

*PARLIAMENT*  
*IN THE*  
*NETHERLANDS*



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THE HAGUE

1977

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## INTRODUCTION

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The British proudly call their nation 'Mother of Parliaments'. Recently an Icelandic parliamentarian claimed for their parliament the title of 'Grandmother of Parliaments'.

In this race we do not compete. Nevertheless the reader may excuse me for pointing out that in 1964 'our' States General's 500 years anniversary was celebrated. Obviously there have been many changes since 1464. Even during the last 10 years there have been several changes in our parliamentary procedure. This booklet contains information on these and other points.

It is no exaggeration to describe the Inner Court ('Binnenhof') as the focus of political life in this country.

The President of the Second Chamber of the States General  
Anne Vondeling




Print of 1761, showing the 'Korte Vijverberg' close to the 'Binnenhof'

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**THE ORIGIN  
OF OUR  
PARLIAMENT**

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The democratic form of government as we know it in the Netherlands, has a long history. We have to go back to 1464 in order to find in our region the first traces of an institution which we might call a parliament of some sort. On January 9th of that year the Burgundian Duke Philip the Good for the first time convened the representatives of the provinces and the classes in the city-hall of Bruges to discuss his plans. He wanted to participate in a crusade and proposed that during his absence a foreign sovereign should be his stand-in instead of his son Charles the Bold.

Philip could not surmise that the name of this meeting, 'States General', used then for the first time, would still be in use five centuries later. It goes without saying that today this name stands for an institution altogether different from that meeting five hundred years ago.

The States (from the French 'états', which means 'classes') originally were groups representing to a certain extent the population: nobility, sometimes

the clergy, and in any case the cities. Although they only gathered after having been convened by the sovereign, they had considerable influence, for the sovereign could not levy new taxes without their consent and they could claim certain favours for their cooperation. Like in England, the rule became: no taxation without representation.

Although the districts were called provinces, each of them was considered more or less independent. On attaining the sovereignty over various districts, the lord started negotiations with the representatives of these districts. Through these 'States Provincial' the 'States General' came into being.

But there are great differences between the States General of 1464 and the institution which bears that name today: each delegation represented a district and voted for this district alone, as instructed by its governing body.

Before the first meeting of the 'States General', the sovereign lord had to tour the country for all kinds of on-the-spot deliberations, to administer justice and in particular for his so-called 'benevolence' (i.e. asking money for the court, for waging war, etc.).

In this 'benevolence' one might recognize the earliest form of the Speech from the Throne.

After the Burgundian Dukes, in 1506 the Emperor Charles V obtained sovereignty over the Netherlands. This included the provinces which now form the Kingdom of the Netherlands, as well as the

southern districts which now for the greater part belong to Belgium. When Charles's empire was divided, Spain obtained the northern Netherlands which, during the reign of Philips II, in the middle of the 16th century, began their long struggle to free themselves from Spanish domination.


The princes of the House of Orange (Governors on behalf of the King of Spain, or : 'Stadholders') played an important role in this Eighty Years War, as did the States General, which considered themselves the keepers of the sovereignty, after having formally abjured the power of the King in 1581. In 1648 the independence of the Netherlands was recognized by all the countries participating in the Peace of Münster. In fact, the Republic of the United Netherlands then already had proclaimed its independence for a number of years.



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T W O  
C E N T U R I E S  
O F O U R  
R E P U B L I C

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The name 'States General' became more significant when – after the creation of the Republic – the delegates of the various districts united more closely in this college. It is rather surprising that as a permanent seat they choose, not the centrally situated town of Utrecht but The Hague, which now has been the meeting-place of the States General since 1588. Before 1588 they met in various places, such as Bruges and Brussels. As noted earlier, a comparison of the situation of that epoch with our present-day parliament shows a great number of differences. They did not then have the bicameral system. The tasks, obligations and rights of the representatives of the people were quite different. The province of Holland generally played a major part because it was the richest and the most prominent. As the most prosperous – through its commerce – it also provided the larger part of the general budget.

An important difference between then and now is also that each delegation of a district acted and voted expressly on behalf of and as instructed by its own

principals. If unexpected decisions had to be taken, they literally had to go home for new instructions. In view of the bad means of communication, parliamentary consultations thus became rather time-consuming. The whole period shows a rather primitive form of representation of the people.

The States General appointed ambassadors, received representatives of foreign countries and maintained relations with heads of state. The States General had no permanent chairman. Each province, in turn, provided a chairman.

It is somewhat difficult to understand how such a system could hold out such a long time. Indeed, there were quite a few disadvantages, but as a whole it worked, especially because there were always a number of members and civil servants who exerted such influence that decisions generally were taken according to their views. The composition of the provincial delegations often changed, but a small number of delegates returned for many years.

With them the Clerk of the States generally kept his function for a long time; often he was the pivot on which everything turned. The delegation of the most influential province, Holland, moreover had a legal



adviser who played an ever increasing role behind the scenes, occasionally even openly. Because the province of Holland was so rich and mighty, its name began to be used for the whole nation.


Finally, it should be noted that the Republic knew a hereditary official with executive powers little less than monarchical granted by the States General and the States of the several Provinces: the Stadholder, a Prince of Orange, descended from William the Silent.



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**T H E**  
**F R E N C H**  
**O C C U P A T I O N**

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In 1796, under the French occupation, a representation of the people was for the first time composed on the basis of free elections on a limited scale. This received the name 'National Assembly'. The members of this body represented not only their own provinces, but the country as a whole.

The Republic of the United Netherlands first became the Batavian Republic, named after one of the tribes which populated the country in the Roman period and which revolted against the Roman domination. Then, on Napoleon's orders, the republic became a kingdom, which in its turn disappeared when France annexed all Dutch provinces and changed them into French 'departments'.

