Party Discipline and Government Imposition of Restrictive Rules

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A more or less sophisticated whipping system does exist in all parliaments. But in addition to this rather ubiquitous power of the whips, restrictive rules (for a definition, see the first section) may in some, but by no means all, parliaments be invoked by party leaders. Restrictive rules in the procedure for passing legislation appear to consist of two distinguishable types. On the one hand, exclusion of amendments to bills may prevent complex policy packages from being rolled on the floor. On the other hand, restrictions on the timetable may expedite the legislative process and protect contentious bills against delaying attempts, notably towards the end of the legislative term.

While in the US House of Representatives imposition of restrictions is granted to a Rules Committee or the Speaker of the House, in parliamentary systems both types of instruments are granted (with or without the consent of their followers on the floor) to that part of parliament that happens to form the government. Focusing on the parliamentary systems of Western Europe, this article is going to argue that both types of restrictions, amendment control and timetable control, interact with party discipline and party cohesion. As observed succinctly in the introduction: 'To put it bluntly, discipline starts where cohesion falters'. To add to this bluntness, in the presence of dissent within a parliamentary party, a government will resort to restrictive rules where it expects discipline to fail (see the second section).

In the third section, additional theoretical reasons for imposition of restrictive rules – over and above creating party discipline by other means – will be outlined with reference to the neo-institutionalist literature about decision-making in parliaments. Only some of these hypotheses address the topic of lacking party cohesion. Others take a broader view. Which of these hypotheses are most likely to correspond with reality? To find out, the fourth section of the article takes bills as units of analysis and conducts multiple logistic regressions of the probabilities for government imposition of restrictive rules.[1]

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TWO DISTINCT TYPES OF AGENDA CONTROL

To most empirically informed rational-choice theorists agenda control means limitation of voting choices in parliament by prescribing a voting order, by restricting amendments, or both. A first layer of restrictive rules is, indeed, formed by various devices for amendment control. But a second layer is formed by restrictions safeguarding timetable control. Timetable restrictions grant to the agenda setter scheduling power for speeding up the business of the House against delaying attempts up to outright obstruction from opposition parties.

Why should agenda control be broken down into the two related but quite distinct components? An intuitively plausible answer is provided by comparing the 'parliamentary guillotines' French-style and British-style. They carry the same name but mean different things – one amendment control and the other timetable control. The French guillotine, according to the famous and notorious article 49.3 of the Constitution of the Fifth Republic, which in France is at the sole discretion of the prime minister, makes a contested bill an up-or-down proposal by linking it in a censure motion. Even without a vote, the bill is declared passed if the Assemblée does not succeed in voting the government out of office.

This French-style parliamentary guillotine restricts the rights of members of the Assemblée Nationale to discuss, amend, and vote on specific aspects of a bill. But it does not permit the government 'to evade criticism during the debate on the censure motion'.[2] Nor does the other famous restrictive rule in France, the *vote bloqué*, by which only amendments originating from government are voted upon, save the government precious parliamentary time on the floor, for members may continue proposing and defending amendments that do not, however, stand a chance of being voted upon: 'Contrary to the initial expectations of the framers of the constitution (in Debré's working group), the use of the package vote does not preclude members of the legislature from using their full five minutes allotted for the oral defence of their amendments. Although the procedure does save time on actual voting, it cannot be used to break obstruction caused by a cascade of amendments'.[3]

In stark contrast, the parliamentary guillotine in the Palace of Westminster, which aptly is also called an 'Allocation of Time Order', precisely intends to save precious government time in the Commons against delaying attempts by Her Majesty's Opposition.[4] The British guillotine stipulates that a vote shall be taken on a day fixed in advance, no matter how many clauses of the respective bill will have been discussed when the guillotine strikes. Only amendments accepted by discretion of the Speaker of the House shall be voted upon. Thus, the French guillotine saves policy but no time, whereas the British guillotine is designed to save both time and policy.

What instruments for the two types of agenda control exist across the 17 parliamentary democracies of Western Europe? The most widely known instrument for making policy an up-or-down proposal is, of course, the 'vote of confidence procedure'. Any prime minister may, in some countries with and in others without consent of the cabinet, invoke the privilege to link the contents of a bill to staying in office, both blocking amendments and automatically prompting the government's fall from office if the contested policy is not passed.[5] The purpose of this restrictive rule is to make policy stick in the presence of intra-party dissent.

