

Heterotemporal Parliamentarism. Staggered Membership Renewal and its Effects

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Abstract

This paper compares the impact of staggered membership renewal on legislative activity in the upper chambers of Australia, France and Germany. Staggering is commonly thought to restrain cycles in legislative activity; but there are theoretical reasons to expect that staggering may, on the contrary, multiply and, through temporal logrolls across different classes of legislators, even amplify cycles. Drawing on original data covering several dimensions of legislative activity, the paper analyses whether there is evidence of cyclical activity at the individual level, corresponding to the pattern of staggering, and what evidence, if any, there is of collusion, i.e. temporal logrolls, across classes. Cyclical effects at individual and class levels associated with staggering are visible in France and Australia, calling into question the restraining effects of staggering. Evidence of upper chamber members increasing their activity levels when any upper chamber election approaches is found in France and Germany, suggesting that incentives for cross-temporal log-rolls can be overcome by partisan links.

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Introduction

More than 20 democracies have a bicameral legislature where the members of the upper house are elected based on a staggered formula.⁴ A central justification for employing staggered terms in legislatures is that this will lead to more stable policy outcomes and less short-termism in decision-making. As far back as the Federalist Papers, it was argued that no government can “be truly respectable, without possessing a certain portion of order and stability” (Hamilton, Jay, and Madison 2001, 324), and staggered legislative terms are then argued to bring this about.

Yet, to date, the actual effects of staggered membership renewal (SMR) are almost entirely unstudied. The rich literature on bicameralism is rather dominated by a focus on policy cycling (Riker 1992a, 1992b; Patterson and Mughan 1999), parliamentary-executive relations (Russell 2001), representation (Money and Tsebelis 1992), and the quality of legislation (Weare 1965; Tsebelis and Rasch 1995; Rogers 2001; Heller 2007). Even the classic book on bicameralism in France, studying a country which has a senate with staggered terms, does not mention either staggered terms or overlapping terms (Tsebelis and Money 1997).

This paper argues that staggered terms of membership in parliamentary chambers, rather than leading to stability, instead lead to a multiplication of political business cycles, as those legislators nearest re-election seek to maximize their chances of re-election. By analyzing bill initiation and the introduction of amendments in the upper chambers of Australia, France and Germany, we show that as elections approach, upper chamber members from the affected class increase their activity levels, while non-affected senators do not alter their behaviour. We also show that this effect is tempered by the role played by political parties in the legislative process, illustrating how political parties can counteract institutional features by aligning the interests of sub-groups of politicians

⁴ Calculated by the authors based on the IPU’s PARLINE database: <http://www.ipu.org/parline/>

across political arenas. In this way we provide more reliable answers to the central normative question of whether staggering is a suitable institutional device to combine democratic turnover with long-term policy perspectives of decision-makers.

The next section reviews the literature on staggered membership renewal, discusses the theoretical framework, and presents our hypotheses (section 2). We then present our cases and discuss the data used to test the hypotheses (section 3). Presenting our results, we show that staggered membership renewal leads to a multiplication of political business cycles, tempered by the cross-chamber links forged by political parties (section 4).

Theoretical Framework

Politicians strongly desire re-election, in part because the continued holding of office is a pre-requisite for achieving any other political goals that they may have (Mayhew 1974; Müller and Strøm 1999). As is well-established in the political business cycle (PBC) literature, assuming a modest amount of retrospective voting and recency bias on part of the voters, this desire for re-election leads to variation in the behaviour of politicians over the course of a term of office, with activities aimed at appealing to the electorate, in particular public spending, peaking near the end of the term (Alesina and Roubini 1992; Ansolabehere and Snyder 2006; Brender and Drazen 2005; Nordhaus 1975; Potrafke 2012; Rogoff and Sibert 1988; Schultz 2009). However, the question of political business cycles in legislatures that employ staggered membership renewal (SMR) is almost entirely unexplored. Theoretical work on the effect of staggered terms suggests that they should lead to greater stability in political outcomes, as legislators farther removed from re-election temper the behaviour of those near an election (Hamilton, Jay, and Madison 2001; Majone 1996; Waller 1989). However, the rich literature on the effects of electoral incentives on legislative behaviour has rarely been

applied to second chambers in parliamentary systems, nor has the effects of staggered terms in non-majoritarian institutions been explored (Willumsen and Goetz 2015).

One exception to this is Shepsle et al. (2009), who find evidence that the theorized stabilizing effects of staggered terms may not occur, by showing that the way the terms of United States (US) Senators overlap lead to corresponding multiple cycles in election-oriented spending. The political system of the U.S., combining mutual independence of executive and legislature, strong personal-vote incentives and rather weak parties (Cheibub 2007) appear to allow for an universalistic intertemporal trade between individual senators in order to maximize individual re-election seeking.

In addition to the use of public spending to appeal to voters, politicians can also attempt to improve their chances of electoral victory through non-financial legislation, signalling voters that their interests beyond economic matters are being looked after, giving politicians incentives to time popular legislation so that it is passed in the run-up to elections. Thus, as we observe a *political* business cycle, we may also observe a *legislative* business cycle (Lagona and Padovano 2008). While such legislative business cycles have not been studied extensively, there is some evidence for their existence. Brechler and Gersl (2011), studying the Czech parliament, find two peaks in legislative productivity, one immediately after elections (fulfilling promises) and one as elections grow nearer (appealing to voters for another term). Lagona, Maruotti and Padovano (2012) find evidence of both a decree cycle and a legislative cycle in Italy, with the issuing of decrees peaking early in a legislative term, while law production peaks towards the end of the term. Some evidence of a legislation cycle has also been found in the European Parliament, driven not by electoral concerns but by the regular reallocation of agenda powers in the EP (Kovats 2009, 2014). The electoral calendar and re-election seeking behaviour can also induce

corresponding cycles in the form of individual behaviour such as the introduction of bills and amendments (Crisp, Escobar-Lemmon, Jones, Jones, and Taylor-Robinson 2004), the giving of speeches (Proksch and Slapin 2012) or voting behaviour (Crisp 2007).

Yet, incentives for cyclical behaviour of individual legislators are not sufficient to induce cycles. Legislators must also have the means and ability to do so (Alt and Rose 2007). More systematically, in theorizing about cyclical behaviour in legislatures we need to understand how legislative resources are distributed and how individual preferences about re-election-serving activities are aggregated in collective decision-making. Here, two factors are particularly relevant: Political parties and cameral rules.

First, in any modern legislature political parties condition the behaviour of their members to at least some extent and are central agents in collective decision-making (Carey 2009). The exact strength of parties influences the extent to which we observe re-election serving activities to the benefit of parties and/or individual legislators. Weak parties such as in the U.S. Congress, for example, may give rise to a dominance of individualistic universalism (Weingast 1979, 249) where distributive programs are initiated and passed (almost) unanimously, which best serves each individual member's re-election ambitions. Here, policy outcomes would tend towards cycles in geographically concentrated benefits (Shepsle, Van Houweling, Abrams, and Hanson 2009).

Stronger parties, such as in most parliamentary democracies, however, will often trump individual preferences. However, individual-stage cyclical behaviour in 'cheap talk'-areas that do not hurt the party as a collective may occur (e.g. parliamentary questions). Yet, when it comes to more salient behaviours such as voting on bills, parties might be willing and able to suppress individual-stage cycles (e.g. an increase in voting dissent in the run-up to elections). Particularly, when studying re-election seeking in second chambers it should be noted that even when the upper

chamber members can initiate bills freely (such as Australian senators on non-finance bills), such bills could still be stopped by the lower chamber.

Extending this basic model of election-induced cycles to SMR-legislatures requires several adaptations. To begin with, staggering creates different classes of legislators. These classes are defined by their different time horizons that lead to different behavioural incentives at any given point in time. Thereby each class of legislators shares a preference for back-loading of re-election-seeking activities to the end of its specific term. In analogy to non-SMR-legislatures, at the stage of individual behaviour, SMR legislatures may see cycles in behaviour of that part of the legislature that faces imminent re-election. Instead of one cycle equally applying to all legislators, SMR might hence lead to multiple, potentially smaller, electoral cycles.

Yet, during collective decision-making and later stages SMR poses different theoretical and empirical challenges that have not yet been addressed in the literature. Most importantly, in understanding the influence of collective decision-making on cycles it is now indispensable to reason about the *interaction of these different classes* of legislators. Theoretically this interaction might be guided by at least two principles. First, it might be guided by mutual checking of short-term behaviour: The larger part of the legislature that at any given time does not face re-election might suppress cyclical behaviour on part of the election-facing minority. Indeed, it is this expectation that leads some scholars to argue for staggering as a means for achieving more policy stability and continuity (Hamilton, Jay, and Madison 2001; Majone 1996).

Second, inter-class interaction might be guided by cooperation/collusion similar to norms of universalism in the U.S. Congress. Legislators not facing the voters in the short run now could allow legislators standing for immediate re-election to optimally pursue their re-election seeking strategies. In exchange, they will be extended the same favour when having to face the voters. Note that inter-class

interaction could also influence behavioural indicators before the stage of collective decision-making. Legislators could reduce or increase specific activities in order to give the floor to fellow legislators that face imminent election.

Again the role of parties has to be recognized. Obviously patterns of mutual checking and cooperation might be structured along partisan lines. Furthermore, whether partisan allegiances spawn across both legislative chambers will influence the occurrence of cycles in areas where decision-making requires the action of both chambers. Furthermore, party discipline across chambers could also extend the competition between majority and minority in the first chamber to the second chamber (Manow and Burkhart 2007).

In general, the submission of bills is a core part of legislator's re-election-seeking strategies (Crisp, Escobar-Lemmon, Jones, Jones, and Taylor-Robinson 2004; Mayhew 1974). Initiating bills demonstrates that politicians tackle issues in the interest of their voters. Even if these bills fail to reach majority support and thereby do not allow for credit-claiming, bill initiation will still pay off in terms of taking positions that are popular with the voters. A similar logic applies to the introduction of amendments. As long as the rules on the initiation on bills and introduction of amendments are not overly restrictive, we expect electoral incentives in general and staggering in particular to lead to observable cycles in bill initiation. First of all, based on the "classical" electoral cycle theories we expect second chamber members to increase bill submissions near the end of their term.

