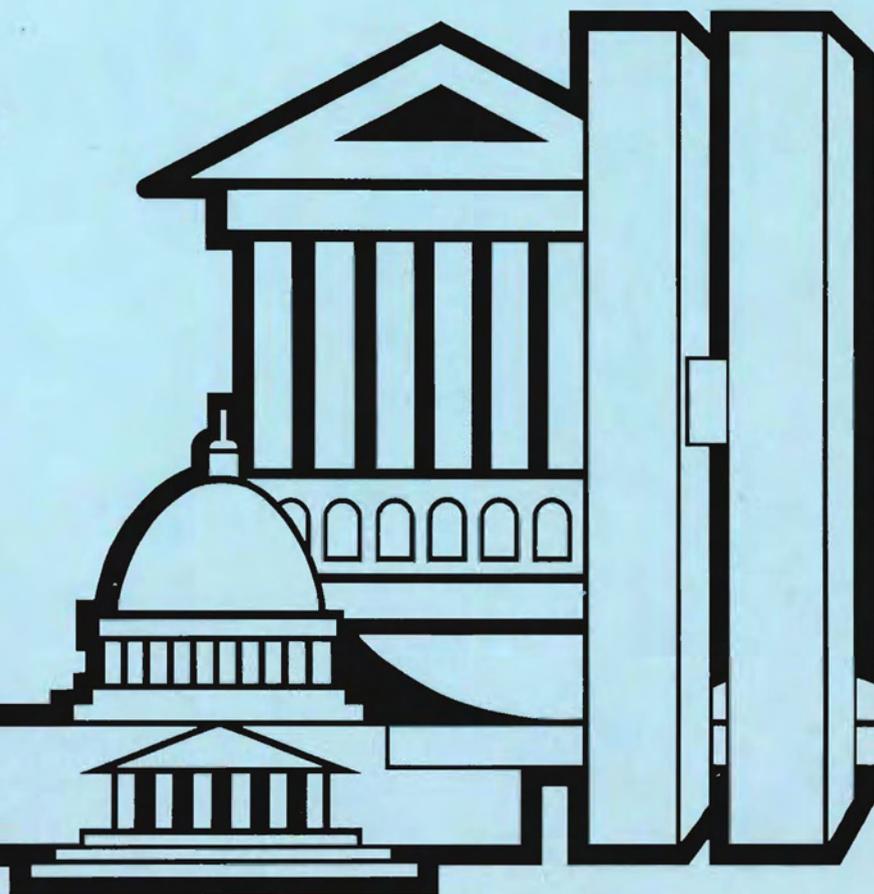


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SUNYA/AID
LEGISLATIVE DEVELOPMENT PROGRAM 1971-1978
Reflections and Analysis
A Final Report to AID

by

Abdo I. Baaklini, Director
Comparative Development Studies Center
Graduate School of Public Affairs
State University of New York at Albany

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This report reflects on the experience of the State University of New York at Albany, Comparative Development Studies Center, in the field of technical assistance in legislative development. It does not describe what happened, since most of that has been covered in separate reports presented to AID at various intervals. Nor is it an exhaustive recital of the trials and errors, the glories of success and the agonies of failure, in the various efforts undertaken. Such a task would require a detailed analysis of voluminous files accumulated during the past seven years. It would also require a lapse of some time so that the perspective of hindsight could develop. The importance of a complete overall analysis cannot, however, be overstated. Few technical assistance programs run by universities have had the advantages that SUNYA has had.

The legislative development program at SUNYA enjoyed unchanging leadership throughout the program; it was not crammed within a few months or a year but spread over seven years. Its scope was not narrowly circumscribed but had flexibility in defining goals, drawing up programs, establishing timetables, and allocating funds. Finally it is the only technical assistance program that AID has ever undertaken which addresses the needs of legislatures in developing countries. Thus a comprehensive evaluation could help improve the practice of legislative development in particular and technical assistance in general. Since the CDSC took extreme care from the beginning to maintain complete files, only a semester of full-time work would be necessary to produce a document that would make a valuable

contribution to the existing theoretical literature.

This report, however, has a modest scope. It covers the major assumptions and goals of the Legislative Development Program at SUNYA, how the CDSC had *hoped* to translate these into programs, and how the programs were actually constructed and implemented. This report will cover what we intended to do, what we did, and why we did what we did. The last section makes some recommendations to AID and certain suggestions concerning legislative development efforts and the role of the university in these efforts.

Assumptions Involved in Legislative Development

Legislative institutions in Third World countries have long been neglected by technical assistance programs. Because they are political institutions, legislatures require very sensitive handling. Moreover legislatures in developing countries were erroneously conceived as having little to contribute to the satisfaction of social, security, and economic needs, and since technical assistance programs are largely addressed to such needs, it was logical to work with the bureaucracies responsible for these areas. And then there are many social scientists and technical assistance experts who view legislatures as the citadel of conservative forces. Since modernization involves change, keeping the legislature weak and underdeveloped has been thought good development strategy.

