).
21. Obviously, we cannot describe the founding elections of Portugal as irrelevant and overdetermining as to the outcome

of the transition. Here is a case where the electoral victory of the democratic forces -- strongly contested and by no means foregone -- made a world of difference as to bringing the removal of breakdown games within close reach. Here, however, is also a case where it then took years and full constitutional revisions (rather than simpler and informal institutional accommodations) before parliament could be called to change the unwieldy consitutional stalemate which the military/civilian left managed to extract as a token of accepting defeat. And the process is not even terminated. Thus, though elections made a difference for democracy, institutional performance suffered in ways somewhat reminiscent of the Central American experience. See Walter Opello, "The Constitutional Settlement as a Cause of Political Instability in Post-Authoritarian Portugal" (paper presented at the Annual Meeting of the American Political Science Association, Chicago, September 1987).

22. The consensual constitutional process of Spain is examined in Richard Gunther, "Constitutional Change in Contemporary Spain," in Keih G. Banting and Richard Simeon, eds., Redesigning the State: The Politics of Constitutional Change (Toronto and Buffalo: University of Toronto Press, 1985). In his conclusions, Gunther stresses the importance of speed in reaching a satisfactory constitutional compromise. See also Giuseppe De Vergottini, ed., Una costituzione democratica per la Spagna (Milano: Franco

Angeli Editore, 1978). For Greece see Nikiforos Diamandouros, "The Politics of Constitution-Making in Postauthoritarian Greece in Historical Perspective," (paper presented at the Annual Meeting of the American Political Science Association, Chicago, September 1987). For Italy, see Giuseppe Di Palma, Surviving without Governing (Berkeley: University of California Press, 1977), chap. 3, and "Tout se Tient: The Constitutional Culture of Italy," (paper presented at the Annual Meeting of the American Political Science Association, Chicago, September 1987).

23. See for an analysis along these lines, Terry Karl, "Democracy by Design: the Christian Democratic Party in El Salvador," in Di Palma and Whitehead, eds., The Central American Impasse, cit...
24. In the Philippines, and in much of Latin America, a further element that undermines a clear definition of parliaments and parties as the institutions for processing conflict is presidentialism. On parliamentarism versus presidentialism in new democracies see Juan Linz, "Democracy: Presidential or Parliamentary: Does it Make a Difference?" (Woodrow Wilson International Center for Scholars, Washington, D.C., July 1985). Another problem with parliament in the Philippines is that it had no role (it did not exist) in the drafting of the new constitution.
25. For a thorough treatment of why this institutional perspective should be considered obsolete, and for the

elaboration of a correct perspective on parliament-government relations, from which I draw in the text, see Maurizio Cotta, "Il sotto-sistema governo-parlamento," Rivista Italiana di Scienza Politica (17, August 1987), pp. 241-83.

26. Nelson W. Polsby, "Legislatures," in Fred I. Greenstein and Nelson W. Polsby, eds., Handbook of Political Science, vol. V (Reading, Mass.: Addison-Wesley, 1975), p. 291, p. 307.
27. Giuseppe Di Palma, "Parlamento-arena o parlamento di trasformazione?" Rivista Italiana di Scienza Politica (17, August 1987), pp. 179-202.
28. The emphasis reflects the sufficient decisiveness of the variable, as I have argued in other writings. Alternance is one factor significantly influencing the other two: the number of parties in government and especially their cohesiveness.

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THE PORTUGUESE "ASSEMBLEIA"

Comment

by

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I

In 1985, a representative survey found that, among the twelve European Community countries, the Portuguese' dissatisfaction with their democracy was only surpassed by the Italians': A mere third (exactly 34%; 28% in the Italian case) expressed complete or prevailing contentment with the working of the democratic institutions, while 53% (rising to 69% in Italy) declared themselves rather or even completely dissatisfied (Journal für Sozialforschung 1987: 369). At the time, the bloco central (PS/PSD) government had split apart, and the country had had to swallow another large dose of IMF-decreed austerity policy - both developments reflecting the inability of successive governments to overcome the fragility of the political system and to cope with the structural distortions of Portugal's economy.

This inability has been blamed on a "partyocracy" blocking political renewal, dominated, as it is, by a political elite of "middle class lawyers who prize rhetoric and intrigue above efficiency and continuity" (Gallagher 1986: 67/68). More specifically, American political scientist Walter Opello jr., discussing the Portuguese Assembly of the Republic's legislative performance, has diagnosed that Portugal's parliament "has experienced not institutionalization (as a corporate body), but, rather, disinstitutionalization, decay, and breakdown" (Opello 1986: 291). His argument that, of the Portuguese political system's three main actors - president, government, parliament -, one "contributes minimally if at all to the policy process" (id.: 313), contrasts rather markedly, of course, with the overall as-

sessment by Braga da Cruz and Antunes.

This brief comment will not address itself in any detail to the question of the Portuguese parliament's performance. Rather, it will confine itself to look at the constraints under which the assembly has been operating. Two types of constraints - those of a structural and those of an institutional nature - will be discerned below.

II

While a social majority was resolved, during and after 1974/75, to break with the Salazar-Caetano dictatorship's more extreme political, social, and economic inequalities, deep and continuing rifts have persisted about the scope and direction a transformation of the Portuguese society's hierarchies and values ought to assume. These rifts have made themselves particularly felt among the electorate and membership of the two largest political parties, Partido Socialista (PS) and Partido Social Democrata (PSD). Twice, large parts of its left wing seceded from the PS; several times, the PSD, torn by profound factional strife, split - moving on the whole, however, steadily to the right.

Thus, only a "limited" social revolution occurred during 1974/75 immediately after the military coup, succeeded by what might be termed a "limited" socioeconomic restoration during the next decade. Not only did a political majority in favor of a distinct alternative not assert itself until the 1987 parliamentary elections; because of its socialist commitments - voted by the Constituent Assembly during the "hot summer" and the "seething autumn" of 1975 -, the new constitution of 1976 was not in its entirety accepted and taken serious as the country's fundamental law, to be implemented by subsequent legislation.

The question of and demand for successive constitutional revisions has therefore continued to dominate the political discourse in Portugal, acquiring an emotional dimension foreign to any other Southern European country. Meanwhile, political parties and governments have rallied in a highly selective manner behind constitutional norms. Jorge Miranda has discerned between four kinds of such norms, according to the degree of effective application (Miranda 1984: 31):

- Norms effectively put into force: citizens' rights, freedoms, and safeguards; party pluralism; division of powers; trade union freedom and right to strike; establishment of local authorities and autonomous regions; political absence of the armed forces;

- norms acquiring considerably less effective importance: independence of state-owned media from public authorities; supervision of management by workers' committees; other economic and social rights (work, health, housing, protection of environment); establishment of local people's organizations; administrative decentralization;

- norms not complied with: citizens' rights concerning the use of data banks; development of social property; medium- and long-term economic planning; agrarian reform in smallholding regions; tax reform; creation of administrative regions;

- norms reinterpreted or abrogated: all provisions concerning the envisaged transition to socialism.

Evidently, the more constitutional settlements of structural problems are challenged by constituencies, parties, and governments; the farther the gap between constitutional norms and constitutional reality widens - the less chances remain for what Opello terms universalistic, in contrast to partisan, parliamentary decision making, and which he finds lacking in the Portuguese case (Opello 1986: 307/308). By acquiring a tendency to "spill over", conditioning behavior in other issue areas, selective compliance with constitutional norms has also impeded parliamentary work in additional ways. The annual plan "which shall constitute the fundamental basis for the government's activity and shall be reflected in the state budget" (art. 93), was only elaborated and submitted to parliament, between 1976 and 1984, by the government four times. The stipulation to send the budget to the assembly each year by October 15 was, over the same period, only complied with once (Balsemão 1986: 202, 203).

III

That Portugal's is a semi-presidential political system (slightly corrected in favor of parliament by the 1982 constitutional revision), with both president and assembly deriving their mandate from election by universal suffrage, is a truism. This po-

litical dualism not only provides for potential institutional friction. It also introduces, in the person of the president, an additional focus of national integration, detracting from the parliament's role. The two five-year mandates of the first incumbent, General Ramalho Eanes, have amply demonstrated that it is the presidency which may provide "an institutional meeting point, cutting across antagonistic national and regional constituencies as well as bridging military and civilian cleavages" (Maxwell 1986: 10).

Still, Eanes' abortive 1978/79 attempts at asserting himself against the assembly by appointing successive presidential cabinets of "independents" no less amply proved (most notably in the Nobre da Costa case) the president's inability to make successful inroads on parliamentary autonomy. If the assembly has successfully resisted the president, it has not survived, however - and here analyses, including the paper by Braga da Cruz and Antunes, are unanimous - "the onslaught of the political parties": "The external party controls the parliamentary group and individual deputies... The Assembly is...little more than a 'council of convenience' for the parties and their leaders as they struggle with one another for control." The objective situation coincides with subjective perceptions: "None (of the interviewed deputies) saw the Assembly as having any independence from the parties, nor decisional authority in its own right" (Opello 1986: 300, 309, 313).

The hegemony of political parties - more precisely, among them of a mainly Lisbon-based political establishment dominated, in its turn, by middle-class lawyers* - has been advanced by the electoral system of proportional representation laid down in the (revised) constitution and the 1979 electoral law. Deputies for each electoral district, their number corresponding to the density of population, are elected from lists drawn up by parties' headquarters in Lisbon. The system, operating to the disadvantage of regional and blue collar interests, endures "because it em-

* Out of a total of 250 deputies, 56 are elected from Lisbon, 38 from Oporto. Lawyers continue to constitute the assembly's largest single professional group, including 53 deputies - 37 from the PSD, 11 from the PS. 9 workers were elected in 1987 to the legislature, every one of them on the PCP ticket (Tempo 7/30/1987: 7).

bodies the type of hierarchical relationship which citizens have long been used to in national and local politics" (Gallagher 1986: 68). Meaning that "individuals are elected without being known at all by their electors and sometimes without even campaigning", it contributes "to a certain irresponsibility on the part of the members of parliament" (Balsemão 1986: 203, 204). It also goes far towards explaining the very high rate of (mostly temporary) substitutions constitutionally permitted for reasons of, for instance, urgent professional obligations, party work - or views on legislative matters differing from party positions. The abundant practice of deputies' temporary replacement works, of course, against parliamentary continuity and professionalization (Opello 1986: 297, 298).

IV

Any desire to reform the "outdated" (Balsemão) electoral system may be diminishing after the 1987 election result disproved predictions that, under the system of proportional representation, an absolute majority for any one party would be highly improbable. Disillusionment with the economic performance of PS (-led) governments, estrangement from the left because a motion of censure had toppled another - the preceding PSD minority - cabinet after less than two years in office, and an abstention rate rising, as compared to 1985, by three more percentage points to 27.5% helped the PSD gain an absolute majority of votes. After the electoral victory, prime minister Cavaco Silva announced that his party's social democratic definition was "no longer timely" and would be changed.

Both the landslide PSD victory and Cavaco Silva's announcement may signal a definite break with the "polarized pluralism" of the first post-revolutionary decade - and thereby the final erosion, among electorate and parties, of the resistance to another, more far-sweeping revision of the constitution that would eliminate the remaining programmatic options of the 1974/75 revolutionary interlude. Such an adaptation of constitutional norms to the constitutional reality may, by removing important reasons for what a former prime minister has sharply termed "a general feeling of lawlessness" (Balsemão 1986: 203), also contribute to greater parliamentary universalism, responsibility, and efficien-

cy.

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PARLIAMENT AND DEMOCRATIC LEGITIMACY.
THE SPANISH CASE

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UNED

During the seventies, the three last dictatorships in Europe became democracies. The process by which this took place has been dubbed "transition" and began to be studied as if it were a mechanism that could later be applied in other contexts¹. When the evolution of the three cases was considered, it was feared that democracy could turn out to be ephemeral in countries without a firm tradition of democratic government. It is true that, in the past, the three countries have shown a tendency to ~~res~~olve politics "by other means", as Clausewitz would have said. But it is no less true that the idea that they "lacked democratic tradition" did not fit in with reality. In the nineteenth century, Spain had a political system, from 1834, similar to others in Europe, and after 1876 the system was clearly democratic. The exception is the dictatorship of 1936/39 to 1975, whose shadow, because it is so recent, gets stretched back and encourages one to think that the past was the same. However, people's tradition of political history becomes established over centuries, not years. Even the dictatorship of Primo de Rivera, in the twenties, was not a totally authoritarian regime.⁽²⁾ Thus, the transition to democracy in Spain did not entail trying out a new, unknown form of government³, but rather the return to a political system that the country had already experienced in the past, whether with stability or without it. This may, in part, explain why the anti-liberal, anti-parliamentary culture inherited from Francoism could co-exist with the rapid restoration of democratic political institutions.

It should also be taken into consideration that, in the three cases cited, the re-establishment of democracy took place under conditions of a wide-spread economic crisis that strongly affected the three countries³. The economic crisis is a bad context in which to reform the political system towards greater democracy. Above all, if one bears in mind that during the years of economic development (1960-1973), the Dictatorship had managed to identify itself with security and prosperity. Democracy, unfortunately, appeared linked to high inflation and unemployment, economic recession and a drop in purchasing power, not to mention the disagreeable measures of economic adjustment.

In all three countries, the transition was basically peaceful⁴, and this has, to a large degree, contributed to the legitimization of the proposals for democratic transformation. One of the issues used by earlier dictatorships to justify themselves was the peace that they guaranteed their peoples.

Despite these contrary factors, the three countries in southern Europe seem to have established stable democratic systems. In the case of Spain, we see a classical political regime in which the traditional powers have contributed to the consolidation of democracy to different degrees⁵. The organisation and workings of the public powers in Spain are typical of any parliamentary democracy, with some special elements specific to Spain, which ~~we~~^I shall examine in this ~~paper~~^{paper}. Irrespective of this, ~~we~~^I do wish to emphasize the special importance of a specific piece in the Spanish political system — the Crown⁶. Although the job of Head of State in the parliamentary system is purely ceremonial, nonetheless it managed to play a decisive role in the most delicate moment in the new Spanish democratic experience, during the attempted coup d'etat⁷. So much so, that the king's actions at that time have led to a definitive relegitimization of the Spanish monarchy, as if the

monarch had finally managed to recover the loyalty that his subjects had refused his grandfather⁸. In these conditions, there is practically nothing to distinguish the Spanish political system from those of other democratic monarchies.

In this context, as is well known, Parliament is charged with a job of legitimizing the political system that is co-substantial to it. Parliament has an especially relevant task compared with other State powers. It is not fortuitous that the ~~monarchical~~ ^{principle of the Rule of law} is largely the outcome of a progressive "parliamentisation" of the political system⁹. Classical liberal theory sees parliament as the place in which matters of general interest are debated in order to come to conclusions acceptable to the majority, at least. Public debate constitutes the basis of the the rationalists and Enlightenment beliefs with respect to legislative activity, and sometimes gives rise to a possible harmony of opposing interests and, in the best of the cases, a compromise¹⁰. This classical theory was based on a legal-rationalist fallacy that worked as long as the interests in question were not strictly antagonistic. The fallacy was that the will of Parliament constituted the manifestation of universal rationality. Without going into further considerations as to the degree of representativeness of the institution, the idea consisted of making the ~~monarchical~~ ^{rule of law} synonymous with the will of parliament.

In recent times, a critical attitude has been growing towards parliament, not just because its *raison d'être* is based on a fallacy, but also because it has even ceased to respect this fallacy¹¹. The call to attention came from Carl Schmidt in the study he made in the twenties on the spiritual situation of the parliamentarism of his time¹². But it was after the Second World War that criticism of parliamentarism began to abound. It has been said that in the "administrative State" (to use Schmidt's words), the job of parliament is secondary and subordinated to that of government.

Likewise the predominance of political parties appears to be largely responsible for the denaturalisation of the job of parliament¹³. The technical nature of much of contemporary legislation, along with the inexperience of many MPs and the greater flexibility and speed of response in the executive explains, in turn, the erosion of the ~~classical~~ ^{concept} ~~concept~~ of law and its substitution by legal measures of a special nature¹⁴. The outcome of all this is also the superiority of the governmental legislative initiative above that of parliament itself. Criticism of the traditional working of parliament was also shared by left-wing sectors that saw the job of parliament not as an abstract legitimizing process, but ^{as} the legitimization of a specific means of domination either through the absence of publicity and clarity¹⁵ or through the ceremonial, routine and representative nature of the body in question, with respect to which political alternatives have to be put forward if one wants to continue the advance along the lines of a "truly" social-democratic process¹⁶. With respect to other matters, more recently, political science has shown the difficulties of the parliamentary institution's adaptation to post-industrial societies, either by underlining the consociational nature of politics in segmented societies¹⁷ or by emphasising the ungovernability of postindustrial democracies¹⁸. The sharpest criticism of the real parliamentary job comes from the schools of Public Choice which point out that parliament is the fundamental body in interventionist policies that upset markets and, logically, the political market as well¹⁹.

The criticism that we have summed up in very general terms above, also arrived in Spain, facing a situation in which parliament was beginning to flourish again after nearly forty years without a truly representative regime. In the Spanish case, it is interesting to see how the policy that served to re-establish democracy at the beginning and to provide the country with a Constitution, consensus

politics²⁰, is one of the bugbears of the antiparliamentary critics whom we mentioned above, and indeed, when there was a desire to take ~~such policy~~ beyond the constituent ~~legislature~~ ^{legislature} it was subjected to criticism that showed how the consensus habit was responsible for the irrelevance of parliament²¹.

In Spain there is a strong tendency to criticise public institutions in general, and parliament is only the second such institution after the government. Once the consensus period came to an end, the legislative body lived through a hazardous time during the first ~~legislature~~ ^{legislature} from 1979 to 1982, with a government lacking an absolute parliamentary majority, which was obliged to arrive at agreements on the most important measures on the margin of parliament. This caused a generalised reaction of mistrust as to the efficiency of the representative institutions. During this first legislature, the critics went from peaceful declarations of discontent to the the above-mentioned attempted coup²². Since then, the second and third ~~legislatures~~ ^{legislatures} have had governments with a comfortable absolute majority in both chambers. Once again, we run up against the same phenomenon that we have already pointed to, the "return in the opposite direction", when it comes to consensus. Circumstances that led to accusations of parliament being inoperative, since the political parties agreed the measures on the margin of parliament itself, now give way to a new criticism that it is inoperative since the party in power, it is assumed, has no need to reach any consensus with other parties, such that parliament is used as a mere sounding box for the parties' own interests and, consequently, has become denaturalised²³. The fact that, both when the governing party has an absolute majority and when it does not, parliament is criticised for being unworkable, proves that its inoperativeness does not depend on majorities or minorities, but the control that the

parties exercise at any time.

To these general criticisms, we should add the specifically Spanish factor of the political culture generated during the Franco regime, one of whose pillars is anti-parliamentarism. The starting point for this political culture was the assumption that political parties are really interest groups without any interest in the good of the nation and the parliaments ~~were~~ places in which this genuine national interest was manipulated for the benefit of other partial and/or spurious interests. This concept was also the basis of the reality of an "organic" ~~a parliament~~ ~~which was~~ ~~the~~ ~~reality~~ all of which had negative effects on the prestige of parliament as an institution, which nevertheless, as we shall see later, carried out an important task in the process of consolidating democracy in Spain.

Before looking into some of the determining factors of parliamentary activity and seeing how much Spain shows traits that are specific to the country, we shall make a brief digression into the two chamber system in the Spanish parliament. To begin with, the Upper Chamber, or the Senate, is responsible for the territorial representation of the State, but, because of its make-up and characteristics, it cannot fulfil such a task in a satisfactory manner since, when this chamber was organised, the system of the Autonomous Communities had not yet begun to operate²⁴. It is not at all strange that the problems of territorial policy are debated in the Chamber of the Deputies, where there are various different nationalist minorities, whose existence does not fit in with the personal, non-territorial significance of this Lower Chamber. The inadequate working of the Senate forms ^{is one of the reasons why the problem} ~~is one of the reasons why the problem~~ ~~of nationalisms has not been solved so far, a problem~~ ~~which represents the greatest~~ threat to the country's democratic stability. However, any reform of the Senate that tried to suit ^{it} ~~the~~ to the reality of an "autonomous" State (i.e. a State made up of Autonomous

Communities) would entail revising the Constitution, something that is extremely sensitive in Spain.

Mentioning the tasks of parliament in Spain, with the peculiarities it has, we must begin with the legislative function, which has been relatively intense over the last few years. This was to be expected, given that, apart from the complexity of modern societies, a Constitution had to be drawn up in order to ~~provide~~ the democratic system ^{with} a juridical regulation in accordance with its value system. This function has a very visible public facet, which academics tend to deal with²⁵, with reference to legislation on "public" organisation issues for society. It also has a "private facet", to which authors tend to pay less attention, although this is of capital importance. The essential characteristics of the previous regime have penetrated and impregnated private social relations, giving them the authoritarian content that was more tolerable for a State that had begun by proclaiming itself "totalitarian". Parliament's hard work in reforming the Civil and Criminal Code for laws of trial and a set of other provisions in different areas (commercial, labour, etc.)²⁶ has been essential in the consolidation of democracy in a positive sense within the ambit of civil society that, bit by bit, is becoming ^{or} impregnated with the values of tolerance and liberty of the democratic political system.

The control of the government has been a task that has required special dedication from Parliament. Incidentally, we should point out that the "motion of constructive censure" ~~was not~~ ~~unsuccessful~~ suitable for a rationalised parliamentarism, which seems to have been invented more to prevent any vote of no-confidence than anything else, has been applied twice in Spain so far. A cynical observer might remark that this fact is typically Spanish. If one adds to such information the fact that in neither of the two cases was the vote succesful, and that this was known

before the vote was even suggested²⁷, the same observer might add that the information of such inefficiency makes the example even more totally Spanish. Irrespective of the relatively frightful tendency to control the government by trying to throw it out or to get rid of its ministers, parliament has also made intensive use of the possibilities opened by the Chamber ^{rules} ~~possibilities~~ (questions, appeals, investigation committees), although, as we shall show below, not totally successfully.

The function of deliberation is incomplete in the Spanish parliament, mainly because of the damage entailed by the inadequate organisation of the Senate, which remains an essential area or forum for the exchange and enlightenment of the sole question of importance that has yet to be dealt with in the Spanish political system: that of the territorial organisation of the State²⁸.

