

BAK10: Comparative Democratic Politics

Week 6 - Executives

Leonardo Carella

The Plan for Today

- Main functions of Legislatures:
 - Control of the executive
 - Policy-making
- Legislative Organisation:
 - Committee System
 - Bicameralism



Terminology

Legislature: general term for any body that makes laws

Parliament: national legislature in a parliamentary system: makes laws, selects the executive and holds it accountable.

Congress: national legislature in a presidential system: makes laws, independently of the executive.

Chamber of House: division or section of a legislature. Usually 'Upper' (less powerful) and 'Lower' (more powerful).

Functions of Legislatures

Main functions:

- Oversight and control: legislatures as a **principal** of the executive.
- Policy-making: legislatures as an **agent** of the voters (in theory).

Additional functions:

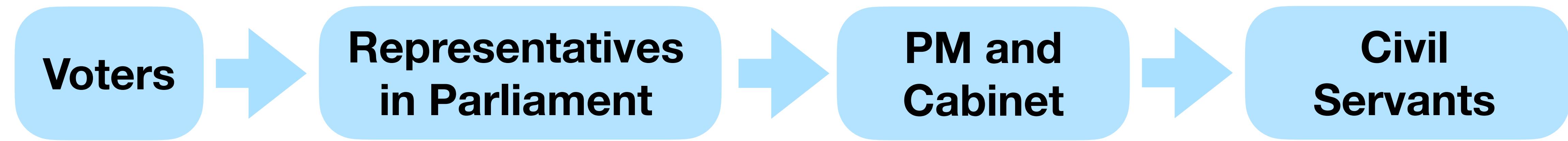
- Linkage: Legislators represent the interests, opinions, and needs of their constituents (the people who elect them).
- Debate: formal forum for discussions, deliberation, shaping public opinion.

Principal-Agent Models

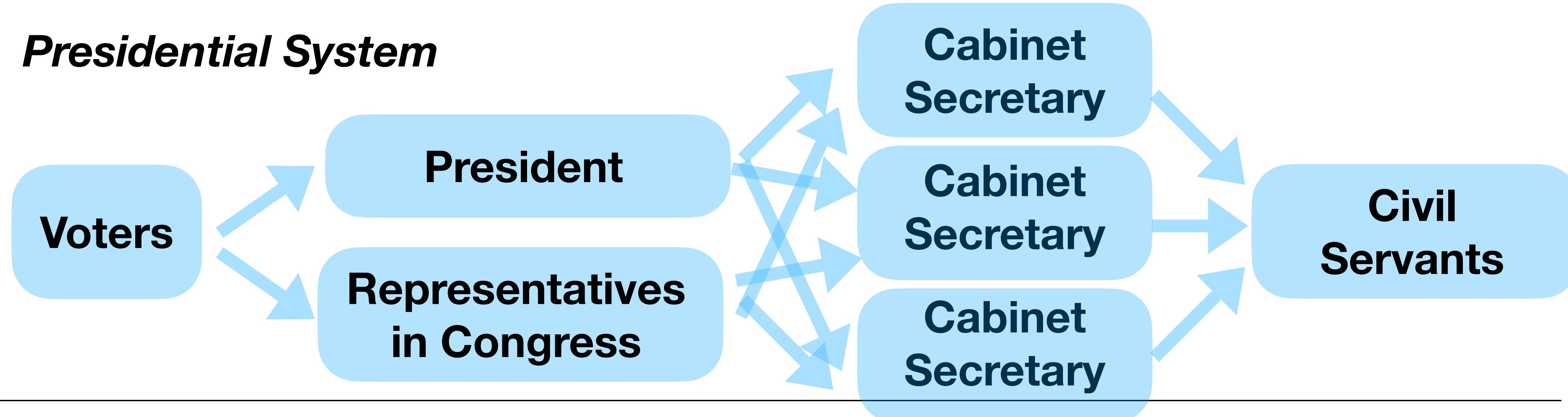
- **Delegation** is widespread in politics:
- It involves a ‘principal’ assigning a task to ‘agent’
 - Voters delegate to elected officials
 - Elected officials delegate tasks to bureaucrats
- Risk of delegation: deviation of the agent's actions from the principal's interest (**agency cost**).

Chain of Delegation

Parliamentary System



Presidential System



Principal-Agent Models

- Risk of delegation:

1. **Adverse Selection:** the agent may hide their ‘true’ preferences from the principal.

Key problem for Congresses: no mechanism to remove the President or other members of the executive.

2. **Moral Hazard:** the principal does not have complete information about the agent’s actions.

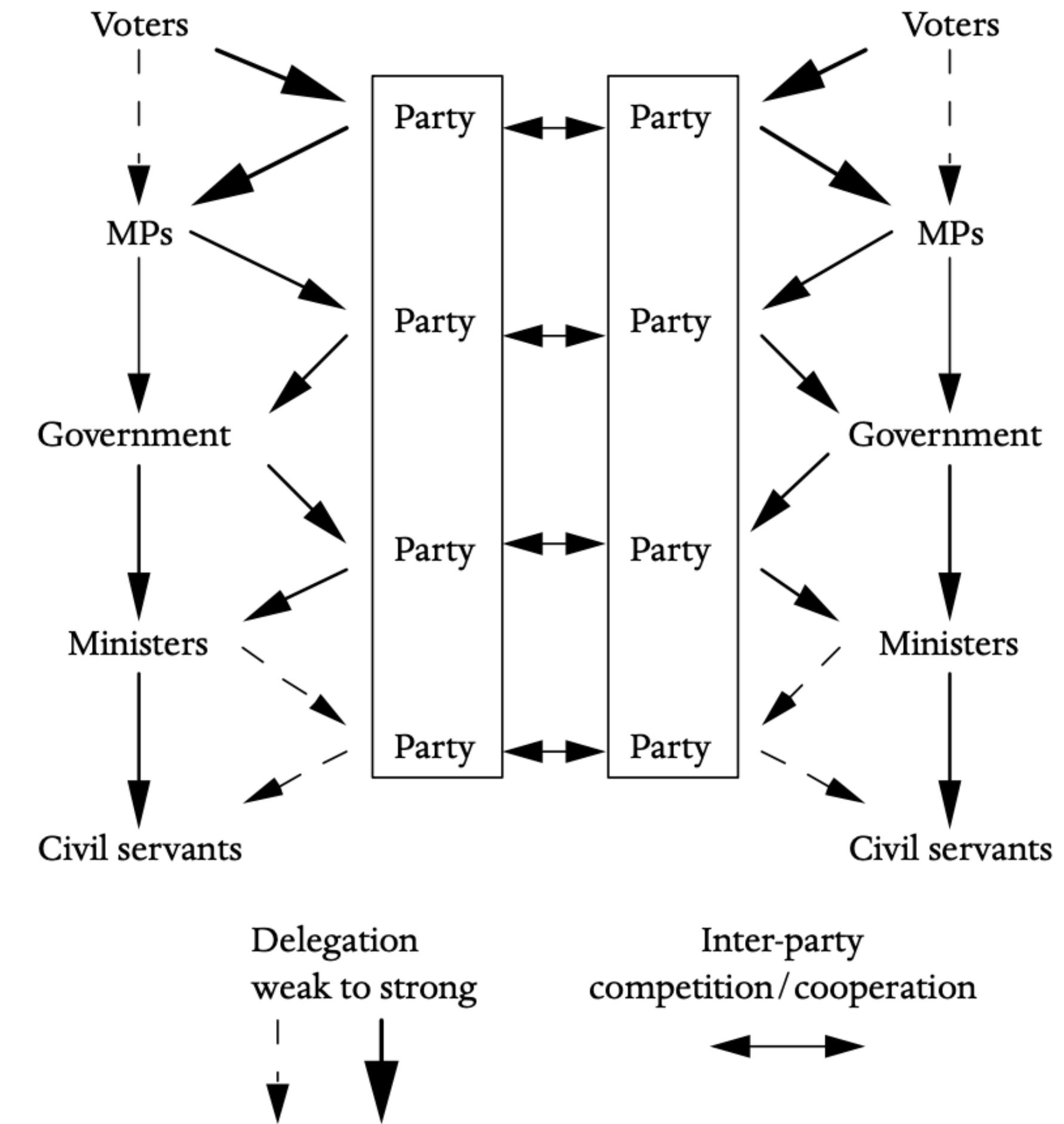
Key problem for Parliaments: once installed, the executive gains levers (e.g. dissolution powers) to deviate from legislators’ wishes.

