
Measuring the Effectiveness of the Indian Parliament

Background Note for the Conference on Effective Legislatures

Was Parliament more effective in 2008 than in 2007? Did the 14th Lok Sabha perform its constitutional mandate better than the 13th Lok Sabha? Has the ‘performance’ of Parliament as an institution improved or declined over the last few decades?

These important questions are hard to answer in an objective manner. At a macro level, it could be argued that the mandate of the national Parliament is to improve the well-being of all citizens. It may do this by enacting appropriate laws, making sure that the executive branch of the government is effective, and allocating finances in an optimum manner. The overall effectiveness in improving the quality of life for citizens may be measured through indicators such as the Human Development Indicators, and changes in these metrics.

At a more detailed level, one can focus on the specific functions of Parliament as mandated by the Constitution. In this brief, we list a set of metrics that help measure the effectiveness of Parliament in its various functions. We have focussed on the lower House, the Lok Sabha in this brief. Most of these metrics (or analogous ones) can also be used for the upper House, Rajya Sabha.

There is limited literature on the subject of measuring effectiveness of legislative bodies. The Commonwealth Parliamentary Association has recommended benchmarks for democratic legislatures.¹ They set standards for the institutional and procedural structures of legislatures. The World Bank Institute has published a study on legislative oversight and budgeting that includes metrics to assess the effectiveness of legislatures.² For example, they list oversight tools such as committee hearings and questions, and measure the number of times these have been used. The Inter-Parliamentary Union has evolved a tool-kit to evaluate the functioning of parliaments.³ They ask parliamentarians to grade a number of parameters on a scale of five. For example, they ask how effective Parliament is in scrutinising appointments to executive posts and holding their occupants accountable.

The criteria to judge effectiveness of legislatures can be either quantifiable or qualitative in nature. Qualitative criteria, by their very nature, are more difficult to measure in an objective manner. For example, we can easily count the number of Bills passed but it is difficult to judge the quality of the legislation. Even in the case of quantitative criteria, it is sometimes unclear whether a higher number is a positive or negative indicator. For example, a larger number of government bills passed in a particular session may indicate greater legislative effectiveness. On the other hand, this may be a result of less discussion on each bill and could be construed as the legislature not being able to scrutinise the proposals of the executive branch.

With these caveats, we have attempted to list some metrics that can be used to develop a framework for measuring the effectiveness of Parliament. The Indian Parliament has four main functions: Legislation, Oversight, Representation and Budgeting. In Appendix I, we list a number of parameters that could be used to measure the effectiveness of Parliament in performing these functions. In Appendix II, we provide data for the last few years on some of these parameters.

The main challenge is to identify which of these parameters can be used to draw meaningful conclusions while measuring performance, and whether additional metrics need to be used. The other big question is whether some of these measures can be aggregated into a single index of effectiveness.

1. Recommended Benchmarks for Democratic Legislatures, Commonwealth Parliamentary Association, December 2006.

2. Legislative Oversight and Budgeting – A World Perspective, Staphenurst, Pelizzo R, Olson D, von Trapp L, World Bank Institute, 2008.

