



The Role of Parliaments in Exceptional Times

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INTRODUCTION

The chapter addresses the critical question of the role of Parliaments during the pandemic. In most consolidated democracies (Switzerland and the United Kingdom are two significant exceptions), the Parliaments have never been totally shut down (Waismel-Manor et al., 2022). Still, their role in managing the pandemic has been more or less limited. Pandemic-related policy-making was almost exclusively initiated by governments, but some Parliaments had the opportunity to review, amend and even vetoed some decisions. Parliaments that are considered as strong in the classic rankings (Chernykh et al., 2017; Fish & Kroenig, 2011) are also those that played a greater role during the pandemic, mainly when the government had to rely on multi-party majorities. Italy is a major exception since its Parliament—one of the most powerful in the world—has been sidelined mainly when the crisis started. Moreover, since the agenda was busy with the pandemic, the treatment of other issues has been

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temporarily suspended, leading to a de facto reduction of the work of Parliaments. To this, we can also add a type of self-censorship of members of parliaments (MPs) who tried to avoid overburdening the government with written questions. Hence, besides reducing the role of the Parliament, there is a rally round the flag as observed when major crises arise, although exceptions exist (Kritzinger et al., 2021). Moreover, at least at the beginning of the pandemic, the Parliaments have also been the collateral victims of other regulations mainly related to the limitation of indoor gatherings and social distance. At later stages, parliaments and committees were, however, allowed to gather mainly because the regulations and restrictions were more targeted towards specific sectors of societies and with the generalisation of mask mandates in indoor settings.

Measuring the power of Parliaments during the pandemic has been at the core of a large body of literature (Griglio, 2020; Hájek, 2021; Pedersen & Borghetto, 2021; Waismel-Manor et al., 2022). There is a broad agreement about the negative consequences of the pandemic on legislatures and the eventual impact on democracy as a whole (Kolvani et al., 2020; Lührmann et al., 2020; Engler et al., 2021). Legislatures have found themselves in a position where they had to redefine their role or, paraphrasing Merkel and Lührmann (2021), to adapt to the situation. It is on this aspect that the literature offers various perspectives depending on what is studied. Unlike previous studies that only aimed to understand the place of the Parliament in the daily management of the pandemic, this chapter ambitions to also understand how the decisions and policies implemented during the pandemic impacted the work of legislatures. It thus does not only focus on the decision-making and what role was granted to Parliaments. It also aims to highlight the consequences for the institutional arrangements and the daily work in the Parliament. It shows that Parliaments that were involved in the decision-making are also those that have been the most untouched through the pandemic.

EUROPEAN PARLIAMENTS AND THE DAILY MANAGEMENT OF THE COVID-19 PANDEMIC

During the first wave of the pandemic, from March to May 2020, the media coverage primarily focused on the executive and health authorities. From this point of view, the Parliaments seem to play, at best, a limited role, if no role at all (Waismel-Manor et al., 2022; Hájek, 2021). Indeed,

the state of emergency offered little room to the Parliament in many countries. For example, in Italy the work of committees has been limited (both in time and scope) on the bills deemed urgent by the government that favoured the use of decrees. Similarly, Pedersen and Borghetto (2021) explain that the government regularly attached confidence vote to the projects requiring a Parliamentary support in order to circumvent the debates and displace the decision away from the topic of the bill itself. In Hungary, the government managed the pandemic exclusively by decrees and the absence of a sunset clause in the state of emergency law made it difficult for the Parliament to assess the government action in due time.

The Role of Parliament in the Management of the Pandemic

In Fig. 3.1, I display the percentage of decisions that the Parliament has issued (including regional and local assemblies) per country.

