

# "AN OUTLOOK TURNED TOWARDS THE OUTSIDE WORLD"

## REPORT ON THE WORK OF THE ASSOCIATION OF SECRETARIES GENERAL OF PARLIAMENTS

By Helge Hjortdal, Secretary General of the Danish Folketing

Parliament officials execute their daily tasks in the secrecy of their cabinet, sheltered away from any indiscretion. Their work remains in a closed circle and their tasks are related—to a very large extent—with problems of procedure or technology, administration and the advisory role they have to exercise, or the services they have to render to deputies and the aid they provide to the latter when they "enter the house". Parliament officials do all this in the most absolute discretion and in their respect it can be said that if the closest workers of Ministers are called "powers behind the throne", the Secretaries General of the legislative assemblies are, in general, even more of "powers behind the throne" than the most powerful of the latter within the framework of the executive power.

### **Parliament officials: workers behind the scene**

This is their destiny and there is nothing wrong with it. High parliament officials are perfectly aware of this situation and most of them not only attach a certain amount of importance to this, but want matters to be so. They are deeply aware of what they represent, what their missions are and what their duties are and they admit that some of them are—or will become one day—"odd characters", which may lead them sooner or later to becoming completely closed to the outside world.

They are asked to be interested in politics, to understand politicians, their language and their tasks, but at the same time they must abstain totally from making politics, at least in most parliaments. Parliament officials must see to it that politics is not only for them something which happens within the Parliamentary walls and has obtained its final aim when it has been adopted in a correct way. It is important that parliament officials always bear in mind the global meaning of politics which must deal with the structuring of the life and existence of citizens and the possibilities of the state to ensure harmonious, satisfactory and pacific running of a country.

The parliament official knows perfectly well that he has no role to play on the political scene. He knows how to keep to his place and knows what his duties are. It is up to him to see to it that deputies can execute their task entrusted to them by the electors, in the best conditions and—mainly—by finding fair and reasonable methods for execution of their political work.

The famous Danish humorist, Storm Peterson, had a very pronounced weak spot for vagabonds, tramps, the homeless and finally for all those who prefer to be addicted to the bottle rather than work regularly, but who—due to their life style—thus manage to acquire very deep knowledge. He had no small amount of respect for these people and he showed this by giving them names taken from classical Greek times. Thus, in one of his famous drawings representing two of these vagabonds dressed for an outing, and with very red noses, stressing even more, as though it was necessary, the peculiar side of these characters, he has one of them ask the other: "Archimedes, when all is said and done, what's an academician?" and the other answers: "He is one of those who has had to study at university what life teaches us every day". But when it is a matter of drawing a comparison between a parliament official and a politician, things are quite different, since, indeed, the parliament official must compulsorily know how to execute what the politician is not forced to know about well.

The highest parliament officials have an essential obligation: to be in close and direct contact with the world outside parliament. They must be resolutely outward looking. It is becoming ever more necessary nowadays to be aware of the need to know about the technological, economic, cultural and social development of society. These high officials must have as an objective to be able to be ever better advisers. Taking this role into account, there is no doubt that a parliament official having wide knowledge of life outside his parliament, and even better, knowledge of life outside his parliament, and even better, knowledge of life in other parliaments, can provide much better work. A parliament official can learn very rewarding lessons from deep knowledge of the systems of other parliaments, as well as from the experiences of his foreign colleagues. He does not at all have the right to believe that his parliament's specific system is the best, or worse still—that everything is fine as soon as it is a matter of his own system. Thanks to the studies and discussions on the life and operation of other parliaments, parliament officials acquire a more solid basis and deeper knowledge of parliamentary life in general, its conditions and its operation and also the possibilities it can offer.

### **The Interparliamentary Union (IPU)**

The above information has of course not just been discovered. On the contrary, its importance can be far greater today than previously. But what we call quite remote periods, in fact go back around only half a century. At that time, very great importance was already attached to the contacts, both personal and professional, between parliament officials. In fact, since the creation of the "Interparliamentary Union" (IPU), in 1899, bringing together—once a year—the members of parliament from all countries, members of parliament and also officials enjoy conditions favourable to deeper contacts.

There was an ever increasing number of high officials participating in the meetings of the Interparliamentary Union, in their role as workers and advisers of the political delegates. They exercised this role however strictly in their own name and in no way to represent a political party or any given parliament. On the contrary, it was indeed these officials who presented the ideas forming the basis of

their parliamentary system. These meetings gave officials the opportunity to get to know their own parliament members better, as well as those coming from foreign countries; they could also become aware of the way in which problems are dealt with by parliament members who are not in their own background. And this lesson was extremely instructive for officials, and this was also the case concerning the contacts with their colleagues. There is no doubt that the participation for many years of high officials as advisers in the Interparliamentary Union meetings enabled them to acquire knowledge revealing the operation of parliaments and their administration in other countries.

