Chapter II

Theory: Responsive Governance Through Accountability

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In present times, crises of governance have become major concerns all over the world. Even where democracies exist, providing responsible government is a problem. As the process of governance becomes increasingly complex, securing ‘good governance’ is a dominant concern. Sub-Concepts of governance like transparency, efficiency, responsiveness, participation, accountability, and representativeness, have gained international currency, but are not easy to define and practice.

This chapter is devoted to evolving a conceptual framework, using the above sub-concepts, concerning role of Parliament especially that of Parliamentary Committees. However, there is neither a single way of ensuring these properties of good governance nor are standard definitions for it. However, in the following section, an attempt is made to have working definitions of those concepts.

**Accountability**

Accountability usually refers to an authoritative relationship in which one person is entitled to demand that another answer for –that is, provide an account of his/her actions.¹ This form of accountability assumes that the agent from whom such answerability is demanded as both self-aware and in possession of the necessary means to cause an event or an action to occur. It denotes a hierarchy notion of relationship and equates accountability with

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answerability. Some authors term this relationship as ‘compliance accountability’.

However, accountability covers more than simple answerability, it embraces the requirement that governments take note systematically of the full range of public opinion in the formulation and implementation of law and policy. Accountability is about power, about people having not just a say in official decisions but also the right to hold their rulers to account. The people can demand answers to questions about decisions and actions and they can sanction public officials or bodies that do not live up to their responsibilities.

Effective public accountability in democracies, requires a set of supplementary procedures and institutions in addition to elections. Interestingly, accountability manifests itself variously as issues of legitimacy, transparency, efficiency, and representativeness. We will pursue this point a little later. But, here we will focus on the governmental accountability to the Parliament.

Why is accountability of the government/executive to the Parliament important? There could be two possible answers. First, because it is connected to the sovereignty of Parliament; it is a means by which executive

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2 Ibid.


powers can be subordinated to the representatives of the people. So it is constitutionally significant. Secondly, because it fulfils the ‘expressive’ role of Parliament in providing a forum for discussion of government activity; an important function in any democratic system.5

**Accountability in Westminster and Indian Parliament**

The traditional association of accountability with answerability, referred above, implying limited, direct and mostly formalistic response to demand is too narrow an interpretation of what is meant by public accountability.6 According to the school of thought propounded by Ramzek and Dubnik, accountability is a means by which public agencies and their workers manage the diverse expectations generated within and outside an organization.7 This definition implies that management will attend to forecast diverse expectation and position their agencies for proactive and reactive responses. Managers then become active participants in framing and articulating the standards by which they are judged rather than submitting to passive compliance.8 This definition shifts the emphasis from outside control over bureaucracies to administrative control and management of outsiders.9 The problem of this definition argues O’Loughlin that it changes

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7 Ibid.
8 Ibid.
the traditional understanding of the concept of accountability,\textsuperscript{10} which stresses on the importance of ‘calling to account’.

The system of calling to account is the core of the Westminster type of government as well as Indian. This system demands that the governments give account of their activities to the Parliament. Both the Parliaments have used similar techniques to enforce accountability of the governments; most widely used technique is questions. It is commonplace that most Parliaments modelled after Westminster question the government minister on the floor of the House. In addition to questioning ministers, several other mechanisms are used for demanding accountability - adjournment motions, call-attention motions, zero hour (in India), etc.

Parliaments thus have built-in mechanisms for regulating internal accountability. These mechanisms mentioned above promote a participatory approach to decision making. They also ensure that Parliament is seen to be transparent, consultative, participative and democratic. Committees were set up to promote these values. Therefore, Committees clearly have a vital role to play by investigating, scrutinizing and facilitating a consultative process.\textsuperscript{11}

