



Parliamentary Control of Security Policy

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How to Measure Parliamentary War Powers

paks working paper 3

2007





PAKS WORKING PAPER SERIES

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Funded by Deutsche Forschungsgemeinschaft (DFG)

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Bibliographic information published by the Deutsche Nationalbibliothek

The Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliografie; detailed bibliographic data are available in the Internet at <http://dnb.d-nb.de>.

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ISSN 1864-9467 (Printversion)
ISSN 1864-9475 (Internetversion)

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1. Security politics and the democratic peace

Democracies obviously do not abstain from military power. They usually maintain armed forces and sometimes bring these capabilities into action. However, democratic peace theory postulates that democracies are somehow more restricted in their use of military force in foreign relations than non-democracies. Proponents of the dyadic version of the democratic peace theory point to the fact that democracies (almost) never fight wars against each other while those supporting the monadic version claim that democracies generally are more peaceful in their foreign relations than non-democracies. Explanations given for the observed, or expected, peacefulness of democracies usually include normative-constructivist arguments (the effect of democratic norms and culture) as well as rationalist-institutionalist arguments (the responsiveness of democratically elected political decision-makers to war-averse citizens and institutional puts constraints on governments' foreign policy making).

So far, the democratic peace literature for the most part is based on the binominal category of "democracy" vs. "non-democracy". Definitions of democracy usually include free and fair elections, alternate government, transparent policy making, rule of the law, etc. Usually the specific democratic quality of foreign policy making is not part of the definition of democracy. Thus it could well be the case that a political system in principle corresponds to the definition of democracy, while its foreign security policy making is left to the exclusive discretion of the (democratically elected) government, unrestrained by the checks and balances and institutional restrictions of domestic policy making (Elman 2000). In other words, democratic nation-states could have foreign security policy making systems lacking full democratic control and would still be counted as democracies by democratic peace analysts.

For a long time the monadic version of the democratic peace theory put forward by Rummel and others did not attract much support from the scholarly community because of its seemingly weak empirical evidence. Monadic theorists reply to this criticism that the lack of full democratic control of foreign policy making in many democracies could explain why democracies as an undifferentiated category did not exhibit significant military restraint. They assume that those democracies, which are not significantly less aggressive and prone to go to war than non-democracies, belong to "a subset of democratic countries with identifiable anomalies or pathologies in their constitutional control structures" (Damrosch 1995: 193).

In order to substantiate the monadic version of the democratic peace theory it seems to be worthwhile to "unpack" democracies (Elman 2000). According to Damrosch, evidence of the relevance of democratic checks and balances would also have important normative implications:

"Among those would be that it is not enough to favor democratization in the sense of periodic electoral validation of the government, or liberalization in the sense of respect for human rights and individual autonomy; rather, attention must also be given to whether particular political structures and systems of constitutional control might be more effective than others in checking the war-making potential of the executive branch" (Damrosch 1995a: 192).

In our research project at the University of Düsseldorf we investigate the validity of the monadic democratic peace theory by examining more closely the democratic quality of foreign

security policy making. The foreign policy making processes of the European Union's 25 member and accession states during the 2003 Iraq War were selected as a crucial test case for our study:¹ This case allows to focus on different institutional checks and balances whereas other independent variables such as citizens' preferences² or the international environment³ stay constant. Moreover, unlike UN-mandated "peace-support operations" (Born/Hänggi 2004)⁴, the 2003 Iraq war, as a full-scale war⁵, is an example of exactly the type of foreign policy behavior democracies are expected to refrain from. Most importantly, we assume that modern societies are organized as representative democracies based on parliamentarianism and that alternative methods of democratic government might support, but cannot substitute, parliamentary, election based, representation in mass societies (Marschall 2005: 39; 310-313). Therefore our research project focuses on the role of legislatures in the foreign policy decision-making processes of the EU-25 in relation to the 2003 Iraq War.

We suppose that the degree of parliamentary control over security policy should correlate with the degree of the involvement – or rather non-involvement – of the respective EU member, or accession, state in the 2003 Iraq War. In order to be able to substantiate this assumption, we have to determine the policy powers of the respective parliaments as of early 2003. In the remainder of this paper we will present and discuss our research tools for measuring what we call parliamentary "war powers." Based on this conceptualization we are collecting data on the parliamentary war powers of the EU-25 countries and, in the final stage of our research project, we will determine the correlation patterns of parliamentary war powers on the one hand and governments' foreign policy behavior in relation to the 2003 Iraq War on the other hand.

