

THE ESSENCE, FEATURES AND COMPONENTS OF STRUCTURING PARLIAMENTS: WORLDVIEW AND POLITICAL THEORIZATION FOR DIFFERENT CASES AND TYPES OF REPRESENTATIVE DEMOCRACIES AND DEMOCRATIZATION

The study focuses on worldview and political theorization of the essence, features and components of structure and structuring of parliaments for different cases and types of representative democracies and democratization, including for presidential and parliamentary democracies, and among the latter ones for the Westminster and consensus models of democracy. It is argued that the relatively greater importance of structuring legislatures, even in the case of similarity or identity of all other conditions, is inherent in the case of parliamentary rather than presidential democracies, as well as consensual rather than Westminster models of democracy. The author finds that the political and institutional structuring of parliaments should be implemented on the basis of such indicators and markers as the number of chambers of parliaments, party-factional features of legislatures, determinants of the influence of parliamentary committees on the parameters of structuring parliaments, determining characteristics and positions of individual membership of deputies at the level of legislatures. These properties constitute the immanent internal component of parliaments and describe the stability and institutionalization of legislatures.

Keywords: parliament, legislature, structure, structuring.

Istota, charakterystyka i struktury komponentowe parlamentów: światopoglądowa i politologiczna teoretyzują dla różnych przypadków i typów demokracji przedstawicielskich i demokratyzacji

W opracowaniu skupiono na światopoglądzie i politycznym teoretyzowaniu istoty, cech i komponentów struktury i strukturyzacji parlamentów dla różnych przypadków i typów demokracji przedstawicielskich i demokratyzacji, w szczególności dla demokracji prezydenckich i parlamentarnych, a wśród tych ostatnich – dla modelu westminsterskiego ta demokracji konsensualną. Argumentuje się że relatywnie większe znaczenie strukturyzacji ciał ustawodawczych, nawet w przypadku podobieństwa lub tożsamości wszystkich innych warunków, jest nieodłącznie w przypadku demokracji parlamentarnych, a nie prezydenckich, a także konsensualnych, a nie westminsterskich modeli demokracji. Autor uznał, że polityczna i instytucjonalna struktura parlamentów powinna być realizowana w oparciu o takie wskaźniki i wyznaczniki jak:

liczba izb parlamentów, determinanty wpływu komisji sejmowych na parametry strukturyzacji parlamentów, określające cechy i stanowiska poszczególnych posłów na poziomie legislatywy. Właściwości te stanowią immanentny wewnętrzny składnik parlamentów i opisują stopień, w jakim legislatury są stabilne i zinstytucjonalizowane.

Słowa kluczowe: parlament, legislatura, struktura, strukturyzacja.

СУТНІСТЬ, ОСОБЛИВОСТІ І СКЛАДОВІ СТРУКТУРИЗАЦІЇ ПАРЛАМЕНТІВ: СВІТОГЛЯДНА ТА ПОЛІТОЛОГІЧНА ТЕОРЕТИЗАЦІЯ ДЛЯ РІЗНИХ ВИПАДКІВ І ТИПІВ ПРЕДСТАВНИЦЬКИХ ДЕМОКРАТІЙ ТА ДЕМОКРАТИЗАЦІЇ

У дослідженні увагу зосереджено на світоглядній і політологічній теоретизації сутності, особливостей і складових структури й структуризації парламентів для різних випадків і типів представницьких демократій і демократизації, зокрема для президентських і парламентських демократій, а серед останніх – для вестмінстерської та консенсусної моделей демократії. Аргументовано, що відносно більше значення структуризації легіслатур, навіть у випадку подібності чи ідентичності всіх інших умов, притаманне для випадків парламентських, а не президентських демократій, а також консенсусної, а не вестмінстерської моделей демократії. Автор виявив, що політична й інституційна структуризація парламентів повинна реалізовуватись на підставі таких індикаторів і маркерів, як: кількість палат парламентів, партійно-фракційні особливості складу легіслатур, детермінанти впливу парламентських комітетів на параметри структуризації парламентів, визначення особливостей та позицій індивідуального членства депутатів на рівні легіслатур. Ці властивості становлять іманентну внутрішню складову парламентів і описують те, наскільки легіслатури стабільні й інституціоналізовані.

Ключові слова: парламент, легіслатура, структура, структуризація.

The third¹, and sometimes, according to some theorists and practitioners, the fourth² or even subsequent³ “waves” of democratization, which in the late 20th century – early 21st century, swept through different countries and regions of the world (even despite the decline of some countries to autocracy), previously had, and still have, the increased scientific and empirical interest in constitutional, institutional and political theory, philosophical and worldview literature⁴. They are most often related to the fact that they are necessarily characterized by the interest, need and real process of development and implementation of new / updated democratic constitutions and institutions in pre-existing or new states of certain parts of the world. At the same time, the main theoretical and practical emphasis is placed on the creation, promotion and dissemination of the authority and effects of people’s / democratically governing societies and communities, which, however, have never been positioned in a unified way, but instead provided many options for institutional theorizing and political implementation. What they have in common is and still is that among the various manifestations of institutional and political design, only the institution of parliament or legislature (at the national level of politics) is positioned as a nationally elected and representative body, even though its structuring leads to different options and alternatives. Accordingly, it is in view of this that our scientific article focuses on the ideological and political theorizing of the essence, features and components of the structuring of parliaments for different cases and types of representative democracies and democratization.