3. Evaluating Parliament – A self-assessment toolkit for parliaments”, Inter-Parliamentary Union, 2008.

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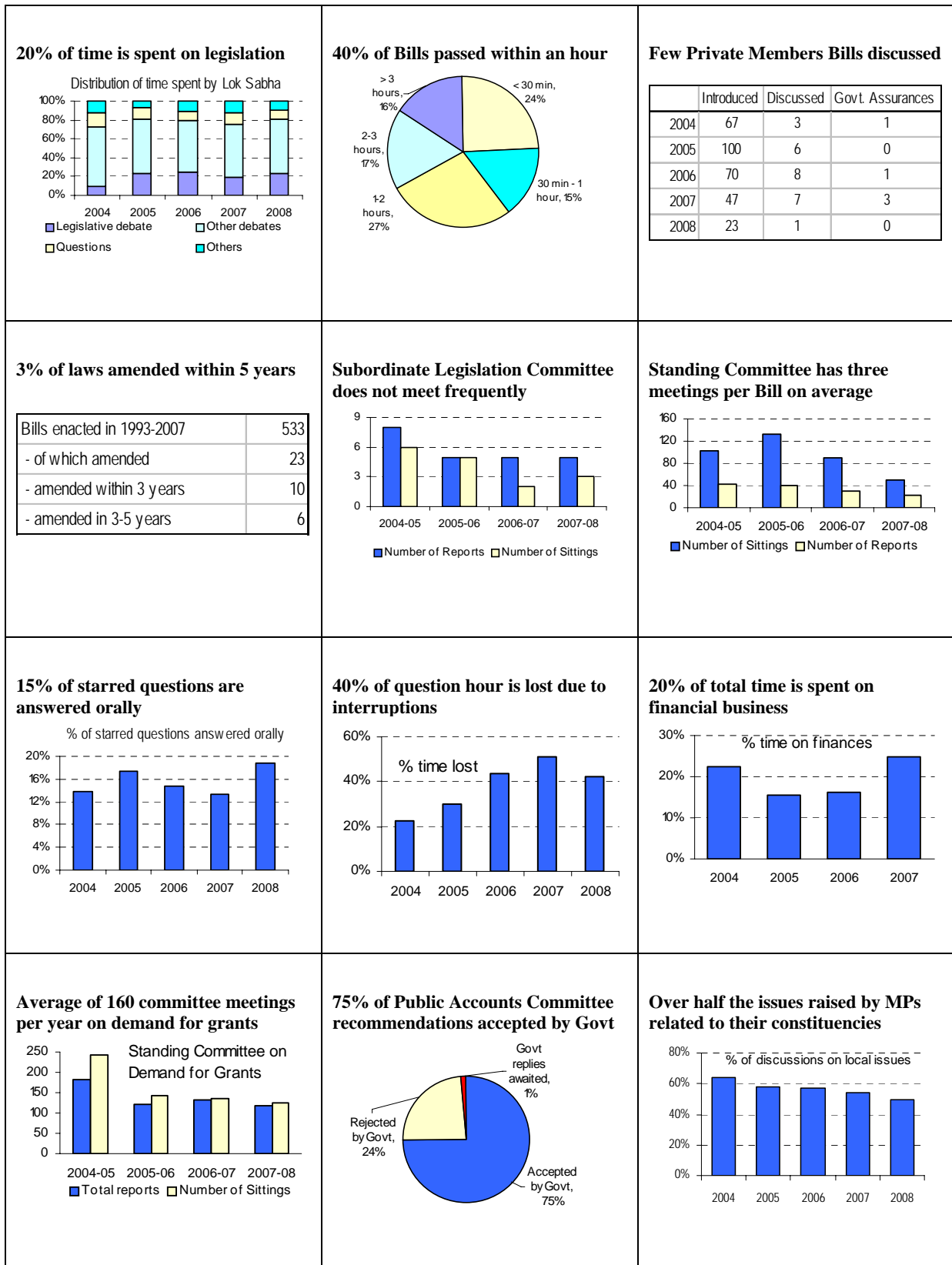
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Appendix-I: Some Metrics to evaluate Parliament's effectiveness