This amendment control dimension of restrictive rules is even more clearly visible with respect to the French *vote bloqué*. It resembles an American 'closed rule' and is aptly translated by John D. Huber into 'package vote', which means that upon the request of any government minister 'the assembly considering a bill decides by a single vote on all or parts of the text under discussion, retaining only the amendments proposed or accepted by the Government' (article 44.3 of the Constitution, translated by Huber). Both procedures are quite frequently invoked in the French Assemblée Nationale of the Fifth Republic. But only the first of these two restrictive rules, that is the 'vote of confidence on policy', is also available to governments in other parliamentary democracies.[6]

However, even in the absence of a formal 'closed rule' (or 'package vote') governments enjoy in some but not all parliamentary systems the 'last amendment' privilege, meaning they have the undisputed right to introduce the one and final last-minute amendment.[7] By this privilege, which has also been labelled 'fighting fire with fire',[8] previous amendments hostile to a government bill may be reversed and the original government proposal 'made to stick' by turning it into a take-it-or-leave-it decision with no further amendments being accepted. Other rules may restrict the right to move amendments in various ways.[9]

Restrictive rules governing timetable control are threefold:[10] (i) according to standing orders of parliament, the government may or may not be able unilaterally to determine the timetable of plenary sessions; (ii) the government may or may not have the right to reallocate bills to other committees, thus speeding up business against recalcitrant committee jurisdictions; (iii) in many, but not in all countries, debate may or may not be curtailed before the final vote on a bill in the plenary. The already mentioned British-style parliamentary guillotine belongs to these devices. Such rules for timetable control confer, where their imposition is possible, considerable scheduling power on government.

RESTRICTIVE RULES – DISCIPLINE BY DEFAULT

Both types of agenda control, amendment restrictions and timetable restrictions, may serve the purpose of creating, in different ways, a semblance of party unity

in the presence of an incohesive parliamentary party. Both rationales will now be explained briefly in turn. How much does amendment control contribute to uniting diverging parliamentary party members? The logic of this argument can best be understood with reference to the standard model of agenda-setting in spatial models of legislative policy-making clearly and succinctly explained, among others, by Shepsle and Bonchek. A unified policy outcome, in spite of heterogeneous – or for that matter 'incohesive' – policy preferences of parliamentary party members, may be achieved by the government imposing a take-it-or-leave-it proposal. 'In the legislative arena, powerful agenda setters may, through their control of motions and amendments, prevent the process from converging on the median legislator's ideal policy, either because the agenda setter can propose and get passed something she likes better or because she chooses to keep the gates closed'.[11]

If preferences of MPs of a party or party coalition are heterogeneous, the agenda-setting government may posit the final up-or-down proposal at the 'borderline' of the intersection of MPs' preferences, that is the 'winset' of feasible policy change in the terminology of veto players theory. In fact, the government who 'makes proposals will consider the "winset" of all the other veto players as his constraint, and select among all the points contained in this "winset" the one that he prefers. This is the advantage of the agenda setter, identified for the first time formally by McKelvey'.[12] Huber also applied this basic model in a graphic demonstration to show how prime ministers, by connecting policy with the above-mentioned 'confidence vote procedure', can always achieve 'best obtainable' policy within the 'feasible set' of an incohesive party.[13] Explicit blocking of any amendments other than those suggested by government itself ensures a 'disciplined outcome' on policy, not by bullying members to vote as they are told but by restricting the range of options they can vote for at all.

In a similar vain the purpose of the 'confidence vote procedure' is not so much getting a mandate for staying in office as forcing an up-or-down decision on policy on the government. When accepting a policy linked to the 'confidence vote procedure', members are not formally requested by a three-line whip to endorse disputed policy but merely to abstain from ousting their government. Thus, the 'confidence vote procedure' creates a semblance of unity by default or, put differently, it ensures party discipline by other means than the whipping system.

Restricting members' choice by the 'confidence vote procedure' has been shown by Huber to be ambivalent and, depending on circumstances, to work in opposite ways.

> On one hand, if the government uses the procedure against its own party, the procedure might exacerbate the appearance of divisions within the

party. On the other hand, if a party is deeply divided on an issue, then prime ministers may use the procedure to suppress debate on the issue or to enable the deputies to avoid casting votes on particular aspects of bills.[14]

A government's 'best obtainable policy' – outside the median preference of its supporters, but at the borderline of the 'winset' – will be secured by imposition of a confidence vote on a bill. At the same time it allows dissenting members, who are prompted to accept a controversial government bill by default, to air dissent in an electorally useful way. By 'signalling' dissent to voters, they may convince particular electoral clienteles within an incohesive umbrella party that it would pay to vote for this party even in the face of an undesirable policy enforced by a restrictive rule.[15]

The strategy for using timetable restrictions as a means for creating a semblance of party unity is different. It works indirectly and consists of two steps. In a first step, a government may deliberately stir up controversy with the parliamentary opposition by submitting a contentious bill so as to rally its own incohesive supporters around an issue controversial in the inter-party mode. In a second step, imposition of timetable restrictions will quell resulting protests and delaying attempts bordering even on outright obstruction by opposition parties. A government can afford to pursue such a strategy of prompting controversy in the inter-party mode so as to deviate from intra-party divisions if and when it may command and invoke possibilities for timetable restrictions that do exist in most parliaments.

