

# **Parliament without government: The Belgian parliament during the long government formation processes of 2007-2011**

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## **Abstract**

Parliamentary systems are characterized by strong links between the executive and the legislative. While the importance of executive-legislative relationships is well-known, the extent to which executive dominance affects parliamentary behaviour is hard to grasp. This study uses the recent institutional crises in Belgium to study parliamentary behaviour in the absence of a government with full powers. Cabinet formation in Belgium has proved to be protracted in recent years, leading to long periods of government formation in both 2007-2008 and 2010-2011. Such circumstances provide a unique comparison between normal situations of parliament in the presence of government, and exceptional situations of prolonged periods of caretaker government. In particular we look at three aspects of parliamentary behaviour that are usually linked to executive-legislative relations: legislative initiatives, voting behaviour and party unity. Our general hypothesis is that the prolonged periods of government formation gave parliamentarians more opportunities to influence the legislative process and more (ideological) freedom. Our results show a nuanced picture: parliament became more proactive, the salience of the government-opposition divide declined, while party unity remained as strong as ever. We conclude that the government formation processes did not lead to drastic changes in the legislative-executive relationship, but rather formed a modest correction on the extremely weak position of parliament.

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## Introduction

Parliamentary systems are characterized by strong links between the executive and the legislative. The executive branch of government usually dominates parliamentary agenda-setting and voting behaviour (Döring, 1995; Hix & Noury, 2011). While the importance of executive-legislative relationships is well-known, the impact of executive dominance on parliamentary behaviour is hard to discern (cf. Lijphart, 1999). One strategy is to compare different political systems with varying degrees of executive dominance (Bräuninger & Debus, 2009; Carey, 2007; King, 1976). The downside of this approach is that institutional factors besides the degree of executive dominance vary between systems, making it difficult to untangle the impact of executive dominance from factors such as the electoral system, cabinet formation and bicameralism (Diermeier & Feddersen, 1998). An alternative approach is to study changes in the executive-legislative relationship of a country over time. Under normal circumstances, however, the stability of the formal and informal rules that determine parliamentary behaviour render such an approach infeasible<sup>i</sup>. We make use of the recent institutional crises in Belgium to study parliamentary behaviour under conditions of unclear government formation.

Belgium is known for its high levels of executive dominance featuring strictly binding coalition agreements and high levels of party unity (Deschouwer, 2009). Recently, cabinet formation has proved to be extremely protracted: after the 2007 election it took 194 days to form a government, while the 2010 election led to a world record breaking process of 541 days. This case provides a unique comparison between normal situations with a government that has the full range of powers and exceptional situations in which there were lengthy periods of caretaker government. How did this gridlock in government formation impact parliamentary behaviour in the Belgian federal parliament?

This study analyzes *how the absence of a full-fledged government impacted parliamentary behavior*. In particular we look at three aspects of parliamentary behaviour connected to executive-legislative relations: legislative initiatives, voting behaviour and party unity. We map legislative activities and parliamentary voting behaviour during the two ‘exceptional’ periods of prolonged government

formation (in 2007 and 2010-2011) and compare it to ‘ordinary’ parliamentary periods (1995-2012).

Our general hypothesis is that the absence of a normal government gave the parliament and its members more opportunities to influence the legislative process and provided them with more (ideological) freedom.

The remainder of this article proceeds as follows. First, we discuss the literature on legislative institutions, particularly parliamentary voting behaviour. We develop hypotheses on how long periods of government formation change the executive-legislative dynamic and the relationships between and within parties. Second, we provide the necessary background on the Belgian federal system and its history of government formation. Third, we explain the data and methods used to analyse voting behaviour. Fourth, we present our results and discuss them in a longitudinal perspective. Finally, we will summarize our findings and place them in comparative perspective.

### **Theory and Hypotheses**

In most parliamentary systems the relationships between the parliament and the executive and between the actors within the parliament are determined by several ‘iron laws’. These include the dominance of the executive over the legislative in law making, the government-opposition divide in voting behaviour of parties, and strong party unity limiting the power of individual MPs. Our general argument is that the absence of a full-fledged government for prolonged periods of time will challenge these norms and give the parliament and its members more power and more freedom. The expected changes, we hypothesize, occur at three levels: at the macro level we expect that the parliament as a whole will take more legislative initiatives and will be more successful in implementing them; at the meso-level, the government-opposition divide is expected to be less dominant and at the micro-level we expect individual MPs to be less restricted by the norm of party unity. We will theoretically elaborate these expectations and formulate more concrete hypotheses.

*Macro-level: Parliament versus government*

The dominance of the executive over the legislative is a common character of all parliamentary democracies (Saalfeld, 2000), but the nature of the executive-legislative relationship varies strongly across countries (King, 1976; Lijphart, 1999). In comparative perspective the case we study here, the Belgian parliament, occupies a middle position between the stronger parliaments the Nordic countries and the Netherlands on the one hand, and those from most southern European countries and the United Kingdom on the other (Sieberer, 2011). The moderately weak position of the Belgian parliament is mainly a consequence of the nature of the federal system (Deschouwer, 2009). Government coalitions consisting of multiple parties from both side of the language border are fragile and therefore require loyalty. The coalition agreement is regarded as ‘the bible’: a bulky and detailed document that forms the foundation for almost all government policy (De Winter, Timmermans, & Dumont, 2000). The importance of the government agreement is also reflected in the dominant role the executive plays in law-making. On average, about eight out of ten bills that are passed are initiated by the government (Bräuninger & Debus, 2009; De Winter, 1998). This imbalance is not a consequence of any formal regulation. On the contrary, any MP can introduce a private member bill or amendment at any moment during the legislative process (Andeweg, De Winter, & Müller, 2008, p. 94).

The absence of a normal government during (prolonged) periods of government formation might grant the parliament a bigger say in the legislative process. In most countries during coalition formation the previous government remains in place with a constrained ‘caretaker capacity’. This means that the government lost its mandate to govern, but nonetheless does continue to fulfil some key functions of government. According to Woldendorp et al. (1998, p. 128) a caretaker government is “only temporarily minding the shop” and is not supposed to undertake serious policy-making. What a caretaker government can and cannot do, however, varies strongly across countries (Laver, 2003). In the Belgian case the formal powers of the caretaker government, or what is called a “government of current affairs”<sup>ii</sup>, are not defined in the constitution or other laws. There is, however, a consensus that its role is restricted to urgent matters such as the budget, the management of semi-autonomous agencies and international obligations. During the most recent and extremely long period of government formation the concept of ‘current affairs’ was stretched, mainly because of the financial

crisis (Devos & Sinardet, 2012). Nevertheless, as the caretaker government is not expected to develop new policy its legislative powers remain limited in comparison to a regular government (Laver & Shepsle, 1994).<sup>iii</sup> Therefore, we expect that in the exceptional periods, the periods of prolonged caretaker government, the *share* of accepted legislation initiated by MPs will rise at the expense of the share of government initiated bills:

**H1:** During ‘exceptional’ periods the share of accepted laws initiated by MPs is higher than in normal periods.

#### *Meso-level: Government parties versus opposition parties*

In representative democracies the government-opposition divide largely determines the voting behaviour of parties. However, the extent to which this division dominates legislative voting differs cross-nationally depending regime type (parliament or presidential) and form of government (single-party or coalition). Hix and Noury (2011) distinguish three models of voting in legislatures: the Floor Agenda Model, the Cartel Agenda Model and the Westminster Model. They argue that the institutional context to a large extent determines which of the three models is dominant. Their study shows that parliaments in systems with multi-party governments operate in line with the ‘Westminster Model’, which suggests that the parliamentary agenda is controlled by one party and that legislative voting is split mainly along government-opposition lines (see also Dewan & Spirling, 2011; Laver, 2006). Even in countries with a coalition government, this model is dominant because the government parties usually act as one. This is certainly true for the Belgian case, in which strict coalition agreements are the norm (De Winter et al., 2000; Pilet, 2012).

In the absence of a government with full powers we expect that voting according to government-opposition lines will diminish and move in the direction of the Cartel Agenda Model (Hix & Noury, 2011). In this model government coalition parties stick together on a number of issues that are essential to the continuation of the business of government. On other issues, the substantive differences between parties are the most important predictor of voting behaviour. This means that MPs

will vote more according their policy views. We expect that these policy views are primarily determined by the left-right position of their party, but in the Belgian context potentially by the linguistic divide as well.

**H2a:** During ‘exceptional’ periods parties vote less along government-opposition lines than in normal parliamentary periods.

**H2b:** During ‘exceptional’ periods parties vote more according to their policy positions than in normal parliamentary periods.

### *Micro: Party unity*

In contrast to presidential systems, parliamentary regimes tend to have (extremely) high levels of party unity (Depauw & Martin, 2009; Sieberer, 2006). Unitary behaviour by parties is seen as a necessary condition to be effective in influencing public policy, especially if government parties want to implement their election manifesto (in single party government systems) or the coalition agreement (in coalition government systems) (Carey, 2007). If MPs were free to vote irrespective of party programs and coalition agreements, the continuity of the government would be in jeopardy (Hix & Noury, 2011). To establish unity parties can sanction or reward their members. In parliamentary democracies party leaders, or in the Belgian case the party chairman, can offer their loyal MPs rewards such as a position in the cabinet, chairmanship of a commission, a safe seat or a high position on an electoral list for the next election (Depauw & Martin, 2009; Depauw, 2003; Laver, 2006; Martin, 2012). Party discipline is often not necessary to get a party to act as one, however. Andeweg and Thomassen (2011) showed that there are at least three other pathways to party unity: homogeneity of preferences, loyalty to the party, and division of labour.

In exceptional periods without proper governments in place, MPs should have more opportunities to go against the party line as doing so does not endanger the stability of a coalition government or delegitimize its policy. To put it differently, we expect that in extended periods with a caretaker government the degree of voting unity will decline.

**H3:** During ‘exceptional’ periods MPs vote less in line with their party than in normal parliamentary periods.

### **The Belgian case**

Before we discuss the data collection and analysis, we elaborate on the Belgian case and in particular explain the causes of the recent extended government formation periods. Belgium is a federal country mainly based on a linguistic cleavage between Francophones and Dutch-speaking inhabitants. While the linguistic divide is not the only cleavage in Belgian politics, the tension between the two language communities<sup>iv</sup> largely contributed to the recent political conflicts and the long government formation processes. The on-going federalization process has transferred a significant amount of political activity to the regional level including culture, education and large parts of economic policy (Erk, 2008).

Because the Belgian electoral system provides no national constituency, campaigns are run largely independently on both sides of the language border. Furthermore, the absence of national parties and the on-going disintegration of formerly united Flemish- and French-speaking parties have created two diverging political regions (De Winter, Swyngedouw, & Dumont, 2006) and two parallel sub-national party systems (Bardi & Mair, 2008). This process has been strengthened further by an asymmetry of governing coalitions since the regional elections of 2004. Until then the coalitions between the federal and the regional level had always consisted of the same parties (Billiet, Maddens, & Frogner, 2006; Deschouwer, 2009).

Recently, the centrifugal tendency between the regions has also affected the formation of federal governments. In its post-war history Belgium frequently had difficult processes of government formation, sometimes taking several months, and in 1987, even 148 days. This has mainly been due to the fact that after the elections two ‘regional’ election results were put together to form one federal government. Belgium was not exceptional in this regard; other West-European countries with fragmented party systems such as Italy and the Netherlands have a tradition of long and problematic processes of government formation (Diermeier & Roozendaal, 1998; Golder, 2010; Martin &

Vanberg, 2003). In 2007 there were signs that something had changed. On the Flemish side of the border the federal elections were won by an electoral cartel of Christian-Democrats (CD&V) and Flemish nationalists (N-VA) led by Yves Leterme after a campaign that focused on increased autonomy for the Flemish region and a split of the (last) bilingual electoral district Brussels-Halle-Vilvoorde (BHV) (Sinardet, 2008). French-speaking parties, however, opposed such a split, and were more generally opposed yet another constitutional reform. Only after 194 days and attempts by several different mediators, was former Prime Minister Guy Verhofstadt able to form a new 'interim' government. Several months later (March 2008), the cabinet led by Yves Leterme replaced this temporary government. The Flemish nationalists decided not to join the government, leading to the end of the cartel of CD&V and N-VA in September 2008. The Leterme government was never very stable and tensions between French-speaking and Dutch-speaking parties resulted in early elections in June 2010.

These elections made the N-VA the biggest party of Flanders. The unwillingness of the French-speaking parties to take another major step in the reform of the state and split the BHV electoral district boosted the popularity of the Flemish nationalists led by Bart De Wever. In Wallonia the Parti Socialiste (PS) of Elio Di Rupo became the undisputed market leader. Although PS and N-VA had little in common in terms of socio-economic policy and state reform, they tried for several months to reach a compromise. But all attempts failed and distrust between the leading parties of both regions gradually increased. During the 541 days of government formation, the Belgian King Albert II asked seven people from five different parties to take up a roles as informateur, mediator, negotiator, clarificator or (pre-) formateur. The latter role was finally taken up by Elio Di Rupo after almost a year of negotiations. It took him another half year to reach an agreement on state reform with eight parties and a new government with six parties (the greens were needed to achieve a two-thirds majority for state reform but did not enter the government coalition). The nationalist N-VA was involved in neither agreement.

