

## The Electoral Environment and Legislator Dissent

### Abstract

Electoral rules and party candidate selection processes both affect legislators' behaviour— specifically, their tendency to either toe or break their party's line. However, elections and selections may produce contradictory incentives for legislators, leading us to ask how conflicting motivations affect legislators' tendencies to dissent. I argue that the effect of these two institutions is conditional, and that legislators who face contradictory incentives will tend to maintain voting discipline. On the other hand, when the incentives of elections and selections align, they tend to amplify one another. This is especially true when elections and selections both incentivize personalization. In this paper, I test and find support for the conditional hypothesis using an original individual-level dataset with more than 6,700 legislators from 30 country-sessions

We've got to show that we are a disciplined party getting on with the work of government.

— Gordon Brown, “Brown appeals for party discipline,”  
*The Independent*, 26 July 2009.

Legislators' behaviour, specifically the extent to which they toe the party line to maintain a cohesive unified party record, exemplifies the tension between representativeness and governability<sup>1</sup>. On the one hand, voters want to increase the link between constituents and their representatives; on the other, they want to increase governability and democratic stability. However, increasing representativeness might hamper governability. If legislators vote according to constituents' inclinations or their own ideological preferences, they might disregard their party's policy commitments and hamper its ability to implement policies. Disobedient legislators make it difficult for a government to fulfill its agenda, and might even put the government in a parliamentary system at risk of losing on a confidence/no-confidence motion<sup>2</sup>. Indeed, legislator dissent and intra-party conflict prevented US President Bill Clinton from passing health care reform in 1994<sup>3</sup>, inhibited U.K. Prime Minister Blair

from implementing a Terrorism Bill<sup>4</sup>, and stopped the Israeli government from passing a major reform of the Israel Lands Administration<sup>5</sup>.

Intra-party politics and intra-party disagreements have been the focus of recent research that emphasized its centrality to political parties themselves and the political process in general. Scholars study how intra-party politics affect parties' policy positions<sup>6</sup>. For example, Schumacher, de Vries and Vis<sup>7</sup> argue that whether parties are dominated by party leaders or party activists, affect parties' policy positions and their responsiveness to the mean voter position or the preferences of the party activists. In a similar vein, Marx and Schumacher<sup>8</sup> argue that the organizational structure and the balance of power within parties affect the locus of parties' policy responsiveness. Other scholars theorize about intra-party heterogeneity's effect on leadership selection<sup>9</sup> and electoral fortune<sup>10</sup>. In the later article, Green and Haber argue that intra-party heterogeneity negatively affect citizens' views about parties and their vote choice, as it exposes internal disagreements. Giannetti and Laver<sup>11</sup> show how intra-party heterogeneity affect voting behavior, and so do Ceron<sup>12</sup>, who utilizes an exogenous measure of intra-party ideological heterogeneity to examine how intra-party preferential diversity affect party unity levels. He argues that ideological heterogeneity is associated with lower levels of party unity but that whipping abilities conditions this relationships.

This paper extends the literature on intra-party politics and examines the institutional arrangements that shape a legislator's decision to dissent. Specifically, I focus on the electoral environment and examine whether and how electoral systems and party candidate selection help explain such a decision. This institutional environment establishes the incentives and constraints for legislators' catering to their constituents, the degree to which they emphasize the collective unified party

reputation over their individualistic behavior, and their perceptions of their representation styles.

Since candidate selection procedures may vary within an electoral system, legislators might face contradictory incentives. While the electoral rules may encourage legislators to personalize, selections may incentivize them to behave in a party-centered way. Alternatively, while electoral systems incentivize party centeredness, selection procedures may encourage representatives to emphasize personal reputation. Given the possibility for contradictory incentives, how would these contradictory incentives affect legislators' tendencies to dissent?

To answer this question I present a conditional hypothesis and argue that the effect of selection processes on legislators' dissent levels is conditioned by the electoral rules in which they compete, and similarly that the effect of electoral systems on dissent frequencies depends on how parliament members (MPs) gain permission to use the party's banner, i.e., selection procedures. This is because both electoral systems and candidate selection procedures may either encourage party-centered behavior or incentivize individualization.

To date, most empirical analyses used a party-level measure of behavior, e.g., Rice or weighted Rice scores<sup>13</sup>. Those few that used individual level measurement confined the scope of research to one or only a few countries<sup>14</sup>. Here, I present an individual level, cross-national analysis of institutional effects on legislators' behavior. To this end, I calculated the percentage of times 6,776 legislators from 180 parties in 30 country-sessions voted against the majority of their party. Using this data, I find support for the assertion that the positive effect of personalized electoral rules on dissent levels is mitigated by centralized selections carried out by party leaders, and similarly that the tendency of democratized selection processes (e.g., primaries) to

increase legislators' defection levels is moderated by a party-centered electoral environment.

### **Institutional Effects on Dissent**

Legislators' behavior—specifically, their decision to toe the party line or to dissent—is in part the product of the institutional environment. While institutional characteristics such as territorial organization<sup>15</sup>, party-system institutionalization<sup>16</sup>, and regime type<sup>17</sup> influence dissent levels, scholars have mainly focused on the electoral environment influence.

Scholars argue that if a legislator's own name is more helpful than the party's collective brand name in getting them re-elected into parliament, and as intra-party competition intensifies, they will be motivated to dissent and break the party line as they try to signal constituents their own capabilities. By voting against the majority of their party, MPs distinguish themselves from all other candidates, *including* those in their own party<sup>18</sup>. Carey and Shugart<sup>19</sup> present a rank ordering of the incentives of electoral systems to cultivate a personal vote based on three characteristics of electoral rules: *ballot*, *pool*, and *vote*.<sup>20</sup> *Ballot* measures the degree of control party leaders have over access to and rank on the party's ballot. The greater the party leaders' control over the *ballot* vis-a-vis voters, the greater the incentives for the MPs to emphasize their own name recognition and dissent. *Pool* measures whether votes for a candidate also determine the seat share of the sub-party or the party. If votes are not pooled at all, an individual legislator's electorate fate rests exclusively on votes they can earn individually. *Vote* measures the type and the number of votes each voter casts and it distinguishes between voters who can cast a single-party vote, voters who

can cast multiple candidates vote, and those who have single vote at a sub-party level. In the latter case, personalized vote-seeking incentives are strong.

Many scholars directly tested whether and how electoral rules affect tendencies to cultivate a personal vote. The empirical conclusions are mixed. Some find support for the effect of electoral rules on behavior<sup>21</sup>, and others cannot detect such an impact<sup>22</sup>. The mixed results can perhaps be explained by conceptualizing the electoral environment as defined by both the electoral rules and the party's candidate selection procedures—or as Preece articulates it, to augment the electoral connection with a selectoral connection<sup>23</sup>.

