

**Master in
Parliamentary
procedures and
legislative drafting
(EUPADRA)**

Course Syllabus

Academic Year 2016/17

Course Title: Re-inventing legislative process

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Course description

The course aims to analyze the reform of legislative process in a Parliament which seeks to reaffirm its place in the political system. The legislative process conveys a special legitimacy to laws as an outcome from Parliament, body representative of the people. Through the legislative process, the different political forces take part in the law-making public discussion. At the present time, when the representativeness of the Parliament is questioned, new challenges are to be faced by the regulation of legislative procedures, which have to respond not only to the technical articulation of the involvement of different actors, but also to new issues: transparency, citizen participation, prompt resolution of burning issues.

The guest seminars scheduled in the program by practitioners working at Parliament will focus on particular problems, paying special attention to the incidence of procedure in the resulting law.

Assessment

Students will be asked to write one paper (between 4,000 and 5,000 words) on a subject related to one or several of the topics of the course, whether in a comparative approach or by reference to a national Parliament.

Course Structure

	Topic
Class 1 Piedad García- Escudero	<p>Law-making in a new world. The legislative function of Parliament. Challenges to be faced by the reform of legislative process.</p> <p>-P.García-Escudero Márquez, “Regeneración del Parlamento, transparencia y participación ciudadana”, <i>Teoría y Realidad Constitucional</i>, nº 36, 2015, págs. 171 - 216. http://espacio.uned.es/fez/eserv/bibliuned:TeoriayRealidadConstitucional-2015-36-5025/Garcia_Escudero_Marquez.pdf</p> <p>-P. García-Escudero Márquez, “El procedimiento legislativo en las Cortes Generales: notas y bases para una reforma” <i>Revista Española de Derecho Constitucional</i>, nº 74, mayo-agosto 2005, págs. 213 - 259. http://www.cepc.gob.es/publicaciones/revistas/revistaselectronicas?IDR=6&IDN=596&IDA=26103</p> <p>-P. García-Escudero Márquez, “Parlamento y futuro: los retos de la institución parlamentaria”, <i>Cuadernos de Derecho Público</i>, núm. 18, enero-abril 2003, págs. 191-205. http://revistasonline.inap.es/index.php?journal=CDP&page=article&op=view&path%5B%5D=682&path%5B%5D=737</p> <p>-Select Committee on Modernisation of the House of Commons. First report of session 2005-2006. See Conclusions and recommendations, pp. 45-49 http://www.publications.parliament.uk/pa/cm200506/cmselect/cmmodern/1097/1097.pdf</p> <p>-Law in the making. A Hansard society discussion paper. A. Brazier, S. Kalitowsky, G. Rosenblatt http://www.hansardsociety.org.uk/wp-content/uploads/2012/10/Law-in-the-Making-A-discussion-paper-2007.pdf</p>
Class 2 M ^a Rosa Ripollés	<p>The actors in legislative process (I) Initiative. Government, MP's, parliamentary groups. Popular legislative initiative. Regional initiative legislative at State or regional level. EU Federal and regional States.</p> <p>-M^a R. Ripollés Serrano, “Transformations of contemporary Parliament: from the traditional competences to the adaptation to the present time”. Seminar organized on Parliamentarism in Luxembourg by the University of Luxembourg and Parliament of Luxembourg. 18-19 December 2014. Luxembourg. To be published in Coll. of Parl. studies of Larcier.</p> <p>- M^a R. Ripollés Serrano, “<i>Las Cortes Generales: tradición y modernidad, de las funciones tradicionales a la legitimación del sistema político</i>”. En: “<i>Escritos en conmemoración del XXV Aniversario de la</i></p>

	<p><i>Constitución.</i>” Coord. M^a I. Álvarez Vélez. Ed. Universidad Pontificia Comillas, 2004, Págs. 55 a 78.</p> <p>- M^a R. Ripollés Serrano, “<i>Los Grupos Parlamentarios en el Senado Español: 1979-2000 (Análisis desde la perspectiva institucional)</i>”. En “<i>Corts. Anuario de Derecho Parlamentario</i>”, nº 10, 2001. Págs. 295 a 330.</p>
<p>Class 3 Ignacio Torres</p>	<p>The actors in legislative process (II) The role of Parliamentary bodies. Second Chambers</p> <p>- I. Torres Muro, <i>Constitución y Parlamento: notas para la comprensión de la institución parlamentaria en el siglo XXI</i>, Revista de las Cortes Generales nº 87, 2012, págs. 7-44.</p> <p>- P. García-Escudero Márquez, <i>Las Comisiones Permanentes Legislativas en el Sistema de Comisiones de las Cortes Generales</i>. Madrid, 2006. Senado.</p> <p>-</p>
<p>Class 4 Rafael Rubio</p>	<p>The actors in legislative process (III) Lobby and advocacy. Civil society in the legislation process</p> <p>- VVAA. <i>Lobbyists, Governments and Public Trust</i>, Volume 3. Implementing the OECD Principles for Transparency and Integrity in Lobbying, O C D E , L i b r a r y , C h a p t e r s 1 - 6 . 2 0 1 4 (http://www.keepeek.com/Digital-Asset-Management/oecd/governance/lobbyists-governments-and-public-trust-volume-3_9789264214224-en#page1)</p> <p>- N. Kusnetz, <i>How Big Tobacco lobbies to safeguard e-cigarettes. California takes center stage in fight between health groups and tobacco firms</i>. The Center for Public Integrity (2016)</p> <p>- K. Demetrious, ‘New Social Realities: Grassroots Activism and Public Relations’ en <i>Public Relations, Activism and Social Change</i>, Routledge. 2013</p>
<p>Class 5 Piedad García- Escudero Ignacio Torres</p>	<p>Delegated legislation. New laws. Control of legislative process</p> <p>-Piedad García-Escudero Márquez, “De enmiendas homogéneas, leyes heterogéneas y preceptos intrusos. ¿Es contradictoria la nueva doctrina del Tribunal Constitucional sobre elaboración de las leyes” <i>Teoría y Realidad Constitucional</i>, nº 31, 2013, págs. 199-236. http://e-spacio.uned.es/fez/eserv.php?pid=bibliuned:TeoriayRealidadConstitucional-2013-31-6025&dsID=Documento.pdf</p> <p>-D. Greenberg, “Dangerous trends in Modern Legislation”, <i>Public Law</i>, 1-2015, pp. 96-110.</p>

Reference Works:

P. García-Escudero Márquez, *El procedimiento legislativo ordinario en las Cortes Generales*, CEPC, Madrid, 2006.

Modernisation of the House of Commons 1997-2005, Research Paper 05/46
Parliament and Constitution Centre, House of Commons Library
<http://researchbriefings.files.parliament.uk/documents/RP05-46/RP05-46.pdf>

Select Committee on Modernisation of the House of Commons First Report. The legislative process
<http://www.publications.parliament.uk/pa/cm199798/cmselect/cmmodern/190i/md0103.htm>

R. Rubio (coord) *Parlamentos Abiertos, Tecnología y redes para la democracia*. Cuadernos del Congreso de los Diputados, 9. 2014

R. Rubio, *Los grupos de presión*, CEPC 2003.

La trasformazione del ruolo dei Presidenti delle Camere, a cura di Vincenzo Lippolis e Nicola Lupo . Jovene, Napoli, 2013.

I.Torres Muro, *Los órganos de gobierno de las Cámaras*, Congreso de los Diputados, Madrid, 1987.

Global parliamentary report. **The changing nature of parliamentary representation**. Interparliamentary Union, 2012 <http://www.ipu.org/pdf/publications/gpr2012-full-e.pdf>