The 'National Assembly' first was meant as a representation of the whole Dutch People. Already after two years it was succeeded by a legislative body consisting of two Chambers. Drawings of the 'National Assembly' show the present main Debating Hall of the Second Chamber in its former style. The members wore large black velvet sashes with the word: 'Representant'.

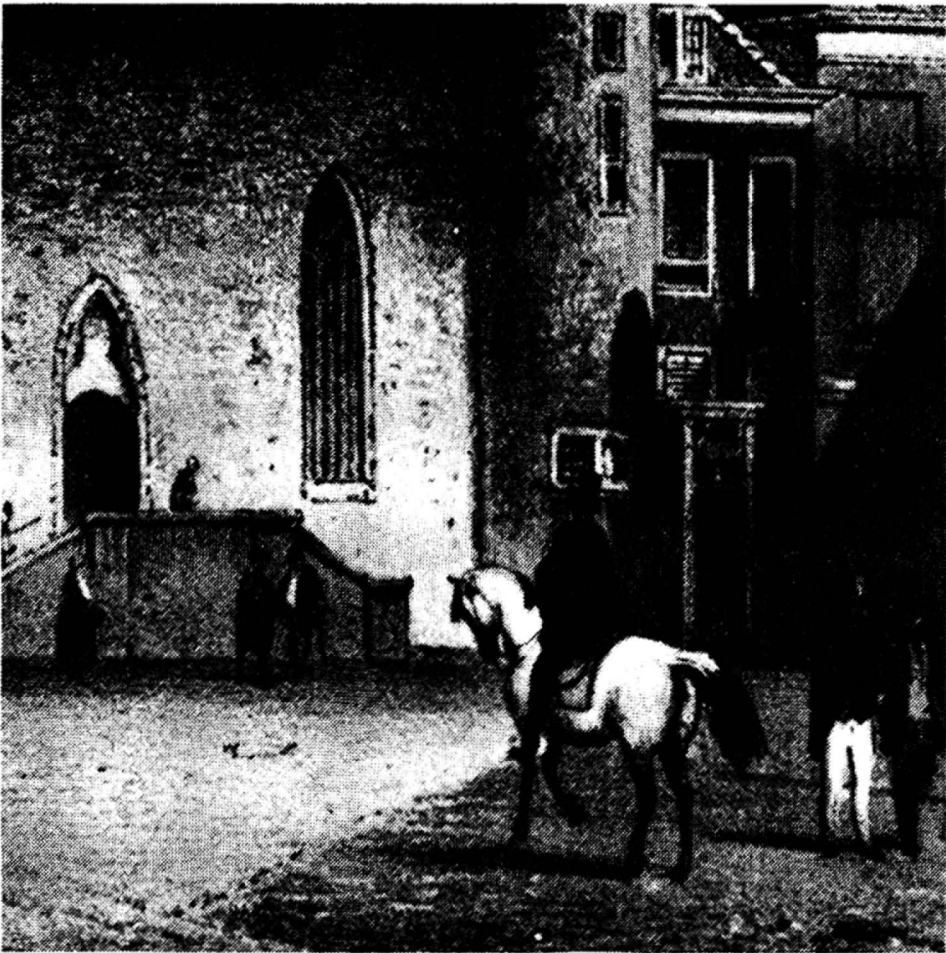
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## KINGDOM

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In 1813 the Netherlands regained their independence. The son of Stadholder Prince William V – exiled in Britain – returned to his native country and, through a written constitution, became our first king of the House of Orange.

After the French occupation some of the changes the countries' government had undergone were maintained; others were cancelled. The system of independent provinces was abandoned. Some of the old names came back to life. For instance the name



The Knights' Hall and part of the Second Chamber  
(19th century)

'States General' was used again for the representation of the people, but this time it represented the country as a whole.

In 1815 the Congress of Vienna decided that the former Austrian provinces which today form Belgium, together with the districts that had belonged to the Netherlands Republic, now jointly would constitute a Netherlands Kingdom. King William I became its sovereign and the Constitution contained the rule that the States General would meet alternatively in The Hague and Brussels.

The southern districts preferred a bicameral system, which since has been maintained in Belgium as well as in the Netherlands. At first the members of the First Chamber were not elected but appointed by the King, mostly from the wealthy classes. The members of the Second Chamber have always been elected, though the system has often changed.<sup>1</sup>



<sup>1</sup> The Second Chamber is the equivalent of the House of Commons in England and the House of Representatives in the United States. The first Chamber is the equivalent of the House of Lords in England and the Senate in the United States. In this booklet we shall use the Dutch denominations.

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## ELECTION

## SYSTEMS

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When, in 1795, the Batavian Republic was established in our country, a rather liberal franchise was introduced based on the principle of the sovereignty of the people. In the Constitution of 1798 suffrage was given to all those who had reached the age of 20 and shared in the social charges. This meant: those who paid some kind of taxes.

Further conditions to obtain the voting rights were that one should have lived a certain time in the Republic and be able to speak the 'Low-German' language. Finally a declaration of loyalty to the Batavian people was also required. That system did not provide for direct elections. The voters gathered in so-called basic assemblies where delegates were chosen for the district assemblies. It was here that the members of the National Assembly were chosen. These step-by-step elections were maintained in succeeding constitutions and, after liberation from



French occupation, in the Constitutions of 1814 and 1815. This meant that the Second Chamber from 1814 to 1848 was elected by the Provincial States. The First Chamber was appointed by the King.

The election of the 'Provincial States' was not direct either, for these 'States' consisted of appointed delegates of the classes.

## D I R E C T F R A N C H I S E

In 1848 direct franchise was established. The Constitution prescribed that the members of the Second Chamber should be elected in constituencies. Here again a condition for taking part in the elections was that one should have paid a certain amount of taxes. Article 76 read as follows :

'The members of the Second Chamber are elected in the constituencies in which the State is divided, by residents having come of age, Dutchmen, in the full rights of their citizenship and paying an amount of taxes which, according to the local situation, will be not less than 20 guilders, nor more than 160 guilders, as specified in the Election Act'.