Principal-Agent Models

- Institutional solutions: **accountability** mechanisms.
- “An agent is accountable to his principal if (1) he is obliged to act on her behalf, and (2) she is empowered to reward or punish him for his performance in this capacity.” (Strøm, 2006)
- **Ex-ante accountability**: ‘screening’ before delegation.
- **Ex-post accountability**: ‘control’ after delegation.

Accountability

- **Ex Ante Accountability:** mechanisms to select agents that align with the principal's preferences.
- Political parties fulfil this role at different levels of the chain of delegation.
- Key to political parties' roles in ensuring ex ante accountability in a parliament: **confidence** relationship to the executive.



Accountability

- **Ex Post Accountability:** legislative oversight through monitoring of executive agencies policy decisions:
- Question time
- Special inquiries
- Investigative committees



Accountability

- Ex-ante accountability - the confidence vote - defines **parliamentary systems**.
- **But ex-post accountability mechanisms are stronger in presidential systems.**

TABLE 2 *Percent of Constitutions with Selected Provisions, by de jure Government Type and Era*

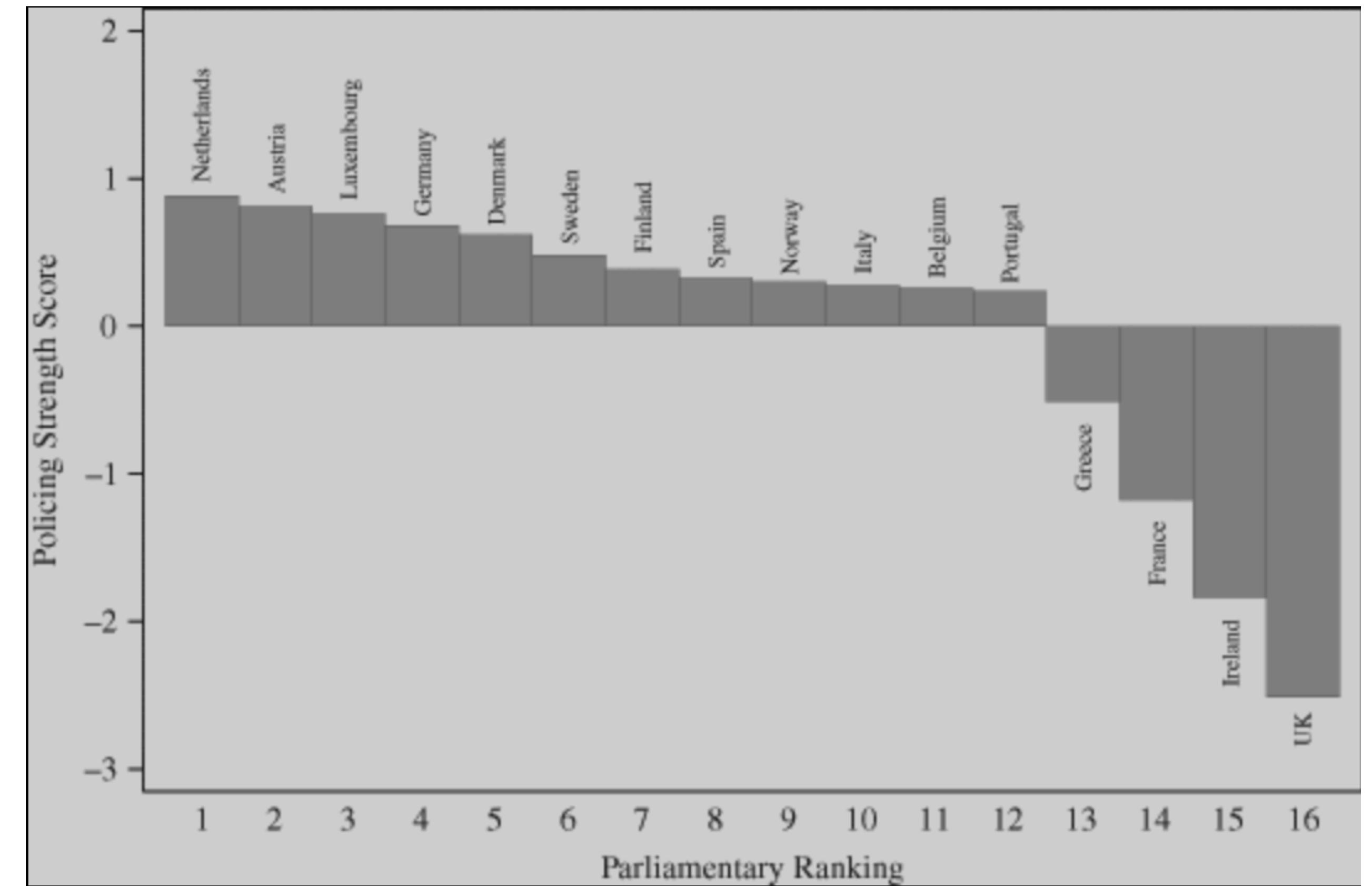
	1789–1945				1946–2006			
	Presidential	Parliamentary	Semi-presidential	Total	Presidential	Parliamentary	Semi-presidential	Total
Executive has veto power	80	80	100	81	87	63	82	77
Executive has decree power	73	67	71	72	66	48	72	61
Executive has emergency powers	87	73	71	84	95	86	97	92
Executive initiates legislation	58	80	86	63	72	54	89	70
Legislature has oversight powers	87	80	86	86	84	49	76	70
Executive appoints cabinet	93	87	86	92	92	95	96	94
Number of constitutions	86	15	7	108	117	104	72	293

Source: Comparative Constitutions Project.

- Cheibub, José Antonio, Zachary Elkins, and Tom Ginsburg. "Beyond presidentialism and parliamentarism." *British Journal of Political Science* 44.3 (2014): 515-544.

Accountability

- Why do parliaments (i.e. legislatures in parliamentary systems) retain oversight powers over an executive they can appoint and remove?
- Enforcing intra-party bargains in multi-party governments (Martin and Vanberg, 2011).

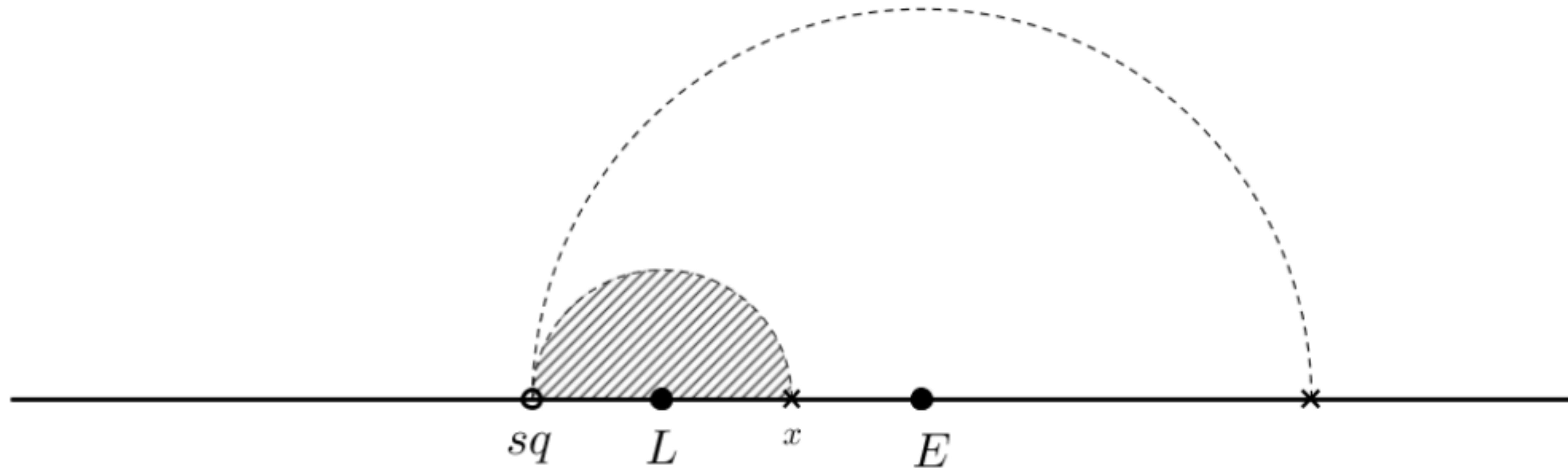


Policy-Making

- Legislatures and executives have **veto power** over legislation. But there is significant variation in **agenda-setting** power.
- **Agenda-setting power:** control over which proposals are considered and which do not (Cox and McCubbins, 2005). Significant ‘proposer advantage’ over final outcome.
- **Parliamentary systems:** executive has agenda power, proposes bills, parliaments can accept or reject, limited amendment powers.
- **Presidential systems:** Congresses initiate bills, Presidents can veto → ‘transformational’ legislatures.

