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Marco Giuliani

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Patterns of Consensual Law-making in the Italian Parliament

Marco Giuliani

The transformation of the Italian political system, which began in the early 1990s, should have had an impact upon internal parliamentary dynamics, and in particular upon the degree of consensualism within the legislative process. In this article we are going to examine this hypothesis in the light of the new empirical evidence we have regarding the analysis of Italy's legislative process, and we shall provide a series of explanations for the unexpected degree of persistence of those legislative patterns characteristic of the so-called 'first republic'.

Keywords: Italy; Parliament; Legislative process; Alternation; Consensualism

Introduction

There can be no doubt that legislative life in the Italian parliament is more hectic and chaotic than it was in the past. In that arena, the government's greatest problem during the first republic was its being 'ambushed' by some secret parliamentary ballot. Disparate members of its own majority, or worse still, organized factions within the pivotal party, could outvote the government by altering its internal political balance and offering specific benefits to targeted constituencies. However, the coalitional formula itself was not in danger, and when the secret ballot was eventually virtually abolished at the end of the 1980s, the various different governments had little to fear from the legislative process. There was actually widespread criticism of its limited effectiveness — in 1984 the then prime minister, Bettino Craxi, accused parliament of only being capable of legislating on matters of little substance such as 'shells and farmyard fowl' — but the divided left-wing and right-wing opposition did not seriously filibuster the parliamentary arena.

Many things began to change, however, from the early 1990s onwards. We shall not be discussing the true extent of the makeover, or be analysing the current gap between what was expected and what has actually been accomplished. The majoritarian shift in

Italy's political system may not yet be completed, and it could justifiably be argued that such a transformation will never be fully accomplished; nevertheless, things are most definitely not what they used to be, especially in parliament. Each legislature since 1994 has seen the complete alternation of government — something that had never happened in the previous 50 years. This certainly changes the time perspective of the governing coalition and of individual MPs, and probably alters their approach to the legislative process. While the government still has to counter its internal centrifugal tendencies, resulting in the main from the high degree of fragmentation of the party system itself, each bill now runs the risk of leading to political crisis, to changes in the coalition and to fresh elections. Such a danger has had the paradoxical effect of bringing heterogeneous governmental parties closer together. In fact, the 13th and 14th legislatures survived up until their natural end, albeit with certain internal adjustments having to be made.¹

The new confrontational mood requires both majority and opposition to call for highly cohesive, responsible behaviour from their respective parties and MPs, even if they are contrary to the substance of certain policy choices (over which parties within the same coalition may indeed diverge). One example, taken from the 15th legislature, should help to clarify this point. At the beginning of 2007, the executive had to submit a report to parliament on the enlargement of a US military base near Vicenza, a town in north-eastern Italy. The issue proved highly controversial within the governing majority, as a result of opposition to the base from its more radical leftwing parties. Following a speech by the defence minister in favour of the expansion of the base, the centre-left coalition decided to withdraw its motion of support of the government report, in order to avoid a parliamentary show-down with green and communist MPs — both groups belonging to the government coalition. However, the opposition took the opportunity to submit a motion which simply stated that parliament 'having listened to the government's account, *approves it*'. Yet the majority could not bring itself to vote with the opposition — not least because of its internal contradictions — and decided to vote against that particular motion, that is, against approval of the government's position! Moreover, it lost the ballot by six votes, and eventually had to table a second motion stating that the senate '*takes note* of the government's account' — which was clearly a less supportive position than the one previously approved. The opposition then decided not to vote on this second motion, leaving the assembly and further highlighting the contradictions within the governing majority.

The paradox of a majority voting against its own cabinet, while the opposition supports the latter's actions, clearly illustrates the level that the confrontational style of Italy's parliament can reach. Each tactic adopted — from filibustering to the tabling of hundreds of amendments, from questioning the existence of a legal quorum to defection from the assembly — is justified in terms of the public effect achieved: blame for the incompetence of the majority on the one hand, or the demonstration of the majority's capacity to survive the pointless obstructionism of the opposition, on the other. In this context, political goals may well prevail over substantive policies, thus encouraging non-cooperative strategies even when cooperative action would be feasible.

Overall, we would expect that in such a new political environment, the legislative process would have seen the abandonment of those consensual practices that characterized the heydays of the first republic, and that have been dubbed '*consociativismo*' (Giuliani 1997). No more laws 'secretly' approved by standing committees; no more agreements between parties from opposing coalitions; and no more bills backed unanimously by parliament.

The present article aims to provide empirical evidence of the evolution of the consensual style adopted by Italy's policy-makers. More specifically, we shall be analysing the patterns of law-making during the 13th and 14th legislatures (1996–2006) and looking for temporal variations both inside that period, and against the background of past experience within the Italian parliament (Capano & Giuliani 2001a; 2001b). This diachronic viewpoint will be accompanied by individual observations regarding other countries, since a systematic cross-country comparative study cannot easily be conducted into these kinds of issues.²

In the following section we are going to examine the changes to the legislative arenas — parliamentary committees and the floor — that have occurred since 1987, that is, since what is widely recognized as being the last legislature of Italy's first republic. The third section will focus on the past decade only, first by offering a more in-depth interpretation of the diachronic evolution of the legislative process, and second by trying to attribute different patterns of law-making to certain constitutive elements of the bills to be adopted. Finally, the fourth section looks at two principal groups of hypotheses dealing with the issue of inter-party cooperation in law-making. We conclude by suggesting future research strategies that may be adopted in order to improve the present analysis, and by taking an initial look at what has happened at the beginning of the 15th legislature.

Arenas for Consensual Practices

The Italian parliament has one of the highest rates of legislative production in the world. Although we are not going to investigate the underlying causes of such a proliferation of legislative action, it has to be said that the approval of between two and four times the number of laws produced by other countries, invariably implies certain substantial differences in the process itself. One of the expedients that used to render the entire process more 'efficient' was the previously mentioned option of approving laws without embroiling the assembly, that is, by bestowing direct legislative powers upon standing committees. Since it is fairly easy — either for government or for a minority of MPs — to withhold such powers, the rate of laws directly approved by such standing committees has always been considered a reliable indicator of consensualism.

During the early years of the republic, almost 80 per cent of all laws were adopted following the aforesaid procedure, that is, with the explicit consent of all major parties (who were nevertheless fiercely opposed in political debates and in the electoral arena). Even well into the 1980s, more than half of all bills were approved by committees

rather than on the floor, and it was only after public opposition to such practices during the early 1990s that a drastic reduction in the use of this special (consensual) procedure was witnessed. Let us now take a closer look at this latter period, by comparing the data presented in Figure 1.

The dotted line represents the percentage of laws approved in committees during each of the last five legislatures. This percentage clearly fell from what is normally considered to be the last legislature of the first republic (1987–92), to the two shorter legislatures of the transition years (1992–4 and 1994–6), before levelling out at around the 15 per cent mark over the last decade of centre-left (1996–2001) and centre-right (2001–6) governments. One could claim that the fact that more than one law in ten is approved in a consensual way, still represents a clear deviation from the competitive Westminster model. However, the clear difference compared with the recent past cannot be easily ignored.

