

# **Documentary Evidence and Legislative Formulation: Insights from the Social Development Commission**

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## **Abstract**

The article analyzes the use of evidence from different sources as an input to support the legislative initiatives presented in the Chamber of Deputies in Mexico. In a highly politicized environment such as the legislative field, the incorporation of monitoring, evaluation and auditing instruments represent useful tools not only for the development of legislative initiatives and proposals, but also to inform and enrich the debate, in a context where different ideologies systematically converge. The proposed hypothesis establishes that the use of evidence is still an underutilized resource in legislative work in Mexico. Through a case study, the main sources of information explicitly referred to in the legislative initiatives presented to the Social Development Commission of the Chamber of Deputies during the lx, lxi and lxii legislatures are analyzed. The most relevant finding is that the use of evidence is an underutilized resource in legislative work in Mexico.

**Keywords** : legislative work ; bill ; Chamber of Deputies; audit; Social Development Commission.

## **Introduction**

Legislative work involves the systematic implementation of political and technical activities that require legislators and their teams to develop skills that contribute to facilitating their tasks. An important element of legislative work is the formulation of legislative initiatives aimed at addressing public problems. These initiatives must not

only consider the political values that the legislator and his party represent , but also robust and objective evidence about the existing problems and alternative solutions that support the creation and modification of the legal instruments of the State. The task of legislators is fundamentally based on the capacity for argumentation, persuasion and negotiation to generate consensus that will eventually become laws , policies and public programs . In a context of plurality where different values, ideas and political positions coexist, empirical and documentary evidence represents an input that allows us to identify problems, understand the nature of social dynamics, recognize the need for legislative interference in public affairs, generate arguments that contribute to public debate, facilitate informed, objective and consensual decision-making, as well as promote debate and negotiation with public and private actors with divergent interests . This is directly linked to the processes through which the different actors, in this case the Legislative Branch , form their agenda . The institutional framework in which this agenda is created will invariably affect the negotiations and arrangements that occur and even the mechanisms that will be used to participate in the process .

this dynamic (Casar and Maldonado, 2008). Information from public monitoring, evaluation and auditing has increased within the public sector in recent years . In particular , in the sphere of the Executive Branch , the findings derived from these instruments have become an important input for decision-making and public debate on opportunities for improvement and feedback on public policies . The promotion of monitoring and evaluation systems has made it possible to establish effective feedback channels. However, the analysis of the use of empirical and scientific evidence for the construction of the public agenda , as well as its practical implications in governmental processes in the legislative sphere, constitute relevant topics in the study of public affairs and have not been properly addressed in the current scientific agenda .

The purpose of this article is to contribute to the debate on the way in which the

Mexican Legislature uses information derived from different sources to support legislative initiatives in the Chamber of Deputies. The hypothesis proposed is that the use of evidence in legislative work is still an underutilized resource. The article presents a sample analysis of legislative initiatives presented to the Social Development Commission of the Chamber of Deputies during the lx , lxi AND lxii LEGISLATURES , in which the main sources of information that are explicitly referred to were identified. The description and analysis of this research allow inferences to be made regarding the use of information generated through different means . (evaluation, auditing and independent studies , among others) for the construction of arguments that support the creation of legislative initiatives . Based on the above, it is possible to observe that, although the use of evidence in the legislative field has gradually increased, it remains modest in relation to its potential benefit in strengthening legislative tasks .

The document is made up of four sections. First , a theoretical review of the use of evidence within the public policy process and, specifically, in legislative work is presented. Then, the analysis of the initiatives and the findings obtained from this process are described, in terms of the sources of information identified. The third section discusses the use of evidence in legislative work , based on the case study . Finally , the most relevant conclusions of the research are presented .

### **Theoretical framework . Evidence and public policies**

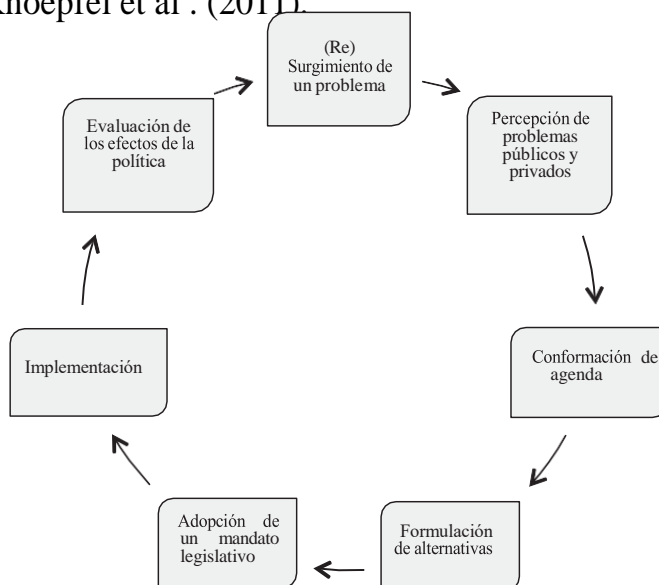
Public policy , understood as “ the result of the activity of an authority invested with public power and governmental legitimacy” (Mèny and Thoening, 1992: 89), demands the systematic assessment of its effectiveness, with the purpose of contributing to decision - making . The complexity inherent to public policies implies that, at least theoretically, this process is conceptualized as a set of stages that allow us to elucidate the the decisions and actions that take place during its elaboration (Lasswell, 1970; Parsons, 1995; Bardach, 2008).

According to Knoepfel et al. (2011), the public policy process begins with the identification of a problematic situation that requires the use of the State 's public power for its resolution. The construction of the problem, in democratic and plural societies, will be the synthesis of the perceptions, ideas and values of different public and private actors. By definition, public policies are the result of a democratic exercise of public discussion and consensus . Subsequently, the problematic situation is included in the public agenda, where different public problems coexist and are prioritized based on technical or political factors. Establishing alternative solutions also implies a public debate and the use of official and academic information related to similar experiences in other contexts. It is essential to note that public policies must be designed considering the regulatory framework in which they are developed. In the next stage, State organizations will be in charge of implementing these decisions. Finally, public policies must be evaluated and the resulting information must provide feedback to the process. Although in practice the process does not occur sequentially , this theoretical model allows a complex procedure to be divided into sequential stages , to facilitate its analysis.

**Figure 1**

The public policy process

Source: Knoepfel et al . (2011).



