



The Dutch Political System in a Nutshell

The Dutch Political System in a Nutshell

NL

The Dutch Political System in a Nutshell

Netherlands Institute for Multiparty Democracy

&

Instituut voor Publiek en Politiek

The Hague / Amsterdam 2008

Instituut voor Publiek en Politiek (IPP)

Prinsengracht 911-915

1017 KD Amsterdam

The Netherlands

T +31 20 521 76 00

E info@publiek-politiek.nl

I www.publiek-politiek.nl

Netherlands Institute for Multiparty Democracy (NIMD)

Passage 31

2511 AB The Hague

The Netherlands

T +31 70 311 54 64

E info@nimd.org

I www.nimd.org

© Instituut voor Publiek en Politiek 2008

Revised and updated by Harm Ramkema

English text edited by Krijn Peter Hesselink and Susan Parren

Designed by Puntspatie [bno], Amsterdam

Printed by Drukkerij Haasbeek, Alphen aan den Rijn

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, without the written permission of the copyright holder.

ISBN 978 90 6473 429 8

Contents

Introduction 6

1 Constitutional monarchy 8

2 Political parties 12

3 Elections 22

4 Parliament 30

5 Forming a government 38

6 The government 46

7 The provinces 52

8 The municipalities 60

9 Addresses 68

Introduction



The Netherlands Institute for Multiparty Democracy (NIMD) and the Instituut voor Publiek en Politiek (Institute for Political Participation, IPP) have frequently received requests for information on the Dutch political system in English. We have produced this booklet for foreign visitors and people in other countries who want to know how the Dutch electoral system works, how parties are financed, how a government is formed, or how Dutch local governance works. It gives a concise overview of the main elements of the Dutch political system. The emphasis is on formal aspects. Important elements of the administrative system such as the civil service and the legal system are not covered. Nor do we look at political actors such as organised interests and pressure groups, popular movements, action committees, the mass media, phenomena such as corporatism, voting patterns, or the European context in which Dutch politics operate.

If you wish to find out more about the Dutch political system, we can recommend two books for further reading. The first has been written by two professors of political science from Leiden University, Rudy B. Andeweg and Galen A. Irwin, and is entitled *Governance and Politics of the Netherlands* (Palgrave MacMillan, second edition 2005). The other one is by the British political scientist Ken Gladdish and is entitled *Governing from the Centre. Politics and Policy-Making in the Netherlands* (Hurst & Company, London and SDU Uitgeverij, The Hague, 1991).

1

Constitutional monarchy

The Netherlands is a constitutional monarchy, which means that the Dutch monarch's powers are regulated by the Constitution. Universal suffrage for men and women has existed since 1919, and elections take place on the basis of a list system of proportional representation.



The Netherlands has had a monarchy since 1815, when the Kingdom of the Netherlands was officially created by the great European powers convening at the Congress of Vienna. The monarch is the official head of state and the power of the monarch is regulated by the Constitution. It was in 1798, during the Napoleonic occupation of the Netherlands, that a French-modelled Constitution was promulgated. But the first ‘real’ Dutch Constitution dates from 1814 and it has been amended many times since then. A major amendment to the Constitution was passed in 1848, marking the beginning of parliamentary democracy in the Netherlands. Since then, the monarch has had to take account of parliamentary majorities. By 1870 some political conflicts between the parliament and the monarch had made it clear that the parliament was the highest political body; the monarch is subordinate to the will of the parliament.

The head of state’s power is very limited. Ministers are accountable to the parliament for everything the head of state does or says. The head of state has some political influence when it comes to forming a government following a general election. This is because the monarch is officially part of the government in the Netherlands – a situation similar to that in the United Kingdom but unlike that in Sweden. Customary law stipulates that the head of state must ask a number of politicians for advice. On the basis of this advice, the head of state then orders a politician to investigate how a government can be formed. This procedure gives the head of state some personal influence both in appointing the politician and in formulating his or her instructions.

Kings and Queens	
Willem I	1815-1840
Willem II	1840-1849
Willem III	1849-1890
Emma (regent)	1890-1898
Wilhelmina	1898-1948
Juliana	1948-1980
Beatrix	1980-

Proportional representation

It was not until 1917 that universal suffrage for men was introduced by means of a constitutional amendment. Women were given the right to vote in 1919. This amendment also changed the electoral system from a ‘first past the post’ constituency system (like the present one in the United Kingdom) to a list system of proportional representation. The general principles of the Dutch political system have not changed since then. The most recent constitutional amendment dates from 1983, when some new fundamental social rights were introduced and the terminology was modernised, to mention only the most important changes.

The Constitution

The general principles of the Dutch parliamentary system are regulated by the Constitution. Various specific acts (such as the Netherlands Citizenship Act, the Elections Act, the Municipalities Act and the Provinces Act) set forth the procedures of the government machinery in more detail.

Chapter I of the Constitution sums up the fundamental political and social rights. Article 1 reads: ‘All persons in the Netherlands shall be treated equally in equal cases. Discrimination on the grounds of religion, philosophy of life, political persuasion, race, sex or any other ground is not permitted’. It goes on to set out the classic civil rights, such as the right to vote and to stand for election, the freedom of the press, the freedom of expression,

the freedom of religion, the freedom of association and assembly, the right to privacy, the inviolability of the body, the confidentiality of correspondence and telephone communication, the right to legal assistance, the right to hold property and the right to liberty (though these last two rights can be taken away by an order of a court). The Constitution also imposes an obligation on the government to promote full employment and free choice of jobs for all. The government must ensure that anyone who needs social security benefits will receive them.

The Constitution is the basis of the Dutch political system. The author of the 1848 Constitution, the liberal politician Johan Rudolph Thorbecke (1798–1872), made it very difficult to amend it, thus preventing it from being disputed every time there was a change in the political climate. A motion to amend the Constitution must be passed by both chambers of parliament twice, first as a normal bill and again after a general election, when it must be passed by a two-thirds majority of both chambers.

The organisation of the Dutch state is based partly on the principle of the *trias politica*, the separation of powers, as formulated by the French philosopher Charles-Louis de Montesquieu (1689–1755). The judicial is, of course, independent of the legislative and the executive. Legislative power, however, is shared between the parliament, consisting of two chambers, and the government. The government is the executive.

2

Political parties

Political parties in the Netherlands have existed for about 125 years. The three main parties, Labour, Christian Democrats, and Liberals, have alternately figured in the government coalitions since the end of World War II, although the Dutch have become acquainted with a number of medium- and small-sized parties.



In the Netherlands, political parties came into being during the second half of the nineteenth century. Their aim was to represent the interests of particular sections of the population politically. In 1879, members of the Dutch Reformed Church founded the Anti-Revolutionary Party (ARP), a party which denounced the principles and results of the French Revolution. According to the ARP, state power was derived from God, not from the people. In the first quarter of the twentieth century, another Protestant party and a Catholic party came into being. In the 1960s, the three parties' electoral losses prompted them to intensify their cooperation; in 1980 they eventually merged into a single party, the Christian Democratic Appeal (CDA). Since then, the CDA has frequently been the largest political party in the parliament. Christian Democrats take the Bible as their source of inspiration. They opt for the shared responsibility for groups (family, social partners) and organisations (municipality, non-governmental organisations) in society.

The Dutch Labour Party (PvdA), which came into being in 1946, stems from the traditional Social Democratic Party, which was founded in 1894 to represent the interests of the working class. In 1946, the Social Democrats tried to stage a breakthrough in party politics by forming a party that would be able to attract both secular and Christian elements in society. However, the breakthrough did not come about and the Labour Party subsequently manifested itself as a party trying to implement a gradual reform of society. Their key word is solidarity, in this case with the less privileged social classes.

The formation of political parties at the end of the nineteenth century stimulated the liberals too. For the greater part of the century, the liberals – as the main protagonists of individual freedom – were wary of all kinds of party formation. However, they could no longer ignore the winds of change and formed their own political parties. In 1948, conservative-minded liberals formed a new Liberal Party (VVD). Since the 1980s, the liberals have (until very recently) been the third political force in parliament. They try to contain state intervention in the social and economic spheres and to secure the individual freedom of all members of society.

Within and outside the Christian democratic, the social democratic and the liberal movements, there is a broad range of other political parties. Two small parties represent certain segments of Protestant denominations: the Calvinist SGP, an orthodox party promoting an established church in the Netherlands, and the Christian Union, slightly more liberal, but nevertheless convinced of the importance of implementing Christian values in society. The Labour Party has lately been confronted with the massive growth of the competing Socialist Party (SP), which denounces the way in which the Social Democrats reach compromises with other parties on, for example, social and economic topics. The SP, founded in 1972, has Marxist-Leninist roots, but the party cut them off after the fall of international communism at the end of the eighties. Housing and health care are also important issues for the socialists. The party Green Left came into being in 1990 as an amalgamation of small parties consisting of pacifists, radical Catholics, progressive evangelists and communists. Nowadays, Green Left is characterised by its environmental and multicultural profile. Democrats 66 (D66), founded in 1966 and now calling itself social and liberal, has been the strongest advocate of state and electoral reform in the Netherlands. A new political formation is the Freedom Party (PVV), founded in 2006, advocating an immigration stop and fulminating against the Islam. Finally, the Party for the Animals

(PvdD) gained admission to the parliament in 2006 on a platform of animal welfare.

