



POLITICS IN THE NETHERLANDS



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Politics in the Netherlands



The Hall of Knights on The Hague's Binnenhof,
where the King presents the Speech from the Throne.

POLITICS IN THE NETHERLANDS

ProDemos – House for Democracy and the Rule of Law
The Hague 2013

ProDemos is a national, non-partisan organisation.
ProDemos provides citizens with information about the
democratic constitutional state and helps them to actively
participate in the political decision-making process.

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Entrance of the Torentje, the Prime Minister's office.

INTRODUCTION

ProDemos—House for Democracy and the Rule of Law frequently receives requests for English-language information about the Dutch political system. We have produced this booklet for foreign visitors and people in other countries who wish to know more about, for example, our electoral system, how parties are financed, how our governments are formed and how our local administration works. This publication offers a very concise overview of the main elements of the Dutch political system, with a strong emphasis on formal aspects. As such, it does not go into key elements of the Netherlands' administrative system like the civil service and the judiciary. Nor does this publication discuss political actors like organised interest and pressure groups, popular movements, action committees and the mass media, or phenomena such as corporatism, voting patterns and the broader European context of Dutch politics.

We would like to offer two suggestions for further reading should you wish to learn more about the Dutch political system. The first book, written by two professors of Political Science from Leiden University—Rudy B. Andeweg and Galen A. Irwin—is entitled *Governance and Politics of the Netherlands* (Palgrave MacMillan, third revised edition 2009). The other book is by the British political scientist Ken Gladdish and is entitled *Governing from the Centre. Politics and Policy-Making in the Netherlands* (Northern Illinois University Press, 1998).



The head of state on the way to the Hall of Knights on Prince's Day.

1

CONSTITUTIONAL MONARCHY

The Netherlands is a constitutional monarchy, which means that the Dutch monarch's powers are regulated by the Constitution of the Netherlands. The Constitution is the bedrock of the Dutch political system. The organisation of the state is governed by the principle of the separation of powers. Members of parliament are elected by means of a list system based on proportional representation.

THE MONARCH

The Netherlands has been 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 his/her power is regulated by the Constitution. The Netherlands' first constitution was promulgated in 1798, at the time of the Batavian Republic, and was modelled on the French Constitution of 1795. The first 'real' Dutch Constitution dates from 1814, however. This original Constitution has been amended many times over the years. A major amendment to the Constitution was passed in 1848, marking the beginning of parliamentary democracy in the Netherlands – although in the 19th century the right to vote was limited to certain groups of taxpayers. However, since 1848, the Dutch monarch has to take account of parliamentary majorities. By 1870, various political showdowns between the parliament and the Dutch monarch had established the parliament as the highest political body; the monarch is subordinate to the will of the parliament.



Noordeinde Palace, the King's working palace in The Hague.

In the Netherlands, the monarch is an official member of the government – a situation similar to that in the United Kingdom, but different to that in Sweden. However, the king has no political responsibility whatsoever. Article 42 of the Constitution of the Netherlands is extremely clear on this matter: ‘1. The Government shall comprise the King and the Ministers. 2. The Ministers, and not the King, shall be responsible for acts of government.’ This applies to everything the monarch says and does.

Dutch monarchs	
King William I	1815–1840
King William II	1840–1849
King William III	1849–1890
Regent Emma	1890–1898
Queen Wilhelmina	1898–1948
Queen Juliana	1948–1980
Queen Beatrix	1980–2013
King Willem-Alexander	2013–

THE CONSTITUTION

The general principles of the Dutch parliamentary system are regulated by the Constitution of the Netherlands. A number of specific acts (such as the Dutch Citizenship Act, the Ballot Act, the Municipalities Act and the Provinces Act) describe the various governmental procedures in further detail.

Chapter 1 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 establish 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). In 1983, a number of fundamental social rights were added. The Constitution obliges the government to promote full employment and free choice of jobs for all. In addition, the government is required to ensure that every person who is entitled to social security support receives this support, and to promote public health and public housing facilities.

The Constitution forms the foundation 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 the Constitution. This prevents it from being called into debate every time the political climate changes. A motion to amend the Constitution must be passed twice by both Chambers of parliament: first as a regular bill, and a second time after a general election, when it has to be passed by a two-thirds majority in both chambers.

The organisation of the Dutch state is based in part on the principle of the *trias politica*, the separation of powers, as formulated by the French philosopher Charles-Louis de Montesquieu (1689–1755). Of course, the Netherlands' judiciary functions entirely separately of the legislature and the executive. Legislative power, however, is shared between the two Chambers of the Dutch parliament and the government. The government Cabinet serves as the Netherlands' executive branch.

PROPORTIONAL REPRESENTATION

It was not until 1917 that universal suffrage for men was introduced by means of a constitutional amendment. Truly universal suffrage came in 1919, when women were given the right to vote. This amendment also changed the electoral system from a 'first-past-the-post' constituency-based system (like the one presently used in the United Kingdom) to a list system of proportional representation. The general principles of the Dutch political system have not been changed since that time.



The Dutch head of state: King Willem-Alexander.

THE KINGDOM OF THE NETHERLANDS

The Kingdom of the Netherlands comprises four countries: the Netherlands, Aruba, Curaçao and Sint Maarten. The political relationship between these four countries is described in the Charter for the Kingdom of the Netherlands. Aruba, Curaçao and Sint Maarten are located in the Caribbean. The three Caribbean countries have an independent status, are represented by their own governments and organise their own elections. The local governments in these constituent countries bear responsibility for, for example, good governance, education and the system of law at the local level. The Netherlands does handle defence and foreign relations on behalf of the other three countries.

In addition, the Netherlands has three special municipalities in this region – Bonaire, Sint Eustatius and Saba – which are known as the Caribbean Netherlands. Executive power in these municipalities rests with two administrative layers, namely an island council and the Dutch national government. The remainder of this publication will focus on the political structures found in the European part of the Kingdom: the Netherlands.

CAPITAL AND SEAT OF GOVERNMENT

In the Netherlands, one can find a fairly unique situation where the national government and the Dutch parliament do not convene in the constitutional capital of Amsterdam, but in The Hague. This can be explained by the Netherlands' history. The Hague has served as the centre of political power in the Netherlands for many centuries. The city started as the seat of the Counts of Holland, who were ultimately succeeded by the Dutch Stadtholders and the provincial representatives during the era of the Dutch Republic (1588–1795). During the latter period, one could not actually speak of a Dutch capital, since the individual provinces were more or less self-governing. In 1795 the Netherlands were invaded by the French armies. After the Emperor of the French, Napoleon Bonaparte, made his brother Louis Bonaparte King of Holland in 1806, the new monarch chose Amster-



Old and new government buildings in The Hague.

dam as the nation's capital. After the departure of the French troops in 1813, Amsterdam remained the capital of the new Kingdom of the Netherlands, although, with the exception of the year 1814, it was not referred to as such in the Dutch Constitution. The city only acquired this status in 1983. But all this time, The Hague remained the official seat of the national government and the Dutch parliament. The 'working palace' of the Dutch monarch is also located in The Hague. However, the Constitution of the Netherlands stipulates that the swearing in and inauguration of the new Dutch monarch are to take place in Amsterdam, in the presence of all members of both chambers of parliament.



Political parties' bill board for parliamentary elections.

2

POLITICAL PARTIES

The first political parties were established in the Netherlands some 130 years ago. The three main groups – the Social Democrats, the Christian Democrats and the Liberals – have been alternately represented in various governments for many decades. However, many smaller-sized parties have also been founded over the years, some of which have even taken part in Cabinets to secure a parliamentary majority for the government coalition.

HISTORY OF THE NETHERLANDS' POLITICAL PARTIES

The Netherlands' system of political parties developed in the second half of the 19th century. The aim of these parties was to represent various sections of the Dutch population in the political arena. In 1879, a number of members of the Dutch Reformed Church founded the Anti Revolutionary Party (Anti-Revolutionaire Partij or ARP). This party denounced the principles and consequences of the French Revolution of 1789. According to the ARP, which in the years following its foundation increasingly came to represent the more orthodox Protestant groups in the country (the Reformed Churches in the Netherlands), the state does not derive its authority from the consent of the people, but from God. The first decades of the 20th century led to the foundation of a second Protestant party, as well as a Roman Catholic party. In the 1960s, these three Christian parties suffered a number of heavy election defeats, after which they increasingly started to

work together. In 1980 they merged to become a single new party, the Christian Democratic Appeal (Christen Democratisch Appèl or CDA). The CDA has frequently been the largest party in the various government coalitions that followed this merger, but over the past few years, the party has once again lost ground in the elections. The Christian Democrats see the Bible as their source of inspiration. The CDA works from four basic principles: justice, the shared responsibility of the government and society, solidarity and stewardship (our shared responsibility to look after the natural and cultural environment).

The Labour Party (Partij van de Arbeid or PvdA), which was founded in 1946, has its roots in the traditional Social Democratic Workers' Party (Sociaal-Democratische Arbeiderspartij or SDAP). The SDAP was founded in 1894 to promote the interests of the working class. After the Second World War, the Dutch Social Democrats attempted to break open the country's segregated political system: henceforth, the PvdA also tried to attract voters from the Christian segments of the population. This attempt proved unsuccessful, however. After this period, the PvdA primarily came to see itself as a party that aims to reform Dutch society by more gradual means. The social democrats' key motto is solidarity – in this case with those with a less advantaged position in society. The PvdA believes that those with the broadest shoulders should carry the heaviest burden. The number of seats occupied by the PvdA in the Dutch parliament has fluctuated considerably since the 2002 elections.

The foundation of political parties at the end of the 19th century ultimately inspired the Dutch Liberal movement to follow a similar route. For some time, the Liberals were firmly against forming political parties, since first and foremost, they were proponents of individual freedom. But they could no longer afford to ignore the new turn of events and eventually decided to form their own political parties. In 1948, a number of progressive and conservative liberals founded a new political party, the People's Party for Freedom and Democracy (Volkspartij voor Vrijheid en



Statues in the central passageway of the House of Representatives.

Democratie or vvd). From the 1980s until the elections of 2006, the vvd formed the third-largest political faction in the Dutch parliament (with the exception of 2002). In the elections of 2010 and 2012, the vvd emerged as the largest party in the House of Representatives. The vvd aims to restrict the extent to which the state intervenes in the economic and social spheres and considers the individual freedom of all Dutch citizens of paramount importance. It expects citizens to accept personal responsibility for their circumstances.

The Dutch political landscape features a whole range of other parties, both within and beyond the broader Christian democratic, social democratic and liberal movements. Certain protestant segments of the population are represented by two smaller parties: the Reformed Political Party (Staatkundig Gereformeerde Partij or sgp), a very orthodox Protestant party, and the ChristianUnion (ChristenUnie or cu), a slightly more liberal party that is nevertheless convinced of the importance of Christian values

in Dutch public life. The PvdA is faced with a strong competitor for the voters' sympathies in the shape of the Socialist Party (Socialistische Partij or *sp*), which is particularly critical of the way in which the social democrats compromise with other parties on, for example, social and economic issues. Founded in 1972, the *sp*'s positions were originally rooted in Marxist-Leninist ideology, but after the fall of international communism in the late 1980s, the party rigorously cut its ties with this intellectual heritage. Housing and healthcare are also important issues for the socialists. The GreenLeft party (GroenLinks or *gl*) came out of a 1990 merger between four smaller parties that represented pacifist, left-wing Catholic, progressive evangelical and communist views of society. Nowadays, *gl* mainly focuses on environmental issues and broad social reforms. The party Democrats 66 (Democraten 66 or *D66*) was founded in 1966. For many years, the party advocated a reform of the Dutch polity and electoral system. It now identifies itself as a social and liberal party. An area of particular interest to Democrats 66 is the Dutch education system.