Intra-party candidate selection processes also affect legislator's tendency to either toe or break the party line. First, to the degree to which the party's national leadership can control the selection and handpick the party's candidates, they can a-priori assure that a party's slate is as ideologically cohesive as possible<sup>24</sup>, preferably close to their own ideal point. This increases the likelihood that on a given vote, ideologically like-minded legislators will vote together. Alternatively, when selection procedures are decentralized and include many selectors, a party's list of candidates will be more heterogeneous<sup>25</sup>. This ideological heterogeneity might translate to voting heterogeneity, as some co-partisan legislators will prefer the status-quo over a proposal, for example, despite their leaders' decision to support the initiative.

Moreover, candidate selection procedures can also function as a disciplinary / rewarding tool<sup>26</sup>: when selection procedures are controlled by a small group of national party leaders, MPs know that if they dissent too often, they may be punished in the next electoral cycle by not being nominated. On the other hand, obedient MPs may be rewarded by re-nomination and promotion to realistic seats. On 31 July 2013, for example, Knesset Member Adi Koll from the Yesh Atid party abstained on a vote

on the first section of a governance bill. By abstaining, Koll ignored coalition and party discipline. She later was required to publish an apology on her Facebook page and was suspended from parliamentary activity for three months. When asked in an interview on 21 September 2014 whether she feared her disobedient behavior would cost her the re-nomination in the highly exclusive and centralized selection process used by Yesh Atid, Koll replied that she thought she would be re-nominated<sup>27</sup>. Nonetheless, Koll was excluded from Yesh Atid's list for the 20th Knesset, submitted four months after the interview.

Empirical scholarly analyses that have tried to ascertain the impact of selection processes on legislators' voting behavior have reached contradictory conclusions<sup>28</sup>. These may, again, be explained by the failure in most research to theorize and formulate expectations about the joint effect of elections and selections. Some scholars have considered selections' and elections' combined effects additively, including both elections and selections as explanatory variables in the empirical tests<sup>29</sup>. I assert, however, that these effects should be theorized and tested interactively.

I contend that legislators' propensity to break the party line or maintain highly disciplined behavior is affected simultaneously by electoral rules and selection procedures. But because selection procedures may vary within electoral systems<sup>30</sup>, the behavioral incentives created by the electoral system and selection procedure may not necessarily align. For example, the Dutch D-66 party allowed its party members a direct role in selecting the list in a highly inclusive process that should have produced personalized incentives. These personalized incentives contrast sharply with the county's party-centered CLPR electoral system. By the same token, Israeli Knesset Members from the Labour party have been facing contradictory incentives, since they were selected via party primaries, but elected under a CLPR electoral system.

Congress Members of the Brazilian Worker's Party also faced conflicting behavioral incentives, as their countries' OLPR electoral systems should have incentivized them to emphasize their personal reputation, while their party's restrictive selection procedures should have encouraged them to toe the party line.

How would contradictory incentives affect legislators' tendencies to dissent? Rarely do scholars theorize about the conditional effect of elections and selection on behavior. Cross<sup>31</sup> hypothesized (albeit without an empirical test) that selection procedures should greatly affect behavior when electoral rules are party-centered. Preece<sup>32</sup> suggested that the selectoral connection is stronger than the electoral connection. Thus, for example, representatives in Lithuania who are elected in the SMD tier, which should lead to individualization and dissent, do not in reality defect very often. Preece attributes these low levels of dissent to the fact that those SMD representatives were selected by national party leaders. On the other hand, PR legislators whose win was the result of *preference and party vote* tended to defect more. While Preece concludes that selection processes matter more, irrespective of electoral systems, I argue that elections may overcome selection's incentives and I use a cross-national analysis to support my assertion.

To allow for the possibility that elections and selections can produce contradictory or augmented effects, I innovatively hypothesize and test an interactive model wherein the effect of electoral rules and selection procedures are dependent upon one another. I specifically argue that either party-controlled *ballot* (vis-a-vis the general electorate) or party-controlled *selection processes* can create incentives for MPs to toe the party line and provide party leaders with the ability and rationale to enforce discipline. I contend that when a party controls the *ballot* (fixed ballots), the party's collective brand name is crucial in securing a legislator's re-election goal since

it helps the party win more votes and seats<sup>33</sup> and thus increases the likelihood of a given MP from that party to get elected. Re-election-oriented legislators understand this and are more inclined to stay with the party line, while party leaders understand this and will be more disposed to enforce discipline<sup>34</sup>. Similarly, when party leaders control *selections*, they have tools to discipline legislators and reduce dissent.

Therefore, I argue that the presence of either party-controlled *ballot* or party-controlled *selections* is sufficient to induce obedient legislators and reduce the likelihood of dissent. In other words, under party-controlled (fixed) *ballot*, the hypothesized personalized effect of inclusive and decentralized *selections* will fade away. Using this logic I anticipate Israeli Labour Knesset Members, who are selected via inclusive and decentralized *selections* but are elected under party-controlled *ballot* to exhibit high levels of unity and toe the party line. Similarly, when *selections* are controlled by national party leaders, the personalized incentives of voter-controlled *ballots* (e.g., strong preferential ballots) will be significantly reduced. The party-controlled selections ensure low levels of dissent. I therefore assert that when legislators are faced with contradictory incentives, they maintain low levels of dissent and adhere to the party line.

I further argue that when the incentives of electoral rules and selection procedures align, their combined effect will be amplified. This is especially telling for scenarios in which both elections and selections incentivize personal vote-seeking behavior. Here, legislators face strong incentives to dissent, and party leaders have no mechanisms in the electoral arena to assure MPs toe the party line.<sup>35</sup> We therefore should witness the highest levels of dissent when both elections and selections produce personalized incentives.

The main hypothesis of this paper, therefore, concerns the interactive effect of elections and selections. I contend that the effect of democratized *selection* processes on legislators' behavior will be greater when *ballot* incentivizes personalized behavior, and will be muted when *ballot* is party-controlled. Likewise, the effect of personal vote-seeking electoral rules on dissent will be dependent on selection procedures, such that if legislators are selected by party-controlled procedures, the effect of electoral systems will be mitigated.

H1: When elections and selection produce contradictory incentives, legislators' tendency to dissent will be low. When elections and selections both incentivize personal-centered behavior, legislators will dissent more; when elections and selections both incentivize party-centered behavior, legislators will dissent less.

## **Research Design**

The unit of analysis in this study is the individual legislator. To test the conditional effect of selections and elections on dissent levels, I collected an original data-set with 6,776 legislators from 30 country-sessions. A number of considerations limited the dataset and the scope of the analysis.

First, due to the difficulty of acquiring data on candidate selection processes, which vary by party and over time, I could not select cases randomly. The data-set includes every party from a partially democratic country-session (threshold of inclusion of 4 on the Freedom House's political rights dimension) that had data available about candidate selection processes (conditional on the second consideration detailed below). Nevertheless, legislators in this analysis come from 14 different countries with divergent electoral systems, including CLPR, single transferable vote, open list PR, single member districts, mixed member, and alternative vote systems.

Likewise, legislators were selected via all types of selection procedures, ranging from restrictive extremes (e.g., one person or a small group of national party leaders) to primaries.