Hypothesis 1: The closer a legislator is to her election date, the more bills she will initiate and the more amendments she will introduce.

Second, if partisan ties spawn across chambers legislative behaviour in one chamber will be influenced by political competition in the other chamber. Accordingly, parties might use the second chamber as an arena to further their goals in the first chamber. More specifically, second chambers can be a venue for position-taking and credit-claiming strategies in the electoral competition for first-chamber elections. Submitting bills and introducing amendments in the second chamber may be seen as a collective strategy by which state parties try to increase the vote share of their party during national elections. Hence we expect the electoral cycle of the first chamber to impact on legislative activity in the second chamber.

Hypothesis 2: The nearer elections to the first chamber are, the more bills will be proposed and the more amendments introduced in the second chamber.

Third, interactions within and between different classes of legislators crucially influence the occurrence of cycles. Following a logic of collusion, for example, legislators further away from re-election could defer to all those within their chamber that face an imminent election. This would then lead to an intertemporal log-roll, based on the expectation that a similar courtesy will be extended to them when it is their time to face the voters (Shepsle, Van Houweling, Abrams, and Hanson 2009). Under the assumption of scarce legislative time and limited voter attention, we would expect legislators operating under norms of universalism to leave the public limelight to colleagues facing imminent re-election (“moment of glory”).

Hypothesis 3: Legislators who do not face an imminent election reduce their legislative activity whenever a fellow legislator, regardless of party affiliation, approaches an election.

Data and Research Design

To analyze the effect of SMR we look at the timing and level of legislative activity in three parliamentary regimes that employ SMR in their upper chamber: Australia, France, and Germany. We focus on parliamentary regimes as the more prominent role played by political parties in these allow for testing whether partisan links across chambers can temper or overcome the institutional incentives SMR creates. Further, the effect of SMR in parliamentary regimes has not been explored comparatively (but Fukumoto and Matsuo Forthcoming for a single-country study).

While the Australian Senate does not have the power of confidence over the government, the House of Representatives and the Senate are, for non-financial legislation, equal in their legislative powers (*Constitution of Australia* 2012 sec. 53; Uhr 1999). Even in the case of the budget, which the Senate cannot initiate or amend, the Senate can return legislation to the House requesting changes to it, seeing itself as “an equal partner with the House of Representatives in actually making appropriations” (Bach 2003, 19). At the same time, however, it should be noted that, due to its unrepresentative nature (being comprised of 6 senators per state, regardless of population⁵), it is vulnerable to accusations of non-legitimacy if it blocks too much of the government’s agenda (Mulgan 1996), leading to a desire for compromise over conflict (Young 1999).

Despite the President’s power, in particular with regards to parliamentary dissolution, the government in France is nonetheless always required to be supported by a majority in the lower chamber (Shugart

⁵ In addition, the Northern Territory and the Australian Capital Territory each elect two members to the Senate.

2005); however, as in Australia, no such requirement exists with regards to the Senate. While the agreement of both the National Assembly and the Sénat is necessary for the passage of legislation, the legislation being sent back and forth between the two chambers until agreement is reached (the co-called 'navette'), it is possible for the government to call a conference committee if no agreement is forthcoming after two rounds, and if this fails to produce agreement, the government can ask the National Assembly to adopt the legislation on its own (*Constitution of October 4, 1958 [France]* 2008 art. 45; Tsebelis and Money 1995). While the National Assembly is thus the more powerful of the two houses, the Sénat can exert influence through its power of delay; the more impatient the lower chamber is, the more concessions the Sénat can extract in return for a faster legislative process (Money and Tsebelis 1995). As in Australia, the French Sénat is open to accusations of being un-representative – indirectly elected by electoral colleges made up of local councillors, smaller 'communes' are over-represented, which helps explain the dominance of the centre-right in the Sénat, having controlled a majority in all but three years during the 5th Republic (Mastias 1999; Smith 2009).

While Germany's second chamber, the Bundesrat, has no influence on origin and survival of the government it enjoys significant legislative powers. For the most important policy areas such as taxes its approval is obligatory, whereas its veto on minor legislation can be overruled by the first chamber, the Bundestag. Divided majorities between the two houses of parliament has been a recurrent feature of the past leading to a constant pressure to compromise.

In all three of our cases, the timing of renewal is highly predictable⁶, and members of the upper chamber have an unrestricted right to propose laws and introduce amendments (*Basic Law of Germany* 2010 art. 76, *Constitution of October 4, 1958 [France]* 2008 art. 39 and art. 44, *Standing Orders of the Australian Senate* 2014 art. 90(1) and art.

⁶ While early elections do occur at the Land level in Germany, these are very rare.

111(1)); at the same time, the power to influence their own re-election varies across the three cases. Both in Germany and in Australia, members of the upper chamber can use their institutional position to appeal to voters, whereas in France, this is limited by the indirect way in which French senators are elected (see Smith 2009, chapter 5, for a discussion of the electoral process for the French Senate). It should also be noted that two cases (Australia and France) employ staggering by design, i.e. explicitly use SMR for their upper chamber, while in Germany, the staggering is by implication, an effect of the role Land elections play in determining the composition of the Bundesrat.

For Australia, we collected the daily Hansards from the Senate in electronic format,⁷ and scraped data on proposed bills and tabled amendments, for the period 1901 to 2012. In this paper, we focus on the period since the last double dissolution of the Australian Parliament (in 1987) to ensure that the time horizons of senators are similar across time. For France, we collected data on bill initiation and the proposal of amendments from the Sénat's open data website.⁸ The bill initiation data covers the period from 1977 to the present, and the amendment data covers the period 2001 to the present. For the German Bundesrat, we collected data on the submission of bills and amendments for the period between 1972 and 2004.

We operationalized our dependent variables as the number of bills (respectively amendments) initiated by a member of the upper chamber on a given date. As the German Bundesrat has an un-even distribution of re-election dates, it was not possible to aggregate the data beyond the daily format we collected it in. For France and Australia, we aggregated the number of bills (amendments) introduced by each senator to the monthly level. In all three cases, the dependent variables are count data, as they have a lower bound of zero and increase in discrete steps of one. For both dependent variables in all three countries, the variance was

⁷ http://www.aph.gov.au/Parliamentary_Business/Hansard

⁸ data.senat.fr

significantly larger than the mean, and we fitted negative binomial panel data models.

As the data involves the same cross-section (members of the upper chamber) being observed multiple times, they should be analysed as panel data. This, firstly, introduces the possibility of serial correlation of error terms across time, due to unobserved unit-specific characteristics. Hausman tests on the data indicate that fixed effects are necessary to address this issue. As such, we estimated the models using unit fixed effects. Second, as can be seen from the figures in the appendix, there appears to have been an increase over time in the number of bills and amendments introduced in the three chambers we are studying. This over-time increase suggests that the data may not be stationary. Conducting Hadri-Lagrange tests for the presence of a unit root indicates that there is evidence for non-stationarity in the data used for both dependent variables. The null hypothesis of no unit root can be rejected for all three countries, including for almost all the different sub-sets of classes of upper chamber members.

However, introducing fixed time effects to control for this is problematic, for two reasons. First of all, since the time unit of the data in the German case is a single day, this would require several thousand dummy variables, which would lead to a very substantial increase in the computational power needed for a maximum likelihood estimation, to the point of being entirely unfeasible. This is also true to a lesser extent for the French and Australian data, as these cover more than thirty years at the level of the calendar month, which would necessitate several hundred time dummies. Second, even introducing year dummies to correct for non-stationarity is problematic, since, if there has been a general increase over time in the tendency of upper chamber members to use their power of initiative within their chamber to appeal to voters, then including time dummies would capture such an effect as well, underestimating the effect of electoral cycles on behaviour. Thus, to correct for stationarity, we follow Carter and Signorino (2010) and include a variable in the model which, in

the German case, measures the number of days since a Land last initiated a bill or resolution, respectively, along with the squared and cubed version of this variable. We employ a similar approach at the monthly level for France and Australia.⁹ This will capture any general increase in the tendency of upper chamber members to initiate bills and resolutions, since this will necessarily lead to a decrease in the time between two instances of the same activity (Beck, Katz, and Tucker 1998). These variables will also capture serial correlation of error terms across panels due to common exogenous shocks.

We operationalised the three hypotheses by including variables indicating the number of days (Germany) or months (Australia and France) until the upper chamber member's next election (H1), the next national election (H2), and until the next election to the upper chamber in questions (H3). Given the importance of the president in the French political system, we also include a variable indicating the number of months until the next presidential election in the models dealing with the French data.

To capture any cross-chamber partisan effects of belonging to the governing parties at the national level (and so the majority in the lower chamber), we included a variable in our models, equal to one when the party of an upper chamber member is in government at the national/federal level, and else equal to zero.¹⁰ Similarly, to capture any effect of a split parliament (where different partisan majorities exist in the two chambers of a legislature), we include a variable equal to one when this was the case, and else equal to zero.

⁹ In the Australian and French data, the effect of the cubed term since last activity meant that for the models to converge, the very rarely active senators had to be excluded from the analysis. As these were the least active senators, the loss of data is manageable, as these senators only had a limited amount of variation in their behaviour to analyse.

¹⁰ We coded the "mixed" German states, where the Land government has parties from both the opposition and the government at the federal level, as zero.

Models and Results

The results of the models are shown in Table 1. To ease interpretation, coefficients are presented as incidence rate ratios, which describe the multiplicative change in the expected count when the explanatory variable increases by one unit, while all the other explanatory variables remain unchanged. As such, values over 1 indicate that the variable has a positive effect on the expected number of bills/amendments introduced, and values under 1 indicate that a variable has a negative expected effect. For example, an incidence rate ratio of 1.1 for an independent variable means that an increase one in that variable leads to a 10% increase in the expected number of activities, while an incidence rate ratio of .8 means that a decrease one in that variable leads to a 20% decrease in the expected number of activities.

