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## *Personal Characteristics of MPs and Legislative Behavior in Moral Policymaking*

Theoretical and empirical models of legislative decision making in parliamentary democracies typically neglect the policy preferences of individual MPs and instead focus on political parties and possible institutional constraints. We argue that MPs actually make judgments and decisions on the basis of their preferences, which are shaped by their personal characteristics. However, given the strength of parties in most parliamentary systems, the impact of personal characteristics on legislative behavior is rarely visible. Therefore, we examine a moral issue. Looking at cosponsorship, parliamentary speeches, and votes in the German Bundestag, we analyze the legislative procedure on the regulation of preimplantation genetic diagnosis (PGD) in Germany in 2011. We show that the legislative behavior of MPs does not only reflect partisan conflict but is also influenced by the preferences of the constituents and MPs' own personal characteristics such as: religious denomination, gender, and parental status.

### **Introduction**

Patterns of legislative decision making are essentially structured by party competition and the partisan composition of government and opposition—particularly in parliamentary democracies. Although individual MPs negotiate policy content and cast their votes, the strength of parties and their positions regarding a particular issue are the decisive factors in the political decision-making process (see, e.g., Plott 1979; Ostrom 1986; Tsebelis 2002). However, equating parties' positions with MPs' preferences implies that the tensions that precede the visible coherence of parties are neglected or disregarded (e.g., Ceron 2013; Giannetti and Benoit 2009; Giannetti and Laver 2009). We argue that elucidating the personal motivations behind MPs' legislative behavior allows for a better

understanding of the origins of parties' convictions and the outcome of the legislative process. We examine the driving factors behind MPs' legislative behavior, such as: cosponsoring bills, giving speeches in parliament, and voting for a particular bill.

Taking into account MPs' personal characteristics when looking at parliaments is far from a new approach. In the case of American politics, the extensive literature on representation and legislative behavior determined the significance of individual MPs' characteristics: ethnicity, gender, and religious denomination (see, e.g., Kingdon 1989). In this vein, personal characteristics serve as an important concept in assessing descriptive representation (see, e.g., Wängnerud 2009). Recent research has also taken into account personal characteristics in explaining variance in the legislative behavior of members of Congress (e.g., Burden 2007; Rocca and Sanchez 2008; Washington 2008). However, in case of West European parliaments, which are characterized by high party unity (see, e.g., Carubba, Gabel, and Hug 2008; Hibbing and Marsh 1987; Hug 2010; Sieberer 2006, 2010), personal characteristics play a far less prominent role in research that examines legislators' behavior (see, however, Saalfeld 2011).

Despite the institutional differences, the present study argues that the line of reasoning that has become prominent in American politics can be transferred to parliamentary systems with strong parties: personal characteristics of MPs have an impact on the positions and actions of their (parliamentary) parties, although most observable legislative behavior follows patterns that reflect party affiliation or even only the partisan composition of government and opposition (e.g., Hix and Noury 2013; Sieberer 2006). The impact of personal characteristics is most clearly identifiable when MPs cannot—or are not forced to—take cues from their party group. In this case, they have to—or are able to—evaluate alternatives based on their own preferences. Such situations are most likely to occur in decisions concerning moral policy where conflicting values need to be balanced (e.g., Baumann, Debus, and Müller 2015). Typically, they pit religious principles and morality against increasing medical and biotechnological possibilities (for a recent overview, see Heichel, Knill, and Schmitt 2013; Knill 2013; Studlar, Cagossi, and Duval 2013). With technical and medical advances, such decisions have grown in significance. At the same time, positions along party lines have in many cases not (yet) crystallized. On the basis of theories of political socialization and political psychology, we argue that MPs' personal characteristics provide explanations for their decisions in such cases. We test our predictions studying the legislative process to establish a regulatory framework for preimplantation genetic

diagnosis (PGD) in the German Bundestag in 2011. The debate thereon has not only attracted interest from voters, the media, and various interest groups but was also free from parliamentary party discipline. This provides us with a case where MPs' personal characteristics are most likely to contribute to an explanation of their legislative behavior—adding to incentives originating from the institutional structure, parties' policy positions, or constituency preferences.

In the following sections, we provide an overview of the debate on PGD followed by a brief review of literature which includes isolated factors that shape MPs' legislative behavior. Building on this, we develop several expectations regarding the impact of MPs' personal characteristics and the preferences of their constituents on their stance in the PGD debate. The fourth section introduces our data and the methods we apply to gather information. We evaluate our expectations in the fifth section. The final section concludes with a discussion of the implications of the derived findings for studying legislative behavior and decision making in parliamentary systems.

### **Party Discipline and the Debate on PGD in Germany**

MPs' behavior in the context of moral policymaking deviates clearly from the typical legislative process. Moral policies, or conscience issues in general, are frequently linked to the absence of party discipline and the presence of "free votes" in parliament.<sup>1</sup> The following subsection briefly reviews the peculiarities of moral policymaking in a comparative perspective. From there, we move on to the specific context and legislative process of the German PGD regulation.

#### *Free Votes and Moral Policymaking*

Free votes have attracted scholarly attention for the case of the UK House of Commons, where they stand in stark contrast to the otherwise high level of party discipline. As Richards (1970) noted in his study, MPs are then not restricted by party pressures to support a specific policy and "[. . .] division lists offer a vivid insight into their attitudes" (Jones 1995, 179). Research on moral policymaking in the United Kingdom also comes to the conclusion that in so-called free votes partisan and constituency influences are not only at work (Baughman 2004), but personal characteristics also have a decisive impact on voting behavior of MPs (Hibbing and Marsh 1987). However, it remains unclear to what extent free votes and moral policies are nonpartisan (Cowley 2002). This may relate to the motivation behind declaring particular votes being free

votes or matters of conscience (Ohmura 2012): when the issues at stake are of high salience but do not correspond to the lines of partisan conflict, parties may be motivated not to have a clear stance. Similarly, the mere fact that politicians with similar ideologies join the same parties might—even in moral policymaking—result in differences across parties with regards to their positions. However, this does not relate to any kind of party line being imposed but instead results from a clustering of MPs with similar personal characteristics within the same parties (Burden 2007, 39).

In the case of Germany, there is also limited room for the influence of the personal characteristics of MPs in their legislative behavior. The presence of ideological cohesion and party discipline are well acknowledged (Döring 2003; Patzelt 2003; Saalfeld 1995). To create sufficient levels of discipline, German parliamentary party leaders issue (formally) nonbinding voting recommendations. According to MP survey data (Bailer 2011; Ohmura 2012), these recommendations are issued for 95% of all votes in the German Bundestag. The remaining 5% of “free votes” are composed entirely of votes on conscience issues. From a legalistic standpoint, this also relates to the German constitution, which ensures that MPs are not bound to mandates, instructions, and *de jure* prohibits party discipline. However, deviations from the rule of party discipline can largely be observed when issues have an explicitly religious or moral component.