In the representation of interests, the composition of the Spanish parliament into professional sectors and classes, shows a pattern close to that of other European countries, albeit with some variants²⁹. The liberal professions predominate, and, amongst these, the lawyers, who have represented 21.04% and 21.0% of the MPs in the second and third legislatures.²⁹ ~~There is a significant predominance of public officials in the Spanish parliament, which is of certain interest, is the significant predominance of public officials. If we remember that teachers (19.6% of the 2nd legislature and 24.2% of the third, including both school and university teachers) are public officials in our country, their percentage (including the elite corps and technical and administrative officials) was 33.7% in the 2nd legislature and 37.6% in the third³⁰. This predominance of representatives from the Civil Service is typical of the western welfare states, run by enormous bureaucracies that have their own political interests, the representation mechanism also being that of~~

the reproduction of the new class³¹ In this order of things, and as a supplementary observation, we might mention the fact that the main political leader of national parties have professions and activities that do not always formally coincide with their professed politics. On the left, the highest leaders of the Spanish Communist Party (a "liberated" ex-miner) and of the Spanish Socialist Workers' Party or PSOE (a labour lawyer) are two typical professions of the civil society; the same is true of the highest leader of the central party (CDS). On the right, however, i.e. in the parties that believe in the reduction of the State's presence to a minimum, the leaders tend to belong to the elite corps of the Civil Service (lawyers to the State Council, State attorneys, Parliamentary lawyers, etc.), which contradicts the neo-conservative criticism that all public officials are interested in an expansion of the welfare state.

In general terms, from a traditional class viewpoint, today's Spanish parliament is decidedly in the hands of the middle and upper-middle classes³² which, in accordance with most theories on democracy, goes a long way to explaining the consolidation of democracy in Spain.

Parliament's importance in the articulation and advance of political careers of people in all democratic societies is well known. In Spain, however, it seems to be following an irregular path, since careers are hardly made in parliament, but rather within the parties. The technical needs, organisation and the regulatory criteria of the parliament practically prevent any relevant participation from new deputies, such that these cannot make themselves known to public opinion except on a handful of exceptions and their work is dark and unrelieved. The politician who wants to make a career of politics, firstly has to cement it in the party he comes from, before getting parliamentary projection. This aspect, which is also peculiar to the Spanish parliamentary

system, leads us to another, no further extended: the problem of the relations between parties and parliament in Spain.

Spanish democracy cannot avoid the generalised contemporary paradox, mentioned above, that the current situation of weak parties coincides with an almost absolute predominance of said parties in parliament³³. Even if we had not other data, this predominance could be observed in the legislators' interest in consolidating a feasible public funding of parties (which, at least from the point of view of the parties themselves, are much in need of some cash), something that was finally achieved under the Organic Law of Political Party Funding³⁴. The predominance of the parties is frequently criticised since it is understood that to a large extent they dominate Parliament by dominating the deputies and, at the same time, denaturalise it by turning it into parallel mechanisms to the party machinery. As a partial remedial measure, reform of the electoral system is sometimes ~~mentioned~~ ^{advocated} in order to replace closed, blocked lists, by open lists. However, this proposed reform does not seem to enlist much enthusiasm in the parties which, in the end, would have to carry it out. Moreover, although the danger of the increase of void votes that the reform would imply is brought up, it is clear that it could somewhat reduce the weight of the parties' bureaucratic apparatus in choosing candidates, but would not in any way affect the problem mentioned, of the parties' predominance in parliamentary activities, since what is important here is that the will of the party be imposed over the will of parliament, irrespective of whether it is done so in a democratic manner or not.

Although the parties have been decisively incorporated into the running of the parliamentary regime, they have not yet managed to generate clear mechanisms by which the political careers that we referred to above, become institutional careers. The

appointments of ministers in different governments under the monarchy have been very different, according to whether it was the UCD or PSOE in power. But they also have something in common: people who had acquired political relevance through parliament were hardly ever appointed³⁵. This closes the vicious circle in this specific matter: it neither accomodates nor fosters political careers because it does not count in the formation of governments and does not do so because it does not foster political careers. In this respect, it is clear that the Spanish parliament will have to develop customs, conventions or guidelines over time, that enable it to make its importance in the composition of any government felt more strongly.

To the problems brought about by this double relationship with the parties (they are vital and, at the same time, counter-productive), we should add those brought about by the expansion of social communication media, which are going to change the face of our societies and something more than their face alone. The generalisation and intensification of the information media undermines parliament's old claim to be a sort of priveleged spokesperson for the public. Nowadays, when any issue may be subject of a direct and very quick popular consultation, and of generalised, prolific and speedy debate, the relationship between parliament and public opinion has altered substantially. Parliament, to a large extent, used to be a generator of public opinion through its debates. Nowadays, it is, more than anything else, a receiver for said opinion which, more often than not, is formed elsewhere. Awareness of this change can be perceived in the constitution's acceptance of a popular legislative initiative³⁶. To this, we can add an apparently trivial fact, which is actually quite important when it comes to understanding how parliament works in Spain and what its relations to public opinion are: the fact that

all the social communication media have free access to the plenary session debates and commissions as long as they are not held behind closed doors. This presence has contributed much more than anything else to the demythification of parliamentary procedures in the eyes of public opinion.

Apart from the problems of the relationship with political parties and the mass media, we should also refer to the problems brought about by social conflicts of very varied sorts outside parliament. The repercussions of social conflicts are greater the more corporatised the society is and they usually give rise to direct negotiations and confrontations between the parties involved with or without some sort of arbitration intervention by the public authorities. The clearest example is that of collective bargaining, but one could also include any direct relations established for whatever reasons between the government (and its administration) and specific corporations (e.g. doctors, teachers). The idea of removing such direct negotiations from parliamentary control (although, obviously, high posts from the Administration will always make their appearances in the Congress), basically responds to the intentionality that is shown in the proposal of the Spanish Constitution to establish an Economic and Social Council that ~~will~~ ^{could act} as a ^{sort of forum} ~~deliberative body~~ for issues of this specific type. The need for parliament to recover the initiative in any important social debate bows to reasons of survival of parliament as an institution and also touches on the relationship with the new social movements. It is true that these go outside parliament, but it is also true that they are progressively ^(getting back into it) ~~moving~~ and that the domain of ideas in which they move and the proposals they formulate have to be echoed in the function of deliberation of the parliament if parliament wishes to continue to contribute to the consolidation of democracy in Spain³⁷ and not just any kind of democracy, but a progressive democracy.

the context of advanced democratic societies is a necessity that is imposed both by the crisis of the Welfare State⁴² and by the burn-out of criteria of procedural legitimacy⁴³. Parliament was the quintessence of the ~~democratic system~~ ^{rule of law} and this was defined, in essential terms, by respect of the established procedures. Insofar as the increased complexity of post-industrial societies leaves parliament in a secondary or subordinate position with respect to the executive, a real danger arises of growing authoritarianism and a recovery begins of the old pre-eminence of the legislative, which continues to be the pivot around which any democratic organisation revolves. This task entails great difficulties. For some, it is a matter of reinventing parliament, no more no less⁴⁴, whilst others would be satisfied by establishing mechanisms to guarantee the achievement of the goal of a parliamentary recovery in the democratic system. To such end, it is thought that the very concept of procedural legitimacy must be overcome in order to arrive at a legitimacy of "contents"⁴⁵. Against the background of the crisis of the welfare state, parliament has to debate crucial, substantial issues again, in order to recover a function of guiding and orienting, which would serve to offer answers to contemporary societies. Parliament has to recover the function of *indirizzo politico*⁴⁶ of the collectivity at all levels.

In order to carry out this task, at least in southern-European countries, and definitely in Spain, parliament must show a degree of flexibility, initiative and inventiveness that it has not seemed to have since the Second World War. In other words, the later consolidation of democracy in our countries will depend on whether parliament is able to establish a new point of encounter between the State and society which, liberating society of the constraints that hold it back, advances in the development of the social and economic rights of citizens. ~~the democratic system~~

NOTES

- 1.- The first thing to be written on this was by Nico Poulantzas, **La crisis de las dictaduras**, Siglo XXI, Madrid, 1976, a current-affairs book. The events, however, awoke the interest of academics, who elaborated a theory of political change (whose stages were installment and consolidation) in general terms, which, in some cases, have had a certain impact, cf. Leonardo Morlino, **Cómo cambian los regímenes políticos**, Centro de Estudios Constitucionales (CEC), Madrid, 1985. By the same author, and extremely relevant to the subject of this paper: "Consolidación democrática. Definición, modelos e hipótesis", in **Revista de Investigaciones Sociológicas**, Centro de Investigaciones Sociológicas, Madrid, July-September 1986. The installation-consolidation thesis has also had other illustrious cultivators, such as Juan J. Linz, and has given rise to a theory of transition as a categorisable phenomenon: Julián Santamaría (Comp.), **Transición a la democracia en el sur de Europa y en América Latina**, CIS, Madrid, 1981. Useful references to the general theory of transition can be found in Mario Caciagli's book, **Elecciones y partidos en la transición española**, CIS, Madrid, 1986. In specific, but still analytical terms, see José María Maravall's **La política de la transición**, Taurus, Madrid, 1985 (1st ed. 1982) and "Crisis del franquismo, transición política y consolidación de la democracia en España" by José María Maravall and Julián Santamaría Ossorio, in **Sistema**, nos. 68-69, Madrid, 1985. Suggestive points of view with respect to democratic consolidation are also found in Pedro de Vega García's "Constitución y democracia" in A. López Pina (Comp.) **La Constitución de la Monarquía parlamentaria**, Fondo de Cultura Económica (FCE), Mexico, 1983.
- 2.- On the peculiar nature of the dictatorship of Primo de Rivera, see various works by Javier Tusell, García Canales, Ben Ami, etc. From our point of view, **El socialismo durante la**

dictadura, 1923-1930, Tebas, Madrid, 1977, by José Andrés Gallego, is of special interest, showing Primo de Rivera's interest in directing the workers movement and coming to an agreement with the socialists.

- 3.- In the case of Spain, inflation became serious in 1973 with a rate of 11.4%, which went up to 16.9% in 1975 and 24.5% in 1977, whilst the unemployment rate grew gradually ^{from} ~~was~~ 3.84% in 1975 to 11.6% in 1980. José Anotnio Aguirre, *La política económica de la transición española*, Unión Editorial, Madrid, 1981, page 38. In the case of Portugal, the economic ruin brought about by the 1973 crisis and the Portuguese companies' overwhelming loss of competitiveness forced the International Money Fund to intervene with a stabilisation plan in 1978. João Cravinho, "Portugal, um Pais em Crise entre o 'Desplaneamento' e as Políticas de Estabilização", in *Pensamiento Iberoamericano*, no. 2, Madrid, 1982.
- 4.- We ~~unwittingly~~ speak ~~now~~ of the "Portuguese Revolution". However, truly speaking, there was no such revolution, understood in the traditional sense (violent insurrection and radical transformation of the socio-economic order), since although there was an insurrection, the transition was peaceful and no great reformation of social and economic mechanisms took place. The "Portuguese Revolution", started by an army obliged to fight in a never-ending colonial war that it was losing, was crystallised in a very advanced Constitution that was not further developed. This was why there was a constitutional revision in 1982. In the Spanish case, transition co-existed with an intense outburst of both political/social and nationalistic terrorism, which has always been assumed to be intentionally destabilising, although it never managed to come out on top. ~~XXXXXXXXXXXXXXXXXXXX~~

The incidence of "leftist" and "rightist" terrorism on the constitutional process is considered in *Constitución : cuenta atrás. ETA, operación Galaxia y otros terrorismos*, Casa de Campo, Madrid, 1978, by José María Mohedan y Marcos Peña.

- 5.- However, one should point out how the play of State powers has sometimes had negative consequences on the stability of democracy, and in others, positive ones. Recent conflicts between the government and the powers of the judiciary are a good example of the former.
- 6.- On the workings of the Crown within the Spanish political system, see Pablo Lucas Verdú (Comp.) *La Corona y la Monarquía Parlamentaria en la Constitución de 1978*, Facultad de Derecho, Universidad Complutense, Madrid, 1983.
- 7.- There are already numerous books on the attempted coup d'état of February 23 1981. Nonetheless, some time will have to go by before the obscure events of the coup can be fully clarified. However, one thing is clear: it was the decisive intervention of the Crown that managed to guarantee the loyalty of the military chiefs and put an end to the insurrection. In Spain, see, amongst others: José Oneto, *La noche de Tejero*, Planeta, Barcelona, 1981; *Ibid*, *La verdad sobre el caso Tejero*, Planeta, Barcelona, 1982. I consider the observations of a foreigner, David Gilmour, to be interesting: *La transformación de España*, Plaza y Janés, Barcelona, 1985.
- 8.- One should not forget that questioning the form of government was an important part of the left wing's programme at the beginning of the transition, especially in the Partido Comunista de España. See José Oneto, *Anatomía de un cambio de régimen*, Plaza y Janés, Barcelona, 1985, p.144.

- 9.- Klaus von Beyrne, **Die parlamentarischen Regierungssysteme in Europa**, Piper and Co., Munich, 1973, pp. 282 onwards.
- 10.- The classical theory of parliament assumes an oligarchic representation of different sectors of the bourgeoisie. However, this type of legal routine was broken by the inclusion of the working classes due to the broadening of the electorate. The agreements between sectors that were no longer of the same class began to make things more difficult and it is probable that the presence of radical parties, representatives of these workers' sectors, contributed largely to the parliamentary crisis of the thirties, due, above all, to the ambiguous attitude of the workers' parties, revolutionary in one sense and respectful towards the institution of parliament in another.
- 11.- See Reinhard Kühnl, **Formen bürgerlicher Herrschaft. Liberalismus-Faschismus**, Rowohlt, Hamburg, 1971.
- 12.- Carl Schmitt, **Die geistesgeschichtliche Lage des heutigen Parlamentarismus**, Duncker und Humblot, Berlin, 1979.
- 13.- The usual justification for the rise of the APO in Germany is based on the fact that the SPD and the CDU were able to bury their differences to the point of setting up a "great coalition" in a *de ut des* ~~unprecedented~~ in which the SPD would become a *Volkspartei* in exchange for support of emergency legislation. See Heiner Busch and Albrecht Funk, "Innere Sicherheit und Reformpolitik", in VVAA, **Die Linke im Rechtsstaat**, Rotbuch Verlag, Berlin, 1979, pp. 209/210.
- 14.- See Ernst Forsthoff, **El estado en la sociedad industrial**, Instituto de Estudios Políticos, Madrid, 1975.
- 15.- VVAA, **Parlamentarismus ohne Transparenz, Kritik**, Westdeutscher Verlag, Opladen, 1971.

- 16.- VVAA, **Parlamentarische Ritual un politische Alternativen**, Campus, Frankfurt, 1980. It would seem that alternatives are crystallised in new social movements and, as such, are configured in respose to an ~~"moderate"~~ ^{"démodé"} parliamentarism. Joachim Hirsch, **Der Sicherheitsstaat. Das "Modell Deutschland, seine Krise un die neuen sozialen Bewegungen**, Europäische Verlaganstalt, Frankfurt, 1980.
- 17.- Arend Lijhart, **The Politics of Accomodation. Pluralism and Democracy in the Netherlands**, University of California Press, Berkeley and Los Angeles, 1968.
- 18.- Cf. Víctor Pérez Díaz, **El retorno de la sociedad civil**, Instituto de Estudios Económicos, Madrid, 1987. "Gobernabilidad y mesogobiernos", pp. 45 contd.
- 19.- James M. Buchanan and Marilyn R. Flowers, **Introducción a la Ciencia de la Hacienda Pública**, Edersa, Madrid, 1982, pp. 220 contd., 232-233, 435 contd.
- 20.- Many authors and commentators point out that the Spanish 1978 Constitution has one sole advantage over the rest in the country's tortured history: the fact that it is the first Constitution not to be imposed on one part of the population by the other. See, e.g. Ramón Tamames, **Introducción a la Constitución española**, Alianza, MAdrid, 1982, pp. VIII and IX. Emilio Attard, **La Constitución por dentro**, Argos Vergara, Barcelona, 1983, p. 93.
- 21.- Consensus would then give way to disenchantment. Excessive hopes had been placed in democracy and, it was said, the very praxis of consensus was guilty for the later parliamentary atony. Miguel Herrero y Rodríguez de Miñón, for example, one of the most outstanding ~~"fathers"~~ ^{"fathers"} of the constitution, takes his distance from consensus very early, as

he himself states in "Introducción general al contenido y a los principios de la Constitución" in Miguel Martínez Cuadrado (Comp.), **La Constitución de 1978 en la historia del constitucionalismo español**, Mesquita, Madrid, 1982.

- 22.- There is a widely held opinion that President Suarez resigned, above all, due to pressure from the military, apart from the uprising of high members of his party with whom he was forced into confrontation. Whatever the case, the causes of his resignation have never been totally clear, not even to his supporters. See Antonio Navalón and Francisco Guerrero, **Objetivo, Suárez**, Planeta, Barcelona, 1981.
- 23.- From early on, there have been frequent criticisms of the unworkability of parliament during the socialist term in office with an absolute majority. Essentially, the complaint consists in showing that the socialists impose their will, without coming to agreements with the opposition on important measures. Modesto Fraile, "Un año de gobierno socialista en el parlamento" in Oscar Alzaga (Comp.) **Un año de socialismo**, Argos-Vergara, Barcelona, 1984.
- 24.- There have been numerous petitions for reform of the Senate, in order to make it a true chamber of the Autonomous Communities. Almost all insist that such a reform should be made without revising the Constitution, something that is considered dangerous. Emilio Attard, **El cambio, antes y despues. Dos años de felipismo**, Argos Vergara, Barcelona, 1984, pp. 248 contd. Although it would also be conceivable that the constitutional reform could be limited to the Senate alone. See my article, "El secuestro de la Constitución", in **Diario 16**, September 24 1987.
- 25.- All legislation on public policy matters has been subjected to many studies by writers, academics, commentators and observers. However, little attention has been paid to

legislation on private matters, which, nonetheless, have an immense incidence of the organisation of everyday life and on its absorption of the guidelines of democratic behaviour. For this, see the work by José Almagro Nosete and Francisco Fernández Segado on constitutional jurisdiction or pluralities of studies found in VVAA, *España, diez años después de Franco*, Planeta, Barcelona, 1986, and VVAA, *10 años en la vida de los españoles*, Plaza y Janés, Barcelona, 1986.

- 26.- Between 1977 and 1979, 5 laws were approved amending the Law of Criminal Proceedings (legal aid and other issues) and 6 laws reforming the Penal Code (torture, adultery, common-law marriage, contraceptives, recidivism). See *Memoria de Legislatura de 1977 - 1979*, Congreso de los Diputados, Madrid, 1979. In the following ~~legislature~~ ^{legislative period}, three laws were passed recognising the rights of widows of civil war veterans and ex-veterans themselves, one divorce law, one on under-exploited properties, and later reforms of the Civil Code and trial laws (sessions, court appearances, and provisional imprisonment). See *Memoria, Legislatura de 1979 - 1982*. We only have a memorandum for the first half of the second ~~legislature~~ ^{legislative period} (1982 - 1986), but this also included much normative activity: one reform of the Civil Code, two of the Penal Code (amongst them, the one making abortion possible), one of the Law of Civil Proceedings, two of Criminal Proceedings, Law of **Habeus Corpus**, etc.
- 27.- On the vote of no-confidence in Adolfo Suárez in 1980, see A. Navalón and F. Guerrero, op. cit., pp. 98/99, where the authors admit that the winner was Felipe González, although the vote did not prosper.
- 28.- Proof of the uncertain nature of the organisation of territorial distribution of power, is the recent petition by Catalan ~~democrats~~ ^{socialists} for "federalisation" of the State. It is clear that the question of decentralisation remains open in Spain,

but, curiously, except for a recent debate on the state of the Autonomous Communities in the Senate, these issues have not been brought up in parliament.

29.- Data obtained from the **Guía del Diputado**, for the 2nd and 3rd legislatures, Congreso de los Diputados, Madrid, 1982 and 1986. Comparison with the ^{interesting} ~~unpublished~~ work by Jonás Condomines, "Los diputados españoles (Primeros análisis a partir del fichero ESDIP)", in **Universidad y Sociedad**, no. 2, Madrid, 1981, insofar as possible, shows a certain degree of consolidation of democracy with respect to the increase of "pure" middle classes, so to speak, and the decreasing number of old Franco- supporters. The liberal professions have grown: 32.6% (1977), 32.2% (1979), 36.3% (1982) and 38.6% (1986). The percentage of those who held political responsibilities during the Franco era, however, has gone down: 22.6% (1977), 14.9% (1979), 4.8% (1982). We do not yet have data for 1986, but one can assume that the downward trend has continued.

30.- Whatever the case, we should not let this deceive us. Spanish parliament is definitively in the hands of high-level bureaucrats. Administrative-scale bureaucrats represented 1.4% of the 2nd ^{legislature} ~~legislature~~ and 2.6% of the third, whilst elite public bureaucrats (upper corps of the State Administration) were 12.5% of the 2nd legislature, and 10.7% of the third, **Guía**, cit. (percentages derived by author).

31.- We know that this is one of the neo-conservative criticisms of the welfare state. Milton and Rose Friedaman, **La tiranía del Statu quo**, Ariel, Barcelona, 1984. See also, Ramón García Cotarelo, "Socialismo y neoliberalismo" in **VVAA, Nuevos horizontes para el socialismo**, Sistema, Madrid, 1987.

**The Institutionalization Process of the
Turkish Grand National Assembly in the 1980's:
Constitutional Provisions, House Rules,
Party Groups and Commission Structure**

by

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Introduction: The Process of Legislative
Institutionalization and the Turkish Grand
National Assembly

Institutionalization of a legislative system is a process through which the structure of the legislative system gains viability. Institutionalization may be said to occur as a legislative system develops the capability of adapting to its environment, and projecting itself as a salient and indispensable (or 'valued') component of the political system (Huntington, 1968: 12ff; Sisson, 1973: 19-23). As a legislative system institutionalizes it develops the capacity to cope not only with its environment, but also with its intra-institutional stresses and conflicts (Polsby, 1971: 190).

Underlying the definition is the observation that as a legislative system institutionalizes, the structural and process aspects of its organization change shape. First of all, the arrangement of its component parts becomes more complex as these parts proliferate and assume progressively more specialized functions. This process of differentiation and specialization is prompted by environmental pressures to which the legislative system must respond. Concretely this process manifests itself in the emergence of standing and ad hoc committees, salaried staff members and parliamentary party groups (Loewenberg, 1971: 7-10;

and Polsby, 1971: 200-209).

Secondly, as a legislative system institutionalizes it evolves into an autonomous subsystem of the political system. In other words, it becomes more than a legal rubber stamp mechanism. It performs functions other than legitimation of decisions taken elsewhere (Polsby, 1971: 190-200).