\textbf{The Role of Parliament}

In modern democracies, Parliament is the important and definitive link between citizen and government. It is a unique role in any representative

\begin{itemize}
  \item \textsuperscript{10} Ibid.
\end{itemize}
democracy. It is the key to holding government to account on behalf of the public. The citizens need a body that can call the government to account, that can ensure that the government answers for its actions and those of the civil servants. Parliament is the body through which government is called to account between elections, the body that ensures that voice of electors, individually and collectively, is heard by government. The health of the political system rests on having an effective Parliament.¹²

Transparency and accountability are bedrocks of Parliamentary democracy. Transparency means financial control and scrutiny as accountability concerns executive and administrative discipline. These twin concepts draw upon the fundamental principles that no taxation and expenditure without people’s consent and authority exercised through the Parliament, through their elected representatives. Furthermore, Parliament exercises control over the executive; it embodies the will of the people, hence it is sovereign. In a Parliamentary democracy, the workload of the Parliament becomes too heavy to examine the details of legislative and several other functions. Out of this practical difficulty of handling vast and complex issues, the Committee system has emerged.

Parliament articulates and mobilises public opinion while showing responsiveness to the public. Parliament also reflects and articulates issues of public concern, which governments have to respond to. Although there

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are agencies even outside the Parliament which hold the executive accountable, yet Parliament is at the apex of a system of accountability - drawing on the investigations of outside regulators and Commissions, using Committees and enabling the members to deliver better.

One of the roles of Parliament is to control the executive power. "Ministers are entitled to hold their offices as long as they hold the confidence of Parliament." This quote expresses the concept of ministerial responsibility running parallel to the concept of Parliamentary sovereignty. This concept refers to the ultimate accountability of every minister for the work of his department and area of responsibility to the Parliament. The concept of ministerial responsibility in relation to Committees is dealt with later on in the chapter.

To define Parliament, it is both a place and an organization. It is a place, as it provides a ‘forum for public debate and criticism’ of governmental acts. As an organization, it consists of democratically elected representatives which emphasises multiple personality of Parliament because the elected representatives come in different guises, such as:

> Individual members
> From Political parties
> From cross party groupings

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Committees

To sum up, in broad terms, the role and functions of the Parliament, in modern times, appears to be two-fold, a legislature which passes the legislation desired by the government. The Parliament may have some input over the legislation through its scrutiny process, although it does not initiate or formally amend it. Secondly, it is a democratic forum for holding to account the power and actions of the executive and representing the views and interests of the people; in other words, the objective of the Parliament is to protect the community (people) against the misuse of power by the executive. 15

Parliamentary Committees

Parliamentary Committees are a mechanism for ensuring accountability, although they are meant for other purposes too. But, in most Parliaments, the Committees were seen as an alien device inappropriate to Parliamentary government. 16 Initially, proposals to set up Parliamentary Committees in different Parliaments were opposed on the grounds that they would deflect attention from the House, elevate some members to new positions of influence and reduce the party struggle to technical matters and coalitional

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15 Ibid.

politics. This is not shared by many who maintain that the bipartisan, consensus seeking approach of Parliamentary Committees is incompatible with the party struggle. As Longley and Agh commented, "Parliamentary Committees figure prominently on all continents and in most countries of the world, increasingly serving as the main organising center of both legislation and Parliamentary oversight of government." The centrality of the Committee has not only been recognized by some Parliaments, but appears to be a global phenomenon. Many Parliaments in recent years have adopted the Committees as a means to strengthening their monitoring capacity. Besides, the Committees are used as a means of coping with greater workload or dealing expeditiously with business an can be difficult for the full House. Thus, Parliamentary Committees lend efficiency to the functioning of Parliament as they secure accountability from the government of those functions.