### *Approval or Ban: The Debate on PGD in the German Bundestag*

Preimplantation genetic diagnosis (PGD) is conducted to identify and select embryos created *in vitro* that (do not) show certain characteristics. Its aims can be to avoid the implantation of embryos that carry hereditary diseases or to increase the chances for successful pregnancy by selecting certain embryos. But it may also extend to the selection of embryos on other characteristics such as gender. In Germany, PGD was not, even though being feasible for about two decades, until 2011 explicitly regulated. However, a ban was derived from broader legislation on embryonic protection.<sup>2</sup> On July 6, 2010, the Federal Court of Justice ruled that the way a reproductive specialist from Berlin applied PGD did not violate the existing law.<sup>3</sup> Even though the court argued that PGD should only be applied to rule out severe genetic disorders, its ruling triggered a heated public debate and ultimately resulted in three parliamentary initiatives. The most restrictive bill was drafted by a group of MPs led by the green MP Katrin Göring-Eckardt, who was elected as head of the synod of the Protestant Church in Germany from 2009 until 2013. It provided for a complete ban of PGD. A group of MPs including Ulrike

TABLE 1  
Cosponsorship of Bills Aiming to Regulate PGD,  
by Party Affiliation

Orientation of the Bill	CSU	CDU	Greens	The Left	SPD	FDP	Total	Supporting MPs
Complete Ban	62.8%	51.3%	41.2%	23.7%	13.0%	4.3%	31.6%	196
Restricted Admission	0.0%	3.1%	14.7%	1.3%	11.6%	1.1%	5.6%	35
Moderate-Permissive Admission	2.3%	18.0%	26.5%	35.5%	43.8%	77.4%	34.9%	217
Not Involved in Any Law Initiative	34.9%	27.7%	17.7%	39.5%	31.5%	17.2%	27.9%	173

*Note:* Values represent the share of members of a parliamentary group that support the respective bill.

Flach, the health care spokesperson of the liberal FDP's parliamentary party group, presented a more permissive initiative on PGD. The initiative was far away from an approval and provided that PGD would only be permitted in certain circumstances. A third initiative submitted by René Röspel (SPD) and 34 other MPs represented a "middle ground" between these two bills. All three initiatives were debated in the Bundestag in April and July of 2011. The second reading was followed by a first roll-call vote on all three bills. As none of the three bills gained the required majority of all casted votes, the third reading concluded with an up or down vote on the most permissive proposal.

As Table 1 shows, cosponsorship did not follow the usual party or government-opposition divides. The governing parties took very different positions: while most Christian Democrat MPs (members of the CDU and the Bavarian CSU) supported the conservative initiative, most members of the liberal parliamentary party group cosponsored the moderate-permissive proposal. At the same time, there is considerable diversity within parties, even though the differences in support for the permissive and restrictive proposal reflect the general political orientation of the German parties with regard to the order of society (e.g., Benoit and Laver 2006; Pappi and Shikano 2004). These patterns of cosponsorship already point toward the impact of other explanatory factors besides party affiliation.

### Theoretical Considerations and Hypotheses

In our attempt to assess the impact of MPs' personal characteristics on their legislative behavior, we take into account a diverse set of

explanations. We refer to theories that highlight the role of personal characteristics and the biographies of MPs but also consider research that emphasizes vote seeking and the responsive behavior of parties and their representatives. In the following subsections, we discuss these perspectives and derive expectations regarding German MPs' behavior for the various stages of the legislative process on the regulation of PGD.

### *Responsive Legislative Behavior: Strategic Approaches*

Studies on the parliamentary behavior of legislators have frequently adopted a principal agent approach (Müller 2000; Müller, Jenny, and Steininger 2001; Strøm 2000; Strøm and Müller 1999; Strøm, Müller, and Smith 2010). Behavior here is largely instrumental in the sense that political actors rationally pursue their career goals, and it can be theorized by focusing on four distinct goal types (Strøm 1997). Accordingly, a parliamentarian's behavior is likely to be determined by the level of competition for reselection, renomination, and reelection for party and/or legislative offices. As the attainment of the latter goals is contingent on successful renomination and reelection, the four goals can be ordered hierarchically. In fact, "[the] iron-clad necessity of election in democratic legislatures [...] makes the 'single-minded pursuit of reelection' the primary instrumental goal of legislators" (Strøm 2012, 90). Correspondingly, MPs' decisions should be mainly determined by the desire to maximize the likelihood of reelection.

On the basis of this office-seeking motivation, the legislative behavior of MPs is generally viewed as being strategic, whereby differences in strategies are largely explained by the institutional setting. Here, the electoral system plays a key role. Roughly speaking, the utility of certain strategies depends on the proportionality and openness of electoral systems. In proportional systems, renomination at the top of the list often implies reelection, whereas MPs who seek reelection in competitive single-member districts or face intraparty competition because of preference voting have a completely different mindset (Strøm 2012, 94). In the latter case, the political survival of MPs is not determined solely by the performance of their party and their adherence to the party line but also by their personal standing within the constituency. The connection between electoral incentives and legislative behavior (Carey and Shugart 1995)—particularly with regard to voting and the initiation of bills—has recently been subject to further empirical investigation. Bräuninger, Brunner, and Däubler (2012) demonstrate that introducing flexible list elements into a proportional representation system creates incentives for MPs to be more active in initiating bills to gather more

preferential votes and maximize the likelihood of their reelection. At the same time, drafting or cosponsoring bills actually does affect constituents' perception of their MPs (Bowler 2010): voters do value their representative more if he or she has drafted or cosponsored a large number of bills. In sum, MPs adjust their behavior in parliament to incentives that reflect features of the respective electoral system. For German MPs, it is normally the party line, which is crucial for renomination. However, in case of the regulation of PGD, there is a free vote. We argue that the most straightforward strategy in such a situation is to represent the preferences that are predominant among constituents. All else being equal, doing so increases MPs' chances of being renominated (by the local party organization) and reelected in the constituency. Thus, we formulate the following hypotheses in relation to the PGD debate:

*H1:* MPs, who represent more religious constituencies (and, thus, voters who are more skeptical towards PGD), are more likely (a) to sign the restrictive, i.e., prohibiting PGD, initiative; (b) to take skeptical positions in speeches with regard to permitting PGD; and (c) to vote against the moderate-permissive law initiative in the final vote.

### *Personal Characteristics as Determinants of Legislative Behavior*

Research analyzing the decisions of individual MPs has shown that their legislative behavior is shaped not only by pressure from their constituents and party but by their own personal background. While studies had already highlighted the impact of personal characteristics and experiences for the legislative behavior of members of the US congress from the early 1960s on (e.g., Matthews 1960; Woshinsky 1973), Searing (1994) reintroduced this perspective in the 1990s. This motivational conception of MPs' preferences differs from the approach described in the previous section mainly with regard to the roots of these preferences. In contrast to the strategic approach, the individual preferences are not exclusively reflecting career goals but "emotional incentives" (Searing 1994, 19).