Some technical assistants have reached the same conclusion for purely pragmatic reasons. Working with a collegial, political body requires enormous time and patience as compared to working with hierarchically constituted bureaucracies. Limited by the donor agency in terms of time and program objectives, the technical expert has often judged the bureaucracy to be his best friend, while the politician

was his enemy, concerned only with advancing his own interest. As a consequence, whether through benign neglect or willful discrimination, legislatures have become the victims of many technical assistance programs. Addressed to the executive, the programs have led to the emergence of a colossal bureaucracy responsible and responsive only to itself and to its needs. At a time when the bureaucracies of many developing countries were experiencing an information revolution and massive increase of professional staff, legislative information and research needs languished.

The legislative development program of the CDSC rested on completely different assumptions. Without challenging the need for security or for social and economic programs, development remains an essentially political phenomenon. Without politics to determine goals, order priorities, and chart directions, development becomes a self-serving technocratic activity exploited by those who wield the gun. There is no social or economic development without political development. Political development is measured by how well a political system can allocate values and goods in society without resorting to excessive coercion. Advanced development also requires that opportunities be available for both majority and minority groups in the society to participate in this allocation process through some regulated institutional mechanism.

While politics permeates all societal institutions, legislatures, especially freely elected legislatures, are the political institutions par excellence. Even with the limitations placed on legislatures in many developing countries, the legislative process itself, including the electoral process, tends to encourage wider participation in decision-making than any other method, such as a mobilizing single-party system. More important, however, by

politicizing issues and choices involved in development, the legislative process may lead to genuine change, which is supported by those most likely to benefit from it or affected by it.

Therefore wherever legislatures exist in developing countries, they should be studied as institutions which can help define and guide the development process.

To be able to perform this development function a legislature needs access to relevant information regarding the myriad issues involved in the change process.

To build such institutional capability, a center of information within the legislature is needed, as is the help of professional staff. The professional staff, however, should understand the nature of the legislature, the role it plays, and the kind of information it needs, otherwise the legislature may fall victim to its own internal bureaucracy.

Universities can help enormously in preparing this professional staff, especially in such fields as public administration, information and library sciences, computer science, and others. Political science can lead the way by identifying what legislatures and legislators do in contemporary societies and the kind of information support they need to play their roles. Comparative analysis of structures, processes, and research and information technologies available to legislatures can be an invaluable source of innovation (Baaklini and Heaphey, 1977; Worthley, 1976; Congressional Research Service, 1977).

To realize these goals the CDSC developed a three-pronged strategy. The first component was to examine legislative institutions as part of their own political setting rather than as variants of a western model. This was necessary,

for social scientists have rarely studied nonwestern legislative institutions as part of their own environments. The second component was to develop training programs that would fit the needs of cooperating legislatures. The third component was to create an international community of scholars, practitioners, and professional associations concerned both with the study of legislatures and with their needs.

Various members of the SUNYA faculty engaged in the study component through their involvement with specific proposals. Other studies were undertaken by members of the University Consortium for Legislative Research, which is composed of Duke University, the University of Hawaii, the University of Iowa, SUNYA, and their associates. Because the SUNYA studies took place in the context of specific programs, the problems considered were practically defined, but this does not mean that the studies did not benefit from or contribute to the theoretical literature.

The second component of the CDSC program was the development of two types of training programs—a short-term training program for leading legislative staff members and legislators, and a long-term, eighteen-month, degree program culminating in a Master of Public Administration. Both programs benefited from the close working relationship that exists between the CDSC, the New York State Legislature, and the National Conference of State Legislatures. The experience of the various state legislatures in the USA and the contribution of their staff and leadership constituted a main input in both programs. In addition to the training programs, the CDSC undertook, both in the US and overseas, policy-oriented research dealing with structured, procedural questions as well as with substantive policy questions.

The third component involved developing an international community concerned with legislative research and development. Throughout this period the CDSC was able to conduct various panels within the annual meetings of the American Society for Public Administration and to create a special Research Committee for Legislative Development within the International Political Science Association. These brought together a number of scholars and practitioners from various countries to study and discuss problems involved in legislative development. The CDSC also maintained strong ties with the Secretariat of the Inter-Parliamentary Union, with the Ford Foundation, and with a number of universities and research/training institutes in Europe and the cooperating countries. In cooperation with other institutions the CDSC sponsored several international conferences which attracted scholars and practitioners from a number of countries; much of the research presented either has been or is about to be published.

Approaches to Technical Assistance

Perhaps what stands out most about the SUNYA experience in working with legislatures, and what may be most relevant here, is the way in which this cooperative effort actually took place. Working with legislatures necessitated a rather radical departure from established patterns of implementing technical assistance programs. And this new pattern may well come to characterize the role that the university plays in the new international order.

The technical assistance efforts of the United States and other European countries during the last quarter of a century have been subjected to a barrage of criticism. Where development was either equated with economic growth, or with economic growth plus social change, the efforts have been denounced for their conceptual naiveté (Goulet, 1971a:6).

