

Legislative Monitoring

Purpose

Legislative monitoring is a process through which CSOs monitor, evaluate and report on the work and performance of legislators, as well as on the effectiveness and efficiency of legislatures in meeting citizen needs. Legislative monitoring can fulfill a variety of purposes that may vary depending on the country context and the monitoring organization's objectives, interests and capacities. However, the primary reason that groups engage in this type of monitoring is to increase legislators' accountability to citizens and strengthen the legislative process. When groups publicize their monitoring findings, this can put additional pressure on legislators because citizens can use that information as the basis for advocacy and organizing campaigns, or simply to inform how they will vote in the next election. In some cases, groups also engage in legislative monitoring to enhance the legislative process. Instead of focusing their attention on collecting information about individual legislator performance, they monitor legislative procedures and practices, often in terms of a set of legislative standards¹. The monitoring groups can use their findings to work with legislators on improving weaknesses or to advocate for changes in the laws and regulations governing legislative processes.

NDI typically supports legislative monitoring initiatives to achieve the following outcomes:

- Citizens have access to reliable information on the functioning of legislative processes at the national and local government levels;
- Citizens have access to reliable information on legislators at the national and local government levels;
- Direct, constructive interaction between citizens and legislators at the local or national levels;
- Direct, constructive interaction between citizens and political parties at the national or local branch levels;
- Improvements in legislative capacity and individual legislators' performance at the national or local levels; and
- Increased government and political party accountability to citizens.

1. NDI's *Toward the Development of International Standards for Democratic Legislatures: A Discussion Document for Review by Interested Legislatures, Donors and International Organizations* is an example of a set of legislative standards around which a monitoring initiative can be based. It is available on NDI's website at http://www.ndi.org/files/2113_gov_standards_010107.pdf.

This section outlines how groups can plan and implement a legislative monitoring initiative. Taking into account the experiences of a variety of NDI's partner organizations, this section draws most heavily upon the experiences of two groups—the Al Quds (Al Quds) Center for Political Studies in Jordan and the Kosovo Democratic Institute (KDI) in Kosovo. Al Quds is a leading Jordanian research center. With NDI's assistance, Al Quds engaged in the pilot legislative monitoring project from October 2008 to December 2009, entitled the Jordanian Parliament Monitor (JPM). The project involved monitoring and reporting activities, as well as a series of dialogues. KDI is a Pristina-based, Kosovar NGO that has been an NDI partner since 2005. Its legislative monitoring initiatives include collecting information and publishing scorecards on the activities of legislators in the Assembly of Kosovo and in a number of municipal assemblies.

The Monitoring Preparation Stage

When beginning to plan and prepare for a legislative monitoring initiative, a group requires a clear strategy. The strategy should be consistent with the organization's goals and vision for the future, as well as its ideas for how to foster change through monitoring. Does the group want to compare legislators' voting records with citizen priorities in order to determine the representativeness and responsiveness of legislators? If so, the group should develop questionnaires and train volunteers and staff to collect information from citizens as well as legislators. Does the group want to focus on monitoring legislative processes or legislator performance? This consideration is critical in determining what types of questions to include on the monitoring form. Groups also need to examine the context in which they work, their capacity for carrying out activities, the available resources, existing methods of political engagement and existing deficits that monitoring can address (i.e., inadequate access to information, corruption and a lack of accountability).

Once a strategy is in place that outlines what to monitor, when to monitor and how to monitor, partners identify and develop the appropriate monitoring tools. Groups have created citizen surveys or questionnaires to collect information on citizen priorities and perceptions of political parties, individual legislators and legislative bodies. These can either be developed as interview forms or as forms to be filled out individually and returned via mail. Though the response rate is higher for forms completed during an interview, the mailed out forms require less staff and volunteer time.