The role of parties

Political parties serve various functions in our parliamentary democracy (the term ‘political party’ does not occur in the Constitution; it refers to electoral association):

They nominate candidates in elections for representative bodies. By drawing up lists of candidates for these elections, they give voters the opportunity to make a choice between parties and candidates. Parties also select candidates for appointments to public posts such as ministers, mayors, provincial governors and members of advisory bodies.

By drawing up party programmes, the political parties select a variety of wishes and demands. One party will be concerned particularly with the wishes of one section of society, another party with those of another section. Citizens can join a political party and thus influence the content of its political programme (general principles) and electoral platform (a detailed and practical account). In elections, voters can make a choice between the different programmes and thus influence government policy.

Another function of political parties is to encourage citizens to become politically active. They provide education to their (elected) members and to people who are interested in politics.

Types of parties

Dutch political parties can be classified in various ways. A familiar distinction is the one between denominational and non-denominational parties. Denominational parties base their programmes and positions on their religious convictions or the Bible. These include the Christian Democrats and the two small Protestant parties. Non-denominational parties – such as the Liberal Party, the Labour Party, the social-liberal D66, Green Left and the Socialist Party – base their programmes on non-religious convictions.

Political parties are often classified as left-wing, right-wing and centre parties. This classification is controversial and sometimes rather unclear. The extent to which a party aims at greater equality of income, knowledge and power in society and the extent to which it is willing to use government policies for this purpose determines its position within this scale. This is mainly a question of socio-economic policies, employment, taxation, incomes and benefits, although it also involves educational policies and the democratisation of industry and institutions. Parties in favour of state intervention to achieve greater equality are referred to as ‘left-wing’. Parties that do accept the existing inequalities in income and power as reasonable or inevitable are referred to as ‘right-wing’. All in all, the Dutch parties take the following positions on a left-centre-right scale:

Left		Centre		Right
Socialists	Christian Union	D66	Liberals	SGP
	Greens	Labour	Christian Democrats	Freedom

Then again, parties are sometimes described as ‘progressive’ or ‘conservative’. A progressive party is reform-minded, while a conservative party wants to keep things as they are. Nowadays, it is becoming harder and harder to use these categories. For example, a right-wing government can implement a large-scale reform of the social security system, while the left-wing opposition parties want to secure the existing system and resist any change.

There is also another way to make a distinction between ‘progressive’ and ‘conservative’. Then we refer to the extent to which parties are willing to use the state (government policies) to restrict people’s personal freedom, particularly in moral matters such as homosexuality, abortion, euthanasia, censorship and Sunday observance. Parties that believe in maximum personal freedom are known as progressive; they take the view that the state should not interfere with the way people wish to live their lives

and should not patronise them. Seen from this point of view, D66, the Liberal Party, Green Left and the Labour Party are ‘progressive’. The denominational parties – the Christian Democrats and the Protestant parties – are conservative. In their view the government has a duty to uphold Christian values. The Freedom Party wants the state to restrict or forbid expressions of Islam.

Party organisation

Like all associations, political parties have members, a conference and an executive. The party organisations are comprised of local branches; their members elect the executives at the local level and adopt the programmes and candidate lists for municipal elections. The local branches have in turn been grouped into larger regional units, also with their own executives and regional duties and responsibilities. They use different names in different parties. Almost all parties have a Conference, Congress or General Meeting, their highest decision-making body. In most parties, they meet once or twice a year and decide on the general principles of party policy. Representation at this level can be different and double: sometimes these bodies consist of locally and/or regionally elected party representatives, in other parties all members present can vote on the basis of the one man one vote principle, and in a third category of parties there are meetings both of branch representatives and of individual members. Of course, decision-making procedures – how much influence party members have on the running of the party etc. – also differ from one party to another. Furthermore, the internal political culture to close or not to close ranks around certain party leaders or party decisions can vary substantially.

Extraordinary conference meetings take place before an election to decide on the electoral platform and the list of candidates. In the last few years, a growing number of parties have allowed their members to elect their party leader or party president (in the Netherlands, most parties differentiate between the two positions). Last but not least, each party has a secretariat staffed by

XXXXC

Stadsdeel Centrum
Stadsdeel Centrum

Tweede Kamer Verkiezingen 22 november 2006



KIES VOOR DE

EIGENZINNIG LIBERAAL

CDA

SP

GROENLINKS

GROENLINKS

GROENLINKS

Libdem

stem tegen de oorlog

GARANTIE OP LINKS

www.bordbust.nl



professionals who take charge of organisation, administrative matters, public relations, promotion and external contacts. There is one exception in all this: the founder and leader of the Freedom Party (PVV) does not want his party to be a membership organisation. In fact, the party is not more than a parliamentary group.

Numbers of members

At the beginning of 2007, the main Dutch political parties had a total of 318,144 members, split up as follows:

Party	Members
Christian Democrats	69,560
Labour Party	62,846
Liberal Party	40,849
Socialist Party	50,740
Christian Union	26,673
SGP	27,154
Green Left	23,490
Social Liberal D66	10,462
Party for the Animals	6,370

Party finances

Political parties are essential for a democracy to function properly. However, their sources of income are very limited. That's the main reason why the parties are subsidised by the Ministry of the Interior and Kingdom Relations. The amount of subsidy is dependent on various criteria. A party must be represented in one of the two houses of parliament. This condition being fulfilled, every party receives an equal amount of about € 170,000 a year. The amount of subsidy also depends on the number of seats in parliament (80 percent) and the number of party members (20 percent). The amount per seat is almost € 50,000. For every member, a party receives approximately € 6 a year. A party must transfer at least € 121,000 plus € 12,500 a seat to its own

research organisation. The parties can use their subsidy, for example, for educational and promotional activities and for contacts with related foreign parties.

Political youth organisations

Most parties have affiliated, but theoretically independent, youth organisations to which they must transfer a certain percentage of their state subsidy. Political youth organisations have their own memberships and are primarily focused on educational activities and the promotion of youth interests vis-à-vis their affiliated party. In principle, membership is open to people who are 14 to 27 years old. Together, the youth organisations have about 15,000 members. Sometimes, they express very critical points of view when dealing with topical or fundamental questions. In spite of this, political youth organisations can be viewed as a breeding ground for many a future political career.

International cooperation

Following membership in the European Union (EU), most Dutch political parties are represented in the European Parliament, where they cooperate within European parliamentary political groups.

Dutch political party	European group
Christian Democrats (CDA)	Group of the European People's Party (Christian Democrats) and European Democrats
Labour Party (PvdA)	Socialist Group in the European Parliament
Liberal Party (VVD)	Group of the Alliance of Liberals and Democrats for Europe
Socialist Party (SP)	Confederal Group of the European United Left – Nordic Green Left
Green Left	Group of the Greens / European Free Alliance

Dutch political party	European group
Social Liberals (D66)	Group of the Alliance of Liberals and Democrats for Europe
Christian Union / SGP	Independence / Democracy Group

Besides this, a number of Dutch political parties are a member of European political parties, some of which have only members from EU-countries, while others have their memberships open to all European countries.

Dutch political party	European political party
Christian Democrats (CDA)	European People's Party (EPP)
Labour (PvdA)	Party of European Socialists (PES)
Liberal Party (VVD)	European Liberal Democrat and Reform Party (ELDR Party)
Social Liberals (D66)	European Liberal Democrat and Reform Party (ELDR Party)
Green Left	European Green Party (EGP)

Four parties are members of international organisations:

Dutch political party	International organisation
Christian Democrats (CDA)	Centrist Democrat International (CDI)
Labour (PvdA)	Socialist International (SI)
Liberal Party (VVD)	Liberal International (LI)
Social Liberals (D66)	Liberal International (LI)

3

Elections

In the Netherlands, elections are held for three different levels of governance. The parliament has two chambers, one of which is elected directly by Dutch citizens. The Netherlands has a list system of proportional representation, without separate constituencies and electoral hurdles.



The Kingdom of the Netherlands is a parliamentary democracy. One of the main features of this system is that Dutch citizens have the right to elect their representatives in freedom and secrecy. In the Netherlands, the Lower House of Parliament (Second Chamber), the provincial councils, the municipal councils and the Dutch delegation in the European Parliament are directly elected by the voters. Second Chamber elections normally take place every four years. They take place at an earlier date only if a government is forced to resign by parliament or if it decides to resign itself, for instance because of serious internal disagreement. Such ‘snap elections’ were held in November 2006 after the resignation of the cabinet in June 2006. Elections for the provincial and municipal councils also take place every four years. In these two cases, snap elections are not possible. After an early resignation of a provincial or municipal executive (the former hardly ever being the case), a new one has to be formed on the basis of the existing party-political constellation in the provincial or municipal council. Voters elect the members of the European Parliament every five years, like in all the other member countries of the European Union (EU). The Upper House of Parliament (First Chamber or Senate) is not directly elected by the citizens but by the members of the provincial councils, this within three months after the elections for the latter.