The unease felt by many Dutch citizens in the first decade of the 21st century with regard to the multicultural character of contemporary society has also had an impact on the country's political landscape. In 2002, these feelings culminated in the dramatic entry of the new party Pim Fortuyn List (Lijst Pim Fortuyn or *LPF*) in the Dutch parliament. But the party seemed to vanish as quickly as it had appeared after the murder of its main candidate Fortuyn and squabbling within its ranks. 2006 saw the emergence of a new political entity: the Party for Freedom (Partij voor de Vrijheid or *pvv*), which views Islam as a major threat to Dutch society. The party was very successful in the elections of 2010. In recent years, the *pvv* has mainly trained its arrows on the European Union. After the 2012 elections, the party had to surrender around one third of its seats. The Party for the Animals (Partij voor de Dieren or *PvdD*) also entered the Dutch parliament in 2006, with a programme that focused on animal

welfare and nature conservation. The latest addition to the Dutch political firmament is the party 50PLUS, which mainly focuses on promoting the interests of senior citizens.

A VARIETY OF GROUPINGS

In the Netherlands, political parties can be grouped in a number of ways. One criterion that is often used to distinguish between the different parties is whether or not they are religious in nature. The so-called confessional parties base their programmes and political positions on a specific faith or use the Bible (or the Quran) as their touchstone. They include the CDA, the SGP and ChristianUnion. Non-confessional parties like the VVD, the PvdA, the SP and D66 base their programme on secular principles.

Another popular criterion for grouping political parties is their basic socio-economic perspective: left-wing, right-wing or centrist. This classification is both controversial and frequently difficult to substantiate with objective arguments. The main issue is the extent to which parties aim to create a greater equality between citizens in terms of income, knowledge and power, and to which extent they are prepared to use state authority and government policy to achieve such objectives. This distinction primarily centres on social and economic policy; in other words: employment, taxation, personal income and welfare benefits. But it also takes matters like education and schooling policies into account, and the consultation of employees in private-sector firms and public organisations. When parties are in favour of state intervention for the purpose of achieving greater equality in society, they are categorised as 'left-wing'. Parties that view inequality in individuals' personal income and power as to a certain degree justified or inevitable are considered 'right-wing'. Parties whose position is found somewhere half-way between the left- and right-wing perspectives belong to the political 'centre'. According to the above criteria, the SP, GreenLeft and the PvdA can be called left-wing, the VVD and the SGP right-wing, and the CDA can be considered a typical centrist party. While the

pvv is highly critical of the Dutch political left, it nevertheless embraces a number of socio-economic positions that could be called left-wing. Other parties tend to operate somewhere to the left or right of the political centre.

Occasionally, people use the terms 'progressive' and 'conservative' instead of 'left-wing' and 'right-wing'. Progressives are in favour of social change, while conservatives wish to conserve traditional social institutions. But these concepts have become increasingly hard to apply. A new centre-right government, for example, can introduce major changes in the existing welfare system, healthcare sector or housing market, while the left-wing opposition aims to preserve these systems as they are.

However, there is another route that can be taken to distinguish between progressive and conservative parties. The main difference lies in the extent to which parties are willing to use government policy to restrict people's individual freedom. This becomes particularly relevant in the context of moral issues relating to matters like homosexuality, abortion, euthanasia and the observance of Sunday rest. In such cases, 'progressive' can be understood to refer to parties that aim to give individuals as much freedom as possible to make their own decisions. In the view of these parties, the state should not interfere with how people live their lives – it shouldn't patronise its citizens. From this perspective, D66, the vvd, GreenLeft and the PvdA can be seen as progressive parties. And 'conservative' can be applied to parties that are in favour of a state that plays a strong directive role in matters of morality. In the view of these parties, the government has an obligation to maintain traditional and Christian values. The confessional parties cda, sgp and ChristianUnion can be considered conservative in this sense. In addition to moral issues, socio-cultural questions have also started playing an increasingly important role over the past few years. For example, the pvv wants the government to take action against a number of concepts found within Islam and their manifestations, since in the view of the pvv, these aspects pose a threat to the Nether-

lands' identity as a nation. Progressives tend to be more open to outside influences than conservatives: the former are more 'cosmopolitan' than the latter.

GROUPINGS ARE RELATIVE

When we make these kinds of distinctions, we should always keep in mind that due to their size, the major parties in particular are home to a variety of individual viewpoints. Furthermore, it is not uncommon for political parties to change their position on a particular issue, depending on what goes down well with the electorate. Another situation that may come up is that a party no longer proves able to maintain a specific principle or position in day-to-day practice. They are often forced to make compromises – do 'a bit of give and take'. Sometimes, a party is forced to put parts of its programme on ice for the time being, in order to take part in a government coalition or a provincial or municipal executive. Indeed, the willingness to make compromises is a fundamental characteristic of the Netherlands' democratic system.

HOW PARTIES ARE ORGANISED

Dutch political parties are associations, and as such have various characteristics like party members, conferences and executive committees. The party organisations are made up of local branches that choose their own local executives and draw up the programmes and the lists of candidates for the municipal elections. In most parties, these local departments are associated in larger regional or provincial organisations, which in turn have their own executives, tasks and obligations.

Nearly all parties hold congresses or have adopted a general meeting as their highest decision-making authority. Generally, these bodies meet once or twice a year. On such occasions, the party members decide on the party's current political course and other important political matters. How individual members are represented precisely differs from one party to the next: some-



Political campaigning before the elections.

times, the congress is attended by local or regional representatives; in other cases, the members present at the congress can cast their votes based on the 'one man one vote' principle. A third category involves a combination of branch representatives and individual members. In addition, there are differences in how the parties reach a decision. And finally, the various parties are set apart by their internal political culture: some parties give their members far more room to hold opinions that deviate from the party line than others.

Several months before a general election, parties usually hold special congresses to adopt their electoral platforms and elect the list of candidates. Both documents are prepared in advance by special committees, but the attendees of the electoral congress have the final say. In a number of parties, the members are entitled to elect the party leader or party chair. In the Netherlands, these roles have been separated: the party leader is the 'face' of the party and has a seat in the House of Representatives or the coalition government, while the party chair primarily bears responsibility for the party's internal organisation. In addition, each party has a secretariat, which employs paid professionals who handle the party's administration, public information services, promotion and internal trainings. Furthermore, the parties that are represented in the Dutch parliament generally have state-sponsored research foundations, which study social, political and party-political issues, as well as a political youth movement.

The pvv is the exception to this rule. This party does not have any members, but consists solely of delegates who represent the party in local, provincial and national parliaments.

MEMBERSHIP FIGURES

At the start of 2013, the political parties represented in the Dutch House of Representatives had a combined membership of some 315,000. This amounts to approximately 2.5% of the Dutch electorate, which totals some 12.6 million people.

GOVERNMENT SUBSIDIES FOR POLITICAL PARTIES

Political parties play a vital role in the Netherlands' democratic process, but their own sources of income are fairly limited. Their revenue includes party membership, donations by private individuals, companies and institutions, and mandatory or voluntary contributions by their members of parliament. Since the Dutch government finds it important for parties to continue doing their work – and doing it effectively – they are also provided with supplementary public funding. To become eligible for these government subsidies, the parties do have to satisfy a few conditions, however (2013 scheme). For example, the party needs to be represented in the Dutch Senate or House of Representatives. In addition, the party needs to have at least 1,000 members. If the party meets these requirements, it is awarded a basic grant of around EUR 185,000 per year. Further funding is dependent on the number of seats the party holds in the Dutch parliament and its total membership figure. Parties receive around EUR 53,800 per parliamentary seat and around EUR 6.40 per party member. They can use this revenue for, for example, education and schooling, public information services, recruiting new members or activities undertaken in the context of an election campaign. In addition, political parties receive additional funds for their research foundation and political youth organisation. The PVV does not receive any public funding, since this party does not have any members.

POLITICAL YOUTH ORGANISATIONS

Virtually every political party has an affiliate youth organisation. These political youth organisations have their own membership rolls: in principle, membership is open to young people between the ages of 14 and 27. The youth organisations have a combined membership of some 15,000 young people. Political youth organisations primarily focus on educational activities, as well promoting the interests of young people within the larger parent party. Occasionally, the members of these youth organisations

can offer highly critical perspectives on current developments or more fundamental issues. Nevertheless, the various political youth organisations can be seen as an excellent breeding ground for many a future political career.

INTERNATIONAL COOPERATION

Since the Netherlands is a member state of the European Union, most Dutch political parties are represented in the European Parliament. Here, they cooperate with other parties within larger European parliamentary political groups.

Dutch political party	Group in the European Parliament
Christian Democrats (CDA)	Group of the European People's Party
Labour Party (PvdA)	Group of the Progressive Alliance of Socialists & Democrats
People's Party for Freedom and Democracy (VVD), Democrats 66 (D66)	Alliance of Liberals and Democrats for Europe
Socialist Party (SP)	European United Left/Nordic Green Left
GreenLeft (GL)	The Greens/European Free Alliance
Reformed Political Party (SGP)	Europe of Freedom & Democracy Group
ChristianUnion (CU)	European Conservatives and Reformists Group
Party for Freedom (PVV)	Non-Attached Members

In addition, a number of Dutch political parties are members of European political parties. Some of these only accept parties from EU member states, while others are open to parties from all European countries.

Dutch political party	European political party
Christian Democrats (CDA)	European People's Party (EPP)
Labour Party (PvdA)	Party of European Socialists (PES)
People's Party for Freedom and Democracy (VVD), Democrats 66 (D66)	Alliance of Liberals and Democrats for Europe Party (ALDE)
GreenLeft (GL)	European Green Party (EGP)

Four Dutch parties are members of international organisations:

Dutch political party	International organisation
Christian Democrats (CDA)	Centrist Democrat International (CDI)
Labour (PvdA)	Socialist International (SI)
People's Party for Freedom and Democracy (VVD), Democrats 66 (D66)	Liberal International (LI)



A red pencil is used for voting.

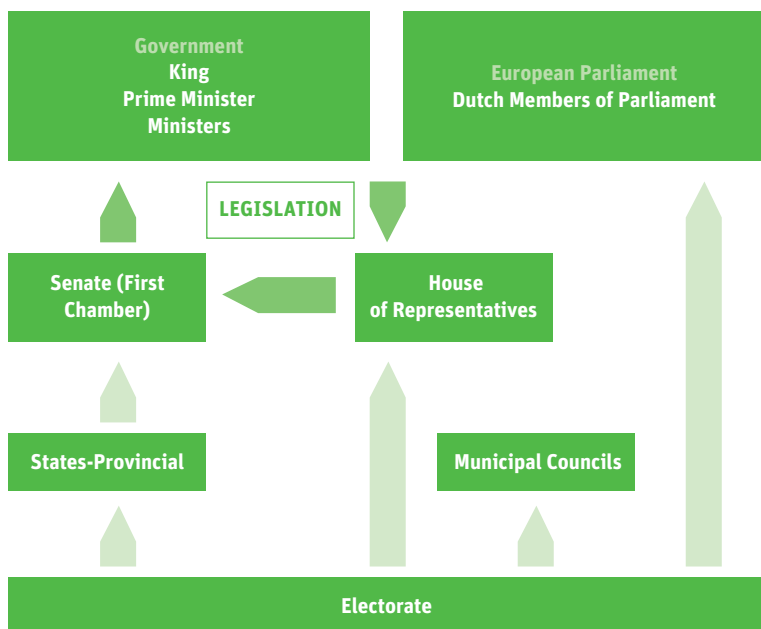
3

ELECTIONS

In the Netherlands, there are elections for three different levels of government. The parliament has two Chambers, one of which is elected directly by Dutch citizens. Dutch elections are organised on the basis of a list system of proportional representation, with no individual constituencies or electoral thresholds.