As can be seen from Table 1, we find mixed support for our three hypotheses. In France and Australia, for both bill initiation and the tabling of amendments, senators become significantly more active as their re-election approaches (i.e. the number of months to re-election decreases). While the expected increase in the number of bills initiated and amendments tabled in France is quite low, around .1% per month, it should be kept in mind that for part of the period under study, French senators had nine-year terms, or 108 months, which suggests a difference of around 11% in activity levels between the first and last month in office.

In the case of Australia, the substantive effect size is much greater. For each month an Australian senator is nearer her re-election, the expected number of bills initiated goes up by around 1.4%, while for the tabling of amendments, the increase is around .7% per month. When considered over the typical six-year (or seventy-two month) term of the Australian Senate,¹¹ this implies a doubling of the expected number of

¹¹ Senators from the Australian Capital Territory and the Northern Territory serve three-year terms concurrent with the House of Representatives.

bills initiated between the first and last month of office, and an increase of 50% in the tabling of amendments.

In the German Bundesrat, however, we find no significant effect of an approaching election, for either type of activity. This may be driven by the fact that, unlike France and Australia, staggering in the German Bundesrat is not by design, but rather by implication, due to the indirect nature of the membership of the chamber.

Turning to the effect of approaching national elections (hypothesis 2), we find some limited evidence of a contagion effect between the two chambers in a bicameral system. In the French senate, an approaching national election leads to a decrease in the number of bills initiated, with the expected number of bills dropping by around .2% for each month nearer a national election is. Over a typical five-year (sixty month) term of the National Assembly in France, this works out at difference of more than 10% between the first and last month of such a term. This should be contrasted with the effect of an approaching presidential election in France, which leads to a significant increase in the initiation of bills in the French senate. In substantive terms, this increase is around .1% per month, which, over a seven-year (84-month) presidential term, works out at almost a 10% difference in the number of bills initiated.

In the German case, while the effect of an approaching election to the Bundestag is highly significant, the effect size is very small, with the expected count increasing by less than .1% per month. While the expected number of bills initiated in the Australian senate increases when a national election approaches, this effect is not statistically significant. We find no effect of an approaching national election on the tabling of amendments in any of the three countries.

Table 1: Negative binomial panel models

	Bill initiation			Tabling amendments		
	France	Australia	Germany	France	Australia	Germany
Months to re-election	0,999*** (0.000)	0,986*** (0.004)		0,999* (0.000)	0,993*** (0.001)	
Months to national election	1.002*** (0.000)	0,972 (0.018)		0,994 (0.012)	0,855 (54.876)	
Months to upper chamber election	0.999*** (0.000)	1,010 (0.017)		1,001 (0.000)	1,148 (73.684)	
Months to presidential election	0.999** (0.000)			1,003 (0.012)		
Days to re-election			1,000 (0.000)			1,000 (0.000)
Days to national election			1,000*** (0.000)			1,000 (0.000)
Days to upper chamber election			0,999*** (0.000)			1,000 (0.000)
Split parliament	0,955*** (0.010)	0,851 (0.216)	0,941 (0.045)	0,829*** (0.020)	1,046 (0.090)	1,350** (0.124)
In government	0,936*** (0.009)	1,000 (0.000)	0,631*** (0.030)	0,621*** (0.007)	0,825 (0.089)	0,654*** (0.053)
Time since bill	0,000 (0.000)	0,000 (0.000)	0,996*** (0.001)			
Time since bill ²	1689,669 (768353.161)	24,414 (25914.662)	1,000* (0.000)			
Time since bill ³	0,594 (32.011)	0,891 (61.681)	1,000 (0.000)			
Time since amendment				0,000 (0.000)	0,000 (0.000)	0,9974*** (0.000)
Time since amendment ²				611,921 (454123.048)	11,116 (1840.332)	1,000* (0.000)
Time since amendment ³				0,672 (55.798)	0,931 (8.304)	1,000 (0.000)
Constant	10,262*** (0.387)	0,962 (3.010e+09)	0,110*** (0.010)	0,295*** (0.027)	3,164*** (0.367)	0,148*** (0.029)
N (actions)	111703	2027	146978	44518	5834	125565
N (upper chamber members)	422	112	16	140	71	16
aic	112330	315	27003	192689	3173	12017
bic	112426	365	27092	192776	3233	12095
Chi ²	315,32	26,19	293,94	1929,46	69,85	.

Table shows incidence-rate ratios; standard errors in brackets

* p<0.05, ** p<0.01, *** p<0.001

We find a similar pattern when it comes to the effect of an approaching upper chamber election (hypothesis 3). In the French case,

we find a highly significant effect of approaching upper chamber elections, with each month nearer the election leading to an increase of .1% in the expected number of bills initiated. In the German case, each day nearer an upper chamber election leads to an increase of .1% in the expected number of bills initiated. As the average number of days between state elections that influence Bundesrat membership is 176, this implies a difference in the number of bills initiated of around 17.6% when comparing the first day after and first day before each Land election. As above, we find no significant effect of approaching senate elections in the Australian case, possibly due to the tendency of these being coterminous with elections to the House of Representatives. Finally, we find no significant effects of approaching upper chamber elections in any of the three countries when it comes to the tabling of amendments.

Turning to the control variables, we find that a split parliament leads to significant changes in both levels of bill initiation (France) and the introduction of amendments (France and Germany). In the case of France, a split parliament leads to a decrease in the number of bills initiated of around 4.5%, and a decrease of around 17% in the number of amendments tabled. In the Bundesrat, a split parliament leads to an increase of the number of amendments tabled of around 35%; we find no significant effects in Germany of a split parliament on levels of bill initiation. Unlike in Germany and France, we find no significant differences in activity levels in the Australian senate when the control of parliament is split.

We also find that in both France and Germany, whenever an upper chamber member's party is in power at the national level, they significantly reduce their activity levels. In France, a senator's party being in power at the national level leads to a 6.5% decrease in the number of bills initiated, and a 38% decrease in the number of amendments tabled. In Germany, we find a decrease of around 37% in terms of bill initiation and a decrease of around 35% in terms of the tabling of amendments whenever the party, or parties, in power in a Land are also in power at the

federal level. As with the effect of a split parliament, we find no significant change in behaviour in the Australian senate when a senator's party is in power nationally.

Conclusion

This paper sought to explore in a comparative manner the effects of upper chambers employing staggered terms. While commonly used in both parliaments and non-majoritarian institutions across the world, the empirical study of staggered terms is very rare, and as such their effects are little understood (Willumsen and Goetz 2015). By analysing the effects of staggered terms on patterns of bill initiation and the tabling of amendments in Australia, France and Germany, we aimed to shed light on how differential time horizons in a legislative chamber influences legislative behaviour.

The clearest finding was that the time horizons of individual senators matter. In both France and Australia, an approaching election led to a significant increase in the number of bills initiated and amendments tabled, suggesting that activity levels in these senates is subject to a legislative business cycle, where activity levels are increased as elections near, in order to appeal to voters, and so maximise a senator's chances of re-election. While we found only a limited effect of approaching national elections, we found evidence that, in terms of bill initiation, upper chamber members in both France and Germany increase their activity levels in the run-up to any upper chamber election, indicating the absence of a cross-temporal logroll, where those up for re-election are given more of the "spotlight". This suggests that the partisan nature of legislative behaviour and elections in these countries is able to prevent cross-party collusion to maximise incumbents' chances of re-election.

The limited evidence found for any effects of elections other than an upper chamber member's own can be contrasted with the strong findings we found in terms of the effects of split parliaments and an upper

chamber member's party being in government, which suggest that partisan linkages across arenas can overcome institutional incentives. This intuition is bolstered by the lack of such effects in the Australian senate. As the most powerful of the three upper chambers studied in this paper, its members are less reliant on their relationship with legislators in the lower chamber to achieve their policy aims, which means that they are less likely to alter their behaviour in order to curry favour with their co-partisans in other parts of the political system.

As a first comparative analysis of the effects of staggered membership renewal, this paper has suggested that the effects of this institutional feature are both significant and subtle. While we clearly found that staggered terms increases the number of legislative business cycles within a parliament, by increasing the number and frequency of elections to the upper chamber, we found less evidence for cross-chamber and cross-class collusion, most likely due to the counter-acting effects of partisan linkages. This is in contrast with the findings of Shepsle et al. (2009), which found evidence of cross-class collusion in the US Senate. The relative weakness of political parties in the US Congress is the most likely explanation for this contrast, their being too weak to overcome the more self-serving interests of their members, in contrast to the stronger parties in the three countries we investigated. This indicates that work on staggering in parliaments has to analyse not just the institution itself, but also the party-political setup present.