While Searing's restatement focuses on explaining different parliamentary roles played by MPs, Burden (2007) uses a similar line of reasoning to explain the legislative behavior of US Congress members and Senators. He argues that political scientists have largely ignored the fact that "politicians are people too" (Jones 2009). Focusing on a small set of issues, he shows that MPs with personal characteristics that are closely linked to the issues at stake behave differently in terms of sponsoring



bills and speaking and voting in parliament. Burden (2007) finds that legislators who smoke are more likely to vote against extending anti-smoking regulations and that members of Congress who have daughters are more likely to support a more liberal abortion regulation (see also Washington 2008). Burden's work has since sparked a discussion on the impact of personal characteristics on policymaking and its broader implication for the literature on qualitative representation (e.g., Bäck, Debus, and Müller 2014; Baumann, Debus, and Müller 2015; Rocca and Sanchez 2008; Saalfeld 2011; Uscinski et al. 2009).

It should be noted that focusing on personal characteristics when explaining legislative behavior does not imply a fundamentally different process of preference formation but extends the set of factors which determine parliamentarians' preferences and behavior. Burden (2007) starts from the observation that the behavior of American legislators reflects the preferences of their constituents, which normally results in relatively robust patterns of policy representation. However, district attitudes and partisanship do not completely explain legislative decision making. In accordance with Carey (2009), who emphasizes the impact of "competing principals" on MPs' legislative behavior, Burden (2007; see also Burden and Frisby 2004) assumes that there are multiple principals. When positioning themselves on specific issues, parliamentarians thus find themselves in a *field of forces* (Kingdon 1989). Among these forces, internal and external influences can be distinguished. Initially, the positions MPs take are determined by internal factors, i.e., their personal experiences, values, interests, and ideology. The external factors, i.e., preferences of constituents, party positions on an issue, or influence from interest groups, cause parliamentarians to reevaluate their legislative behavior. How closely MPs' behavior will mirror internal factors depends on the strength and direction of external pressures. Personal characteristics will be evident in legislative behavior only if few or rectified external pressures exist.

Empirically and in accordance with the strategic approach to parliamentary behavior, Burden (2007, 42, 136) arrives at the conclusion that members of Congress have strong incentives to align their behavior with the prevailing preferences in their constituencies. This is mainly due to a strong connection between the members of Congress and their local voters but does not necessarily extend to all policy areas (Burden 2007, 46–54). Personal characteristics are likely to matter most in policy areas with clear ideological guidelines that do not (yet) exist on an external level. This is likely to be the case in moral policymaking. Here, the institutional elements of the field of forces—parties, constituents, and pressure groups—will be ambivalent or less relevant for MPs. This



means that legislators can or have to rely on their personal experiences and judgments based on their values and beliefs, which can be—in line with theories from Political Psychology—already created in early childhood (e.g., Alford, Funk, and Hibbing 2005; Winter 2003). Burden (2007) suggests focusing on a set of three personal characteristics. This set is comprised of: first, a legislator's values or moral convictions. These are usually of a religious nature and thus more or less independent from ideology. Though values may be in line with ideologies on a more general level, they may be conflicting when it comes to specific issues. Secondly, legislative behavior might reflect the knowledge and expertise that an MP has acquired. This may relate to knowledge acquired in legislators' employment history or to private experiences: health conditions or parenting. The third source for personal policy motivations is self-interest. Though difficult to observe, policies that influence legislators' own status or wealth are likely to be influenced by the characteristics of MPs that mediate the effects of relevant policies. All of these factors may be congruent with ideology at a more general level. Isolating the impact of personal characteristics thus requires us to identify policy issues in which motivations derived from personal sources of preferences deviate from ideological or institutional sources of preferences.

Drawing on the understanding of processes of preference formation put forward by Searing (1994) and the personal sources of preferences in moral policies identified by Burden (2007), we expect MPs' personal characteristics to play a role *in addition* to strategic factors. In line with classical sociological theories on social roles and social identity (e.g., Mead 1934; for an incorporation of these theories into political decision making, see, e.g., Dickson and Scheve 2006, 2010 and Searing 1991, 1994), we identify female MPs as a group more likely to be affected by the regulation of PGD. And we suspect that they are not only more likely to be involved in the legislative process of that topic but more likely to develop specific positions. This is in line with the concept of social group representation, which defines social groups by the social relations held by members of the group with other members of society (Young 2000). Along these lines, Philips (1995) argues in her "theory of presence" that female politicians are better equipped to represent the interests of women. Evidence for this type of substantive representation has been provided by MacDonald and O'Brien (2011), who show—by adopting a quasi-experimental design—that Congresswomen focus more on issues related to women's rights and social welfare even when controlling for constituency characteristics. Further studies on substantive representation of women or minorities also indicate that party affiliation can be less important for legislative behavior if a policy proposal

would strengthen the position of the respective social group to which an MP belongs (Dodson 2006; Esaisson and Heidar 2000; Swers 1998; for an overview, see Wängnerud 2009). Thus, we argue that female MPs are more likely to favor the introduction and legalization of medical tests like PGD because women—and thus one key social group to which these MPs belong—are more likely to benefit directly from such a policy. We thus expect to find evidence for the following hypotheses:

*H2:* Female MPs are more likely (a) to cosponsor the moderate-permissive initiative; (b) to take supporting positions in speeches with regard to permitting PGD; and (c) to vote for the moderate-permissive initiative in the final vote.

The motivational approach to preference formation also takes into account the personal knowledge and experiences of MPs (Burden 2007, 40). This corresponds to the role of “bounded rationality” of political actors (Simon 1985): the preferences of MPs can depend on social group membership and on the experiences they made during their life, e.g., during their education or training. In other words, MPs refer to their personal biography when developing their preferences on complex issues—like in processes of legislative decision making—since it is much less costly than collecting and analyzing all potentially relevant information. MPs—particularly female MPs—who are parents are more likely to have looked into the subject of birth medicine and should thus be aware of the advantages of PGD compared to the more dangerous amniocentesis. We thus expect that the relations established in Hypothesis 2 are likely to be more pronounced for female MPs that are parents (*H3*).

In addition, and following the same line of reasoning, we argue that the professional background of legislators and their fields of study have a strong influence on their legislative behavior with the PGD issue. While MPs trained in medicine are likely to attach great importance to the advantages of PGD, their fellow colleagues who studied theology should be more likely to regard all forms of genetic selection or modification as contradicting the Christian ethic of respect for “God’s creation” and harmony between nature and human beings (see Tosun 2014; Winkler 2013). Therefore, we expect the following relationships:

*H4:* MPs specialized in medicine are more likely (a) to cosponsor the moderate-permissive initiative; (b) to take supporting positions in speeches with regard to permitting PGD; and (c) to vote for the moderate-permissive initiative in the final vote.