Organizations developed legislative monitoring forms so that volunteers and staff can use them to capture informa

A Strategic Planning Framework⁴



4. Adapted from: Shapiro, Janet. "Strategic Planning Toolkit." Civicus. P. 28. <http://www.civicus.org/toolkits/civicus-planning-toolkits>

tion on legislative processes or legislators' performance during legislative assembly and committee sessions. Depending on their capacity for monitoring and the purpose of the monitoring, groups have designed the forms as checklists, questions to be answered with written narratives or a mixture of both.

Groups use legislator interview forms to capture legislator

perspectives on their own governing abilities. Like the citizen surveys and questionnaires, groups can adapt these to be applied by staff during an interview or to be filled out individually by legislators. Once all of the tools are complete, groups conduct trainings for volunteers and staff to learn how to administer the tools while observing legislative committees and sessions, distributing citizen questionnaires or interviewing legislators.

In support of its legislative monitoring initiative, KDI developed a survey to capture citizens' perceptions of the effectiveness of political parties, the Assembly of Kosovo, Assembly members and government workers. It also created monitoring forms to evaluate legislator performance during Assembly and committee sessions, as well as municipal assembly plenary and committee sessions.

Similarly, Al Quds in Jordan developed a questionnaire to capture citizen priorities and perceptions of parliament and members of parliament (MPs), but also developed an interview form to collect information directly from MPs. Like KDI, Al Quds created monitoring forms – though these have been used for collecting data on MPs' performance during parliament's ordinary and extraordinary sessions and committees, and were not meant for municipal-level monitoring.

During the planning phase, groups also frequently seek legislator support for monitoring initiatives by meeting with ranking members and sending out formal letters informing MPs and assembly members about the monitoring activities. Groups are less likely to experience push-back during the data collection stage if legislators are aware of the initiative from the beginning of the process and do not feel that they are being attacked unfairly. The letters and meetings are preliminary measures to gain the respect and buy-in of legislators; they should not be used to collect information for the initiative. The legislator interview forms should be applied later in the process during the data collection stage.

Al Quds engaged MPs in their legislative monitoring initiative from the beginning of the process. It delivered letters to each MP explaining the project and met with key members of the Jordanian parliament to gain their support. Prior to the data collection stage of the monitoring project, Speaker of the Lower House Mr. Abdulhadi Al-Majali committed to providing support and access to Al Quds to monitor the performance of parliament and individual MPs.

The Data Collection Stage

During this stage of the legislative monitoring process, the group's volunteers and staff apply the skills learned during their trainings to collect information on citizen priorities and perspectives, legislative processes and/or legislator performance. Groups can collect data at national and local levels depending on the monitoring purpose and strategy. When groups engage in monitoring initiatives for the purposes of increasing citizen access to information, improving legislator performance or reducing corruption, data is primarily collected through examining public documents and

direct observations of legislative sessions and committees. Examining public records and other official documents can provide monitoring groups with a better understanding of legislative processes and official government positions on issues and policies. It also allows groups to supplement, and sometimes validate, the data collected through observations. Through direct observation of legislative sessions and committees, monitoring group staff and volunteers have collected information on:

- legislator attendance;
- legislator participation;
- legislation or amendments introduced;
- responsiveness to formal CSO and citizen requests;
- amount of time devoted to meetings with citizens;
- communication between legislators and citizens;
- number of requests for information received by legislators and how the requests are handled;
- accessibility of public information;
- legislature and committee functions;
- the role of the opposition;
- how CSO and citizen initiatives are conveyed to the assembly;
- follow-through on campaign platforms and promises; and
- debate issues.

When the purpose of the monitoring is focused on accountability and increasing direct interactions between citizens, legislators and political parties, groups tend to use questionnaires or surveys in addition to observations and examinations of public records, which helps to capture citizen and legislator perspectives. When groups use interviews and questionnaires to interact directly with MPs and assembly members, they get a more nuanced sense of the opportunities and challenges legislators face when attempting to fulfill their responsibilities.