Without imposition of such timetable restrictions, oppositional delaying attempts could try and succeed in killing a bill towards the end of the legislative term (in Britain, for example, with the end of each sessional term and not just the full life of the legislature). In most if not all parliamentary systems, bills lapse with the end of term if not voted upon. Such a race against time to save a government bill towards the end of term may intensify the fighting spirit of competing teams and thus contribute to uniting government supporters, no matter how incoherent they are, against their opposite numbers on the floor.

John D. Huber, in his seminal book on the impact of legislative institutions on the behaviour of politicians in France, which carries a significance stretching far beyond this country, denied any impact of time as a scarce resource for imposition of restrictive rules. Empirically he found no statistically significant correlation for France between scarcity of time towards the end of term and imposition of either the 'package vote' (wrong sign) or the 'confidence vote' (statistically insignificant correct sign).[16] Theoretically, he could not imagine any conceivable theory explaining how restrictive rules would be used to deal with conflict over bills in the presence of scarce time.[17] But at

the same time Huber's important book was in print, such a theory, properly formalised by the economist Henning, was in the process of being suggested by Döring and Henning.[18]

In a neo-classical economics model they drew attention to the reduction of decision-making costs in the procedure for passing legislation by government imposition of timetable restrictions. They assumed the marginal costs of conflictual bills to be much higher than those for the non-conflictual types because of the rights the opposition may use in some countries to delay, and even obstruct, government legislation. If, however, the government commands strong instruments for agenda control quelling the delaying attempts of opposition parties, it may pass additional conflictual bills at low marginal costs even towards the end of the legislative term.

In Britain – but not, as we have seen above, in France – government imposition of restrictive rules contributes to saving time, which is one of the most precious resources in all parliaments. Restrictive rules may, thus, lower decision-making costs for contentious bills. If they are able easily to curtail delaying attempts by opposition parties, governments may, and probably will, play their hand of submitting contentious bills to parliament. Bills that are contentious in the inter-party mode may also serve the purpose of bridging divisions in the intra-party mode. This is a rationale of a highly circumstantial character. Albeit perhaps not alien to seasoned parliamentary practitioners, it would depend on circumstances, case histories and alternative stories to find out whether or not this rationale was true in a particular case.

Preceding conjectures on the electoral utilities of restrictive rules, both in the inter-party and intra-party mode, can be, and have been, formally modelled by authors quoted above. But these circumstantial assumptions do not lend themselves to rigorous statistical checking, whereas many other reasons for government imposition of restrictive rules do.

TESTABLE HYPOTHESES

There may be a myriad of case-specific reasons why governments take recourse to a restrictive rule. There are, however, also some general probabilities singled out by neo-institutional parliamentary research. We now turn to these general likelihoods of restrictive rules being invoked beyond the tactical situation of singular cases. There are seven such empirically testable generalisations. The first five deal exclusively with the amendment-control dimension of restrictive rules. Only the last two address the timetable-control dimension. As references will be made to literature where these hypotheses have been developed in a more rigorous way, including formal modelling, in each case it appears in order to sketch out the bare minimum of these seven empirically testable propositions.

A grand debate is going on as to whether 'closed rules' in the United States (US) Congress are imposed for 'informational' (Krehbiel) or 'distributional' (Shepsle) purposes.[19] Both are geared to the committee system of the US House of Representatives. John D. Huber has given a lead in translating these theoretical rationales into the institutional setting of Western European multi-party government. Attention was first drawn to the subject by his seminal 1992 article on 'Restrictive Legislative Procedures in France and the United States', to be followed by the major publication in 1996 of 'Rationalizing Parliament. Legislative Institutions and Party Politics in France'.[20] Here he transformed rational-choice theorising that was geared towards the US House of Representatives to make it applicable not only to the US Congress, but also to parliamentary democracies.

Krehbiel's well-known 'informational' rationale about imposition of restrictive rules, for example, may be translated into the institutional setting of parliamentary democracies if one conjectures: a restriction on floor amendments will be invoked not by a committee but by parliamentary government if an unusually large amount of information has been collected on a bill long before it was introduced into parliament. From this argument follows

Hypothesis 1 ('Information collection').
The probability of government imposition of restrictive procedures should increase with the amount of information collected on a particular bill.