WHAT DO WE GET TO ELECT?

The Netherlands has adopted a parliamentary democracy as its system of government. One important aspect of this system is that the Dutch voters are free to choose their own representatives in the national legislature. The Netherlands regularly holds elections for the House of Representatives, the States-Provincial, the municipal councils and the Dutch delegation in the European Parliament. Generally, the nationwide elections for the House of Representatives are held once every four years. They are only scheduled earlier when a specific government has been forced to resign before the end of its term by the House of Representatives or resigns of its own accord. These elections are referred to as *vervroegde verkiezingen* (early elections). In addition, every four years, eligible voters elect the members of the States-Provincial in their province as well as the municipal council in their city, town or village. The latter bodies are not allowed to organise early elections. If the executive of a province or municipality resigns for whatever reason, a new executive needs to be appointed on the basis of the existing distribution of seats



in the relevant States-Provincial or municipal council. The elections for the European Parliament are held once every five years, just like in the other member states of the European Union. The Dutch Senate (also known as the First Chamber) is not elected directly by the Dutch citizens, but is appointed by the members of the States-Provincial no later than three months after the provincial elections. This process is known as indirect election.

THE RIGHT TO VOTE AND TO BE ELECTED

All Dutch citizens aged 18 or older have the right to cast their vote in the elections for the European Parliament, the Dutch House of Representatives, the States-Provincial and the members of their local municipal council. Citizens of other EU member states are also entitled to vote in municipal elections and elections for the European Parliament from the moment they officially take up residence in the Netherlands. Non-EU foreign

nationals who have legally resided in the Netherlands for a minimum of five years also have the right to vote in municipal elections. In addition to having the right to vote (suffrage), any Dutch citizen aged 18 or older has the right to put himself/ herself forward for election (eligibility for election). Foreign nationals who have the right to vote in a municipal election can also put themselves forward as a candidate. The electoral procedures have been set down in the Dutch ballot act, the *Kieswet*.

PROPORTIONAL REPRESENTATION

All direct elections in the Netherlands are organised according to the principle of proportional representation. This system does not make use of separate electoral districts. In the country's parliamentary elections, all the votes cast are combined into one election result – in effect, the Netherlands is treated as a single electoral district. According to some political scientists, this makes the Dutch voting system one of the most proportional systems in the world. For administrative and party-political reasons, the country has been divided into 19 constituencies (as well as one in the Dutch Caribbean) that correspond with a province or part of a province. Each constituency has a principal polling station, and each election furthermore has a central electoral committee. For the election of the Dutch House of Representatives, this task is handled by the Electoral Council in The Hague. The parties taking part in these parliamentary elections submit their list of candidates to this body.

PARTICIPATION TERMS

Parties wishing to take part in an election for members of the House of Representatives are required to ensure their inclusion before a specific deadline in the Political Parties Register of the Electoral Council in The Hague (the responsible central electoral committee). New parties need to register as such, in other words, while the registration of existing parties remains in effect. Incidentally, parties are not legally required to register a specific



roep

de verkiezing van de leden
de Tweede Kamer
woensdag 12 september 2012

neer kunt u stemmen?
nt stemmen van 7.30 uur tot 21.00 uur.

ar kunt u stemmen?
kunt met deze stempas uw stem uitbrengen in alle
stemlokalen in uw gemeente.

Het stemlokaal in uw eigen buurt is:
M.f.c. Camminghaburen
Lieuwenburg 2

Adressen en openingstijden van stemlokalen vindt u op:
- de achterzijde van de kandidatenlijst en
- www.leeuwarden.nl

Een vervangende stempas kunt u aanvragen bij:
De afdeling Burgerzaken van de gemeente Leeuwarden.
Oldehoofsterkerkhof 2, Leeuwarden

Some attributes required for voting.

Afzender:

Gemeente Leeuwarden
Kieskring 2

Postbus 21000, 8900 JA Leeuwarden

Retourneren indien onbezorgbaar

EUROPESE UNIE
KONINKRIJK DER NEDERLANDEN
PASPOORT

STEMPAS

TK12

name: a political party can actually compete in an election with what is known as a 'blank list'. The Dutch ballot act does state that parties need to be officially recorded as an association in the notary register.

Parties that are not represented in the House of Representatives but nevertheless wish to take part in the parliamentary elections need to pay a deposit to the amount of EUR 11,250 before they can do so (other amounts apply in the cases of provincial and local elections). For small parties, this amount can prove prohibitive. This arrangement is intended to prevent people standing for election on a whim. The deposit will be returned to the newly competing party if it manages to win at least three quarters of the number of votes required for a single House seat – i.e. 0.5% of the total number of votes. In addition to this deposit, new parties are also required to submit a list for each constituency containing 30 individual signatures that endorse this list. In other words, to take part in all twenty constituencies in the national elections (the Netherlands including the three special municipalities in the Dutch Caribbean), a party will require 600 (20 x 30) individual signatures. But this is not mandatory, incidentally: parties can choose to submit lists of candidates in a limited number of constituencies.

VOTING

Voting in the Netherlands is not compulsory. In other words, you are not obliged to cast your vote at the polling station. Before the elections, all eligible voters are sent a voting pass. Voters are free to choose in which polling station they cast their ballot, as long as it is in their own municipality. They are, however, required to present proof of identity before casting their vote.

After a period in which extensive use was made of voting machines (which proved to have security issues), in 2009 the Dutch electorate once again started casting their votes by means of a paper ballot and a red pencil. The names of the participating parties with the names of their candidates are pre-printed on

the ballot paper. The voter casts his/her vote by marking the box next to the candidate of his/her choice in red with the provided pencil. This does not necessarily have to be the first candidate on the list. When a voter casts his/her vote for a candidate who is included lower on the list, this is called a *voorkeurstem* (preference vote). Many Dutch voters cast such a preference vote – because the candidate is a well-known figure in their particular region, for example. Or because he/she stands apart from the other candidates thanks to his/her outspoken views on certain issues. Female candidates and candidates from ethnic backgrounds also frequently receive such preference votes.

Voters can also cast a blank ballot. Although such ballots are invalid, they are included in the tally of the total turnout. Some voters submit such an abstention as a form of protest vote, or because they do not know which candidate or which party they should vote for. In the latter case, the voter signifies by means of the blank ballot that he/she does however attach importance to the electoral process itself.

In the Netherlands, elections are usually held on a Wednesday. The polling stations are open from 7:30 in the morning to 9 in the evening (some polling stations open earlier, but no stations are allowed to close earlier or later than 9 p.m.). The stations are commonly set up in public buildings close to the constituents' homes, such as schools, community centres and sports centres. In recent years, we have also seen polling stations set up at public transport stations. In other words, distance is unlikely to be an obstacle for citizens to exercise their right to vote. Nonetheless, it may occur that someone is unable to make it to the polling station – because he/she is ill or on holiday, for instance. In that case, voters can also authorise another voter to cast a proxy vote on their behalf. This can be done in two ways.

- The voter who is unable to visit the polling station fills in a number of fields on the back of his/her voting pass. This authorises a second voter to cast a proxy vote on his/her behalf. The authorised voter casts this proxy vote at the same time as

his/her own vote. He/she is also required to present a photocopy of a valid identity document of the absentee voter.

- The voter writes to his/her municipal administration at least 14 days before the election formally requesting the municipality to authorise a second voter to cast a proxy vote on his/her behalf. The authorised voter will subsequently be sent a proxy authorisation.

A voter is allowed to accept a maximum of two authorisations, and may only cast these proxy votes at the same time as he/she casts his/her own vote.

Every polling station has a three-member committee that sees to it that everything proceeds according to the regulations. This committee accepts and takes in the voting passes, checks the voters' proof of identity and issues the ballot papers. The voters then move over to the voting booth to cast their vote in private, in order to protect the secrecy of the ballot. They then deposit this ballot in a ballot box. Once the polling station has closed, the committee counts the ballot papers. Members of the public are free to attend this event.

THE DISTRIBUTION OF SEATS

Once the total number of valid votes has been determined, the responsible body calculates the electoral quota for the election in question. This quota specifies the number of votes required for a single seat. The Dutch House of Representatives has a total of 150 seats to be divided among the various candidates. If, for example, a total of nine million valid ballots have been cast, the electoral quota will equal nine million divided by 150, i.e. 60,000. The higher the voter turnout and the more people who cast a valid ballot, the higher the electoral quota – in other words: the more votes a party needs to win to gain a seat for its representative. In any case, a party that has gained 380,000 votes is assured of six seats. This process will always lead to a number of unallocated votes and seats. A total of 20,000 votes from the



Parliamentary seats in the House of Representatives.

total of the aforementioned party have not yet been allocated, for instance. These so-called remainder votes are distributed according to two different methods.

In the case of elections in municipalities that have fewer than 19 seats on the local council, the responsible committee bases its distribution of unallocated votes on the so-called largest remainder method. This involves assigning the first unallocated seat to the party with the largest remainder of unallocated votes, the second unallocated seat to the party with the second-largest remainder of unallocated votes, etc. This continues until all remainder seats have been distributed.

In the case of elections in larger municipalities and elections for the House of Representatives and the States-Provincial, the distribution of remainder seats is based on the highest averages principle. The following method is used: imagine the electoral quota (the total number of valid votes divided by the number of seats to be allocated, i.e. 150 in the case of the House of Representatives) is 60,000. Party A has won 380,000 valid votes. At any rate, this party will be given six seats ($380,000 : 60,000 > 6$). If Party A were to be awarded seven seats, the average number of votes per seat would equal 54,286 ($380,000 : 7$). When this average turns out to be higher than the equivalent average of the other parties with unallocated votes, the first remainder seat will be awarded to Party A. The second remainder seat will be awarded to the party with the second-largest average, etc. This continues until all the remainder seats have been distributed.

The latter method actually tips the scales slightly in favour of the larger parties. An example: imagine Party B gained 2,355,000 valid votes in the election described earlier. In that case, the party will receive 39 seats ($2,355,000 : 60,000 > 39$) and still has 15,000 unallocated votes to spare – fewer than Party A. But following the highest averages method, the remainder seat will still be awarded to the largest party, Party B. Because if Party B had 40 seats, its average would be $2,355,000 : 40 = 58,875$ votes per seat.

