CHAPTER 3
LEGISLATION: PARLIAMENTARY NETWORKS AND “EPISODIC” POLICY MAKING

Introduction
The most influential early literature on policy communities in Britain was built on a critique of the study of formal institutions and as the study of policy networks became paradigmatic, subsequent studies followed this line in neglecting their study. It may therefore be tempting to follow most (although not all) of the networks literature and reject the empirical importance of Parliament. However, this ignores the fact that Parliament can act in a pre-legislative mode and not just as legitimator of government policy. Analysis of Parliament is also required to gauge the degree of displacement of consultation and group activity from formulation networks.

This chapter provides a brief discussion of existing considerations of Parliament within the networks literature, as well as a critique of this position which draws on the work of Judge. It argues that some middle ground can be found, with MPs considered as an important part of a wider policy network, as well as the dominant figures within parliamentary networks. The latter point is used to compare network actors in chapter 5, arguing that parliamentary networks form an important part of the network policy cycle.

Policy Networks and Parliament
The “group interaction” approach partly originated as a critique of formal institutions, characterising the British system of government as “post-parliamentary”. Jordan and Richardson (1987a: 57) saw Parliament merely as a place to register votes, giving effect to decisions taken elsewhere. The argument goes as follows. First, power is concentrated in Whitehall, because there is a fusion of Executive and Legislative branches, with very strong party discipline on major issues. Dissent in Parliament is either symbolic, directed at minor policy areas, and/or rarely successful (Jordan and Richardson, 1987a: 68-9). The parliamentary majority of government allows it to “push through its legislation” (Richardson and Jordan, 1979: 42; Richardson, 1993: 89). However, this will not lead to great policy change with successive party governments anyway, since constant constraints to governments within policy communities force them into similar policy positions (Richardson and Jordan, 1979).

Second, many policy objectives are administrative - they can be achieved, “without direct recourse to Parliament” (Richardson and Jordan, 1987a: 59). Others can be pursued by using “delegated” or “subordinate” legislation, mostly in the form of statutory instruments which are subject to much less, if any, scrutiny; and, minor policy changes can be achieved by means such as departmental circulars to implementing agencies, and interest group “earstroking”. As Rose (1990) argues, day-to-day departmental activity is
concerned with the reinterpretation of legislative programmes which already exist, rather than the formulation of new legislation.

Third, whilst Parliament is active in areas of high political salience, it is unable to influence the “real”, or central, political issues. Executive involvement is a symbolic gesture, “to satisfy the government’s parliamentary majority who are effectively ignored in more central matters” of that policy (Richardson and Jordan, 1979: 41).

Fourth, group-government consultation processes supplement or replace parliament’s scrutiny role on legislation. The expansion of governmental activity into more political areas means that Parliament is less able to scrutinise its activity. The details of policy are, “too specialised to require parliamentary attention” (1979: 48), in terms of both interest and ability.

Finally, most amendments at the committee and report stages are ministerial, with, “a negligible amount of opposition amendments accepted” (1979: 123). Indeed, a significant amount of amendments would place the whole bill in jeopardy, because the precise nature and wording of that bill is the result of extensive bargaining and negotiation at the formulation stage. (Jordan and Richardson, 1987b: 251).

So, whilst Parliament may legitimate government policy, it does not legislate. The government formulates policy in consultation with affected interests, the executive dominated parliamentary majority pushes the legislation through, there is little effective scrutiny, and few amendments are made at committee and report stages. Further, Midwinter et al. (1991: 70) argue that Scottish politics commands particularly weak parliamentary control for three main reasons. First, party discipline is more likely, because the issue is marginal to English MPs who therefore have little to gain in rejecting government policy. Second, given the relatively small number of Scottish MPs, a Scottish backbench “revolt” is rarely effective. Third, the Scottish executive is less subject to scrutiny, given the wide range of Scottish Office activities and small number of Scottish MPs. The policy networks approach is thus particularly appropriate in the study of public policy in Scotland, and one basis for the importance of a Scottish Parliament (!).

The influence of these arguments explains the widespread ignorance of parliamentary influence in networks, but can they explain developments such as increased “dissent” in the House and an increase in the levels of parliamentary lobbying?

**Parliamentary Lobbying**
A survey conducted by Rush et al for the Study of Parliament Group into, “the means by which organisations outside government seek to influence policy through Parliament”, (HC 518-iii: 27), highlights their contacts with Parliament:

74.7% ... said they had regular or frequent contact with MPs; ... 49% said they had presented oral evidence and 65.6% written evidence to a select committee; 40.9% said they had had contact with party subject committees and 47.6% with all party groups.

