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Policy-making power of opposition players: a comparative institutional perspective

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ABSTRACT


The organisation of legislative chambers and the consequences of parliamentary procedures have been among the most prominent research questions in legislative studies. Even though democratic elections not only lead to the formation of a government but also result in an opposition, the literature has mostly neglected oppositions and their role in legislative chambers. This paper proposes to fill this gap by looking at the legislative organisation from the perspective of opposition players. The paper focuses on the potential influence of opposition players in the policy-making process and presents data on more than 50 legislative chambers. The paper shows considerable variance of the formal power granted to opposition players. Furthermore, the degree of institutionalisation of opposition rights is connected to electoral systems and not necessarily correlated with other institutional characteristics such as regime type or the size of legislative chambers.

KEYWORDS Legislative organisation; parliamentary opposition; power; policy-making

Introduction

One crucial characteristic of democracies is the fact that although all citizens have equal access to electoral participation, electoral outcomes produce inequalities among citizens (Anderson & Mendes, 2006, p. 93). Consequently, democracy is not just about winning elections, but equally so about losing them. However, until the present day only relatively few contributions in the field of legislative studies have focused on the role of oppositions in the legislature.¹ Among the first contributions in the literature was the edited volume on political oppositions in Western democracies by Dahl (1966b). In his concluding remarks, Dahl (1966a) proposed

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the following six differentiating features of oppositions: their organisational cohesion, their competitiveness, their identifiability, their goals, their strategies, and the site of encounter of the opposition and the government. Blondel (1997, pp. 470–471) proposed to merge Dahl's (1966a) characteristics, arriving at a categorisation of oppositions with the following two dimensions: the distance of the goals of the agents of the opposition from those of the government and the relative strength of the bodies of the opposition.

Beyond the research on different types of opposition and the different features to distinguish among them, most of the existing studies on parliamentary oppositions focus on relatively few cases (see, eg Andeweg et al., 2008; Church & Vatter, 2009; Christiansen & Damgaard, 2008; Gel'man, 2005; Helms, 2004; Inoguchi, 2008; Kaiser, 2008; Kopecky & Spirova, 2008; Mujica & Sanchez-Cuenca, 2006; Schrire, 2008) or do not look at political regimes beyond one specific type of democracy. Studies focus either on parliamentary democracies (see, eg Garritzmann, 2017; Schnapp & Harfst, 2005; Sieberer, 2011) or on presidential ones (see, eg Morgenstern et al., 2008). Moreover, most of the contributions to the research on oppositions focus on the characteristics of oppositions, how they organise, or how they behave. Only rarely does the literature address the specific rights of the opposition that define their potential influence in the legislative arena.² Consequently, relatively little knowledge exists about the possible explanations of why countries establish different sets of rules resulting in different degrees of power granted to opposition players.

To fill this gap in the literature, this article presents an attempt to assess and explain the formal power of opposition players. The conceptualisation presented in the following sections refers to one of the core functions of legislatures: policy-making (Carey, 2006, p. 431).³ Based on parliamentary procedures identified in the existing literature, I present an index of *policy-making power of opposition players*. The paper makes three important contributions. First, it proposes to move beyond the consideration of characterising features of oppositions and to look more closely at the specific rights parliamentary procedures grant to opposition players. Second, by presenting results for more than 50 legislative chambers around the world, the data allow for a comparison of the rights of opposition players beyond regions and institutional characteristics (such as regime type or electoral systems). Third, the paper shows which of these institutional characteristics are linked to more or less power granted to opposition players. In particular, the presidential–parliamentary distinction is widely considered as an identifying characteristic in the theoretical and empirical literature. This distinction of regime types is often applied to account for specific powers of executives and legislatures. However, the results show that the degree of opposition power varies considerably and

most crucially also within regime types. This result casts doubt on the systemic differences between parliamentarism and presidentialism as far as power granted to opposition players is concerned. Rather, the results show that different degrees of opposition power mirror electoral needs of members of parliament (MPs). Characteristics such as the electoral system and fractionalisation seem to play a more important role than the parliamentary–presidential distinction in determining the degree of opposition power.

Based on the legislative studies literature, the next section presents the concept of *policy-making power of opposition players*. The third section presents the method of data collection. The fourth section briefly illustrates the results of a comprehensive data collection effort to measure *policy-making power of opposition players* of more than 50 legislative chambers. Based on the legislative studies literature, the fifth section presents a first attempt to explain variance in policy-making power of opposition players across chambers. The final section concludes and discusses limitations of the data as well as further research questions following from the results.

Measuring policy-making power of opposition players

Figure 1 presents an overview of the operationalisation of *policy-making power of opposition players*.

Coding decisions are deduced from the existing literature on legislative organisation. As Strøm has highlighted about the power of oppositions, from internal parliamentary structures and procedures results a *policy influence differential* (Strøm, 1990, p. 42). A higher policy influence differential indicates more power of the government party as compared with the opposition. Hence, payoffs for policy-seeking oppositions are bigger in a polity with a lower policy influence differential. This logic about the *policy influence differential* (Strøm, 1990) can be used to think about the role and the specific power of the opposition to influence the policy-making process. The policy influence differential can manifest itself in two different aspects: more opposition rights or fewer government rights. Hence, such rights define the policy influence differential in the sense that they determine how much action the government and opposition players can take. Few opportunities to take action and/or be included in the decision-making process indicates exclusionary parliamentary procedures (from the point of view of the opposition). On the contrary, many such opportunities for the opposition point to inclusive parliamentary procedures meaning more power of opposition players.