Policy-Making

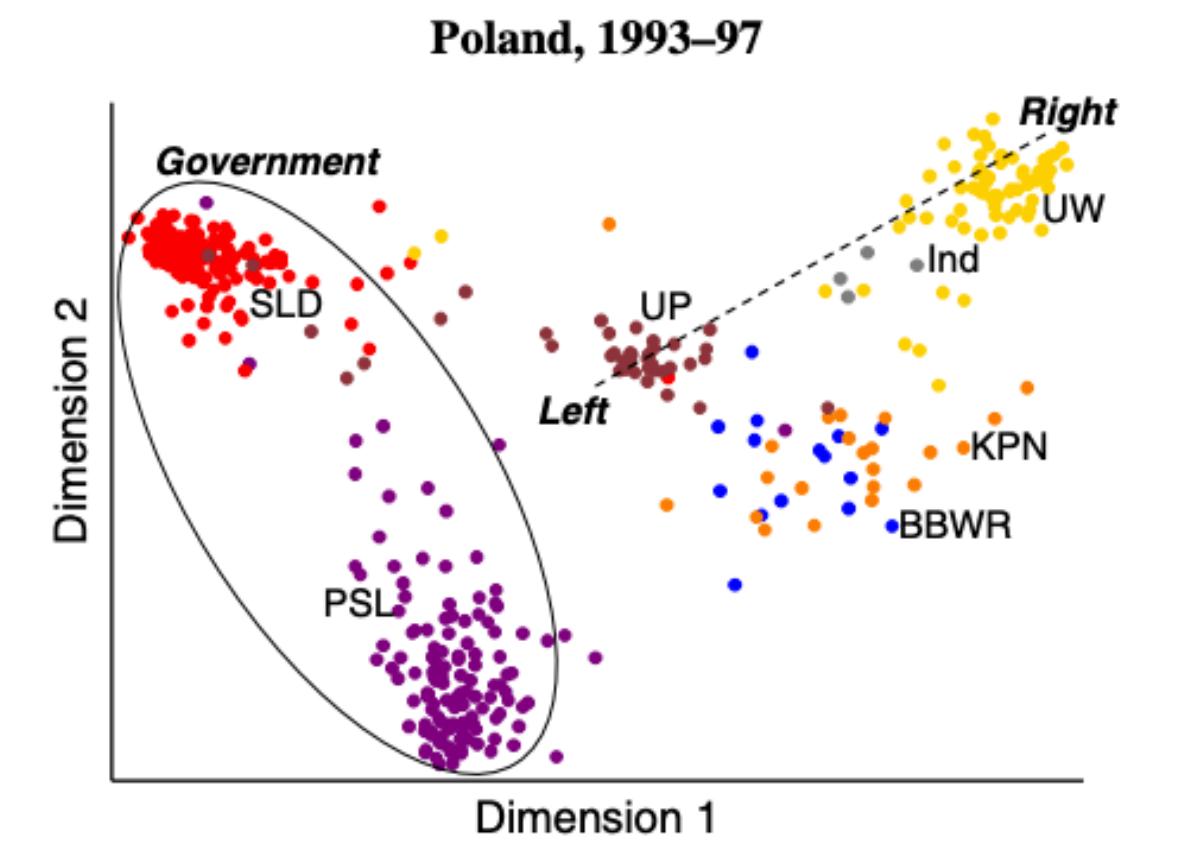
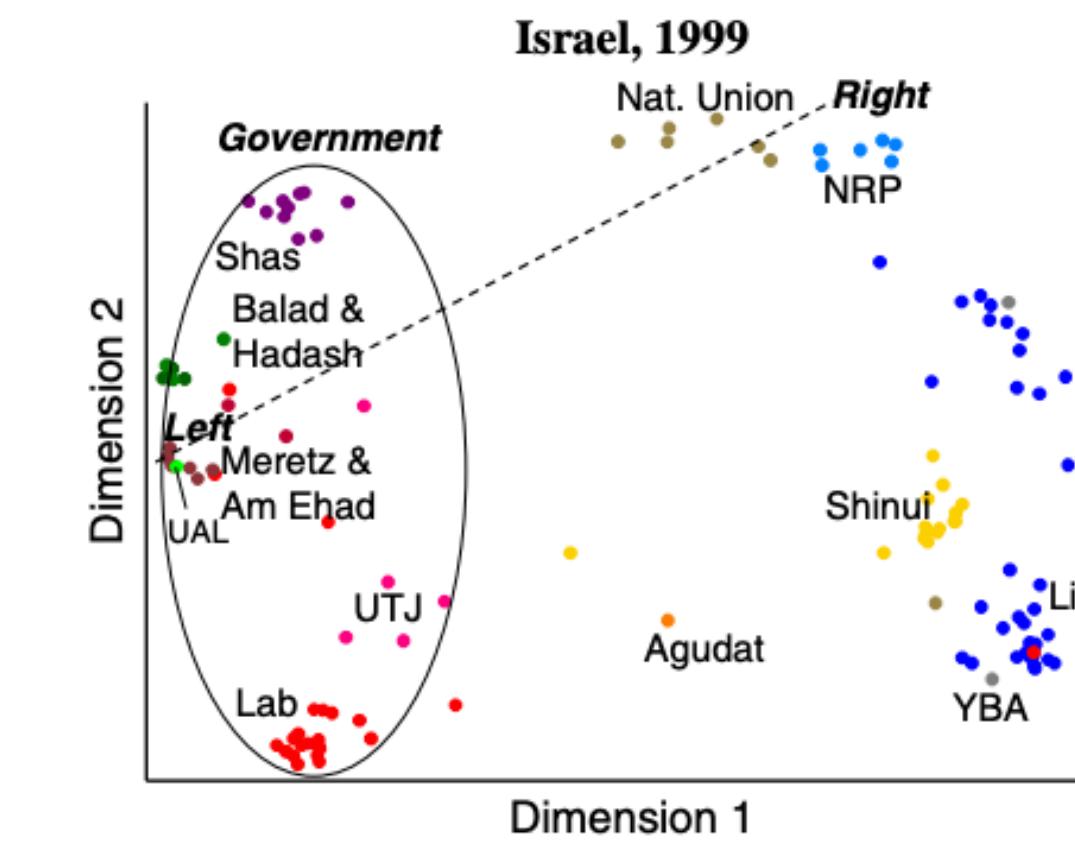
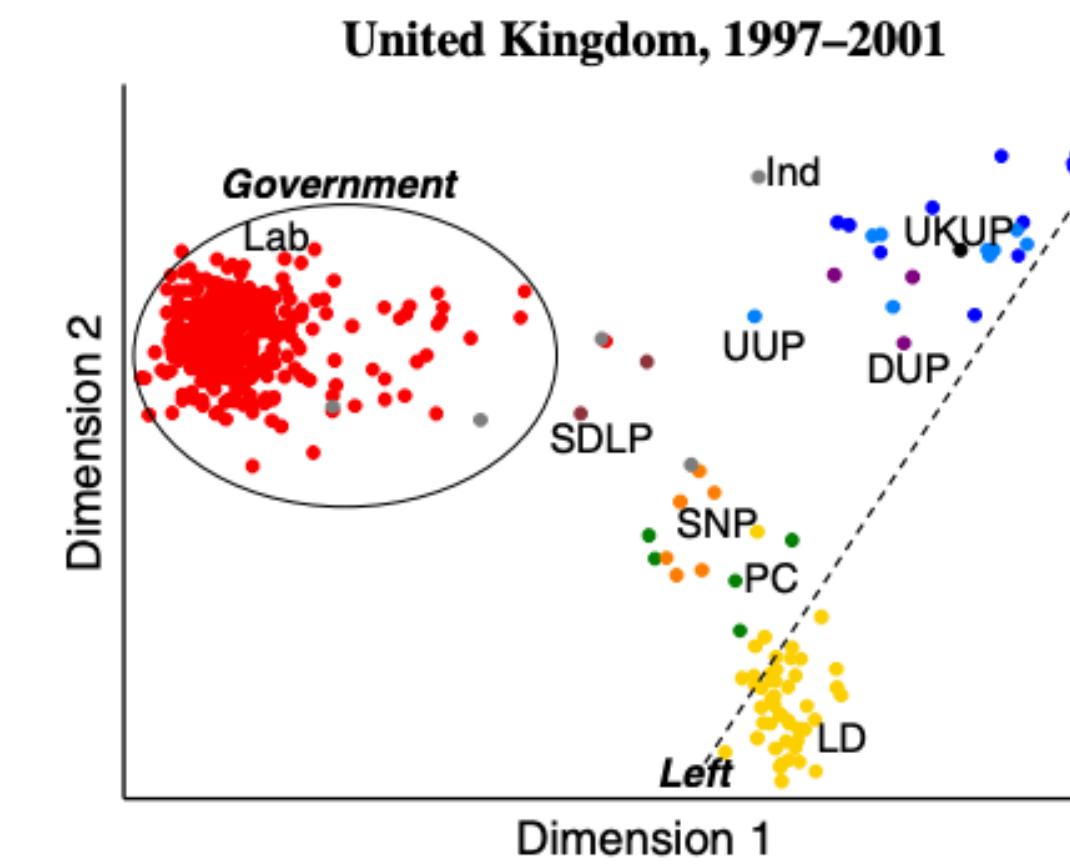
