

## **Introduction**

Which legislative activities in the EP are ‘pluralistic’ – i.e. undertaken by all Members of the European Parliament (MEPs), irrespective of legislative and electoral status? What type of parliamentary activity – if any – is dominated instead by party leaderships or vote-seekers in the European Union? This article advances our knowledge of legislative politics in the EU by determining whether its legislature conforms to legislative behaviour trends of established representative democracies.

The analysis focuses on a comparison of ‘supplementary’ legislative activities in the EP. MEPs have at their disposal a series of legislative activities: voting on legislative and non-legislative proposals, holding rapporteurships or draftmanships, writing amendments, delivering speeches, tabling motions and written declarations, as well as engaging in parliamentary questioning. ‘Ordinary’ activities, such as roll call voting or drafting reports/amendments, are all intimately concerned with policy outputs: these are the activities that are expected to be heavily party-whipped. MEPs can, however, also engage in activities not immediately related to the policy adoption stage, such as parliamentary questions, speeches, motions and declarations (Corbett et al. 2011; Hix and Høyland 2011). These vary in the procedural hurdles they impose, and they are overlooked in the literature on the European Parliament and in the legislative behaviour literature more broadly. This study thus advances our knowledge on the properties and functions of these ‘supplementary’ parliamentary activities. These activities offer

sufficient procedural variation to test the hypothesis that more ‘resource-intensive’ – and thus more visible – activities are less pluralistic and more likely to be monopolised by vote-seekers or highly ranked party members (Hall 1996; Mayhew 1974 [2004]). This is because, due to their high information, opportunity and transaction costs, these activities are expected to get more electoral attention, being highly competitive and in ‘scarce supply’.

Furthermore, investigating the use of supplementary parliamentary activities in the European Parliament could have implications for the study of intra-party politics. This strand of research has traditionally relied on roll call vote analysis. Since roll call votes display very high levels of party cohesion in parliamentary democracies (Hix 2002; Thomassen 1994), alternative data sources are needed to investigate intra-party conflict. This is even more pressing in the context of the European Parliament where not all roll call votes in the EP are recorded, and requests to record a vote are non-random and usually strategic (Carrubba et al. 2006; Finke 2014; Hug 2009). This analysis, therefore, indicates some alternative instrument(s) to assess intra-party politics.

Finally, investigating participation patterns in parliamentary activity also addresses important transparency concerns over how, to what end and by whom resources are used in the EP. Supplementary legislative activities are increasingly taking a significant portion of MEPs’ time. During the EP7 (2009-2014), each MEP averaged 80 written questions, 33 motions, and 180 between debates and one-minute speeches. Written

parliamentary questions have even garnered commentary from the EU Commission, because of their ‘considerable administrative costs’ (OJ-C-81-E 2014).

This article compares written questions, oral questions, motions, written declarations, questions for question time and debates/one-minute speeches. The study’s comparative design is also an innovation with respect to the existing literature. The article first describes the variation in the procedural constraints of each supplementary activity in the European Parliament, secondly, it analyses authorship patterns, by modelling activity counts of individual MEPs through a multilevel negative binomial regression. The analysis relies on a new comprehensive dataset covering MEPs’ participation in various forms of parliamentary questions, speeches, written declarations and motions submitted by each MEP serving during the 7th European Parliament (2009-2014).

The study finds that written parliamentary questions are the only supplementary activity that approaches full ‘pluralism’ – i.e. which is authored by all MEPs irrespective of legislative rank or demographic. In particular, they are not being monopolised by vote-seekers, frontbenchers or otherwise high-ranking MEPs. This is also somewhat true for questions for question time and written declarations, though their overall low participation rates impede a precise analysis of participation rates. Moreover, there is evidence that procedural ‘hurdles’ lead to domination by vote-seekers and frontbenchers, even in the ‘second-order’ EP legislature.

Because of their representativeness of various legislative profiles, written questions can be considered an appropriate instrument to analyse intra-party conflict in the EP. The sensitivity analysis further highlights that written questions are the only supplementary activity whose authorship patterns are not impacted by the election year. This is evidence that written parliamentary questions are also immune to electoral/campaigning pressures. It can be concluded that written parliamentary questions are an important avenue for individual MEPs' autonomous action. Their 'considerable' processing costs are borne out to grant an expressive outlet to each individual legislator, free from party whips, electoral and frontbenchers' pressures.

### **The Impact of Transaction and Opportunity Costs for Legislative Participation Patterns: Theory and Lessons from the Literature**

Theories of legislative behaviour, borrowing from rational-choice theory, often treat legislators as utility-maximisers, and hypothesise that MPs are more likely to engage in a legislative activity when participation costs are low. In recognition to the constraining role of institutions, such scholarship has further recognised that different legislative activities carry different information, transaction and opportunity costs. Different parliamentary activities are therefore expected to attract different types of legislators, having different levels of tolerance for such costs (Ferejohn and Fiorina 1975; Hall 1996; Mayhew 1974 [2004]; Shepsle and Bonczek 1997).

Legislators' types are usually condensed into the 'show horse' vs. 'work horse' dichotomy – the first supremely concerned about status and electoral success, the latter about policy (Payne 1980). Vote-seekers and/or high-status legislators (the 'show horses') dominate resource-intensive activities – whose participation is more competitive and hence more visible – because they are able to face such opportunity and transaction costs (Hall 1996; Mayhew 1974 [2004]). High constraints are thus hypothesized to incentivise non-representative participation patterns, hindering 'pluralistic' participation. Activities that are comparatively more difficult to table attract the interest of the leadership who wants to exploit constrained activities for maximum electoral impact.

The literature expects frontbenchers to monopolise costly activities primarily because they are responsible for the party's electoral fortunes and image (Hall 1996). Party leaderships were formed to counteract collective action problems in political parties, and, more specifically, to avoid electorally costly party splits and programmatic lack of clarity (Dewan and Myatt 2007, 2008). Party leaders thus primarily attend to electoral imperatives rather than to policy imperatives. Studies of intra-party policy positioning, for example, highlighted that party leaders are less ideologically committed than party activists, and advertise more moderate, centripetal policy preferences (Stokes 1999; Strøm 1990; Ware 1992). Frontbenchers have an interest to manage and control highly mediated and/or resource intensive parliamentary activities because, being such

activities in short supply, even the smallest blunder could do damage to the party label. By limiting backbench involvement, frontbenchers can thus better achieve control of the party brand (Proksch and Slapin 2012).

Other high-ranking party members – such as committee chairs, for example – are hypothesised to monopolise ‘costly’ parliamentary activities because of their superior informational and institutional resources, which render any opportunity and transaction cost minimal. Electorally marginal members or ‘simple’ vote-seekers are instead hypothesised to self-select into such activities in spite of the costs and institutional barriers in order to benefit from their higher visibility and potential electoral returns. To summarise:

*H1*: the higher the procedural constraints of a parliamentary activity, the higher the domination by frontbenchers.

*H2*: the higher the procedural constraints of a parliamentary activity, the higher the domination by committee chairmen.

*H3*: the higher the procedural constraints of a parliamentary activity, the higher the domination by vote-seekers.

