

Managing coalition government in an upper house:
testing the ‘keeping tabs’ theory in the House of
Lords 2010-15

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by

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Abstract

Can an upper chamber in a system accustomed to single-party government be used by political parties to manage their involvement in coalition government? This thesis answers this question by examining the 2010-15 coalition government between the Conservatives and Liberal Democrats. A principal-agent problem associated with coalition government raises the prospect that ministers will shift policy away from agreed policy positions. In recognising this, a body of work has grown around how parties in coalition manage this tension. The theory of ‘policing’ proposes that government backbenchers will use features in the legislative process to keep tabs on their partner ministers (Martin and Vanberg 2011). We build on this theory by proposing that backbenchers will use mechanisms in the House of Lords to police ministerial behaviour in areas where there is greatest intra-coalition policy tension. By analysing three unique quantitative datasets, we show that government backbenchers participated in greater numbers in debates on bills as policy disagreements grew. Likewise, legislative amendments were strategically targeted at ministerial proposals in more contested areas. We also show that policing behaviour carries over to the policy implementation stage, where parliamentary questions are used for this purpose. In the process of testing these expectations, we outline a preference-based theory of behaviour in the House of Lords based on policy-seeking incentives. We support this theory with evidence that members of the Lords focus their political behaviour on policy areas in which they hold professional experience and expertise.

*Claire, Morgan and Niamh
for the time we've spent apart*

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Chapter 1

Introduction

The 2010 General Election resulted in the formation of a coalition between the Conservative Party and Liberal Democrats. This was the first incidence of peacetime coalition in the UK for nearly 90 years. This period of government, in a system unaccustomed to multi-party government, offers an opportunity to test theories of coalition behaviour developed in systems where coalitions are the norm. In this thesis, we test the theory of ‘policing’ (Martin and Vanberg 2011) which predicts that parties will seek to manage their involvement in coalition by using parliamentary mechanisms to keep tabs on their partners.

The requirement for parties to manage coalitions arises from the policy compromises required when entering government. When forming a coalition, parties agree collective positions which are often located away from the preferred policy points of the participants. Coalitions then delegate the task of policy initiation and implementation to government ministers. However, as agents of their own party, ministers are incentivised to breach these collective positions by attempting to shift policy closer to the preferred position of their own party. If a minister’s partners want to avoid putting their name to policies that may disappoint their own supporters, they must find ways to limit these risks. While evidence has shown that parties attempt to manage these tensions at the cabinet level (Larsson 1993; Müller 1994; De Winter et al. 2000; Müller and Strøm 2000; Thies 2001; Verzichelli 2008), more recent work has shown a role for party members in policing the coalition bargain from within parliaments (Martin and Vanberg 2004, 2005, 2011).

Thus far, research conducted on the management of coalition by political parties has been conducted almost entirely in the directly elected lower chambers of systems where coalition government is the norm. With this thesis, we contribute to the existing literature by adapting and then testing Martin and Vanberg’s (2011) theory in the House of Lords. We examine how Conservative and Liberal Democrat backbenchers used debates, amendments and parliamentary questions to police

their party's involvement in the 2010-15 coalition. In doing so, we provide evidence that policing occurred in the unelected upper chamber of a system unaccustomed to multi-party government. While this offers strong support for Martin and Vanberg's (2011) theory of policing, the findings also raise questions around our current understanding of coalition management. In turn, these questions have implications for wider research examining coalition politics.

We begin in chapter 2 by discussing how the discovery of policing in the unlikely arena of the House of Lords increases the likelihood that such behaviour extends to other upper chambers. Further to this, we raise the prospect that parliamentary questions can serve as an effective way for parties to police the implementation stage of policy-making. This means we would expect policing to be more common and comprehensive in bicameral systems or where legislators have unrestricted access to parliamentary questions. This has interesting implications for the literature on coalition politics by raising the prospect that coalitions in such systems are more stable, and so survive for longer, than those in unicameral systems with weaker questioning procedures.

The contributions of this thesis are not limited to coalition politics, however. We also outline contributions made to two further areas in chapter 2. The first is to a growing literature on the more subtle effects of bicameralism. This work looks past traditional power struggles between chambers (see Lijphart 1999; Tsebelis 2002) to the more nuanced ways that upper chambers can influence outcomes (Heller and Branduse 2014). Within this literature we contribute to a better understanding of how members of the House of Lords exert their influence from a position of constitutional weakness in relation to the government. In adapting the theory of policing for testing in the House of Lords, we develop a preference-based theory of behaviour in the chamber. This theory examines the appointment process to explain the observed levels of party cohesion in the Lords despite the absence of elections and other means for maintaining party discipline (Norton 2003). The preference-based theory offers a degree of dynamism previously lacking from theories seeking to explain behaviour in the Lords. Consequently, we contribute to the prospect of a more general, and predictive, theory of Lords behaviour. We find evidence for the theory by showing a link between the professional experience of members and the policy areas they seek to influence. This raises interesting questions about the model of representation to which the House of Lords now best fits. While current research suggests adherence with the partisan model of representation (Patterson and Mughan 1999; Russell 2013), we propose that the previously unconsidered functional model, where members represent professional groups, may now present a closer fit to the Lords.