2. The significance of parliamentary powers in foreign and security affairs

The concept of foreign policy being part of exclusive executive decision-making is deeply rooted in political theory. The idea that foreign policy is separate from domestic policy originates from early modern thinkers such as Niccolò Machiavelli, Jean Bodin or Thomas Hobbes (Hellmann/Baumann/Wagner 2006: 29f.). Most prominently John Locke, in his "Two Trea-

¹ Negotiations on accession to the European Union were concluded with Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic and Slovenia in December 2002. The Treaty of Accession of those countries was signed in Athens on 16 April, 2003. They became full members of the European Union on May 1, 2004. We did not include Bulgaria and Romania, because the Treaty of Accession of Bulgaria and Romania was signed later on 25 April 2005 and they became EU members on January 1, 2007, well after the start of the Iraq war (cf. website of the Enlargement Commissioner: <http://ec.europa.eu/enlargement>).

² A January 2003 Gallup poll showed clear majorities against national participation in an Iraq intervention without a UN Security Council mandate in all 25 countries under examination (EOS Gallup-Europe 2003).

³ The Treaty of the European Union provides for a common foreign and security policy of the member states.

⁴ We share Everts' criticism that "[t]he scope of the book [...] is limited given that it aims to cover only what are called 'peace support operations.' It might have been desirable and theoretically preferable to take another perspective and place the book in the wider context of parliamentary control over decision making regarding the use of military force or even regarding foreign and defense policymaking in general" (Everts 2005: 301).

⁵ The 2003 Iraq war actually consists of two wars: the international war of the US-led coalition against regular Iraqi forces (March to May 2003) and the counterinsurgency war of coalition forces and new Iraqi government forces against various insurgent forces slowly turning into the Iraqi civil war (from May 2003).

tises of Government”, postulated a special “federative power” for foreign policy beyond parliamentary control (Locke [1689] 1997: 283). Locke argued that in international relations nations have to flexibly react to external challenges. This would exclude a dominant role of parliamentary institutions. Locke stressed one of the popular arguments challenging the power of parliaments in foreign and security policies, i.e. the assumed incompatibility of (lengthy) parliamentary debates on the one hand and the necessity for quick action in foreign affairs on the other hand. Another common argument for excluding parliaments from foreign and security policy making is based on the traditional foreign policy understanding that diplomacy and military affairs require secrecy in order to be effective. According to the realist school of international relations granting the government a free hand would contribute to national power. A parliamentary process closely linked to public scrutiny is hardly compatible with the desire for confidentiality and governmental discretion.

As absolutist rule subsided and as constitutionalization and democratization progressed parliaments took up a more significant role in foreign security policy making (Ehrenzeller 1991: V; Hellmann/Baumann/Wagner 2006: 34). But even today there is a strong tradition to leave military security policy making to the government’s exclusive discretion beyond parliamentary involvement. For example, in the Gaullist tradition of the French Republic French presidents claim responsibility for military decisions as part of the presidential *domaine réservé*⁶, in the United Kingdom prime ministers regularly invoke the *royal prerogative*⁷ for security issues and during Germany’s imperial history the government of the *Reich* justified its monopoly on foreign policy decision-making by the *Primat der Außenpolitik*.⁸

But the traditional concept of the executive prerogative in foreign security policy has not remained unchallenged. Indeed, there are both normative and empirical reasons for ascribing greater responsibilities to parliaments in foreign security decision-making. From the normative perspective of democratic theory, there are good reasons to grant parliaments far-reaching powers with regards to foreign security issues, in spite of the difficulties of linking the logic of foreign policy making to the logic of parliamentary procedures, because decisions in this policy area can have crucial implications for the national budget, for the lives of the people at home and for the fate of people in other countries. Moreover, important normative choices have to be made in foreign security decision-making, e.g. whether or not to comply with international law or whether and how to employ massive military force. These kinds of decisions do not only affect national interests but also the very identity and culture of a nation and the legitimacy of democratically elected governments. One could even argue that because foreign security policy is “high politics” it requires maximum consideration of people’s pref-

⁶ La Documentation française: Qu’est-ce que le domaine réservé?, in: Portail „vie-publique.fr”. Available from: <http://www.vie-publique.fr/decouverte-institutions/institutions/approfondissements/qu-est-ce-que-domaine-reserve.html> <accessed 01.06.07>.

⁷ United Kingdom Parliament: PASC Publishes Government Defence Of Its Sweeping Prerogative Powers, in: Session 2002-03, Press Notice No.19. Available from: http://www.parliament.uk/parliamentary_committees/public_administration_select_committee/pasc_19.cfm <accessed 01.06.07>.

⁸ This concept is usually ascribed to Leopold von Ranke (1833). This article has been republished during the late 19th century in various editions of Ranke’s works. In the 1984 *Flick* ruling the German *Bundesverfassungsgericht* (Constitutional Court), reintroduced the concept of a „core area of sole executive responsibility“ (*Kernbereich exekutiver Eigenverantwortung*) beyond parliamentary control, covering, inter alia, intelligence briefings and ongoing decision-making processes of the cabinet (BVerfGE 67, 100 <139>).

erences. This would call for the massive involvement of parliaments because they are the very institutions mandated to represent their citizens' interests and identities.