Nevertheless, we have to bear in mind that the Italian constitution prohibits the approval of certain types of law by committees. Constitutional and budgetary laws, together with those provisions ratifying international treaties or converting temporary decree laws, cannot be approved without the final vote of the floor, thus reducing the range of bills for which there is any real possibility of choosing the type of procedure to adopt. Thus, if we want a more precise indicator, we should ignore those acts that are the prerogative of the assembly. If we calculate the percentage of laws approved by committees on this new basis, that is, on the basis of ordinary laws only, then the result is the one shown by the continuous line in Figure 1. Whereas the trend is similar to

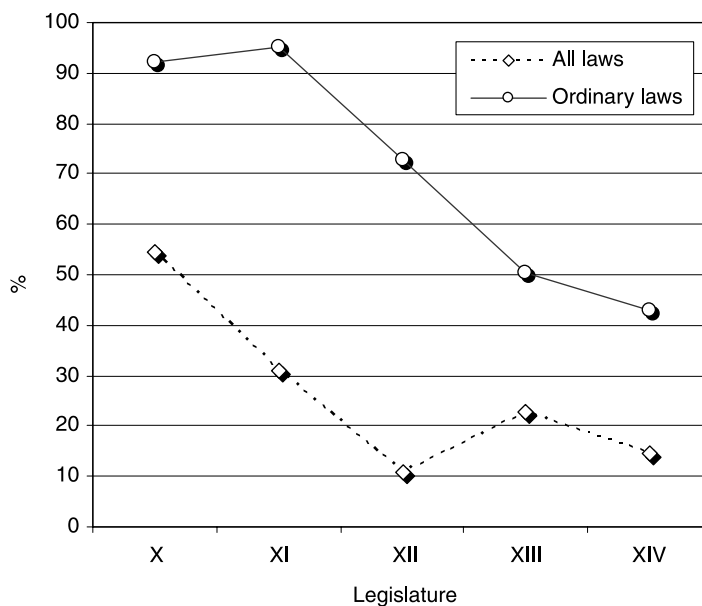


Figure 1 Percentage of laws adopted by parliamentary committees (1987–2006). *Source:* Italian law-making archive; available at: <http://www.socpol.unimi.it/ricerca/parlamento>

the preceding one, the values are remarkably different. In the last decade, almost half of all ordinary laws — a total of more than 300 acts — have still been approved by committees, either unanimously or against negligible opposition.³

Many of these laws probably relate to micro-distributive policies that are subject to the traditional dynamics of logrolling. The Italian term often used for such laws is *'leggine'*, that is, 'mini-laws'. In fact, if we examine their content we discover that the average number of articles contained in those bills passed by committees is half what it is in the case of acts of the same type — that is, ordinary laws — approved on the floor. The former are normally shorter and simpler than the latter. Nevertheless, we cannot consider them irrelevant simply because they lack complexity. Committees are not merely the place where pork-barrel, short-term tactics are employed, but are also an integral part of the legislative strategies of all kinds of law-maker. As a matter of fact, more than 40 per cent of the bills passed by committees between 1996 and 2006 were tabled by the government itself, and they represent a substantial portion of the government's successful legislative actions. This type of procedure thus represents the occasion for widespread coalescent legislative practices, being the traditional place in which opposing parties and different institutions tend to cooperate.

If committees are the clearest example of a consensual legislative arena, we should not take it for granted that the floor is confrontational by definition. We began this article with a clear example of bellicose political competition, and we could have given a few more such examples. However, we need to avoid generalizing on the basis of extreme, if not outlier, cases, and try to operationalize our variable in a more consistent manner. The easiest way would be to look at roll-call voting in the chamber of deputies. The senate — which used to be the less antagonistic of Italy's two parliamentary chambers — does not keep a public record of its roll-call voting, and there is no reason to believe it was systematically more confrontational during the period we are considering here. Before going on to a more detailed analysis, we would like to briefly introduce a few figures for the floor behaviour of MPs.

The fragmented nature of Italy's party system, together with the 'bugs' of the mixed electoral system adopted in the elections held between 1994 and 2001, prevented any single party or coalition from achieving a landslide victory and gaining a huge majority in parliament. The first Prodi government was a minority government, followed by three centre-left minimum-winning governments with a parliamentary base just around the 50 per cent mark. Berlusconi's governments during the 14th legislature were clearly oversized, but controlled only about 56 per cent of all MPs. This means that, theoretically, all other things being equal, even in the latter legislature, a roll-call receiving 60 per cent of votes in favour implies that a number of opposition MPs joined the governmental coalition (or, vice-versa, at least 30 per cent of the majority joined the opposition). The greater the number of votes cast in favour of a bill during the last stage, the more this can be considered an indicator of consensual legislative practices, given that unanimity is the mark of a proposal that is universally accepted and sustained. Strange though it may sound, over the past decade bills have

been adopted with an average 90.3 per cent of votes in favour — ‘ayes’: 91.7 per cent during the 13th legislature, and 88.7 per cent during the 14th legislature.

Let us now set a really high benchmark. We will define a bill as being consensual only if it receives at least 95 per cent of MPs’ votes in its favour, that is, if it receives no more than 30 ‘nays’ or votes against. Besides being an undeniably high yardstick, this percentage has the advantage that even in the event of extremely poor attendance or a substantial degree of abstention, 30 ‘nays’ would be enough to withdraw the legislative powers from a committee and send the bill back to the floor. In other words, legislating committees and an almost unanimous floor both point to the same consensual attitude. Hence we can simply propose an additive index, combining the proportion of bills passed by committees with those approved on the floor by at least 95 per cent of votes in their favour (see Figure 2).

The results of this simple elaboration appear strange given the common perception of a harsh, strongly-polarized confrontation between the parties from the two coalitions. First, it looks as if the new majoritarian and bipolar political environment has had a limited impact on legislative behaviour in parliament (Capano & Giuliani 2003). Our additive index reveals just a slight reduction in consensualism since the late 1980s. Less than 30 per cent of all the bills approved over the past decade have been adopted in a way which could be defined as non-consensual according to our extremely stringent benchmark, whereas more than 20 per cent of those decided by a roll-call on the floor have been voted unanimously. Secondly, much of the inter-party

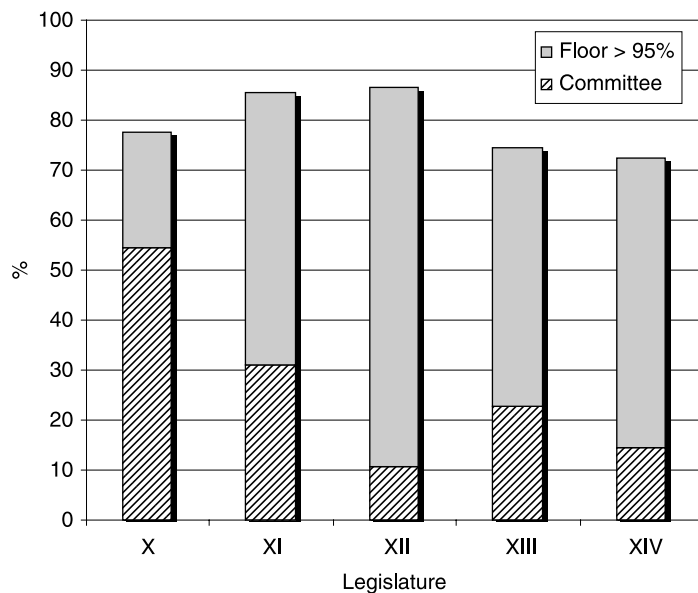


Figure 2 Percentage of consensual laws (passed by committees or with at least 95% of MPs’ votes in favour) (1987–2006). *Source: Italian law-making archive; available at: <http://www.socpol.unimi.it/ricerca/parlamento>*

coalescent practices at the committee level which characterised the first republic seem to have been replaced by an increasing degree of agreement on the parliamentary floor.⁴ This would seem to indicate that the sheltered milieu of the parliamentary committee is not the only place where agreements with the opposition are reached, and that consensual strategies are not reserved to mere distributive policies, contrary to our expectation of an increasingly antagonistic parliamentary assembly.