The use of evidence in the public policy process has gained importance in recent years due to its contribution in different areas (Sutcliffe and Court, 2005; Taylor, 2005; Bogenschneider and Corbett, 2010). In the present research, evidence refers to the "set of facts or information available that indicates that a belief or thesis is true or valid" ( Oxford Dictionaries , 2014), it is considered "information selected from the available set and introduced at a certain point in the argument to persuade a particular audience of the truth or falsity of a claim " ( Majone, 2005: 45 ).

The above allows us to understand how, based on information and data derived from a research process, it is possible to construct arguments so that actors participating in the public debate can persuade others about the adoption of an idea . The collection and analysis of information is useful to the extent that users can use it as a basis for generating arguments that go beyond the political convictions of each actor. Evidence, then, allows us to provide arguments that are more difficult to refute and more persuasive.

In legislative matters , the use of evidence has been recognized as a mechanism to improve the link between the design and implementation of public policies . Anglo - Saxon literature , for example, refers to the concept of evidence-based lawmaking as a mechanism that allows the law to :

[ ... ] set realistic terms for development , give people and communities a voice , allow for participation and assess the achievement of results, [encourage the law ] to be more specific and reduce overly ambitious aspirations to introduce radical changes to the existing system but which fail to generate a real impact ( Mousmouti and Crispi , 2015: 261 ).

Evaluations of public policies and programs are, therefore, one of the most frequently used types of evidence to assess the consistency between legal postulates, organizational management and the results generated within the public sector. The resulting evidence can be incorporated into different processes within and outside the governmental sphere; for example, in the analysis of the costs and benefits of

implementing a program, in the assessment of its effects on the target population or in the viability of increasing the budgetary coverage of a policy (Picciotto, 2005: 134).

The theoretical discussion of the use of evidence is relevant for several reasons. First, because mechanisms for obtaining information about different variables of public policy, such as monitoring, evaluation and auditing, have multiple applications within the public sector. The development of approaches such as utilization -based evaluation (Patton, 1986) has promoted the possibility of translating evidence into improvements in public policy or in strengthening decision-making. Second, because the usefulness of evidence can be conceptualized in different ways , for example:

may refer to a direct action that occurred as a result of an evaluation - use - to something new learned about a program, its beneficiaries, its operation or its results from the evaluation - conceptual use - ; the learning from the findings of an evaluation or from participation in the process - procedural use [ ... ] and in some even associated with evaluation as a rational basis for justifying action or inaction or preconceived positions symbolic use (Henry and Mark, 2003: 294).

Through multiple methods, evaluation provides information of different natures that can be used to convert it into evidence for different purposes. The usefulness of such evidence is defined by the actor who uses it for a particular purpose. An important point in the discussion is that carrying out evaluations at any level - policy , program , organization - entails the use of material , financial and human resources whose expenditure can only be justified by usefulness of information generated. If the evaluation is not useful for someone , then it becomes a sterile exercise in which resources are used that could have been used for another activity . Although it is not possible to guarantee the usefulness of the evaluation de facto , there are some factors that can help to achieve a better integration between evidence and the public policy process. According to Lawrenz , Gullickson and Toal (2007), aspects such as the identification of potential users, the selection and scope of information, its clarity and the impact of the evaluation can promote the use of evidence in the public policy

process (Table 1). Even though the theory focuses mainly on evidence generated during the evaluation , this discussion is relevant to gather information from other sources whose application is possible within the evaluation process . process of designing and implementing public policies .

**Table 1**

Factors affecting the use of evidence in the public policy process

Factors	Identification of potential users
	Selection and scope of information
	Clarity of information and timely access
	Possible impact on the public policy process

Source: Own elaboration , based on Lawrenz , Gullickson and Toal (2007).

Regarding the identification of potential users, Grasso ( 2003 ) points out that the disconnection between those who produce the information and the needs of the users can affect its use. If information is generated without considering the audience , there will be little chance that it will be used as evidence . This is not insignificant, given that the development of evaluations and audits to obtain evidence constitutes a policy in itself . In Mexico, for example, both the Executive and the Legislative have bodies designed for this purpose. Their operation involves the expenditure of resources and the monitoring of a work program established for this purpose. Therefore, it is expected that the achievement of these activities will have an observable effect . This means that the evaluations coordinated by the National Council for the Evaluation of Social Development Policy (Coneval) will translate into improvements for the programs of the Federal Public Administration ( APF ) , just as the activities of the Superior Audit Office of the Federation ( asf ) ALLOW , for example, the detection of



deviations in the exercise of public spending .

Regarding the scope of information , evidence can cover a wide range of elements about public policies and programs. For example, the relationship between evidence and accountability is a transcendent aspect . The fulfillment of goals and the identification of results are indispensable within an accountability system , which has gained importance due to the increase in social demands for greater transparency and evidence on government effectiveness (De Lancer , 2006 ) . This situation inevitably forces the different actors within the public sphere to gather elements that can support their decisions and actions , as well as those in charge of demanding accountability the Legislative Branch , for example consider the available information .

On the other hand, the generation of timely information is another aspect that determines its use. According to Boyer and Langbein (1991), this factor has a considerable weight in its usefulness. For example, in the case of information generated from the work of the asf , there is a delay in the publication of the public accounts report , which limits the use OF this information in legislative work . Although this issue is developed in greater detail in the analytical section , it is IMPORTANT to bear in mind that the timely provision of evidence can also affect its quality .

The effect of evidence on the public policy process is another point to consider. In this sense, “a useful evaluation can be defined as one that provides timely and relevant evidence that increases the probability that policy decisions will improve the performance of a program” (Ginsburg and Rhett, 2003: 490). The information generated by an audit or evaluation will be useful to the extent that it contributes to enriching existing knowledge about a policy . At the same time , its usefulness depends on the effect it has on the public policy process . For example , if it helps an official make decisions that reduce the operating costs of a program or if it is used as a basis for the discussion of a law in Congress , then its usefulness is perceptible .

Another important element that can enhance its use is that users are part of the evidence



generation process (Davies, Nutley and Smith, 2000). If collaborative links are established between users and producers, it is more feasible that the evidence will be considered valid and used more frequently. In the case of Mexico, a large part of the evidence derived from the evaluation is managed by the Executive. If entities such as the Coneval or the Ministry of Finance and Public Credit ( SHCP ) promoted the participation of legislators and their work teams in these processes, more incentives for use would probably be generated, based on the basic premise that there would be greater knowledge about the existing information and its potential within legislative work. The relationship between the decisions of the Executive and the Legislative demonstrates that the information generated by the evaluation is a valuable tool for the development of the information.