The final area of literature to which we contribute is that examining how parties and their members are adapting to the changing political landscape in the UK.

Long-term demographic and political trends suggest large single-party majorities are less likely in the future (Crewe et al. 1977; Clarke et al. 2004; Flinders 2005; Dunleavy 2005; Curtice 2010; Denver et al. 2012). It is increasingly important for our understanding of democracy in the UK, therefore, that we build a better understanding of how parties adapt to these changes. Despite this, the literature on how legislators adapt their use of parliamentary tools to achieve their goals outside of single-party majority is limited. We look to change this by providing a greater understanding of how government backbenchers adapted their use of debates, amendments and questions to better realise their preferences during a period of coalition government. Having detailed the contribution we make with this research, the remainder of the thesis is structured as follows.

Chapter 3 introduces the key independent variables that feature in the three empirical chapters that follow. This includes the method used for estimating policy positions for the Conservatives and Liberal Democrats across a range of policy dimensions. We use an approach based on the logarithm of odds-ratios (Lowe et al. 2011) which allows a close match to the bills and government departments analysed. We then calculate the degree of policy divergence between the partners in a policy area from the gap between the positions of the two parties. This forms the main explanatory variable in the analyses. We then outline the selection of the bills and departments examined in this thesis and how these are located in the relevant policy dimensions. We also identify a sub-set of legislation that passed the Lords with little controversy. We discuss how we remove these ‘non-controversial’ bills from their original policy dimensions and assign them a policy divergence of zero. We end chapter 3 by detailing the construction of a dataset of characteristics for members of the House of Lords. This dataset contains details of a member’s party alignment, sex, date of entering and leaving the chamber and attendance record during the 2010-15 parliamentary term. We also collected data on the professional experience and expertise of each member included in this study. We code a number of control variables from this dataset for use in chapters 5 and 6. We finish with a summary of the experience and expertise on the government backbenches during the 2010-15 Parliament, including the main areas of difference in the expertise of the coalition partners.

In the three empirical chapters designed to test Martin and Vanberg’s (2011) theory of policing, we introduce three unique datasets collated from the official parliamentary record using automated data collection techniques. Chapter 4 examines the participation of government backbenchers in debates held on the passage of 90 government bills through the Lords. We show that backbenchers contributed to debates on bills in greater numbers as policy disagreement between the partners over a bill grew. We interpret this as evidence that government backbenchers attempted to

police the passage of bills by sending policy signals to government ministers. However, we recognise that the influence of debate contributions on policy outcomes is limited (Norton 2013). Ministers can ignore signals sent by backbenchers during debates when policy pay-offs dictate. Backbenchers are then faced with the decision of whether to drop an issue or attempt to change policy through more formal channels.

We examine this next step by analysing the use of legislative amendments as a policing tool in chapter 5. We also embrace the opportunity to focus the analysis at the level of individual backbenchers. This has the added benefit of allowing for a number of member-level controls. We provide evidence that government backbenchers police the coalition by increasingly targeting amendments at the legislative proposals of their coalition partners as intra-coalition policy conflict increased. We determine from the results of chapters 4 and 5 that the House of Lords offers an arena in which members can ease the tensions of coalition government. Chapter 5 also offers support for the preference-based explanation of behaviour in the Lords by displaying a clear link between the careers of backbenchers and the policy areas they seek to influence.

Chapter 6 changes the focus of analysis away from the making of policy to how backbenchers keep tabs on a minister's implementation of policy. For this, we examine the patterns of parliamentary questions targeted at government departments. Again, we provide evidence that government backbenchers policed the coalition by strategically targeting departments headed by their partners located in more contested policy areas. The patterns of questioning by backbenchers also bears a strong association with their past careers, so providing further support for the theory of behaviour from chapter 3. We end the thesis by detailing wider implications of the findings and by offering ideas for future research that would help build on this work.

Chapter 2

Coalition Management: Theoretical Framework

This chapter will begin by outlining three areas of existing literature to which this thesis will contribute. The first of these contributions is to research on the effects of bicameralism in both the wider comparative and UK-specific literatures. The second area is the literature on coalition politics. The thesis makes a contribution by showing a role for upper chambers in managing coalitions. In turn, this has implications for coalition formation and stability, the identification of behavioural drivers other than the pursuit of electoral success and the prevalence of behaviour designed to manage a party's involvement in coalitions. The final area of literature is that focussing on how parties are adapting to the changing nature of UK politics. Long-term social trends of class and partisan dealignment have combined with the use of proportional electoral systems to help bring about a decline in majoritarianism in the UK. Governing parties are faced with having to maintain party discipline and manage tensions which is made more difficult in the absence of large government majorities. These tensions have been laid bare during the recent Brexit process in parliament. Parties, therefore, must adapt their behaviour to meet these challenges, and examining a rare period of coalition government in the UK will help explore these changing dynamics.