In addition, 83.4% of respondents expressed concern about a specific piece of legislation through Parliament, of which 65.6% circulated a large number of MPs, and 31.3% asked an MP to arrange a meeting with the responsible minister (HC 518-iii). This reflects a belief within these organisations that policy can be influenced through Parliament (HC 518-iii: 28). It also contradicts Jordan and Richardson’s (1987b: 251) argument that a testament to the minimal influence of Parliament is the lack of effort expended in that arena. However, they still downplay the significance of this evidence.

Jordan and Richardson (1987b: 251-2) argue that such activity consists mostly of mass letter writing and lobbies, where, “the link between ‘noise’ and influence is weak”. The use of Parliament by groups is an “emergency technique”, used either when all else has failed, when a group is slow in the uptake, or if some or all of a group’s objectives have not been met in prior consultation (1987b: 270-2). They follow Ian Greer, arguing that by the time a bill reaches the parliamentary arena it is a “draft Act”, and “anyone seriously interested should already have made it known”. Second, they argue that group activity can be successful at the margins, or in small details of policy, provided they are not central to, or do not threaten, a previously bargained stance. Third, they point to the exchange relationship which ties MPs and groups, even if the MP is not in a good position to affect policy. MPs are dependent on outsiders for detailed information on most policy areas and invite groups to brief them on policy developments at the pre-legislative stage, to, “underscore the main issues and brief them with the central arguments” at the reading and committee stages of bills (1987b: 257). In turn, groups seek access to Parliament for one or more of the following reasons: (a) as an, “indirect method of influencing the real decision makers”; (b) to “win TV time” or put matters on the political agenda; (c) to establish a reputation as an expert source of information; or, (d) to gain access to the “glamorous” world of high politics (1987b: 253; 258; 268-9).

So, parliamentary lobbying is unimportant because Parliament is unimportant, a view widely supported by current and former MPs (see Marquand and Wright, 1996; Mitchell, 1991; and Public Policy Consultants, 1987). As Jordan (1991: 180-1) argues, the time to apply pressure is in the drafting or pre-drafting stage, not when a bill reaches Parliament. Indeed, the indirect method of influencing
government may even be unwelcome, if it encourages an “adversarial mood”. Rather, confidential negotiation within the department is more effective, and by the time a bill reaches Parliament, the chance of any significant changes are remote (1991: 180).

However, this type of argument is insular and draws on false assumptions of the policy process. It assumes a rigid linearity in policy progression that at least requires demonstration. More recent literature on Parliament stresses its role in the drafting and pre-legislation stages of most major policies. Further, the role of Parliament should be viewed within broader considerations of the state and the policy process.

**The Role of Parliament in Policy Making**

No conception of policy making in Britain is complete without consideration of the activities of groups and state agencies within a, “broader framework of representative government” (Judge, 1990a: 29). As Judge (1993: 2) argues, the importance of Parliament is not found in the observance of its “powers” as such, but in examination of, “the very process of representation and the legitimation of governmental outputs flowing from that process”. The exercise of public power is dependent on the executive’s relationship with Parliament, or the granting of consent or legitimacy by a representative institution - the effectiveness of executive policies depends upon the, “delegation of authority from representative institutions” (Judge, 1990a: 29). In other words, the determination of policies by groups and state agencies alone suffers from a legitimation gap - a gap necessarily filled by Parliament, to the extent that without this legitimising role, the policy system would be unable to operate (at least in a liberal democracy). As Judge (1990a: 30) argues:

*Without this presumption of the ultimate authority of Parliament the outputs of ... [state agency and group interaction] ... would be far more difficult, if not impossible, to sustain as ‘authoritative’ and ‘binding’ policy.*

This is supported by Norton (1990: 178), who argues that Parliament can be characterised as a “powerful institution in terms of Luke’s third dimension of power”, best demonstrated, “by contemplating what legitimacy would attach to executive or group-formulated ‘legislation’ if Parliament did not exist”. If not from a representative parliament, where would the executive derive its authority to exercise public power? Accountability to a representative assembly is required to ensure “responsible government”, essential, “in a system with a dominant executive and without legal checks provided by a constitutional court” (Woodhouse, 1994: 3).

Developments in developing and formerly communist countries towards the creation of parliaments as representative institutions suggest that such a system
would not endure. This charge is difficult to level against Parliament, because: (a) it fulfils popular requirements in terms of the proper source from which public power should derive, as well as the ways in which this is exercised (Judge, 1993: 2); and (b) criticisms of the inadequacy of the (microcosmic) representative function of parliament generally point towards improvements, rather than the abolition of the system itself. Thus, the “parliamentary tradition” of the transmission of electoral opinion and consent to the executive via a representative institution, has persisted over time as the foundation of the British state (Judge, 1993: 5), by far outliving Corporatism and policy communities. And, as Judge (1993: 5) argues, following Haskins, “the most persistent phenomena ... are on the whole the most important”.