## **Data and methods**

Our analysis focuses on parliamentary behaviour in the lower house of the Belgian federal parliament between 1995 and 2012. We distinguish between ‘normal’ and ‘exceptional’ periods. The government formation processes in 1995, 1999 and 2003 were relatively quick. During these (summertime) formation processes the parliament was usually not in session and voted only once or twice. Thus, we consider the whole period from 1995 to the elections of 2007 to be a situation of ‘normal’ politics. The 2007 and 2010-2011 government formation processes were exceptionally long. For the former case, we examine the period between June and December 2007, when an interim-cabinet was formed. Although the formation process was officially not finished by that time, it did mark a return to a more normal political situation. The second ‘exceptional’ period ran from June 2010 to December 2011. While our comparison of normal and exceptional periods in terms of parliamentary behaviour does not necessarily imply a *causal* relationship between the absence of a full-fledged government and parliamentary behaviour, we are confident that in most cases where we observe differences these are related to the absence of a full-fledged government. By studying a long period of normal government before the recent crises we are at least able to distinguish between long-term trends and short term changes which we relate to the consequences of prolonged caretaker rule.

Our analysis is based on official data regarding bill initiation and voting behaviour. The voting data were provided to us by the parliament (for the period July 1999 to July 2012) and Abdel Noury (for the period June 1995 to June 1999). We manually collected further data on the issue and type of proposal (bill, amendment, motion) that were voted on for the longest of the two exceptional periods that we study, the government formation process of 2010-2011. These data are available from the parliamentary records as well as the online database of parliamentary documents. Our analysis consists of three parts. First, we simply look at the number of successful legislative initiatives over time. We specifically compare the numbers of laws initially tabled by the government with the number initiated by (one or more) individual Members of Parliament.

Second, we study roll call voting behaviour of MPs using spatial analysis. We make use of IDEAL, a Bayesian Markov Chain Monte Carlo algorithm, to estimate MPs’ ideal positions based on their

observed voting behaviour (Clinton, Jackman, & Rivers, 2004).<sup>v</sup> The method estimates MPs' ideal points in a low-dimensional space based on their voting behaviour. In all of our cases, a two-dimensional model proved to be sufficient. The advantage of IDEAL over other algorithms is that it is more robust in situations with high levels of party unity in voting behaviour, which is the case in Belgium (Spirling and McLean 2007). One issue with multidimensional models of voting behaviour, in particular with IDEAL, is the identification of the solution. We identify the solution by procrustes rotating the solution to match an Optimal Classification solution (Gower & Dijksterhuis, 2004; Hix & Noury, 2011). Next, we analyse to what extent the divide between government and opposition as well as policy positions explain parties' positions in the space. With regard to the latter we look at two important policy cleavages in Belgian politics: the language divide and left-right positions. We interpret the space by drawing a line of parties' left-right positions, as measured by expert position data from Huber and Inglehart (1995) for the 1995-1999 parliament and from Benoit and Laver (2006) for the subsequent periods.<sup>vi</sup> These lines effectively run from the left of the political spectrum to the right.

Next to creating spatial models, we also express the extent to which votes take place along government-opposition, left-right position and linguistic lines numerically. We calculate coefficients of association (Cramer's V or Eta) between an individual members' voting decision in a given vote and their party's left-right position, their language group, and whether they are an opposition or a coalition party member. If voting occurs, for example, perfectly along left-right lines, the coefficient equals 1; if voting is not at all related to left-right positions, the coefficient equals zero.

We study the longest period without a government (2010-2011) in more detail. Because the vote database obtained from the parliament contained very little information on the type of vote, we manually collected this information from the parliament website. Specifically, we coded the type of proposal that was being voted on as well as the subject category to which this belongs. The latter information was available from the parliamentary website which uses over 200 Eurovoc descriptors. As this classification is too specific for our purposes, we recoded this information to the 21 categories

of the Belgian Comparative Agendas Project classification scheme, using the method described in Vliegthart, Walgrave, and Meppelink (2011). This should provide an idea of whether the votes in the exceptional period were on all types of issues and not only concerned insignificant or technical subjects.

Third, we study party unity in voting behaviour. We use a modified version of the well-known Rice index, which takes into account the fact that Belgian MPs have an explicit ‘abstention’ option (Hix, Noury, & Roland, 2005). This agreement index measures the extent to which parliamentary parties vote in a unified way. It equals 1 when all members of a party vote the same way and 0 when they are equally divided between the three voting options (in favour, against, abstain).<sup>vii</sup>

## **Results**

### *Parliament versus government*

Our first hypothesis stated that during exceptional periods MPs would be more successful in law-making at the expense of the executive. During routine periods eight out of ten adopted bills are initiated by the government. As figure 1 shows, the number of accepted laws initiated by Private Members (between 20 and 72) and the government (between 73 and 256) fluctuated for the period 1995-2012 but the dominance of the executive was never broken. Both exceptional periods clearly deviate from the general picture (see Figure 1). In the parliamentary year 2010-2011, which was a full year of government formation, the number of accepted private member (N=72) and government bills (73) was almost equal, which is rather different from normal operations. During the year 2007-2008 the difference in adopted laws between parliament (N=39) and government (76) remained larger, mainly because this was not a full parliamentary year of government formation with the start of the interim cabinet by the end of 2007 and the start of the new government in March 2008.

INSERT FIGURE 1 HERE

The greater equality in terms of law making is not so much due to a higher success rate of MPs' initiatives<sup>viii</sup>, but owes more to the increase in parliamentary activity (and a less active government). The number of bills and resolutions tabled by individual MPs has increased sharply over the last two decades, especially in post-election years. In the year 1999-2000 private members tabled about 500 proposals, in 2007-2008 this number doubled, and during the year 2010-2011 individual MPs tabled no less than 1513 bills and resolutions. This trend fits with the idea that MPs increasingly use these types of bills to show their activity to their constituents in order to gain more preference votes (Bräuninger, Brunner, & Däubler, 2012). Unsurprisingly, most of these personal initiatives lack a broader political support and never become actual laws, but still the recent peaks in the number of initiatives seem to suggest that extended periods of government formation stimulated MPs to become even more active in the law making process. At the same time the (caretaker) government in those periods produced merely 106 bills in the 2007-2008 session and 98 in the 2010-2011 session. While Private Member Bills were at an all-time high, government bills were at an all-time low during the long coalition negotiations of 2007-2008 and 2010-2011.

In sum, the exceptionally long period of government formation created greater balance between the executive and legislative. Individual members' initiatives have become more frequent and at least in absolute terms success of MP-proposed legislation has increased. If we compare the 2007 and 2010-2011 periods, we can see that in the latter period, which was considerably longer than the former period, individual MPs became most active. In both cases, however, when the coalition formation was finished, the situation normalized: more government bills were accepted relative to MP initiatives.