Therefore, in general, it is obvious that even in the conditions of identical structure and structuring of popularly elected parliaments, the latter are institutionally and politically more important and even decisive in the context of executive-legislative relations in the case of parliamentary democracies and parliamentary options for democratization. This is perhaps the main reason why parliamentary democracy has received (and continues to do so) the greatest support in the current scientific and practical debate, regardless of the constitutionalized systems of government – parliamentary monarchy, parliamentary republic or semi-presidential republic, but provided that both formally and in fact they have structurally capable national legislatures.

¹ Huntington S., Democracy’s third wave, “*Journal of democracy*” 1991, vol 2, nr. 2, s. 12-34.; Huntington S., *The third wave: Democratization in the late twentieth century*, Wyd. University of Oklahoma Press 1993.; Huntington S., After twenty years: the future of the third wave, “*Journal of democracy*” 1997, vol 8, nr. 4, s. 3-12.; Mainwaring S., Bizzarro F., The Fates of Third-Wave Democracies, “*Journal of Democracy*” 2019, vol 30, nr. 1, s. 99-113.; Schenoni L., Mainwaring S., Hegemonic Effects and Regime Change in Latin America, “*Democratization*” 2019, vol 36, nr. 2, s. 269-287.

² Abushouk A., The Arab Spring: A Fourth Wave of Democratization?, “*Domes*” 2016, vol 25, s. 52-69.; Diamond L., A Fourth Wave or False Start?, “*Foreign Affairs*” May 22, 2011. źródło: <https://www.foreignaffairs.com/articles/middle-east/2011-05-22/fourth-wave-or-false-start> [odczyt: 20.04.2022].; McFaul M., The Fourth Wave of Democracy and Dictatorship: Noncooperative Transitions in the Postcommunist World, “*World Politics*” 2002, vol 54, nr. 2, s. 212-244.; Howard P., Hussain M., *Democracy’s Fourth Wave? Digital Media and the Arab Spring*, Wyd. Oxford University Press 2013.; Hussain M., Howard P., *Democracy’s Fourth Wave? Information Technologies and the Fuzzy Causes of the Arab Spring*, Paper prepared for presentation at the International Studies Association, San Diego (April 1-4, 2012) źródło: <https://ssrn.com/abstract=2029711> [odczyt: 20.04.2022].

³ Gunitsky S., Democratic Waves in Historical Perspective, “*Perspectives on Politics*” 2018, vol 16, nr. 3, s. 634-651.; Gunitsky S., From Shocks to Waves: Hegemonic Transitions and Democratization in the Twentieth Century, “*International Organization*” 2014, vol 68, nr. 3, s. 561-597.

⁴ Lijphart A., *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries*, Wyd. Yale University Press 1984.

This perception is exacerbated by the fact that theorists and practitioners often draw attention to the inefficiency and propensity for coups in a presidential system of government, even in a democratic one, which, paradoxically, is much less common in the case of the parliaments “merger” and government cabinets in parliamentary democracies. In addition, critics of presidentialism and even presidential democracy often cite the rigidity, inefficiency, and wastefulness of these systems of the powers’ separation, which are embodied in the presidential constitutions of countries with such a format of interinstitutional relations⁵. In particular, due to the fact that their national parliaments, regardless of internal structuring, are not able to control the presidents and the executive branch in general. As a result, purely ideologically and theoretically, many practitioners of the presidential format of interinstitutional relations are in favor of the parliamentary logic of democracy and democratization, but are unable to put this logic into practice, especially when it comes to the prospects of obtaining presidential positions and positions in the executive branch in general.

This dichotomy of representative democracy and democratization shows, as noted above, that despite the same structure and similar function of parliaments, at least in the field of law-making, etc., the potential for influence and importance of their structuring is still very different. One of the immediate effects of this state of affairs is that the structuring of parliaments, at least in theory, can be better understood through the example of parliamentary democracies. Perhaps because they are able to demonstrate a wide range of options for “merger” of different branches of government and executive-legislative relations, which are derived from the diversity and range of the internal structure of national legislatures.

On the other hand, it is clear that parliaments, their functions, organization and structure / structuring can shed enough light on the implementation of a mechanism for democracy and democratization, both in parliamentary and presidential formats. Thus says, at least, neo-institutional political theory and its individual spokesmen⁶. And this despite the fact that in comparative political science at different times there were many miscalculations and disappointments due to differences between “visibility” and “reality” in the assessment of legislatures and legislative policy, as scientists return to these issues with varying intensity and interest, but each time with newer with newer and more promising review tools. Thus, for the last few decades, the analysis of parliaments, parliamentarism and legislative policy has been revolutionary with the application of theories and models of rational choice, including neo-institutional paradigms of complex importance and knowledge of the structure of parliaments. As a consequence, the first “neo-institutional revolution” that in general in relation to formal theory has opened and

⁵ Moe T., Caldwell M., The Institutional Foundations of Democratic Government: A Comparison of Presidential and Parliamentary Systems, *Journal of Institutional and Theoretical Economics* 1994, vol 150, nr. 1, s. 171-195.; Weaver K., Rockman B., *Do Institutions Matter? Government Capabilities in the United States and Abroad*, Wyd. Brookings Institution 1993.

⁶ Moe T., The New Economics of Organization, *American Journal of Political Science* 1984, vol 28, s. 739-777.; Shepsle S., *Institutional Equilibrium and Equilibrium Institutions*, [w:] Weisberg H. (ed.), *Political Science: The Science of Politics*, Wyd. Agathon 1986, s. 51-81.; Shepsle S., Studying Institutions: Some Lessons from the Rational Choice Approach, *Journal of Theoretical Politics* 1989, vol 1, nr. 2, s. 131-147.

applied different perspectives of quite realistic theories of legislative behavior, parliamentary-government coalitions, presidential, but first of all parliamentary models of democracy in the context of structuring legislatures.