Monitoring groups use national surveys to capture citizen confidence levels in legislators, as well as their perceptions of legislative effectiveness. Surveys can also provide basic information about citizen needs and interests, and legislators can use that information to shape policies that reflect citizen priorities. Moreover, citizens can use the survey research as leverage during advocacy campaigns. Additionally, the information can become the basis for dialogues or public forums that foster more direct citizen-legislator and citizen-political party interactions.

During the data collection stage, Al Quds conducted interviews with each MP in order to collect information regarding their perspectives on their own accomplishments, shortcomings and the barriers they face when trying to meet citizen needs. This allowed for a more complete understanding of legislative performance records, but also led to greater support from the legislators who felt less threatened by monitoring groups when given the opportunity to provide “their side of the story.”

Resulting Products and Initiatives

The following are four intermediate results that can come out of groups’ legislative monitoring activities:

- Monitoring reports that outline recommendations for improvement based upon monitoring findings;
- Scorecards that outline the monitoring findings;
- Websites where the information laid out in monitoring reports and scorecards is posted;
- Public town hall meetings, roundtables and debates informed by the monitoring reports and scorecards; and
- Awareness and advocacy campaigns based upon the monitoring reports and findings.

Monitoring Reports

The most common products coming out of legislative monitoring initiatives are monitoring reports and scorecards. Groups have published monitoring reports either annually or after each legislative session. The reports are generally written for MPs or local governments, donors and the media, but can also be distributed to the public. Depending on the purpose of the monitoring, the reports can contain recommendations on any or all of the following topics:

- Fulfilling legislative standards requirements;
- Enhancing capacities to draft and approve legislation;
- Organizing public hearings as part of the legislative development process;
- Capturing and acting upon citizen priorities;
- Implementing legislation; and
- Making budget procedures transparent.

Before KDI was founded, NDI worked with a variety of CSOs in Kosovo that monitored the plenary sessions and committees of municipal assemblies. In 2004, CSOs in the municipalities of Decan, Shtime, Klina, Peja and Lipjan produced reports that provided an analysis of local government performance, suggestions for improvement, a review of local officials’ responses to CSO requests and recommendations, adherence to legislative Rules of Procedure and the drafting and implementation of local legislation. Copies of the reports were distributed to local elected officials, donor organizations, CSOs and other interested stakeholders - including private citizens.

Scorecards

Groups publish legislative scorecards primarily for the benefit of citizens and other CSOs. They can be written in a narrative form or in a more heavily statistical scorecard format. The types of information revealed in legislative scorecards are much more focused on the “nuts and bolts” of legislative procedures than the recommendations laid out in monitoring reports, and have included:

- legislator attendance in plenary and committee meetings;
- participation in CSO roundtables and debates;
- the number of laws debated; and
- the number of meetings with stakeholders initiated by legislators.

CSOs in Kosovo first produced legislative scorecards in narrative form, but gradually moved towards the statistical format as their monitoring became more systematic and rigorous. Today the scorecards now published by KDI provide statistics based on the monitoring data, as well as comprehensive analysis.

Websites

Monitoring groups have also found websites to be powerful tools for raising awareness of the information they have collected through monitoring. But websites are not only platforms for raising citizen awareness of findings, they can also be used to hold legislators accountable and increase interaction between legislators and their constituents. The findings and analyses on monitoring websites can provide citizens with the information they need to begin advocacy or organizing campaigns, or simply allow them to make more informed decision about how they will vote in coming elections. The monitoring websites have also contained contact information for legislators, which allows citizens a level of access that has rarely been achieved before. Groups have

posted the following on their monitoring websites:

- Consistently updated parliamentary developments;
- Monitoring reports;
- Background documents on Parliament, parliamentary blocs and committees;
- Parliamentary news and studies;
- Articles and brief analyses of monitoring data written by the partner's observers and researchers;
- Comments posted by citizens visiting the site;
- MP bios; and
- MP contact information.

Since mid-2009, Al Quds has posted information collected through monitoring activities on a website called the Jordanian Parliamentary Monitor (www.jpm.jo).