Patterns of Law-making

Such unexpected degrees of consensus require some further investigation. On the one hand, it could be said that Italy is not the only country exhibiting a high degree of consensus on the parliamentary floor. Even Germany — just one example of a country often considered to conform to the Westminster model of democracy (Lijphart 1999) — has witnessed a substantial number of laws approved unanimously. In the 1999–2001 parliamentary session, for example, during a period in which there was still no sight of any grand coalition, almost 40 per cent of bills were approved unanimously by the Bundestag. Over the last two years this fraction has dropped to below 25 per cent. In Germany, this ‘unique pattern of confrontation and cooperation between government and opposition’ (Schmidt 2002, 68) was the outcome of systematically divergent majorities between the lower and upper chamber. The federal structure of the state, the power and composition of the Bundesrat, which is made up of the ministers of the regional governments which control implementation of federal legislation, and the fact that the chancellor only needs a vote of confidence from the lower chamber, represent the main ingredients in the creation of the German parliament’s peculiar record. None of these features are present in the Italian case, however.

On the other hand, the bipolar system introduced into Italy in the early 1990s may have exacerbated certain obstructionist tactics adopted by opposition parties within parliament, thus partially altering any interpretation of the figures presented. It is widely acknowledged, for example, that as well as adopting filibustering tactics, opposition MPs may get up and leave the floor, thus jeopardizing any quorum needed in order to validate the division. When government has only a thin majority, this tactic can be used quite effectively while voting either on amendments or on the final version of a bill. Minority parties may use it to delay, or even endanger, the adoption of a bill — especially in cases of conversion of a decree law, which must be accomplished within 60 days following issue of the decree. However, it may even be employed as an instrument of public disapproval, that is, as a way of showing that those parties in government have turned a deaf ear to any attempts at collectively adjusting and improving the bill under discussion. The centre-right have used this ‘weapon’ on several occasions, like at the time of the federalist constitutional reform adopted at the end of the 13th legislature. The same is true of the centre-left coalition during the 14th legislature, when it got up and left the senate during the final reading of the bill on reform of the judiciary system.

We thus have to verify whether, perchance, such high levels of voting in favour of legislative proposals are more the statistical result of the opposition leaving the floor

for tactical or ideological reasons, than any real measure of parliamentary consensus. Incidentally, we should also check the level of abstentions, since in the Italian lower chamber (the chamber of deputies), abstentions count for the purposes of the quorum, but not for the end result of the division. Although abstaining may still be deemed as doing the majority a favour, since it helps guarantee the quorum, it may artificially inflate the number of divisions with an extremely high percentage of MPs in favour of the bill. For these reasons, Figure 3 simply maps each roll-call voting in a two-dimensional manner: the *x*-axis represents the percentage of those in favour of the bill, calculated on the basis of the number of MPs attending the division (included those abstaining); the *y*-axis represents the actual index of attendance computed on the basis of a purely theoretical full house (630 MPs for the 13th legislature, and 619 for the 14th legislature).

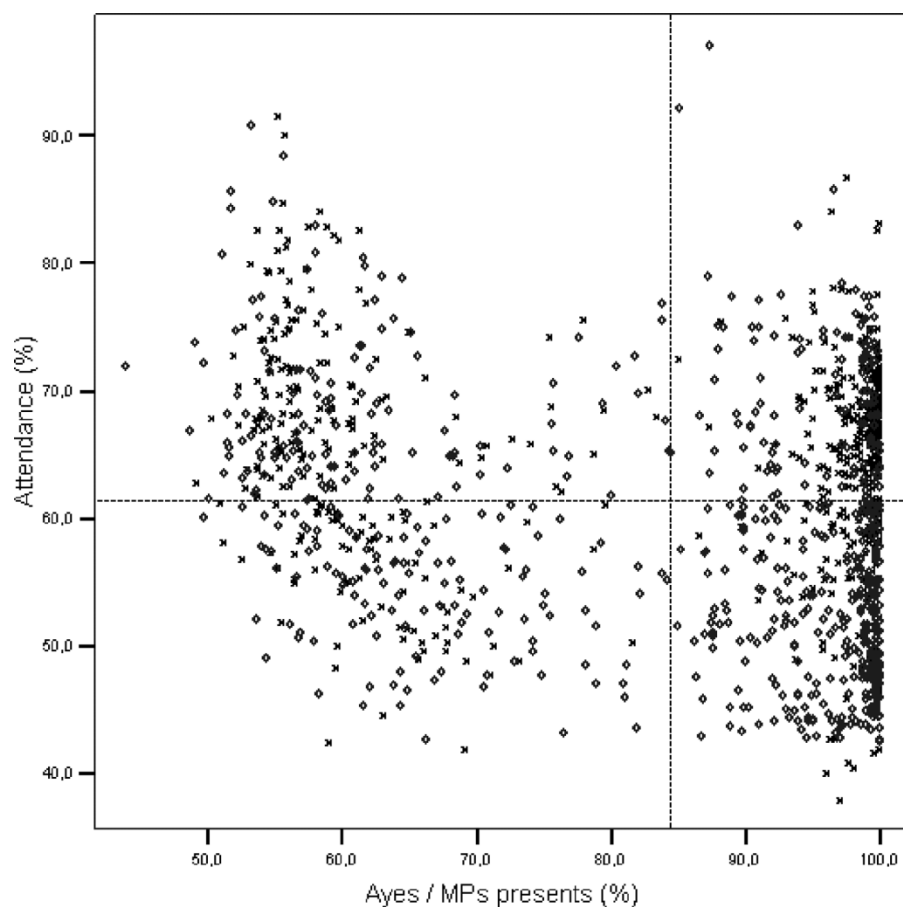


Figure 3 A map of roll-call voting (% attendance and favourable votes, 1996–2006). *Source:* Italian law-making archive; available at: <http://www.socpol.unimi.it/ricerca/parlamento>

The diamonds stand for divisions of the 13th legislature, whereas the crosses represent those of the 14th legislature. Dotted lines represent the average for each dimension, and correspond to a mean attendance of 61.4 per cent and a value of 84.4 per cent with regard to the rate of ayes. Were our conjecture right, we would have most of the consensual divisions located in the lower-right corner of the diagram, whereas that quadrant accounts for only one third of all bills. Although most of those divisions that are more consensual than average, are located in the lower half of the chart, the difference is not sufficiently great to confirm the extensive use of the floor-leaving tactic. Indeed, around 29 per cent of bills received above average support and witnessed above average attendance. Rather unexpectedly, most such bills were approved during the 2001–6 period, that is, during the second and third Berlusconi governments. This may mean that the centre-left opposition parties were less inclined to counter the majority by leaving the floor rather than, for example, abstaining. In fact, even the upper left corner of the map — high attendance coupled with lower consensus — is occupied mostly by divisions that occurred during the 14th legislature. All in all, during the centre-left governments of the 1996 to 2001 period, attendance was clearly lower and consensus slightly higher than during the following period, although the hypothesis proposed here requires further examination.

In order to do so, and as a third observation in this section, we would like to point out the importance of distinguishing between various types of act, and between diverse forms of legislative process. Laws are dissimilar on several grounds. Ordinary, budgetary and constitutional laws, for example, are governed by different procedural rules, and their standard content may well affect the level of parliamentary cooperation. The same could be said of those laws ratifying international treaties or of those delegating power to the executive. Politically speaking, whether it is a governmental bill or a private member's bill does make a difference. Even if it is signed by MPs from different coalitions, or is only supported by a single party, this could be relevant in terms of degree of consensualism. Furthermore, even those variables not directly related to the bill itself, such as the coalitional status of the executive — minority, minimum winning or oversized government — may influence how parties cooperate or otherwise in the legislative process.