However, even in this context, there are some varieties in the positioning of the institution of parliament in parliamentary democracies as such, especially given that they are different, in particular with popularly elected (as in semi-presidential republics) and non-popularly elected (as in parliamentary republics) or non-elected (as in parliamentary monarchies) heads of state. And this, in turn, is one of the reasons for distinguishing parliamentary democracies from institutional / constitutional parliamentary as one of the formats of inter-institutional relations and systems of government, even though they are sometimes (albeit erroneously) treated as synonyms. Accordingly, it raises the question of understanding the nature and parameters of the structuring of legislatures both in parliamentary democracies and in political / institutional design with a parliamentary system of government, as these two political and institutional entities are an example of the distinction, respectively, between a broad and a narrow assessment of the dependence of the executive branch on the legislative branch. Thus, in political science, the theoretical and empirical position that parliamentary democracy is determined mainly by the parliamentary way of forming and, above all, the responsibility of governments is becoming more and more common. Instead, or in addition, parliamentarism as a system or construction of the system of government and inter-institutional relations is further filled with the indicator that, along with the parliamentary responsibility of governments, heads of state are positioned as non-elected or non-popularly elected, and therefore not endowed with the rational and national legitimacy of their power.

In other words, it means that parliamentary democracy in general (regardless of the system of government – parliamentary or semi-presidential) is a democratic political system in which the attribute is mandatory that the majority of the people or citizens effectively govern and manage public policy at least through elections representatives in the legislative branch, i.e. through the legislature.

Moreover, this is institutionally characteristic for both democratic cases of parliamentarism and democratic cases of semi-presidentialism, which means that parliamentary democracy as people's sovereignty exercised by elected representatives, especially in parliaments, is broader than its institutional mechanisms in the format of parliamentarism and semi-presidentialism, after all, it is not regulated by the origin of the heads of state. It is in this context that the phenomenon of parliament and its structuring acquires perhaps the decisive and most comprehensive meaning in the case of parliamentary democracies as such (as a whole) and in many of their options.

However, as noted above, parliamentary democracy, including in terms of the institution of parliament is not a monolithic and unified phenomenon, and therefore it is able to organize the legislature quite differently and depending on other components of democratization and

democracy as such. Thus, it is historiographically and empirically known that in its original form, parliamentary democracy and the logic of parliamentary-order governance are majoritarian, in particular in the format of the so-called Westminster model⁷. It was in this model that the belief in the relatively unlimited powers of the popularly elected majority in parliament was once built as the basis for postulating the tradition of parliamentary government. Therefore, the details and peculiarities of the Westminster paradigm of parliamentary governance have fallen into the “heart” of the tradition of a kind of “parliamentary supremacy”, according to which legislators are accountable exclusively to the people and therefore the executive power is accountable to the legislature one. Therefore, this is how the early theorists of the idea of parliamentary representation or representation of the people / sovereign, primarily through parliaments, argued that political activity of parliamentary-type systems and structures is endowed with its own focal point in parliaments, as heads of state, governments, other electoral representatives, political parties, interest groups and voters unequivocally recognize the superiority of parliaments⁸. Over time, this idea has been significantly transformed, in particular given that political and institutional scenarios that complicate the principles of majoritarianism and bipartisanship (as the basic and simplest condition of majoritarianism) have been tested.

The fact is that many structures of parliamentary government over time began to shift in the direction of replacing the principle of majority or majoritarian with the idea of plurality or dominance. In other words, the understanding that the majority in the legislature can be both absolute and relative was on the agenda, due to the shift in the formats of inter-party relations and political competition from pure bipartisanship to different options for multi-party system. Initially, this called into question the risk of continuing to apply the logic of parliamentary governance, particularly in the form in which the Westminster tradition proved to be. However, with the expansion of innovative ideas, theorists and practitioners have later agreed that parliamentary democracy can be related not only in a bipartisan or Westminster model, but also in a model called continental or consensus. This model is characterized primarily by the fact that it denies or at least does not regulate as the only possible option the logic of one-party domination in legislatures, instead, it is inclined to approach, if not unanimity, then consensus and coalition procedures (including on the composition of governments). Thus, the emphasis is on maintaining the “primacy” of legislatures both in the legislature and in the formation and responsibility of the executive, but not as pronounced as in the Westminster model, since in this case is characterized by a kind of diffuse or combined rather than unified logic of government, which does not necessarily follow the principles of majoritarianism and one-party domination. However, the parliament remains a streamlining institution characterized by institutional and political supremacy.

⁷ Lijphart A., *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries*, Wyd. Yale University Press 1984.

⁸ Verney D., *Parliamentary Government and Presidential Government*, [w:] Lijphart A. (ed.), *Parliamentary Versus Presidential Government*, Wyd. Oxford University Press 1992, s. 46.

One way or another, it is the institution of parliament that has gained prominence in constructing the phenomenon of parliamentary democracy and in streamlining the executive branch, both in Westminster and continental formats. This means that, having received high ambitions and significant power potential, it was the national legislatures that began to be intensively and universally treated as institutions that should perform significant political functions. Almost paramount or a priori of them was, of course, the function of drafting and adopting laws and various budget allocations. But perhaps the most important among them, and not always provided by the constitution, was the function of the decisive role of national parliaments in the election / formation and control / responsibility of the composition, program and functionality of the executive branch – the government⁹. That is why the legislatures today (regardless of the system of government, parliamentary or semi-presidential) are the main institutions of parliamentary democracies, which play a crucial role in streamlining and structuring the executive branch. This is despite the facts that in its purest form it takes place or can take place within the “chain” of the powers delegation and responsibilities, when members of the executive (or at least the government) must or may also be deputies / legislators or members of the legislature.

