

Zdenka Mansfeldová and Wolfgang C. Müller

Institutional Design of Parliamentary Rules and Party Politics

Zdenka Mansfeldová, Institute of Sociology, Academy of Sciences of the Czech Republic, Jilská 1, CZ-110 00 Prague 1, Czech Republic.

Email: zdenka.mansfeldova@soc.cas.cz

Wolfgang C. Müller, Political Science Chair III and MZES, University of Mannheim, A5, 68131 Mannheim, Germany.

Email: Wolfgang.C.Mueller@uni-mannheim.de

Parliament is the central political institution in modern democracies in the sense that major political decisions require parliamentary approval or, at least, the toleration by a majority of the assembly. It is political parties and parliamentary rules that structure the making of decisions in parliaments. The structuring role of political parties often has been taken for granted in European political science research, but recently has become a more frequent object of study.¹ Parliamentary institutions have received more specific attention. Cross sectional comparison of parliamentary bodies and procedures amount to a sizable body of literature (see, e.g., Herman 1976; Döring 1995; Huber 1996*a*, 1996*b*; Strøm, Müller, and Bergman 2003; Döring and Hallerberg 2004; Döring 2003). Despite some excellent studies the specific effects of parliamentary rules still remain comparatively understudied. Most English language publications that address this question focus on just one of the core functions of parliament – legislation. Yet, parliamentary rules and procedures have important effects on other functions of parliament, in particular on controlling the executive and exposing political decision-making to the public. And formal parliamentary rules are often crucial also for the maintenance of party discipline (e.g. Damgaard 1995). Hence, the capacity of political parties to enact their policies and appeal to voters critically depends on the specific design of parliamentary rules. Parties therefore care about these rules and typically try to exercise influence on institutional design and rule application.

¹ See, e.g., Saalfeld (1995), Bowler, Farrell, and Katz (1999), Müller (2000), Müller et al. (2001), Depauw (2003), Olsen (2003), Owen (2003), and Sieberer (2006).

Yet, our current knowledge with regard to *change* in parliamentary rules is very limited (save those that go hand-in-hand with regime change, e.g. from the Fourth to the Fifth French Republic). And the *politics of institutional design* has remained largely a *terra incognita*.² Provided that parliamentary rules of procedure are not protected by the constitution in most European countries (Müller 2002) there is considerable potential for manipulation by parliamentary majorities. Unlike the United States Congress, that has motivated a substantial body of research on the politics of institutional change (see, e.g., Bach and Smith 1988; Binder 1997, 2006; Dion 1997; Schickler 2000, 2001; Adler 2002; see also Gailmard and Jenkins 2007) and the politics of the initial design of parliamentary rules in post-soviet countries (e.g. Ostrow 2000), changes of parliamentary institutions in Western and Central East European countries have received scant attention.

Following Tsebelis (1990), we can distinguish *efficient* and *redistributive* institutions. Efficient institutions are defined by Pareto-optimality: they improve the conditions of (almost) all individuals or groups in parliament and therefore can rely on unanimous (or nearly unanimous) support. In other words, reforms aim at making parliamentary institutions more effective (i.e. improve the capacity of parliament to fulfil its normatively ascribed tasks). Alternatively, change in parliamentary rules and procedures may be driven by partisan purposes, leading to the creation of redistributive institutions. These improve the conditions of one party or set of parties at the costs of others. Consequently, these institutions can rely only on the support of a winning coalition.

The workshop will address the questions of institutional effects and institutional design. Regardless whether institutional change aims at making parliamentary rules and procedures more effective or (more) redistributive, it is based on an understanding of institutional effects (Shepsle 1989). Given information uncertainty the effects resulting from institutional change may be intended or unintended. Hence, careful reconstruction of

² For an early attempt see Baaklini and Heaphey (1977).

institutional design processes and the aims and strategies of political actors can considerably contribute to our understanding of the politics of institutional design.

Workshop Agenda

This workshop will seek to bring together current research on how parliamentary institutions are working and evolving over time. Specifically, it will discuss *how* parliamentary institutions affect the abilities of political parties to achieve their goals and to what extent institutional reform was motivated by *partisan* (redistributive) goals. Five kinds of papers are welcome in particular. First, the workshop seeks theoretical papers that explore the issues of institutional design in a parliamentary context. Second, the workshop will allow for papers that deal with one particular parliamentary institution (e.g., a specific voting rule, a specific instrument of parliamentary control) and its change over time. Third, more general reviews of changes in parliamentary rules in single countries are welcome. Fourth, the workshop is interested in papers that research the relationship between change in parliamentary rules and the parties' capacities to discipline their MPs. Finally, the workshop welcomes comparative empirical papers on parliamentary institutions, the conditions under which they are designed, and their implications for party performance and democratic governance.

References

- Adler, E. Scott (2002). *Why Congressional Reforms Fail*. Chicago, IL: University of Chicago Press.
- Arter, David (2003). 'Committee Cohesion and the "Corporate Dimension" of Parliamentary Committees: A Comparative Analysis.' *Journal of Legislative Studies*, 9, No.4: 73–87.
- Baaklini, Abdo I. and Heaphey, James J. (eds.) (1977). *Comparative Legislative Reforms and Innovations*. Albany, NY: Comparative Development Studies Center, State University of New York at Albany.