The accountability comes from participation of each member in some Committee or the other, a sense of belonging to an ownership of the decision in the Committees. The efficiency is derived from detailed discussion of Parliamentary affairs in smaller group with support of expert opinions, facts and figures. The initial opposition to the Committees has considerably disappeared. However, the degree of success of the Committees in

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19 Ibid.
redressing the imbalance between the Parliaments and executives in Parliamentary democracies remains a variable. The Committees are seen as a means of enforcing ministerial responsibility and government accountability. They also increase the ability of the governments in securing the passage of their programmes in the Parliament. In case of legislations, Committees have helped the passage of more bills, those too, much longer and more complex. Moreover, Committees provide a better forum for working out the details of legislation and in which the governments make those changes, which it feels are appropriate.20

For the most part, Committees are said to play a limited role inasmuch as their suggestions are advisory, not mandatory. But if we analyse the impact they make on government policies, programmes and functions, their contribution is vital. This is well articulated by Bernard Crick as he sought to give, in relation to the role of the Committees, a new meaning to the term 'Parliamentary Control': “Control means influence, not direct power; advice, not command; criticism, not obstruction; scrutiny, not initiative; and publicity, not secrecy.”21 The real power and influence exercised by the Committees can be seen in the above statement. This also gives a realistic sense of Parliamentary control. According to Bernard Crick, Parliamentary control does not mean defeating the government on the floor of the House. In fact governments do well for themselves by exposing themselves through

20 M.Rush, n.16, p.150.
the Committees, to influence advice, criticism and publicity. A government subject to such exposure is not likely to get too far out of touch of public opinion. So, in other words, Parliamentary control is not the stop switch, but the system of communication between governments and electorate, the system tells governments what the electorate want and what they will stand for (rightly and wrongly) and tells the electorate what is possible within the resources. Parliament provides this system through the Committees. The Committees in reality, do the bulk of the work for the Parliament. Professor K.C. Wheare in his Government by Committees testifies that 'the most important work of central government is conducted not by civil servants or member of Parliaments working as individuals but by Committees'.

Any association of people can also explain the need for Parliamentary Committees in terms of routine conduct. How does a large association of people deal with a complex matter? It does so in the following ways: by appointing a small Committee; by giving that Committee a precise definition of its function; by giving the Committee as much time as possible; and by including among the Committee technical experts; by allowing the Committee to conduct research and investigation.

Parliamentary Committees are important in another sense as they expedite the reactions of the Parliament to government initiatives. According to Michael Mezey's hypothesis, that Parliament having few powers to initiate

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22 Ibid., p.81.
legislation must wait to react to government proposals. Then the test of the Committees is to expedite those reactions. If a Committee can summon information, persons, ministers, civil servants and experts, and if it can produce relevant and accurate reports, then Parliament certainly benefits from the work of the Committees.

Parliamentary Committees and Ministerial Responsibilities

As per the concept of ministerial responsibility, the administrative control must rest with the minister, because, he is responsible to the Parliament and through the Parliament to the Crown/the Republic. If the Ministerial power was subjected to the will of the Parliament, the life of the ministers would be almost intolerable: his heavy departmental workload would continue and will increase through the extensive work involved in his Committee, in preparing to meet the Committee, in lobbying with his friends in the Committees and placating the opposition to support his point of view. Consequently, administration and legislation will be delayed. It is one thing to accept the doctrine that duty of the opposition in Parliament is to oppose, but it is another to give a free hand to the opposition to stall the proceeding of the Parliament or even a particular ministerial department. Therefore it is argued that the Parliamentary Committees throws a challenge to the vital doctrine of the responsibility of the ministers to Parliament as whole.

The protagonists of the Committee system suggest that the Committees effectively supervise the works of the ministers, not exercise control in the sense of undermining the concept of ministerial responsibility. The Committees have power to recommend, not initiating legislation. Committees do not take away any power but make sure that the power is exercised within constitutional limits and actions are made accountable.

Opponents of the Parliamentary Committees argue that the ministerial responsibilities are threatened and the 'floor' is impoverished, as the real source of authority becomes the Parliamentary Committee. But this objection is not sustainable if the Committees are placed in their proper constitutional context. As Bryce said about the Congressional Committees in the United States that, the official duty of the ministers is to draft schemes and prepare legislations; where as the practical work of shaping legislations and fixing departmental expenditure is done by the Congressional Committees.