In order to assess how such factors may influence MPs' behaviour during the legislative process we have to introduce a more elaborate measure of roll-call voting. The 'Rice cohesion index' (Rice 1928) has been employed as an estimate of intra-party consistency within the US Congress, and subsequently 'used in literally hundreds of studies to measure voting unity in many diverse legislative and judicial bodies' (Desposato 2005, 731). It measures the relative amount of similar votes expressed by members of the same unit, be it a parliamentary group, a coalition, a committee or an assembly. The index ranges from 0, indicating absolute divergence, to 1, indicating complete unanimity. One of the potential drawbacks of this index is that it only takes ayes and nays into account. Wherever MPs have three voting options, we need an index which is capable of measuring abstentions in the event of a division. As we have mentioned, abstention in the Italian parliament is not only an option, but may also be

a deliberate political choice. Although it does not affect the result of the division, it may contribute towards its validity. For these reasons we are even going to check the so-called ‘index of agreement’, which also ranges from 0 to 1, and which considers the possibility of not expressing a clearer degree of consent or dissent (Hix, Noury & Roland 2007). Even though the two indices are normally strictly associated, in certain particular circumstances they may offer a different insight. ‘For example, if a party is split between 10 Yes votes, 10 No votes and 100 Abstentions, the Rice index would measure the party as completely divided (0.000), whereas our index would show the party as quite cohesive (0.750)’ (p. 92). The same may happen the other way around. If 100 MPs voted in favour, no one voted against, while 100 abstained, the Rice index would count this as complete unanimity, whereas the agreement index would return a value of 0.250. Finally, as with most parliaments, even in the Italian case there are certain very well-attended parliamentary sittings, and others with barely a quorum of MPs present. Inter-party cooperation on marginal issues on a deserted floor does not have the same importance as the same behaviour in a full assembly, and the same is even true of contested divisions. If we wish to examine controversial or non-controversial divisions on the basis of their political salience, then we suggest weighing our two original indices by multiplying them by the rate of attendance.⁵

Figure 4 illustrates the trend of the yearly means of our two original and two weighted indices for the *entire chamber* of deputies over the past decade.⁶ The Rice

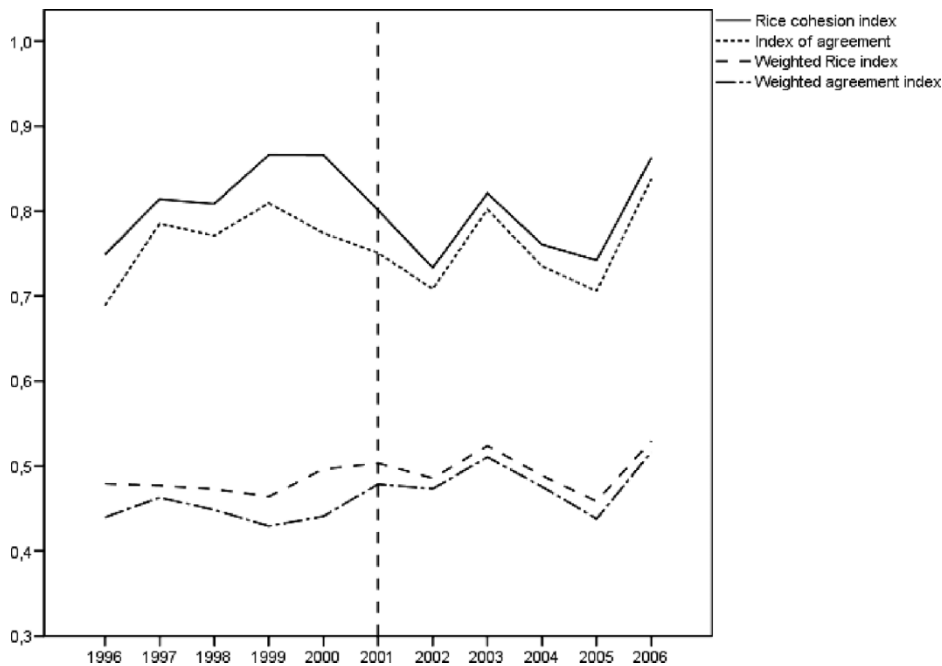


Figure 4 Indices of cohesion and agreement in roll-call voting (1996–2006). Source: *Italian law-making archive*; available at: <http://www.socpol.unimi.it/ricerca/parlamento>

cohesion index and the index of agreement are largely correlated, both exhibiting a similar trend with the partial exception of the year 2000. It is too early to interpret such a trend, although it certainly does not suggest that any major changes took place between the two legislatures; nor does it point to any clear intra-legislature pattern. Fluctuating as they do between 0.70 and 0.85, the two indices are comparable to those of a moderately disciplined *party* (Sinclair 1977, Lebo, McGlynn & Koger 2007), rather than a confrontational floor. Even the European parliament, which is widely acknowledged to be a consensual assembly, displays an agreement index which tends to be lower than the lowest such index for the Italian parliament (Hix et al. 2007, 92–93).

The weighted indices further confirm the impression of legislative stability over the past decade, despite some minor swings during the last 5 years. These measures cannot strictly be compared to those of any other national or supranational assembly, but neither can they be likened to the rather sporadic episodes of ‘rebellion’ or ‘crossing the floor’ so characteristic of genuinely Westminster-style parliaments (Cowley & Stuart 2003; Parliament of Australia 2005). Nevertheless, there is a substantial gap between our ‘raw’ and our weighted indices. This would seem to suggest that the greatest degree of consensualism is reached on issues that, due to their technical nature or scant political salience, do not ‘attract’ MPs to a sufficient degree, or fail to stimulate the party whips’ attention. It is thus time we examined the potential variation stemming from differences in the type of bill approved. In displaying the average values of our four indices, Table 1 offers a brief overview of the more salient features of the legislative business conducted on the floor of the Italian parliament over the past decade, while details of any substantial inter-legislature differences are provided in the comments thereafter.

The first section of Table 1 analyses the impact that different type of laws have on the level of legislative consensualism. While this distinction is of a juridical nature, and is offered by the classificatory scheme of parliament itself, it also highlights certain important political aspects of the question.

The two ‘extremes’ of such a classification are represented by laws ratifying international treaties and agreements on the one hand, and budgetary laws on the other. The former, with the exception of those laws ratifying EU treaties (which are still usually approved by general agreement), are often nothing more than the formal endorsement of highly specific agreements or symbolic resolutions, signed by Italy (or by the EU) and other nations, on politically neutral issues. Their tabling is government’s responsibility, and after swift examination they are approved on the floor. There has been a substantial increase in recent years in the number of such ratifying bills, probably due to changes to the international system; in fact, they represent one-third of all laws passed over the past decade, and more than 40 per cent of those approved on the floor during that same period. Due to their technical or symbolic nature, they are often approved unanimously, albeit by an unconcerned assembly in most cases. This explains the extremely high levels of our first two indices, their similarity (both are above 0.95, as there are no good reasons for abstaining from voting), and their sizeable reduction

Table 1 Average cohesion and agreement indices for different types of law, proponent and government (1996–2006)

		Rice cohesion index	Index of agreement	Weighted Rice index	Weighted agreement index
TYPE OF LAW	N = 1287	0.807	0.766	0.488	0.464
Ordinary	N = 336	0.761	0.698	0.454	0.419
<i>of which delegating</i>	N = 96	0.611	0.588	0.356	0.350
Ratifying internat, agreements	N = 526	0.968	0.951	0.581	0.571
Converting decree laws	N = 374	0.678	0.597	0.417	0.368
Budgetary	N = 42	0.301	0.473	0.195	0.315
Constitutional	N = 9	0.824	0.815	0.630	0.624
TYPE OF INITIATIVE *	N = 761	0.696	0.638	0.423	0.391
Government	N = 606	0.671	0.610	0.407	0.372
Parliament	N = 155	0.793	0.747	0.489	0.463
TYPE OF PROPOSER *	N = 154	0.793	0.747	0.490	0.464
Single-party	N = 85	0.789	0.746	0.495	0.470
Intra-coalitional	N = 43	0.738	0.694	0.442	0.419
Inter-coalitional	N = 26	0.896	0.835	0.550	0.515
Majority	N = 78	0.728	0.689	0.453	0.430
Opposition	N = 50	0.840	0.790	0.515	0.489
TYPE OF GOVERNMENT *	N = 761	0.696	0.638	0.423	0.391
Minority	N = 175	0.684	0.636	0.421	0.392
Minimum Winning	N = 231	0.771	0.660	0.445	0.380
Oversized	N = 355	0.653	0.624	0.411	0.397

Notes: See Appendix for further details on the variable labels; *Without laws ratifying international treaties

Source: Italian law-making archive; available at: <http://www.socpol.unimi.it/ricerca/parlamento>

when weighted by the level of attendance. All in all, ratifying laws are clearly of a unique nature, and as such will not be taken into further account in the following analyses.