I celebrate the relevance of the use of evidence, as Valencia points out :

[...] public policies are always impregnated with legislative decisions - or formal framed in an institutional framework whose purpose is to influence, modify, alter, transform, regulate or even build policies where the domain is no longer only governmental (Valencia, 2012: 14).

This means that there is a reciprocal effect derived from what happens in both arenas. For this reason, the usefulness of information as evidence can be explained in different ways. Leviton and Hughes (1981) identified for this purpose four groups of variables (Table 2) that affect the use both positively (+) and negatively (-), so that this model allows to identify the congruence with what was previously discussed in this section.

Thus, empirical and documentary evidence provides greater rationality to the decisions of public and private actors involved in the public policy process and helps to support and articulate their arguments. However, it is not possible to abstract from this process which could be considered eminently technical then focuses on the combination of the use of empirical and documentary evidence and the construction



of political arguments. Thus, "the success of the evaluation will depend largely on the ability to reconcile the plurality of aspirations that promoted its development with the desire to obtain information about public action" (Duran, Eric and Smith, 1995) . The following section addresses in greater detail the relationship between the use of evidence and legislative work .

**Table 2**

Variables that favor or limit the use of evidence

Variables	a) + Evaluations meet the needs of the user
	b ) Needs of policy makers + Information about resource allocation + Information about the implementation + Information about effectiveness
	c ) Operator needs + Information about the implementation + Information about the effectiveness of some elements of the program + Information about effectiveness in general is less of a priority
	d ) Timeliness of information +/- Probable interaction with the type of use +/- Interaction with the stage of the policy process + Time available to take into account the evidence

Source: Leviton and Hughes (1981).

### **Evidence and legislative work**

Much of the discussion about the use of evidence in the academic field has focused on the Executive Branch. In the legislative field, however, it is an element that has been little analyzed. The development of proposals, initiatives, decrees and other legislative products is based on different sources, which inform and support them. Addressing public problems implies that the Legislative Branch evaluates and discusses different visions whose final result will be the promulgation of a law and whose

implementation will fall within the scope of the Executive .

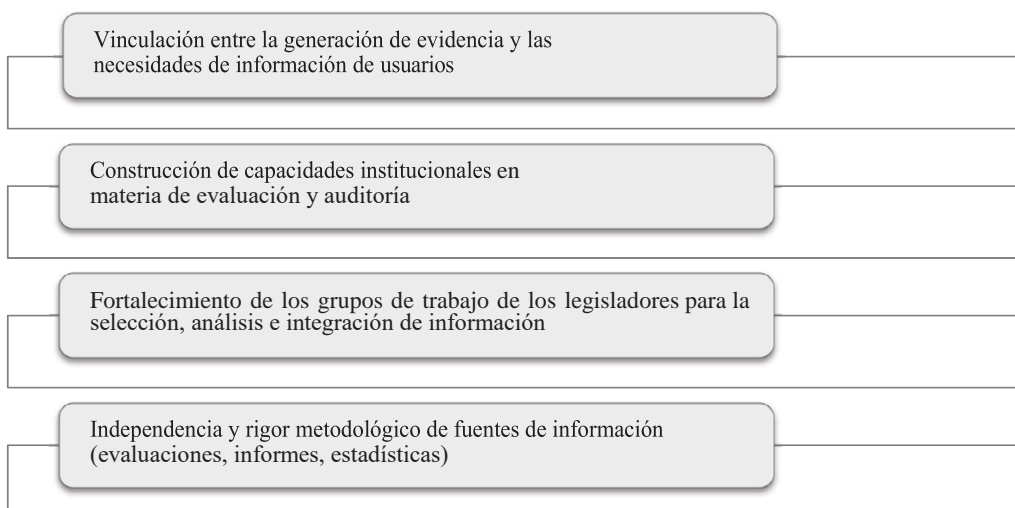
The use of evidence has been strongly associated with the improvement of public policies from the field of their execution. Some examples of how it can inform decision makers within the government apparatus are those changes related to the simplification of processes or the reduction of costs in the implementation of a program , as well as the identification of the target population to determine the scope of a policy . However , the dynamics of the legislative field are different and must be treated in a differentiated manner . On the one hand , in the Legislative Branch there are different visions and conceptions about how the different aspects of public life should be regulated. On the other hand, the deliberation that takes place in this field is strongly linked to the political convictions of each legislator and party. Unlike the executive branch, legislatures are spaces whose nature is predominantly political. Contrary to what happens within the management of the Executive Branch, where evidence usually has an operational application , within congresses or parliaments its function is more directed to inform and support the political positions of legislators. Independently of the ideological issues of each legislator or parliamentary group , evidence can provide elements to argue in favor of those issues that wish to be submitted for discussion and, eventually, be approved and specified in a law (Bussman, 2008). The importance of promoting the creation of bodies linked to the Legislative Branch for the monitoring and evaluation of public policies lies in the fact that these bodies must act as “the eyes and ears of legislators [...] this means providing detailed descriptive information that allows legislators and their teams to have a clear idea of the functioning of a program” (Patton, 2002: 199). Decision - making that takes place within the Legislative Branch implies knowing multiple aspects about a policy or program, even though this cannot be an exhaustive process . This demands that legislators have technical bodies in charge of collecting, systematizing and analyzing information that allows them to know the most relevant characteristics of a given policy

or program and, based on this, work on the construction of arguments. According to some studies on the subject, the use of evidence in the legislative field is limited (Pollit, 2013). In terms of information derived from performance evaluation systems, “there is a need for greater efforts to systematically assess the contribution of performance measurement across jurisdictions and levels of government” (McDavid and Huse, 2012: 22). The formation of the budget, the The model, which is closely linked to the development and implementation of results-based management, also illustrates this point. The purpose of this model promoted by new public management<sup>1</sup> is to provide greater rationality to decisions about the distribution and execution of the budget, based on information on the performance of public policies and programs, which can eventually support legislative decisions regarding the formation of the budget. However, this activity cannot and should not be completely technical or political, since “it requires both types of decisions and constant attention, including the realization of adjustments not only of objectives, but of mechanisms of measurement and validation” (Pollitt, 2013: 358).

Some authors, for example, Mark and Henry (2004), have identified as part of a model to promote the use of evaluation, the link between evidence and its use

**Figure 2**

Factors that favor the use of documentary evidence in the legislative field



Source: own elaboration .

Varone, Jacob and De Winter (2005) point out that the number of actors involved in these systems is relatively low, coupled with the fact that the administrative branch controls a large part of the process, while areas such as the Legislative are under-represented. This suggests that there is little involvement of actors from the Legislative in the promotion and development of systems that generate information about public policies that can be translated into evidence and that a more active stance is needed to make explicit their information needs and the characteristics of this information .

