

Speech to be given by the President of the Dutch Senate, Mrs Yvonne E.M.A. Timmerman-Buck, at the VIIIth Meeting of the Association of European Senates, Bern, April 21th 2006.

President of the Ständerat, colleagues, ladies and gentlemen,

As president of the Senate of the Netherlands, I am very pleased to be here among you for the second time, particularly since I was unfortunately unable to attend the previous meeting of our association in Berlin. I would like to take this opportunity to thank you, president Büttiker, very cordially for the exceptionally hospitable reception we have received here in Bern and to congratulate you on the excellent organisation of this conference.

Colleagues, ladies and gentlemen,

In the Netherlands we are engaged in a permanent debate on how not only the government but also parliament fulfils its duties. This debate is conducted on all kinds of fronts and is particularly fierce as regards the gap between electors and elected. This is due first of all to the emergence and subsequent murder of Pim Fortuyn and, second, to the result of the referendum on the constitutional treaty, in which 63% of the electorate voted differently on the European Union than a large majority in Parliament had been expected to do. Solutions are often sought in the procedural, organisational and institutional sphere. However, the problem of the relationship between electors and elected is complex. Here I should just like to emphasise that the positions of the senates in Europe differ widely. This concerns differences in their powers which have an impact on today's topic, namely grassroots politics.

Mr President, you have asked us a number of specific questions for this meeting. This is why I will try to be as specific as possible in answering them. The questions can in my view be seen from three angles, namely:

1. representing the concerns of electors
2. influencing the elected
3. communicating with electors

Representing the concerns of electors

First of all, how are the concerns of the population represented in the Senate?

The Senate and the House of Representatives in the Netherlands are equal under the Constitution, but for the purpose of today's debate it is important to know

that the Senate plays a less prominent political role in the Netherlands than the House of Representatives.

I will illustrate this first of all by reference to its powers as co-legislator. The Dutch Senate, unlike the House of Representatives and in contrast to some other senates in Europe, does not have a right of amendment. We do, however, have a right of veto. This is a very blunt instrument, because we do not have a right to return a bill for further consideration. It follows that if a bill is defeated in the Senate it is completely removed from the parliamentary agenda. This is why the right of veto is not often exercised. This fact, combined with the absence of a right of amendment, means that the Senate operates at some distance from day-to-day politics.

Second, senators are elected not directly but indirectly, namely by the members of the Provincial Council. In electoral terms, therefore, there is no direct connection between individual citizens and senators. It should be noted, however, that the members of the Senate are deemed to represent all Dutch citizens.

Third, Dutch senators are part-time politicians. We usually meet one day a week. This is directly connected with the fact that our Senate concentrates mainly on its role as co-legislator and generally adopts a low profile when it comes to scrutinising government policy. This is mainly a duty of the House of Representatives. It is there that the daily politics and daily scrutiny of government policy takes place. The Senate focuses mainly on checking the quality of the legislation: is a statute legally sound, capable of implementation and enforceable? Once a year we hold policy debates (which coincide with the budget debates). In these debates we try to achieve the value-added which distinguishes us from the House of Representatives by conducting the debates with the government on a different basis: we put greater emphasis on the long term and try to establish cross-links between themes and government ministries. An example of this was the debate on the spatial and economic development of the Netherlands, the purpose of which was to determine the position of the Netherlands in about 20 years' time. As a result of the debate six government ministers were obliged to acknowledge that there were inconsistencies and gaps in the policy proposals in their totality. These are not debates that attract newspaper headlines or hold any great appeal for individual electors, but this deliberate aloofness from daily politics is no less necessary for all that. This is why the Dutch Senate is traditionally known as the 'chambre de réflexion' and provides a counterweight for the 'whim-of-the-day' approach in the House of Representatives.