A large literature exists on the specific rules and procedures of the policy-making process. Even though most of this literature focuses on the role of the government, it allows identifying the policy influence differential and

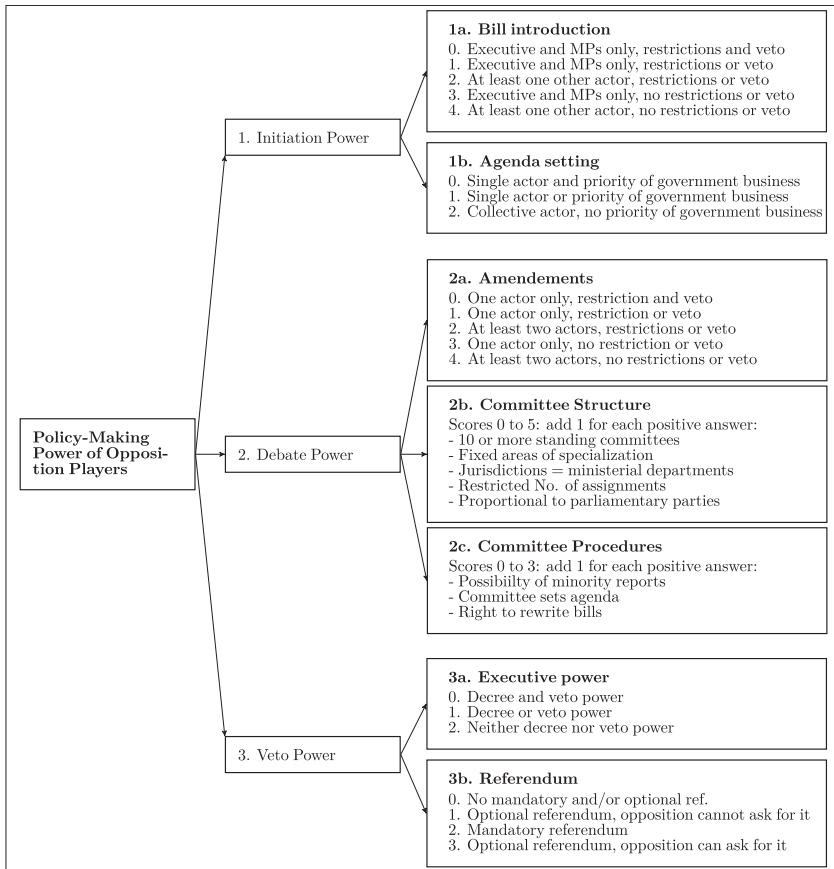


Figure 1. Operationalisation: policy-making power of opposition parties.

thereby assessing the power granted to opposition players. Hence, the existing literature on parliamentary rules and procedures of the policy-making process served as a guideline to which variables should be included in an index measuring opposition power. The structure of the concept follows three stages of the policy-making process: initiation, debate and veto. At the stage of initiating policies, I consider bill introduction and agenda setting. Amendments, the committee structure and the committee procedures represent the stage of debate power. Finally, executive power and referendums measure the veto power of opposition players. All variables are formulated in a way that higher scores indicate a reduction in the policy influence differential and thereby more power of opposition players as compared with the government.

Hence, *policy-making power of opposition players* refers to the ‘capacity for checking majority action within legislatures’ (Carey, 2006, p. 433) during the

policy-making process. In this sense, power of opposition players is the *de jure* political power meaning the power allocated by political institutions. Therefore, institutions that grant opposition players a higher level of opportunities to influence the legislative process are of importance. Following Carey (2006), the index presented here considers two types of such 'checks' or political power. On the one hand, internal checks refer to *de jure* political power granted to different actors within the legislature, including opposition MPs and parties. On the other hand, external checks refer to *de jure* political power granted to different actors outside the legislature, including citizens or executive power (Carey, 2006, p. 448).

Internal checks are most visible in the initiation and debate stage of the policy-making process. The more actors who are entitled to introduce legislative bills, to propose amendments to bills, and the fewer restrictions that exist to do so, the more power is granted to opposition players as compared with the government. Similarly, parliamentary committees structured in a decentralised way that allow participation of opposition players gives the latter more power as compared with committee systems dominated by the government parties (see also Strøm, 1990).

The influence of the government as external actor figures in all three stages of the policy-making process. This is also due to the underlying logic of the *policy influence differential* applied here as it captures the power granted to opposition players in relation to the dominance of government powers.⁴ The government is one of the potential actors that can introduce bills and dominate the agenda in the initiation stage of the policy-making process. Furthermore, the government is also a potential actor to introduce amendments and to dominate the committee system. Finally, executive power can considerably influence the final stage of the policy-making process. Other external actors such as citizens and subnational entities can influence the policy-making process in the initiation and the veto stage. Both are among the possible actors to have the right to introduce bills, and citizens, through referendums, can be potential veto players.

The following sections discuss each of the variables in more detail (see Figure 1). The first section discusses the *initiation power* considering the power to propose legislation and agenda setting. The second section presents the stage of *debate power* looking at the rights of opposition actors during the deliberation process. The third section deals with *veto power* of different actors and their relation to the power of opposition players. Finally, the fourth section presents the final index of *policy-making power of opposition players*.

Initiation power

'[W]ithout parliamentary rights ... a legislator cannot make noteworthy contributions to the legislative product' (Krehbiel, 1991, p. 2). The first

step to such contributions is the right to propose legislation. Hence, as presented in [Figure 1](#), the first variables of *policy-making power of opposition players* relate to *initiation power* and capture the access of opposition players to initiate the policy-making process. However, actors that exert power on the parliamentary agenda can limit the power to propose legislation of individual actors. Initiation power is therefore determined by bill introduction and agenda setting power.