Contrary to Krehbiel, however, Shepsle hypothesises that granting of a restrictive rule serves not so much 'informational' as rather 'distributional' purposes. In an ingenious and striking contribution to the controversy between the 'informational' and 'distributional' paradigms of rational-choice institutionalism, John D. Huber argued that it is not only difficult but also unnecessary to establish whether a policy measure be 'distributional' or 'informational'. What is important for the likelihood of restrictive rules being imposed is rather that the measure is 'jurisdictionally complex' in the sense of putting multi-dimensional issues in a single package deal.[21] From this argument follows

Hypothesis 2 ('Jurisdictional complexity').
The probability of the government using the restrictive procedures should increase on bills that are 'jurisdictionally complex' rather than 'jurisdictionally simple'.[22]

Government ministers from different parties might be trading favours between each other for the benefit of their diverse clienteles. Hence, the suspicion of 'gains from trade' always looms large if a bill is composed of more than

one policy dimension. Huber is sceptical about the validity of the 'distributional' theory even for the US committee system,[23] but he gives the argument the benefit of the doubt for parliamentary systems and views the number of parties in government as a proxy indicator for logrolling. From this argument follows:

Hypothesis 3 ('Logrolls between government parties').
The probability of government using the restrictive procedures should decline when a single party controls a majority of seats in the legislature.[24]

This hypothesis is, however, turned upside down by Tsebelis' veto players theory providing us with a theoretical explanation of why we should expect not less but, on the contrary, far more restrictive rules to be imposed with only one party in government. Starting from the standard model of amendment control briefly referred to above, Tsebelis shows by formal modelling in Euclidian geometry that the utility of any form of amendment control must decrease with an increasing number of parties in parliamentary government.[25] Furthermore, Tsebelis proved by formal modelling that the utility of amendment control has a probability to shrink with an increase of the distance between the policy positions of veto players.[26] Thus, from a combined effect or interaction between both, the number of parties in government and the policy distance between them, follows:

Hypothesis 4 ('Strategic position of veto players').
The probability of a government using restrictive procedures should decrease the more parties there are in government and the larger the policy distance between them is.

There is, however, in veto players theory an important exception to and qualification of hypothesis 4. By additional formal modelling it was also shown by Tsebelis that if a veto player, possessing the right to impose a restrictive rule, is centrally located in policy space, this player can make his own ideal point the basis of a take-it-or-leave-it proposal even if there are many veto players involved in a decision. What real-world cases may fit this rare condition of one among many veto players being centrally located in policy space and at the same time possessing the privilege of controlling the agenda by imposing a restrictive rule? This may be a prime minister, entitled to impose a vote of confidence on a policy issue without consultation with his coalition partners.[27] It may also be a minority government, but only of the single-party type. By its very position in the centre it may be tolerated by parliamentary parties either to its left or to its right, or by both. As these supporting parties do not formally form part of the government, no 'veto player party' may object in cabinet to

the agenda being restricted in parliamentary voting on a bill. Being only one party, and hence a single collective veto player, minority government may, if standing orders in a country allow for restrictive rules, make its own ideal policy point a take-it-or-leave-it proposal for the final outcome.[28] From this reasoning follows:

Hypothesis 5 ('Single-party minority government').
There should be a high probability of restrictive rules being imposed by minority governments of the single-party format.

It may at first sight appear to be perplexing to assume that a minority government that technically could easily be brought down at any time by a vote of no confidence is frequently to be expected to impose restrictive rules on the parliamentary majority. However, the minority government's restricted proposal will be located within the 'winset' of the majority party coalition outside government voting for its proposal. Therefore, single-party minority government may choose its own centrally located ideal policy point as a restricted alternative acceptable to its supporters in parliament.[29]

Veto players theory, as all other spatial theories of decision-making, focuses on the amendment-control component of restrictive rules. In this view, restrictive rules are imposed to make the policies of an agenda setter stick by moving it closest to his ideal point within the game-theoretically defined feasible set ('winset') of obtainable policies. None of the theories referred to so far has paid any attention to the second, timetable-control, dimension of the imposition of restrictive rules. But Döring and Henning, based on assumptions of neo-classical economics, have recently emphasised the impact of restrictive rules on the reduction of decision-making costs for controversial bills. From their reasoning already outlined in the previous section follows:

Hypothesis 6 ('Controversy').
The probability of a government using restrictive procedures should increase in the presence of delaying attempts from opposition parties.

In most countries bills not voted upon lapse with the end of term (either a sessional term of one year, such as in Britain, or the full legislative term of a few years, as in many other countries). Then they must be reintroduced all the way back on the time-consuming 'legislative obstacles course'.[30] Only in a few countries 'bills never die' and may be carried over into the next legislative term.[31] For reasons also outlined in the previous section, the reduction of decision-making costs by imposition of timetable restrictions becomes more valuable towards the end of the legislative session because the marginal

cost requirements for enacting controversial bills increases with fewer days left until the end of term. From this observation follows:

Hypothesis 7 ('Time constraint').
The likelihood of government imposition of restrictive rules should increase towards the end of the legislative term.