### **The Association of Secretaries General of Parliaments**

It was not however before 1938 that officials realized there was a need for them to have a forum of their own, to be able to exchange opinions and experiences acquired in the meetings held between them. It was indeed in August 1938 that a meeting of the "Autonomous Section of Secretaries General of Parliaments" was held in The Hague, in which representatives of twenty of the thirty member countries of the IPU of the time participated. The close links with this organization were very clear and the very fact that it was the Chairman of the IPU of the time, the Count Carton de Wiart, who pronounced the opening speech, stressed even further the close relations. This speech enabled presenting this new organization within the framework of which a special committee—under the management of a Dutch man, Mr Kesper—was in charge of preparing proposals for a work programme. The provisions relating to the Association, its composition and its chairmanship were thus perfected and a certain number of subjects were chosen adapted to the debates between Secretaries General. But, in fact, the first real plenary session was held in Oslo, on 16th August 1939, in other words scarcely a few weeks before the outbreak of World War II, the consequence of which was of course to make the essential activities of this Association be put off till later; however the Interparliamentary Council had taken the decision to make the Association of Secretaries General of Parliaments responsible for the publication of a periodical entitled "Constitutional and Parliamentary information", but of course—if only for financial reasons—it was clear that this publication could not appear until the war was over.

It was thus at the end of the war that the Association was at last able to begin its works properly speaking. Its Executive Committee met in Nice already in April 1946. Participants came from nine countries and were not very numerous therefore; after discussion, the Chairman chosen was Sir Gilbert Campion, from Great Britain.

With this new chairmanship, the provisions established and the constant growth of the number of Secretaries General from the parliaments of the various IPU member countries within the Association, the latter could henceforth really start being active and it very quickly turned out that the activities grouped together the widest of interests. Fully aware of the situation and with all the necessary firmness, the members wanted to keep to an essentially professional orientation. Their works thus concerned above all the study of subjects of par-

liamentary, legal or technical interest, as well as parliamentary functions, competences, possibilities of control of governmental actions, the administrative problems to do with parliament directing staff, as well as questions of international cooperation. It was a matter of discussions of a very high level and for which careful and highly specialized preparation had been necessary. The most eminent parliament leaders of all the member countries, little and large alike, thus took part in the works. During the meetings of the organization called the "Association of Secretaries General of Parliaments"—in conformance with a decision taken in London during the 1957 Conference, very high personalities demonstrated their particularly strong interest to widen their knowledge concerning parliament mechanisms and systems in other countries. In this respect, it was interesting to note the great amount of tolerance and indulgence they showed concerning other systems, even if the latter were totally different from their own, both from a structural and an operational viewpoint. As though it was necessary, here is additional proof of the importance of knowledge of parliaments other than your own.

At the beginning of the life of the Association, the Chairmans were elected for five years, but—with the increasing number of members and consequently, the greater number of possible candidates—the duration of the Chairman's office was reduced to three years; in addition, a Vice-Chairman was henceforth elected, then—as of 1966—two Vice-Chairmen. The Association thus provided itself with a somewhat more widened governing body, with more knowledge and experience and which had the possibility of conferring during internal meetings, made necessary by the constant progression of works both in number and size.

As a general rule, the Association's meetings are held twice a year, the first time in the week following Easter and the second time around the end of summer. They are held in the same place and at the same dates as those of the IPU. In any case this is the fundamental rule which everyone upholds, above all these days. A few years ago, when the number of European members in the Association and the activity exercised by the latter was preponderant, it was decided—on several occasions—that the meetings of the Association should be held in Europe rather than follow the places of the IPU sessions in distant countries and often on another continent. But we can now speak of a non written rule according to which the Association indeed holds its meetings in the same places and on the same dates as the IPU. We can moreover note with pleasure that the number of Secretaries General from non-European countries who have become members has considerably increased and that in addition it has been realized—not without surprise—that the distance from London to Manila is no longer than that from Manila to London.

The first to take part in this cooperation belonged to what we can call today a little circle of pioneers. According to the archives, only nine countries were represented at the first meeting held after the war, in 1946. But this number quickly increased and, today, the Association of Secretaries General of Parliaments has 160 members coming from around 70 different parliaments; to this number is to be added the representatives of five to six international parliamentary Assemblies. Such a growth is indeed proof that this Association is perfectly

justified and necessary and that the work supplied by it is for the benefit of an ever increasing number of parliaments.