The next article fixed the number of members of the Second Chamber at one per 45,000 inhabitants. Thus the constituencies had to contain 45,000 inhabitants or a multiple of that number. The division could be arbitrary. On the basis of these regulations only few people had the vote ! In 1848 they amounted to 6% of

the male population of 25 years of age and older; in 1880 to 13<sup>0</sup>/<sub>100</sub>, in 1900 to 49<sup>0</sup>/<sub>100</sub> and in 1913 to 68<sup>0</sup>/<sub>100</sub>. These increases resulted, among other reasons, from rising incomes.

## CONSTITUENCY SYSTEM

The constituency system had been much criticized. In 1878 Dr. Kuyper complained of a 'liberal clique' which, in spite of the fact that it constituted minority, obtained a majority in the Chamber 'because of this unlawful election system and a criminal division in constituencies'. He further complained that neither the catholics nor the anti-revolutionaries (Calvinists) were able to win seats on their own in a certain number of districts, so that a coalition with 'Rome' or with the Revolution would be necessary... The Calvinist Kuyper considered both possibilities 'immoral'.

In 1913 it became clear that the districts had widely differing numbers of inhabitants. That was the year of the last elections under the prevailing system.

## PROPORTIONAL REPRESENTATION

These inequalities had been caused in part by expanding the electoral law in 1887 and in particular in 1896, when the following groups of inhabitants – provided they were 25 years of age or older – were given the vote:

- a. tax voters**
- b. house voters (in accordance with a certain rent)**
- c. salary voters (in accordance with a minimum salary)**
- d. savings voters (based upon a small amount of savings)**
- e. examination voters (those in possession of some certificate).**

In 1915 the Government made new proposals to expand the right to vote : universal suffrage for men and a possibility for legislation giving the vote to women. By the revision of the Constitution in 1917, passive suffrage for women (women may be elected) came into being. On the 3rd of July, 1918, a woman for the first time was elected as member of the Second Chamber.

Since then the number of women in the Second Chamber – with certain ups and downs – has considerably increased, although proportionally their number is small compared to their male colleagues. In January 1974 it reached a record of twenty-one.

In 1919 general suffrage was introduced for women through which they were admitted to the polling booth.





Government buildings on the 'Hofvijver'; extreme right:  
the First Chamber

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**THE**  
**PRESENT-DAY**  
**ELECTION**  
**SYSTEM**

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**POLLING AREAS**

Today's Election Act states that the 150 members of the Second Chamber are directly elected according to general active and passive suffrage. In view of the quadrennial elections the country has been divided in 18 polling areas.

For membership of the Second Chamber it is required that one be Dutch or recognized by the law as a Dutch subject. To take part in the elections one must have reached the age of eighteen and not be excluded from the right to vote by constitutional provisions to that effect. The Constitution determines on which grounds one may be excluded from active as well as passive suffrage.

The Election Act regulates very extensively and very precisely how elections should be held and what preparations are to be made.

## A T T E N D A N C E D U T Y

In 1917, when proportional representation was established, the so-called 'attendance duty' was inserted in the Election Act. This duty should not be confused with 'compulsory suffrage' which never existed. On penalty of a fine when shirking this duty, one was obliged to come to the polling station. This measure was cancelled in 1970, because the opinion had grown that indifferent people – or worse, incalcitrants – should not be obliged to go to the polling box. Such coercion was odd indeed, the more so as the factual vote was – and is – secret, making it impossible to control whether a person had really voted or had spoiled his ballot by covering it with notes or voting for more than one candidate.

After the attendance duty had disappeared, more voters stayed at home than before. In 1971 79<sup>0</sup>/<sub>0</sub> of the electorate took part in the elections for the Second Chamber, in 1972 82.9<sup>0</sup>/<sub>0</sub>. In 1967 the percentage had been 94.9.

Each municipality keeps its own register of voters, which may be consulted by anyone. In due time before the elections – generally in the spring – every citizen thus registered is invited to cast his vote. At the polling bureau he receives a ballot-paper on which all the parties participating in the elections are listed with the names of their candidates.

The eighteen polling areas mentioned before are sub-

divided in polling districts, each with some 1000 voters. Each polling area has its own main polling office. Some time before election day the political parties or groups hand in their lists of candidates to the main polling offices.

## DEPOSIT

A group which desires to take part in the elections but does not yet have a representative in the Chamber, must pay a deposit of 1000 guilders for each area where it wants to participate. The deposit is lost if the group obtains less than three quarters of the number of votes which form the so-called 'quota'.

## QUOTA

Normally a political party – and certainly a big one – enters its lists in all polling-areas. This means that all the votes obtained by the party in the various areas are added up. Then, on the basis of all the valid votes in the whole country the afore-mentioned quota is obtained by dividing the number of valid votes by 150 (the number of seats in the Second Chamber).



## START OF MEMBERSHIP

The members receive their credentials<sup>1</sup>, the Chamber's staff examines the official reports of all the polling-bureaus, and when all this has been done, the members of the Chamber are sworn in. In the meantime a special committee appointed by the Chamber has also examined all the documents and it reports about its findings in the first sitting.

A new member of the Chamber may, instead of taking the oath, also make a solemn statement. These are the texts :

'I swear (or : declare) that, in order to become a member of the States General, I did not make or promise any gifts or donations, under any name or pretext, neither directly or indirectly, to any person.'

'I swear (or : promise) that, in order to do or to omit anything whatsoever in this function, I shall not accept from anybody, directly or indirectly, any gifts or promises whatsoever.'

'I swear (or : promise) loyalty to the Constitution.'

