



LEGISLATIVE STRENGTHENING IN POLAND

Turning the corner on four decades of communist rule, Poland's parliament is embroiled in the everyday struggle of sustaining a multiparty democratic legislature.

SUMMARY

In 1989 and 1990 as communist regimes toppled in Central and Eastern Europe, the U.S. Congress looked for ways to demonstrate its commitment to the fledgling democracies replacing them. For Poland's parliament, Congress came up with two overlapping programs: an initial "Gift of Democracy" from the Senate, primarily consisting of automation and office equipment, followed by a House of Representatives task force effort that provided equipment, training, and technical support. Most of the funding, more than \$4 million from 1990-95, was provided through USAID, although the Agency's role in implementing both programs was minimal.

The assistance these programs provided signaled a new era for the Polish legislature. The equipment (computers, printers, and copiers), training, and technical support have helped parliament become more efficient, effective, and transparent. For example, draft bills that used to take a week or more to edit, print, and distribute are now ready overnight, helping parliament handle a high volume of needed legislation. Similarly, transcripts of parliamentary proceedings that used to take six months to produce are now available the following day.

Parliament's information capabilities have increased dramatically. Research service support from legislative databases, reports, and other expert input and analysis have helped reduce the duplication and errors in legislation that were common in the early 1990s. The new information resources have made parliament more transparent because it is easier for the media, advocacy groups, and public to follow the legislative process.

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These accomplishments have helped make parliament more independent. Its legislative deliberations are more informed and parliament is now the source of most proposed legislation, although the executive still generates the most significant bills.

The assistance had limitations, however. For example, it did not help parliament acquire the capability to review and analyze adequately executive branch budget submissions. In addition, high turnover among legislative staff, who are expected to be nonpartisan but are vulnerable to political pressure because they do not have civil service status, threatens the sustainability of program achievements. Finally, USAID’s minimal involvement meant missed opportunities to link program activities with related USAID lines of effort, such as strengthening democratic local governance and political parties.

The assistance successfully met its original objectives—strengthening parliament’s infrastructure and information capability. However, it did not address other important facets of legislative strengthening, such as constituent relations, the links between the legislature and civil society, and public understanding of how a democratic legislature works and what can be expected from it. The case study indicates the assistance provided through the Gift of Democracy and Frost Task Force is not sufficient as a stand-alone legislative strengthening activity—a broader mix of support is needed to meet a newly democratic legislature’s diverse needs.

The case study suggests the following lessons learned:

- n Provide assistance beyond infrastructure and information needs
- n Gain the support of legislative leaders
- n Allocate and distribute assistance fairly
- n Include training in the United States
- n Include regional training
- n Support development of budget review capability
- n Make staff retention a priority
- n Ensure broader involvement of the USAID Mission

CONTENTS

<i>Introduction</i>	3
<i>CDIE Study</i>	4
<i>The Parliament</i>	6
<i>System of Government</i>	7
<i>Legislative Strengthening</i>	10
<i>Accomplishments</i>	11
<i>Limitations and Concerns</i>	13
<i>Other Donor Support</i>	14
<i>Summing Up</i>	14
<i>Lessons Learned</i>	15

LEGISLATIVE STRENGTHENING IN POLAND

INTRODUCTION

Seven years into its postcommunist transformation, Poland's National Assembly has seen the high hopes and expectations of 1989 give way to the rough-and-tumble of democratic governance. What was once a united Solidarity front opposing the communist government is now a fragmented opposition to a majority coalition of reconstituted parties that formed the political core of the pre-1989 regime.¹ The reality of current parliamentary politics is no longer the battle of Solidarity versus totalitarianism, but the daily grind of maintaining and expanding the multiparty democracy accepted by both victors and vanquished of the 1980s struggle.

While these transition years have seen the institutional foundations of a democratic polity firmly established, two generations of totalitarian rule still cast a shadow over the new democracy. As one member of parliament (MP) put it, what many Poles need to overcome is that they have "minds of slaves" when it comes to politics. Another MP said, "The Polish people don't yet understand or appreciate that democracy is a permanent conflict of interests." A professor expressed an ironic nostalgia for the "clarity of the times of the old regime," explaining: "Back then you knew precisely where you stood; good guys and bad guys were unmistakable. Now, it's not as easy to tell," especially in light of Poland's multiparty political system.

Poles also harbor a deep-rooted, readily exploitable mistrust of government. For example, in response to perceived "legislative obstructionism" in late 1991 and early 1992, then-president Lech Walesa discredited the Sejm (pronounced "same"), the more powerful of the National

Assembly's two chambers, by taking advantage of negative public reaction to the bickering and gridlock depicted in television broadcasts of its proceedings. He compared the Sejm with its 17th century namesake, the "parliament of nobles," and used pejorative terms, such as "squabbling," to characterize its present-day activities.

