



Routledge Studies on Political Parties and Party Systems

OPPOSITION PARTIES IN EUROPEAN LEGISLATURES

CONFLICT OR CONSENSUS?

Edited by
Elisabetta De Giorgi and Gabriella Ilonszki



Opposition Parties in European Legislatures

Democratic theory considers it fundamental for parties in government to be both responsive to their electorate and responsible to internal and international constraints. But recently these two roles have become more and more incompatible with Mair's growing divide in European party systems between parties which claim to represent, but don't deliver, and those which deliver, but are no longer seen to represent truer than ever.

This book contains a qualitative and quantitative analysis of the behaviour of the opposition parties in eleven European democracies across Western and East Central Europe. Specifically, it investigates the parliamentary behaviour of the opposition parties, and shows that the party context is increasingly diverse. It demonstrates the emergence of two distinct types of opposition: one more cooperative, carried out by the mainstream parties (those with government aspirations), and one more adversarial focusing on government scrutiny rather than on policy alternatives (parties permanently excluded from power). It systematically and analytically explores the sources of their behaviour, whilst acknowledging that opposition is broader than its mere parliamentary behaviour. Finally, it considers the European agenda and the economic crisis as two possible intervening variables that might have an impact on the opposition parties' behaviour and the government-opposition relations. As such, it responds to questions that are major concerns for the European democracies of the new millennium.

This text will be of key interest to students and scholars of political parties, European politics, comparative politics and democracy.

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**Edited by Elisabetta De Giorgi
and Gabriella Ilonszki**

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1 Introduction

Gabriella Ilonszki and Elisabetta De Giorgi

There are many types and forms of opposition in modern societies and the day-to-day usage of the word encompasses a wide “variety of developments” (Blondel, 1997, p. 462).¹ However, as opposition has evolved, it has become mainly associated with the institutionalisation of political conflict (Rokkan, 1970) together with the rise of modern democracy. The present volume, therefore, focuses on the specific form of opposition carried out by political parties within parliament, that is, parliamentary opposition.

The modern concept of parliamentary opposition has evolved alongside the development and institutionalisation of inter-party conflicts in the parliamentary framework and it has been applied in diverse forms in different countries over the years. Indeed, the meaning attached to it varies in line with the countries’ specific trends of conflict and cooperation, which may in turn be affected by a large number of factors. The major purpose of this comparative book is to shed light on how parliamentary opposition behaves in each of the countries considered and what affects this behaviour. The aim is also to determine whether variation continues to be the main characteristic of this political actor both within and among countries, as formerly argued (Dahl, 1966), or whether a common trend can be identified in (some of) the countries under analysis.

This process has three potential outcomes. First, we may continue to find the extreme variation in opposition behaviour identified in Dahl’s classic volume on opposition in 1966. To some extent, this is to be expected as the nature and management of political conflicts remain rooted in a wide range of politics and institutions (Sartori, 1966; Helms, 2008). Furthermore, since the publication of Dahl’s volume, this variation has been fostered by the formation of many new democracies. Second, we might also find some general shared trends. The overarching umbrella of the European Union has inevitably influenced the behaviour of both governments and oppositions. In addition, parliamentary opportunity structures have changed in many European countries along the same lines (von Beyme, 1987; Fish, 2005) and we believe this evolution has played a role in (re)shaping the opposition’s conduct in recent years. Third and finally, there have been new developments in many European countries, which might have responded to these challenges in various ways. In particular, it is

likely that the transformation of the party context – notably the success of new party families (Mair, 1997, 2011; Bardi et al., 2014) – and the economic crisis (Bosco and Verney, 2012; Moury and De Giorgi, 2015) have had an impact on the opposition's behaviour. It remains to be seen whether (and how) these new developments have led to more varied opposition's conduct or pushed general patterns to evolve.

Parliamentary opposition is not a unitary force, as it is always formed by numerous actors, that is, political parties. Thus, to understand the role and functions of parliamentary opposition, it is paramount to examine how individual parties relate with the government and how they interact with each other in this process. Their complex connections will be the primary focus of this book.

