

# The Role of the Legislature in National Security Affairs

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Original paper  
UDC 323(094)  
Received in June 2001

*There is only one safeguard against the distortion of democratic ideals that any too dominant executive can produce and the perversion of those ideals which invariably results from the dominance of a charismatic individual or the monopoly of a dogmatic ideology. This is a strong representative assembly to which the Head of Government and ministers are answerable for all that they do.*

*Moreover, the administration must be answerable not only in formal or institutional terms (meaning the legislature must have clear powers under the constitution) but also in practical terms (meaning elected representatives must exercise those powers with due diligence). This brings the argument to the fundamental obligation of a Head of Government and ministers, which is acknowledgement that parliamentarians have the right to know everything there is to know about an administration's business. In practice the communication of information, or its release on a restricted basis, is normally regulated on the basis of the need to know. This may be routinely denied in several areas: for example, in respect of information about imminent changes in taxation or intended purchases of real estate; or on matters currently under negotiation with another government or international institution; or, in the defence domain, in relation to data about the precise capability of specific weapons or the exact size of weapons stocks. There have to be some 'state secrets'. Outside these areas, however, freedom of information ought to be the rule.*

**Key words:** Legislature, national security affairs, state secret

## 1. Introduction

This paper has three parts. The first is an extended commentary on the different forms of governance that have been practised over the centuries, and which are still represented in today's world. The purpose here is to stimulate reflection about some fundamentals of politics, particularly on the nature of the relationship between the executive power and the population under various arrangements. The article leads to important conclusions about the essential role of elected representatives in *democratic* societies.

There follows an examination of the basic obligations of the executive and the key responsibilities of those representatives - or the legislature -

once the nature of that role has been established. This is the second part of this article.

The third is an enumeration of the institutions and procedures that must be put in place if legislators are to perform their role effectively. At this point, particular attention will be paid to national security affairs (broadly defined) and a specification of 'ideal' provisions (which, incidentally, very few mature democracies can boast about) will be outlined. This specification could be used as a checklist against which to gauge the situation in other states 'in transition' from one-party rule to plural politics.

## 2. Forms of Governance

It was the thinkers of ancient Greece who first propounded the political philosophy that supreme power (*kratos*) is vested in 'the people' collectively (*demos*) and that, therefore, the business of ruling

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cities, territories and nations should be in the hands of persons chosen by, and answerable to, the populace. However, we know that for around two thousand years this prescription - *demokratia*, or democracy found very few takers around the world. 'Government of the people, by the people, for the people' - in the succinct American formulation of the late eighteenth century - was preached more often than it was practised.

Indeed it was not preached all that much, since to campaign for *democracy* would have been tantamount to treason or heresy (or both). That is because the prevailing forms of governance - instances of which are still to be found - were *autocracy* and *theocracy*. The former rests on the notion that absolute power reposes in a single individual (the emperor, king, tsar, sheikh, sultan or whatever), and the monarch rules directly (with or without the advice of others). The latter is founded on the belief that supreme power resides with a deity. Government is therefore by divine commands rather than human ordinances, communication of the holy will being entrusted to spiritual leaders (pontiffs, bishops, ayatollahs or whatever).

The present-day examples of these forms are well known, and some are not far away. In Saudi Arabia, the King and royal house rule autocratically. In the neighbouring Gulf states, sheikhs, sultans and emirs do likewise. Meanwhile, in Iran, the ayatollahs govern with an Islamic rectitude bordering at times on the fanatical, though increasingly these days to an accompanying chorus of protest. In a handful of other places, too, it is the religious writ that runs.

Several observations are in order here. First, both the autocratic and theocratic forms of governance invoke higher authority - an hereditary licence or divine sanction. Thus they exemplify 'top-down' politics and produce authoritarian (or even totalitarian) rule. This need not necessarily be oppressive: some historians have characterised the eighteenth century as an age of 'benevolent despotism' in Europe. However, no one has ever claimed that under these arrangements 'the people' were (or are) anything but passive objects of government, having few freedoms, enjoying strictly limited rights and privileges, and exerting little or no influence on their rulers.