Committees and the Backbenchers

Committees do provide an opportunity for backbenchers to participate in government even in a limited way. This opportunity is going to be expanded for instance in British Parliament there are talks about alternative career structure for the politicians. Although a backbencher can go to the

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government, the new structure may be seen as a career for MPs. Inexperienced newcomers quickly get exposed to the policies and programmes of the government. As the newcomers want to make a name, those outgoing members of Parliaments who do not stand chances for reelection and the member of Parliaments who have gone to backbenches can take independent position. This can apply to members of third party as well. And all backbenchers are capable of putting forward views of particular interest. Thus Committees offer a forum for various interests whose views might otherwise be excluded from Parliament. The Committees also provide useful information, which would otherwise not be available.

Parliamentary Committees give the backbenchers a chance to participate; they closely study the function in the government. The Committee system educates the membership of any Committee makes the MP hard working, active and involved in the process of governments functioning. Lord Bhiku Parekh stressed that the Committees consisting of mostly backbenchers is essential for realizing democracy and maintaining high standard in public life. Thus they do not feel helpless in the face of ubiquitous government machinery. The involvement of the members also raises the level of the

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27 Keith Vaz, Member of House of Commons, in an interview with the author, in London, on 23-09-2002, talked about this structure.
28 Ibid.
29 Lord Bhiku Parekh and Professor at the University of Hull, in an interview with the author, on 09-10-2002, at the House of Lords, in London.
debate in the House. Moreover, such watchdog Committees help tone the administration.

The backbenchers are usually expected to apply the rubber stamp of their approval to measures on which the government proposes. But through the Committee, a backbencher gains insight into administration from a systematic scrutiny. Having got those insights they are in a better position to contribute to the debates in the House and influence opinion. Furthermore, members of Committees, when equipped with full facts, tend to reach consensus across the party lines. Lord Morrison has suggested that the opposition might be embarrassed if they found themselves attacking a policy which has been endorsed by their own members in a Committee.  

Legislative vs. Executive

The extension of the Committee system seemed to challenge the normal division of functions between the executive and legislative. Usual arguments about the basic distribution of powers are that while the executive governs, Parliament supports and criticizes the government. The amount of power is fixed and none can be added to the Parliament without subtracting from the executive. If the present system of the government is to continue, then the extended Committees will still be confined within the executive dominance. But this argument based on executive dominance need not preclude significant change in the Parliamentary function both in the Committee and

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in the House. As P.J. Madgwick argued, "executive dominance is not incompatible with Parliamentary vigour: the proper combination is dominance with vigour, not executive supremacy with Parliamentary impotence."\textsuperscript{31} Other commentators also maintain that no legislature need fear a strong executive provided that its own method of scrutiny are commensurate with efficiency.\textsuperscript{32}

It is, however, important to maintain the balance between the executive and the legislature. Modern societies have become so complex and the reach of the public policies are so pervasive that Parliaments now a days do not engage significantly in policy 'making' or policy 'implementing'.\textsuperscript{33} These are now regarded as the functions of the executive arm of governments. As Griffith and Ryle put it, "Parliamentary government means not government by Parliament, but government through Parliament."\textsuperscript{34} Thus Parliament acts as a forum providing the essential legitimised link between the government and the governed.

These two roles lead to two types of behavior within Parliament, especially in its interaction with the executive. Moreover, these two functions have different, at times, opposite impact on the relationship of Parliament to the executive. On the other hand, when Parliament attempts to demand

\textsuperscript{32} Andrew Hill and Anthony Whichelow, n.29, p.77.
accountability from government and to scrutinize its activities, it would require for the sake of propriety and effectiveness, separation between body scrutinizing and the body being scrutinized. This is the dilemma the Parliament is currently faced with. Can the Parliament stay in scrutiny/accountability mode when the government because of its majority seems to have practical control of the Parliament?