The second part of the chapter will outline the theory to be tested in the three empirical chapters. We begin by introducing the theory of 'policing' (Martin and Vanberg 2011), which predicts that parties in coalition will use legislative tools to keep tabs on their partners. This is followed by a discussion of the role of the House of Lords in the UK and the limitations of existing theories of Lords behaviour. We then propose a preference-based theory of legislative behaviour as a solution to these limitations before offering the theory of policing in the House of Lords that will be tested by examining debates, amendments and parliamentary questions.

2.1 Literature Review

2.1.1 Bicameralism – Authority and veto power

Despite over 40% of the world's political systems containing two parliaments (IPU 2020) the effects of bicameralism on political outcomes have remained understudied (Heller 2001, 2007; McCarty and Cutrone 2008). Research has almost exclusively focussed on the formal balance of power between the lower and upper chambers (Lijphart 1999) and the ability of the upper chamber to act as a barrier in the decision-making process (Tsebelis 2002). Under these measures, upper houses with strong formal authority almost always have significant influence on political and legislative outcomes. The influence of chambers lacking formal authority, however, is subject to other variables (Heller and Branduse 2014, p.333). These include the extent to which the preferences of lower and upper chambers diverge, and the urgency of governments to reach an outcome (Tsebelis 2002). The power relationship between the two chambers in the UK is unequal with the House of Commons having the power to pass legislation without the approval of the House of Lords (Russell 2013, pp.81-84). This power imbalance, alongside a lack of democratic mandate in the unelected upper chamber, has led to the House of Lords being viewed by comparativists as a weak chamber (Sartori 1994; Lijphart 1999). Nonetheless, this thesis will recognise the more subtle effects of bicameralism and make a contribution to a growing contemporary literature on upper chambers. In doing so we will build on existing research demonstrating the significant influence of the House of Lords on legislative outcomes (Russell and Sciara 2007, 2008; Russell 2010, 2013; Russell and Gover 2017).

2.1.2 Bicameralism – From strength to subtlety

Evidence of upper chamber influence in the absence of strong formal authority led to a shift away from a sole focus on power balances between chambers (Tsebelis and Money 1997). Indeed, accounting for the process of bicameralism has helped identify the 'profound, if subtle, effects' of upper chambers (Heller and Branduse 2014, p.333). One such process is the requirement for legislation to pass through both houses. Research implies that policymaking in one chamber happens in the understanding of what might happen in the other (Martin 2001; Brunner and Debus 2008; Hug 2010). For example, the German upper chamber is more likely to support policies positioned towards the centre of the country's political spectrum in the understanding that any policies must also pass the lower chamber. This has the effect of protecting governing coalitions against more radical policy proposals by an

opposition-dominated upper house (Brunner and Debus 2008). This finding suggests that bicameralism can have a stabilising effect on governing coalitions.

Bicameralism is also shown to influence the behaviour of political parties. Parties make greater internal policy compromises in bicameral systems than under unicameralism so as to lessen the conflict between members of the same party sitting in the two chambers (Heller 2007). Bäck et al. (2016) expand on this finding by showing that state-level parties with greater representation in Germany's upper house can have greater influence over the policy platform of the national-level party. Furthermore, members of upper chambers have been found to use their platform to bypass party channels and send policy signals directly to the electorate (Lehnert et al. 2008). These findings show how bicameralism widens the access points for political actors to influence the policy of parties. Party leaders, therefore, are faced with a loss of agency over party direction. In response to a loss of agency, party leaders are shown to centralise candidate selection to help ensure members across both chambers are accountable to the leadership (VanDusky-Allen and Heller 2014). This literature has tended to focus on the challenges that bicameralism presents to parties. However, this thesis will outline how bicameralism offers parties an arena in which to manage their participation in government. Further to this, as will be illustrated later in this chapter, this thesis addresses the absence of bicameral institutions in the literature on how parties manage their involvement in coalitions. The evidence that parties used the House of Lords to manage their involvement in the 2010-15 coalition has interesting implications for how bicameral *influence* is classified in the comparative literature. Further to making contributions to the understanding of the effects of bicameralism, we also contribute to a strand of literature seeking to identify the representative functions of upper chambers, as described in the next section.

2.1.3 House of Lords – Type of representation

Not all upper chambers have a constituency base to their representation (Patterson and Mughan 1999). For example, prior to the removal of the majority of hereditary members from the Lords in 1999, the House of Lords corresponded well to an elite model of representation with members representing the landed gentry in the UK (Russell 2013). Since 1999 the model of representation most suited to the Lords has remained in question. Russell (2013) sees the absence of a majority for any single party in the Lords as evidence that it fits, at least in part, to a partisan model in which the two chambers of a bicameral system are intentionally designed to have different majorities. We will contribute to this area by showing that members of the House of Lords target resources at policy areas in which they hold professional

experience. This points to a previously unconsidered functional (or vocational) model of representation in the Lords where members represent professional groups (for example, business, medics, etc).