The case of the National Audit Office ( NAO ) in the United Kingdom illustrates this point. It is a body that aims to “scrutinize public expenditure on behalf of Parliament, contributing to holding government to account and to improving performance and service delivery ” ( NAO , 2014 ). As a technical body of Parliament, the NAO systematically produces reports and studies related to verifying the correct use of public resources .

Such evidence is continually used by Select Committees within the House of Commons to conduct their own inquiries into government policy , and is continually referred to during public hearings . There is thus a direct link between the activities undertaken by the House and their APPLICATION within the legislative work of Members of Parliament . Regardless of the differences between political systems, this example is useful in illustrating the use of evidence as an internalised practice.

The relationship between the information needs of legislators and the work of evaluators and auditors becomes a priority issue . The usefulness of evidence depends on whether it is relevant and timely for the user 's purposes . Legislators are therefore required to express their information needs more specifically :

[ ... ] this process can be shortened and simplified considerably although not eliminated through direct contact between the legislators ' work teams and the evaluation areas , so that the mandate incorporates research areas , results or

objectives that are of interest to Congress ( St. Pierre , 1983 : 434 ) .

Thus, it is essential to build institutional capacities in the area of evaluation and auditing. The organizational culture does not de facto incorporate the idea of the benefits of these activities as part of the public policy process . Instead , there is a “natural” resistance within organizations to submit to exercises of this nature. From the perspective of legislative bodies , the issue of evaluation and auditing culture is more closely linked to promoting the use of findings and their integration into legislative work. To the extent that legislators and their work teams are aware of the benefits of using information from different sources to develop evidence for their proposals , they will gain greater clarity about their own information needs and their characteristics .

On the other hand, within the research in this field, some evidence arising from committees in state legislatures in the United States suggests that “task forces play a fundamental role in selecting , evaluating and shaping the information used by legislators” (Lewis and Ellefson, 1996: 44). The research indicates that these task forces play an important role in locating information, accessing multiple sources, differentiating between them, integrating and organizing them, as well as structuring legislators’ requests for information . This point is not trivial , since the task force of legislators has a crucial function in enabling them to obtain information on a topic. Considering that multiple and varied issues are discussed within the legislative agenda , this represents a challenge in terms of the level of specialization of the task forces . Since it is impossible to have a specialist in each of the possible areas of expertise, the task force must be able to provide the necessary information to the legislators.

topics for discussion, it is important that those who are part of the work team are able to identify, systematize and analyze evidence from different sources that can support the legislator 's decisions .

Among the possible sources of information that can be accessed, the issue of credibility



and robustness is of great importance . Other related research shows that information generated by those evaluators that legislators consider independent tends to have a greater impact in terms of its use (Vanlandingham, 2011). Thus , the independence of evaluators or auditors has a direct relationship with the credibility of the information; therefore , legislators will be more likely to use information from those sources that they consider more reliable. This is consistent with what was mentioned above about the use of evidence to build arguments . The reliability and robustness of the data used contributes to making the arguments more solid and supported not only by a political position, but also by verifiable evidence. This is fundamentally a response to the recognition of the methods used . Clarity and transparency in the procedures that gave rise to the information allows users to understand the scope of the information and the possible limitations it presents.

Likewise, promoting the use of evidence is not a task whose responsibility falls solely on evaluators, although they can have an important influence, at least in two aspects: the first refers to their capacity to “favor use by reducing polarization or modifying the representation of potential users to promote their participation ” ( Contandriopoulos and Brousselle , 2012 : 73 ) . If multiple perceptions are incorporated, it is possible to reduce the controversies that may arise about the result of an evaluation and have a much more plural vision of the effectiveness of the policy, in addition to reducing the generation of radically opposed positions that are difficult to reconcile within the political arena of the Legislature . The second aspect has to do with the capacity of evaluators to adapt the characteristics of the evidence generated to the presentation needs of legislators . Given time constraints, presentation of succinct and focused information will be more appropriate than lengthy reports and briefs, which would likely be of greater use to academics or operators.

This discussion shows that, in terms of legislative work , the use of evidence is associated with informing decisions and serving as a basis for argumentation. The

nature of information responds to multiple factors such as availability , access , credibility , user preferences , as well as some other unobservable factors; however, in a context of predominantly political nature such as the legislative field , one of the most interesting aspects that are presented as an obstacle to the use of evidence are pre - existing ideological positions . According to Posavac and Carey (1989), information derived from evaluations may be dismissed or ignored altogether if potential users have different political convictions and, consequently , already established positions on a particular issue . The ideology of individual legislators or partisan factions may constitute a barrier to the discussion of other points of view, especially those whose main argument is not based on evidence . The importance of this point lies in the need for those participating in the legislative process to be receptive to a discussion in which ideas different from their own may be presented .

As a final point , it is worth noting the relationship between evidence and accountability . The institutional capacity that has been granted to legislative bodies is strongly focused on the idea of identifying and sanctioning deviations in compliance with the norm. In this sense, in terms of accountability, evidence constitutes a valuable element for legislators in their tasks . As suggested by Rossi , Lipsey and Freeman (2004), the identification of policy results must be carried out based on credible and robust information , so that this information can provide feedback to the accountability systems implemented .

This theoretical perspective could be reduced to the identification of incentives and capabilities for the use of information derived primarily from evaluation. According to Feinstein (2002), incentives for its use depend on the relevance of the information for the user, while capabilities involve knowing where relevant information exists and identifying those findings that are useful for a given purpose. This means that not all evidence is useful or represents a benefit for users in its entirety . Finally, although this section has allowed us to identify the contribution of the use of evidence

in legislative work from a theoretical perspective, it is important to analyse in more detail the practical implications of this topic, based on the case study presented in the following section.

The case of the Social Development Commission of the Chamber of Deputies

First, it is important to generally characterize the functioning of the Mexican Legislative Branch in order to more clearly understand the case study presented in this article, as well as the dynamics in which legislative activity is immersed.

directly associated with the transformations that this political arena has undergone.