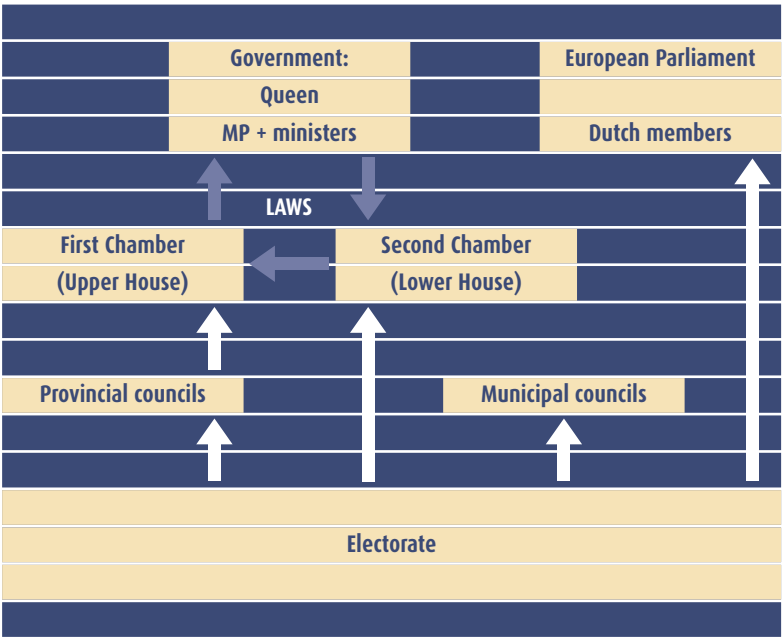
The right to vote and to stand for election

Every Dutch citizen aged eighteen or over has the right to vote in elections for the European Parliament, the Second Chamber and

the provincial and municipal councils. Non-Dutch and non-EU-citizens are also entitled to vote in elections for municipal councils provided they have legally resided in the country for at least five years. EU-citizens living in the Netherlands do not have to wait five years; they are entitled to vote for municipal councils and for the European Parliament right away. Every Dutch citizen aged eighteen or over also has the right to stand for election, and non-Dutch nationals who are entitled to vote in municipal elections can also stand for election there. The election procedure is laid down by the Elections Act.

Election committees

As indicated in chapter 1, the Netherlands has a list system of proportional representation. Some political scientists have characterised the Netherlands as a country with one of the most proportional electoral systems in the world. There are no parlia-



mentary constituencies within the country because the entire country itself is one large constituency. For party-political and administrative purposes, however, the country has been divided into nineteen parliamentary regions (*kieskringen*), each covering a province or part of a province. Each region has its own election committee. Furthermore, there is a central election committee for all elections. Thus, the Election Council in The Hague acts as the central election committee in Second Chamber elections. Political parties taking part in the elections submit a list of candidates to the central election committee.

Conditions

Parties wishing to take part in a national election must register with the Election Council in The Hague by a certain date. The Elections Act states that parties must be officially registered as associations. Newly-formed parties or organised interest groups can also take part in an election. Parties or groups who do not yet have members in parliament must pay a deposit of € 11,250. This may be more than a small group can afford. The deposit is meant to prevent people from putting themselves forward as candidates just for the fun of it. The deposit is refunded if the party or group polls at least three-quarters of the number of votes needed to obtain a seat, about 0.5 percent of the total number of valid votes cast. Besides the deposit, new parties are also obliged to present a list of thirty signatures of people supporting the party list of candidates in one of the nineteen regions. So, in national elections 570 (19 x 30) signatures are needed for parties wishing to take part in all the nineteen regions of the country (which is not necessarily the case).

Voting

In the Netherlands, voting is voluntary, not compulsory. Everyone who is entitled to vote receives a polling card. On election day, the voter takes his card to the polling station. Voting machines have been in use for a number of years, but lack of

security provisions have caused a return to the ballot paper and the red pencil. Voters tick a box for their parties' candidate. The Netherlands has an open ballot structure, which means that voters can select the list candidate they prefer; they do not have to select the first candidate on a party's list but they can instead vote for a candidate lower down the list. This is called a 'preferential vote'. Many electors cast preferential votes, for instance, because the candidate is well known in the region or because he or she has clear-cut views on certain topics. Voters can cast a blank vote too; their vote is then included in the turnout although they have not expressed a preference for a specific party or candidate.

A three-person committee at the polling station ensures that everything is done according to the rules. Anyone wishing to sit on the polling committee can apply to the municipal authorities. The committee collects the polling cards and showed the voter the way to the voting machine (until recently) or gives him or her the ballot paper. Everybody wishing to do so can attend the counting of the votes after the polling station's closing time.

Distribution of seats

The quota – that is the number of votes that entitles a party to one seat – can be established once it is known how many valid votes have been cast. There are 150 seats in the Second Chamber, so if nine million voters cast valid votes, the quota is nine million divided by 150, or 60,000. The higher the turnout, the higher the quota. As the number of valid votes increases, the number of votes a party needs to obtain a seat increases proportionally. If the quota is established at 60,000 and a party polls 380,000 votes, it is entitled to six seats in any case, but it has some left-over votes too: 20,000 in this case. There are two ways of distributing these remaining votes.

In municipalities with a population of less than 20,000, the 'largest remainder method' is used. The party with most leftover votes (the greatest remainder) is then awarded the first remaining seat, the party with the second largest remainder the next

one, and so on until all the remaining seats have been awarded.

In parliamentary, provincial and larger municipal council elections, the ‘highest average method’ is used to allocate the remaining seats. The method is as follows. Suppose the quota is 60,000. Party A polls 380,000 votes. It is entitled to six seats in any case ($380,000/60,000 = 6$ plus a remainder). If party A were to be given seven seats, the average number of votes per seat would be 54,286 ($380,000/7$). If this average is higher than the average of the other parties with leftover votes, the first available seat goes to party A; the second available seat goes to the party with the second highest average and so on until all the remaining seats have been awarded. This method favours the major parties to some extent. For example, suppose party B polls 2,355,000 votes at the same election. It will be awarded 39 seats ($2,355,000/60,000 = 39$ plus a remainder) and still has 15,000 leftover votes, which is less than party A has. Using the ‘highest average method’, the next seat goes to the biggest party, party B; however, if party B were to be given 40 seats, its average would be $2,355,000/40 = 58,875$ votes per seat.

The ‘highest average method’; quota: 60,000.

Party	Number of votes	Seats	Leftover votes	Seats plus 1	Highest average	Seats
A	380,000	6	20,000	7	54,286	6
B	2,355,000	39	15,000	40	58,875	40

Electoral alliances

Parties whose political views are close together sometimes link their lists so that their leftover votes are counted together, thus increasing their chances of acquiring an available seat in the same way as larger parties. Electoral alliances of this kind enable small parties to obtain seats they could never obtain on their own. The two small Protestant parties in the Netherlands have frequently linked their lists.

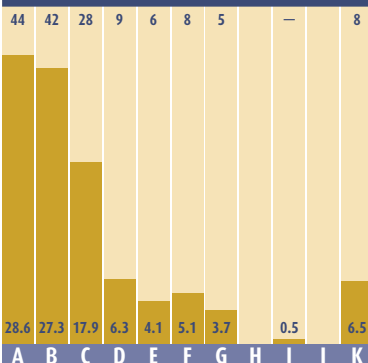
Election results

Second Chamber

Turnout

% and seats 2003

80.0%

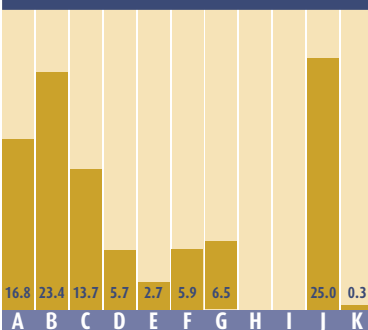


Municipal Councils %

Turnout

2006

58.6%

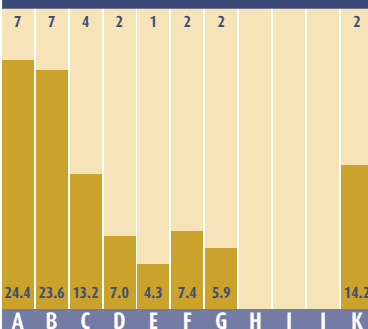


European Parliament %

Turnout

and NL seats 2004

39.3%

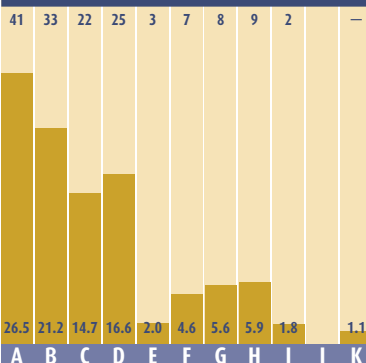


Second Chamber

Turnout

% and seats 2006

80.4%

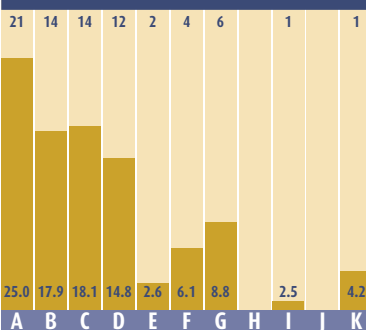


% Provincial Councils and

Turnout

seats First Chamber 2007

46.3%



A. Christian Democrats (CDA)

B. Labour Party (PvdA)

C. Liberal Party (VVD)

D. Socialist Party (SP)

E. Social Liberals (D66)

F. Green Left (GroenLinks)

G. Protestant parties (SGP, Christian Union)

H. Freedom Party (PVV)

I. Party for the Animals (PvdD)

J. Local parties

K. Others

Electoral platforms

Before the elections, the parties draw up their electoral platforms, setting out their views on what they consider to be important political issues – how they think unemployment, national health problems or traffic-jams should be tackled, for instance. A platform is usually a detailed, practical document based on a political programme, which outlines the ideological basis and principles of a political party.