Bill introduction

Following Mattson (1995, p. 455) and Taylor (2006, p. 326), representative democracies grant their individual MPs influence over the decision-making process through the right to introduce legislative bills. However, such rights are not just granted to MPs. The executive often dominates the right to initiate legislation (Mattson, 1995, p. 455), giving it considerably more power than the opposition; but, actors other than the executive or individual MPs might have the right to introduce legislation. Parliamentary committees or parliamentary parties that have the right to introduce legislation, for example, grant additional power to the opposition. Furthermore, citizens may propose legislation through popular initiatives (Mattson, 1995, pp. 455–456). As the executive and individual MPs should have the right to introduce bills in all representative democracies (see, eg Mattson, 1995; Taylor, 2006), the initiation power of opposition players largely depends on the number of other actors (parliamentary parties, committees, subnational entities and citizens) that have the right to introduce bills.

However, restrictions and possible veto players importantly determine the right to introduce bills. The literature has identified two different kinds of restrictions that in particular limit the power of opposition players. First, to prevent the introduction of bills that lack substantial support some legislative chambers apply numerical restrictions. For example, they require a specific number or percentage of MPs to support a bill to introduce it (Mattson, 1995, p. 457). This considerably reduces the power of individual MPs and might constitute an obstacle for opposition players.⁵ Second, some chambers require other actors to accept the introduction of a bill⁶ before it can be introduced thereby also reducing the potential power of opposition players.

Consequently, the variable *1a bill introduction* (see [Figure 1](#)) considers both the number of actors that are allowed to introduce bills as well as restrictions and veto players limiting the power to do so. Chambers grant weak opposition power if only the executive and MPs can introduce bills and MPs further face restrictions and possible veto players. More opposition power exists in chambers in which at least one further actor (ie committees, parties, subnational entities, or citizens) can introduce bills but are also faced with restrictions and/or veto players.⁷ Opposition players are granted strong

power if MPs do not face restrictions or veto players. Strongest opposition power is granted in chambers in which at least one other actor than the executive and MPs can introduce bills without restrictions or veto. An additional obstacle to overcome, however, is the actors who decide on the plenary agenda of the legislative chamber which might be dominated by the government.

Agenda setting power

Döring points to the fact that '[o]pposition bills may be stopped in some instances by simply keeping them off the agenda fixed by the government' (Döring, 1995b, p. 224; see also Cox & McCubbins, 2011; Tsebelis & Rasch, 2011). Control of the plenary timetable links to the control of determining what will be debated and decided. Hence, being able to define this timetable and setting the order of the day implies considerable power (Laver & Shepsle, 1994, p. 295). If this power is in the hands of the government, it reduces the initiation power of opposition players.

Two elements are considered here. First, the government might control policy-making if it can determine the plenary timetable (Mattson, 1995, pp. 459–461). The degree of influence the government can take on the plenary agenda depends on whether the government alone can decide on the agenda or not (Döring, 1995b, 2001). Full government control of the plenary timetable obviously reduces the chance of the successful introduction of a bill by opposition players. On the other hand, the initiation power of opposition players might be stronger when collective actors including opposition MPs such as a steering committee or the legislative chamber itself can decide on the plenary agenda.

Second, the existence of specific rules giving priority to government business infringes upon the opposition players' power to introduce legislation. As emphasised with Cox's (2006) bottleneck and the necessity of regulating plenary time, completely free access to the plenary agenda is very unlikely (cf. Cox & McCubbins, 2011, p. 458). However, the degree to which the government is granted priority access varies considerably. Priority of government business during plenary time attributes most power to the government and weakest power to the opposition. Special times for opposition or individual member's business grants stronger initiation power of opposition players whereas no government priority equals the situation of the highest level of initiation power of opposition players.

The variable *1b agenda setting* (see Figure 1) combines both the power to organise the plenary timetable and priority of government business. Opposition players are granted strong power if either the legislative chamber itself or a collective body such as a steering committee sets the plenary timetable⁸ and no priority of government business exists.

Debate power

After a successful introduction of a legislative bill comes the debate phase in the legislative chamber. Again, without specific rights to do so, MPs cannot meaningfully contribute to this phase of the policy-making process (see Krehbiel, 1991). The literature has repeatedly pointed to the crucial role of legislative committees at this stage of policy-making as ‘much of the real deliberation takes place away from the plenary arena in much smaller groups of legislators such as legislative committees’ (Mattson & Strøm, 1995, p. 249). Committees support ‘... the development and review of policy proposals in their domains, and [draw] on the expertise of their members and staff to make recommendations to the full assembly’ (Carey, 2006, p. 441). Contribution to the work of committees therefore constitutes an important way of influencing policy-making. However, the influence of opposition players in such committees depends on the specific structure and the procedures of the committee system.

The measure of *debate power* of opposition players includes the three variables of the strength of the committee structure, the strength of procedures of the committees, and the power to introduce amendments.⁹

Amendments

Similar to bill introduction, the right to introduce amendments is subject to restrictions and limited to certain actors (Mattson, 1995, p. 473). The variable follows the operationalisation of *bill introduction* presented before. More actors including opposition players that are entitled to propose amendments to bills indicate more power of the opposition as compared with the power of the government. Again, restrictions affecting the power of opposition players can be numerical, meaning that legislative chambers require a specific number or percentage of MPs to support an amendment for its proposition. Furthermore, other actors can be required to accept the proposal of an amendment before its introduction.¹⁰ Consequently, the variable *2a amendments* considers both whether only one or multiple actors other than the government can introduce amendments as well as restrictions and veto players limiting the power to do so. If only one actor (eg MPs) that faces restrictions and veto players can introduce an amendment, opposition players are granted only weak power. Strongest opposition power is granted in chambers in which at least two actors can introduce amendments without restriction or veto (see also Figure 1).