'I swear (or : promise) loyalty to the Queen and to the Statute of the Realm.'<sup>2</sup>

When a candidate refuses his seat, or when a member resigns, the next candidate on that party's list for the latest elections is appointed. There is no need for by-elections to fill vacancies.

As, with a new Chamber, a new government has to be formed, the ministers and the secretaries of state<sup>3</sup> generally offer their resignation to the head of state

on election day. A member of the Second Chamber who is appointed minister or secretary of state, may fulfil both functions up to three months after the day of his swearing-in as a member of the Chamber. Within this term he must make up his mind which of these constitutionally incompatible two functions he prefers.

Although ministers and secretaries of state are not members of parliament, they may take the floor as often as they wish in both Chambers. In other words: they have an advisory capacity in parliament, but no vote.



<sup>1</sup> When the results of the elections have been established, each elected member of the Second Chamber receives an official announcement concerning his appointment from the Chairman of the central polling office. If he replies that he accepts the nomination, he receives confirmation of this letter. All these documents together form his 'credentials'.

<sup>2</sup> The Statute of the Realm contains the joint basis legislation concerning the relations between the Netherlands and the Netherlands Antilles.

<sup>3</sup> A secretary of state is an under-minister, who is not a member of the Cabinet.



The 'Plaats' with view of the Houses of Parliament

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**THE  
SECOND CHAMBER  
AT  
WORK**

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The Second Chamber nowadays generally sits three days a week, on Tuesdays, Wednesdays and Thursdays. Mondays may be used for public committee-meetings.

The sittings often are continued at night, in particular during the months when the National Budget is under discussion. The fact that in former days the Chamber sat more often does not mean that it had more business. It was simply the consequence of the travelling problems in those days. Members preferred to stay more consecutive days in The Hague in order to conduct parliamentary business.

The Chamber is convened by the Chairman (in England: the Speaker) and then works on the basis of



an agenda, which is decided upon by the Chamber itself. The items can be proposed either by the Chairman or by a member. Thus, the agenda of the Chamber is settled in the most democratic way.

## TWO MAIN TASKS

The two main tasks of the Second Chamber are to act as co-legislator, and to control all the activities of the government. The first task implies that the Second Chamber together with the Government (Cabinet and Head of State) and with the First Chamber brings about new laws and, where necessary, adjusts existing laws to new circumstances.

Usually a bill is drafted by one or two ministers and, at his (their) proposal, introduced in the Second Chamber by the Queen. This is done each time with a so-called Royal Message. It runs as follows :

‘We present to you for deliberation a bill (follows a short description of its purpose). The explanatory memorandum accompanying the bill contains the grounds on which it is based. And herewith we commend you in God’s holy protection.’

## RIGHT OF INITIATIVE

However, the members of the Second Chamber are also entitled to introduce a bill, making use of their ‘right of initiative’. It is not used frequently, as generally there is no shortage of Government bills, which

may be altered by the Chamber using its amending power.

One should also take into account that the Chamber is less well equipped than the ministers for drafting bills.

Initiative proposals follow the same line of treatment as Government proposed bills, with the difference that they are defended by members of the Second Chamber, also – after acceptance by that chamber – in the First Chamber. After acceptance by both Chambers, such bills are reviewed by the Council of State and the Government, whereafter finally the signature of the Head of State is needed, contrasigned by at least one minister or secretary of state. Each bill is printed, and available to everyone, so that public discussion is possible.

The text of a bill is always accompanied by an 'explanatory memorandum' in which, as the name says, an explanation is given about the aim and the contents of the proposal, its motivation, etc.

## **C O M M I T T E E S**

Bills are assigned to one of the permanent committees of the Chamber, or to an ad hoc committee especially set up for this purpose, as soon as possible after their introduction. In principle there is a permanent committee for each ministry.

Special committees are created when the Chamber

receives bills of a more complicated structure, for instance when more than one minister is involved.

Thus dozens of committees are permanently at work in the Second Chamber, doing a good deal of work behind the scenes. The composition of the committees reflects as much as possible the political composition of the whole Chamber; in other words, the number of representatives of any political party in a committee depends on the number of its seats in the Chamber.

The members of the committees submit the bill they are entrusted with to a first examination. Their observations go into the committee's preliminary report, drafted by its Clerk and approved by the Committee (there is no 'rapporteur'). Thereupon the government gives any additional information required and replies to any criticism in a document called 'Memorandum in reply'. As said before, when introducing the bill it is accompanied by an 'Explanatory Memorandum', but generally the Committee wants more information, and its members make preliminary remarks criticising (or supporting) the bill.

Other forms of deliberation and consultation may also help in preparing the plenary debate, such as Committee meetings with ministers or secretaries of state and in particular hearings held by the committee(s) where those groups and individuals who would be affected by the legislation at stake can air their views. In recent years these 'hearings' have be-



Part of the 'Binnenhof', or 'inner court', with the  
Knights' Hall

come more and more frequent as part of the preparation of political decisions.

When a committee decides to hold a public hearing, its date is announced in due time in the Official Gazette. It contains an invitation to apply as an interested party to the Chamber.

Invitations may be more specific by informing organizations, which are presumed to be interested in participation, of the committee's intention to hold a hearing.

A committee hearing may be held either in the building of the Chamber or elsewhere, for instance if the legislation concerns municipal boundaries or other matters closely related to a city, a district, a province, etc.

Committees also travel a lot in order to size up the situation in all sorts of questions, such as problems of employment, public health, environment, roads and bridges, defense establishments, etc.

When in the Committee's judgment preparation has been sufficiently rounded off, the bill is ready for public plenary discussion and is placed on the agenda. Members who wish to take the floor during the debate are entered on the list of speakers. The Chamber may fix time-limits on speeches for a particular debate; again, these time-limits are linked to the strength of each party in the Chamber. Ministers' speeches cannot be limited.