The origins of Polish parliamentarianism date to 1493, when a national assembly composed of the king, a senate, and a house of deputies was convened. From that time until the close of the 18th century, parliament represented the nobility. Beginning in the late 16th century, when Poland became a republic, parliament served as a powerful and effective counterweight to the monarch, which it began electing in 1592. By 1795, however, the Polish state ceased to exist, and the land was partitioned among Austria, Prussia, and Russia.

In the interwar period (1918–39), an independent Poland was reestablished and a democratically elected parliament was seated for the first time. While many Poles regard that parliament as an important milestone in the country's development, it was short lived. The new parliament's role declined after a 1926 coup and was further eroded by the 1935 Constitution. For four decades after communists assumed power following World War II, parliament's role was largely to rubber-stamp decisions reached by the party apparatus.

In 1989, the parliament was at the center of the events that led to Poland's becoming the first Soviet client state to dissolve its communist-dominated political and economic system. In the "Round Table" talks between the communist government and Solidarity that concluded in April that year, leaders of the two sides agreed that free elections for a portion of the

¹An antigovernment trade union mass movement, Solidarity agitated relentlessly from 1980–89 for reforms and concessions that threatened and ultimately brought down the communist government.

Sejm and a reconstituted Senat would be held in June. The Round Table agreement guaranteed that 299 (65 percent) of the Sejm's 460 seats would be retained by the Communist party and its supporters. The election was a staggering defeat for the government. Solidarity made a clean sweep, picking up every one of the 161 seats it was allowed to contest in the Sejm and 99 of 100 Senat seats.

That overwhelming rejection of the government marked the beginning of the end of communist rule in Poland. Indeed, while still dominated by Communist party deputies and their supporters, on December 29, 1989, parliament sanctioned constitutional amendments that abolished the party's leading role, renamed the state the Republic of Poland, and provided for restoration of a market economy. Abruptly, Poland had ceased to be a socialist state, and a new era of Polish democracy had begun. The parliament could act as Solidarity had demanded in its hallmark slogan, echoing a 16th-century political motto, "Nothing concerning us can be settled without us!"

CDIE Study

In March 1996 a CDIE evaluation team spent two weeks in Poland examining the impact of donor efforts to strengthen the Polish parliament. Last in a series of CDIE legislative case studies, including ones in Bolivia, El Salvador, Nepal, and the Philippines, the Poland assessment helped round out the mix of legislatures examined by adding the case of a former communist nation with a parliamentary form of government.

The assessment is an outgrowth of USAID's increased emphasis on democracy and governance programming in recent years, and the desire to examine the results of such efforts systematically for the first time. Findings from the country studies are to be combined in a synthesis report that lays out an analytical framework for future USAID legislative assistance programming.

Team members included a CDIE program analyst with extensive Capitol Hill experience; a consultant with years of experience working on democracy and governance issues in Asia, Eastern Europe, and Latin America; a development management specialist in charge of legislative strengthening in USAID's Center for Democracy and Governance; and the senior adviser to the head of USAID's Global Bureau. Three of four team members participated in one or more of the prior legislative strengthening assessments.

The assessment explored several questions:

- n What are the essential features of the legislature and the broader legislative arena (political parties, the electoral process, civil society organizations and the media) that influences it?
- n How has the legislature been performing, and how has it affected democratic reform and consolidation?
- n What have USAID and other donors contributed to strengthen the legislature, and how have these efforts influenced democratization?

The team interviewed lawyers, academics, opinion researchers, media representatives, members and staff of both houses of parliament, representatives of public and private sector interest groups, and staff of the USAID Representative's Office and the American Embassy. In addition, the team observed operations of parliament including a committee hearing and a plenary session of one of the houses. It reviewed documents and observed operations of parliament's key legislative support offices, and examined background materials on the Polish legislature, legislative process, and politics and government in general. In the United States, the team met with staff of the Congressional Research Service, the U.S. agency that implemented the legislative strengthening program for Poland.