2.1.4 Coalition Politics

The application of game-theory to the study of coalition politics (Riker 1962) has resulted in a broad body of work. This includes the types of coalitions likely to form under certain conditions (Strøm 1990; Laver and Shepsle 1996; Schofield 1996; Müller and Strøm 2000), the allocation of government departments to coalition parties (Budge and Keman 1990; Strøm et al. 1994; Golder 2006; Carroll and Cox 2007) and how coalitions come to the end of their life (Browne et al. 1984; King et al. 1990; Lupia and Strøm 1995; Müller and Strøm 2000). Although the main contribution of this thesis will be to an area of literature examining how parties manage their involvement in coalitions, the findings of this thesis also have implications for the areas outlined above. We return to these implications in the conclusion of the thesis.

Coalition management

The requirement of parties to manage a ‘principal-agent’ problem associated with coalition government has long been recognised (Martin and Vanberg 2004, p.13). In reaching collective positions in coalition, parties must make policy compromises (Strøm et al. 2010, p.519), which means the ideal policy preference of the principal (coalition) and agents (parties in coalition) differ. To help maximise the policy benefits of office, parties can engage in ‘policy drift’ by seeking to shift the collective positions of the coalition closer to their own preferred position. An opportunity for policy drift arises from the requirement for governments to delegate the responsibility for policy initiation and implementation to individual ministers. These ministers oversee increasingly complex and specialised policy briefs. This results in ‘ministerial government,’ where well-informed ministers enjoy increased autonomy over their own policy areas (Strøm et al. 1994). Herein lies an opportunity for ministers – as agents of their parties – to shift proposed legislation closer to the preferences of their own party leadership (Strøm et al. 2010, p.519). Considering the policy compromises required of parties that enter coalition, there is a risk that the coalition government’s policy output will be unacceptable to the supporters of one or more of the governing parties (Martin and Vanberg 2011). Naturally, parties seek ways to avoid this scenario, with one such method being to ‘keep tabs’ on the legislative behaviour of their coalition partners (Thies 2001).

Assumptions that legislatures play only a negligible role in coalition politics

(Laver and Shepsle 1996) led the initial ‘keeping tabs’ research to focus on practices within governments. The hierarchical nature of cabinets gives a role for prominent figures in overseeing activities within coalitions. Unsurprisingly, prime ministers play a key role in maintaining cabinet discipline (Müller 1994), as do finance ministers through their strong budgetary and oversight powers (Larsson 1993; Hallerberg and von Hagen 1999). Yet holders of these offices already have full workloads and so responsibility for overseeing day-to-day ministerial behaviour tends to be delegated to others. De Winter et al. (2000) identify a role for ‘floating’ ministers who, without the responsibility of their own portfolio, can keep tabs on ministers. The considerable number of departments over which such figures are required to keep watch, however, has resulted in parties seeking a more manageable division of labour. Parties use junior ministers for this purpose by being used as ‘spies’ in government departments headed by ministers from their partner parties (Müller and Strøm 2000; Thies 2001; Verzichelli 2008; Lipsmeyer and Pierce 2011). This approach has been shown to be particularly prevalent where trust between coalition partners is low (Strøm et al. 2010).

A resurgence of studying legislatures (Park and Posner 2008, p.6) led to research examining how parties use parliamentary tools and procedures to manage their involvement in coalitions. These tools and procedures are classified as those occurring prior to the passage of legislation into law (*ex ante*), and those that scrutinise the implementation of policy after its passage through parliament (*ex post*). The literature on *ex ante* mechanisms has focussed on the committee process, with parties distributing committee chairs in order to monitor their coalition partners (Kim and Loewenberg 2005). The distribution patterns of committee chairs for the purpose of intra-coalition monitoring are strongly driven by policy interests, with more contested policy areas most likely to be monitored (Carroll and Cox 2012). However, larger parties can manipulate the allocation of chairs so that departments they head are scrutinised by committees chaired by members of their own party (Pukelis 2016). This suggests that larger parties can extract greater policy benefits in systems where committees play an important role in the management of coalitions.

In addition to monitoring government departments, committees ‘police’ legislative proposals emerging from departments. Martin and Vanberg (2004, 2005) show that legislation located in policy areas over which coalition partners have the greatest disagreement takes longer to pass the committee process. Legislation is also ‘policed’ in other areas of the legislative process. Martin and Vanberg (2011) show that bills located in more contested policy areas are strategically targeted during their passage through parliament to ensure they do not deviate from agreed policy positions. As a result, the most contested bills take significantly longer than less contested bills to pass the legislative process in parliaments. The literature surrounding the use

of *ex post* mechanisms focuses solely on the use of parliamentary questions (PQs) to monitor coalition government. Despite advances in text analysis techniques (see Laver and Benoit 2003; Proksch and Slapin 2010; Quinn et al. 2010) the study of PQs as a mechanism to manage coalitions remains under-developed. A role for PQs in monitoring coalitions has previously been identified (Gerlich 1973; Müller et al. 2001), and more recently parties have been shown to use PQs to manage their participation in coalition government (Martin and Whitaker 2019).