Second, the outcome variable—dissent level—is measured at the individual level, which, as mentioned, constitutes the level of analysis. Therefore, data was limited to those countries that had available record voting decisions at the individual level, either via roll-call or electronic voting.<sup>36</sup> Although the sample is clearly not random, I do not expect the results to be sample-specific and believe that one can generalize the results (Table 1 in the appendix details the parties within country-sessions included in the analysis)<sup>37</sup>.

The outcome variable is legislators' tendency to vote against party line. It is defined as the percentage of times a legislator voted against his party majority<sup>38</sup>. The main independent variables of this paper are selection processes and electoral rules. I operationalize electoral systems using *ballot*, *vote*, and *pool*, as well as *district magnitude*. *Ballot* differentiates between electoral rules that allow voters to control a party's ballot at the election, and those that are not open for voters' modifications. Specifically, I use a three-category variable: 0 represents fixed ballot; 1 represents weak preferential systems (voters' preferential vote *might* have limited effect on the pre-arranged list); and 2 represents strong preferential ballot<sup>39</sup>. A 0 on *vote* marks cases in which voters cast a single party level vote; 1 indicates voters, who vote using numerous votes for candidates; and 2 marks cases where voters cast a single candidate level vote<sup>40</sup>. Lastly, *Pool* is coded 0 for systems in which votes are pooled across the party; 1 when votes are pooled at the sub-party levels; and 2 when no pooling occurs. The model also includes a weighted average of *district magnitude* (M).

I operationalize candidate selection procedures using two of the four dimensions presented by Rahat and Hazan<sup>41</sup>: *selectorate* and *dedecentralization*. *Selectorate*, referring to the people who can participate in the selection process, is a three-category variable: 0 refers to selection via exclusive selectorates by a small group of party leaders; 1 refers to selection via party delegates; and 2 stands for selection via primaries. *Dedecentralization*, referring to the level at which the selection process took places, is a three-category variable: 0 indicates centralized procedures; 1 refers to mixed procedures; and 2 stands for selection processes that are determined solely at the decentralized-local level.

One of the most significant institutional determinants of a legislator's dissent levels concerns a country's executive-legislative model. In a parliamentary system, where the head of the executive is not directly elected by voters and is dependent on legislative confidence<sup>42</sup>, a legislator's decision to dissent might threaten the survival of the government. Moreover, in many parliamentary systems, the government can attach a dissolution threat to a vote of confidence<sup>43</sup>, "forcing members of the assembly to choose between either accepting the government's policy or facing the voters in an election"<sup>44</sup>. I, therefore, hypothesize that legislators in parliamentary systems will dissent to a lesser extent compared to their counterparts in presidential systems<sup>45</sup>. I control for a country's executive-legislative relationship with a dichotomous variable that differentiates between presidential (0) and parliamentary (1) countries. I also control for whether a country is a federal (1) or a unitary (0) system, expecting higher levels of dissent in multi-level federal countries.

I also control for party size. Coordinating discipline should be more difficult the larger the size of the party, as collective action problems increase<sup>46</sup>. Moreover, the larger the size of the party, the less weight and effect each individual member's

decision to dissent has on the party's collective brand name. For example, a single legislator defecting from a party with three members has a far stronger negative impact than a single legislator defecting from a party with 100 members. Legislators from larger parties may thus be more inclined to dissent and their leaders might even tolerate it. Bevan and Greene<sup>47</sup> present a similar logic and argue that larger parties will tend to stick to a stable and consistent legislative agenda, since in larger parties more members are needed to foster a significant change in issue attention, and since the smaller the size of the party, the greater the need to log-roll and compromise to assure passage of the desired policy, as defection of each legislator is potentially more consequential. In larger parties, on the other hand, leadership can afford a certain level of disagreement. I therefore hypothesize that, all else being equal, legislators from smaller parties will dissent less than those from larger parties.

Additionally, I control for whether an MP is a member of a governing party or not. Governing party leaders have alternative means for assuring MPs' obedient behavior: e.g., “mega seats”<sup>48</sup> such as committee chairs and ministerial positions, which are valuable in helping legislators promote their office and policy goals<sup>49</sup>. The governing party leaders controlling these valuable positions may thus use them to assure party-centered, disciplined behavior<sup>50</sup>. Moreover, the cost of dissenting from a governing party's line is greater than in opposition parties, especially in parliamentary systems. We should therefore expect to find that legislators from governing parties dissent to a lesser extent than legislators from opposition parties. Despite this expectation, however, empirical analyses to date find inconclusive results: while Leston-Bandeia<sup>51</sup> could not distinguish between dissent levels in coalition and opposition parties, Rahat and Depauw and Martin<sup>52</sup> find opposition parties to be more cohesive than coalition parties.<sup>53</sup>

I include in the model some characteristics of MPs that might affect their tendency to dissent. I expect committee chairs, ministers, and deputy ministers to behave in a party-centered manner and dissent far less compared to their counterparts when all else is equal<sup>54</sup>. I therefore included a control dummy for each of the three variables. I also expect seniority to affect MPs' inclination to defect. Junior MPs are frequently less known by the general public and might need to emphasize their personal reputations to a greater extent than senior members. Indeed, Cain, Ferejohn, and Fiorina<sup>55</sup> argue that junior legislators receive more personal votes and so do Norton and Wood<sup>56</sup>. Tavits<sup>57</sup> argues that senior MPs will be less likely to break the party's line, and I mimic her rationale and hypothesize that junior members will dissent more than senior members when all else is equal<sup>58</sup>. Seniority is measured as the number of legislative sessions an MP served prior to the session examined.<sup>59</sup> Lastly, I control for the legislator's gender. Literature on the effect of gender on legislators' voting behavior is inconclusive. Some scholars argue that female representatives exhibit lower levels of discipline, as they vote against the male-dominated party line to advance substantive female issues<sup>60</sup>, whereas others find no such relationships<sup>61</sup>. My analysis provides a comparative mean to examine these contradictory hypotheses.<sup>62</sup> I code female legislators as 0 and male legislators as 1.

## **Results**

Table 1 presents the results from a linear model in which I cluster the standard errors around parties.<sup>63</sup> The model includes fixed effects for the country-sessions (omitted for sake of space). The model is a chained interaction model, and one needs to remember that for the variables involved in the interaction, "interpretation of estimated effects in such highly interactive models from coefficient estimates alone would be especially problematic"<sup>64</sup>. Therefore, in following sections, I present

marginal effect plots that enable us to better understand how electoral rules and selection processes interactively impact dissent levels.

Table 1:

	Estimate	s.e.
Ballot	1.301	1.09
Selectorate	0.930	0.55
Dedecentralization	-0.576	0.35
Vote	-0.196	1.98
Pool	-2.266	0.78**
District Magnitude	-0.141	0.03**
Parliamentary/Presidential	-17.760	1.62**
Unitary/Federal	17.720	0.60**
Governing Party	-1.530	0.67*
Party Size	0.007	0.00*
Seniority	0.142	0.05**
Ministers	-0.515	0.26*
Deputy Ministers	-0.030	0.22
Committee Chairs	-0.710	0.35*
Gender	0.256	0.31
Selectorate*Ballot	0.908	0.37*
Dedecentralization*Ballot	0.920	0.44*

sig. levels: \* 0.05 \*\* 0.01

The main hypothesis of the paper states that the effect of personalized selection processes will be mitigated when *ballot* is fixed, and similarly that the effect of electoral system will be muted when selection processes are controlled by party leaders. When legislators face contradictory incentives they will, therefore, tend to behave in a party-centered manner and toe the party line. On the other hand, representatives for whom selection processes and electoral rules *both* incentivize individualistic behavior should break their party line and dissent.