PROFILE OF THE POLISH PARLIAMENT

	SEJM	SENAT
Membership		
Number of Members	460	100
by Department	(391)	(100)
nation at large	(69)	
gender	403-M / 57-F	87-M / 13-F
Length of term	4 years	4 years
How elected	proportional / from party lists	representation / largest number of votes received
Political parties		
Democratic Left Alliance (SLD)	171	37
Polish Peasant Party (PSL)	132	3
Solidarity	–	11
Democratic Union (UD)*	74	4
Union of Labor (UP)	41	2
Confederation for an Independent Poland (KPN)	22	–
Non-Party Reform Bloc (BBWR)	16	2
Minority Organizations	4	–
Committees		
Type		
standing	24	13
special	16	
Membership	low 19; high 45 (avg. 31)	low 8; high 23 (avg. 14)
Staff	100 for all committees	30 for all committees
Chancellery		
Staff	700+**	250

*Since April 1994, the Union of Freedom (UW)

**Exact number unavailable

THE PARLIAMENT

Functions and Organization

Poland has a hybrid presidential–parliamentary system based on separation of powers.² Its bicameral legislature consists of the Senat, with 100 members, and the Sejm, with 460 deputies. In the Sejm, 391 deputies are chosen from multimember regional party lists and 69 from national party lists. Senators are elected on the basis of party lists, with two members representing each of 47 *voivodships* (administrative units of the central government) and three each representing Warsaw and Katowice, the most populous voivodships. Members of both chambers are elected to four-year terms that run concurrently.³ Under the Constitution, deputies and senators represent the whole nation and are “not bound by any instruction of the electorate.”

The main functions of the Sejm are to shape the direction of state policies, enact laws, make appointments, and supervise the executive branch. The Senat’s role is the same as that envisioned for the U.S. Senate in 1787—the saucer used to cool the tea before drinking. Bills passed by the Sejm are sent to the Senat, which has 30 days to approve, disapprove, or suggest amendments.⁴ Sitting jointly, the Sejm and Senat are the National Assembly, which is empowered to adopt the constitution and swear in and impeach the president.

Each house is presided over by a marshal and deputy marshals elected by secret ballot in plenary sessions of the respective body. The mar-

shal and deputy marshals form the Presidium, which directs the work of the chamber, including determining the agenda, issuing calls for plenary sessions, coordinating committee activity, and carrying out other housekeeping tasks. A Council of Seniors in each house, composed of the Presidium and party heads, coordinates the agenda and other procedural matters to facilitate the input and cooperation of party leaders.

Parliament meets year-round, with a one-month summer recess. Plenary sessions are usually held on three days every second week. Sessions of the Sejm and Senat are open to the public and are broadcast on closed-circuit television in the parliamentary building complex. Public television regularly broadcasts sessions of the Sejm, but only infrequently those of the Senat. Official and unofficial verbatim records of plenary sessions are readily available to journalists and the public.

Most of parliament’s substantive work is performed in standing committees, supported by subcommittees that are established as needed to handle specific tasks.⁵ At the start of the current term (October 1993), there were 24 standing committees in the Sejm and 13 in the Senat. Both houses have standing committees covering agriculture, culture and media, education, environmental protection, foreign affairs, health, legislation, local government, national defense, Poles abroad, rules, and social policy. Committee assignments are determined by the plenum, pursuant to a motion by the Presidium that has been coordinated with the Council of Seniors. The number of committee staff is limited—about 100 in the Sejm and 30 in the Senat.

² Relationships between the presidency, the government (that is, the prime minister and Council of Ministers), and the legislature rest primarily on the Constitutional Act of October 17, 1992 (“Little Constitution”), which made major modifications to, but did not entirely replace, the 1952 Constitution instituted under the communist regime. A new constitution has been under development for several years and may be completed later in 1996.

³ The term of office can be shortened if parliament is dissolved, as occurred in October 1991 and May 1993.

⁴ The Sejm may reject the Senat’s action by a vote of an absolute majority (50 percent plus one of those voting) of its members.

⁵ In the Sejm, for example, 320 subcommittees have been established during the current term, 170 of which were still operating as of March 1996.

SYSTEM OF GOVERNMENT

The Republic of Poland is a democratic state with a constitution that guarantees fundamental citizens' and human rights, including freedom of speech and the press, freedom of religion, plurality in politics, protection of property, and freedom of economic activity.

The government is based on separation of power among three branches: the legislative (the Sejm and Senat), the executive (president and Council of Ministers), and judiciary (independent courts).

A balance of power marks relations between the president, the government, and the legislature. The president and the Sejm appoint the government, which must receive the Sejm's confidence. The president can dissolve the Sejm in two situations: when it votes no confidence in the government without choosing a new prime minister, and when it fails to pass the budget in 90 days. The Sejm and Senat may impeach the president

Independent common courts and judicial control of administration guarantee the rule of law. The Constitutional Tribunal adjudicates the constitutionality of laws. The commissioner for citizens' rights protection guards the rights and liberties of citizens.