The figure shows that Parliaments rarely are the leading actors in managing the pandemic, that is, rarely the responsible authority. Five per cent of all documents included in EXCEPTIUS dataset were issued by a Parliament. Only Austria and the United Kingdom display a relatively high

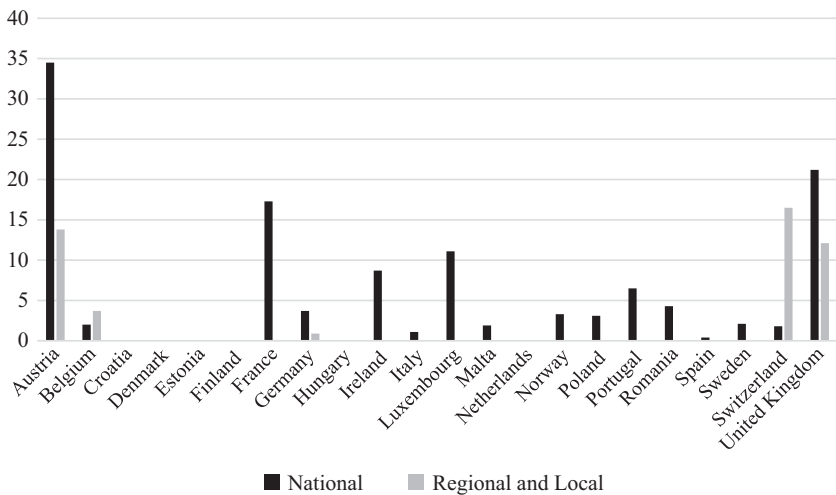


Fig. 3.1 Percentage of documents issued by national and subnational legislative bodies. Source: EXCEPTIUS data, own rendering

share of legislation issued by legislative authorities. As far as I know, only the Swiss Parliament has the power to declare a state of emergency. Elsewhere, it is a governmental prerogative, although a parliamentary approval may be needed (see Egger's contribution in this volume for a description of the procedures preceding to the declaration of the state of emergency). This country also stands out thanks to its comparatively high share of regulations issued by regional (i.e., cantonal) legislatures. Yet, even at the regional level, an executive dominance is observed even though such prominence is less marked at the subnational than at the national level. Most decisions regarding daily life restrictions were issued and supervised by the executives or administrative authorities. It does not mean that, in other countries, the Parliament was not involved in the decision-making. However, the decision (a bill, a restriction, etc.) is originating from and enacted by the government (or an administrative authority). For example, in Finland, the government played a major role in enacting legislation and, during the first wave, almost all pandemic-related acts originated from it. Yet, the Parliament still played a role in discussing and validating them.

In many countries—notably consensus democracies—collaboration between the political authorities has been the rule (Christensen & Lægheid, 2020; Saunes et al., 2022), but at the end, the government is the responsible authority. Interestingly enough, this decision-making process is correlated with a more successful fight against COVID-19 (Freiburghaus et al., 2023). Similarly, the Parliaments rarely initiated policies. Parliaments were the authority in charge only in a handful of cases and were limited to certain countries. This situation is not exceptional since implementing procedures is the essential role of executive bodies and state agencies. However, the question of executive dominance in policy-making is new in many countries known for their powerful Parliaments (Rasch & Tsebelis, 2013). In Italy, for example, the Parliament is considered one of the most potent legislatures, mainly regarding MPs' power of amendment and control over the agenda (Chernykh et al., 2017).

However, during the pandemic, its role was minimal. If it can amend the decrees, it had no role in the declaration of a state of exception or the possibility to end it. In the case of the pandemic, the situation is more problematic because of the legal instruments used. State of emergencies allowed the use of fast-track legislation and specific procedures characterised by the limited powers given to the Parliaments. The emergency powers were thus a priori detrimental to Parliaments. Yet, in many countries

(e.g., United Kingdom, Germany, Finland, France or Ireland), state of emergencies came with a sunset clause meaning that they would expire at a given date. It means that government would need a new parliamentary approval to extend the state of emergency. In France, a parliamentary approval was not required to initiate the state of emergency, but any extension should be scrutinised and approved by the legislature. In Germany, these laws can last only 90 days and the Bundestag approval is needed for any extension. In some instance (e.g., in Denmark), these sunset clauses also allow the Parliament to exercise its oversight capacity and evaluate the decisions made by the government.

The Role of Parliamentary Oversight

In most countries, the Parliament was involved at least at the initial stages of the decision-making when governments drafted laws. These laws generally mean transferring a large part of the powers to the government and public agencies in charge of the daily pandemic management. Most of the restrictions are, of course, legally bound to a Parliamentary decision. If a legal basis already existed before the pandemic—like a public health code or communicable disease act—the Parliament was involved in the decision-making at some point in the past. Still, their timing and scope are generally set without the legislature. Also, the way the decision-making was organised is exceptional since most countries used emergency powers which, in most cases, ensure additional capabilities to the executive and sometimes without an act of Parliament. In addition, many countries made use of fast-track legislation, as evidenced by the meagre number of decisions that have been subject to a pre-check or reviewed by the Parliament or a judiciary body before the implementation.