So, the exercise of power by policy networks cannot be considered outwith the context or confines of representative government and the consequent relationship between the executive and Parliament. The workings of a policy community cannot be considered as “closed” to parliamentary participation (Judge, 1990b: 55). Its deliberations and actions within the community arena largely reflect an anticipation of the likely reactions to that policy as it is processed and scrutinised within the parliamentary arena. Parliament is always in the back of the minds of ministers or civil servants acting on behalf of ministers, and the element of anticipation increases with the perceived effectiveness of Parliament (see discussion of “new” select committees). So, to ensure the legitimation of executive policies made within policy communities, the executive must follow a set of rules or conventions outwith the policy community arena. Such conventions not only shape the behaviour of network actors, but also the functions of the departments of state.

**Individual Ministerial Responsibility**

As Judge (1993) argues, Individual Ministerial Responsibility shapes the actions of decision makers, the operations of departments and Parliament itself. However, the concept requires disaggregation. As Woodhouse (1994: 28) outlines, there are five main types of IMR:

1. Redirectory responsibility (expanded since the Next Steps initiative);
2. Reporting/information responsibility;
3. Explanatory responsibility, suggesting a “more reasoned account” than (2);
4. Ammendatory responsibility; and
5. Sacrificial responsibility, (i.e. resignations, of which 10 occurred 1982-92).

The most significant types are (2) and (3). In such cases, following the conventions of IMR ensures that a minister submits to scrutiny and accounts for, “the work of his or her department in the sense of explaining and informing parliament of such activity” (Judge, 1993: 137). This has two effects. First, it, “constrains the ‘normal’ style of policy making”, by requiring actors within
networks to, “consider wider partisan/ parliamentary/ public concerns” (1990a: 32); and, second, it shapes the structure of government departments.

Judge (1993: 144-5) argues that so embedded is the convention of IMR, “within the psyche of ministers and civil servants alike that abstract principle comes to affect actual behaviour”. The Whitehall “culture” reinforces the doctrine that ministers exert executive control, whilst their civil servants remain “upward looking” towards ministers. In turn, this doctrine is based on the minister’s responsibility to Parliament for all aspects of the government department’s actions. Inherent in the deliberations of departmental officials is the anticipation of parliamentary reaction, and the actions of ministers and civil servants in negotiation with interest groups are partly explained by their understanding that any policies formulated will have to be processed or at least justified in Parliament. The anticipation of accountability is thus integral to the decision making process of networks, and network policies are formulated on the basis of representations from wider interests.

Parliament is therefore part of a, “wider policy community or network”, playing its part in setting the policy agenda, “focussing attention on specific and detailed policy concerns, and feeding information and opinion into the policy networks” (Rush, 1990a: 145). In particular, the select committee system provides a specialist scrutinising role for MPs which is not available in other parliamentary business.

The “new” (1979), reformed, select committees possess a rationale based on the rise of policy community activity. As Walkland (1989: v) argues, enthusiasm for reform was based on the recognition that the increase in policy making by government negotiating with producer groups, “diminished the role of Parliament as the importance of primary legislation was reduced and the role of discretionary action enhanced”. This was reinforced both by increasing party strength and the extension of the scale and extent of governmental activity (Baines, 1989: 14). Thus, as Baines (1989: 14) argues, the reforms were based on the need for MPs to, “become better informed”, and thus be, “better placed to do their job of holding the executive to account”, by scrutinising its activity outwith the confines of the adversary system of government. The new select committees were based on departmental arrangements, to provide “continuous and systematic” scrutiny, and replaced the existing, “patchwork of Select Committees which had evolved piecemeal during the 1960s and 1970s” (Nixon and Nixon, 1983: 334; 331).

However, the question remains as to how effective such scrutinies can be. No select committee could scrutinise every detail of its department’s policy (Drewry, 1989a: 349), whilst it is not the forum through which legislation passes (Rush, 1990a: 145). However, the power of the select committee resides in its ability to
hold ministers (and hence the department) directly to account on any matter of departmental policy. As Giddings (1989: 373-6) argues, having to give evidence, “concentrates the minds of witnesses”, and this in itself, “can result in a reappraisal of current attitudes or policies” (see also Hennessy, 1990). This can have a greater deterrent effect than other activities - if ministers or civil servants are aware that their behaviour can be called into question at any time - because the weaknesses of decisions are more likely to be exposed than if MPs relied on questions on the floor of the House (1989: 374). Indeed, the scale of this pursuit of accountability is recorded by Lock (1989: 327), who estimates that in the period of 1979-83, total committee activity called for 1779 official appearances, 117 cabinet and 113 other ministerial appearances, with approximately 100,000 questions asked, 5000 written submissions received and 12,039 “man-days” spent by civil servants per year on preparation. A similar picture emerges even after the introduction of Executive Agencies, with the Liaison Committee (HC 323 - 1) reporting in 1997 that no problems have emerged in summoning the accounting officers of departments, Executive Agencies or other public bodies by name, whilst in 1995 the agencies alone attracted 3691 written parliamentary questions and approximately 18,000 letters from MPs to ministers and Agency Chief Executives (Judge, Hogwood and McVicar, 1997: 109-114).

