

## Legislative agenda-setting in parliamentary democracies

THOMAS BRÄUNINGER<sup>1</sup> & MARC DEBUS<sup>2</sup>

<sup>1</sup>*Department of Political Science, University of Mainz, Germany;* <sup>2</sup>*Mannheim Centre for European Social Research, University of Mannheim, Germany*

**Abstract.** Various strands of literature in comparative politics regard governments as the only noteworthy initiators and mainsprings of legislative policy making in parliamentary democracies. Opposition activity in policy making is more often associated with the intention to prevent, rather than to shape, policy. Does this perception reflect real-life politics? To answer this question, this article discusses different arguments that link institutional and policy-related characteristics to the incentives and constraints of different government and parliamentary actors to initiate or co-sponsor legislative bills. More specifically, it relates policy-, office- and vote-related incentives, as well as institutional and resource constraints of legislative actors, to the likelihood that these actors will take the lead in legislative agenda-setting. These arguments are confronted with original data on the universe of all legislative bills in four parliamentary systems over one and a half decades. The article concludes that opposition and, in particular, bipartisan agenda-setting is indeed rare. Yet, in contrast to widely held maxims, it is neither absent nor spurious, but related to the allocation of power and the intensity of ideological conflict both within and between the (coalition) government and parliament.

### Introduction

The government is apparently the key player in the policy-making process in parliamentary democracies. Typically, it controls a legislative majority and thus the parliamentary floor. The government sets the policy agenda, pushes major policy changes by introducing bills in the legislative process and gets its initiatives passed without much hassle. Once the bill is enacted, the government oversees the bureaucratic implementation of its policies. Of course, this is a caricature of a parliamentary democracy. Majority governments are backed by, rather than reigning over, a legislative majority that itself has control over the policy process due to the simple fact that bills have to be passed by parliament (e.g., Döring & Hallerberg 2004). And minority governments are too frequent to be mere exceptions to the rule. In addition, in multiparty systems where coalition governments are frequent, the total command a government is supposed to exercise over a legislative majority is in reality often tricky to effect

(for an overview, see Müller & Strøm 2000; Cowley 2002; Bergman et al. 2003). The organisational structure and cohesiveness of political parties may also have an impact on the position of government vis-à-vis parliamentary actors (Bowler et al. 1999; Kam 2001, 2009). Does this mean that parliamentary legislative actors, even those in the opposition, can influence the policy agenda by introducing legislation?

In political systems where political parties are rather weakly organised and less cohesive, and executives are drawn not from the legislature but directly elected with their own source of legitimacy, bipartisan legislative activities are often a normal feature of the policy-making process. In the American presidential system, for instance, members of Congress often work together across party lines (Mayhew 1974; Wilson & Young 1997; Epstein 1998). More generally, where ideology and partisanship are not perfectly matched, there are incentives for bipartisan activities, both in sponsoring and in voting on a bill.

Such legislative behaviour is less common in parliamentary systems where the success or even the investiture of government usually depends on the support of a majority of votes in parliament. In order to ensure stable majorities, (government) parties have to be strongly organised, cohesive and disciplined (e.g., Lupia & McCubbins 1994). Multiparty governments likewise have to employ means to deal with the divergence of preferences within the coalition. Individual members of parliament (MPs) who are potential or actual defectors risk their re-nomination for the next election; and in coalition agreements, the possibility for activities with opposition parties are often explicitly restricted (see Timmermans 1998, 2006; Müller 2005: 74; Müller & Strøm 2008). It seems that in parliamentary systems there is little room for opposition or bipartisan activities – that is, cooperation between legislators in the government and from opposition parties.

In this article, we reflect anew on who takes the lead in legislative agenda-setting. We argue that despite the clear distinction between government and opposition in parliamentary democracies, there is indeed room to accommodate opposition agenda-setting, legislative activity by the governing party's own MPs, and, as well, activity taking place across the government-opposition divide. One reason is that policy making is not the only goal parliamentary actors pursue. Bills are not only drafted for the sake of eventually being enacted. They are often drafted to signal to voters that viable alternatives to the government's agenda exist (Groseclose & McCarty 2001). Also, intraparty factions or backbenchers within the governing party or parties' camp may use legislative activity to raise their profile and garner support from their constituents to enhance their chances of re-election or to capture more influence within their political party (e.g., Bowler et al. 1999: 9–11). To sum up, the agenda-setting strategies of MPs are also shaped by their expectations

concerning voter preferences and their anticipation of elections and future government formations.

Occasionally, even opposition MPs see their legislative proposals passed by parliament. Yet writing up legislative bills is one way among others (such as questions to ministers or parliamentary resolutions) to signal one's priorities to the public in the competition for votes (Green-Pedersen & Mortensen 2007; Green-Pedersen & Krogstrup 2008). Once we (re-)recognise the agenda-setting power of parliament, the more interesting question is when and why MPs make use of it. Analysing legislative activity in four West European parliamentary democracies – Belgium, France, Germany and the United Kingdom – between 1986 and 2003, we find that legislative activity of the government *and* the opposition camp in parliament not only exists, but that it is extensive. We also find that their actual agenda-setting behaviour is related to the larger political game in terms of the allocation of power, the electoral cycle and the intensity of ideological conflict both within and between the (coalition) government and parliament.

The remainder of this article is structured as follows. We begin our analysis by discussing potential institutional, electoral and partisan reasons that can explain the emergence of bills from different agenda-setters in parliamentary democracies. We briefly evaluate the literature on legislative policy making, grouping arguments into two broad categories that refer to the incentives of legislative actors and the constraints they face. We distinguish between four types of legislative initiators: the cabinet or government per se; the parties in government or individual MPs from parties that support the government; opposition parties or MPs; and groups of parties or MPs that belong to both the government and opposition camp in parliament. The third section provides a description of the data for the empirical analysis: the almost complete set of bills proposed to the lower chambers of the parliaments of the four countries over a 15-year period. In the fourth section, we use a conditional logit model to test our expectations of legislative agenda-setting. The final section offers concluding remarks.

## **Agenda-setting in parliamentary democracies**

The broader literature on agenda-setting has at least two important strands. One is the literature on legislative agenda-setting with its focus on policy outcomes. Following the insight of the seminal paper of Romer and Rosenthal (1978) that setting the agenda is consequential for policies when legislative institutions privilege first as compared to second movers in the legislative process, much of the research on the 'new institutionalism' has been focused on

institutions of agenda control and their differential impact on policy outcomes. Shepsle (1979), for instance, identified 'proposal power', 'gatekeeping power' and the 'last offer authority' as the foundation of the power of committees in the American congressional system. Döring's (1995a, 2001) comprehensive studies on the rules and practices of agenda control in Western European parliaments showed that, first, there is considerable variation across parliamentary systems in terms of the devices with which governments can control the parliamentary process, and second, these instruments of agenda control are policy consequential when, in a nutshell, governments have high agenda control and enact fewer but more conflicting bills (Döring 2001: 158). A second seminal study is by Huber (1996a), which provided the theoretical rationale and empirical evidence that the motion of confidence vote procedure is an instrument of government agenda control that prevents parliament from amending or even blocking the passage of a bill.

The second strand is the field of policy agenda research following the classical and more recent studies of Schattschneider (1960), Bachrach and Baratz (1962) and Baumgartner and Jones (1993). These studies are not so concerned with policy outcomes *per se*, but rather focus on the dynamics of how new ideas and understandings of problems spread in the political system (for an overview, see Baumgartner et al. 2006). The key insight here is that major policy changes generally are associated with heightened attention to an issue, adopted during short 'windows of opportunity', and often with a change in their meaning (Kingdon 1995). The power of the agenda-setter, then, is not confined to placing a 'take-it-or-leave-it' proposal (which is the meaning in the first strand of literature), but rests in the ability to define and structure which alternatives are considered in the first place.

In this article, we are concerned with bridging the gap between these literatures by building on both the more limited and the broad conception of agenda-setting. In doing so, our endeavour is of course both narrower than the broad conception of agenda-setting and wider than the limited one. As most comparative research (e.g., Almond & Powell 1978; Norton 1990) asserts that almost all important policy-making power lies in the cabinet (cf., Huber 1996b), the focus typically is on the degree and instruments of governmental agenda control and therefore the ability of governments to get their bills passed without much obstruction. Certainly, in virtually every parliamentary system, individual MPs as compared to their governments are disadvantaged in putting legislative bills on the agenda (Mattson 1995). Yet a short glance at parliamentary statistics reveals that MPs are far from idle; the number of initiatives put forward within parliament is sizable. In a synopsis of the number of bills introduced per year in the lower houses of 15 Western European countries over the 5-year period from 1978 to 1982, Andeweg and Nijzink

(1995: 171) show that private member bills make up about 39 per cent of all bills introduced, but only 9 per cent of all bills passed. This prompts the questions of who introduces what, when and why? The ambition of this study is therefore wider as we seek to shed light on when the government, and when parliamentary actors, take the lead in legislative agenda-setting.

At the same time, it is also narrower as we are not concerned with the legislative process that follows the introduction of a bill – that is, with the rules and practices of agenda control, the legislative process and the resultant policy outcomes, or the success or failure of bills. Rather, we are interested in the incentives and constraints that make legislative actors initiate bills even if, as is the case with those put forward by the opposition, they most likely will be voted down. This is certainly a comprehensive understanding of agenda-setting: what counts is the submission of a proposal regardless of whether it finally succeeds in shaping the public agenda or not.