Some have seen the process of development as a historical continuum divisible into stages. Nisbet (1970), for example, criticized development theories because they conceived of change as being immanent, timeless, eternal, continuous, directional, necessary, uniform, irreversible, genetically related, and purposeful. Others have conceived of development as an organizational task (Ellul, 1964; Servan-Schreiber, 1968) or in terms of popularly held beliefs and values (Lerner, 1958; Weber, 1958). Such views of development led to technical assistance programs that were paternalistic and authoritarian in nature. If development was uniform, universal, and necessary, people reasoned that employing "experts" from the developed countries was essential for achieving development in the least time at minimum cost. Politicians and the developing countries' political institutions would only "interfere"; the less the people of the developing countries participated in the development process, the more likely the expert would achieve results. This was the age of the planning board, the "legal-rational" bureaucracy, and the strong "benevolent" dictator, who knew how to do things and had the ability to silence any opposition to decisions his expert reached. This approach has been criticized for failing to consider the goals and values of the people who would supposedly benefit from the development efforts (Goulet, 1971). Others criticized development efforts as a form of neoimperialism (Hayter, 1971) or simply as a complementary economic activity of the developed countries which reflected the priorities and needs of the donor countries rather than those of the developing countries (Baaklini, 1974d). Since only institutions and sectors in the economies of the developing countries that contributed to or complemented those needs were developed, the economic, political, and social dependence of the periphery on the metropolis increased under such development efforts (Amin, 1976).

The structures as well as the procedures for delivering technical assistance also underwent thorough criticism (Pearson, 1969; Poats, 1972). It was argued that only if aid were administered through an international agency like the United Nations could the developing countries hope to have a fair say about the nature and scope of the technical assistance they received. Others advocated the conflict model for technical cooperation, which asserts that only if a developing country establishes political or economic leverage vis-à-vis the developed country can it acquire a voice in determining its technical assistance (Baaklini, 1974d).

To avoid the bureaucratic and political entanglement of aid administered by government agencies, some have proposed the university as a desirable structure for the administration of public and private technical cooperation projects.

The involvement of the university in foreign assistance programs is not a new phenomenon, at least in the United States. In 1965 Education and World Affairs published an entire volume related to the activities of six American universities in foreign assistance programs. In an unpublished paper submitted to AID (1967), Heaphey analyzed several strategies which would utilize the university in technical cooperative programs and detailed the advantages and disadvantages of each strategy.

The CDSC approach to technical cooperation took off from Heaphey's concepts. We adopted a science engagé approach which tried to combine a multilateral approach to technical cooperation with a conflict model approach. The science engagé approach assumes that technical assistance programs are open-ended experiments rather than predetermined, pre-tested solutions to problems. Social realities are created first and knowledge about those realities follows.

The expert's role is that of a participant observer, and the solutions proposed are tentative.

The following pages elaborate on how this approach actually operated.

The Center and Legislative Development Programs

The CDSC started from the assumption that experts can be useful only to the extent that they understand the goals and needs of the people they are trying to help and how these goals and needs are directly or indirectly expressed by the leadership, institutions, and situations of the polity in question. The pretentious claim, characteristic of most technical cooperation programs, that the experts know the "right" answers and that development can be achieved only if people in developing countries are willing to abide by the experts' recommendations was obviously avoided. A legislature, CDSC discovered, is the most politically sensitive institution in a country. Regardless of its actual function in the political system, it is usually considered the symbol of state sovereignty and is constituted from the most politically conscious elements of the population. Both characteristics endow it with a special sanctity and a definite sense of direction. Legislative leaders and legislators do not appreciate receiving lectures. They do not want the "technical," "scientific" considerations of the expert to determine their directions and objectives, but rather they look upon the expert as a person who can help them achieve goals already determined.

The CDSC was extremely careful not to adopt a proselytizing, normative approach to legislative or political development programs. It acted only when legislative leaders clearly articulated to the Center what changes they desired. Only in areas where the Center felt it had the resources

and the competency to help realize these changes would the Center act.

This does not mean that the Center endorsed all suggested changes. When there were disagreements, the Center stated its views, although it did not have the option to veto an idea. The Center tried to stick to professional-technical matters, leaving the political ones where they belong—in the legislature.

The Multilateral Approach to Legislative Development Efforts

The advantages of the multilateral approach to technical cooperative efforts are well documented in the literature. In view of the political sensitivity of legislative institutions the multilateral approach commends itself even more to technical cooperation in legislative development efforts. Furthermore since no country can claim it has discovered the "model" for legislative development, a variety of political experiences are assets that can be profitably utilized. The Center has tried to follow the multilateral approach in at least four ways: it has broadened the location of its training activities, sought to induce other international and national bodies to take an active interest in legislative development, introduced legislative management studies into overseas training institutes, and sought diverse financial backing for legislative development projects.

Training Location

The Center assumed that a variety of training locations helped maintain an open system, where cooperating legislatures might choose the experience and practice relevant to them. This openness and diversity mitigate against the imposition of a single model or pattern on any of the cooperating legislatures. In addition to various US state

legislatures, the Center has utilized the experience of legislatures in Canada, France, Britain (and the European Parliament), Lebanon, and Costa Rica.

Legislative Assistance Through International Bodies

One way to insure that developing countries will participate in choosing the pace and direction of development efforts is to administer those efforts through international bodies where the developing countries are represented. For this reason the Center actively sought to induce the United Nations Public Administration Division, the Inter-Parliamentary Union in Geneva, and the European Parliament in Luxemburg to sponsor legislative development projects. In recent years the IPU has increased its extension of resources to legislatures in developing countries. It has established a study and documentation center with an international advisory board, and thus far it has held several symposia on subjects relevant to legislative improvement. Its future plans envision the extension of technical assistance to member legislatures. The European Parliament participated in the CDSC conference on legislative development held in Cyprus in 1972. In the past it extended technical aid to some African legislatures, and in recent years it has created a special association for "long-term economic, technical, and cultural cooperation" between Europe and the Arab world. The United Nations has not yet taken any specific action but appears sympathetic to country programs in the field of public administration which include a legislative development component.

