

**The NI Assembly -
Relationships with Other UK Assemblies**

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Wellington Park Hotel

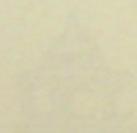
SINGLE MEMBER PARLIAMENTS

CHECKS AND BALANCES

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INTRODUCTION

SINGLE CHAMBER PARLIAMENTS

CHECKS AND BALANCES

• Origins of study: Westminster tradition is for

• What checks does second chamber provide?

• How can single chamber parliament be designed to incorporate those checks and balances?

• Dynamic issue of balance between executive, parliament, judiciary and the electorate

PAR INTRODUCTION 150

- **Origins of study: Westminster tradition is for bicameral parliaments**
 - Lower Saxony
 - Bavaria
- **Stormont had Senate: as did 6 of 9 parliaments studied**
 - British Columbia
 - Queensland
- **What checks does second chamber provide?**
- **How can single chamber parliament be designed to incorporate those checks and balances?**
- **Dynamic issue of balance between executive, parliament, judiciary and the electorate**

PARLIAMENTS STUDIED

- Denmark
- Sweden
- Lower Saxony
- Bavaria
- Catalonia
- Quebec
- British Columbia
- Queensland
- New Zealand

THREE TYPES OF CHECKS

- **Constitutional framework - e.g., electoral system**
 - tends to coalition gov't
 - democratic legitimacy
- **Parliamentary design and procedure - e.g. committee structure**
 - Number of MPs, higher better
- **External - e.g. ombudsman**

CONSTITUTIONAL FRAMEWORK

(1)

- PR electoral system (Sw, De, NZ, LS, B, Cat)
 - tends to coalition govt
 - democratic legitimacy
- Minimum standards for legislation (Qld, LS, B)
- Number of MPs, higher better
- Separation of executive and legislature (A)
- Entrenched functional elements of democratic system, e.g.
 - right to vote
 - freedom of political speech
 - Catalan Statute of Autonomy

CONSTITUTIONAL FRAMEWORK

(2)

- Entrenched substantive human rights,
e.g.
 - ECHR in Sw
- Minimum standards for legislation (Qld, LS, B)
- Separation of executive and legislature (All)

CONSTITUTIONAL FRAMEWORK

(3)

- Federal or quasi-federal structure (Qbc, QLD, LS, B, Cat)
- Special Commissions of inquiry (All)
- Recall (BC)
- Initiative (BC, LS, B, NZ)
- Unique to jurisdiction, e.g. Treaty of Waitangi in NZ, Statute of Autonomy

PARLIAMENT DESIGN AND PROCEDURE

- Parliamentary committees (All)
- Minority procedural rights (De, Sw)
- Pre-legislative scrutiny (All)
- Parliamentary questions (All)
- Presiding officers (All)
- Investigatory powers (All)

EXTERNAL

- Ombudsman (All)
 constitutional framework depends heavily on political dynamics once the Parliament is operational
- Audit (All)
 second chamber not warranted
- Press scrutiny
 key features with relevance to NI
- International pressures
 accountability mechanisms

SUMMARY

Success of the constitutional framework depends heavily on political dynamics once the Parliament is operational

Second chamber not warranted

Key features with relevance to NI

Northern Ireland Assembly mechanisms