Thirdly, the institutionalization of a legislative system is manifest in greater organizational integration. Coordination and cooperation between component parts improves as institutionalization progresses and the maze of legislation increasingly functions to ease rather than hinder the decision-making processes (Polsby: 209-215).

Fourthly and consequently, as the legislative system institutionalizes its House rules, customs, and norms come to command greater and greater respect among all actors involved in the legislative process. Rule-abiding behavior is a function of this respect, which is engendered by the formulation over time of a set of House rules, norms, and customs, which are perceived to work. It is sustained by a socialization process by means of which these tried and established rules are passed on to each new generation of legislators.¹ Modifications of House rules do occur, but with a frequency inversely proportional to the degree of institutionalization of a legislative system and the stability of its environment. As one sociologist has suggested "institutions are frozen answers to fundamental questions of society" (Lenski and Lenski, 1974: 53). Once institutionalized House rules and norms tend to remain unchanged as long as the "recurring fundamental problems" faced

by a legislative system remain the same and the environment within which it operates remain stable. It follows that a study of the House rules and norms in conjunction with an analysis of the rule-abiding and rule-violating behavior of legislators might provide some invaluable clues as to the level of legislative institutionalization.

The Turkish Grand National Assembly is among the Southern European legislative systems, which may be said to have undergone prolonged periods of institutionalization. In the course of its vicissitudinous existence it has survived a rocky transition to multi-party politics and three praetorian interludes since 1946. In the wake of the last of these interludes the Turkish Grand National Assembly (TGNA) is once more operative in a multi-party political context (see appendix for details). In this new phase of political existence, how likely is it that the TGNA will grow into a "viable, stable, and valued" system? Which structures, norms, and practices of the Turkish legislative system are in the process of being established as stable patterns? Which parts of the legislative system, such as committees, and parliamentary party groups, are contributing to the institutionalization of the TGNA, and how? In what follows an effort will be made to find answers to these questions. Toward this end a three-part analysis will be undertaken. The first part will examine the House rules and norms; the second will focus on the role(s) of political parties in the TGNA; and the third will analyze the role of commissions in the TGNA.

- I -

The House Rules and Norms:
The Rules of Procedure in the TGNA

The overall structure and the legal functions of the TGNA are explicitly determined by the 1982 Constitution. However, it is the Rules of Procedure of the TGNA which details the regulations governing the legislative process, the floor debates, the composition and work of commissions, and the functions and procedures of the Bureau of the Assembly. Consequently, it is more fruitful to consider both documents in describing the internal composition and the House rules of the TGNA.

The main functions of the TGNA are defined by the Constitution as "the enactment, amendment, and repeal of laws; the supervision of the Council of Ministers and the Ministers; the authorization of the Council of Ministers to issue governmental decrees having force of law ... the debate and approval of the budget draft and the draft law of final accounts; the making decisions regarding the printing of currency and the declaration of war; the ratification of international agreements, deciding on the proclamation of amnesties and pardons the confirmation of death sentences passed by the courts..." (1982 Const.: art. 87). Various legal provisions are designed to enable the TGNA to perform these functions.

The above mentioned provisions had already been stipulated in the Rules of Procedure drawn up by the TGNA in 1973. This document remains in force today. However, clearly the 1982 Constitution requires some modifications in the Rules of Procedure. The structure of the TGNA was altered by the 1982 Constitution. The TGNA had been, from 1961 to 1980 a bicameral body consisting of the National Assembly (the lower house), and the Senate. The 1982 Constitution reduced the bicameral body to a National Assembly, and abolished the Senate (art. 75). Consequently, the 1983 parliament is still in the process of redesigning the Rules of Procedures according to the new political arrangements, and it is very unlikely that they will be adopted before the early legislative elections, which will be held on November 1st, 1987.

The current Rules of Procedure of the 1983 parliament, breaks down the TGNA into four components: The President (Speaker) of the Assembly and his Council; the Parliamentary Party Groups, and the Advisory Board of the Speaker, (this latter is composed of the Speaker and the leaders of the party groups); the TGNA commissions; and finally, the most global body of all, the General Assembly. The Rules of Procedure define the composition, duties and functions of each of the component parts and of the TGNA deputies.

With this general framework in mind, I will turn first to more detailed scrutiny of the House Rules governing the floor behavior of the deputies, and second to the Rules as they

pertain to the legislative process. An examination of parliamentary parties and commissions will follow.

The council of the Speaker of the TGNA, is composed of the Speaker, the Deputy Speakers, Secretary Members, and Administrative Members. It is charged with the duty of organizing the Floor activities in the TGNA. The secretary members of the Council are responsible for attendance, counting votes, reading documents and summaries of minutes to the General Assembly, and supervising intra-legislative elections. The Administrative Members are responsible for managing special TGNA ceremonies, assisting the Speaker in administrative, financial and security matters of the TGNA, and maintaining order in the General Assembly. The Speaker supervises the meetings of the General Assembly, resides over the meetings of the Council and of the Advisory Board (Rules of Procedure, arts. 14, 16, 17).

According to the Rules of Procedure seven items are to constitute the agenda of the TGNA: Proposals formulated by the Speaker's Office; a special agenda (if any); elections; matters to be voted on; general debates and parliamentary inquiries, and/or oral questions; and finally bills and other matters drafted by the commissions (R. P., arts. 14, 16, 17). It is the Advisory Board composed of the political party group leaders in the National Assembly, which determines the special agenda. It is also noteworthy that the Rules of Procedure (art. 50) clearly stipulate that no matter may be debated by the General Assembly which has not been cleared with the Advisory

Board or decided upon by the General Assembly or previously announced by the Speaker.

Procedural Rules Concerning the
House Activities of the Legislators

The Rules of Procedure contain detailed guidelines governing the proceedings of the General Assembly. Matters of procedure are to be given priority over other matters in floor debates. An agenda is to be prepared prior to each session. No deputy may speak on the floor without obtaining the Speaker's permission. Within some explicitly defined limits, the Speaker may determine who takes the stand. (R. P., art., 62). The Speaker is without a vote and except as duty requires the Speaker may not participate in debate (R. P., art. 65).

The Rules of Procedure contain five articles which set forth guidelines to be followed in addressing the General Assembly, which govern the general order of debates, and which specify measures to be taken in the event of unruly behavior disruptive of due process. The Speaker may call for a recess of up to one hour in case of such behavior, (R. P., art. 69). It is also stipulated that no deputy may interfere with the speech of another deputy who is addressing the General Assembly. Personal remarks are prohibited during each address (R. P., art. 66).

We may gauge the past efficacy of these rules by means of a recent study conducted by the author of this paper. According to this study there has been a positive slope in the unruly (at times anomic) behavior of TGNA deputies since the advent of

multi-party politics in 1946. Acts in violation of the articles 66 through 70 of the Rules of Procedure increase markedly in scope and intensity during the 1953-1960, 1965-1971, and 1975-1979 sessions of the TGNA. However, the slope of unruly legislative behavior in the TGNA for extended periods of 1946-1960, 1961-1971, 1973-1980 (or 1986) were all positive (see Table 1).

Table 1 about here

The Rules of Procedure has not enjoyed the unqualified endorsement of Turkey's major political parties. Between 1950 and 1980 various articles of it have been almost routinely violated. Environmental stresses appear to have rendered the TGNA incapable of formulating a set of generally accepted rules and norms of legislative conduct. The 1973 Rules of Procedure was a controversial document. At the time of its formulation by a government dominated commission systematic objections to about ten per cent of its rules were registered by the opposition parties. However, as the final draft of the Rules of Procedure adopted by the TGNA makes clear, these objections were ignored. Hence, the Rules of Procedure has never commanded universal assent. The document is not a product of compromise. It has been legislated like all other bills by votes cast along strict party lines. This being the case, the contents of the document have not always been accepted as binding by TGNA deputies. In periods of mounting political tension within and outside the parliament

Table 1: The Trends of Unruly
Legislative Behavior
in the TGNA

		Number of Occurrences
1. The trend for the 1946 - 1980 period:	$Y = 9.33 + 0.21 X$	425
2. The trend for the 1946 - 1960 period:	$Y = 5.24 + 0.97 X$	194
3. The trend for the 1961 - 1971 period:	$Y = 6.0 + 0.62 X$	107
4. The trend for the 1973 - 1980 period:	$Y = 16.87 + 0.61 X$	124
5. The period of 1983-1986:	-	4(*)

Y = Number of Unruly Legislative Behavior
Occurring in the TGNA (per annum)

X = Time (Years)

Source: Daily newspapers of Vatan (1946-1960), Cumhuriyet (1946-1986), and Milliyet (1960-1980), and the Minutes of the Floor Debates of the TGNA for the 1946-1986 period.

(*) One example of unruly legislative behavior occurred in 1985, and three such incidents took place in 1986.

Note: Occurrences of all violations of the Rules of Procedure of articles 65-69 are taken into consideration, which range from loud protests leading to a recess in the due process of legislation to physical fights. (For more information see Kalaycıoğlu, 1986b: 5-9).

articles 66 through 70 have been routinely violated by both the opposition and government party deputies (Kalaycıoğlu, 1986b:passim). It is noteworthy in this regard that the deputies concerned have been rewarded for their behavior. In the past a deputy's unruly legislative behavior appears to have boosted his popularity and increased his chances of re-election. It seems as if unruly legislative behavior has been rationalized by the deputies and their constituents alike as symptomatic of uncompromising devotion to the interests and ideals of the latter. A deputy's chances for re-election have been further enhanced to the extent that he has been able to combine unruly behavior with success in securing some needed service for his constituency. Under such circumstances it is hardly surprising to discover that the Rules of Procedure of the TGNA have not been "binding" for all deputies (Kalaycıoğlu, 1986b: 4-8). In short, re-election concerns and party affiliation have been more determinative of the legislative behavior of the TGNA deputies than have the rules, norms and legal provisions that make up the Rules of Procedure.

With the exception of a group of about forty deputies who had served in the TGNA in the pre-1980 period, the 1983 parliament is composed of deputies with almost no experience in national politics (Kalaycıoğlu, 1986a: 332). The 1973 Rules of Procedure, which govern its activities have neither been designed nor internalized by the current members of the TGNA. A new set of rules and norms for legislative conduct are being

re-negotiated or re-constructed by the current TGNA. In September 1985 the chairman of the Constitution Committee announced that the new Rules of Procedure has been drawn up by his committee and submitted to the Speaker's Office. Unfortunately, this proposed Rules of Procedure have neither been made public, nor made ready for floor debate in the TGNA. However, the chairman of the above mentioned committee has written an article outlining some of the basic features of the proposed Rules of Procedure (Coşkunoglu, 1985: 35-37). It appears that basic modifications were proposed on matters pertaining to the roles of political parties and commissions. I will focus on these proposals in my examination of these topics.

The 1983 parliament faces the task of establishing binding rules and norms of legislative conduct. A number of factors compound the difficulty of this task. With the exception of the ruling Motherland Party (MP), all those political parties initially elected to the TGNA have dissolved themselves as legal entities. New political parties have been formed by recruiting incumbent deputies of the dissolved parliamentary parties. This recruitment has been undertaken by parties excluded from participation in the 1983 general elections.² As a consequence there are two right-wing and two left-wing political parties and about twenty independent deputies in the TGNA. Two of these parties only recently formed their parliamentary party

groups. Moreover, there will be national legislative elections on November 1st, 1987. In short, the 1983 parliament will soon be replaced with the 1987 parliament.

Meanwhile, the political parties of the post-1983 period are still in the process of being established; and this means that the political party elites who would normally play leading roles in the establishment of the rules of legislative conduct are not yet in a position to do so. Moreover, there is such an imbalance in the distribution of seats in the TGNA. The Motherland Party occupies about sixty percent of the seats in the TGNA. Meanwhile, the Social Democratic People's Party (SPP), which has emerged as the second largest parliamentary party controls only about sixteen percent. In sum, the 1983 parliament is overwhelmingly dominated by the government party. This uneven distribution of seats has two consequences. First of all, it encourages the executive to be lax in its enforcement of legislative rituals and processes. Secondly, it exacerbates tension between the governing and opposition parties, which in turn tends to generate unruly legislative behavior. Such behavior has become more evident in TGNA proceedings since June 1985 (see Table 1). I would like to introduce my final point by reiterating the fact that some ninety percent of the current members of the TGNA are newcomers to national and/or parliamentary politics.³ As a consequence, they lack the guidance of a more senior group of deputies in adapting themselves to their legislative environment. They have no choice

but start almost from scratch in their efforts to establish binding rules and guiding norms of legislative conduct, upon which order in the relationships between the majority and minority party groups in the TGNA will depend.⁴

In conclusion, I would like to assert that the 1983 parliament has inherited neither stable patterns of rule-abiding legislative behavior, nor agreed upon rules of legislative conduct. The newly elected deputies lacked experience in national and/or parliamentary politics (Kalaycioğlu, 1986a: 332ff). These deputies have struggled to adapt themselves to their new environment. Meanwhile, the TGNA has been under the almost complete control of the MP. The opposition is in disarray without any real opportunity to oppose the ruling party's legislative program.⁵ This is not to say that all has been smooth sailing for the MP. There have been rebellions by the MP backbenchers, who have succeeded in altering or halting proposed legislation. It appears moreover that MP leaders are insecure, despite their great majority of seats. They were haunted by the thought that they might lose a large group of their deputies to the other major right-wing party, namely the True Path Party.⁶ Nonetheless, despite the inexperience, instability, tension and insecurity, author detects some signs that the institutionalization process of the TGNA is once again under way. How far along the process is, will only be determined after the approaching general elections, now due for Fall 1987.

- II -

Political Parties in the TGNA

The TGNA is often noted for its disciplined political parties, (Ozbudun, 1965: passim). Strict voting along party lines has been the rule. However, there have been exceptions to this rule in the past, and no doubt there will be again. Nevertheless, most students of Turkish politics have asserted that the Turkish political culture nurtures an overwhelming identification of the individual deputies with their political parties. In the past, this identification has driven party members to view the world in terms of friend versus foe, (Frey, 1975: 65ff). Such a world-view has been noted as among the major causes of tension and instability in Turkish politics.

In the interim period of 1980-1983, the praetorian regime legally terminated and annulled all of the well-established parties, including the Justice Party (JP), the Republican People's Party (RPP), the National Salvation (NSP) and the National Action Parties (NAP), (see appendix). Only new political parties with "no apparent" links with the above mentioned old parties were legally permitted to form. The Political Parties Act (PPA) stipulates that the post-1983 political parties shall not adopt the signs, symbols, and the slogans of the parties of the pre-1980 period (PPA art. 96). Party programs and platforms can have no references to the actions, programs or platforms of past political parties which might suggest that a newly founded party is the continuation of

one of the parties of the old regime (PPA art. 96). Finally, the leaders and members of the central committees of the pre-1980 parties and their members who had served in the 1977 parliament were not permitted to run for office in the 1983 general elections (PPA temporary art. 1). The leaders of the parties of the old regime have been banned from political activity. With these restrictions in force only three newly founded political parties were permitted to enter the general elections of November 1983.⁷ The deputies of the 1983 parliament were constituted by these three political parties until 1985. With the dissolution of two of the three original parties, the founding of new parties, and the by-elections of 1986, the composition of the deputies of the TGNA has begun to diversify. At present, three major political parties and a minor one are represented in the TGNA.

Against the background of this brief introduction to recent developments in the Turkish party system, it is worth drawing attention to the fact that the Turkish political parties are as yet at low levels institutionalization. They are still in the process of organizing nationally and establishing stable links with the electorate. The party system is still fraught with uncertainty. This uncertainty reflects itself in the intra-parliamentary performance of the political parties; as witnessed by the heavy flow of TGNA deputies across the party lines in the Spring of 1986. This flow was heavy in spite of the fact that there are constitutional provisions against

it.⁹ The question arises as to whether or not, under these circumstances, the present parliamentary party groups can achieve that level of membership discipline characteristic of their procedures in the pre-1980 period.

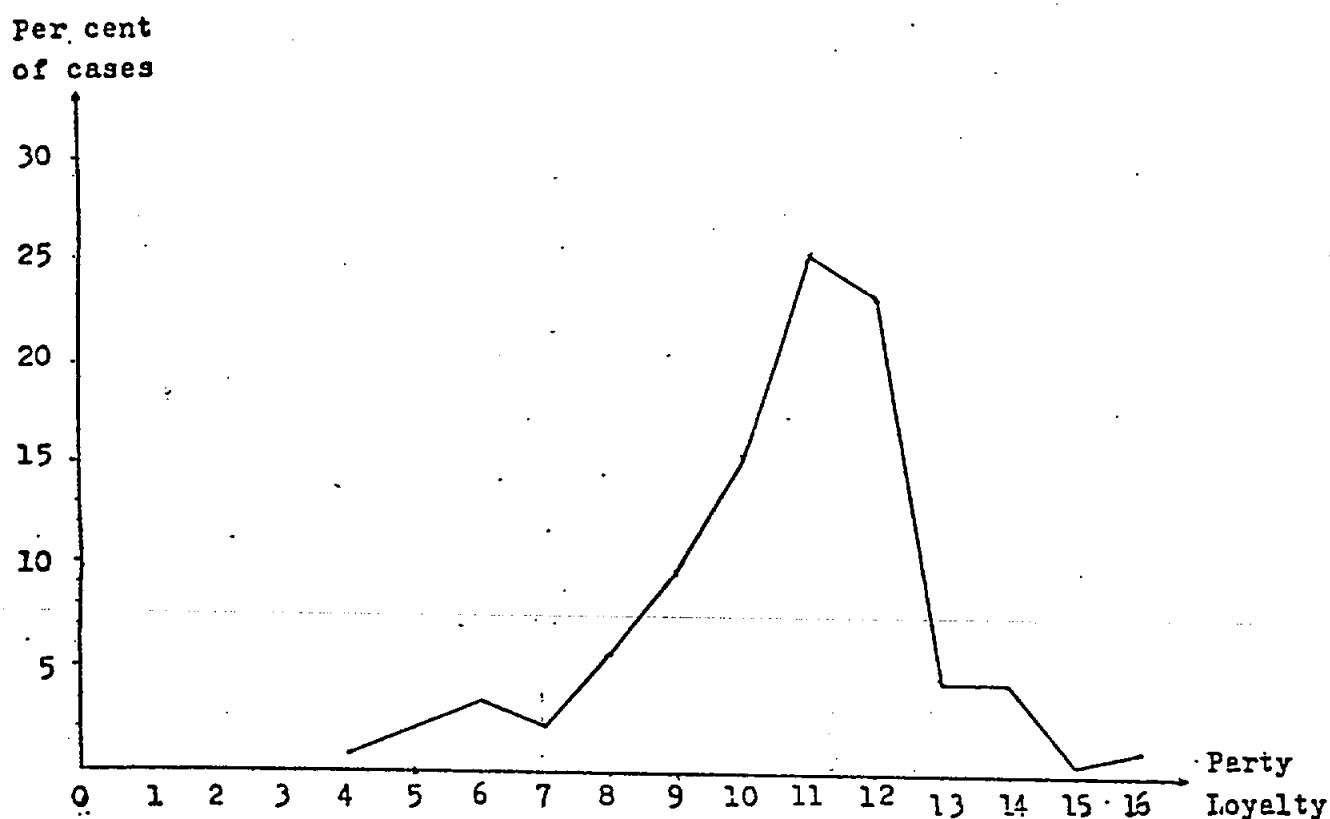
Party Discipline in the TGNA

In Fall 1984, the author conducted structured interviews with 125 deputies of the TGNA. In addition to questions designed to probe the socio-economic backgrounds and political career patterns of the respondents, the questionnaire included questions designed to elicit the political attitudes of respondents. Among the latter were a battery of questions about the attitudes of the deputies toward their respective political parties. A unidimensional, additive scale of party loyalty was constructed on the basis of four questionnaire items.⁹ The distribution of attitudes of party loyalty of TGNA deputies is illustrated in the following (see Figure 1).

Figure 1 about here

As may be seen in Figure 1 above, distribution is skewed to the left. Most deputies evince attitudes of loyalty to their political parties. However, their responses are not concentrated on the far right-hand side of the scale. This would have been the case if they had fully identified themselves with their political parties. The fact that deputies lack experience in national level party politics, coupled with the additional fact that their parliamentary status has not been achieved through

Figure 1: Party Loyalty among the Deputies of the TGNA (1984)



		<u>N</u>	<u>%</u>
Lowest	4	1	1.9
	5	0	0.0
	6	4	3.4
	7	3	2.4
	8	7	5.8
	9	12	9.9
	10	19	15.7
	11	31	25.4
	12	29	23.8
	13	6	5.0
Highest	14	6	5.0
	15	1	0.9
	16	2	1.8
Total		121	100.0
Missing		4	

Skewness = -1.47

Kurtosis = 5.03

Mean = 10.6

Median = 10.9

Mode = 11.0

Reliability = .55 (Unstandardized)

(Cronbach's .51 (Standardized)

Alpha)

lengthy service in their respective political parties, may be considered to constitute the major determinant of the skewed distribution of responses depicted in Figure 1. Evidence for this assertion may be gleaned from the fact that, within a year of the date on which this questionnaire was administered, a number of respondents actually participated in the dissolution of their parties and joined other parties or organized new ones. It is important to note, however, that deputies of the ruling MP exhibited attitudes toward their political party very similar to those evinced by deputies of the NDP or PP (see Table 2). Party

Table 2 about here

loyalty of the sort which entails complete identification with one's political party, does not appear to be an attitudinal parliamentary groups. This is in contrast to the marked party loyalty observed by Frederick W. Frey and others, among the deputies who had served in the previous parliaments, (Frey, 1975: 65ff; Harris, 1958: 439; Mardin, 1965: 384). This contrast is indicative of the low level of institutionalization characteristic of current parties.

Turkish political parties have always had strong leaders. These leaders have ruled their parties through central committees consisting of close friends and associates. Personal, informal and proximal relations with these leaders have often played a critical role in determining an ambitious party member's chances of upward political mobility. It is at the same

Table 2: Party Affiliation and Loyalty of
the Deputies in the 1983 TGNA (1984)

		Party Affiliation			
			<u>NDP</u>	<u>PP</u>	<u>MP</u>
Party Loyalty	Low	1	0.0	0.0	0.06
		2	0.25	0.39	0.32
		3	0.67	0.58	0.56
	High	4	0.08	0.03	0.06
			100.0	100.0	100.0
					N= 75

Kendall's tau c = -0.059 (not significant at
0.05 level of
significance)

Note: Only column percentages are reported.
The party loyalty scores of the deputies presented in Figure 1
are converted into a four point scale.

time true however, that previous political parties, (i.e. the RPP and the JP), did develop national organizations and somewhat institutionalized recruitment patterns for political office. Some local party branches were to be reckoned with by the central committee. The leaders of these parties had to take powerful party factions and branches into consideration in their management of internal affairs of their parties. Post - 1983 political parties differ from their predecessors. They are not yet institutionalized organizations. They operate in the absence of agreed upon rules and traditions regulative of party affairs. The selection of candidates for political office, the resolution of conflicts among party functionaries, and the management of parliamentary party groups are controlled exclusively by the central committees and/or the leaders of the political parties. In the absence of strong and viable party organizations, a premium is placed on the personalities of leaders and their autocratic handling of all matters concerning their political parties has become the norm.