The thesis attempts to analyze how the Parliament maintains the balance, shifts in favour of scrutiny role through its Committee system. As the commentators realize the limitations in addressing, at least, in the short term, the above dilemma. As the current practices go, the legislative function, mainly a executive driven operation tends to become predominant at the expense of the scrutiny function, primarily a Parliament-driven operation tipping the balance. Again, in response to this, reforms are off and on proposed to bolster the scrutiny function through increased mode of investigation and enquiry through a revamped Committee system or otherwise.

The increasing responsibilities of the executive would mean it acquiring greater power. By the same logic, in order to secure greater accountability, the legislature should have its powers widened. If the powers of the legislature were to be increased in terms of greater control over the executive, bolder use of Parliamentary Committees could be a possible option.
The Role of the Party

Griffith and Ryle's seminal work on Parliament notes: "The principal consideration determining the way in which the Parliament works is the party system." Irrespective of the impact the party system may have on the operation of the Parliament, it is at the heart of the debate on executive-Parliamentary relations. It concerns mainly the scrutiny role of the Parliament, especially through Select Committees, which operate as no-partisan bodies within a partisan and adversarial situation. As Walkland claimed in 1983, "the movement for a strong Committee system in the Parliament ignored one of the most elementary findings of comparative legislative research that the strength of the legislative Committee system varies inversely with the strength of the party system in legislature". On the other hand, another commentator claimed that, "the most significant impact of the Departmental Select Committees lies in the 'Chinese walls' they have erected within the Commons itself. For, the Departmental Select Committees have engineered a partial but distinct institutional separation between the role of scrutiny on the one hand and the function of legislative and party political business on the other". Many commentators do not decry the existence of party itself, but what they are uncomfortable with is its excessiveness. A good example of such commentary can be found in the

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35 Ibid., p.17.
Norton Commission Report set up by the Conservative Party to explore ways of strengthening the Parliament. The Report observed: “The culture is pervaded by party loyalty. Partisanship dominates specially in the House of Commons. The Party is crucial to the political life and indeed central to the Westminster form of government. But excessive partisanship is detrimental to Parliament, limiting its capacity to call government to account.”\(^{38}\)

Such comments as above led to the debate on whether an individual MP is a representative or a delegate. The debate in the last century was neatly summarized by the 1973 Report of Kilbrandon Royal Commission on the Constitution. The Report said: “Many people are under the impression the Members’ main function in Parliament is to vote for the party. According to this view, the rigidity of party discipline has brought the backbench member more and more under the control of the party whips, turning the debate into what one eminent Parliamentarian has described as ritual dance.”\(^{39}\)

**Responsiveness**

Responsiveness goes beyond simple accountability as it embraces the need of accommodating public opinion in the functioning of the government. Many critics have been scornful of the idea of responsive government. These elitist critics argue that the so called will of the people embodied in the Parliament is a product of political process, and that government should

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\(^{38}\) Ibid.

resist being blown off course by short-term unpopularity. However, the Parliament plays a creative role in reconciling conflict of opinion and interest, and in securing consistency of policy. This does not entail undermining public opinion. Responsiveness requires that there should be a process of consultation and access to government on many issues, on the part of all section of opinion. The electoral process, which ensures a responsive government, is the only instrument to assess public opinion on any issue. This needs to be supplemented by a variety of other institutions and procedures; Committees are one such institution. The Committees provide for systematic and regular consultation, which is a necessary democratic complement to the electoral process.

Representativeness

Several considerations combine to favour Parliamentary Committee system on grounds of representativeness. First, it is important to have all the strands of political opinion, and all the significant political parties representing in the Committee. This consideration becomes urgent as one party tends to monopolise power. This also works to mitigate the forces of exclusion and prevent alienation from the political process. The experience of single party domination, with very little popular support, adds ‘insult to injury’ and reinforces the nature of politics as the exclusive property of one party or section of opinion and its representatives.

\[\text{\footnotesize 40} \text{This view is best articulated in A.J. Schumpeter Capitalism. Socialism and Democracy. 5th ed. (London: Allen and Unwin, 1952), Chapters 20-22.}\]
Secondly, the Parliament through its Committee enables not only more people but also a wide range of people to be in the Committee. Thus the Committees can be defended as enhancing the overall representativeness of the Parliament, though there remains much room for further improvement. From the above, it is clear that strategies for making the Parliament work better, will essentially involve working to improve its accountability, responsiveness and representativeness.