The largest average method; electoral quota: 60,000

Party	A	B
No. of votes	380,000	2,355,000
Seats	6	39
Unallocated votes	20,000	15,000
Seats plus 1	7	40
Largest average	54,286	58,875
Seats	6	40

PREFERENCE VOTES

The allocation of seats to individual candidates is done as follows. Those candidates who have received a total of preference votes in excess of 25% of the electoral quota are assured of a seat in any case. During the 2012 elections for the House of Representatives, this amounted to 15,708 votes. After this, the remaining votes are distributed among the party's candidates in the order of their inclusion on the list.

ELECTORAL ALLIANCES

Occasionally, parties that share an affinity in terms of political goals or positions will enter into an electoral alliance. In such cases, the unallocated votes of these parties are added up, increasing their chances of landing a remainder seat. By pooling their votes, smaller parties can gain remainder seats that they would never land on their own. Larger parties also occasionally initiate an electoral alliance. There were two such alliances in the parliamentary elections of 2012.

THE REFERENDUM

The Dutch Constitution does not allow for the organisation of binding referendums. However, in 2013, the Netherlands introduced what is known as a consultative referendum at the national level. A new law came into force that allows citizens to

organise a plebiscite on a specific new bill. To this end, the organisers need to collect 300,000 declarations of support for the proposed referendum. A bill may be rejected by popular vote, but this rejection remains non-binding for the House of Representatives. However, popular opinion is expected to carry significant weight in the parliament's deliberations. The States-Provincial and local municipal administrations have had the option of organising a so-called consultative referendum for some time now, but once again, the results of such referendums are non-binding. A difference between these lower-level referendums and national plebiscites is that they are initiated by the administrators rather than by members of the public. All in all, provincial and municipal referendums tend to be quite rare, since a number of parties oppose these plebiscites, and voter turnout is generally rather low.

VOTER TURNOUT

In the Netherlands, voters show far more interest in the elections for the House of Representatives than for other elections. This is also reflected in the turnout percentages:

Elections	Year	Turnout
House of Representatives	2012	74.60
States-Provincial	2011	55.97
Municipal councils	2010	54.13
European Parliament	2009	36.75



The House of Representatives' central passageway, an integration of old and new.

4

THE DUTCH PARLIAMENT

The members of the Dutch parliament have legislative, controlling and representative duties. There are important differences between the House of Representatives and the Senate in terms of their respective authorities and electoral procedures. The Dutch legislative process is both lengthy and complicated.

THE STATES-GENERAL

The Dutch parliament is called the States-General. This legislature consists of two chambers: the House of Representatives (Second Chamber) and the Senate (First Chamber). The House of Representatives plays a far more prominent role in the Dutch political process than the Senate.

The House of Representatives has 150 members, who are chosen directly by the Dutch electorate. The elections for the House of Representatives are held once every four years, unless a Cabinet falls before the end of its term and early elections are called. The members of the Senate are chosen by the members of the State-Provincial within no more than three months of the provincial elections. This is called an indirect election. The election of the provincial representatives is also organised once every four years. The Dutch Senate has 75 members (senators). Both chambers are housed in the various buildings surrounding The Hague's Binnenhof.

After summer recess (the holiday period), the Dutch monarch reads the *Troonrede* (Speech from the Throne), which sets out the

government's plans for the coming year. This is done during a joint session of both chambers. The event, which traditionally takes place on the third Tuesday of September, is called *Prinsjesdag* (Prince's Day). The ceremony is held in the mediaeval Ridderzaal (Hall of Knights) on Binnenhof rather than in one of the parliamentary assembly halls.

MEMBERS OF PARLIAMENT

The House of Representatives convenes three times a week – on Tuesdays, Wednesdays and Thursdays. Being a member of parliament is a full-time job. In compensation, the delegates receive a salary of EUR 102,000 gross per year (2012 level). Since many representatives do not live in The Hague itself, they make quite a lot of travel and accommodation expenses. These are also reimbursed by the Dutch government.

Each parliamentary party has a special parliamentary bureau with political advisors. In addition, the members of parliament of the larger parties often employ a personal assistant who selects relevant letters and documents, helps write speeches and prepares the parliamentarian's discussion points.

The Dutch senators usually hold another job besides their membership of the First Chamber. The Senate convenes once a week, generally on Tuesdays. For their work as a senator, the members receive an annual reimbursement of over EUR 27,800 before deductions as well as expenses.

THE PARLIAMENT'S TASKS

The parliament has three key responsibilities:

- To propose, review and pass laws in collaboration with the government. This legislative process will be dealt with in more detail in a following section.
- To review the Cabinet's implementation of legislation and all other government actions.
- To represent the Dutch voters: members of parliament need to stay in touch with the electorate.

The parliament is able to fulfil these roles thanks to the Dutch Constitution, which establishes that government ministers are accountable to the parliament. Ministers can only stay on as long as a majority of the members of the two Houses have confidence in them. When a majority in the House of Representatives or the Senate formally withdraw their confidence in individual ministers or the entire Cabinet, the ministers or the Cabinet team are required to tender their resignation.

AUTHORITIES

To enable the members of the House of Representatives and the Senate to effectively execute their legislative and supervisory tasks, they have been assigned a number of authorities or prerogatives. The members of the House of Representatives have a number of rights that are exclusive to their chamber.

Budget right

Both Chambers have the right to either approve or reject the Cabinet's budget: the budget right. This is an important instrument for influencing the government's policies, since a minister is unable to implement any policy measures if his/her budget has not been formally approved. Every year, on Prince's Day, the government announces which matters it intends to spend its budget on in the upcoming year, and how it expects to acquire these funds. These plans are laid out in the *Rijksbegroting* (National Budget) and the *Miljoenennota* (Budget Memorandum), a policy document that explains the financial situation in more detail. After Prince's Day, the government budget is reviewed in the form of budget bills in the Dutch legislature. From October on – and occasionally well into the new year – the budget proposals of the individual government departments are reviewed and where necessary amended in both chambers.

Right of amendment and the right of initiative

The government needs to submit bills to the House of Representatives for approval. The House also has the right to modify the content of these bills: this is called the right of amendment. Adopted amendments subsequently become part of the proposed legislation. In addition, the members of the House of Representatives have the right to propose bills themselves: the right of initiative.

The members of the Senate do not have these two prerogatives. The Senate subjects the bills that have been adopted by the House of Representatives to a second review. Officially, the Senate only has the right to approve or reject a bill without reservation: it is not allowed to introduce any new amendments. But we write 'officially' for good reason, because occasionally, a majority in the Senate will inform a minister or state secretary that they will reject a specific bill if the Cabinet member does not make certain changes to it. If the minister or state secretary chooses to comply, he/she will then submit the revised version of the bill to the Senate for approval. These revisions are not called amendments, but *novelles*, and also need to be approved by a majority in the House of Representatives.

Right to propose motions

Members of both Chambers have the right to propose motions during a parliamentary session. In a motion, the representative calls on the government to take action or refrain from taking action in relation to a specific matter. However, Cabinet members are free to ignore such motions. In addition, the members of parliament have the option of withdrawing their confidence in individual members of government or the Cabinet as a whole by adopting a motion of no-confidence. In such cases, the Cabinet member or team will tender their resignation.

Right of interpellation and questioning

Both Chambers have the right to call a minister or state secretary to a house session for a *spoeddebat* (urgency debate). This is called the right of interpellation. If a representative wishes to exercise this right, he/she is required to gain the approval of 30 House members. In such cases, the minister or state secretary in question is obliged to appear before the chamber.

In addition, all members of the House of Representatives have the right to question the government ministers. This can be done in writing, when the need for an answer is not particularly pressing. The written answer often arrives approximately three weeks later. But this can also be done face to face. Every Tuesday, the members of the House of Representatives can pose questions to Cabinet members during 'Question Time' – an opportunity which the parliamentarians make frequent use of.

Right of inquiry and investigation

One of the representatives' more far-reaching prerogatives is the right of inquiry. This amounts to the right to get to the very bottom of a specific matter. To this end, the House appoints a number of its members to a *parlementaire enquêtecommissie* (parliamentary inquiry committee). These select committees are authorised to call anyone they wish to hear in connection with their inquiry to a hearing – be they politicians, officials or members of the public. Those called before the parliamentary inquiry committee are legally obliged to appear and answer the committee's questions under oath. The committee extensively reports on its findings to the House of Representatives. Although the parliamentary inquiry committee is allowed to present conclusions and make recommendations, it is not authorised to impose any sanctions. A number of parliamentary inquiries have been held in recent years. A less severe form of enquiry is the *parlementaire onderzoek* (parliamentary investigation). In these enquiries, those called before the select committee are not required to answer under oath.

SUMMARY

The rights of both Chambers can be summed up as follows:

- Budget right
- Right to propose motions
- Right of interpellation and questioning
- Right of inquiry and investigation

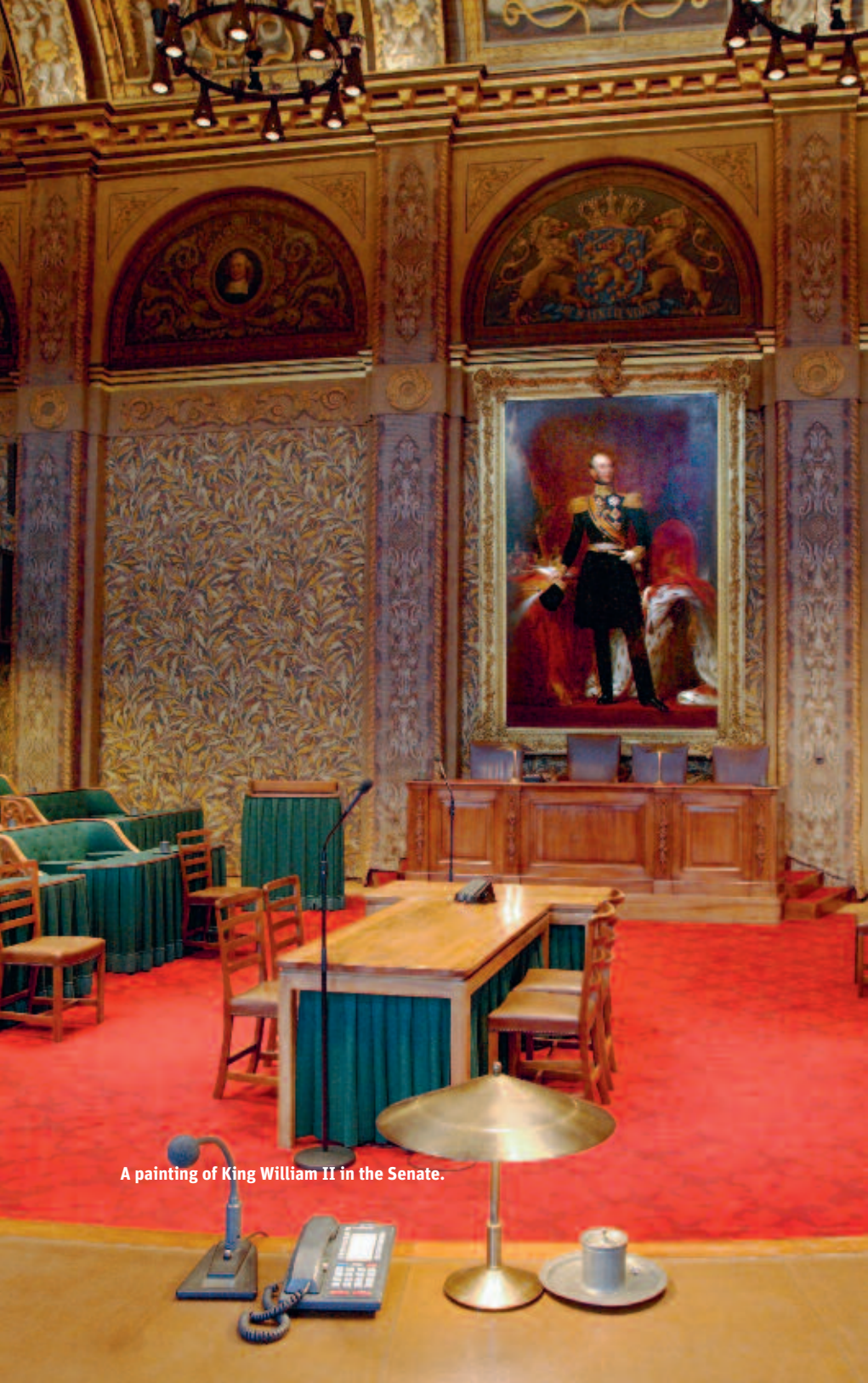
In addition, the members of the House of Representatives have the following prerogatives:

- Right of amendment
- Right of initiative

PROCEDURES

The various procedures of the House of Representatives have been set down in the Chamber's Rules of Procedure. Together, the representatives of a specific party form a *fractie* (parliamentary party), which is headed by the *fractievoorzitter* (Chair of the parliamentary party). Each parliamentary party is free to determine its own procedures. The MPs of the larger parties often specialise in a particular policy area: for example, they devote all or most of their attention to foreign policy, education or agricultural policy. The larger parliamentary parties have set up separate parliamentary commissions for individual policy areas. Within these commissions, specialists in that particular field prepare the party's positions on various issues and its representatives' actions in that area. Of course, the Members of Parliament of the smaller parties have less opportunity to specialise in a particular area: they need to be at home in a variety of fields.

Often, one sees quite a small turnout during a plenary session of the House of Representatives. Since many of the debates focus on very specific subjects, they are generally only attended by the relevant specialists of the parliamentary parties. Usually, a number of other meetings have been scheduled at the same time as the parliamentary session – a committee meeting, for instance. But whenever a major issue comes up for discussion, the House



A painting of King William II in the Senate.



The House of Representatives seen from the MP's rostrum.

of Representatives tends to be a lot fuller, as well as during House votes, which are usually held on Tuesdays.

A matter can only be voted on in the House of Representatives when the session is attended by a sufficient number of House members. This is because a minimum of 76 members need to be present (half the total plus one). This minimum is called the quorum. Members of parliament always sign the attendance roll upon entering the Chamber, so that it is clear which parliamentarians can be found on location.

All sessions of the House of Representatives are public, with the exception of meetings on matters of procedure. All parliamentary papers are also made available to the public. Members of the public can buy copies of these documents or read them in the building of the House. Word-by-word transcriptions are made of all House sessions: the so-called *Handelingen* (Proceedings). These transcriptions are stored in thick binders. Virtually all parliamentary papers can also be consulted online.

COMMITTEES

Most parliamentary work is done in parliamentary committees. There are different types of committees, of which the most important are the 'standing committees' for various policy areas of the ministers and state secretaries. For example, there are standing committees for national defence, finance, domestic affairs, etc. The members of these committees meet to discuss bills and consult with a Cabinet minister or state secretary on how to deal with specific matters.

THE LEGISLATIVE PROCESS

A bill is a proposed law. A bill does not become law until it is passed by the parliament (first the House of Representatives, then the Senate).

Quite some time can pass between the initial drafting of a bill and its adoption as new act of parliament. A bill needs to complete a complicated series of stages before it becomes law. The following section explains the various stages of the legislative process.

When a minister or state secretary wishes to introduce a new law, he/she orders his/her officials to draw up the text for this proposed law: the bill. This text is subsequently discussed in the Council of Ministers. If the Council approves the bills, it is forwarded to the Council of State (the highest advisory body to the government), which will primarily review the legal aspects of the proposed legislation, for consultation. The consultation of the Council of State is non-binding, incidentally: the minister does offer a formal response to its recommendations, but is not obliged to follow them. Accompanied by the advice of the Council of State, the text of the bill and a *memorie van toelichting* (explanatory memorandum) added by the minister, the proposed legislation is then submitted to the House of Representatives by means of a so-called Royal Message. A parliamentary committee produces a written review of the bill as well as a report with questions and comments and returns these docu-

ments to the minister. The minister provides a written reply to this report, the so-called *memorie van antwoord* (memorandum of response). After receiving this reply, the parliamentary committee writes a formal final report. The bill is then reviewed in the House of Representatives. Possible amendments and motions made in connection with the proposed legislation are also discussed at this time. The responsible minister or state secretary formally responds to the representatives' questions and comments. The House then votes on the amendments, the bill and possible motions (in that order). If the House of Representatives approves the bill, it is sent on to the Senate. Here, the proposed law is once again subjected to a written review by a parliamentary committee, which produces a report. The minister once again submits a *memorie van antwoord*, after which the formal final report is reviewed and voted on by the members of the Senate. If the bill is also adopted by the Senate, it is sent on to the monarch, who signs the proposed act. The minister responsible for the new law also puts his signature on the new act – the so-called countersignature. After this, the newly-adopted law is sent to the Minister of Security and Justice, who orders the publication of the law on a government website (www.overheid.nl). Only then has the bill been officially enacted into law (please refer to the accompanying diagram of the legislative process).

THE LEGISLATIVE PROCESS





The Torentje, the Prime Minister's office.

5

THE CABINET FORMATION PROCESS

In the Netherlands, forming a government is a complicated process, due to the many parties represented in the national parliament. It can take months before negotiations are rounded off. Because of these issues, there have been numerous proposals to change the Dutch political system – but none have been adopted so far.

AFTER THE ELECTIONS

The Cabinet formation process starts as soon as the results of an election are in. The objective is to assemble a new team of ministers and state secretaries: a Cabinet that can govern the country for the next four years. This is by no means a simple affair: due to the nature of the Netherlands' version of proportional representation – without any individual electoral districts or election thresholds – the Dutch House of Representatives usually houses a large number of parties. It is rarely clear from election results what kind of government the Dutch voters would prefer. No political party has ever gained an absolute majority in a Dutch general election – i.e. half the total number of seats plus one. The House has 150 seats, meaning that a party would have to win at least 76 seats for an absolute majority.

A government executive needs to enjoy the support of a majority of the members of the House of Representatives. This means that two or more parties will always need to form a coalition if they want to form a government. In practice, this means working together within the Cabinet of Ministers. This has been the

case for many years, which means that most Dutch citizens have become used to lengthy negotiations before various parties finally agree to assemble a new Cabinet. The parties that work together in a government executive are called coalition parties – or the coalition for short.

THE NEGOTIATIONS

During the Cabinet formation, various parties negotiate with one another, primarily focusing on the following questions:

- Which parties are prepared to form a coalition government with one another?
- How can the parties' different programmes be combined into a single government programme: the so-called coalition agreement?
- Which party will be given which Ministries or State Secretariats?
- Which individuals will be asked to take up the various Ministries and State Secretariats?

It is occasionally said that it is more important for a political party to win the formation than it is to win the elections. After all, strong election results do not automatically lead to inclusion in the next coalition government. Take the formation of 2003, for example. The PvdA gained 19 new seats, but the CDA came out tops and could take the lead in the following Cabinet formation. When negotiations between the PvdA and the CDA ultimately broke down, the CDA went on to form a coalition with the VVD and D66. And vice versa, poor election results do not automatically prevent a party from taking part in a Cabinet. In 1994 the PvdA suffered a 12-seat loss, but with a total of 37 seats, it remained the largest party in the country. During the formation, it was not only decided that the PvdA would participate in the new government, but even that the party would supply the new Prime Minister. In 2010, too, the CDA returned to government after sustaining a heavy electoral defeat.

A review of the election results generally shows a wide range of possible combinations for the government coalition. Which parties ultimately move into office depends on the parties' willingness to give and take during the formation period. The party that has the least difficulty working together with other major parties tends to have the advantage. During a Cabinet formation, parties not only deliberate on who will be governing together, but also on which general direction the new government's policy should take. Agreements on such aspects are set down in the coalition agreement. The formation period is a particularly busy time for Members of Parliament, party leaders, non-governmental organisations and interest groups. All these parties try to exert as much influence as possible on the outcome of the negotiations.

Government coalitions

	CDA	PvdA	VVD	D66	CU	LPF
1982–1989	■		■			
1989–1994	■	■				
1994–2002		■	■	■		
2002	■		■			■
2003–2006	■		■	■		
2006–2007	■		■			
2007–2010	■	■			■	
2010–2012	■		■			
2012–		■	■			

FIVE STAGES

Although each Cabinet formation is unique in terms of the subjects discussed, its length and the details of the formation process, we can nevertheless distinguish a number of stages that recur each time round. If the negotiators run into trouble along the way ('the formation is in deadlock'), they often simply go

back a stage, which makes it seem as if the formation is stuck on repeat.

1. Options

Until recently, the Dutch monarch also played a role in the Cabinet formation process. After seeking advice from a variety of sources, the monarch appointed a number of individuals to explore which options there were to form a new government Cabinet. This procedure was changed in 2012, however: the monarch no longer fulfils a role in the formation process. According to the new procedure, the House of Representatives holds a debate in the period immediately following the elections. The House officially orders the review of the options to form a government Cabinet and appoints a so-called *informateur*. This individual examines which realistic options there are for government coalitions. Usually, the *informateur* is someone who enjoys the appreciation of a broad selection of parties. Once the *informateur* has rounded off his exploratory task, the House of Representatives appoints a *formateur*. This is usually the intended Prime Minister in the new coalition government.

2. Parties

The *informateur* establishes which parties are most likely to successfully negotiate a new coalition agreement, and which parties are less eligible for government under the current circumstances. To this end, he talks with the various party leaders and their advisors. Usually, he/she arrives at a list of two or three potential coalition partners.

3. Programme

These two or three parties proceed to negotiate with one another, in order to arrive at a coalition agreement. These negotiations, which are presided over by the *informateur*, are often lengthy affairs – not in the last place because they focus on an extremely diverse range of issues. Many agreements are set

down in detail at this point. The coalition agreement that was signed after the elections of 2012 was no less than 80 pages thick.

4. Government posts

Once the possible coalition partners have settled on the contents of the coalition agreement, they go on to negotiate about the distribution of the various ministerial posts and state secretaryships (state secretaries are in effect a kind of junior ministers). Dividing the various positions between the different coalition partners can be a strenuous affair, since the different posts do not all hold the same weight. The Ministries of Finance, Economic Affairs, Social Affairs and Employment and the Ministry of the Interior and Kingdom Relations are generally viewed as the most important posts. Each coalition partner tries to land as many important posts as possible. A party that wishes to emphasise the strong value it attaches to healthcare will welcome the opportunity to hold the Public Health, Welfare and Sports portfolio, for example. When one party supplies the minister for a specific department, the associated state secretary often comes from another partner in the coalition.

5. Personal nominations

The last phase involves determining which individuals are to hold the different ministerial posts and state secretaryships. In practice, stages 3, 4 and 5 tend to run concurrently. When a coalition party makes a strong effort to win a specific portfolio, this is often because it believes it has a good candidate for the job. Programme points and people are occasionally traded off against one another in this stage.