It remains to be seen whether hypotheses 6 and 7, which address the hitherto neglected timetable-control dimension of restrictive rules in addition to its much better known amendment-control dimension, will hold true in subsequent empirical analyses with a novel data set.

EMPIRICAL ASSESSMENT

There may be many reasons why governments do, pending on unique circumstances, resort to restrictive rules. What this last section is interested in, however, is not a compilation of particular cases but the discovery of general probabilities. To find out if the preceding seven hypotheses are true, a series of logistic regressions was run. The cross-national SPPL data set used for this analysis has, like any other, its specific strengths and limitations not to be discussed in detail here.[32] Altogether 80 out of 512 bills across the 17 parliamentary systems of Western Europe (excluding, of course, Switzerland also contained in the set) were enacted by government imposition of restrictive rules. Of these 80 restrictions, only eight were linked to a confidence vote and the remaining 74 to some alternative kind of restrictive rule. While we may distinguish from the data set whether a confidence vote or other restrictions were imposed, it is not possible to establish whether these 'other' restrictions fall into the amendment-control type or timetable-control type brackets. Half of the only eight cases of the confidence vote in the data set took place in France, showing this procedure to be a French speciality in spite of theoretically being applicable to all parliamentary, as opposed to presidential, systems.

    As there were so few cases of the confidence vote procedure across Western Europe at large, both confidence votes and other restrictive rules were coded for the purpose of this analysis into a combined variable labelled 'impose' indicating whether or not any kind of restriction was invoked (1 = no, 2 = yes) during the decisive reading of a particular bill (for a coding of variables, see the author's website www.uni-potsdam.de/u/ls_vergleich). As this dependent variable is dichotomous, logistic rather than OLS regression appears to be the suitable method for rigorous statistical checking of probabilities. Table 1 gives the results. Its columns are arranged according to the seven hypotheses outlined in the third section.

Independent Variables	Dependent Variable: Government Imposition of Restrictive Rules						
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Information Collection							
Previous consultation document	−0.11 (0.54)	−0.09 (0.61)	−0.20 (0.29)	−0.19 (0.31)	0.11 (0.68)	0.07 (0.78)	0.09 (0.72)
Pre-parliamentary commission	−0.35 (0.05)	−0.38 (0.04)	−0.35 (0.08)	−0.38 (0.05)	−0.53 (0.02)	−0.57 (0.02)	−0.52 (0.03)
Bill announced in government declaration	−0.01 (0.95)	−0.06 (0.72)	−0.02 (0.91)	0.01 (0.97)	−0.28 (0.22)	−0.35 (0.14)	−0.29 (0.23)
Importance of bill due to expert assessment	0.18 (0.13)	0.16 (0.21)	0.13 (0.31)	0.12 (0.33)	0.19 (0.25)	0.16 (0.34)	0.15 (0.40)
Jurisdictional Complexity							
Sub-chapters of bill		0.47 (0.06)	0.46 (0.09)	0.59 (0.05)	2.24 (0.01)	2.12 (0.02)	2.10 (0.02)
Number of committees to which bill was referred		0.04 (0.83)	0.27 (0.22)	0.26 (0.22)	−0.06 (0.79)	−0.08 (0.77)	0.06 (0.81)
Log Rolls Between Government Parties							
Number of parties in government				−0.91 (0.00)	Number of parties replaced by alternative operationalisations below		
Strategic Position of Veto Players							
No. of government parties*				−0.95 (0.00)			
Policy distance of government parties							

(*Continued*)

TABLE 1 *CONTINUED*

Independent Variables	Dependent Variable: Government Imposition of Restrictive Rules						
	(1)	**(2)**	**(3)**	**(4)**	**(5)**	**(6)**	**(7)**
Dummy single-party minority government					0.82 (0.05)	0.84 (0.05)	0.78 (0.07)
Dummy single-party majority government					0.60 (0.18)	0.64 (0.15)	0.66 (0.14)
Dummy coalition majority government					0.58 (0.29)	0.58 (0.29)	0.44 (0.42)
Controversy							
Delaying attempts of opposition parties						0.41 (0.03)	0.44 (0.02)
Time Constraint							
Days until end of legislative term							1.00 (0.06)
Constant	-1.84 (0.00)	-1.80 (0.00)	-2.10 (0.00)	-2.10 (0.00)	-1.16 (0.00)	-1.23 (0.00)	-1.52 (0.00)
Log-likelihood	280.57	277.02	259.76	258.98	170.05	165.49	160.94
Nagelkerke's R^2	0.037	0.055	0.138	0.142	0.236	0.267	0.297
N	353	353	353	353	187	187	187

Note: For description of variables, see author's website www.uni-potsdam.de/u/ls_vergleich.