This leads to the question of what exactly are the incentives to submit legislative bills. A standard assumption in spatial models of legislative behaviour is that actors only care about policy outcomes. Yet there is ample evidence that indicates that political actors are concerned with both policy and office as well as with electoral gains of the political game (Harmel & Janda 1994; Strøm 1990a), and that the relative importance they attach to these goals also differs with their formal roles (Laver & Hunt 1992: 72). Cabinet members may be more concerned with the potential office and policy gains of their legislative proposals than opposition or backbencher MPs who aspire to shape policies in the future but for the moment are more preoccupied with the need to communicate their policy positions to the electorate. In the following, we will discuss the various incentives as well as constraints on legislative actors when submitting legislative bills. Prior to this, we should first turn to the types of initiators with which we are concerned.

Given the sharp divide between government majority and parliamentary minority in parliamentary systems, we distinguish among three types of actors and, accordingly, four types of bills. First, in virtually any parliamentary system, governments have the right to introduce bills. Notably, this is done on a one-by-one basis. The government ‘as a whole’ introduces bills even though the proposal may be drafted and presented by a single minister (belonging to one of possibly several coalition parties). Second, government bills usually cannot be co-sponsored by ordinary MPs. All other bills are sponsored by members of the legislature either from the first or the second chamber. ‘Government party bills’ are those introduced by MPs (or parliamentary groups) belonging to parties within government. Opposition bills are bills that have been presented by MPs not belonging to parties within government. Mixed bills are sponsored by at least two MPs: one from the government camp, one from the opposition camp.

It seems pertinent to make at least two remarks. First, this classification is based on who introduces a bill to parliament. It reveals nothing about the political origin of the policy proposal. Government ministers may draft a bill but hand it to an MP in order to save time in the legislative process or to avoid being associated with it. Disguised government bills in Germany (Rudzio 2006: 225–230) and so-called ‘handout bills’ in the United Kingdom are examples of this (Griffith & Ryle 1989: 310–314). Also, governing party bills may be sponsored by members of one governing party only, but have the backing (or not) of all government parties. Here, the formal rules of who is entitled to present a bill may make a difference. In three of the four parliaments under study here, individual MPs are allowed to introduce a bill, whereas in the German Bundestag only parliamentary parties (or groups of at least 5 per cent of all MPs) are allowed to submit a bill. Second, while government, governing party and opposition bills can be understood as the result of the strategic choice of a group of actors with similar interests (MPs of one party) and faced with similar constraints (e.g. being in opposition), mixed bills obviously differ in this respect. These mixed or bipartisan initiatives require the sponsorship at least two MPs or groups of MPs – one from the government camp, one from the opposition camp – which, by assumption, may have conflicting interests or may be confronted with different constraints.

## Hypotheses

In order to find determinants of when and why these different actors propose bills on their own or with the support of other actors, we look at several functional characteristics that shape the incentives and constraints when submitting bills. To start with, we note that the above classification of actors is based on two functional distinctions: between the executive and legislative branch of government and between actors supporting and opposing the government. We are looking here for push and pull factors that shift the power balance within the triangle of government, government-supporting and government-opposing parties in parliament. We consider government majority-opposition relations first.

### *Government majority-opposition relations*

We begin with the observation that in parliamentary systems the government has considerable control over legislative policy making (Tsebelis 2002: 82). One source of power is the majority’s institutional prerogative to determine the plenary agenda (Döring 1995b: 224). Another aspect is the resources in

terms of administrative staff and access to ministerial and bureaucratic knowledge, which puts legislators in parliamentary systems in a less comfortable position than their fellows in presidential systems, but which also varies considerably across parliamentary systems (Huber 1996b). Most importantly, the power of government rests on its capacity to combine a vote on a bill with the question of confidence (Huber 1996a; Diermeier & Feddersen 1998). As governments can make use of the vote-of-confidence weapon only if they are backed by a parliamentary majority (for fear that they might otherwise lose the amenities provided to government parties), it seems pertinent to distinguish between two scenarios: majority and minority governments.

As majority governments *are* backed by parliamentary majorities, governments do not necessarily profit from a larger majority – that is, a seat share much larger than 50 per cent. With large majorities, dissenting votes on government bills may be more likely, whereas bill failure is not (Best & Heller 2005). In any case, relative seat strength shapes the distribution of legislative resources in terms of expertise, staff and access to information and thus the relative ability of the opposition and governing party camps to initiate bills. Large camps, whatever side, should profit from their seat strength at the expense of the other camp. The hypothesis therefore is that large governing party camps make governing party initiatives and possibly also government bills more likely but opposition initiatives less likely and vice versa. From this perspective, the effect on mixed bills is undetermined (*H1a*).<sup>1</sup> Table 1 summarises the expected effects of our independent variables on the relative number of bills by the type of initiator for this and all subsequent hypotheses.

Minority cabinets work differently. While they do not command a majority in parliament, they are backed by a legislative majority (Laver & Schofield 1998: 70–81). There is considerable debate about the functioning of minority governments (Strøm 1990b). According to Tsebelis (2002: 97–99), minority governments frequently have a central and therefore pivotal position in the policy space and should thus possess at least the same agenda-setting power as majority governments. Occupying a central position, minority governments would pick their partners from the left or right (see also Schofield 1995: 263–266). This would imply that strong – that is, centrally located – minority governments *can* act as agenda-setters so that there is no need for explicit bipartisan cooperation between the two camps (and thus mixed bills). While this seems plausible, we add that minority governments may also change the situation within *parliament*. Here, governing parties have only a minority of seats, which eliminates their opportunity to formulate, initiate and bring through their own policy agenda. The expectation then is that in weak minority government situations, where the government does not occupy a central position in the policy space, bills initiated by opposition parties will be more

Table 1. Expected effects on relative frequency of bills by type of initiator

	Government	Government parties	Opposition parties	Government and opposition parties
<i>Government majority-opposition relations</i>				
H1a: Seat share of government parties	+	+	-	
H1b: Weak minority governments	-	-	+	
<i>Policy conflict</i>				
H2a: Large conflict within government coalition	-	-		
H2b: Large conflict between government and opposition camp			+	-
<i>Electoral and issue area context</i>				
H3a: Bill introduction in pre-election period	-	+	+	-
H3b: Issue area is salient to initiator	+	+	+	-
H3c: Bill has external origin	+	-	-	-
<i>Institutional setting</i>				
H4a: Divided government				+
H4b: Divided government with strong bicameralism				+
H4c: 1995 constitutional reform (Belgium)	+	-	-	-
H4d: Procedural agenda-setting restrictions (Germany/UK)	+	-	-	-

Note: A '+' indicates that we expect a positive effect of the respective variable on the chance that one of the four initiators will bring forward a law proposal, while a '-' indicates a negative effect.

frequent than in majority situations (or with strong minority governments). Also, government bills should be less frequent if the minority government is weak (*H1b*).

### *Policy conflict*

In multiparty systems, governments supported by more than one party are the rule. Generally speaking, coalition cabinets are plagued with two problems resulting from the divergence of the coalition partners' policy preferences: the formulation of a government policy programme, and the delegation of government authority in a way that actual policy outcomes match the agreed policy programme. Policy disagreement between coalition partners is generally considered to make significant policy changes less likely (Tsebelis 2002). It also raises the governing parties' incentive to scrutinise government proposals in the legislative process, since with increasing coalition heterogeneity government bills drafted by 'hostile' cabinet ministers are more likely to deviate from their own and the agreed coalition position (Martin & Vanberg 2005).

Yet there is little evidence as to the implications of government heterogeneity on the number of bills proposed by a government. In a study of Italian legislation, Kreppel (1997) found that heterogeneous multiparty governments initiate less primary legislation but more secondary legislation – that is, statutory instruments, decrees and the like (see also Döring 1995a). While the impact on the raw number of government bills might be ambiguous, we posit that there are clear effects on the relative ability of heterogeneous coalition cabinets to set the agenda vis-à-vis their supporting parties. With low or even no policy conflict, both cabinet and coalition parties in parliament will find it easy to agree on a bill drafted by a cabinet minister or to write up a legislative bill in cooperation. When preferences diverge significantly, both will find it more difficult to compromise. The hypothesis, therefore, is that large intragovernmental conflict will make both government and government party bills less likely (*H2a*).

Even though governments and their supporting parties in parliament have various institutional instruments to vindicate their policy agenda against opposition pressures, parliamentary rules also provide opportunities for opposition parties to make a difference in policy making (Powell 2000), or, at least, to signal their issue priorities to the public. Opposition parties have means to obstruct or delay the swift passage of executive or governing party bills (Martin & Vanberg 2005). Assuming that the opposition at least expects to have some influence on policy making, we would expect to see greater incentive for the opposition to introduce bills if there is substantial policy conflict

between the government and opposition camps in parliament. Considering the above argument, we would expect less bipartisan cooperation with large intra-parliamentary conflict (*H2b*).

*Electoral and issue area context*

Alternative views on the content of a policy is one place where parties have conflicting objectives, but they also compete for voter approval with the aim of attracting votes in the electoral game and, ultimately, getting into office or remaining in power. Setting the legislative agenda to demonstrate one's views on a policy or to blame the government's failure on an issue is a key instrument used by parliamentary actors, by both opposition parties as well as individual backbenchers from the governing party camp (Groseclose & McCarty 2001). Yet not all times and not all issues are equally apt in attracting electoral support. First, competition for votes is intense at pre-electoral times so we would expect to see an extra effort to impress voters with more elaborate bill proposals then. More specifically, we would expect to see more bills from the opposition and governing parties (as compared to mixed and government bills) in the pre-election period (*H3a*).

Second, the importance of policy areas varies between countries and parties. This finding is well known from studies based on the party family approach (see, e.g., Mair & Mudde 1998; Gallagher et al. 2006: 230–254). Generally speaking, socialist and social democratic parties are more interested in economic issues, while political actors from the Christian party family often focus more on social policy and education (Budge & Keman 1990: 97). Furthermore, legislative bills differ in many ways ranging from, for instance, highly conflictual redistributive welfare reforms to technical or 'hodgepodge' bills that are not suited for political contests (Müller & Jenny 2004: 313). One aspect we consider here is the electoral salience of an issue area. Given scarce resources and time constraints, MPs focus on bills that they 'own' – that is, that are salient for themselves (and their parties and electorate) but not for their opponents – so that they can gain support and votes in the electoral game. We therefore expect the government, the governing and the opposition party camp in parliament to focus their agenda-setting resources more often on bills dealing with issues that are of high salience for the programmatic profile of their political parties (*H3b*).

