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Article

Who Benefits from More Transparency in Parliamentary Voting?

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INTRODUCTION

In a survey of 92 parliaments around the world, Hug (2010) reports that 23 do not publish any votes, 26 publish all votes, 43 publish selected votes, and 28 publish requested roll call votes. The striking differences beg the question of how transparency influences legislators’ decision-making, and — more importantly — whether more transparency is in the voters’ interest. At first sight, the answer seems clear: any additional information about legislators’ actions improves accountability and thus increases the benefit for the voters. However, the case is not as clear-cut as it may sound: legislators are also accountable to their party, whose interests do not always align with those of the voters. For example, van Overbeek and Van Veenendaal (2012) argue that transparency in legislator decisions can be detrimental to voters if legislators disregard private information to mimic “good” legislators.

One test of the causal effect of increased transparency on legislators’ choices and shed light on the transmission mechanism. Since the reform, parties have gained influence over their members at the expense of the voters. On average, legislators in the Upper House are less likely to deviate from the majority opinion of their party when their voting decisions are publicly observable. Electoral pressure reduces the effect of greater transparency to some extent: legislators holding marginal seats are less likely to adapt their voting behavior than those with safe seats. The reform also led to a decrease in aligned cantonal voting, a situation in which two legislators from the same canton and but different parties cast the same vote. As aligned cantonal voting is usually in the median cantonal voter’s interests, higher transparency is to the detriment of voters, at least in the short run.

LEGISLATION IN SWITZERLAND

Switzerland has a bicameral parliament composed of the National Council (Lower House; Nationalrat) and the Council of States (Upper House; Ständerat), as summarized in Table 1. Both chambers have equal legislative power. Four parties dominate Switzerland’s political landscape, here ordered ideologically from left to right: the Social Democrats (SP), the Christian Democrats (CVP), the Free Democrats (FDP), and the People’s Party (SVP). However, the dominance of the “big four” masks considerable ideological and leadership heterogeneity among the parties. All parties are deeply rooted in the country’s federal structure and have their own cantonal branches, which are responsible among other things for putting forward candidates for parliamentary election.

The two chambers of the Swiss parliament have equal legislative power and take turns discussing new legislation. During the deliberation process, legislators vote on detailed amendments and then on the entire piece of legislation at the end of a round of deliberations. After both chambers have accepted a bill in separate deliberations, a final vote takes place. Bills become federal legislation only if passed by both chambers with a majority of votes. In the final passage vote (the reference point for our analysis), both chambers vote on exactly the same measure with identical wording and on the same day.

The Lower House has voted electronically since 1994 and has published all individual voting records online since 2007. The Upper House had traditionally voted by a show of hands and hesitantly rejected for fear that it would compromise the open discussion culture and frequent collaboration of legislators across party lines. However, decision-making in the Upper House was not completely hidden: a number of seats in both chambers are reserved for the public, and video recordings of all parliamentary debates and votes have been publicly available on the parliament’s website since 2006. Nonetheless, tracking the voting records of individual legislators remained time-consuming and costly.

In winter 2012, the discovery of critical counting errors in show-of-hands votes led to the first attempt at introducing electronic voting, which was unsuccessful. Only after another crucial counting error did the Upper House finally approve an electronic system in spring 2014. The move was quick and not entirely by choice, as it was precipitated by extensive media pressure. The transparency reform took place roughly halfway through the legislative period and left all other aspects of parliamentary business unchanged. The switch to electronic voting also included the automatic publication of individual voting records for several legally defined vote types, of which final passage votes was one.

HOW TO MEASURE THE IMPACT OF TRANSPARENCY

The introduction of electronic voting in the Swiss Upper House provides a unique opportunity to analyze the effect of transparency on individual decision-making. However, a simple before and after comparison is not enough to uncover the impact of the reform, as other factors may have changed over the legislative cycle. To account for changes in bill-specific characteristics before and after the reform as well as other time trends, we use the Lower House as a control group. The setup can be interpreted as a quasi-natural experiment in which the treatment—increased transparency for some vote types—exclusively affected members of the Upper House.

To evaluate the impact of higher transparency on legislator behavior, we need a useful indicator that is easily measurable and can be related to the utility of the legislators’ principals, in particular the voters and the parties. We choose party discipline as our outcome variable and measure it by the probability that members of a parliamentary group deviate from the party majority in final passage votes. Votes of individual legislators allow us to control for individual characteristics that have a possible bearing on voting behavior. The party line is defined as whatever the majority of party members votes for in a decision in the Lower House. As party discipline is measured using the Lower House as a reference, the outcome variable is not affected by the transparency reform. Moreover, the relatively high number of party members in the Lower House—ranging from nine to 54—also allows for a meaningful definition of party majority. While our measure of party line (i.e., whatever the majority of party members votes for) is conservative, we can also show that different cutoffs (67, 80, 90 percent majorities) do not affect our results.

When the party line is either Yes or No, we do not classify abstention as a deviation from the party line, as it is less confrontational than opposing the party. In cases where abstention is the party line, for example to signal dissatisfaction, both Yes and No are coded as deviations. We focus on final passage votes, which constitute the ultimate decision by both parliamentary chambers to accept or reject a bill. Legislative texts are identical for both chambers and final passage votes take place on the same day. Bills that reach the final voting stage represent only a portion of all bills debated. They usually pass the final passage vote with a large margin, with bills failing only in one percent of cases. What at first glance seems to be a drawback will in fact facilitate the interpretation of our results later on. Opposing the bill is not usually pivotal at this stage of the legislative process, and voting behavior by legislators is independent of strategic considerations regarding legislative outcomes. Legislators are more likely to deviate from the party line when they want to demonstrate ideology, commitment, or expertise.