The coefficient of *ballot* indicates the effect of *ballot* when *selectorate* and *decentralization* equal 0 that is when legislators are selected via exclusive and centralized selection procedures. The coefficient is non-significant, indicating that the effect of *ballot* on legislators' behavior when selection procedures are party-controlled

is nil. The expected effect of candidate-centered electoral rules is moderated by the centralized exclusive selection procedures by which legislators are selected. Therefore, legislators who are selected via exclusive-centralized procedures exhibit similar levels of dissent whether they are elected under personal vote-seeking electoral systems or under party-centered rules.

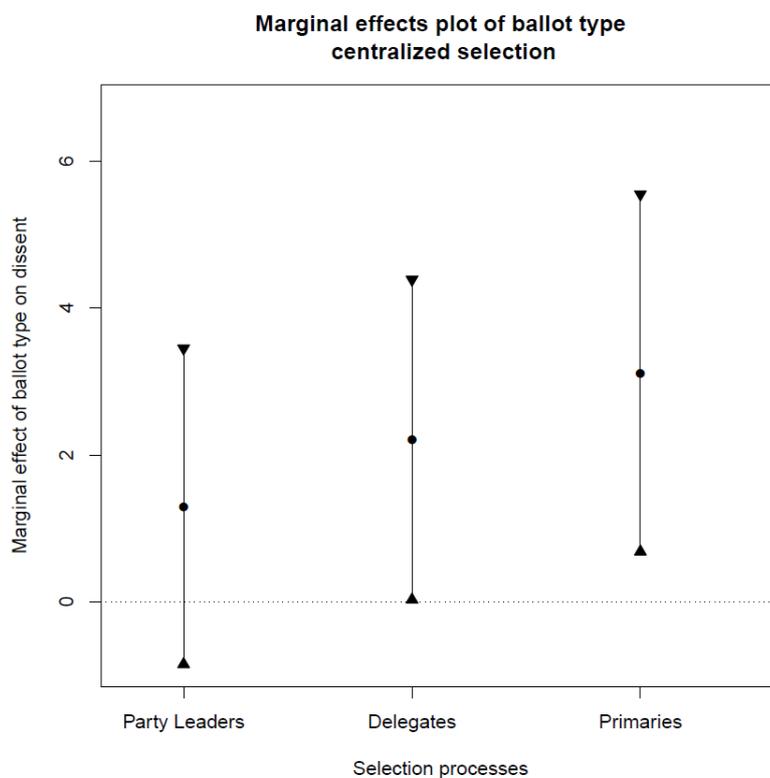
Likewise, the *selectorate* by which representatives were selected, given they are selected by centralized processes (*decentralization=0*) and are elected under fixed *ballots* (*ballot=0*), does not significantly affect behavior. To put it differently, when legislators are selected in centralized procedures and when *ballot* is not open to the voters, legislators who are selected via primaries do not exhibit higher dissent levels compared to legislators selected via a small group of party leaders. The anticipated personalized effect of primaries is diminished by the party-centeredness of the electoral system. The interpretation of the *decentralization* coefficient is similar.

To better understand the conditional relationship between elections and selections and their interactive impact on legislators' behavior, I present marginal effect plots. Let me first discuss the effect of *ballot* on representatives' inclination to defect from the party line. Since *ballot* interacts both with *selectorate* and with *decentralization*, its marginal effect is dependent upon both. Thus, one needs to fix the levels of decentralization to depict the marginal effect of *ballot* for various types of *selectorate*. Figure 1 and Figure 2 do just that.

Figure 1 presents the marginal effect of *ballot* on legislators' dissent levels given that those legislators were selected in centralized selection processes (*decentralization=0*). The plot presents the marginal effect for each of the three types of *selectorates*: small group of party leaders; delegates; and primaries. As predicted by my hypothesis, when party leaders control selection processes and the selection is

centralized (the lower-left side of the figure) electoral systems do not significantly affect legislators' behavior, as is indicated by the 95% confidence bars around the marginal effect prediction. In fact, for legislators selected via party-controlled selections, the predicted dissent levels in strong preferential electoral systems are 16.2%, which is slightly lower than the predicted dissent for those elected in fixed ballot of 18.5%.<sup>65</sup> But this difference is indistinguishable from zero, such that legislators who are elected in strong preferential electoral systems, do not actually dissent to a greater extent in a statistically significant way than do legislators elected via fixed ballot electoral systems. The party-centered effect of the exclusive and centralized selection process guarantee those legislators toe the party line and maintain a high degree of discipline.

Figure 1:



However, as

the *selectorate* becomes more inclusive, and no longer affords party leaders with means to enforce discipline, the marginal effect of *ballot* becomes significant (as the

confidence intervals do not overlap 0) and positive (the right-hand line). The positive sign of the marginal effect indicates that representatives who are selected via primaries and are elected in personal vote-seeking electoral rules tend to dissent more (24.2%) than representatives selected via primaries but elected via party-centered electoral systems (19.2%). When the incentives from a personalized electoral system align with the incentives from personalized selection procedures, legislators' dissention levels are at their highest. This corroborates the conditional hypothesis I presented.<sup>66</sup>

Figure 2:

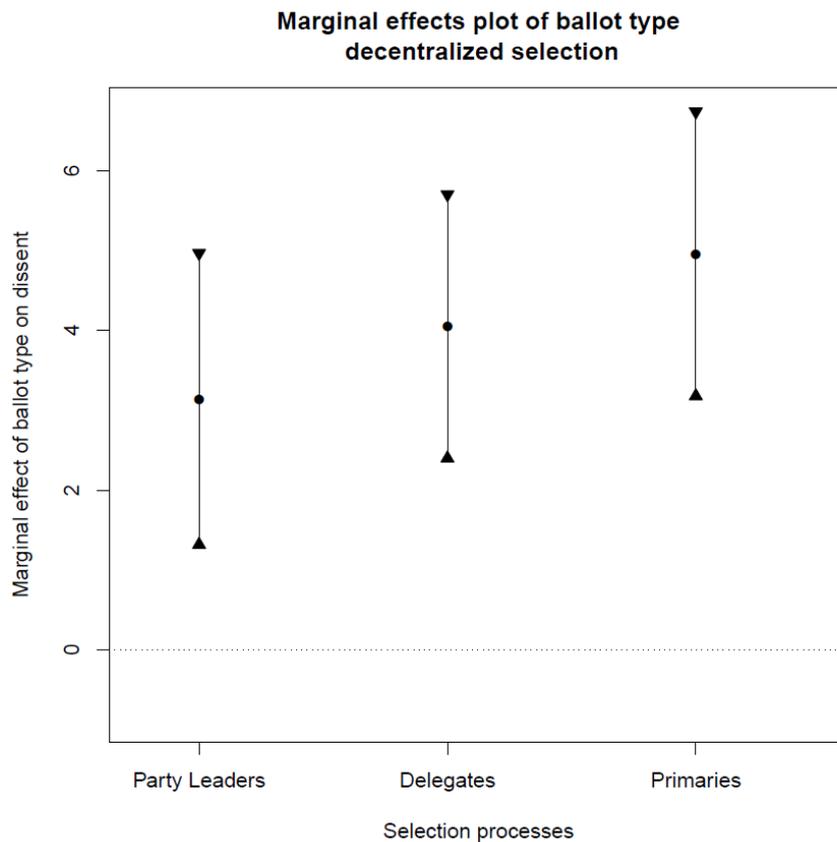


Figure 2 presents the marginal effect of *ballot* on legislators' dissent levels for those selected via decentralized procedures. The figure reveals that all three marginal effects are positive and significant such that legislators elected via personalized electoral systems tend to dissent more than their counterparts elected via party-

centered electoral rules. Thus, interestingly, legislators who are selected via party leaders (but this time in decentralized processes) are affected by the way they are elected: those elected in personal vote-seeking electoral systems tend to dissent more compared to those elected under party-centered rules.

Figure 3:

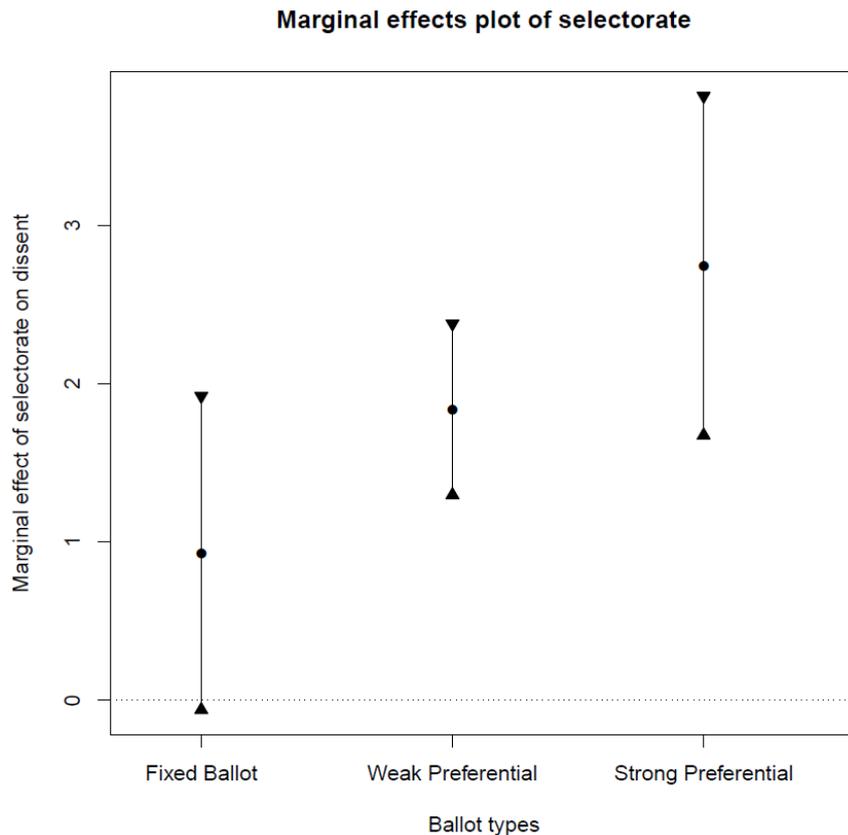


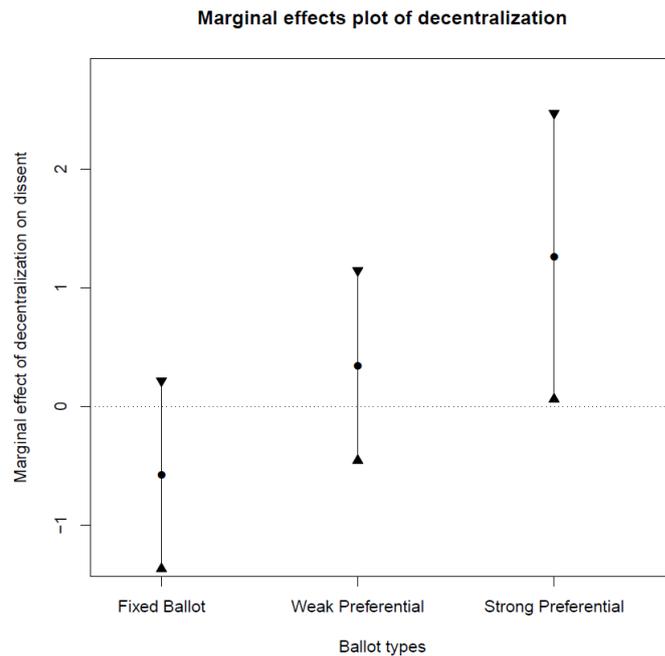
Figure 3 presents the marginal effect of *selectorate* for various types of *ballots*.<sup>67</sup> The effect of *selectorate* when *ballot* is fixed and voters cannot disturb it is indistinguishable from zero. Thus, the predicted dissent levels of legislators who are elected in party-centered electoral systems and are selected via primaries that is legislators who face contradictory incentives, is 19.2%. These predicted defection levels are not higher in a statistically significant way than predicted dissent levels of representatives elected in the party-centered systems who are selected via party

leaders: 18.5%. The expected effect of selection processes is mitigated, then, by the party centeredness of the electoral system under which legislators are elected.

Nevertheless, selection clearly has a significant effect when electoral systems encourage personalized behavior: in such an electoral environment, representatives selected via inclusive primaries tend to dissent more (24.2%) than members selected by party leaders (16.2%). When incentives of elections and selections align such that they encourage personalization, we witness the highest levels of dissent.

The conditional hypothesis presented in the paper also gains support when we examine the effect of *decentralization* on representative's tendency to defect (Figure 4). In a fixed *ballot* electoral environment, the effect of *decentralization* is indistinguishable from zero. This indicates that, for example, under CLPR, legislators selected exclusively at a national level and their friends who are selected via decentralized procedures do not exhibit differing levels of dissent. Once again, the party centeredness of the electoral system insures that legislators stick to their party's line irrespective of how they are selected. Yet, decentralization significantly affects legislators' dissent levels for those competing within strong preferential electoral systems. Specifically, legislators in such systems, who are selected via decentralized procedures, will tend to break the party line to a greater extent than legislators selected via centralized processes.