*H5:* MPs who studied theology are less likely (a) to cosponsor the moderate-permissive initiative; (b) to take supporting positions in speeches with regard to permitting PGD; and (c) to vote for the moderate-permissive initiative in the final vote.

A personal trait, which should be of particular relevance in the case of moral issues, is an MP's religious denomination. In Germany, the Christian churches—in particular the Roman Catholic Church—often play a decisive role in the public debate. The Roman Catholic Church does in general adopt clear position on societal affairs, while the internally divided Protestant churches can have very liberal but also very conservative preferences. In the case of PGD regulation, the German churches generally adopted positions against a permissive regulation.<sup>4</sup> At the same time, religious structures do influence attitudes and values already in the early childhood, so that MPs who were brought up in the same tradition and are members of the same church are likely to share the view of their church on PGD. Our sixth hypothesis is then:

*H6:* MPs with Catholic or Protestant religious denomination are less likely (a) to cosponsor the moderate-permissive initiative, which calls for PGD to be permitted; (b) to take supporting positions in speeches with regard to permitting PGD; and (c) to vote for the moderate-permissive initiative in the final vote.

These expectations can also be derived if we take a principal-agent perspective: MPs may face several principals when acting in parliament (Carey 2009). If parties lose their position as the “dominant principal” because of the character of the issue on the parliamentary agenda, other principals become more relevant. In moral issues, churches might be important principals for religious MPs, who should be likely to act as agents of their church. To test our expectations, we need information on the legislative process but also on the personal characteristics of MPs and the preferences predominant in their constituencies. The next section provides detailed information on the data and methods we use.

## Data and Method

In our study, we examine three phases of the legislative process: the cosponsorship of bills, the speeches held in debates, and legislative voting. We gather information on the support for the three bills that aim to regulate PGD—on the attitudes they expressed in their speeches and

which bill they voted for. While the (co)sponsors of bills and the roll calls can be extracted directly from the plenary protocols, it is considerably more difficult to derive MPs' actual positions on PGD. However, this is necessary in order to evaluate whether MPs have adopted similar positions across all three phases of the legislative process. Significant changes, in particular between the drafting of initiatives and the final vote, could imply that the ethically and morally charged problem of regulating PGD was at least to some degree framed by party politics. In this case, we would observe speeches that are not fully consistent with the subsequent votes.

In order to determine the positions of MPs with regard to the regulation of preimplantation genetic diagnosis, we examine all contributions to the debates in the two readings using quantitative content analysis.<sup>5</sup> We derived the MPs' positions on a policy dimension that differentiates between positive and negative stances on PGD by applying the Wordfish scaling model (Slapin and Proksch 2008), which is based exclusively on a comparison of word frequencies. The anchoring points required by Wordfish to calibrate the policy dimension were identified with the help of standard plagiarism-detection software: Two speeches that cite extensively positions of particular lobby groups provide moderate and restrictive anchors respectively.<sup>6</sup> A noteworthy feature of our text analysis is that we also include speeches that were only appended to the minutes. By including speeches by MPs who had applied to speak but were not allocated speaking time, we contend that the dimension identified by Wordfish covers all positions and is not constrained at the extremes.<sup>7</sup>

Information regarding the religious affiliation and gender of MPs, on their fields of study as well as on their parental status, were collected using the online biographies provided by each MP in March 2011.<sup>8</sup> As official statistics on religious denominations or church attendance do not exist at the constituency level,<sup>9</sup> the religiousness of the electoral district represented by an MP can only be estimated. We use data collected by the *German Longitudinal Election Study* (GLES) for the 2009 Bundestag Election (Rattinger et al. 2011) in combination with a recently developed statistical model that allows reliable measures for small geographic entities to be derived from sparse survey data (Selb and Munzert 2011).<sup>10</sup> Our measure of church attendance thus reflects the approximate share of voters in a constituency that attends a church service at least once a month.<sup>11</sup>

We also take into account that German parties consist of several suborganizations, which could have specific policy positions that deviate from the party line (Bernauer and Bräuninger 2009). It is very

complicated to identify the—only partially formally organized—intraparty groups and their membership among MPs (Debus and Bräuninger 2009). We thus restrain our empirical model to including a dummy variable that identifies MPs from the CSU, which is the smaller sister party of the CDU and only operates in the state of Bavaria. While this approach is only a crude proxy to account for intraparty conflict and organized interests within German political parties, it is a useful procedure for the present study since the CSU is clearly more conservative in societal affairs (see, e.g., Bräuninger and Debus 2012; Debus and Müller 2013). Thus, MPs belonging to the CSU should be less likely to support permissive policies on the PGD issue.

Each member of the Bundestag represents one observation in our empirical models.<sup>12</sup> The dependent variables tell us: (1) to which bill an MP has contributed; (2) which position he or she has expressed in the debates about the regulation of PGD; and (3) what decision he or she has taken in the final vote. In the case of cosponsorship and voting, we apply multinomial logistic regression models to analyze MPs' decision making because they are confronted with a set of unordered choices (e.g., cosponsoring one of three bills or none at all). In contrast, the content analysis of the debate contributions results in MPs' positions on an interval scale, so that we estimate regular OLS regression models in this case.

## Results

To evaluate whether speeches and voting behavior on the regulation of PGD reflect MPs individual preferences stemming from their personal characteristics or from the attitudes prevalent in MPs electoral districts, we start by analyzing the patterns of cosponsorship. In a second step, we analyze the positions that MPs expressed in the plenary debates. We complete our analysis by exploring voting behavior in the final vote.

### *Cosponsorship*

Table 2 shows the results of a multinomial logistic regression with cosponsorship choices as the dependent variable. In the cosponsorship stage, MPs decided whether to support a moderate-permissive approval, a restricted approval, a complete ban, or none of the bills. The model presented in Table 2 uses the most frequent outcome, supporting the moderate-permissive bill, as the base category. Besides the theoretically derived explanatory variables, the model also takes

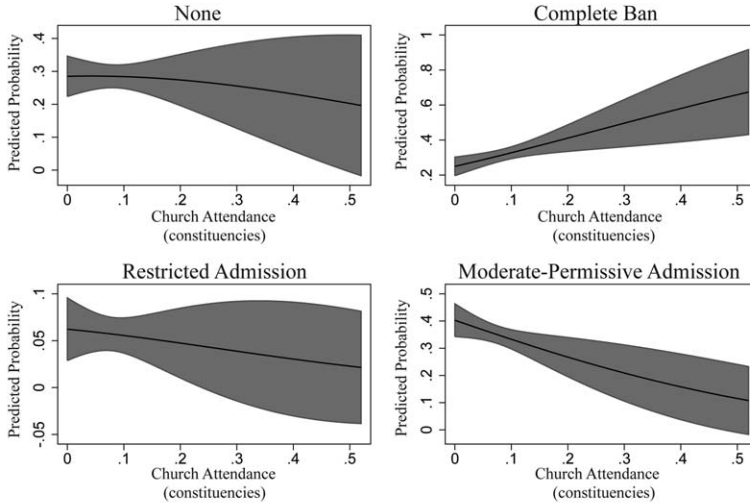
TABLE 2  
Determinants of Bill Cosponsorship on the Regulation of PGD

