
The Commonwealth Parliamentary Association in the 21st Century

by Arthur Donahoe

The Commonwealth is a voluntary association of independent sovereign states, each responsible for its own policies, consulting and co-operating in the common interests of their peoples and in the promotion of international understanding and world peace. This article looks at the role of Commonwealth Parliamentary Association within the Commonwealth.

Since 1991 the size of the Commonwealth Parliamentary Association has burgeoned. In that year we had 127 member Parliaments, today we have more than 140. Since 1992, Anguilla, Cameroon, Ghana, Mozambique, the National Parliament of Pakistan and its four provincial Assemblies, Seychelles, South Africa and its nine provinces, Uganda, Fiji, Nunavut, Scotland, Wales and Nigeria have been either admitted or readmitted to CPA membership. Unfortunately the October 1999 coup in Pakistan resulted in its national and provincial Parliaments being put in abeyance. The return of Nigeria to democratic government will have a tremendous impact on our Association, especially since its constitution establishes a system which is in many ways more akin to the Congressional system than the parliamentary one.

The Place of Parliament in Society

Parliaments are unusual institutions. They differ greatly from one to another, both constitutionally and in their practical political operations. They vary in size and shape, in tenure, in powers and functions, in autonomy and in procedures and traditions. Some sit as infre-

quently as 10 days per year, others as often as 225 days. Within the Commonwealth national Parliaments vary in size from Tuvalu's which has 12 Members, to the U.K.'s which in August 1999 had 1683 and India's which has 802 Members. A number of sub-national parliaments are even smaller than Tuvalu's – the Nevis Island Assembly has eight Members and Norfolk Island's Legislative Assembly has nine.

Most observers consider that modern Parliaments have three main functions and identify these as:

- The legislative function (including participation in the making of public policy through lawmaking, parliamentary enquiries, etc);
- The oversight function (carried out mainly, but not exclusively, by the "loyal opposition");
- The representative function (which allows Members to address the problems of their constituents and promote their interests).

To the list of parliamentary functions one might add that of legitimization. The manner in which Members become members has a huge impact on the representativeness of a Parliament. And the representative character of a parliamentary body gives rise to its legitimacy, or the public recognition and acceptance of the right of Parliament, and the government generally, to act in some manner, and the corresponding obligation of citizens to abide by that action.

The critical function of oversight, in traditional parliamentary systems, is so powerful that it includes both the

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selection and the removal of the Executive. In some parliamentary systems – those with strong parties and a limited number of parties, elections are merely a way to select the chief executive. The United Kingdom is probably the best example of this. But in many multi-party systems there is less certainty, often no party receives a majority and there may be a number of viable candidates for Prime Minister. The question becomes one of who can put together a coalition of parties and Members so as to gain majority support. This was the case in New Zealand after its election in October 1996, and of course we have seen the recent example of India where a coalition government was unable to hold together and no other party could command majority parliamentary support.

An important aspect of the oversight function is the role of the Opposition in situations where the governing party commands majority support in the Parliament. At a conference on the Role of the opposition sponsored jointly by the CPA and the Commonwealth Secretariat held in Marlborough House in London in 1998, delegates made the point that mechanisms to promote accountability and exposure can only be effective if there is a general "culture of accountability" and commitment, by governments as well as opposition, to the overall effectiveness of the parliamentary system. They agreed that all aspects of administration must be subject to scrutiny and considered the mechanisms available to the opposition to hold the Executive to account, including parliamentary questions, committees, the allocation to the opposition of its own time for debate, the role of the Speaker, and the relationship between the opposition and independent officials (such as the ombudsman) whose function was also to act as a check on government.

Despite its place as the fundamental national institution underpinning nearly every Commonwealth country, Parliament is the only institution composed of Members who enter with no specific educational requirements, who often receive little or no formal on-the-job training and who must immediately make complex policy decisions in the face of rival demands from all sectors of domestic society and the wider world. Parliamentary support staff, while expert in other disciplines, often take on legislative posts with little specialized training – sometimes without even the support of experienced colleagues.

Parliaments are governed by a series of seemingly arcane orders and rulings, which are often daunting for a newly-elected MP (and for some who have been in Parliament for a long time). Some Commonwealth Parliaments are able to offer basic training for newly-elected MPs, either by mentoring or by arranging special introductory seminars. Others, notably the Parliament of India, produce handbooks explaining various

parliamentary practices and procedures in an easily-digested format. But many Commonwealth Parliaments lack sufficient staff and resources, and are unable to provide such orientation.

CPA Aims and Objectives

The CPA today, under section 1 of its Constitution, exists to 'promote knowledge of the constitutional, legislative, economic, social and cultural aspects of parliamentary democracy'. Although its membership is constitutionally confined to practising Commonwealth democracies, the Association maintains relations with some non-Commonwealth parliamentary organizations and countries.