Committees and subcommittees meet often. In the Sejm, for example, from October 1993 to June 1995 there were 2,457 standing committee meetings and 1,227 subcommittee meetings. Committee and subcommittee meetings of the Sejm and Senat are closed to the general pub-

lic, but with the consent of the chair they are usually open to the media, invited experts, and interest group representatives. However, committees responsible for areas such as foreign affairs, national security, and public safety regularly meet in closed sessions. Committee meetings are recorded, but subcommittee meetings are not. Sejm committees have minutes of their meetings, which are published in committee bulletins. In the Senat, only a summary of committee proceedings is available to the public.

Each chamber has a chancellery that provides administrative support for parliamentary operations and technical assistance for members. The Senat chancellery's functions are organized in offices of administration, information, legislation, member services, and research and analysis. In the Sejm, identical functions are carried out by bureaus for administration, interparliamentary relations, organizational and legal matters, personnel, and research. The Sejm chancellery also includes parliament's library, which, as of June 1995, had holdings of more than 400,000 books, periodicals, and official parliamentary documents and publications.

Political Context

Parliament's actions and operations reflect Poland's party politics, electoral system, and the special character of its hybrid political system. For example, since the advent of democracy in 1989, there have been significant changes in the party composition of the parliament. After the semifree 1989 election, essentially two groups were represented, Solidarity and the former communist regime. However, after the 1991 election, 28 parties were represented in the Sejm and 11 in the Senat. Many of the parties were fragments of Solidarity that had broken away over differing views on economic reform, government organization, the role of labor, and the nature of church-state relations. The result was constant political turmoil, made worse by then-president Walesa,

who was frequently frustrated over his inability to influence the deeply divided parliament.

In response to this situation, parliament adopted a new electoral law setting a threshold for proportional representation of political parties (5 percent of the votes cast nationwide) and coalitions (8 percent of the votes cast nationwide). The new electoral law had the desired effect in the next election (September 1993). The number of parties dropped from 28 to 6 in the Sejm and from 11 to 5 in the Senat. However, it also had the unanticipated effect of excluding about 30 percent of those voting from being represented because the parties they supported failed to satisfy the new threshold requirements. The 1993 election also saw the seating of a dominant working majority in both chambers of members of the Democratic Left Alliance (SLD) and the Polish Peasants party (PSL), the two parties with strong ties to the former communist regime.⁶

Some are concerned that the dominant position of the SLD–PSL coalition may preclude development of an effective opposition. The 30 percent of the electorate not represented reflect the failure of Catholic Church, conservative, nationalist, and other groups to build party structures or coalitions with enough support to meet the threshold requirements. Indeed, few opposition party leaders appear to understand how to build effective party organizations—for example, by using the media and other tools of public opinion to better inform their constituencies and enhance their appeal to voters. By contrast, the SLD and PSL have extensive, long-lived grass-roots organizations and a degree of sophistication in party operations that helped them win their 1993 victory.⁷

The president, prime minister, and Council of Ministers play critical roles in parliamentary operations. Executive authority rests jointly with the president and the Council of Ministers. The president nominates, and the Sejm confirms, the Council of Ministers. As of April 1996, 12 of 21 members of the Council of Ministers were Sejm deputies.

The council is presided over by the prime minister, who is chosen by mutual agreement between the president and Sejm. The Sejm can remove the Council of Ministers and prime minister by a no-confidence vote. If the Sejm is unable to choose a replacement Council of Ministers within three weeks of a no-confidence vote, the president can dissolve parliament and call for new elections or appoint an interim prime minister and council.

Relations between the parliament, the president, and the government are based on “rationalized parliamentarianism.” Under this concept, if there is a stable majority (more than half the 460 deputies) in the Sejm, the Sejm has the primary role in the legislative process and in relations with the government. Absent a stable majority, the role of the president increases, allowing him or her to have greater influence over the legislative process and the government.

This rationalized approach affects the way a government is formed. The president appoints the government, but must obtain a vote of confidence from the Sejm. After the vote of confidence, the Sejm may appoint “its” prime minister and, on the prime minister’s motion, the other members of the government. The president must accept these actions if a majority of

⁶ Although a major element of many parliamentary systems, party discipline—the means by which party members are required to vote the party line—does not appear to be a matter of great concern at this time in the Polish parliament. A majority deputy in the Sejm, for example, said during the current term his party has resorted to discipline only 10 times, and even in those cases little was done to enforce it.

⁷ They also showed a willingness and ability to adapt modern campaign and constituent relations techniques to Polish circumstances. A PSL leader, for example, told the CDIE team he learned important lessons—telephone canvassing, door-to-door techniques to get out the vote—from observing firsthand events of the 1992 U.S. presidential campaign.

the Sejm is in favor. Absent a majority, the president has the initiative to appoint the government.