Column 1 of Table 1 includes in the regression four operationalisations indicative of the 'information collection' theory of the reason for imposition of restrictive rules. The theory is not supported by the data. It expects more restrictive rules to be imposed if the government had taken care to test its proposals in a consultation document preceding the introduction of a bill. In a similar way, appointment of a pre-parliamentary commission collecting information on the matter of the planned bill should show a positive sign, but points in the wrong direction. Furthermore, an inconclusive neither/nor is revealed in respect of the bill being announced in a government declaration submitted to parliament at the beginning of the legislative term. It is only with respect to the factual importance of the bill concerning a change of the legal status quo that the coefficient does point, but only weakly and insignificantly, in the expected direction. In summary, the only significant coefficient, appointment of a pre-parliamentary commission, has the wrong sign. The only other coefficient that is strong, the importance of a bill according to the assessment of independent experts, is not significant. The other two of the four variables may reasonably be neglected because their coefficients are small, highly insignificant, and wavering in the direction of their signs when variables from other more promising theories are added in columns 2 to 7.

Column 2 adds two more variables to those already examined in column 1. These additional variables are indicative of the 'jurisdictional complexity of bill' theory. It leads us to expect that more restrictive rules will be imposed if there are more chapters/sub-headings of a bill. Thus, multi-dimensional package deals within a single bill would be protected against being unravelled by floor amendments. This appears to be true for the 'number of chapters/sub-headings' indicator of complexity. Its significance even rises if tested against further hypotheses in subsequent regression models. However, multiple referrals of bills to several committees, which would indicate its multi-dimensionality, do show an inconclusive neither/nor result. With the one indicator strongly positive and the other one not negative, complexity of a bill does, therefore, hold reasonably well as a predictor for government invoking a restrictive rule.

Column 3, while retaining all previous variables, does add to the experiment a proxy variable for the 'distributional logrolls' theory. While we cannot directly establish whether a bill is 'distributional' or not, circumstantial reasoning leads us to expect more logrolling to have taken place if there had been more parties in government during the time of the parliamentary passage of the respective bill. This theory is quite conclusively rejected because the regression coefficient points strongly and highly significantly in the wrong direction.

But this negative finding is instantly turned into a first, and quite convincing, confirmation of Tsebelis' veto players theory. It will be recalled from the

previous section that veto players theory, in stark contrast to the logrolling theory, expects amendment control to be less often imposed the more parties there are in government. This is precisely the case if one re-interprets the 'wrong sign' for column 3, 'number of parties in government', in terms of Tsebelis' veto players theory. This twist in re-interpreting the coefficient is another example of the fruitfulness of Lakatos' 'Methodology of Scientific Research Programmes'.[33] The anomaly in, and defeat of, one theory may be accommodated by a powerful alternative explanation.

Number of parties in government is, however, only one of several dimensions of veto players theory. According to this theory there are two other factors contributing to agenda setting prerogatives of government being invoked during the passage of a bill. The first factor is the 'range' of the policy distance between the parties that form the extremes in a coalition. The second factor is the centrality of an agenda setter within the policy space. Both predictions are subsequently checked in columns 4 and 5 of Table 1.

Column 4 replaces 'number of parties in government' (as in column 3) with a multiplication variable measuring the interactive effect of both 'number of parties in government' as well as the policy distance between them. Policy distance, or 'range', was calculated from Laver and Hunt for each particular bill in the data set as the distance between the two most extreme parties in government. (For a single-party government this figure is set at 0, of course.) To capture a key feature of veto players theory, this newly constructed multiplication variable makes use of the straightforward statistical device of measuring an interaction by simply multiplying values for the 'number of parties in government' with values for 'range'. The result is another significant confirmation of veto players theory. The coefficient carries the highest possible significance and points in the expected direction.

Column 5 checks the 'minority government hypothesis', assuming that, contrary to intuition but logically derived from veto players theory, it is minority government of the single-party format that will most frequently take recourse to restrictive rules. To check this hypothesis, for each bill, information was coded into the data set about what type of government was in power during the time of the deliberation of the particular bill. Hence 'number of parties in government', as in column 3, is once again replaced by another variable that does carry information about the number of parties in government (single or coalition) as well as whether governments were of minority or majority status. This variable has four nominal categories: single-party majority, coalition majority, single-party minority and coalition majority.[34] Regression results from column 5 strongly confirm the prediction. Even when all variables from all other preceding theories are included in the

regression equation it is minority government of the single-party kind that carries, together with complexity of a bill, a significant sign in the expected direction.

