

HOW TO RESPOND TO LEGISLATIVE OBSTRUCTION

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LEGISLATIVE OBSTRUCTION

- Attempts to prevent the passage of legislation with (whatever available) procedural means mostly aiming to consume plenary time — for example by
 - filibustering
 - tabling large numbers of (wrecking) amendments
 - questioning the quorum (with the aim to produce missing quorums)
- Key argument: different forms of obstruction require different procedural responses



FORMS OF OBSTRUCTION

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- *Systematic obstruction* is not only directed against particular legislative proposals, but against the passage of legislation as such



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 - ▮ to be tolerated, if at all, requires reforms in one dimension of agenda control (see below)
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Systematic obstruction is often pursued by *anti-system parties* ▮ intrinsically linked to the survival of democracy!

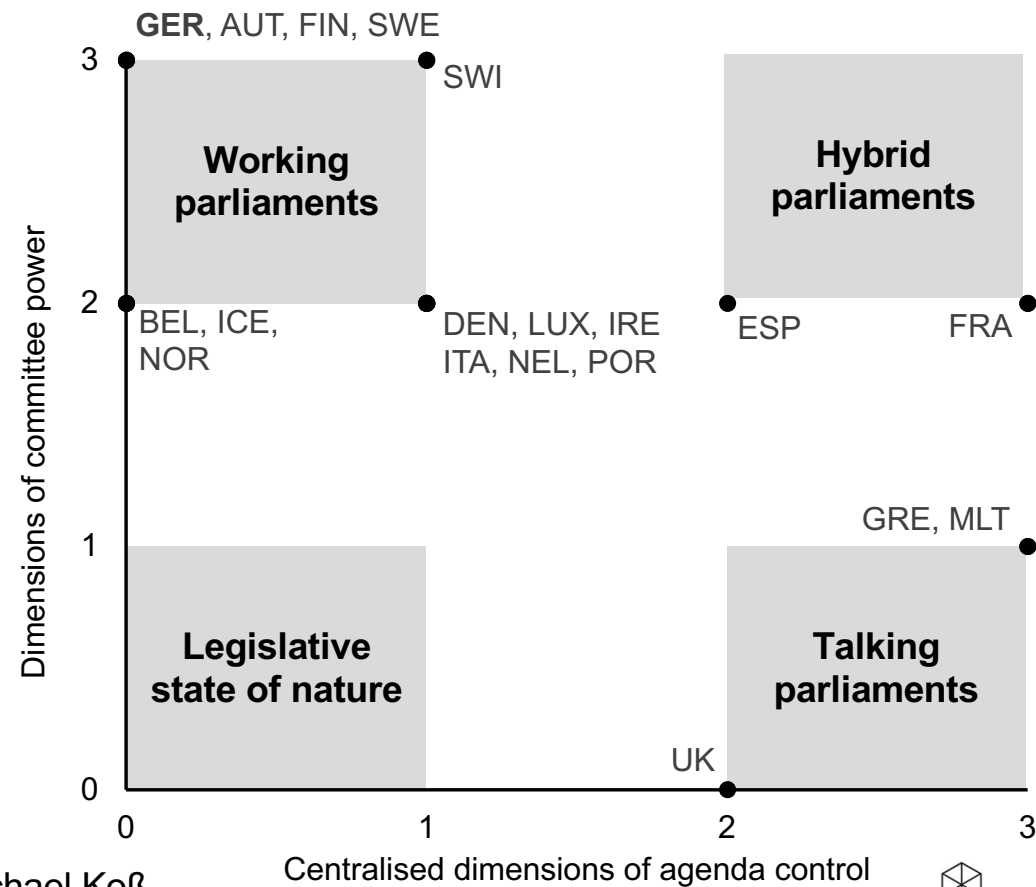


PROCEDURAL RESPONSES: CONTROL OVER THE PLENARY AGENDA

- Three dimensions of agenda control (in which majorities can be privileged to be able to overcome tactical and/or systematic obstruction
 - Timetable control
 - Positive agenda control: rules for amendments
 - Negative agenda control: duration of debates
- If systematic obstruction occurs, the alternative is between...
 - the centralisation of agenda control: House of Commons, Assemblée nationale
 - the breakdown of (legislative) democracy: Weimar Republic



PLENARY AGENDA CONTROL AND COMMITTEE POWER IN WEST EUROPEAN PARLIAMENTS



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