CPA activities are guided by the following precepts:

- Commonwealth Parliamentarians, irrespective of gender, race, religion or culture, share a community of interest based on respect for the positive ideals of parliamentary democracy, the rule of law and individual rights and freedoms.
- The governance of Commonwealth citizens will benefit by exposing political practitioners to the many different policies, procedures and systems employed by other practitioners on a Commonwealth-wide and regional basis.
- Although the Westminster-style parliamentary system is dominant, all Commonwealth Assemblies contribute to the continuing evolution of democratic methods of governance based on their own cultures, social traditions and levels of development so that no single institution or country is seen as pre-eminent and no individual practice is universally applicable without local adaptation; and
- Political, constitutional and procedural consultations are most effectively conducted by facilitating contacts between Members and officials of Parliaments and Legislatures and through full and frank discussions unfettered by intergovernmental decision making.

The CPA meets its objectives by:

- organizing conferences, seminars, meetings and special study groups for Members and officials of Commonwealth Parliaments and Legislatures. Our annual Commonwealth Parliamentary conference brings together over 350 leading Commonwealth politicians and about 75 parliamentary officials. The theme of the Conference held in Trinidad and Tobago in September 1999, was "Responsibility, Accountability and Transparency – Enhancing Good Governance by Improving Democratic Standards in International and Domestic Decision-making".
- Supporting the Small Countries Conference, held just before the main parliamentary conference. It brings together Members from about 30 of the world's

smallest Parliaments and Legislatures to discuss the special problems faced in jurisdictions of up to 400,000 people, for most of whom the CPA provides their most effective, and sometimes their only, forum. The Society of Clerks-at-the-Table also holds special meetings during the annual Conference.

- Facilitating the exchange of visits between Members of various Commonwealth Assemblies;
- Publishing a quarterly journal, *The Parliamentarian*, and a collection of newsletters, books, reports and specialist studies aimed at, and largely written by, Members and officials of Parliaments and Legislatures;
- Collaborating with the other Commonwealth and non-Commonwealth organizations in organizing seminars, workshops, study groups, and colloquiums to give detailed scrutiny to issues related to democratic governance;
- Providing an information service on comparative parliamentary, constitutional and political organization matters which responds to in excess of 300 queries per year; and
- Presenting a parliamentary perspective on global issues in the intergovernmental community.

Association meetings do not pass resolutions on political issues or call for particular actions. The CPA is a solution-seeking rather than a decision-making body. Members attending CPA conferences and seminars are completely free to discuss issues fully and frankly, unfettered by the need to toe a party or government line so that a particular decision is reached. This helps ensure that all shades of political opinion are represented at CPA meetings.

The Association's principal governing body is the General Assembly which meets annually during the Commonwealth Parliamentary Conference and is composed of the Members attending that conference as delegates. The Assembly elects Members to an Executive Committee (EXCO) which manages the affairs of the Association.

The Committee is composed of the Chairman, President, Vice-President, Treasurer, three regional representatives from six regions, four from the African region, and six regional representatives from the eighth (and largest) region, Asia.

The Executive meets twice a year, once at the time of the Annual Conference and once at a so-called Mid-year Meeting which is usually held during the spring.

In 1989 at our Parliamentary Conference in Barbados, a group of women delegates who wanted to see a more effective response by the Commonwealth to women's issues assembled and established a women's caucus. Now known as the Commonwealth Women Parliamentarians, this organization meets at the time of the CPA Con-

ference to exchange views and experiences on ways to sensitize political decision-making to gender concerns and to overcome the particular barriers which discourage many women from standing for election. Three years ago we published a study, which was two years in the making, on "Barriers to Women's Participation in Parliament", and which has been circulated to our Branches and Members.

The CPA Secretary-General and staff of 13 are responsible for the day-to-day administration of CPA activities. Regional and Branch activities are administered by the regions or Branches concerned, with financial and administrative support from the Headquarters Secretariat as necessary. The Secretariat is located at 7 Millbank in London, in offices generously provided by the U.K. House of Commons. We both report to and receive directions from the Executive Committee and through the Executive Committee are responsible to the General Assembly.

Just as scientists, doctors, lawyers and other professionals must keep abreast of advances in their fields, Parliamentarians must follow developments in their profession which can help them to identify more effective policies and better ways of conducting public business.

In the past six years, the CPA has placed special emphasis on organizing and conducting seminars on parliamentary practice and procedure and the role of Members of Parliament. These have been held in countries which have just returned to parliamentary democracy, have substantially altered their parliamentary system or have experienced an unusually high intake of new Members following an election. We are of the view that even the most highly successful 'free and fair' election will be wasted if the institutions which underpin democracy are not given an opportunity to function properly. Since 1992 this series of post-election seminars has taken CPA teams to The Bahamas, Lesotho, Seychelles, Malawi, Botswana, Zimbabwe, Tanzania, Kwazulu-Natal, Uganda, Bangladesh, Trinidad and Tobago and twice to Ghana, Zambia, Kenya and Barbados.