Referendum

Under the Constitution, it is not possible to hold a binding referendum in the Netherlands. The national referendum on the Treaty establishing a Constitution for Europe of June 1, 2005, was non-binding and it was made possible only after the parliamentary adoption of a special Referendum Act. Municipalities are free to decide whether they will adopt a referendum bylaw, but then again, the result cannot be binding. Of course, political parties in representative and executive bodies have the possibility of accepting the result of a referendum.

4 Parliament

The Dutch parliament has law-making, controlling and representative duties. The rights of and the electoral procedures for the First and Second Chamber differ substantially, the Second Chamber being the most important one. The procedure of making laws is prolonged and complicated.



The body that represents the people in a democracy is known as a ‘parliament’. The parliament in the Netherlands is called the States General (*Staten-Generaal*) and consists of two bodies, the Second Chamber (*Tweede Kamer*) and the First Chamber (*Eerste Kamer*). The First Chamber, also referred to as the Senate, is elected by the members of the provincial councils within three months after the elections for the latter. These indirect elections take place every four years. The First Chamber has 75 members (or senators). The Second Chamber has 150 members, who are elected directly by the Dutch electorate. These elections also take place every four years, unless the government falls and a pre-term election is called. The two Chambers sit in a complex of buildings around the Binnenhof in The Hague.

After the summer recess, the head of state presents the government’s policy for the coming year by reading the ‘Speech from the Throne’ (*Troonrede*) in the presence of both chambers of parliament. This day, the third Tuesday in September, is called *Prinsjesdag*. The ceremony takes place in the medieval Knights’ Hall (*Ridderzaal*) at the Binnenhof, not in one of the two assembly halls.

Members of Parliament

The members of the First Chamber do not work full time in this capacity. They usually have other jobs as well. This chamber meets once a week, usually on Tuesday. First Chamber members are paid an annual allowance of about € 21,400 (figure 2007). They also have some allowances for travelling expenses and accommodation.

The Second Chamber meets three times a week, on Tuesday, Wednesday and Thursday. Members of the Second Chamber work full time in this capacity. They are paid an annual salary of about € 86,000 gross. As many members live outside The Hague, they incur hefty travelling and accommodation expenses.

Each party in the Second Chamber has a parliamentary party office with a staff to assist the members in their work. Members of the larger parties also have personal assistants who screen correspondence and documents for them and perform other secretarial duties.

Parliament's duties

The parliament has three main duties:

- to make laws in collaboration with the government (we take a more detailed look at the legislative process below);
- to keep an eye on the government on behalf of the Dutch people as regards the implementation of laws and all other government activities;
- to represent the electorate by keeping in contact with the voters and reflecting the popular will in government policy.

The parliament is able to perform these duties because under the Constitution ministers are accountable to the parliament. Ministers can only remain in office if they enjoy the confidence of a majority of both the Second and the First Chamber. If a majority of one of the chambers passes a vote of no confidence in a minister (or the government as a whole), that minister or the government has to resign.

Parliament's powers

To enable them to perform their legislative and supervisory duties properly, the two chambers have certain powers or rights. The Second Chamber has more powers than the Senate.

The right to amend legislation and the right to initiate legislation

As part of the legislature, the Second Chamber approves bills put forward by the government. It has the right to amend them. Second Chamber members can also initiate bills themselves. The First Chamber has neither of these rights. It re-examines bills once they have been passed by the Second Chamber, but it can only accept or reject them in their entirety; it cannot amend them. In recent years, there has been a growing tendency for a majority of the First Chamber to say to a minister or state secretary defending a bill, 'We shall reject your bill unless you change it in such and such a way...' In some cases, the minister changes his mind and resubmits the bill to the First Chamber with an amendment. This is referred to as an 'amending act'. The Second Chamber must also approve this 'amending act'.

The right to approve or reject the budget

To enable them to perform their legislative and supervisory duties the two chambers have the right to approve or reject the budget. This is an important means of exerting influence, since without an approved budget a minister is unable to implement his policies. On *Prinsjesdag*, the government has to announce what it intends to spend money on in the forthcoming year and how it intends to obtain that money. It does this in the budget and in the explanatory notes, the so-called budget memorandum. The budget is debated in the parliament as a normal bill after *Prinsjesdag*. The ministerial budgets are debated in the two chambers and amended if necessary, starting in October. This process can sometimes take until well into the next spring. Both chambers have the right to file motions urging the government to do something or to refrain from doing something.

The right to question ministers and the right to call emergency debates

Every member of parliament has the right to ask questions to ministers. This can be done by letter if there is no hurry; it can take three weeks to obtain a written answer. Or the member can

ask the question in the chamber; ‘question time’ takes place every Tuesday in the Second Chamber and is broadcast live on television. Members often avail themselves of the right to ask questions. Both chambers also have the right to summon a minister or state secretary to take part in an emergency debate. To call an emergency debate a member must have the approval of a majority of the chamber, but this is almost always forthcoming. The minister or state secretary cannot refuse to attend the debate.

The right of inquiry

The right of inquiry (the right to investigate a matter fully) is a far-reaching power. The chamber appoints a parliamentary committee of inquiry from among its members. The committee can summon anyone it wishes to interrogate for the purpose of the investigation – politicians, civil servants and citizens. They are required to appear before the committee and answer questions on oath. The committee of inquiry makes a detailed report of its findings to the chamber. It can draw conclusions and make recommendations but it cannot impose penalties. Various parliamentary inquiries have been held in recent years: into the bungling that went on when a new passport was introduced, into the methods of investigation used by the police and judicial authorities, into the way the plane crash at Bijlmermeer in Amsterdam was handled and more recently into massive fraud and illegal cartel agreements by construction companies.

Procedures

The procedures of the Second Chamber are laid down in its standing orders. The members who belong to a particular party make up its parliamentary party, which has its own leader or chair. Each parliamentary party decides on its own procedures. Members of the larger parties (the Labour Party, the Christian Democrats, the Liberal Party and the Socialist Party) often specialise more or less exclusively in a particular area of responsi-

bility, such as foreign affairs, education or agricultural policies. Large parliamentary parties have separate committees for each area of responsibility, where their specialists in that particular area formulate the party's position and decide how it will act. Members of smaller parties cannot afford to specialise so much of course. They have to be familiar with more than one field.

Plenary sessions of the Second Chamber are often attended by only a limited number of members. As many debates are about highly specialised topics, only the parties' specialists take part as a rule. Other meetings – of committees for instance – will be taking place at the same time. The Second Chamber is always more crowded when important matters are being debated and often when voting is about to take place, especially on important issues. The Chamber usually votes on Tuesday afternoon. It can vote only if enough members are present, 76 to be precise (half plus one): this is known as a 'quorum'. All sittings of the two Chambers are public, as are all documents. Anyone who wishes to do so can buy these documents, or you can download them for free from the internet. You can also watch the proceedings in person. Secretaries sitting in the middle of the chamber keep shorthand minutes of all sittings. These are known as the Proceedings of the Second Chamber and are kept in bulky tomes.

Committees

Most of the parliamentary work is done by committees. There are various kinds, the most important being the standing committees. There are more than twenty standing committees covering all kinds of government policy: education, finance, justice and so on. They discuss bills and question ministers or state secretaries on how they are tackling particular matters.

The progress of a bill

A bill is a draft law or Act of Parliament. It is not referred to as an Act until it has been passed by the parliament (first the Second Chamber, then the First Chamber). It can often take years



from the introduction of the first draft of a bill to the passing of the Act as it has to pass through a complicated process on the way. Below we set out the steps by which a bill becomes an Act. If a minister or state secretary wishes to introduce a law, he or she asks his or her civil servants to draft a text (the bill). This, together with an 'explanatory memorandum' is then discussed by the Council of Ministers. Then it is sent to the Council of State (the government's highest advisory body), which returns it, with recommendations, to the Council of Ministers. It is then sent to the monarch. The bill is then submitted to the Second Chamber with the recommendations and a note from the monarch (the 'Royal Message'). A committee discusses the bill, draws up a report of its discussions and returns it to the minister. The minister writes a response to the report, known as the 'reply memorandum'. The committee then draws up a final report and the bill is debated in the Second Chamber and voted upon. If the bill is passed by the Second Chamber, it goes to the First Chamber. Here it is again discussed in a committee, a report is drawn up, a reply memorandum is written and the final report goes to the First Chamber to be debated and voted upon. If the bill is again passed there, it goes to the monarch, who signs it, after which the involved minister countersigns it. It then goes to the Minister of Justice, who arranges for it to be announced in the *Staatsblad* (Bulletin of Acts and Decrees). Only then the bill does become a law.