#### *Government parties versus opposition parties*

The second part of our analysis concerns how MPs voted: along coalition-opposition lines or along policy lines (both left-right and linguistic). Figures 2a-d provide spatial models of MPs' ideal positions based on their voting behaviour. Each individual MP is displayed as a dot in these figures. The voting behaviour of members of the same party is very similar, attesting to the high levels of party unity, so in the subsequent analysis we discuss voting behaviour in terms of the parties. The axes of the figure

have no predetermined meaning: the interpretation of the figures would not change if rotated or mirrored the figure. To facilitate interpretation and comparison of the figures we constrain the position of one of the Vlaams Belang MPs to be in the top-right corner. These figure can be interpreted by looking at the relative positions of the various parties. Furthermore, we circled the (outgoing) government coalition and drew a regression line which indicates the left-right positions of the party as estimated in expert surveys. The left-right positions of MPs' parties can be approximated by running a perpendicular line through the party position; for example, in figure 2a ECOLO/GROEN and PS are left-wing, while VB and CD&V are right-wing.

INSERT FIGURE 2 HERE

We focus on the last two parliaments, which we divide into the period during which coalition formation took place and the period of 'normal' parliamentary operations.<sup>ix</sup> This paints a clear picture of the differences in voting behaviour during the two types of situation. In both of the 'normal' periods the main drive of voting behaviour is the coalition-opposition divide. Take the example of the 52<sup>nd</sup> parliament (2008-2010, figure 2b), which showed marked differences in voting behaviour between the coalition parties on the one side (Christian Democrats, Liberals and the French Social Democrats) and all other parties on the other side of the figure. This suggests that many votes show a division between opposition and coalition. There are some votes in which the government votes with the left wing opposition against the right wing opposition (or vice versa), but these are less common.

The picture is quite different for the periods of government formation. In both exceptional periods the left-right dimension underlies the most important patterns in voting behaviour: the left-right position of parties as measured in expert surveys corresponds to the main (horizontal) dimension of the space. Left-wing parties are displayed to the left of the figures and right-wing parties more towards the right. In 2010-2011 the ordering of parties in the horizontal plane is as follows: greens, social democrats, christian democrats, liberals and nationalists (see Figure 2c). We can also observe that the parties supporting the outgoing government (CDH, CD&V, OpenVLD, MR and PS) are relatively dispersed

compared to other parliamentary periods, when coalition parties were plotted right on top of each other. The largest Flemish party in parliament N-VA, which eventually ended up in opposition, is positioned relatively close to the parties that supported the outgoing government. This most likely reflects the fact that for a substantial period of time the N-VA was involved in the coalition negotiations. The coalition-opposition dynamics in this period are thus a combination of loyalty to the outgoing government as well as collaboration between parties at the negotiating table. The largest party not involved in the negotiations at all, the extreme-right VB, is indeed quite distant from the outgoing coalition parties.

Thus, as expected, voting behaviour during the exceptional periods without proper governments in power was to a lesser extent dominated by the coalition-opposition divide, but this traditional division did apparently still play an important role in structuring parties' voting behaviour. During the 2007-2008 formation period, a similar picture arises: the distinction between government and opposition is weak and the government parties are divided. It seems that voting occurred sometimes along the lines of the outgoing government (OpenVLD, MR, PS and SP.a) and sometimes along the lines of the parties that were negotiating (OpenVLD, MR, CD&V, CDH and PS). All in all, the spatial analyses confirm our expectation: voting occurs less along government/opposition lines and more along an ideological left-right dimension.

The analysis based on the spatial models is confirmed by a bivariate analysis of the relationship between an MP's voting decision and his parties' government status. For each vote, we calculated a Cramers'  $V$  that expresses the strength of this relationship. A value of 1 indicates that all coalition party MPs voted in favour and all opposition party MPs voted against (or vice versa), while a value of 0 indicates that there is no relationship between the voting decision and whether the MP's party was in government.<sup>x</sup> The mean of this indicator over all non-unanimous votes is displayed in Figure 3 for each parliamentary period. It shows that between 1995 and 2007, there was a strong relationship between voting decisions and the government-opposition divide, with mean values above 0.85. This indicates that in many votes, there was an exact split between coalition parties on the one side and

opposition parties on the other side. During the 2007 coalition negotiations, this coefficient drops to .37, indicating that the distinction between parties supporting the outgoing government and the opposition was not very important during this time. After a new government was formed at the end of 2007, patterns of voting behaviour along coalition lines returned (.78). When a new period of prolonged coalition negotiations started in 2010, levels of coalition voting decreased again to .55. Thus, in both 'exceptional' periods, voting along government-opposition line is less common, as expected. The difference between government-opposition voting in caretaker ( $M = 0.52$ ) and normal ( $M = 0.86$ ) periods is statistically significant,  $t(417.99) = 24.74, p < 0.05$ . While the government-opposition divide remains a factor in structuring voting behaviour during the exceptional periods, its importance declines substantially.

INSERT FIGURE 3 HERE

If parties vote less according to government-opposition lines in parliaments without governments, what structures their voting behaviour? We expect that parties' policy positions, in terms of the left-right and linguistic divides, should be more closely related to parliamentary voting behaviour. Starting with the divide between the French-speaking and Dutch-speaking MPs, Figure 3 shows a modest increase of language-based voting over time. The Cramers'  $V$  indicating the strength of the linguistic divide rises from .24 in the period 1995-1999 to .39 in the most recent year. The difference in language-based voting differs significantly between caretaker ( $M = 0.37$ ) and normal ( $M = 0.34$ ) periods,  $t(383.27) = 2.88, p < 0.05$ . This increase, however, seems to reflect the current political situation with increasing tension and division between the two language groups, rather than a difference between exceptional and normal parliamentary periods. If we compare language-based voting in the caretaker and normal periods since 2007, we find no significant difference,  $t(460.55) = 0.97, p > 0.05$ .