Not since 1950 have the re-election chances of deputies of the TGNA have been so dependent on favorable evaluations of their performances by party leaders. And, not since 1950 has the power to establish party discipline in parliament been so constructed in the hands of party leaders. Having said this, however, not all deputies of the TGNA are seeking re-election¹⁰, and of those who are, some may well win the next election irrespective of their party connections.¹¹ Nonetheless, we observe that the MP government has so far tried

to keep critical and controversial issues from coming before the parliament. Toward this end, the government has tried to execute its policies, especially its economic policies, through the issuance of governmental decrees with the force of law, rather than legislate bills through the parliament.

The lack of institutionalization is most problematic for opposition parliamentary groups. The Social Democratic Populist Party (SPP), for example, has neither fully solved its internal leadership problem, nor has it been able adequately establish or fully activate its local branches throughout the country. The current leader of the SPP was elected to serve as a deputy of the TGNA in the September 28th, 1986 by-elections. Meanwhile the SPP appears to be going through the phase of organizational consolidation. This phase will continue until its next general convention. At the same time, the SPP appears to be heir to the RPP legacy, both in terms of party platform and electoral support. It is also evolving into a vocal opposition. Recent opinion polls suggest that it has become a major contender for power in the next general elections.¹² The True Path Party (TPP) also formed a parliamentary group in the TGNA in May of 1986. The relatively high level of organization characteristic of this party is due to inheritance of some of the local branches the former JP organization. In fact, Mr. Suleyman Demirel, who was the leader of the banned JP of the 1970's is now elected to become the leader of the TPP. In the 1986

by-elections the TPP was able to obtain about 23 percent of the valid votes casted in eleven electoral districts. This was about ten percent less than the governing MP, and about one percent more than the SPP. The most recent opinion polls seem to indicate that it is likely to become the second largest party in the TGNA after the November 1st elections (Milliyet, September 27th, 1987: p.1) The only other parliamentary group in the TGNA belongs to the Democratic Left Party (DLP). This party is established by the ex-prime minister Bulent Ecevit's wife Rahsan Ecevit, who following the September 6th, 1987 referendum resigned and paved the way for her husband, Mr. Bulent Ecevit, to be the leader of that party. Although it managed to obtain about nine percent of the votes in the 1986 by-elections, a group of SPP and independent deputies helped DLP form a group in the parliament.¹³ Nevertheless, all of the above mentioned developments started to occur in Fall 1986, some three years after the re-initiation of the multi-party politics in 1983. Thus, it is probable that the parliamentary party groups in the 1983 parliament are still going through a transitional process of establishment and organization. No consolidation of the parliamentary party groups is likely to take place until the November 1st, 1987 national legislative elections.

Legislative Activities and
the Party Groups in the TGNA

Turning now to the role of the parliamentary party groups in the legislative process, one is immediately struck by the immense control exercised by party groups over the 1983 parliament. The 1982 Constitution and the Rules of Procedure, define various forms of legislative activity. These include in relation to bills; questions, parliamentary inquiries, interpellations, and commission assignments. The distribution of these various activities engaged in by deputies may be gleaned from the following (see Table 3).

Table 3 about here

A deputy may draft and propose the adoption of a bill by the General Assembly of the TGNA on his own initiative. However, it appears that no bill of major consequence to government policies has so far been drafted and/or proposed to the TGNA in this manner. Alas noteworthy is the fact that the opposition has not yet proposed any bills of consequence to government policies, been adopted by the General Assembly. In fact, with the exception of bills supported by powerful cliques within the ruling MP, (i.e. the Alcoholic Beverages Act of 1984, (which prohibits advertisements by the media of alcoholic beverages including beer), bills not initiated and/or support of the government have rarely been adopted. These have been cases of multi-partisan support for bills pertaining to public services and goods, but such support is exceptional. ⁽¹⁴⁾ The great majority of the bills so far adopted by the General Assembly are

Table 3: The Distribution of Legislative Activities in the Turkish Grand National Assembly

	1961- 1965	1965- 1969	1969- 1973	1973- 1977	1977- 1980	1983- 1986
Government Sponsored Bills	886	694	820	546	600	254
Other Proposed Bills	884	898	922	820	951	366
Oral Questions	1087	827	245	424	631	835
Written Questions	800	1232	1771	1745	1038	1398
Debates on Specific Issues by the General Assembly	15	43	68	12	25	16
Legislative Investigations	50	12	21	176	98	6
Legislative Inquiries	23	53	125	173	89	28
Interpellations	5	84	23	6	60	2

Source: Ezherli, Ihsan, (1986). Turkiye Buyuk Millet Meclisi (Turkish Grand National Assembly): 1920 - 1986, (Ankara, TGNA Publications, No:10), pp. 114-116.

(*) The figures for this column are my calculation on the basis of information provided by the TGNA Office of Legal Acts and Resolutions.

Note: Between 70-80 percent of the government sponsored bills are adopted by the TGNA. Actually, of the 254 government sponsored bills 205 (80.7 percent) have already been adopted by the current TGNA. Moreover, about 36 percent of them are proposed by the deputies of the majority party. The same percentage is 21.8 for the non-government sponsored bills, in the 1983 parliament.

sponsored by the government. Finally, the findings of the author's 1984 study suggest that most deputies are concerned with highly diffuse political issues, such as inflation or unemployment. Very few of the deputies interviewed had clearly in mind specific solutions to those problems that they perceived as most important problem of their constituents (see Table 4). It is significant in this regard that seniority and/or lengthy exposure to constituency feedback are characteristic of those deputies who have proposed bills in the 1983 parliament.

Table 4 about here

While not all deputies are capable of drafting bills, an activity which requires technical knowledge they may neither possess nor have access to, all deputies can address questions to Ministers and/or the Prime Minister. Of all their duties this is the easiest to fulfill. Unlike drafting bills, framing questions requires a minimum of technical and/or legal knowledge. Hence, there is a tendency for deputies to point to the questions they have asked and the answers of Ministers to these questions, especially if these appear in daily newspapers, as evidence of their concern for the problems and issues of their constituents.

The present Constitution does not permit a single deputy to move interpellations or parliamentary investigations. The Constitution stipulates that "a motion for interpellation may be tabled either on behalf of a political party group, or by the signature of at least twenty deputies... The motion for interpellation shall be circulated in printed form to the

Table 4: Actions Conducted to Solve
the Most Urgent Constituency
Problems by the Deputies (1984)

<u>Type of Action</u>	<u>Participating Deputies</u> %
Initiated no action	23.0
Has thought about it	50.4
Drafted bills (not submitted)	3.5
Drafted bills (already submitted)	0.9
Contacted Central Bureaucracy	5.3
Contacted Local Government	2.7
Contacted Local Party Organization	0.9
Contacted Ministers	6.2
Other	<u>7.1</u>
	100.0

N = 113; Missing = 12

members within three days of its being tabled, inclusion of a motion of interpellation in the agenda shall be debated within ten days of its circulation," (art.99). "Parliamentary investigation concerning the Prime Minister or other Ministers may be requested with a motion tabled by at least one-tenth of the total number of members of the Grand National Assembly of Turkey. The Assembly shall consider and decide on this request within one month at the latest," (art.100). In short, individual deputies are not permitted to bring motions before the TGNA calling for interpellations or parliamentary investigations of members of the Council of Ministers. In the 1970s, the signatures of ten deputies were sufficient to bring a motion of interpellation to the floor of the TGNA. Past opposition parties systematically harassed governments by tabling one motion of interpellation after another. It appears that the framers of the present Constitution took pains to ensure that making such motions would be as difficult as possible. As a consequence of the new legal restrictions the power to move interpellations has been effectively taken out of the hands of individual deputies and placed in the hands of parliamentary party groups. Another consequence is that it will henceforth be easier than ever before for the government to blame the opposition for legislative paralysis in the event that they again resort to such methods of harassment.

In the 1961 - 1980 period a single deputy could move that a parliamentary investigation of any member of the Cabinet be conducted. Now, the required number of signatories for such a

motion is one-tenth of the total number of deputies of the TGNA. In the pre-1980 period, motions for parliamentary investigation were frequently made to forestall legislation proposed by the government. In order to root out this practice, the authors of the 1982 Constitution made it more difficult for individual deputies to table motions for parliamentary investigations.

A motion for general debate may be tabled by a parliamentary party group or by at least ten deputies. Such a motion is immediately entered on the list of incoming applications to the Speaker's Office and circulated. The promptness in the handling of such motions has made them more appealing to opposition deputies of the 1983 parliament.

According to Mr. Coşkunoglu, the chairman of the Parliamentary Committee drafting the new Rules of Procedure of the TGNA, the new legislative provisions defined by the 1982 Constitution are being incorporated into the old Rules of Procedure, and some new procedures and practices are being codified as well. The modifications seem to be designed to speed up legislative process, which means, in effect augmenting the government party's influence on commission proceedings and the floor debates (Coşkunoglu, 1985: 36-37). The relative importance of parliamentary party groups and of the government will probably peak with the adoption of the new Rules of Procedure by the TGNA. (15)

If legislatures are to be classified as either plenary bodies or committee oriented institutions (Rockman, 1984: 409), (the British and French Parliaments exemplifying the former and

the West German Bundestag the latter), the TGNA falls with the former category. The leadership of the parliamentary party group cannot be sharply distinguished either from the leadership of the extra-parliamentary party organization or from the top executive (except for the civil servants). Consequently, the government, (through its majority backing in the TGNA, and the overlap of party leadership across the two branches of government), has a considerable amount of control over the legislative process in the 1983 parliament.

In fact, the MP government has had so much control over the legislative process that it has managed to thwart efforts to debate its economic and other policy steps on the floor of the TGNA. It has managed the legislative process by appealing to Article 91 of the 1982 Constitution which enables the government to request authorization to issue decrees having the force of law. The purposes, scope, principles, and the operative period of such laws need to be specified by the TGNA, though once published in the Official Gazette, they must be referred to the TGNA for approval. As yet the government has had no difficulty in procuring or delaying this approval. By this, circumventing the legislative process, the government has forced the TGNA to approve or disapprove of policies which it has already started to implement. In effect this has meant that the government has been able to avoid the necessity of laboring through commissions and subjecting every feature of its bills to debate on the floor of the TGNA, presenting the parliament instead with a "fait accompli" and asking simply for a vote of confidence. What this amounts to is government's safe bet on the partisan support of

its majority in the TGNA. By means of the governmental decrees issued systematically over the last four years, the MP government has made some drastic changes in the Turkish economy. (14)

An autonomous contribution by the TGNA to the political process was neither intended nor envisioned by the framers of the 1982 Constitution. It has not occurred. The Constitution and the Rules of Procedure of the TGNA inhibit autonomous action by the legislators, while encouraging autonomous executive action. This is not by accident. The framers of the current Constitution believed that necessary executive actions had been unduly frustrated by the provisions of the 1961 Constitution (Heper, 1986; Kalaycioglu, 1986b: 18-22).

Finally, the disarray of opposition parties further enabled the MP government to ignore their presence in the TGNA. In conclusion, it appears that the institutionalization process which the new political parties in the TGNA are undergoing, is in the nascent stage. The process is unlikely to gain such momentum until after the November 1st, 1987 national legislative elections.

- III -

The Commission Structure
and Activity in the TGNA

The commissions of the TGNA are organized in relations to Cabinet Ministeries. Almost every Ministry has a matching standing commission in the TGNA. As the number and functions of Ministeries have changed so has the number and scope of commission activities. However, the structure of the TGNA has also conditioned the number of commissions (Karamustafaoğlu, 1965: 189). The bicameral structure of the TGNA hosted a total of eleven commissions in the National Assembly (the lower house), and twelve similar commissions in the Senate, and three joint commissions in most of the 1961-1980 period. In contrast, the current unicameral TGNA has only fourteen commissions.

Most present commissions have been designed to deal with specific policy areas which overlap with the activities of specific Ministeries. However, there exists a few commissions which have been organized to investigate and/or oversee the activities of more than one Ministry, (e.g. the Public Works, Reconstruction, Transportation and Tourism Commission has such a structure). However, most commissions have less diffuse policy areas. These are commissions for defense, foreign policy, health and social welfare etc. Finally, there is a commission which has been established to investigate and control the accounts of the TGNA. Other, and non-financial affairs of the TGNA are managed by the Speaker and his Advisory Council (R. P.

arts. 20,36).

Members are elected to their respective commissions by the TGNA for a period of two years. The number of members to be assigned to each commission is determined by the Speaker in accordance with the relative strength of each party group. Each party group selects its own list of candidates for each commission and submits this list to the Speaker. The candidates are then elected by the General Assembly. No political party may submit more candidates than its quota allow. The rule is that the government party (or coalition) occupies the majority of the seats in each commission. The General Assembly has traditionally followed plebiscitary means of adopting the submitted lists of candidates. Upon their election, the Speaker calls for the first meetings of the commissions. During their first meeting each commission elects its chairman, vice-chairman, reporter and a secretary by simple majority vote. Consequently, one is supposed to discover that all of these positions in all commissions are occupied by members of the ruling MP (R. P., arts. 21-36).

One unearths upon close observation that the assignment of deputies to commissions is not based on considerations of seniority. The chairmen, vice chairmen, and reporters of present commissions have not been selected on the basis of their previous experience in the parliament (see Table 5), nor has previous service in the same commission been a criterion of selection (see Tables 6, 7). However, occupational expertise plays a major role in recruitment for such positions (see Table

7). This does not mean however that most commission members are specialists. In fact, the proportion of 'non-experts' in some commissions is high, (e.g. the Foreign and Internal Affairs commissions). The majority party seems to evince a preference for assigning non-experts to some commissions. There appear to be commissions which the government expects to make rapid decisions on drafts proposed by the latter. The rationale appears to be that non-experts are less likely to debate details and attempt to modify the content of drafts. This understanding is predicated on that commission members will cast their votes along party lines. That votes are so cast in great majority of cases cannot be doubted. However, we do not yet possess hard evidence as to the frequency of exceptions to this rule. '17'

Tables 5, 6, 7
about here

Commissions organized to investigate and control specific policy matters are usually in close contact with their corresponding Ministeries and executive agencies (Karamustafaoğlu, 1965: 151-152). The Prime Minister and the other Ministers of his Cabinet are permitted to participate in the commission meetings. Commission chairmen are authorized to demand information from the related executive agency(ies) and executive agency representatives may be invited to testify before their commissions. There is no clarity in the Rules of Procedure about the sanctions that the commissions may impose on

Table 5: Occupational Expertise and Seniority
of the Commission Members in the TGNA (1984)

<u>Commission</u>	Members with Relevant Occupation %	Members with Previous Legislative Experience %
Justice	95.2	0.0
Constitution	100.0	14.3
Public Works, Construction, Transportation, and Tourism	90.4	0.0
Foreign Affairs	47.6	14.3
Interior Affairs	57.1	4.8
State Economic Enterprises	74.3	2.9
National Education	85.7	4.8
National Defense	80.9	4.8
The Plan and the Budget	87.5	7.5
Health and Social Services	80.9	0.0
Industry, Technology and Commerce	90.5	14.3
Auditing of the Governmental Expenditures	53.3	6.6
Agriculture, Forestry and Village Affairs	76.2	4.8
Petitions	35.3	0.0
Accounts of the TGNA	72.7	9.1

Note: The percentages that correspond with occupations are calculated on the bases of the relationship between the pre-legislative occupations of the commission members and the policy domain of the commission in question. For example, all members of the commission on justice are lawyers, except one.

Table 6: The Turnover Rates in the Commissions of the TGNA

Commission on	Turnover of Commission Members ^(*)		Turnover of Commission Members ^(**)	Turnover of Commission Members ^(*)	Turnover of Commission Members ^(**)
	(1983-I 1986) I	(1975- 1983)	(1971-1975)	(1967-1971)	(1964-1967)
	%	%	%	%	%
Justice	52	100	96	86	84
Constitution	43	95	96	86	88
Public Works, Construction, Transportation, and Tourism	52	100	00	100	95
Foreign Affairs	52	95	00	100	84
Interior Affairs	52	100	00	95	88
State Economic Enterprises	57	-(***)	-	-	-
National Education	38	100	96	81	84
National Defense	43	100	96	85	80
Plan and Budget	55	98	91	94	89
Health and Social Services	43	100	96	86	80
Industry, Technology and Commerce	52	100	00	100	86
Auditing of the Governmental Expenditures	93	-	-	95	90
Agriculture, Forestry and Village Affairs	62	100	00	86	84
Petitions	Not Ascertainable	-	-	-	-
Accounts of the TGNA	45	-	-	-	-

(*) Percentages of those who lost their seats are reported.

(**) The functions of these commissions have changed so frequently that no data may be utilized to compare the turnover rates over time.

Table 7: Turnover Rates of the Administrative Positions in the Commissions of the TGNA

Changes among Commission	Proportion of Change				
	1983-86 %	1975-83 %	1971-75 %	1967-71 %	1964-1967 %
1. Chairpersons	20	100	100	86	94
2. Vice - Chairpersons	53	100	100	95	94
3. Reporters	60	100	100	95	100
4. Secretaries	47	100	100	100	94

Source: TGNA Documents on Commission Assignments, (December 1983, and January 1986).

Note: Every newly elected National Assembly selects standing commissions for a period of three years. At the end of third year (session) new commission elections are held, and the commission assignments of the members are either renewed or cancelled. After the second elections the standing commissions serve for a period of two years, or until the next national parliamentary elections.

the non-cooperative executive agency heads. Non-member deputies of the TGNA are allowed to sit in on the "public" sessions of commissions, but commission may elect to hold "closed" sessions whenever deemed appropriate. Only Cabinet Ministers may participate in closed sessions. Other 'outsiders', deputies of the TGNA or not, are excluded (R. P. art. 32).

Commissions are charged not only with investigation but also with the initiation of legislation. Drafts of bills are to be referred to the appropriate commissions. The commissions decide on the substance of drafts and must present them to the General Assembly within forty-five days. The deliberation of issues referred to a commission may not begin until forty-eight hours after their receipt. Commission resolutions are presented to the General Assembly as reports. These are read by the reporter of the appropriate commission to the General Assembly. A commission member may elect to abstain from the decision rendered by the commission in its report, in which case the member in question is permitted to state his objections during the floor debates. However, an abstaining member may not raise any objections to the report other than those he has filed in advance of the floor debates.

Certain commissions may be designated as "essential commissions" by the Speaker, and their reports provide the basis for General Assembly debates (R. P. art. 23). Such a designation is to be made in strict accordance with relevant laws and the Rules of Procedure. We have no hard evidence that such

designations have ever caused any controversy between parliamentary party groups. Nor have we any hard evidence that reports of essential commissions are accepted as multi-partisan resolutions by party groups. Multi-party support for legislation seems to occur either in respect to matters perceived as "truly" national by all parties concerned (i.e. the declaration of war or martial law in times of severe political instability,) or in respect to issues perceived to be devoid of "electoral" consequences, (i.e. a bill that changed the name of a Faculty of Istanbul University attracted multi-party support in 1986.)

It is worth once again drawing attention to the fact that all commissions are dominated by ruling party deputies. Thus, commissions are unlikely to act against the interests of the government party. It is hardly surprising that substance of commission reports usually reflect the policy stands of the majority party group, which in turn coincides with the policy preferences of the government. Even if commission reports contradict the policy preferences of the majority party group, there is no established tradition that commission resolutions be automatically accepted by the General Assembly. The reports in question may be referred back to the commissions. They may be withdrawn by the commission chairman, who is always a member of the majority party, or revised by the General Assembly. Systematic and routine conflict between a commission and the General Assembly has not occurred in the 1983 parliament.

The autonomy of commissions is strictly circumscribed by the

parliamentary party groups. However, the small size of commissions and the frequent interaction of its members enables individual members of party groups to make a greater contribution to the legislative process than would otherwise be possible. Political party groups seem to be more open to negotiation, and perhaps even to some compromise during commission proceedings. Commission meetings are not normally disrupted by the unruly behavior of members. This may be partly because commission proceedings are rarely reported in the newspapers. The legislative behavior exhibited in the privacy of commission debates differs from that manifest in the more public debates of the General Assembly.

Two further points may be raised about the TGNA commissions. One is that TGNA commissions exhibit a concern for expertise, but there is no hard evidence that this concern for expertise raises them above party politics in the TGNA. Secondly, in the TGNA neither commissions, nor their members are accorded that special status which their counterparts in the U. S. Congress or the German Bundestag enjoy. I would add that I do not believe that this or any future Turkish government will favor efforts to transform the TGNA into a "committee oriented legislature." Such a change could lead to a reduction in executive control over the legislative process. The 1982 Constitution and the ruling elites are for "strong government" in the 1980's. It should not be forgotten that the authors of the Constitution did their best to minimize constraints on the executive.

Conclusion

The Turkish Grand National Assembly entered a new phase of its existence in 1983. This new phase was entered upon against the background of deep dissention, unruly legislative behavior and periodic suspensions of legislative activities. After 1950, consensus concerning the basic rules of the political regime, the goals of the political system and the role of the TGNA in it broke down. Since 1950, the TGNA has been embroiled in political dissensus over basic rules and goals. The high rate of turnover in parliamentary seats has handicapped past political leaders in their efforts to fashion a binding set of rules for legislative conduct. Meanwhile the absence of binding rules has been the occasion for waves of unruly legislative behavior in the TGNA, which have accompanied mounting political tension and environmental stress.

Since 1950, the TGNA has been more or less an appendage of parliamentary party groups. Political leaders from the majority parties have both headed their parties and occupied executive positions in the government. Meanwhile, government parties have been disciplined organizations which, under the strict control of these leaders and central committees have controlled both the legislative and executive branches of government. Operating in the absence of accepted rules regulative of executive-legislative relationships, there has been little

chance for the legislature to achieve a significant measure of autonomy vis-a-vis the political parties. Under present circumstances, the legislature is likely to remain under the influence of the governing party or a coalition.