	None	Ban	Restricted Admission
<i>Main Explanatory Variables</i>			
Church Attendance in Constituency	2.96 (1.39)	6.52** (3.01)	1.56 (0.44)
Catholic	0.79* (2.12)	1.63*** (3.89)	1.14 <sup>+</sup> (1.93)
Protestant	-0.01 (-0.04)	0.29 (0.74)	0.28 (0.54)
No Religious Affiliation	-0.70 <sup>+</sup> (-1.71)	-1.24* (-2.34)	-1.05 (-1.26)
Female	-0.74* (-1.96)	-0.28 (-0.67)	0.12 (0.18)
Parent	-0.26 (-0.90)	-0.17 (-0.50)	0.46 (0.80)
Female × Parent	-0.25 (-0.50)	0.07 (0.13)	-0.46 (-0.55)
Studies in Theology	-14.58 (-0.02)	0.60 (0.88)	0.95 (0.99)
Studies in Medicine	-0.50 (-0.66)	-0.39 (-0.51)	-13.71 (-0.01)
<i>Controls</i>			
Member of Health Committee	-1.27 <sup>+</sup> (-1.81)	0.07 (0.13)	-0.69 (-0.62)
The Greens	0.23 (0.51)	2.14*** (4.73)	1.09* (2.08)
CDU	0.45 (1.38)	1.77*** (4.79)	-0.90 (-1.60)
CSU	2.33* (2.15)	3.25** (2.99)	-13.06 (-0.02)
The Left	0.88* (2.28)	1.64*** (3.43)	-1.40 (-1.28)
FDP	-1.44*** (-4.02)	-2.01*** (-3.35)	-3.10** (-2.94)
Constant	-0.05 (-0.14)	-1.94*** (-4.11)	-1.86** (-2.82)
N		621	
Pseudo R <sup>2</sup>		0.20	

*Note:* The dependent variable reflects the bill an MP has cosponsored. Parameter estimates are multinomial logit regression coefficients. Permissive bill cosponsored is base category; t-values in parentheses.

<sup>+</sup>  $p < 0.1$ ; \*  $p < 0.05$ ; \*\*  $p < 0.01$ ; \*\*\*  $p < 0.001$ .

FIGURE 1  
Predictive Margins for Cosponsorship:  
Church Attendance in Constituencies

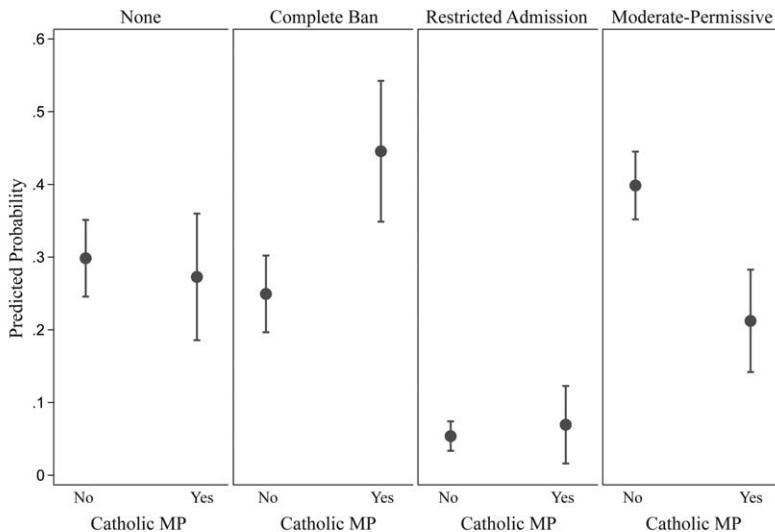


*Note:* Predicted probabilities with 95% confidence intervals. Covariates as observed in sample.

the MPs' parliamentary party group affiliation into account and differentiates between MPs belonging to CDU or CSU even though they form one common parliamentary party group. This allows us to control for the potential impact of partisan and intraparty conflict. In addition, we control for membership in the committee on health since legislators serving in committees closely related to an issue should be more likely to be involved in drafting legislation.<sup>13</sup> The results broadly confirm our expectations. With regard to the link between constituencies and their representatives (H1), we find that MPs, who represent more religious constituencies, are more likely to cosponsor the bill proposing a complete ban of PGD.<sup>14</sup> As Figure 1 shows, a higher share of church attendees is associated with a higher probability of cosponsoring the most restrictive bill and a significantly lower probability of cosponsoring the moderate-permissive bill. To give an example: for a constituency where 5% of the voters attend church at least once a month, our model predicts a likelihood of cosponsoring the restrictive bill of 28%; if our measure of church attendance increases by 10 percentage points, the likelihood of cosponsoring the restrictive bill is 36%.



FIGURE 2  
Predicted Probabilities for Cosponsorship:  
Catholic Denomination

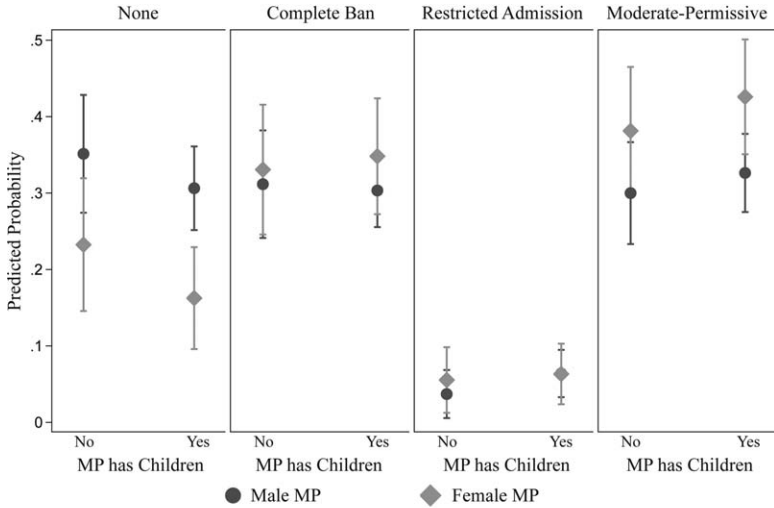


*Note:* Predicted probabilities with 95% confidence intervals. Covariates as observed in sample.