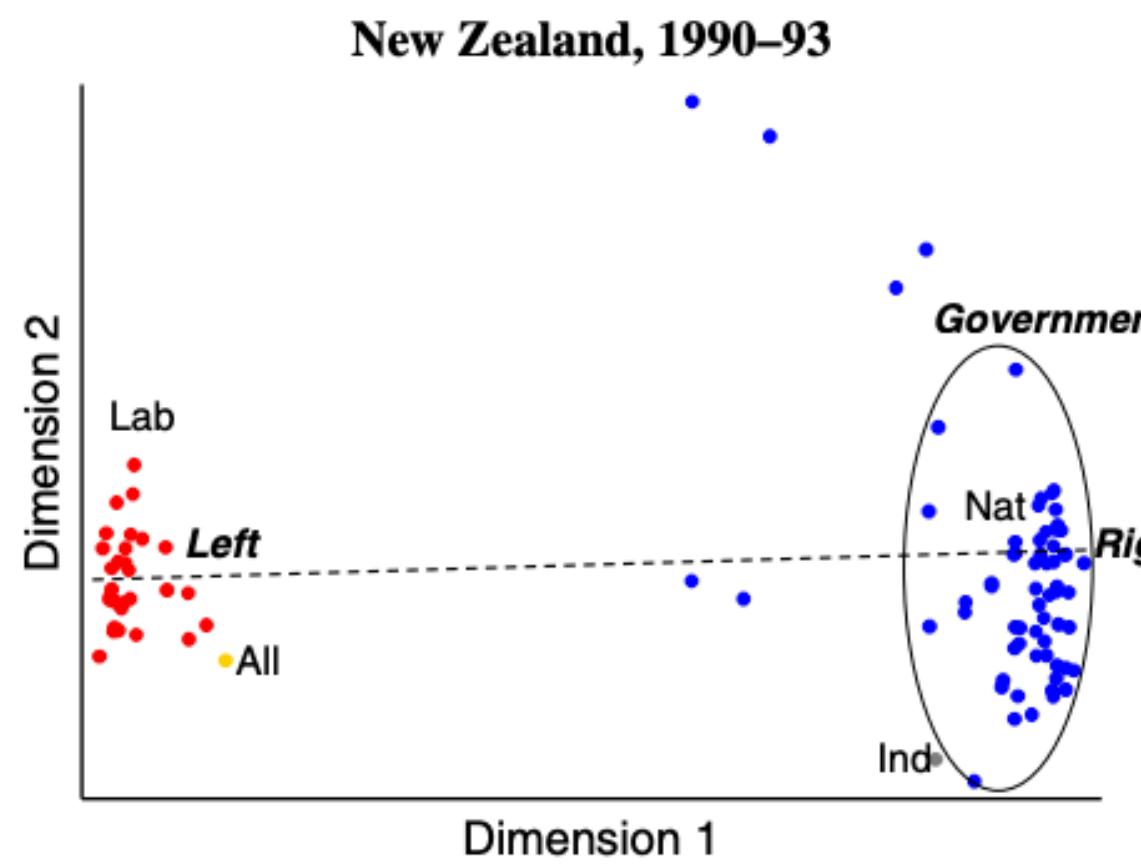
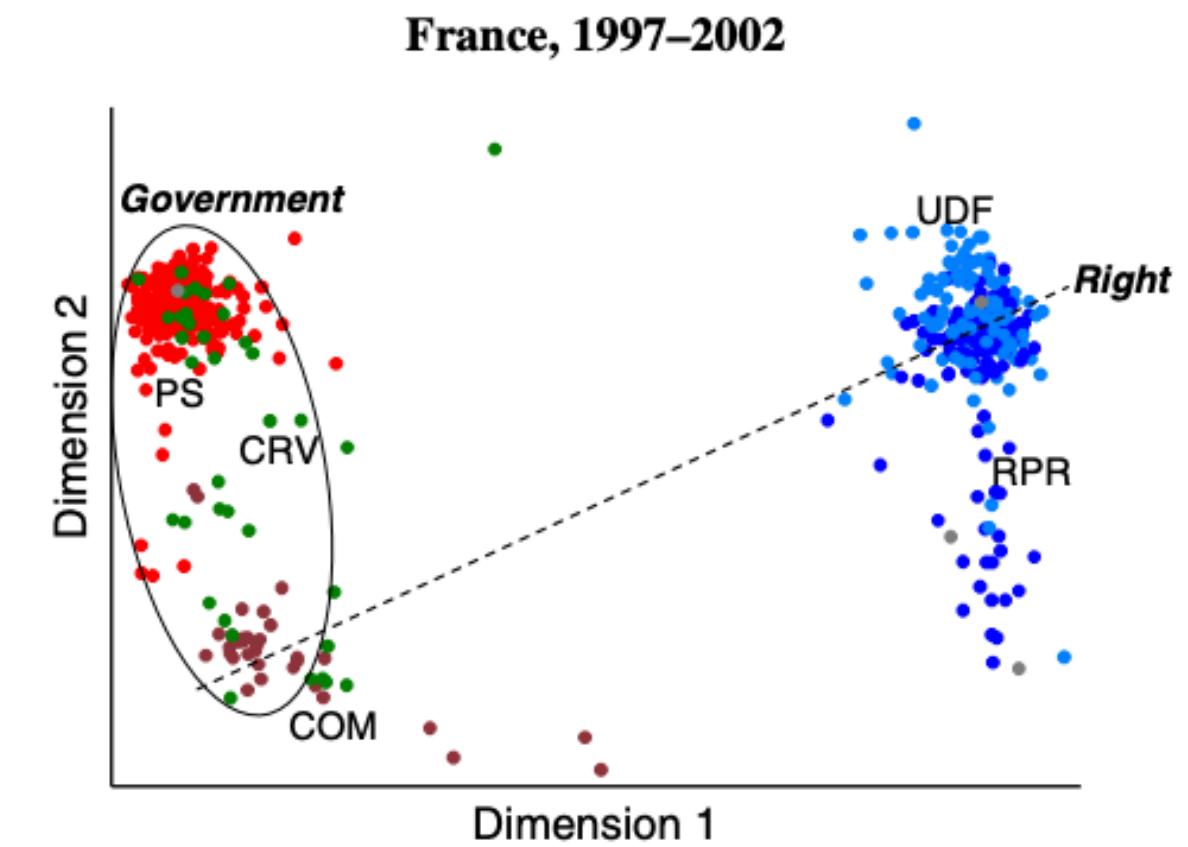
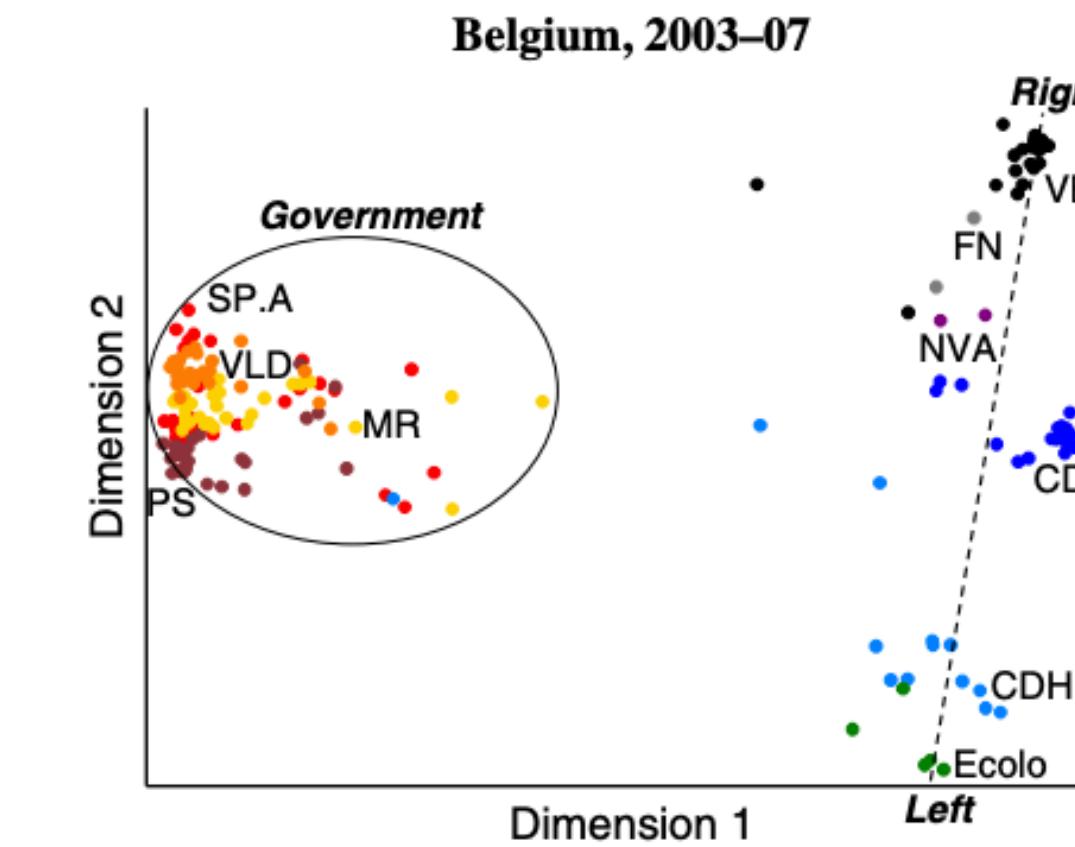