Finally, commission activities continue to be dominated by party politics. Commission memberships are allocated to political parties in proportion to their relative strengths in the parliament. Consequently, the majority party is guaranteed a majority of votes in all parliamentary commissions. The governing party's hand is further strengthened by the fact that ministers are free to participate in commission proceedings. In other words, the leaders of the majority party have ample opportunity to influence commission activities. Not surprisingly, the evidence would seem to indicate that commission decisions regularly conform to the policies of the government and of the majority party group in the parliament.

The Turkish experience with parliamentary institutionalization has so far followed a cyclical pattern. In fact, the TGNA predates the Turkish experience with multi-party politics. Throughout the one-party era of 1923 through 1946 the TGNA started to demonstrate signs of institutional rigor and viability. However the multi-party era of post-1950 politics has been more dysfunctional than contributive to its institutionalization. Two coups and a semicoup in between brought along disruptions in the establishment of stable patterns of interactions among the major actors in the TGNA. The

1983 parliament is an end-product of a praetorian regime that did away with a paralyzed parliament in 1980 and established a new Constitution, with the clear intention of redesigning the political regime of the country. An elaborate screening procedure was followed to enable a tremendous turnover of the TGNA deputies. Hence, it is quite appropriate to argue that the 1983 parliament has restarted the institutionalization process of the TGNA almost from scratch.

The scarcity of senior deputies, the overwhelming control of the party leaders and executive committees of the procedures of the TGNA, the rubber stamp role of the commissions, the lack of knowledge about even the established practices of the previous Turkish parliaments among the TGNA deputies, lack of legislative autonomy of executive control, absence of principles and norms that constrain the executive in its relations with the legislative branch of government are all indicators of the fragile nature of the institutionalization of the 1983 parliament. They also attest the fact that the ongoing process of institutionalization of the TGNA is severely disrupted in 1980 and that it is re-starting all over again. What this author has so far tried to do is to draw as clear a picture of the initial stages of the institutionalization process of the post-1980 TGNA as possible. Being a very slow process, the institutionalization of the TGNA may take many more decades to develop into a stable pattern of its own. Nevertheless, I would like to conclude that the institutionalization of the TGNA will

not reach a high level before the Turkish political elites agree upon the norms that guide legislative conduct and the interactions between the legislative and the executive branches of government in the Turkish political system.

Appendix

The Historical Background of the Turkish Grand National Assembly

In comparison to most Southern European parliaments the Turkish Grand National Assembly (TGNA) has followed a different route of development. It was founded on April 23, 1920, right at the very beginning of a war of national independence. It functioned as the major symbol of the emerging Turkish state, in contrast to the Sultan and his government in Istanbul, throughout the war of independence. Furthermore, being defined as the sole representative of the Turkish nation by the leaders of the Turkish war of independence, it enjoyed the status of being the ultimate source of power and the only source of legitimate action. The TGNA functioned as the supreme sovereign force of the polity until 1924, and fully controlled the executive so much so that even the government was legally considered as a branch or committee of the TGNA, (Tunaya, 1975: 261-262).

Upon winning the war in 1922 and after the declaration of the Republic in 1923, a new political structure was established. The Constitution of 1924 was designed so as to make the principle of Separation of Powers operable. Hence, TGNA evolved into a legislative body without extraordinary powers. However, it did not transform just into a rubber stamp of legitimacy. Nevertheless, it assumed a unique character until 1946. The concerted actions of likeminded deputies characterized the main feature of the TGNA of the 1924-1946 period. They shared with the civil and the military bureaucrats, the two other main elite groups, every main political goal that the Turkish political system adopted after 1923. The debates of the TGNA in the 1924-1946 period overwhelmingly pertained to matters of method or means of achieving the widely accepted socio-political goals of the political system. The role of a deputy of this period was mainly perceived to consist of the actions of an enlightened modernizer, (Heper, 1986: 236-240). Concomitantly, it is possible to observe that the deputies started to enjoy lengthier periods of tenure during the thirties. Intra-legislative roles, such as committee chairmanship and speakership began to be allocated to more senior members. Pre-legislative political careers started to play some role in the recruitment of the deputies. The importance of membership in the only political party of the time, Republican People's Party (RPP), also increased. Higher level party jobs often paved the way for deputyship in the TGNA, (Yucekok, 1983: 106-110). Almost every indicator of institutionalization seems to denote that the TGNA was on its way to becoming an institutionalized legislative body.

In 1946, a 23 year period of one-party rule ended, and a transition to multi-party politics was initiated by the RPP leadership. With this transition came the end of the era of elite consensus, (Karpat, 1959: 176-195). The new political parties of the 1940s, and especially the powerful Democratic Party (DP), did not share the same goals, opinions, and policy preferences with the RPP leadership, on the one hand, and with the civil and the military bureaucrats, on the other. They proposed, especially to alter the Etatist economic policies of the RPP, and also revert the sociocultural policies of the one-party era. In fact, when DP won the 1950 general elections it started to follow a liberal economic program, curb the influence of the civil and military bureaucrats in running the state machinery, and specifically revitalized the religious activities. A deep rift started to occur between the RPP elite, civil and military bureaucrats, on the one hand, and the DP elite, the emerging middle class and the rural masses on the other, in the early fifties. The masses that supported the two parties were also infected by the sharp differences between the elites of these parties and the mounting tension between them. As an arena of interaction between the above mentioned two parties, the TGNA was increasingly influenced from the existing political tension. Gradually, the very bases of legitimate rule began to be regularly debated by both parties and their followers. RPP and its supporters tended to disregard any political party government or rule that deviated from the revolutionary policies of the 1920s and 1930s and the principles of the founder of the republican regime, Kemal Ataturk, as illegitimate, even though it was legally and freely elected through competitive elections. DP and its followers, on the other hand, contended that a legally and freely elected political government has the legitimate right to rule, even if it adopted policies that may not be very compatible with Ataturk's principles. Disagreements on the fundamentals of the political regime, such as those pertaining to right to rule, eventually led to the intensification of conflict between the major political forces of the country. Student demonstrations precipitated a military coup in 1960. The activities of the TGNA were suspended for one year, for the first time in its history.

The TGNA of the 1950 - 1960 period is a legislative body of elites in dissensus on the fundamental features and rules of the political regime. The elite turnover is visible from the inflow of new deputies into the TGNA after the 1950 elections. About 80 percent of the seats in the TGNA had new occupants in 1950. DP would settle for nothing less than the full control of the legislative processes, as well as the executive. All intra-legislative positions had new incumbents. Strict party vote seems to be the modal practice in the TGNA of the 1950s, especially as the decade approached its end. In fact, it would not be implausible to suggest that the TGNA of the 1950s was overwhelmed by party politics. (10)

The constitution of 1961 was designed with the hope of avoiding the problems of party politics of the 1950s. The constitution makers of 1961 aimed at installing numerous checks and balances to control arbitrary rule of the executive, on the one hand, and devised measures to encourage participation in politics, on the other. However, the basic difficulty of dissipating discord over the substance of legitimate political rule was not treated. With the return of multi-party politics the issue of political legitimacy re-introduced itself into the Turkish polity. The coup of 1960 was undertaken to oust the DP from power. After the coup all high level DP officials, deputies of the TGNA, and the members of the DP Cabinet were prosecuted, and the party was closed once and for all. Apparently, DP elite and its sympathizers did not and could not take part in the constitution making efforts of 1960-1961. Consequently, the founders of a new political party, which adopted the ideas and the symbols of DP, namely the Justice Party (JP), declared that the 1961 Constitution was unfit for the country, and the various positions, practices, and duties it created and allocated to different persons and institutions were illegitimate practices. RPP, in the beginning as a coalition partner until the 1965 general elections and later on as the major opposition party of the country, started to defend the 1961 constitution against the criticisms of the JP.

The number of citizens participating in the political process, the frequency of conducting acts of political participation and their variety started to increase in the late 1960s. Student demonstrations and clashes with the police further destabilized the system and precipitated another intervention by the military in civilian politics in 1971. The 1971 quasi-military regime refrained from making re-adjustments in the political structure and mainly amended the constitution through the votes of the parliament elected in 1969. The 1973 general elections brought about a major change in the distribution of votes. The re-alignment of voters paved the way for unstable coalition governments, (Erguder, 1981: 50-61; Ozbudun, 1981: 230-234). The crisis over the legitimate bases of political rule was left unresolved, anomic forms of political participation could neither be overcome nor constrained by institutionalized patterns of political transactions. Oil crisis and other politico-economic crisis further drove the polity into greater instability. By 1980 Turkey moved very near a civil war situation. The 1980 - 1983 extraordinary regime was instituted to re-install political stability and multi-party politics in the country.

The major trends of the polity are readily reflected in the TGNA. Hence the TGNA of the 1961 - 1980 period was an arena of settled discord between the major elite groups in the country. The simplistic composition of the elite and the masses started to rapidly change in the sixties, and more so in the seventies. A very rigorous and sizable middle class started to emerge as more and more of the population migrated to the cities and as the industrial sector of the economy grew. Civil liberties provided by the 1961 constitution enabled the previously covert religious tendencies to openly propagate and form their own political parties. The same was also true for the socialists and social democrats. The ultranationalist, anticommunist groups also started to come up with their organizations and political parties. Hence, the TGNA started to host political parties of almost of every tendency from the far right to far left. RPP declared itself to be on the left of center and later on as a social democratic party, JP emerged as a liberal, right of center party, National Salvation Party (NSP) represented the religious right wing, and the National Action Party (NAP) represented the ultranationalist anticommunists. These four political parties captured almost all the seats in the TGNA. Except for a brief period in 1978 - 1979, Turkey was governed by unstable coalition governments. The TGNA of the 1970s witnessed the unceasing legislative battles, which from time to time evolved into anomic forms of legislative behavior, (Kalaycioğlu: 1986b, 3-7). I would also like to note that effective legislative opposition was hardly absent from the parliament of the seventies. Parliamentary time table and the legislative agendas were considerably influenced by the opposition parties. Questions and motions of interpellation were efficaciously used to combat the legislative majority, to terminate legislation, and even to call for vote of confidence and oust governing political parties, as was the case in 1978. Nevertheless, the tenseness of political interactions in the TGNA not only nurtured unruly legislative behavior, but also led to clogging of legislation and even to complete paralysis of the legislative process in the TGNA in 1980. The TGNA had lost its resilience to the encroachments of its environment right before its activities were suspended by the National Security Council of 1980.

The TGNA of 1983 started as almost a completely renewed body. The amount of turnover of seats in the 1983 elections was a record of over 90 percent. This is an unprecedented occasion in the history of the Republic. The military rulers of Turkey had intentionally intervened in the recruitment process to make a fresh start in legislative politics, so that those politicians with 'unhealthy' habits could be kept out of the political process for a decade or so. The 1982 Constitution of Turkey and the new political laws are designed to further guarantee that the pre-1980 politicians and political traditions do not cast their 'undesired' influences on the new era of politics. The Turkish Grand National Assembly has re-started its activities after 1983 in a new political context. The three major concerns

NOTES

1. By "socialization process" I mean that process through which a legislature's pre-established rules, norms, and customs are transferred by the veteran legislators to the in-coming, freshmen legislators. It has been observed that in the institutionalized legislatures freshmen legislators undergo a lengthy and non-random period of "adaptation" to their new political roles, (Fenno, 1966: Chap.3; Prewitt, Eulau, and Zisk, 1966: 569ff). A major determinant of the effectiveness of this process seems to be a low turnover rate in the members of a legislative body. In other words, the effectiveness of the socialization process depends on the relatively few newcomers being instructed by large numbers of veterans. As the number of the freshmen legislators increase, it becomes increasingly difficult for these freshmen to internalize the pre-established rules of legislative conduct. A second major determinant seems to be the "environmental" expectations concerning the roles of freshmen legislators. An upsurge in the volume of political participation, and a concomitant change in variety of ways in which participation may take place, seems to lead to an increase in the participation of the freshmen legislators in legislative decision-making. I have argued elsewhere that the establishment of binding House rules is dependent on the existence of large numbers of legislators whose tenures have been lengthy. It appears that the formulation of binding rules and norms of legislative conduct follows in the wake of a lengthy period of conflict between and coexistence of major political parties in a national legislature. The slow circulation of legislative elites also seems to favor the socialization of the new members. (Kalaycioğlu, 1986b: 19-22).

2. Article 84 of the 1982 Constitution was intended to prevent TGNA deputies, who resign from their political parties from being recruited by other parties as legislators, Cabinet ministers, or for that matter as candidates in forthcoming parliamentary elections. However, members of the Populist Party decided to dissolve their organization and later merge with the extra-parliamentary Social Democratic Party. Meanwhile, when the other opposition party of the TGNA, the National Democratic Party, decided to dissolve itself, some of its members joined ranks with the extra-parliamentary True Path Party, while others formed the Free Democratic Party. After a very poor performance at the polls during the 1986 by-elections, the Free Democratic Party was also dissolved with some of its members joining the ranks of the Motherland Party. In short, in spite of the intentions of Article 84, Turkey has witnessed the greatest number of party switchers in the TGNA during this session, than during any previous session since its inception in 1920. The

irony is that, Article 84 constitutes the first effort in the Turkish constitutional history, to legally prevent deputies of the TGNA from switching their political allegiances from one political party to another before the time of the national elections.

3. About 15 percent of current TGNA deputies have never served in any previous assembly during the multi-party era. Only about 5 percent of current TGNA deputies had previously served in the lower chamber of the formerly bicameral TGNA (Album of the 17th TGNA, 1984: Table 5, xix-xxi).

4. See footnote 1 for more information.

5. See footnote 3 for more information, (and also see Kalaycioğlu, 1986c: 7-11).

6. In the late sixties a group of Justice Party deputies resigned and precipitated a governmental crisis. Motherland Party leaders occasionally insinuated that they may be faced with a similar "betrayal." Consequently, MP leadership has resorted to every effort to build maximally broad based ruling coalition as means of forstalling such a "betrayal."

7. The ruling National Security Council thoroughly scrutinized the applications of founding members of the new political parties over the Spring and Summer months of 1983 and it vetoed some of them. As a consequence a number of would be political parties fell short of the legally required number of founders. They could not participate in the November 1983 elections. Only three political parties and some independent candidates entered the political contest. The 1983 parliament was, therefore initially composed of these three political parties and four independent deputies.

8. As already mentioned, article 84 of the 1982 Constitution stipulates that those deputies who resign from their parties and enter other political parties lose their seats in the TGNA. However, the same article entitles the TGNA to pass judgement on the status of such deputies. Thus, it might be argued that party switching need to be properly assessed by the TGNA before a deputy loses his seat. Be that as it may, the TGNA has assessed the cases of a large number of deputies whose parties had dissolved themselves, and ruled that they may be allowed to enter other political parties without losing their seats.

9. The questionnaire items included the following statements with which respondents were requested to agree or disagree.

- "Political party membership is a supreme duty beyond and above every personal need or desire."

- "In order for the state to be governed and for his party to come to power, a party member ought to devote his life to his party."

- "It is incumbent upon a party member to be loyal to the decisions of the party, even if it contradicts his own thought and convictions."

- "In order to prove that his party's orientation and views are the best, a party member should consider making any possible type of sacrifice one can think of."

10. In fact, about 10 percent of the deputies stated that they did not intend to seek re-election. About half the participants in the 1984 study believe that they would not suffer significantly if they lose in political contests. Loss was defined in terms of financial resources, and loss of respect in the eyes of family, peers, and neighbors.

11. Some deputies of the TGNA have enjoyed such elevated social status in their electoral districts that they have been elected whenever they ran for electoral office, irrespective of party ticket. However, such deputies do not normally comprise more than about 15 percent of the candidates who participate in any national legislative election.

12. See the Turkish daily Milliyet, March 2, 1987, p. 1 and 6.

13. It was only possible for DLP to form a group in the TGNA by the help of ex-SPP parliamentarians who, resigned from the SPP, and founded a new political party. Within two days of the establishment of this new party they decided to dissolve it, and join the ranks of DLP. It was by means of this cumbersome operation that they were able to become members of DLP without losing their seats in the TGNA. In other words, they utilized a loophole in article 84 of the 1982 Constitution. It was also important for the DLP to establish a "group" in the parliament, in order to achieve the status of a major political party. This status also helped it to air its views on the Turkish Radio and Television (TRT), to be in closer contact with the press and President's office. In short, any party that controls more than twenty seats in the TGNA enhances its chances for the

propagation of its ideology through a variety of mass media.

14. One should not be deceived by the number of "joint" proposals of bills in the current TGNA. All of them have been merged with proposals made by the deputies of the ruling MP, a process in the course of which proposals are reshaped. Furthermore, these proposals are submitted to MP dominated parliamentary committees which modify drafts according as directed by the MP leadership. The "real" input of the opposition is better gauged by the number of "autonomous" (not connected to any party group) proposals made by the deputies of opposition parties, which are processed without amendment by commissions and on the floor of the TGNA. I was able to discover only three such bills in the period between November 11th, 1983 and October 31th, 1986, out of a total of eighty bills that were adopted by the TGNA in the same period.

15. The adoption of the 1973 Rules of Procedure of the TGNA, (still in force), was the result of a twelve long years of negotiation between various ruling and opposition parties. The 1983 parliament is unable to strike such an accord until November 1st, 1987 national elections.

16. The number of draft bills proposed by the government or individual deputies is at its lowest ebb since the inception of the multi-party era in 1946. In the period between November 24th, 1983 and March 12th, 1986, a total of 532 prospective bills were tabled in the TGNA. The same figure is 1551 for the June 13th, 1977 and September 12th, 1980, which is often referred to as a period of parliamentary paralysis in Turkey. Between 1961 and 1980, the number of bills tabled in each four year session of the TGNA never dropped below 1500 (Ezherli, 1986: 114-116). We have then another clear indication of the fact that the MP government is not inclined to use the facilities of the TGNA in the law-making process.

17. With the exception of the Budget and Planning Commission, the minutes and voting records of the commissions of the TGNA are not systematically kept. Very occasionally the minutes of a commissions proceedings are preserved for future reference. Such occasions have been warranted by critical bills, as for example the State Employees Act of 1970. This author has been unable to find hard evidence with regard to commission voting patterns. However, I conducted unstructured interviews with five commission chairmen, and three ex-commission chairmen on this issue. It is my understanding from these interviews that votes are cast along party lines in the commissions, except where

there is a "legal-technical" question which impels cross-party compromise. It is not unlike a commission chairman to informally request the opinion of the prime minister and/or minister before calling for a vote on a resolution. After such communication the chairman may suggest further modifications to bring the resolution into line with the Minister's point of view.

18. Ustun Erguder has forcefully argued, in line with the contentions of most other students of Turkish politics, that in the fifties Turkey had a predominant party system, rather than a two party system (Erguder, 1981: 45-49). At that time, DP rule was mainly criticized for its tendencies to develop a hegemonic one-party rule by both the opposition political parties of the fifties and of the military that took over the government in 1960 (Ipekçi and Coşar, 1965: 230-238). By all appearances, the ruling DP and opposition RPP each acted on the assumption that it was "the party" in a single party system.

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Appunti su una possibile ricerca su " Assemblea Regionale Siciliana (ARS) e rappresentanza di interessi".

di Orazio Lanza

1. C'e' abbastanza concordia nel ritenere che uno dei principali fattori che, agli inizi degli anni '70, hanno portato alla attuazione delle previsioni costituzionali relative alla istituzione delle regioni di "diritto comune" in Italia sia stata la necessita' di far fronte al sostanziale sovraccarico di domanda di decisioni che investiva il sistema politico nazionale e provocava un forte deficit di governabilita'.

L'istituzione delle regioni doveva consentire di superare tale condizione e di allentare le tensioni che rischiavano di mettere in crisi profonda i livelli alti del sistema politico. In tal senso la strutturazione di una serie di sub-sistemi politici regionali capaci, tra l'altro, di "riarticolare" i preesistenti modelli di articolazione e di aggregazione degli interessi si rendeva necessaria. Si e' ottenuto tale risultato ? Quali differenze tra regione e regione ?

Rispondere agli interrogativi di cui sopra diventa molto difficile; in primo luogo perche' le ricerche sull'esperienza regionale sin qui svolte non si puo' dire che siano state molte. Abbastanza ,ed a nostro avviso non sempre giustificato, diffuso risulta, pero', il pregiudizio che vuole che le regioni abbiano fallito i loro obiettivi sia perche' hanno dovuto sottostare a troppi vincoli (in primo luogo quelli imposti dallo Stato) sia perche' non fornite delle risorse (soprattutto di ordine finanziario) sufficienti per consentire la loro "istituzionalizzazione". Di conseguenza, anche la "regionalizzazione" degli attori collettivi abilitati alla rappresentanza (sia territoriale che funzionale) degli interessi non sarebbe stata possibile o sarebbe risultata molto debole.

Riflettendo su questo tema siamo giunti alla conclusione che una impostazione del problema quale quella posta sopra poteva portare a risultati devianti od almeno parziali sia per il fatto che i vincoli potrebbero anche essere stati aggirati sia perche' forme di istituzionalizzazione del sub-sistema politico regionale potrebbero avvertirsi anche senza avere a disposizione quelle risorse che consentono la messa in modo del " processo per il quale organizzazioni e

procedure acquistano valore e stabilita' " (nozione di istituzionalizzazione secondo Huntington). In effetti, se si accetta una definizione che vuole che per "istituzionalizzazione" si ~~possa~~ intendere, anche nel caso delle regioni, la "misura in cui le loro azioni hanno un valore normativo autonomo per i governati e per i governati che ne fanno parte " (Selznick), allora il problema si presenta in modo differente . In questo caso, infatti, anche la articolazione individualistica e particolaristica delle domande, e la loro mancata "strutturazione", la capacita' delle regioni di consentire e di incentivare comunque l'espressione delle domande e degli interessi , magari proponendosi come organismo di aggregazione di domande da presentare al "centro" del sistema politico, potessero essere indicative di forme di istituzionalizzazione del sub-sistema politico regionale. Partendo da questo presupposto in una recente ricerca ci siamo proposti di prendere in considerazione proprio la capacita' delle regioni, ed in particolare dei consigli regionali, di fungere da strutture che incentivano l'espressione delle domande e degli interessi esistenti nella societa' civile. Cio' che ci interessava era: andare a vedere se il consiglio regionale era in grado di fungere da luogo

in cui gli interessi e le domande ,individuali o di gruppo , possono trovare una propria identificazione ed una possibile trasmissione verso le sedi decisionali competenti, ed eventualmente quali erano le modalita' di accesso a tali sedi, gli interessi cui tale accesso era consentito e gli "stili" rappresentativi prevalenti.