For a bill of wider importance and significance than the so-called 'unopposed business' which brings about very little or no debate (such as small modifications of a budget), the Chamber starts with a gener-

al debate. Then the government replies. Thereupon the Chamber again comments followed again by the government. Then each article or clause is discussed separately, together with any amendments which have been proposed by at least five members.

## RIGHT OF AMENDMENT

The Chamber's 'right of amendment' means the right to propose changes in the text of the original bill. The approval of the minister(s) can be wholehearted or the government can oppose an amendment more or less strongly. An amendment by the Chamber may even be pronounced to be 'unacceptable' to the government, which means either that, if the amendment is accepted by a majority of the Chamber, the bill will be withdrawn or that the minister (and, perhaps the whole Cabinet) will resign.

During the debate the Chamber generally wishes to be informed about the real significance and the consequences of the voting results in the case of a (strongly) contested amendment. The minister then further explains the political importance and scope of his declaration, which, of course, influences the Chamber in its decision making. Equally, a minister – or even the whole Cabinet – may threaten to resign in case the Chamber should reject a bill.

When the Second Chamber has accepted a bill, it is then sent on to the First Chamber where almost the same proceedings take place. However, the First

Chamber, not having the right of amendment, is able only to accept or reject a bill as a whole. In the – rare – case of such a rejection, the bill does not become an Act of Parliament; the government is obliged to propose another bill or, for the time being, to give up the legislation in question.

Permanent and special committees may also organise public meetings with members of the Government in order to prepare the plenary debate of bills – including chapters of the National Budget – or to discuss certain policy matters. The Chairman of the Chamber or one of his deputies presides over such as a meeting. All members of the Chamber (not only those of the committees involved) may attend, speak, and table motions or amendments.

## COMMITTEE ON PETITIONS

A few more remarks seem useful about a very important committee, in the activities of which each citizen may be involved sooner or later, as government policy affects him in many applications of the law.

If a citizen has a complaint about the behaviour of a public servant he may – as all citizens have the constitutional right to turn to the competent authorities – apply to one of the Chambers of the States General. Each Chamber has a special Committee on Petitions which examines the complaint. In many cases the committee succeeds in solving the problem to the

satisfaction of the petitioner. To avoid misunderstandings, it should be mentioned that these committees can only mediate in cases where one or more ministers are directly or indirectly responsible. Consequently, there is very little chance of success for an applicant if he complains about a matter for which no minister is responsible, such as judicial decisions, or purely local or regional matters. When a petition is addressed to one of the Chambers and it concerns a personal complaint, the Chamber hands it over to its Committee on Petitions which makes an inquiry. Generally the minister(s) is (are) first asked for written information. With this information in hand the question is discussed, after, if necessary, the petitioner has been heard. When the committee has gathered sufficient data, it reports to the Chamber. In this – printed – report the committee makes a proposal to the Chamber with regard to the question under consideration. The report is put on the agenda of a public sitting of the Chamber where it may be discussed. Generally, however, the Chamber agrees with the conclusions of the committee. Another very important task of Parliament consists of controlling the government's policy, which can be done in different ways.



## BUDGETRIGHT

This task is closely related to the Chambers' budget-right which means: determining with the government, the amount of public expenditure, and its object and usefulness. This control takes place each year very thoroughly after the Chamber has received the draft of the annual National Budget on the day of the ceremonial opening of the new parliamentary session: Prince's Day (in Dutch: Prinsjesdag). The following months are chiefly taken up by debates concerning the various budget-chapters, preceded by a full-dress debate on general and financial policy, in which the main lines of the government's policy are discussed.

By the way: the parliamentary year (the session) does not coincide with the calendar year; it begins



The oldest part of The Hague is the 'Binnenhof', or inner court, with the Knights' Hall in the middle, built in the 13th century. Now the centre of government, where both Chambers of the States General meet

on the third Tuesday of September as we shall see later on. The budget, however, corresponds to the calendar year, which allows the Chamber to intervene in due time through its autumn debates for obtaining possible changes. Usually the Chambers do not succeed in dealing fully with all the chapters of the budget before the 1st of January. In that case, the government is permitted expenditure up to one third of the amount granted by Parliament for the same purpose for the previous year.

## QUESTIONS TO THE GOVERNMENT

The Chamber's right of control is also exercised by members posing questions to the government, which may be answered orally or in writing. Oral replies are generally given on Thursdays (Question Hour). Every day there are a number of questions to be answered in writing which, through the Chairman and after his approval, are forwarded to the government.

A written answer is expected within three weeks. If the minister does not succeed in giving the answer within that period, he informs the Chamber of the delay.

Through these questions the whole field of government activity is constantly subject to parliamentary scrutiny.

When questions are asked orally, the minister has much less time to formulate his reply. Such ques-

tions appear on the agenda only a few days in advance (except in cases of real urgency when still less time is available) and the minister must attend Thursday's sitting in order to give the information required. He is only relieved from his obligation to answer when very urgent reasons prevail for his presence elsewhere (in which case he may reply in writing) or if national interest does not allow the information to be given. Article 104, par. 2 of the Constitution says :

'They (the ministers) give the Chambers, either in writing or orally, the required information if this is not incompatible with the interests of the State.'

When the minister has answered oral questions, the questioner may ask a few more short questions and elucidate them briefly; for this he has no more than two minutes. After him, other members may ask one supplementary question without amplification. This procedure may of course lead to an avalanche of brief questions and answers, demanding of the minister a fair amount of factual knowledge and quick repartee.