Figure 4:



The analysis provides support for the conditional effect of elections and selections on legislators' behavior. With regard to the impact executive-legislative relations we find a substantively strong and statistically significant effect. Specifically, legislators under parliamentary systems defect 17.8% less than legislators operating under parliamentary systems. Likewise, the effect of the territorial organization is also significant. Legislators in federal countries tend to dissent 17.72% more than their counterparts in unitary systems. Furthermore, the expectations concerning the effect of a party's size on a legislator's tendency to dissent are supported by the findings. Specifically, members from larger parties tend to dissent more than members from smaller parties, as is indicated by the positive and statistically significant coefficient. I also found support that parliamentarians who belong to a governing party tend to dissent 1.5% less than members whose party belongs to the opposition. Furthermore, ministers and committee chairs tend to dissent less compared to other legislators who do not hold such valuable positions (the point prediction of deputy ministers is also in

the hypothesized direction, but the effect fails to reach significance at a conventional level).

While the effect of holding a ministerial or chair position is in the hypothesized direction, the expected impact of seniority on legislators' behavior is not. Senior representatives, all else being equal, tend to dissent more than junior members. Lastly, I find no effect for gender: the levels of dissent of male and female MPs do not differ in a statistically significant manner. These results match the findings of Childs and Tamerius<sup>68</sup>.

To further illustrate the conditional hypothesis I look at concrete examples and compare Israel (a CLPR electoral system) with Switzerland (an OLPR system). While Israel's electoral rules are predicted to produce party-centered behavior, the Swiss system should incentivize personalization. But in both countries we witness variation in candidate selection processes.

As I argued before, according to my conditional hypothesis, the fixed *ballot* nature of the Israeli electoral system should mitigate any personalization incentives produced by democratized selection processes, such that all legislators should exhibit similar and relatively low levels of defections. In fact, a comparison, in the 1996-1999 legislative session, of dissent levels of Labour MK Ophir Pines-Paz, selected in primaries (1.4%), to the defection rates of Rephael Pinhasi, a Shas MK, who was selected via a small group of Rabbis (1%), reveals little variation between them. Indeed, despite the divergent manner by which Labour and Shas select, which should have led Labour to experience significantly higher dissent rates than Shas, the average dissent levels in Labour, which employed primaries, were actually a little lower (1.1%) than the Shas defection level (1.4%).

While the fixed *ballot* nature of the Israeli system masked any differences in the impact of selection processes on dissent between MKs Pines-Paz and Pinhasi, in the Swiss strong preferential *ballot* system, selection procedures matter. Examining dissent levels in the Swiss National Council reveals that when party leaders control the selection, they have means to discipline their rank and file members and overcome the electoral incentives to defect. On the other hand, for legislators selected via inclusive and decentralized selection processes, the electoral and selectoral incentives align, and members are strongly motivated to emphasize their own personal reputations. Member Arthur Loepfe from the Christian Democratic People's Party (CVP) was selected via relatively permissive selection processes, where a local party delegate committee selected the representatives without interference from the national level. Both his electoral and his selectoral incentives aligned to encourage him to enhance his personal vote behavior and break the party line. Indeed, his dissent levels were 18.9%. This undisciplined behavior contrasts with the relatively party-centered behavior exhibited by Jacquelin Fehr from the Social Democratic Party (SPS). Fehr was selected via restrictive selection processes, and therefore faced contradictory incentives: the electoral arena encouraged her to personalize, while the way she was selected motivated her to toe the party line. Under such circumstances, I predicted she would maintain relatively high levels of discipline, and in fact her dissent levels stood at a mere 3.7%. The significant differences in behaviors across restrictively selected SPS representatives and permissively selected CVP members are reflected when one compares the overall average of dissent rates within each party. The average dissent rates stood at 3.9% for SPS and 8.7% for CVP.

The multivariate analysis and anecdotic examples presented above illustrate the conditional hypothesis. Under fixed *ballot* systems, selection procedures should

minimally affect legislators' behavior, and differences across members who are selected via divergent means should be negligible. On the other hand, under strong preferential electoral systems, the effect of selection processes on legislators' tendency to dissent should be substantial.

## **Conclusions**

Legislators' tendency to emphasize their own personal traits at the expense of the party line depends, among other things, upon the institutional context. In this paper, I argued that understanding legislator behavior requires examining the multifaceted institutional environment shaping the incentives and constraints in how legislators cater to prospective constituents. I specifically focus on the effect of electoral systems and candidate selection processes on legislators' behavior. The need to theorize about the concurrent effect of elections and selections stems from the possibility that these institutions may generate contradictory incentives for legislators' behavior. I theorized that their combined effect is conditional.

Specifically, I argued that the influence of selection processes on dissention levels depends upon the electoral system, and that it increases if the electoral system encourages personal vote-seeking behavior. Similarly, I hypothesized that the effect of electoral systems will be greater with permissive selection processes and that it will be minimal with restrictive selection processes. When legislators face contradictory electoral and selectoral incentives, they will tend to toe the party line and maintain high levels of discipline. But when both electoral systems and selection processes align and incentivize legislators to dissent, we should witness legislators adhering to these incentives and breaking party line often. I tested this theory using the individual-level voting record of more than 6500 representatives and found support for the conditional effect.

Voting record offers but one manifestation of legislators' behavior, and given the importance of maintaining a unified party record, party leaders will try to ensure a relatively high degree of discipline. Future research can examine whether the theory holds true when measuring legislators' behavior by other means, for example, examining whether electoral systems and selection procedures influence legislators' assignments to national or targeted committees<sup>69</sup>. Interestingly, when Crisp et al. examined the influence of selection processes on committee assignments in Argentina, Venezuela, and Costa-Rica—three CLPR systems—they found in Venezuela a weak, non-significant relationship between selection processes and committee assignments, whereas in Costa-Rica and Argentina, "distinguishing between decentralized candidate selection procedures and other means of selecting nominee failed to show any effect on committee assignments"<sup>70</sup>. These null results might be explained in light of the conditional theory presented in the paper and further investigated in a cross-national manner. Scholars could also examine private member bill initiation<sup>71</sup> or parliamentary questions<sup>72</sup> as additional tools through which legislators differentiate themselves from their co-partisans and cultivate a personal reputation.

This paper's findings will encourage political scientists to start thinking and theorizing about the complex interactions of different institutions and their combined effects on legislators' behavior. Thus, understanding representation and democracy in general requires researchers to carefully construct theories that mimic the complex reality legislators face.

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## Notes

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<sup>3</sup> Mark E. Rushefsky and Kant Patel, *Politics, Power, and Policy Making: The Case of Health Care Reform in the 1990s* (United States: M. E. Sharpe, 1997).

<sup>4</sup> Matthew Tempest, "Blair Defeated on Terror Bill," *The Guardian*, November 2 2005 <<http://www.guardian.co.uk/politics/2005/nov/09/uksecurity.terrorism>>

<sup>5</sup> Mazal Mualem, "'Mofaz Bill' Targeting Kadima Likely to Pass Knesset Vote Easily." *Haaretz*, July 27 2009, <<http://www.haaretz.com/hasen/spages/1103112.html>>

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<sup>6</sup> Ian Budge, Lawrence Ezrow, and Michael D. McDonald, "Ideology, Party Factionalism and Policy Change: An Integrated Dynamic Theory," *British Journal of Political Science* 40 (October 2010), 781-804.