With regard to the expectations referring to MPs' personal characteristics, we find evidence that Catholic MPs are significantly more likely to either support one of the other (more restrictive) proposals or to cosponsor none of the proposals than to support the permissive bill. However, in the case of Protestant MPs, we do not find any significant effects. As discussed in the theory section, one reason for this finding might be that the Roman Catholic Church has—in contrast to the Protestant churches—developed a clear position on the PGD issue and can serve as a further principal of a Catholic MP. Bundestag members who are not affiliated with any religion are less likely to support none of the bills and much less likely to support the proposal calling for a ban on PGD as compared to supporting the permissive bill. Similar to church attendance, a Catholic religious denomination does not influence a decision to support the intermediate bill or none of the bills (see Figure 2).

We find similar effects with regard to the MPs' gender and parental status. Table 2 suggests that female MPs are more likely to support one of the bills. However, the predicted probabilities shown in Figure 3

FIGURE 3  
Predicted Probabilities for Cosponsorship:  
Gender and Parental Status



*Note:* Predicted probabilities with 95% confidence intervals. Covariates as observed in sample.

indicate a slightly different relationship: Female MPs are less likely to cosponsor none of the bills, but this relationship is only significant for the group of MPs with children. This connection lends limited support to Hypothesis 2 and Hypothesis 3, which state that female MPs (with children) will be more likely to cosponsor the permissive proposal. What we find is that female MPs who have children have a greater incentive to get involved in legislation on PGD in general. This indicates that they agree on the importance of the issue—even though they have different views on how to regulate PGD appropriately. However, there is no evidence that having studied medicine or theology matters for the support of law proposals dealing with the regulation of PGD.

Table 2 demonstrates that members of CDU, CSU, and the Green Party are more likely to support the law proposing a ban of PGD, while FDP MPs are significantly less likely to choose any of the three alternatives compared to the moderate-permissive bill. However, we must point out that this does not mean that there is a party line on this issue but might instead relate to the “clustering of MPs” in parties as mentioned above. In other words, the variables on parliamentary group membership

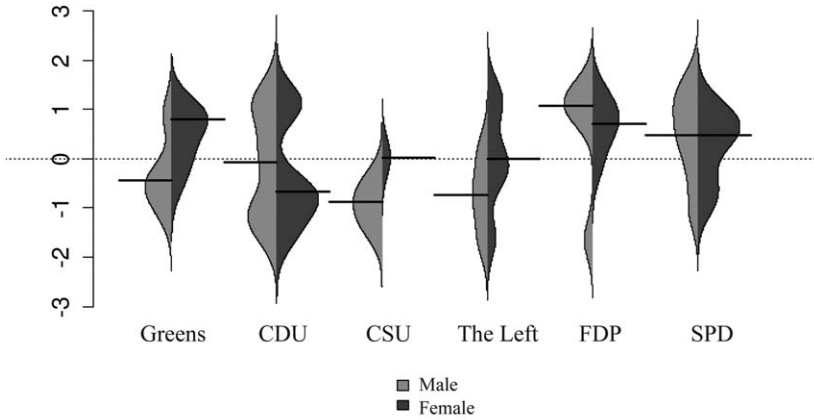
might have a certain explanatory power because they consist of individuals with similar personal ideologies (see also Burden 2007, 39). Parliamentary group membership can therefore be considered a control variable that reflects the influence of the ideological characteristics of MPs that cannot be approximated with the personal features we considered. In the case of the FDP parliamentary group, we would expect a shared element of liberal convictions, which would make MPs from this party more likely to support the moderate-permissive bill. On the other hand, values shared by many CDU/CSU MPs are likely to lead to converse results for this parliamentary group. The corresponding coefficients in our models are consistent with this interpretation in both cases: FDP MPs tend to support the moderate-permissive bill, which is mostly rejected by MPs from CDU and CSU. A further explanation for our findings is that the PGD issue touches the cleavage concerning the relationship between church and state, which still structures voting behavior and party competition in Germany to some degree (Debus, Stegmaier, and Tosun 2014; Pappi and Shikano 2002), so that MPs belonging to parties with secular traditions, like the FDP or SPD, are more likely to favor a permissive regulation of PGD, whereas MPs from parties that historically represent the interests of the (Roman Catholic) Church like CDU and CSU take a more conservative position on the PGD issue.

In sum, the analysis of the first legislative phase, i.e., the initiation and cosponsoring of bills, confirms our expectations regarding the effects of MPs' personal characteristics and the local electorate on legislative behavior. This is particularly true for Hypotheses 1, 3, and 6: whether an MP supported the moderate-permissive bill is influenced by the importance of religion in the constituency and his/her religious affiliation. Moreover, gender plays a decisive role: female MPs are more involved in legislation on PGD, in particular if they had or were expecting a child.

### *Position Taking in Speeches*

The analysis of positions taken by MPs in their speeches during the debates on PGD provides unclear support for our expectations. Figure 4 depicts how the positions towards PGD are distributed within each party on the basis of the speeches held by their MPs. The differences between the party groups are relatively small with only the FDP representatives—with one exception—expressing comparatively homogeneous positions in favor of the

FIGURE 4  
Distribution of the Positions on PGD Identified in Speeches  
by Parliamentary Group and Gender



*Note:* Higher values indicate more permissive positions.

moderate-permissive regulation.<sup>15</sup> The Social Democratic members of the Bundestag contributing to the debate also tended to support restricted use of PGD but with a slightly wider spread. Christian Democratic MPs adopted positions in their speeches that were skeptical of or against PGD but with several exceptions as the large spread and the bipolarity of the density for the CDU and CSU MPs in Figure 4 suggests. In addition to the interparty differences, Figure 4 also points towards differences in the positions taken by female and male MPs. In general, female speakers took slightly more moderate positions in their speeches than their male colleagues. Moreover, Figure 4 also allows evaluating the gender differences within parties. There are clear differences in the case of MPs belonging to the parliamentary groups of The Left, Greens, and the CSU faction within the CDU/CSU.

We performed two validity checks for our Wordfish scores (see the appendix). In a first step, we compare the positions adopted in the debate with the (subsequent) voting behavior of these MPs. As Figure 1 shows, voting behavior separates permissive (pro-PGD) speeches quite clearly from restrictive (anti-PGD) speeches, which indicates that the dimension identified here captured the issue at stake very well. As a further validation, we compare the positions of the speakers who gave speeches in the

first and second reading. Figure 2 shows that the positions of these MPs are consistent in both readings.<sup>16</sup> In sum, applying Wordfish in this context seems to provide us with meaningful estimates reflecting different views on PGD.

When we examine the positions derived for the 91 speakers on the independent variables described and used in the previous sections, the only factor which has a robust effect is again the religious denomination of MPs and here—once again—being Roman Catholic (see Table 3). These MPs adopted a more restrictive position towards PGD in their speeches than other MPs. The effects of the variables that convey information on gender and church attendance in constituencies point in the expected direction but remain insignificant.