## INTERPELLATION AND MOTIONS

Another procedure is the interpellation. One could compare it more or less with the oral question, but an interpellation is a question in a sharper political form. The undertone is more critical than informative, which is also shown by the fact that on the oc-

casation of an interpellation, speeches are allowed and motions can be proposed. Motions may also be introduced in the course of other debates. Through a motion the Chamber expresses a wish or opinion. If the government promises to satisfy this wish, a vote may be considered superfluous in which case the motion is withdrawn. It is also possible that the government considers the motion as support of its own position and is happy to accept a (majority) vote of the Chamber. In debates on bills, motions tend to bring wishes under discussion which cannot be realized by amendment. Amendments as well as motions can provoke debate and opposition between Chamber and government which may have far-reaching political consequences, particularly in case of a motion of non-confidence in the government's policy (or that of one or more ministers) or of a motion of censure.



A member needs the consent of the Chamber to hold an interpellation but this is seldom refused. Each member takes it as a rule that the right of interpellation is a very important one for each of his colleagues, the exercise of which should not be denied lightly. Nevertheless, permission has occasionally been withheld, for instance when the majority of the Chamber felt that the problem would anyhow be put on the agenda in the near future, as for instance may happen when the budget is being discussed.

The interpellator or questioner may twice take the floor during the interpellation, once before and once after the government's reply. After his second speech every member may take part in the debate. Generally – and in agreement with the interpellator – the Chamber decides to limit the times of speeches.

## RIGHT OF INQUIRY

Another competence of parliament is to be found in the right of inquiry which belongs to both Chambers. The Second Chamber acquired it in 1848, the First Chamber in 1887. In the same year the right of inquiry was also conferred on joint sittings of both Chambers.

An inquiry of the Chamber is always concerned with a very important and generally extensive matter. It occurs very rarely. The most extensive inquiry ever held was the one concerning the Netherlands government's policy during its exile in London during the years 1940–1945, and the periods immediately before and after those years. As during the greater part of this period there was no parliament able to exercise its normal control, a special inquiry committee was charged with this task afterwards. The findings of the committee have been published in a voluminous series of books.

Obviously, after the German invasion on the 10th of May, 1940, Parliament had to stop its activities simply because the occupying power prevented its

functioning. Members living outside The Hague could not reach the city during the five days of actual hostilities within the country. After the capitulation the States General were not normally dissolved, but the occupying power did not permit any activity.

A number of members of the Second Chamber (38) gathered with the Chairman on that 10th of May, but the Chairman could do nothing but open a 'gathering' as the quorum for a sitting (half of the membership, plus one) was not available. He expressed his abhorrence of the enemy's invasion and then declared: 'With regard to the circumstances, the activities of the Chamber are adjourned sine die. The meeting is closed.'

The minutes of this very short meeting mention: 'The Chamber disperses until further notice.'

Nobody could have an idea when this next meeting would take place. After the war – on the 20th of November 1945 – Queen Wilhelmina opened in the Knights' Hall the session of the so-called Emergency Parliament, composed of a number of former members and persons appointed by the Resistance. General elections were held in May 1946 and a Second Chamber could again be composed in the normal way.

One of the particulars of the Inquiry Act is that those summoned by the committee to give information, are obliged to appear and to give evidence on oath. Only in very special circumstances one may be excused, for instance, in the case of a professional privilege. In nine cases a proposal to hold an inquiry,

was either rejected by the Chamber, withdrawn or abandoned. On nine occasions an inquiry did take place. Some striking examples are: an inquiry in 1886-87 into the situation in factories and workshops, and one in 1874 into child labour. They have been of great importance for social legislation.

If the Chamber considers an official inquiry too radical, it can create a special committee to set up an investigation. Such a committee has less powers than a genuine inquiry committee; it cannot compel witnesses to appear before it, and it cannot put a witness under oath.

## POLITICAL GROUPS

The Second Chamber consists of a number of political groups (in Dutch: fracties). The large political groups have set up their own committees of experts on specific subjects.

Since a number of years, thanks to an item in the Chamber's own budget, the political groups in accordance with their size can employ scientific and/or administrative assistants. These assistants can take over a good deal of work of the parliamentarians, but members of the Chambers still have a great number of obligations. Committee members must frequently take part in committee meetings, sometimes even during plenary sittings. Furthermore, they often have many other urgent activities which prevent them from being present in the main Debating Hall. But, if important decisions are to be


taken, the voting-bell calls them rapidly to their seats... In order to help them in their work, a member of the Second Chamber, according to a regulation dated September 1st, 1974, and within certain financial limits, may engage a personal secretarial aid.



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**THE**  
**VERBATIM REPORT**  
**OF**  
**THE DEBATES**

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All that has officially been said in the Chamber by members as well as by ministers or secretaries of state, is recorded in the verbatim report, known as the 'Handelingen' ('Actions'). This rather curious name is derived from the old summary of the discussions in parliament, published until 1878 under the title 'Report on the actions of the States General'.

To be able to compile and publish this report, a group of very experienced and expert stenographers records every word which is spoken. They form together the Stenographic Service of the States General, since they also record the debates in the First Chamber.

The introduction of stenography in the Chamber was discussed at great length, as well as the remuneration to be given to the stenographers. In article 108 of the Constitution of 1815 it was stipulated that meetings of the Second Chamber would be public. It was only in 1848 that this was also laid down for the First Chamber.

Consequently, after 1815 only reports on the debates

in the Second Chamber were published in the Official Gazette, but these were not verbatim reports, Often they were incomplete, which caused many complaints. There was always trouble in recruiting competent people to cover the meetings.

After long preparation, the 'Stenographic Service' came into being on the 24th of September 1849.



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# THE RULES OF PROCEDURE

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Each Chamber has established its own Rules of Procedure.

The present Rules of Procedure of the Second Chamber were (re-)drafted almost entirely in 1966.