This thesis will make several novel contributions to the coalition management literature that currently focusses entirely on electoral drivers of policing in lower chambers (for example, see Martin and Vanberg 2011, pp. 8-15). By testing the theory of policing in the unelected House of Lords, we show that an upper chamber can be used by parties to manage their involvement in coalition government in the absence of elections. Instead policy-interests are viewed as the catalyst for legislators to keep tabs on their partners. Although the main contribution is to the coalition management literature, the findings also have implications for the wider research conducted on coalition politics. We already know that bicameralism is shown to result in larger coalitions so making minority coalitions less likely (Diermeier et al. 2007) and coalitions holding majorities in both chambers of a system are more likely to form (Druckman et al. 2005) and survive for longer (Druckman and Thies 2002). The expectation that policing occurs in more institutions and political contexts means that policing is likely to be stronger and more thorough than previously thought. This would increase the stability and longevity of coalitions and so have implications for the literature on coalition formation and survival.

2.1.5 The Changing Landscape of UK Politics

The final area to which this thesis will contribute is the literature on the changing political landscape in the UK. Researchers have long recognised a decline in majoritarianism in Britain (Flinders 2005; Curtice 2010), driven by partisan dealignment (Crewe et al. 1977), increased issue voting (Clarke et al. 2004; Denver et al. 2012) and greater use of proportional electoral systems outside of the UK's General Elections (Dunleavy 2005). Although the UK saw a return to single-party majority government in December 2019, political parties in the UK over recent decades have been faced with decreased party cohesion leading to increased rebellion (Cowley and Stuart 2012; Stuart 2018). The Brexit process has exacerbated these issues with Speaker Bercow being willing to strengthen the ability of the House of Commons to hold the government to account through the increased use of emergency debates, urgent questions, by allowing amendments to the Queen's speech and giving backbenchers greater influence over parliamentary timetabling (Geddes 2019;

White 2019). These changes raise interesting questions about how legislators in the UK use legislative rules and procedures to achieve their goals.

An assumption that cohesive parties, once in government, control parliament in the UK (Norton 2000, p.1) has limited the literature on how individual legislators pursue their individual goals. There has been no research on how individual legislators strategically use debates in the UK parliament, while the bulk of work on amendments (Griffith 1974; Shell 1992; Drewry and Brock 1993; Hansard Society 1993; Baldwin 1995; Kalitowski 2008; Thompson 2013) and PQs (Chester and Bowring 1962; Franklin and Norton 1993; Cole 1999; Bird 2005; Saalfeld 2011) has been conducted during periods of single-party majority government. We will contribute to a sparse literature examining legislative behaviour during periods of non-single-party majority government which includes only two pieces of research. The first is Russell and Gover's (2017) case study of amendments proposed on 12 bills, six of which are from the first parliamentary session of the 2010-15 coalition. The second is Martin and Whitaker's (2019) examination of how MPs used PQs in the House of Commons to manage the Conservative-Liberal Democrat coalition. The scope of this thesis, however, in examining debates, amendments and PQs, is thus far unprecedented.

The final area to which we contribute is the literature on coalition politics in the UK. So far, this literature includes first-hand accounts of the coalition formation process (e.g. Laws 2010, 2016; Wilson 2010; Adonis 2013) and assessments of the success of the two parties in ensuring their policies were included in the coalition agreement (Quinn et al. 2011). Further research examined how the Conservatives might benefit from their coalition with the Liberal Democrats by building an image of governing competency (Hayton 2014) and using them as cover for less popular policies (Bale 2012). McEnhill (2015) recognises some of the tensions of coalition government outlined above and shows that the Liberal Democrats failed to use its resources to effectively carve out an identity distinct from the collective coalition. We make an important contribution by providing detailed policy areas in which 90 government bills that passed parliament during the coalition are located. Further to this, we offer a range of policy positions, calculated from manifesto data using innovative approaches, for the Conservatives and Liberal Democrats. This is likely to make the study of this period of UK politics far easier for academics going forward.

2.1.6 Conclusion

The opportunity to test the theory of 'policing' in the unelected chamber of a political system unaccustomed to coalition government results in this thesis contributing to a number of areas of literature. The first of these contributions is to the grow-

ing literature that looks past broad measures of bicameral influence to more subtle factors. This, in turn, raises questions of the classification of the House of Lords as a weak institution in the comparative literature (Sartori 1994; Lijphart 1999). Furthermore, we contribute to an understanding of which model of representation the post-1999 House of Lords best fits. The second contribution speaks directly to the literature focusing on how parties manage their involvement in multi-party government. We are the first to show that bicameral institutions offer an arena in which parties can keep tabs on their coalition parties. Additionally, we question the assumption that legislators are driven to engage in policing behaviour solely by the pursuit of electoral success and, instead, are motivated by policy interests. These findings make it likely that policing occurs in previously unconsidered areas of politics and has implications for our understanding of coalition formation and stability. The final area of literature to which we contribute is that on the changing nature of UK politics. The erosion of strong government majorities in the UK – at least prior to December 2019 – raises a number of questions about our understanding of how individual legislators behave in parliament. However, surprisingly little has been written on these changes. We conduct the most comprehensive study of legislative behaviour in a period of non-single-party majority government in the UK ever conducted. In doing so we contribute a number of useful resources for future academics looking to study this period of UK politics. The remainder of this chapter will outline the theoretical framework for this thesis, including a preference-based theory of policing in the House of Lords and the hypotheses to be tested in the empirical chapters.