Secondly, it is remarkable how often in the past monarchs laid claim to both secular *and* religious authority, on the basis of either their dynasty's holy ancestry or assertion of a Divine Right of Kings - the European formulation - and equivalents else-

where. Clearly they thought their subjects' loyalty might be more robust if respect for the sovereign were reinforced by awe of the Almighty.

Thirdly, it is equally remarkable how often, when societies *did* opt for the democratic 'model' of governance, they chose nevertheless to retain the institution of hereditary monarchy - albeit with a titular sovereign - to provide, among other things, a focus of higher loyalty than that associated with obedience to the laws of the land promulgated by the government of the day. Moreover, as you know, this formula of so-called constitutional monarchy remains popular - in the strict sense of enjoying the approval of 'the people' - and nowhere more so than on the European continent. Currently I live and work in two states: the United Kingdom and the Netherlands. In each a Queen *reigns*, but does not *rule*. In neither, though, do 'the people' - with whom sovereign power now effectively resides - want to dispense with the symbolic expression of that power in their hereditary Head of State. Quite the contrary: they cherish the arrangement, and even revere 'the sovereign' who dignifies their own emancipation.

To understand fully the retention (as in Britain and the Netherlands) - and even the recent restoration (as in Spain) - of a dynastic monarchy within a structure of democratic politics one needs to appreciate the dilemmas of the democratic 'model' wherever it is adopted.

The first of these is: how to reconcile the Greek philosophers' concept that power is vested in 'the people' collectively with the reality that it is impractical for all 'the people' to engage in the day-to-day management of their collective affairs (except, perhaps, in very small communities). Clearly there is only one solution. The populace must select representatives to serve for them in this role. Nowadays we would add that this choice should be made in free and fair elections, on the basis of universal adult suffrage, applied within a geographical or other constituency system - in order to ensure true, comprehensive and balanced representation.

This is the fundamental reason why we have the Congress of the United States, Germany's Bundestag and all our various National Assemblies, Chambers of Deputies and so on. Representation is their *raison d'être*. It is customary to refer to such bodies as the legislature - meaning the law-making forum - of the land, and I shall follow this practice. However, an institution is defined by what it *is* rather than by (one of) the things it *does*. So one should always think of the representational character of



elected forums. A crucial corollary should be noted, to which some reference is made later. Membership of these bodies entails a commitment to *serve* the electorate. (In most of our societies the elected representative is accorded a certain status, acquires a certain prestige, gains access to certain benefits and may even be presented with opportunities for personal enrichment. As a result, we encounter occasionally the parliamentarian who is full of his (or her) *own* importance or is interested principally in turning his (or her) position to *private* advantage. Needless to say, if too many individuals thus lose sight of the 'commitment to serve' democracy is endangered.)

The second of democracy's dilemmas is: how to reconcile the notion of sovereign people-power, as made manageable in a representative assembly, with the need for (a) efficient government (and, for practical purposes, an individual Head of Government) and (b) an acceptable personification of that power, mainly for ceremonial purposes (that is, a formal Head of State, provincial Governor, municipal Mayor or whatever). At the national level, this challenge has been met in broadly two ways, by either a presidential or prime ministerial approach.

Under the *presidential* approach 'the people' periodically select a chief executive an experienced politician chosen by direct election - who in turn appoints a ministerial team and, with them, assumes direction of the state's permanent bureaucracy. The leader and his team 'enter office' and 'come to power' in the sense that collectively they take over the executive functions of government, with the leader as Head of Government. Under some constitutional arrangements the chief executive also acts as Head of State. Under others, a respected national personality may perform this role.