However, it may be easy to exaggerate the effects of select committees, and committees do vary in effectiveness (see Drewry, 1989b: 426). This is based on:

(a) the extent to which unified reports can be produced over and above adversarial concerns - this may also influence the choice of topic;
(b) the strength of party influence, through the Whip system, and the governmental majority in the composition of committees (although see Nixon and Nixon, 1983);
(c) the style of working, “calibre of membership” and motivation of that committee;
(c) the amount of time for evidence as well as for subsequent debate in the floor of the house - for example, the committees lose about six months at the start of each session and, from 1979-85, only 5 of 275 reports debated on the floor of the House (Madgewick and Woodhouse, 1995: 182);
(d) more general time and work constraints - whilst the Liaison Committee (1997) argues that the value of select committee reports is that they are Member-driven, being a committee member can be more work than a junior minister’s post, given constituency responsibilities and the lack of administrative support (Nixon and Nixon, 1983: 338);
(e) the willingness of ministers and civil servants to cooperate and disclose documents - e.g. civil servants often hid behind the “Osmotherly rules” (updated in 1997) of non-disclosure of advice given by civil servants. However, a there is
a recent (1997) trend towards the cessation of Permanent Secretaries marking papers “not for NAO eyes” (Liaison Committee, 1997);
(f) the timing of reports, the current government position on the issue under investigation and the centrality of this issue to government policy. That is, if a policy has been formulated and the government is committed to it, then committee influence will be considerably weaker than if the committee is innovatory in the scope of its investigation.

However, IMR also shapes the structure of government departments. As Judge (1993: 144-5) argues, departments are hierarchically structured in, “recognition of the constitutional preeminence of ministers”, and decision making is centralised, “in tall, narrow pyramidal hierarchies with all major decisions funnelled upwards to the minister through his (sic) permanent secretary”. The principle of IMR is so extensive that the Secretary of State is legally responsible for all decisions made within the department. The actions of civil servants are made in, “the minister’s name, not, as in the case of other countries, in their own name but on behalf of the state” (Madgewick and Woodhouse, 1995: 146).

The implications are most notable in the case of the Next Steps initiative. This involves devolving managerial responsibility to chief executives of newly formed government agencies. Yet, as Judge (1993: 146) argues, the major restraint upon this drive, “continues to be ministerial responsibility to Parliament” for all aspects of his or her department. The autonomy of each chief executive, and hence scope for decentralisation, is constrained by his or her accountability to the minister and hence to Parliament. As chapter 6 shows, this problem was manifest in the NHS a decade before Next Steps, when the DHSS failed to balance its drive towards decentralisation with the requirement of the Secretary of State to be responsible for all aspects of the NHS.

**Collective Ministerial Responsibility**

Collective Ministerial Responsibility (CMR) similarly shapes departmental action since the “ethos” of the central state is, “conditioned by the requirement for collective and coordinated action, stemming from the requirement of parliamentary accountability” (Judge, 1993: 142-3). Certainly, for the period under analysis, *Questions of Procedure for Ministers* stated that decisions should be made collectively and advises ministers: (a) that decisions reached in Cabinet or one of its committees is binding on all members of government; (b) that ministers should maintain a “united front” after such decisions have been reached; and (c) that ministers cannot speak publicly for themselves and that their statements are consistent with collective government policy (see Madgewick and Woodhouse, 1995: 122-3).

So, interdepartmental consultation is “institutionalised in Whitehall”1, and coordinated by civil service communication, the cabinet office and
interdepartmental committees, which exist to reinforce the requirement of a department to consult with all other affected departments on all major initiatives. This “network of interdepartmental relations” is coordinated by the Treasury and Cabinet Office, “which must clear any proposal requiring funding and Cabinet approval” (Madgewick and Woodhouse, 1995: 138).

In turn, collective decision making is predicated upon the formal requirement of the executive to answer collectively to Parliament. Policies are coordinated in Cabinet and Cabinet committees with some degree of anticipation of parliamentary scrutiny, and political expediency suggests that a show of unanimity is necessary to avoid, “unnecessary political embarrassment in the developing adversarial context of the House” (Judge, 1993: 141). Similarly, civil service negotiations with interest representatives are based on the knowledge that the results must be compatible with other departmental policies as well defendable, if necessary, by the minister in Parliament. Thus, although Parliament may not be, “actively involved in any policy discussions”, it impinges in these ways upon the actions of network officials (Judge, 1990a: 31-2).