But the internationalizing of legislative development programs has met with many difficulties and set backs. International bodies are primarily political bodies, sensitive to the many conflicting demands placed upon them by their members. Their capacity for professional innovation is

limited by a built-in conservatism. Reluctant to embark on controversial tasks such as legislative development, they tend to endorse familiar programs. Controversial innovative programs, therefore, are still mostly sponsored by national or private institutions.

Overseas Training Institutes

A third way the Center has tried to internationalize legislative development programs is through training institutes. A number of institutes exist in Europe, Asia, Africa, and Latin America for training government employees in public administration, economic development, and related subjects. Many participants come from developing countries. In cooperation with some of these institutes the Center introduced cross-institutional courses dealing with legislative development, and legislatures and developments, and legislative management. Students at the Institute of Social Science at The Hague, or at the Institute of Public Administration in Ireland, for example, will be able to share the legislative experience of Holland and Ireland respectively.

The Center has also been collaborating with universities in a number of cooperating countries to introduce legislative studies courses into their curricula. Such cooperation existed with Haile Selassie I University in Addis Ababa and with the School of Law, Political and Administrative Studies of the Lebanese University in Lebanon. In some instances, as happened with the University of Costa Rica in San Jose, a faculty member may come to the Center as an associate working for an academic degree. In all of the above cases the aim has been to broaden the base and increase the variety of legislative studies, thus discouraging the emergence of one stereotype model of legislative development.

Diverse Financial Backing

If the Center and cooperating countries are to maintain their independence of action, financial support of legislative development programs has to be diversified. This the Center has tried to achieve by diversifying its own financial resources and by suggesting ways that the cooperating countries may do the same.

The Center has continuously sought new funding from both government and private foundations. While its operating budget comes from the state of New York, additional funds have been available from AID, from the National Legislative Conference, from the Federal Justice Department, and from Private foundations.

In many cases the resources of legislatures in developing countries have been insufficient to meet all their developmental needs. The Center has tried to work out with these legislatures proposals that might interest other fund-granting institutions. Costa Rica, Lebanon, Jordan, and Ethiopia, for example, were encouraged to apply to the Ford Foundation, to the United Nations, and to other institutions for possible grants in the field of legislative development.

The Conflict Dimension of Technical Cooperation

Technical cooperation programs have oscillated from a dominant paternalistic attitude on the part of the donor country towards the receiving country to a hands-off attitude. The first stance has produced a feeling of superiority, in which the donor country assumed it knew the answers to all the problems of the developing countries and thus had the right to advise, counsel, and guide the development of these countries. The hands-off approach maintained the paternalistic attitude without assuming the concomitant

responsibilities. Under the pretext of keeping a low profile, donor countries neglected the needs of the developing countries.

The Center, in both its relationship with the funding agencies and with the cooperating countries, assumed that cooperation would be mutually advantageous, while the lack of it would be mutually disadvantageous. For this conflict model of operation to work each player should have the ability to reward the other if the game is played properly and to inflict some damage against the other if the game is not played properly. For example, it was advantageous for both the Center and a legislature to cooperate for the Center gained access to resources, research opportunities, and other rewarding professional endeavors, while the legislature benefitted from training, professional assistance, travel, and, presumably, some form of legislative improvement. If either party had refused to cooperate, such rewards would have been withheld.

The conflict model also assumes that while the cooperating parties may not have the same capacity to reward each other, their abilities to inflict damage are more evenly distributed. While a developing country may have fewer resources than a developed country, its ability to inflict damage is considerable. It may have a strategic location or some needed raw material, or it may be able to subvert or undermine some vital international institutions and processes. Yet the conflict model has its problems as a guide for technical cooperation.

The Conflict Model: Problems and Prospects

The first obstacle to implementation of technical cooperation in accordance with the conflict model is the experience of the last thirty years and the type of expectations it

has created in the funding agencies, the university, and the cooperating countries. Not all the actors concerned have taken the mental leap necessary to make use of the conflict model possible. Although many AID officials directly involved in the supervision of the legislative development program have adopted this new mental attitude, many other AID officials in the field and in other sections still operate under the traditional mentality, where technical cooperation is conceived as a unidirectional process, from a mature side to an immature side. Some of them, for both ideological and political reasons, still feel that technical cooperation is an instrument of foreign policy and consequently should be tied to the aid-receiving country having a favorable political attitude towards the aid-granting country. While a funding agency does have some legitimate considerations, frequently these degenerate into a mere power game in which the agency interferes in domestic situations not truly relevant to the agency's function. Some officials still feel the funding agencies should use their resources as a leverage to secure advantages not part of the technical cooperation equation, and some are still tempted to interfere in the professional work of the university. There still lingers in the minds of some donor officials the thought that the university should deliver them a product for which they alone have set specifications.