Under the *prime ministerial* approach 'the people' periodically elect their representative assembly (legislature). The political party or coalition commanding most support here forms a ministerial team - a 'government' or administration or executive - under a first or prime minister (usually the leader of the majority or dominant party in the assembly). This individual thus becomes Head of Government. So far as the role of Head of State is concerned, this may be entrusted to an eminent personage separately elected or nominated. Alternatively, as in the United Kingdom and the Netherlands, it may be fulfilled by a constitutional monarch who 'reigns but does not rule'.

There are several variants of the presidential and prime ministerial approaches to reconciling the 'bottom-up' prerequisite of democratic theory and the 'top-down' imperative of effective administration. Each of the two forms (and variants) has its merits and demerits. For instance, there are evident practical advantages in having a single Head of State *and* Government - as in the Presidency of the United States. At the same time there are drawbacks, notably when the policy priorities of the chief executive and those of the majority in the representative assembly differ. This requires 'cohabitation' which may be uncomfortable, even paralysing. Thus there is virtue in the separation of the roles - as in the constitutional monarchies. In this arrangement too, however, problems arise: such as whether the prime allegiance of public servants (including the uniformed military) should be to the Crown or the current administration-in-office. Moreover, when the Head of State is directly elected *and* has his or her own political agenda, the 'cohabitation' issue arises - as it has done in France of late and, on some matters, in Bulgaria, the Czech Republic, Poland, Slovakia and Russia (to cite just half-a-dozen instances).

Yet these difficulties pale in comparison with the central vulnerability of democracy which is associated with the need to reconcile respect for the sovereign power of 'the people' on the one hand, the practical necessity of firm governance on the other. The reference is made to the possibility that administration may come to be totally dominated by a single individual, a singular ideology - or a devastating combination of both - while democratic appearances are preserved and democratic legitimacy claimed.

This is a real danger, especially in societies conditioned by centuries of authoritarian rule to tacit deference or prompted by an economic or political crisis to espouse 'strong leadership' as an explicit preference. Thus, in the Belgrade of the 1990s, Slobodan Milošević governed with nominally impeccable democratic credentials. Thus, for most of this century, most of the transition countries experienced a strain of dogmatic socialism which was introduced with the persuasive democratic rhetoric of 'power to the people' and sustained by the doctrine of 'democratic centralism' even though the latter phrase is just a clever euphemism for the profoundly anti-democratic proposition that 'the Party knows best' about everything. Thus, to cite the 'devastating combination' that cast its shadow over the whole of Europe for most of the second quarter of the twentieth century, Adolf Hitler and National Socialism swept a humiliated, impoverished and crisis-ridden Germany on a groundswell of popular support.



There is only one safeguard against the distortion of democratic ideals that any too dominant executive can produce and the perversion of those ideals which invariably results from the dominance of a charismatic individual or the monopoly of a dogmatic ideology. This is a strong representative assembly to which the Head of Government and ministers are answerable for all that they do. Moreover, the administration must be answerable not only in formal or institutional terms (meaning the legislature must have clear powers under the constitution) but also in practical terms (meaning elected representatives must exercise those powers with due diligence).

In addition, it matters *how* such powers are exercised. This is where the 'commitment to serve' is all-important. It is the responsibility of parliamentarians to ensure that the executive acts 'for the people' (as the American Founding Fathers put it). This means scrutinising policy proposals and supporting only those which clearly accord with the national interest rather than any elite or factional interest. It means scrutinising plans and programmes for the accomplishment of policy objectives and endorsing only those which can be expected to command popular support. It means scrutinising budgets for the realisation of plans and programmes and approving only those resource allocations which may be taken to reflect societal priorities. It also means scrutinising the implementation of policies, plans, programmes and budgets, and exposing any circumstances where, for example, executive action is at odds with declaratory policy or resources management has been uneconomic, inefficient or ineffective. (Cases of actual illegality in resource use - where funds have not been spent as appropriated - are, of course, matters for what should be an independent and trustworthy judiciary. However, elected representatives can be instrumental in bringing such abuses to light and insisting on redress.)

We have reached now the promised conclusions about the essential role of the legislature (and legislators) in democratic societies. As elaborated here, it is a dual role.