L'angolatura da cui e' partita l'indagine e' stata quindi parziale; come parziale e' stata la "strumentazione" scelta per la raccolta dei dati: i contenuti di quella che viene definita come "attivita' ispettiva" delle Assemblee legislative, e cioe' delle interrogazioni e delle interpellanze. Queste formalmente dovrebbero essere gli strumenti tramite i quali i rappresentanti eletti controllano l'operato del governo e della pubblica amministrazione; alcune ricerche, invece, hanno dimostrato come le interrogazioni e le interpellanze possano fungere anche da strumenti di incanalamento della domanda politica verso le assemblee rappresentative. Quest'ultimo assunto si e' dimostrato veritiero anche nel caso della ricerca da noi svolta.

Nell'ambito della ricerca di cui sopra, chi scrive si e' occupato proprio dell'Assemblea Regionale Siciliana. Vediamo di riassumere alcuni dei risultati.

Per prima cosa ci sembra che bisogna spendere due parole sull'Assemblea Regionale Siciliana.

Anche tra gli studiosi, e' molto diffuso lo "stereotipo" che vuole che la Sicilia sia da associare essenzialmente al fenomeno mafioso ed alle vacanze estive. Viene, invece, sottovalutato il fatto che in Sicilia ha operato (gia' nel XIII secolo) uno dei primi Parlamenti d'Europa e che l'Assemblea Regionale Siciliana ha iniziato la sua attivita' oltre 40 anni fa'. Le prime elezioni regionali in Sicilia si tennero, in effetti, nel 1947, dopo che nel 1946, e cioe' ben prima dell'approvazione della carta costituzionale italiana, era stato approvato uno Statuto regionale che concedeva una autonomia formale molto ampia. La costituzione italiana, quindi, fu messa di fronte al fatto compiuto e lo Statuto fu poi definitivamente adottato con legge costituzionale nel 1948.

Ci troviamo di fronte, quindi, ad una Regione che ha avuto il tempo di "istituzionalizzarsi", ed ad un consiglio regionale che ha potuto man mano definire i propri caratteri.

I risultati della ricerca hanno, in effetti, confermato l'esistenza di forme di istituzionalizzazione regionale e di caratteristiche del Consiglio ben definite.

Riguardo alla Regione basta dire essa viene "riconosciuta", dai governanti e dai governati (od almeno da una parte dei governati) come entita' autonoma cui si puo' chiedere la soddisfazione di domande e di interessi. Cio' senza che si possa parlare di forte strutturazione dei gruppi di interesse e dei partiti.

Quando si incentra l'analisi sul Consiglio il discorso diventa ancora piu' complesso. Dalla nostra ricerca, comunque, emerge che :

- il Consiglio funge anche da strumento che consente l'articolazione delle domande e degli interessi;
- l'articolazione assume carattere "individualistico" ; intendiamo dire che essa, spesso, risulta legata piu' all'attivismo dei singoli deputati che alla presenza organizzata dei partiti e dei gruppi di interesse;
- il tipo di rappresentanza che prevale e' quella territoriale;
- le domande e gli interessi trasmessi sono di tipo particolaristico e localistico;
- l'offerta di rappresentanza funzionale e' indirizzata ^{ad} ~~soprattutto~~ individui e gruppi "deboli" piu' che a categorie e gruppi forti;
- le richieste che giungono in consiglio riguardano soprattutto risorse di "amministazione quotidiana". In

particolare viene sollecitata la capacita' distributiva e redistributiva della regione;

Da quanto detto sopra sembra derivare che:

- il consiglio regionale offre maggiori possibilita' di accesso o maggiori incentivi ai rappresentanti territoriali che a quelli funzionali;

- il particolarismo delle domande ed il loro contenuto contribuiscono a smussare la competizione ideologica tra parti politiche ed a favorire la collaborazione tra maggioranza ed opposizione;

- la Giunta, in quanto detentrica delle risorse di amministrazione quotidiana, si propone come l'attore centrale del sub-sistema politico regionale.

2. I risultati della ricerca di cui sopra potrebbero scoraggiare chi volesse occuparsi del rapporto tra Assemblea Regionale Siciliana e gruppi di interesse organizzati. C'e' da considerare, pero', che, partendo dalle interrogazioni e dalle interpellanze, l'ottica relativa a quest'ultimo rapporto puo' ~~essere~~ risultare falsata in quanto le domande e gli interessi che l'attivita' ispettiva consente di trasmettere sono

mediate dai singoli eletti e/o dai partiti. In effetti, una specifica ricerca sul rapporto tra gruppi di interesse organizzati ed Assemblea Regionale Siciliana non e' stata ancora svolta. Chi voglia svolgerla puo' partire da tre dati di fatto:

1) lo Statuto siciliano, all'art.12, dispone che " i progetti di legge sono elaborati dalle Commissioni dell'Assemblea Regionale con la Partecipazione delle rappresentanze degli interessi professionali e degli organi tecnici regionali"(che non hanno diritto di voto);

2) presso la regione siciliana operano vari comitati e commissioni che hanno un potere consultivo, quando non decisionale, nei confronti della pubblica amministrazione e dei singoli assessorati in particolare;

3) in qualche caso, alle organizzazioni professionali e' stata delegata l'attuazione di determinate politiche (ad esempio quelle relative alla formazione professionale).

Il primo aspetto che una eventuale ricerca deve considerare ci sembra sia il coinvolgimento dei gruppi nei " processi" legislativi.

Da questo punto di vista bisogna tener conto che sul

sub-sistema politico regionale, e sulla sua potestà legislativa, gravano vincoli di ordine nazionale ed internazionale (ad esempio gli accordi CEE). In generale, una volta scelto il periodo da analizzare, l'analisi ed il contenuto dei contenziosi che, a proposito della potestà legislativa esercitata, sorgono tra Regione, Stato e/o Organismi internazionali può essere un primo indicatore di come il Consiglio regionale e gli interessi che esercitano pressioni sui processi decisionali reagiscono ai vincoli frapposti.

Nello specifico, dato anche il fatto che, almeno in Sicilia, la concentrazione della produzione legislativa nei periodi di fine legislatura contribuisce alla messa in atto di leggi omnibus (che riguardano le materie più disparate), ci sembra più opportuno soffermarsi su alcune "politiche pubbliche" riguardanti i settori in cui operano i gruppi di cui si intende approfondire il ruolo.

Alcune politiche agricole, ad esempio, potrebbero ben adattarsi all'analisi del ruolo dei gruppi nei processi legislativi. Penso ad esempio alle politiche relative alla struttura fondiaria, concordate in sede CEE, e che trovano scarso riscontro nelle sedi locali, ed alle politiche di difesa dei prezzi di alcuni prodotti

agricoli, che producono aspri contenziosi tra CEE e singole Regioni.

In questo campo, una volta fatta una rigida selezione delle (poche) politiche da considerare, i documenti prodotti, sia dall'ARS sia dai gruppi, ed una serie di interviste con gli attori intervenuti nei processi possono dimostrarsi utili strumenti d'analisi.

3. Come già detto sopra, in Sicilia un'analisi dei rapporti tra gruppi di interesse e Assemblea regionale non è stata ancora svolta. Non è stata neanche svolta una ricerca sulla presenza e le caratteristiche dei gruppi di interesse. Quello che è certo è che, comunque, esistono, e sono organizzati a livello regionale, i principali gruppi che agiscono a livello nazionale. Accanto ad essi operano, però, (oltre a quelle occulte, un po' difficili da studiare) altre organizzazioni la cui rilevanza è limitata al livello regionale e talvolta a quello provinciale.

Una mappa dei gruppi che operano a livello regionale ed una ricostruzione storica che prenda in considerazione

le date e le motivazioni che portano alla loro nascita puo' essere fatta. Molto dispendiosa risulterebbe invece una analisi che voglia considerare tutte le organizzazioni di interessi quando si tratta di approfondire la conoscenza dei rapporti che intrattengono tra di loro e con i partiti ;delle risorse di cui dispongono e della loro influenza sui processi decisionali che si svolgono a livello di Assemblea regionale. Tra l'altro, e come esempio, c'e', ancora una volta, da ricordare che l'Assemblea Regionale Siciliana opera ormai da oltre quaranta anni e che solo l'eventuale ricostruzione delle influenze da essa esercitate sulla evoluzione organizzativa dei gruppi di interesse implicherebbe la presa in considerazione di un arco temporale piuttosto lungo. Da qui la necessita' di selezionare sia i gruppi sia i periodi da considerare.

Chi scrive propone, dopo la ricostruzione di una mappa relativa a tutti i gruppi operanti a livello regionale, di incentrare l'analisi sui gruppi che operano a nel settore agricolo . C'e' da considerare che in questo settore si e' concentrato e continua a concentrarsi gran parte dell'intervento regionale. Da discutere l'arco temporale da considerare.

Anche in questo caso, dando per scontata la

disponibilita' delle organizzazioni a fornire i dati occorrenti, l'analisi documentale e le interviste con testimoni privilegiati possono considerarsi buoni strumenti d'indagine.

4. Per quanto riguarda l'aspetto relativo all'effettivo funzionamento del "sistema" legislativo ", alla struttura interna ed alla "tipicita'" dell'Assemblea Regionale Siciliana, c'e' da considerare che, oggi, dal punto di vista formale, le norme che regolamentano il "sistema siciliano" non sono molto diverse da quelle che regolamentano le altre regioni italiane. La differenza sostanziale sta nel fatto che, nel caso siciliano, esse hanno potuto essere sperimentate in piu' di un quarantennio ed hanno potuto sfociare in in procedure ed in "regole del gioco" abbastanza consolidate. Comunque, anche in questo campo non esistono ricerche gia' svolte. L'ARS ,pero', e' in grado di mettere a disposizione una notevole quantita' di documenti che, insieme alle solite interviste con testimoni privilegiati, possono assicurare la riuscita dell'indagine.

**Regional Parliaments and Organized Interests
in Italy : the Case of Lombardy**

by
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1. Regional Institutions and Interest Politics : Some Premises

The Seventies have been defined as the "decade of regionalism" (Meny, 1982) because in many countries a regional or, more generally, intermediate level of governance has been created or strengthened. This proliferation of meso-governments has been explained in different ways : as a part of the process of modernization and democratization (Meny, 1982; Pasquino, 1983), as a response to the "failure of the state" in managing social conflicts (Cornford, 1975), as an aspect of more general decentralist trends brought about by the functional centralization of the state and the expansion of welfare policies (Tarrow, Graziano, Katzenstein, 1978; Bruhns, 1980), as a form of "experimenting with scale" at the meso-level (Schmitter, 1986), as an institutional tool adopted in order to increase the governability of polities crossed by deep social or ideological cleavages (Rotelli, 1974; Farneti, 1976; Perez Diaz, 1985). Whichever the causes of these processes of regionalization are, two points seem to be clear : (a) first of all, these institutions have played a crucial role in many polities in balancing centrifugal and centripetal forces and in accomplishing specialized economic and social policies; (b) when we speak about "regions" we are referring to a wide range of phenomena characterized by different origins and institutional assets (Schmitter-Lanzalaco, 1987). Particularly, we have to distinguish between those intermediate levels of governance that are brought about by a process of deconcentration and those that are emerged from a

process of decentralization (Smith, 1985; McBeath-Helms, 1982). The first process brings about regional institutions that are merely administrative tiers between central and local organs, meanwhile the second process brings about regional governments, acknowledged by the Constitution, whose legitimacy rests upon a Regional Parliament directly elected by citizens.

This difference becomes crucial when we take into consideration the relationship between Regional organs and organized interests. The characteristics of this relationship tend to vary considerably according to the different institutional nature of regional institutions. In fact, in countries - such as Spain and Italy - in which Regions are governed by directly elected Parliaments, the problem of the interactions between functional and territorial representation becomes much more relevant than in those countries - such as Great Britain or France (1) - in which Regions are only administrative organs. In both the types of countries organized interests interact with regional organs and these interactions have not to be necessarily more intense in the former than in the latter type of countries (2). But it is only in those countries in which

1. The French situation seems to be recently changing with the regionalist reform, approved in 1982, forecasting that the Regional Council should be directly elected. On the process of "regionalization" in France see Andrews (1981) and Meny-Sadran (1983) and, for a comparative perspective with Italy and Spain, Meny (1982b), Gourevitch (1978) and Tarrow (1979).

2. On the thick network of relationships between regional organs and organized interests in Great Britain and France see, respectively, Saunders (1983) and Hayward (1969).

Regional Parliaments exist and are endowed with autonomy, authority and discretionality that a contrast may emerge between the principle of legitimacy of territorial representation, based on "the norm of general citizen equality", and that of functional representation that is "grounded - in specific, varied and unequal intensities - on social and economic power derived e.g. from the ownership of the means of production" (3). On the contrary, in those countries, such as Great Britain, where there are not Parliaments at the sub-national level, "the regional state apparatus [...] remains immune to electoral control and divorced from pluralistic processes of political competition" (Saunders, 1983 : 19) and, hence, no discrepancy emerges between different and divergent principles of legitimacy (4).

Given that - in a comparative perspective - the institutional "specificity" of Italian Regions is that they are governed by a Parliament (Regional Council) with wide prerogatives, it makes sense to analyze more deeply the relationships between the Regional Councils (and their Standing Committees) and organized interests in Italy.

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3. This is quoted from the outline about "Regional Parliaments and Organized Interests in Italy and Spain" designed for a subproject to the research on "Parliament and Organized Interests in the Process of Democratic Consolidation in Italy and Spain" directed by K.v.Beyme and U.Liebert.
 4. In general, corporatist practices and functional representation are seen as a challenge to parliamentary democracy : on this point see Schmitter (1984) and Drucker (1977).

The interest of such an analysis stands in the fact that the literature about interest politics at the regional level in Italy usually refers to "the Regions" as if they were unitary actors, neglecting the difference among the different institutional arenas into which "Regions" are subdivided. In particular, it is not sufficiently underlined the difference between the Parliament (Regional Council) and the Executive (Regional Junta) and, however, when this difference is taken into consideration the Executive is privileged as a subject of analysis.

We know that in Italy - like in other countries - organized interest and regional authorities are involved in continuous interactions (5), that these interactions have increased from the beginning of the Seventies when Regions were constituted and that "the increasingly complex interplay between regional interest groups and institutions is a necessary condition in allowing the regions to pursue a region-specific developmental strategy" (Nanetti, 1985 : 3).

5. The literature about the relationships between Regions and organized interests in Italy is conspicuous, but it is not of great interest for this argument given that it takes into consideration mainly the presence of interest group representatives in public organs or the forms of participation stated by Regional statutes and laws. A very brief summary of this literature may be found in Lanzalaco (1985). Studies of actual interactions between Regions and interest groups are relatively scarce. For example, about trade unions see Regalia (1987), Maraffi (1987); about business interest associations see Maraffi (1985); Sitea (1981); Cazzola (1985) and Guala (1983). Some interesting considerations about the neglect of Italian political scientist for the Regional institutions are expounded in Morisi (1982).

What is less evident is the nature of these interactions and the way in which they are affected by both the presence and the operating of Regional Parliaments. Which type of "regional authorities" are the main interlocutor of interest groups : the members of the Regional Juncta, the members of the Regional Council, or the high bureaucracy ? Do the existence of mechanisms of electoral accountability -- that are the basic feature of pluralist politics (Saunders, 1983 : 23) -- cause the emerging of pluralist patterns of interest intermediation and policy-making ? Or is the presence of Regional Parliaments marginal and also in Italy -- as in Great Britain, in France, in the Netherlands -- do we find forms of meso-corporatism with the direct concertation of policies between regional governments and interest groups ? Or, alternatively, does the electoral mechanism provide channels for clientelistic forms of exchange, instead of an opportunity for popular control ? Or, finally, do these patterns of Region/organized interests interaction vary according to the policy area, the interests and the specific Region we are taking into consideration ?

The aim of this paper is not to answer these questions but only to suggest some preliminary reflections that can be used for designing a research specifically aimed at answering them.

2. Patterns of Relationships between Regional Parliament and Organized Interests in Lombardy : a Preliminary Investigation

The research on which what follows is based was originally aimed at assessing the degree of "corporatization" of the relationships between organized interests and regional organs in Lombardy. The aim was to understand where the "decisional locus" was located, namely whether the decisions were taken by the Executive (by means of direct concertation with interest groups) or by the Parliament (under the pressure of interest groups). So, I have devoted much more attention to the comparison of the different relationships interest groups have with the Executive and with the Parliament than to the specific analysis of the interactions between Regional Parliament and interest groups. Nevertheless, the results of the investigation may suggest something about the second topic, as well.

2.1. The methodological approach

The research may be subdivided into two phases. The first one is concluded, the second one is at the beginning.

1. The object of the first phase of the research was the analysis of three decisional processes -- characterized by different traits -- by means of unstructured interviews to the main actors involved in the process and the collection of the documents and

drafts produced during the different phases of decision-making. From a methodological point of view I have preferred the decisional approach than the reputational one even if in some interviews I have also dealt with the opinions actors have about the general features of the Region/organized interests interactions. After having analyzed these decisional processes I have been able to identify a "decisional practice" -- a sort of "decisional model" -- common to these processes (see figure 2. on page 14).

2. During the second phase of the research, that is at the beginning, I am trying to test and to generalize the results of the first phase. In this second phase I am going to adopt the reputational approach. In fact, the object of the interviews of this phase is to discuss the "decisional model" inferred during the first phase, with some privileged observators (members of the Regional Council and high level bureaucrats). During the interviews I ask them whether the "model" I have inferred from the analysis of the three decisional processes may be generalized, whether other alternate decisional practices are followed, why there are these variations, and so on (see below).

The very preliminary results I am going to present are based both on the first phase of the research (analysis of the decisional processes) and on the second one (interviews about the "decisional model").

2.2. Some Results

The main characteristics of the decisional processes analyzed in the first phase of the research are summarized by table 1 on next page. The three decisional processes differ from one another for five characteristics :

- a) the type of policy involved (distributive vs. regulative)
- b) the competences that are acknowledged to Regions in that specific policy area (limited vs. full)
- c) the number of interest groups that have been involved in the decisional process
- d) the length of the decisional process and its effectiveness
- e) the role the Parliament had in decision making.

The first decisional process relates to the intervention of the Region in order to cope with the crisis of the steel industry in Lombardy and the constitution of a job creation agency (Riconversider) for allocating those workers that have been dismissed. The decision was essentially distributive, since both the regional intervention and the job creation agency had to allocate the financial resources provided by the European Community (6). But it presents also some regulative aspects concerning the relations among the actors involved in the constitution of the job creation agency.

6. This decisional process has been brought about by a decision of the ECC authorities that damaged the Italian steel industry. The first reaction to this measure has been a collusion between central government, business interest associations, the Regional Junta and the local authorities against this decision. When they realized that they could not obtain anything from ECC authorities, the decision making shifted to the regional level and this decisional process began.

Table 1. Main characteristics of the decisional processes examined

<u>DECISIONAL PROCESS</u>	Type of Policy	Policy Area	Competence of Regions in this Policy Area	Number of interest groups involved in decision making	Length of decision making	Effectiveness of decision making	Role of Regional Parliament
1. Intervention in steel industry crisis and constitution of a job creation agency	Distributive/ Regulative	Industry	No Competence	Small	7 months	Good output but unintended outcome	Marginal ("Rubber stamp")
2. Regulation of business hours of shops and supermarkets	Regulative	Commerce	Ambiguous	Small	26 months	Output invalidated by central organs of control	Relevant (Direct representa- tion)
3. Revision of the planning of vocational training	Distributive	Vocational Training	Full Competence	Large	47 months	No Substantive Output	Central (Arena for bargaining)

The second decisional process concerns the regulation of business hours of shops and supermarkets. The third decision was about the revision of the plan of vocational training. Also this decision was essentially distributive, since its substantive content was to allocate a considerable amount of money among different schools and agencies.

In the first case, the competence of the Region are very limited, since Regions do not have competence in the field of industrial policy (7). In the second case, the competences of the Region are ambiguous, since there is an overlapping between the regulative powers of central, regional and local organs. In the third case the Region has full competences since vocational training is a policy area in which Regions have full discretionality.

The third difference concerns the number of actors involved in these decisional processes. In the first case, there are essentially two interest groups : business interest associations and trade unions (8). In the second process the number of interest groups

7. Regions have been able to operate in the industrial policy area, even if it does not pertain to them. About the modalities and the motives of that see Confindustria (1981) and Dente (1985).

8. Obviously, these actors are not unitary : there were two trade unions (CISL and CGIL) and three business associations (two sectoral associations of steel industry and the territorial sector unspecific association). But, in this situation, their strategies were not differentiated, so we can simply conceive them as two distinct actors, neglecting the internal differentiation.

involved is higher than in the first one and their strategies are much more fragmented and differentiated. The main actors are the associations of small shopkeepers, the associations of department stores and supermarkets, trade unions, local and central authorities (9). In the third process the number of actors involved is very high : there are trade unions, associations of artisans, of farmers, of cooperatives, agency of various kind and local authorities.

With regards to the lenght and the effectiveness of the decisional process we can see that only in the first case (agency of job creation) the decisional process has been rapid (from November 1983 to July 1984) and there is an output. The interesting fact is that the substantive content of this output has been changed during the phase of implementation. The agency for job creation (Riconversider) should have been the "tool" of the Region for facing the crisis of the steel industry and allocating Ecc funds. But the agency has been "colonized" by interest groups (business interest associations) and now it directly bargains subsidies and funds with ECC authorities and it has displaced the Region that has lost its function of political mediation and direction. The other two processes has been very slow and, this is the crucial point, we have no outputs.

9. The "specificity" of this decisional process is that the decisional locus, at a certain moment, shifted from the regional level to the central one with the direct intervention of the Ministry of Industry. This change, has been purposefully caused by some of the actors involved, whose bargaining power was decreasing at the regional level.

The decisional process about the hours during which shops and supermarkets could be kept open began in May 1982 and the law was approved on July 1984 but it was immediately invalidated by the Central Government Commission and from then up to now no alternate decision has been taken. The decisional process about the revision of the plan of vocational training began in July 1983 and in June 1987 the Junta asked the Council to approve a law with which the situation was "freezed" and every change had been postponed to the future. So, also in this case no decision has been actually taken, given that the new Junta has decided to "freeze" the situation only because it has realized that at the moment it is not able to change the situation of "rigidity" created by the consolidated interests of the bureaucracy linked to the previous Junta.