In the university a number of problems still act as barriers to the success of the conflict model. The last ten years of dubious cooperation between the university and government institutions took place in compromising areas as far as the university was concerned. One group of professors exposed to this activity developed a paranoiac attitude towards any involvement of the university in government-financed activities. Others hold such exalted notions as

to the proper mission of the university that they look down on any university involvement in day-to-day activities. They both downgrade the activity and do not adequately reward those faculty members who perform it. Still others react negatively to such activities from sheer professional and personal jealousy. All these factors tend to prevent the university from living up to the ideals of the conflict model.

Among the cooperating countries the old technical-cooperation mentality still prevails. It is not uncommon, for example, for cooperating legislatures to expect instant ready-made answers to all their problems. Since some experts assume they have such an ability, it is easy to slip into the old paternalistic relationship. Some countries still prefer a passive role, coming into the picture only when the expert completes the project. When the Center tried to help one legislature build up a legislative reference library and a documentation center to help the legislators in their work, some officials of that country wanted simply to wait for the Center to collect all the relevant material and only then did they plan to take charge of the completed project. Clearly such an attitude provided no incentive for the Center to continue the activity.

While the above difficulties stem from the old technical-cooperation relationship, others are inherent in the conflict model itself—especially the ambiguity of the product and the difficulty of operating within a fixed time framework.

The first problem is by definition a characteristic of the conflict model and the science engagé approach. The conflict model rules out unilateral definition of goals and problems to be solved, while the science engagé approach

rules out a one-definite-solution to whatever problems are bilaterally or multilaterally identified. The funding agencies, the universities, and the cooperating institutions in the other countries find it hard, therefore, to establish appropriate criteria for measuring success. How does one define achievement? How does one know whether he is following the right track? The only way success or failure can be measured is according to contextually developed criteria. Each project must set up its own evaluation criteria, a situation so ambiguous that many planners and policymakers in the funding agencies, universities, and the cooperating institutions try to avoid it as much as possible.

The other problem is intimately connected with the first, but has a separate dimension of its own. Since there is no definite product, it is difficult to establish a timetable. Furthermore the need to consider the logic and the rationale of each institution involved renders adherence to any fixed timetable very difficult. This is particularly true where the participation of the cooperating institution is a necessary aspect of the relationship. In the case mentioned earlier regarding the establishment of a legislative reference library and a documentation center, it would have been easy to stick to a timetable if the only actor were the Center and if participation of the cooperating legislature were not desired or essential. However if participation is essential, then the project must be postponed until the cooperating legislature will participate. In other words if the conflict model approach is to avoid imposing the logic and the timetable of one institution on the other, a lengthy process of negotiation, compromises, and accommodations is necessary.

From Expectations to Realizations

Having outlined our goals, our programs and our approach, we will now evaluate the achievement of various programs and the problems faced in implementing these programs.

The Bilateral Programs. Throughout the program the CDSC had various bilateral technical assistance relationships with Brazil, Costa Rica, Ethiopia, Ghana, and Korea, and a regional relationship with legislatures in the Middle East, specifically, Cyprus, Jordan, Israel, Kuwait, and Lebanon. Some of these relationships were more successful than others.

A military coup in Ghana ended that relationship before it started. Despite the success of individual components of the program, the revolution of 1974 in Ethiopia made it impossible to measure any impact, for all the institutions of the previous regime were completely destroyed. In Costa Rica the initial activities were a success, the program was implemented, but it did not flourish. It achieved limited goals, but did not become a self-sustaining activity. Political rivalry and bureaucratic competition within the legislature were partly responsible. CDSC's representative in Costa Rica may also have contributed to the short course of the program there.

In the Middle East the program's immediate goals were realized. However although all the institutional arrangements were completed, the instability of the Middle East in general and the war in Lebanon in particular disrupted the creation in Lebanon of self-generating institutions concerned with the study of legislative development. Nevertheless the program can be considered a modest success.

Real success came, however, in Korea and Brazil—an ironic

situation since the legislature in both countries is considered a mere rubber-stamp ornament. In spite of an awkward start the Korean program has continued and at present enjoys strong commitment from the leadership. The program in Brazil has flourished from the beginning. There is now a special high-ranking commission in the Brazilian Senate concerned with legislative development, which coordinates the cooperative SUNYA-Brazilian legislative development program. A majority of the commission members are former SUNYA graduates.

Conclusions and Recommendations

What lessons have we learned from this bilateral experience?

1. Cooperation with national universities in many countries of the third world is a very difficult process, for they differ radically from American universities. On the whole universities overseas are the most change-resistant of all public institutions. Their decision-making process is cumbersome and highly bureaucratic-political. There is no incentive to change or adapt.
2. Working with public administration institutes, on the other hand, is somewhat easier, since most are committed to change and innovation.
3. Working with legislatures with strong executive leadership (two-party system, as in Brazil, one dominant party as in Korea, a strong executive as was the case under the emperor in Ethiopia) makes it easier to mobilize capabilities of the institution. One might conclude that the less autonomous and political the legislature, the more it tries to find indirect means of strengthening itself, such as by legislative reform and professionalization of the staff. The more political the institution, the more pluralistic in terms of groups represented, the less likely it is to be concerned with professional legislative staff develop-

ment or legislative development in general. When politics becomes paramount, organizational information and management considerations are less urgent. Lebanon, Israel, and Costa Rica are cases in point.