PRELIMINARY CONSULTATION

Once candidates have been nominated for the different government posts, the prospective Cabinet holds a so-called *constituerend beraad* (preliminary consultation). In this meeting, the new ministers formally endorse the final coalition agreement.

Shortly after, the members of the new Cabinet are sworn in by the monarch, after which the entire team assembles around the monarch on the stairs of Huis ten Bosch in The Hague for the traditional photograph of the new government executive.

ISSUES

The Netherlands' Cabinet formation process is not without controversy. It can be criticised from a democratic perspective for the undue importance placed on the political affiliations of prospective government parties rather than their election results. In addition, many of the negotiations are conducted behind closed doors, and as such cannot be controlled by democratic review.

Another issue is the sheer length of some Cabinet formation processes. The formation of 1977 holds the record, with 207 days. During such protracted negotiations, the former Cabinet remains in office, but it has a 'demissionary' status, meaning that it will generally refrain from taking any controversial decisions. Of course, such caretaker Cabinets are unable to take decisive action in response to developments. Furthermore, seemingly endless formations can undermine public confidence in the political process. However, the complex relationships between the Netherlands' political parties often necessitate such a laborious formation process. Incidentally, the formation of 2012 took 'only' 54 days.

ARE THERE OTHER WAYS TO DO IT?

Since the early 1960s, the criticism levied at the Cabinet formation process has led to a number of proposals for constitutional reform. For example, it has been suggested that although the Netherlands' electoral system of proportional representation forms an effective method for determining the composition of the country's House of Representatives, it is entirely unsuited for the subsequent formation of a national government. A 'first-past-the-post' electoral system that is based on geographic con-

stituencies – as used in the UK, for instance – would be far more effective in this context. In the UK, it is immediately clear after a general election which party has won the most votes in the most electoral districts. This party goes on to form the new government. The proponents of such ‘simple plurality’ systems believe that the advantages of the British-style, winner-takes-all approach outweigh its main disadvantage that the parliament does not adequately reflect the specific preferences of the voting public.

Another proposal is to allow citizens to directly elect their Prime Minister in a separate election. In this scenario, the voter casts two votes: one to determine the new government and its leader, and one to determine the members of the House of Representatives. This is somewhat similar to the system used in the US, where the President and the members of Congress are chosen in separate elections. The advantage of this system is that voters have a direct influence on the political persuasion of the new Cabinet. A drawback of this system is that the government is no longer reliant on the approval of the parliament. After all, it has been directly elected to office by the voters: it has its own mandate. Serious disagreements between the government and the parliament could result in political deadlocks, causing confusion and political paralysis.

There have also been calls to introduce a mixed electoral system – a combination of proportional representation and a simple plurality system that makes use of geographic constituencies – or to implement an election threshold of, for example, 5%, so that smaller parties no longer take up seats in the House of Representatives.

Despite the wide range of reforms proposed by various committees, constitutional scholars, political scientists and experts from political parties, no major changes have been made to the Netherlands’ electoral system to date.



The buildings of the Ministry of General Affairs and the Senate.

6

THE GOVERNMENT

The Netherlands' executive consists of the Cabinet – i.e. the ministers and state secretaries. Each member of the Cabinet bears responsibility for specific tasks and policy areas. The Prime Minister plays a key role in the development of government policy. One important example of this policy is the national budget that is presented every year.

WHO RULES THE COUNTRY?

According to the Constitution of the Netherlands, the Dutch government is made up of the King and the ministers. The coalition government that was formed in 2012 consists of 13 ministers. These ministers all bear ministerial responsibility, including for all the monarch's actions and statements. In the words of the Constitution, the King is inviolate and has no actual political authority. In addition to the ministers, the government also has state secretaries who handle specific responsibilities. The minister and his/her state secretary confer to determine who bears responsibility for which tasks. State secretaries are individually accountable to the parliament for their assigned policy areas. Together, the team of ministers and state secretaries are also referred to as the Cabinet. In the Netherlands, Cabinet members do not have to be elected to parliament before being allowed to accept a Cabinet position. In other words, it is also possible to appoint ministers and state secretaries from outside parliament. Furthermore, ministers and state secretaries are not allowed to

simultaneously occupy a Cabinet post and sit in parliament: after their appointment to office, they are required to resign their parliamentary seat.

THE COUNCIL OF MINISTERS

The Council of Ministers is the Cabinet's executive body, and effectively takes governmental decisions on behalf of the entire government. The Council meets every week on Friday at a fixed location in the Trêveszaal on Binnenhof in The Hague. As a rule, state secretaries do not attend the Council of Ministers, nor do they replace their minister if he/she is unable to attend the Council meeting. When a minister is absent due to illness (for a longer term), on holiday or absent for some other reason, he/she is filled in for by one of his/her fellow ministers. Occasionally, a state secretary is asked to attend a meeting of the Council of Ministers, when the discussion relates to a subject that falls under his/her responsibility.

The Council of Ministers is chaired by the Prime Minister, who is also known as the *Premier*. The Council of Ministers' procedures have been set down in the *Reglement van Orde van de Ministerraad* (Rules of Procedure of the Council of Ministers). Due to the large number of tasks and responsibilities that need to be handled by the Council of Ministers, the body works with a number of permanent sub-councils, which are also chaired by the Prime Minister. These sub-councils may also include senior officials or outside experts on their panel.

THE GOVERNMENT'S TASKS

According to the Dutch Constitution, the Government's task is to make law in collaboration with both Chambers of the States-General. In addition, the government is responsible for concluding international treaties, determining the Netherlands' foreign policy, arranging the nation's defence and appointing mayors, King's Commissioners and members of the judiciary. The government executes these constitutional tasks under the scrutiny

of the Dutch parliament. While the parliament is unable to actually repeal the government's decisions in these areas, it can clearly inform the government that it objects to them. If required, the members of parliament can also move a vote of no-confidence in the government, which will force the Cabinet to tender its resignation.

THE ROLES OF THE MINISTER

Ministers stand at the head of a ministry or department. In other words, besides developing and implementing new policies, they also need to manage a team of officials, which can run into the hundreds. The Cabinet formation of 2012 resulted in 11 departments. But this number may vary from one formation to the next. The individual ministries' names and tasks can also be changed over time.

In the Cabinet that was formed in 2012, two ministers were not given a ministry of their own, but rather were assigned to a specific policy area. A minister who does not head his/her own department is sometimes called a 'minister without portfolio' or a 'programme minister'. Such posts are occasionally used to ensure that all coalition parties are represented according to their respective election results. Sometimes, these ministers are also appointed to underline the importance of a specific policy area to the new government.

Besides heading a governmental department, the minister is also a member of the Cabinet. Ministers share joint responsibility for all aspects of government policy – not just for their individual policy areas. Any minister can be held accountable (by members of parliament, fellow party members or members of the public) for how the coalition agreement is carried out. This arrangement is called collegiate governance. Furthermore, each minister serves as a representative of his/her party within the Cabinet. The government parties frequently hold separate consultations with their Cabinet members. In addition, ministers (and state secretaries) regularly liaise with their party's *fractie*

in the House of Representatives, with their party leadership and with their local branches.

The Dutch Ministries (2013)

Defence

Economic Affairs

Education, Culture and Science

Finance

Foreign Affairs

General Affairs

Health, Welfare and Sport

Infrastructure and the Environment

Interior and Kingdom Relations

Security and Justice

Social Affairs and Employment

THE PRIME MINISTER

The Prime Minister fulfils a special role within the Dutch Cabinet. He/she not only chairs the Council of Ministers, he/she also bears responsibility for the coordination of government policy. In addition, the Prime Minister serves as the 'face' of the incumbent Cabinet. He/she presents government policy to the outside world – for example, every Friday at a press conference and in a televised feature segment after the regular cabinet meeting. Furthermore, the Prime Minister represents the Netherlands in the Council of the European Union. He/she also plays an important role in the country's foreign policy, in other words.

THE BUDGET

A major share of the Cabinet's policy each year relates to the determination of the national budget for the upcoming year. The influential position of the Minister of Finance is also reflected in this process. Every year, the period between January and July sees fresh negotiations between the Minister of Finance and the



**Presentation of the National Budget and the
Budget Memorandum in a briefcase on Prince's Day.**



The seat of the Council of State, the highest advisory body in the Netherlands.

ministers of the departments that represent a significant share of the country's public spending. If these parties are unable to come to an agreement, the Council of Ministers will need to cut the proverbial knot. The new national budget needs to be finalised by the end of August, since it will be presented to the Dutch parliament on Prince's Day (the third Tuesday of September).

ADVISORY BODIES

The Dutch government can turn to a large number of advisory bodies. The highest advisory body in the Netherlands is the Council of State. This Council is primarily made up of former members of parliament, ex-ministers and legal experts. The councillors are supported by a range of officials. The government is obliged to consult the Council of State every time it submits a bill to the Dutch parliament. The Council mainly focuses on the quality of the proposed law and checks whether the bill does not

conflict with existing legislation. Officially, the Council of State is presided over by the monarch, but in practice, meetings are chaired by the Council's Vice-President. The Council of State is also the highest court of appeal in administrative disputes – between private citizens and a provincial executive, for example, or between two municipalities.

In matters of social and economic policy, the government can consult the Social and Economic Council of the Netherlands (Sociaal-Economische Raad or *SER*), which includes representatives of the trade unions, employer's organisations and experts appointed by the government. Another independent advisory body is the Court of Audit, which checks whether central government revenue is spent legitimately and efficiently. In this context, the Court of Audit also monitors whether public spending has yielded the desired results.

Citizens who believe they are the victim of improper conduct on the part of a government organisation can file a complaint with the National Ombudsman. He/she will subsequently investigate whether the complaint in question is justified. In addition, every year the Ombudsman draws up a report for parliament that provides an overview of all the complaints lodged against government ministries and other public bodies. This report also offers recommendations on how to possibly avoid similar mistakes in the future.

VINCIEHUIS

The image shows the exterior of a modern building with a curved facade. The upper part is made of red brick and features large, multi-paned windows. The name 'VINCIEHUIS' is mounted on the brick in large, white, three-dimensional capital letters. Below the brick section is a wide, light-colored concrete overhang. A thick, cylindrical concrete pillar supports the overhang on the left. The ground floor is a curved glass entrance with a metal handrail and a set of stone steps leading up to it. A small white sign with a yellow and red logo stands near the steps. The building is set against a clear sky.

The province's office in The Hague.

7

THE PROVINCES

The Dutch provincial administrations operate at an intermediate level between the central government and the municipalities. The provinces handle a number of duties, ranging from environmental management to the supervision of public transport services. The provinces have their own representatives and executive bodies.

THREE LEVELS OF ADMINISTRATION

Public administration in the Netherlands is divided into three levels: the national government, the provincial executives and the municipal administrations. This chapter will go into the twelve provinces that currently make up the Netherlands (there are plans to merge a number of the existing provinces at some point in the future). In recent years, these provincial administrations have become more and more important as a result of ongoing decentralisation and the transfer of national government responsibilities to the municipalities and provinces.