Both individual and collective ministerial responsibility are thus central to the context and a wider understanding of the operations of government, and derive, in turn, “from the requirement of parliamentary accountability” (Judge, 1993: 143). The practical effects of such accountability are likely to vary with levels of parliamentary attention, but the channels of accountability are no less apparent in so-called “insulated” areas of policy. For example, with regard to Executive Agencies, Judge, Hogwood and McVicar (1997: 105) point out that even the smallest and least politically contentious agencies remain accountable:

*First, in that they are expected routinely to provide information and, second in that ultimately their every action can be subject to questioning and the need for explanation, should MPs be so disposed.*

Therefore, the “‘depoliticisation’ of operational matters ... is limited in practice by the overarching accountability of ministers to Parliament” (1997: 106). Further, at the other end of the scale, there is so much attention focussed on agencies such as the Prison Service that it affects the agency’s ability to operate, with a consequent management style resembling the senior civil service “surrogates of ministers” approach (1997: 104). It is worth re-examining the significance of parliamentary lobbying on this basis.

**The Lobbying of Parliament Reconsidered**

Few groups think of public policy as solely determined by networks. Rather, groups act in the knowledge that support should be developed and maintained within both Westminster and Whitehall. They operate a dual strategy of, “simultaneously working with departments and maintaining channels of
communication with Parliament” (Judge, 1990a: 35). Indeed, the Study of Parliament Group’s figures reflect: a general increase in lobbying in all areas; the increase in independent MP actions; the “development of more extensive means of parliamentary scrutiny”; and, the perception that “government is less responsive to outside representations than in the past” (HC 518-iii: 26).

Groups have become more organised and the extent of state activity has increased. Additionally, many groups or organisations acting in political arenas are concerned with the details of policy and, as Rush (1990b: 6) argues, “choosing a particular channel of influence in no way precludes the use of others”. Indeed, groups only interested in details may find it useful to seek parliamentary support if they fail to sustain that support within government. However, it would be incorrect to assume that groups take the parliamentary route solely because they are promotional and outsider, have “failed” in Whitehall, or are naïve in their operations. As Rush (1990a: 143-4) argues, if this were the case, why would insider groups be more active in virtually every form of parliamentary contact? Rather, insider and outsider groups “hedge their bets”. They may be:

Well aware that ... government departments are generally far more important than Parliament in policy-making, but that making use of a multiplicity of channels of influence makes both tactical and strategic sense. (Rush et al, HC 518-iii, 1988: 28).

Parliamentary activity is often pre-legislative in that it plays a part in setting the agenda, influencing government decisions in terms of anticipated reactions, and directly affecting government policy by exercising pressure and relaying information to government as part of the wider policy network. Further, policy formulation does not end with legislation. As Hurd (1997: 2) argues, because there is too much legislation drafted too quickly, its quality is poor. Thus, a raft of amendments follow to correct mistakes and change policy. Further, group links - often the source of information for changes - are maintained throughout. Indeed, Brown (1996: 3) suggests that some “catch-all” bills mark the beginning of policy formulation since they represent opportunities for amendments within the very broadly titled scope of the bill. It is therefore worthwhile for insiders, as well as outsiders, to maintain links with Parliament as well as government.

Second, as Norton (1990: 208) argues, whilst Parliament remains a “reactive” body within the legislative cycle, “behavioural changes within the House” in tandem with the increase in MP assistance by groups, “have made it a relatively more vigorous body in reacting to government bills”. Since 1970, MPs have exercised a relatively large degree of independence in parliamentary activities, resulting mostly in amendments to government bills and the occasional defeat. However, its importance lies in Parliament’s demonstration that it is not solely a
forum for automatic assent and legitimation. The “occasional willingness to say no to government” has the effect of forcing governments to take, “more heed of likely parliamentary reaction when formulating measures”, and hence makes it, “more attractive to groups” (Norton, 1990: 179). Certainly, the 1997 Labour government’s aim of negotiating with MPs to ensure their agreement is significant, and its breach in instances such as social security reforms demonstrated the scope of alternative action for groups.

Third, select committees are “obvious targets” for group activity if seen as a channel of influence, and, because they call for personal and written evidence, they provide, “clearly defined opportunities for pressure groups to put their point of view” (Rush, 1990c: 137).

Finally, the rise in group activity in Parliament can be explained by the perception that government is less responsive to outside interests. There are a great number of cases (see chapter 6), in which negotiations between groups and government have broken down, as the Thatcher government attempted to impose policy on networks (Judge, 1993; Marsh and Rhodes, 1992; Richardson, 1990). In turn, this has led to formulation network insiders to concentrate their political activities in wider political arenas - namely, the public/ media arena and the parliamentary arena. Thus, in part, parliamentary networks replace their formulation counterparts (see below).

Discussion of this effect in the areas of industry, pharmaceuticals, privatisation, water policy, agriculture, health and education allows Judge (1993: 131) to argue that any one sector’s policies may be processed, “variously in either policy communities, or issue networks, or even in Parliament itself”. Because policy communities change or even break down, the issue itself becomes politicised and hence Parliament has greater scope for influencing policy. Issues are then considered:

_Sometimes simultaneously, sometimes serially or sometimes sequentially - in these different arenas of interconnected ‘episodes’ of policy development_ (1993: 131).