Several applied studies of legislative participation have investigated the involvement of party leaders and ‘vote-seekers’ to determine the nature of a particular legislative

activity. This literature highlights that speeches, oral questions and questions for question time are mostly tabled by high ranking party members and electorally marginal members of parliament (Blidook 2010; Franklin and Norton 1993; Hill and Hurley 2002; Proksch and Slapin 2012; Rasch 2011; Russo and Wiberg 2010; Slapin and Proksch 2010; Soroka et al. 2009; Wiberg 1995). High status and electoral marginality were also found to be a factor in the tabling of private member bills and of early day motions (Bowler 2010; Bräuninger et al. 2012; Kellermann 2013). Similar studies find that written questions are instead not associated with either frontbenchers or electorally marginal members (Dandoy 2011; Jensen et al. 2013; Lazardeux 2005; Rush and Giddings 2011). This literature, however, only investigates participation in legislative activities in isolation, and models activities differently. Moreover, lacking a comparative design, the extant studies are unable to fully examine the role of procedural incentives in explaining different participation patterns.

The EP-specific literature on parliamentary questioning, motions and written declarations is also limited. Most academic studies are in fact focused on speeches or roll call votes (Hix et al. 2007; Hug 2009; Proksch and Slapin 2009; Slapin and Proksch 2010). Some studies have analysed parliamentary questioning in the European Parliament, however, their aim was to gauge the extent to which the EP is an informational legislature, i.e. whether parliamentary questioning fosters specialisation and information-acquisition (Bowler and Farrell 1995; Proksch and Slapin 2010;

Raunio 1996). No study to date has looked at EP supplementary activities in comparison, nor examined which of these legislative activities are ‘selective’ – i.e. monopolised by high-ranking or vote-seeking members (Hall 1996), nor investigated the procedural characteristics that lead to different degrees of ‘selectiveness’. This article addresses these gaps.

Legislative activities differ in the degree to which they impose participation costs on individual MEPs. The window of opportunity that each activity bestows on individual MEPs can be preliminarily gauged by the procedural constraints they impose (Hall 1996). Therefore, the article first ‘ranks’ legislative activities of the EP according to their procedural constraints. Subsequently, it models participation rates for each activity separately, and thereafter compares the regression results across legislative activities.

## **Analysis**

### ***Ranking Supplementary Activities on their Procedural Constraints***

EU procedures have protected the right of assembly members to question the European executive branch since the Treaty of Rome (Art 140). Additional supplementary activities recognised in EU treaties and EP rules of procedure are one-minute speeches, debates, motions and written declarations. There are three types of parliamentary questions that MEPs can table: questions for oral answer, questions for written answer and questions for question time (EU 2010: Title IV Chapter 3). The latter types are



however heavily regulated since they can only be asked during plenary – and therefore televised since plenary meetings are formally public (Corbett et al. 2011:191) –, have constraints on number and length, and are pre-screened by the President (question time) or by the President together with the Conference of Presidents (questions for oral answer).

*Questions for oral answer* can only be tabled by a committee, an EP party group or at least 40 MEPs. They have no secure time slot during the plenary debate and hence they are accompanied by a request to be included in the plenary agenda. If the request is not accommodated within three months the question will simply lapse. The Commission will be notified one week in advance, while the notice to be given to the Council is three weeks. Oral questions lead to a debate and possibly to joint motions for resolutions if a committee, a party group or 40 MEPs wish to draft one (EU 2010: Rules 110, 115).

*Questions for question time* can be tabled by an individual MEP but need formal approval by the EP President to be scheduled. They are answered during the 90-minutes time slot reserved for question time in the plenary. Each MEP can only table two per month maximum (one a month to each institution), and the notice to be given to the Commission or the Council is one week. The relevant European executive body is then required to answer the questions during the QT slot in the plenary. Question answers can be bundled up when the topic is similar. If the questioner is absent, the question

shall lapse and receive no answer. If time is not sufficient, the question will be answered in writing (EU 2010: Rule 116 and Annex II).

*Questions for written answer* have comparably fewer constraints for MEPs than oral questions and questions for question time. They can be tabled by individual MEPs who can draft as many as needed, and do not require notice periods. The responsibility for their contents lies with the individual MEP: the President has the mere administrative function of delivering them to the appropriate Commission's Directorate General (DG) or Council configuration. The Commission and the Council shall answer within 21 days, a limit that can be further extended to 42 days. Should this period lapse, the question will be answered in the relevant committee's meeting (EU 2010: Rule 117). They are published online but are not asked during the plenary, and hence are relatively less visible.

*One minute speeches* are delivered by an MEP whose request for the floor to the EP President has been successful. The President is required to ensure ideological and nationality-based proportionality when allowing such requests. Other than time limits, this type of activity has slight topic constraints as the one-minute speech must relate to the topics dealt with in the sitting in question (Corbett et al. 2011:191-203; EU 2010: Rule 149).

*Debates* include legislative and non-legislative debates which originate from the relevant committee reports, after these are presented in the plenary or from oral questioning procedures and EU executive statements. Speaking time is limited and allocated to political groups proportionally to their size, after a 'baseline' equal amount of speaking time has been granted to every group. The speaking time agenda for each debate is drafted by the President and the Conference of Presidents and approved by the plenary. Members selected to speak cannot depart from the subject (EU 2010: Rule 149). The amount of group speaking time to be used by each MEP is decided by their group. Usually groups devolve all their allocated time to the relevant spokespersons but others also try to set aside time to other members after spokespersons have been given the floor (Corbett et al., 2011: 197-198, 214-315).

*Motions for resolution* can be tabled by individual members. There is no limit on how many can be tabled but they must not exceed 200 words. A motion is then forwarded to the responsible committee. This body can decide whether to ignore it, include it in a relevant report or use the motion to initiate a non-legislative, 'own-initiative' report. Motions can also be requested after a debate. When requested after a debate, they need to be tabled by a committee, 40 MEPs or a political group and they are called 'joint motions for resolution' (EU 2010: Rules 115, 120).

*Written declarations* can be tabled by individual MEPs up to a maximum of five MEPs. There are no limits on the number that an individual can submit but they must not

exceed 200 words or deal with issues that are subject to an on-going legislative process. They need the approval of the President to be placed in the register, where they are recorded in order to gather signatories. If the majority of MEPs does not sign, a declaration will lapse. If it gains sufficient signatures it is published in the minutes as an adopted text and forwarded to the EU executives (EU 2010: Rule 123; Groffen and Lehmann 2011).

[TABLE 1 ABOUT HERE]

Table 1 summarises the procedural constraints of supplementary parliamentary activities. Written parliamentary questions and motions are among the least visible and the least constrained activities. At the procedural level, therefore, they seem to differ from all other activities available to legislators in the EP in that they do not require the same institutional resources or carry the same electoral weight. They are thus expected to grant more opportunities to individual initiative than all other activities analysed. Although on public record, they are less formal than all other activities and, therefore, they are expected to be less 'selective', i.e. less exclusive in their participation patterns (Hall 1996 : 30 , 52 & 86-110). Below, a multilevel negative binomial regression model tackles this issue more directly by testing whether there usage of these activities differs systematically by legislator profile.