Although, in practice, this is not always the case, and if it is, it varies with different degrees of intensity, as some systems define simultaneous membership in two branches of government as constitutionally and politically incompatible. However, this is not essential and not fundamental, because the definition of restrictions today is mainly considered a modifying principle of parliamentary governance and parliamentary democracy¹⁰. Instead, the principle that national parliaments in parliamentary democracies are now considered to be the arenas for decision-making by the executive branch is becoming valid and increasingly developed (in this case, of course, we are not talking about routine government procedures, but instead we mean that parliaments organize and agree on the program vectors of government activities, etc.).

However, the most important is the combined logic of parliamentary democracies, according to which the basic role of parliaments as legislative bodies is that they limit the executive branch¹¹. This demonstrates the potential of parliaments to remain the main guarantors of national sovereignty, because in this case the legislatures are conceived as institutions capable of executing and organizing the will of the people. And this is so since parliaments in parliamentary democracies can not only directly make consistent political decisions, but also directly and indirectly implement the decisions made. In a simplified way, this is interpreted in such a way that, above all, parliaments in parliamentary democracies have the task and power to express the voice of the people¹². However, as a rule, people do not have the opportunity to speak in

⁹ Bagehot W., *The House of Commons*, [w:] Norton P. (ed.), *Legislatures*, Wyd. Oxford University Press 1990, s. 36-46, s. 36.

¹⁰ Hernes G., Nergaard K., *Oss i mellom: konstitusjonelle former og uformelle kontakter Storting – Regjering*, Wyd. FAFO 1989.

¹¹ Beer S., *The British Legislature and the Problem of Mobilizing Consent*, [w:] Norton P. (ed.), *Legislatures*, Wyd. Oxford University Press 1990, s. 71.

¹² Riker W., *Liberalism Against Populism: A Confrontation Between the Theory of Democracy and the Theory of Social Choice*, Wyd. Freeman 1982, s. 11-12.

one voice or even tone. Therefore, even if people can agree, their representatives cannot or not always cannot. And this is perhaps the biggest problem of parliamentary democracies through the prism of structuring national parliaments, because deputies and legislatures in general are often unable to express popular ideas that will meet the preferences of the majority. The fact is that parliaments can be internally divided, and this division will not only promote the principle of dominance (which is needed primarily in the Westminster model), but even the principle of consensus (which is the basic continental model). The situation is complicated by the fact that different legislatures have different internal structures of their organization (for example, different chambers, parties, groups of deputies, committees, etc.), and therefore they form or may form different privileged groups that differently initiate different benefits and prospects¹³. This, in turn, complicates not only the organizational logic of parliaments, but also their functionality, including the structuring of the legislative process and control over the executive branch¹⁴.

It is in this context that the structure and structuring of parliaments are on the agenda as a primary factor, especially in parliamentary ones, but also in presidential forms of democracy and democratization. In particular, on the subject of ideological and political theorizing of the studied phenomenon, including theoretical and methodological assessment of the institutional and political structure and structuring of parliaments. The fact is that today there are many problems and differences on these issues and they start from the most generalized level of "steps of abstraction" and logical ordering. Thus, the problems and differences of opinion regarding the very concept of "structure", which are conducted in modern science, in particular in the framework of various sociological and political theories, should be considered primary. Similarly, the traditional notion of structure in the political or institutional sphere is associated with the idea of orderliness of all relations that connect the elements of the political system. Therefore, the structure as such is traditionally considered as a framework, model or scheme of a particular analyzed subject (in this case, the institution of parliament as part of the political system). It is defined as a strong and relatively stable fixation of relationships between elements of a political system or elements of a particular political institution within the system, as the logic of the relationship of these elements, as a way of organizing and functioning institution or system or as the sum of invariant attributes projects within a particular political institution or political system as a whole. This is important since lasting or stable relationships between the elements of the system guarantee the structure (systemic or institutional) integrity and identity, maintaining the basic properties of various internal and external changes and factors. In addition, in a purely functional sense, structure is understood as a kind of modeling of political relations and political phenomena, in a consequence of which it is external to the object of comparative evaluation (in this context the institution of parliament in parliamentary or

¹³ Tsebelis G., *The Core, the Uncovered Set and Conference Committees in Bicameral 14* Strom K., *Parliamentary Government and Legislative Organization*, [w:] Doering H. (ed.), *Parliaments and Majority Rule in Western Europe*, Wyd. St. Martin's Press 1995, s. 51-82.

¹⁴ Strom K., *Parliamentary Government and Legislative Organization*, [w:] Doering H. (ed.), *Parliaments and Majority Rule in Western Europe*, Wyd. St. Martin's Press 1995, s. 51-82.

presidential democracy or political system in general), even though it outlines the internal attributes of that object. It follows that the structure of the parliament is a model of organizational components on the basis of which the legislature operates, but always in relation to a particular type, format and structure of the political system in which the institution of parliament takes place. That is why, according to this logic, the structuring of parliaments is a mechanism and way of organizing parliaments in certain systemic, institutional and political circumstances, as well as mechanisms and ways of distributing powers and functions of parliaments themselves and their constituent and structural components. It follows that the structuring of parliaments is a logically ordered way of separating the structural parts of parliament that determine the structural logic of the political systems in which the legislatures operate.