Column 6 directs attention to the 'controversy' component of restrictive rules while also including all previous variables. Addition of the variable 'delaying attempts of opposition parties' allows an empirical assessment of the decision-making cost theory of agenda control developed by Döring and Henning. Does this theory stand any chance of being supported by the data if it is simultaneously analysed together with other more prominent and already well-confirmed theories? Or will it be reduced to insignificance? Results from column 6 confirm Döring and Henning. In the case of imposition we observe a higher degree of delaying attempts of opposition parties.

Column 7 finally adds the variable 'days until end of legislative term' in order to check the time constraint component of the Döring and Henning theory.[35] Time appears to be a scarce resource indeed, strongly related with a reasonably significant positive coefficient to the probability of a restrictive rule being invoked by government. Increasing R^2s in columns 6 and 7 are an indication that the timetable control dimension of agenda control in the decision-making-cost theory by Döring and Henning adds some predictive value to two other rational-choice theories which stress jurisdictional complexity and amendment control subject to the strategic position of veto players as reasons for government imposition of restrictive rules.

Somewhat paradoxically but well grounded in veto players theory, it is single-party minority government that more frequently than any other type of government invokes restrictive rules. However, because minority governments are unable to command a majority in the chamber they must for obvious reasons refrain from introducing conflictual bills. Therefore, it appears quite logical that with the inclusion of controversy in conjunction with time constraint over contentious bills in column 7, the single-party minority dummy loses a little bit of its strength and becomes a little less significant. On the other hand, the single-party majority government, which is in the best possible position to exploit restrictive rules as a means of distinguishing itself for reasons of electoral utility against the opposition by submitting contentious bills, slightly gains in strength.

There is no reason to worry about the relatively small amount of variance explained by the variables used in this article for the likelihood of restrictive rules being invoked by governments. There are many unknown contextual influences calling for the imposition of restrictive rules that may vary from case to case. These cannot be, and have not been, captured by the cross-national method of checking in the SPPL data set for the operation of a few general principles beyond time and space. If Alice were to enter, not Wonderland but Rational-Choice Land, she might be surprised to learn how

trenchantly simple and universal the popular concepts and figures used in this realm really are. These rarefied and fairly abstract first principles are simple but not simplistic – according to the Latin saying 'simplex sigillum veri'. Given they cannot, and will not, describe the rich contexts of the passage of each bill, it is quite rewarding to see that they do explain such an amount of variance at all, with signs of the regression coefficients for five of the seven hypotheses significantly pointing into the theoretically expected direction.

<div align="center">NOTES</div>

1. Data collection of the SPPL data set ('Study of the Parliamentary Passage of Legislation') by the multinational 'Parliaments and Majority Rule in Western Europe' research group was supported by a grant from the Deutsche Forschungsgemeinschaft to the author under grant number Do 204/6-1. First findings were discussed at a project conference sponsored by Thyssen Foundation under grant number 322 00016. For the codebook to this data set, see the author's website www.uni-potsdam.de/u/ls_vergleich as well as H. Döring and M. Hallerberg (eds.), *Patterns of Parliamentary Behaviour: Passage of Legislation across Western Europe* (Aldershot: Ashgate, forthcoming 2004). I am indebted to criticisms from anonymous reviewers. In this book various authors base their analyses on the SPPL data set. My special thanks for assistance in data management and statistical analysis go to Silke Hans and Jewgenij Sven Noth. With publication of this article this data set will be put in the public domain for download at the author's website enabling other researchers to scrutinise results presented here.

2. J.D. Huber, *Rationalizing Parliament. Legislative Institutions and Party Politics in France* (Cambridge: Cambridge University Press, 1996), p.136.

3. Huber, *Rationalizing Parliament*, p.101.

4. H.M. Barclay, '"Guillotine Motions" in the House of Commons', *Constitutional and Parliamentary Information*, 109 (1977), pp.44–56; E. Taylor, *The House of Commons at Work* (London: Penguin, 1979), pp.82ff, 97, 145–8 and 152.

5. For pre-requisites for invoking this procedure in 18 democracies, see J. D. Huber, 'The Vote of Confidence in Parliamentary Democracies', *American Political Science Review*, 90/2 (1996), p.271, Table 1.

6. Even where standing orders do not explicitly allow linking a contested policy to a confidence vote it nevertheless exists. Thus, Huber's cross-national synopsis did not find this rule documented for Iceland but it emerged from the SPPL data set that the government here, too, made a particular bill a vote of confidence.

7. W.B. Heller, 'Making Policy Stick: Why the Government Gets What it Wants in Multiparty Parliaments', *American Journal of Political Science*, 45/4 (2001), pp.780–98.