### *Quantitative Analysis: Comparing Legislative Activities' Participation Patterns*

This section will examine which legislative activities are mostly dominated by prominent members of EP7 political parties and/or by vote-seekers. A dataset of each MEP's legislative records during the 2009-2014 period will be used to determine the involvement of frontbenchers, committee chairs and prospective candidates in each 'input stage' or supplementary activity.

The total number of written questions, oral questions, questions for question time, one-minute speeches/debates, motions and written declarations submitted by each MEP during the 2009-2014 legislative period was scraped from the official website of the European Parliament. Debates and one-minute speeches are merged together in the following analysis because the European Parliament register records them together, and it was impossible to separate them.

The activity count for each EP7 MEP is the dependent variable, which is over-dispersed. A negative binomial (NB) regression model is applied here to model the over-dispersed count data, except for questions for question time whose extreme zero-inflation problem was accounted for by using a logistic regression model.<sup>1</sup> The exposure – capturing the log number of months served by each MEP during the EP7 – was added to the model in order to account for members that were incoming or outgoing, which in the EP7 were 186 in total (13% of seats in the EP7 were substituted). A multilevel

modelling approach was adopted because of the hierarchical nature of the data. MEPs are in fact clustered by party and member state, making it necessary to control for possible country and party effects that are not modelled directly.

The first key independent variables is *Frontbencher*. The variable measures whether the MEP was a member of the party and EPG leaderships (1) or not (0) at any time during the 2009-2014 term. Party leaders in the EP are usually members of the European Party Group (EPG) bureau. If an MEP was member of the EPG bureau, but not a spokesman, vice-chair or chair, he/she was assumed to be the national delegation leader. This is because EPG bureau is variously composed of national party leaders, EPG chairs, vice-chairs, spokespersons or group coordinators. The information was triangulated with information from EPGs' official websites and secretariats and from Corbett et al. (2011). While national parties are undoubtedly the most important principal of MEPs, being the gatekeepers of candidatures to European elections (Marsh 1998; Reif and Schmitt 1980) and the key drivers of EP party group discipline as well as party switching among MEPs (Hix et al. 2007; McElroy and Benoit 2010; Ringe 2010), the role of EPGs has to be taken into account as well. Measuring frontbencher status only taking into account national party leaders is too restrictive. As a result of this operationalisation, 36% of MEPs in the dataset were frontbenchers. If frontbenchers use an activity more than backbenchers, it can be inferred that the activity is non-representative of the entire party – or 'selective' – and possibly vote or office oriented.

The second key independent variable of the model is *Committee chair*. This variable measures whether the MEP chaired an EP committee (1) or not (0) at any time during the 2009-2014 term. This should provide additional evidence on the selective nature of a parliamentary activity. Committee chairmanships are decided by EP party groups and it is unlikely that a rebel will be selected as chair, since party loyalty plays a significant role in EP committee assignments (McElroy 2001). Moreover, relevant policy expertise or knowledge is an important requirement to be nominated as a chair (Corbett et al. 2011:147-151). Committee chairs have, therefore, a prominent legislative role in the EP and a great deal of policy information, given their expertise and frequent contact with European executives (Corbett et al. 2011:142, 241, 350). They are influential members within the EP (Hausemer 2006). Legislators occupying these posts may also be leadership loyalists: it is likely that their over-representation in an activity would make it unrepresentative of the population of EP legislators. The data were collected from the personal pages of MEPs scraped in April 2014 from the EP official website. 4% of MEPs were committee chairs. If committee chairs use an activity more than non-chairs, it can be inferred that the activity is non-representative of the entire party – i.e. ‘selective’.

The third key independent variable is *2014 Candidate*. This captures whether an MEP serving in the 7th term of the EP (2009-2014) was then a candidate in the subsequent 2014 election. The data for this variable have been provided by Professor Gail McElroy

and was collected from 2014 EP elections' candidate lists. In the literature vote-seeking legislators are often captured by measuring their district competitiveness or as the distance between the legislators' vote and the relevant electoral threshold (Andre et al. 2015; Lazarus 2009; Olivella and Tavits 2014). These measures are difficult to retrieve in the context of EP elections, where individual legislators are all elected via party list electoral rules, and where thresholds and districts vary in each country. Whether the MEP was a candidate in the subsequent EP election was deemed a reasonable approximation of individual level vote-seeking incentives. If candidates use an activity more than non-candidates, it can be inferred that the activity is vote-seeking and serve campaign/electoral goals.

Control variables include authors' characteristics that could impact both activity volumes and the likelihood of being a prominent member of the party or a 2014 candidate. Some party level covariates were also added to account for possible party characteristics that might impact activity counts. The control variables are *Seniority*, *Female*, *Number of Assistants*, *Party Europhilia*, *Party Size (Weighted)* and *Party Months in National Government*.<sup>2</sup> Possible effects due to ballot types, district magnitudes and domestic legislative procedures were also tested in order to determine whether they could explain the modelled country effects. However, none of these covariates was statistically significant and their exclusion from the following models – for reasons of parsimony – does not change the results.<sup>3</sup>



*Seniority* is measured as the number of months the MEP has worked in the EP from its establishment date in 1979. The variable theoretically ranges from a minimum of one month to a maximum of 420 months. It controls for the effect of seniority on both the likelihood of being a ‘show horse’ and the propensity to differently engage in legislative activities. Data on MEPs’ seniority were retrieved from the personal pages of MEPs, scraped from the EP official website in April 2014, before the EP website change after the May 2014 elections.

*Female* is a dummy variable that takes the value 0 when the MEP is male and 1 when the MEP is female. It controls for the effect of gender on both the likelihood of being in leadership positions and on the potential differences in legislative participation. Data on MEPs’ gender were collected from the personal pages of MEPs, scraped from the EP official website in April 2014, before the EP website change after the May 2014 elections.

*Number of Assistants* captures the absolute number of both local and Brussels-based assistants working for the MEP. It controls for the effect of higher resources on both the likelihood of being a prominent party member and of legislative participation. Data on MEPs’ assistants were gathered from the personal pages of MEPs, scraped from the EP official website in April 2014, before the EP website change after the May 2014 elections.

*National Party Size (Weighted)* is measured by weighting the number of EP7 seats won by the MEPs' national party with the proportion of EP7 seats won by her EPG. Theoretically, the variable ranges from 0 to 99, since 99 is the maximum number of seats a national party could win and 1 represents the totality of EP7 seats. The data was compiled from the EP official website section 'In the Past'.<sup>4</sup> It controls for the likelihood of prominent legislators to come from bigger delegations of big EPGs and for the higher legislative resources of bigger delegations in bigger EPGs, which could boost legislative activity due to superior resources.

*Party Europhilia* is measured as the sum of pro-European quasi-sentences minus the sum of anti-European quasi-sentences in the party 2009 EP elections manifesto. Some studies have highlighted how eurosceptic actors have the incentive of being more active in supplementary activities, as they rarely manage to hold key policy-making positions (Proksch and Slapin 2010). This variable thus attempts to explain possible between party variation, and it controls for the possibly higher legislative activism of eurosceptics in supplementary activities. The variable was collected from the EES 2009 Manifesto Study (variable *pro\_anti\_EU*). It theoretically ranges from -100 (extreme eurosceptic) to +100 (extreme europhile).