Given this ideological and even philosophical logic, it is clear that the structure of any parliament (both institutional and political structure) must be assessed in two ways – both static and dynamic. Thus, the static structure of parliament (like any other political institution) assumes that its elements and the links between these elements do not change, and therefore such a structure of parliament should be called the “foundation level” or the normal structure of the legislature. Among other things, it is endowed with the following attributes: it is in static equilibrium, assumes constant constancy of interaction of various elements of parliaments (first of all macro division of parliaments into chambers, party factions, composition of committees and / or subcommittees, political systems), relations of parliaments with other centers and institutions of power in political systems), as well as the immutability of the system as a whole under certain conditions in a given period of time; is characterized by stationarity (or invariance of essential system attributes) of parliaments or is in non-stationary equilibrium (i.e. in the form of invariance of parameters of parliaments in time); is defined by the stability of parliaments in the broadest sense, i.e. their ability to perform their functions and responsibilities. However, it should be understood that it is impossible to speak in its purest form about the invariability of the parliamentary structure, because within the legislatures, especially consistent ones, there are constant divisions and associations of groups and factions, changes in political preferences of deputies, replacement of members of parliaments and committees, etc. It follows that the static structure of parliaments has to be discussed rather in a descriptive manner or for descriptive purposes or exclusively formalized. In addition, it is quite convenient to try to understand or present the structure of parliaments as a cross-section, image or snapshot, even on the basis of certain temporal characteristics, because in this case the scheme of static structure of legislatures is purely methodologically most convenient. However, in the formation of long-term perspective conclusions on the structuring of legislatures, such logic is not relevant and methodologically considered. After all, it is not always and not fully able to interpret certain fixed moments in the development of the parliamentary structure, especially if it changes the whole set of internal relations in parliaments (which should be described using the term “state of parliament”).

This is especially true in the context that the structuring of parliaments has as one of its effects the question of how stable national legislatures are or, according to the methodology of neo-institutionalism, institutionalized, especially in the context of various forms of democratization and democracy. The fact is that the static structure of the parliament is characterized by equilibrium stationary stability (when the parliament is unchanged in its parameters over time, as well as in its essential systemic characteristics and is able to perform its functions) and equilibrium periodic (non-stationary) stability (when changing some significant systemic characteristics of the parliament). Accordingly, such an interpretation of the stability of the parliaments structure provides the status quo of the regulatory system in the organization of parliament, and therefore is an essential feature of the institutionalization of legislatures at the level of parties, groups and committees. Although in the narrow sense, the stability of parliaments in the form of institutionalization means the absence of institutional and contextual changes in successive stages of development of the structure of parliaments.

Nevertheless, as mentioned above, in order to deepen the scientific analysis of the structuring of parliaments, both institutional and political, it is also advisable to operate with the concept of dynamic structure of legislatures. It is unique to open and democratic political systems (parliamentary and presidential democracies), where the parliament exchanges with the environment – the whole political system, especially in the framework of executive-legislative relations – and, therefore, is able to change functionally. Therefore, it is obvious that legislatures are structures that develop and adapt, as changes in the dynamic structure of parliaments may be subject to any of their structural elements (party-factional and individual composition, composition of committees, rules of conduct with other authorities), as well as ties between them. But the degree of internal and external changes in the functioning of parliaments can vary, although in general minor changes traditionally do not lead to the collapse of the structural model and the emergence of a new parliamentary structure, and therefore in general the system preserves the organization, does not undergo qualitative restructuring and develops in the direction of institutionalization. Instead, in more severe forms of instability of legislatures, when systemic variables “suppress” system-forming factors, there is a “rebirth of systems” of parliaments, as well as their transition to new formats. In this context, it should be noted that virtually any parliament is characterized by minor changes in its structure, which is in dynamic equilibrium. At the same time, it is obvious that such a property is characterized by the invariance of relative changes in the interaction of elements of parliamentary organization. Thus, an example of stable balanced dynamic structures within parliaments is the formation of standing committees (which are sociologically called attractors). The fact is that the standing parliamentary committees are relatively stable states, to which the process of evolution of linear functions and specializations within the legislatures is directed. In other words, parliamentary committees very often ensure the stable functioning and positioning of one or another parliamentary model and the structure of legislatures in one or another model of representative democracy.

It is also noteworthy that in the context of the dynamic structure of parliaments, assessing their stability and institutionalization is a more complex task, as it involves taking into account the problems of individual membership (mandates) and the structure of parliaments. In this regard, we believe that for a comparative understanding of the phenomenon of parliamentary institutions in democracies, it is not enough to just point out the procedural and dynamic nature of the parliamentary structure. It is also necessary to identify and demonstrate the connection between the micro and macro levels, individual deputies and parties, and the structure of parliaments in general. And this despite the fact that deputies, parties and groups in parliaments are also by all means structural elements of legislatures. The fact is that deputies are represented both as figures and as elements rigidly determined by the static and dynamic structure of legislatures. Therefore, according to the principles of neo-institutionalism and, in particular, the theory of rational choice, each Member of Parliament is not a static but an active element of its structure. It follows that all elements of the structure of parliaments should be perceived as interdependent. This means that the methodological principle of structuring parliaments should be considered a paradigm shift at the level of “dual structure” of different parliaments, as the structure of parliament as such should not be equated with coercion, since it not only forces but also provides functionality. As a result, it permits to form several generalizations, according to which: the structure of the parliament does not exist outside the various types of deputy activities; the structure of the parliament does not exist outside the ideas and concepts of its elements about the essence of its activities and functionality; parliament is a product of the activities of individuals at the level of structure; a special way of communication between the structure of the parliament and the deputies within it is the reproduction and transformation of the former one. Thus, the parliament in relation to the deputies acts as a structure that exists only through their activities.