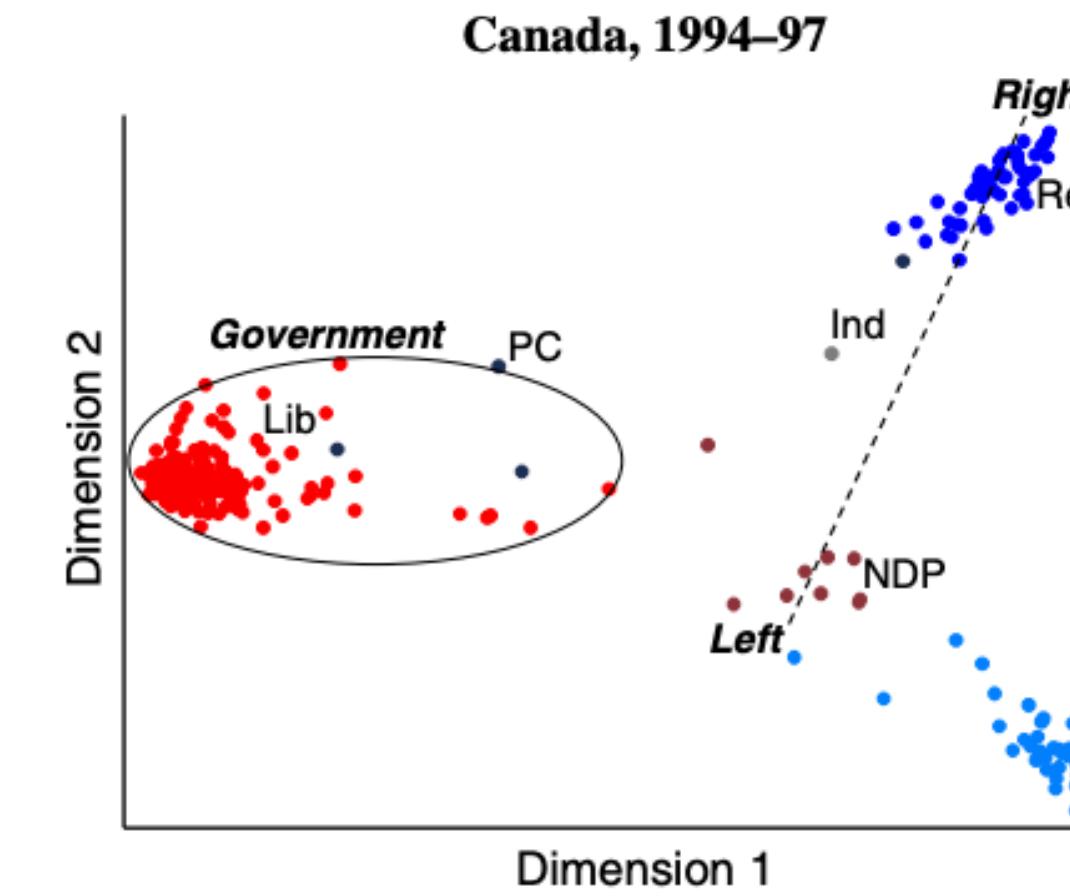
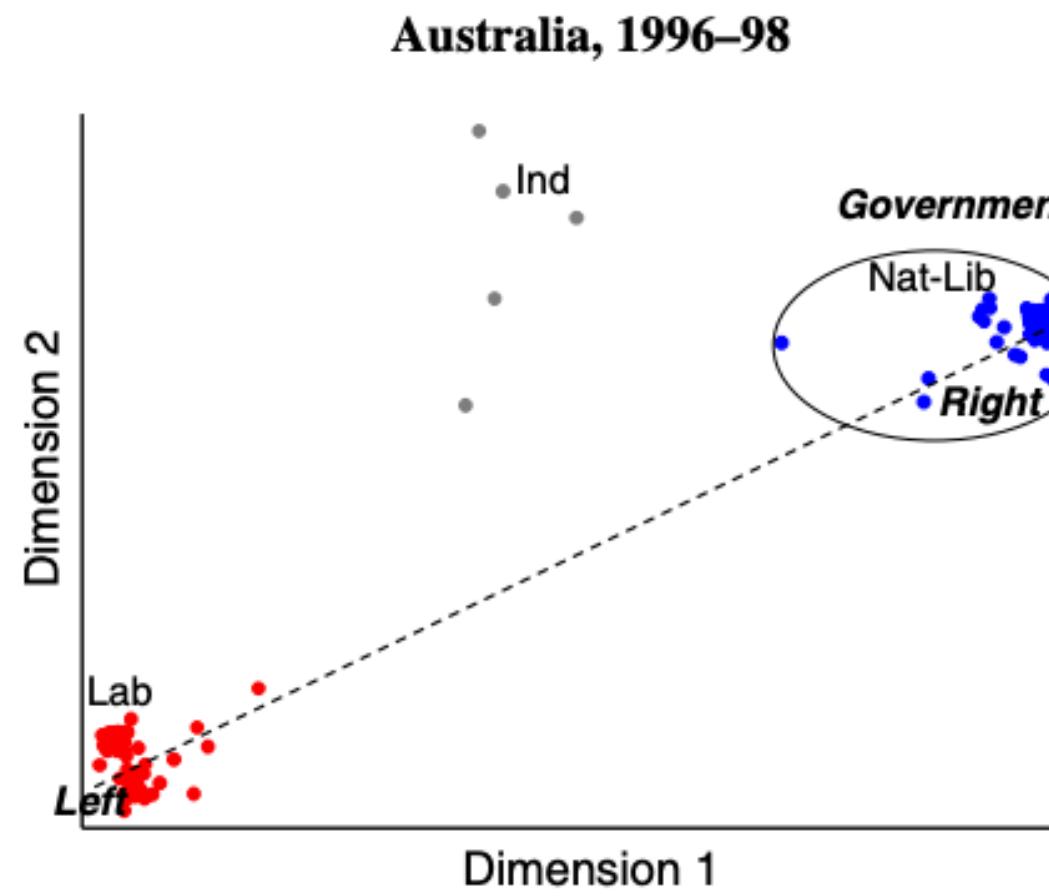
- Executive's proposer advantage under parliamentarism.