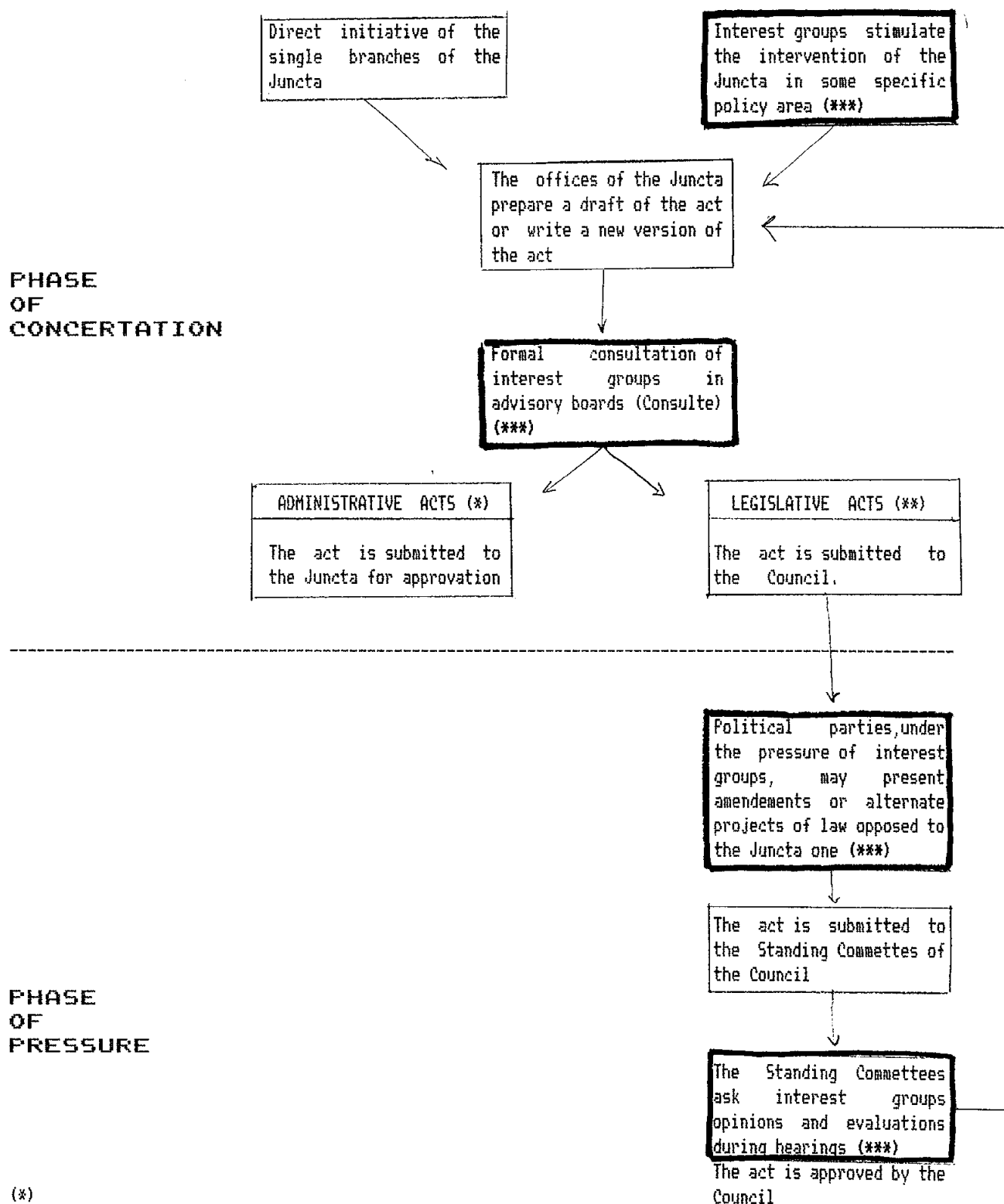
Let us now take into consideration the way in which interest groups have affected these decisional processes. Two points emerged from the analysis :

- a) the decisional practice (as opposed to the formal procedure) followed in the three decisional processes, in spite of their different characteristics, is similar. So we may sketch out a common decisional "model" subdivided into some phases (see below);
- b) what changed was the relevance assumed by each phase and the mode in which during each phase interest groups have tried to affect the decisional process.

In figure 2 we have syntetized the "decisional model" or "practice" that is common to the three decisional processes. This "model" may be roughly subdivided into two phases :

- (a) the phase of concertation and
- (b) the phase of pressure.

Figure 2 - The "decisional practice" adopted in the three decisional processes examined



(*)

(**) see notes on next page

(***)

Notes to table 2.

- (*) Administrative acts are decisions of the Juncta about the implementation of decisions taken by the Council they do not need a new approval of the Council
 - (**) Legislative acts are decisions that have to be approved by the Council
 - (***) These are the phases during which interest groups may try to influence the decisional process
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Let us examin the characteristics of these two phases.

The phase of concertation. During this phase the Juncta (10), after having contacted representatives of interest groups, prepares a law design and propones it for approvation to the Regional Council. It is important to underline that the form of these contacts changes depending on the decisional process we are taking into consideration. These changes concern two variables : the initiative and the degree of institutionalization and formalization of these contacts. With regards to the first variable in some cases the initiative is of interest groups that directly contact the offices of the Juncta and make some proposal. In some other cases, the Juncta itself and its offices have the initiative and contact interest groups in order to know their opinion about the proposal they are going to advance. In this phase the bureaucracy (namely the Directors of the offices of the Juncta) has a very important role, since the contacts are managed not by politicians but by officials.

10. Here, for sake of semplicity, we use the term "Juncta" even if the subject of these actions and initiatives are the single functional divisions ("Assessorati") of the Juncta.

With regards to the second variable, namely the degree of institutionalization and of formalization of these relationships, there are, on the one hand, situations in which the contacts occur within specialized advisory boards (Consulte) and, on the other hand, there are situations in which these contacts (or, it is better to say, the most relevant contacts) are informal (11).

The phase of pressure. During this phase, the project of law is submitted to the Regional Council. Political parties may advance law designs that are alternative to that of the Junta or they can propone modifications and amendements. There are some hearings during which interest group representatives are asked to give their opinion about the different proposals. In order to change the content of the law it may be that interest groups involve other levels of governance, as it happens in the decisional processes about the business hours of shops. The Junta may be forced to present a new project, if the project it presented is not accepted by the Council. Often, during this second phase of pressure, the Committees interact with the same interest groups that have been involved during the first phase of concertation. And, as we shall see later, the phase of pressure provide a channel of access to decision making to those interest groups the demands of which have not been satisfied during the phase of concertation.

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11. From the interviews it emerged that the formal contacts are becoming more and more "ritual", without any substantive content, and that there is an increasing importance of informal contacts. While the former type of contacts have an expressive value (to highlight that Regions are institutions open to the participation of citizens) the latter have an instrumental value (to collect information and to build support for a rapid and effective decision making).

This "decisional practice" has been followed during all the decisional processes I have analyzed, what has changed is the weight assumed by each single phase. Depending on the lenght and the relevance of each one of these phases the decisional process may assume more or less "corporatist" features and the Parliament may be more or less relevant as a "decisional locus". Generally speaking, we may say that the degree of corporatization of regional interest groups/authorities interactions is greater in those decisional processes in which the "phase of pressure" is marginal and the decisional output is brought about by a direct bargaining between the Juncta and organized interests during the first phase and before the presentation of the law designs to the Regional Council. On the contrary the degree of "corporatization" is lower in those decisional processes during which the Regional Council and its Standing Committes have a crucial role in mediating the different demands and pressures of interest groups and, hence the phase of pressure is slow and long-lasting and it is hard to reach an agreement.

On the basis of these considerations we may say that the process that is characterized by more "corporatist" interactions is the one about the intervention in the crisis of steel industry. Here the Regional Council had a very marginal role, the Juncta reached a substantial agreement with business interest associations before the

presentation of the law project to the Council (12). The only changes introduced during the discussion in the Committee concerned (a) the geographic areas to which the financial aids should be devoted and (b) a preliminary statement in which these measures were defined only as a part of a wider intervention of the Region in the field of steel industry (13).

In the other two decisional processes the phase of pressure assumed much more relevance even if the Junta maintained its leading role. In the decisional process about the revision of the plan of vocational training the various actors addressed their pressure both to the Junta and to the Council asking hearings. No alternative law projects have been proposed by the Council but the Junta had to change its proposal four times under the pressure of different interest groups. In this decisional process the activity of the Standing Committee has been of crucial importance and it has been possible to collect the letters by means of which different interest groups asked to have an hearing. In many of these hearings was present also the representative of the Junta ("Assessore"). The Committee has been really an arena for discussion and bargaining. The interesting point is that interest

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12. Business interest associations (in particular the sectoral ones) were directly involved in writing the draft of the law, providing the Junta with information about the areas in crisis and the number of workers that are going to be dismissed.
 13. The main aim of the opposition and trade unions was to avoid that the Junta used ECC funds in a clientelistic way, financing the areas where the majority parties collect their electoral support.

groups tried to influence the decision directly without the mediation of political parties.

Also in the decisional process about the business hours of shops and supermarkets, the phase of pressure has been important. This decisional process is mentioned as one of the most hard and harsh conflicts of interest between different interest groups in the life of Lombardy Region . The conflict was between the association of small shopkeepers (Unione Commercianti) and the association of large drugstores. The latter was supported by trade unions, too. Two factors characterize this decisional process. First of all, interest groups have involved also the central organs of the state that invalidated the regional law approved by the Council. Secondly, some interest groups have resort to their direct representation in the Regional Parliament : the President of the Standing Committee of the Council that follows this decisional process is also the President of a provincial association of shopkeepers (Unione Commercianti) and the Vice-President of the national one. At the end of the decisional process, when an agreement was found and the act was ready for the formal approvation, the President of the Committee changed the content of the law (favouring small shopkeepers), so that the Council approved a law different from the one concertated with other interest groups (14).

14. This "manoeuvre" has been the subject of many articles of newspapers and can be "reconstructed" on the basis of different drafts of the act.

As a reaction, the association of supermarkets and department stores made its pressures upon the Ministry of Industry and the act was invalidated. So the decision making (or, better, the non decision making) shifted from the regional to the central level.

Obvioulsy, it is not possible (and correct) to generalize on the basis of the analysis of three decisional processes. So, after having identified this sort of "decisional model" (figure 2), it has been submitted to some privileged observers in the second phase of the investigation, and we have asked them, on the basis of their experience :

- a) whether this model could be generalized
- b) whether sometimes there are variations
- c) to which factors these variations are due.

The answer to the first answer has been substantially affirmative. More or less all the decisional processes (in the experience of the actors interviewed) follow such a practice.

The Parliament is under the supremacy of the Executive and its function is only to approve or amend its proposals. Interest groups use multiple channels of access to decision making and they address their pressures both to the Junta and to the Parliament. But, and this is the crucial point, they resort to the latter only if they have been unsuccessful with the former. The main interlocutor for interest groups is the Junta and the Parliament has been defined by one of the

actors intervied a sort of "Court of Appeal" for those interest groups that do not see their demands satisfied in the phase of concertation. To interact with the Parliament is a sort of "second best" solution that interest groups adopt when their position vis à vis the Juncta is too weak. From the interviews it emerged that the Council very rarely has the legislative initiative : the legislative action of the Parliament is aimed at contrasting or stimulating the initiatives of the Executive. Sometimes the Council and the opposition advance some proposal, and they may be also approved. But they are implemented only if the Juncta agrees with them. Otherwise the decision, even if approved by the Council, is very hardly implemented.

With regards with the second question the answer has been affirmative, too. There are variations with respect to this model : sometimes the decisional practices followed are slightly different from the "decisional model" emerged from the analysis of the first three decisional processes. And they may consist of two independent variations :

a) a decreasing importance of the Juncta as an interlocutor for interest groups and

b) an increasing importance of the Parliament and, particularly, of its Standing Committees.

Let us examine these two eveniences and the factors that may explain why do they occur (third question) :

a) The Regional Junta losses importance as an interlocutor for interest groups when it is crossed by deep political cleavages and the political phase is characterized by an high degree of instability. In this situation -- and it is just what is happening in these months -- the Junta losses importance but that brings about not an increasing relevance of the Parliament but, more simply a legislative and decisional inactivity. In other terms, a decreasing relevance of the Junta as an institutional interlocutor is not replaced by an increasing importance of the Regional Parliament.

b) The Regional Council tends to acquire more importance and to become a relevant interlocutor for interest groups in three different situations :

(1) when interest groups are weak both from a political and an organizational point of view. In this case, they make pressure on political parties and on their representatives in the Council. In other terms, the Council and its Committees become more important when interest groups that are powerless and unstructured are involved in (or affected by) the decisional process. Obviously the weakness of political actors is not "given" but it is a dynamic variable. For example, trade unions were the main interlocutors of the Junta till the end of the Seventies, then their power is decreased and the relations with the Council (the opposition) have acquired importance.

(2) The second occasion in which the Council is a relevant interlocutor for interest groups (and this point must be more carefully examined, since it is very important) is when regional laws forecast that a large amount of money has to be allocated. One member of the Council we have interviewed told us that to determine the distribution of financial resources is the "pivot" of the activity of the Committees of the Council. The allocation proposed by the Junta is systematically changed within the Committees and these modifications in the distribution of resources are more frequent than the modification in the substantive content of the laws. The Regional laws about those policy areas in which interest groups are more strong and active concern just the distribution of large amounts of financial resources. In this situation it is clear that it is very important the direct representation of interest group into the Regional Council (namely interest group office holders that are elected members of the Council), since it provide a direct access to the Committees and, hence, to the distribution of resources.

This sort of "division of labour" or of "political exchange" between the Junta and the Committees (the Council recognizes the prerogative of legislative initiative to the Junta and the Junta agrees to bargain the implementation of laws and, hence, the distribution of resources with the Committees) has been explicitly formalized and institutionalized as a decisional practice during the period 1973-1979.

(3) Another situation in which the Council acquires more importance is when the Junta is not able to reach an agreement with all the interest groups during the concertation phase. The Committees become an important arena for bargaining when there is a strong and deep conflict of interest and the Junta is not able to resolve it. Meanwhile, when the Junta submits to the Regional Council a law design with the full consensus and the support of interest groups, the "margin of manouvre" of the opposition is very limited and the role of the Council is marginal.

3. Some Tentative Hypotheses and Agenda for Research

The above results are got from only three case studies and a limited number of interviews. So, what we have sketched can not be considered a "map" of the relationships between Regional Parliaments and organized interests in Lombardy, but only a first "exploratory" and "preliminary" phase aimed at identifying further phases of reserach.

In figure 3 on page 25 it is shown a possible typology of the interactions that interest groups may establish with regional political actors in order to affect decisional processes. It is based on two analytical dimensions : the first one concerns the nature of these interactions, namely the difference between procedural (or processual) and institutional (or structural) interactions, the second

Figure 3. A typology of interactions between regional interest groups and authorities

		Modality of interactions	
		INSTITUTIONAL (Structural)	PROCEDURAL (Processual)
Main interlocutor of interest groups	REGIONAL PARLIAMENT (Council)	* Direct representation of interest group office holders in Parliament	* Formal hearings of the Committees of the Council * Direct legislative initiative of interest groups
	POLITICAL PARTIES	* Indirect representation via stable links with external parties and their relations with parliamentary groups	* Lobby activity * Clientelistic exchange
	REGIONAL EXECUTIVE (Juncta)	* Presence of interest groups representatives into advisory boards (Consulte)	* Ad hoc concertation on specific policy issues

dimension concerns the interlocutor of interest groups. The main interlocutor may be the Parliament, political parties or the Executive. It is too important to underline the criterium adopted to distinguish the relationships with the Parliament with those with other interlocutors. We have considered as a relationship with the Parliament only those in which interest groups interact with the Regional Council, or with its Committees, as a whole. It is important to distinguish the Parliament as an institution from the "parts" (individuals members of the Council or political parties) of which it is made.

The questions that a research about the relations between Regional Parliaments and organized interests should answer are essentially four :

1. Under which conditions do interest groups choose the Parliament as an interlocutor in order to influence the decisional processes ? (And, conversely, when do interest groups choose as interlocutor political parties and the Executive ?)
2. In those situations in which interest groups choose the Parliament as an interlocutor, which channel (direct representation, hearings, legislative initiative, etc.) do they adopt in order to interact with it ? And which channel do they adopt when they choose other interlocutor ?
3. Which factors may affect this choice ? Or, in other terms, under which conditions do interest groups choose direct representation, clientelistic exchange, lobbying, hearings, etc. as a channel of interaction with the Parliaments ?
4. Which are the effects of these different choices on the operating of the Regional Parliament ? More precisely, which of these different channels of interaction weaken and hinder the function of electoral control and accountability ? And which of them strengthen and foster it ? Or, in theoretical terms, which types of interaction emphasize the principle of legitimacy of territorial representation and which one sacrifice it ?

In order to answer these questions we have to compare (in an extensive or intensive way) different decisional processes. On the basis of the preliminary investigation about Lombardy we may identify some criteria and hypotheses that may be used in order to do this comparison.

1. The first hypothesis we may advance is that a direct relationship exists between the length of the decisional process and the relevance of the Parliament in the decisional processes. The decisional process about industrial policy is rapid and the Regional Parliament is marginal, while the Executive has had a crucial role. The decisional process about the plan of vocational training is very slow and the Committee has played a crucial role in mediating different interests. So we may use the length of the decisional process as an indicator (for extensive analysis) of the relevance of the Regional Parliament in the decisional process.

2. The second hypothesis we may advance is that a relationship exists between the relevance of Parliament and the competences the Region has in a given policy area. The wider the discretionality of Regions and the greater the resources available to them are, the more the mediation (and probably the control) of the Parliament acquires relevance. We have seen that the decisional process concerning industrial policy -- namely a policy area in which Regions have no competence -- has been the more "corporatized", meanwhile in the decisional process about vocational training -- in which Regions have full competence -- the Council had a crucial function. In an

intermediate position we find the decisional process about the business hours of shops, that pertains to policy area in which the competences of Regions are ambiguous. It could be interesting to compare policy areas in which Regions have full competence (e.g. health policy) and policy areas in which Regions have no competence (e.g. industrial policy).

3. A third hypothesis that we may infer from this preliminary inquiry is that the interactions with the Parliament and its Standing Committees are much more important for those interests that are weak or not structured and organized than for strong and well organized interests. So we could compare decisional processes characterized by the presence of weak interests with decisional processes in which only strong interest are involved. Or, viceversa, we could compare the "pressure politics" adopted by these two different types of interests. There are two indicators that may be used in extensive analysis in order to understand which strategy interest group are using. The first one is the number of hearings that interest groups have explicitly asked. The second one is the number of law projects alternative to that of the Junta that political parties have advanced.

4. But, as far as regards the characteristics of the interests involved, I think that another variable has to be taken into consideration, namely their degree of "colonization" on interest groups by political parties. It is known that in Italy in some sectors (e.g., artisans, shopkeepers, farmers) there are different associations, that are controlled by different political parties. Other interests (e.g., business and, to a lesser extent labour) are

less "permeable" to party differences. So we may hypothesize that a relationship exists between the patterns of interaction an interest group has with the Parliament and its degree of "colonization" by political parties. More precisely, for example, we may assume (and the empirical evidence seems to corroborate this hypothesis) that direct representation of interest groups into the Regional Parliaments is a pattern of interaction that is chosen by those interests (such as shopkeepers or artisans) the associations of which are more linked to specific political parties. Those interests that are more "impermeable" to party loyalty and differentiation, may adopt other patterns of interaction. So, another indicator that may be adopted in order to understand the interactions between interest groups and Regional Parliament is the number of direct representatives of interest groups in the Council.

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Parliamentary Theory and Democratic Consolidation
in Southern Europe

by

Ulrike Liebert

-P r e l i m i n a r y d r a f t-
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Introduction

After two decades of crisis and decline of the parliamentary institution in established western democracies¹, parliament actually is experiencing a new revival. In the recent discussion on the consolidation of democracy in Southern Europe and Latin America, parliament has become central²: Even if in modern democracies decision-making power has shifted from its (supposed) "historical" site in parliament toward the presidential or prime ministerial executive, the legitimacy and, hence, viability of a given democratic regime are supposed to depend upon how well its linkages with civil society function. According to this sociological or "neo-institutional" theory, parliament is, next

¹The neo-marxist critics of contemporary parliamentarism focused on the lack of control capacity of parliament, the lacking transparency of the decision-making processes, the unsufficient participation of citizens, the internal oligarchisation of parties: cf. J. Agnoli/P. Brückner: *Die Transformation der Demokratie*, Berlin 1967; W. Abendroth: *Antagonistische Gesellschaft und politische Demokratie*; Neuwied und Berlin 1967; as a reaction to this: Gerhard Loewenberg (ed.): *Modern Parliaments, Change or Decline?* Aldine, Atherton, Chicago-New York, 1971

²Philippe Schmitter assumes the "seating of the first regular session of a freely and competitively elected legislature" as "the best possible indicator" that democratic consolidation has started, and that democratic consolidation is completed "approximately after three full legislative sessions" not for purely legal or formal reasons, but because both indicate the process, by which the new institutions are structured, the "partial regimes" of their external linkages with civil society are shaped and endowed with legitimacy. Cf. Philippe C. Schmitter: *The Consolidation of Political Democracy in Southern Europe*; Manuscript - second, revised version; Stanford University, July 1987; esp. p. 18, 24 and 59

to interest associations, the central site of democratic consolidation, in so far as it maintains an organic relationship with the citizens ("electoral regime"), and as it represents and responds to particular demands articulated by social groups ("pressure regime"; "representation regime")³.

But to what extent does this hold true in the practice of Southern European parliaments? Do SE legislatures effectively provide legitimacy to the new democratic regimes by representing social interests and adequately responding to particular demands?

In the classical continental European institutional tradition, parliaments have been studied as parts of systems of government, without yet excluding the socio-political determinants which shaped historically the "living constitutions" ⁴. In the anglo-saxon perspective, since the famous treaty of Walter Bagehot, parliaments are perceived as fulfilling a variety of functions.

The

major shortcoming of both traditions was, for a long time, the treatment of parliaments as entities interacting with their environments, with hardly any differentiating between internal actors and varying modes of distribution of decisional power

³Alternative channels which by-pass the legislature, are the "concertation regime" and the "clientelist regime"; *ibid.*, p. 25f., 55f.

⁴Klaus von Beyme: *Die parlamentarischen Regierungssysteme in Europa*; Piper, München 1970

among them⁵, which seems to be essential for a more realistic analysis of parliamentary operation, particularly in SE. On the other hand, with its emphasis on fulfilled parliaments and parliamentary systems, much of the comparative legislative literature neglects the dynamics of legislatures in the process of institutionalization⁶.