<sup>7</sup> Gijs Schumacher, Catherine E. de Vries and Barbara Vis, "Why Do Parties Change Position? Party Organization and Environmental Incentives," *Journal of Politics*, 75 (April 2013), 464-77.

<sup>8</sup> Paul Marx and Gijs, Schumacher, "Will to Power? Intra-Party Conflict in Social Democratic Parties and the Choice for Neoliberal Policies in Germany, the Netherlands and Spain (1980-2010)," *European Political Science Review* 5 (March 2013), 151-73.

<sup>9</sup> Zachary D. Greene and Matthias Haber, "Leadership Competition and Disagreement at Party National Congresses," *British Journal of Political Science* (forthcoming), 1-22.

<sup>10</sup> Zachary D. Greene and Matthias, Haber, "The Consequences of Appearing Divided: An Analysis of Party Evaluations and Vote Choice," *Electoral Studies* 37 (March 2015), 15-27.

<sup>11</sup> Giannetti and Laver 2009.

<sup>12</sup> Andrea Ceron, "Brave Rebels Stay Home: Assessing the Effect of Intra-Party Ideological Heterogeneity and Party Whip on Roll-Call Votes," *Party Politics* 21 (March 2015), 246-58.

<sup>13</sup> John Carey, "Competing Principals, Political Institutions, and Party Unity in Legislative Voting," *American Journal of Political Science* 51 (January 2007), 92-107.

Ulrich Sieberer, "Party Unity in Parliamentary Democracies: A Comparative Analysis," *The Journal of Legislative Studies* 12 (July 2006), 150-78.

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<sup>15</sup> Ergun Ozbudun, *Party Cohesion in Western Democracies: A Causal Analysis*. (United-States: Sage Publications, 1970).

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<sup>16</sup> Frank, C. Thames, "A House Divided: Party Strength and the Mandate Divide in Hungary, Russia, and Ukraine," *Comparative Political Studies* 38 (April 2005), 282-303.

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<sup>18</sup> Bowler Farrell and Katz, 1999.

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<sup>19</sup>John Carey and Matthew S. Shugart, "Incentives to Cultivate a Personal Vote: A Rank Ordering of Electoral Formulas." *Electoral Studies* 14 (December 1995): 417-439.

<sup>20</sup>Carey and Shugart also asserted that district magnitude—*M*—has an inverse relationship with incentives to emphasize a personal reputation.

<sup>21</sup>Depauw and Martin, 2009.

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Carey, 2007.

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<sup>22</sup>Crisp, 2007.

Jun and Hix, 2010.

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Sieberer, 2006.

<sup>23</sup>Jessica Robinson Preece, "How the Party Can Win in Personal Vote Systems: The "Selectoral Connection" and Legislative Voting in Lithuania," *Legislative Studies Quarterly* 39 (May 2014): 147-167.

<sup>24</sup>Sieberer, 2006.

<sup>25</sup>See: Georgia Kernell, "Political Party Organizations and Representation: Intraparty Institutions and Competition in Established Democracies," PhD thesis, Columbia University 2008.

But see: Reuven Y. Hazan and Gideon Rahat, *Democracy within Parties: Candidate Selection Methods and Their Political Consequences*, (Oxford: Oxford University Press, 2010)

<sup>26</sup>Miguel De-Luca, Mark P. Jones, and María Inés Tula, "Back Rooms or Ballot Boxes? Candidate Nomination in Argentina." *Comparative Political Studies* 35 (May 2002): 413-436.

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<sup>27</sup> Zohar Israel, "During the Knesset's Recess There Is More Time for Dating," *Mako* 2014  
<<http://www.mako.co.il/special-mako-news/Article-28a03b187a49841006.htm>>

<sup>28</sup> Osnat. Akirav, "Candidate Selection and a Crowded Parliament: The Israeli Knesset, 1988-2006," *The Journal of Legislative Studies* 16 (September 2010): 96-120.

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<sup>29</sup> Crisp et al., 2004.

Depauw and Martin, 2009.

Sieberer, 2006.

<sup>30</sup> Yael Shomer, "What Affects Candidate Selection Processes? A Cross-National Examination." *Party Politics*, 20 (July 2014): 533-46.

<sup>31</sup> William Cross, "Democratic Norms and Party Candidate Selection: Taking Contextual Factors into Account," *Party Politics* 14 (September 2008): 596-619.

<sup>32</sup> Preece, 2014.

<sup>33</sup> Gary W. Cox and Frances M. Rosenbluth, "The Structural Determinants of Electoral Cohesiveness: England, Japan and the United States". In Peter F. Cowhey and Mathew D.

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John E. Owens, "Explaining Party Cohesion and Discipline in Democratic Legislatures: Purposiveness and Contexts," *Journal of Legislative Studies* 9 (Winter 2003): 12-40.

<sup>34</sup> Randall, Holcombe and James Gwartney, "Political Parties and the Legislative Principal-Agent Relationship," *Journal of Institutional and Theoretical Economics* 145 (December 1989): 669-675.

<sup>35</sup> Note, however, that party leaders have other non-electoral means of ensuring obedient behavior: e.g. assigning "mega seats", see: Shane Martin, "Why Electoral Systems Don't Always Matter: The Impact of 'Mega-Seats' on Legislative Behavior in Ireland," *Party Politics* 20 (May 2014): 467-479.

<sup>36</sup> While data for most countries includes roll calls, data for others (e.g., Israel, Belgium) includes all available electronic voting. Differences also exist with regards to parliamentary rules for calling a roll-call, which in turn might induce variation in selection effects across the cases analyzed (see: Gerhard Loewenberg, "The Contribution of Comparative Research to Measuring the Policy Preferences of Legislators," *Legislative Studies Quarterly* 33 (November 2008): 501-510). These differences might be important, especially in light of the potential for roll call bias (see: Matthew Gabel, Cliff Carrubba, Murrah Lacey, Ryan Clough, Elizabeth Montgomery and Rebecca Schambach, "Off the Record: Unrecorded Votes, Selection Bias, and Roll- Call Vote Analysis." *British Journal of Political Science* 36 (October 2006): 691-704). Biases might also occur in light of differing levels across the cases of abstention and absenteeism levels, which may or may not be strategic in nature (see: Guillermo Rosas, Yael Shomer, and Stephen R. Haptonstahl, "No News Is News: Nonignorable Nonresponse in Roll-Call Data Analysis", *American Journal of Political*

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*Science*, 59 (April 2015): 511-528. The analysis focuses on lower houses only. The US is the only case for which I had to limit my data selection (to two legislative sessions), to prevent over-representation of the American case in the final dataset.

<sup>37</sup> Different types and topics of votes may induce different levels of unity. For example, procedural votes are prone to higher levels of discipline compared to amendments in the U.S Congress (see: Charles Finocchiaro and David Rohde, "War for the Floor: Partisan Theory and Agenda Control In the U.S. House of Representatives." *Legislative Studies Quarterly* 33 (February 2008), 35–61). Unfortunately, the cross-national nature of the analysis and the scarce data availability prohibit me from accounting for this important topic.