Policy-Making

- Consequences for party cohesion:
 - In **parliamentary systems**, the executive almost always proposes policies it knows the legislature will approve → high party cohesion, government-vs-opposition patterns of legislative votes.
 - Legislators effectively act as party agents.
- In **presidential systems**, it is harder for any single actor to restrict the set of policies that are voted on. Legislative coalitions have to be built issue-by-issue → lower party cohesion, stronger role of individual legislator's preferences.
- Legislators can be agents of many principals: voters, party, President.

Policy-Making



- Hix, S., & Noury, A. (2016). Government-opposition or left-right? The institutional determinants of voting in legislatures. *Political Science Research and Methods*, 4(2), 249-273.

Policy-Making

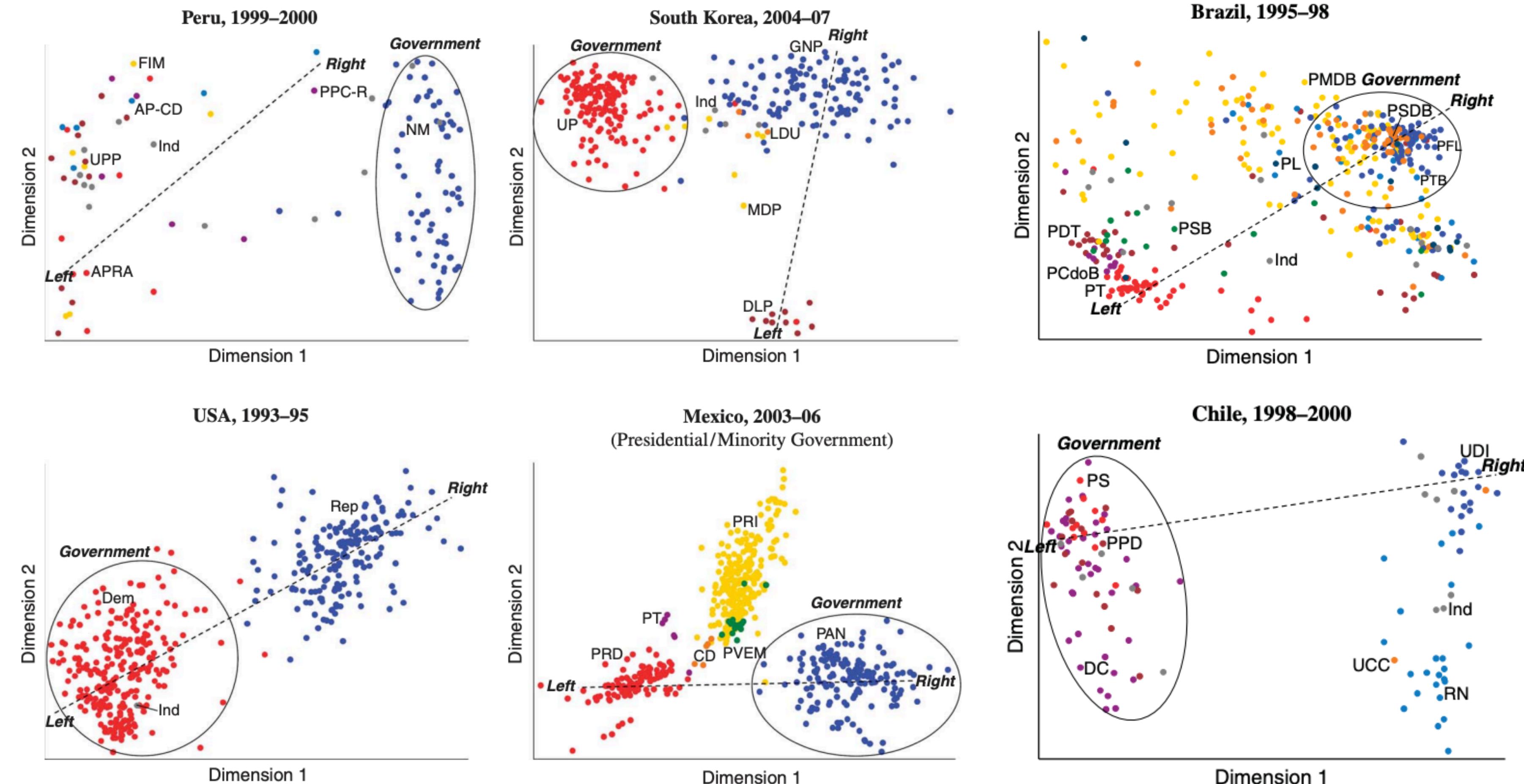


Fig. 4. Presidential (separated-powers) regimes with single-party governments

Legislative Organisation

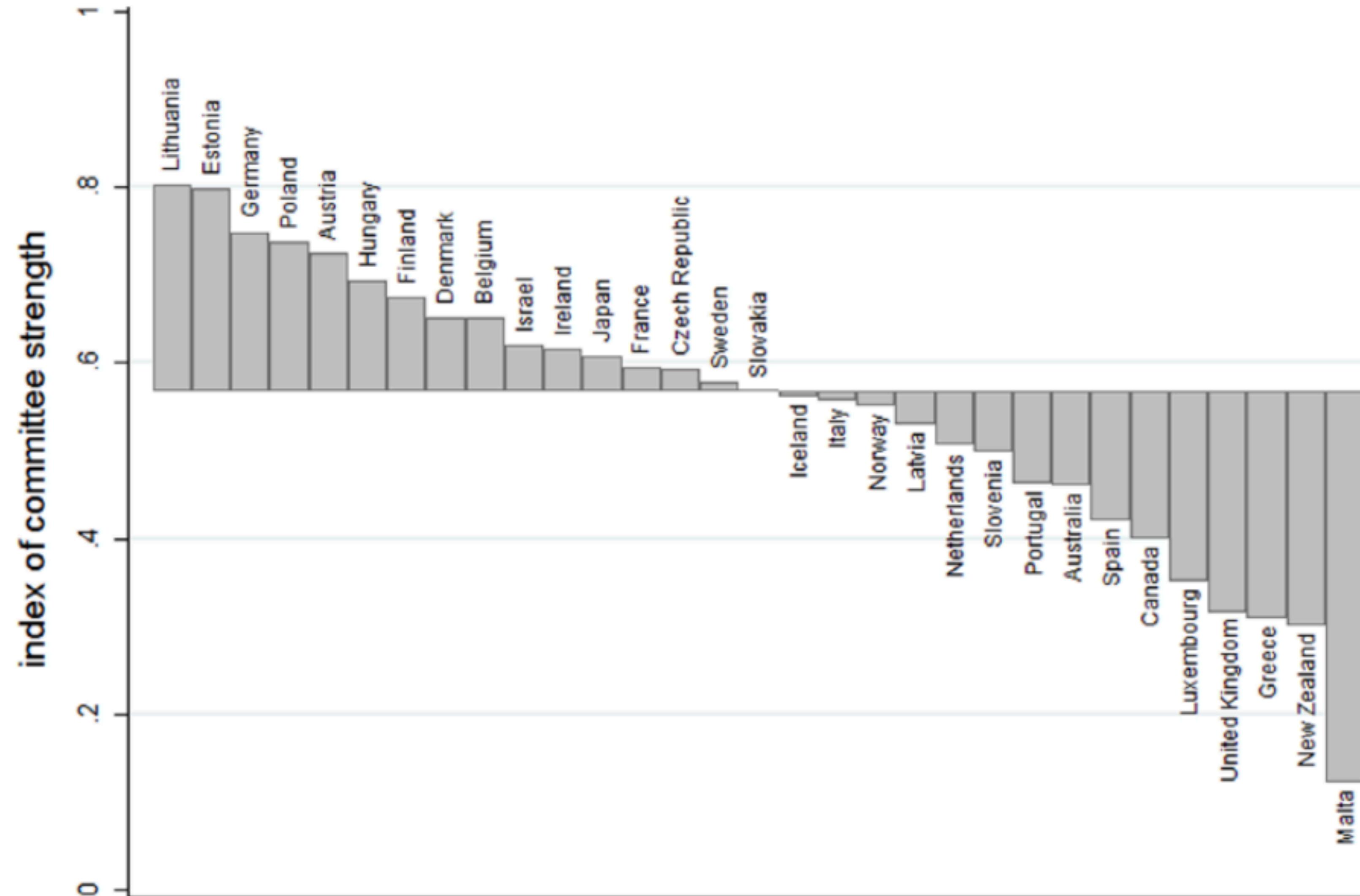


“Congress in session is Congress on public exhibition, whilst Congress in its Committee rooms is Congress at work” (Woodrow Wilson)

Committees

- Committees are sub-groups of legislators that examine bills, conduct hearings, and prepare recommendations for **plenary** vote. They are divided by policy area.
- **Why committees?** Foundational theory from Congress literature:
 - **Informational theory:** legislator specialisation to cope with complexity.
 - **Distributional theory:** provide members with the opportunity to cater to their voters, engaging in **logrolling** on other issue areas.
 - **Partisan theory:** committees help governing parties control members, with committee assignment reflecting deals aiming to help pass the party's agenda.