Metric	Remarks
Legislation	
<ul style="list-style-type: none"> ▪ Quantity of law: <ul style="list-style-type: none"> – Total amount of time spent by MPs on debating bills in Parliament – Percentage of time spent on legislative business in Parliament – Average time spent in discussing bills ▪ Type of legislation: <ul style="list-style-type: none"> – Total number of original bills and amendments introduced by the government and private members respectively – Ratio of private member bills to government bills – Total time spent in discussion of private member bills – Number of times that the government has given assurance that it would take up a private member bill ▪ Quality of law: <ul style="list-style-type: none"> – Quality of speeches made during legislative debate – Quality of laws enacted <ul style="list-style-type: none"> • Percentage of enacted laws struck down by the Supreme Court or the High Courts on grounds of constitutional invalidity • Percentage of enacted laws amended subsequently by Parliament within <ul style="list-style-type: none"> • 3 years • 3-5 years ▪ Keeping track of legislation: <ul style="list-style-type: none"> – Monitoring whether legislation is effectively implemented (includes inter alia whether adequate financial provision has been made for implementation of the legislation) ▪ Monitoring of delegated legislation <ul style="list-style-type: none"> – Number of times MPs have objected to enactment of delegated legislation under the relevant statute and this has been discussed in Parliament – Work of the Parliamentary Standing Committee on Subordinate Legislation <ul style="list-style-type: none"> • Number of sittings of the Committee • Number of reports issued by the Committee ▪ Work of Standing Committees and Ad Hoc Committees on bills <ul style="list-style-type: none"> – Number of committee recommendations that have been accepted and adopted by the government as amendments to bills – Average number of sittings per bill 	<ul style="list-style-type: none"> ▪ Number of new laws and time spent on them are easily measurable and describes the priority of Parliament towards legislation. The time spent in discussing each bill demonstrates the level of scrutiny attendant on each bill. ▪ The number of private member bills demonstrates the initiative of MPs in proposing new laws. Government assurances regarding the taking up of private members' bills help demonstrate the impact of such private initiatives on legislation. ▪ It is perhaps impossible to conceive of an objective set of criteria to judge the quality of legislative debates. If a law is struck down on grounds of constitutional invalidity, it is indicative of insufficient scrutiny on part of Parliament. Similarly, if a law is amended within a short period of time after its enactment, it may show that it was not well drafted in the first place. ▪ In determining whether adequate financial provision has been made with respect to legislation, it is important to bear in mind that the financial provision made for achieving the bill's stated objects is often understated. ▪ Many laws delegate details of implementation to the executive, subject to Parliament's approval. MPs perform this responsibility both on the floor of the House and through the Standing Committee on Subordinate Legislation. Whereas the number of sittings and reports of the Committee are measurable, the quality of its work is difficult to judge. ▪ This metric indicates the extent to which the work of Standing Committees has a substantive impact on law making. Again, it is difficult to determine the quality of the Standing Committee recommendations.

Metric	Remarks
Oversight	
<ul style="list-style-type: none"> ▪ Oversight through the committee system: <ul style="list-style-type: none"> – Number of issues taken up for discussion – Average number of sittings of committee for issuance of report ▪ Oversight through Parliamentary questions and interpretations <ul style="list-style-type: none"> – Number of starred questions actually discussed during Question hour – Quality of questions asked – Time lost during Question Hour as a result of interruptions 	<ul style="list-style-type: none"> ▪ This metric purports to measure the effective use of the committee system and the depth to which committees examine issues in their oversight of the executive. ▪ Since a considerable amount of time during parliamentary discussion is lost due to interruptions, this metric seeks to measure the actual time devoted to relevant questioning of executive activity. While determining the quality of the questions asked is crucial to a determination of parliamentary effectiveness, it is not clear as to how this may be done.
Budgeting	
<ul style="list-style-type: none"> ▪ Ex ante consideration and approval of the government's financial budget <ul style="list-style-type: none"> – Quantity of time devoted to discussion of budget in Parliament <ul style="list-style-type: none"> • Number of sittings of Parliamentary Standing Committees pertaining to discussion of the budget • Ratio of the amount of money to be spent on a project to the number of pages in the Standing Committee Report. This is a proxy to see whether the Committee devotes more time to examine big-ticket spending • Ratio of number of pages in the report to the number of line items in the budget ▪ Number of Standing Committee recommendations accepted and incorporated into the budget ▪ Monitoring government expenditure ex post to ensure that it has conformed to the terms that the Parliament has approved <ul style="list-style-type: none"> – Number of issues raised during Parliamentary discussion based on reports of the Comptroller and Auditor General related – Time spent on questioning of financial improprieties brought to light by media in Parliament – Number of issues raised by the Public Accounts Committee. Number of their recommendations accepted by the government 	<ul style="list-style-type: none"> ▪ The government's budget proposals are examined by Standing Committees, and then discussed on the floor of the House. Several proxies may be used to measure the effectiveness of scrutiny at both these levels. ▪ The time spent in discussion of CAG related issues and debate over financial improprieties indicates parliamentary vigilance over expenditure of public finances. ▪ The Public Accounts Committee of Parliament holds ministries accountable to the findings of the CAG. It also inquires into whether government funds were spent on purposes for which they were allocated.
Representation	
<ul style="list-style-type: none"> ▪ Total number of issues raised by Lok Sabha MPs under Rule 377 that have a bearing on their constituencies ▪ Total number of questions asked by Lok Sabha MPs during Question Hour that have a bearing on their constituencies 	<ul style="list-style-type: none"> ▪ This metric enables a quantitative determination of the amount of time spent by both Lok Sabha and Rajya Sabha MPs in monitoring government activities that affect their constituencies.

Appendix-II: Examples of some metrics discussed in Appendix I



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