Committee structure

The specific structure of a committee determines whether opposition MPs have access to such committees or whether they are dominated by government MPs. The variable of committee structure aims to assess how much

access the opposition has to parliamentary committees. Opposition parties can exert more influence in a 'strong and decentralized committee structure' (Strøm, 1990, p. 70). I follow Strøm's 'five-point index of the potential for oppositional influence' by considering the following characteristics (Strøm, 1990, p. 71). (i) The possibility of the opposition to influence the deliberation requires a minimum number of standing committees. Following Strøm, 'more than 10 standing committees [are] necessary for high oppositional influence' (Strøm, 1990, p. 71). (ii) Similarly, fixed areas of specialisation that (iii) correspond to ministerial departments guarantee more deliberative legislatures and more effective oversight which leads to higher levels of influence by opposition parties. (iv) Furthermore, a numerical restriction of committee assignments per MP leads to more specialised legislators and to fewer opportunities for MPs of government parties to manipulate membership allocations to their advantage. (v) Finally, a proportional distribution of committee chairs according to parliamentary parties guarantees that government parties do not control all committee chairs and guarantees more political power to opposition parties (Mattson & Strøm, 1995, p. 277; Strøm, 1990, p. 71). As Figure 1 shows, the variable *2b committee structure* is the sum of all positive answers regarding the presented characteristics and ranges from 0 (weak opposition power) to 5 (strong opposition power).

Committee procedures

Not only is the possibility to become a member of parliamentary committees important for opposition MPs to influence the policy-making process but also specific procedures of these committees as they can shape considerably the policy influence differential. Depending on the degree of influence opposition MPs can take within committees, committee procedures grant more or less power to MPs of government and opposition parties (Mattson & Strøm, 1995, p. 274). The literature has identified several characteristics that determine the power of committees. The following three indicators in particular relate to the power granted to opposition MPs and therefore are considered here. (i) Some legislatures grant committee minorities the right to submit minority reports along with the committee report to the chamber (Mattson & Strøm, 1995, pp. 283–284). (ii) The degree to which the government can influence the agenda of the committees varies considerably among polities (Döring, 1995b, pp. 237–238). Hence, whether the committees themselves can set their agenda or whether the government can exert influence determines the strength of the committee procedures. In countries where the government cannot influence the agenda of committees, the policy influence differential is reduced and opposition MPs might have more political power compared with the government. (iii) A last characteristic considers the right of committees to rewrite government bills. Where committees are free to rewrite bills '... government prerogatives in the

procedure for passing legislation would be considerably curbed' (Döring, 1995b, p. 235). Hence, as [Figure 1](#) shows, the variable *2c committee procedures* is the sum of all positive answers regarding the three characteristics and ranges from 0 (weak opposition power) to 3 (strong opposition power).

Veto power

What follows a successful initiation and debate of a legislative bill is its adoption or rejection. In case of an adoption, many polities know specific rights for certain actors to veto such an adoption or to issue laws without the necessary approval of the legislature. Hence, to assess the specific powers of opposition players in the policy-making process, we need to consider that 'legislatures everywhere are embedded in broader institutional environments in which policy-making decisions depend on multiple actors' (Carey, 2006, p. 433). Actors that have veto power are part of such an environment.¹¹ Therefore, veto power is a crucial aspect that can not only restrict the power of opposition players to influence the decision-making process but can also grant such power, depending on which actors actually hold veto power.

Certainly, the executive is one actor that can influence the policy-making process to a high degree if provided with certain rights. The level of influence it can exert on this final stage of the policy-making process is an important element to determine the policy influence differential. Furthermore, not only the executive but in some countries also other actors have rights to challenge the adoption of particular bills by asking for a referendum. Therefore, the measure of *veto power* of opposition players includes the two variables of executive power and referendums.

Executive power

Tsebelis has mentioned that not all presidents can be considered as veto players since not every presidential system grants the president such power (Tsebelis, 1995, p. 305). Similarly, Mainwaring and Shugart have emphasised that the 'dynamics of presidential systems vary according to president's formal powers' (Mainwaring & Shugart, 1997, p. 464). Such powers define the degree to which executive domination of the political process is possible. Whereas veto power allowing an actor to 'defend the status quo against attempts to change it' constitutes reactive powers, decree power allowing the executive 'to attempt to establish a new status quo' constitutes proactive powers (Mainwaring & Shugart, 1997, p. 464; see also Carey & Shugart, 1998, p. 8). Such executive decree and/or veto power influences the policy influence differential in the sense that the government is granted considerably more power than opposition players are. Hence, as [Figure 1](#) shows, the variable *3a executive power* measures whether the executive has the right to veto a

bill as well as decree right (weak opposition power), a combination of the two, or neither veto nor decree power (strong opposition power).

Referendums

The executive is not, however, the only potential actor that can veto the adoption of a bill. The possibility of referendums grants this power to citizens or parliamentary oppositions. To be able to assess the degree of power opposition players can exert using referendums, a simple look at legal provisions for whether mandatory and/or optional referendums are possible is not enough. Even though citizens may act as veto players when granted power through a required referendum or a referendum asked for by another actor, not all polities that recognise referendums also grant their initiation to opposition players. However, through optional referendums, opposition players can potentially influence the policy-making process to an important extent if they have corresponding rights. Taking a closer look at referendums, Hug and Tsebelis differentiate between the two questions of '(1) who asks the question and (2) who triggers a referendum' (Hug & Tsebelis, 2002, p. 466). Following these authors, the veto power of opposition players increases if they can actually trigger a referendum. Therefore, the variable *3b referendum* differentiates four degrees of opposition power (see Figure 1): neither mandatory nor optional referendum possibilities (weak opposition power); optional referendum possibilities, but opposition actors cannot trigger them; mandatory referendums; and optional referendums opposition actors can trigger (strong opposition power).