There are also empirical reasons for having a closer look at parliaments' role in foreign security decision-making. Obviously there are striking differences among democracies in their respective institutional arrangements regarding parliamentary participation in foreign and military policy making. Some parliaments traditionally play a powerful role in foreign security policy, most prominently the United States Congress. Most parliaments, however, seem to be less prominent in foreign security policy making. But while there is already a substantial body of literature about the US case,⁹ foreign policy research has not produced much work on parliamentary war powers outside the United States. In light of the fact that starting with the United States, national constitutions have traditionally assigned the power to declare war to the legislature this lack of literature is rather surprising.

Therefore we deem it proper to have a closer look at the role of parliaments in foreign security policy. This requires a systematic review of the degrees and institutional forms of parliamentary involvement in national foreign security policy making. Such data will not only add to our empirical knowledge, but will also have normative implications, because a survey of parliamentary war powers will disclose (new) opportunities to democratize foreign affairs and to bring parliaments into foreign security policy making. The collected data will also help to evolve a scenario for the improvement of parliamentary participation that indicates how a more democratic policy making system can most effectively be put into reality. The findings might be helpful in order to solve the puzzle of "parliamentary peace", i.e. the effects of strong parliamentary control on military interventionism.

3. Unbundling democracy and the democratic peace

So far, the literature on the democratic peace has not much to offer to our research project. Democracies are usually treated as a homogeneous class of actors and compared to non-democracies in a dichotomy. Elman rightfully complains that

"most democratic peace theories do not distinguish between democratic subtypes. Democratically elected foreign policymakers are assumed to face the same sets of domestic constraints, and all democracies are treated as weak states in which leaders cannot act autonomously" (Elman 2000: 97).

Quantitative studies of the democratic peace are mostly based on data sets provided by the POLITY project.¹⁰ POLITY conceptualizes

"democracy [...] as three essential, interdependent elements. One is the presence of institutions and procedures through which citizens can express effective preferences about alternative policies and leaders. Second is the existence of institutionalized constraints on the exercise of power by the executive. Third is the guarantee of civil liberties to all citizens in their daily lives and in acts of political participation. Other as-

⁹ Cf. among others Stern/Halperin (1994); Damrosch (1995a/b); Auerswald/Cowhey (1997); Dahmer (1998); Grimmett (2003); Fisher (2004).

¹⁰ The POLITY concept was originally published by Eckstein/Gurr (1975).

pects of plural democracy, such as the rule of law, systems of checks and balances, freedom of the press, and so on are means to, or specific manifestations of, these general principles” (Marshall/Jagers 2005: 13).

POLITY's democracy indicator is an additive eleven-point scale (0-10), which is derived from weighted codings of the competitiveness of executive recruitment (variables XRREG, XRCOMP, and XROPEN), the constraints on the chief executive (XCONST), and the competitiveness of political participation (PARREG and PARCOM) respectively.¹¹ There is no particular reference to the democratic quality of foreign security policy making.

We checked how our sample scores in POLITY and found that all 25 European polities of our sample would basically be counted as democracies in terms of mainstream democratic peace research (table 1).

At the same time the POLITY data reveal shortcomings regarding the quality of democracy in some of the EU-25. According to POLITY, the Republic of Cyprus suffers from the fact that it has no authority over parts of its territory, namely the Turkish Republic of Northern Cyprus. Estonia and Latvia score 7 and 8 for DEMOC respectively, because of the discrimination against the Russian-speaking minority, which restricts full competitiveness of executive recruitment and political participation. France shows less than perfect democracy scores because of the extraordinary powers of the President of the Republic. In the case of France these institutional deficiencies seem to be partially compensated by competitive party politics. The POLITY authors mention that

“Charles de Gaulle as president of the French Fifth Republic operated within slight to moderate political limitations. Thus the early years of the Fifth Republic have lower Democracy scores than the United States or the Federal Republic of Germany, where constraints on the executive approach parity. Similarly, the onset of ‘cohabitation’ in France during the second phase of the first Mitterrand presidency is marked by a shift toward parity on the Executive Constraints scale and a concomitant increase in France's Democracy score” (Marshall/Jagers 2005: 14).

Finally, Slovakia is coded less than perfectly democratic because it still seems to suffer from the autocratic legacy of former President Mečiar. Nevertheless, the fact remains that all EU-25 countries would have to be treated as belonging to the same class of democratic countries, if we apply the simple dichotomy of “democracy” versus “autocracy” used in mainstream democratic peace research.

¹¹ Cf. table 1.