One of the most evident changes in the Mexican case has been the transition from a “single-party regime to an increasingly competitive party system” (Nacif, 2002: 6).<sup>2</sup> circumstances, the way in which deputies promote their interests is conditioned by different contextual, socioeconomic and institutional elements that influence their behavior (González Tule, 2011).<sup>3</sup> According to this author, in the Mexican case:

Deputies have a clear national and not territorial representation [...] it is pertinent to mention that the individual route is a widely accepted channel through which parochial legislation is promoted [...] so is introducing local or regional laws through commissions [since] it reduces the costs of collective action, so that deputies aggregate their issues through a negotiated exchange with other deputies to increase the probability of support for the opinion [...]. Given the access to public resources available to parliamentary benches distribute at their discretion and the control over nominations to other political-administrative positions, it is not surprising that their members prefer to bring together collective interests through partisan channels, hoping that such support will be remunerated in terms of future political opportunities (González Tule, 2011: 27-28).

Under these conditions, it is important to understand the role of the commissions within the Chamber of Deputies.<sup>4</sup> The function of these groups is aimed at increasing the capacities of the Legislative Branch through a higher level of mastery in

certain areas of public policy , that is, concentrating in these instances the knowledge and specialization of the legislators regarding a particular topic (Mora-Donatto, 1998). As a space designed for debate before the initiatives are voted on in the plenary session of the Chamber ( Nacif , 2000 ) , the commissions play a transcendent role in the collection and analysis of information. In the Chamber of Deputies, the ordinary commissions “fulfill the functions of legislative opinion , information and evaluative control in their branch ” and present characteristics that are summarized in table 3. 5

On the one hand , participating in these committees allows deputies to become more directly involved with the issues that interest them ; on the other hand , it encourages initiatives and projects to be discussed by deputies who have greater knowledge and experience in a topic . However , despite the idea of specialization underlying the committee system , in practice , the lack of continuity and permanence of the members This temporary membership does not create the incentives to develop a legislative career and build specialized professional experience in the topics of each Commission [...] The total renewal of the Chamber does not allow the commissions to become centers of specialized knowledge in the long term ( Rivera , 2004: 273-274) .

**Table 3**

Main characteristics of the permanent commissions  
in the Chamber of Deputies of the Honorable Congress of the Union

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Constitution They must be installed within 15 business days after the approval of the constitution agreement.

<b>Integración</b>	Pueden estar conformadas hasta por 30 miembros y los diputados pueden pertenecer a un máximo de tres comisiones.
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### Internal organization

They have subcommittees or working groups for their support .

<b>Competencia</b>	Son órganos de soporte para la Cámara; realizan dictámenes legislativos, proveen información y llevan a cabo tareas de control y evaluación.
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Prepare a work program, report on its activities every six months, keep a file of the matters referred to it , meet at least once a month , and issue opinions on initiatives or projects in accordance with the legislative programs .

A related element is the technical capacity existing in the committees. As discussed below, in the case of the Committee, the majority of members have bachelor's degrees in different areas (law, political science, accounting); however, based on this variable it is not possible to establish a valid criterion that determines their technical capacity to attend to and analyze the initiatives and projects referred to this Committee . Despite this , it is relevant to refer to the tools and mechanisms available to them to carry out their tasks, regardless of their individual capacity whether it is the result of their training or experience . The deputies have a work team , in addition to the technical advice provided through the General Directorate of Parliamentary Support whose function is to facilitate the process for discussion and analysis of the initiatives, as well as preparing the opinion (De Lima and Gil, 1994). They also have the support of study centers, where research products are generated aimed at assisting legislative work . <sup>6</sup> Therefore , deputies have various tools at their disposal to carry out their tasks, mainly for the collection, systematization and analysis of information that allows them to actively participate in the debate of an initiative. However , as indicated in the theoretical framework , the use of evidence does not depend solely on the existence of sources for obtaining it , but on other factors that favor its analysis and use.

In order to reach a more specific level of analysis, this research takes as its object of study the Social Development Commission of the Chamber of Deputies, to identify the main sources of information used by legislators as part of their activities within this Commission . Although much of the focus of this research is on evidence derived from the evaluation, the analysis covers other sources of information.sources of information in order to broaden the field of analysis. Under this premise, this section describes in general terms the analysis carried out, as well as the main

## **Findings**

Based on the review of all the legislative initiatives presented to the Commission during the lx , lxi AND lxii LEGISLATURES , some relevant findings were obtained regarding the number of initiatives developed by political party and the education of the deputies who presented them :

In descriptive terms, the data analyzed show that it is the Institutional Revolutionary Party ( PRI ) that has presented the most initiatives to this Commission during the three legislatures (42% of the total). It is followed by other parties such as Convergencia, Nueva Alianza and the Green Ecologist Party of Mexico that have presented 22%, while the Party of the Democratic Revolution ( PRD ) has presented 17% of the legislative initiatives during the same period. This finding can be linked to the level of internal organization of the PRI , as a party that monopolized the legislative arena for decades (Nacif, 2002).

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<sup>6</sup> The Chamber of Deputies has the Center for Public Finance Studies , the Center for Law Studies and Parliamentary Research, the Center for Social Studies and Public Opinion, the Center for Studies for the Advancement of Women and Gender Equality , and the Center for Studies for Sustainable Rural Development and Food Sovereignty .

Regarding the technical capacity of the deputies, the data reveal that around 50% of the legislators who presented the initiatives have a bachelor 's or engineering degree and 30 % have postgraduate studies (master's or doctorate). In accordance with the theory, a higher level of education could imply that the legislators are more familiar with the use of evidence , since they have a training that requires the development of skills for the identification and analysis of information; however, this does not allow us to fully explain what the necessary incentives are to use evidence. In the case of the health issue , research on the subject shows that :

[...] the degree of acceptance and use of research results depends on the sociopolitical context in which the discussion takes place, the impact that the research



findings themselves generate, as well as the political motivation to generate changes in the paradigms of prevention and health promotion ( Lazcano and Ramírez , 2008 : 277).