*Party Months in National Government* is measured as the number of EP7 months the national party was part of the national executive. It ranges from 0 (consistently in

opposition) to 60 (consistently in government). The variable controls for the different propensity for legislative activism of opposition members.

### ***Results***

Simple descriptives of the data (see Figure 1 below) highlight that frontbenchers deliver on average 3% more written questions, 15% more speeches, 50% more oral questions, and 2.4 times more motions than backbenchers, while there is no change in question time and written declarations participation medians. Similarly, prospective candidates submit on average 19% more written questions, 42% more speeches, 25% more oral questions, 43% more motions than non-candidates, while there is no change in question time and written declarations involvement. The regression below (table 2) tests the significance of these descriptive differences in a controlled comparison at the individual level.

[FIGURE 1 ABOUT HERE]

[TABLE 2 ABOUT HERE]

The regression analysis reveals that the involvement of either frontbenchers, committee chairs and prospective candidates is statistically significantly higher than the involvement of backbenchers, non-chairs and non-candidates in the case of speeches (candidates), oral questions (frontbenchers and committee chairs) and motions

(frontbenchers and candidates). By comparison, written questions, questions for question time and written declarations do not show any statistically significant over-involvement of either legislative ‘show-horses’ or vote-seekers.

More precisely, frontbenchers table 57% more oral questions and almost twice as many motions than backbenchers. Frontbenchers are as likely as backbenchers to submit a written question, a question for question time or a written declaration as well as to deliver a speech. Committee chairs deliver almost three times the amount of oral questions than non-chairs. They deliver instead 34% less speeches and 38% less written questions. Committee chairs are as likely as non-chairs to table motions, questions for question time or written declarations. As far as committee chairmanship is concerned, we would expect lower involvement of these legislators across the board in supplementary activities, given their privileged access to EU executives and their high time constraints. Finding some (question time, motions and written declarations) or higher involvement (oral question) of committee chairs means that those activities are highly selective. Moving to the third key independent variable, candidates in the 2014 EP election delivered almost 30% more speeches than non-candidates and to table 51% more motions during the EP7. Candidates and non-candidates participated equally in written questions, oral questions, questions for question time and written declarations.

Moving on to individual-level control variables, it appears that seniority only matters for motions, gender matters for oral questions and written declarations, while the

number of assistants appears unrelated to legislative activities' counts. In particular, each additional month served in the EP leads to 0.4% more motions tabled (meaning MEPs having served an additional legislative term table 24% more motions), which could further highlight that motions require high political and institutional capital. Gender also seems to matter for some activity counts. Female MEPs table 26% more oral questions than males, as well as 32% more written declarations. This might imply that oral questions and written declarations may serve important electoral and/or institutional visibility functions, given the reported electoral bias against women (Fulton 2012).

Party effects are accounted for by party characteristics only for some activities. Parties that are more supportive of European integration are over-represented in oral questions, motions and in written declarations. In particular, each additional unit in the 200-point party Europhilia scale leads to 3% more oral questions, 4% more motions and 1% more written declarations tabled. Party size and party government status do not seem to matter for activism in supplementary activities. The underrepresentation of eurosceptic parties runs counter to expectations and it highlights that oral questions, motions and written declarations censor the expression of certain attitudes and cannot be used to study the entire population of political parties in the EP legislature.

From a review of the findings, it appears that hypotheses 1-3 are somewhat confirmed. Written questions – the least 'costly' activity – are not dominated by either high ranking

party members or vote-seekers. If anything, they underrepresent committee chairs. No other covariate is statistically significant, highlighting how this particular parliamentary activity has virtually no participation pattern: MEPs engage in written parliamentary questioning irrespective of their demographics, attitudes or legislative roles. Oral questions and speeches – among the activities with higher transaction costs – are instead heavily dominated by vote-seekers (in the case of speeches) and high ranking party members (in the case of oral questions).

There is evidence, however, that runs against the expectations: speeches' underrepresentation of committee chairs and equal representation of frontbenchers and backbenchers is inconsistent with the theory and with previous literature on speech participation (Proksch and Slapin 2012). The particular finding from this analysis might be explained by the necessity to collapse debates with the slightly less constrained one-minute speeches. Similarly, the over-representation of frontbenchers and prospective candidates in motions – one of the least procedurally constrained supplementary activities – runs counter to the expectations, as well as the absence of participation patterns in questions for question time.

These inconsistencies, however, might also be due to adopting an aggregate ranking of constraints, without qualitatively discriminating among procedural constraints. It appears, for example, that the question for question time procedural restriction on numbers to be tabled per month might result in an equalising effect instead.

Looking at procedural constraints in isolation, it appears that parliamentary activities subject to the procedural requirement of group-sanctioned participation (oral questions and, to some extent, motions) lead to the over-involvement of frontbenchers and otherwise high ranking party members (e.g. chairs or seniors). The requirement of plenary performance equally has a ‘selectiveness’ effect: it incentivises in particular vote-seeker domination (with the exception of questions for question time). Topics, length and notice period requirements, as well as the requirement for Presidential approval, seem to play inconsistent roles. The restriction on numbers, as noted above, seems to help pluralism instead.

To summarise, written questions and questions for question time do not show any particular usage patterns and appear to represent all legislators and political parties, except for written questions under-representing committee chairs. In contrast, speeches over-represent prospective candidates, indicating that they might be essential to electoral success. Oral questions over-represent frontbenchers, committee chairs, women and Europhiles. Oral questions are ‘show-horse’ activities and appear to be strong candidates for ‘oversight’ activities of the theatrical/public-confrontation type, given their monopoly by members with high executive access. Motions also seem to require institutional capital. They are the prerogative of the ‘show-horses’, since they over-represent frontbenchers, seniors, prospective candidates as well as Europhiles. Written declarations are not monopolised by the show-horses or vote-seekers, but they

are not fully representative of the universe of EP legislators either, being predominantly tabled by women and parties supportive of European integration.

Written parliamentary questions and questions for question time were found to represent all party roles and, broadly, the legislative chamber in its entirety and function as strongly pluralistic outlets for inputs to the EU policy making process. The pluralism of participation in questions for question time is however offset by their rarity: only 178 MEPs in the EP7 tabled questions for question time and only 25 MEPs submitted more than 10. By way of contrast, 818 MEPs submitted at least one written question and 648 MEPs submitted more than 10.

#### *Sensitivity Analysis: Usage Patterns during the Election Year*

To test the robustness of the conclusions, and to further assess the participation patterns of the various supplementary legislative activities, the same model was tested on activities' counts in the final 12 months of the EP7 legislative term, the 'election year'. Questions for question time had to be dropped from the analysis since no question time happened in the final legislative year of EP7.

Multiple studies have found that facing re-election impacts legislative behaviour by increasing vote-seeking tendencies in legislators (Jones 2003; Mayhew 1974 [2004]). Name recognition, credit-claiming and self-promotion become paramount goals when legislators seek re-election (Cain et al. 1984; Mayhew 1974 [2004]). The election year



should give additional incentives to the show horses to monopolise supply-scarce activities. If written parliamentary questions are not monopolised by the ‘show horses’ when analysing the entire legislative term, but turn out to be used differently when electoral pressures dominate, then the hypotheses of procedural effects on legislative participation patterns may be called into question. If the results hold, the hypotheses on procedural effects could be strengthened instead.