Table 1: Polity IV Data for 2003 for the EU-25¹²

	DEMOC	AUTOOC	XRREG Regulation of Chief Executive Recruitment	XRCOMP Competitiveness of Executive Recruitment	XROPEN Openness of Executive Recruitment	XCONST Executive Constraints (Decision Rules)	PARREG Regulation of Participation	PARCOM The Competitiveness of Participation	Polity Fragmentation
best score for democracy	10	0	3	3	4	7	5	5	no
Austria	10	0	3	3	4	7	5	5	no
Belgium	10	0	3	3	4	7	5	5	no
Czech Republic	10	0	3	3	4	7	5	5	no
Cyprus	10	0	3	3	4	7	5	5	yes
Denmark	10	0	3	3	4	7	5	5	no
Estonia	7	1	2	2	4	7	3	3	no
Finland	10	0	3	3	4	7	5	5	no
France	9	0	3	3	4	6	5	5	no
Germany	10	0	3	3	4	7	5	5	no
Greece	10	0	3	3	4	7	5	5	no
Hungary	10	0	3	3	4	7	5	5	no
Ireland	10	0	3	3	4	7	5	5	no
Italy	10	0	3	3	4	7	5	5	no
Latvia	8	0	2	2	4	7	2	4	no
Lithuania	10	0	3	3	4	7	5	5	no
Luxemburg	No data	No data	No data	No data	No data	No data	No data	No data	No data
Malta	No data	No data	No data	No data	No data	No data	No data	No data	No data
Netherlands	10	0	3	3	4	7	5	5	no
Poland	10	0	3	3	4	7	5	5	no
Portugal	10	0	3	3	4	7	5	5	no
Slovakia	9	0	3	3	4	7	2	4	no
Slovenia	10	0	3	3	4	7	5	5	no
Spain	10	0	3	3	4	7	5	5	no
Sweden	10	0	3	3	4	7	5	5	no
United Kingdom	10	0	3	3	4	7	5	5	no

Few democratic peace researchers distinguish more than two classes of polities. Russett (1993), for example, classifies political systems as “democratic”, “anocratic” or “autocratic”, depending on how they score on a composite democracy index. Rummel measures degrees of individual freedom using ordinal rankings and identifies “free”, “partially free” and “non free” systems corresponding to “democratic”, “authoritarian” and “totalitarian” regimes (Rummel 1983, 1995: 459f.; cf. Damrosch 1995a: 191). Mansfield and Snyder (1995, 1996) distinguish consolidated and unconsolidated democracies and define the latter as those still undergoing, or only recently having undergone, a transition from non-democratic to democratic regimes. They regard unconsolidated democracies as significantly more prone to engage in war than consolidated democracies due to the turbulences of the transition process .

¹² Marshall/Jagers (2003, 2005).

Elman's study is one of the most elaborated contributions to the democratic peace literature so far in terms of distinguishing different types of democracies. She refers to four subtypes of democracies: "coalitional parliamentary democracy", "presidential democracy", "semipresidential democracy" and "Westminster parliamentary democracy" (Elman 2000: 96f.).

"Democratic states [...] differ in the extent to which they constrain the executive, and in the degree to which their foreign policymakers view war as a legitimate foreign policy tool. [D]emocratic states can act belligerently when democratic structures allow skewed foreign policy making access to groups who favor the use of force. Specifically, I show how presidential, coalitional parliamentary, Westminster parliamentary, and semipresidential democratic systems [...] influence the autonomy of foreign policymakers, and pose different sets of constraints and opportunities for foreign security policy making" (Elman 2000: 93).

Elman postulates specific effects regarding the power of the respective parliament to stop a belligerent executive for each of the four types. For example, regarding the presidential system she contends that "war-prone leaders are [...] more constrained because war powers are usually shared by the executive and legislative branches" (Elman 2000: 97). In the Westminster Model, on the other hand, "[t]he executive can count on legislative approval for its foreign policy positions largely because voting against the government implies handing it over to the opposition." (Elman 2000: 98). However, Elman uses one of the *general* classifications of political systems, which can be found in the comparative politics literature. Her classification is not based on *specific* foreign security policy-related institutional arrangements.

In conclusion, because of the alleged very special nature of foreign security policy mentioned above, it seems to be questionable to examine the *overall* institutional settings of democracies in order to study the democratic peace. But this is exactly what most studies do. We propose instead to group systems according to their specific foreign security policy related parliamentary powers, thus bringing the monadic version of democratic peace theory into a sharper focus.

4. Comparative security policies and the democratic peace

In order to operationalize "parliamentary powers" as our independent variable we decided not to use general typologies of democracies or parliamentary systems. We follow Theodore Lowi who postulated that "policy determines politics" (Lowi 1972: 299). He argued that the relationship between parliament and the executive branch can hardly be described in general terms and should rather be analyzed specifically for each policy area. Thus we decided to refer to specific "war powers", and not to general constitutional powers of parliaments, as the independent variable that later in our research project will be correlated with the degree of governments' involvement in the 2003 Iraq War. The United Kingdom offers a striking example why this is necessary: the seemingly "almighty" position of the British parliament within the political system does not translate into corresponding parliamentary war powers.