The opposite is very much true of budgetary laws. As De Giorgi and Verzichelli's article in this issue points out, if there is one regular 'battle field' in the Italian parliament, it is the autumn budgetary session. The whole process still offers certain opportunities for log-rolling or for bipartisan opposition to the cabinet's plans, but such opportunities are normally precluded from the decisive phase of the final vote. Thus, as our indices correctly point out, budgetary laws are the least consensual in absolute terms, and the 14th legislature witnessed an even lower degree of cooperation than did the preceding one.⁷ Two further elements would seem to substantiate this belief. First, the agreement indices, which take account of the abstention option, are systematically higher than the traditional cohesion indices. This means that MPs do not disperse their votes by choosing this third option, since they are mainly involved in a clear-cut, two-way battle. Second, the gap between rough and weighted indices is smaller than that for any other type of law, which means that parliamentary debates on budgetary issues are also among the best attended ones.

Constitutional laws register the second highest score in terms of voting consensus. This should not come as a surprise, since it is common practice to create the broadest possible agreement when attempting to change the 'rules of the game'. In Italy, such rules can only be amended by a qualified majority, or in the absence thereof, by parliament's decision being submitted to a popular referendum. A qualified majority was obtained in only four out of nine cases, although a referendum was called in only two of the remaining five cases. This shows that the process of amending the constitution has not proven as consensual as its founding fathers would have wished, and yet it is clearly more bipartisan than for the average bill. On these issues, the 13th legislature appears to have been less turbulent than the following one, according to the available indices, even if we take into account the obstructionist tactics employed at times by the centre-right opposition.

Ordinary laws are a heterogeneous category, but their average score is consistently higher than the benchmark for the decade represented by the investiture vote. Indeed, both the Rice index and the agreement index vary between 0.76 and 0.70. While cohesion fell slightly between the first and the second half of the decade, the opposite was true for the agreement index. A particularly interesting sub-category of ordinary bills are those that ask parliament to delegate its legislative powers to government. As a result of such delegating norms, government has acquired greater freedom of movement, and is now able to avoid the major pitfalls of the parliamentary legislative process, enabling important policies that were originally part of its electoral platform to be implemented (Capano & Giuliani 2001b; De Micheli & Verzichelli 2004; Zucchini 2005). The legislative decrees stemming from this form of delegation, currently constitute a substantial proportion of Italy's legislative production. This instrument combines the legal expropriation of certain parliamentary prerogatives and a powerful mechanism with which to circumvent the opposition's obstructionism, and thus we would expect it to be fiercely opposed on the floor. However, our figures belie this hypothesis. Although the indices are clearly lower than those of the average ordinary bill, they are not as low as we would have expected. In other words, the average number of ayes received in roll-call voting on delegating laws exceeds 80 per cent. Moreover, there is no clear pattern differentiating the two legislatures, and our weighted indices reveal that there is no reason to believe that their sittings are any less well attended (because of filibustering) than those regarding other ordinary bills: on the contrary.

Finally, even those bills designed to convert decree laws into laws would have been expected to engender a more confrontational attitude. In truth, specific studies of such questions have already ascertained that decree laws are not a powerful governmental instrument (Della Sala & Kreppel 1998; Giuliani 2002). Government, given its vested interest in the conversion of the decrees, rarely manages to protect their contents without having to concede something to the MPs of its own majority and to those of the opposition who, on these occasions, join forces with the majority in order to exploit such an opportunity. In fact, the indices for this kind of bill are slightly higher than those for delegating bills, and not that far removed from the indices for ordinary

laws; on the other hand, the cohesion indices are more than double those of budgetary bills. Even in this latter case, a slight reduction in the raw indices from one legislature to the next is compensated for by weighting them to take account of the respective rates of attendance.

With the sole exception of budgetary laws, legislative processes on the whole reveal a certain degree of consensus among MPs. There are systematic differences between the various types of law, but even the least favourable ones display unexpected levels of bipartisanship. If we look at this from a different perspective, and exclude the extreme cases of those bills ratifying international agreements, which would positively distort our estimates, we can then verify the impact of the diverse sources of bills on the level of parliamentary consensus. We would expect government bills to engender a greater degree of confrontation than private members' bills, and this time our expectations are confirmed by the facts. While more than 60 per cent of government bills are actually connected to the transformation of decrees into laws, the remaining percentage nevertheless exhibit a similar degree of consensualism. Once again, the raw indices are somewhat lower for the 14th legislature than they are for the 13th, although the opposite is true if we take abstentions and levels of attendance into account. Bills submitted by parliament are approved with larger majorities, probably because they have to overcome greater difficulties before finding their way onto the legislative agenda, and thus need to be backed by a wider agreement.

It is interesting to note whether there is a clear pattern regarding the parliamentary movers of such bills, that is, the group of MPs who signed the original proposal. Intuition would lead us to surmise that the broader the group of proposers, the easier it should be to get the bill past the obstacles posed by parliamentary agenda setting, and on to the final vote. At the same time, all other things being equal, we may wish to test a second intuitive supposition, namely: if bills are proposed from among the majority benches, they should have an easier passage through parliament than were they to originate from among the opposition ranks.

Both hypotheses turn out to be rather naïve when tested against our empirical data. It is true to say that inter-coalitional projects, that is, bills signed simultaneously by MPs from both the majority and the opposition, receive the highest scores on our indices of cohesion and agreement, probably due to their intrinsically universal nature. On average, such bills are approved by almost 95 per cent of those voting, and such figures were even higher under the two Berlusconi governments in power during the 14th legislature. However, at the opposite extreme, those bills signed exclusively by MPs from the same party (which are, by the way, the largest category of approved parliamentary bills) also come out rather well according to our indices, both in absolute and relative terms. They are probably perceived as a genuine, proactive attempt to solve some form of collective problem, on the part of a uniform group of MPs. In fact, bills that failed to satisfy this description would be blocked well before the final vote, whereas these bills aggregated the highest number of similar proposals during the process itself. In relative terms, since the cohesion and agreement indices are still around the 0.7 mark, intra-coalitional bills appear to be those that suffer the

greatest loss of consensus (which in truth consists of a mere 15 per cent of votes against). This effect was higher in the 14th legislature than it was in the 13th, and if we break it down into coalitional proposals coming from the parliamentary majority and from the opposition, we see that the 'confrontational' effect was greater in the first case than in the second. Some 'shadow-government' bills seem to be easily 'adopted' by parliament, whereas bills tabled by the majority receive roughly the same treatment as governmental proposals, that is, they elicit a slightly higher degree of confrontation than the average parliamentary bill. This difference between majority and opposition bills also stands with regard to the entire number of bills that manage to reach the final vote stage and subsequently get approved. Opposition bills have a harder job reaching this last step — that is, relatively fewer do so — but once they reach the final vote, they are generally approved by a substantial majority. On the other hand, bills moved by MPs belonging to the majority encounter fewer problems in terms of agenda setting — although clearly more than those met by governmental bills — but once put to the floor, they lack some of the aggregating capacity of the opposition's bills, and this proved to be the case in both legislatures to more or less the same degree.