A third aspect is the pre-legislative cause of a bill. While most issues are taken up because one or several legislative actors have electoral or intrinsic motivations to change the status quo, ratification laws for international treaties or transposition laws for European Union directives have external origins, while the responsibility for transposition lies with the government. The same

can be said for finance policy bills, as in virtually all parliamentary democracies the government budget (and subsequent amendments) are prepared by the Minister of Finance. We therefore expect bills belonging to these policy areas to be proposed most often or perhaps exclusively by the government (*H3c*).

### *Institutional setting*

Institutional characteristics like legislative procedure and types of electoral system provide another source of variation. However, most of these characteristics are country-specific and therefore their effects cannot be uniquely attributed with our data. We thus restrict our analysis to three institutional characteristics. First, divided government is a situation where the parties that give support for the government in the lower chamber do not possess a majority in the upper chamber. While this may present an obstacle for the government and the governing parties to get their bills passed, it requires cooperation between government and opposition actors in strong bicameral settings – that is, where a bill needs majorities in both chambers to be enacted. This is the case, for instance, for German mandatory legislation (*‘Zustimmungsgesetzgebung’*) or for all Belgian bills before the constitutional reform of 1993 that came into effect in 1995 (Bräuninger & König 1999; De Winter et al. 2000: 307–309; König 2001). Given these constraints, we would expect mixed bills to become more frequent under a divided government and, in particular, under a divided government in a strong bicameral setting (*H4a* and *H4b*).

Second, Belgian governments were traditionally considered to be rather weak agenda-setters because of the large number of coalition parties within them and the existence of a strong upper chamber that had to agree on all legislation passed by the lower chamber. Since the implementation of the constitutional reform in 1995, the government has become more powerful (De Winter & Dumont 2003: 260). We therefore expect to observe more government bills in the aftermath of the 1995 constitutional reform (*H4c*). Finally, while in the United Kingdom a fixed timetable exists as to when the government or the opposition sets the agenda inside parliament (Saalfeld 2003: 633–634), in non-Westministerian types of parliament there usually are no such obvious restrictions. There are, however, other institutional features that might affect the agenda-setting power of legislative actors. In Germany, only a group of at least 5 per cent of all MPs is allowed to introduce a bill. We would expect that this reduces the agenda-setting potential of parliamentary actors in Germany and the United Kingdom vis-à-vis their governments (*H4d*).

Before we move on to confront these expectations with empirical data, we should note that the above is by no means an exhaustive list of possible determinants and we can easily think of others that are not considered here.

Regarding party discipline, for instance, intra-party homogeneity of policy preferences is often seen as a defining characteristic of strong parties (Krehbiel 1998: 26–28). Intra-party heterogeneity may be useful for intra-governmental bargaining (Debus & Bräuninger 2008), but it creates incentives for dissenting voting behaviour (Saalfeld 1995; Bowler et al. 1999; Depauw 2003) as well as agenda-setting across party lines. Lacking systematic data on intra-party heterogeneity that would allow for a cross-country comparison, we refrain from considering these aspects in the following analyses.

## Research design and measures

### *Country selection and time period*

The unit of analysis is the bill, and in this article we study virtually all legislative bills introduced into the lower chambers of parliament in Belgium, France, Germany and the United Kingdom between the mid-1980s and the early 2000s. The country selection and the type of data used in this study thus differ from those of other comparative studies of legislative policy making in parliamentary systems (Döring 1995a; Huber & Shipan 2002; Döring & Hallerberg 2004; Martin & Vanberg 2004; Martin 2004) in several ways. First, our country selection follows a ‘most different case’ design in terms both of legislative institutions and patterns of party competition and government formation. Martin’s (2004) study of governmental policy making in Belgium, Germany, the Netherlands and Luxemburg, for instance, uses examples that are explicitly ‘more similar’. Not only are these countries more or less ‘consensual democracies’ (Lijphart 1999: 34–35), but their party systems all belong to the so-called ‘Benelux’ type of party constellation (Laver & Hunt 1992: 56). In the present study, considering the Westminster system prototype of the United Kingdom and the semi-presidential, ‘majoritarian’ political system of France, we not only seek to increase the variation in party competition and government formation, but we also try to cover political systems with different types of institutional designs – in particular with regard to the patterns of legislative agenda-setting (see Döring 2001: 149).

A second point of difference is the types of issues. Compared with the legislation datasets of Döring (1995a), Huber and Shipan (2002) and Döring and Hallerberg (2004) that focus on economic and labour policy issues, we seek to substantiate our results by considering legislative policy making in all policy areas. Third, and most importantly for the research question here, we include not only bills initiated by the government, but also bills prepared by MPs.

As regards the time period, the benchmark for each country is the first election of the lower chamber after 1985. The end date was the first election after 2000. In the United Kingdom, bills expire at the end of the session so that we could expand the time frame by another two years.<sup>2</sup> These time periods allow for a comparison of governments of different ideological compositions and different types of government coalitions. In the case of France, for example, the period under study includes a cohesive party-bloc government where the President and Prime Minister belong to the same party alliance, but also periods of divided government – that is, the periods of cohabitation between 1986 and 1988, from 1993 to 1995, and from 1997 to 2001 (Thiébaud 2000: 502). Also, the time period covered allows us to analyse whether the constitutional reform in Belgium implemented in 1995 had an influence on the government's agenda-setting potential or not.

We should note that there are pros and cons for conducting a study of practically the whole universe of bills in a time period. Laws have different functions: they can be truly rule-making instruments with hundreds of articles or one-article laws amending or codifying existing legislation. Moreover, because countries differ in their legal and constitutional traditions there is no generally acceptable notion of acts and bills and how these differ from other policy decisions such as secondary legislation (Trantas 1995). In spite of these problems, we opted for treating all bills the same as we see no simple way to distinguish 'landmark' bills from other proposals or to quantify their importance (e.g., Mayhew 1991).

### *Data and coding*

The dependent variable is the type of *initiator of a bill*. As mentioned above, we distinguish between four types of initiatives: government, governing party, opposition and mixed bills. With respect to the explanatory variables, we use the *seat share* of government parties in the legislature at the time when the bill is submitted to parliament to account for the size of the government majority in parliament. A dummy variable indicates *minority governments*. Two key explanatory variables of interest are *policy conflict within the government coalition* and *policy conflict within parliament*. The question of how to measure differences in the ideological and/or policy positions of parties and voters has attracted extensive attention in the literature (Budge 2001; Mair 2001; Volkens 2007). Expert surveys (e.g., Castles & Mair 1984; Huber & Inglehart 1995) frequently have been used to locate parties on an ideological-programmatic left-right scale and then to analyse their impact on policies and policy outcomes. This unidimensional model, however, does not account for differences in the policy conflict when one is interested in specific policy areas. In this study

we therefore use data from the Laver and Hunt (1992) expert survey, which reports the positions of parties on eight common policy dimensions for 25 Western democracies (Laver & Hunt 1992: 49–53).<sup>3</sup> To define not only comparable but also exhaustive policy categories, we took the typical cabinet structure in each country as a base and came up with a list of twelve ministries. The identification of a bill's policy area was done by coding titles and short descriptions of bills in the official legislative databases. Table 2 summarises how policy fields were matched to five of the policy dimensions covered by the Laver and Hunt (1992) expert survey.

Based on these party positions, we use the veto-player distance (i.e., the range) between government parties on each policy dimension (Tsebelis 2002) as a measure of the policy-area specific *conflict within the government coalition*. For the conflict of government and opposition parties in parliament, we follow the literature on polarisation in party systems (Taylor & Herman 1971: 34) and use the distance between the policy-area specific centres of gravity of the government and opposition camps (*conflict between government and opposition camp*). The centre of gravity is the weighted average of the programmatic positions of the parties in government (opposition) in a specific policy area, where the weights are the vote shares among all coalition (opposition) parties (Gross & Sigelman 1984, Cusack 2001). This follows the 'classic' assumption that the strength of a coalition party or its impact on the policy agenda is associated with its strength in cabinet (see Warwick & Druckman 2001).

Another set of hypotheses refers to issue ownership and the role of the electoral cycle. According to *H3a*, MPs from the governing parties and the opposition camp have higher incentives to introduce bills on the eve of elections rather than in the middle of the legislative term. We therefore use a dummy variable that takes on a value of 1 if the bill is introduced in the 365-day period prior to the next election and 0 otherwise (*pre-election period*). Next, we turn to issue saliency or issue ownership. Because party-specific information on the dimension saliency is also provided by the Laver and Hunt (1992) expert survey, we can assign a measure for issue ownership to each law proposal. For example, the *issue area saliency* of an economic policy bill is the weighted average economic policy saliency of all government parties less the same weighted average for all opposition parties. Positive values then indicate government ownership, and negative values signify opposition ownership.<sup>4</sup>

We include dummy variables for each policy area, for divided government, strong bicameralism and for Belgian bills after the 1995 constitutional reform. We also add a set of country dummies to control for other, mostly institutional, effects such as legislative procedures or electoral systems that are hard to untangle because they only vary between countries. Finally, as bills introduced late in the legislative session should, other things being equal, have lower

Table 2. Assignment of policy areas to policy dimensions

<i>Policy areas in legislation dataset</i>	Economic Affairs and Energy, Finance	Interior, Justice, Social Affairs, Education, Science and Research, Health	Foreign Affairs, Defence	Traffic, Mobility, Construction, Consumer Protection, Environment, Animal Protection, Agriculture	European Integration, Regionalisation
<i>Policy dimensions covered by Laver and Hunt (1992)</i>	Economic policy (increase services versus cut taxes)	Social policy (promote permissive social policy versus not)	Foreign policy (pro versus anti friendly relations with USSR)	Environmental policy (environment over growth versus growth over environment)	Decentralisation policy (pro versus anti decentralisation of decisions)

chances of being enacted and legislative actors may take that into account, we include a control variable that measures the *remaining time* in the respective legislative period (until the end of the term, or session in the United Kingdom).