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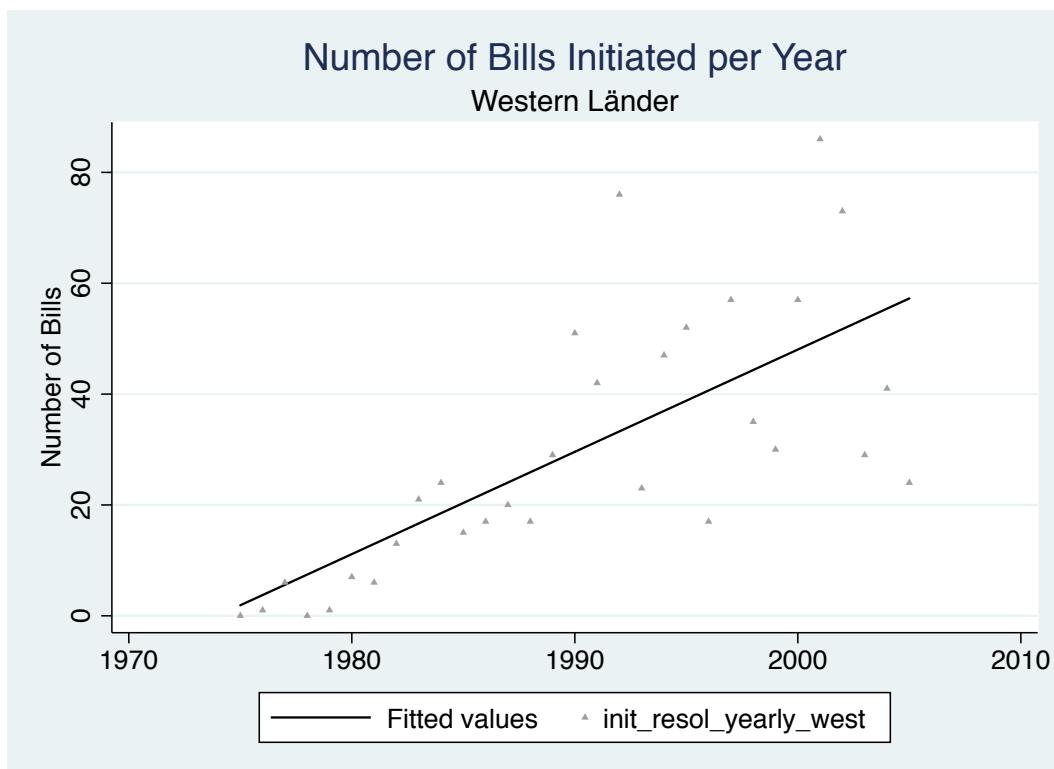
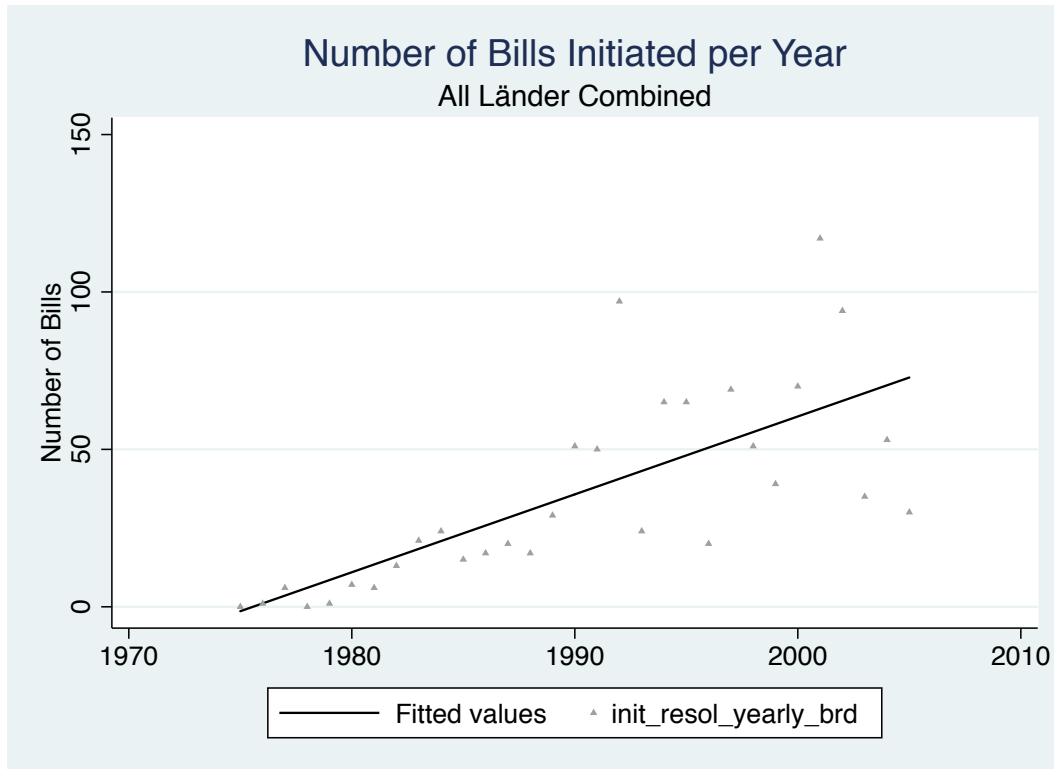
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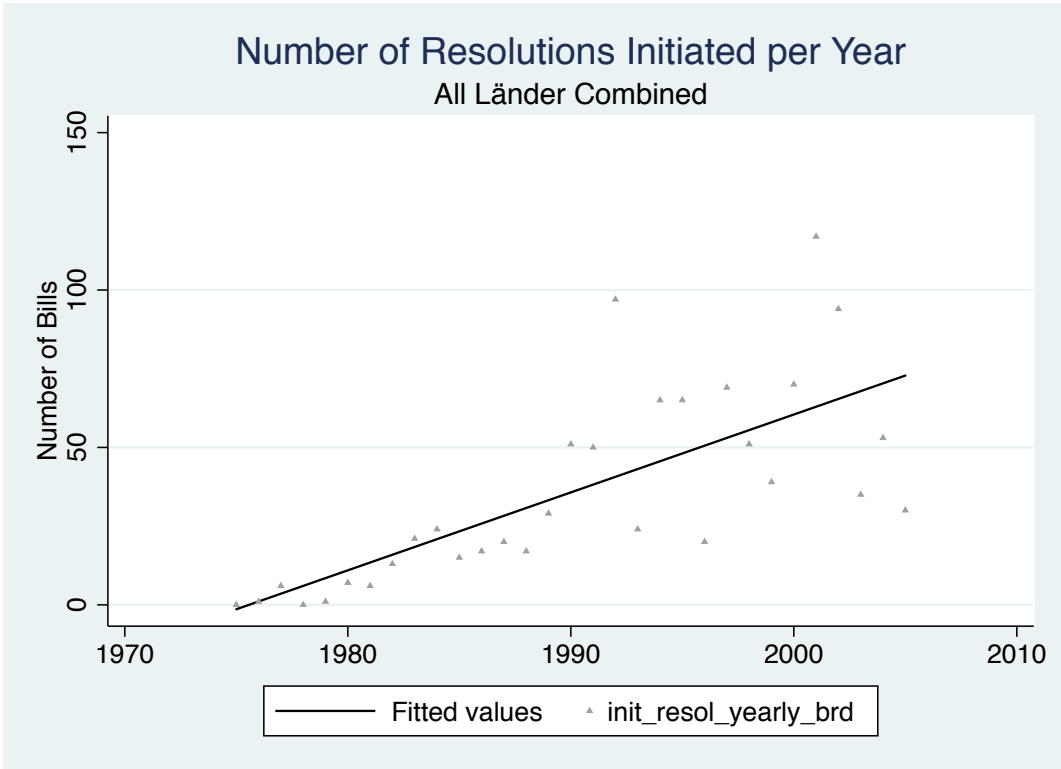
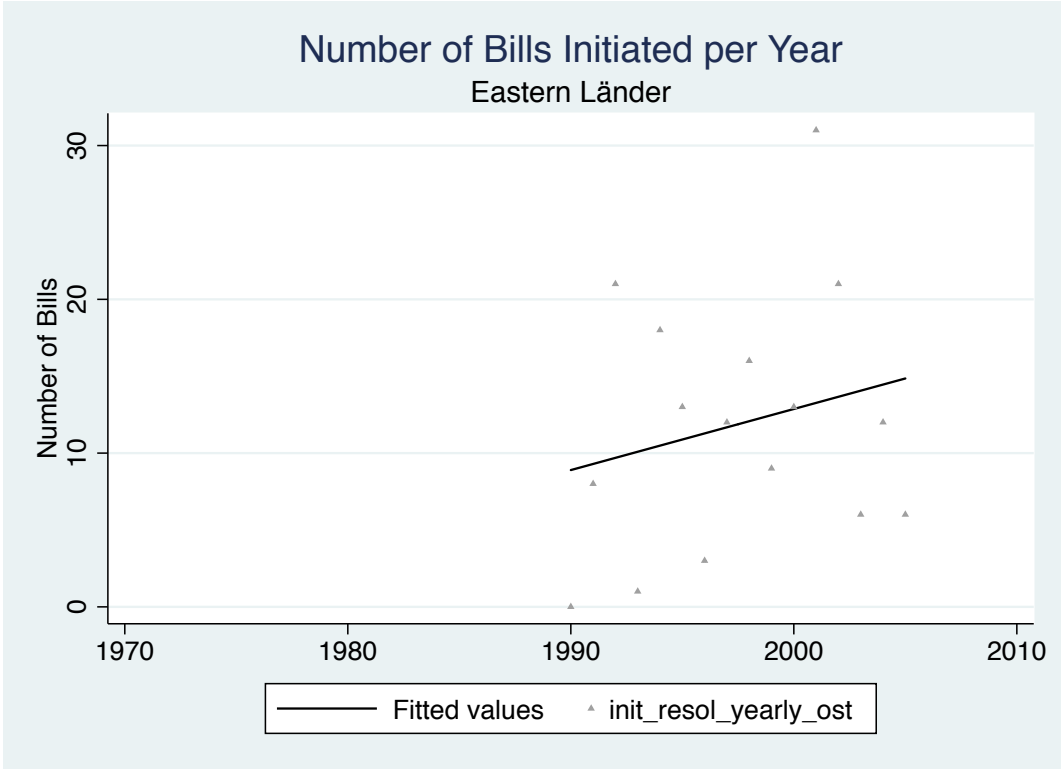
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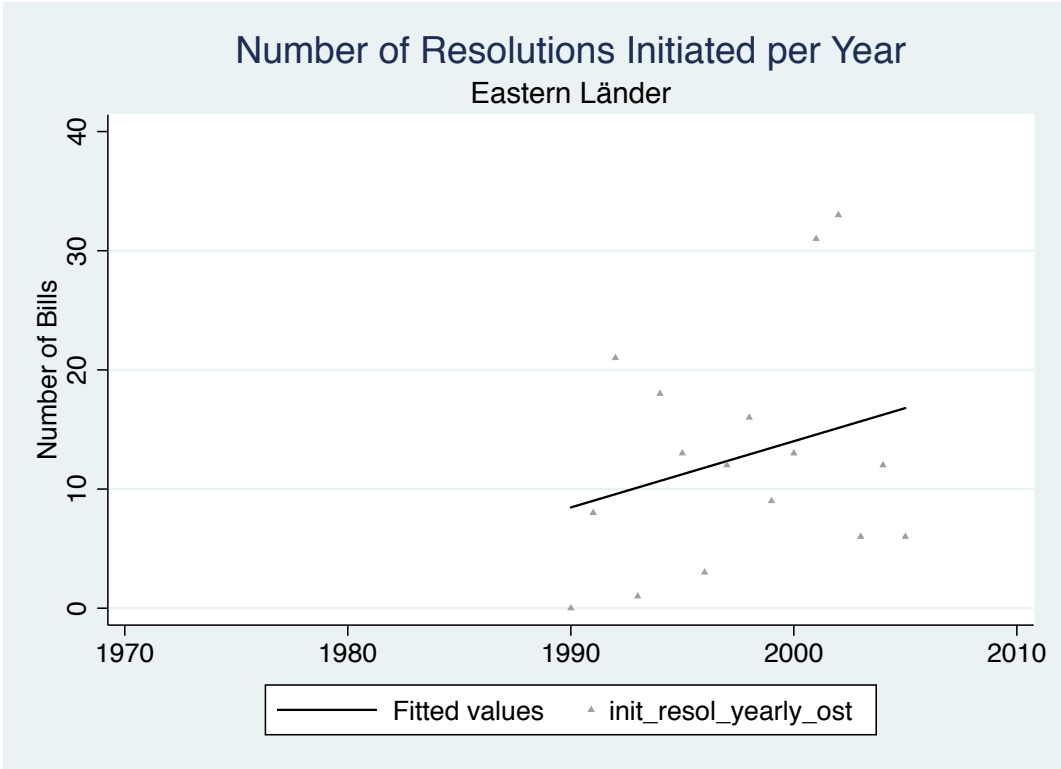
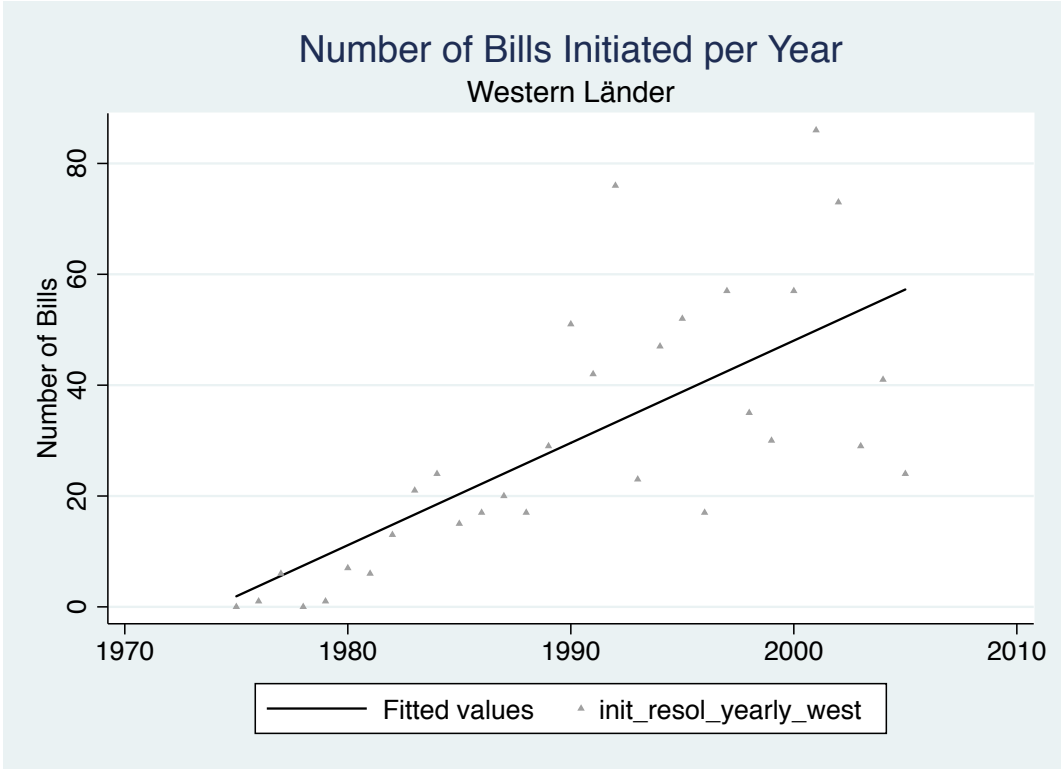
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Appendix