THE TASKS OF THE PROVINCIAL ADMINISTRATION

The province's responsibilities and authorities relate to the following policy areas:

1. Spatial planning and housing

The key responsibility of the provincial administration is spatial planning within the provincial boundaries, i.e. the planning of the available public space. The province determines the location



of new residential areas, industrial estates, roads, railways and waterways, agricultural zones, conservation areas and recreational facilities. The general outlines of this planning are set down in so-called structural perspectives, which the province draws up in consultation with the national government and the municipalities.

2. The environment, nature and landscape management

The provincial authorities need to make sure that the local air, soil and water are cleaned up or stay clean. That is why the province supervises local adherence to environmental legislation. The province is also responsible for the issue of environmental permits. In addition, the provincial administration works to counter pollution by, for example, means of environmental remediation projects and wastewater treatment plants. The province also specifies where people and companies need to dispose of rubble, wrecked cars, industrial waste and other haz-

ardous materials. The province also determines where wind turbines can be installed. And finally, the provincial administration bears responsibility for the management and conservation of nature areas and landscape values.

3. Water management

The provincial administration is also responsible for water management within the provincial boundaries – although it has delegated most of its tasks in this context to the district water boards. The water boards ensure that the water level keeps within certain limits and that the provincial water is of good quality. Besides these ‘wet water management’ tasks, the province also handles various ‘dry water management’ tasks. These include the construction and maintenance of provincial roads, bridges and overpasses.

4. Culture, tourism and recreation

Care for local cultural heritage and listed monuments is another important provincial task, as are promoting tourism in the province and developing recreation areas.

5. Economic affairs and employment

All provincial administrations can be counted on to make a strong effort to attract new companies that can create new employment to their province. One measure they can take in this context is to improve the accessibility of local industrial estates. Occasionally, this can lead to some tough choices: new employment versus care for the environment.

6. Public transport and traffic management

The province plays an important role in the organisation of regional transport. Since most of today’s public transport sector has been liberalised, the provincial administration needs to act as a kind of general coordinator to make sure that everything has been effectively arranged. This means ensuring that smaller



The province plays an important role in the organisation of regional transport.

localities can continue to be reached by public transport, where necessary with regional taxi services or demand responsive transport services. The provincial administration issues concessions for operating a public transport service in the region. In addition, the province draws up mobility plans to ensure that local traffic and transport services run smoothly.

7. Supervision of the municipalities

And finally, the provincial authorities supervise the activities of the municipal administrations. Every year, the municipalities need to submit their annual budget and statement of accounts to the provincial government for approval.

THE PROVINCIAL FINANCES

To effectively handle these tasks, the province requires a lot of funds. It receives most of its revenue from the national government, from the so-called Provincial Fund and via a number of specific payments. In addition, the provinces have their own sources of income. Their main source of revenue are the 'sur-charges' that the province levies on the road tax (*motorrijtuisgenbelasting*). The surtax amount paid by local drivers differs from one province to the next.

THE STATES-PROVINCIAL AND THE EXECUTIVE

Each province has an elected assembly: the States-Provincial. The members of this provincial parliament are chosen once every four years by eligible voters aged 18 and over. In addition to national parties, a number of local groups with strong ties to the province in question also participate in these elections. The membership of a specific provincial parliament depends on the size of the population in that province: the smallest provinces have 39 members, while the largest have 55. Combined, the Netherlands' provincial assemblies have 564 members. The day-to-day administration of the province is handled by the College van Gedeputeerde Staten (Provincial Executive or Gs), which also

has a varying number of members. The States-Provincial establishes the main outlines of provincial policy and oversees the administration of the Provincial Executive.

When a number of parties together form a majority in a specific States-Provincial, they can make agreements regarding the administration of their province and the political composition of the Provincial Executive. Usually, such coalition executives are based on a political programme that can be compared to the coalition agreements arrived at by the partners in a national Cabinet. In terms of political hue, the Provincial Executives often reflect a broad range of perspectives.

As membership of the Provincial Executive is a full-time job, the councillors receive a salary for their work. The members of the States-Provincial do not receive a fixed salary, however, but an attendance allowance. They tend to have a regular job outside the assembly and handle their tasks on behalf of the States-Provincial in their spare time.

THE KING'S COMMISSIONER

Each province also has a King's Commissioner. The King's Commissioner is the chair of both the Provincial Executive and the States-Provincial. However, he/she only has the right to vote in the former body. In addition, the Commissioner derives a number of authorities from national legislation, particularly in the area of public order and security. For these tasks, the King's Commissioner is directly accountable to the Minister of the Interior and Kingdom Relations. The King's Commissioner also plays a role in the selection of municipal mayors. Formally, the King's Commissioner is appointed by the national government, but this appointment is generally based on a recommendation made by the relevant States-Provincial. King's Commissioners are appointed for a term of six years, which may be extended by a second term.

PROVINCIAL ELECTIONS

The Dutch Constitution dictates that the members of the States-Provincial are to be elected by eligible voters in the province aged 18 and over. These elections take place once every four years. It is not possible to call an early election for the provincial assembly. If a Provincial Executive resigns for whatever reason, a new executive body needs to be assembled on the basis of the existing division of seats in the States-Provincial. Parties that wish to take part in the provincial elections are required to submit a list of candidates to their province's central electoral committee. Just like in general elections, the provincial candidates and their parties campaign to communicate their specific political positions to the local electorate.

ASSEMBLIES

The States-Provincial generally convene on a monthly basis. The members of the Provincial Executive meet far more frequently. The meetings of the States-Provincial are presided over by the King's Commissioner. If the States-Provincial is required to take a vote, only the members of the regular assembly have the right to vote – the King's Commissioner does not. The Commissioner does have a vote in the meetings of the Provincial Executive – although this body does not vote on specific matters very often. However, the vote of the King's Commissioner can prove decisive when the rest of the Executive has arrived at a deadlock. The States-Provincial are required to discuss a wide range of issues in their meetings. To ensure that the deliberations run as smoothly as possible, various matters are subjected to a 'preliminary review' by special committees. These committees are manned by members of the provincial assembly who specialise in that specific subject on behalf of their party: the so-called *fractiespecialisten*.

CIVIC ENGAGEMENT

To encourage citizen's involvement in their province's affairs, the administrators regularly organise public information activities. Each province has a department that specialises in informing the public about provincial policy. They can be turned to for all kinds of questions relating to the province. To prevent the provincial administrators from losing touch with local citizens, provincial plans are often submitted for public comment. This involves organising hearings so that all stakeholders of a proposed measure have the opportunity to offer their view. In addition, provinces are allowed to organise referendums. According to the Constitution of the Netherlands such referendums are non-binding, but of course the provincial parties are free to take heed of the popular vote. In addition, there are so-called ballot initiatives (*burgerinitiatieven*): if private citizens manage to gather a certain number of signatures, they can qualify a specific issue to be placed on the agenda of the States-Provincial, which is then obliged to reach a formal position on the matter. The meetings of the States-Provincial and its committees are public. They are held in the Province Hall, which is located in the provincial capital.

WATER BOARDS

In the Netherlands, the water management of specific geographic areas has been assigned to district water boards. Among other things, these water boards are responsible for the groundwater level, treatment of wastewater and dike maintenance in their district. Water boards are established and disbanded by the provincial administration. Each water board has a general administrative body, an executive board and a warden, the *dijkgraaf* (one water board in Friesland is so small that it does not have an executive). The general administrative body represents various types of water users. The main share of the general administrative body is made up of local residents; until recently, this body was elected directly by the local residents of the water

board district. But since these elections do not enjoy much public interest, it is presently being examined whether the general administrative body cannot be elected via some other procedure – by the members of the local municipal councils, for example. The three other water user categories in the general administrative body are represented by individuals appointed by various stakeholder organisations. Members of the administrative body are elected for a term of four years. The general administrative body appoints a number of its members to the executive board. The *dijkgraaf*, who presides over both the general administrative body and the executive board, is not elected but appointed by the government. His/her term of office is six years. The *dijkgraaf* only has the right to vote in the executive board. To fund their various activities, the water boards are allowed to a number of taxes, including the resident's assessment (*ingezetenenomslag*) and the environmental levy (*verontreinigingsheffing*).

THE ELECTION OF THE SENATE

Among the responsibilities of the members of the States-Provincial, there is one task that has no direct bearing on their own province: the election of the members of the Dutch Senate. The members of the Senate are not elected through a direct vote, but by means of an indirect election. Voters elect the members of their States-Provincial, who in turn elect the members of the Senate. In practice, the members of States-Provincial nearly always elect fellow party members to the Senate, making it quite simple to predict the composition of the Senate based on the results of the provincial elections.



The town hall of Utrecht.

8

THE MUNICIPALITIES

The municipalities form the third tier of government. Although they deal solely with their own citizens (on whose behalf they handle a great many duties), in financial terms they are heavily dependent on the central government. The municipal council, the members of the municipal executive and the mayor have each been assigned specific tasks and responsibilities.

THREE LEVELS OF GOVERNMENT

Public administration in the Netherlands can be divided into three main levels: the central government, the provinces and the municipalities. This chapter will focus on the municipal administrations. The number of municipalities in the Netherlands has been drastically reduced in recent years as a result of mergers between numerous smaller municipalities (known as municipal restructurings). As of 1 January 2013, the Netherlands had 408 municipalities, while in 1970, the country still had 913. This total is expected to drop further in the years ahead.

THE RESPONSIBILITIES OF THE MUNICIPALITY

The municipal administrations deal with matters that are of direct and exclusive importance to the citizens within their municipality. This involves providing a number of local services and facilities and implementing national legislation on behalf of the municipality's residents. Municipalities bear responsibility for matters such as:

- Recording which individuals currently reside in the municipality and issuing official documents such as passports and driving licences.
- The formulation and adoption of so-called structural perspectives, which set out future spatial planning in the municipality.
- The elaboration of these structural perspectives into zoning plans: the administration determines for each sub-area within the municipal boundaries how the land is to be used, and whether or not it may be built on.
- Supervising the volume and quality of local housing – although housing corporations determine how the rental homes that they own within municipal boundaries are allocated.
- The construction and maintenance of roads and streets, bike paths and footpaths.
- The collection and processing of household waste – although the actual execution of this task has often been outsourced to private firms and organisations. The construction and maintenance of the public sewer system.
- Public order and security. The municipal mayor is the formal chair of both the fire brigade and the police force in his/her municipality. Within certain margins established by the central government, municipalities are free to follow their own policy with respect to drugs control and prostitution.
- Public markets, industrial estates, port areas and waterways.
- All manner of welfare facilities, social affairs and employment questions.
- Recreation, sports, tourism and cultural facilities such as public libraries.
- Education, including supervising the quality of local education, the maintenance of school buildings and local compliance with the compulsory education law (*Leerplichtwet*).

DEPENDENCY ON OTHER ADMINISTRATIONS

In many areas, the municipalities are free to determine their own course, in other words. But on specific issues, they are also dependent on the central government and their provincial administration. Because in a number of matters, the national government in The Hague has determined how municipalities are required to act – although in recent years, the municipal administrations have been given more freedom to execute or implement national guidelines according to their own insight. This is the case with municipal policies in the areas of education and social security, for example.

In addition, the municipalities' activities are subject to supervision. The national government may decide to annul or suspend a municipal decision. Municipal structural perspectives need to be in line with their provincial counterparts. And every year, the municipalities' budgets and annual accounts need to be formally approved by their Provincial Executive.