**Table 1**

Status of initiatives ( universe and sample)

Status (Universe)	Universe		Sample	
	Frequency	Percentage	Frequency	Percentage
Approved	10	7.19	2	5.71
Decided in the negative (case 53 closed)	53	38.13	13	37.14
Extension	22	15.83	5	14.29
Referred to the Social Development Committee	32	23.02	8	22.86
Referred to other committees	18	12.95	6	17.14
Precluded	4	2.88	1	2.86
Total	139	100	35	100

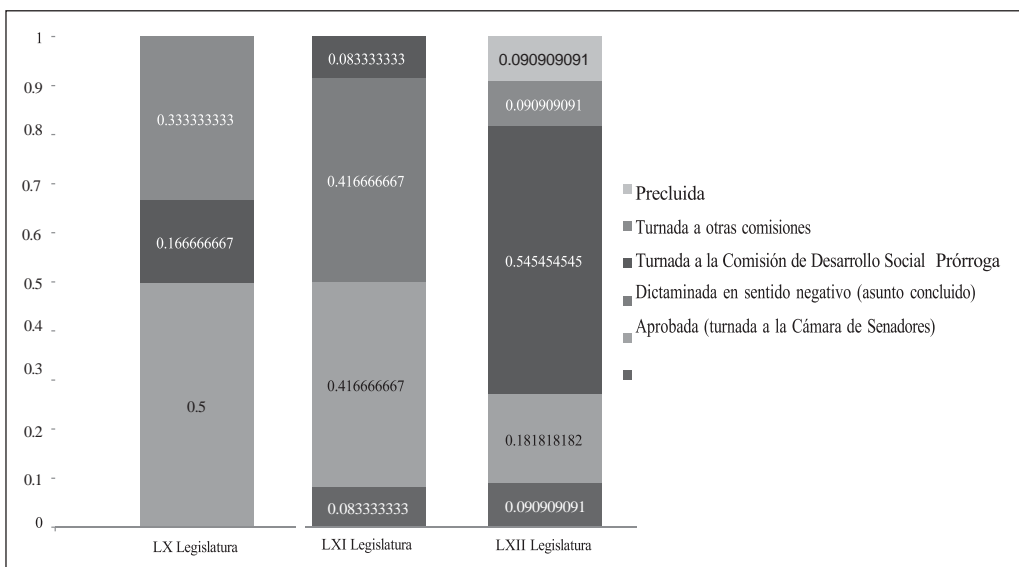
Source: own elaboration .

Likewise, a low level of approval of the initiatives is observed , both in the universe and in the selected sample (Table 1). The majority of the initiatives referred to the Commission were ruled in a negative sense. This leads to reflect on what aspects of legislative work can be strengthened with the purpose of increasing the number of initiatives approved. In this sense, a possible path of analysis is the need to strengthen the initiatives and proposals of legislators based on objective evidence from different sources. Leaving aside the political differences present within the legislative sphere , the Commission is able to evaluate the initiatives and proposals of the legislators based on

objective evidence from different sources. legislative, the development of initiatives based on solid arguments, according to the theory, could contribute to improving persuasion capabilities.

As can be seen in Figure 1 and according to the sample analyzed, the period in which the least initiatives were approved was during the LX Legislature; however, in the other two legislatures the percentage of approval does not reach 10%. Although the use of evidence increased in the last two legislatures, this does not seem to have a substantial effect on the approval of initiatives. The above leads to reflect on the link between the development of knowledge and its practical application as analyzed in the theoretical section of this bridge constitutes a crucial element to promote the use of evidence in the legislative arena. <sup>7</sup>

**Chart 1**



**Status of initiatives by legislature**

Source: own elaboration.

In 80% of the initiatives analysed in the sample, the use of at least one source of information is made explicit as part of the elements used in the development of the argument, particularly in the section on the exposition of reasons or the statement of the problem. <sup>8</sup> Added to this is the particular heterogeneity of the initiatives: while

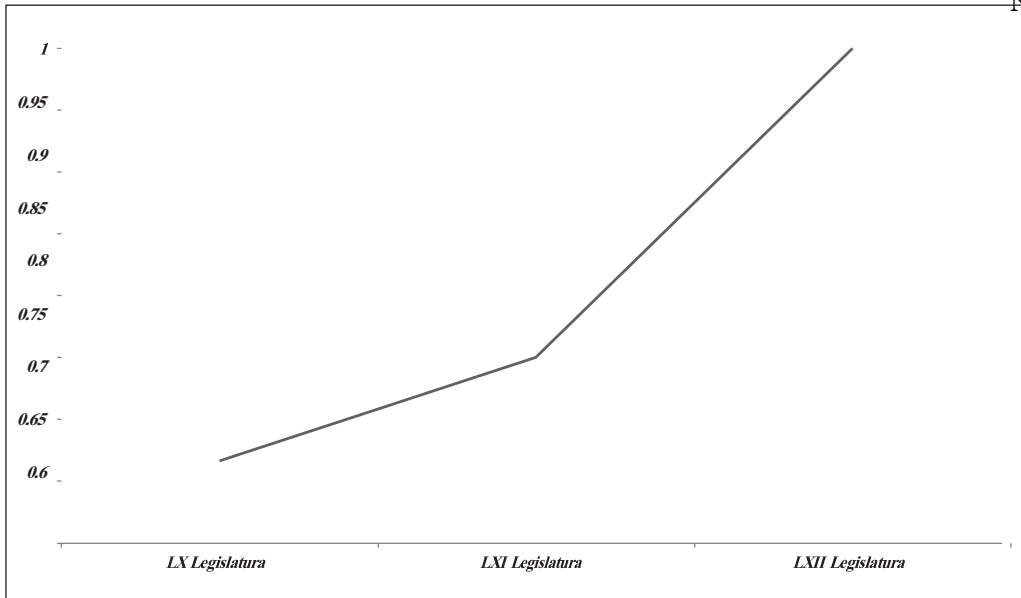
<sup>7</sup> On this point, Frenk 's work on health sector reform and the use of evidence Frenk ( 2006) and Baker and Welner ( 2012 ) .

<sup>8</sup> This finding does not necessarily mean that the remaining 20% of initiatives did not incorporate evidence in the construction of their arguments, only that the sources they referred to were not made explicit in the text .

In some cases, the use of evidence to complement the ideas presented was recurrent , while in others it was relegated to a secondary plane. In this sense, it seems important to reflect on the quality of the initiatives in terms of how it affects their viability at the time of the debate . Taking the Legislature as a reference , the use of information sources within initiatives has increased during the last years ( chart 2). For example, all the initiatives reviewed in the 72ND Legislature present at least one reference to information sources . This finding is interesting for two main reasons: as pointed out in the theoretical section, one of the aspects that promotes the use of evidence within legislative work is the link between it and the needs of legislators. Considering that during the last years the development of evaluations and studies within the APF HAS increased , the more frequent use of evidence could be associated with the fact that legislators identify a utility for their work in the information generated. The second reason refers to the capacity of the legislators' work teams to identify , systematize and analyze information from different sources.

### *Chart 2*

Initiatives with at least one source of information per Legislature



Source: own elaboration .