[TABLE 3 ABOUT HERE]

The inferences drawn on written questions remain unvaried. Written questions are unaffected by electoral pressures and still do not over-represent frontbenchers/vote-seekers or any other legislator characteristic. Notwithstanding the electoral pressures on MEPs in the final year of the legislative term, written questions keep being representative of the entire chamber (except for committee chairs, which keep being under-represented), further indicating that vote-seeking is inherently less ingrained in this type of legislative activity.

Conversely, there are some interesting changes in authorship patterns for the remaining activities which further support hypotheses 1-3. In particular, candidates deliver 32% more speeches than non-candidates in the election year, up from 29% in the full sample. This is a strong indication of the predominantly electoral function of speeches. Further, oral questions keep being dominated by frontbenchers, though to a lesser extent (26%

more oral questions than backbenchers in the election year, down from 57% in the full sample analysis), while domination by committee chairs increases (3.5 times more motions than non-chairs in the election year, up from 2.9 times in the full sample analysis). Frontbenchers keep monopolising motions in the election year (down to 60% more motion than backbenchers in the election year, from 93% more in the full sample analysis), while prospective candidates table way more motions during the election year (2.1 times more motions than non-candidates, up from 51% more motion in the full sample analysis). Inferences on written declarations remain roughly unvaried, except for an increase in the involvement of women and of MEPs with more administrative assistants. Figure 2 offers a summary of the conclusions drawn above.

[FIGURE 2 ABOUT HERE]

The split sample analysis is additional evidence that speeches, oral question and motions are tools of the show-horses and the vote-seekers, and that they have different functions than written parliamentary questions, which represent a universal and pluralistic channel of individual MEP efforts. Procedurally constrained supplementary activities participation rates are affected by the electoral cycle in such a way that the ‘show horses’ consistently become involved at even higher rates.

## **Conclusion**

The article examined ‘supplementary’ activities of the European Parliament in order to investigate legislative participation patterns in the EP. The analysis finds an effect of procedural constraints for legislative participation in the EP. This required the establishment of an original dataset on legislative activities counts for each individual legislator, which was scraped from the EP official website. The comparative approach – investigating questioning alongside speeches, motions and declarations – is an innovation over the existing literature.

The results show that there are both pluralistic and vote-seeking activities in the ‘second order’ EU legislature, and that participation patterns broadly conform to patterns found in other established representative democracies. In particular, group and plenary activities seem to galvanize frontbenchers and vote-seekers, which have superior incentives to control such costly and ‘supply scarce’ activities.

Among the supplementary parliamentary activities of the EP, written questions are found to be both the least leadership-dominated and the least procedurally constrained activities. MEPs are thus expected to be freer from leadership pressures in tabling written questions, the implication being that they might feel thus freer to express their individual preferences in them. All other publicly available legislative activities of the EP were found here to be mostly used by the ‘show-horses’, and thus to not differ very

much from roll call voting, in their incentive structures. The study confirms the notion that the more highly constrained activities are monopolised by vote-seekers, frontbenchers or otherwise prominent members of political parties. Given the electoral focus of party leaderships and their role in ensuring party unity, investigating political parties' via leadership-dominated instruments may not ideal for some research aims, e.g. studies of intra-party conflict.

Written parliamentary questions may therefore provide an alternative to roll call vote analysis when the aim is to investigate intra-party politics. Not all roll call votes are recorded in the European Parliament: those that are, are not a random sample of the roll call votes population and often called by EPGs strategically to induce cohesion or expose party disunity in other EPGs (Carrubba et al. 2006; Hug 2009). The high party-cohesion of EP roll call votes (Hix et al. 2007) is also problematic. In addition, written parliamentary questions appear appropriate for studies of political representation more broadly, as they can be used to more accurately measure the internal ideological spectrum of each political party. Due to their more tenuous link with the policy adoption stage, written questions may be particularly appropriate for the evaluation of 'input democracy' – i.e. the representative quality of the EU policy cycle's input stage, considered by many theorists crucial in the assessment of representative democracies (Bellamy 2010; Dahl 1989; Goodin 2003).

Finally, the findings highlight that the increasing administrative costs to the EU to process written questions are borne out to increase *individual* legislators' influence on EU executives and thus to offer a truly pluralistic instrument to MEPs. The recent growth in the tabling of written parliamentary questions indicates that MEPs willingly take on the opportunity to autonomously influence the agenda by using this constraint-free communication channel with EU executives. The increased administrative costs associated with supplementary activities are thus borne out to foster the representation of all legislators, irrespective of their demographic and legislative roles.

## Notes

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1. Diagnostics on the goodness of fit of Poisson, negative binomial and zero-inflated models are available upon request.
  2. Tests reveal no collinearity issue. Variance inflation factors are below 2 and no correlation coefficient is above 0.5.
  3. Results on electoral rules and domestic rules of procedures available upon request.
  4. Available at: <http://www.europarl.europa.eu/aboutparliament/en/009cd2034d/In-the-past.html> Last accessed: 25/11/2017

## References

- Andre, A, Depaw, S, and Martin, S (2015), 'Electoral Systems and Legislators' Constituency Effort: The Mediating Effect of Electoral Vulnerability', *Comparative Political Studies*, 48 (4), 464 - 96.
- Bellamy, R (2010), 'Democracy without democracy? Can the EU democratic 'outputs' be separated from the democratic 'inputs' provided by competitive parties and majority rule?', *Journal of European Public Policy*, 17 (1), 2-19.
- Blidook, K (2010), 'Symbol vs. Substance: Theatre, Political Career Paths and Parliamentary Behaviour in Canada', (Ottawa: Canadian Study of Parliament Group).
- Bowler, S (2010), 'Private Members' Bills in the UK Parliament: Is There an 'Electoral Connection'?', *The Journal of Legislative Studies*, 16 (4), 476-94.
- Bowler, S and Farrell, D M (1995), 'The Organizing of the European Parliament: Committees, Specialization and Co-Ordination', *British Journal of Political Science*, 25 (2), 219-43.
- Bräuninger, T, Brunner, M, and Däubler, T (2012), 'Personal vote-seeking in flexible list systems: How electoral incentives shape Belgian MPs' bill initiation behaviour', *European Journal of Political Research*, 51, 607-45.
- Cain, B. E, Ferejohn, J.A, and Fiorina, M (1984), 'The Constituency Service Basis of the Personal Vote for U.S. Representatives and British Members of Parliament', *The American Political Science Review* 78 (1), 110-25.
- Carrubba, C.J, et al. (2006), 'Off the Record: Unrecorded Legislative Votes, Selection Bias and Roll-Call Vote Analysis', *British Journal of Political Science*, 36, 691-704.
- Corbett, R, Jacobs, F, and Shackleton, M (2011), *The European Parliament* (London: John Harper Publishing).
- Dahl, R.A (1989), *Democracy and its Critics* (New Haven: Yale University Press).
- Dandoy, R (2011), 'Parliamentary Questions in Belgium: Testing for Party Discipline', *Journal of Legislative Studies*, 17 (3), 315-26.
- Dewan, T and Myatt, D P (2007), 'Leading the Party: Coordination, Direction, and Communication', *The American Political Science Review*, 101 (4), 827-45.
- Dewan, T and Myatt, D P (2008), 'The Qualities of Leadership: Direction, Communication, and Obfuscation', *The American Political Science Review*, 102 (3), 351-68.
- EU (2010), 'Rules of Procedure 7th Parliamentary Term - European Parliament', (EU).