5

Forming a government

The process of forming a government is very complicated because many parties are represented in parliament. Bargaining can take months. There are five steps to take. Because of the problems that might arise, there have been many different proposals to change the Dutch political system, until now to no avail.



As soon as the results of the general elections are known, the process of forming a government begins. A new team of ministers and state secretaries has to be formed, creating a government to rule for the next four years. This is not always a simple matter. Because of the electoral system of proportional representation, without separate constituencies and electoral hurdles, many political parties are represented in the Second Chamber. The election results rarely indicate precisely what kind of government the voters prefer. No political party in the Netherlands has ever gained an absolute majority in the Second Chamber (at least half the seats plus one: $75 + 1 = 76$, as there are 150 seats). Any government must have the support of a majority in the Second Chamber, so after each election two or more parties have to form a coalition. This has been the case for many years, so the Dutch have grown used to prolonged coalition negotiations.

Bargaining

During the process of forming a government the major parties negotiate on various questions, in particular:

- Which parties are to form the government?
- How should those parties' programmes be combined into a single government programme (known as the 'coalition agreement')?
- Which parties are to be assigned which ministerial posts?
- Who will be the next ministers and state secretaries?

It is often said that it is more important for a political party to win the bargaining process than the elections. Substantial gains in the elections do not automatically result in government membership. The 2003 elections offer a good example. The Labour Party gained nineteen seats, making it the second largest party, but was excluded from the coalition. The Christian Democrats succeeded in forming a majority with the two liberal parties VVD en D66. Conversely, a party that loses seats in an election is not necessarily forced out of office. In 1994, the Labour Party lost twelve seats but was still the largest party with 37 seats. During the bargaining, it was decided not only that the Labour Party should be included in the government but that it should even supply the prime minister.

Various coalitions may be feasible after elections. Which parties ultimately constitute the government depends on what happens during the political bargaining process. The party best able to cooperate with the other major parties has the advantage. For a long time the Christian Democrats enjoyed this comfortable position in the Netherlands. It has been in various coalitions with the Labour Party, the Liberal Party and D66, three parties that refused to form a coalition together at the time. However, after the 1994 elections, these parties banded together to exclude the CDA. The negotiations are not just about who is going to govern but also about the policies the new government will pursue. These policies are set down in the coalition agreement. The bargaining period is a busy time for members of parliament, party committees, organised interests and pressure groups. It is the best time to exert influence on government policies.

Five steps, five p's

Although the discussions, the precise procedure and the length of time the negotiations take differ considerably, there are certain steps that recur every time. If something goes wrong and an impasse is reached, the negotiators often go back a few steps. The process then appears to repeat itself.

Coalition							
	1982	1989	1994	2002	2003	2006	2007
	1989	1994	2002		2006	2007	
Christian Democrats (CDA)							
Labour Party (PvdA)							
Liberal Party (VVD)							
Social Liberals (D66)							
Christian Union							
Lijst Pim Fortuyn							

1. Possibilities

Immediately after the election, the monarch asks the vice-chairman of the Council of State for advice on the political situation. (The Council of State is the government's highest advisory body of which the monarch is formally the chair.) The monarch also asks the Speakers of the First Chamber (Senate) and the Second Chamber and the chairmen of all the parliamentary parties in the Second Chamber for advice. If it is crystal clear from the advice and the election results which parties wish to form the new government, the monarch appoints a *formateur* to take charge of the negotiations, often the leader of the largest party. If it is not clear which parties are to form the government, the monarch appoints an *informateur* to investigate the alternatives – usually a politician who enjoys the respect of many of the parties.

If the *informateur* is able to come up with a majority coalition, a *formateur* (usually the proposed prime minister) finishes the job. This is the only time when the monarch, the head of state, has any influence on Dutch politics, since he or she decides who is appointed *informateur* or *formateur* and what this person's remit is. The remit could be, for example, to 'investigate the possibilities of forming a government that can count on the broadest possible support in parliament', or the requirement could be

merely ‘a sufficient majority in parliament’. By the precise wording of the instructions, the head of state guides the *informateur* or *formateur* in seeking ways of forming a coalition.

2. Parties

The *formateur* or *informateur* ascertains which parties have the best chances of successfully negotiating with one another and which parties are ruled out.

3. Programme

These two or three parties start bargaining with the aim of arriving at a coalition agreement. This can be brief and general in nature, but in the 1980s and 1990s coalition agreements were highly detailed.

4. Posts

If the potential coalition parties are broadly in agreement, they discuss the allocation of the various ministerial and state secretary posts (state secretaries are essentially under-ministers). Dividing up the posts among the various coalition parties is quite a struggle. Some ministerial posts are much more important than others. Finance, Education, Culture & Science, Social Affairs & Employment and Interior are regarded as the most important ones. Each party tries to obtain as many important posts as possible, especially those it is most keen on having. When state secretary posts are being handed out, a minister from one coalition party is often assigned a state secretary from another coalition party.

5. Persons

The final phase is finding people for the ministerial and state secretary posts. In practice, steps 3, 4 and 5 often overlap. If a party is keen on obtaining a particular portfolio, it will often have a suitable candidate in mind. Posts are sometimes exchanged for items on the programme: ‘Okay, we’re willing to tone down

point A in our manifesto in favour of the coalition agreement if you give us portfolio Z.’

‘Constituent meeting’

Once candidates have been found for all the ministerial posts, the government holds a ‘constituent meeting’, at which the ministers officially adopt the coalition agreement. The new prime-minister also takes responsibility for the negotiation process because the monarch and the *informateur* are not accountable to the parliament. Soon afterwards, the new government is sworn in by the monarch.

Problems

The way governments are formed is a bone of contention. From a democratic point of view, it is objectionable that the political composition of the government depends more on post-election bargaining than on the actual election results. Furthermore, the negotiations take place in secrecy for the most part.

Another problem is that it often takes a lot of time to form a government. The record was in 1977, when it took 207 days. The old government remains in power while the bargaining process is going on, but it cannot take any controversial decisions since it is on its way out. This does not make for responsive government, of course, and the interminable bargaining does not inspire confidence in the political system. Laborious negotiations are inevitable, however, given the complicated party system.

Another problem is the detailed coalition agreement that results from the negotiations. In the last two decades, government programmes filled dozens of densely printed pages, but nowadays they are more concise. Critics said that such detailed coalition agreements made the parliament powerless. The coalition agreements of 2002 and 2003 sketched only the outlines of government policies, but the agreement of 2007 was much more detailed again and ran to 53 pages.

Alternatives?

Such criticism of the way governments are formed has led to proposals for constitutional reform since the early sixties. For a long time, D66 was the only party to set much store by the constitutional reform of the political system, and particularly of the way the government is formed. For a few years, some other parties have opted in one way or another for renewal of political conventions and rules too, but the topic is not high on the political agenda these days.

Some politicians suggest that the Dutch electoral system – a list system of proportional representation – is appropriate for choosing members of the lower house but absolutely unsuitable for choosing a government. They say that a plurality system like the one in the United Kingdom would be better since it is clear immediately after the elections which party has the majority of votes in the constituencies. Proponents of this reform are willing to accept the fact that in the British electoral system the parliament does not necessarily reflect the voters' wishes.

Another suggestion is to elect the prime minister directly. Each voter would thus have two votes, one for the prime minister and one for the lower house. This would move the Dutch system much closer to the system in countries like the United States, where the president and the parliament are elected separately. The advantage is that the electors have a direct influence on the composition of the government. The drawback is that the US government is not dependent on the parliament's approval because it has in effect been directly elected by the voters. Serious disagreements between the government and the parliament can then result in political deadlocks, causing confusion and political paralysis.

It has also been suggested that a mixed electoral system be devised, a system that combines proportional representation with a plurality vote in constituencies (as is the case in Germany), or that an electoral threshold should be introduced to reduce the number of parties in the lower house (meaning, for

instance, that a party should have to poll at least 5% of the votes to be admitted to parliament).

Notwithstanding all the commissions, constitutional experts, political scientists and party experts who have dealt with these problems, no major changes have been implemented to date.

6 The government

The executive consists of the Cabinet, i.e. the ministers and state secretaries, who have different duties and responsibilities. The prime minister plays a key role in policy formulation. An important part of government policy is the annual budget.



Under the Constitution, the Dutch government consists of the head of state (the monarch) and the ministers. The government formed in 2007 has sixteen ministers. The ministers bear full responsibility, even for things the monarch does and says. The monarch is officially ‘inviolable’ and has no actual power. The state secretaries also have certain responsibilities. A state secretary is a kind of under-minister and is under the command and supervision of the minister to whom he has been assigned. The minister and the state secretary agree on who is responsible for each particular area of policy. State secretaries are individually accountable to the parliament for their particular areas of responsibility. The ministers and state secretaries are jointly referred to as the ‘Cabinet’ (*kabinet*).