Finally, the propensity towards inter-party agreement may also depend on certain 'environmental' factors, such as the type of cabinet. A minority government relies for its survival on its constant capacity to create some form of legislative majority in parliament, whereas minimum winning and, *a fortiori*, oversized governments, can count on the support of their own groups. It would thus seem to follow that minority governments should try to expand their support in the legislative arena even beyond what is strictly necessary, whereas this need for consent is less pressing the more a government has a convincing majority. However, our data only partially confirm our supposition. The raw indices display a kind of 'inverted U shape': the highest levels of consensus were attained by the minimum winning coalitions during the second half of the 13th legislature (1998–2001), whereas comparatively poorer scores were obtained both by the one minority government (Prodi's government in 1996–8) and by the clearly oversized ones (the two Berlusconi governments from 2001 to 2006). However, if we check for abstentions and for levels of attendance, using our weighted agreement index, only minor divergences emerge, outlining a rather flat 'standard U shape' with both minority and oversized governments exhibiting above-average values. The odd results obtained using different indices were probably the consequence of uncontrolled contingencies that would be better analysed using a multivariate model.

Macro and Micro-explanations

Empirical analysis of the Italian legislative process over the past decade thus produces some unexpected findings. In spite of the apparently confrontational style of the new bipolar political system, which emerged at the beginning of the 1990s, there is plenty of room for consensual practices both in parliamentary committees and on the floor. Reading the newspapers and following political debates gives one the clear impression that there is no likelihood of the opposition parties agreeing with the government and

its majority on anything. Sometimes, as mentioned in the introduction, policy content seems to be less important than confrontation itself, or the simple desire to beat one's adversary.

At least three important questions emerge from our data and our description. The first one regards the issue of *permanence*. Why are Italy's legislative processes (still) characterized by such a remarkable degree of unanimity? The second question has to do with the problem of *incongruence*. How can we account for this quasi-schizophrenic functioning of the Italian parliament — on the one hand, ideological, confrontational and uncompromising, and, on the other, accommodating, consensual and pragmatic? Finally, there is the issue of *variation*. Is it possible to propose a multivariate explanation of the intra-legislature heterogeneous levels of consensualism exhibited by the law-making process over the past decade? Although we are not about to attempt to answer all of the above questions, we would nevertheless like to make a few observations, starting with the fact that in order to tackle the aforesaid issues, we would need to adopt a series of different approaches. Macro-explanations, if not systemic ones, are needed in the first two cases, whereas a micro-style investigation is required in order to answer the final of the three questions.

The fact that the Italian parliament often passes legislation in an almost unanimous manner may have something to do with the theoretically limitless nature of its legislative powers. Legislative measures which in other countries, such as France or the United Kingdom, may be adopted using statutory instruments, in Italy have to pass through parliament, one way or the other. We may presume that most of these bills do not concern politically controversial issues, and will be processed either by a parliamentary committee or by an undivided floor. Since this constitutional factor remains constant during the transition from the first to the second republic, it could partly account for the continuity between the two periods. However, this factor alone can hardly explain the levels of consensualism we mentioned in the preceding section. A cultural explanation, consisting in the fact that half a century of consensual parliamentary behaviour — the origins of which should be traced back to the joint democratic, anti-fascist agreement signed at the end of World War Two — may now be considered part of the Italian political system's 'imprinting', could add some weight to our previous theoretical observation. When reinforced by the daily practice of bipartisan settlements on minor issues, such imprinting may represent a formidable political legacy that is difficult to destroy.⁸ Path dependency thus represents a powerful incentive towards the constant pursuit of compromise rather than confrontation.

Alternatively, we may acknowledge that the complexity of modern policy-making requires skills and know-how which are hard to find within political parties. On the one hand, many of the answers to contemporary problems may not bear any clear ideological label. On the other hand, the constraints of a globalized world, the delicate balance of the various side-effects, and the transversal consequences for policy-takers, tend to blur any clear partisan distinction between policies. Networks rather than parties steer the governance of such processes, and law-making simply represents the tip of a complex iceberg. The language and style of networks and communities are

consensus oriented and try to avoid energy-sapping zero-sum games; this attitude is reflected to a certain extent in parliamentary behaviour, and in particular in the work of the specialized standing committees.

Despite the fact that the scandals of the early 1990s significantly damaged the public image and organizational capacities of Italy's political parties, we would be oversimplifying matters were we to consider legislative consensus as the effect of transversal policy networks only. The transformation of governance affects both majoritarian and consensus democracies, and there are insufficient comparative reasons for arguing that it has shaped Italian law-making in any specific way over the past decade. At the same time, those researchers who, when analysing Italian politics, have tried to separate the ideological-electoral aspects from the policy-programmatic ones, have only discovered minor differences between the parties with regard to the latter aspects (Bartolini & Mair 1990). This would account, to some degree, for the apparent contradiction between the harsh nature of political debate and the relatively straightforward character of policy agreements, although the two dimensions are not entirely separate, since several policy issues actually become the subject matter of heated political debate.

Pizzorno and Cotta have both worked on the basis of a similar hypothesis, by separating levels of conflict and justifying both the permanence of consensualism and its inconsistency with political polarization. Pizzorno (1993) believes that political actors always operate on two separate levels, the patent and the invisible one, sometimes in order to satisfy personal needs, and sometimes to guarantee the production of public goods that are unattainable without curbing the disruptive potential of ideological competition. In other words, visible confrontation requires hidden unity, while covert agreement enables parties to disagree in public. Centrifugal and centripetal tendencies are kept under control (and ensure stability), thanks to the separation of the two political levels. Cotta (1996) identifies three different levels of political competition: the highest level is characterized by different *Weltanschauung* or fundamental political choices, which are intrinsically ideological and conflictual. At the opposite extreme lies the consociational level of political patronage and micro-distributive policies. In the middle we have the ever problematic, oft-neglected level of the meso-policies, that is, of long-awaited reforms of crucial policy sectors. The greater the extent to which this middle-ground separates and isolates the two extremes, the less they clash with each other and reveal their patent incongruence. Both the aforesaid hypotheses were formulated prior to the decade we are concerned with here, and as they were primarily conceived as an explanation of the functioning of the first republic, they probably require adjusting in order to explain more recent events. In fact, Pizzorno's argument seems to be deeply influenced by the judicial activism of that period, whereas Cotta's tri-partition fails to account for the several meso-reforms made in Italy shortly thereafter. Even though the phenomena they examine are similar, if not the same, their focus on long-term dynamics calls for a certain recalibration following the events of the past decade.

One last category of explanations borrows its concepts from the tradition of veto points or veto player analysis (Tsebelis 2002). In its initial formulation, which looks at

several powerful actors capable of opposing either the drafting or the implementation of a given policy — namely parliamentary groups, regional governments, everyday bureaucrats, administrative courts, corporate interests, organized stakeholders, etc. — the widest possible consensus seems to be required in order to foresee (and overcome) potential obstacles to the adoption and implementation of a bill. As is the case in German politics, legislative supermajorities are the by-product of the dispersed structure of power. A second version of this theory perceives a substantial number of heterogeneous veto players, as witnessed in Italy over the past decade, resulting in a reduced capacity to innovate policy. Most reforms get blocked by resistance from one or another of the innumerable components of the governing coalition. The risk of upsetting and losing sections of the majority means that consultation may even be extended to opposition MPs. Deadlock and non-decisions are the direct consequences of such a situation, while endless discussions, continuous amendments and refinements are their unavoidable side-effects both before and during the legislative process. What eventually gets approved is a fragile policy architecture that tries to maintain a fine balance between all the interests at stake, not only in a specific process, but also in all those games in which the decision is nested. Consensus, then, is just the other face of deadlock. Bills which, despite having been examined at great length, fail to attain sufficiently broad support simply do not make it as far as the final vote. The bipolar environment of the second republic has not (yet) reduced the fragmentation and heterogeneity of the party system, thus leaving the perverse relationship between non-decisions and consensus intact.