- Ferejohn, J.A and Fiorina, M (1975), 'Optimizing Models of Public Decision Making: Purposive Models of Legislative Behavior', *American Economic Review*, 65, 407-14.
- Finke, D (2014), 'Why do European political groups call the roll?', *Party Politics*.
- Franklin, M and Norton, P (1993), *Parliamentary Questions* (Oxford: Clarendon Press).
- Fulton, S. A (2012), 'Running Backwards and in High Heels: The Gendered Quality Gap and Incumbent Electoral Success', *Political Research Quarterly*, 65 (2), 303-14.
- Goodin, R.E (2003), *Reflective Democracy* (Oxford: Oxford University Press).
- Groffen, C and Lehmann, W (2011), 'Written Declarations in the European Parliament. A review of process and impact', (Brussels: European Parliament - Constitutional Affairs Department).
- Hall, R. L (1996), *Participation in Congress* (New Haven: Yale University Press).
- Hausemer, P (2006), 'Participation and Political Competition in Committee Report Allocation: Under What Conditions Do MEPs Represent Their Constituents?', *European Union Politics*, 7 (4), 505-30.
- Hill, K Q and Hurley, P.A (2002), 'Symbolic speeches in the US Senate and their representational implications', *The Journal of Politics*, 64 (1), 219-31.
- Hix, S (2002), 'Parliamentary behaviour with two principals: preferences, parties, and voting in the European parliament', *American Journal of Political Science*, 46 (3), 688-98.
- Hix, S and Høyland, B (2011), *The Political System of the European Union* (Basingstoke: Palgrave MacMillan).
- Hix, S, Noury, A. G, and Roland, G (2007), *Democratic Politics in the European Parliament* (Cambridge: Cambridge University Press).
- Hug, S (2009), 'Selection Effects in Roll Call Votes', *British Journal of Political Science*, 40, 225-35.
- Jensen, C.B, Proksch, S O, and Slapin, J.B (2013), 'Parliamentary Questions, Oversight and National Opposition Status in the European Parliament', *Legislative Studies Quarterly*, 38 (2), 259–82.
- Jones, D. R (2003), 'Position Taking and Position Avoidance in the U.S. House Senate', *Journal of Politics*, 65 (3), 851–63.
- Kellermann, M (2013), 'Sponsoring Early Day Motions in the British House of Commons as a Response to Electoral Vulnerability ', *Political Science Research and Methods* 1(2), 263-80.
- Lazardeux, S (2005), '“Une Question Ecrite, Pour Quoi Faire?” The Causes of the Production of Written Questions in the French Assemblée Nationale', *French Politics*, 3, 258–81.
- Lazarus, J (2009), 'Party, Electoral Vulnerability, and Earmarks in the U.S. House of Representatives', *The Journal of Politics*, 71 (3), 1050-61.
- Marsh, M (1998), 'Testing the Second-Order Election Model after Four European Elections', *British Journal of Political Science*, 28, 591–607.
- Mayhew, D.R (1974 [2004]), *Congress: The Electoral Connection* (2 edn.; New Haven: Yale University Press).

- McElroy, G (2001), 'Committees and Party Cohesion in the European Parliament', *European Parliament Research Group* (San Francisco: Annual Meeting American Political Science Association).
- McElroy, G and Benoit, K (2010), 'Party Policy and Group Affiliation in the European Parliament', *British Journal of Political Science*, 40 (2), 377-98.
- OJ-C-81-E (2014), 'Answer to Written Question E-007064/2013, Official Journal of the European Union', (Brussels: EU).
- Olivella, S and Tavits, M (2014), 'Legislative effects of electoral Mandates', *British Journal of Political Science*, 44 (2), 301-21.
- Payne, J L (1980), 'Show Horses and Work Horses in the United States House of Representatives', *Polity*, 12 (3), 428-56.
- Proksch, S O and Slapin, J.B (2009), 'Position Taking in European Parliament Speeches', *British Journal of Political Science*, 40, 587-611.
- Proksch, S O and Slapin, J.B (2010), 'Parliamentary Questions and Oversight in the European Union', *European Journal of Political Research*, 50, 53-79.
- Proksch, S O and Slapin, J.B (2012), 'Institutional Foundations of Legislative Speech', *American Journal of Political Science*, 56 (3), 520-37.
- Rasch, B E (2011), 'Behavioural Consequences of Restrictions on Plenary Access: Parliamentary Questions in the Norwegian Storting', *Journal of Legislative Studies*, 17 (3), 382-93.
- Raunio, T (1996), 'Parliamentary questions in the European parliament: Representation, information and control', *Journal of Legislative Studies*, 2 (4), 356-82.
- Reif, K and Schmitt, H (1980), 'Nine Second-Order National Elections: A Conceptual Framework for the Analysis of European Elections Results', *European Journal of Political Research*, 3, 3-44.
- Ringe, N (2010), *Who Decides, and How? Preferences, Uncertainty, and Policy Choice in the European Parliament* (Oxford: Oxford University Press).
- Rush, M and Giddings, P (2011), *Parliamentary socialisation: learning the ropes or determining behaviour?* (Basingstoke: Palgrave MacMillan).
- Russo, F and Wiberg, M (2010), 'Parliamentary Questioning in 17 European Parliaments: Some Steps towards Comparison', *Journal of Legislative Studies*, 16 (2), 215-32.
- Shepsle, K. A and Boncek, M. S (1997), *Analyzing Politics: Rationality, Behaviour and Institutions* (New York: W.W.Norton & Company).
- Slapin, J.B and Proksch, S O (2010), 'Look who's talking: Parliamentary debate in the European Union', *European Union Politics*, 11 (3), 333 - 57.
- Soroka, S. N, Penner, E, and Blidook, K (2009), 'Constituency Influence in Parliament', *Canadian Journal of Political Science*, 42 (3), 563-91.
- Stokes, S.C (1999), 'Political Parties and Democracy', *Annual Review of Political Science*, 2 (1), 243-67.
- Strøm, K (1990), 'A Behavioral Theory of Competitive Political Parties', *American Journal of Political Science*, 34 (2), 565-98.



- Thomassen, J (1994), 'Empirical Research into Political Representation. Failing Democracy or Failing Models?', in M.K Jennings and T.E Mann (eds.), *Elections at Home and Abroad. Essays in Honor of Warren Miller* (Ann Arbor: Michigan University Press).
- Ware, A (1992), 'Activist–Leader Relations and the Structure of Political Parties: ‘Exchange’ Models and Vote-Seeking Behaviour in Parties', *British Journal of Political Science*, 22 (1), 71-92.
- Wiberg, M (1995), 'Parliamentary Questioning. Control by Communication', in H Döring (ed.), *Parliaments and Majority Rule in Western Europe* (Frankfurt: Campus Verlag).