**Analysis**

Figure 1 shows the number of passed and failed bills in the four countries under study by the four types of initiators. In the course of the 15-year time period, between 2,025 and 5,466 bills were introduced in each of the four countries. In Germany and the United Kingdom, the total number of bills put forward is notably smaller than in Belgium or France, but it must also be borne in mind that in Germany and Britain, the share of opposition bills is considerably lower (23.8 and 38.8 per cent, respectively) whereas the share of government plus governing party bills is considerably higher (72.2 and 60.4 per cent, respectively). As the success rate of opposition bills is marginal in all countries, there is no evidence for the conjecture that the French and Belgian

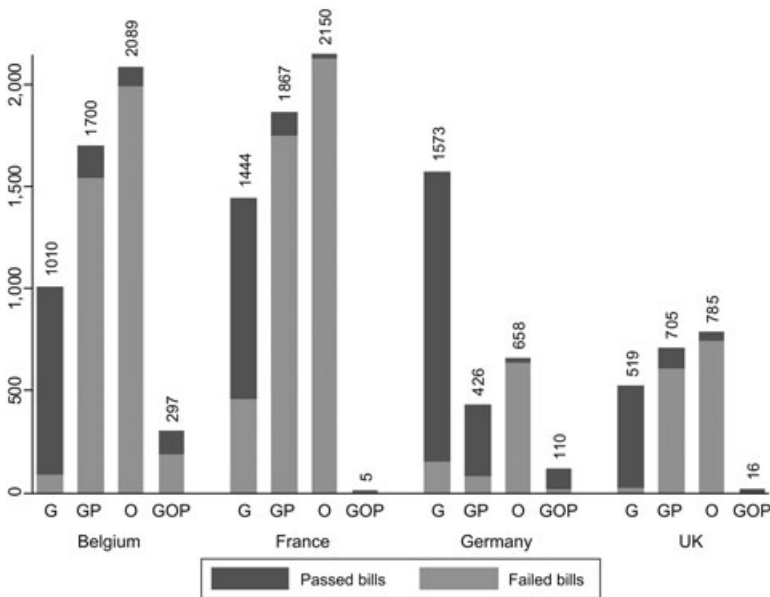


Figure 1. Number of passed and failed bills by country and type of initiator.  
 Notes: G = Government, GP = Government parties, O = Opposition, GOP = Government and opposition parties.

opposition would be more successful with their initiatives and therefore more active in those countries. More plausible is the interpretation that the strategy of opposition actors to propose bills in order to increase their visibility and further their chances for re-nomination and re-election is more important in the Belgian and, even more so, in the French electoral and party system. Of course, it might also reflect the different institutional constraints on MPs to propose legislation. In the United Kingdom, the presentation and consideration of private members' bills is limited to certain days, while in Germany bills have to be sponsored by at least 5 per cent of all MPs. Both make it difficult for individual opposition MPs to propose legislation for reasons of electoral competition.

Figure 1 also reveals that in all countries the most successful actor in terms of legislative agenda setting is indeed the government. When the cabinet introduces law proposals, then between 68 (France) and 95 (United Kingdom) per cent of these bills finally pass. Bills introduced by MPs or parliamentary groups that support the government have lower success rates; here Germany is the exception as almost 80 per cent of all governing party bills finally get passed. One reason for this might be that in Germany ministers have incentives to hand out ministerial draft bills to MPs as the formal legislative procedure for private members' bills is shorter than for government bills. In all other countries, the majority of governing party bills finally gets rejected or is not followed up at some point. Finally, the figures also suggest that bills jointly introduced by government and opposition party MPs have a different footing in these countries. They are infrequent in France and the United Kingdom (below 1 per cent of all bills) but have high acceptance rates in Germany and the United Kingdom (above 80 per cent). At the very least, it suggests that mixed bills are possible and successful in Germany, while in France there are not many incentives for this form of bipartisan cooperation, either for signaling or for policy-making reasons.

In summary, the above figures on legislative agenda-setting suggest that the government is not the sole agenda-setter; the opposition or backbenchers in the parliamentary groups of the governing parties also introduce bills that, on occasion, are successful. The question then arises as to what conditions are propitious for legislative agenda-setting by opposition parties or intra-party factions among the parties in power. We turn to this next.

Following our theoretical arguments, we specify a basic empirical model of the probabilities that the four types of legislative actors take up an issue and initiate a bill. Tests of some alternative measures of a factor or set of factors hypothesised to be a cause of bill initiation are made by replacing variables of the basic model or adding new ones. The model is specified as a conditional logit model (McFadden 1974; Alvarez & Nagler 1998) with Huber-White

standard errors. In political science, conditional logit models are widely used to study determinants of voting behaviour (e.g., Adams et al. 2005) and patterns of government formation (e.g., Martin & Stevenson 2001; Warwick 2006). In essence, the conditional logit model is a multinomial logit model that allows for the inclusion of both case-specific and alternative-specific attributes. In our context, the cases are law proposals and the alternatives are the four types of potential initiators. We then estimate the probability that one of the four types of initiators picks up an issue on the agenda and actually submits the law proposal.

Table 3 reports the findings from estimation of the basic model of bill initiation and from three alternative specifications.<sup>5</sup> Model 2 allows us to study the effect of weak and strong minority governments separately. The third model replicates the first model but uses parties' positions on a single left-right dimension to gauge policy conflict.<sup>6</sup> In Model 4, we replace our party-specific measurement of *issue area saliency* with a simple dummy variable indicating whether bills belong to *electorally salient issue areas* or not (using the classification in Lijphart (1999: 80–81)). Before we have a closer look at individual effects, we note that, by and large, all four models fit equally well to the data. AIC and BIC values are about the same size, yet Model 2 performs best. Adjusted  $R^2$  is 0.27 for the second model and 0.26 for all others.

The coefficients of the conditional logit analysis are expressions of the impact of an independent variable on the probability that a particular actor initiates a bill relative to all other actors. As compared to standard multinomial logit, the interesting thing here is that we can estimate effects for specific initiators on the basis of theoretical considerations. Earlier, we argued that – for majority governments – a *high seat share* of government parties should increase the likelihood that the government or government parties insert a bill, but decrease the chances for opposition proposals (see Table 1). We therefore estimate three coefficients: the effect of seat share on the likelihood that the government, government parties or opposition parties propose a bill. As the results displayed under column 1 suggest, a higher seat share of government supporting parties does indeed increase the chance that either the government or the government parties introduce law proposals, whereas the negative coefficient for opposition suggests a reversed effect for opposition initiatives. However, the results for government and opposition bills are not significant at the 0.10 level ( $p = 0.15$  and  $p = 0.11$ , respectively).

We also find considerable support for our hypothesis on *minority governments*. In minority government situations, there are significantly less opposition bills, but there is no positive effect for government or government party bills. Estimating the effect for strong and weak minority situations separately, we get a much clearer picture (Model 2).<sup>7</sup> The large positive coefficients for

Table 3. Conditional logit estimates of legislative agenda-setting

	(1)	(2)	(3)	(4)
	Area-specific policy conflict	Area-specific policy conflict	Left-right policy conflict	Area-specific policy conflict
	Party-specific issue salience	Party-specific issue salience	Party-specific issue salience	Salient issue areas
<i>Government majority-opposition relations</i>				
Seat share × [1 – Minority government] (government bills)	1.363 (0.946)	1.413 (0.944)	1.476 (0.924)	1.598 (0.963)*
Seat share × [1 – Minority government] (government party bills)	4.609 (0.925)***	4.773 (0.923)***	4.871 (0.906)***	4.869 (0.941)***
Seat share × [1 – Minority government] (opposition bills)	-1.498 (0.930)	-1.591 (0.927)*	-0.790 (0.918)	-1.318 (0.947)
Minority government (government bills)	-0.581 (1.228)	-1.249 (1.238)	-1.424 (1.215)	-0.461 (1.223)
Minority government (government party bills)	0.823 (1.221)	-0.799 (1.233)	0.069 (1.208)	0.957 (1.216)
Minority government (opposition bills)	-2.260 (1.221)*	-2.950 (1.230)**	-1.914 (1.203)	-2.170 (1.216)*
Strong minority government (government bills)		13.495 (1.132)***		
Strong minority government (government party bills)		15.616 (1.125)***		
Strong minority government (opposition bills)		11.367 (1.124)***		

<i>Policy conflict</i>									
within government coalition ( <i>government bills</i> )	-0.609 (0.177)***	-0.509 (0.180)***	-1.810 (0.320)***	-0.664 (0.172)***					
within government coalition ( <i>government party bills</i> )	-0.916 (0.160)***	-1.058 (0.160)***	-2.062 (0.315)***	-0.981 (0.151)***					
between government and opposition camp ( <i>opposition bills</i> )	1.014 (0.154)***	0.572 (0.159)***	0.035 (0.005)***	0.913 (0.151)***					
between government and opposition camp ( <i>mixed bills</i> )	-0.144 (0.411)	-0.393 (0.416)	0.040 (0.007)***	0.551 (0.317)*					
<i>Electoral and issue area saliency</i>									
Belgium: Pre-election period ( <i>government party bills</i> )	-0.048 (0.110)	0.029 (0.110)	-0.041 (0.110)	-0.048 (0.110)					
Belgium: Pre-election period ( <i>opposition bills</i> )	-0.006 (0.107)	-0.037 (0.107)	-0.002 (0.107)	-0.001 (0.107)					
UK: Pre-election period ( <i>government party bills</i> )	0.123 (0.161)	0.147 (0.161)	0.129 (0.161)	0.122 (0.161)					
UK: Pre-election period ( <i>opposition bills</i> )	-0.072 (0.165)	-0.079 (0.164)	-0.099 (0.166)	-0.077 (0.164)					
France: Pre-election period ( <i>government party bills</i> )	0.275 (0.107)**	0.282 (0.106)***	0.281 (0.108)***	0.275 (0.107)**					
France: Pre-election period ( <i>opposition bills</i> )	0.548 (0.104)***	0.558 (0.106)***	0.542 (0.103)***	0.544 (0.104)***					
Germany: Pre-election period ( <i>government party bills</i> )	0.699 (0.132)***	0.764 (0.132)***	0.703 (0.132)***	0.699 (0.132)***					
Germany: Pre-election period ( <i>opposition bills</i> )	0.423 (0.126)***	0.401 (0.126)***	0.437 (0.125)***	0.427 (0.126)***					

Table 3. Continued.