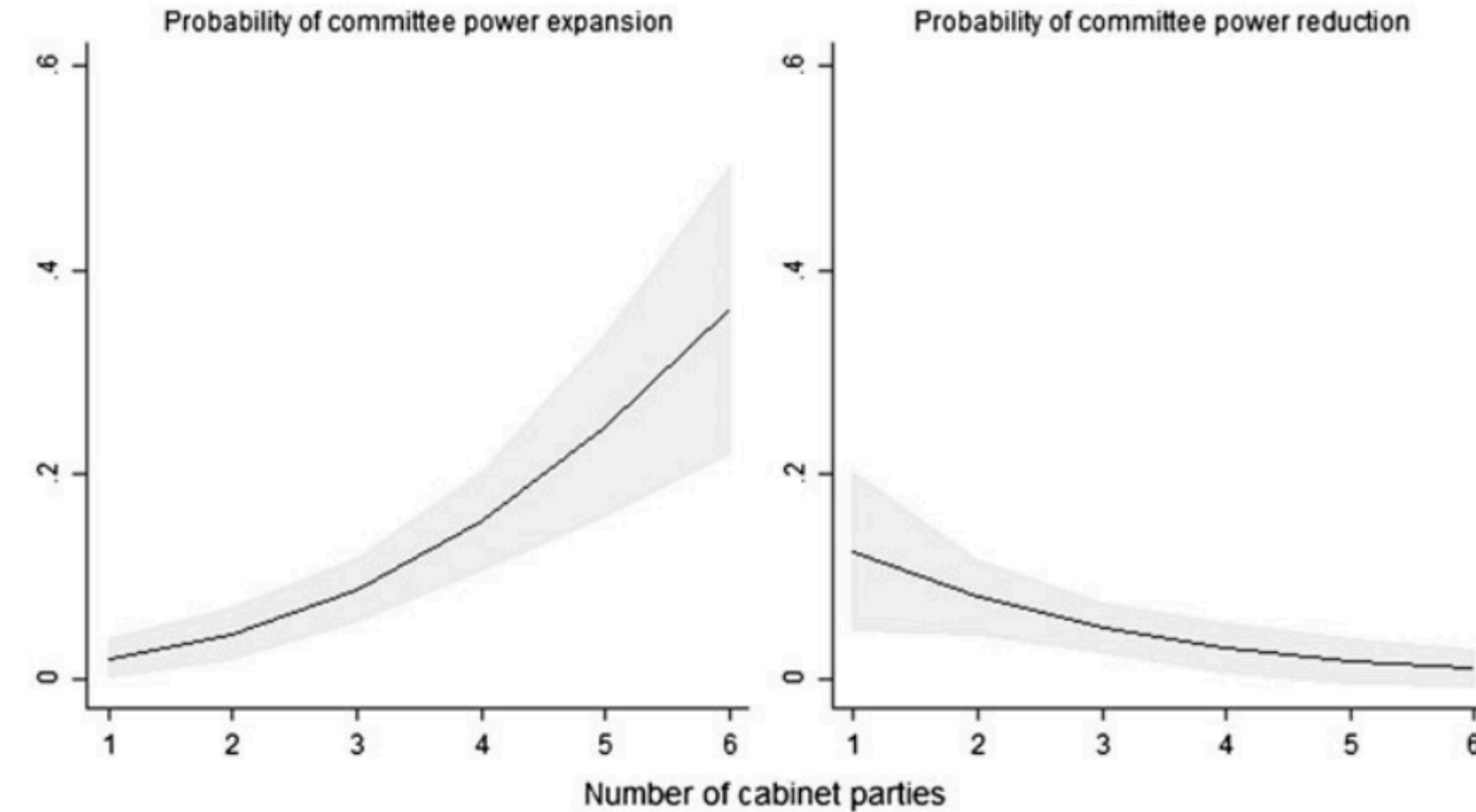
Committees





Committees

FIGURE 1
EFFECT OF GOVERNMENT IDEOLOGICAL HETEROGENEITY ON COMMITTEE
REFORMS (WITH 95% CI)



Bicameralism

- Dual origin of upper houses:

Aristocratic

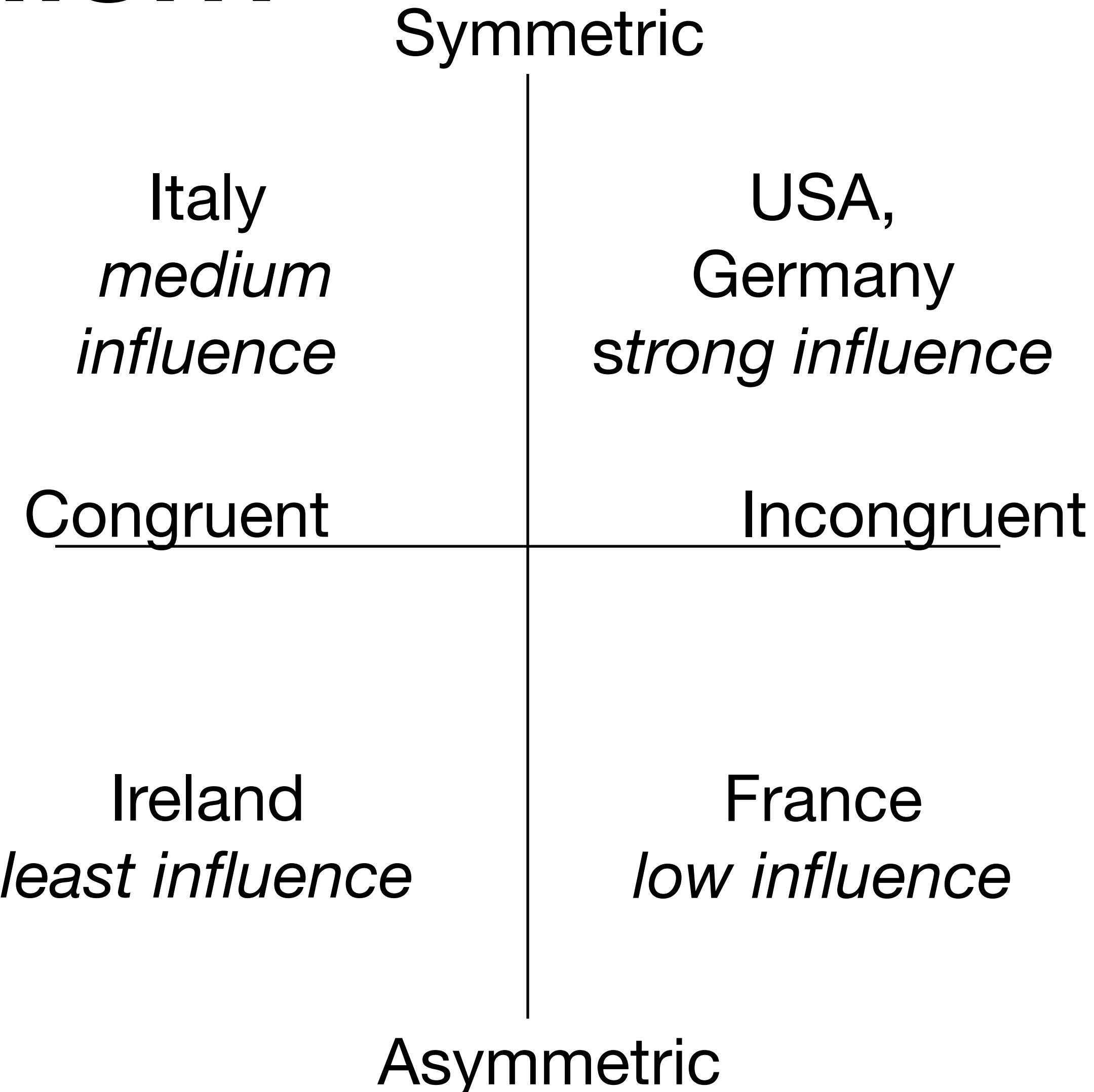


Federal



Bicameralism

- Varieties of bicameralism:
- **Symmetrical vs. Asymmetrical:**
Equal vs. unequal powers.
- **Congruent vs. Incongruent:** same vs
different constituencies represented.