The Council of Ministers

The Council of Ministers is the body of ministers that make the actual decisions on behalf of the entire government. It meets regularly on Fridays in the Trêves Hall in the Binnenhof in The Hague. State secretaries do not form part of the Council of Ministers and have no vote in it. Nor do they deputise for their absent ministers. In this sense, they are not real under-ministers. Fellow ministers always stand in for ministers who are off sick, on holiday or absent for some other reason. Every so often, a state secretary will be invited to attend a meeting of the Council of Ministers when it is discussing a topic that falls within his or her area of responsibility. Only the state secretary for European Affairs attends the ministers’ meetings on a regular basis.

The Council of Ministers is chaired by the prime minister or ‘premier’. How the Council of Ministers operates is laid down in its standing orders. It is assisted by a small number of standing committees, such as the Economic Affairs Council and the European and International Affairs Council. In addition, special commissions are often set up to propose ways of tackling particular problems. One of the prime minister’s particular duties is to ensure that the various ministers coordinate their policies. High-ranking officials have access to the standing committees and special commissions so as to advise them. For instance, the president of the Dutch Central Bank is a member of the Economic Affairs Council.

The government’s duties

Under the Constitution, it is the government’s task to make laws in collaboration with the two chambers of parliament. The government also signs international treaties, lays down foreign and defence policies and appoints mayors, provincial governors and members of the judiciary. The government performs the duties laid down in the Constitution under the supervision of the parliament. Although the parliament cannot reverse government decisions in these areas, it can let the government know it disapproves. If necessary, the parliament can force the government to resign by passing a vote of no confidence.

Ministers

A minister heads a ministry and is thus in charge of, in many cases, hundreds of civil servants. There are currently thirteen ministries, but the number can change whenever a new government is formed. The names and responsibilities of ministries can also be changed. The government formed in 2007 has three ministers who do not have a ministry of their own, the Minister for International Cooperation and the Minister for Youth and Family Affairs for instance. A minister who does not have a ministry of his own is known as a ‘minister without a portfolio’. They are

appointed to make sure that the coalition parties are represented on the basis of their political strength or to make clear that this is an important policy area for the government.

The Dutch ministries	
Ministry of	General Affairs
	Finance
	Economic Affairs
	Foreign Affairs
	Justice
	Interior and Kingdom Relations
	Education, Culture and Science
	Defence
	Housing, Spatial Planning and the Environment
	Transport, Public Works and Water Management
	Agriculture, Nature and Food Quality
	Social Affairs and Employment
	Health, Welfare and Sport

Besides being the head of a ministry, a minister is a member of the government. He or she has joint responsibility for government policy as a whole, not only for his or her policy area. Each minister is accountable for the implementation of the coalition agreement.

Moreover, each minister represents his or her party in the government. This means that ministers (and state secretaries) stay in regular contact with their parliamentary party, their party's central office and its branches. The ministers and state secretaries are members of coalition parties. Many of them have been members of the lower house, but this is not essential. However, as soon as members of the Second or the First Chamber are appointed as minister or state secretary, they have to give up their seat in parliament.

The prime minister

The prime minister's role is a special one. He not only chairs the Council of Ministers, but he is also particularly responsible for the coordination of government policy. In addition, he is the government's spokesman. He presents government policy at a Friday press conference after the Council meeting. He also represents the Netherlands in the European Council. Thus the prime minister plays a major role in foreign policy.

The Dutch prime ministers since 1945	
W. Schermerhorn	1945-1946
L.J.M. Beel	1946-1948
W. Drees	1948-1958
L.J.M. Beel	1958-1959
J.E. de Quay	1959-1963
V.G.M. Marijnen	1963-1965
J.M.L.Th. Cals	1965-1966
J. Zijlstra	1966-1967
P.J.S. de Jong	1967-1971
B.W. Biesheuvel	1971-1973
J.M. den Uyl	1973-1977
A.A.M. van Agt	1977-1982
R.F.M. Lubbers	1982-1994
W. Kok	1994-2002
J.P. Balkenende	2002-

The budget

An important part of government policy is the annual budget. This reflects the influential position of the Minister of Finance. Every year, negotiations take place from January to July between the Minister of Finance and the other ministers. If they cannot agree, the Council of Ministers has to resolve the issue. The budget must be finalised by August, as it is presented to the parliament on 'Prinsjesdag', the third Tuesday of September.

Advisory bodies

The highest advisory body to the government is the Council of State (*Raad van State*). Members of the Council are respected former members of parliament, ex-ministers and jurists. They are assisted by a body of civil servants. The government is obliged to ask the Council of State for advice on every piece of draft legislation. The Council checks the quality of the legal draughtsmanship and whether the draft is compatible with existing laws. Officially, the monarch chairs the Council of State, but the de facto chairman is the vice-chairman. The Council also acts as an appeal body in administrative law cases.

The government is advised on social and economic matters by the Social and Economic Council (*Sociaal-Economische Raad*, SER), whose membership consists of representatives of the trade unions, the business world, and experts appointed by the government. The SER has another function besides advising the government. It also heads a system of consultative bodies in various industries that have the power to lay down rules for their respective sectors.

The Chamber of Audit (*Algemene Rekenkamer*) is an independent body which monitors the legitimacy of public spending. It checks whether expenditure by the government is based on sound statutory principles. It also advises on the effectiveness of public spending – have the various items of expenditure achieved the desired effects?

Citizens who feel they are victims of improper conduct by a government department can lodge a complaint with the office of the *Ombudsman*. It investigates whether the complaint is justified. If so, the Ombudsman reprimands the civil servants or administrators responsible for the mistake. The Ombudsman presents an annual report to the parliament giving an overview of the complaints made about ministries and government agencies along with recommendations on how mistakes affecting citizens can be avoided.

7

The provinces

The twelve Dutch provinces have an intermediate function between the central government and the municipalities. They have a number of duties, ranging from environmental management to public transport. The provinces have their own representative and executive organs.



The Netherlands is administered politically on three levels:

1. nationally, by the central government (the parliament and government);
2. regionally, by the provincial authorities (the provincial councils and provincial executives);
3. locally, by the municipal authorities (the municipal council and the municipal executive).

Each of the three tiers of government has its own functions. This chapter deals with the provincial administration. The Netherlands has twelve provinces, most of which have been in existence since the late Middle Ages. The newest province, which came into being in 1986, is Flevoland. The provincial duties and responsibilities have grown in recent years as a result of the process of the devolution of state power to municipalities and provinces.

Duties of the provincial authorities

The principal provincial duties can be summarized as follows.

1. Planning and housing

Town and country planning is the most important responsibility of the province. Planning involves allocating space for various purposes. The provincial authorities decide where to put roads, railway lines, waterways, residential and industrial areas, agricultural areas, nature reserves and recreational facilities. This is all set out in so-called structure plans. A structure plan deter-

mines how the municipalities involved are allowed to draw up their own local plans. In this way, the plans of the various municipalities are coordinated. Because of their importance, the situation is thoroughly examined. It often takes years before a final decision is taken.

2. Environmental management

The provincial authorities enforce the environmental laws on air, soil and water through bylaws and licensing systems. They deal with pollution, for instance by means of soil decontamination programmes and water treatment plants. They also regulate where building rubble, scrap, industrial waste and other harmful waste are to be stored. Nature conservation and protection of the countryside are also part of environmental management.

3. Welfare

The provincial authorities plan a wide range of welfare facilities such as homes for the elderly, hospitals, public libraries, schools, facilities for the mentally and physically handicapped and youth clubs.

The Dutch provinces and their capitals	
Groningen	Groningen
Fryslân	Leeuwarden
Drenthe	Assen
Overijssel	Zwolle
Gelderland	Arnhem
Flevoland	Lelystad
Utrecht	Utrecht
Noord-Holland	Haarlem
Zuid-Holland	Den Haag
Zeeland	Middelburg
Noord-Brabant	's-Hertogenbosch
Limburg	Maastricht

4. Water and infrastructure management

The provincial authorities are responsible for water management in the province. They supervise the work of the water control corporations, which ensure that the water level does not get too high or too low and that water quality is good. The province is also responsible for public works, that is for the construction and maintenance of provincial highways, bridges and viaducts.

5. Economic and agricultural matters

The province is responsible for land consolidation and for promoting employment. All provincial authorities encourage businesses, which create jobs, to locate there. This sometimes requires difficult decisions, balancing jobs against environmental protection.

6. Public transport

In recent years, public transport facilities have been privatised, but the province has been given supervision duties. Provincial authorities supervise the quality of public transport between the municipalities, not within the municipalities.

7. Supervising the municipal authorities

An important task is supervising the work of the municipal authorities. All decisions by municipalities which have financial repercussions must be approved by the provincial authorities. Consequently, a municipality must have its annual budget and account approved by the provincial executive.

8. Administration of justice

Lastly, anyone who has come into conflict with a municipal authority and believes that it is acting unreasonably can appeal to the provincial executive – for example, if someone has an objection to a local plan.



Provincial finances

To fulfil these duties a province needs a lot of money, which it obtains mainly from the central government by way of the Provinces Fund. It also has some income sources of its own, the principal one being the surcharge on road tax, the percentage of which can differ from one province to another.