The Role of Civil Society and the Media

Since 1989, Poland's media have played a major role in ensuring transparency and accountability in the legislative process. A number of correspondents regularly cover the workings of the Sejm and Senat. At one time or another in recent years some 700 journalists have covered parliament.

The media have virtually unimpeded access to parliamentary proceedings. Plenary session records, proposed bills, and general information on Sejm and Senat activities are readily available. There is a press room in the parliament and areas are set aside for the press in the respective chambers. Equally important, journalists have easy access to individual MPs.

The media have had an impact on legislation. They have brought to light errors and potential problems in proposed legislation and informed the public about important legislative issues. The Senat, for example, modified a bill on state secrets after newspaper reports described potential problems with the legislation that could reduce government accountability.

The media have also covered issues of importance to civic advocacy organizations, which are increasingly using information and educational techniques to influence parliament. For instance, the president of the Polish Association for Persons with Mental Handicap was the moving force behind a media campaign on proposed legislation that reputedly would have

diminished educational opportunities for children with disabilities. Newspapers and TV played a major role in persuading parliament to delete the problematic language.

Civic advocacy organizations are also active in promoting a more open, accountable legislature. For instance, the Civic Education Association, a group of Polish parents working to reform the state-dominated education system, challenged Finance Ministry revenue and expenditure data in a proposed bill. On the basis of that information, the Senat rejected the bill and the Sejm accepted the revised version incorporating the association's figures.

In recent years, a growing number of organizations have expressed their interests and concerns to parliament through lobbying, public information, and appearances before committees and subcommittees. They include traditional groups, such as the Catholic Church, as well as ones established as a result of Poland's economic liberalization, such as business and professional associations. There are also public interest groups concerned with issues such as education, the environment, human rights, and local government.

These organizations lobby the parliament using a variety of approaches and techniques.⁸ Business groups, for example, focus on committees and members that work on their legislative concerns, since executive branch offices and personnel are far less accessible. Others, such as the public interest group Helsinki Watch, concentrate on the broader process by which legislation is developed in government ministries and parliament to ensure that its views are known at the earliest possible point. Using this approach, Helsinki Watch was able

⁸ Owing to the legacy of Poland's communist past, where lobbying was looked upon with disdain as a "capitalist tool," lobbying is still neither completely understood nor accepted as legitimate. With USAID assistance, parliament has just begun to consider developing ground rules of acceptable and ethical lobbying practices. However, until such rules are established, a sense of discomfort and reserve will remain, as the director of the Sejm's research bureau indicated by pointing out he does not generally allow information developed by his staff to be shared with lobbying groups.

to get 30 amendments inserted in the ministry draft of a proposed bill regarding treatment of foreigners and refugees before it was sent to parliament. The organization's lobbying efforts inside parliament were to target 20 additional amendments.

LEGISLATIVE STRENGTHENING

U.S. assistance for the Polish legislature was sparked by the momentous events of 1989 and 1990, when Eastern and Central European countries jettisoned their communist systems. Monitoring these developments and traveling to see firsthand what was happening there, many members of the U.S. House and Senate became convinced that Congress should take a leading role in supporting these fledgling democracies.

In October 1989, the U.S. Senate seized the initiative to demonstrate Congress's commitment to the new Polish parliament by adopting a resolution to provide a "Gift of Democracy." The resolution authorized a delegation to carry out a needs assessment, which was done in Warsaw in February 1990. The delegation reported:

Resources for conducting legislative business are so meager that an emergency condition exists. The Senat is a new organization with 100 freshman members. The Sejm, although an established institution, has 422 freshman members out of a total of 460. These conditions call for an immediate infusion of equipment, supplies, and training to ensure that the parliament can proceed with its critical and growing workload.

According to a senior Senate staffer and delegation member, the Senate wanted to send a powerful message from one democratic legislature to another and wanted to do it quickly. The Gift of Democracy consisted of an initial donation of surplus Senate computers, printers, and copiers, and an additional \$750,000 worth of similar new equipment procured by USAID on the Senate's behalf. The program cost \$2.25 million and was implemented by the Office of the Secretary of the Senate.

Next, in June 1990, on the basis of recommendations of the House Special Task Force on the Development of Parliamentary Institutions in Eastern Europe, a regional program was established to assist the legislatures of Czechoslovakia, Hungary, and Poland.⁹ Under this program, which became known as the Frost Task Force, after its chairman, Rep. Martin Frost (D-Texas), Poland received another \$1.7 million for equipment, training, and technical support. The assistance provided under this initiative was administered and implemented by the Congressional Research Service under the direction of the task force, according to an interagency agreement between USAID and CRS's parent, the Library of Congress. Under the agreement, USAID was responsible for program oversight and funding.¹⁰

According to CRS documents, the objective of these initiatives was to jump-start the new parliament by strengthening its infrastructure, with particular emphasis on research and information capabilities. The underlying premise was that "freedom and democracy are closely linked to information [and that] an informed independent legislature [is] ... a critical building block of a stable democracy. Good legislation, in turn, depends on information resources,

⁹ Later, Albania, Bulgaria, Estonia, Latvia, Lithuania, Romania, and Slovakia and the Czech Republic (after the breakup of Czechoslovakia) were added.