	(1)	(2)	(3)	(4)
	Area-specific policy conflict	Area-specific policy conflict	Left-right policy conflict	Area-specific policy conflict
	Party-specific issue saliency	Party-specific issue saliency	Party-specific issue saliency	Salient issue areas
Issue area saliency ( <i>government bills</i> )	3.368 (1.404)**	3.520 (1.428)**	0.981 (1.105)	-0.116 (0.112)
Issue area saliency ( <i>government party bills</i> )	3.430 (1.376)**	5.350 (1.397)***	0.663 (1.056)	-0.098 (0.109)
Issue area saliency ( <i>opposition bills</i> )	4.672 (1.377)***	3.731 (1.398)***	2.223 (1.056)**	-0.119 (0.107)
Finance policy ( <i>government bills</i> )	0.815 (0.062)***	0.852 (0.062)***	0.829 (0.060)***	0.813 (0.066)***
Foreign and defence policy ( <i>government bills</i> )	2.639 (0.078)***	2.722 (0.079)***	2.730 (0.076)***	2.643 (0.079)***
European policy ( <i>government bills</i> )	2.603 (0.175)***	2.629 (0.176)***	2.662 (0.175)***	2.612 (0.175)***
<i>Institutions and controls</i>				
Divided government ( <i>mixed bills</i> )	0.185 (0.238)	0.186 (0.238)	0.265 (0.239)	0.179 (0.238)
Divided government × strong bicameralism ( <i>mixed bills</i> )	-0.225 (0.221)	-0.228 (0.221)	-0.225 (0.221)	-0.195 (0.220)

Belgium after 1995 ( <i>government bills</i> )	0.668	0.670	0.562	0.669
	(0.083)***	(0.084)***	(0.094)***	(0.084)***
Belgium ( <i>government bills</i> )	-0.175	-0.318	2.645	-0.036
	(0.595)	(0.595)	(0.756)***	(0.608)
Belgium ( <i>government party bills</i> )	-1.069	-1.273	1.650	-0.946
	(0.579)*	(0.579)**	(0.754)**	(0.592)
Belgium ( <i>opposition bills</i> )	1.749	1.899	1.819	1.933
	(0.573)***	(0.572)***	(0.633)***	(0.586)***
France ( <i>government bills</i> )	5.305	5.145	9.234	5.441
	(1.162)***	(1.163)***	(1.330)***	(1.161)***
France ( <i>government party bills</i> )	3.765	3.497	7.610	3.884
	(1.154)***	(1.155)***	(1.323)***	(1.152)***
France ( <i>opposition bills</i> )	6.639	6.824	7.117	6.833
	(1.152)***	(1.152)***	(1.215)***	(1.150)***
UK ( <i>government bills</i> )	2.553	2.420	6.190	2.697
	(0.650)***	(0.649)***	(0.899)***	(0.661)***
UK ( <i>government party bills</i> )	1.047	0.828	4.589	1.174
	(0.641)	(0.641)	(0.889)***	(0.652)*
UK ( <i>opposition bills</i> )	4.192	4.336	4.765	4.407
	(0.642)***	(0.641)***	(0.797)***	(0.653)***
Germany ( <i>government bills</i> )	1.488	1.342	4.374	1.658
	(0.558)***	(0.558)**	(0.757)***	(0.566)***
Germany ( <i>government party bills</i> )	-1.469	-1.697	1.300	-1.315
	(0.552)***	(0.553)***	(0.755)*	(0.560)**

Table 3. Continued.

	(1)	(2)	(3)	(4)
	Area-specific policy conflict	Area-specific policy conflict	Left-right policy conflict	Area-specific policy conflict
	Party-specific issue salience	Party-specific issue salience	Party-specific issue salience	Salient issue areas
Germany ( <i>opposition bills</i> )	1.403 (0.550)**	1.552 (0.550)***	1.815 (0.668)***	1.621 (0.557)***
Remaining time in session/term ( <i>government party bills</i> )	0.013 (0.002)***	0.016 (0.002)***	0.013 (0.002)***	0.013 (0.002)***
Remaining time in session/term ( <i>opposition bills</i> )	0.029 (0.002)***	0.028 (0.002)***	0.029 (0.002)***	0.029 (0.002)***
Remaining time in session/term ( <i>mixed bills</i> )	-0.004 (0.004)	-0.004 (0.004)	-0.004 (0.004)	-0.003 (0.004)
N	61,416	61,416	61,416	61,416
Log pseudo-likelihood	-15736.2	-15596.7	-15741.5	-15742.7
McFadden's pseudo-R <sup>2</sup>	0.26	0.27	0.26	0.26
AIC	31556.4	31283.5	31567.0	31569.5
BIC	31935.5	31689.6	31946.1	31948.6
Probability for rejecting IIA assumption <sup>a</sup>	0.994	0.998	0.994	0.996

Notes: Huber-White standard errors in parentheses. \* Significant at the 10 per cent level; \*\* Significant at the 5 per cent level; \*\*\* Significant at the 1 per cent level. <sup>a</sup> Test for assumption of independence of irrelevant alternatives (see Martin & Stevenson 2001:39). A value of 0.05 or smaller indicates that we can reject the IIA at conventional levels.

strong minority governments suggest that with centrally located minority governments, explicit and formal cooperation between the two camps in the form of mixed bills virtually does not exist. By contrast, the negative coefficients for the baseline of weak minority governments suggest that the likelihood of mixed bills is increased in these situations. Of course, these coefficients tell little about the substantial magnitude of these effects, but we will return to this issue below.

We next look at the effect of *policy conflict* within government and the legislature. There is clear evidence that programmatic distance between government parties reduces the chance that either the cabinet or legislative actors supporting the government set the legislative agenda. In contrast, with large conflict between government and opposition camps within parliament, opposition actors become more proactive relative to other actors ( $\beta = 1.014$ ), whereas there is no significant effect for mixed bills. We can assess the robustness of this finding by skipping to Model 3 where policy conflict is measured using actors' positions on the general left-right dimension. It turns out that these effects are stable in terms of direction and level of significance (whereas coefficient sizes are not directly comparable).

With respect to other core factors, the findings suggest that the *electoral and issue area* context plays some role. First, with respect to our expectation that competition for votes is intense at pre-electoral times so that there is an extra incentive to impress voters with bill proposals, we find evidence that parties from the government and the opposition camp are more likely to introduce bills in *pre-election* years for France and Germany only. The non-finding for the United Kingdom and Belgium is somewhat puzzling as the former uses a simple plurality and the latter an open-list proportional representation, electoral system; in both systems there are clear incentives for candidates to advertise the ways they serve local interests. However, that party competition is important is also indicated by the issue saliency variable. The positive coefficients for government and government parties suggest that these actors become more active initiators, the more salient an issue is to them as compared to opposition actors. For the latter, we would also expect issue ownership to make them more active so that – given the coding of the *issue area saliency* variable – we would expect a negative coefficient. However, the parameter estimate is clearly positive, indicating that all types of legislative actors focus their activities in areas that are salient to government rather than opposition parties.

To summarise, the findings indicate that the agenda setting behaviour of all of these actors is driven by the importance the government (or government parties) attach to an issue area. We observe more bills in areas where government party salience is high but opposition party salience is low. This

interpretation is supported by Model 3, where we replace the party-specific measurement with a simple dummy variable indicating whether bills belong to *electorally salient issue areas* or not. There is no discernible difference between the salient and non-salient areas if party-specific saliency is *not* taken into account. We also find strong evidence for *H3c* that bills in the areas of foreign affairs, the European Union, defence and finance are more likely to be introduced by the government.

Finally, there is no discernible effect of *divided government* situations and *strong bicameral* settings on the likelihood of mixed bills (*H4a* and *H4b*) but clear evidence for a stronger agenda-setting position of the Belgian government after the 1995 *constitutional reform* (*H4d*). As country-fixed effects are hard to interpret, we postpone the discussion of *H4c* to the study of the substantive magnitude of these effects to which we now turn.

We estimate probability effects based on Model 2, the model that best fits the data. To this end, all continuous variables (*seat share*, the two *policy conflict* variables, *issue area saliency* and the time variable) are fixed at their mean and all dummy variables except the variables for divided government and Belgium are fixed at zero. For this baseline case, the probability of a government bill is 0.107, 0.386 for a governing party bill, 0.436 for an opposition bill and 0.072 for a mixed bill. We then report changes in these probabilities when one of the independent variables changes from the 5<sup>th</sup> to the 95<sup>th</sup> percentile for continuous variables, or from zero to one for dummy variables. Table 4 shows these estimated changes in probabilities where we use simulation techniques to get standard errors for these estimates.