Discussions centre around the evolution of parliamentary democracy, the role of the MP in representing constituents, dealing with the media, supporting or criticizing legislative proposals, the business and procedures of the House, the role of the Speaker and staff of Parliament, the operation of parliamentary committees,

Parliament and human rights, and Parliament's financial supervision of the Executive. The development of the Commonwealth and the history and programmes of the CPA are also dealt with as experienced Parliamentarians and staff endeavour to shorten the learning curve for new MPs, not by telling them how to conduct their business but by sharing the experience of how things are done in other jurisdictions.

In 1996 and 1997 we conducted a series of five parliamentary workshops for Members of Parliament in Southern African countries. A workshop was held in Arusha, Tanzania in October 1999 which will brought together 20 Members from each of the Parliaments of Tanzania, Uganda and Kenya to discuss parliamentary matters and to explore developments currently taking place in East Africa which have seen moves for greater cooperation in the area and the possible establishment of a regional assembly. The Parliament/Executive interface will be an important part of the agenda for this conference.

Professional development courses and conferences are common in most professional and business fields. Post-election seminars and the other CPA activities serve this purpose for Parliamentarians, thus helping to raise the standard of representation, and demonstrating to a still disillusioned electorate that many Members are serious about enhancing their service to the people who elect them.

The CPA is largely financed by annual membership fees paid by each of the CPA Branches. The fee is determined each year by the General Assembly on a recommendation from the CPA Executive Committee. Fees are set individually for each Branch and depend on factors such as the number of delegates from the Branch attending the Annual Conference, and whether the air fares of the delegates are paid by the CPA or the Branch. In addition to the Branch fees we have the income of two trust funds, one of which finances projects we undertake and one which contributes to the Branch hosting our Annual Conference to help defray costs.

In recent years the CPA has expanded its contacts and working relationships with other Commonwealth organizations. We have supported the Commonwealth's election monitoring work by nominating experienced Parliamentarians to serve as observers, thus helping to develop effective and fair election practices, and to give credibility to elections at crucial times in the democratic development of several Commonwealth countries.

An expert group of parliamentary and CPA officials has produced a manual of Guidelines for the Training of Parliamentary Staff to assist Houses to develop and refine methods of preparing their staff to serve their Parliaments and Members. These guidelines are being

extensively used in the Commonwealth and have been translated into several local languages. Requests for this document have been received from several non-Commonwealth Parliaments.

The issues which Parliaments and Parliamentarians are likely to face in the 21st century and responses required to deal with anticipated changes were considered by a CPA Expert Group which met in Glasgow in December 1998. The Group concluded that Parliaments and Parliamentarians will be required to adapt in a multiplicity of ways.

Institutionally, the Group's report says, Parliaments must improve mechanisms to ensure accountability of direct and delegated responsibilities, encourage increased input from citizens and focus on re-establishing a trust and respect for Parliament among citizens. Parliament must ensure the development of internal and external expertise in developing and evaluating policy proposals and legislation and provide Members with the technology required to remain in touch with the world around them. Incentives for individuals seeking office must be sufficient to ensure that a broad cross-section of the populace are motivated to seek elected office. Parliaments may also have to consider the possibility of more differentiated roles for individuals rather than expecting them to play all the roles they have traditionally played.

From the perspective of the individual Parliamentarian, there must be a broader focus on the part of political parties and Parliaments in ensuring that representatives develop increased skills and knowledge with respect to accessing and evaluating information through use of information technology. Individuals must also develop a deeper knowledge and understanding of the principles of parliamentary democracy and the strengths and limitations of various forms of the democratic model. The increasing complexity of the legal environment will require representatives to have a greater knowledge of legislative development and interpretation. In a more complex world, individuals will have to develop more specialized knowledge in particular policy areas and may campaign and be elected on the basis of an expertise in one of the roles of policy initiator, representative, ombudsman or lawmaker.

In short, to deal with the information revolution, Parliaments and Parliamentarians must become part of the information revolution.

Conclusion

For its part the CPA will continue to foster the guiding Commonwealth principle of the free association of equals, which has been ingrained in past, present and future leaders of their countries who have met, rubbed

shoulders, and debated on equal terms with colleagues from the global mosaic of diverse cultural, social, economic and political backgrounds which is the Commonwealth.

The atmosphere of working together and sharing information that pervaded its first meeting in London in 1911 has remained throughout the CPA's history no matter how wide the differences between Members have been over political issues. It has helped to foster a positive attitude toward Commonwealth co-operation and friendship which individual Members have carried

through to influence government policies and public opinion in their own countries. The CPA has played no small part in holding together a diverse group of nations with so much in common, but with so much which could otherwise have pulled them apart.

The contribution of Canada's Parliament and Legislatures and Canada's Parliamentarians has played no small part in the CPA's success over the years and I am confident it will continue for many years into the new millennium.