2.2 Theoretical Framework

The theory we test in this thesis is adapted from Martin and Vanberg’s (2011) ‘policing’ theory developed through the analysis of five West European democracies. Martin and Vanberg (2011) determine that the pursuit of electoral success drives legislators, as agents of their party, to police the legislative actions of their coalition partners. Evidence from the five democracies supports their theory that policy proposals are subjected to a longer legislative passage as policy disagreements in the area they are located increase. The longer passage is caused by the greater scrutiny and/or amendment to which more contentious proposals are exposed during their journey through parliament. We begin this part of the chapter by detailing Martin and Vanberg’s (2011) theory of policing, paying particular attention to the electoral drivers at the heart of the behaviour. We proceed by introducing the case of the House of Lords, including existing theories of behaviour in the chamber and their limitations. We then propose a preference-based theory of behaviour which helps to

overcome these limitations before using this theory to adapt Martin and Vanberg's (2011) theory of policing to the Lords. In adapting the theory, we expand the analysis to both the making of policy *and* the implementation of policy. As such, we end the chapter by stating our expectations for how government backbenchers use legislative debates, amendments and parliamentary questions to keep tabs on their coalition partners.

2.2.1 A Principal-Agent Problem of Coalition Government

The literature on coalition politics identifies an inherent principal-agent problem associated with multi-party government. In order to enjoy the benefits of coalition government, political parties must manage a potential loss of agency. This risk of agency loss is underpinned by several factors. First, there is a growing need for specialism in the increasingly complex world of modern policymaking (*see* Gallagher 2005). Having already seen the responsibility for policy initiation delegated from parliament to the cabinet (Cox 1987), greater policy specialisation requires a further delegation of control from the cabinet to individual ministers (Martin and Vanberg 2011, p.9). In order to be successful, ministers must develop expert and in-depth knowledge of their policy domain which, in turn, leads to 'ministerial government' where ministers oversee increasingly autonomous departments (Laver and Shepsle 1994, 1996).

This growing complexity and independence of different policy areas makes it increasingly difficult for ministers in cabinet to monitor one another's departments. While this model of government brings collective benefits through efficiency savings, it comes with the potential of agency losses for the parties involved in coalition. For example, when the policy preferences of government ministers match those of the collective cabinet, ministers act as perfect agents and there is little agency loss. However, in the event that the preferences of minister and cabinet diverge, ministerial government offers a minister the opportunity to move policy closer to their own ideal position. Ministers, as agents of their party, can attain policy pay-offs at the expense of one or more coalition partner by shifting proposals closer to the ideal point of their own party. Furthermore, this added complexity of policymaking and increased ministerial autonomy allows ministers to justify these policy shifts as entirely reasonable given societal and political constraints (Martin and Vanberg 2011, p.14). Fellow cabinet members, without the requisite expertise and with heavy workloads of their own, find it difficult to correct such shifts from within government.

Parties in coalition also face an ongoing pressure facing all political parties – the need to cultivate support away from parliament. This can take the form of electoral support, party membership and/or financial donations (Martin and Vanberg 2011,

p.10). This relationship begins with parties convincing a section of society that they, rather than rival parties, are the most effective force for delivering their ideological preferences. Parties must then attract financial and practical support from these supporters to successfully fight elections. In return, parties make policy promises on which they are later judged. At that point supporters can decide whether to continue supporting a party or not. During times of single-party majority government there is a clarity between the promises of a party and their performance once in government (Powell and Whitten 1993; Powell 2000). However, this clarity is blurred during periods of coalition government.

Three main factors confound the link between a party and its supporters. First, by entering into coalition parties are required to make policy compromises. These compromises require parties to agree to collective positions away from their own ideal preferences. These compromise positions risk proving unpopular with a party's supporters. Second, supporters find it difficult to identify exactly which party is responsible for which outcome during coalition government. Finally, come election time parties are required to escape the confines of coalition and fight elections on their individual policy platforms. These three factors generate two incentives for parties. Parties will seek to keep collective coalition positions within the bounds of what their supporters find acceptable and should policy move beyond the bounds of acceptability, parties must signal to their supporters that they did all they could to bring about a more acceptable outcome. These incentives, of shifting policy and sending 'policy signals,' further increase tensions within coalition government (Martin and Vanberg 2011, p.13).