¹⁰ As of late 1995, \$20.5 million had been spent or allocated for Frost Task Force activities.

¹¹ Program participation was contingent on a country's ability to meet certain threshold criteria, including a commitment to democracy and human rights and movement toward a market economy.

information technology, and the analytic capacity to use those tools effectively.”

The Frost Task Force–CRS program began with a needs assessment that reviewed parliamentary support services as well as the status of each house as a legislative body.¹¹ CRS established and maintained contacts with leading MPs and senior staff to coordinate the program’s implementation, and most particularly, to ensure that the assistance was administered and distributed fairly. The program provided some equipment to round out the computer resources provided under the Gift of Democracy, but its main effort was directed toward training, technical assistance, and strengthening the library. The program included:

- n *Parliamentary institutes*: two-week programs for 47 professional staff (lawyers, committee staff, and librarians) in Washington, D.C., including orientations on Congress, CRS, and several agencies; seminars and workshops with experts; and mentoring by CRS and congressional staff.
- n *Parliamentary conferences*: three-day regional conferences for MPs and senior staff of the parliament and their Eastern and Central European counterparts. In Poland one conference covered rules of procedure, the other automation issues.
- n *Orientation and training*: five parliamentary librarians, an executive specialist, and the directors of research, information, and computer services for the parliament visited Washington for orientations on CRS and the Congress and to meet with their counterparts on Capitol Hill and in state legislatures.
- n *Expert consultations*: congressional staff and CRS analysts, administrators, and

librarians visited the Polish parliament numerous times to conduct seminars and consult with MPs and staff on legislative procedures, bill drafting, reference issues, and other areas of parliamentary activity.

- n *Library support*: strengthening the collection, including development of a core materials bibliography, donation of 1,238 books and serial publications, provision of 113 books from the Library of Congress’s exchange and gift collection, and provision of a short-term adviser to help the research branches of both houses evaluate their collections.

ACCOMPLISHMENTS

The Gift of Democracy and the Frost Task Force–CRS programs provided “valuable input into the process of reshaping parliamentary services and most significantly staff awareness,” according to a Sejm chancellery document.

This was elaborated by the parliamentary library’s director:

Since 1992 the library has changed considerably. . . . It goes without saying that those dramatic changes would not [have been] possible without all kinds of assistance received from the Frost programme. The visits to the CRS and other places influenced . . . [most] of all our “professional imagination” and helped us to turn into a modern library management team able to cope with new challenges.

More specifically, MPs and staff most often cited the computers as the most visible and useful components of the Gift of Democracy and Frost Task Force in interviews with the CDIE team. Although some indicated that par-

liament probably would have invested in computers eventually, the provision of so many so early in the transition to democracy was critical.

The computers sent a signal to deputies, the press, and the public that the winds of change were sweeping through parliament. The computers also enabled the Sejm and Senat chancelleries to establish their credibility more quickly. Whatever their past professional role or political affiliation, the staff were acquiring new skills and abilities, enabling them to provide high-quality, objective, and timely support services.

Parliament has maximized this initial investment in automation: the computers have been fully used and maintained. Perhaps most important, parliament has upgraded and replaced much of the equipment at its own expense. Some original Gift of Democracy computers are still in use in parliament or have gotten a third lease on life through donation to schools and hospitals.

Program initiatives have helped parliament become more efficient and effective. Research staff are generating more products, the library has been improved, and MPs and staff are using these services more. In the Senat, for instance, requests for reports and other research products jumped from zero to 1,117 over the past five years.

Sejm research staff have developed information packets (sets of publications on important issues) patterned after the yellow CRS InfoPacks used in the U.S. Congress. Often used by MPs and staff, the Polish blue versions are prominently displayed in the Sejm Research Bureau's information center, visible reminders of the Washington-based training and its hands-on experiences.

As a result, the legislative process is more informed. New legislation is now being developed using research service databases with information on Polish law, regulations, and customary practice. This has helped prevent mistakes and duplication in drafting legislation, a common problem in the early 1990s.