8. B.R. Weingast, 'Fighting Fire with Fire: Amending Activity and Institutional Change in the Postreform Congress', in R.H. Davidson (ed.), *The Postreform Congress* (New York: St. Martin's Press, 1992), pp.143–68.

9. For a comparative account, see I. Mattson, 'Private Members' Initiatives and Amendments', in H. Döring (ed.), *Parliaments and Majority Rule in Western Europe* (Frankfurt and New York: Campus and St. Martin's Press, 1995), pp.448–87.

10. For a synopsis of the three forms of rules in Western European parliaments (first chambers), see H. Döring, 'Time as a Scarce Resource: Government Control of the Agenda', in Döring (ed.), *Parliaments and Majority Rule in Western Europe*, Tables 7.1, 7.5 and 7.6.

11. K.A. Shepsle and M.S. Bonchek, *Analysing Politics. Rationality, Behavior, and Institutions* (New York and London: Norton, 1997), pp.135ff.

12. G. Tsebelis, *Veto Players: How Political Institutions Work* (New York and Princeton, NJ: Russell Sage Foundation and Princeton University Press, 2002), pp.33ff. with Figure 1.8.

13. Huber, *Rationalizing Parliament*, pp.121–9 with Figures 5.1, 5.2 and 5.3; see also Huber, 'The Vote of Confidence', pp.272ff. with Figure 2.

14. Huber, *Rationalizing Parliament*, pp.119–20.

15. Huber, *Rationalizing Parliament*, pp.122.

16. Huber, *Rationalizing Parliament*, pp.102–8 with Tables 4.7 and 4.8.

17. Huber, *Rationalizing Parliament*, p.64: 'there exists no logical argument explaining why policy conflict between the government and the National Assembly should lead to the use of restrictive procedures'.

18. H. Döring, 'Institutions and Policies: Why We Need Cross-National Analysis', in Döring (ed.), *Parliaments and Majority Rule in Western Europe*, pp.27–50; C. Henning, 'A Formal Model of Law Production by Government as a "Natural Monopoly"', in Döring (ed.), *Parliaments and Majority Rule in Western Europe*, pp.601–13.

19. For the state of the art, see the special issue by K.A. Shepsle and B.R. Weingast, 'Editors' Introduction: Formal Models of Legislatures', *Legislative Studies Quarterly*, 19/2 (1994), pp.145–7.

20. J.D. Huber, 'Restrictive Legislative Procedures in France and the United States', *American Political Science Review*, 86/3 (1992), pp.675–87.

21. Huber, *Rationalizing Parliament*, p.88.

22. Huber, *Rationalizing Parliament*, p.83.

23. Huber, *Rationalizing Parliament*, p.86.

24. Huber, *Rationalizing Parliament*, p.83.

25. For formal proof, see Tsebelis, *Veto Players*, pp.35ff with figure 1.9.

26. For formal proof, see Tsebelis, *Veto Players*, pp.35ff with figure 1.9.

27. Huber, 'The Vote of Confidence', pp.270–72 with Table 1.

28. See the formal proof of this surprising but logically striking argument by Tsebelis, *Veto Players*, pp.35ff with figure 1.9 and pp.97f with figure 4.1.

29. Additional evidence for the importance of restrictive rules as a probable reason for the very existence of minority government has been found by Heller in his seminal article about the last amendment procedure. With aggregated data (percentages of minority governments over the last decades) he constructed a table showing that the percentage of minority governments, too, is indeed high in countries where the last amendment procedure is possible (Heller, 'Making Policy Stick', pp.791ff with Table 3).

30. D.M. Olson, *The Legislative Process: A Comparative Approach* (New York: Harper & Row, 1980), pp.350ff.

31. Döring, 'Time as a Scarce Resource', p.242 with Table 7.7.

32. For a discussion of the sampling procedure, the rather limited time period and the two policy areas under study as well as the codebook of this data set, see the author's website www.uni-potsdam.de/u/ls_vergleich.

33. I. Lakatos, 'Falsification and the Methodology of Scientific Research Programmes', in I. Lakatos and A. Musgrave (eds.), *Criticism and the Growth of Knowledge* (London: Cambridge University Press, 1970, new edn. 1995).

34. In genuine dummy-coding, k-1 dummies are needed if the nominal variable has k categories. In column 5 'coalition minority' is set to this reference category.

35. A large number of missing cases for days between final voting on a bill and the end of the legislative term reduced the number of cases from 353 to 187 due to listwise exclusion of missing cases. To make comparisons between previous models and the time constraint hypothesis possible, the number of cases in columns 5 and 6 was set to 187. Separate analysis of column 5 with the full set of valid cases yielded no substantially different results.