2.2.2 The Theory of Policing

The high degree of autonomy that government ministers – as agents of their party – possess over their policy brief makes for an ideal opportunity to shift policy closer to their own party's preferred position. Ministers can engage in 'policy drift' in the knowledge that the informational advantage they hold over their cabinet colleagues means it is likely to go unchallenged within government (Laver and Shepsle 1996). Furthermore, should a minister have their drift corrected they can send a signal to disappointed supporters that they sought a different outcome. In recognising this threat, parties in coalition have developed a number of strategies for checking policy drift (*see* the literature review of this thesis). Martin and Vanberg (2011) develop a theory of policing by showing that legislators belonging to parties in coalition are incentivised to use mechanisms within the legislative process to monitor and change the policy proposals of their partners. This policing is shown to increase as the policy area in which a bill is located becomes more contested. Three scenarios

help illustrate the effect of greater intra-coalition policy disagreement on policing behaviour.

Each of the following scenarios involves a minister introducing a bill located in a policy area. The minister has an option to adhere to the agreed coalition position or attempt to shift the proposal closer to the ideal preference of their own party. Each scenario also contains legislators belonging to the minister's partner party. These legislators have the options of letting the proposal pass or choosing to scrutinise the bill. Further to this, both the minister and her partners have limited resources at their disposal. These resources can include time, money and staffing. Sticking to agreed policy positions of the coalition sees a minister expending fewer resources than attempting to shift the policy. This is as a result of both the greater resources expended in shifting policy and those used in dealing with the likely opposition from their coalition partners. Likewise, a legislator uses greater resources if choosing to scrutinise a bill than just letting it pass. In order to maximise their pay-offs, the political actors must make most efficient use of their resources. Martin and Vanberg (2011) propose that ministers and legislators make most efficient use of their resources by targeting more contested policy areas. To explain the mechanisms behind this theory we will now outline each scenario.

The first scenario involves a minister introducing a bill positioned within a policy area over which the coalition partners broadly agree. As a lack of policy disagreement implies, the ideal policy points of the partners are located close together. In addition, the collective coalition position is also close to the preferred point of both parties. This proximity of the collectively agreed position to the preferred position of each party has two implications. First, a minister has little to gain from expending resources to shift a policy proposal only a small distance back towards the ideal point of their own party. Second, should any policy drift occur then there is a high likelihood that the proposal will remain within what the minister's partners are willing to accept. This means policy drift is likely to go unchallenged by a minister's partners. In summary, the rewards for a minister, and risks to her partners, from policy drift in less contested policy areas are low. Consequently, we should observe only very limited policing in these uncontested policy areas.

The second scenario involves a minister introducing a bill located in a policy area that is somewhat more contested by the coalition partners. The preferred positions of the coalition parties in these areas are located further apart, as well as at greater distances from the collective coalition position. Ministers can achieve greater policy benefits if successfully shifting a proposal towards the ideal point of their own party. However, the expanded policy space increases the likelihood that any such shift will move policy beyond what the supporters of a minister's partner party will accept. Also, a minister's partners, in recognising that the incentives for a minister to engage

in policy drift have increased, are more likely to expend resources to avoid policy being moved.

The exact pattern of policing under this second scenario is dependent on a number of factors. For example, a minister may recognise that their partner party attaches importance to a particular policy area. Attempting to shift policy in these areas is likely to evoke strong opposition from the partner party. Forcing through policy drift under these circumstances would be costly for a minister both in terms of resources and continued intra-coalition relations. Conversely, ministers should persist with attempts to shift proposals closer to their own preferred position in policy areas to which their own party attaches importance. One further dynamic driving an increased likelihood of policing is partner parties sending policy signals to their supporters. This is more likely in policy areas where the partner party accepts it will have to concede policy position. Engaging in policing allows the party to signal to their disappointed supporters that they fought to bring about an alternative outcome. Again, the degree to which legislators engage in policy signalling depends on the relative importance that a party's supporters attach to given policy areas. Overall though, while the exact patterns of policing remain uncertain, we expect to see an increase in policing compared to less contested policy areas.

The final scenario involves a minister introducing a proposal in the most contested policy areas. In these areas, the preferred positions of the coalition parties are positioned far apart and there is greater policy space between the ideal positions of the parties and the agreed collective position. Ministers know that they can reap significant benefits if able to successfully shift policy back towards their own party's preference. However, it is likely that even slight shifts in policy will prove unacceptable to the partner party. Indeed, it is possible that even the agreed coalition position is unacceptable to the partner party. In these policy areas the most efficient use of resources dictates that ministers should always attempt to engage in policy drift as the policy benefits of succeeding will far outweigh the resource costs incurred. A minister should also strongly resist any attempts by their partner parties to shift the direction of their proposals. Moreover, members of the partner party should always police proposals in the most contested areas. Not to do so would mean accepting the minister's policy drift and settling for policy likely to disappoint their own supporters. The greater resistance from ministers towards policing by their partners, in turn, draws further policing. Further to this, members of coalition parties are conscious of how supporters perceive their actions in highly contested policy areas. The higher likelihood that parties put their name to policy that their own supporters are unhappy with, makes it essential that legislators can later make the case that they fought for a different outcome. Consequently, we will observe greater levels of policing as it is used to send policy signals to party

supporters.