- First, the parliamentarian's basic duty is to represent 'the people' generally. Particular constituency interests may require special attention: but the constituency system is primarily a device for ensuring that an elected chamber offers 'true, balanced and comprehensive' representation of 'the people'; and those chosen to serve in it are *representatives*, they are not *delegates*.

- Secondly, the elected representatives' central responsibility is to provide effective oversight of executive power in whatever context such power is exercised: policy-making, planning, programming, budgeting. Despite the customary designation of an elected assembly as the legislature, actual lawmaking is an important but not the most important of its functions.

Moreover it will bear repeating that democratic theory presupposes a 'commitment to serve' the wider society. If laudable ambition leads to preoccupation with the advancement of personal interests (and wealth) among parliamentarians, then democracy is endangered.

### 3. Obligations and Responsibilities

Having established the *nature* of the legislature's role in democratic societies certain *implications* in terms of the executive's obligations and representatives' responsibilities should be briefly dealt with.

Beginning with 'the executive's obligations', it is self-evident that in a democracy there should be 'open' government. That is to say, the administration of the nation's affairs should be conducted without excessive secrecy: parliamentarians and the public should be well informed about the business of government, including at least the general directions of the authorities' thinking prior to policy decision making. The underlying philosophical premise of this form of governance - that absolute power is vested in 'the people' - requires openness. The practical corollary - parliamentary oversight of all that the Head of Government and ministers do - demands it.

The executive must, therefore, be committed to *transparency* - to use the currently fashionable term - in the national security field as in all others. This is not a very easy obligation for governments to acknowledge, let alone observe. In infant democracies openness is usually a completely alien notion. In so-called adolescent democracies - states which are still discovering what it's all about pushing back the frontiers of official secrecy, and thereby limiting the ability of the authorities to manipulate public information, has rarely been the reform priority it should have been. Indeed we have seen the curious phenomenon of governments willing to communicate details about their defences to other governments - as in the so-called Vienna Documents generated by



the confidence- and security-building process of the Organisation for Security and Co-operation in Europe (OSCE) - but unwilling to make the same material available to their own parliaments and publics. Not that this is altogether surprising, given that even mature democracies find 'transparency' a troublesome concept. Certainly defence ministers and the top brass of the military are often ambivalent about it, partly because they subscribe to the old dictum that 'knowledge is power' (everywhere), partly because they regard their responsibilities as uniquely sensitive (and so the fewer people know their dispositions, and the less they know, the better).

None of the foregoing, however, alters the fact that an executive not 'committed to transparency' is one which is failing to fulfil a core democratic obligation; and a government which presents to foreigners information that it is not prepared to share with its own legislature is one which has yet to understand what democracy is about.

This brings the argument to the fundamental obligation of a Head of Government and ministers, which is acknowledgement that parliamentarians have *the right to know* everything there is to know about an administration's business. In practice the communication of information, or its release on a restricted basis, is normally regulated on the basis of *the need to know*. This may be routinely denied in several areas: for example, in respect of information about imminent changes in taxation or intended purchases of real estate; or on matters currently under negotiation with another government or international institution; or, in the defence domain, in relation to data about the precise capability of specific weapons or the exact size of weapons stocks. There have to be some 'state secrets'. Outside these areas, however, freedom of information ought to be the rule. Moreover, these practical limitations, without which it would be impossible to run a nation's affairs, do not affect the underlying principle: 'the right to know' is fundamental.

In fact the parliamentarians' entitlement to information is, of course, a derived entitlement - derived from the population's right to know what is being done in its name (remember *demokratia*). The issue of public information as an executive and legislative - obligation is not, however, one which will be dwelt upon. It is the connection that should be registered here. Arguing that an executive should transmit facts and figures to the representatives of 'the people' is in effect asserting the public's right to know. The logical implication of this is that infor-

mation made available to the legislature should, so far as possible, also be made public (at the same time or in due course).