In this sense, it is noteworthy that in most modern legislatures their deputies are elected through similar procedures and electoral systems that can be structured into certain types. That is, all members of parliament, regardless of, say, the plurality in which they received their seats, are endowed with similar rights and privileges as legislators. With rare exceptions, voting rules in legislatures are typically egalitarian and undifferentiated, and the vote of each parliamentarian is worth as much as any other vote of any other deputy, and this is typically reflected on a “one deputy – one vote” basis. Moreover, such egalitarian principles usually go beyond a simple act of voting, and are often enshrined even in constitutions. However, from the point of view of political structuring of legislatures, the most important thing is to take into account the votes of deputies who influence the most important political decisions or decisions on which the distribution of worldviews of deputies in legislatures is considered critical. However, in essence, the legislature is collegial rather than hierarchical one in its organizational structure, at least in contrast to bureaucratic structures. However, in reality there are still some options for differences between members of parliament. They are able to acquire two main forms – hierarchy

(vertical differentiation) and specialization (functional or horizontal differentiation). At the same time, various forms of differentiation are seldom detailed or even specified in constitutions, but they can be traced with astonishing regularity in the smallest detail in practice. Therefore, they can be thought of as a form of organization of legislatures. In this sense, the organizations of legislatures are the distribution of resources and the allocation of parliamentary rights to deputies and their groups¹⁵.

At the same time, it is clear that the structuring of legislatures determines the set of privileged groups, i.e. subgroups of deputies with special powers, and the set of procedures that determine the powers of these groups in relation to the functions of parliaments. In general, this leads to the fact that, although deputies are elected with equal and undifferentiated voting rights, any structural and organizational rules that violate this equality essentially determine one or more options of privileged groups of deputies in the legislature. However, the magnitude of the priorities of such groups varies considerably, and is not unified in content and functionality. In this regard, let us first consider the most common forms of privileged groups in legislatures, including “dictators”, decision-making groups and veto groups. And also we shall note that almost all more complex forms of privileges can be obtained by combining pure types of privileged groups. Thus, “dictators” are the groups that can unilaterally impose their will on the legislature, can pursue legislative policy / lawmaking at will, and can prevent changes in any status quo. In other words, the consent of “dictators” is a necessary and sufficient condition for the decision of the legislature. Instead, decision-making groups have the voice and authority to legislate, but they do not necessarily oppose other groups in actions they do not like. Therefore, their consent is sufficient, but not required. Finally, veto groups can block any decision from parliament that they do not approve of, but do not have the power to impose their own advantages and preferences. That is why their approval is necessary, but insufficient, which is why they are the most common type of privileged groups in legislatures. However, in general, it should be understood that most privileged groups in parliaments have weaker rights than parliaments as a whole. For example, decisions of standing parliamentary committees can be overturned by a majority in plenary sessions of parliaments, and leaders of parliamentary factions can be “defeated” by ordinary party members etc.

One way or another, in general, the options of organizational structure and structuring of legislatures, including within various forms of democracy and democratization, inevitably put on the agenda issues related to the causes and consequences of this organizational structure in the context of different types of privileged groups in parliaments. The categories of different researchers¹⁶ are questions of the balance of institutions or institutional balance, which are related to the definition of the influence and importance of legislatures and privileged groups in

¹⁵ Krehbiel K., *Information and Legislative Organization*, Wyd. University of Michigan Press 1991, s.2.

¹⁶ Shepsle S., *Institutional Equilibrium and Equilibrium Institutions*, [w:] Weisberg H. (ed.), *Political Science: The Science of Politics*, Wyd. Agathon 1986, s. 51-81.

them in different types of political systems. In this context, we note that neo-institutionalism provides two important lessons for the study of privileged groups in legislatures. The first lesson is a direct analysis of the institutional balance and involves a study of the rules under which the legislative process unfolds.

In other words, if privileged groups have dictatorial or veto rights, it is necessary to determine the rules that allow such influence to these groups, not only nominally but also in reality. Thus, if it is argued that the threat of dissolving parliament gives the prime minister's party certain dictatorial powers within the parliamentary majority, it must be demonstrated that the prime minister will in fact exercise this power rationally. If, however, the Prime Minister avoids, instead, such threats, due to unfavorable and any other circumstances, he cannot be attributed dictatorial powers at all. In turn, the second lesson is that the neo-institutional teaches to seek the balance of institutions. In this sense, it is necessary to strive to understand the rationale for the rules under which privileged groups receive their privileged powers. And here it is extremely important to point out that in the system of parliamentary governance and structuring of legislatures, rules and structures are endogenous. However, this does not mean that the situation cannot change under the influence of the majority in the legislature. After all, the rules adopted by the majority to fulfill some obligations in parliaments are only collective in nature, but they are not predetermined. And this fits in very well with the remark that most forms of parliamentary organization are not provided for in the constitutions. Some of them are provided by ordinary laws, but, as a rule, most of the functions of the parliamentary structure and organization are simple rules, which any legislature assumes and which it can terminate at will, etc.