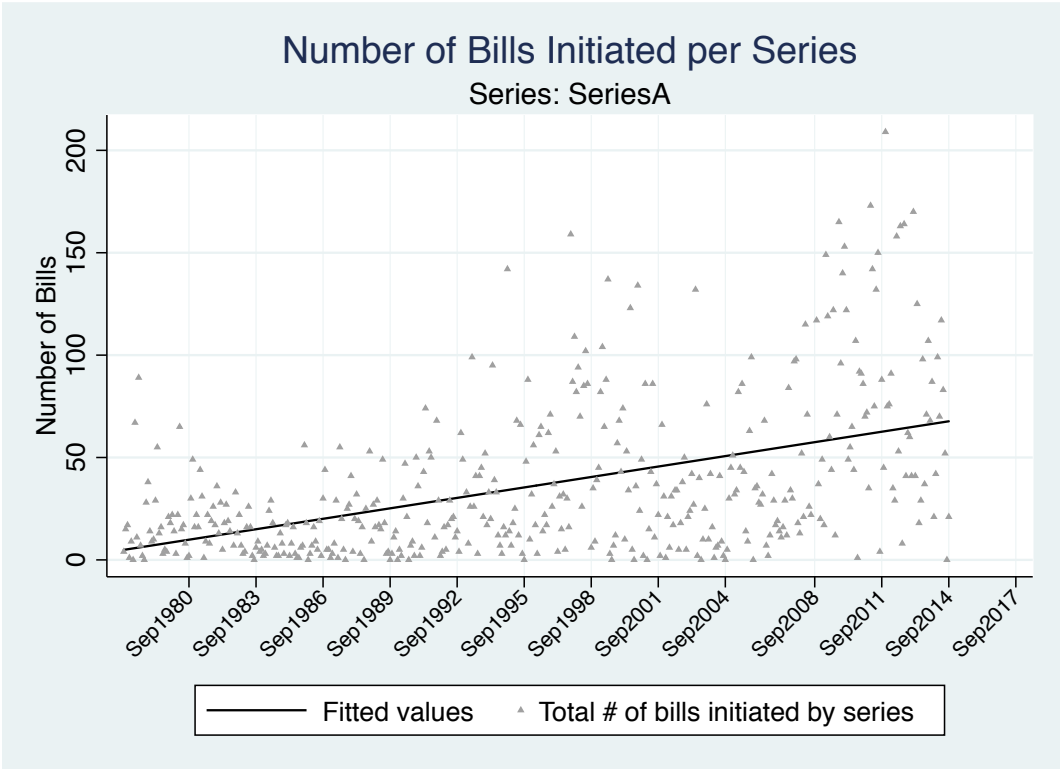
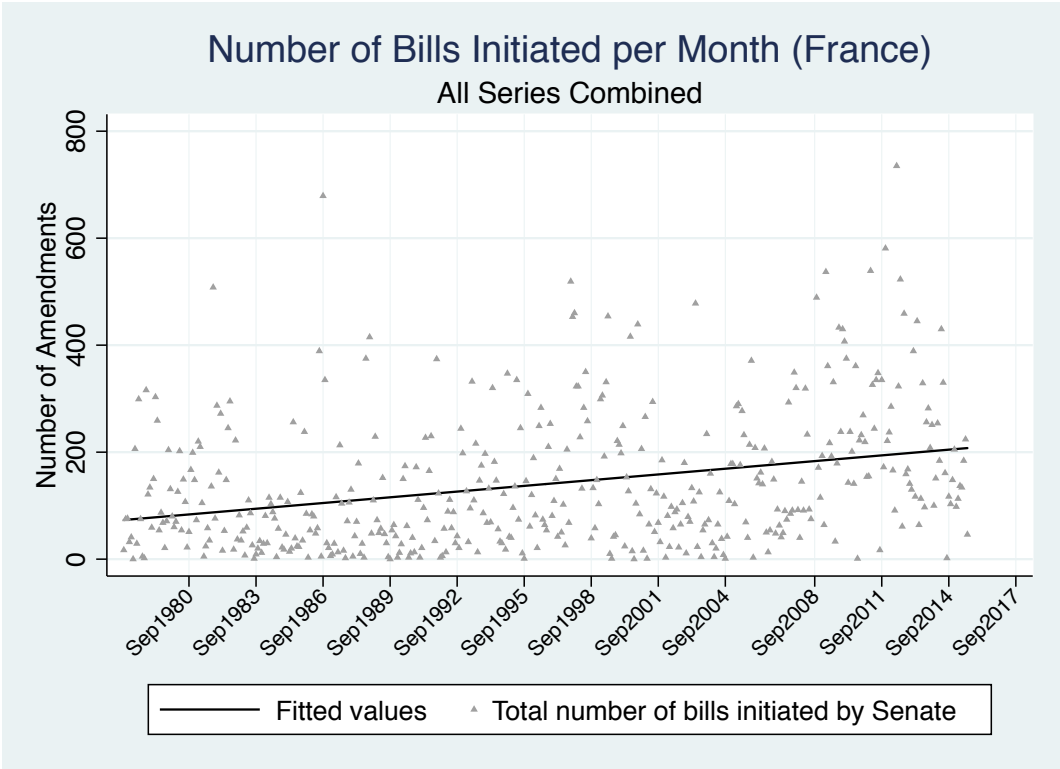
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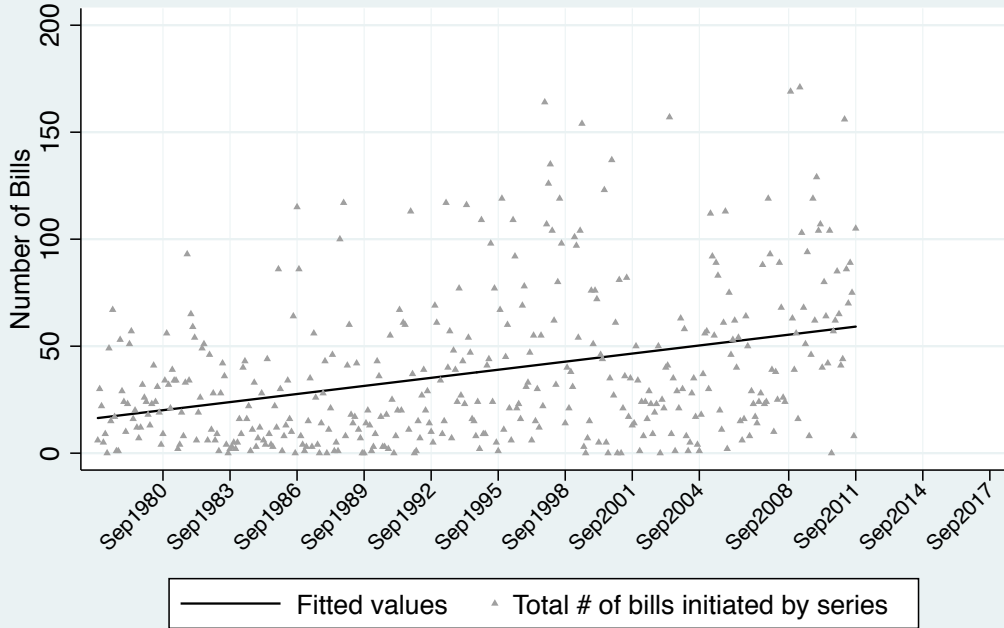