### *Voting Behavior*

The results shown in Table 4 reveal whether and to what extent the last step of the legislative process regulating PGD—the final up or down vote on the moderate-permissive regulation—was influenced by MPs' personal characteristics and the preferences of their constituents. In line with our findings on cosponsorship and legislative speeches, voting behavior seems to be influenced by MPs' affiliation with the Roman Catholic Church as well as by the importance of religion in the constituencies: Catholic MPs are significantly more likely to reject the moderate-permissive proposal. Interestingly, this does not hold for Protestant MPs. These results lend partial support to Hypothesis 6 and underline once more the impact of MPs' religious denomination on their views and their legislative behavior. Similarly, the higher the share of churchgoers in their electoral district, the more likely are MPs to either vote against the moderate-permissive proposal or to abstain. These effects corroborate Hypothesis 1. With regard to personal characteristics, parents are slightly more likely to abstain rather than vote for the moderate-permissive bill. This effect, which is not present in the analysis of cosponsorship, may relate to the fact that the intermediate proposal was eliminated in a previous round of voting, so that MPs had to choose between the more extreme options of voting for the moderate-permissive bill or voting against it and leaving the issue of PGD unresolved. However, the effects do not indicate that female MPs or parents are more likely to support the moderate-permissive bill and do not support Hypotheses 2 and 3 with respect to voting behavior. There is also no support for Hypotheses 4 and 5 that stressed that MPs with a background in medicine and

TABLE 3  
Determinants of MPs' Positions in the Debate on Regulating PGD

	Model 1	Model 2
<i>Main Explanatory Variables</i>		
Church Attendance in Constituency	-1.30 (0.83)	-2.56 (1.56)
Catholic	-0.68** (2.66)	-0.69* (2.06)
Protestant	0.36 (1.32)	0.21 (0.64)
No Religious Affiliation	0.02 (0.04)	0.05 (0.11)
Female	0.39 (1.13)	0.37 (1.07)
Parent	0.19 (0.65)	0.09 (0.31)
Female $\times$ Parent	-0.31 (0.74)	-0.37 (0.87)
Studies in Theology	-0.39 (1.18)	-0.39 (1.18)
Studies in Medicine	0.30 (0.80)	0.26 (0.72)
<i>Controls</i>		
Greens		-0.09 (0.24)
CDU		-0.10 (0.31)
CSU		-0.39 (0.82)
The Left		-0.72 <sup>+</sup> (1.79)
FDP		0.50 (1.32)
Constant	0.06 (0.17)	0.39 (0.96)
N	91	91
Adj. R <sup>2</sup>	0.15	0.19

*Note:* The dependent variable reflects the position adopted by an MP in his or her speech, whereas higher values indicate more moderate and permissive attitudes towards PGD. Parameter estimates are OLS regression coefficients; t-values in parentheses.

<sup>+</sup>  $p < 0.1$ ; \* $p < 0.05$ ; \*\* $p < 0.01$ .

theology should show a distinct voting behavior. Thus, the personal background and experiences of MPs have less influence in this phase compared to the cosponsorship of bills.

TABLE 4  
Determinants of Roll-Call Vote Decision on Regulating PGD

	Abstention	Against
<i>Main Explanatory Variables</i>		
Church Attendance in Constituency	5.83* (2.03)	5.70** (3.12)
Catholic	0.47 (0.78)	1.42*** (4.16)
Protestant	-0.52 (-0.90)	0.23 (0.71)
No Religious Affiliation	-0.67 (-1.07)	-1.15** (-2.65)
Female	0.37 (0.51)	0.02 (0.06)
Parent	1.02 <sup>+</sup> (1.72)	-0.01 (-0.02)
Female × Parent	-0.20 (-0.24)	-0.02 (-0.04)
Studies in Theology	0.71 (0.60)	1.00 (1.53)
Studies in Medicine	-11.89 (-0.03)	-0.17 (-0.26)
<i>Controls</i>		
Greens	1.40* (2.41)	1.70*** (4.64)
CDU	0.46 (0.79)	1.23*** (4.36)
CSU	2.00* (2.34)	2.10*** (3.49)
The Left	1.35* (2.22)	1.48*** (3.89)
FDP	-2.06 <sup>+</sup> (-1.90)	-2.08*** (-4.00)
Constant	-3.68*** (-5.06)	-1.88*** (-5.01)
N		625
Pseudo R <sup>2</sup>		0.22

*Note:* The dependent variable reflects an MP's vote choice. Parameter estimates are multinomial logit regression coefficients. Numbers in parentheses are standard errors. Base category is vote for the approval of PGD; t-values in parentheses.

<sup>+</sup>  $p < 0.1$ ; \*  $p < 0.05$ ; \*\*  $p < 0.01$ ; \*\*\*  $p < 0.001$ .

Similar to cosponsoring a law proposal, the partisan affiliation contributes to the explanation of legislative voting. All variables that indicate party affiliation exert a statistically significant effect. Members of the CDU and—in particular—the CSU, the Greens, and The Left are



more likely to reject the moderate-permissive proposal than SPD MPs. In contrast, members of the FDP parliamentary group are far less likely to vote against the moderate-permissive. Taking into account that not following the position of the majority within a party is most costly at this final stage of the legislative process, the smaller impact of personal characteristics and the stronger effect of party affiliation seems reasonable for vote-seeking actors in parliamentary democracies. A cohesive legislative behavior of parties should—even in “free votes”—increase their attractiveness for voters in the following elections (e.g., Bäck 2003; Maor 1995).

In sum, German MPs did not rely on party divides. Instead, MPs based their votes on their own experiences and values resulting from their personal background. MPs' behavior also reflects the preferences of their constituents. The relationship between the electorate and their representatives' legislative behavior lends support to the expectation that MPs behave strategically—even in the domain of ethically and morally charged issues. Representing the interests and attitudes of (local) voters and party members is likely to increase the chances of being renominated and reelected. Though this finding supports the notion that MPs behave strategically, it does not contradict our previous findings concerning the impact of personal characteristics on legislative behavior with regard to moral issues. Instead, it seems that the constituency's influence is one of the (many) pressures that determine MPs' behavior.

### Conclusion

This article aims to elucidate the different factors that affect the legislative behavior of MPs in parliamentary systems with strong parties. In order to minimize the external influences on MPs' legislative behavior, we studied the decision making of German MPs on the regulation of pre-implantation genetic diagnosis (PGD). In accordance with theories on the office-seeking behavior of party political actors, we argued that elected representatives are likely to take the interests of the local electorate into account. Furthermore, we argued that MPs' legislative behavior is also shaped by their own preferences that result from their personal characteristics.