Members also are now able to access bills on a timely basis at all stages of the legislative process, enhancing their participation in parliamentary debates. Interviewees told the CDIE team, for instance, that the time needed to edit, print, and distribute a draft bill or revision had dropped from a week or more to overnight. These and similar changes have helped parliament handle the volume of urgently needed legislation with which it is faced.

In addition, parliamentary spokesmen indicated the assistance provided helped shift "the weight of Polish legislative activity...from the government ministries increasingly to the parliament." Indeed, the majority of bills in parliament is now initiated by MPs rather than the ministries, although the most significant legislation still originates with the government. Parliament, in short, is becoming a more independent, assertive body vis-a-vis the executive.

Program efforts have made parliament more transparent and accountable. Its new information capabilities, for example, have been a boon for civic advocacy organizations and others concerned with parliament's activities. Advocacy groups, such as the Business Centre Club, told the CDIE team that they have used materials distributed by parliamentary support service units in their lobbying activities. Computerization of some functions has also enhanced transparency.¹² For instance, transcripts of parliamentary proceedings, which used to take six months to produce, are now completed overnight, greatly enhancing media and interest

¹² A recent \$10,000 USAID/Poland investment has increased public access to library information resources.

groups' ability to track legislative developments.

In some cases the effects of the program have exceeded its original intent. For example, legislative staff have maintained working relationships developed during regional training with colleagues in Eastern and Central European countries. These relationships have fostered regional cooperation among the new democratic parliaments and their library, research, and administrative staff.

Finally, the Gift of Democracy and Frost Task Force have demonstrated the U.S. commitment to Poland's newly democratic parliament. Staff and members of the Sejm and Senat repeatedly emphasized the importance of the fact that the assistance they were getting was from the U.S. Congress. Some explained that beyond the professional benefits they realized from their training, most important was to have had the opportunity to be in "the heartland of democracy" and take that experience back to Poland to share with colleagues, friends, and families.

LIMITATIONS AND CONCERNS

Aside from minor procurement problems, delivery delays, and training design flaws, program limitations and concerns primarily involve issues beyond the stated objectives of strengthening parliament's infrastructure and information systems. For example, in interviews with the CDIE team, majority and opposition MPs pointed out that parliament does not yet have the information resources or analytical ability to review adequately executive branch budget submissions. Some information can be obtained from the Ministry of Finance, they said, but it is not routinely available on a timely basis—a problem, given that parliament must complete action on the budget in 90 days.

CRS documents openly acknowledge that program activities did not "contribute to a rise in the parliament's stature" or address other admittedly important areas, such as "the critical challenge of nurturing a culture of democracy." Nor did they address constituent relations and the related need to help the public understand how a democratic legislature operates and what should reasonably be expected from it. Several informants emphasized this issue, pointing to the negative reaction to televised proceedings of the Sejm in the early 1990s as indicative of the public's lack of understanding.

Some senior parliamentary staff expressed concern about sustainability of project achievements because of high staff turnover. The concern centers primarily on the Sejm chancellery, which has lost about 60 percent of its staff since 1991. The heart of the problem lies in the concept of having a nonpartisan support staff that does not have the protection of civil service status. The resulting vulnerability to public pressure and uncertainty make them likely targets for recruitment by a growing private sector that can offer more job stability and higher wages.

Finally, the interagency agreement under which the Frost Task Force-CRS program was implemented provided for minimal USAID involvement. Some observers raised concerns about the effects of this limited role. They suggested that USAID's limited involvement may have reduced opportunities to link program activities with other USAID assistance efforts, with a loss of potential benefits to both. For example, there are obvious connections between the program and work the USAID Representative Office has been doing to strengthen democratic local governance, by helping local governments learn how to deal with parliament. There are also potential links to other USAID program areas, such as privatization and strengthening political party structures.

OTHER DONOR SUPPORT

Since 1989, the Polish parliament has received assistance from other donors, the bulk of which has come from Western European parliaments, the European Parliamentary Union, and the European Union. Much of this assistance has been in the form of observation and training visits by MPs and staff to the legislatures of Austria, Belgium, Finland, Germany, Spain, the United Kingdom, and the Parliament of Europe in Strasbourg, France. There have also been multinational regional conferences centered on topics of mutual concern for Western and Eastern European parliaments.

The United Kingdom and Germany have had the most extensive programs with the Polish parliament. German programs have sponsored exchange visits among parliamentarians and provided training for parliamentary staff on committee operations and support services. The British have provided similar training, but most of their exchanges centered on sharing experiences. British efforts have included regional conferences on parliamentary services, rules of procedures, and parliamentary practice.

The European Parliament has assisted the Sejm and Senat through interparliamentary delegations and training. It also participated in regional conferences supported by the Frost Task Force, including the Sejm Conference on Parliamentary Services (1992), the Conference on Rules of Procedure and Parliamentary Practice (1994), and the Conference on Information Technology in Parliaments (1994).