**Enhancing Accountability**

Committees are age-old techniques of scrutiny in Parliamentary democracies. Some Committees are old, and some others are relatively new compared to the other techniques. The Committees have a better scope to go much deeper into a particular issue, examine it in minute details and explore possible remedies. The Committees enjoy a legitimate right to call for persons, papers and documents. Apart from these, the Committees are responsible for ensuring greater scrutiny of the actions of the Government. In particular, when bureaucracy remains anonymous supplying only answers to written questions to ministers in briefing and preparing them to face the MPs in the House. These bureaucrats appear before the Committees in person and have to explain their actions and conduct. On the other hand, a Member of Parliament working in the Committee greatly enhances his knowledge and develops a kind of expertise. This becomes important in Parliaments, like India's, as the bureaucrats become cautious about how they answer questions and make sure that their statements before the Committee
stand the test of cross-examination. 41 Norton, a noted Parliamentary expert in Britain, points out that civil servants, aware that their work may be subject to inquiry become more rigorous in working practices as well as sensitive to possible Parliamentary reaction. 42 The awareness of civil servants of the powers of Committees gives strength to the latter by having the power to conduct an inquiry, the Committees are as important for what they can do as much as what they actually do. Committees have the important advantage in asking for public submission. Therefore, many people affected by the actions of a particular department turn to the Committee of that department for clarification, complaints and even solutions. Also, interest groups in many democracies find the Committees an important institutional mechanism for raising issues. The Committees in turn use this opportunity for gathering useful information. Committees also benefit from expert witnesses and memorandums submitted by the public. Commenting on this useful interaction between the Committee and the public, a House of Commons report observed: “The evidence taken by Committees from non-government sources contributes to consideration of policy both in Parliament and within government. The compilation and publication of a comprehensive and authoritative body of evidence from expert witness is a

valuable contribution to the process of government and can significantly influence and shape subsequent public debate.\textsuperscript{43}

\textbf{Consensual Approach}

Committees usually operate in a consensual framework drawing members from all parties. But, although members are drawn from parties, Committees work on a cross party basis. Committees thus provide a platform for inter-party bargaining and compromise. In pluralist democracies like India this is very useful. It is seen that ministers find it hard to ignore the recommendation of a bipartisan Committee, especially when the ministers’ own party has a majority in the Committee. Alternatively, if the reports of Committees contain lot of differences of opinion of its members then they run the risk of being ignored.

\textbf{Committees and Other Tools for Accountability}

Pertinent in the context is to briefly compare the traditional tools of Parliamentary accountability and the Committee system. If one takes questions and debates as traditional means, for example, both can be partisan as many members of Parliament use debating opportunities to score party political points; some also use debates as instruments to attack political opponents rather than having an informed scrutiny of government policy. Similarly, questions puts by members of Parliaments are often asked for partisan ends. Franklin and Norton endorse this fear of questions being

partisan and point out that this trend is increasing. "Those (questions), that are asked increasingly are asked for partisan purposes. The greater partisanship has the effect of squeezing out genuine non-partisan questions."\(^{44}\)

The privilege motion is another instrument to ensure accountability of the government in various fields. If the ministers are found failing in fulfilling their constitutional requirements or those required by laws framed by the Parliament, they can be asked to explain through privilege motion to set things right. The Question Hour is another important tool. Members of Parliament quite often do not appreciate the fact that it is one of the strongest weapons against official neglect and bureaucratic accesses. So much depends on the questions they ask and supplementaries they fire in quick succession to corner a Minister.