In most countries, legal checks (either by the Parliament or a constitutional court) are not mandatory for all bills. However, for bills that introduce significant changes, the practice is, in many countries, to proceed with the checks, nonetheless. The Netherlands, Finland and Sweden, for example, have parliamentary committees in charge of the constitutional review when deemed necessary. In France, the chair of the Senate and National Assembly may also ask for a constitutional review by the *Conseil d'État*. One example illustrating the importance of these checks occurred in March 2021 in Finland when the governmental project of a strict lockdown was deemed too vague by the Constitutional Laws parliamentary committee and subsequently withdrawn by the government.

Pandemic-related legislation and decisions can be included in this group due to their impact on daily lives and the economy. However, the number of decisions per country that underwent *ex ante* legal checks is limited.

Again, in many countries, the legal framework was pre-existing, and these legal checks may have been done at the time of its acceptance, making any new reviews redundant. In this case, the most problematic is the lack of participation of the Parliament in the definition of the content of the bills. Without being necessarily involved in a legal or constitutional check, the Parliament generally contributes to the checks and balances, which eventually improve the quality of the bills. It is difficult to assess the quality of legislation, mainly when it comes to those related to the pandemic. A parliamentary vote contributes to the legitimacy of the law and may improve its acceptance by citizens. There is already a rich literature on trust in politics in times of COVID-19 (Baekgaard et al., 2020; Esaiasson et al., 2021; Kestilä-Kekkonen et al., 2022) with a focus on compliance with COVID measures (Wong & Jensen, 2020; Kritzinger et al., 2021). It could be interesting to assess better the impact of the decision-making on both trust and compliance with the restrictions. A reasonable expectation would be to observe higher levels of trust and compliance with measures when the Parliament has shown that perceived competence of decision-makers matters (Kestilä-Kekkonen et al., 2022). More generally, research on Nordic countries show a correlation between a governance based on individual responsibility and use of regular decision-making process. For example, in Norway, the collaboration between political authorities and actors at various levels of government has been highlighted as an important factor explaining the high trust in government's decision and general compliance with the decisions (Christensen & Læg Reid, 2020).

SPEEDING UP THE LAW-MAKING PROCESS: DETRIMENTAL TO PARLIAMENTS?

However, fast-track legislation does not necessarily mean overriding the Parliament. In most cases, it “only” delays its work. In the United Kingdom, for example, the Parliament is still engaged, and the basic decision-making norms must be followed. Where a “regular” bill takes months to become a law, the 2020 Coronavirus Act was approved in five days. In Scotland, the whole process has been finalised in a bit more than 24 hours (Molloy, 2021). A fast pace offers a minimal opportunity for

MPs to amend and control the bill, but it offers a certain legitimacy to it. Similar observations can be made in other countries. In Switzerland, the COVID-19 act was accepted by the Parliament a bit more than one month after the message from the Federal Council (submission of the bill by the government for parliamentary scrutiny) when this process can generally last a year or even more. Some of the committees proceeded in less than a day. The Parliaments have thus the capacity to make quick decisions even in a country known for its slow legislative process. More generally, it also shows that emergency situations and exceptional powers granted to the executives may not be needed to ensure a quick decision-making. To paraphrase, the emergency does not justify overriding Parliaments or making use of specific legislative instruments (Voigt, 2022). In France, the bill was accepted five days after the government proposal. Yet, parliamentary approval was not necessary to implement the first restrictions. The government decided about the lockdown one day before submitting the bill proposal to the Parliament. The role of the Parliament is thus paradoxical. On the one hand, the governments cannot proceed without it. On the other hand, it may implement the act before the Parliament's approval, making it a formality. Even more paradoxical was the necessity for MPs to travel from their district to Paris (and back) to deliberate on the project when the whole country was in a lockdown and intercity travels, banned.