## QUORUM

One of the Rules is, that the Chamber may not start a meeting until half of the members plus one are present. So the prescribed minimum (the 'quorum') for the Second Chamber is 76. It happens once in a while, that there is no quorum at the sitting's opening time. Then the Chairman can open a 'gathering', not a meeting. The names of absent members are read, with the reasons of absence they may have given. He also informs those present about the documents to hand and then postpones the meeting.

On entering the building, the members sign the roll. As soon as this shows 76 signatures, the sitting can be officially opened.

As long as there is no evidence that less than 76 members are in the building, the sitting may be continued. However, if a nominal roll-call shows, that

less than 76 members voted, the vote is null and void, and the sitting is adjourned.

The sittings of the Chamber are called by the Chairman, as often as he thinks necessary. But fifteen members can also ask for a sitting stating their reasons in writing, for instance in order to call back the Chamber during a parliamentary holiday to discuss some urgent matter.

## P U B L I C C H A R A C T E R

The public character of the meetings is not dealt with in the Rules of Procedure but in Article III of the Constitution, which states that the separate sittings of both Chambers as well as the joint sittings are public. The doors may be closed when one tenth of the members or the Chairman requires such a measure. The Chamber then decides whether the discussions will be held with closed doors.

A secret sitting is therefore possible, but nowadays it is extremely rare. Until a few years ago the Second Chamber discussed its own draft-budget in a secret sitting; now this too is done in public.

## P R E S I D I U M

The Chairman chairs the plenary sessions of the Chamber. He may call upon one of the five vice-chairmen to take the Chair. The Chairman or one of the vice-chairmen, forming together the Presidium, also presides over the public committee meetings.

The Chairman is appointed every year by the Queen immediately after the beginning of the new parliamentary year, or in the first sitting of a newly elected Chamber. For that purpose the Chamber presents a short list of three names. The Queen always appoints number one. The two others become vice-chairmen, whereupon the Chamber nominates three more members of the Presidium from various political groups. The Presidium has to deal with a great amount of material and domestic affairs. The Chairman usually belongs to the largest political group.

The Chamber may act against its Rules of Procedure only if none of the members present objects to a proposal to proceed in such a manner.



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## S E R V I C E S

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The Second Chamber also needs an efficient administration. This is obvious when one only considers the amount of printed matter involved in parliamentary activities, which daily pours into the Chamber. To give some idea of the quantities in question, here are a few figures of the year 1974-75: 227 bills were introduced in the Second Chamber and about the same number were dealt with. As said before, the preparation of the plenary debates is for the greater part done in writing. During that period the members of the Second Chamber posed more than 1500 questions in writing and there were about as many replies from the government. Together with the verbatim reports of the plenary sittings and public committee meetings, this means a very large quantity of printed material.

Apart from the more or less 'political' work that the Clerks of the House have to accomplish with regard to the plenary sittings and committee meetings, the examination of draft legislation, etc., its administration has also to cope technically with registration, archives, etc. There must be a good, up-to-date registration of the members, card-indexes about all activities, agenda's must be drawn up, correspondence be conducted and filed, etc., etc. There is also a special clerk with a small staff who deals with the delegates of both Chambers to international parlia-

mentary assemblies, such as the Council of Europe, the European Parliament, the North Atlantic Assembly, the Western European Union Assembly and the Inter-Parliamentary Benelux Council.

Amongst the Second Chamber's services there are of course also a cashier's office, a library, a documentation service, an information department, a service compiling the index of the verbatim reports of the debates, a photo-copy service, a domestic department, a personnel department, a catering department, telephone operators, ushers, messengers, doorkeepers, a security officer, etc.

The Clerk of the Second Chamber is assisted by the Director of Services, who oversees and coordinates the activities of these various services and departments.



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# LIST OF HONOUR

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A list of honour with the names of 17,500 Dutch killed in World War II is deposited in a glass shrine in the hall of the main building. In the course of a solemn meeting in the Knights' Hall on the 4th of May 1960, Her Majesty Queen Juliana presented this list of honour to the members of the States General as representatives of the Dutch people. Among those present were the ministers and secretaries of state, the chiefs of staff, ambassadors of our allies during the war, relatives of the dead and representatives of the Resistance.

By order of the Queen the national flag is flown beside the list of honour. At the top of the flagpole laurel-wreath of old silver pays homage to the dead. Calligraphing the names on the list took ten years: it was done by Benedictine nuns of the abbey of Our Lady, in Oosterhout in the province of North-Brabant. Each day a page with 24 names is turned over.

At the unveiling ceremony the Queen said: 'In this book the names are mentioned of those whom we thought could not be missed at our resurgence. Each of us has the freedom to prove in his life that he has understood the message of their death.'

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# THE PARLIAMENTARY BUILDINGS

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Throughout the centuries the 'Binnenhof' (Inner Courtyard) in The Hague has been the centre of political life in the Netherlands and to this very day it still is.

Count Floris IV of Holland (1222-1234) bought a large area of land, consisting of dunes, woodland and grassland, which he probably wanted for hunting. On the site where now stands the Hall of Knights there was probably in former days modest a stone building, which he used as a hunting lodge.

His son, William II (1234-1256), whose statue is on top of the fountain, was appointed Emperor Elect by German rulers. He was crowned in Aachen and received the title of Roman King, namely of the Holy Roman Empire of the German Nation, as the German realm was then called. He never came to be crowned as Emperor by the Pope, since he was killed in a battle against the West Frisians in 1256. He wanted to extend his father's hunting lodge and built a larger house quite near, possibly adjacent to it. He had the house completely walled in and surrounded by moats, thus turning it into a veritable

hunting castle. Where such a prominent person spent a lot of his time and, in addition to his own court, entertained a great many important guests, there was money to be earned for the merchant and the artisan and thus in the course of time a village called 'Die Haghe' grew. After the death of William II his son Count Floris V (1256-1296) displayed great building activity at the Binnenhof. Adjoining his father's residence he had the beautiful Hall of Knights built by Gerard van Leyden.