Town Hall Meetings

The monitoring data can also be used to inform town hall meetings, roundtables or debates attended by a combination of legislators, CSO representatives, citizens and political party members. Monitoring groups and grassroots CSOs have organized these various events within their networks, and they have provided an opportunity for citizens to directly and constructively engage with their representatives. Discussions and debates have revolved around legislative roles and performance, citizen perceptions of legislators and topics identified as problem issues in the monitoring findings. These public forums have also given monitoring groups a chance to introduce a website, disseminate monitoring reports and scorecards, explain the importance of legislative monitoring and gather ideas for how to enhance monitoring initiatives. These public forums have the potential to inspire citizens to use the monitoring findings to inform advocacy campaigns and other organizing and awareness-raising initiatives.

After publishing a series of reports based on information collected through its legislative monitoring initiative, Al Quds hosted a series of regional town hall meetings aimed at bringing MPs together with their constituents. The first of these meetings was held on July 4, 2009 in Karak for the southern governorates of Karak, Tafilah, Ma'an and Aqaba. Eighty-one participants attended representing women's organizations, youth centers, charities, universities, political parties and municipal governments. Three MPs also attended: Mr. Abdel Fattah Al Ma'aytah, Mr. Yousef Al Sarayreh, and Mr. Ali Al Daláeen. The discussion centered around MPs' roles and performances in light of Al Quds's reports.

The Parliamentary Monitoring Project in Jordan: A Legislative Monitoring Vignette

Program Background and Context

The 2007 parliamentary elections marked the growth of citizen participation in political processes. It was the first time that domestic civil society organizations monitored national elections. This event signaled the beginning of a shift by Jordanian CSOs from their conventional focus on social issues and service delivery to more active engagement in the country's political processes. Reform in the country had traditionally been viewed as a top-down initiative; now there was an increased momentum for citizens at the grassroots level to become informed, supportive partners of the country's political institutions and decisionmaking elite. This emerging mentality provided a unique opportunity for CSOs to encourage political activism and contribute to a culture in which citizens were empowered to demand and hold political leadership accountable for passing laws and policies to meet their needs.

The 15th parliament elected in the November 2007 elections was younger and better-educated than previous parliaments. Many CSOs were eager to engage these new members of parliament (MPs) whose platforms were based on honesty, integrity and working for the national interest. But by early 2008, there was a growing sense of public frustration with the MPs, who were not proving to be the reformers that they had promised to be. With little debate, they passed government-sponsored legislation on public gatherings and associations that restricted political parties and civil society.

The new parliament also refused to review challenges to the 2007 election results, and then dismissed all of the pending challenges. Such refusal to address electoral violations further eroded the credibility of the parliament, raising questions about the fairness of the system and dampening hopes for genuine democratic reform. At the same time, the speaker of the lower house expressed his frustration with the MPs for their low attendance in plenary sessions. The growing sense of dissatisfaction was further exacerbated by the growing economic crisis and the resulting increase in the cost of living, which put added pressure on the government to act while revealing a growing tension between the government and parliament over economic matters.

Program Overview

In 2008, NDI implemented the USAID-funded "Strengthening Civil Society's Political Participation" program in order to, among other things, close the gap between the parliament and Jordanian citizens. The program built on the Institute's previous work with civil society organizations in Jordan and encouraged the development of a viable civil society able to independently hold MPs accountable for representing and addressing issues of public concern. As part of the program, NDI partnered with Al Quds Center for Political Studies (Al Quds) in order to support the organization's legislative monitoring project, called the Jordanian Parliament Monitor (JPM). The project aimed to improve the connection between citizens and MPs, and enable citizens to analyze the performance of their parliamentary representatives, based on publicly-shared information.