The question that arises is about the institutionalisation of such features. The pandemic has somewhat displayed a pessimistic picture of the Parliament. Still, new law-making patterns may appear, for some, more efficient in addressing problems, mainly when they require a quick response. In some countries, the relative establishment of the fast-track procedures started before the pandemic, but the emergency gave credit to them and introduced a reason for further using them. Moreover, there are examples of migration of emergency procedures in the standard legal system, reducing the role of Parliament in policy-making (Bolleyer & Salát, 2021). Bolleyer and Salát (2021) cite the examples of Hungary and the United Kingdom, where some elements of the emergency procedures were included in the common laws on catastrophe management and public health. The authors cite the case of the “negative procedure” in the United Kingdom that allows a minister to set a law unless the legislature agrees to reject it (Bolleyer & Salát, 2021, 1116). In Slovakia, the government made use of the emergency situation to reform other laws using fast-track legislations and decree.

The scholarship acknowledges this trend but also highlights the transformation of the role of the Parliament. Its position in drafting legislation has decreased, but, at least in theory, this should be compensated by stronger oversight powers. Ex post controls are among the most frequent, and COVID bills have been subject to these checks in many countries. In the United Kingdom, the Coronavirus Act included a sunset provision which ensures that the law ceases after a set period and cannot be extended without a new act. However, in the British case, this provision also includes additional powers for the Parliament to review the legislation later, generally once the emergency is gone. In Denmark, the legislation went even further. Like elsewhere, the Parliament did not play a vital role in the daily management of the pandemic, and fast-track procedures were used for virtually all COVID-related bills, limiting the duration of hearings, an essential feature of this working Parliament (Pedersen & Borghetto, 2021). Sunset provisions were also included, but in addition to this, the Parliament was able to extend its oversight powers. A special committee composed of representatives from all parliamentary groups was set to scrutinise the act's implementation (Pedersen & Borghetto, 2021). As far as I know, such a post-legislative control committee is a unique case, but it shows that even in an emergency, Parliaments can transform themselves to fit a new “state of the world.” In other words, although it is undoubtedly a unique occurrence, the pandemic can also be a trigger for reforms that are not necessarily going in the direction of a declining Parliament. In France, the emergency also incited the government to delay the parliamentary procedure, but without a proper sunset procedure requiring a parliamentary evaluation. In this case, the Parliament can reject the decrees after a month. However, the addition of a rally round the flag, strong party discipline and support to the government and president clearly limited the impact of the procedure.

As underlined in other chapters, there are various situations behind the idea of emergency powers. This variety also impacts the role of Parliament in managing the pandemic. Exceptions are observed, and in some countries, the Parliament was able not only to play a crucial role but also to expand its capacity or transform its role. One event illustrates this process. It happened in Finland in March 2021 when the number of daily cases was on the rise. The government and president had declared a state of emergency for the second time in the pandemic to allow the government to lead the fight. However, in this country, each new decision (e.g., closure of public facilities or schools), including those made during a state of

emergency, requires parliamentary approval. The Parliament (mainly the standing committee for constitutional laws) has to proceed with the legal review. In March 2021, a project to implement a strict lockdown was drawn by the government and submitted for review. The committee assessed the project as being too vague, which led the government to withdraw it. The parliamentary agreement was also necessary before implementing the most stringent measures in March and April 2020 (closure of schools and isolation of the capital region from other Finnish regions).

Although it is difficult to find a causal mechanism here, one explanation could be the level of preparedness of a political system (Saunes et al., 2022). Finland (and other countries) clearly set emergency powers and communicable diseases acts. Pre-existing legal frameworks set the responsibilities of each actor. In Finland, for example, the emergency powers do not directly force the Parliament to step down. The law-making process was similar to normal, although MPs decided to speed up the process. The episode of March 2021 shows that when needed, the Finnish Parliament knows how to keep its prerogatives and the government has no choice but to withdraw its bill. In other countries, the pattern is more concerning. When the legal framework regulating emergency powers granted discretionary powers to the executive, the Parliament was *de facto* put on the back burner. In addition to the legal framework regulating the management of the pandemic, there are political features that also intervene. Bolleyer and Salát (2021) highlighted the negative impact of unified and single-party governments. When the government does not need to make agreements with coalition partners or the opposition, the number of possible gridlocks is relatively low, facilitating quick decisions and government empowerment in emergencies (Olsson, 2009). The nature of coalition governments makes it necessary for the quest of agreements and intra-government check-and-balance to apply still. In other words, the less concentrated the power, the less weakened the Parliament.