4. The bilateral relationship taught us many things about legislatures and how they operate, what type of information they need, how they can be related to universities, and how to bring science and technology into their decision-making process. The findings in this very broad area are included as a bibliography under Appendix A.

The Multilateral Program. The multilateral program has seen less success. Our intention was to bring together representatives of universities, training institutes, and legislatures to cooperate in areas broadly concerned with legislative development. It proved difficult to induce simultaneous changes in these institutions and to coordinate their activities and timetables. The two exceptions were our experience with the Institute of Public Administration in Ireland and the Institute of Social Studies in the Netherlands.

In the case of IPA-Dublin we had a rather impressive success. The Institute sent one faculty member to Albany for a degree program and accepted several SUNYA faculty in exchange. It introduced changes in its curriculum to reflect the needs of the developing countries and expanded its training programs for participants from developing countries. It accepted participants from Brazil and Ethiopia, who joined under the sponsorship of the Center, and published a special issue of its journal, Administration, on problems associated with legislative development. It participated in many of the Center's activities, especially its series of international conferences, and it cospon-

sored with the Center the 1976 International Conference on Legislatures and Human Rights. The relationship with the Institute continues to be strong and further training courses for participants from developing countries are contemplated. Members of the Institute are taking an active role in focussing the attention of the European community on legislatures, political development, and human rights.

The experience of ISS at The Hague, while successful, was modest compared with the IPA-Dublin experience. It involved exchange of faculty and the introduction of some curriculum changes to meet the needs of participants from developing countries. It should be mentioned that both the IPA and the ISS are government-supported and provide the bulk of training associated with technical assistant programs of the Irish and Dutch governments to developing countries. Therefore curriculum changes and faculty exchanges were undertaken for their expected multiplier effect.

The programs with the Lebanese University and with the University of Addis Ababa were geared in the same direction the first was to serve the needs of the Arab Middle East and the second the needs of some African countries. The political and military upheavals in both countries rendered any such development unattainable.

The International Program. The international program is marked by some successes and some failures. Under this rubric are included the relationships with national and international academic and professional organizations and with regional and international political organizations.

The relationship with the national and international academic and professional associations is an overall success. At the national level the CDSC succeeded in establishing within the American Society for Public Administration a special

section on legislative development. Since 1972 the annual program of that organization has included programs concerning problems faced by legislatures within the US and overseas. In 1976, 1977, and 1978 several panels attended by prominent academicians and professionals were featured in the program of this organization. In 1976 a special issue of the Public Administration Review, the official association publication received by over 17,000 members, carried a thirty-two page symposium on legislative administration and the needs of legislatures.

The CDSC developed a close working relationship both nationally and internationally with another professional organization, the National Conference of State Legislatures (NCSL). The annual conference of the NCSL included several panels sponsored by the CDSC which explored problems of legislatures in developing countries and how the NCSL could contribute to the solving of these problems, especially in the field of technical assistance in legislative administration. Several prominent members of NCSL participated in the SUNYA programs as advisors and consultants, and many participants from legislatures in developing countries attended NCSL-sponsored training programs. Under separate agreements the CDSC assisted the NCSL in many of its research projects and in policy analysis connected with legislative reforms and innovations. The relationship is still strong and present plans call for the intensification of efforts to develop training programs—degree and non-degree—to benefit legislative staff of various state legislatures.

With the help of the various members of the consortium of universities on legislative development, the American Political Science Association (APSA) renewed its interest in legislative development. APSA, under the leadership of

Professor Samuel Patterson, is now considering the establishment of a special section to deal with problems of legislatures from a comparative perspective.

The relationship with the International Political Science Association is another successful one. Under the leadership of the CDSC, IPSA created a special research committee on legislative development. Since 1973 three panels have been and will be featured at the triennial conference of the association (1973 in Montreal, 1976 in Edinburgh, and 1979 in Moscow). Furthermore IPSA, in conjunction with the CDSC, cosponsored several international conferences connected with legislatures and their contribution to development.

The CDSC took a leading part in introducing the concerns of legislatures and their role in development to the Organization for the Promotion of Social Science in the Middle East (OPSSME). Similar efforts were undertaken with the Society for International Development (SID).

The record of the CDSC with the international and regional political associations was not as successful. With the Inter-Parliamentary Union (IPA) in Geneva the CDSC failed to involve that organization actively in legislative development activities, although its agenda in recent years has started to show an increased involvement in problems associated with legislative development. It sponsored three symposia dealing with improvement of the legislative process, it established a center for research and documentation, and it started introducing technical assistance programs to legislatures in developing countries. However, the pace and intensity of this involvement has been inadequate and does not measure up to that organization's potential. Political considerations still dominate its attention, so technical and professional considerations take

secondary priority.

Another organization that the CDSC sought to cooperate with was the European Parliament. The relationship involved exchange of information and visitors, processing of participants through the European Parliament, and attendance at CDSC-sponsored conferences such as the Human Rights Conference at Dublin. Indications are that both the human rights issue and training for legislative development in developing countries have increasing interest for the European Parliament.