Parties may also have taken the exceptional parliamentary periods as an opportunity to form ad-hoc parliamentary coalitions based on their left-right positions. We do find some support for this argument

using a bivariate analysis of an MP's vote and his parties' position on the left-right scale. We calculated eta-values to measure the strength of this association; these values theoretically also range from 0 (no difference in the left-right position of MPs voting yea, nay or abstaining) to 1 (a strong difference). Between 1995 and 2010, the mean eta-values range between 0.45 and .5, indicating that parties do vote according to the left-right divide, but only to a moderate degree. During the two exceptional parliamentary periods, it increases to .63 (2007) and .57 (2010-2011) respectively. While the increase is modest, it is a noticeable aberration from the normal pattern. The difference in left-right voting between caretaker ( $M = 0.57$ ) and normal ( $M = 0.48$ ) periods is statistically significant,  $t(416.36) = 7.46$ ,  $p < 0.05$ . This substantiates our expectation that there was more room for left-right-based voting during the exceptional period than is normally the case. We also find, however, a relatively high level of left-right voting during the last normal period (2011-2012). This may be explained by the fact that the green parties voted with the government on state reform, which effectively reduced the opposition to two right-wing Flemish parties (N-VA and VB). If the political agenda returns to traditional economic issues, we would expect the level of left-right voting to decline. All in all, we find higher degrees of policy-based voting during exceptional periods, which substantiates our hypothesis 2b.

Arguably, lower levels of government-opposition voting during exceptional periods might merely reflect the inactive stance by caretaker governments: they pursue only legislation perceived as politically necessary and uncontroversial. As a result, the distinction between government parties' and opposition parties' voting behaviour is likely to be relatively low. If this were the case, however, we would not expect to see an increase in the levels of voting along left-right lines as we do. To explore patterns of voting behaviour more in depth we have collected additional data on what issues were voted on in parliament during the 2010-2011 government formation. This data show a large variety of issues that was voted on during that period. We repeated our analysis of the associations between voting behaviour on the one hand, and left-right divide, government-opposition divide, and the language divide on the other hand, for each of the issue categories (see Figure 4). This shows that there is some variation between issues with regard to the extent to which voting behaviour is

associated with the aforementioned factors. For some issues, voting occurs mainly according to left-right patterns, such as ‘Commerce and Banking’, ‘Environment’, ‘Health’, and ‘International Affairs’. The government-opposition divide is more closely linked to other issues, such as ‘Labor’, ‘Macroeconomics’ and ‘Social Welfare’. While these are issues that are closely connected to the left-right dimension in the electoral arena, in parliamentary voting right-wing and left-wing opposition parties take similar positions on these issues, which goes to show that the government-opposition divide is not totally absent during periods of caretaker government. Linguistic voting behaviour does not vary strongly between issues, although it is particularly low on the environment, which could be explained by the fact that this sets apart the French-speaking and Dutch-speaking green parties from all other parties. While there are indeed variations between issues, we find that voting according to coalition-opposition lines is relatively low on all issues, not just a few technical ones. In sum, we conclude that voting behaviour is not merely apolitical during the exceptional periods, but the traditional government-opposition divide is partly replaced by policy voting.

INSERT FIGURE 4 HERE

#### *Party unity*

Our third and final hypothesis concerns the extent to which party unity was affected by the absence of a full-fledged government. We expect that when no coalition is at stake, there is a smaller incentive to maintain party unity. Observers have noted that MPs seemed to have more freedom to pursue policies that they found important during exceptional periods. Is this reflected in lower party agreement in roll call voting? The agreement index of roll call voting behaviour suggests that party voting unity has always been extremely high in Belgium. Levels of party unity approach an almost perfect score of 1, meaning that rebellions are exception rather than rule. Contrary to our expectations, nothing has changed in that respect (see Table 1). If anything, levels of voting agreement have slightly increased over the last 17 years from an average of .982 in 1995-1999 to .998 in 2011-2012. There is no marked difference in the levels of agreement between the exceptional periods and the subsequent normal periods. We will elaborate on this finding in the discussion section.

INSERT TABLE 1 HERE

### **Discussion and conclusion**

The long government formation processes in 2007 and 2011 impacted the work of the Belgian parliament. Without a full-fledged government, the parliament took more initiatives. Even though the success rate of MP-initiated bills remained very low, almost half of the legislation that was passed in the 2010-2011 period was initiated by private members. Furthermore, in the exceptional periods, voting behaviour was less connected to the division between opposition and government parties, and more policy-based, primarily in left-right terms. We find no effect whatsoever on party unity in voting behaviour. If anything, in times of institutional crisis parties are more coherent in terms of voting than in regular periods.

How should these findings be interpreted in light of the traditional executive-legislative relationship in parliamentary democracies? Our findings show that the government formation processes did not lead to a drastic change of parliamentary work, but rather formed a correction to the extremely weak position parliament usually occupies. Even if individual MPs were not free to vote how they wanted, at least they had the chance to pursue policy initiatives more freely. Where in the past, government coalitions explicitly forbade government party MPs to pursue joint initiatives with opposition members on some issues, the lack of a full-fledged government proved an incentive for members to pursue these kinds of initiatives, especially in the very long formation period in 2010 and 2011. For example an alternative coalition of centre-right parties on both sides of the language border adopted a law that strengthened family reunion for asylum seekers. The caretaker government continued to play a prominent role during this period, but was less dominant than usual, leaving more room for parliament and its members.

While the Belgian situation in 2007 and especially 2010-2011 was exceptional with regard to the length of the coalition negotiations and the complexity of the political situation, we see an increasingly

complex process of government formation in other countries too. The neighbouring country of the Netherlands has always had lengthy coalition negotiations. Even in Greece coalition formation proved impossible in May 2012, despite the fact that the electoral system is deliberately disproportional to facilitate government formation. To the extent the European debt crisis becomes a new political divide in the politics of Western European states, this may complicate the formation process in even more countries, leaving them in a similar situation as Belgium. In that respect it would be interesting to compare the Belgian experience with the recent problematic government formation processes in Greece and Italy. The central question would be whether these diverse government crises, which are often seen as problematic for the functioning of democracy, open windows of opportunity for parliaments and MPs to partly restore the power balance with the executive or further deteriorate the weak position of legislatures/the legislative branch.

The extent to which a period with prolonged caretaker government impacts how parliaments function will likely depend on the length of the period as well as the starting conditions. In the Belgian case we observe that parliament only starts to act in a more independent way once government formation negotiations stall. We witnessed a change from a system which usually has strong executive dominance of parliamentary work to a system in which the government could do little more than handling current affairs. In that respect, one might argue that the changes we observe are rather small. Government was less active, but remained successful in terms of law-making. Voting patterns were to a lesser degree, but still substantially, related to the government-opposition divide. It is likely that the inheritance of strong executive dominance as well as the prospect of having it again in the future ensured that the caretaker government played an important role in parliamentary politics.