Parliamentary opposition is defined herein as a political actor composed of one or several party groups that oppose the governing forces; its aim is to exercise *control* and appear in parliament as a *challenger* that provides an alternative to the government in *political* and *policy* terms. This book analyses the three main activities undertaken by opposition parties in parliament to this end: **voting on legislation**, **proposing legislation** and **scrutinising the government**. The following sections briefly describe the distinctions in the way the opposition exercises its prerogatives in parliament vis-à-vis several systemic and non-systemic variables. Hypotheses will be formulated about their impact in three broad areas in particular: the party context, the institutional setting in which parties interact and some specific external constraints, namely the onset of the global financial crisis and the EU's increasing intervention in this context – leading to novelties, variation, and general patterns in the opposition behaviour.

The party context

The rich academic literature on party developments presents an array of arguments about partisan features that might impact the behaviour/activities of the opposition in parliament. In addition to streamlining these arguments below, we identify their potential effect on the opposition's activity in three broad categories: the nature of parties, the nature of the party system and the nature of the opposition itself.

The party perspective

The two major approaches used to explain party behaviour are equally applicable to the behaviour of opposition parties. Whereas the first argues that parties are strategic actors and their goals determine their conduct, the second claims that parties' behaviour is a result of structural attributes. According to the first approach, the behaviour of parties on both the opposition and government benches in parliament is driven by electoral, position-seeking and

policy-seeking goals because their overriding objective is to gain votes and positions and implement policies (Müller and Strøm, 1999; Andeweg and Nijzink, 1995; Pedersen, 2012). Behind a vote for or against a policy related government bill, numerous electoral considerations or prospective office-related expectations are played out (Brauninger and Debus, 2009) even in opposition. However, these strategic motivations will depend on party attributes as “some parties are better suited for strategic action than others” (Rovny, 2015, p. 916). For example, a major party with many diverse and often contradictory interests will exercise the role of opposition differently from a minor party, which groups just a few interests in a particularly well-defined manner. Variation in the parties’ features remains a major explanatory source of opposition behaviour (Pedersen, 2012).

One of the factors that affects behaviour in opposition is the party’s political history – for example, its tradition and parliamentary experience (Steinack, 2011). The context in which a party is formed, notably in new democracies, might well matter. The behavioural messages sent by successor parties will differ from those of new parties: the former might be less confrontational to prove their cooperation potential, while the latter might adopt more confrontational strategies to build a genuinely new profile and identity. Party novelty, or more broadly, party age and experience will be decisive in these matters. Additionally, even a simple organisational feature like party size can be expected to result in different behaviours: small parties concentrate on scrutiny activity rather than propose policy initiatives that require considerable resources. As Figure 1.1 shows, it is essential to consider (and test) the combination of a party’s strategic aims and structural attributes when explaining opposition party behaviour in the following chapters.