Policy-making power of opposition players

To measure power of opposition players during the policy-making process, the different variables are combined to an index. Factor analysis supports an additive index as results show all seven variables to load on one factor¹² – however, *executive power* shows factor loadings below 0.3. These results also indicate that the three stages of policy-making (ie initiation, debate and veto) are not independent dimensions of the concept of *policy-making power of opposition players* but different stages of one process. This result leads to the decision not to apply weights to these different stages when composing the overall index, but to base the aggregation rule on the seven variables. The final index treats these seven variables as different aspects of policy-making power of opposition players that can also substitute each other. None of the variables is a necessary condition for strong opposition power.

As Figure 1 shows, for each variable higher scores mean more policy-making power of opposition players. However, due to the different ranges of the variables, a simple additive index would give more weight to variables with larger ranges (such as committee structure or bill introduction).

Therefore, the seven variables are standardised before aggregation. These standardised variables are then combined in an additive index, which is again standardised. Hence, the resulting index of *policy-making power of opposition players* is the average of the seven variables and takes values between 0 (weak opposition power) and 1 (strong opposition power). Figure A1 of the supplemental materials shows correlations of the final index with indices based on alternative aggregation rules. The figure shows a simple additive index without standardised variables, an index based on both standardised variables and stages of the policy-making process, as well as an index based on factor analysis. As the results in Figure A1 show, correlation among the different indices is very high (between 0.96 and 0.99). Therefore, in the following sections the additive index with standardised variables as discussed here will serve as measure of *policy-making power of opposition players*. The indices based on the alternative aggregation rules are included in further robustness tests.

Method of data collection

The inclusiveness of parliamentary procedures (defining policy-making power of opposition players) lies in the official rights during the policy-making process attributed to government and opposition players. Therefore, data collection was based on documents officially published by the state institutions. Basic reference documents for each country are the official rules of procedure of the parliamentary chamber and the national constitution. However, these two documents do not always specify rules and procedures for all the variables discussed in the previous section. In particular, rules on the organisation of committees are often not specified in the constitution or the parliamentary standing orders. Therefore, to code this information, whenever it is not available in constitutions or standing orders, the official parliamentary and/or government websites of a given country are used as a source of information. The criterion to decide whether a document is used for coding information is its publication by an official state institution (ie the legislative chamber or the government).

Besides official documents published by state authorities, several existing data sources were used to complement some of the information. The *Comparative Constitutions Project* (Elkins et al., 2014) was used for information about bill introduction of different actors. However, as this dataset considers national constitutions only, parliamentary standing orders were consulted to complement the information in the case of actors that did not have the right to introduce legislation according to the national constitution. The *Parliamentary Power Index* (Fish & Kroenig, 2009) is used to determine whether the executive has decree power and the *Institutions and Elections Project* (Regan & Clark, 2014) provides information about executive veto power.

Finally, the *Direct Democracy Database* (IDEA, 2014) provides detailed information about the possibilities of referendum and citizen initiatives.

Codings are based on the most recent versions of constitutions and parliamentary standing orders available in 2015 of lower chambers in 54 democracies around the world.¹³ All countries with at least one year of democratic experience after 1990 as measured by Marshall et al. (2014) were considered.¹⁴

How much policy-making power do opposition players have?

Figure 2 presents the distribution of *policy-making power of opposition players* across legislative chambers. With a mean score of 0.59 the overall picture of policy-making power of opposition players points to intermediate power. None of the total of 54 countries for which information on all variables is available¹⁵ shows no opposition power (a score of 0). Similarly, no country reaches the maximum score of 1. The country with the strongest policy-making power of opposition players is Slovenia (with a score of 0.92) whereas Bangladesh (with a score of 0.18) has the weakest power of opposition players. The highest number of countries is clustered around a level of policy-making power of opposition players above 0.4 and below 0.8 (44 out of the 54 countries group within this range).

As oppositions have not figured prominently in the legislative studies literature so far, only relatively limited sources are available to test validity of the proposed index. However, a comparison with Garritzmann (2017) reveals interesting results. Overall, the measure of *policy-making power of opposition players* reflects Garritzmann's (2017) overall index of opposition power only to a very limited degree. However, a closer look at the two indices reveals some similarities between Garritzmann's (2017) measure of

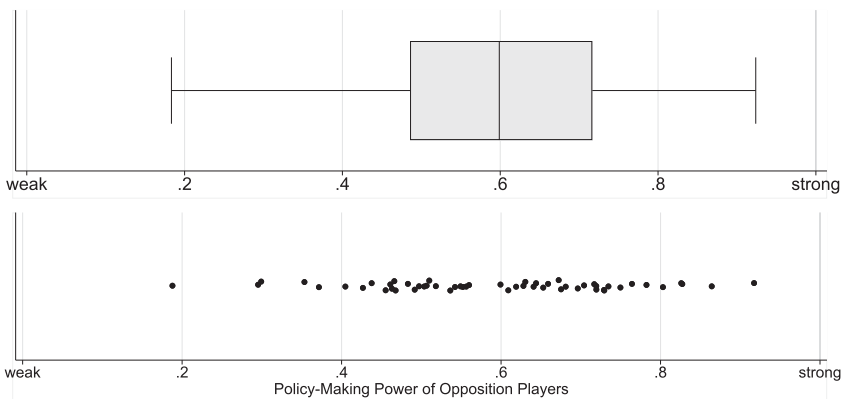


Figure 2. Policy-making power of opposition players.