Electing the First Chamber

In addition to their provincial duties, the provincial council members have the duty to elect the members of the First Chamber (also known as the senators). These are elected indirectly. The provincial electorates elect the members of the provincial councils, who in turn elect the members of this Chamber. In practice, provincial council members almost always elect senators from their own parties, so the composition of the First Chamber can be calculated fairly accurately from the results of the provincial council elections.

Provincial administration

The provincial council (*Provinciale Staten*) is a directly elected body. The number of councillors depends on the size of the province. Zeeland, for instance, the province with the smallest population, has 39. The provinces of Noord-Holland and Zuid-Holland, which have the largest populations, have 55 each. The members of the provincial council elect the members of the provincial executive (*Gedeputeerde Staten*) from inside or outside the council. Members of this executive may not be simultaneously member of the provincial council. The provincial executive consists of six to eight members plus the provincial governor and is responsible for the day-to-day running of the province and the execution of policies laid down by the council. It ensures that the work of the province is carried out by provincial civil servants and does the groundwork for provincial council meetings. Decisions on budget, policy plans and provincial bylaws are made by the provincial council.

Councillors and executive members

Being a member of a provincial council is not a full-time job. The councillors usually have another job alongside their administrative work, so they are not employees of the province. They receive an allowance rather than a salary. Unlike membership of the provincial council, membership of the provincial executive is a full-time job, one for which members receive a salary. Provincial councillors are comparable to municipal councillors, and members of the provincial executive to aldermen.

The provincial governor

The provincial governor (*commissaris van de koningin*) is not elected but appointed by the government. The provincial council presents a 'list' with two candidates to the Minister of the Interior and Kingdom Relations. The minister usually appoints the first person on the list. Provincial governors are among the best paid officials. Many provincial governors have jobs on the side for which they are often paid. The provincial governor chairs the provincial executive and the provincial council. He is legally responsible for maintaining public order in the province, reporting directly to the Minister of the Interior. He also represents the province in certain contexts and plays a role in the appointment of mayors in the province.

Elections

The Constitution stipulates that the members of the provincial council are elected by provincial residents aged 18 and over. Elections take place every four years. Any party wishing to take part in an election must submit a list of candidates to the central election committee in the province a few months in advance. As in general elections, the candidates and their parties campaign to put across their political objectives to the voters. After the elections, the provincial councillors belonging to a particular party make up the provincial party. The provincial executive often consists of members from all the major parties in the provincial council.

Meetings

The provincial council meets once a month and the meetings are chaired by the provincial governor, who has no right to vote in the council. The governor does have the right to vote at meetings of the provincial executive, where he has the casting vote in the event of a tie. The provincial council has a lot of matters to debate, so to expedite its meetings the various topics are first discussed in special committees. The committees consist of party specialists, members who specialise in that particular topic on behalf of their parties. Each committee is chaired by a member, elected by and from among members of this committee.

Public participation

Educational activities are organised to encourage citizens to become involved. Each province has a department that is specifically responsible for providing information on provincial policy and answering questions from citizens. To ensure the provincial authorities do not make decisions from an ivory tower, plans are often the subject of public participation. Hearings are organised to give all interested parties the chance to express their opinions, which the provincial executive and provincial council can take into account when reaching their decisions. Meetings of the provincial council and its committees are public. They take place in the provincial government building, which is situated in the provincial capital.

8

The municipalities

The municipalities form the third tier of government. They deal exclusively with their own residents and have a large number of duties, but they are very dependent on the central government financially. The council, the aldermen and the mayor each have their own duties and responsibilities.



There are 443 municipalities in the Netherlands (figure: January 1, 2007). The number is constantly diminishing as small municipalities merge into larger ones. In 1970, for instance, there were still 913 municipalities.

Duties of the municipal authority

It is the municipal authority's duty to deal with matters that affect its residents directly and exclusively. This involves providing certain duties, services and amenities. The municipality is responsible for such things as:

- Laying down local plans (*bestemmingsplannen*), which regulate how the land in each particular area of the municipality may be used and what may be built there. The local plan must be consistent with the provincial structure plan.
- Providing acceptable and sufficient housing. The municipality supervises house construction, but housing corporations arrange the allocation of rented houses.
- Constructing and maintaining local streets and roads and, in cities, for public transport.
- Collecting and disposing of domestic refuse, although the real work has been put out to privatised organisations and companies.
- The fire department and the police.
- Markets, docks and waterways, sewers and water treatment.
- All kinds of welfare facilities and social security.
- Recreational and sports facilities.
- The arts and education.

- Issuing licences and permits to companies and catering establishments, passports, ID-cards and driving licences.

The dependency of municipalities

In many respects, municipalities are dependent on the central and the provincial government. In recent years however, the central government has delegated more and more duties and responsibilities to the municipal authorities. The main guidelines still emanate from the central government, but the municipality has been given some freedom to implement them as they see fit. This is for example the case in social security benefits, education and nurseries.

The central and provincial governments retain their rights of supervision. The central government can annul or suspend decisions by a municipality if it considers them against the law or not in the public interest. A local plan cannot be implemented without the agreement of the provincial authorities. Each municipality's budget and annual account must be approved by the provincial executive.

Municipal finance

Most of the money municipalities need to carry out these duties comes from the central government (about 80 percent). Municipal authorities receive money from the Municipalities Fund. How much each municipality receives from the Fund depends on various factors – population, surface area and some other specific criteria. Besides this, the municipalities receive money that is earmarked by the central government for particular purposes such as social security benefits, urban renewal or education.

In addition to these general and earmarked funds, municipalities obtain money from their residents in the form of local taxes (property tax and dog tax, for example). Municipal authorities also make residents pay for the services they provide in the form of charges and fees (e.g. sewerage and cleansing charges and fees for passports and driving licences). This municipality-generated

income 'of their own' accounts for about twenty percent of the total funds that municipalities have at their disposal.

Municipal councils

The organisation of municipalities is laid down in the Municipalities Act. Every municipality has a council and an executive. All members of municipal councils throughout the country are elected at the same time every four years by the municipal electorate. The size of the municipality determines the number of councillors. The smallest municipalities have only 9 councillors, while towns and cities with a population of over 200,000 have 45.

The council has representative, controlling and policy-making functions. It has to set broad policy lines and should refrain from all kinds of governmental details. Municipal councils meet once a month, and more frequently in the case of some large municipalities. Council meetings are public. Most of the topics debated at council meetings have already been discussed in standing committees, which are made up entirely of councillors.

The council can set up district councils within the municipality and devolve certain responsibilities to them. This is the case in the municipalities of Amsterdam and Rotterdam. These district councils are also elected every four years by the residents of the district.

Most municipalities have committees made up of experts and/or interested residents. These committees are given a remit by the municipal executive to make recommendations, for instance, on arts policies or sports policies.

The councillors

Councillors are amateurs. They usually do their work in municipal politics alongside their normal jobs. They are not salaried but they do receive a general allowance and an expense allowance. Membership of the municipal council costs a lot of time and effort, especially in large municipalities. Considerable expertise



in various fields of municipal responsibility is also required, which is why the larger municipalities have councils consisting almost entirely of highly qualified people. You can become a municipal councillor by being put forward by a political party on its candidate list. It is also possible to form a new political party and submit a list or stand as an independent candidate. The councillors of a particular party make up its municipal party, which elects a chair from among its members. In the municipalities, about 25 percent of the councillors have been members of parties which operate exclusively on a local basis. The rest belongs to local branches of national parties.

The aldermen

The municipal executive consists of the mayor and the aldermen. The number of aldermen depends on the size of the municipality too. The minimum is two aldermen, while the cities have a maximum of nine. The municipal executive does the groundwork for council meetings and implements council decisions. The work of the municipality is actually done by civil servants, of course, but the municipal executive is accountable to the council for this.

After the municipal elections, a number of parties will negotiate about the make-up of the municipal executive. To run the municipality, its executive must have the confidence of a majority in the council. As there are few municipalities where a single party has the majority of seats, it is almost always necessary for two or more parties to form a coalition. The aldermen are selected by the parties who have formed a majority in this way and have agreed on a programme. Aldermen can be selected either from inside or outside the municipal council, but once they are appointed they cannot simultaneously be councillors. Each alderman has one or more areas of responsibility, known as his or her 'portfolio'. Being an alderman is a full-time job, for which they are fully paid.

The mayor

Mayors in the Netherlands are not elected but are appointed by the government, in effect by the Minister of the Interior. They are appointed for a renewable six-year term. The municipal council and the provincial governor play an important role in putting forward candidates to the government. The municipal council presents a 'list' with two candidates to the Minister of the Interior. The minister usually appoints the first person on the list.

The mayor chairs the municipal council and the municipal executive. At council meetings, he or she has the right to express his opinion but not to vote – unlike on the municipal executive, where the mayor has the casting vote in the event of a tie. The mayor represents the municipality on official occasions. The law states that the mayor is responsible for law and order and security in the municipality. He or she can, for instance, ban a football match or demonstration if disturbances are expected. In small and medium-sized municipalities the mayor also has a portfolio. He is then responsible, just like an alderman, for formulating and implementing policies in certain areas.