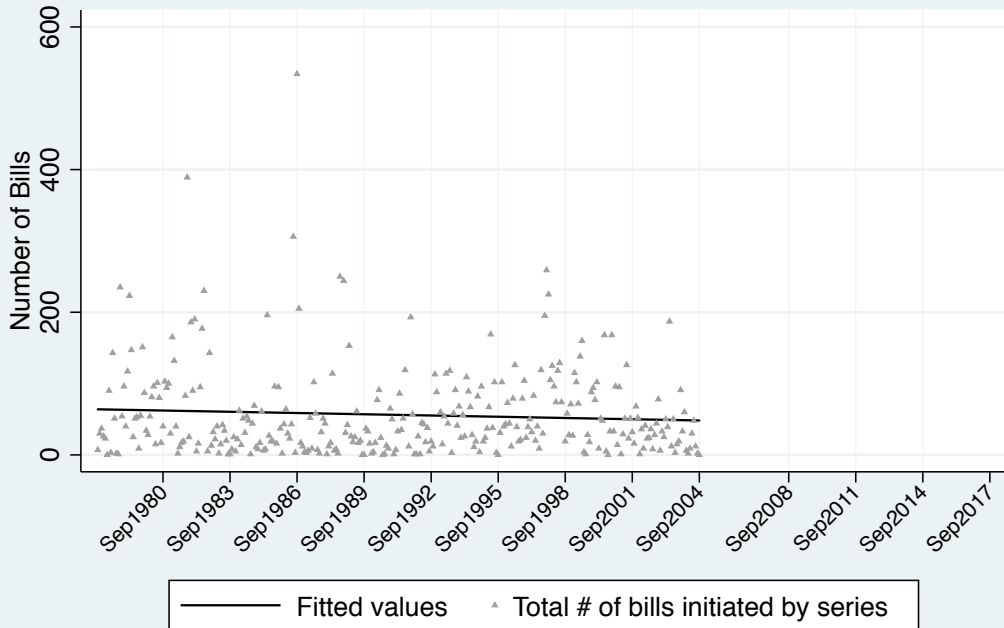
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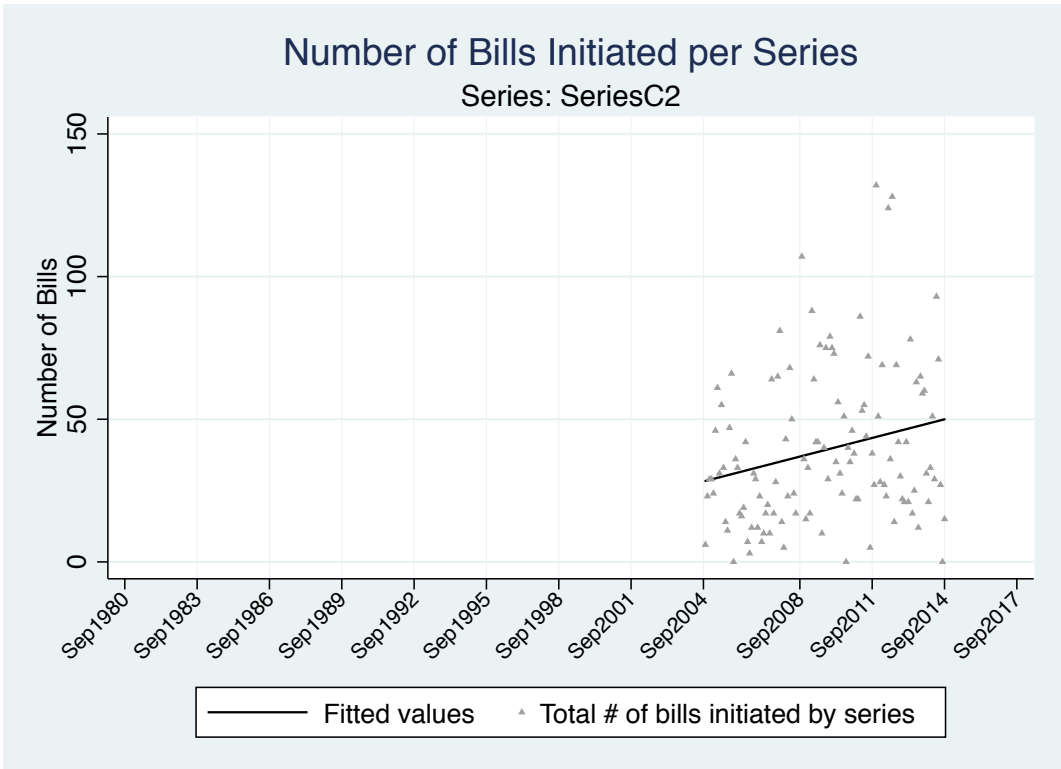
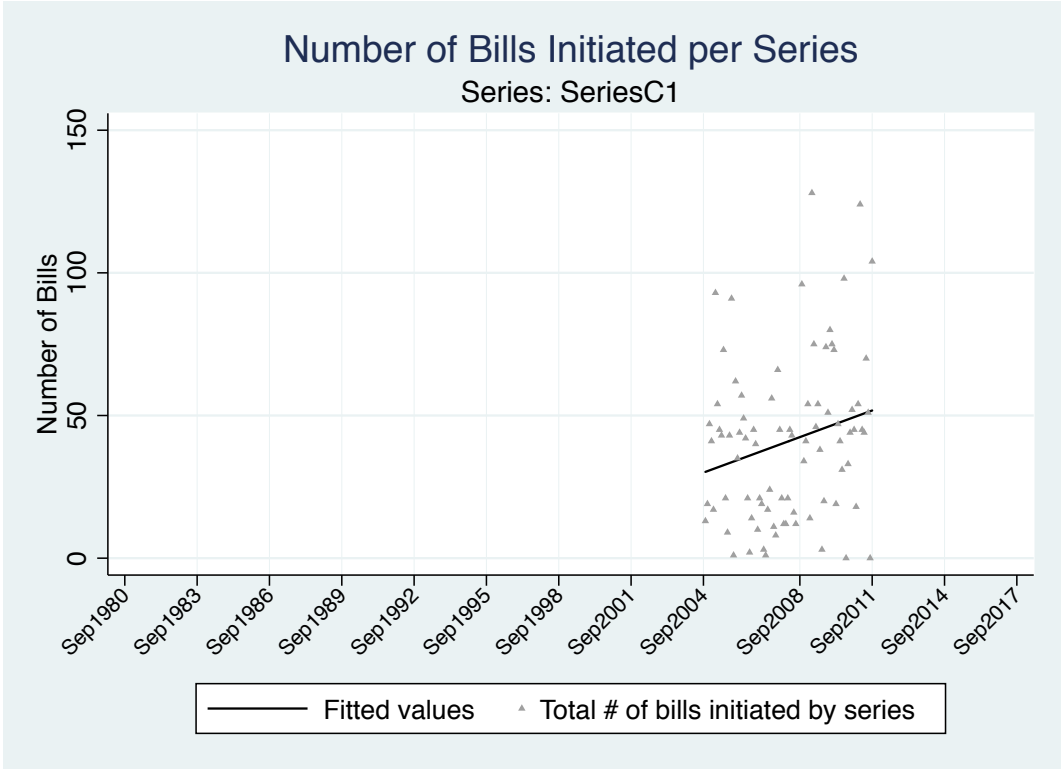