opposition power and *policy-making power of opposition players*.¹⁶ The strongest correlations exist between *initiation power* and Garritzmann's (2017) opposition control index (0.48) and *veto power* of opposition players and Garritzmann's (2017) opposition alternative index (0.42). Furthermore, taking a closer look at the distribution of countries shows similar patterns to Garritzmann's (2017) overall measure. For example, Garritzmann's (2017, p. 17) overall index and *policy-making power of opposition players* show a difference between southern and northern European countries, with the former group of countries showing weaker opposition power than the latter (see also Christiansen & Damgaard, 2008; Mujica & Sanchez-Cuenca, 2006). Similarly to Garritzmann (2017), scores for Westminster democracies are below the mean, but do not point to very weak opposition power (see also Garritzmann, 2017, p. 18). Finally, the proposed measure shows strong policy-making power of opposition players in Germany. This result is also in line with Garritzmann (2017) and the existing literature (see, eg Sieberer, 2006).

However, the comparison between *policy-making power of opposition players* and Garritzmann's (2017) measure of opposition power highlights the issue of different operationalisations. Whereas the index proposed here focuses on policy-making power, Garritzmann (2017) combines elements of policy-making (eg agenda setting) and oversight or position taking (eg written and oral questions) that might not directly be connected to policy-making. Hence, although both indices measure opposition power, they do so based on a rather different operationalisation of the concept. This has important implications for future research and also points to the fact that no simple, universal measure of opposition power is possible.

What determines policy-making power of opposition players?

The policy-making process and legislative chambers are embedded in a larger institutional setting. Therefore, policy-making power of opposition players might be linked to other institutional characteristics. As highlighted before, oppositions have not been a prominent research area in the legislative studies literature so far. Consequently, relatively little guidance exists on what institutional settings might explain differences in the degree of power granted to opposition players across countries. However, a large literature deals with legislative organisation more generally. This literature serves as a guideline to develop an argument explaining different levels of opposition power.

Cox (2006, pp. 142–143) states that the absence of parliamentary rules would signify a 'legislative state of nature' resulting in an impassable plenary bottleneck. Parliamentary rules and procedures restricting access to plenary time allow this problem to be surmounted. The literature has

shown that, as parliamentary procedures are chosen and can be modified by the parliaments themselves, legislative chambers have adopted quite different rules to regulate their organisation (Döring, 1995a; Martin, 2011; Müller & Sieberer, 2014; Sieberer et al., 2011).¹⁷ A possible explanation for the variance in rules is the fact that legislative chambers resort to the ‘mirroring principle’ (McCubbins, 2005) when deciding upon the rules that direct their organisation and procedures. According to the logic of the mirroring principle, the organisation of the legislative chamber mirrors the external environment (McCubbins, 2005, p. 128). Sieberer et al. (2011) and Sieberer et al. (2016) show that parliamentary rules change frequently, suggesting that MPs indeed adapt rules to mirror their needs. Following the logic of the mirroring principle also allows the deduction of hypotheses on the explanation of different degrees of opposition power. The argument presented below focuses on two characteristics that the literature has frequently mentioned to shape legislative rules and procedures: the electoral system and the size of the legislative chamber.

The legislative studies literature has repeatedly pointed to the link between the electoral system and parliamentary organisation. A large share of this research has focused on the relationship between electoral systems and the strength of the committee system (see, eg Martin, 2011; Shepsle & Weingast, 1987; Stratmann & Baur, 2002; Weingast & Marshall, 1988). The literature has pointed to different theoretical arguments. On the one hand, candidate-centred electoral contexts should lead to strong committee systems. Following this line of argumentation, the strong committee system mirrors MPs’ electoral needs to cultivate a personal vote and highlight legislative activity to be re-elected (Martin, 2018, p. 309; see also Cain et al., 1987; Carey, 2009). More generally, Taylor relates single-member districts to more decentralised legislative chambers (Taylor, 2006, p. 330).¹⁸ On the other hand, the literature has linked proportional electoral systems to decentralised legislative organisation. Powell (2000, pp. 38–39), for example, links proportional electoral rules to dispersion of power in the legislative chamber (Powell, 2000, p. 31). Powell (2000, p. 31) differentiates between electoral rules and decision rules (ie rules defining policy-making), both of which follow either a majoritarian or a proportional vision. As Powell (2000, p. 39) highlights, legislative chambers elected by proportional rule are more likely also to show proportional decision rules (ie through opposition influence in committees).

Following this line of argumentation, proportional electoral systems should lead to more opposition power. The potential for partisan fractionalisation in the legislature is higher in proportional electoral systems than in majoritarian ones. In turn, such higher fractionalisation should also translate into different rules of procedure to organise legislative work (ie dispersion of power). Following this rationale, proportional electoral systems create more

heterogeneous legislative chambers and, in turn, should be likely to grant specific rights to opposition players to accommodate these different interests. Hence, in line with the existing literature and the mirroring principle (see McCubbins, 2005), we should observe more opposition power in proportional electoral systems and in chambers with a higher number of legislative parties.

