

'Congress is a policy-making body and Parliament is a policy-influencing body' Discuss.

Parliament can modify and sometimes reject measures brought forward by the executive but cannot formulate and substitute policy of their own. Whereas in Congress can not only modify and reject proposed legislation but can also devise and substitute their own policy.

Congress and Parliament are both legislatures, where one of their main roles is law-making. This is the main feature in congress taking up the majority of time with over 1000 bills being introduced into Congress compared with only 100 in a parliamentary session.

However in Congress many Bills don't pass the committee stage whereas in the UK, there is an expectation that the bills will be passed, except for Private Members Bills, which don't have much success in neither Congress nor Parliament.

Party dominance and loyalty play a part in the nature of the legislatures, most British bills become law as the party leaders timetable the bills and direct them through the legislative process, and the whips ensure that MPs follow the party lines. Parliament is not where bills originate, government departments devise bills and work with the civil service to prepare proposed legislation. These bills therefore come directly from the executive. It has been described that the House of Commons is more 'a legitimiser than a legislature' or merely a 'rubbing stamping body'

This differs to Congress, bills can originate in the House, however in recent years more and more bills have begun to originate with the executive as there has been a considerable decline in Congress legislative powers which parallels with the UK's increased power of the executive.

However the separation of powers weakens the executive's role and ensures power in Congress and the fact mainly the President doesn't have a majority in both Houses, therefore, the problem of legislative gridlock occurs.

This is dramatically different in the UK, where the executive dominates in the House of Commons and the House of Lords is often seen as ineffective. The committee stage in the UK, is also called as ineffectual as only government backed amendments are made, the no or minimal opposition amendments are made to the bill.

In Congress bills can be proposed by Representatives or Senates, which allows more checks and balances on the executive. The executive also has to 'wheel and deal' to get policies through Congress with the example of Bill Clinton's health reform which caused controversy at the time.

The committee stage of any bill is vital for its continuation and its ability to be made into a law.

The standing committees of the US are permanent and specialist and can put forward recommendations and amendments to the proposed bill, most bills don't make it past this stage. This compares to the UK where committees are non-specialist and temporary, this paired with inadequate funding and access to personnel and information, renders them ineffective where deliberations are often predictable.

Finance bills concerning the raising of taxes and the spending of money differ again from the US to the UK. Congress has the 'power of the purse' where the President submits a proposed budget, and Congress decides upon taxation,

government borrowing and spending. 'Super committees' are used which scrutinise the bill. These include the House of Representative's Ways and Means committee and the Senate's Finance committee. Congress sets the financial guidelines for overall spending and their approval is vital for the President.

This differs in the UK where in theory Parliament's permission is required for the raising and spending of public money, whereas in practice it is merely a formality, with decisions taken by the executive concerning taxation and expenditure.

The Public Accounts Committee is one of the most powerful parliamentary committees and is chaired by an opposition member, however the budget is a secretive process, and the extent of parliamentary scrutiny is therefore unknown.

The President has a vital role in the legislative process. He has the power of veto within ten days of receiving the bill, explaining his reasons for using the veto. In 1974, Richard Nixon destroyed his presidency with the Watergate scandal. Congress saw the executive position weakened and took this chance to restore some of the power it had lost to the president including imposing bills that overrode the President's veto.

The President's power of veto gives power back to the executive from Congress, making it less powerful as a policy-making body.

Parliament may also not pass a finance bill, which would lead to a General Election, giving a limited amount of power back to Parliament, so although policy originates in the executive and various governmental departments, Parliament has the power to dismiss the government if they reject the Budget.

Many tactics are used in the legislative process, including filibustering, cloture and imposing the guillotine. Such tactics allow bills to be abandoned, and can give the executive more dominance. They also make Congress less of a policy-making body as policy can be abandoned or talked out of time.

Congress is generally seen as more influential as a law-making body, however many commentators have noted that this is a mixed blessing. 'Congress may be said... to be more status quo orientated, while the Administration is action-orientated'

Gridlock occurs in Congress, whereas in Parliament the legislative process is generally smooth for the government with certain exceptions such as the recent fox-hunting bill, although this leaves the question, which is a better process, a smooth sailing elective dictatorship, or a more democratic process which doesn't achieve anything?