A similar argument can be made with respect to the strength of party unity. Although there was no need to maintain a strict party line to support the coalition government, party voting unity remained as high as ever during the exceptional periods. How do we interpret this extreme stability? For parties involved in the coalition negotiations parties needed to make sure that the reforms agreed upon in the coalition negotiations were supported by their MPs. But this does not explain why even parties that

were not involved in the talks remained highly united. Perhaps parties wanted to make sure that they could once again rely on loyal voting behaviour of their MPs after the negotiations were finished. In that respect it would have been a risky tactic to let the genie of rebellious voting out of the bottle. An alternative explanation is that voting unity within parties remained unchanged, but that there was a partial shift in the reasons to act united. Following Andeweg and Thomassen (2011) we might expect that unity during the exceptional period was not so much obtained using sanctions and rewards, but rather by stronger homogeneity in ideas. After all, parties were freer to vote according to their policy position during the exceptional periods. This resonates with our finding that left-right voting during the extended periods of government formation was on the rise. As in many other West-European countries the left-right dimension is well reflected in the fragmented Belgian party landscape, leading to relatively large ideological coherence within parties. Of course this tentative explanation needs to be backed up by further research that focuses not so much on the degree of party unity but rather on the diverse pathways towards it.

Our analysis of the recent institutional crisis in Belgium leads to the expectation that extended periods of government formation in other countries will not lead to fundamental changes, but rather small adjustments of the power balances between the executive and the legislative branch of government that have gradually developed over time. In recent decennia parliaments have seen their position in relation to governments weakened and the temporarily absence of a government without full powers does not bring back the strong European parliaments of the 19th Century (see also Pilet, 2012).

The fact that differences between normal and exceptional periods are relatively modest suggests that executive dominance does not only come about because of the need for unitary action on the part of coalition parties, but that it is also part of a parliamentary tradition that does not change completely when power relations shift.

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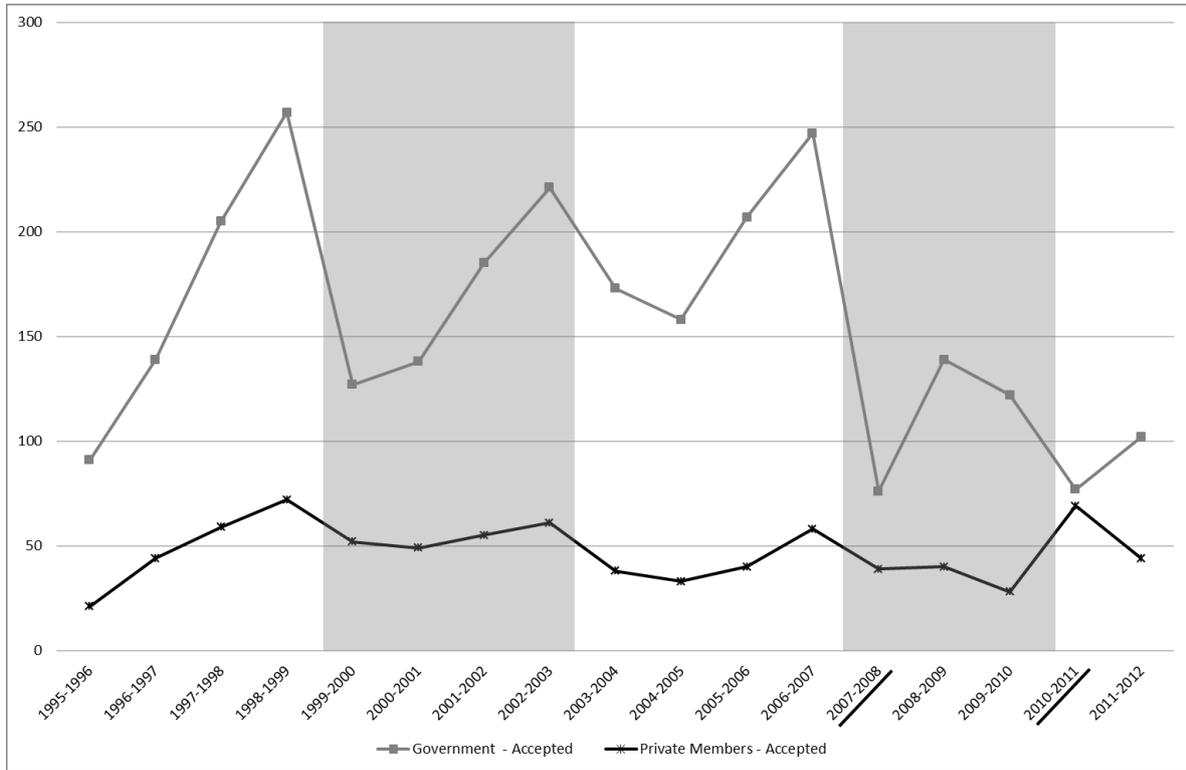
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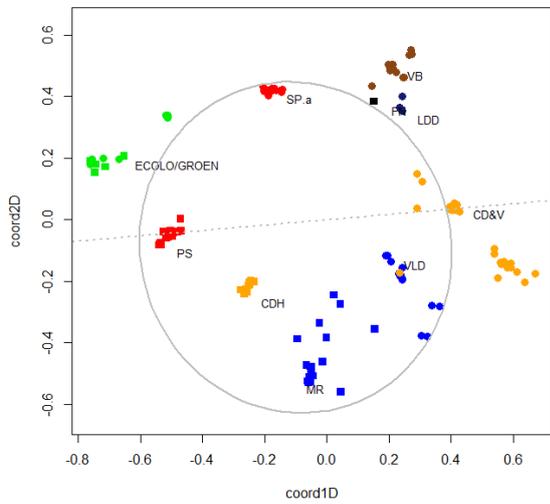
## Tables and Figures

**Figure 1: Number of laws accepted (1995-2012)**

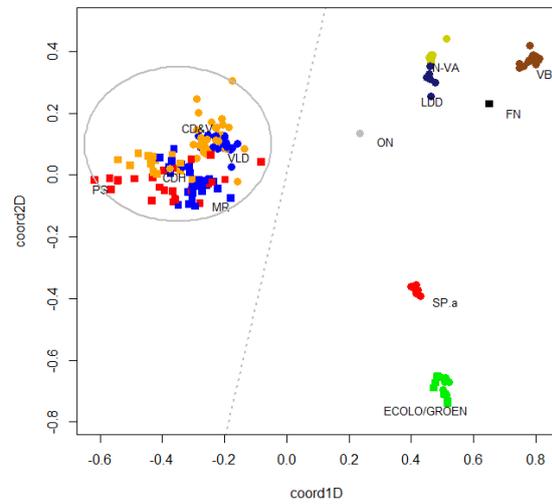


Note: Shading denotes the different parliamentary periods; the underlined years correspond to the exceptional periods. The figures for special sitting periods, which occur when elections are held mid-way a parliamentary sitting period, have been added to the previous parliamentary year.

