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The Disfunctioning of Parliamentary Committees in Japan and India

K.V. Kesavan (Eds), *Parliamentary Committees in Japan and India: Their Functions and Relevance* (New Delhi: Manak Publications Pvt. Ltd., 2003), 180 pp, Rs. 400, ISBN 81-7827-080-3

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Parliament is the nucleus of a democratic state. It has two main responsibilities--formulate legislative policy and ensure government accountability. To perform these duties, parliaments mainly rely on parliamentary committees because they are not able to cope with the ever-expanding and complex responsibilities of the government due to paucity of time and lack of required expertise. Thomas Brackett Reed, the minority leader of the U.S. House of Representatives, described the House committees as "the eye, the hand and very often the brain of the House."¹⁾

Generally, parliamentary committees refer to a committee that is constituted by the parliament or by the Speaker of the parliament. Two types of parliamentary committees, permanent and temporary, are common in almost all parliaments. However, they serve as the main organizing centre of both legislation and parliamentary oversight of the government. Both in Japan and India, every bill relating to policy matters must go through the concerned committee before it appears before the parliament. By examining the bills, the committees can generate a number of suggestions to remove any fault in the bills, and thus the committees help the government in policy-making. Nevertheless, they conduct investigations into

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1) Kenneth A. Shepsle and Barry R. Weingast, "The Institutional Foundations of Committee Power" in Philip Norton ed., *Legislatures and Legislators* (Vermont: Ashgate Publishing Company, 1998), p. 233.

those aspects of the government which come under their respective spheres of work. To conduct an investigation, they hear explanations from the government authorities and others concerned, ask questions to the government, and request documents. As a result of these investigations, they may propose bills and pass resolutions demanding that the government take certain measures. On the other hand, they exert control over the government, having power to oversee the ways it (government) raises and spends public money.

Parliamentary Committees in Japan and India: Their Functions and Relevance provides an overview of the parliamentary committee system in Japan and India. Following the introduction, chapters one, two, and three, focus respectively on the evolution, types, structure, power, and functions of existing committees in Japan. More specifically, the chapters elaborate on the way committee system was influenced by Supreme Commander for the Allied Powers (SCAP), and got its present shape (chapter one), characteristics of Japanese decision-making system and political reforms that took place in the 1990s and after (chapter two), composition and functions of standing and special committees, role of budget committee in scrutinizing the government budget, the way by which the House Management Committee acts as one of the biggest negotiating arenas between the ruling and opposition parties, the legislative procedure and committee influence on the process (chapter three). The remaining chapters explore the committee system in India. Chapter four examines the genesis and legal basis as well as the types and characteristics of parliamentary committees. Chapter five presents formal functions of Departmentally-Related Standing Committees (DRSCs), and chapter six evaluates their impact on legislation and government policies through case studies. The last two chapters offer an idea on the role of DRSCs in examining demands for grants of ministries and in ensuring full utilization of allocated funds (chapter seven), and formal functions of Public Accounts Committee, Committee on Estimates and Committee on Public Undertakings (chapter eight).

The effort of *Parliamentary Committees* to evaluate committee activism is disappointing. There are several ways of measuring committee activism. Some of the

important measures are: the frequency at which committee meetings are held, the regularity of members' attendance, the number of reports prepared over a particular time, the number of hours spent on deliberation, the scope for agenda setting by members, the nature of issues raised and discussed, and the quality of decision reached.²⁾ Unfortunately, most of these mentioned criteria are not answered in the book and it contains only scanty information on the sitting time of standing and special committees of Japanese Lower House (chapter two) and Indian Lok Sabha (chapter five) and number of committee meetings in Japan (chapter three).

Understanding the actual impact of parliamentary committees in the policy process and on government behavior requires case studies on specific areas regarding bills, or corruption and irregularities of the government. In the case of Japan, parliamentary committees were not examined in the above way. In the case of India also, committees were not evaluated in checking government's corruption and irregularities through specific case studies.

Committee members are the driving force of committee activism. Their willingness and ability to work for the committees depend on the extent to which they enjoy freedom. The book shows that parliamentary committee members in Japan work under tight party control. In Japan, Liberal Democratic Party (LDP) committee members tried to break this tradition, voting against Junichiro Koizumi's postal privatization bills. The way Koizumi handled the crisis, and the party's decisions to punish the rivals at the time of elections did not correspond to democratic principles, and it will surely discourage committee members to go against party decision.

The book mentions that eighty five percent bills passed by Japanese Diet are cabinet bills. It indicates ruling party dominance over legislative procedure, and exposes committees as a 'rubber stamp' of the cabinet. Unfortunately, it did not put forward policy recommendation to cutback ruling party dominance. The editor

2) Nizam Ahmed, "The Development of the Select Committee System in the British House of Commons," *Canadian Parliamentary Review* 20(4) (1997-98): 31

stated that both Japan and India now understand the need for reducing the role of the bureaucrats in the committee meetings. In Japan, steps have been taken to increasingly involve junior level ministers in place of the bureaucrats. The book does not illustrate why the bureaucrats' role should be reduced and to what extent, if any, they hamper committee effectiveness, and how their role should be substituted. Moreover, the outcome of the bureaucrats' replacement in some cases by politicians is not affirmed here, hence, it is difficult to evaluate whether the decision is effective.

Japanese parliamentary committees are, by and large, criticized that their accomplishments are largely meaningless even though they have an elaborate staff, can conduct investigations, and hold meetings open to public.³⁾ There is an urgent need to conduct further research with a view to justifying the mentioned criticism, and if parliamentary committees are really futile, reforms must be introduced for their proper functioning.

The editor, on the other hand, in the introduction argues that committee members in India keep themselves away from their party affiliations while conducting investigations. Subsequently, S. Bal Sherkar, the author of chapter six claims that Indian DRSCs have succeeded in a far greater measure, securing the accountability of the executive branch. While Japan was ranked 24 and 21, India was placed 90th and 88th in the list of Transparency International's Corruption Perception Index 2004⁴⁾ and 2005⁵⁾ respectively, which reveals that corruption is still extensive in India. If committees play a vital role in ensuring executive's accountability, it will not be an exaggeration to pose a question, why is India still a corrupt country?

Furthermore, the objective of encompassing Japanese and Indian parliamentary committee system is not clear as the book is not a comparative study. It could

3) Hans H. Baerwald, "Committees in Japanese Diet," in John D. Lees and Malcolm Shaw eds., *Committees in Legislatures: A Comparative Analysis* (Durham: Duke University Press, 1979), pp. 345-6.

4) Transparency International Corruption Perceptions Index 2004 at <http://www.transparency.org/cpi/2004/>, accessed October 22, 2005.

5) Ibid., 2005, accessed October 23, 2005.

compare committee system of Japan with that of India and exchange experience, which might be invaluable in fulfilling any gap, exists in the two countries' committee system.

In spite of the above mentioned limitations, the book is a welcome addition of the few studies on the parliamentary committee system in Japan. The book may be useful for parliamentarians, as well as students and researchers, working on the parliamentary committee system. In the case of Japan, the budget committee is so powerful that it, once, forced LDP government to modify the budget. Chapter six provides vast examples how DRSCs influenced policy-related bills and compelled the Indian government to formulate several pieces of policies and to improve various systems and procedures, accepting committee suggestions. The ministers in India submit action taken report to parliament, providing details of the progress of implementation of the recommendations of various DRSCs, and explaining the reasons for delay or rejection if any, which shows real accountability. This parliamentary method is highly praised in academic circles.