Through JPM, Al Quds collected information about MPs' attendance, voting records, responsiveness to citizen requests and the accessibility of public information. It then used the information to produce a series of monitoring reports that outline findings; compare parliamentary bloc priorities, MP voting records and citizen priorities; and provide recommendations for improvement. Al Quds posted these reports on their website and used the data in them to inform town hall meetings between citizens and MPs.

Program Logic

Goal: To improve the overall efficiency, effectiveness and accountability of the Jordanian Parliament at both the individual and institutional levels.

Objective: To support civil society's efforts to hold members of parliament accountable for representing and addressing issues of public concern.

- **Intermediate Result 1:** The institution of well-understood and measurable standards of transparent and accountable MP behavior.
- **Intermediate Result 2:** A culture of direct interaction between MPs and citizens on issues that pertain to better political representation.
- **Intermediate Result 3:** Improved capacity of the parliament as a whole in the performance of its duties.
- **Intermediate Result 4:** Increased citizen political participation.

Legislative Monitoring Activities

Parliamentary Monitoring Project

In the summer of 2008, NDI conducted a series of meetings, consultations and workshops with Al Quds that focused on long-term planning and the methodology for the parliamentary monitoring project. Over the course of the summer, NDI assisted Al Quds with identifying the project goal, objectives, monitoring methodology and strategy, the methodology for evaluating MP performance and a project timeline. Once a strategy was in place, NDI issued a subgrant to Al Quds and the center began monitoring the 15th parliament's second ordinary session that commenced on October 5, 2008 and ended February 5, 2009.

During the first months of the subgrant and parliamentary monitoring activities, NDI provided on-going consultations with Al Quds and organized a study mission to Lebanon for the center's director in order to further strengthen strategic planning and material development activities. During the consultations, NDI assisted Al Quds with drafting monitoring forms, determining the structure of the monitoring reports, identifying the content of the project website and developing a timeline for the national survey. The resulting monitoring forms aimed to capture practices related to:

- MPs' attendance;
- MPs' voting habits;
- MPs' participation in parliament and committee sessions;
- MPs' participation in legislative discussion;
- MPs' outreach to various stakeholders to seek input; and
- Parliament's oversight of government.

The study mission to Beirut for the Al Quds director allowed him to interact with Nahwa Al Muwatiniya (Naam), a Lebanese CSO implementing a similar parliamentary monitoring project. When discussing their monitoring projects, the Al Quds director and representatives from Naam exchanged ideas on monitoring strategies and implementation methodologies, methods for including legislators in the monitoring process and techniques for ensuring that monitoring initiatives remain constructive for both legislators and citizens.

A core element of Al Quds's legislative monitoring strategy was gaining parliamentarians' support for the project. To this end, it worked to gain support from ranking members of the parliament and sent letters to all 110 MPs, informing them of the project. In December 2008, the Speaker of the Lower House committed to providing the required support and access to Al Quds for the project. Al Quds then conducted individual interviews with each of the MPs to further familiarize them with the initiative and pave the way for future joint activities, as well as to gather data on the MPs'

legislative and oversight activities, personal information and perceptions of their abilities to represent their constituents.

National Survey

In January 2009, Al Quds developed a questionnaire in consultation with the Department of Statistics at the Ministry of Planning that aimed to capture citizens' political and economic priorities and their evaluation of Parliament's performance. The Center then recruited activists to distribute the questionnaire to 1,200 people across all of Jordan's 12 governorates. The results from the survey formed the basis of Al Quds's publication entitled "Jordanian Opinion Poll: Parliament and the Electoral Law."

Roundtable and Townhall Meetings

From January to March 2009, Al Quds convened a series of roundtables with the cooperation of local CSOs. The Center held the roundtables in all 12 governorates and included participants from CSOs, political parties and governmental institutions. Topics included an introduction to the parliamentary monitoring project, MP performance, the role of civil society in assessing MP performance and the means of enhancing interaction between citizens and parliament.