To sum up, a state of emergency was declared in many European countries without the immediate support of the Parliament. Besides, the role of Parliament remains limited once the state of emergency is implemented. Most decisions are made by the executives and/or administrative authority without parliamentary oversight. This should not, however, hide that situations are very diverse. Some parliaments were able to regain their powers or transform their role, mainly thanks to sunset clauses that offer

the opportunity for Parliaments to exercise an ex post control over the government's actions.

DAILY WORK DURING THE PANDEMIC

The EXCEPTIUS data display no evidence of pandemic-related legislations directly targeting the Parliament. As explained in the previous section, the Parliaments have sometimes been the collateral victims of the policies made by executives. Complete closure of Parliaments was very exceptional even during the uncertain times of the first wave.

However, this does not mean that the work in legislatures remains untouched. Like other types of assemblies, the Parliament was impacted by the restrictions of gathering and regulations about social distancing, as well as other policies applying to indoor settings. Some assemblies also implemented some work-from-home policies not only for their administrative staff but also for legislators. Similarly, the public could not access the Parliament anymore due to the closure of indoor spaces. In virtually all countries, the Parliament was, thus, not treated differently from other public venues. EXCEPTIUS data do not, for example, display any illustration of an exception granted to a parliamentary building to continue hosting the public.

In some cases, the physical closure of the building occurred even before the first significant measures were voted (Pedersen & Borghetto, 2021). Also, in some instances, members of Parliaments were subject to travel restrictions. They were prevented from travelling between their district and the capital but also within their constituency. Although they were not directly targeted, they were not granted any exceptions either. For example, such travel restrictions have been reported in Italy (Pedersen & Borghetto, 2021). Elsewhere, although regulations applied, MPs were granted exceptions (as other public officials) and were not directly prevented from fulfilling their duties. For example, in France and Finland, a fixed share of MPs could be in the plenary simultaneously (the number varies over time), and online meetings were organised mainly for the work in committees.

There are also some instances of Parliaments gathering in new venues to respect the physical distance or to fit all members in a closed space. We have observed such delocalised meetings in Liechtenstein, where plenary sessions took place in the *Vaduzer Saal* and Switzerland. The federal Parliament convened at the Bern Expo exhibition centre in the latter case.

Some cantonal Parliaments also set meetings in delocalised manner. For example, the Neuchâtel Grand Conseil convened in La Chaux-de-Fonds' sport centre (*pavillon des sports*).

One of the most striking evolutions is observed in Latvia with the creation in May 2020 of the *e-Saeima* platform (literally the e-Parliament). It allowed all parliamentary meetings (including plenary sessions) to take place remotely and offered MPs the opportunity to cast their votes securely. Such an online voting tool is exceptional in European legislatures, although many at least thought about setting it. Safety issues have been raised in many cases to explain the lack of an online voting system. As a result, beyond Latvia, as far as I know, only Belgium and Ukraine set some online voting procedures, even though they did not go as far as Latvia. Other countries set other arrangements. In Greece, there was an option to cast a ballot by post while the Parliament convened at a limited capacity. In that sense, the pandemic may have had positive consequences mainly because these tools did not exist before. Some countries were thus able to adapt very quickly to the new situation and to develop instruments to facilitate the parliamentary work during hard times.

Elsewhere, although online meetings were possible in other countries, they were scarcer. In some legislatures like Germany, Estonia and Hungary, only urgent matters were considered, mainly in a remote way. Online voting had been an issue in most countries, during the first stages of the pandemic, at least essential matters (the definition varies from country to country) were handled and most Parliaments resumed their normal activities very quickly in 2020.

The pandemic triggered or accelerated the pace of some transformations that are not necessarily negative. Many Parliaments experienced significant changes, and the move to a fully online setting as in Latvia may be an extreme example. However, procedural changes in Finland allowed committees to organise remote meetings and remote hearings. In a country where these meetings are crucial, it constitutes a major change. Although they were first temporary, they have been made permanent in 2021. In Ireland, the pandemic triggered the use of roll-call votes instead of manual votes. These transformations may enhance the transparency of the decision-making, since it may allow citizens to follow the debates and know how their MPs behave in Parliament. Before the pandemic, following the discussions would require going to the Parliament since only a few legislatures had their work broadcasted live on TV or their website. To a certain extent, the closure of parliamentary buildings to the public also

enhances the visibility of the parliamentary work. It somewhat forced the Parliament to adapt to a new type of demand, and some chambers succeeded while others returned to their old practices.