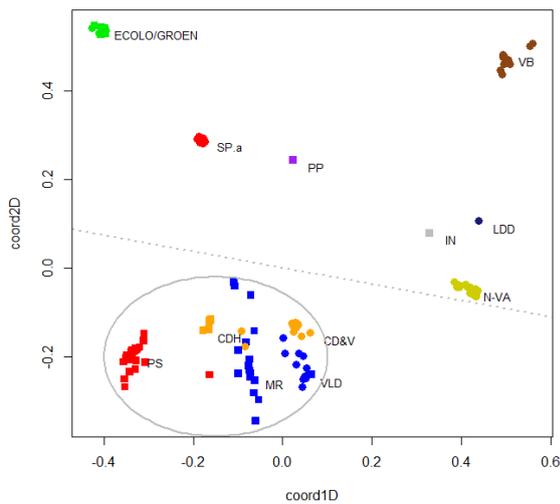
**Figures 2a-d: MPs ideal points based on roll call voting behaviour**



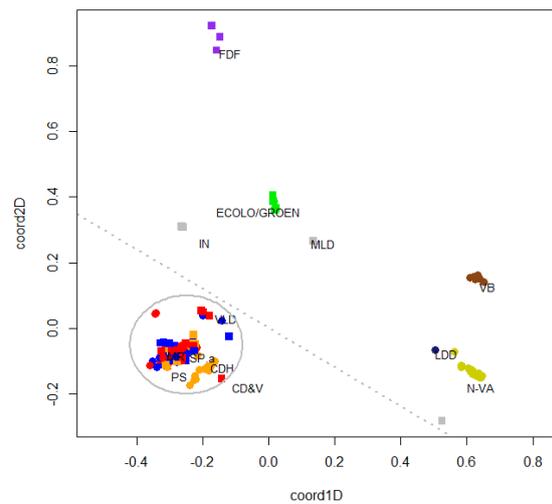
a. 52<sup>nd</sup> Parliament Formation Period (2007)



b. 52<sup>nd</sup> Parliament Normal Period (2008-2010)



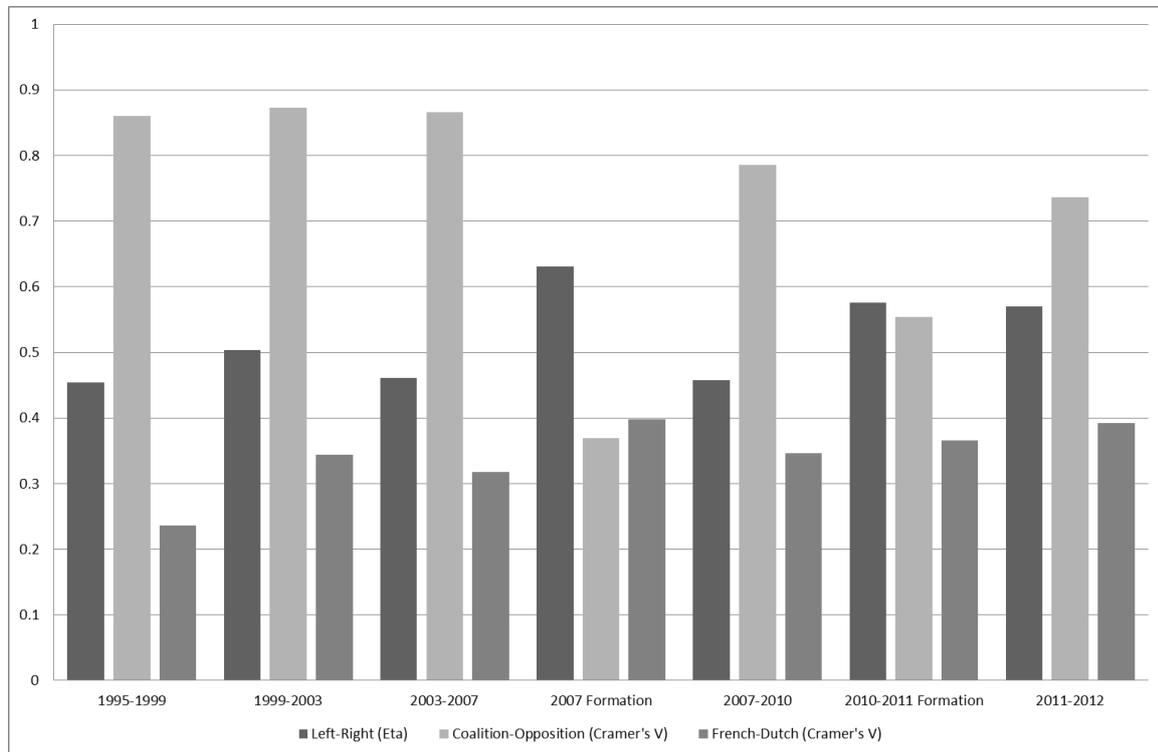
c. 53<sup>rd</sup> Parliament Formation Period (2010-2011)



d. 53<sup>rd</sup> Parliament Normal Period (2011-2012)

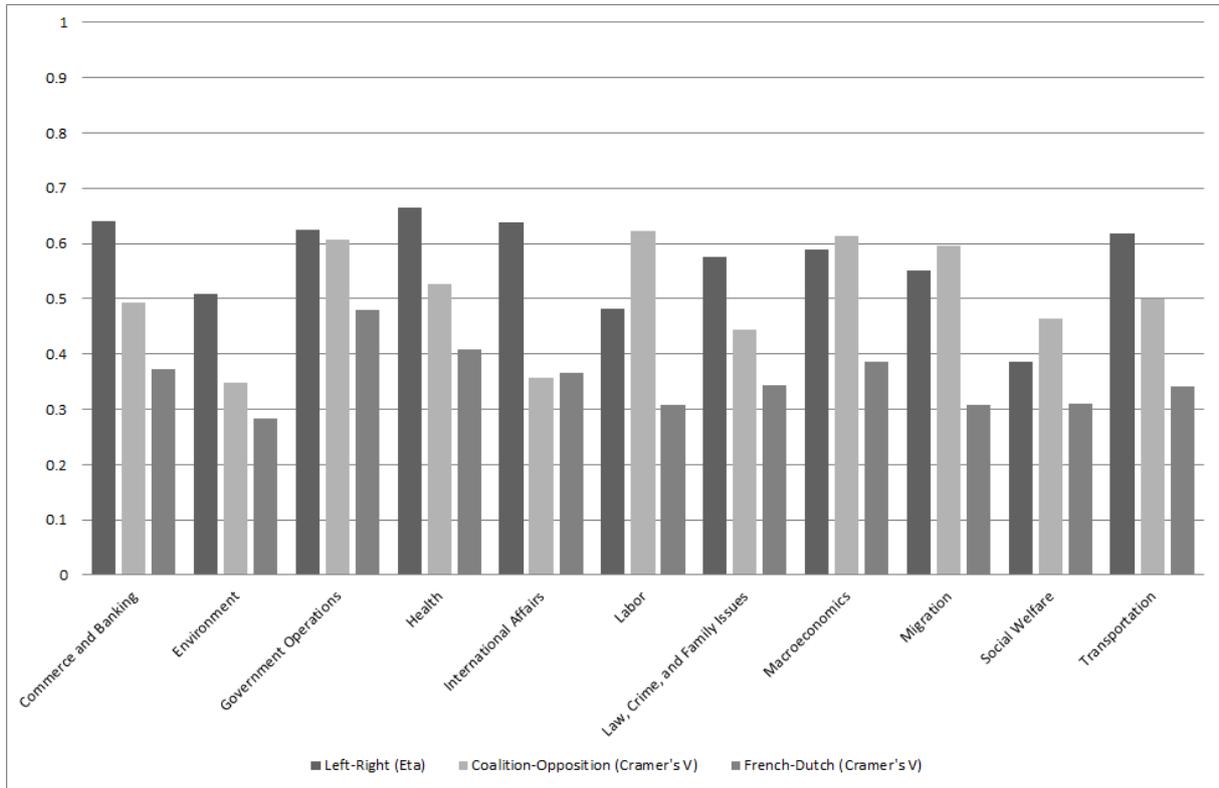
Note: Each dot represents one MP, colour-coded by party. Round dots are for Dutch-speaking MPs, square dots for French-speaking MPs. The grey dotted line indicates left-right positions, the solid circle contains the government parties (for the formation period this is the outgoing government). For the 2007-2008 period, the formation phase is defined as the period between June and the end of December, when an interim government was formed. The normal period runs from December 2007 to May 2010.