<sup>38</sup> See: Jun and Hix, 2010.

I classify absences as voting with the party line. Since I cannot ascertain whether each absence was a defection or not, I classified them as non-dissent and produced a conservative test of my hypothesis. Similarly, when a party was exactly split, where 50% of its members vote "Yea" and 50% "Nay," I classified its MPs' voting decision as toeing the party line. Again, this decision yields a conservative measure of dissent.

<sup>39</sup> Lauri, Karvonen, "Preferential Voting: Incidence and Effects," *International Political Science Review* 25 (April 2004): 203-226, pp. 207.

<sup>40</sup> Jessica Wallack, Alejandro Gaviria, Ugo Panizza, and Ernesto Stein, "Particularism around the World," *The World Bank Economic Review* 17 (January 2003): 133-43.

<sup>41</sup> Gideon Rahat and Reuven Y. Hazan, "Candidate Selection Methods: An Analytical Inlay Framework," *Party Politics* 7 (May 2001): 297-322.

<sup>42</sup> Torsten Persson and Guido Tabellini, *The Economic Effects of Constitutions*, (Boston: MIT Press, 2003).

<sup>43</sup> Diermeier and Feddersen, 1998.

<sup>44</sup> John Huber, "The Vote of Confidence in Parliamentary Democracies." *American Political Science Review*, 90 (June 1996): 269-82.

<sup>45</sup> Bowler, Farrell, and Katz 1999.

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John Carey, *Legislative Voting and Accountability*, (Cambridge: Cambridge University Press, 2009).

Diermeier and Feddersen, 1998.

Huber, 1996.

Epstein, 1967.

<sup>46</sup> Mancus Olson, *The Logic of Collective Action: Public Goods and the Theory of Groups*, (Cambridge: Harvard University Press, 1971).

<sup>47</sup> Shaun Bevan and Greene Zachary, "Looking for the party? The effect of partisan change on issue attention in UK Act of Parliament", *European Political Science Review*, forthcoming.

<sup>48</sup> Christopher Kam, *Party Discipline and Parliamentary Government*, (Cambridge: Cambridge University Press, 2009).

Martin, 2014.

<sup>49</sup> Kaare Strom, "Rules, Reasons and Routines: Legislative Roles in Parliamentary Democracies." *The Journal of Legislative Studies* 3 (March 1997) 155-174.

<sup>50</sup> Owens, 2003.

Margit Tavits, "The Making of Mavericks, Local Loyalties and Party Defection," *Comparative Political Studies* 42 (June 2009): 793-815.

<sup>51</sup> Cristina Leston-Bandeia, "Dissent in a Party Based Parliament," *Party Politics* 15 (November 2009): 695-713.

<sup>52</sup> Gideon Rahat, "Determinants of Party Cohesion: Evidence from the Case of the Israeli Parliament," *Parliamentary Affairs* 60 (April 2007): 279-96.

Depauw and Martin, 2009.

<sup>53</sup> The operationalization of this variable in parliamentary systems is rather simple: it differentiates MPs whose party belonged to the government/coalition and those who were members of the opposition. In presidential systems, because the head of the executive has the means and jobs, with which he or she can induce discipline, I coded legislators that belong to the presidents' parties as governing parties.

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<sup>54</sup> Christopher Foster, "Cabinet Government in the Twentieth Century," *The Modern Law Review* 67 (September 2004): 753-771.

Kam. 2009.

Guillermo Rosas and Yael Shomer, "Models of Non-Response in Legislative Politics," *Legislative Studies Quarterly* 33 (November 2008): 573-601.

<sup>55</sup> Bruce E. Cain, John A. Ferejohn, and Morris P. Fiorina, "The Constituency Service Basis of the Personal Vote for U.S Representatives and British Members of Parliament," *American Political Science Review* 78 (March 1984): 110-25.

<sup>56</sup> Philip Norton and David M. Wood, *Back from Westminster: British Members of Parliament and Their Constituents*, (Kentucky: The University Press of Kentucky, 1993).

<sup>57</sup> Tavits, 2009.

<sup>58</sup> Shomer, 2009.

<sup>59</sup> I do not differentiate between a legislator who served four consecutive terms prior to the one examined and a legislator who served two sessions, left the legislature for three terms, and then served two additional sessions.

<sup>60</sup> Sue Thomas and Susan Welch, "The Impact of Gender on Activities and Priorities of State Legislators." *Western Politics Quarterly* 44 (June 1991): 445-56.

<sup>61</sup> Sarah Childs, "In Their Own Words: New Labour Women and the Substantive Representation of Women," *British Journal of Politics & International Relations* 3 (June 2002): 173-90.

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<sup>62</sup> In addition, Cain, Ferejohn, and Fiorina argue that an individual member's electoral safety is an important determinant of personal vote-seeking incentives and should therefore affect dissent levels (see: Bruce Cain, John Ferejohn and Morris Fiorina, *The Personal Vote:*

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*Constituency Service and Electoral Independence*, (Boston: Harvard University Press, 1987)).

Unfortunately, data on electoral safety was not available cross-nationally.

<sup>63</sup> Analysis of an HLM model yielded similar results. For ease of interpretation I present the OLS model.

<sup>64</sup> Cindy D. Kam and Robert J. Franzese, *Modeling and Interpreting Interactive Hypotheses in Regression Analysis*, (Michigan: University of Michigan Press, 2007). P. 42.

<sup>65</sup> The predicted values were calculated for a female legislator, from a unitary presidential country, who is neither a minister, nor a deputy minister, nor a committee chair, and who served 2.1 sessions prior to the one examined (the mean) from an opposition party of the size 150.4 (mean size).

<sup>66</sup> Note though that the confidence intervals overlap across values of the *selectorate*, suggesting that we cannot claim with high levels of certainty that the marginal effect of *ballot* when selection is via party leaders and when selection is via primaries are statistically distinguishable from one another.

<sup>67</sup> The marginal effect of *selectorate* does not depend on levels of *centralization*.

<sup>68</sup> Childs, 2002.

Tamerius, 2010.

<sup>69</sup> Brian F. Crisp, Maria C. Escobar-Lemmon, Bradford S. Jones, Mark P. Jones, and Michelle M. Taylor-Robinson, "The Electoral Connection and Legislative Committees." *The Journal of Legislative Studies* 15 (March 2009): 35-52.

<sup>70</sup> Ibid., p. 46.

<sup>71</sup> Akirav, 2010.

Crisp et.al. 2004.

Gideon Rahat and Tamir Sheafer, "The Personalization(s) of Politics: Israel 1949- 2003."

*Political Communication* 24 (2007): 65-80.

<sup>72</sup> Stuart Soroka, Erin Penner and Kelly Blodook, "The Nature of Representation in Canada, Part II: Constituency Influence in Parliament." *Paper prepared for presentation at the Annual*

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