In general , the sources of information most used for the development of initiatives (44%) are those from APF departments and entities - including Coneval in this category. The information generated by APF departments and entities can be useful for legislators in terms of allowing them □□□obtain information about the effectiveness of a program , which , according to theory , IS one of the nodal points for the use of evidence in legislative work. The promotion of a more intensive use of this information leads to reviewing the extent to which the information generated by the federal Executive possesses the characteristics required by legislators in terms of quality, presentation and particular relevance. In turn , the capacity of the organizations that generate information to provide it at the required time is an important point of discussion. Given the dynamics of legislative work , information requirements demand that it be presented succinctly and be available at the opportune time . The National Household Income and Expenditure Survey ( ENIGH ) , FOR example , was a recurring source in the sample analyzed . In this way, legislators have relatively up-to-date information to contextualize the various problems they address in their initiatives, since the data is published every two years. In fact ,

information that is considerably out of date loses relevance and , consequently , loses of its potential use .

During the three legislatures analysed, different sources of information have been relevant ( chart 3 ). In the 11th Legislature , the use of bibliographic sources was more recurrent than in subsequent legislatures , while in the present legislature , sources of information such as Coneval and other documents from different departments and entities of the APF , such as reports and information , have been used more frequently . This could be explained by the widespread use of information and communication technologies .

The information generated by Coneval is an important point of analysis, since 38% of the initiatives that referred to this source referred to information related to the measurement of poverty , while 31% did so with data from evaluations coordinated by this organization . Contrary to the fact that there is a greater number of products generated by Coneval in terms of evaluation ,<sup>9</sup> it is interesting to note that the use of evidence related to the measurement of poverty is more recurrent . This may be linked to the nature of the initiatives, which are more oriented to general issues for example, food and social security than to the particularities of each sector .

<sup>9</sup> For example, in 2013 , Coneval presented a report estimating poverty in Mexico , at the national level and by federal entity . During the same year , this organization published the Diagnosis of the design of the National Crusade against Hunger , the Assessment of the performance of social development programs 2012-2013 , and the Diagnosis of progress in monitoring and evaluation in the federal entities , among others .

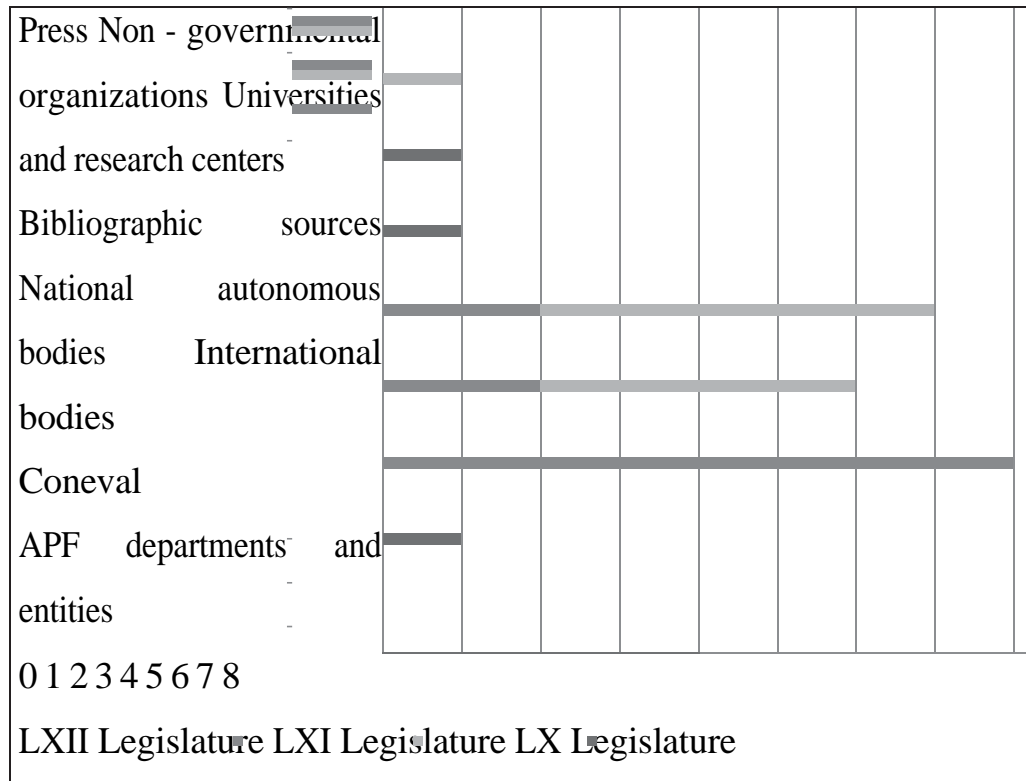
specific programs , although it should be noted that the analysis referred to APF programs , such as Oportunidades and 70 others .

Finally, a relevant finding is the use of references from international organizations, such as the World Bank , the Organization for Economic Cooperation and Development ( OCDE ) or the Economic Commission for Latin America (ECLAC ) , which are more frequent (18%) than those provided by national organizations, such as the National Institute of Statistics and Geography ( INEGI ). The incorporation of

information from non- governmental organizations is lower (5%), as is the reference to sources such as universities and research centers (5%).

**Chart 3**

Use of different sources of information by legislature



Source: own elaboration .

**Discussion**

The description of the information allows us to identify different relevant aspects for the discussion of the use of evidence in legislative work. As noted in the theoretical section, this use has been much more developed and disseminated in the Executive branch, given that it is generally in charge of designing and implementing monitoring and evaluation systems . In the legislative field , as it has a much more political nature , the use of evidence has been more gradual; however, the analysis presented suggests that legislative work in Mexico recognizes the importance of incorporating evidence into legislative initiatives .

principles, ideas and arguments. One aspect worth highlighting is the fact that , in the case of the initiatives analysed, the majority were presented individually, which leads us to reflect on the dynamics of legislative work. If the initiatives were presented collectively (aggregation of interests), perhaps higher approval rates would be obtained. This could be associated with both technical and political aspects. On the one hand, collective work would result in a more robust initiative ; on the other, the conjunction of interests would give the parliamentary groups greater visibility and a greater number of elements for political negotiation.

In addition to the above, the diversity of information sources to which both legislators and their work teams have access has increased over time. In this sense, one of the most revealing aspects is the predominance of bibliographic sources specialized in social issues, with an eminently academic emphasis in the 11th LEGISLATURE , while in the 12th this source is less recurrent. Likewise, the systematic use of information sources from international organizations, such as the World Bank and the OECD, is striking . The above could suggest that the perception of credibility about a source is an indispensable element for promoting its use. If from the perspective of legislators the information generated by these organizations is reliable, then it can be considered susceptible to use and DECREASE the probability of it being questioned by their political adversaries. In a certain sense, the credibility given to international organizations provides legitimacy to the use of this type of evidence .