Our research project benefits from the findings of two recent projects on the comparative analysis of parliamentary war powers commissioned by the Geneva-based Centre for the De-

mocratic Control of Armed Forces (DCAF). The first one by Hans Born and Heiner Hänggi (2004) is about civilian control of the armed forces in multilateral “peace support” missions. The focus of the DCAF team is the concept of “control”. They examined which resources for control of the government parliaments have at their disposal (for example constitutional and legal rights as well as the budget and the size of parliaments' staff).

The second DCAF study has been written by Wolfgang Wagner of the Peace Research Institute Frankfurt (PRIF) (Wagner 2006). Wagner examines “why the level of parliamentary control of military missions differs vastly across Western democracies” (Wagner 2006: 3). He distinguishes three levels of parliamentary control (table 2), based on the scope of their legally required involvement in the decision making process. Wagner convincingly demonstrates how significantly parliamentary war powers differ and how much they are path dependent. For example, the frequency as well as the success (or failure) of national involvement in wars seems to be closely linked to the degree and institutional form of parliamentary war powers. However, Wagner only analyzes the differences in parliamentary war powers, not their effects in terms of war participation or the degree of violence employed in security policy.

Table 2: Classification of parliamentary control of military missions according to Wagner¹³

Level of parliamentary control	definition
High	“if the government must seek prior parliamentary approval before it may send troops abroad”
Medium	“if parliament’s power of prior approval is undermined by significant exceptions, if the government must only consult a parliamentary committee (instead of the full parliament) or if the government does not need prior approval but must consult parliament”
Low	“if there is no obligatory parliamentary involvement in decision-making on participation in military missions”

Another approach, used implicitly in parts of the literature, would be to take the “War Powers” of the US Congress as a benchmark. At first glance, the US Congress seems to be very powerful in security affairs. According to the US Constitution only Congress has the right to declare war. In 1973 US Congress passed the War Powers Resolution,¹⁴ stipulating “that the collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations.”¹⁵

¹³ The table refers to Wagner (2006: 4).

¹⁴ War Powers Act of 1973 (Public Law 93-148).

¹⁵ War Powers Act Sec 2(a); cf. Kittel (1993: 50).

It seems to us that referring to the “War Powers” of the US Congress as point of reference does not take us very far. The US Congress is a very special case and cannot serve as benchmark or best practice for examining parliamentary control in Europe. First, congressional powers are constitutionally contested. Successive US Presidents disputed the constitutionality of the War Powers Resolution referring to their exclusive constitutional right as commanders-in-chief of the US forces. There is no consensus among constitutional experts on the scope of the legislature’s security policy competences (cf. Damrosch 1995a/b, 1996, 2000). Damrosch adds the argument that US presidents sometimes “found ways to circumvent explicit congressional prohibitions”, or “acted without congressional authorization”. Besides, “courts declined to articulate the boundaries of lawful executive action and left the president essentially free to implement an expansive view of his own constitutional powers” (Damrosch 1995a: 192). The constitutional dispute about congressional vs. presidential war powers seems to reflect a conflict, which is symptomatic for presidential systems: both the executive and the legislature are elected directly by the people and thus can claim the same degree of legitimacy. However, presidential systems are not typical for the EU-25: only the Republic of Cyprus is a presidential democracy.

Second, the political system of the United States is shaped by some very specific features, which make the US Congress a rather special case. For example, political parties are significantly less institutionalized and politically much less important in the United States than in Europe. Due to the minor role of political parties and due to the specifics of the US election system, the members of Congress have a much more constituency-based “parochial perspective” (Elman 2000) than members of parliaments in the EU-25.

Third, US politics differ significantly from politics in Europe, because of a much more militarized culture, which is linked to the extraordinary size of the military-industrial complex and to the status of a military superpower. In terms of the democratic peace, for several reasons (rally ‘round the flag-effects, strong lobbying by the military-industrial complex, professional army since the end of the Vietnam War, etc.) the existence of a war-averse public opinion as a precondition for the democratic peace cannot always be taken for granted in the United States. In sum, we think that we cannot use the very specific and legally contested case of US “War Powers” as a benchmark for assessing European parliaments’ military security policy role.

5. Parliamentary research and parliamentary war powers

Therefore, we propose a new index for measuring parliaments’ role relating to the deployment of military forces. Like the DCAF scholars we are looking at different dimensions of parliamentary influence on military issues, but unlike them we are moving beyond the concept of “control” and address the “power” of parliaments. We understand power as resources to influence the political decision-making process, i.e. the right to (co-)decide.¹⁶ Control is part of

¹⁶ Power is defined here as power resources not as power over outcomes. We refer to the distinction made by Keohane/Nye (1977).

power, but parliamentary co-decision on war involvement includes more than just restricting the government. Parliamentary war powers have to be understood in a comprehensive way.