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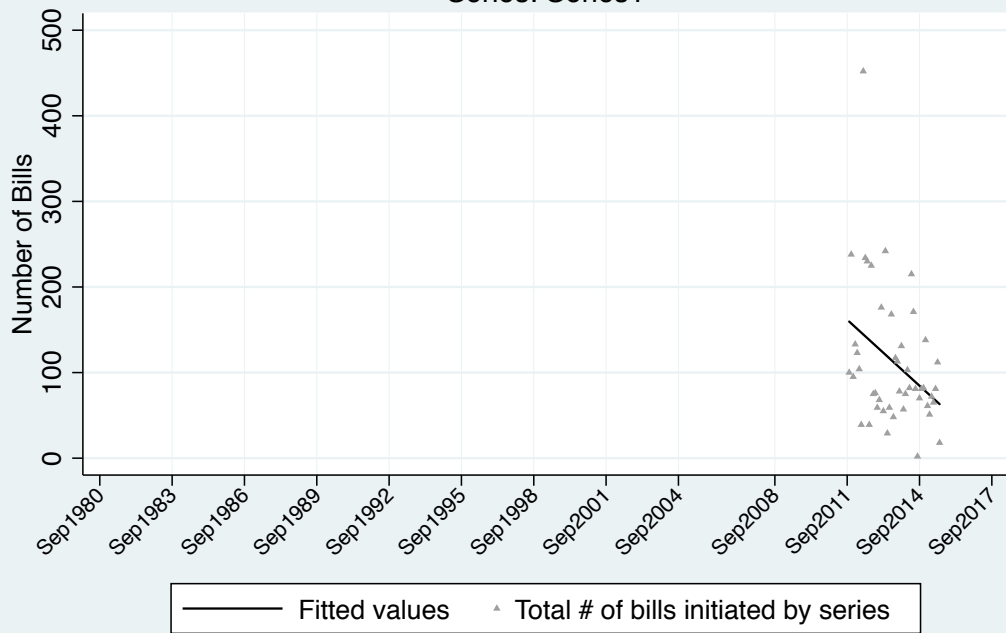


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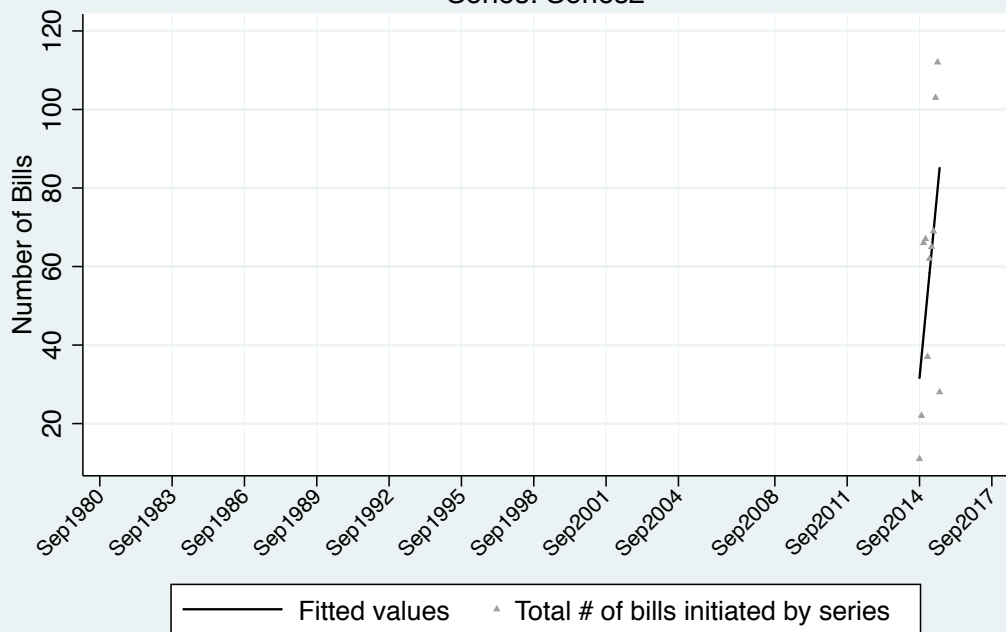




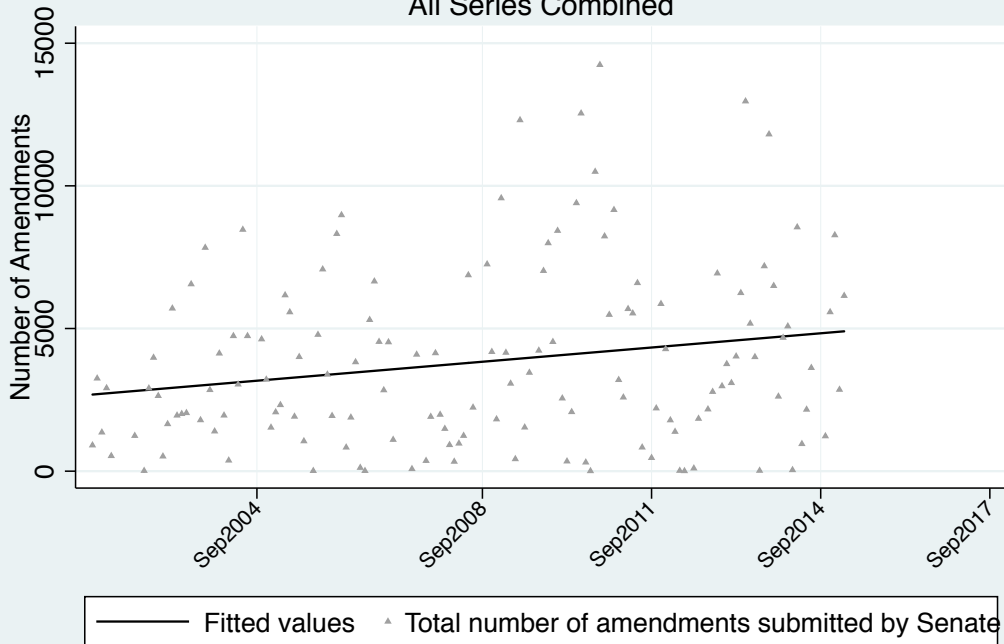
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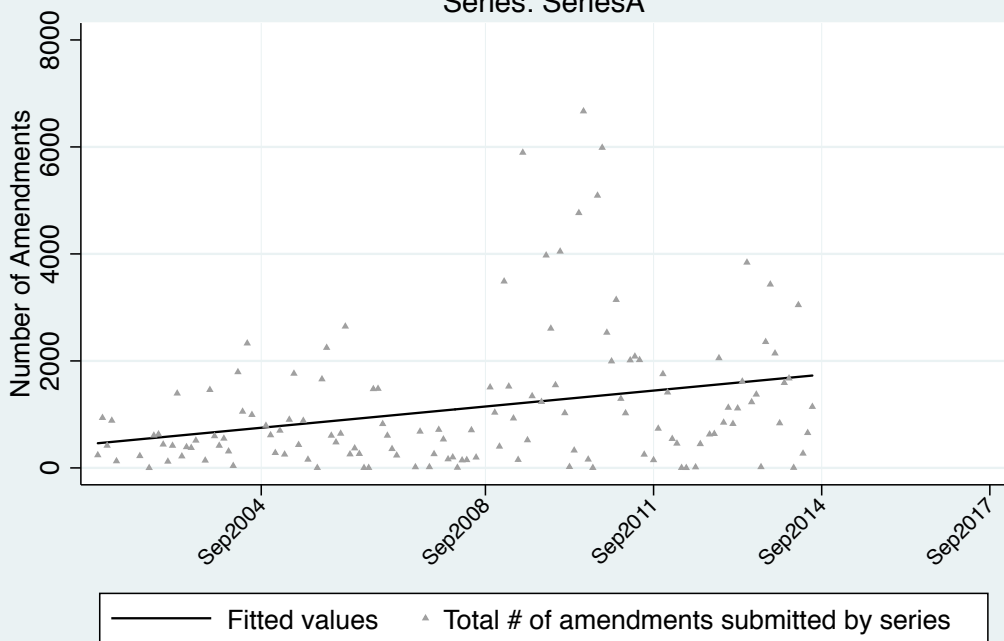
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Series: Series2