The aforesaid explanations attempt to provide an answer to the question of the (continued) existence of a strong degree of consensus, but they cannot address the matter of internal differences between more or less consensual legislative processes. Multivariate analysis, the results of which are shown in Table 2, represents an initial step in this second direction.⁹ We chose to use the weighted index of agreement as our dependent variable because it takes account of both the abstention option and the level of attendance at the voting stage. Most of the factors that are presumed to have an impact on the degree of cooperation within parliament have already been examined when commenting on Table 1. The first variable — legislature — controls for those non-included effects of the different legislatures. The type of bill is built in as a series of dummy variables (which should be compared against the confrontational baseline represented by budgetary bills), together with its governmental origin, or rather the diverse types of parliamentary support (intra- or inter-coalitional, and bills tabled by the opposition). We have added specific proxies designed to represent the main features of the process, or of the issue itself. These include the number of readings, and their entire length, while in order to account for the complexity of the subject, we have added to our covariates the number of parliamentary committees involved in the consultation stage, and the total number of articles and words contained in the bill. Finally, two ‘environmental’ factors have been taken into account. The first is the number of days left until the end of the legislature, given the hypothesis of some form of electoral cycle; the second is the percentage of MPs belonging to parties within the

Table 2 A multivariate analysis of the agreement index (1996–2006)

Weighted agreement index	Coef.	Robust Std. Err.	z	P > z	[95% conf. interval]	
Legislature	.153306	.092419	1.66	0.097	–.027832	.334444
Ordinary	.107599	.134375	0.80	0.423	–.155770	.370968
Ratifying int. agr.	.777956	.136888	5.68	0.000	.509659	1.046252
Converting decree	–.139936	.132529	–1.06	0.291	–.399687	.119816
Constitutional	.839490	.280465	2.99	0.003	.289788	1.389192
Government	–.283531	.093220	–3.04	0.002	–.466239	–.100823
Intra-coalitional	–.266779	.126798	–2.10	0.035	–.515299	–.018260
Inter-coalitional	.002489	.003980	0.63	0.532	–.005312	.010289
Opposition	.104866	.12072	0.87	0.385	–.131733	.341465
Readings	–.102877	.038534	–2.67	0.008	–.178402	–.027352
Length	–.000096	.000084	–1.14	0.253	–.000260	.000069
Committees	–.032748	.007108	–4.61	0.000	–.046678	–.018817
Articles	.001267	.001036	1.22	0.221	–.000764	.003298
Words	2.62 e–07	2.99 e–06	0.09	0.930	–5.60 e–06	6.13 e–06
Days to end of leg.	.000158	.000044	3.64	0.000	.000073	.000244
Pct floor control	.005383	.009957	0.54	0.589	–.014132	.024898
_cons	–.250898	.526296	–0.48	0.634	–1.28242	.780624

Note: See Appendix for further details on the variable labels

Source: Italian law-making archive; available at: <http://www.socpol.unimi.it/ricerca/parlamento>

cabinet, and is designed to verify the effect of the broad/limited control of the parliamentary floor.

To begin with, we should point out that on the whole, the two legislatures do not have any contingent explanations unspecified by the model, as indicated by the insignificant coefficient of the dummy variable ‘legislature’. As one would have expected, constitutional laws and bills ratifying international treaties are significantly more consensual than other kinds of bill, even after their specific origins have been taken into account. The heterogeneity of the category of ‘ordinary bills’ makes its coefficient not statistically significant, and more interestingly, the same is true of those laws converting temporary decrees. This is further evidence that such bills are not, and cannot be, used systematically as normative instruments designed to bow parliament’s will to that of government. Their adoption is often linked to the satisfaction of parliamentary requests for amendments transforming the original content and raising overall consent regarding the measure in question. As expected, governmental bills *per se* prove more controversial than parliamentary bills. There is also confirmation of what was hypothesized in the bivariate comparisons in Table 1 regarding the negative effect of the (intra-)coalitional nature of a bill on consensualism. However, contrary to our expectations and initial findings, the fact that a bill is tabled by MPs from different coalitions, or by the opposition, is of no real significance.

With regard to the process variables, it is remarkable that the number of readings, but not their length, is statistically connected to our agreement index. In particular, the relationship has a negative sign, which suggests that the disagreements *between* the two

chambers often reflect a certain degree of political conflict *within* each chamber. Time is required in order to build the necessary consensus, but it is not sufficient to guarantee inter-party cooperation (or approval of a bill). We would have expected this consensus-building operation to be more difficult, the more an issue is intrinsically complex. However, our data fail to support this hypothesis if we measure complexity using proxies such as the number of articles or words contained in a bill. Nevertheless, if we consider the number of parliamentary committees involved, assuming that they somehow represent different policy communities or even different types of stakeholder or constituency, they clearly emerge as negatively affecting the level of consensus displayed in the division.

Finally, the model reveals that, all other things being equal, the closer one gets to the day of an election, the worse the legislative climate gets. Parties and coalitions need to show their constituencies just how much they are different from each other, thus preparing the ground for the upcoming electoral battle. Logrolling may still be pursued in more secluded arenas, such as parliamentary committees, but in the proximity of elections it disappears from the parliamentary floor. Contrary to what we initially believed, the amount of votes a government controls has no systematic effect on our dependent variable, although this may be due to some collinearity with the dummy variable representing the legislature.¹⁰

What Next?

So where do we go from here? The present article has presented new empirical evidence regarding the way in which the Italian parliament processes its bills. It is important to collect original data for, and shed new light on, phenomena which are often stereotyped and perceived in an extremely biased manner, due to the selection processes inherent in mass political communication. Our macro and micro explanations are simply an initial, rather tentative exercise in investigating such problems.

On the one hand, we need to gain a better understanding of legislative processes, by adding at least two further major dimensions to our reconstruction. First of all, there is the issue of non-decisions, that is, of bills that do not get as far as a final vote. We are already aware that the majority of proposals simply never get the opportunity to be discussed in committees or on the floor. However, we should focus our analysis on those bills that do actually begin their journey through parliament without actually reaching the end. The reasons for this failure are important, and as such may affect our interpretation of the consensual attitude normally manifested in the final vote. Amendments obviously represent the second dimension that needs to be taken into good account. Amendments have traditionally been sidestepped because of the empirical difficulties and cost of their analysis; however, the article by Capano and Vignati in this issue is an important contribution towards their necessary inclusion in such analyses.