From April 2009 to December 2009, Al Quds's roundtables evolved into a series of townhall meetings that included citizens, CSOs, MPs and representatives from the media. These meetings aimed to bring MPs together with their constituents to discuss the role and performance of parliamentarians in light of the national survey and parliamentary monitoring findings. The presentations and discussions included:

- an introduction to Al Quds's Jordan Parliamentary Monitoring (JPM) website and reports;
- the public's perceptions of MPs' roles and performance;
- the importance of parliamentary monitoring for citizens and lawmakers;
- ways to enhance parliamentary monitoring;
- ways to enhance political reform; and
- the legal framework of elections and electoral law reform.

Monitoring Reports and Recommendations

Al Quds released its first monitoring report on April 29, 2009, and disseminated copies to MPs, local CSOs, governmental institutions and international organizations. Over the course of the project, the Center published a total of five reports on parliamentary monitoring and MP performance based on Al Quds' monitoring of parliamentary sessions and committee meetings, interviews with individual MPs, public roundtables and surveys. The reports provide information and analysis on various aspects of the parliament's

performance, as well as recommendations for strengthening parliamentary functions, enhancing MPs' legislative and oversight roles, regulating the schedule of meetings and improving MP attendance. In addition to these five reports, Al Quds released smaller reports analyzing topics such as women MPs' assessments of their performance, MPs' oversight role during the 2nd extraordinary session and the parliamentary blocs' perceptions of their work and challenges. All of these reports received extensive media attention and publicity.

[JPM Website – www.jpm.com](http://www.jpm.com)

Al Quds launched the JPM website soon after it released its first monitoring report. The site was designed as a user-friendly, regularly-updated, interactive website for use by both citizens and MPs. It contains information on:

- names, bios and contact information for MPs;
- parliamentary developments pulled from monitoring findings;
- monitoring reports;
- background documents on Parliament;
- information on parliamentary blocs and committees; and
- parliamentary news and studies.

Results

- As a result of NDI's assistance, civic organizations developed their sampling methodology, designed the questionnaire to survey their communities, drafted a form to interview their local officials on issues of community concern, and drafted agendas for roundtables aimed at bringing citizens and civic groups together to discuss priorities.
- In response to JVCCD's advocacy campaign, the Jordan Valley Authority and the Ministry of Water announced several measures to address the issues of water distribution and irrigation, as well as the working condition of farmers.
- During a meeting with NVCTPM, the newly-appointed director education in Irbid expressed his enthusiasm for the center's advocacy project and voiced his commitment to help the center arrange a meeting with senior officials in the Ministry of Education and to raise community demands for building at least two new public schools in the area.
- As a result of KCCC's outreach to local officials, both the governor of Karak and MP Thneibat requested that KCCC send them written summaries of the project activities, achievements, demands, and recommendations for solv-

ing the issue of air pollution.

- By interviewing 310 citizens for a public survey meant to assess the success of their grassroots advocacy projects, KCCC, NVCTPM, and JVCCD achieved a best practice of civic groups in reaching out to their constituencies in order to ascertain the success and impact of their initiatives. The survey's findings—which show satisfaction by the majority of respondents with the issue-identification and advocacy methodology—underline the success of these projects in enhancing citizens' engagement in the decisionmaking process.

Recommendations

- Involve legislators from the beginning of the legislative monitoring project so that they understand the project and do not feel attacked by monitors. This will increase the likelihood that legislators will give their support and cooperation during project activities.
- Ensure that citizens have physical access to legislative sessions and committees. Legislative monitoring is most successful when formal and informal mechanisms create enough political space for citizens to collect the necessary information.
- Assist partners with developing and following a clear, concrete strategy and workplan based on well-defined goals and objectives. Partners carry out program activities more effectively and efficiently when their actions are informed by strategic planning.
- In order to have the most impact at the national level, the partner conducting the monitoring activities should either be a CSO or coalition of CSOs with both country-wide reach and connections with national-level decisionmakers.
- In order to ensure that the data collected through monitoring resonates with as many stakeholders as possible, the findings need to be easily accessible and well publicized.