In order to define the resources for parliamentary “war powers” we refer to the well-established list of parliamentary competencies, which include legislative (and budgetary) power, control power, communication power and election power (Marschall 2005: chap. III.2).

5.1 Legislative and budgetary resources

Traditionally, parliaments are legislative bodies. Especially in presidential democracies, the term “legislature” has become a synonym for “parliament”. In the early years of parliamentarism the power to legislate had been restricted to the “power of the purse”. Later, the power to decide how the taxpayers’ money should be spent expanded far beyond the domain of fiscal policy. By referring to the legislative dimension, we do not restrain ourselves to the law making process in its narrow meaning. Instead we regard parliaments as decision-making bodies.

The legislative power of parliaments is basically policy specific. The degree of parliamentary involvement varies for different matters of political regulation, within a political system as well as from country to country. Therefore it makes sense to specifically identify the parliament’s legislative and decision powers in the field of military security policy. Since we are interested in war involvement, we must focus on the question to what extent parliaments participate in decision-making on sending troops abroad. In order to assess the degree of legislative war powers, in principle, we have to check each individual case and find out whether and how parliaments are involved when the respective government plans to send troops into military action.

In doing so we have to check several provisions. First, we have to ask when government must consult with parliament on a planned deployment of troops. We take it that early consultations before the deployment of troops entail a higher degree of parliamentary power than ex post consultations, simply because the crucial decisions have already been made once the government has deployed troops. In several respects it seems more costly to suspend a deployment decision after the troops have been mobilized than to veto such a decision in advance.

Second, we have to ask to what extent parliaments are involved in the decision-making process and whether or not parliamentary participation is mandatory. We have to distinguish between different modes of participation, ranging from mere consultation to equal co-decision powers of the parliamentary body. We also have to take into account the majorities required, because quorum provisions set the options for parliamentary minorities to block decisions. Moreover, it seems important to check whether legislative rights are limited to decisions regarding national troops or whether they also apply to foreign troops using national territory, airspace, bases or facilities. Parliamentary power to decide on military matters could also seriously be curtailed by emergency provisions or exception clauses.

In addition to co-deciding on the deployment of troops, parliaments can also influence military actions by using its “power of the purse”. Deploying troops is expensive, and these

operating costs, in order to be covered by the national budget, usually have to be approved by parliament. If parliament refuses to release the money needed for military activities, the government can be severely restrained in its capacity to wage war.

5.2 Control resources

Control is one of the core concepts of parliamentary democracy, being part of the complex structure of democratic checks and balances. To monitor the activities of other institutions at an early stage has become one of the most prominent parliamentary functions. The power of control is tightly connected to sanctioning powers, since control without eventual sanctions lacks effectiveness. Resources of control can be linked to other functions of parliament (election, legislation) or can be activated by parliaments with the help of non-parliamentary institutions like the courts or mass media.

There is a multitude of parliamentary control resources. Accordingly, the measurement of the power of control must take into account the many different controlling activities of parliament.

First, we have to analyze which instruments parliaments can use for controlling the executive. The wide-ranging repertoire of parliament's control tools includes traditional procedures by which parliament and parliamentarians can interrogate the government, for example question time or different forms of questions to the government. Special investigation committees seem to be particularly effective means of control. Standing committees also play an important role in controlling the government; committee members, being policy specialists, can much more profoundly scrutinize and criticize governmental action in the respective policy area. For our research project it seems to be specifically relevant whether or not the respective parliament has standing committees on foreign affairs and/or defense. Moreover, we have to take into consideration whether parliaments, either via committees or via plenary assemblies, have the right to summon members of the government and to which extent they have access to governmental information. Finally, in some political systems parliaments can resort to judicial review by bringing governmental decisions before courts, although, of course, they cannot be sure about the courts' final rulings.

Second, we have to ask who exactly the parliamentary actor is that can make use of these instruments of control in the field of military security policy. Once again, in order to determine the policy-specific parliamentary resources, we have to find out what kind of majorities or minorities can use which instruments of control. In parliamentary democracies, it usually is the opposition who executes the power of control. Here we have to find out what means of control single parliamentarians or minority groups within the parliament have at their disposal. Such provisions might reduce or strengthen the effectiveness of the different instruments of control significantly.

Third, another differentiation is the timing for employing parliamentary control powers. We can distinguish between control accompanying governmental activities and control taking place after governmental decisions have been implemented ("ex post"). Ex post control seems to be less effective than control, which can be carried out "just in time". However, confidenti-

ality provisions can restrain parliamentary control power. Especially in the field of military security policy governments tend to withhold information by referring to national security requirement.