MUNICIPAL FINANCES

Taken together, the municipalities' tasks cost a lot of money. This needs to come from somewhere. Around 60% of the municipalities' revenue comes from the central government. Depending on the number of citizens, the size of the municipality and various special circumstances, each municipality is allocated a specific amount from a national budget fund, the *Gemeentefonds*. This allocation is called the *algemene uitkering* (general subsidy). In addition, the national government offers a number of specific funds which are earmarked for specific purposes (*doeluitkeringen*). In recent years, the municipalities have been awarded more scope to develop their own policy, which has resulted in a reduction in the number of earmarked funds.

In addition to receiving money from The Hague, the municipalities also draw revenue from their own citizens. Sources of income include municipal taxes (e.g. property tax and parking tax), levies (such as sewerage charges and garbage collection

charges), rates (admissions to public facilities) and administrative fees (for the issue of permits, identity cards, passports, etc). In addition, the municipalities gain income from capital assets, properties and companies owned by the municipality (e.g. a local port authority). Estate development activities have also generated considerable revenue for various municipalities in the past, but due to the current economic recession, this income from land development has seriously declined. Indeed, some municipal administrations now have large tracts of unsaleable land on their hands. All in all, the municipalities derive some 40% of their revenue from own sources of income.

THE MUNICIPAL COUNCIL

The administrative organisation of the Dutch municipalities has been set down in the Netherlands' Local Government Act (*Gemeentewet*). Local government in the individual municipalities is handled by a municipal council (*gemeenteraad*) and a municipal executive (*college van burgemeester en wethouders*). The members of the municipal council are directly elected by the local citizens once every four years during the municipal elections. The number of representatives on the municipal council depends on the size of the local population. The smallest municipalities have nine councillors; the largest 41.

The municipal councillors set out the main lines for the municipality's policies, but are not expected to interfere with the finer details of municipal administration. In addition, the council supervises whether the municipal executive handles its assigned tasks correctly and effectively. Finally, when necessary, the councillors also represent the municipality on behalf of its citizens.

Generally speaking, the members of the municipal council are affiliated with a specific political party. This may be the local branch of a national party, but it can also be a local party or group. Together, the members of a specific party in the municipal council are referred to as a *fractie*.

The municipal council convenes at least once a month – in larger municipalities, the councillors tend to meet more often. These meetings are public, and the meeting agenda is announced well in advance and frequently also published in a local newspaper or on the municipality's website.

The municipal council is authorised to install its own committees. These council committees handle the preliminary work for council decisions and consult with the municipal executive on behalf of the council. The councillors can also appoint an advisory committee, which can advise the council on specific aspects of municipal policy.

THE COUNCILLORS

The members of the municipal council are volunteers. Generally speaking, councillors hold a regular job beside their council membership. Therefore, councillors do not receive a salary for their work, but an allowance. Council membership takes up a lot of time, particularly in the larger municipalities. In addition, council members are often required to develop expertise in a particular field. After all, over time, the councillor's job has become increasingly complicated.

Before the municipal elections, the local branches of national parties draw up lists of candidates for the new council. But many local parties also bid for the voters' favour. Around 25% of all Dutch councillors are member of a party that is strictly local in scope.

THE MUNICIPAL EXECUTIVE

The day-to-day administration of the municipality is handled by the municipal executive (*college van burgemeester en wethouders*), also known as B&W. This body consequently has specific administrative authorities, which are based, among other things, on a number of national laws and statutory regulations. Furthermore, the executive prepares certain matters for review by the municipal council, for the purpose of a council decision or

the implementation of such decisions. The membership of the municipal executive is dependent on the size of the municipal council (the minimum number is two, the maximum eight).

Each member of the municipal executive (*wethouder*) is assigned a specific policy area or portfolio – e.g. education, finance, housing or sports and cultural affairs – but all the members of the municipal executive bear collective responsibility for municipal policy. The meetings of the municipal executive generally take place behind closed doors.

The municipal executive and its individual members are accountable to the municipal council for the adopted measures and their execution. If a municipal executive no longer enjoys the confidence of its council, the entire executive is required to resign. However, it is not possible to organise early elections at the municipal level. This means that a new executive will need to be formed on the basis of the existing distribution of seats in the municipal council.

THE WETHOUDERS

The members of the municipal executive, or *wethouders*, are appointed by the municipal council. If a sitting member of the council is elected to the executive, this councillor is required to give up his/her seat on the council after accepting the office of member of the executive. The council is also allowed to appoint someone from outside the council as *wethouder* – even if he/she lives in another municipality. In the latter case, the new member of the executive is required to move to the municipality for which he/she serves as *wethouder* within one year. Usually, a seat on the municipal executive is a full-time job – that is why in contrast with the members of the municipal council, the members of the executive are paid a salary for their work.

Similar to the relationship that exists between the House of Representatives and the government ministers, the *wethouders* hold office at the confidence of their municipal council. A member of the municipal executive can be removed from office by the

council if he/she no longer enjoys the confidence of the council members. Vacant positions on the executive are generally filled by another member of the previous occupant's party. However, a party can also decide to no longer participate in the municipal executive.

FORMATION

Once the results of the municipal elections are in, the various parties represented in the new council start to negotiate with one another regarding which *fracties* will be supplying which members of the municipal executive. A municipal executive that is based on a majority in the council is called a *meerderheidscollege*. But executives based on a council minority may also occur. In these cases, one or more parties that do not have a majority in the municipal council decide to nevertheless appoint an executive from their ranks. This solution is only adopted if the various parties represented in the council are unable to agree on a majority coalition. Such *minderheidscolleges* are always dependent on the support of one or more of the unaffiliated parties in the municipal council. In practice this can prove a serious obstacle for executive action.

THE MAYOR

Unlike the members of the municipal council and (indirectly) the members of the municipal executive, the mayor (*burgemeester*) is not elected to office, but appointed by the government. When appointing a mayor, the government usually adopts the nomination made by the council. The mayor is appointed for a term of six years, and can be re-appointed for a second term. This re-appointment is subject to the approval of the municipal council. The council cannot remove the mayor from office – he/she can only be dismissed by the national government.

The mayor is both the chair of the municipal executive (*college van burgemeester en wethouders*) and the municipal council.

He/she has a right to vote within the municipal executive – in fact, the mayor's vote can even prove decisive when a deadlock has developed within the executive. Although he/she presides over the council, the mayor does not have the right to vote in this body. He/she can participate in the discussions during council meetings, however.

Traditionally, the mayor has borne primary responsibility for the maintenance of public order and security in his/her municipality. In addition, many mayors play an active role in the promotion of their municipality.

PUBLIC CONSULTATION

In order to increase citizens' involvement in local decision-making, municipal executives frequently organise hearings, public consultation meetings or polls. During these events, the responsible member of the municipal executive explains the municipality's plans to those attending. Citizens can ask questions or offer their perspective on the proposals. Members of the public are also allowed to speak at committee meetings. They are required to ask the permission of the meeting chair if they wish to do so.

Nowadays, municipal administrations frequently use the Internet to inventory the different positions of their citizens on all manner of topics. The members of the council also use this channel when communicating with members of the public.

Many municipalities have also engaged in 'interactive policy formation' in recent years. This means involving private citizens and non-governmental organisations from the very outset in the development of a new policy plan. In this arrangement, citizens are not expected to respond to plan proposals that have already been developed – as is the case in regular public consultation – but personally contribute to their development. The final decision on a plan is made by the municipal council. The council does however take into account as far as possible the plans that were developed by the members of the public in collaboration

with municipal officials and members of the municipal executive.

Municipalities can also decide to hold a referendum. During these plebiscites, the citizens of the municipality can indicate their approval or rejection of a specific plan or decision made by the municipal council. In strictly legal terms, the members of the municipal council keep the final say. In other words, the outcome of a referendum should be considered as nothing more than a recommendation to the council. Of course, the council is free to accept this recommendation.

And finally, an increasing number of municipalities have decided on the introduction of ballot initiatives (*burgerinitiatieven*). This means that citizens have the right to call for a specific subject or proposal to be included on the agenda of the municipal council. If the conditions for this petition are met, the council is obligated to review the matter in question during one of its council meetings. In addition, citizens can submit concrete proposals to the municipal administration to change or improve a certain situation in a specific neighbourhood or district.

In other words, these kinds of initiative measures can significantly increase citizens' involvement in the political process in their municipality.

ADDRESSES

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GreenLeft

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Labour Party (PvdA)

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Party for the Animals (PvdD)

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+31 (0)20 520 38 70
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Party for Freedom (PVV)

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PRODEMOS

ProDemos is a national, non-partisan organisation. ProDemos provides citizens with information about the democratic constitutional state and enables them to actively participate in the political decision-making process.

MISSION

ProDemos works to promote people's involvement in our democratic constitutional state and to increase the general public's knowledge of the democratic decision-making process. In addition, it strives to increase citizens' insight into the importance and the functioning of the rule of law. ProDemos helps citizens to become conscious participants in the democratic decision-making process. This allows ProDemos to reinforce the legitimacy of democracy and the rule of law.

VISION

ProDemos provides insight into the significance and functioning of the democratic constitutional state. ProDemos focuses on a wide audience and, as a network organisation, collaborates with a variety of partners. It aims to stimulate people in the Netherlands to make their own contributions to a well-functioning democratic constitutional state. To this end, it is important that people are familiar with and trust the institutions that play a role in the democratic process and the rule of law at the national and international or European levels. Citizens' identification with ProDemos needs to grow throughout society.

ProDemos has three key roles, which are closely related:

- An introductory role, based on a low-threshold approach to large sections of the Dutch population, aimed at giving them a clear picture of the democratic constitutional state;
- An activating role, which focuses on participation in the democratic constitutional state and its institutions;
- An expertise role, which focuses on the exchange and sharing of knowledge and expertise within a national network in order to make this information accessible to a wide audience.

ProDemos gives concrete shape to these roles in a variety of ways, such as offering educational programmes, information and activities throughout the country, via Internet and from its location on Hofweg in The Hague. From these premises, ProDemos organises visits and tours of the Binnenhof and its environs, the Dutch Lower and Upper Houses, the Ridderzaal (Knights' Hall) and other public bodies that give form and substance to the democratic rule of law. It also organises or contributes to activities at other locations in the Netherlands, such as municipal halls. In addition, the organisation makes extensive use of web applications for providing information about national and local developments (elections and political movements, for example) and for participation processes.

Besides offering educational programmes, ProDemos also organises programmes that contribute to the development of active citizenship: visitors and participants in an event are encouraged to play a role in their own community. These programmes are intended for citizens and administrators and their organisations. ProDemos aims to develop knowledge and share it with the public without becoming a research bureau in the strict sense of the term.

ProDemos also contributes to the development of public opinion as a foundation for democratic participation by organising or co-organising debates. ProDemos's approach is geared towards close collaboration with relevant partners that connect to ProDemos in terms of target audience or objectives.

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The Netherlands is a constitutional monarchy and a parliamentary democracy. Dutch elections are based on one of the most proportional electoral systems in the world. However, forming a new government is always a lengthy and complicated process. This publication offers a concise overview of the main elements of the Dutch political system. It focuses not only on national government, but also on provincial and local administrations. Would you like to know more about how the Dutch electoral system works, how political parties are financed, how new governments are formed and how the municipalities handle their tasks and responsibilities? *Politics in the Netherlands* gives you the answers to such questions.

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