Furthermore, as the size of the legislative chamber increases, cooperation becomes more difficult (Carrubba & Volden, 2000). To overcome the plenary bottleneck in the legislative state of nature (see Cox, 2006), parliamentary rules are likely to reflect the higher number of MPs in more restrictive rules and procedures. Results in the literature have confirmed this relationship. For example, Taylor (2006) shows that larger chambers apply more centralised procedures and Mattson (1995) shows that the rights to introduce legislative bills for MPs are more restricted in larger bodies. Furthermore, Wawro and Schickler (2006) show for the US Senate that an increase in the size of the chamber was also accompanied by a shift to more formal rules. The authors show that in a smaller Senate it was not necessary to resort to 'tight procedural constraints' but that an increase in size of its members also led to more constraints (Wawro & Schickler, 2010, p. 302). Hence, as the size of the legislative chamber seems to influence its rules of procedure, it might also influence the specific rights granted to opposition players. Following the logic of the mirroring principle (see McCubbins, 2005), larger chambers should limit policy-making power of opposition players to facilitate cooperation. Consequently, in line with this literature, we should observe stronger opposition power in smaller chambers.

Beyond the electoral system and the size of the legislative chamber, several control variables are included in the analyses. First, a large body of literature exists dealing with differences between parliamentary and presidential regimes. Tsebelis, for example, emphasises that '[i]n parliamentary systems the executive (government) controls the agenda, and the legislature (parliament) accepts or rejects proposals, while in presidential systems the legislature makes the proposal and the executive (the president) signs or vetoes them' (Tsebelis, 1995, p. 325). This suggests that presidential regimes should at least offer less restrictive initiation power (see also Mattson, 1995). However, the literature also highlights the fact that parliamentary organisation is more varied than the traditional distinction between parliamentary and presidential regimes would suggest (see, eg Cheibub et al., 2014; Döring, 2001). According to this latter literature, regime type should not influence the level of policy-making power of opposition players. Therefore, I include regime type (parliamentary, semi-presidential, presidential) as control variable.

Second, Cheibub et al. (2014) point to regional patterns and democratic experience influencing differences in constitutions. They highlight that 'in order to predict a constitution's content, one would do better to know the

region or the century in which the constitution was written than to know whether it was presidential or parliamentary' (Cheibub et al., 2014, p. 539). Similar patterns might also emerge with reference to policy-making power of opposition players. As the countries included in the analysis show a wide range of democratic experience and cover all regions of the world, both variables are included as controls.

Third, I include a variable measuring decentralisation as control variable. Decentralisation is a combination measuring federalism and bicameralism, as Gerring et al. (2005) propose. Controlling for decentralisation seems especially crucial as *policy-making power of opposition players* was measured for first chambers only. As second chambers as well as actors on subnational levels can be important veto players (see, eg Tsebelis, 1995, 1999) and institutions granting power to opposition players, the following analyses control for both factors. Finally, strong policy-making power of opposition players might mirror higher heterogeneity at the societal level and serve to accommodate these different interests. Therefore, religious and language fractionalisation (Alesina et al., 2003) are included as control variables.

Data measuring the electoral system, the effective number of parliamentary parties (ENPP) and the number of legislative seats come from Bormann and Golder (2013). Data to measure regime type (presidential, semi-presidential and parliamentary) come from Cheibub et al. (2010) and the data to measure decentralisation come from Gerring et al. (2005). The number of years of democratic experience at the time the standing orders came into force was measured using Marshall et al. (2014). Information on ethnic fractionalisation comes from Alesina et al. (2003).¹⁹ Table A1 of the supplemental materials shows descriptive statistics for all variables included in the analyses, Table A2 shows a list of all countries included in the analyses, and Table A3 shows correlations between the independent and control variables. Table 1 shows results of regression analysis on the dependent variable *policy-making power of opposition players* as presented above. Table A4 of the supplemental materials shows robustness tests based on the alternative aggregation rules of the index.

The results show support for the hypothesis that strong policy-making power of opposition players mirrors proportional electoral systems. Countries with proportional or mixed electoral systems grant stronger policy-making power to their opposition players than countries with majoritarian electoral systems. However, the results in Table 1 also show a stronger effect of mixed than of proportional systems compared with majoritarian systems. Whereas a change from a majoritarian system to a mixed one increases policy-making power of opposition players by 0.251 points, a change to a proportional system increases policy-making power of opposition players by 0.175 points on a scale from 0 to 1, respectively. Results for the ENPP and the size of the legislative chamber are not in line with expectations. Although not statistically significant, legislative chambers

Table 1. Explaining policy-making power of opposition players (PPOP).

	PPOP
Electoral system: mixed	0.251** (0.077)
PR	0.175* (0.075)
ENPP	-0.018 (0.010)
Size (seats/100)	0.006 (0.012)
Regime: semi-presidential	0.021 (0.054)
presidential	0.083 (0.070)
Unitarism	0.063 (0.045)
Democratic experience	-0.000 (0.000)
Region: Asia	-0.146* (0.063)
Americas	-0.076 (0.077)
Africa	-0.190 (0.114)
Religion fractionalisation	0.265* (0.115)
Language fractionalisation	0.008 (0.096)
Intercept	0.398** (0.112)
<i>N</i>	47
<i>R</i> ²	0.61

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$.

Standard errors in parentheses.

Linear regressions, dependent variable: PPOP.

with a higher number of parties tend to grant weaker power to opposition players, as do smaller chambers.

Moreover, the regional and regime type variables show interesting results confirming findings of the existing literature (see, eg Cheibub et al., 2014). Compared with European countries, Asian countries grant weaker policy-making power to opposition players. The coefficients for American and African countries are negative as well, indicating that countries in these regions also grant weaker policy-making power to opposition players compared with European countries. These latter coefficients, however, are not statistically significant. Furthermore, regime type does not show significant results, indicating that variance of policy-making power of opposition players exists particularly also within regime types. Finally, countries with a higher religious fractionation grant more policy-making power to opposition parties. It seems that those legislative chambers that need to

accommodate a wider range of different preferences also grant stronger power to opposition players during the policy-making process.