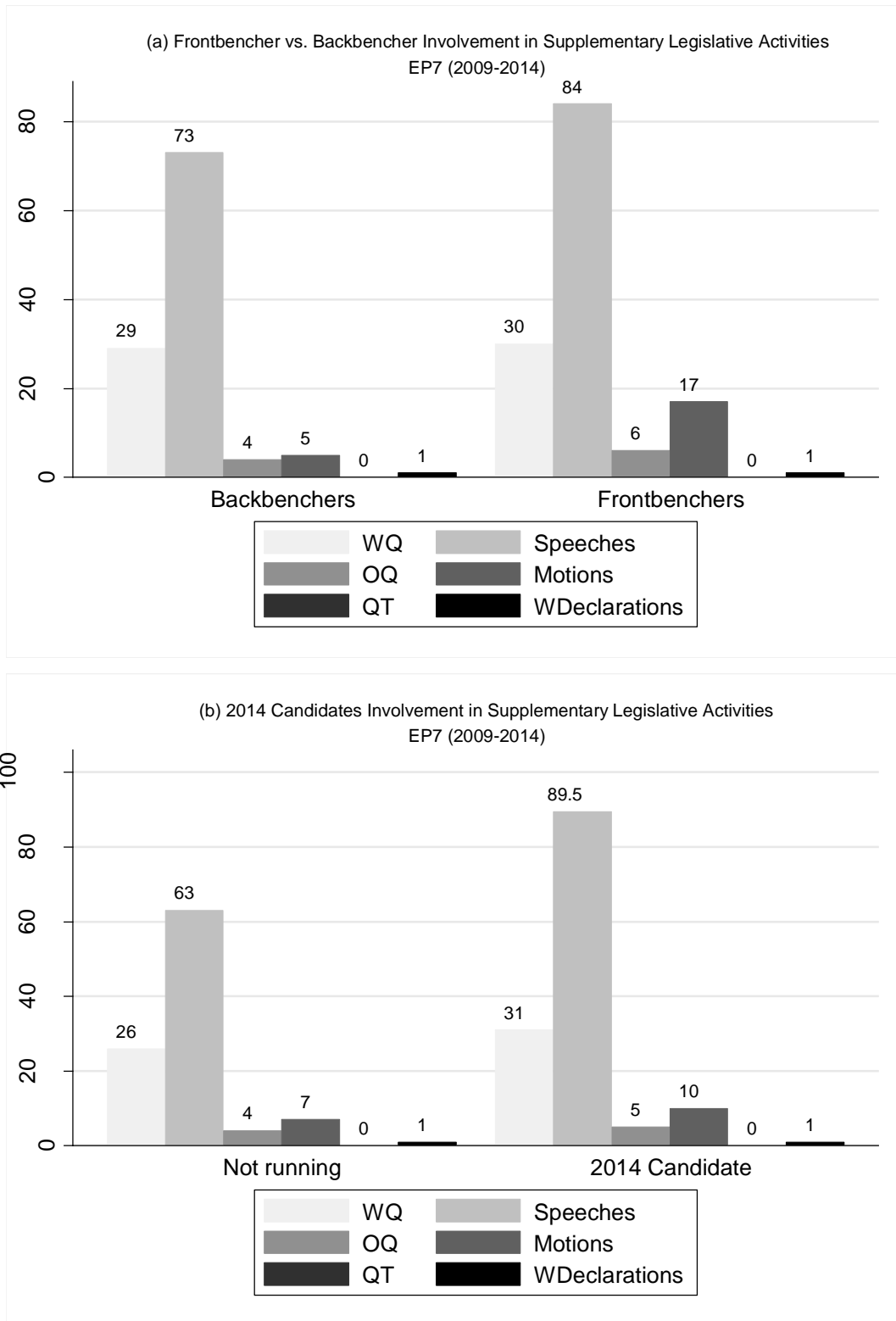
## Tables and Figures

**Table 1.** EP Legislative Activities' Rules of Procedure.

<b>Comparison of MEPs Activities Constraints (EP7)</b>							
	Written Q	Oral Q	Q Time	Motions	Declarations	Debates	One-minute Speeches
<i>Constraints</i>							
President authorisation	-	✓	✓	-	✓	✓	✓
Needs group to initiate	-	✓	-	-/✓	-	✓	-
Limit on numbers	-	-	✓	-	-	-	-
Word/time limit	-	✓	✓	✓	✓	✓	✓
Topic restrictions	-	-	-	-	✓	✓	✓
Notice Period	-	✓	✓	-	-	-	-
Delivered during plenary	-	✓	✓	-	-	✓	✓
<b>Total</b>	<b>0</b>	<b>5</b>	<b>5</b>	<b>1.5</b>	<b>3</b>	<b>5</b>	<b>4</b>

Source: EP 7 Rules of Procedure.

Note: - = **not applicable**; ✓ = **applicable**



**Figure 1.** EP Legislative Activities' Descriptives by Frontbencher and 2014 Candidate Involvement.  
*Note:* Medians of written questions (WQ), speeches, oral questions (OQ), motions, questions for question time (QT) and written declarations reported.

**Table 2.** Negative Binomial Model – Authorship of EP7 Supplementary Activities

	(1) Written Questions	(2) Speeches	(3) Oral Questions	(4) Motions	(5) Question Time (binary)	(6) Written Declarations
<i>Frontbencher</i>	0.98 (0.09)	1.13 (0.09)	1.57 (0.12) <sup>***</sup>	1.93 (0.23) <sup>***</sup>	0.83 (0.18)	1.10 (0.11)
<i>Committee Chair</i>	0.62 (0.12) <sup>*</sup>	0.66 (0.11) <sup>*</sup>	2.87 (0.44) <sup>***</sup>	1.18 (0.3)	0.30 (0.22)	1.09 (0.24)
<i>2014 Candidate</i>	1.07 (0.09)	1.29 (0.09) <sup>***</sup>	1.12 (0.08)	1.51 (0.17) <sup>***</sup>	0.97 (0.21)	1.12 (0.11)
<i>Seniority</i>	1.00 (0.00)	1.00 (0.00)	1.00 (0.00)	1.00 (0.00) <sup>***</sup>	1.00 (0.00)	1.00 (0.00)
<i>Female</i>	1.09 (0.09)	1.11 (0.08)	1.26 (0.09) <sup>**</sup>	1.07 (0.12)	0.99 (0.21)	1.32 (0.12) <sup>**</sup>
<i># Assistants</i>	1.01 (0.01)	0.99 (0.01)	1.00 (0.01)	0.97 (0.02)	1.02 (0.03)	1.02 (0.01)
<i>Party Europhilia</i>	0.99 (0.01)	1.00 (0.00)	1.03 (0.01) <sup>***</sup>	1.04 (0.01) <sup>***</sup>	1.01 (0.01)	1.01 (0.01) <sup>*</sup>
<i>Party Size (Weighted)</i>	1.00 (0.04)	1.01 (0.03)	0.98 (0.03)	0.94 (0.04)	0.98 (0.04)	0.96 (0.02)
<i>Government Party</i>	1.00 (0.005)	1.00 (0.003)	0.99 (0.003)	1.00 (0.01)	1.00 (0.01)	1.00 (0.00)
Intercept	-0.11 (0.25)	0.70 (0.17) <sup>***</sup>	-2.53 (0.15) <sup>***</sup>	-1.75 (0.22) <sup>***</sup>	-5.33 (0.38) <sup>***</sup>	-3.87 (0.17) <sup>***</sup>
alpha	-0.13 (0.05) <sup>*</sup>	-0.37 (0.05) <sup>***</sup>	-0.62 (0.08) <sup>***</sup>	0.44 (0.05) <sup>***</sup>	--	-0.56 (0.15) <sup>***</sup>
variance (country)	0.80	0.26	9.75e-36	0.06	0.57	1.73e-30