Our data encompasses individual voting decisions by legislators of the seven parties represented in both chambers for the legislative period starting in December 2011 and ending in November 2015. The data set includes 298 final passage votes with around 68,000 individual legislator decisions. Individual voting data for the Lower House and (since summer 2014) for the Upper House was easily obtained. To derive individual voting decisions for the Upper House prior to the introduction of electronic voting, we handcollected data by watching the videos of final passage votes before 2014.
decisions. Under the show-of-hands system, legislations coincided with increased media attention and uncertain prospects. The former had more leeway to deviate from the party line after the reform, even if this may be in the interest of voters, legislators holding marginal seats should exhibit a greater decrease in party line deviation than legislators facing less fierce political competition. If adherence to the party line were costly for voters, we would expect the opposite.

Our empirical evidence speaks for the latter interpretation. We use the results of the two-way to the Upper House as a proxy for expected electoral support, and compare legislators elected in first-round voting with legislators in closer races elected only in the second round. Legislators who had the strongest incentive to vote according to the interests of their constituency — i.e., legislators elected only in the second round and standing for re-election in 2015 — exhibited a smaller move toward more party discipline. Legislators with safe seats reduced deviations from the party line by 2.5 percentage points more than their peers with uncertain prospects. The former had more leeway to vote the party line after the reform, even if this may have hurt voters’ interests.

**TRANSPARENCY: BOON OR BANE FOR VOTERS?**

The electoral channel already suggests that adhering to the party line might be costly for voters. Another way to look at voters’ benefits is the incidence of aligned vote recording on video, as transparency potentially endangers the consensus-oriented political culture in the Upper House. In support of the party channel, our results reveal that oppositional forces on both ends of the ideological spectrum have gained ground after the transparency reform. Voting No is observed significantly more often. The decline in deviations from the party line can be almost entirely explained by a higher probability of voting against a bill in line with the party majority.

On the other hand, if voters themselves valued party discipline, an electoral channel would prevail. Increased electoral pressure facilitated by voting transparency would then reduce deviations from the party line. To uncover an electoral channel, we compare representatives who face close re-election races to those expecting re-election with certainty. The former are more accountable to voters, on whose support they depend (List and Sturm 2006). If party discipline were in the interest of voters, legislators holding marginal seats should exhibit a greater decrease in party line deviation than legislators facing less fierce political competition. If adherence to the party line were costly for voters, we would expect the opposite.

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voting of the two Upper House legislators in a canton. Out of a total of 26 Swiss cantons, 20 are represented by two legislators, of which 17 have legislators from two different parties.

We argue that aligned voting is beneficial for the canton. If we assign a “cantonal line” to each final pass-agreement and compare it to the legislators’ choices, we find that aligned voting coincides with the cantonal line in 95.5 percent of the cases. If the party lines differ, one of the two legislators faces the problem of competing interests: those of their constituency versus those of their party. Voting transparency may influence their decision on which interests should carry more weight.

Figure 2 shows the evolution of aligned voting for decisions where party lines coincided and where they differed. Prior to electronic voting, the shares evolved in parallel. In 2014, the year of the reform, aligned voting for legislators with different party lines collapsed to roughly half of its pre-reform value. Afterwards, alignment recovered slightly, but remained lower than before.

The results from the econometric model confirm the impression from the graphical analysis. Aligned voting fell by 22.6 percentage points when parties were divided over the bill. As aligned voting seems to be beneficial for the canton, but there was no systematic tracking of “occasional deviations.” Routine monitoring of the Upper House was considered a political no-go. Because the media was slow to pick up the new information, at least in the short term, voting transparency for the public did not considerably increase. As a consequence, our results reflect the immediate, short-term impact of increased transparency on legislative voting. More intense media coverage may thus lead to different long-term effects.

In our setting, increased transparency and the availability of recorded votes improved party discipline. More consensus-oriented legislators from parties at either end of the political spectrum tended to close ranks with their more oppositional party majorities once their voting decisions were publicly disclosed, even if such actions could be detrimental to their voters. Opposing votes can be interpreted as position-taking in order to build a party brand without affecting legislative outcomes (Carey and Shugart 1995). The transparency reform facilitated parties’ monitoring of their elected members while voters still faced considerable monitoring costs after the reform.

Strict adherence to party lines as a consequence of higher transparency does not reflect better accountability toward voters. We find evidence that legislators holding marginal seats were influenced less by the reform. Moreover, aligned voting of the cantons’ two legislators in the Upper House, which we show is beneficial for voter representation, significantly declined following the introduction of electronic voting. Anecdotal evidence supports the data: none of the members of parliament or party secretaries we interviewed cited voters as the beneficiaries of stricter party discipline. The widespread view in the debates leading up to the reform was that voters valued independent representatives.

Voters apparently prefer independent legislators in parliament, but they do not (yet) seem to sanction their representatives for adhering to the party line. We do not find a significant change in vote shares in the first round of elections between 2011 and 2015 on the change in deviations from the party majority. Voters still seem to be unaware that they can now access information on their legislators’ voting behavior—or they find it too costly.

Even though the results are derived within the particular setting of the Swiss parliamentary system, our research demonstrates that the impact of higher transparency and traceability elsewhere should not be underestimated. Transparency is relevant not only for voting, but also for other political outcomes such as legislators’ effort (Grossman and Hanlon 2014), and decision-making within committees (Levy 2007). Transparency also plays a role in fields other than politics, such as monetary policy (Faust and Svensson 2001; Gersbach and Hahn 2004). Any change in the way policy decisions are reported to the public can have unintended consequences. Without careful evaluation, reforms might lead to–in the words of Pratt (2005)–the wrong kind of transparency.

REFERENCES