In sum, the electoral system, religious fractionalisation and the region seem to be among the strongest relations with policy-making power of opposition players. On the contrary, two of the most prominent variables in the legislative studies literature explaining different legislative organisation (regime type and size of the chamber) do not show statistically significant results. Table A4 of the supplemental materials confirms these results on the indices based on alternative aggregation rules.

Conclusion

This paper has presented an attempt to look at the organisation of legislative chambers from the perspective of opposition players. I have argued that opposition players can influence policy-making in three different stages: the initiation, the debate and the veto stages. The results show that the level of policy-making power of opposition players varies considerably across legislative chambers. The overall index of policy-making power of opposition players shows interesting distributions not only across different regions but also across regime types and electoral systems. European countries show the highest mean of policy-making power of opposition players whereas Asia includes the countries with the weakest overall opposition power. Patterns across different regime types reveal that policy-making power of opposition players is not particularly strong or weak among countries of a specific regime type but that variance particularly exists within regime types. Even though previous research has associated the size of legislative chambers and regime types to their particular procedures, the results presented in this paper do not confirm this pattern for policy-making power of opposition players. Rather, it seems that the electoral system as well as religious fractionalisation are connected to the power granted to opposition players during the policy-making process.

The results of this paper highlight several important aspects for legislative studies. The variance of policy-making power granted to opposition players is considerable and not captured by other institutional characteristics such as regime type, region, size of the legislative chamber, or democratic experience. Hence, considering the variation in policy-making power of opposition players might further contribute to our understanding of legislative organisation and behaviour more generally. Moreover, it fills one important research gap as it provides data on legislative organisation from the perspective of opposition players that allows for comparative research beyond regions and institutional characteristics.

This article, however, only marks a starting point. Hence, several aspects for further research deserve to be highlighted here. The data presented in this

article allow for a cross-sectional analysis. Further research efforts should include a time dimension trying to capture changes in policy-making power of opposition players across time. Only based on time series data will it be possible to capture the underlying logic of changes in parliamentary procedures. Ultimately, this will allow the testing of causal relationships between institutional characteristics and policy-making power of opposition players. Extending the data not only applies to the time dimension but should also include an effort to include policy-making power of opposition players in second chambers. Furthermore, policy-making is not the only option for opposition players to exert influence. Focusing on different arenas might be equally important to assess the policy-making power of opposition players in more detail.

Notes

1. See e.g. also Helms' introduction to the special issue of *The Journal of Legislative Studies* on *Parliamentary Opposition in Old and New Democracies*. The author mentions that '[r]egrettably, there is no equivalent research regarding the sub-field of parliamentary opposition. (...) Indeed, a large proportion of contributions to the field could be described as 'occasional papers' by authors specialising on other areas and aspects of legislative research' (Helms, 2008, p. 7).
2. Garritzmann (2017), Kaiser (2008), and Schnapp and Harfst (2005) are notable exceptions.
3. Nevertheless, neither can policy-making assess the whole range of potential influence of opposition players (see, e.g. Sieberer, 2011) nor are parliamentary powers the only means by which actors can influence policy-making (see, e.g. Dewan & Spirling, 2011).
4. Therefore, the rights considered to measure opposition power are not necessarily confined to opposition players. Government actors might enjoy the same rights which, however, constitutes a higher policy-influence differential (Strøm, 1990).
5. For example, in Germany only parliamentary parties or 5% of all MPs are entitled to propose a legislative bill (Bräuninger & Debus, 2009, p. 809).
6. In Belgium, for example, 'the Speaker must agree with the proposal before it can be translated, printed and distributed amongst the members of the House...' (Mattson, 1995, p. 462).
7. As it is natural to require a certain number of signatures for citizen initiatives, only cases in which the number of signatures is particularly high (equals 10% or more of citizens) are considered to constitute restrictions.
8. As Figure 1 shows, I labelled the agenda-setting actor *collective actor* if either the legislative chamber itself or a steering committee set the plenary timetable. Situations in which the government controls the plenary timetable are labelled *single actor*, even though, the government is also formally a 'collective actor'.
9. Mattson and Strøm highlight 'committee powers' including the power to initiate bills and amendments as well as the power to set their own agenda as important characteristics of committee systems (Mattson & Strøm, 1995, p. 285). However, as parliamentary committees were considered as potential

actors to have the right to introduce bills the element of bill introduction is not considered in this section. Similarly, committees might not be the only actor to have the right to submit amendments during the debate phase of the policy-making process. For example, the influence MPs can take on proposed bills also considerably depends on their right to propose amendments to these bills. Therefore, amendments are considered separately.

10. The French government, for example, is permitted 'to group articles and amendments selectively, excluding the amendments to which it is opposed' (Huber, 1992, p. 676).
11. A veto player is '(...) an individual or collective actor whose agreement (by majority rule for collective actors) is required for a change in policy' (Tsebelis, 1995, p. 301).
12. But, as the sample size is small, results of factor analysis should be interpreted with caution.
13. See Table A.2 of the supplemental materials.
14. However, six countries were not classified as democracy at the time the standing orders came into force. These countries are: Bangladesh, Benin, Guatemala, Malawi, Pakistan, and Sierra Leone.
15. See Table A.2 of the supplemental materials.
16. A more detailed discussion of validity of the index is presented in the supplemental materials.
17. Results confirm these findings also regarding opposition power.
18. However, see also Martin (2018, p. 311) pointing out that in some cases, '... the link between legislative organization and the electoral system used to elect legislators is undetectable.'
19. Provided by Teorell, Dahlberg, Holmberg, Khomenko and Svensson (2016).

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