A commitment to transparency and acknowledgement of elected representatives' right to know about affairs are the fundamental executive obligations under the democratic form of governance. However, they are general obligations. What about the details of day-to-day business in public policy-making and administration? What are the specific obligations here? The short answer is that there is a single all-encompassing requirement, summed up in the proposition that the Head of Government and ministers (and the permanent bureaucracy) are *accountable* to the legislature - and, through the elected chamber to society-at-large - for all that they do. In other words executive *accountability* is the essence of practical democratic politics. Clearly, therefore, the concept requires elucidation.

By *accountability* we mean two things, reflecting the two senses in which the root word 'account' - as both noun and verb - is used in the English language. This duality should be established before proceeding.

1. One may say to a person 'Give an account of what you did yesterday'; and he/she expects that, in response, the person will reveal and explain his/her several actions and decisions.
2. One may say to a person 'Show me the account(s) for this or that activity'; and he/she expects that the person will declare and, if required, justify his/her expenditure for the purpose in question.

The 'duality' arises because, in English, we use the word 'account' for both ideas. In some other languages there are - very sensibly (and conveniently) - different words for the different, but related, sorts of accounting. The French, for instance, would use *raconter* for the first, *rendre compte* (or *rendre des comptes*) for the second. I expect many other native languages make the same distinction.

Following directly from this clarification - therefore executive accountability may be defined as embracing:

- an obligation to reveal and explain actions and decisions in all areas of public affairs (including the national security field);
- and
- an obligation to declare and justify expendi-



tures for all public purposes (including security and defence).

We may call the first *policy accountability*. We may call the second *financial accountability*. Both accepted by the administration if a country's legislature is to perform its central oversight function effectively.

Turning now to 'representatives' responsibilities' it is convenient to retrace the preceding argument. This is because, broadly speaking, the duties in question are mirror-images of the executive obligations just described.

Thus the essence of practical democratic politics, seen from the perspective of the elected chamber, is the exercise of legislative oversight of the government-in-office; and this is accomplished primarily by holding the administration to account for the policies that it pursues and for the taxpayers' money that it spends. In practice it is a little more complicated than this. As noted earlier, oversight requires scrutinising (a) policy formulation - from exploring aspirations to framing concrete objectives; and (b) policy implementation - from the drawing-up of plans and programmes for the fulfilment of objectives to the construction of budgets for realising these. There should also be periodic *ex post* policy evaluation. It also requires scrutinising (i) resource allocation - how and for what purposes funds are allotted among competing national priorities and sectoral priorities (e.g. in defence); and (ii) resources management - focusing on the use of funds in terms of not only legality and propriety (the classic audit function) but also economy, efficiency and effectiveness (the value-for-money audit function). These are the mirror-images of policy accountability and financial accountability.

It is impossible to imagine an elected assembly 'holding the administration to account' in a serious manner without the power to send for the people and papers that must be interrogated and inspected in order to perform an in-depth scrutiny. Put in another way, it is impossible for there to be meaningful oversight if the legislature is denied access to information about at least the general directions of the administration's thinking before policy decisions are taken and about objectives once decisions have been taken (so that it can function as an interlocutor on policy formulation); and about the content of resultant governmental plans, programmes and budgets (so that it can comment on policy implementation). Similarly, legislators must have access to de-

tailed material about intended expenditures, preferably data relating funds to programmes - and hence objectives - and ideally multi-year projections and not simply the current or immediately forthcoming year's figures (if they are to approve the allocation of resources); and they must receive a detailed record of actual expenditures on personnel, supplies and capital projects in every area of the state's business (if they are to fulfil their classic and value-for-money audit responsibilities). None of these facts and figures will be forthcoming unless the elected representatives have established their 'right to know' about the relevant matters.