Working through the United Nations proved rather difficult. The hope was to induce the UN Development Program and its specialized agencies to devote some attention to legislative development. However the CDSC and the university were never in a position to master the necessary resources to deal with the complexity and increasingly political machinery of the UN and its specialized agencies. It seems to us that only governments have the access and the resources to introduce changes in such institutions; nonetheless, relations with the UN Institute of Training and Research (UNITAR) are cordial, and if funds become available from national governments, have the potential of developing in areas of mutual concern.

The Core Program. The objectives of the core programs have been realized in practically all areas. The legislative development program at SUNYA is institutionalized in a MPA degree program open to American and foreign students. SUNYA has committed faculty positions, space, and other resources to this program, and is presently aiding other universities (Kentucky, Pittsburgh, Indiana, and Denver) in developing similar programs. Scores of students from developing countries, sponsored by their governments or by other donor agencies, have been exposed to this program.

Two students from Thailand have expressed an interest in joining the program on their own accounts. The special short-term training programs have continued to be offered for legislative staffers from Brazil, Korea, and Pakistan. And, finally, the Center's relationships with state legislatures continue to be strong.

Our principal failure has been our inability to attract outside funding for this program beyond small grants for specific research and services. The Ford Foundation has been approached on numerous occasions but has maintained that such decisions are made at the local level, not at headquarters. Contact with its Latin American offices in Brazil and its Middle East offices in Beirut led to one joint project in Brazil and Lebanon consecutively. Ford cooperation in Lebanon produced a grant to the Lebanese University that was supposed to finance the establishment of a regional legislative training and research center in Beirut, but the civil war brought that project to an end.

Development of an academic program requires a lot of research. One by-product of the Center's work in the field of legislative development has been the research it produced. Appendix A lists some of this research. It is pleasing to know that much of this literature has been adopted as texts and reference work both at SUNYA and other American and foreign universities.

Legislative development is a fairly young field as an academic research area and practically unknown to all the international, regional, and national organizations that would be concerned with the actual direction, pace, and content of development. Even within AID it is a barely noticeable operation in scope, size, and duration, compared to other development areas.

There are various obstacles standing in the way of legislative development. First, there is the hostility of a country's elite to the legislature and the seemingly irrational way it operates. Another problem is that most consider the accumulation and concentration of power more important than its distribution or sharing. Out of a real concern for development and because of the need to be able to act swiftly, legislatures have been dismissed as obstructionist and irrelevant.

The primitive technical and professional capability of most legislatures in developing countries seems to be another factor accounting for their weaknesses. Those institutions under attack ideologically have been denied resources and emasculated. Even when legislatures can participate in development plans, they have rarely been able to make informed decisions in a reasonable period of time.

Finally, most donor agencies in the world have sought to exclude legislatures from their operations, sometimes for political reasons, other times for developmental reasons, or for practical convenience. This situation continues today.

Legislatures around the world are experiencing a renaissance. Disappointment in development efforts and the political institutions that were established to implement those efforts are now prevalent. People are no longer looking for simple solutions to complex problems. It is important that we institutionalize the legislature to function in the contemporary world. Sustained efforts are necessary.

The legislative development program at SUNYA has now been

institutionalized as an academic training and professional program. A number of legislatures have formalized their commitment to build their professional, research, and information capabilities. It is important that this opportunity be extended to other legislatures as well. In many instances what we need is the chance to explain the problems involved in legislative development and the resources available for tackling these problems. This requires a limited amount of funding, and here AID could be most helpful.

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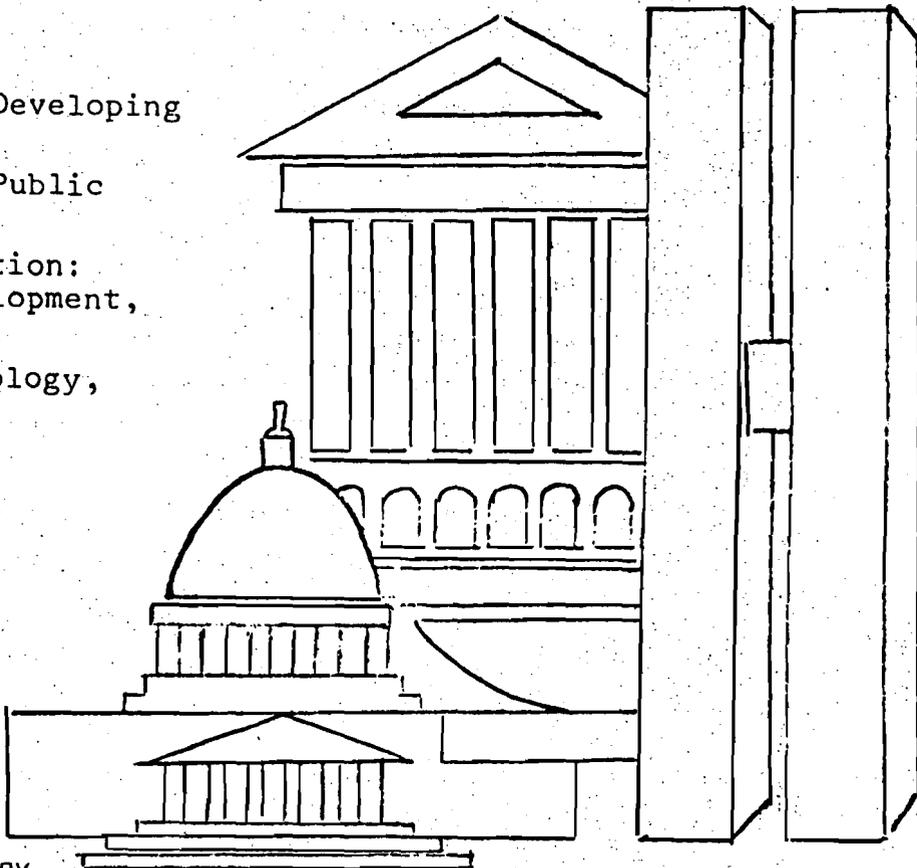