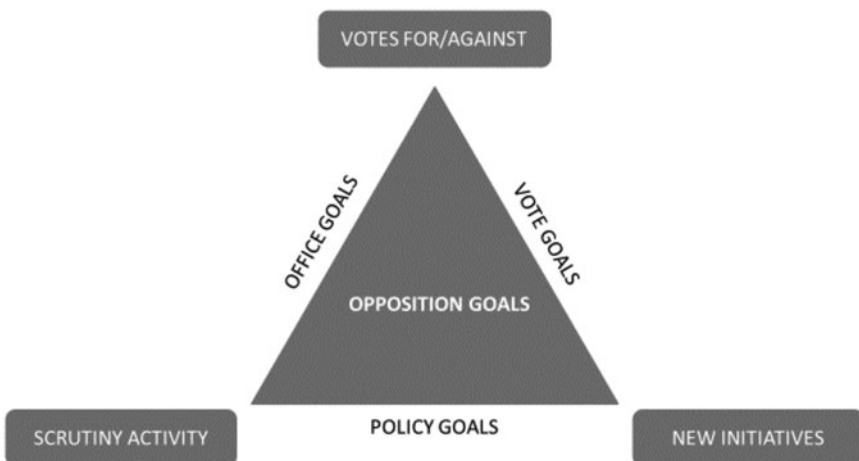


Figure 1.1 The opposition parties’ goals and strategies

The three aspects of the opposition's parliamentary behaviour analysed herein are expected to serve the parties' goals in different ways. Voting for or against government initiatives is largely tied to office-seeking and vote-seeking goals. This will be the most sensitive parliamentary activity for the opposition parties, as it allows them to express their political stances more clearly: it shows whether or not they are relentless challengers of the government, and sends a clear message to their potential constituency. On these grounds, we expect to find the most clear-cut behavioural patterns of opposition in this activity. The opposition's scrutiny activity is linked primarily to office and policy goals and has a different force: an office related confidence motion or a "simple" parliamentary question will serve different party objectives. Moreover, scrutiny will depend on the diverse intra-parliamentary regulations of each country. Thus, it can be rightly assumed that the opposition's behaviour will vary greatly in this context and possible patterns will not be so clearly defined. New legislative initiatives of the opposition parties will be motivated mainly by policy goals, as occasionally the desire of attracting voters' attention can play a role in this. Parliament is not the terrain for the opposition to achieve its own policy results, not to speak of how costly policy initiative is overall; we therefore expect more modest activity in this context than in the other two.

The party system perspective

Following the former line of thought, opposition party behaviour will depend on the nature of the party system as well as on how parties connect and how their political space is organised.

When writing about the structure of the party system, Duverger (1951) stated that multi-partism and bipartism gave rise to different opposition patterns (p. 414), although this is more than a simple numerical relationship. The following are of paramount importance for the opposition's behaviour: the level of polarisation of the party system, i.e. higher polarisation might trigger a generally higher level of conflict in terms of action; and whether there is a major party that is difficult to challenge or alternatively several small/medium-size parties with more opportunities to negotiate. This generates different behavioural considerations from the opposition's perspective.

The party system structure matters even within the opposition area. When the opposition party system is polarised, parties can be expected to follow more individualistic strategies, and this might also be the case when the opposition is fragmented. The opposition party system will consequently affect the parties' goals and their strategy to achieve them: vote, office and policy considerations will appear in a different light depending on the specific opposition context.

The opposition perspective

The opposition's government potential or vocation is another fundamental feature affecting its conduct. This idea was first developed by Giovanni Sartori (1966). "An opposition which knows that it may be called to 'respond', i.e. which is oriented towards governing and has a reasonable chance to govern [. . .] is likely to behave responsibly, in a restrained and realistic fashion. On the other hand, a 'permanent opposition' which (. . .) knows it will not be called on to respond, is likely to take the path of 'irresponsible opposition'" (ibid., p. 35). Although Sartori was thinking mainly of the Italian case and its polarised multiparty system, the distinction between responsible and irresponsible opposition is still expected to be relevant.²

According to the theory of responsible party government, parties should be both responsive to their electorate and responsible for what they do in government.³ These two concepts have become increasingly incompatible in the last decade (Bardi et al., 2014; Freire et al., 2014; Rose, 2014); indeed, some scholars have started to speak of a "growing divide" in European party systems between parties that govern but are no longer able to represent, and parties that claim to represent but do not govern. The latter constitute what Mair (2011) calls the "new opposition": they (almost) never hold any government responsibility and can consequently maintain a high level of responsiveness to their electorate; they are usually characterised by a strong populist rhetoric although they cannot be defined as "anti-system" in Sartori's use of the term (1976).