Our findings partially confirmed our expectations. The preferences of voters in the electoral districts as well as the personal characteristics of MPs play an important role in their legislative behavior. In the case of the debate on PGD, the behavior of parliamentary representatives is influenced by the degree of church

attendance and thus the importance of religion in the MP's constituency. On the other hand, there is a relationship between some MPs' personal characteristics and their legislative behavior. In the case of the regulation of PGD, MPs' behavior depends on their religious denomination as well as on their gender and parental status while their professional background does not have a significant influence: MPs are more likely to take conservative positions if they are Catholic and female MPs were more active in cosponsoring bills on PGD. Yet, when MPs ultimately decide on a law proposal, party affiliation and constituency preferences remain important even in a moral policy issue. From a theoretical perspective, it is important to acknowledge the implications of our findings. We are aware of the fact that in issues that are subject to party discipline, personal preferences are not providing any explanatory power. The debate on the regulation of PGD provides us with a most likely case. However, our findings still show how important it is to take into account MPs' personal characteristics when we think about policymaking. Personal characteristics might usually not have a significant effect when it comes to the observable part of decision making—cosponsorship, speeches, or legislative voting—but they certainly matter behind closed doors. Based on our findings, one might argue that MPs who share certain characteristics (e.g., Catholic faith) take similar positions in discussions within the parliamentary party group or the cabinet. Similarly, it might matter whether a committee is chaired by a mother of four or by a male MP with no children. This, in turn, implies that descriptive representation matters, so that personal characteristics of MPs—or of political actors in general—should be taken into account when studying the political process on decision making on moral policy issues.

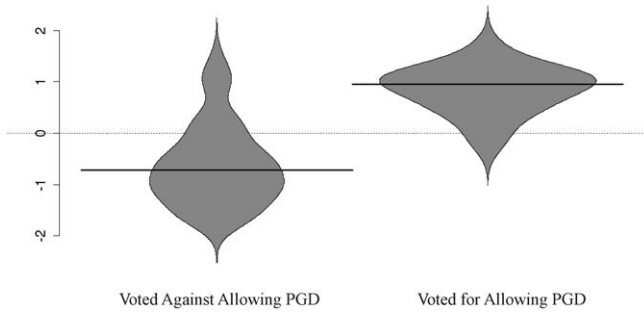
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## APPENDIX

## Validation of Positions Derived from Speeches

FIGURE A1

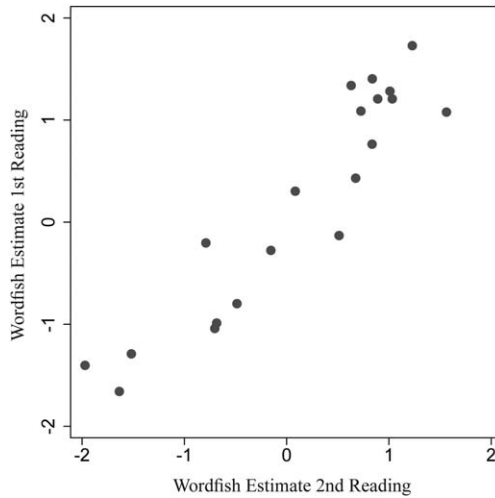
Distribution of the Positions on PGD Identified in Speeches, by Voting Behavior.



*Note:* Higher values indicate more permissive positions.

FIGURE A2

Positions on PGD Identified in the First and Second Reading of the Debate



## NOTES

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1. In fact, free votes and conscience issues are used almost interchangeably in the literature.

2. Embryo protection law of December 13, 1990 (BGBl. I S. 2746).

3. Decision of the *Bundesgerichtshof* on July 6, 2010 (AZ 5 StR 386/09).

4. The dismissive position of religious groups has been voiced repeatedly. See, for instance, the position paper of the (Catholic) German Bishops Conference ([http://www.dbk.de/fileadmin/redaktion/diverse\\_downloads/presse/2011-044\\_An1\\_2-PID.pdf](http://www.dbk.de/fileadmin/redaktion/diverse_downloads/presse/2011-044_An1_2-PID.pdf)) and the declaration of the German Protestant Church ([http://ekd.de/pid/pm40\\_2011\\_verbot\\_pid.html](http://ekd.de/pid/pm40_2011_verbot_pid.html)). However, the initial position of the Protestant churches ([http://www.ekd.de/download/12-08\\_Stellungnahme\\_EKD\\_zur\\_PIDV.pdf](http://www.ekd.de/download/12-08_Stellungnahme_EKD_zur_PIDV.pdf)) was skeptical of PGD, yet not in favor of a complete ban.

5. Twenty-four MPs gave a total of 115 speeches in both readings. The length of the speeches varies between 158 and 1,571 words with an average speech comprising 727 words.

6. The anchors are the speeches by Christine Aschenberg-Dugnus (FDP), who repeatedly quoted the position paper of the German Science Council, and by Wolfgang Zöllner (CDU/CSU), who quoted the opinion of the Council of German Protestant Churches (*Evangelische Kirche in Deutschland*).

7. A centripetal bias resulting from the selection of speakers (see Proksch and Slapin 2012) is unlikely due to the absence of party discipline in this debate. However, including the speeches that were only appended to the minutes also precludes other forms of biases, which may result from attempts by parliamentary party group leaders to represent all positions of their MPs in the debate.

8. Since many MPs do not provide information on their religious affiliation in their online biography, we complemented the corresponding variable by information from additional sources (e.g., personal web sites).

9. The share of church members can be derived for counties which, however, do not correspond geographically with electoral districts.

10. The GLES data includes a variable on the church attendance frequency of each respondent and allows us to identify the electoral district in which the respondent resides. However, the original coverage of districts from the GLES data does not allow for substantive interpretation due to its scarcity. The approach taken by Selb and Munzert (2011) adds geographical information to this data and derives reliable measures for all districts by assuming that the population with certain attributes clusters geographically. As district boundaries largely do not represent historical or social dividing lines, religious attitudes do exhibit this type of geographical clustering. From the GLES data, we thus coded the proportion of respondents who attend church at least once a month and applied the Selb-Munzert model to these variables. We would like to thank Simon Munzert and Peter Selb from the University of Konstanz for providing the necessary replication materials and the R/BUGS code.

11. For those MPs who did not run in a constituency, we gathered information on the (geographic) location of their home offices and assigned these MPs to the respective constituencies. For a more detailed description of church attendance frequency, see Baumann, Debus, and Müller (2013, 208–9).

12. All 621 MPs who were in office by March 2011 form the population of our analysis when analyzing the initiation of law proposals. Our analysis of the speeches is based exclusively on the 91 MPs who have contributed either by giving a speech or by appending their speech (which was not given) to the protocol.

13. In addition, we controlled for the total number of bills an MP cosponsored during the legislative term, which should be positively related to supporting any of the PGD bills. However, cosponsorship is in general (i.e., outside moral policies) more extensively used by the opposition. Including the number of cosponsored bills leads to expectable results for opposition MPs but leaves all of the remaining effects as described.

14. Note that each of these effects is compared to sponsoring the moderate-permissive bill, which is the base category in this model.

15. Interestingly, the conservative outlier of the liberal party group represents the MP Pascal Kober, who is a Protestant pastor and held two speeches on the issue.

16. The figure does not include four MPs who held nearly identical speeches in the two debates.

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