This is where adolescent democracies often find it hardest to make decisive headway in their transformations from highly secretive one-party governance to open plural politics. Indeed one could go so far as to say that establishing *the right to know* - persuading presidents and ruling politicians, bureaucrats and generals on this point - may be the biggest single challenge facing democratically-elected representatives in such states. The habits of authoritarian rule persist. The 'right' is not easily established. It is not even acknowledged - or conceded - in many, if not most, places. However, it must be boldly asserted, won, and then consolidated. Unless and until this happens formal constitutional innovation concerning the executive's accountability, regarding national security affairs or any other area of state activity, cannot count for much.

Democracy will remain anaemic, also, wherever the government-in-office is halfhearted in its commitment to transparency, wherever there is no real dedication to 'open' government. One reason for this is that openness is a precondition for the emergence - in our special area of interest - of a 'security community' of nongovernmental organisations (NGOs), think tanks and academics who pay attention to these affairs, *and* for informed coverage of security issues in the print and broadcast media. This combination is valuable because it not only feeds the legislature and improves elected representatives' ability to exercise oversight, it can also generate information and promote debate, facilitating the engagement of society-at-large in defence-related matters. That brings this particular argument full circle - back to 'the people'.

#### 4. Institutions and Procedures

The emergence of a 'security community' and informed coverage of security issues in the media



can help parliamentarians perform their oversight role more effectively; and engaging the interest of 'the people' in security matters can be a strong motivation to do so. However, institutions and procedures through which the role is formally exercised - a number of 'sets' in which elected representatives can act on the political stage - are the necessary condition for effectiveness in this regard. An enumeration of these is the final element of this article.

The word 'enumeration' is used advisedly. A list of 'ideal' provisions will be offered with very little comment; and there are a lot of mature democracies where structures and processes fall short of this ideal. The reason for absence of detailed comment is that what particular institutions and procedures can and cannot accomplish is the subject of several later presentations and discussion periods. The reason for the listing device is to enable the use of the enumeration for checking other countries' situation

## I. Institutions

I.1 *Specialist Committees* are a key component of any sound institutional framework for effective oversight, and nowhere more so than in the national security arena. Such is the range of government business over which the executive must be held accountable that a division of labour is necessary if scrutiny is to be anything but perfunctory. Expertise can be nurtured here and used to good effect in the interrogation of individuals in formal 'hearings' and the inspection of documents on a continuous basis (with or without assistance from the national 'security community'). Transcripts of 'hearings' and more structured committee reports can be important contributions to policy debate and to the appraisal of resource allocation and resources management (both government-wide and in particular areas like defence).

I.2 *Permanent Parliamentary Staff* are what the military would call a 'force multiplier' so far as the effectiveness of specialist committees are concerned (and indeed in servicing the elected chamber as a whole and individual members). Because of its sheer scale, the intensity of oversight and the constitutional powers of the Congress of the United States - to make line-item changes to the President's Budget, for example - the set-up on Capitol Hill cannot be emulated anywhere else, in my view: and no-one should try to do that. However, there is no country that would not benefit hugely from striving to recruit personnel of the quality of (most) committee

staffers, members of the Congressional Research Service and servants of the Library of Congress. Many European legislatures are well served in this respect also and the Secretariat of the NATO Parliamentary Assembly offers excellent training to people from aspirant NATO countries and partner states.

I.3 A respected and well-organised *Audit Office* (Chamber, Camera or Court) is an indispensable arm of the legislature with, naturally, a special significance when it comes to the performance of both the classical and value-for-money audit functions. Such a complement of professional staff is a parliament's principal financial watchdog, always on the look-out for fraud, waste and mismanagement (plus less spectacular cases of uneconomic, inefficient and ineffective resource use). Again, the scope and scale of the work of the United States' institution - the General Accounting Office (GAO) - make it an impractical model for any other country. However, the United Kingdom's National Audit Office (NAO) is a more modest but no less well-run body with much to teach about operations in the defence audit field (as are some other European bureaus). Having said that, my personal conviction is that as a general rule each country should fashion its own provision in this field, if need be starting from very small beginnings. Tailored provision can take full account of local conditions, possibly incorporating safeguards against the circumvention or overthrow of the office's findings - or intimidation of its personnel - if there exists or could exist an executive prone to authoritarian (anti-democratic) tendencies.