**Figure 3: Average associations between voting behaviour and policy, power and language (per period)**



Note: periods marked with 'formation' are the 'exceptional' periods. The number of votes per parliamentary period is as follows: 1995-1999: 1810, 1999-2003: 1822, 2003-2007: 1281, 2007 Formation: 62, 2007-2010: 659, 2010-2011 Formation: 291, 2011-2012: 308.

**Figure 4: Average associations between voting behaviour and policy, power and language in the 53<sup>rd</sup> parliament (June 2010 - December 2011) (per issue)**



Note: Graph includes the 11 of 21 categories in which at least ten roll call votes were held.

**Table 1: Agreement index of roll call voting in the Belgian Chamber of Representatives**

	<b>1995- 1999</b>	<b>1999- 2003</b>	<b>2003- 2007</b>	<b>2007 Formation</b>	<b>2007- 2010</b>	<b>2010-2011 Formation</b>	<b>2011- 2012</b>
CDH	0.984	0.952	0.931	1.000	0.995	0.996	1.000
CD&V	0.994	0.967	0.943	0.985	0.995	0.997	1.000
LDD				1.000	0.971	-	-
Ecolo/Groen	0.988	0.975	0.996	0.989	0.992	0.998	0.996
FDF							0.997
FN	1.000	-	-	-	-		
VLD	0.940	0.986	0.991	0.997	0.994	0.996	0.999
MR	0.985	0.985	0.993	0.983	0.990	0.991	1.000
N-VA			-		0.976	0.991	0.999
PS	0.983	0.986	0.993	0.996	0.989	0.995	0.994
SP.a	0.993	0.991	0.990	0.993	0.949	0.995	0.999
VB	0.987	0.990	0.991	0.978	0.991	0.993	0.998
VU	0.965	0.783					
<i>Mean</i>	<i>0.982</i>	<i>0.955</i>	<i>0.978</i>	<i>0.991</i>	<i>0.984</i>	<i>0.995</i>	<i>0.998</i>

Note: Parties that only gained one MP and independents have been excluded (a dash (-) indicates that a party only had one MP during that period). CD&V and N-VA formed one parliamentary party group (PPG) between June 2007 and September 2008; CD&V figures refer to this combined PPG. The 2003-2007 figures for SP.a refer to the SP.a-Spirit cartel. Ecolo and Groen have formed a single PPG since 1999, the 1995-1999 figure is the average of the two parties.

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<sup>i</sup> In the US context, scholars have partly overcome this problem by focussing on so-called lame-duck sessions in Congress. These exceptional sessions after the election but before the start of the new term allow to study the individual behaviour of Congress members that were not re-elected (cf. Jenkins and Nokken 2008; Rothenberg and Sanders 2000).

<sup>ii</sup> In the French speaking part of Belgium the government is often labelled as being ‘*démissionnaire*’, a term that is also commonly used in the Netherlands.

<sup>iii</sup> Furthermore, in 2010-2011 the coalition had still a majority on the national level, but only 30 seats left (out of 88) on the Flemish side, which limited its legitimacy to take new initiatives. Also the Leterme government had no a majority on the Flemish side, but it lacked only a few seats (41 out 88).

<sup>iv</sup> Besides Flanders and Wallonia, the two largest regions in terms of population (60% and 30% respectively), Belgium also consists of a third region: the bilingual capital Brussels (10%).

<sup>v</sup> These models were run using the IDEAL function in the PSCL package in R. We ran 50,000 iterations, with a 200 thinning interval.

<sup>vi</sup> This method is called property fitting. The lines are estimated by regressing MPs left-right positions on their positions on the two IDEAL dimensions. The slope of the line plotted in the figure equals the ratio of the unstandardized regression coefficients (see Louwerse, 2011, p. 88).

<sup>vii</sup> The Agreement Index (AI) is calculated as follows:

$$AI_i = \frac{\max\{Y_i, N_i, A_i\} - \frac{1}{2}[(Y_i + N_i + A_i) - \max\{Y_i, N_i, A_i\}]}{(Y_i + N_i + A_i)}$$

where  $Y_i$  is the number of ‘yea’ votes,  $N_i$  is the number of ‘nay’ votes and  $A_i$  is the number of abstentions (Hix, Noury, & Roland, 2005, p. 215).

<sup>viii</sup> Over the whole 1995-2011 period, 94% of the governments-initiated bills and only 9% of Private Member bills were passed by parliament. This success rate was hardly changed during the exceptional periods.

<sup>ix</sup> We have also estimated models for the 49<sup>th</sup>, 50<sup>th</sup> and 51<sup>st</sup> parliaments (not displayed for reasons of space). The patterns of parliamentary voting behaviour in these periods are similar to those of the ‘normal’ periods in the 52<sup>nd</sup> and 53<sup>rd</sup> parliament.

<sup>x</sup> As we study a population of votes (and legislators) during a parliamentary period, it is strictly speaking not necessary or meaningful to calculate the statistical significance of these indicators. One might, however, argue that the actual votes form a (partly) random subset of all potential votes that could have been taken. Therefore, we do report difference-of-means significance tests for our indicators of government-opposition voting, language voting and left-right voting.