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# THE HALL OF KNIGHTS

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The Hall of Knights is a hall of royal grandeur, with its mighty oak roof, which – supported by stone wallpilasters – rests on the heavy walls. The Hall is 38.40 metres long, 17.80 metres wide and 25.74 metres high. The leaded-glass windows show the coats of arms of the principal cities. The large rose window (5 metres across) contains the coats of arms of dukes and counts, arranged around the coat of arms of Queen Wilhelmina. The flags of the provinces add another colourful touch.

Up to the Burgundian era (about 1430) the castle was occupied fairly regularly. The Counts of the House of Burgundy usually resided in Brussels or Dijon and if ever they did stay in The Hague it was only for a short time. Their stadholder continued to live there, however, and consequently the administration of the County of Holland likewise remained established at Die Haghe. In 1432 and 1456 Philip of Burgundy entertained his Knights of the Golden Fleece here with great splendour. Charles the Bold stayed there some time later, among other things to administer justice in the Hall of Knights.

It gradually became a public lobby, with small shops along its walls. Eventually, it was fully restored.

From 1904 the Hall has been and still is used for ceremonial occasions, such as the annual opening of Parliament, international conferences, and state receptions.



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# THE FIRST CHAMBER

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The Chamber's Debating Hall was built in 1660, as a meeting room for the States of Holland. The paintings on the ceiling depict windows, through which representatives of the trade partners of the Republic of the Seven United Netherlands watched and listened to the deliberations of the High Lords; they are the Poles, the Persians, the Turks, the Spanish and Mexicans, the French, the Italians, the Germans, the Russians, and, in the centre, the British, their central position being due, not to courtesy but to the desire of the designers to remind the States of Holland that there was a war on with that nation.

Two magnificent mantelpieces – unfortunately partly hidden by the public galleries built in 1880 – are decorated with paintings. Jan Lievensz (1661) painted the war god Mars and Adriaan Hanneman 'Peace'. Above the paintings there is the coat of arms of Holland, a red lion on a golden field.

Above the niches in the wall there are medallions bearing the portraits of well-known statesmen from the time of the Republic: Johan van Oldenbarneveldt, Adriaan Pauw, Johan de Witt, Caspar Fagel, Antonie Heinsius, Simon van Slingeland, Laurens van de Spiegel and Rutger Jan Schimmelpenninck. Behind

the Chair hangs a portrait of King William II, painted by Kruseman. Opposite the Chair there is the Ministers' Table.



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## THE SECOND CHAMBER

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The main part of the Second Chamber building was built towards the end of the eighteenth century, as a new wing of the Palace of Stadholder William V. Originally, what is now the Chamber's main Debating Hall was the palace ball room. It has a length of  $25\frac{1}{2}$  metres, a width of  $11\frac{1}{2}$  metres and a height of 11 metres. On either of the short sides there is a gallery; the one on the Chair's left is the Public Gallery (admission free), for the Reserved Gallery on the right one needs a ticket from a member or from the Chamber's Information Department. The first row of each of these galleries is reserved for the parliamentary press. The gallery behind the Chair is reserved for civil servants, diplomats and the Chairman's guests.

Opposite to the Chair is the Ministers' Table.

To the left and right are the members' benches, de-



signed for 2 but, since the enlargement of the Chamber by a change of the Constitution in 1956 from 100 to 150 members, now seating 3 members each. Members addressing the Chamber speak from the rostrum to the right of the Chair, unless they use one of the 3 interruption microphones installed around the Stenographers' enclosure in the centre.

The Chamber has 2 other meeting rooms with a public and press gallery: the 'Handelingen' Room, situated near the library and so called because of the leather bound volumes of the verbatim reports of the parliamentary debates which line its walls, and the recently built Schepel Hall, named after a former Clerk of the Chamber, with a public entrance of its own at no. 5, and permanent facilities for simultaneous translation. These spaces are used for public committee meetings and public hearings. The Main Debating Hall is also used for this purpose, in which case the committee members are seated at a square table consisting of the Ministers' Table and three tables temporarily set up along the other three sides of the Stenographers' enclosure, and civil servants and journalists are permitted to occupy the members' benches.

Memorable pictures in the Chamber are:

- on the Main Staircase: portraits of Queen Juliana (painted by Sierk Schröder), and King William III;
- in the Smoking Room: the Cort van der Linden Cabinet (1913-18), painted by Van der Hem;
- in the Writing Room: a portrait of Sir Winston

Churchill (painted at Chartwell by the Dutch painter Nauta) and a portrait of Queen Wilhelmina's ceremonial drive into Amsterdam upon her accession to the throne in 1898 (painted by Erelman);  
– in the 'Antichambre' near the Reserved Gallery: portraits of Kings William I and William II.

On the walls of the corridors are hung portraits of former Chairmen, copied in pencil after original portraits or photographs by Mr. James, a former burgomaster of Gouda.

The Chamber has 2 restaurants, one for members only and one for members' guests, as well as a coffee-shop (situated in no. 5) and a small Press Bar. There is an interior connection between the Chamber and the International Press Centre 'Nieuwspoor', which has a restaurant and bar of its own.

In 1976, the Chamber decided to have its building extended on a site along the entire length of the Lange Poten already earmarked for this purpose by the Government. The new building will have amongst numerous other facilities, a modern main debating hall.



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## VIJVERHOF

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In 1975 the premises nos. 34-38 'Buitenhof', completely restored and renamed 'Vijverhof', were handed over to the Second Chamber as an annexe. To this building have been transferred administrative services which can function without being situated in the immediate vicinity of the Main Debating Hall or the Clerk's Office. It also provides additional space for receptions and committee meetings. Finally, it contains a flat for the Chairman, who is able to entertain the Chamber's guests in a dining room which used to be Stadholder William V's picture gallery.



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