However, the formulation of policy in other arenas should not be considered as a unique consequence of Thatcherism. As Rush (1990b: 7-8) argues, policies vary in their origin, formulation and implementation, and the policy process cannot be reduced to a simple unidirectional model. Further, most arguments on the insignificance of Parliament can be criticised on the grounds that they rely on this conception of a linear policy process. Parliament is considered insignificant because it stands at the end of the line. When it comes to considering legislation, the policy is already a “draft Act”, relatively insulated from amendment because it reflects a prenegotiated deal between groups and
government. Such an argument is undermined if it ignores the fact that Parliament can act at each stage of the policy process (see chapters 6 and 7).

Further, such arguments point to the usurping of parliamentary scrutiny functions by policy communities, suggesting that groups and government have robbed Parliament of its traditional function. As Judge (1993: 110) argues, this is to ignore the initial pluralist literature on group government relations, which stresses the requirement of a representative institution to legitimate legislation, as well as the “satisfactory balance” which has developed between the executive and the legislature. In particular, Stewart (1958) argued that the balance was maintained because consultation mainly took place before bills were presented to Parliament. This was necessary: first, so that consultation could be processed in an administrative system capable of formulating such a wide variety of demands, and therefore that Parliament would not be presented with “unworkable bills” (Stewart, 1958 in Judge, 1993: 111); and, second, because the legislature could not act merely as a “vehicle for organised group demands”, as this impinged on its wider representative role (Truman, 1951 in Judge, 1993: 108).

So, a system developed in which Parliament would, after consideration, legitimate the outcomes of detailed consultations between groups and government. There is no question, then, that the executive would be “insulated” to wider parliamentary concerns, because of the requirement for legitimation and because the functions and powers of the executive derive from Parliament’s devolution of responsibility. In any case, this is not to say that Parliament would never become involved in the details of policy at such early stages, and in the past 20 years or so it has.

**Parliament and the Network-Actor Approach**

Given this discussion, what is the role of Parliament in explanations of network activity? This may vary across countries, policy areas, and time. Therefore, for any study of policy networks to have implications beyond its own national scope, it must situate the actions of networks within a wider political arena (Atkinson and Coleman, 1992; Judge, 1993; Pross, 1994; Wright, 1988). Further, even within Britain, policy sectors and subsectors require disaggregation, based on the perceived ability of Parliament to “hold the executive to account” (based on its past practices and reputation in specialist areas), the requirement of primary legislation, and the strength of the government’s position (and majority).

It is likely that some sub-sectors may be so specialised and depolitised that they are subject to no scrutiny, whilst others are continually monitored. As Judge, Hogwood and McVicar (1997: 96) argue, “issues of relative visibility and accountability” arise not only in departments and Executive Agencies, but also, “in the full range of bodies used by government to deliver policy”. For example,
in terms of Executive Agencies, whilst the Prison Service attracted 613 written parliamentary questions in 1995, more than two-thirds of existing agencies attracted less than 25, with half of those attracting less than ten (1997: 99). Further, even in relatively visible areas such as health care, the ability to politicise areas is restricted by time, the government’s ability to set the political agenda, and the resources of Parliament and affected groups. Therefore, many subsectors within this policy area may operate in relative insulation from Parliamentary activity for long periods of time. In other words, successful parliamentary specialisation on one topic is offset by its consequent inattention to other areas. Therefore, as Judge (1990b) argues, “what needs to be examined is the activity of Parliament in specific policy areas”, in specific time periods, in the absence of a standard policy style.

Nevertheless, it is possible to draw some broad conclusions on the relationship between Parliament and policy networks. Parliamentary effects on formulation networks are incorporated in three interrelated ways. First, the anticipation element is manifest if the relevant MPs are considered a part of the wider policy network, providing information and advice to the executive on parliamentary and implementational matters. Second, most ministerial activity and some interest group activity in Parliament can be considered as a reflection of network action to attempt to explain and defend network policies. Examples of this network action are statements of policy by ministerial heads, as well as activity in which, as Judge (1990a: 35) argues (quoting Pross), groups act in agreement with state agencies to explain, defend and promote network policies. Third, it is possible to discern a parliamentary network-actor within the wider parliamentary arena; an actor whose importance is most notably highlighted - as in chapter 4 - by the displacement rather than rejection of consultation or network procedures.

