

THE NETHERLANDS: THE FALL OF THE GOVERNMENT DOES NOT STOP THE STATE OR THE PARLIAMENT



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EVEN WITHOUT A GOVERNMENT, INSTITUTIONS CONTINUE TO FUNCTION.



www.Europe-Unie.org
Juillet 2025

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Europe-Unie.org - July 2025

In France, the fall of a government generally results in a partial suspension of institutional functioning, particularly of Parliament. Not so in the Netherlands, where coalition governments are practiced in a purely parliamentary system.

Recently in France, after the European elections of June 9, 2024, President Emmanuel Macron decided to dissolve the National Assembly, leading to early parliamentary elections on June 30 and July 7. These elections resulted in the absence of a clear majority, and on July 9, Gabriel Attal, then Prime Minister, submitted his resignation. In accordance with the Constitution of the Fifth Republic, the government then became resigned and was limited to dealing with current business within a very limited framework.

Conversely, in the Netherlands, even after the fall of a government, Parliament continues to function fully, in accordance with the principles of a purely parliamentary system. On July 2, 2025, the Schoof I cabinet fell following internal disagreements over migration policy. The government remained in place as a resigning cabinet responsible for managing day-to-day business. On July 4, 2025, barely two days after the cabinet's collapse, a major parliamentary debate on the criminalization of illegal

immigrants and undocumented migrants began with a bang, even with the government resigning.

At the time of writing, the Dutch Parliament (Tweede Kamer) had just passed the highly controversial law criminalizing the illegality of illegal immigrants, as well as the individuals and associations that would assist them. To say the least, this law was not a routine matter that was easily dismissed. The debates were heated and full of twists and turns, as were the votes, which offered their share of reversals.

This debate illustrates the extent to which, in the Netherlands, political life does not stop in the event of a government crisis, and that Parliament retains the initiative even in times of instability. The outgoing government is still present, but the legislative process is being led by Parliament, which is fully assuming its role as the center of power.

The fall of a government does not stop the state

In the Netherlands, as in other parliamentary democracies in Europe, when a cabinet falls (by resignation, withdrawal of a coalition partner, or a motion of no confidence), it means that the government has lost its full political legitimacy. However, the cabinet remains in place as a "resigning cabinet" (demissionair kabinet) until a new one is formed. It manages day-to-day business ("lopende zaken").

This does not prevent the resigning government from continuing to administer the country! It can even submit bills, under certain conditions. It can participate in parliamentary debates.

It is therefore technically politically weakened, but not legally inactive.

Parliament (Tweede Kamer) does not fall with the government

This is a fundamental distinction: The government (the executive) can fall, while parliament (the legislature) remains in office until the end of its term or an exceptional dissolution. However, parliament controls the executive, even if it resigns. It can therefore:

- Debate laws.
- Vote on motions.
- Hold ministers to account.
- Work on parliamentary proposals independently of the cabinet.

Thus, parliamentary activity, not to say vitality, continues as before. Sometimes, in periods without a clear majority, parliamentarians take advantage of the situation to take more initiative.

Laws can also come from Parliament (and not only from the government)

In the Netherlands, a bill can be introduced by one or more members of parliament (initiatiefwet). This allows parliament to propose legislation even without government leadership, whether it be a parliamentary initiative or an old bill brought back to the agenda.

During periods between governments, some parties take advantage of the executive vacancy to make their mark, test the balance of power, or put issues on the agenda, which is the case today.

The resilience of the Dutch parliamentary system

Even without a government in office, the institutions continue to function. The government may have resigned but is active, parliament remains legitimate, and political debate continues, and sometimes intensifies.

This illustrates the resilience of the Dutch parliamentary system, where responsibilities are clearly separated and the state does not stop at the slightest political incident.

Current Affairs

When a cabinet resigns (demissionair kabinet), it no longer has a full political mandate, which means that, in principle, it no longer makes major political decisions. It should avoid controversial issues (controversiële onderwerpen), unless explicitly agreed to by parliament.

But, unlike in France or Belgium, this concept is not strictly regulated by law. The existing concept is based on constitutional practice, the tacit political agreement between parliament and the executive, and ad hoc decisions on what is "controversial" or not.

Why can controversial issues still be debated?

Because it is Parliament that decides which issues are considered worthy of discussion, not the resigning cabinet itself. If a parliamentary majority wishes to debate a subject (even a sensitive one), the resigning cabinet can be required to do so. In certain periods of prolonged political vacuum, such as in 2023-2024 and now, current affairs are expanded to include important issues, because the country cannot be blocked for months.

Penalising of illegal Migrants and the one providing help to them

Penalising of illegal migrants, as well as those who provide them with assistance, is a sensitive, ideological, and dividing issue. It is championed by the populist right (such as Geert Wilders' PVV) and other right-wing parties. This highly controversial and polemical issue should not be classified as routine business, and should

therefore, in principle, be avoided during routine administration.

But if the current parliament chooses to debate it, particularly under the leadership of the current majority (or an ad hoc majority), then the debate can, and should, take place. The outgoing cabinet does not have the power to prohibit it.

Thus, in Dutch practice, routine administration does not mean inaction, but political moderation under parliamentary control. Parliament retains the initiative and determines what it wants to advance.

In the Netherlands, routine business exists, but its scope is "elastic," and parliament holds the key to political tempo. This explains why a resigning cabinet can be politically weak but still institutionally operational, and why highly sensitive debates can still take place and lead to important legislation.

In France, the fall of the government often leads to a political deadlock.

In the Fifth Republic, the government (Prime Minister + ministers) is accountable to the National Assembly. If it resigns, whether by choice or by motion of censure, it is up to the President of the Republic to appoint a new Prime Minister.

In the meantime, the resigning government handles routine business, but Parliament remains in the background, often in a state of waiting, or even political freeze.

Above all, the President can dissolve the National Assembly (Article 12), which immediately interrupts parliamentary work, suspends the consideration of all bills and legislative proposals, and puts national political life on hold for the entire election campaign.

In France, unlike in the Netherlands, political dynamics depend heavily on the executive branch, and the fall of a government can paralyse the entire system, giving it time to rebuild a majority. Assuming this could happen again...

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Juillet 2025