5.3 Communication resources

To communicate between those who decide and those who are affected by decisions is one of the core functions and at the same time a key power resource of parliaments, although it is difficult to operationalize. In early parliamentarism debating and discussing issues of general interest perhaps were the most essential purposes of parliamentary bodies. Originally parliamentary discourse meant pondering decisions, presenting arguments in favor of and in opposition to proposals and thereby generating the “best” solution.

“Communicative action” in a Habermasian sense yields parliamentary power: By discussing pro and con arguments parliaments can compel the executive to provide good reasons for its decisions. While governments might tend not to discuss military and security policy issues in public, parliaments principally are willing to discuss *all* areas of governmental activities including the deployment of troops. By exercising the communicative power, modern parliaments rely on the cooperation of mass media. Only if parliamentary communication is transferred into the realm of public debate beyond the parliamentary arena, parliament's communicative power resources can be fully activated.

In order to assess the communicative powers of parliament we have to determine the competences of parliaments to put governmental plans for deploying troops abroad on the agenda of plenary discussion. We have to identify which parliamentary player can set the agenda of parliament, more specifically, whether and how far parliamentary minorities can use the communicative resources of parliament. Effective instruments to put military decisions on the agenda include urgency debates, in which the plenary assembly discusses an urgent topic on short notice.

5.4 Election resources

Election resources of parliaments are primarily “dismissal” powers. Except for Cyprus the EU-25 are parliamentary systems in which the government depends on parliamentary support. Not all parliaments can elect the head of government, but all parliaments have the power to dismiss the prime minister or chancellor. Similarly, in semi-presidential systems some parliaments have the right to “impeach” the directly elected president.

Regarding semi-presidential systems, we have to be very careful in determining who exactly has the power to decide on military issues within the executive: the president directly elected by the people (and therefore more difficult to dismiss for parliament) or the prime minister being directly dependent on the support of the parliamentary majority. The answer to this question basically determines the election resources of parliament because a prime minister's dismissal usually is significantly easier to arrange than an impeachment of the president in a semi-presidential system.

The power to remove the chief of the executive branch from office is a general source of power and not specific to military policy making. In terms of policy specific powers the parliament's right to demand the dismissal of the ministers, or secretaries, of defense and foreign affairs is especially important. Parliaments having this power will be stronger because they can target sanctions specifically to government members responsible for security issues without having to use the big stick of forcing the government to resign en masse. On the other hand, the executive often can neutralize the power of parliament to dismiss the government by the executive right to dissolve the parliament, either directly or by forcing a vote of confidence.

When looking at the resources of parliamentary war powers we focus primarily on the constitutional and institutional rights of parliaments. However, it is important to note that parliamentary powers can be counter-balanced by the powers of other institutions, as it has been mentioned above. For example, the parliamentary right to control the executive can be neutralized by the executive right to keep sensitive information secret.

Using the distinction Born et al. have proposed, we focus on the “authority” of parliaments regarding military policy making. We would like to note that, at this stage of our research, we are not looking at what Born et al. have called the “ability”, i.e. the personal and financial resources in order to activate the parliamentary war powers. Neither do we take into account the “attitude”, i.e. the willingness of parliamentary players to hold the executive accountable, the readiness to use the instruments granted by constitutional and legal provisions.

By correlating parliamentary war powers and the degree of involvement in the 2003 Iraq War we will perhaps discover cases in which extensive parliamentary authority was not sufficient to prevent the respective government from military intervention. Therefore, in a follow-up research project, it might be worthwhile to track down the reasons for any missing effect of “authority”, possibly finding these reasons in the “ability” and “attitude” dimensions.

5.5 Typology of parliamentary war powers

Based on detailed case studies we have to decide how parliaments can be grouped according to their war powers. First, we expect a significant variation in the extent of parliamentary participation in deployment decisions. Second, we will group parliaments in clusters according to the extent of their war powers. Based on the general considerations given above we propose to distinguish five classes (table 3).

We consider the legislative power, i.e. whether and how a parliament is involved in the decision-making process concerning troop deployment, the central resource of parliamentary war power. We think that this power resource assigns parliament a binding vote and a veto-player position. Parliaments significantly differ in their legislative war powers, and these differences seem to dominate over variations regarding the other resources. Accordingly we will classify parliaments first of all according to their legislative war powers. We will further differentiate parliaments according to the other power resources. For example, there might be variations with respect to the control or the communication resources.

Therefore, the highest level of parliamentary war powers is attributed to systems in which parliament can prevent any form of involvement in international wars either by provisions concerning the deployment of troops, or by budgetary power, or by neutrality provisions based on parliamentary approval. At first sight, neutrality provisions might entail less parliamentary activities regarding military security policy, but in fact neutrality provisions effectively restrict executive military security policy making. We expect parliaments of the highest class to score high in the field of control and communication powers as well. We call this class “comprehensive” parliamentary war powers.