Even the PM's question time (PMQT) considered as, "a jewel in the crown of political activity at Westminster" \(^{45}\) also turns partisan. The Prime Minister's Question Time is used to settle political scores between the parties. Alderman described PMQT as, "far from being regarded as a serious method of Parliamentary scrutiny of the executive, it now tends to be

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depicted as a ritualised party-political confrontation”. On the other hand, the Committees are non-partisan in nature. In fact Committees provide a platform for inter-party discussion and compromise. Committees take decisions on the basis of consensus that is why their decisions are more likely to be accepted.

This is not to suggest that questions and motions, in other words, the traditional means of Parliamentary accountability, and the Committee system are mutually exclusive. They are rather mutually reinforcing. However, one has to draw a balance between consensus and confrontation; in many cases, the latter brings out the facts and divergent opinions more clearly. This helps transparency in Parliamentary discussions and behaviour. A House of Commons report once observed: “An emphasis on consensus at all costs can lead to recommendations which, although agreed to unanimously, lack conviction because the approval of each side of the Committee is premised on mutually contradictory views”. Despite some of these drawbacks, Committees do play an important role and have significant consequences. The consequences can be policy outcomes, members gaining experiences and expertise, facilitating greater participation by the members in the governing process, providing a means of keeping them busy and

feeling useful. Most importantly, Committees are considered to be the most effective in underpinning of the authority of the legislature against executive. Of all the important mechanisms the ‘Question Hours’, are also a form of accountability. The questions of MPs to ministers are perhaps the clearest expression of the form of accountability; they are sometimes seen as the most potent weapon in the hands of individual Parliamentarian. The major form of securing accountability is the Committee of the Parliament.

The Parliament uses at least four major means for scrutiny: legislative procedure, debates of non-legislative business, Parliamentary questions and, Committees. However, the various instruments of Parliamentary scrutiny need not be seen as alternative but as a complementary package seeking to fulfill different types of scrutiny. While the question time and debates are seen as form of ideological accountability, a kind of continuing election campaign suggested by Bernard Crick, the work of Committees should be seen as information gathering, efficiency audit and accessing expertise.

Enhancing Efficiency of Committees

Committees lend efficiency to the Parliamentary functions. But what contributes to the efficiency of the Committees? Because setting up of

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51 Johan Berglund, n.5.
Committees does not automatically lead to the values, the Committees are expected to deliver. There are several factors, which influence the performance of the Committees. One can broadly group them into two categories structural and behavioural. Structures would refer to adequate machinery, facilities and procedure being in place to enable the Committees to realise their aims but equally crucial are attitudes/behaviours of MPs who should be willing to operate the machinery and even the attitudes of ministers and governments who would willingly reconcile to such operations.

Structural Factors

Committee system is based on two important structural provisions in the Constitution. The Committees derive their legitimacy and powers from these two structural provisions. They are: the Constitution and Rules of Procedure. While the Constitution provides formal legal status of Committees and basic rules and guidelines for the work of the Committees; the Rules of Procedure provide the specific details of structure of Committees, manner of their composition, functional and organising details. Both the sources particularly the second one, Rules of Procedure undergo changes from time to time, causing variations in the operation of the Committees.
Behavioural Factor

While the structures may remain common in many democracies the behavioural patterns of members vary; on this, depends the health of the political system. In one of his essays, E.M. Forster wrote that, "Democracy is safe, so long as public officials are aware that a question may be asked in the House about their conduct." It is not unusual to find a hiatus between the structural provisions and actual behaviour of members. The hiatus is between rules and roles. Again, two aspects of behaviour of members are seen to be important in any analysis of performance of Committees. They are willingness and ability. Willingness refers to members' level of motivation in doing Committee work; whereas ability will mean their level of competing. The behaviour of members; including these two aspects, is influenced by several variables which can be grouped into three categories internal, external, and cultural.