It is also important that scientists¹⁷ have long identified two basic classes of theories of organization of legislatures – distributive and informational perspectives. The distributive explanation of the organization and structure of parliaments focuses on the “income” that MPs can have from bargaining with each other. In other words, deputies usually find themselves in situations that are neither purely conflictive nor purely victorious. In addition, MPs often have personal interests and reach an agreement that is generally ineffective: especially when it comes to populist projects and issues¹⁸. In contrast, the informational perspective of considering the structuring of parliaments emphasizes the limited knowledge with which deputies approach the tasks set before them or facing them. In addition, many external factors affect the relationship between parliamentary decisions and political outcomes, and legislative initiatives often lead to unintended and undesirable consequences. However, deputies can also prevent some consequences through the policy of specialization. If they coordinate their efforts to obtain information, then it is obvious that they can implement better solutions. Accordingly, the information perspective emphasizes the possibility of mutual strengthening in the parliamentary process.

¹⁷ Krehbiel K., *Information and Legislative Organization*, Wyd. University of Michigan Press 1991.

¹⁸ Baron D., Majoritarian Incentives, Pork Barrel Programs, and Procedural Control, *“American Journal of Political Science”* 1991, vol 35, nr. 1, s. 57-90.

It is noteworthy that even though the distributive and informational perspectives generate contradictory hypotheses, they are by no means mutually exclusive and completely contradictory.

In our research context, this is extremely important, since according to the results of defining and distinguishing the essence of presidential and parliamentary democracy and parliamentarism, as well as thanks to the allocation of distributive and informational perspectives on the study of the structure of legislatures, it is possible to approach in detail the assessment of basic organizational elements in the structure of parliaments. Functionally, parliaments are structured on the basis of various forms of political privileges, which are provided in the format of parliamentary procedures. That is why almost all procedures and debates in parliaments are highly institutionalized and distributed. At the same time, the most important internal structures generated by privileged groups of deputies include the separation of individual chambers, standing and specialized committees, party and inter-party entities (factions and groups), governing bodies (presidents and speakers of parliaments or parliaments in general), individual deputies legislatures, etc. It is these internal structural elements that are potential mechanisms for the division of labor in legislatures, although this is not their only task. We will try to consider them in more detail, but not so much in empirical terms, but mainly in filling at their expense the content of distributive and informational prospects for the structuring of legislatures in the framework of neo-institutional theory.

We must start with the fact that modern parliaments are usually a one-chamber (unicameral) or two-chamber (bicameral), although before the introduction of universal suffrage, constitutionalists and politicians used the practice of three- and even four-chamber legislatures. In particular, three-chamber parliaments operated at various times in South Africa (until 1983), Bolivia (under S. Bolivar), France (during the Consulate), Iceland, the SFRY, China and others. Instead, four-chamber legislatures operated at different times in Finland and Sweden (inherited from medieval Scandinavian advisory meetings), as well as in the SFRY after the restructuring of the pentacameralism. As they have become a mere tribute to time today, the structuring of legislatures in this context takes place only in relation to bicameral parliaments, which can be either symmetrical or asymmetrical (in other words, equivalent or non-equivalent or non-subordinated or subordinated), in particular, depending on whether the powers of the upper / first (and usually smaller) chamber are equal to those of the lower / second (and typically larger and “younger”) chamber¹⁹. Moreover, in this context, the rule that bicameral parliaments are asymmetric works in this context, because the powers of the upper chambers are insignificant and do not constitute a worthy obstacle to the adoption of legislative decisions in the lower chambers.

Instead, the first chambers are strong in that they can fulfill the practical goals of “dictators”, at least in the field of finance. As for symmetrical bicameralism, each chamber of parliament

¹⁹ Lijphart A., *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries*, Wyd. Yale University Press 1984.

plays the role of an effective veto group. Although, in contrast, the features of the veto powers of each chamber are quite significantly correlated in different cases of bicameralism.

There is much more theoretical and empirical maneuver in the framework of structuring parliaments in the case of taking into account the internal features of the standing committees of legislatures. At the same time, it should be emphasized that in the parliaments of the Westminster tradition of parliamentary democracy, the committees of the legislatures are a kind of “microcosm” in the organization of large parliaments. The party (parties) of the majority in the legislatures as a whole also constitutes the committees of the majority, and therefore often subordinates all leading positions in the committees. Committee members are more likely to make a random sample of parliamentarians who may not have personal experience or interests in the policy area in which they are appointed. In contrast, in the continental or consensus model of parliamentary democracies, the leadership of committees is often proportionally distributed among the parties, and the committees themselves may deviate significantly from the activities at the level of legislatures, including party affiliation, experience, preferences, etc. Structurally, the difference between parliamentary committees is manifested in their term of office, composition and functions. For example, some committees have permanent membership and specialization for the duration of the entire parliamentary term or even longer, while other committees are appointed on a special basis and cease to exist after fulfilling their tasks. Moreover, the specialization of certain committees closely reflects the functional areas of different executive structures, while other parliaments structure their committees along different lines. In addition, some committees have only legislative tasks, and some have budgetary, oversight, investigative, administrative, etc.

In addition, it should be noted that legislature committees can perform a number of valuable functions for parliamentarians. There is general agreement that they provide a division of labor, as policymakers, “tired” of policy requirements, form “agreements” with each other to divide parliamentary work, which describes the various legislative functions. In neo-institutionalism regarding parliaments, there is usually a growing demand for committees’ research²⁰, especially given the very nature of structuring parliaments through committees. In this sense, they take into account, for example, the fact that parliamentarians make their appointments in committees that reflect their heterogeneous political preferences, which in turn are previously obtained on the basis of election results in individual constituencies. In this way, each parliamentary committee receives “ownership” of the specialization assigned to it.