Public participation

To involve citizens more in the decision-making process, the municipal executive often organises hearings or public participation meetings at which the alderman concerned explains the municipality's plans. Residents can ask questions or give their responses. Citizens are also entitled to speak at council committee meetings.

Municipal referendums have become a more common occurrence in recent times. These enable the population to approve or reject a decision by the council. Legally, the council always has the last say, so the result of a referendum is really no more than a recommendation to the council at present. Such a non-binding referendum can also be organised before a new mayor is appointed. In such a case, a municipal council asks the inhabitants to express their preference between the two candidates.

In recent years, many municipal authorities have been directly involving local residents, companies and organisations in the formulation of policy in certain areas. Thus, if a decision is needed on the reconstruction of a square or the renewal of a district, the municipality might organise meetings at which residents can contribute ideas in the initial stages of policy formulation. This is referred to as interactive policy-making. In this way, citizens can help to draw up plans themselves, rather than merely respond to ready-made plans. The council takes the final decision.

Another possibility for citizens to influence policy is the citizens' initiative. This means that citizens have the right to place a topic on the council agenda. The council is then obliged to deliberate on this topic.

9

Addresses



First Chamber (Eerste Kamer)

PO Box 20017
2500 EA The Hague
T 070 312 92 00
E griffie@eerstekamer.nl
I www.eerstekamer.nl

Nationale Ombudsman

PO Box 93122
2509 AC The Hague
T 070 356 35 63
I www.ombudsman.nl

Second Chamber (Tweede Kamer)

PO Box 20018
2500 EA The Hague
T 070 318 22 11
E voorlichting@tweedekamer.nl
I www.tweede-kamer.nl

Council of State (Raad van State)

PO Box 20019
2500 EA The Hague
T 070 426 44 26
E voorlichting@raadvanstate.nl
I www.raadvanstate.nl

Political parties

Christian Democrats



Christen Democratisch Appèl (CDA)

PO Box 30453
2500 GL The Hague
T 070 342 48 88
E cda@cda.nl
I www.cda.nl

Christian Union



ChristenUnie

PO Box 439
3800 AK Amersfoort
T 033 422 69 69
E bureau@christenunie.nl
I www.christenunie.nl

Social Liberals



Democraten 66 (D66)
Noordwal 10
2513 EA The Hague
T 070 356 60 66
E e-mailform on website
I www.d66.nl

Party for the Animals



Partij voor de Dieren (PvdD)
PO Box 16698
1001 RD Amsterdam
T 020 520 38 70
E e-mailform on website
I www.partijvoordedieren.nl

Green Left



GroenLinks
PO Box 8008
3503 RA Utrecht
T 030 239 99 00
E info@groenlinks.nl
I www.groenlinks.nl

Freedom Party



Partij voor de Vrijheid (PVV)
c/o Tweede Kamer
Postbus 20018
2500 EA The Hague
E e-mailform on website
I www.groepwilders.nl

Labour Party



Partij van de Arbeid (PvdA)
PO Box 1310
1000 BH Amsterdam
T 020 551 21 55
E e-mailform on website
I www.pvda.nl

Socialist Party



Socialistische Partij (SP)
Vijverhofstraat 65
3032 SC Rotterdam
T 010 243 55 55
E sp@sp.nl
I www.sp.nl

Orthodox Protestants



Staatkundig Gereformeerde Partij (SGP)

Laan van Meerdervoort 165

2517 AZ The Hague

T 070 345 62 26

E info@sgp.nl

I www.sgp.nl

Liberal Party



Volkspartij voor Vrijheid en Democratie (VVD)

PO Box 30836

2500 GV The Hague

T 070 361 30 61

E info@vvd.nl

I www.vvd.nl

Political youth organisations

Christian Democrats



Christendemocratisch Jongeren Appèl (CDJA)

Buitenom 18

2512 XA The Hague

T 070 342 48 51

E secretariaat@cdja.nl

I www.cdja.nl

Christian Union



Perspectief, ChristenUnie Jongeren

PO Box 439

3800 AK Amersfoort

T 033 422 69 51

E info@perspectief.nu

I www.perspectief.nu

Green Left



Dwars, GroenLinkse jongerenorganisatie
Oudegracht 229
3511 NJ Utrecht
T 030 233 32 63
E dwars@dwars.org
I www.dwars.org

Labour Party



Jonge Socialisten in de PvdA (JS)
PO Box 1310
1000 BH Amsterdam
T 020 551 22 92
E js@js.nl
I www.js.nl

Social Liberals



Jonge Democraten (JD)
PO Box 660
2501 CR The Hague
T 070 362 21 62
E info@jongedemocraten.nl
I www.jongedemocraten.nl

Orthodox Protestants



SGP-jongeren
Laan van Meerdervoort 165
2517 AZ The Hague
T 070 3456226
E info@sgpj.nl
I www.sgpj.nl

Liberal Party



Jongeren Organisatie Vrijheid en
Democratie (JOVD)
Herengracht 38A
2511 EJ The Hague
T 070 362 24 33
E info@jovd.nl
I www.jovd.nl

Socialist Party



Rood, jongeren in de SP
Vijverhofstraat 65
3032 SC Rotterdam
T 010 243 55 57
E rood@sp.nl
I www.rood.sp.nl

Netherlands Institute for Multiparty Democracy

The Netherlands Institute for Multiparty Democracy (NIMD) is an organisation of political parties in The Netherlands for political parties in young democracies. Founded in 2000 by seven parties (CDA, PvdA, VVD, GroenLinks, D66, Christen Unie en SGP), NIMD currently works with more than 150 political parties from 17 countries in Africa, Latin America, Asia and Eastern Europe.

Netherlands Institute for
Multiparty Democracy

NIMD supports joint initiatives of parties to improve the democratic system in their country. NIMD also supports the institutional development of political parties, helps them develop party programmes and assists them in efforts to enhance relations with civil society organizations and the media.

NIMD makes use of the expertise within Dutch political parties. Youth branches of Dutch political parties are also engaged in the work of NIMD. Organised in ‘Young NIMD’ they have developed initiatives to exchange their knowledge and experience with young politicians in NIMD-programme countries.

By supporting political parties in young democracies NIMD aims to contribute to the consolidation of democratic political institutions. NIMD also considers a well-functioning democracy as a means to achieve sustainable development and to help to ensure peace, security and stability – both within countries and internationally.

Instituut voor Publiek en Politiek

The Institute for Political Participation (IPP) considers its mission to be one of informing citizens on the functioning of politics and society. By doing so, the IPP intends to stimulate citizens to participate actively in politics and society.



A democracy can flourish only when ordinary citizens are actively involved in politics and society. Voting is the first step in this process, but it is also important that citizens from all corners of society participate in the public debate and that they know how they can influence politics. To be able to do this, they need to have knowledge of the constitutional state, politics and society.

The IPP therefore provides:

- accessible information through websites, brochures and other written publications
- advice to local authorities
- teaching materials and excursions for schools
- courses and trainings
- debates

The IPP focuses primarily on elections, the European Union and local politics. Special attention is being paid to the participation of politically underrepresented groups: women, youngsters and immigrants. The IPP works together with teachers, civil servants working for local authorities and other intermediaries.

The IPP is a non-profit foundation. It receives structural subsidies from the Ministry of the Interior and Kingdom Relations, subsidies which comprise about half of the foundation's budget. The other half is generated by orders from the national government, local and regional authorities and private organisations. The IPP operates throughout the country and is non-allied to political parties. It employs about 35 permanent and temporary staff members.

Photo credits

Cover: Knights' Hall (photo: IPP, Amsterdam)

- p. 6 The Netherlands (photo: Nationale Beeldbank, Amsterdam)
- p. 8 Queen Beatrix (photo: Nationale Beeldbank, Amsterdam)
- p. 12 Political campaigning (photo: Nationale Beeldbank, Amsterdam)
- p. 18 Political campaigning (photo: Nationale Beeldbank, Amsterdam)
- p. 22 Polling station (photo: Bert Spiertz, Utrecht)
- p. 30 Second Chamber building (photo: IPP, Amsterdam)
- p. 38 The government in meeting (photo: Nationale Beeldbank, Amsterdam)
- p. 46 Het Torentje, the prime minister's seat (photo: IPP, Amsterdam)
- p. 52 Infrastructure: a provincial duty (photo: Nationale Beeldbank, Amsterdam)
- p. 56 The province's office, 's-Hertogenbosch (photo: Nationale Beeldbank, Amsterdam)
- p. 60 Amsterdam, IJburg, housing (photo: Bert Spiertz, Utrecht)
- p. 64 Collecting domestic refuse (photo: Nationale Beeldbank, Amsterdam)
- p. 68 Entrance basement Knights' Hall (photo: IPP, Amsterdam)

The Netherlands is a constitutional monarchy and a parliamentary democracy. The country has one of the most proportional electoral systems in the world. However, the forming of a government is always a prolonged and complicated process. This book presents a concise overview of the main elements of the Dutch political system. It covers not only national politics but also provincial and local governance. Do you want to know how the Dutch electoral system works, how political parties are financed, how a government is formed, and how municipal councils perform their duties and responsibilities? *The Dutch Political System in a Nutshell* gives answers to these questions.



Netherlands Institute for
Multiparty Democracy