Parliament and Wider Policy Networks
Most MPs specialise to some extent and Dod’s Parliamentary Companion shows that MPs generally specialise in a handful of areas. However, as Judge (1981: 8) argues, whilst specialisation may be a necessary consequence of the increased scope of government, pressures exist to constrain the degree of specialisation which takes place. It is against the interests of ministers for MPs to specialise, since they themselves are generalists. IMR frustrates specialisation within departments and a necessarily hierarchical systems exists which requires a generalist approach. Similarly, elite civil servants, to coordinate such activity, must be generalists, and act as “quasi-politicians”, or “instruments of control within departments” (Judge, 1981: 21). It is thus, “politically expedient to perpetuate generalist norms” in the House, because backbench specialisation would undermine ministerial authority which is based on a hierarchical position rather than knowledge (1981: 21) and action geared towards the attainment of executive office may ensure some backbench conformity. More importantly, the process of representation itself undermines
specialisation. The organisational imperative to specialise conflicts with the need to be responsive to lay opinion over a wide variety of subjects. As Judge (1981: 25) argues:

The importance of knowledge, expertise and specialisation, on the one hand, does not fit entirely easily in a legislature with that of reflecting, on the other, the often non-specific views and prejudices of the electorate.

Thus, it is no surprise then to find conflicting evidence on the extent of specialisation in the House. As Judge states, on the basis of a quantitative analysis of written records of parliamentary proceedings, subject specialisation is relatively low. However, on the basis of a questionnaire of MPs, the picture is different, with nearly 50% responding that they concentrated on 3 or fewer subjects, whilst 85% concentrated on 5 or fewer (Judge, 1981: 97). This effect is subject to interpretation, with one MP suggesting that interested is being confused with specialised in the questionnaire, whilst Judge (1981: 121) argues that it is more likely that MPs are unconsciously exaggerating their own degree of specialisation.

In the case of health, about 100 MPs, from 1979-1997 at least, rate this as their main interest (Dod’s Parliamentary Companion), and presumably then spend a large proportion of their time in consultation with affected interests, in debate on health matters, and in tabling questions to the Secretary of State for Health and other health ministers on all aspects of health policy. This, then, mainly constitutes the “wider policy community” as described by Rush (1990a) or, as part of an issue network surrounding the formulation network-actor. However, contrary to the positions of Marsh and Rhodes, Laffin (1986: 2) argues that, “politicians with a special interest in the policy area” could be considered part of a policy network, and this seems logical since arguments about the insularity of networks from MPs depends on the untenable argument that Parliament merely legitimises policy at the end of the line. However, if an MP represented a particular group, or group of MPs, and the cooperation of that group was necessary to ensure the implementation or passage of policy, negotiation would be necessary to ensure this cooperation, and so the MP would constitute part of the decision making process. Chapters 6 and 7 provide such examples, but even without recourse to evidence, why assume that only groups are consulted? Since MPS often have the resources - such as membership compliance or consent, credibility or implementation guarantees discussed by Maloney et al (1994:36) - attributed to groups, then it may be inappropriate to assume the primacy of insider groups in such discussions.

**Parliamentary Network-Actors**

The above discussion refers to general parliamentary activity as a wider policy network. This is distinguished from discussions of network-actors, since such
general parliamentary activity is too loose or complex to attach a decision making centre as identified in previous chapters. That is, the identification of the means involved to formulate and act on decisions would be difficult to demonstrate when analysing such uncoordinated activity. However, the situation is different with select committees. The scope for specialisation and relatively detailed scrutiny of departmental policies means that select committees are central to the pursuit of accountability. Further, select committees can act in a pre-legislative, rather than reactive, manner and much activity is concerned with drawing attention to specific areas of policy with the intention of spurring on future government activity, and setting the agenda for future policy formulation (see chapter 6).

In addition, it is possible to discern a decision making process which is similar to that described in chapters 2 and 4 on formulation and implementation networks. Select committees have an explicit formulation and decision making process which is unique in its simplicity. Each committee has a maximum of 11 members (with a quorum of 3) who call individuals and organisations to provide evidence, study departmental policy, deliberate on the basis of that evidence, then provide a detailed written report. Compared with the other identified networks, this is a relatively straightforward and simple process, with a much clearer output (see chapter 5). Select committee activity therefore seems well suited to integration within the network-actor approach. However, further discussion is required to demonstrate parliamentary network activity, rather than merely select committee action.

First, each select committee has a recognisable “clientele”. This is likely to be similar to the clientele associated with their respective formulation network counterparts. Further, select committees maintain, “extensive circulation lists for distributing information about their activities, including pending inquiries and calls for evidence” (Rush, 1990c: 142).

Second, just as the existence of network, as opposed to state agency, action is based on the blurred boundaries between government and interest groups, select committees are often so dependent on the specialist information and advice provided by groups, that the groups themselves are partially responsible for the outcomes of committee deliberations. There is an exchange based relationship which ties MPs and groups (Jordan and Richardson, 1987b). Yet this does not undermine the former as Jordan and Richardson suggest since the latter depends on them for access. Further, one can disaggregate this clientele into insider and outsider, or perhaps core insider versus peripheral insider and outsider groups, based on whether the group was invited to give evidence directly as opposed to merely submitting written evidence (which anyone can do). As a result, one can argue that those core insiders, invited to give (formal
and informal) evidence and advice, are central to the decision making process found within committee networks.