Internal Variables

Internal variables usually refer to personal attributes of members, as well as the relationship with their respective parties. Parliamentary government is essentially represented by political parties and if party is less democratic internally, then members have very little scope to work to their individual potential and liking. When members are seen as mere delegates of parties, they have little leeway to deliver. The party influence over the MPs can

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often cause internal divisions in the Committees. Although they are free to act, they normally stick to the party line. The role of an MP in maintaining neutrality is crucial for effective Parliamentary Committees. There are evidences to show that on important issues the Committee can be divided on party lines (This is illustrated in the Chapter-IV on Select Committees in Britain). This jeopardizes the functioning of Committees. The member should work in the Committee as Parliamentarians representing their constituencies not as party representatives. The major parties use Committees to carry on their controversies.

External Variables

The behaviour of members is influenced by calculations of gains and losses from a particular engagement in a Committee. The greater the gain, the greater the involvement. Likewise the greater the risk, the lesser the interest and willingness. The gains and losses, to highlight them, are not always personal to a member in terms of seeking rewards; they can also be their constituency interest. For instance, a particular action of the state is supportive of the constituency of a member, the member is likely to be less critical in the Committee. On the other hand, if the constituency interests are satisfied the member is likely to be actively supportive. Therefore, the external variables influencing the behaviour of the members compelling

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56 Ashok Kumar, MP, Member of Committee on Science and Technology, in the British Parliament, expressed this opinion in an interview with the author on 08-10-2002, in London.
reasons involving the member. The most compelling reasons usually are the legislator's chances for reelection. Thus, while the ability of a Committee member is more to do with internal variables, the willingness is influenced by external factors.

The efficacy of Committees depends on members of Parliament using them. The beliefs and attitudes of the members therefore are important. Parliament lacks a corporate ethos to promote collective functions like accountability. Members have competing demands on them but they will have to balance and reconcile these demands — representing the interest of their party, their constituency as well as their Parliamentary duties. Party loyalties are balanced with scrutinizing the executive and holding government to account. Thus promoting accountability becomes an integral part of the work of every Member of Parliament.

Cultural Factors

The political culture in a democracy also influences the behaviour and efficacy of the Committee system. There could be several aspects of the political culture—political, conciseness, and political communities cutting across social divisions and affiliations, social political institutions. Important among these is the role of bureaucracy. To be sure, the countries which have come out of a colonial administrative system do not find their bureaucrats submitting easily to the politicians. The electoral vulnerability

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of members of Parliament compounds this problem. Moreover, the
dependence of members of Parliament on bureaucrats on matters of
allocation of resources make them less critical of them. Therefore, the
political culture in relation to bureaucracy and politics influence the
performance of the members. Clearly, the members of the Committees are
not going to assert with ministers depending heavily on bureaucrats.

Another aspect of political culture is the lack of cooperation and trust
between political parties, mainly the ruling and the opposition, in the Third
World countries. Quite often political parties do not agree on the, ‘rules of
the game’, in such case Committee members representing those parties are
unlikely to agree on policies and programmes.

To conclude on the factors influencing the efficacy of Committees more
than the structural inadequacies behavioural patterns are largely responsible.
Improving accountability thus largely depends upon the attitudes of
members of Parliament. They have to draw a balance between confrontation
with government and opposition, and rendering government accountable.
For members it is not easy, sustaining the government or the opposition, and
action as public watchdogs. These are conflicting roles. The conflict and
mistrust between political parties are powerful behavioural and cultural
factors. Backbenchers are unwilling to be taken for granted by whips, but
they must be willing to undertake the important task of securing
accountability by the Parliament.
To sum up, Committee system is the principal vehicle for promoting the culture of accountability and improving the Parliamentary effectiveness. They enhance the ability of Parliament to scrutinise and hold the ministers to account. They also keep a permanent eye on the work of government department and agencies.

While the Committees are the major means of accountability they suffer from several problems, which dilute their efficiency. They are: limited resources, dependence in government for information and party dominance preventing the Committees for building up a sense of collective identity of loyalty. Taken together these problems may constitute a major impediment to Parliamentary scrutiny. But in many democracies reforms have been carried out to overcome them.