The first hypothesis concerns the size of the government's majority in parliament, stipulating that the higher its seat share, the more likely are government and governing party bills while opposition bills should be less frequent. As Table 4 shows, the magnitude for this effect is in fact large. If the seat share of the support coalition of a majority government increases from 0 to 82 per cent (i.e., from the 5<sup>th</sup> to the 95<sup>th</sup> percentile) in the baseline scenario, the probability that government parties introduce a bill increases by 0.437 or 113 per cent whereas the probability for opposition bills decreases by 0.391 (90 per cent) as compared to the baseline probability. The negative effect of seat share on the likelihood of government and mixed bills is less sizable (decrease of 11 and 49 percentage points). Still, three of the four changes are significant at the 5 per cent level. The effect of most other variables is less substantial in magnitude. Turning to the majority-minority status of governments, we find that weak minority situations seem to disfavour governments and their support coalition. In this case, mixed bills become more likely (increase by 0.397 or 551 per cent). In contrast, with strong minority governments, the support coalition in parliament becomes the dominant agenda-setter (increase by 0.129 or 33

Table 4. Estimated probability effects of the conditional logit model

	Government bills	Governing party bills	Opposition bills	Mixed bills
Probability of baseline case	0.107	0.386	0.436	0.072
Variable (change)				
<i>Government majority-opposition relations</i>				
Seat share of government parties (5–95 <sup>th</sup> percentile)	-0.011	0.437*	-0.391*	-0.035*
Strong minority government (no-yes)	0.018*	0.129*	-0.075*	-0.072*
Weak minority government (no-yes)	-0.021	-0.319*	-0.057	0.397*
<i>Policy conflict</i>				
Conflict within government (5–95 <sup>th</sup> percentile)	-0.006	-0.164*	0.145*	0.024*
Conflict between government and opposition camp (5–95 <sup>th</sup> percentile)	-0.013*	-0.048*	0.086*	-0.024
<i>Electoral and issue area context</i>				
Belgium: Pre-election period (no-yes)	0.001	0.013	-0.014	0.000
UK: Pre-election period (no-yes)	-0.003	0.048	-0.044	-0.002
France: Pre-election period (no-yes)	-0.033*	-0.033	0.089*	-0.022*
Germany: Pre-election period (no-yes)	-0.042*	0.113*	-0.043	-0.028*

Table 4. Continued.

	Government bills	Governing party bills	Opposition bills	Mixed bills
Issue area saliency (5–95 <sup>th</sup> percentile)	-0.006	0.051*	-0.015	-0.030*
Finance policy (no-yes)	0.112*	-0.048*	-0.055*	-0.009*
European policy (no-yes)	0.538*	-0.232*	-0.262*	-0.043*
Foreign and Defence policy (no-yes)	0.515*	-0.223*	-0.251*	-0.041*
<i>Institutions and controls</i>				
Divided government (yes-no)	0.001	0.005	0.006	-0.013
Divided government with strong bicameralism (no-yes)	0.002	0.006	0.006	-0.014
Belgium after 1995 (no-yes)	0.082*	-0.036*	-0.040*	-0.007*
UK (no-yes)	0.060*	-0.066*	0.070*	-0.064*
France (no-yes)	0.055*	-0.093*	0.109*	-0.071*
Germany (no-yes)	0.364*	-0.174*	-0.177*	-0.012
Remaining time (5–95 <sup>th</sup> percentile)	-0.088*	-0.036	0.195*	-0.071*

Notes: Column entries are changes in probabilities caused by increasing the independent variable from the 5<sup>th</sup> to the 95<sup>th</sup> percentile (seat share, policy conflict, issue area saliency, remaining time in session), or from 0 to 1 (all other variables). Baseline is a Belgian bill under divided government with zero for all other dummy variables and mean value for all continuous variables. Probabilities and changes are based on model 2 (Table 4) and computed using simulation. \* Significant at the 5 per cent level.

per cent) and there is also an increase in cabinet activity (increase by 0.018 or 17 per cent). We interpret this as strong evidence for the argument that minority governments can act as powerful agenda-setters if and only if they occupy the median position in parliament and thus can select among many different partners (Strøm 1990b). Yet the important twist is that the positional advantage of a centrally located support coalition seems to benefit both the minority party or coalition in parliament, and the minority cabinet.

The second hypothesis was that a large policy conflict between the parties in government would make it difficult to agree on law initiatives. Moving from a situation with no intra-governmental conflict (i.e., a one-party government, the 5<sup>th</sup> percentile) to a situation with an ideologically heterogeneous coalition, there is in fact a negative effect for government and governing party bills with probabilities decreasing by 0.6 and 16.4 percentage points, and a corresponding positive effect for opposition and mixed bills. Interestingly, the effect is much more pronounced for government parties. A plausible interpretation is that the institutional settings in which coalition cabinets are embedded will make it easier for governments to overcome substantial policy conflicts. Multiparty coalitions are built on explicit or implicit coalition contracts that define the working programme of the government (Timmermans 1998, 2006; Müller & Strøm 2008), and/or ministers are delegated authority and discretion in implementing the agreed upon programme (Laver & Shepsle 1996). Moreover, government bills more often concern technical issues not related to any partisan policy stance. As regards the conflict between government and opposition camps in parliament, the effect is also sizable and significant. Supporting *H2a*, the probability of opposition bills increases by 0.086 when conflict is large; yet the expected decrease in the likelihood of mixed bills is not significant at the 5 per cent level.

The effect of seat share and policy conflict on bill initiation is visualised in Figure 2. The four panels demonstrate that for all three independent variables, their effect on both government and mixed bills is rather small. They are less substantial in magnitude as compared to government party and opposition bills and they are also less conclusive in terms of standard levels of statistical significance. By contrast, their effect on the agenda-setting activity of the government and the opposition camp in parliament is considerable.

The third set of hypotheses was about the effect of the electoral and issue area context of a bill. We argued that for MPs, pre-election times are particularly apt for attracting electoral support by demonstrating one's view on a policy or censuring the government for failing to tackle a pressing issue. The dummy variable *pre-election period* identifies bills that are introduced in the 365-day period prior to the next election. As Table 4 shows, the effects differ by country but there is also a clear overall pattern: focusing on those effects that

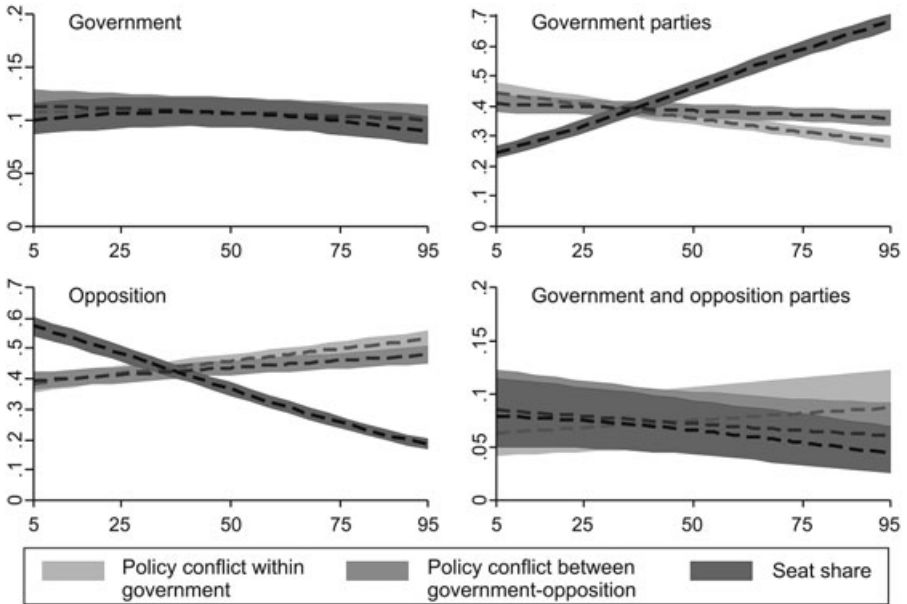


Figure 2. Change in the probability that bills are introduced by conflict within government, conflict between government and opposition, and seat share of government parties (5<sup>th</sup> to 95<sup>th</sup> percentile).

are statistically significant, we find that the probabilities for governing and opposition parties in pre-election years is above that in the rest of the legislative session. At the same time, there is less government and bipartisan activity – that is, government and mixed bills. All these findings lend support to *H3a*.

By the same argument, not all issues are of similar importance for political parties. Regarding the issue area of a bill, we therefore argued that parliamentary actors are likely to focus their agenda-setting resources on bills that deal with issues they ‘own’ – that is, issues that are of high relevance for the profile of their parties but less so to their opponents. The results are mixed. Government parties are more active in areas that are more salient to them than the opposition camp. This effect is sizable and significant (increase by 0.051 percentage points). For opposition parties, the effect is the reverse of that expected, but it is not significant. Finally, the findings on the external origin of bills are straightforward. If an issue on the agenda belongs to a policy area where the government has some prerogatives (finance, foreign, defence or European Union policy) then the chances do in fact increase tremendously that it is the government that introduces the law proposal.

We note that there is no support for the hypotheses on a cooperation-enhancing effect of divided government. The findings do support, however, the

contention that – as compared to the Belgian pre-constitutional reform period – Belgian governments after 1995 are provided with more institutional agenda control vis-à-vis parliament (an increase of 8.2 percentage points). Finally, procedural constraints on bill submission by individual MPs in Germany and the United Kingdom do not nicely pop up in the results. In line with *H4d*, the German government is a strong agenda-setter (increase by 36.4 percentage points) at the expense of all other initiators. There is no systematic difference among the United Kingdom, Belgium and France. We should keep in mind, however, that these estimates are based on country-fixed effects that absorb all kinds of country-specific differences in institutional and political settings.