	(0.28)**	(0.11)*	(3.43e-20)	(0.12)	(0.31)	(9.22e-16)
variance (party)	0.61	0.28	0.41	0.67	0.27	0.22
	(0.13)***	(0.06)***	(0.09)***	(0.20)***	(0.25)	(0.07)**
N	752	752	752	752	752	752
AIC	7511.5	8897.9	4432.3	6132.0	733.1	2392.6
BIC	7571.6	8958.0	4487.8	6192.1	788.6	2448.1
ll	-3742.7	-4436.0	-2204.2	-3053.0	-354.6	-1184.3

Exponentiated coefficients; Standard errors in parentheses

\*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

**Table 3.** Negative Binomial Model – Authorship of Supplementary Activities in the final year of the legislative term

	(1) Written Questions	(2) Speeches	(3) Oral Questions	(4) Motions	(5) Written Declarations (binary)
<i>Frontbencher</i>	0.97 (0.11)	1.07 (0.10)	1.26 (0.13)*	1.60 (0.29)**	1.32 (0.27)
<i>Committee Chair</i>	0.51 (0.12)**	0.66 (0.14)*	3.46 (0.63)***	1.14 (0.43)	0.79 (0.38)
<i>2014 Candidate</i>	1.15 (0.13)	1.32 (0.12)**	1.14 (0.11)	2.08 (0.37)***	1.34 (0.27)
<i>Seniority</i>	1.00 (0.00)	1.00 (0.00)	1.00 (0.00)	1.00 (0.00)*	1.00 (0.00)
<i>Female</i>	1.20 (0.12)	1.14 (0.10)	1.34 (0.12)**	1.11 (0.20)	1.65 (0.32)**
<i># Assistants</i>	1.03 (0.02)	0.99 (0.017)	0.99 (0.02)	0.98 (0.03)	1.08 (0.03)*
<i>Party Europhilia</i>	0.99 (0.01)	1.00 (0.00)	1.02 (0.01)***	1.04 (0.01)***	1.02 (0.01)*
<i>Party Size (Weighted)</i>	1.00 (0.05)	1.02 (0.03)	0.98 (0.02)	0.92 (0.04)*	1.00 (0.04)
<i>Government Party</i>	1.00 (0.00)	1.00 (0.00)	0.99 (0.00)	1.00 (0.01)	0.99 (0.01)
Intercept	-0.29 (0.29)	1.11 (0.20)***	-2.29 (0.17)***	-1.57 (0.30)***	-4.29 (0.37)***
alpha	0.198	-0.031	-0.595	1.267	--

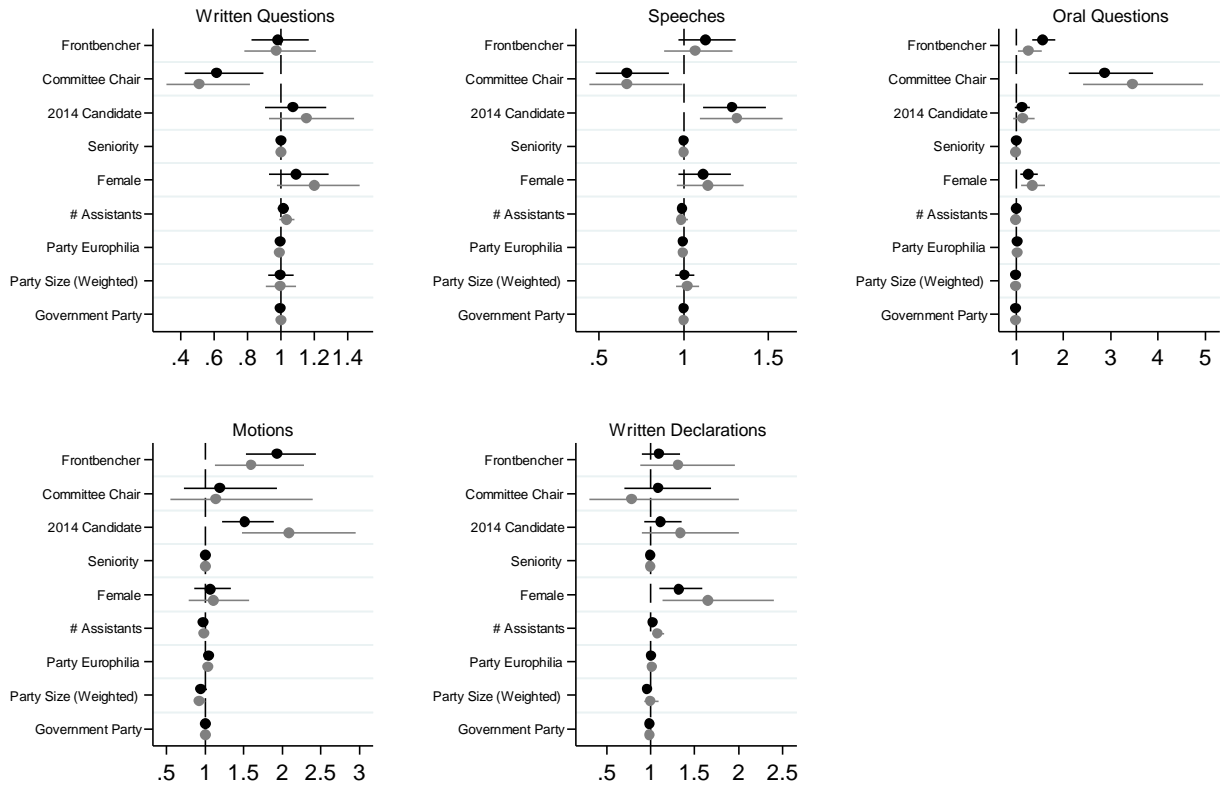
	(0.06)**	(0.05)	(0.16)***	(0.07)***	
variance (country)	0.83	0.24	0.03	0.096	0.31
	(0.33)*	(0.11)*	(0.04)	(0.13)	(0.20)
variance (party)	0.78	0.41	0.12	0.43	0.37
	(0.17)***	(0.1)***	(0.06)*	(0.19)*	(0.24)
N	715	715	715	715	715
AIC	5120.3	6901.7	2307.3	3779.0	833.9
BIC	5179.7	6961.1	2366.7	3838.4	888.7
ll	-2547.1	-3437.8	-1140.6	-1876.5	-404.9

Exponentiated coefficients; Standard errors in parentheses.

\*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

## Frontbench Involvement in Supplementary Activities

7th term 2009-2014



**Figure 2. Coefficient Plots.** Comparison of coefficients between full sample and split sample analyses. Note: Black markers refer to the coefficients from the full sample analysis. Grey markers refer to the coefficients from the analysis on the final year of the legislative term.