In the following, I want to show how the empirical problematic of parliamentary operation in SE induces a shift in interpretation:

1. If we have traditionally juxtaposed parliaments and executives as two institutional subjects, among which existed either a balanced relationship, or subordination of one and dominance of the other, this view proves unrealistic insofar as the real actors are to be found in sub-institutional and para-institutional groups: parties, parliamentary groups, coalitions, majorities, oppositions, eventually: standing committees;
2. this organizational view has implications for the analysis of the - classical and new - functions SE parliaments are expected to fulfill;
3. finally, it has consequences on how the levels of

⁵More recent works tend to integrate the internal organizational dimensions with attempts to typologize parliamentary regimes: Colliard 1978;

⁶Cf. Nelson W. Polsby: The Institutionalization of the U.S. House of Representatives; APSR n.62/1968, p. 144-168; Richard Sisson: comparative Legislative Institutionalization: A Theoretical Exploration; in: A. Kornberg(ed.), Legislatures in a Comparative Perspective; New York 1973, p. 17-38

parliamentary institutionalization may be assessed.

1. Forms of Government and the Relative Position of Parliaments

According to the theory, the classical distinction between the parliamentary⁷, the presidential and the semi-presidential/or: semi-parliamentary⁸ type of government should give us indications on how parliament is located with respect to the other powers in the institutional setting. "Principally parliamentary government is the attempt to create between both

⁷Generally recognized as minimal institutional characteristics of the parliamentary system are: 1. the close linkage between executive and legislatures, due to political parties as well as to the compatibility of the minister and deputy role; 2. the duty of government to resign if the parliamentary majority withdraws its confidence from it (vote of no-confidence; contrary votations; failure of a governmental motion of confidence, etc.); the parliamentary right to control government by interpellations and to gather necessary information. As further, not indispensable criteria might be added 3. the right of parliament to invest government by a formal vote of confidence; and 4. the right of government to ask the head of State to dissolve parliament. In any case, the role of the state president remains residual, his powers limited to protocollary activities.

(cf. von Beyme: Die parlamentarischen Regierungssysteme in Europa; München, Piper 1970, p. 41ff.

⁸In the "semi-presidential" regime the popular will is expressed in two, not necessarily convergent turns: in the legislative and in the presidential elections. Therefore the state president - normally provided with important prerogatives - coexists with a prime minister, who for his part is accountable towards the deputies.

Cf. M. Duverger, La Nozione di Regime "Semi-Presidenziale" e l'esperienza Francese; in: Quaderni Costituzionali; 1983/n.2, pp. 259-275; p. 260

independent and separate powers - parliament and government - such a balance that none may win supremacy on the other", in these terms Karl Loewenstein defined the "ideal type" of the balanced parliamentary regime. But - as he adds - the search for a magic formula for a stable balance between parliament and government in the history of constitutional government since 1789 has been in vain; at all times either one or the other of the two powers prevailed in the dynamics of power⁹.

Adopting this view, SEan legislatures show the following profiles:

- The **Italian** Constitution of 1948 adopted a form of parliamentary regime, in which the legislature was attributed a key position. This was a safeguard taken in the aftermath of 20 years of dictatorship, in which the fear that a monocratic power like a president in a presidential system would abuse his

⁹Cf. Karl Loewenstein: The Balance between Legislative and Executive Power: A Study in Comparative Constitutional Law; University of Chicago Law Review, V 1938; p. 680ff, with a historical overview on subsequent periods of parliamentary and executive primacy after 1789

prerogatives, was great¹⁰. During the first two legislatures, the so called era of "centrismo" (1948- 1958) with their relatively strong governments of "Democrazia Cristiana" in alliance with other center parties, the constitutional "central" role of parliament remained unmaterialized, key decisions being taken in other sites¹¹. The "centro-sinistra" (1958-1976) paved the way for a reorganization of parliamentary activities, with the ambitious - and only partially successful - project to establish parliament as the "central" organ in the Italian system. The new house rules, adopted in 1971, in fact "provided the Italian parliament with powers which made it capable to intervene in the decision-making process with a not at all irrelevant weight"¹². As indicators we may mention:

1. the relationship between laws passed by the assembly and laws

¹⁰This fear, as well as structural conditions - the lack of a decentralized, federal structure like in the USA - made the Italian Constituents refute the presidential system. Indicators against the adoption of the British type of parliamentary regime was the plurality of the Italian parties, which appeared not feasible to be reconduced to the duality and the discipline of the British parties. Cf. P. Armaroli: *L'introvabile governabilità. Le strategie istituzionali dei partiti dalla costituente alla commissione Bozzi*; Cedam, Padova 1986, p. 3ff.

¹¹In this period the so called "legghine", laws of only sectoral and minor importance, are proliferating. Cf. A. Predieri: *La produzione legislativa*; in: Somogyi/Lotti/Predieri/Sartori (ed.): *Il Parlamento italiano (1946-63)*; Napoli 1963; p. 238s.;

¹²A. Baldassarre: *Le "Performances" del parlamento italiano nell'ultimo quindicennio*; in: G. Pasquino, *Il sistema politico italiano*; Laterza, Roma Bari, 1985; p. 304

- passed by the committees changed at the advantage of the former¹³;
2. frequently legislative majorities emerged which were with respect to governmental majorities larger and possessed more flexibility;
 3. the rigid contraposition between majority and opposition was moderated, allowing the opposition a limited participation in parliamentary decisions¹⁴;
 4. a number of parliamentary committees were created, provided with new powers of control and direct administration¹⁵.

The consequences of these parliamentary reforms of 1971, and especially the changed institutional relations after the elections of 1976, were increasing disfunctions of the Italian governmental and decision-making system. To mention only two characteristics of the relationship parliament-government which produced constantly tensions:

- government has no possibility to intervene in the programming of the parliamentary work, due to the principle of unanimity

¹³During the first two legislatures, about 24% of all laws were approved by the assembly, 76% by the standing committees (total: 4521 laws); in the 7th and 8th legislature, 60% of all laws were approved by the assembly (total: 2145 laws); cf.: La Camera dei deputati dalla I alla VIII legislatura, note statistiche e illustrative; Camera dei deputati, Ufficio stampa e pubblicazioni, Roma 1985

¹⁴Eugenio De Marco: La "Negoziazione Legislativa"; Padova, Cedam 1984, p. 139f.

¹⁵An example is the "commissione di vigilanza sulla RAI" which has been characterized as a type of "executive superorgan" of the public tv- and radio-station.

between the presidents of the parliamentary groups in setting up the parliamentary agenda, which was introduced by the house rule reforms in 1971;

- governmental decrees have to be presented in any case in parliament to be converted into decree-laws. This opens the floor to practically unlimited amendments, or even to obstructionist strategies which may impede the parliamentary conversion within the required time-limit of 60 days.

Scarse legislative performance and high governmental instability¹⁶ are obviously manifestations of the possible degenerations of an Italian type of parliamentarism. But, as Andrea Manzella put it, "the role of modern parliaments is to be assessed less in terms of parliamentary competences "a se e per se", than according to the degree of coordination and reciprocal conditioning which the parliamentary powers and procedures provide with regard to powers and procedures of subjects external to parliament¹⁷: "He who coordinates does not command in the proper sense of the term, is not in an hierarchically superior

¹⁶cf. G. Di Palma; *Surviving without Governing. The Italian Parties in Parliament*. Berkeley, University of California Press, 1977; S. Galeotti, *Un Governo scelto dal popolo. Il governo di legislatura*; Giuffre, Milano, 1984

¹⁷A. Manzella; *Le Cortes nel sistema costituzionale spagnolo*; in: Garcia Enterria/A. Predieri: *La Costituzione Spagnola del 1978*; Giuffre, Milano 1982, pp. 453-498; p. 494; and as well: his chapter on the coordination function, in *ibid.*: *Il parlamento*, Il Mulino, Bologna 1977, p. 367ff.

position." And: "...the subjects for whom the requirement of parliamentary coordination emerges are those for whom governmental coordination does not exist or does not suffice."¹⁸

During the last legislature, hence, institutional - and in particular, parliamentary reform devices have stressed the necessity to define a more functional coordination between political forces in parliament and government¹⁹.

- The **Spanish** Constitution of 1978 tried to avoid such "degenerations", rigorously circumscribing the powers of parliament from the beginning on. Its borderlines are strictly defined with respect to 1. the prime minister regime, limiting the parliamentary oversight function (funzione di indirizzo) and the ordinary legislation function; 2. the competences of the autonomous communities; 3. the configuration of large powers of the constitutional court; and 4. the powers of the parties, "which seem to negate any possibility of creative political action to the parliamentary institution"²⁰.

The "living constitution" has - according to Jordi Solé Tura and Miguel Aparicio - accentuated this portrait a great deal more:

¹⁸ibid., p. 367

¹⁹The final report of the bicameral "Commissione Bozzi" for institutional reforms (created in October 1983), which was presented in January, 1985, contemplated the following reform issues:

cf. Camera dei Deputati-Senato della Repubblica, Doc. XVI-bis/IX. Legislatura; 3 Vol. (with majority and minority voices)

²⁰A. Manzella 1982, p. 495

Since the 1982 elections, when the Socialist Party won an absolute majority in both houses, tendentially "the Cortes have been converted into a simple organ of ratification and juridical legitimation of decisions taken outside from it,"...given that the government can and does impose its options "without any condition more than the maintenance of the internal discipline of its proper parliamentary group."²¹

- The key stone of the **Greek** organization of powers according to the new Constitution of 1975, was the - according to an expression of Constantin Caramanlis - "reasonable reinforcement of the executive" with an introduction of presidential correctives.²²

Due to a long tradition of parliamentary coherent majorities and fundamental (parliamentary and extra-parliamentary) oppositions before the relatively short lasting dictatorship, and in the context of traditional political culture which emphasized the "monarchic principle", an "executive-type of democracy" and

²¹J. Sole tura/M.A. Aparicio Perez: Las Cortes Generales en el sistema constitucional; tecnos, Madrid 1984, p. 292

²²Even if not elected at universal suffrage, but by the Chamber, the president possessed important prerogatives: dissolution of parliament, convocation of government at any moment, proclamation of referendum on "crucial national questions" and strong powers in situations of crisis; cf. N. Alivizatos: Le Parlement Hellenique. Actualisation recente d'un debat manque; Paper presented at Conference "The Formation of Parliaments in SE", Florence, EUI, May 1986; p. 3

"democratic formalism"²³, there was little space in the constitutional debate on parliamentary organization. Only since the constitutional reform of 1986, which transferred the presidential powers nearly completely into the hands of the prime minister - hence abolishing some of the "checks and balances" of the American regime type - the issue of the rights of the parliamentary opposition has surged up, being considered now as the most efficient safeguard against executive abuses of power²⁴. Nevertheless, the Greek Chamber of Deputies since 1974 has effectively been under the supremacy of the executive, namely the government: "...parliamentary groups of the parties in power never gained the slightest autonomy from the government, the choices of which they ratified"²⁵. Other conditions of extreme executive primacy were strong party discipline, above all in the governing party, and the abolition of the preferential vote in 1982, with closed lists elaborated by party leadership.²⁶

- The Portuguese Constitution of 1976 introduced an - according to the famous notion by Maurice Duverger - truly "semi-

²³N. Wenturis: Der Parlamentarismus in Griechenland; paper presented at the Conference on "Parliaments and DC in SE", Barcelona, October 1987; p.4

²⁴Alivizatos 1985, p. 4

²⁵A significant indicator for Greek executive supremacy is the fact that 100% of the bills passed by parliament between 1978-1982, were government bills; cited by Alivizatos 1987, p. 7f., 17f.

²⁶ibid., p. 16f.

presidential regime", with a President of the Republic elected at direct universal suffrage, and with important prerogatives, in which the Assembly of the Republic did not occupy any central place: "The election of the President of the Republic by universal suffrage and the important powers given to him, were still required by the military presence in the organs of power...Only a President, legitimated by direct suffrage, could superimpose the Armed Forces"²⁷. Due to the multi-party system, to the proportional electoral system, and to the fact that the Portuguese Assembly reflected the deep cleavages of Portuguese society, stable parliamentary and governing majorities could be achieved only as an exception. Hence, until 1987, governmental and parliamentary instability in Portugal were particularly

²⁷The president had the competence to appoint the Prime Minister according to the electoral results and after having heard the parties and the Council of Revolution; he could dismiss him freely, without parliamentary support; furthermore he could dissolve the Assembly, proclaim the laws of the Assembly and the decree-laws of government, put a veto on them because of unconstitutionality or for political reasons; cf. Lobo Antunes 1986, p. 3/4

accentuated with respect to other SE systems²⁸.

It seems hazardous to trace back this instability to the parliamentary component of the regime, which was reinforced by the constitutional revision in 1982. Rather, the president still maintained extensive powers, while the parliament-executive nexus was strengthened: "In the end, if anyone lost, it was the government, which is now more directly limited by the Assembly and at least indirectly by the President."²⁹ In practice, however, the legislative initiatives of government in Portugal have also a higher probability of being passed by parliament than initiatives originating in the non-governing parliamentary groups, even if the proportion of non-governmental bills with respect to the total legislative output in the Portuguese case is higher than in

²⁸Until now, none of the legislatures has achieved the normal term of four years; from 1976-87 six legislative elections have been held, apart from the constituent election; and - apart from the 6 provisional governments of the transition period - 11 governments have been formed, the first five of which were minority, the subsequent four majority coalitions, the tenth minority, and the eleventh the single-party government with absolute majority of Cavaco Silva. Only two of the "presidential governments", however, were overthrown directly by the Assembly; cf. Braga da Cruz: *Parliament, Parties and Government in the Portuguese Democratic Experience*; paper delivered at the workshop "The Formation of Parliament in SE", EUI, Florence, May 1986, p. 1; and Lobo Antunes 1986, p. 6

²⁹The most crucial revisions concerned: the limitation of the presidential power to dissolve parliament; the transfer of the power to dismiss government from the president to the assembly; the extension of parliamentary legislative competences at the expense of matters which could be delegated to government; the introduction of a formal parliamentary investiture of government; cf. Lobo Antunes 1976, p. 8/9

any other SE country³⁰. Interesting in this respect is the observation that subordination of parliament to the executive in legislative and financial matters varies with the nature of governments: under minority governments subordination is less, under majority governments it is higher³¹.

Finally, in Portugal power appears to be extremely dispersed "between persons, organs, groups and institutions, without any clear and prolonged hegemony of any". If the Assembly was rarely a hegemonic site of power, it was, however, frequently "a privileged site of negotiations" or of opposition against the executive, even under majority governments.³²

The Grand Turkish National Assembly started its activities in 1983 in the context of a mixed parliamentary-presidential system with an unclear division of competences, and, in particular, a member of the military holding the presidential office, without the legitimation of direct elections. The overwhelming absolute majority of the Motherland Party (227 out of 400 deputies), whose leaders occupy executive positions, and

³⁰The non-government bills passed in Portugal between 1978-1982 were 60.2%; cf. Interparliamentary Union, *Parliaments of the World. A Comparative Reference compendium*, 2nd ed.; Gower 1986, v.2, p. 912-20; cited by Alivizatos 1987, p. 7

³¹Braga da Cruz 1986, p. 8/9

³²Braga da Cruz and Lobo Antunes: *A Assembleia da Republica. Partidos politicos, governo e oposicao*; paper presented at the conference "Parliaments and Democratic Consolidation in SE", Barcelona, October 1987, p. 21

are supported by strict parliamentary group discipline - all these features make that - in the absence of established executive-legislative relationships - the Turkish GNA since 1983 is operating under accentuated supremacy of the executive. However, the prime minister needs his solid parliamentary support in order to balance the weight of the military, who will continue their regime in the vest of the President, General Evren, until the end of the transition period in 1989³³.

The features which differentiate the Turkish case from the rest of SE legislative systems is that in spite of "the inclination of the political elites and the masses for multi-party politics... participation in politics and organized political activity are discouraged and somewhat curbed, since both are considered to constitute de-stabilizing developments for the Turkish polity." Hence, the extraordinary military regime in the period of 1980-1983 annulled all of the well established political parties, and only novel political parties with no apparent links with the old parties were legally permitted to function and to participate at the elections.³⁴

³³Heinz Kramer: Das neue politische System der Türkei; Stiftung Wissenschaft und Politik; Ebenhausen, September 1983; p. 8

³⁴E. Kalaycioglu: The Institutionalization Process of the Turkish Grand National Assembly: Constitutional Provisions, House Rules, Party Groups and Committee Structure; paper presented at the workshop "The Formation of Parliaments in SE"; Florence, EUI, May 1986, p. 5

Apart from the special characteristics of the case of Turkey, which separate it actually from the other SE systems, bringing it closer to Latin American new democracies, the position of legislatures in the designs of their respective political regimes in SE in the last five years have converged towards the parliamentary regime type.

The panorama of parliamentary practice which we have just finished summarizing, however, shows growing variation.

1. If with respect to crucial decisions and ordinary legislation, the central site in all systems has remained, or has newly become the executive, the accentuation or lessening of this fact depends from the nature of governments and their parliamentary support, and varies within single countries accordingly. Hence, executive supremacy with respect to legislation appears most accentuated in Greece, and least in Portugal; in Spain it was weaker during the Suarez-regimes and was strengthened by the PSOE-governments, built on absolute majority and strong party-discipline since 1982; in Italy the executive has been strongest in legislative matters during the first two legislatures under "centrismo"-governments, while since the end of the sixties parliament has become the site of more important, national decisions, planning and reforms; it has offered to opposition wide possibilities of conditioning the legislative activities of governments, at the

cost of aggravated deficits of coordination between legislative and governing activities: due to the delayed institutional reforms, the Italian parliament has failed up to now in effectively coordinating representation and aggregation of manifold social and political demands with rational and rapid governmental action.

2. All cases demonstrate that the weight of parliament in the institutional setting is less a function of respective institutional prerogatives, than of the conjunctural distribution of political power cutting across institutional boundaries.

3. With respect to the configuration of power distribution, SE systems show as well significant variations: Political power is most concentrated in Greece and in PSOE-Spain (since 1982), since in both single-party governments, supported by absolute parliamentary majorities hold monopoly power, even if the "autonomous communities" attenuate this pattern in Spain considerably, with opposition parties governing in two regions and co-governing in a third region³⁵; in both systems parliament is marginalized at least with respect to instrumental decision-making and constrained to the sphere of symbolic politics. In Turkey, power actually is bi-polarized between a president with a stronghold in the military, and a prime-minister regime with an

³⁵cf. U. Liebert: Spanien. Das Experiment einer spanischen Nation der Nationalitäten und Regionen; in: Der Bürger im Staat; 1987/2, pp. 115-123

absolute majority in parliament; the Turkish assembly hence finds itself in the situation of a "nascent or inchoate" and at the same time still "truncated" legislature³⁴, which at the same time holds the prestigious monopoly of representation, as long as party-politics and organization is severely limited;

Italy since the seventies and Portugal (until July 1987) have to be placed on the other end of the spectrum among the cases of extreme dispersion of power. Parties and parliamentary groups, individuals and interest associations, as well as traditional corporations share power in varying constellations, including to a substantial degree also the communists. This makes parliament in both cases a site of important negotiation and effective opposition, but also tends to create problems of government stability and coordination.

If we ask for major determinants for these varying roles and problematics of SE legislatures, we are always referred to party government. In all cases, except in Turkey, political parties have succeeded in affirming themselves in practice as well as, to varying degrees, in the constitutional norm and the parliamentary rules of procedure, as the fundamental interfaces between political institutions and civil society. Even more, they assume the role of primary subjects of the political process

³⁴J. Blondel: Comparative Legislatures, Englewood Cliffs, 1973, p. 136ff.

cutting across institutional boundaries. Parties, hence, are accused of expropriating parliament of the function to make and unmake governments, they are criticized for invading and colonizing or instrumentalizing it, or to by-pass it simply in crucial decisions.

Trying to sort out polemics against the "Partitocrazia" from empirical analysis, we will find the "parliamentary group" as a key stone in the varying mosaics of parliamentary practice in SE, which for a long time has been neglected as a unit of research. The organization of the parliamentary groups and their relations with the external parties are found to determine the various faces of "party-parliament", and particularly the extent to which parties succeed in conditioning parliamentary activities.

2. The Organization of Parliamentary Groups

Unlike parliaments in established democracies, such as Great Britain, USA and Sweden, where political parties began as elite factions inside already established legislatures, Southern European parliaments (except the Italian) have been re-created simultaneously with the mass parties. These have come to control them to a considerable extent. Coherently with this observation it has been traditionally assumed since Duverger that the preponderance of parliamentary groups over the external party or vice versa, the control of the group from outside parliament depended on the genesis of the parties¹. The conditions, however, of power relations between the party leadership inside and outside parliament are much more complex, and are affected - as Klaus von Beyme recently showed - by a variety of variables.²

Among those factors which strengthen the role of the parliamentary groups "against the party machines outside parliament" he stresses: The "etatisation" of parties; the strengthening of party discipline; certain customs of government formation (e.g. where all groups are consulted, or where the head of state has a discretionary power in favouring certain

¹M Duverger: *Les Partis Politiques*; Librairie Armand Colin, Paris 1976 (1st ed. 1951); p. 211ff

²Klaus von Beyme: *Governments, Parliaments and the Structure of Power in Political Parties*; in: Daalder and Mair (eds.): *Working Papers on Western European Party Systems*; EUI, Florence, without year; pp. 565-600

coalitions); parliamentary procedures strengthening groups (like agenda setting in Italy); certain principle in coalition formation (majority, gravitation); publication of a formal "coalition agreement"; consociational democracy³.

On the other hand, von Beyme identifies a variety of factors which may weaken parliamentary groups: Referenda; semi-presidential regimes with governments nominated by the president; strong interest group influence (via parties, by direct lobbying, or in terms of direct representation); deregulation (transfer of public decision-making authority to public or private entities).

Since the first institution of parliamentary groups,⁴ the patterns of relations between parties and parliamentary groups

³"The more evident the tendency away from a system of coalitions and towards consociational democracy, then the more powerful tends to be the position of the parliamentary groups in the system"; cf. von Beyme, op.cit., p. 587

⁴The informal existence of parliamentary groups goes back to early parliamentary history. Their formal recognition, however, was impeded until the beginning of the 20th century "in the name of the fictitious liberty of the elected", but also due to the persistence of the system of uninominal electoral districts, which had been based on the direct relationship between elected-electors without party political mediation. In Italy, parliamentary groups were first juridically regulated as a result of the arrival of the big mass parties and the introduction of the new electoral system with competing lists and proportional representation. They were instituted contemporarily with the standing committees with the new standing orders of 1920, according to which each group had to design its proper delegates for the committees by secret ballot, and in proportion to its relative strength. The majority rule of the fascists abolished these internal organs of the legislature as soon as in 1924, immediately after having come to power; cf. Di Ciolo 1980, p. 271 ff.