An important element of analysis is that the use of evidence provided by APF agencies and entities is recurrent. Without considering ideological and political differences, legislators frequently refer to information generated by the Executive , in activity reports or specialized studies . In terms of statistical information at the national level, INEGI is the MOST recurrent source; legislators incorporate data derived from their surveys for example, ENIGH their initiatives , as well as statistics generated by other organizations , such as the National Population Council (Conapo) or the National Council for Culture and the Arts (Conaculta).



Although no specific references were found, in the sample analyzed it was possible to identify allusions to international cases, particularly in Latin America . This could be observed in the initiative on the Law of Solidarity Support for Older Adults in the Countryside, during the 7th LEGISLATURE . The text includes examples from Brazil, Argentina, Bolivia, Chile and Costa Rica, where policies and programs directed at older adults have been implemented. In initiatives presented during other legislatures it was also possible to observe the reference to international cases to illustrate the arguments.

Although the use of information provided by non- governmental organizations is not very frequent, it also deserves to be highlighted. Documents and reports generated by this types of organizations were used as evidence to problematize the situation referred to within an initiative. An example of the above is the PRD INITIATIVE in the LXII Legislature to reform article 74 and add the seventh transitory provision to the General Law of Social Development . The text refers to the work carried out by Gestión Social y Cooperación, a.c. TO argue about the deficiencies presented by the indicators of social programs. In previous legislatures ( lxi ) information provided by non-governmental organizations such as the Center for Research for Development, a.c. (c ida c) was also used , which published a document related to poverty in Mexico , which WAS taken UP in the initiative of the National Action Party ( PAN ) to reform articles 3 and 14 of the General Law of Social Development.

It is also worth noting that no sources related to the work of the ASF were identified in the sample analysed. Even though the ASF systematically carries out audits of different kinds, the information generated from these EXERCISES IS not included in the initiatives analysed . REGARDLESS of the link between the ASF and the Chamber of Deputies , it is not apparent THAT THE WORK of this body constitutes an input for legislative work . This could be due to the fact that the publication of substantive products of the ASF such as the Report on the Results of the Superior Audit of Public Accounts out of date WITH respect to the work agenda OF the Legislative Branch . For example, the most recent report, published in February of this year ,

corresponds to the public accounts of 2012, so there is a gap of about two years between obtaining this information and the work of the current legislature.

A final element of analysis is the reference to information generated by the Chamber of Deputies' research centers. These centers systematically produce robust and objective research and studies on different public policy issues whose evidence could contribute to legislative work. In the sample studied, only one reference was identified to information generated by the Center for Studies for the Advancement of Women and Gender Equality in an initiative presented during the 9th Legislature, despite the fact that there is a significant production of research documents on different topics that are regularly discussed within the Legislature.

## **Conclusions**

The research presented has allowed us to identify different aspects of the use of evidence in legislative work. On the one hand, as noted from a theoretical perspective, the information generated by evaluation or auditing has gained importance in recent years. The transformations that the State has undergone have increased the need for robust and objective evidence on public policies. While much of the information generated by evaluation or auditing has not been fully understood, it is important to have a clear understanding of the use of evidence in legislative work.

the promotion of the use of evidence has been concentrated in the executive sphere, it is undeniable that it also constitutes an input of great value for legislative work, since it can contribute to informing and supporting the work of legislators by constructing arguments based on information obtained from robust and reliable methods.

In this sense, the different contributions of the use of evidence examined in this document show that, in a highly politicized environment such as the legislative sphere, the incorporation of monitoring, evaluation and auditing instruments can represent the use of useful tools not only for the development of initiatives and law proposals, but also to inform and enrich the debate in a context where different ideologies systematically converge.

The case study presented in this research allowed us to empirically identify the role of evidence within the work of the Social Development Commission of the Chamber of Deputies . We believe that the findings obtained are of great relevance for reflection and have led us to the following conclusions :

- a. The use of evidence in legislative work has increased in recent years, with the importance given to information derived from evaluations and audits, but also to other sources, increasing . The use of information generated by APF departments and entities , as well as by international organizations such as the World Bank and ECLAC , is common . The political differences existing within the legislative sphere do not seem to represent an obstacle to the use of evidence from the Executive , which shows that legislators consider such information to be reliable and acceptable .
- b. The case of the information generated by Coneval deserves a separate examination . On the one hand, a greater frequency was identified in the use of evidence related to the measurement of poverty compared to that derived from evaluations of federal programs. On the other hand , despite the various discussions within the legislative sphere about the importance of separating Coneval from the Executive Branch and providing it with autonomy , this does not seem to influence the use of the information generated by this organization or the questioning of its credibility .
- c. The gap between legislative work and the information produced by the ASF seems to contribute to the fact that no references to information generated by this body WERE identified in the sample analysed .
- d. The diversity of information sources is not limited to evaluation and audit products . In fact, it is identified that access by legislators to a wide range of information sources , both from non- governmental organizations and the academic sector , is becoming increasingly important .
- e. Finally, the most relevant conclusion is that although it is identified that the use of evidence has increased in legislative work, there is still an important

potential for the exploitation of sources of evidence of different nature, especially the use of information generated by the bodies LINKED to the Chamber of Deputies , such as the ASF and the study centers .

Given the findings obtained, it is appropriate to delve deeper into the topic by developing some recommendations to encourage the use of evidence within legislative work:

- a. Generate databases that concentrate those sources of information that have been identified as susceptible to being used to facilitate access and enhance their use.
- b. Promote capacity building within legislators ' work teams , with the aim of maximizing the use of empirical and documentary evidence in their daily tasks .
- c. Promote the implementation of spaces for dialogue where legislators can identify and transmit their information needs for the performance of their duties.
- d. Increase collaboration networks with the APF departments and entities so that they are aware of the characteristics of legislative work and ARE considered in the development of products derived from their monitoring and evaluation processes .
- e. Promote the use of information generated by bodies linked to the Legislature ( SUCH as study CENTERS ) , as well as promote greater dissemination of the work carried out in these areas .
- f. Strengthen the critical vision of legislators in relation to existing evidence on public policies and promote the exchange of ideas and opinions between different actors in the public sphere (academia, civil society, government, etc.).

This is a first approach to the analysis of the role of documentary evidence in legislative work . New areas of analysis in this area , such as the quality of documentary evidence , its relevance and its effect on the processes of building the legislative agenda, could be the subject of future research .

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