However, as Kriesi states, such a sharp division of labour between these two types of party seems too static (2014, p. 368). The so-called new opposition parties may, in fact, enter the government in a subsequent election and the division of labour envisaged by Mair may therefore be transitory rather than permanent. Indeed, some extreme right and populist right parties aim to acquire government responsibility, and some have actually managed to do so (Akkerman et al., 2016; Ágh, 2016; Enyedi, 2016; Minkenberg, 2013). In Eastern and Central Europe (ECE), new parties – frequently with a radical populist agenda – took a position in government immediately after entering parliament without spending any time on the opposition benches. Thus, we can assume that their responsiveness versus responsibility credentials are blurred (Grotz and Weber, 2016).

Nonetheless, permanent opposition parties do exist in most European democracies and we claim that the temporary versus permanent opposition status would significantly affect the parties' choices in parliament. With this distinction in mind, we identify two major goals for opposition parties: *leaving opposition*, that is, getting into government as soon as possible; and *exploiting opposition*, that is, trying to take advantage of the opposition status. These goals might give rise to two very different behavioural strategies depending on the party's opposition status. A temporary opposition party – i.e. one that has been alternating in power – would consider getting into government a feasible

goal. Thus, we expect these opposition parties to be more cooperative in terms of voting behaviour and more passive in other parliamentary activity, notably legislative initiative and scrutiny activity. As Sartori said, these parties know they will be held accountable for their actions, but, we add, they could soon be in the government's position. They therefore usually keep a more moderate profile in their confrontation with the executive, except in the presence of relevant programmatic issues or media attention. As for the second goal, we expect parties, notably those permanently in opposition, to act in a more adversarial way as well as to be more active; successful parliamentary activity and the actions of opposition parties outside of parliament increase their electoral opportunities and chances of getting into parliament again. Increased confrontation often gives more visibility to the actors involved, so they can exploit their opposition status in this way.

Under favourable conditions, this might even bring about government status for them: either electoral considerations or governing rationale might make these parties fly into a governing position. All this implies that the two main opposition goals may overlap. These hypotheses will be tested in the country chapters.

Institutional framework and opportunities

Both in government and in opposition, parties act and perform in specific institutional contexts that provide them with varying opportunity structures. This section aims to summarise the institutional opportunities for the opposition parties and the effects they have on their behaviour. Focus will be placed, in particular, on the impact of the structure of competition, type of government, presence of strong veto powers and rules of the parliamentary game.

Broadly speaking, consensus oriented political systems provide more opportunities for the opposition than majoritarian democracies (Lijphart, 1999). Although this differentiation is mostly based on other than the parliamentary features (like the electoral system, government characteristics, type of judicial review, etc.), this divide still informs us about how opposition opportunities evolve in the parliamentary framework, how decisions are taken, how many actors and decision points are involved, and how many veto players there are. Furthermore, various majority requirements in the government formation and/or the decision-making process (Bergman, 1993) will influence the conflict or cooperation patterns between government and opposition actors.

In majoritarian democracies, competition structures tend to be closed and predictable; in contrast, they are more open and unpredictable in consensus democracies and depend on the patterns of alternation in government, more particularly relating to the range of parties obtaining access to government (Mair, 1997). Where wholesale alternation prevails, i.e. the entire government is replaced, the opposition can and must play a more conflict-ridden political game. On the other hand, where there is partial alternation, i.e. opposition

parties possibly overlap in government with their former rivals, more consensus can be expected. Partial government alternation is expected to imply more cooperative behaviour from parties as they must maintain good connections in view of a prospective cooperation (Louwerse et al., 2016). Wholesale alternation is less likely when opposition is fragmented; although this does imply not only less clear-cut accountability patterns (Best, 2013) but presumably also different and more conflictual behaviour.

We can also expect that a constitutionally strong head of state might change the government–opposition relationships. Presidential veto rights or the president’s partisan sympathies towards a particular party will affect government–opposition dynamics (Millard, 2000; Protsyk, 2006; Sedelius and Ekman, 2010). Second chambers might also provide additional opportunities for non-governing parties. Although the chapters in this volume will focus exclusively on the first chambers, the opposition’s mere potential of having substantial support and blocking certain decisions in the “other house” will bring about anticipatory behaviour on the side of the government (Manow and Burkhart, 2007), and thus provide the opposition with considerable opportunities.