Number of Amendments Submitted per Year(France)
All Series Combined

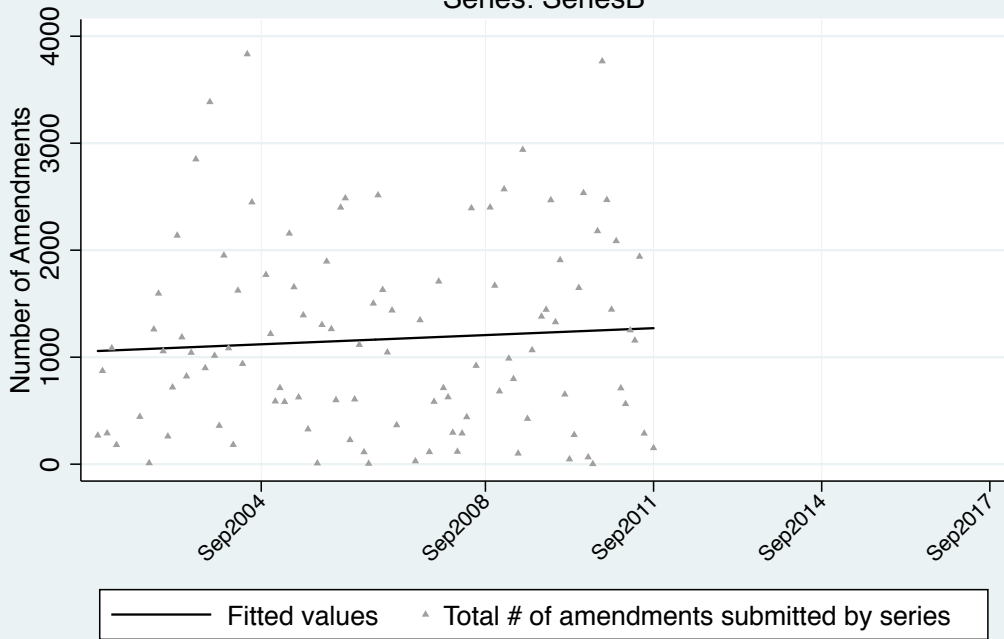


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Series: SeriesA



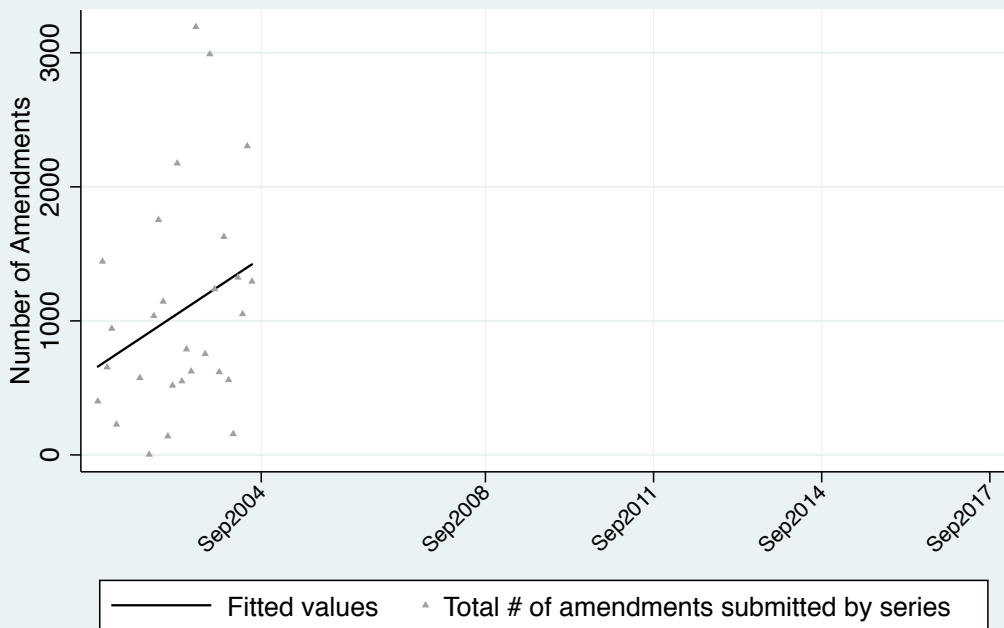
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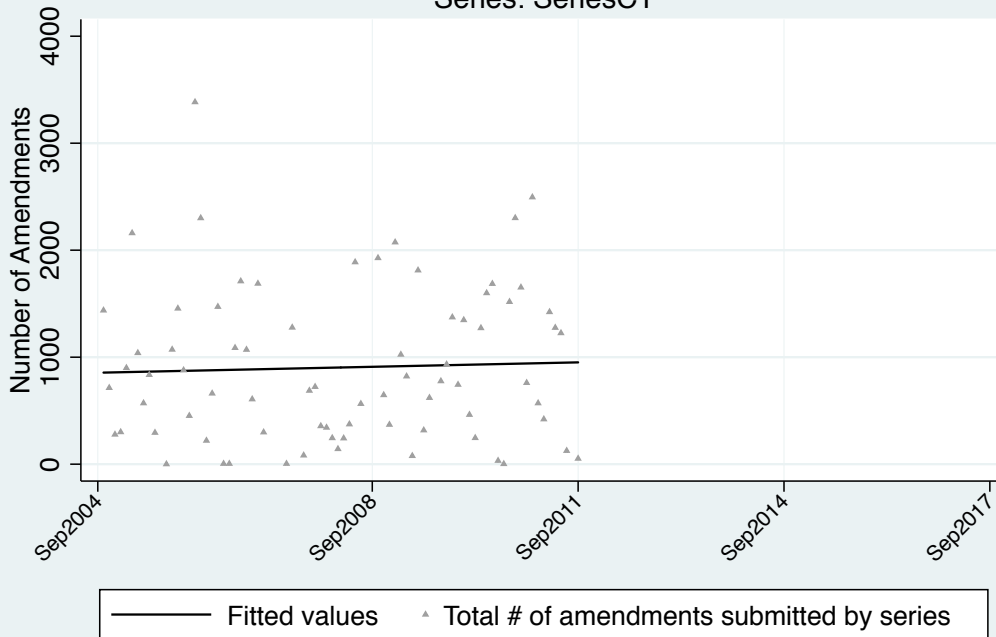
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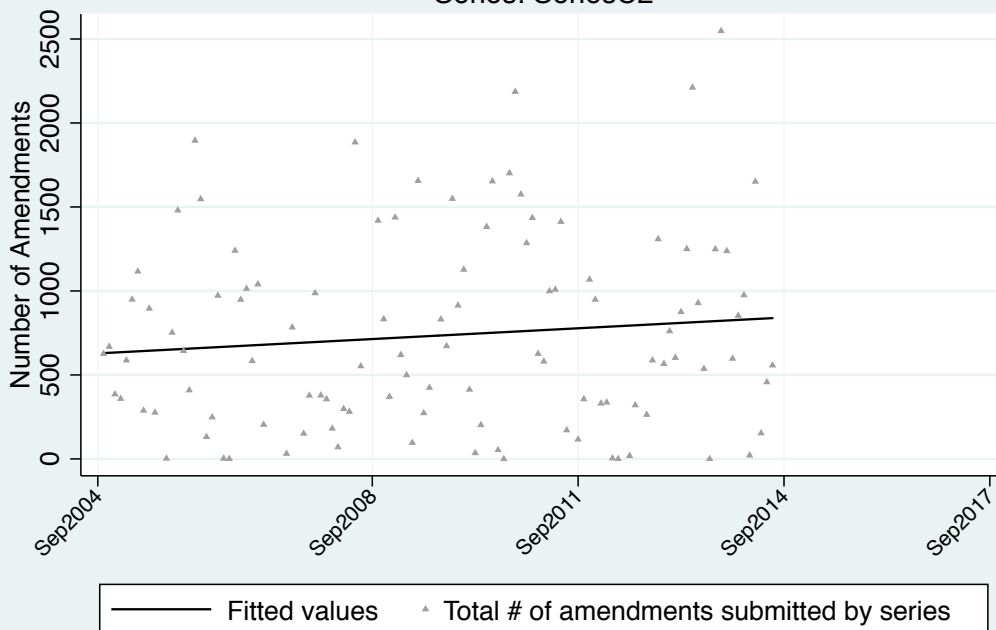
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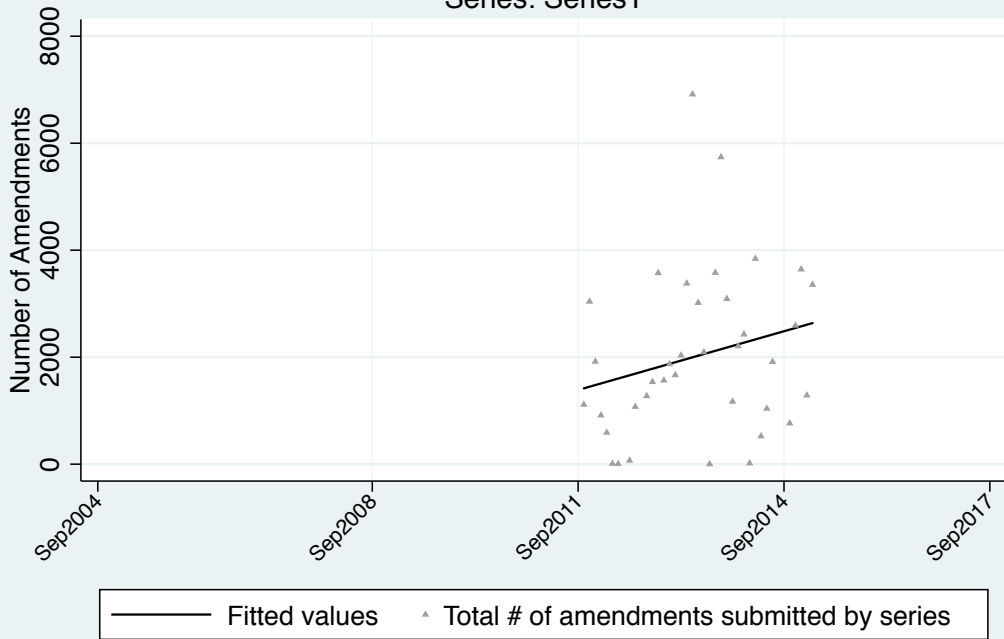
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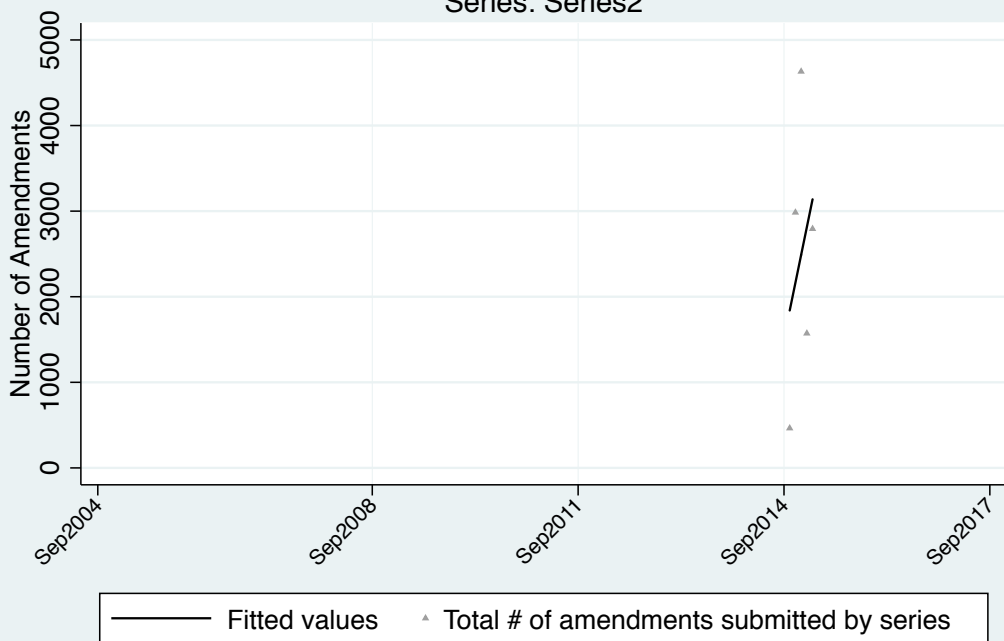
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Series: Series1



Number of Amendments Submitted per Series

Series: Series2



Visual stationarity check - Australia