## Conclusion

Parliaments traditionally are seen as bodies whose prime task is to legislate. Actually, modern parliaments are more concerned with scrutinising the legislative agenda put forward by the government; it is a commonly accepted view that they are more often policy-influencing than policy-making bodies (Norton 1990). This is by no means a trivial or petty undertaking; the dictum that ‘the significance of [the British] Parliament . . . is its very insignificance’ (Richardson & Jordan 1978: 121) was more meant to provoke the old institutionalism rather than give an accurate description of real-world parliamentarism. From all that we know, MPs have considerable influence on policy outputs by monitoring, debating and amending the measures and proposals that the government places before them. Given their seemingly subordinate role in *law-making*, it is – at first sight – even more puzzling that MPs put forward their *own* agenda introducing their *own* bills into the parliament. We addressed this puzzle by analysing some of the reasons why and when MPs make use of their institutional powers to set the legislative agenda.

In this article, we explore anew who takes the lead in legislative agenda-setting. We argue that despite the clear distinction between government and opposition in parliamentary democracies, there is indeed room to accommodate agenda-setting by the opposition or by the governing parties’ own MPs. One reason is that while bills introduced by the government do have a high success rate, there is also a considerable share of successful law proposals by private MPs. Another reason is that shaping policy outcomes is not the only goal political actors pursue. Bills are not only drafted for the sake of eventually being enacted, but often they are also intended to signal to voters that viable alternatives to the government’s policy agenda exist. We also argued that intra-party factions or backbenchers within the governing parties’ camp may use legislative agenda-setting to raise their profile and garner support from

their constituents to enhance their chances of re-election. Studying legislative activity in four West European parliamentary democracies over a 15-year period, our findings indeed suggest that actual agenda-setting behaviour is related to the larger political game in terms of the allocation of power, the electoral cycle and the intensity of ideological conflict both within and between the (coalition) government and parliament.

They also suggest that a more detailed analysis of the relationship between government and MPs supporting the government would be worthwhile. One goal for future research would be to study and actually measure the assumed ideological gap between the government (or cabinet members) and each MP that supports it (e.g., Kam et al. 2007). By doing so we would be in a better position to answer the question whether, for instance, a backbencher introduces a bill because of his distinct policy stance or simply because he or she wants to raise their profile for future election campaigns. Furthermore, if the position of any MP were known, we could map MPs on (the most salient) policy dimensions and identify who is more or less likely to work with the parliamentary opposition. A second goal to pursue would be to incorporate individual characteristics of MPs such as their functional position in the parliamentary party and the socio-economic structure of the MP's constituency. On that basis, we would like to know whether it is only backbenchers or even MPs that belong to the party elite that tend to work across the government-opposition divide (e.g., Bishin 2000). In addition, data on the constituencies' economic and social structure would allow us to answer the question of whether MPs from similar constituencies work together. The inclusion of information of these types would offer more detailed insights into the emergence and success of the government and parliamentary bills identified here.

Finally, a detailed analysis of the characteristics and content of each bill seems to be worthwhile. On that basis, one could analyse whether political actors use their legislative activity to react to public opinion or the mass media on specific policy issues (e.g., Petrocik 1996; Riker 1996; Walgrave et al. 2008). This would enable us to analyse whether parliamentary parties not only use questions to government officials to clarify their issue competence (Green-Pedersen & Krogstrup 2008), but also use the stage of legislative agenda-setting to signal their positions and capabilities for solving problems in such policy areas that are seen as relevant by a significant share of the electorate.

## Notes

1. We note that party systems differ with respect to the overall degree of party strength – i.e., *inter alia*, the capacity of party leaders to guarantee party discipline which in turn should

shape their capacity for agenda control. While there should be a clear correlation between, e.g., party strength and the occurrence of mixed bills, we are sceptical about its explanatory usefulness. At least, we are not aware of a distinction between strong versus weak parties that is not predicated upon disciplined versus dissenting legislative behaviour.

2. To be more precise, in the case of Belgium, our dataset covers all bills that were introduced between 26 January 1988 and 9 April 2003. The time period for France is 8 April 1986 to 18 June 2002; for Germany, 17 February 1987 to 15 October 2002; and for the United Kingdom, 26 June 1987 to 19 November 2003.
3. We refer to the Laver and Hunt (1992) data instead of the more recent Benoit and Laver (2006) expert survey because the time of data collection of the Laver and Hunt study falls approximately in the middle of our observation period. Policy positions on the original 20-point scale were recoded to range from -1 (far left) to +1 (far right).
4. We use the weighted average of government party saliencies for a government initiator, and the weighted average of all parliamentary parties for initiators belonging to both camps.
5. Statistical analysis of the data was done using Stata 10. Data and code is available from the author's homepage at: [www.tbraeuning.de](http://www.tbraeuning.de).
6. We use Cusack and Engelhardt's (2002) composite unidimensional ideology index, which is based on Castles and Mair (1984), Huber and Inglehart (1995) and Laver and Hunt (1992), and ranges from -1 (far left) to +1 (far right).
7. In strong (weak) minority government situations, the median legislator in a given issue area belongs to the parties in government (opposition).

## References

- Adams, J., Merrill, S. & Grofman, B. (2005). *A unified theory of party competition: A cross-national analysis integrating spatial and behavioral factors*. Cambridge: Cambridge University Press.
- Almond, G.A. & Powell, G.B. (1978). *Comparative politics: System, process and policy*. Boston, MA: Little, Brown.
- Alvarez, R.M. & Nagler, J. (1998). When politics and models collide: Estimating models of multiparty elections. *American Journal of Political Science* 42: 55–96.
- Andeweg, R.B. & Nijzink, L. (1995). Beyond the two-body image: Relations between ministers and MPs. In H. Döring (ed.), *Parliaments and majority rule in Western Europe*. New York: St Martin's Press.
- Bachrach, P. & Baratz, M.S. (1962). Two faces of power. *American Political Science Review* 56: 947–952.
- Baumgartner, F.R. & Jones, B.D. (1993). *Agendas and instability in American politics*. Chicago, IL: University of Chicago Press.
- Baumgartner, F.R., Green-Pedersen, C. & Jones, B.D. (2006). Comparative studies of policy agendas. *Journal of European Public Policy* 13: 959–974.
- Benoit, K. & Laver, M. (2006). *Party policy in modern democracies*. London: Routledge.
- Bergman, T. et al. (2003). Democratic delegation and accountability: Cross-national patterns. In K. Strøm, W.C. Müller & T. Bergman (eds), *Delegation and accountability in parliamentary democracies*. Oxford: Oxford University Press.

- Best, R. & Heller, W. (2005). Safety in Numbers? Seat Shares and Discipline in Legislative Parties. Paper presented at the ECPR Joint Sessions of Workshops, Granada.
- Bishin, B.G. (2000). Constituency influence in Congress: Does subconstituency matter? *Legislative Studies Quarterly* 25: 389–415.
- Bowler, S., Farrell, D.M. & Katz, R.S. (1999). Party cohesion, party discipline and parliaments. In *Party discipline and parliamentary government*. Columbus, OH: Ohio State University Press.
- Bräuninger, T. & König, T. (1999). The checks and balances of party federalism: German federal government in a divided legislature. *European Journal of Political Research* 36: 207–234.
- Budge, I. (2001). Theory and measurement of party policy positions. In I. Budge et al. (eds), *Mapping policy preferences*. Oxford: Oxford University Press.
- Budge, I. & Keman, H. (1990). *Parties and democracy: Coalition formation and government functioning in twenty states*. Oxford: Oxford University Press.
- Castles, F. & Mair, P. (1984). Left-right political scales: Some expert judgements. *European Journal of Political Research* 12: 73–88.
- Cowley, P. (2002). *Revolts and rebellions: Parliamentary voting under Blair*. London: Políticos.
- Cusack, T.R. (2001). Partisanship in the setting and coordination of fiscal and monetary policies. *European Journal of Political Research* 40: 93–115.
- Cusack, T.R. & Engelhardt, L. (2002). *The PGL file collection: File structures and procedures*. Berlin: Wissenschaftszentrum Berlin für Sozialforschung. Available online at: [www.wz-berlin.de/mp/ism/people/misc/cusack/d\\_sets.en.htm#data](http://www.wz-berlin.de/mp/ism/people/misc/cusack/d_sets.en.htm#data).
- De Winter, L. & Dumont, P. (2003). Belgium: Delegation and accountability under partitocratic rule. In K. Strøm, W.C. Müller & T. Bergman (eds), *Delegation and accountability in parliamentary democracies*. Oxford: Oxford University Press.
- De Winter, L., Timmermans, A. & Dumont, P. (2000). Belgium: On government agreements, evangelists, followers and heretics. In W.C. Müller & K. Strøm (eds), *Coalition governments in Western Europe*. Oxford: Oxford University Press.
- Debus, M. & Bräuninger, T. (2008). Intra-party factions and coalition bargaining in Germany. In D. Giannetti & K. Benoit (eds), *Intra-party politics and coalition government*. London: Routledge.
- Depauw, S. (2003). Government party discipline in parliamentary democracies: The cases of Belgium, France and the United Kingdom in the 1990s. *Journal of Legislative Studies* 9: 130–146.
- Diermeier, D. & Feddersen, T.J. (1998). Cohesion in legislatures and the vote of confidence procedure. *American Political Science Review* 92: 611–621.
- Döring, H. (ed.) (1995a). *Parliaments and majority rule in Western Europe*. Frankfurt/New York: Campus/St Martin's Press.
- Döring, H. (1995b). Time as a scarce resource: Government control of the agenda. In *Parliaments and majority rule in Western Europe*. Frankfurt/New York: Campus/St Martin's Press.
- Döring, H. (2001). Parliamentary agenda control and legislative outcomes in Western Europe. *Legislative Studies Quarterly* 26: 145–165.
- Döring, H. & Hallerberg, M. (eds) (2004). *Patterns of parliamentary behaviour: Passage of legislation across Western Europe*. Aldershot: Ashgate.
- Epstein, D. (1998). Partisan and bipartisan signaling in Congress. *Journal of Law, Economics and Organization* 14: 183–204.