A long-term vision and a certain level of abstraction do not mean that the members of the Dutch Senate are unaware of what is going on in society or of what matters are of importance to citizens. On the contrary, many of our senators hold one or more positions in society in addition to their membership of the Senate. As a result, they can bring a wealth of social experience and knowledge to bear on the debates with the government. At various places in our society they experience on a day-to-day basis what topics are important to people, what government measures work or do not work and what developments are taking place in certain fields. Policy debates are also often prepared by Senate committees by means of expert meetings, in other words meetings at which experts in specific policy fields are invited to provide information and answer questions.

In dealing with the policy proposals of the European Commission the Dutch Senate uses its website for European topics (Europapoort at www.europapoort.nl) to call on interested citizens, businesses and institutions to make known their views on the proposals.

Influencing the elected

Mr President, the second angle from which today's topic can be viewed is the influencing of the elected. Individual citizens, institutions, businesses and pressure groups are increasingly informing the Senate of their positions either by using our website or by sending us e-mails, letters and petitions. They often base their hopes on the critical scrutiny to which our Senate subjects the bills presented to it. As I have already stated, the right of veto is not often used, but the fact that the Senate can express a veto induces the government to give all kinds of undertakings every week. These undertakings vary from promises of extra financial resources to re-evaluation of certain aspects of the legislation. These undertakings are placed on our website weekly.

The Senate is the last body which considers a bill in the Netherlands. As the Senate is at the end of the parliamentary chain, it is often regarded by citizens and other interested parties as a 'chamber of last instance', as a kind of appeal chamber or, possibly, a last straw that can be clutched at in the hope of staving off unwelcome decisions. This notion of the Senate as an appeal chamber is unfortunate. Although we are admittedly a political body, we do not exist to redo the work already done by the House of Representatives. Only if the House of Representatives has overlooked certain aspects or not taken sufficient account of them, if amendments accepted in the heat of the political battle are an obstacle to implementation of the law or have unjust consequences or if other new facts or circumstances have occurred since the House of Representatives spoke is the Senate really the right body for citizens to contact.

Communicating with electors

Mr President, the third and last angle relates to communication with electors. We are trying to use active, proactive and interactive means of communication to provide transparency about what we are doing and thus allow scrutiny of our work. We have expressly decided against inviting in the press in a literal sense, and have instead chosen to address ourselves directly to citizens and their organisations.

To be specific, we have adopted the following instruments:

- In the 4-year term of office of our Senate, we receive all members of our 12 Provincial Councils (who are, as I have already explained, our electors) and discuss with them the topics they raise.
- On our website we provide information about bills with which the Senate is dealing and other relevant topics. This website is updated daily. Our website, including the Europapoort section to which I have already referred, has been nominated this year for the second time as one of the 10 best websites of government, administrative and parliamentary bodies in the Netherlands.
- Since 2005 we have published an annual report that is widely distributed among individuals, institutions, bodies, government agencies and businesses. It is also published on the website. Unlike the annual reports of other bodies, it does not deal with operational matters. However, we do show by reference to specific examples how we fulfil our duties, how and why we debate with the government and what this actually produces in practice.
- The plenary meetings of our Senate can be watched on the Internet.
- In cooperation with the House of Representatives the Senate has compiled an information package about the functioning of parliamentary democracy in the Netherlands for the highest classes of our primary schools.

Final remarks

Mr President, this brings me to my final remarks. The answers that we will all give to your questions are bound to be extremely varied. It is certainly a good thing to discuss specific instruments that contribute to grassroots politics. However, the more fundamental question is how we wish the relationship between elector and elected to be and what role we believe politicians should play in this respect. Naturally, as your questions to the participants in this meeting indicate, politicians must know what is going on in society and must be

able to treat the concerns of citizens as their own. But I wish to emphasise here that politicians are more than just a conduit for passing on the wishes of their electors: they must also make decisions in the public interest and sometimes even dare to disagree with their electors. It is their expertise, empathy and power of persuasion in doing so that gives them authority. Without authoritative politicians confidence in politics will remain at a low ebb. It is this point that I wish to emphasise at the end of my contribution.

Thank you.