## II. Procedures

I have mentioned specialist committee 'hearings' and reports plus audit office investigations which, arguably, fall under the 'procedures' heading. My 'ideal' provision for effective performance of the legislature's dual (representational and oversight) role in national security affairs would, however, include much more than these.

II.1 *Question Time* is a democratic procedure - perhaps even an institution which, though not practised everywhere, is invariably valued where it is. Requiring a prime minister or chief executive, and departmental heads like the defence minister, to stand periodically before the whole elected chamber to answer prior-notice questions, and possible supplementaries, is in the first place a marvellous piece of political symbolism. The executive is literally answerable to 'the people' (through their chosen representatives). This is accountability in its purest form,



direct and personal. In the second place, this is a functional arrangement. It allows general matters of concern to be raised. It allows particular issues to be ventilated whether of nation-wide significance or of special constituency interest. It can be a vehicle for eliciting information, which the executive may have been reluctant to share or for seeking precise justification for a specific action about which the administration might have preferred to remain reticent. It should also be noted here that the existence of the procedure itself produces results. More care is taken, in all aspects of governance, when people know that their minister *may* be called to account in this way; and political decision-making and public administration are the better for it. (The same applies, of course, to the prospect of an appearance before a specialist committee that has acquired a reputation for searching interrogation or an investigation by an audit bureau whose strictures can precipitate a politician's or a public servant's downfall.)

II.2 Provision for *Special Debates* on specific occasions is important as well. The appearance of an important government policy statement (a new Doctrine or National Security Concept, in old eastern bloc parlance) or of a major parliamentary report or minutes of evidence (from a specialist committee or the audit body) - such events should, in my view, be marked by exchanges before the whole elected chamber, even if the constitutional rules do not require this. The practice gives substance to accountability. The legislature's timetable should be sufficiently flexible to accommodate such exercises.

II.3 The timetable should also feature *Statutory or Routine Debates*. The most important of these is, of course, consideration of the overall state budget, the occasion when elected representatives exert 'the power of the purse' (which should always reside with the legislature for at least two reasons, respect for the 'no taxation without representation' principle and for the elected chamber's right to be the final arbiter of national spending priorities). In addition, though, there is a good case for periodic reconsideration and reaffirmation - annual or biennial, say - of certain major statutes, a category in which one would certainly include legislation relating to the raising and maintenance of the military and other armed structures of the state. Among other things, this ensures regular formal policy accountability in this area to match the yearly exercise of financial accountability which consideration of the budget represents.

II.4 Both regular and occasional government *Publications* on its business - including national se-

curity affairs - are a final prerequisite for effective legislative oversight of the executive, as well as appropriate recognition of parliament's and the public's fundamental 'right to know' and tangible expressions of a 'commitment to transparency' and 'open' government all round. A minimal checklist for regular defence publications would include: an annual or biennial major policy statement, with a report on security-related diplomatic activity and military operations plus a summary budget; a detailed budget for the immediately forthcoming year, incorporating a programme attribution if practicable, plus outline expenditure projections for up to five years hence; and certified annual accounts, appearing not more than two years after the period to which they relate, the time-lag reflecting the practical requirement to complete the book-keeping and ensure that the financial record has been audited and found correct (or otherwise, as the case may be). One would also hope that many elected assemblies might press, in due course, for (a) performance reports in the modern management style, explicitly relating accomplishments to objectives; (b) major projects statements, documenting the status of high-value weapons acquisition programmes and exposing any cost escalation or 'in-service date' delays occurring on them; and (c) a counterpart manpower report, documenting recent recruitment, manning, retention and retirement experience and providing early warning of imminent problems in the personnel field (if any).

In conclusion, this seven-point checklist could be used to evaluate provision for effective performance of other legislature's role in the serious business of democratic governance, with particular reference to national security affairs.