On the second level, there are parliaments having an ex ante veto authority, like parliaments with “comprehensive” war powers, and a high control and communication capability. However, in this class the legislative powers of parliaments do not apply to all kinds of troop deployment decisions. There are major exceptions regarding, for example, the number of troops to be deployed, the character of the mission, the multilateral setting or the use of national territory by foreign troops. We term the parliamentary war powers of this class “selective”.

The third category includes parliaments with “deferred” war powers, which cannot give prior approval to governmental decisions to deploy troops, but can only endorse governmental actions ex post. For these cases we nevertheless assume high control and communication capabilities, too. On level four, called “basic” war powers, we have parliaments, which formally have to be consulted or notified by government about (planned) troops deployments, but have no binding vote. They can neither prevent nor revoke governmental deployment decisions. But they still possess security policy specific control and communication powers, which they can activate in order to influence governments activities. Finally, parliaments on the lowest level with “deficient” war powers are neither involved in military security decision-making in any mandatory way nor have to be notified on deployment plans by governments. Nor do they have any policy specific control or communication resources.

Getting back to the democratic peace theory we expect that parliaments of the “comprehensive war powers” class are capable and willing to reduce government’s military activities abroad significantly, given a war-averse citizenship. For the other groups we expect scaled effect.

Table 3: Typology of parliamentary war powers

paks typology of parliamentary war powers		Wagner's classification
(1) "comprehensive"	prior parliamentary approval required for every governmental decision relating to the use of military force; parliament can investigate and debate use of military force	"high"
(2) "selective"	prior parliamentary approval required for governmental decisions relating to the use of military force but exceptions for specific cases (foreign troops on national territory, minor deployments, arrangements with international organizations etc.); parliament can investigate and debate use of military force	"medium"
(3) "deferred"	ex post parliamentary approval, i.e. parliament can demand troop withdrawal; parliament can investigate and debate use of military force	
(4) "basic"	no parliamentary approval but deployment notification to parliament required; parliament can investigate and debate use of military force	
(5) "deficient"	no parliament-related action required for use of military force; no specific parliamentary control or debate relating to the use of military force	"low"

6. Conclusion and research perspectives

In this paper, we have discussed how war powers of parliaments can be measured. Our aim has been to develop a taxonomy of parliamentary involvement in foreign security policy decision-making, especially the use of military force abroad. For the empirical analysis we have distinguished several "resources" parliaments can use in order to act as powerful players regarding military security policy making. We propose a typology of parliamentary war powers and distinguish five classes of parliamentary war powers depending on the legislative, budgetary, control, communication, and dismissal powers of the respective parliaments.

This proposed typology differs from the prevailing approach in the democratic peace literature: First, we do not refer to a general typology of political systems and do not apply a general assessment of parliamentary power regarding the checks and balances of a polity. Instead, we focus on the specific "war powers" of national parliaments. Second, instead of applying binominal or three-type typologies we propose a much more differentiated classification of parliamentary war powers. In our research project we are collecting a multitude of data concerning parliamentary war powers. For our own research purposes we construct five classes, but based on our data it is possible to increase the number of categories. By distin-

guishing five classes instead of two or three we can also minimize the effect of coding errors and avoid the overestimation of minor differences or of diffuse data.

By differentiating the independent variable we hope to provide a firmer ground for the monadic version of the democratic peace theory, since we do not work on the premise that all democracies necessarily have the same level of democratization with regards to their foreign security policy making. Having differentiated the independent variable of the democratic peace theory we will also differentiate the dependent variable, i.e. the war involvement of the EU-25.¹⁷

¹⁷ Cf. paks working paper 4.

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Parliamentary Control of Security Policy (paks)

Despite strong public disapproval (see EOS-Gallup Europe's International Crisis Survey of January 2003) several of the 25 current member states of the European Union (EU-25) actively participated in the US-led war against Iraq. This contradicts the (monadic) theory of democratic peace reaching back to Kant, which expects war-averse public majorities to be able to use democratic institutions to effectively constrain their government's security policy.

Within our project the democratization of security policy will be operationalized as parliamentarization. Since there is hardly any comparative research on the role of parliaments regarding security policy matters, as a first step of the project, the scope and impact of parliamentary control over security policy matters will be operationalized as "index 1". Using "index 1" the degree of parliamentarization of security policy will be measured for the EU-25. The foreign policy behavior of the EU-25 governments will then be measured on the basis of yet another index for the "burden of war participation in terms of the democratic peace" ("index 2"). Data for index 2 will be collected for March 2003, when the UN Security Council did not grant a mandate to the coalition forces and when the military campaign started, as well as for June 2003, immediately after the international war had ended and the UN Security Council had legalized the occupation regime. Subsequently, the two sets of data will be correlated in order to identify significant patterns of association between the two variables "degree of parliamentary control over security policy" and "burden of war participation in terms of the democratic peace".

We appreciate funding for the project by the German Research Foundation (DFG). The project has started in February 2006 and will be completed in September 2007.

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