EDUCATION • SERVICE • RESEARCH

Graduate School of Public Affairs
State University of New York at Albany
August 1978

Contents Overview

- I. Legislatures and Developing Countries
- II. Legislatures and Public Administration
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COMPARATIVE DEVELOPMENT STUDIES CENTER

LEGISLATURES—how they work, what they contribute, and how they can improve in the United States and abroad—has been the focus of a pioneering program in Albany, New York. Organized in 1970, the Comparative Development Studies Center of the Graduate School of Public Affairs of the State University of New York at Albany has recently completed a seven-year international program aimed at legislative development. Though based in a typical university setting, the program has been unusual in several significant aspects.

- *It has challenged the popular worldwide notion that legislatures have declined in importance.*
- *It has affirmed that legislatures must be understood in their particular settings, and in their own terms, not in terms of models for parliaments.*
- *It has promoted the conviction that legislatures contribute to development and rejects the suggestion that legislatures are obstacles to the development process.*
- *It has synthesized research, training, technical assistance, formal education, and publications into a cohesive program embracing international, domestic, and local dimensions.*
- *It has involved a multinational mix of legislators and staffers, professors and graduate students.*

The Center's approach and rationale is comparative; "comparisons provide possibilities for generalizations, though not

for the elaboration of general theory in the traditional sense of that term. By coming to 'understanding' of specific legislative processes one develops the capacity for generalizations about several specific situations." In avoiding a model-oriented approach, and emphasizing instead the perspective and needs of those actually engaged in the work of legislatures, the program has been recognized as a resource which is pragmatically useful.

The work of the Center represents a significant departure from past *developmental* programs. Administrative technical assistance has typically focused on bureaucracies and neglected legislatures in established as well as younger nations. In turning attention to legislatures, and in de-emphasizing the distinction between so-called "developed" and "developing" countries, CDSC is recasting and expanding the purview of development. Relatedly, its concentration on legislatures as organizations within any given political or constitutional structure, and on the administrative improvement of those institutions across area boundaries, is an innovative effort.

The Center has sought to identify, develop, and consolidate sources of legislative expertise, and to make assistance available internationally. The stress is on understanding and improving effectiveness and efficiency within established constraints—political, financial, or constitutional—of each particular legislature. The Center's notable success at joining scholars with professionals, at a level where relevant research can be transformed into tangible institutional improvement, is uncommon.

Originally launched as an overseas effort with bilateral projects in Costa Rica, Ethiopia, Ghana, and Brazil, the Center's work expanded to Europe, Asia, and Africa. Significantly, the program has given equal emphasis to U.S. state

legislatures, enabling a linkage of these bodies with the Assembly of the Republic of Korea or the Brazilian Congress, for example, and so on.

In pursuit of its goals, the Center has developed a strong base in Albany, with a specialized library, a flexible training program, and working relationships with local professionals. It is affiliated with the Graduate School of Public Affairs which offers master's and doctoral degree programs, including the only legislative administration program in the world. It has created close ties with key professional and academic organizations such as the American Society for Public Administration, the National Conference of State Legislatures, the Inter-Parliamentary Union, the International Political Science Association, and the Society for International Development.

Concomitantly, the Center has internationalized its efforts through development of legislative improvement resources at existing European institutions, namely, the Institute of Public Administration in Dublin and the Institute of Social Sciences at The Hague; through cooperating in the establishment of a Middle East regional center in Lebanon; and through sponsorship of international conferences in Cyprus, Brazil, and Costa Rica. Additionally, the Center reports many of its general findings through publications and professional meetings.

Finally, in focusing on legislatures generically and internationally, the program has been able to bridge governmental subdivisions and relate national and state legislatures to common needs. The U.S. Congress may be too complex for providing meaningful insight and assistance to the parliament of a small country, but the problems and solutions of, for example, the Wisconsin State Assembly, may be quite relevant. Similarly, the experience of the Lebanese Parliament

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might be useful to the California or New York State Legislature. CDSC's network of contacts enables identification of commonalities and development of such interactions. In an age when increasing development burdens and problems are challenging executive branches of governments, and when bureaucracies are carrying a disproportionately heavy responsibility, the work of the Comparative Development Studies Center is a resource for the improvement of legislatures, for the realization of development goals, and for the furthering of effective government around the world.

Financial support for the program has come from State University of New York at Albany and the U.S. Agency for International Development (AID), as well as from various private and governmental sources, including host legislatures.

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