The role of Parliaments in the management of the pandemic and its daily work has changed over time and across waves. The development of online tools and the wide use of personal protective equipment allowed MPs to go back to work already in the fall 2020 in most countries. This trend mainly impacted the management of all issues that were on standby during the first wave, but it also allowed them to work on pandemic-related legislations. First, since many governments introduced a sunset clause in the laws, it was required for the Parliament to deliberate and review the implementation of the bills. In some countries (e.g., France and Germany), it was also the moment for the Parliament to discuss a possible extension of the state of emergency. It is also during this period that governments and Parliaments started to revise the existing legislation to better handle upcoming emergencies. Finland revised its Communicable Diseases Act, and Norwegian Parliament worked on both the Infection Control Act and the Health Preparedness Act. In the two countries, the goal was to manage the pandemic with normal laws and avoid using exceptional powers. Parliaments played a major role in both cases and the regular law-making process was used mainly when it comes to committee hearings, an important element in these two Nordic countries.

Second, although Parliaments were not totally shut down during the first wave, they hardly functioned as normal. Both personal protective equipment (mainly face masks) and online tools allowed Parliaments to come back to an almost normal setting. Already in the fall 2020, most Parliaments started to gather in plenary sessions (some with a limited number of MPs) and to deal with the topics that were put on hold during the spring. In 2021 and 2022, the Parliaments worked almost as normal thanks to many adaptations. Procedural changes have been made to organise remote meeting when the risk of contamination was deemed too high (mainly committee meetings). Also, Parliaments benefited from a better knowledge of the virus and of more targeted measures to avoid being closed or restricted in 2021 and 2022. One major exception to this trend is the temporary vaccine mandate for MPs in Lithuania from November 2021 to July 2022. However, it must be noted that the Parliament itself voted in favour of this restriction. It is nevertheless a unique case in Europe, since no other Parliaments experienced those strict restrictions after the first wave. Maybe paradoxically, the fact that vaccine mandate (or

test-mandate) does not apply to Parliaments has also been subject to some criticism.

CONCLUSION

The pandemic has had a massive impact on daily life and political institutions. Parliaments are no exceptions. The pandemic has undoubtedly reinforced the executives mainly due to the wide use of emergency powers. In managing the pandemic, Parliaments were put on the back burner. It must, however, be noted that most Parliaments conscientiously agreed to let the executive manage the pandemic since, in most countries, the emergency powers were subject to a preliminary vote in Parliament. So, executives benefited from an exceptional legal framework and a rally around the flag effect that encompassed most political actors and citizens. The opposition to these arrangements was thus limited at the early stages of the pandemic. Besides, there was a tacit agreement between parties not to overburden the government with non-urgent matters. All in all, it gave the impression that the legislature was shut down.

The reality is more complex and, more crucially, varies from country to country. It is difficult to highlight a pattern here, but two key elements make a difference: the emergency powers and their duration. Regarding emergency powers, not all countries have a similar legal framework, and it influences what role the Parliament plays. In all cases, there is a delegation process made by the Parliament in favour of the executive. The nature of this delegation does, however, differ, and some Parliaments were able to retain or recover remarkably well. In some cases, the emergency powers did not imply any weakening of the Parliament. Still, they allowed the government to make decisions on policy areas that it should not in regular times. Elsewhere, the Parliament agreed to transfer some competencies to the government and administration. In this case, the role of the legislature mainly depends on what is included in the state of emergency. Most countries added a sunset clause to make sure the legislation ends automatically. In some cases (the United Kingdom and Denmark, among others), it also stipulates the role of Parliament, which oversees the evaluation or even supervises the implementations. One key element for a democracy to keep working is its ability to recover from a crisis (Merkel & Lührmann, 2021).