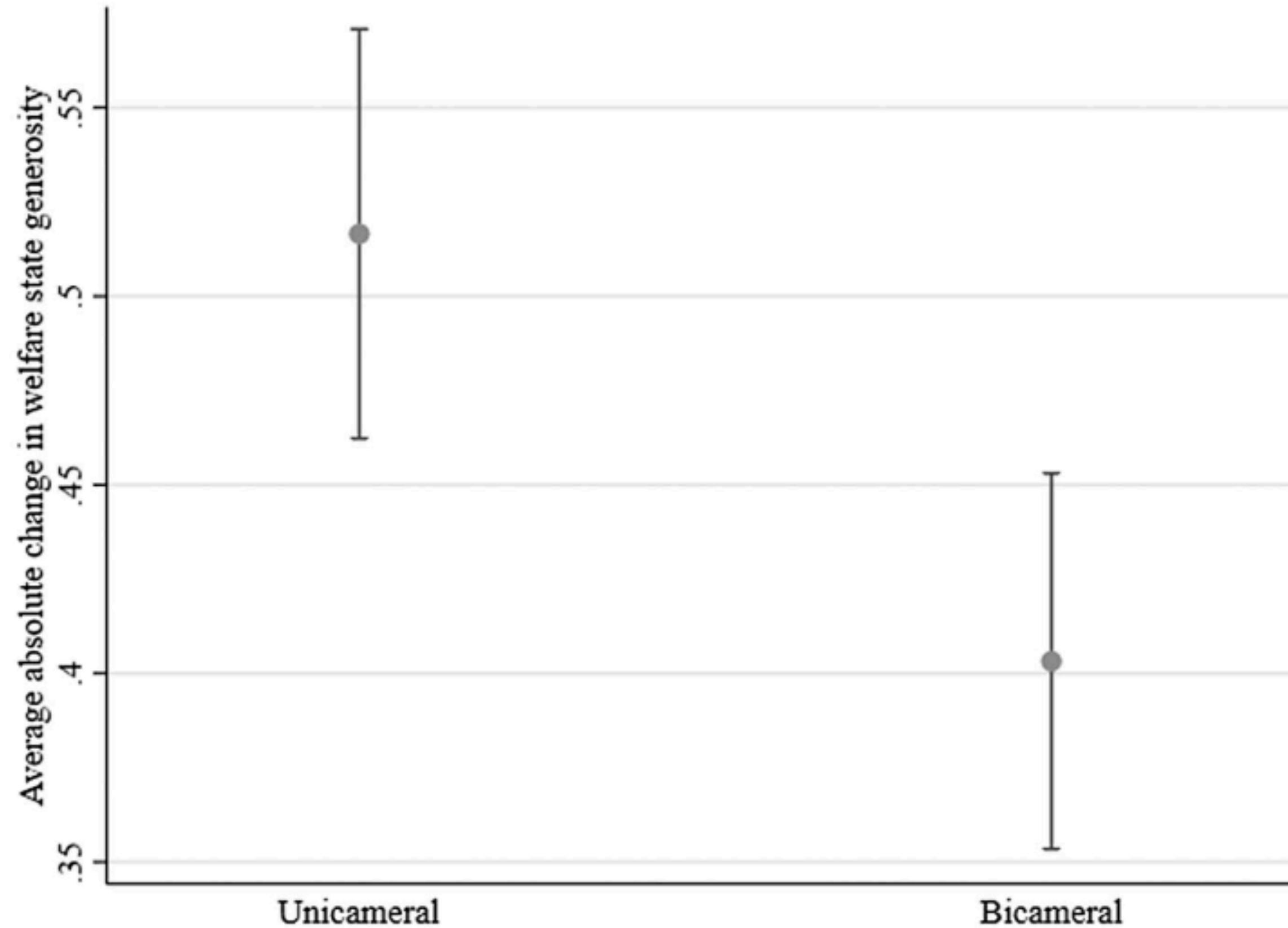


Bicameralism

- Two ways to spin the consequences of strong upper houses:
 - Policy stability or conservative bias.
 - A check on the ‘tyranny of the majority’ or ‘tyranny of the minority’ (especially in highly **malapportioned** upper houses)
 - Less partisan, expertise-focussed deliberation or duplication, inefficiency.

Bicameralism

FIGURE 1 Cameral Structure and Absolute Changes in Welfare State Generosity across Twenty-Two Countries



Notes: The figure shows the mean of the absolute changes in welfare state generosity observed in unicameral and bicameral systems. To depict the difference between means with 95% confidence, vertical bars for each category report 84% confidence intervals (Julious 2004).

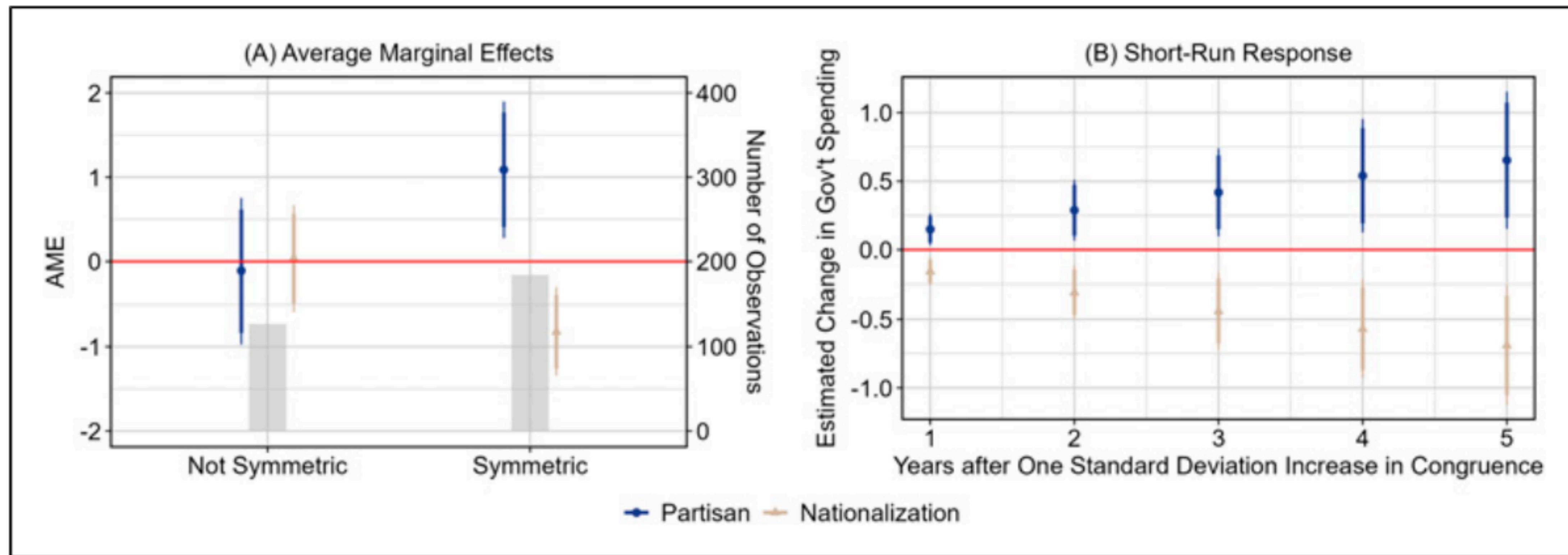
- Policy stability:
- Absolute change in year-to-year spending is lower in bicameral legislatures.

- Ezrow, Lawrence, Michele Fenzl, and Timothy Hellwig. "Bicameralism and policy responsiveness to public opinion." *American Journal of Political Science* 68.3 (2024): 1089-1105.



Bicameralism

- When partisan composition of Upper and Lower House becomes more similar, government spending increases (but only with symmetric bicameralism).



Summing up...

- In parliamentary systems, legislatures exercise ex-ante control of the executive via the confidence vote. But delegate much oversight and policy-making power. (This is less true in multi-party democracies.)
- In presidential systems, legislatures develop stronger ex-post oversight powers, and can act as agenda setters in policy-making ('transformational' legislatures).
- Legislative organisation in committees serves informational, distributive and partisan purposes. Committee power is a useful proxy of legislative strength.
- Symmetric bicameralism increases the number of veto players, which is especially consequential when Upper and Lower House compositions are incongruent.

**Thank you very much for
your kind attention!**