With this in mind, committees as internal structures of national parliaments effectively divide the political space into separate and almost exhaustive and mutually exclusive jurisdictions. However, such a distributive perspective is often challenged by the authors in the study of information aspects of the legislative process²¹. In particular, they recall that the majority

²⁰ Shepsle K., Weingast B., Positive Theories of Congressional Institutions, *Legislative Studies Quarterly* 1994, vol 19, nr. 2, s. 148-179.

²¹ Gilligan T., Krehbiel K., Asymmetric Information and Legislative Rules with a Heterogeneous Committee, *American Journal of Political Science* 1989, vol 33, nr. 2, s. 459-490.

in the legislature usually receives all the powers of all or most parliamentary committees, in particular on the principle of proportionality of the formation of committees. However, if the powers and tasks of the committees are systematically disrupted under the influence of the majority in parliament, other members of the committees (from the opposition) are not able to oppose this, although they may oppose it for information. Thus, even the “best intentions” of the legislation sometimes lead to results that no one expected, and even worse, which they do not want at all. However, parliamentarians can mitigate some of the side effects of structuring parliamentary committees through their specialization policies.

At the same time, committees are usually only one of the locus of power in the legislature, and political parties, in contrast, implement a slightly different locus. Simultaneously, from the point of view of party structuring of parliaments, two scenarios of party participation in the legislative process are probable – at the level of parties and at the level of deputies. The basic principle for representative democracies is that parties play a dominant role in the legislative process. However, the formal basis of party authority is often rather weak. Political parties tend to have several direct functions in the legislature, unless they constitute a majority in parliament. They do not enjoy the same rights of veto power and control as committees. They do not have ingrained specialization, and they have only a few informational advantages. However, the rules of procedure of parliaments usually give their leaders considerable control in shaping a certain legislative calendar and agenda, as well as in discussions in plenary sessions of parliaments. In addition, in some countries, members of parties (or factions) enjoy greater advantages over non-party deputies when passing legislation. Also in many countries, party members receive benefits in the form of state funding schemes, but above all or mostly parliamentary parties.

In this sense, it is quite obvious that parties are the most studied function of the organization and structuring of legislatures. According to various researchers²², parties emerge to address various “collective dilemmas” of a legislative nature, including such as coordination, public good, and foreign policy. Accordingly, the re-election of parties to parliament is a very important collective dilemma for legislators. Because voters often rely on party identities, parliamentarians can benefit from their party’s collective reputation²³.

At the same time, each deputy seeks to improve his or her prospects by spreading the party’s line of local interests and by providing particular benefits that are multifaceted. That is why “political entrepreneurs”, especially party leaders, are endowed with several basic attributes: they incur direct costs in monitoring the compliance of deputies with their parties’ cooperative behavior; they control selective incentives (individual targeted punishments and rewards), through which they can give preference to members of the party collective, as well as punish “defectors”; they are rewarded for their services by claiming the residual benefits and privileges

²² Cox G., McCubbins M., *Legislative Leviathan: Party Government in the House*, Wyd. Cambridge University Press 2007.

²³ Mayhew D., *Congress: The Electoral Connection*, Wyd. Yale University Press 2004.

that the party can receive as a result of elections and decisions regarding the formation of the government and the division of the “domineering pie”.

After all, as with all other hierarchical bodies, the structuring of parliaments must have leaders at its logical top. Such persons usually act as heads of legislatures and may enjoy many significant or honorable responsibilities. At the same time, the chairmen of parliaments or individual chambers of parliaments are often known as speakers or presidents, and the offices of the heads of legislatures can be both individual and collective ones. The latter are usually determined by constitutions or other relevant legislation, and then in this case they play a certain ordinal role in the hierarchy of positions according to their social significance. However, constitutional attributes seldom fully describe the functions of parliamentary chairmen in full. Nevertheless, it is clear that the most pressing day-to-day responsibility of parliamentary leaders is to oversee the parliamentary agenda. That is, speakers or presidents are responsible for planning draft laws for discussion during plenary sessions of legislatures, as well as for organizing the parliamentary calendar. Speakers of parliaments can participate in important coordinating functions of legislatures, such as appointing committee members, allocating bills to committees, receiving bills from committees, choosing rules for plenary sessions, administering parliamentary staff and personnel, communicating with the executive, etc. During the debate in the plenary session of the parliaments, the speakers are responsible for determining the members who wish to speak and for conducting speeches within the time limits and parliamentary decency. At the same time, the basic principle is the division of parliamentary chairmen into party and non-party ones, although the functions of the latter in this case are usually more limited than the roles of party leaders of legislatures²⁴.

In general, the study argued that the political and institutional structuring of parliaments should be based on such indicators and markers as the number of chambers of parliaments, party-factional features of the legislature, determinants of parliamentary committees’ influence on the structuring of parliaments, and individual membership of deputies at the level of legislatures.

It is these characteristics that constitute the immanent internal component of national parliaments and ultimately describe to what extent legislatures are stable, institutionalized and competitive, etc. In contrast, however, there are additional factors of structuring and resource content of legislatures. These are, for example, the various procedural attributes of parliaments that do not require special consideration but are related to the internal aspects of structuring. The most focused among them are the legislative schedule, agenda and calendar, plenary decisions, debates, amendments, staff selection, monitoring of parliaments, reporting, and institutional verification.

²⁴ Cox G., McCubbins M., *Legislative Leviathan: Party Government in the House*, Wyd. Cambridge University Press 2007.

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