In this aspect, the situation is not black or white. In most countries, the Parliaments recovered entirely and now work as usual. It is mainly the case in countries where the pandemic did not impact the parliamentary

procedure, which could “get back to work” as soon as the restrictions on gatherings were dropped or amended. The pattern is less optimistic in the countries where emergency procedures were integrated into the customary laws. Hungary is the most striking case (Bolleyer & Salát, 2021). Still, it is essential to note that it is only one element of a broader trend towards democratic backsliding that started way before the pandemic (Bánkuti et al., 2012). More surprising are the positive developments that have been observed, for example, in Denmark and Latvia.

Hence, although Parliaments were not shut down during the pandemic, their role in managing it was not substantial. The state of emergency offered strong powers to the executives, and although most of the legislatures were able to regain their abilities, there were exceptions. Also, Parliaments had to adapt or redefine their procedures and work standards to fit the regulations. In some countries, it has been done by prioritising the tasks related to the pandemic and limiting the meetings and votes on other issues. Elsewhere, the Parliaments developed new tools (mainly online), allowing them to continue working. Some of the devices could even enhance the transparency of the law-making and, thus, the involvement of citizens in the policy-making.

An important role is also played by the institutional design and the general power of Parliament in the policy-making. Except for Italy, countries with a strong Parliament before the pandemic also had a strong Parliament during the pandemic. As a result, Parliaments played a greater role in parliamentary systems rather than in semi-presidential regimes. They were also the ones that went back to normal the quickest. Having an executive that is directly accountable to the legislatures is an important element against democratic backsliding (Boese et al., 2021) mainly because it ensures a broad democratic legitimacy to the decisions. The pandemic tends to confirm this trend. The best examples are Nordic countries—thanks to multi-party governments—that came across the crisis almost untouched and with Parliaments invested in the management of the pandemic. In countries with stronger executives, the situation is more varied. In Western Europe (e.g., France and Spain), the Parliaments did not play a great role in the daily management of pandemic mainly because of governments with single-party majorities limiting the need for cross-parties’ agreements. A return to the normal settings occurred later than in the Nordic countries, but, at the end, they remain largely untouched. In Central Europe, the situation is more complex. Trends towards weakening Parliament were pre-existing mainly in Poland and Hungary and the

pandemic did not alter them. This is the case in Poland and, mainly, in Hungary. Weak institutions also limited the ability of Parliaments to fulfil their duty. The lack of proper online settings made difficult for the Slovakian Parliament to extend the state of emergency (COVID-positive MPs were finally allowed to leave from quarantine). Also in Slovakia, the use of fast-track legislations literally exploded after the pandemic also for revising laws completely unrelated to the crisis. Czech Republic is an exception mainly thanks to the inability of two successive governments to hold a single-party majority.

Hence, (1) a strong Parliament in an established democracy leads to a legislature that is involved in the management of the pandemic and whose daily work has hardly been impacted by the pandemic. It is particularly true in Nordic countries, but also Germany and the Netherlands. Italy, on the other hand, is a major exception. (2) A strong executive in an established democracy leads to an executive dominance and temporary disruptions of the work of the Parliament. Yet, the legislature regained the lost powers over time and played a great role in reviewing governments' work. France, Spain and the United Kingdom illustrate this situation. (3) In countries with weaker democratic institutions, Parliaments sometimes struggled to play a role beyond the validation of government projects. In this situation, the consequences went beyond the pandemic with a use of emergency powers for projects unrelated to the crisis. Central European countries such as Poland, Hungary and Slovakia are in this situation.

The pandemic has shown the necessity of clearly defining the roles of each actor, Parliament included. Crises should not be immune of accountability and, more importantly, should not be used to increase one's powers (Boese et al., 2021), making crucial to anticipate them. Parliaments ensure the democratic legitimacy of the decision-making and constitutes a barrier to possible abuses. Laws regulating the use of states of emergencies should also come with guarantees against concentration of powers mainly by limiting the ability of government to use confidence vote to ensure the parliamentary approval, fast-track legislations and decrees. The pandemic has shown that Parliaments are able to make quick decisions without jeopardising the answer to the crisis. Hence, inciting governments to make use of "normal" legislative instruments and passing bills through the regular legislative process (even accelerated) does not mean the emergency would be inefficiently fought, quite the contrary. It would also contribute to legitimise the decision and limit the consequences for the democratic institutions. Power sharing appears to be the key (Christensen & Læg Reid, 2020).

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