- Bach, Stanley and Smith, Steven S. (1988). *Managing Uncertainty in the House of Representatives. Adaptation and Innovation in Special Rules*. Washington, D.C.: Brookings Institution.
- Binder, Sarah A. (1997). *Minority Rights, Majority Rule. Partisanship and the Development of Congress*. Cambridge: Cambridge University Press.
- Binder, Sarah A. (2006). 'Parties and Institutional Choice Revisited.' *Legislative Studies Quarterly*, 31: 513–532.
- Bowler, Shaun, Farrell, David F., and Katz, Richard S. (eds.) (1999). *Party Discipline and Parliamentary Government*. Columbus, OH: Ohio State University Press.
- Daamgard, Erik (1995). 'How Parties Control Committee Members', in Herbert Döring (ed.), *Parliaments and Majority Rule in Western Europe*. New York, NY: St. Martin's Press.
- Depauw, Sam (2003). 'Government Party Discipline in Parliamentary Democracies: The Cases of Belgium, France and the United Kingdom in the 1990s.' *Journal of Legislative Studies*, 9, No.4: 130–146.
- Dion, Douglas (1997). *Turning the Legislative Thumbscrew. Minority Rights and Procedural Change in Legislative Politics*. Ann Arbor, MI: University of Michigan Press.
- Döring, Herbert (ed.), *Parliaments and Majority Rule in Western Europe*. New York, NY: St. Martin's Press.
- Döring, Herbert (2003). 'Party Discipline and Government Imposition of Restrictive Rules.' *Journal of Legislative Studies*, Vol.9, No.4: 147–163.
- Döring, Herbert and Hallerberg, Mark (eds.) (2004). *Patterns of Parliamentary Behavior: Passage of Legislation Across Western Europe*. Aldershot: Ashgate.
- Gailmard, Sean and Jenkins, Jeffery A. (2007). 'Negative Agenda Control and the Senate and House: Fingerprints of Majority Party Power.' *Journal of Politics*, 69: 689–700.
- Hazan, Reuven Y. (2001). *Reforming Parliamentary Committees. Israel in Comparative Perspective*. Columbus, OH: Ohio State University Press.
- Herman, Valentine (1976). *Parliaments of the World*. Berlin: de Gruyter.
- Huber, John D. (1996a). 'The Vote of Confidence in Parliamentary Democracies.' *American Political Science Review*, 90: 269–82.
- Huber, John D. (1996b). *Rationalizing Parliament. Legislative Institutions and Party Politics in France*. Cambridge: Cambridge University Press.
- Müller, Wolfgang C. (2000). 'Political Parties in Parliamentary Democracies: Making Delegation and Accountability Work.' *European Journal of Political Research*, 37: 309–333.

- Müller, Wolfgang C., et al. (2001). *Die österreichischen Abgeordneten. Individuelle Präferenzen und politisches Handeln*. Vienna: Wiener Universitätsverlag.
- Müller, Wolfgang C. (2002). 'Parties and the Institutional Framework', in Kurt Richard Luther and Ferdinand Müller-Rommel (eds.), *Political Parties in the New Europe*. Oxford: Oxford University Press, pp. 249–292.
- Olson, David M. (2003). 'Cohesion and Discipline Revisited: Contingent Unity in the Parliamentary Party Group.' *Journal of Legislative Studies*, 9, No.4: 164–178.
- Ostrow, Joel M. (2000). *Comparing Post-Soviet Legislatures. A Theory of Institutional Design and Political Conflict*. Columbus, OH: Ohio State University Press.
- Owens, John E. (2003). 'Explaining Party Cohesion and Discipline in Democratic Legislatures: Purposiveness and Contexts.' *Journal of Legislative Studies*, 9, No.4: 12–40.
- Saalfeld, Thomas (1995). *Parteisoldaten und Rebellen: Eine Untersuchung zur Geschlossenheit der Fraktionen im Deutschen Bundestag (1949–1990)*. Opladen: Leske und Budrich.
- Schickler, Eric (2000). 'Institutional Change in the House of Representatives, 1867–1998: A Test of Partisan and Ideological Power Balance Models.' *American Political Science Review*, 94: 269–288.
- Schickler, Eric (2001). *Disjointed Pluralism. Institutional Innovation and the Development of the U.S. Congress*. Princeton, NJ: Princeton University Press.
- Shepsle, Kenneth A. (1989). 'Studying Institutions. Some Lessons from the Rational Choice Approach.' *Journal of Theoretical Politics*, 1: 131–47.
- Sieberer, Ulrich (2006). 'Party Unity in Parliamentary Democracies: A Comparative Analysis.' *Journal of Legislative Studies*, 12, No. 2: 150–178.
- Strøm, Kaare, Müller, Wolfgang C., and Bergman, Torbjörn (eds.) (2003). *Delegation and Accountability in Parliamentary Democracies*. Oxford: Oxford University Press.
- Tsebelis, George (1990). *Nested Games. Rational Choice in Comparative Politics*. Berkeley, CA: University of California Press.