The government’s strength and composition is an additional institutional constraint on the opposition parties’ opportunities and behaviour (Powell, 2000). The opposition’s opportunities when executive power is concentrated in a strong single-party majority cabinet are different vis-à-vis those in minority or multiparty coalition governments. In the former case, parliamentary opposition rarely has any significant room of manoeuvre or space to negotiate with the government in office, which is already supported by a strong and disciplined single-party majority. Nevertheless, the opposition is obliged to put itself forward as an alternative in order to compete for power at the following election. In the second case, the life of parliamentary opposition seems to be more advantageous, particularly for smaller parties, as they represent crucial allies for the government so that it can be assured of a majority in parliament when divisions on legislation occur (Pasquino, 1995).

Finally, the rules of the parliamentary game are thought to influence the opposition’s behaviour, as they often represent the only resource available to opposition parties. The rights and space afforded to the opposition in parliament by institutional rules are fundamental. In fact, “most of the time oppositions can draw on only two resources in their relations with Governments: good reasons, and time” (King, 1976, p. 18). Time is provided by the institutional rules, while good reasons depend on complex partisan interactions (Andeweg and Nijzink, 1995).

As far as the opposition’s opportunities in parliament are concerned, two paradoxes should be highlighted. First, on one hand, parliament has generally improved as a working place for the opposition: parliamentary reforms have given more visibility and opportunities to the opposition, parliaments have become more open by involving the public through different deliberative instruments and new media (Griffith and Leston-Bandeira, 2012) and the

opposition does not seem to be on the losing side in this process. On the other hand, the parliaments' functions and relevance have been challenged in face of stronger executives and international – mostly European Union – requirements (Laffan, 2014; Goetz, 2014), although again the way national parliaments can maintain their position varies (Winzen, 2017). The opposition must clearly respond to these challenges but paradoxically its opportunities will depend on the strength of the entire parliament (Auel et al., 2015).

The second paradox lies in the delicate link between formality and informality in the parliamentary arena. While the possibilities of getting informed are more informal for the government parties, for the opposition parties need to be regulated through formal rules (Schnapp and Harfts, 2005, p. 354). This is an important point to consider: paradoxically, we cannot gain a full picture of parliamentary deliberation and opposition parties' behaviour by merely focusing on institutional opportunities and formal rules (Helms, 2008), even though these are essential for the opposition. This is one of the reasons why each chapter in the book will try to combine qualitative descriptive analysis with empirical data analysis. Lastly, the relative impact of the partisan and institutional variables remains to be seen when both partisan and institutional dynamics are in the making, as happens in the new democracies.

The external constraints

In addition to the potential impact of partisan and institutional explanations, two external contexts should be considered to understand conflict and consensus in opposition. The dilemma between conflict and consensus tends to prevail in “normal” times, but becomes even more evident when for some reasons painful decisions must be made or a new constraint, such as an economic crisis, challenges the status quo. What is more advantageous? Does a crisis provide the opportunity to attack the rival or does cooperation remain more useful? The onset of the global financial crisis made this theoretical question a pragmatic reality. We regard that and the expansion of the EU intervention in the national decision making of the member states as the two “external” challenges which placed policy decisions in a new light for both the government and the opposition and, more particularly, for the government and opposition parties.

The powers and prerogatives of national legislatures have undoubtedly been affected by the process of European integration: parliaments have lost part of their legislative sovereignty, and their remaining legislative competencies are framed by European legislation. At the same time, the executives have been strengthened thanks to their direct involvement in EU decision making. Nevertheless, recent research demonstrates that “it is rather difficult to maintain the argument that national parliaments are not interested or involved in EU affairs” (Auel et al., 2015, p. 75). We can expect that even if opposition parties make rather symbolic contributions to policymaking, i.e. legitimating decisions that