### **The Association as a "work forum"**

So, what takes place in these meetings of Secretaries General? Are they merely disguised tourism trips? Is it a purely decorative and refined organization enabling friends to meet in a friendly way? No, not at all, the Association is neither one or nor the other and, quite on the contrary, it can affirm with its head held high and with a conscience at ease that it is a real work forum. By referring to the list of its work sessions and the agendas of each of these meetings, the Association provides proof that it is a matter of strictly professional meetings reserved to work and which require a quite considerable effort from the participants.

On top of this is the work which the members of the Association must accomplish to fill in questionnaires between two meetings on subjects selected in accordance with the interest they present, their importance or their relevance. More than one Secretary General must have sighed heavily at least once, if after the hectic day of work in the parliament, they must also deal with these questionnaires, intended to throw light on certain sectors of life in their parliaments. Of course, the Secretaries General fulfil this task not only because they believe it is their duty, but also because they are convinced that the higher their number of contributions is, the richer the discussion will be when the subject will be dealt with. They also fill in these questionnaires, and above all, thinking about their colleague appointed as the rapporteur, so that the latter has all the necessary elements on the various parliaments to draw conclusions or to give an overall view on the subject at hand. And the more a report contains diverse elements and variations, the greater the benefit will be for its readers. The latter will indeed be able to draw comparisons or parallels with their own systems or else find an element to be used which was unknown to them till then. I believe I can say that there are many Secretaries General who have had such experience.

Of course, the reports adopted by the Association are not only intended for the Secretaries General, in other words for its members alone. Quite on the contrary, they are mainly for parliament members of the whole world, and all those who hold an important parliamentary office in their national system. They will be able to find inspiration and also useful information in these reports. Moreover they have the possibility of asking for other information to be taken into account and it is perhaps precisely in these reports that solutions are to be found adapted to their own, specific historical, social and political context.

### **The Association's work programme**

What are the subjects dealt with over the years? It would take too long to mention the exhaustive list. The organization of parliament members is one of the subjects most frequently discussed and analyzed in detail, as well as the important role played by a good administration; the latter is decisive for most parliaments

and I know that both already old, venerable parliamentary institutions and also the temporary and still not very stable administrations of newly created parliaments in countries that have recently become independent, have learnt a great deal by reading the reports drawn up on parliamentary administration throughout the world.

In this respect, it must be stated that it has been noted with great satisfaction that newly created states— aspiring after freedom and independence following colonization, repression and foreign domination— have, above all in the past decade, turned towards either the Association or to some of its members or else—and to a very large extent—to the IPU's headquarters in Geneva. These countries seek to inform themselves on how to set up in their country a useful and sensible parliamentary administration. Indeed, it is no easy task for these countries to opt either for a whole parliamentary system having proven itself since a long time, moreover generally situated in Europe, or else a selection of the most appealing elements in these systems with a view to creating a model better adapted to the context of another continent; they sometimes also wonder if they shouldn't take an additional step and draw up their parliamentary system and administration based only on their own conditions. Advice is difficult to give in such a case, since it is not easy to answer the questions. Indeed, the latter often lead you to ask yourself if the system specific to your country is perfect and if it can be recommended without any scruples to a newly created African state. A certain amount of perplexity arises when you realize that your own system may have certain weaknesses which must be avoided for a young state. And, to be totally honest to ourselves, we must ask ourselves if we have not had any bad experiences. On what bases did we perfect our own system and aren't the conditions totally different in such or such a country? These are difficult questions and the answers we put forth, bind us. We can avoid taking matters deeply in our answers, but we must be prepared to answer questions which are asked in a very serious way and sometimes with respect and deference. A parliamentary system which is to allow the people to express itself cannot be set up, without the necessary respect, by the leaders of young states. It is a matter of a solemn act to which a lot of care and reflection must be devoted. Sometimes it can even appear to us to be difficult to give advice to states for which we don't feel the least esteem—in certain cases rightly.

Other subjects dealt with by deep studies concern problems of vote procedure or the forms of vote in different parliaments, or else the protection of parliament members and the institutions in which they exercise their activity; this is what is known as parliamentary immunity.

All the problems connected with the relations between parliaments and governments are also worked on. What is the parliament's independence and where is the limit to it, how is the independence wielded, on the basis of what methods, when it is a matter of its position with respect to the government? In what way can the parliament exercise control over and make criticisms against the government, and can it quite simply get rid of the executive if it is not satisfied with it?