SUMMING UP

In the aftermath of the historic events that saw the demise of communism in Poland, the country's newly democratic parliament was faced with the immense task of drafting a new constitution, reorganizing itself as an indepen-

dent and effective legislative body, and quickly rewriting virtually all of Poland's fundamental laws. The U.S. Congress sought to aid parliament by strengthening its ability to manage information and provide research and analysis support. The Gift of Democracy and Frost Task Force programs successfully accomplished these ends, delivering equipment, technical assistance, and training responsive to parliament's expressed needs.

As a result of the assistance, parliament has become more efficient and effective in performing its legislative functions. The computers and modern office equipment have made more and better information available for MPs to use as they draft, revise, and debate legislation. Members no longer have to wait weeks for bill revisions to be compiled and distributed, accelerating the overall process and easing handling of the large volume of legislation under development.

Parliament has also become more transparent and accountable. Speedier publication and wider distribution of key legislative documents and records made possible by project assistance has made coverage of parliament easier for the media. In addition, parliamentary databases can be accessed by civic advocacy organizations, businesses, and others interested in the legislative process.

However, the scope of the assistance raises questions about the programs' overall efficacy:

- n How can legislative strengthening programs meet the diverse needs of a fledgling democratic legislature?
- n Is assistance such as that provided through the Gift of Democracy and Frost Task Force sufficient?
- n Is there a need to provide a broader mix of assistance, in areas such as constitu-

ent relations, the links between the legislature and civil society, the role of political parties, and how a democratic legislature works and what can be expected from it?

From the standpoint of this case study, the answer to these questions is that the assistance provided by the Gift of Democracy and the Frost Task Force is not enough by itself, and that a broader mix of activities is needed to meet a newly democratic legislature's diverse needs.

LESSONS LEARNED

The legislative strengthening projects in Poland suggest a number of lessons learned and thoughts for further consideration:

1. **Assistance should go beyond infrastructure and information needs.** In terms of facilitating development of an independent, nonpartisan research, analysis, and information management capability, the Gift of Democracy and Frost Task Force were highly successful. However, the experience in Poland suggests that as a stand-alone legislative strengthening activity this approach is not sufficient in terms of meeting a newly democratic legislature's diverse needs.
2. **Gain the support of legislative leaders.** The extent to which leaders understood and were vested in the programs was a key determinant of success. In Poland, Gift of Democracy and Frost Task Force officials worked to establish and maintain an ongoing relationship with parliamentary leaders and senior staff.
3. **Allocate and distribute assistance fairly.** Conditioning assistance on the fair distribution of benefits among political factions is important. The more such distribution is based on agreed-to formulas, the more likely it is that fairness will prevail when control of parliament changes hands. Gift of Democracy and Frost Task Force personnel observed this principle, enabling Sejm and Senat staff to weather a sea change in the composition of parliament.
4. **Include training in the United States.** Parliamentary staff who had such opportunities said they were tremendously beneficial. They explained that it helped them move beyond abstract notions of democratic governance by experiencing "the real thing" firsthand. Washington-based training also brought together staff from many countries who developed relationships that have served as the basis for individual follow-on contacts and regional cooperation.
5. **Include regional training.** MPs and parliamentary staff emphasized the benefits of regional training. Regional seminars and conferences supported by the Frost Task Force–CRS program enabled the Poles to share with and learn from others experiencing similar problems. Such activities also helped them become more informed about the standards their laws would have to meet to be consistent with those of the Western European countries with which they are establishing new and more broadly based economic, political, and social relationships.
6. **Support development of budget review capability.** MPs said the capability to review and analyze the government budget is the most significant unmet need they have regarding the research capacity available to them. This is an area that should be addressed early on in any legislative strengthening project.

7. **Make staff retention a priority.** Legislative strengthening should include efforts to increase the likelihood that staff in general, and those that have benefited directly from project training in particular, will remain with the legislature. The Sejm's research bureau has lost more than half its staff since 1991, owing to the lack of civil service status for parliamentary personnel and the availability of higher paying private sector jobs.
8. **Ensure broader involvement by the Mission.** The Gift of Democracy and Frost Task Force programs could have accomplished more had USAID been

more involved in their implementation. USAID was unable to capitalize on the investment of resources and program success in Poland, in contrast to El Salvador for example, where legislative strengthening efforts were coordinated with other areas of Mission programming. In addition, had USAID/Poland been more involved, relatively low-cost training and technical assistance to MPs and staff on issues of joint concern—such as local government, lobbying, and privatization—could have helped achieve other short- and long-term USAID program objectives.

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