A third similarity to formulation networks is found in the operations of select committee staff. As Rush (1990c: 142) argues:

*Just as some groups have links with committee members ... so links between committee staffs and, to a lesser extent, the specialist advisers of committees has developed.*

A select committee has a range of staff to facilitate the provision of evidence and formulation of reports. The most important is the clerk, who usually serves five years under a particular committee and becomes, “familiar with most aspects of the policy areas within the committee’s remit” (1990c). Thus, as Rush (1990b: 142) argues, s/he and other committee staff:

*Become known to group spokesmen (sic) and in many cases perform a valuable liaison role for their committee ... the clerks’ knowledge of their ‘clientele’ is invaluable to the committees, especially in deciding who can most usefully give evidence, especially oral, for each inquiry.*

The time available for hearing evidence, as well as reading submitted evidence is heavily restricted. Therefore, the gatekeeping capacity of the committee staff should not be underestimated, and is comparable with that of the governmental civil service. Other analogies are also discernible. The clerk acts as the official voice of the committee in day-to-day dealings with groups, as well as a, “permanent presence for the Committee thereby ensuring continuity over different enquiries even though changes in membership may occur” (Nixon and Nixon, 1983: 342). The clerk and the specialist adviser are also jointly responsible for drafting questions and briefing reports, analysing the written evidence in detail, and drafting the chair’s report. This is especially the case when in session with ministers. And, as Nixon and Nixon (1983: 344) argue, this reliance upon committee staff is, “essential if Committee reports and recommendations are to command credibility and are to make some impact”.

A prime example of this process is the (then) Social Services Committee’s analysis of AIDS and its subsequent conclusions which reinforced the existing consensus surrounding AIDS at this time. As discussed more fully in chapter 6, one can trace some parliamentary and governmental consistency in this regard to the similarity of clientele, as well as background of advisers. The advisers to the committee were doctors, the witnesses were chosen as a result of negotiations between the MPs on the committee, the advisors and the clerks, and the clerks drafted the report. Therefore, whilst the activities of the MPs themselves should not be discounted, the agenda and emphasis of the report...
was significantly influenced by a process parallel to that activity by advisors, clerks and the clientele involved.

Therefore, it is possible to discern, or assert the existence of, a network actor within the parliamentary arena. This network has a clear decision making process, headed by a group of MPs, whose deliberations are facilitated by specialist advice provided by groups, which are mediated by a specialist body of committee staff. As suggested by the term network-actor there is a fusion of action and responsibility which is not easily disaggregated and hence such level of abstraction may be appropriate, especially to compare with network actors in other areas. Other comparisons with formulation and implementation networks are considered in chapter 5, and it is sufficient at this point to argue that, as the case studies in chapter 6 demonstrate, this actor is important not only in examination of the “reactionary” activities of Parliament, but also in the pre-legislative activities of Parliament. Network action within the parliamentary arena not only affects policy, but affects the context within which other networks operate.

Conclusion
Most early policy network accounts ignore parliamentary activity which is pre-legislative and part of the “wider policy network”, reflecting its centrality in the process of representation and legitimation of governmental outputs. The exercise of public power based on group-government consultation depends on the delegation of authority from representative institutions. To ensure the legitimation of executive policies made within policy communities, the executive must follow a set of rules or conventions outwith the policy community arena and the deliberations and actions of networks thus reflect an anticipation of parliamentary reaction as policy is processed and scrutinised within the parliamentary arena. Accountability shapes the actions within, as well as structures of departments since group-government negotiations are made in the knowledge that resultant decisions will have to be justified by the minister in Parliament. Further, this requirement of the minister alone to account for the actions of the department means that the department is hierarchically structured, with each decision ultimately answering to the minister, and civil servants “upward looking” in approach. Similarly, the formal position of Executive Agencies is still that the Minister is accountable through Parliament.

Such considerations justify concentration on the rise of parliamentary lobbying, reflecting the dual strategy of most groups, assertive behavioural changes in the House, the perception of closed government as a consequence of the Thatcher style, and the increased effectiveness of accountability procedures. This is best demonstrated in consideration of the extension of the network-actor approach to select committees. Parliamentary network actors act in similar ways to their formulation counterparts with MP deliberations facilitated by clerks, specialist
advisors and the evidence submitted by groups. Further, their deliberations may be pre-legislative in nature, often spurring governments to redress policy stances or at least take their reports into account when formulating policy. Of course it would be unrealistic to suggest that this was always the case. However, the point of the discussion is that it is contributing to the development of a number of hypotheses involving policy networks viewed within a more dynamic framework, outlined in chapter 5.