- Gallagher, M., Laver, M. & Mair, P. (2006). *Representative government in modern Europe*. New York: McGraw-Hill.
- Green-Pedersen, C. & Krogstrup, J. (2008). Immigration as a political issue in Denmark and Sweden. *European Journal of Political Research* 47: 610–634.
- Green-Pedersen, C. & Mortensen, P.B. (2007). Issue-competition, Issue-ownership and Political Parties. Paper presented at the annual meeting of the Midwest Political Science Association, Chicago, IL.
- Griffith, J.A.G. & Ryle, M. (1989). *Parliament: Functions, practice and procedures*. London: Sweet & Maxwell.
- Groseclose, T. & McCarty, N. (2001). The politics of blame: Bargaining before an audience. *American Journal of Political Science* 45: 100–119.
- Gross, D.A. & Sigelman, L. (1984). Comparing party systems: A multidimensional approach. *Comparative Politics* 16: 463–479.
- Harmel, R. & Janda, K. (1994). An integrated theory of party goals and party change. *Party Politics* 6: 259–287.
- Huber, J.D. (1996a). The vote of confidence in parliamentary democracies. *American Political Science Review* 90: 269–282.
- Huber, J.D. (1996b). *Rationalizing parliament: Legislative institutions and party politics in France*. Cambridge: Cambridge University Press.
- Huber, J.D. & Inglehart, R. (1995). Expert interpretations of party space and party locations in 42 societies. *Party Politics* 1: 73–111.
- Huber, J.D. & Shipan, C.R. (2002). *Deliberate discretion: The institutional foundations of bureaucratic autonomy*. Cambridge: Cambridge University Press.
- Kam, C. (2001). Do ideological preferences explain parliamentary behaviour? Evidence from Great Britain and Canada. *Journal of Legislative Studies* 7: 89–126.
- Kam, C. (2009). *Party discipline and parliamentary politics*. Cambridge: Cambridge University Press.
- Kam, C. et al. (2007). Parliaments, Cabinets and Uncovered Sets. Paper presented at the ECPR General Conference, Pisa.
- Kingdon, J.W. (1995). *Agendas, alternatives and public policies*. New York: Harper Collins.
- König, T. (2001). Bicameralism and party politics in Germany: An empirical social choice analysis. *Political Studies* 49: 411–437.
- Krehbiel, K. (1998). *Pivotal politics: A theory of US lawmaking*. Chicago, IL: University of Chicago Press.
- Kreppel, A. (1997). The impact of parties in government on legislative output in Italy. *European Journal of Political Research* 31: 327–350.
- Laver, M. & Hunt, W.B. (1992). *Policy and party competition*. New York: Routledge.
- Laver, M. & Schofield, N. (1998). *Multiparty government: The politics of coalition in Europe*. Ann Arbor, MI: University of Michigan Press.
- Laver, M. & Shepsle, K.A. (1996). *Making and breaking governments*. Cambridge: Cambridge University Press.
- Lijphart, A. (1999). *Patterns of democracy*. New Haven, CT: Yale University Press.
- Lupia, A. & McCubbins, M.D. (1994). Who controls? Information and the structure of legislative decision-making. *Legislative Studies Quarterly* 19: 361–384.
- Mair, P. (2001). Searching for the positions of political actors: A review of approaches and an evaluation of expert surveys in particular. In M. Laver (ed.), *Estimating the policy positions of political actors*. London: Routledge.

- Mair, P. & Mudde, C. (1998). The party family and its study. *Annual Review of Political Science* 1: 211–229.
- Martin, L.W. (2004). The government agenda in parliamentary democracies. *American Journal of Political Science* 48: 445–461.
- Martin, L.W. & Stevenson, R.T. (2001). Government formation in parliamentary democracies. *American Journal of Political Science* 45: 33–50.
- Martin, L.W. & Vanberg, G. (2004). Policing the bargain: Coalition government and parliamentary scrutiny. *American Journal of Political Science* 48: 13–27.
- Martin, L.W. & Vanberg, G. (2005). Coalition policymaking and legislative review. *American Political Science Review* 99: 93–106.
- Mattson, I. (1995). Private members' initiatives and amendments. In H. Döring (ed.), *Parliaments and majority rule in Western Europe*. Frankfurt/New York: Campus/St Martin's Press.
- Mayhew, D.R. (1974). *Congress: The electoral connection*. New Haven, CT: Yale University Press.
- Mayhew, D.R. (1991). *Divided we govern*. New Haven, CT: Yale University Press.
- McFadden, D. (1974). Conditional logit analysis of qualitative choice behaviour. In: P. Zarembka (ed.), *Frontiers in econometrics*. New York: Academic Press.
- Müller, W.C. (2005). Die Relevanz von Institutionen für Koalitionstreue: Theoretische Überlegungen und Beobachtungen zur Bundesrepublik Deutschland. In S. Ganghof & P. Manow (eds), *Mechanismen der Politik*. Frankfurt: Campus.
- Müller, W.C. & Jenny, M. (2004). 'Business as usual' mit getauschten Rollen oder Konflikt statt Konsensdemokratie? Parlamentarische Beziehungen unter der ÖVP-FPÖ-Koalition. *Österreichische Zeitschrift für Politikwissenschaft* 33: 306–326.
- Müller, W.C. & Strøm, K. (eds) (2000). *Coalition governments in Western Europe*. Oxford: Oxford University Press.
- Müller, W.C. & Strøm, K. (2008). Coalition agreements and cabinet governance. In K. Strøm, W.C. Müller & T. Bergman (eds), *Cabinets and coalition bargaining: The democratic life cycle in Western Europe*. Oxford: Oxford University Press.
- Norton, P. (ed.) (1990). *Legislatures*. Oxford: Oxford University Press.
- Petrocik, J.R. (1996). Issue ownership in presidential elections, with a 1980 case study. *American Journal of Political Science* 40: 825–850.
- Powell, G.B. (2000). *Elections as instruments of democracy: Majoritarian and proportional visions*. New Haven, CT: Yale University Press.
- Richardson, J. & Jordan, A.G. (1978). *Governing under pressure*. London: Blackwell.
- Riker, W. (1996). *The strategy of rhetoric: Campaigning for the American Constitution*. New Haven, CT: Yale University Press.
- Romer, T., & Rosenthal, H. (1978). Political resource allocation, controlled agendas and the status quo. *Public Choice* 33: 27–43.
- Rudzio, W. (2006). *Das politische System der Bundesrepublik Deutschland*. Wiesbaden: VS Verlag für Sozialwissenschaften.
- Saalfeld, T. (1995). *Parteisoldaten und Rebellen: Fraktionen im Deutschen Bundestag 1949–1990*. Opladen: Leske + Budrich.
- Saalfeld, T. (2003). The United Kingdom: Still a single 'chain of command'? The hollowing out of the Westminster model. In K. Strøm, W.C. Müller & T. Bergman (eds), *Delegation and accountability in parliamentary democracies*. Oxford: Oxford University Press.
- Schattschneider, E.E. (1960). *The semi-sovereign people: A realist's guide to democracy in America*. New York: Holt.

- Schofield, N. (1995). Coalition politics: A formal model and empirical analysis. *Journal of Theoretical Politics* 7: 245–281.
- Shepsle, K. (1979). Institutional arrangements and equilibrium in multidimensional voting models. *American Journal of Political Science* 23: 27–59.
- Strøm, K. (1990a). A behavioral theory of competitive political parties. *American Journal of Political Science* 34: 565–598.
- Strøm, K. (1990b). *Minority government and majority rule*. Cambridge: Cambridge University Press.
- Taylor, M. & Herman, V.M. (1971). Party systems and government stability. *American Political Science Review* 65: 28–37.
- Thiébaud, J.-L. (2000). France: Forming and maintaining government coalitions in the Fifth Republic. In W.C. Müller & K. Strøm (eds), *Coalition governments in Western Europe*. Oxford: Oxford University Press.
- Timmermans, A. (1998). Conflicts, agreements and coalition governance. *Acta Politica* 33: 409–432.
- Timmermans, A. (2006). Standing apart and sitting together: Enforcing coalition agreements in multiparty systems. *European Journal of Political Research* 45: 263–283.
- Trantas, G. (1995). Comparing legislative instruments across nations. In H. Döring (ed.), *Parliaments and majority rule in Western Europe*. Frankfurt/New York: Campus/St Martin's Press.
- Tsebelis, G. (2002). *Veto players: How political institutions work*. Princeton, NJ: Princeton University Press.
- Volkens, A. (2007). Strengths and weaknesses of approaches to measuring policy positions of parties. *Electoral Studies* 26: 108–120.
- Walgrave, S., Soroka, S. & Nuytemans, M. (2008). A longitudinal analysis of media, parliament and government in Belgium (1993 to 2000). *Comparative Political Studies* 41: 814–836.
- Warwick, P. (2006). *Policy horizons and parliamentary government*. Houndmills: Palgrave.
- Warwick, P.V. & Druckman, J.N. (2001). Portfolio salience and the proportionality of payoffs in coalition governments. *British Journal of Political Science* 31: 627–649.
- Wilson, R.K. & Young, C.D. (1997). Cosponsorship in the US Congress. *Legislative Studies Quarterly* 22: 25–43.

*Address for correspondence:* Thomas Bräuninger, Department of Political Science, University of Mainz, Colonel-Kleinmann-Weg 2, D-55099 Mainz, Germany. Tel.: ++49-6131-39-25568; Fax: ++49-6131-39-23729; E-mail: braeuni@uni-mainz.de