Similarly, the activity of parliamentary commissions has been analyzed, the role of which is of capital importance within parliaments. It is interesting to note

the evolution commissions have been through over the years. In most of the older parliaments and mainly in those in Western Europe, activity in the commissions is exercised—in conformance with all the provisions and rules—by the deputies, one of them ensuring the chairmanship and the other holding the office of commission secretary. It is of course up to the competent Minister to supply the material and the information requested by the commission. But the parliamentary aspect is to be borne totally by the commission and its members. In the past, it was above all a matter of ad hoc commissions, formed by members having deep knowledge on the subject at hand. These works were always undertaken with the greatest strictness. Commissions are occupying an ever more preponderant place nearly everywhere and ever greater means are being made available to them so that they can proceed to make the indispensable studies for projected laws. Moreover it can be noted that the quality of the assistance provided to commissions is improving all the time. Indeed, the appointed commission secretaries are highly qualified officials, and commissions have greater facilities to call upon the opinions of experts within the framework of their works. In addition they have ever greater access to parliaments' information departments. Since commissions have a considerable political power and deep knowledge on the subjects dealt with, they have an extremely important role—nowadays—in most parliaments. In the majority of countries, it is with deep respect that Ministers turn to parliamentary commissions, as is to be desired for a parliament. As for legislation, the interaction between the executive and the world of parliamentary commissions appears to give very satisfactory results in most cases, both on the utility plane and concerning the technical and professional aspects.

On various occasions, we have studied the independence of a parliament with respect to the government, mainly concerning financial independence. If a conclusion is to be drawn on this subject, it can be said that the number of parliaments which believe this budgetary independence with respect to the government is vital, is increasing all the time.

The danger of a weakening of parliaments with respect to governments, in a position to reduce the parliamentary budget, is so evident that it should serve as a stimulator for evolution in the direction of greater parliamentary independence. Very often, discussions deal also with interpellations, petitions and questions asked to Ministers. Of course, study of a constitutional guarantee for the parliamentary system is also of the utmost importance.

During the last few years, the application of modern technological means in the activities of parliaments is occupying an ever more preponderant place in the discussions. This does not mean however that the traditional questions relating to regulations, legal questions or procedure fundamental for correct operation of a parliament—are neglected at all. But alongside these questions we now see different types of issues such as data processing and, more generally, the use of data processing techniques in parliaments' information and literature publication works, the possibility of using audio-visual means to inform the public and many other matters.

It is interesting to note in this respect that development varies enormously from one parliament to another and that this difference is not the greatest between

already old institutions benefiting from perfect operation and more recently created parliaments lacking experience, but that it is rather to be found in the fact that «the good old parliaments\* stick to old methods with a certain amount of obstination, whereas others are more open-minded to the possibilities offered by new technologies. Today, the number of those who can affirm with certitude that the application of modern techniques will be able to be a permanent advantage for parliaments is likely to be very small. In this context, the general level of a society plays an important role, both in the fields of training, technique and coordination, but what importance should we grant to such a role?

The Association has a mission to fulfil. Basing myself on my experiences and on what I have lived over the past years, I feel convinced of the need to study the Association's many reports if we want to maintain the parliamentary element in the structuring of society in the future, independently from the sought systems and possible parliamentary reforms. The changes are great, even indispensable, and the world must go through new evolutions. But all new matters must be discussed within a parliament before being placed in application.

A colleague from a young African state asked me, a few years ago, to speak to him about our political system. I did so very willingly and he listened to me very carefully. When I had finished, he said to me, "You have so many political parties opposing each another and destroying each other. We cannot allow ourselves to have any such set-up; we must work together to build our country. This is the reason why we can only allow ourselves to have but one party". Suddenly, the pluralistic democracy of Scandinavia became a strange kind of sales product for me, as seen by my colleague, although I did not at all agree with his outlook. Ah, it is indeed difficult to give good advice on setting up parliaments!

*Extracts from:*

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# ASSOCIATION OF SECRETARIES GENERAL OF PARLIAMENTS

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The Association of Secretaries General of Parliaments, constituted as a consultative organism of the Inter-Parliamentary Union, seeks to facilitate personal contacts between holders of the office of Secretary General in any Parliamentary Assembly, whether such Assembly is a Member of the Union or not.

It is the task of the Association to study the law, procedure, practice and working methods of different Parliaments and to propose measures for improving those methods and for securing co-operation between the services of different Parliaments.

The Association also assists the Inter-Parliamentary Union, when asked to do so, on subjects within the scope of the Association.

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