These two important aspects should help provide a more accurate, coherent picture of the legislative process, especially with regard to the extent and features of inter-party

cooperation. On the other hand, when looking for the factors affecting consensual practices, we should try to incorporate political actors' 'original preferences' in our models (Krehbiel 2000). Certain bills may be supported by different parties (or policy-makers) simply because they share the same views on such issues. There are several technical and theoretical difficulties involved in matching party manifesto data, expert judgements or interest groups' scores and bills; however, even a limited use of proxies would greatly improve our understanding, and could suggest new directions for the design of future qualitative research.¹¹

In the meantime, the 15th legislature has imploded as a result of constant attacks by the opposition, and the fragile heterogeneity of the government led by Romano Prodi. In spite of the Italian president's considerable efforts, there was no margin for the reconstruction of a new governing majority, and thus new elections were inevitable. Once again, the political arena has proven to be extremely confrontational; but what about the legislative arena? Of the 76 laws approved during the first 18 months of the 15th legislature, only three were actually adopted by parliamentary committees. Even if we were to exclude those acts that cannot be processed without their being voted on the floor, bills passed in committees still only amount to 13 per cent (one-third of the equivalent figure for the 14th legislature). If, in addition to those three bills, we count those approved on the floor by a particularly large majority, then together they amount to more than one half of all legislative activity. This is already a significant amount, albeit 20 percentage points short of the equivalent figure for 2001–6. Yet, ordinary laws are approved by an average of 86 per cent of all votes cast, while bills converting law decrees receive an average majority of 76 per cent, and those ratifying international agreements together with the only approved constitutional law received around 99 per cent of votes in their favour.¹² Can we really argue that these percentages already signal a clear makeover of the consensual legacies of the Italian legislative process? We believe not.

There are signs at present of a certain decline in legislative consensualism. However, the indices certainly do not point to a situation of constant confrontation. The first 18 months of a legislature — especially one that has ended prematurely — may not be easily compared to the preceding figures. In the future, new political contingencies — such as institutional reforms, the foundation, transformation or dissolution of new parties or alliances, the struggle for future leadership, etc. — may easily affect, if not reverse, this slight shift. Rather than let ourselves be swayed by empty stereotypes or sensational news coverage, we need to extend and deepen our empirical investigation.

Notes

Many thanks to Luigi Curini for having suggested a suitable solution to my statistical problems. All remaining errors are clearly my responsibility.

- [1] The 13th legislature (1996–2001) covered four different governments characterized by slightly diverse coalitions. The crisis of the Prodi government led to major changes in the centre-left coalition, with the inclusion of the new 'Italian communists (PdCI)' group and the centre

‘Democratic Union for the Republic (UDR)’; however, it nevertheless managed to survive to the end of the legislature. The 14th legislature (2001–6) only featured two governments, both led by Berlusconi and with the same parties within the governing coalition; however, the prime minister had to replace prominent members of his cabinet on more than one occasion, due to scandals and internal political divergences. The 15th legislature (2006–8), on the other hand, has not been as successful. The scant majority enjoyed by the government in the senate was eventually insufficient to counterbalance its internal centrifugal tendencies, and Prodi unsurprisingly failed to pass a confidence vote in January 2008.

- [2] Different countries assign different roles to parliament in the legislative process (Kurian 1998; Norton 1998; Loewenberg, Squire & Kiewiet 2002). The quantity and type of policies actually approved by law vary from one political system to another, thus strongly biasing or limiting any quantitative cross-country comparison, and complicating the task of verifying hypotheses even in the case of qualitative analyses (Giuliani 2005).
- [3] As far as we know, only Spain has a similar procedure; this procedure has been selectively used, especially during González’s socialist governments. Although the percentage of bills passed by committees is similar, even at its peak the absolute number was roughly half the Italian figure at its historical minimum. See Sánchez De Dios (2006) for an account of the Spanish case.
- [4] In theory, the measure of consensualism should include the possibility of bills being *defeated* in the final vote by narrow majorities. In reality, bills that reach that stage are very rarely rejected — there have only been 20 cases in the past decade, and they were not all characterized by an adversarial vote — and this factor does not affect our figures or our conclusions.
- [5] Studies have suggested different ways of considering these indexes, depending on the degree of consensus when the divisions take place, the size of the parties and the level of turnout (Casstevens 1970; Morgenstern 2004; Desposato 2005; Hix, Noury & Roland 2007). Unfortunately, most analyses tend to focus on sub-parliamentary units such as parties or committees, and cannot, as a rule, be applied to parliament as a whole. Generally speaking, these kinds of index are not flawless (for a summary of their limitations, see Krehbiel 2000), although most of the problems that arise are due to their interpretation at the party level, as a measure of internal discipline.
- [6] Therefore, the values are not calculated in order to assess party discipline, but to evaluate the behavioural homogeneity of roll-calling throughout the chamber, regardless of party affiliation. The figure for 2001 represents the average figure for roll-call voting on 70 laws during the 13th legislature, and on 48 laws during the 14th legislature.
- [7] As a benchmark, it is useful to bear in mind that the Rice index for the vote of confidence given to the five governments during the two legislatures in question, ranges from 0.034 (Amato II) to 0.164 (Berlusconi III). The index of agreement ranges from 0.278 (Prodi I) to 0.370 (Berlusconi III).
- [8] Politicians of completely different persuasions, such as Fausto Bertinotti (speaker of the lower chamber in the 15th legislature), Pier Ferdinando Casini and Silvio Berlusconi, explicitly referred to the ‘death of bipolarism’ and to the failure of the majoritarian experience of the second republic, resulting from the unavoidable legacy of Italy’s proportional political past.
- [9] Technically, we fitted a general linear model with a logit link and the binomial family because our dependent variable is strictly confined between 0 and 1, and we estimated robust standard errors in case we were to mis-specify the distribution family (Papke & Wooldridge 1996).
- [10] Without that dummy, the coefficient is actually positive and statistically significant. This may even be the effect of some statistical artefact: the greater is parliamentary support for government, the higher the agreement index in the case of a well-disciplined coalition. It is worth noting that the same model, run exclusively for the 13th legislature, gave a significant negative coefficient: in fact, the minority Prodi government had to assemble its legislative majority on the floor, whereas the other centre-left minimum winning governments may have

relied more on their parliamentary base. However, the ample majority enjoyed by Berlusconi in the 14th legislature has probably eliminated this effect from our full model.

- [11] Even the interpretation of the so-called index of likeness between parties (Rice 1928) — a set of measures of similarity in the legislative behaviour of political parties — may be of greater interest if compared with the proximity of their preferences. For an analysis of this index for the 13th and 14th Italian legislatures, see Pelizzo (2007).
- [12] It should be pointed out that the second Prodi government came to office in May 2006 with the support of 56 per cent of the MPs: this is roughly the same percentage that its budgetary bills received during its first 18 months in office.

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Appendix

Labels and variables used in Tables 1 and 2

Variable label	Table	Category	Description
Ordinary *	1&2	Type of law	Ordinary law
Ratifying int. agr. *	1&2	Type of law	Law ratifying international treaties and agreements
Converting decree *	1&2	Type of law	Law converting temporary decrees
Budgetary *	1	Type of law	Budgetary law
Constitutional *	1&2	Type of law	Constitutional law
Government *	1&2	Initiative	Governmental bill
Parliament	1	Initiative	Private member bill
Single-party	1	Proponent	Bill moved by MPs of a single party
Intra-coalitional *	1&2	Proponent	Bill moved by MPs belonging to parties of the same coalition
Inter-coalitional *	1&2	Proponent	Bill moved by MPs belonging to different coalitions
Majority	1	Proponent	Bill moved by MPs belonging to the majority
Opposition *	1&2	Proponent	Bill moved by MPs belonging to the opposition
Minority	1	Political environment	Law approved under a minority government
Minimum winning	1	Political environment	Law approved under a minimum winning government
Oversized	1	Political environment	Law approved under an oversized government
Legislature *	2	Political environment	Number of readings
Readings	2	Legislative process	Number of readings
Length	2	Legislative process	Length in days of the process
Committees	2	Complexity	Number of parliamentary committees included in the consultation
Articles	2	Complexity	Number of articles of the law
Words	2	Complexity	Number of words of the law
Days to end of legislature	2	Political environment	Number of days to the end of legislature
Pct floor control	2	Political environment	Percentage of MPs belonging to governmental parties

Note: *dummy variables for table 2