To summarise, parties require electoral and financial support to compete and succeed in elections. In return for this support, political parties make promises to their supporters and expect to be judged on the policy outcomes. Coalition government confuses this process in two ways. First, parties are required to put their name to collective policy outcomes that might displease their own supporters. Second, the clarity by which parties are identified as responsible for policy outcomes is blurred. Parties in coalition look for ways to gain benefits from coalition. One such opportunity arises from the increased autonomy that ministers have over their policy briefs. This offers an opportunity for ministers to move proposals away from collectively agreed positions and towards the ideal points of their own party. However, a minister's coalition partners are aware of this and so use a number of mechanisms to mitigate the threat. Martin and Vanberg (2011) identify policing in the legislative process as one method of preventing policy drift. We showed, through three scenarios where ministers introduce bills located in increasingly contested policy areas, that policing is predicted to increase intra-coalition policy differences grow. This thesis, however, seeks to test Martin and Vanberg's (2011) theory of policing in the House of Lords. The absence of electoral drivers in the chamber requires the original theory to be modified. In doing so, we forward policy-seeking (Müller and Strøm 1999) as a catalyst for policing behaviour in the Lords. The remainder of this section will first outline the powers, composition and appointment process of the House of Lords. This is followed by a discussion of existing theories of Lords behaviour and their limitations in explaining actual behaviour. We will then propose a preference-based theory of behaviour which helps overcome these limitations. We finish the section by outlining the theory of policing in the House of Lords to be tested in this thesis.

2.2.3 Behaviour in the House of Lords

The House of Lords, the upper chamber of the UK, has evolved to hold a constitutionally subordinate role to the House of Commons.¹ Members are not elected, with the majority of members in the House of Lords since 1999² being appointed. A smaller number of members inherited their seat or sit courtesy of their position in the Church of England. The chamber does not hold veto power over legislation, but can delay 'normal' legislation arriving to the chamber from the House of Commons by one parliamentary session after which the bill can be passed without the approval

¹This evolution is as a result of the Parliament Acts of 1911 and 1949, as well as a number of conventions. For more details *see* Russell (2013, pp.79-87).

²The House of Lords underwent reform in 1999, when all but 92 of the hereditary members were removed from the chamber. For more on these reforms *see* Russell (2013, Ch. 4).

of the Lords.³ This arrangement means that governments holding a majority in the House of Commons can almost always get their own way over the upper chamber. In recognising its position in the UK Constitution, the Lords almost always backs down rather than directly confronting the government. This is illustrated by only seven pieces of legislation becoming law under the terms of the Parliament Acts since 1911 (House of Commons Library 2016). However, the Lords serves a useful purpose for governments by spending a greater proportion of its time scrutinising and revising legislative proposals than the Commons⁴ (Russell 2013, p.255). The House of Lords can, therefore, have a significant, if at times subtle, influence on policy in the UK (Russell 2010, 2013; Russell and Gover 2017).

In terms of composition, just under three-quarters of Lords' members align to a political party, with 90% of these belonging to one of the Conservative Party, Labour Party or Liberal Democrats. A further quarter of the chamber is made up of independent members who assemble into a 'Crossbench' group. The remainder of the chamber comprises a small number of members not aligned to any party or group, and 26 Church of England Bishops. Unlike in the House of Commons, which has seen single-party majority government for much of the past 75 years, no single party holds a majority in the post-1999 House of Lords. Even during the 2010-15 coalition, Conservative and Liberal Democrat members combined held only around 40% of the total seats House of Lords (House of Lords 2012, 2013, 2014, 2015). Policy-making in the Lords, therefore, requires governments to build consensus rather than acting in a purely partisan way. As illustrated throughout the empirical chapters of this thesis, backbenchers in the Lords have fewer constraints placed on their access to contributing in bills debates and proposing legislative amendments. Further to this, the government are more accepting of rebellions or abstentions from their own backbenchers which results in a greater number of government defeats than in the House of Commons (Russell 2013, p.113; Russell and Gover 2017, p.16). Although this makes governing more difficult in the House of Lords, there is also an opportunity for the government to let their party members let off steam over issues that displease them

However, despite government defeats being higher than in the Commons, and fewer tools at the disposal of party managers for keeping discipline (Norton 2003, pp.60-65), levels of voting cohesion are remarkably high (Norton 2003). In part, this has led to explanations of behaviour from the tradition of rational-choice to be rejected in studies of the House of Lords (Crewe 2010, p.314; Russell 2014, p.714).

³The House of Lords is curtailed in its power over the tax and spending powers of parliament. Legislation concerned entirely with taxation, public funds or loans is defined as a 'money bill' by the Speaker of the Commons and becomes law with or without the consent of the Lords.

⁴See the breakdown of legislative time for the 2010-12 session in the Commons (House of Commons Library 2013) versus the Lords (House of Lords 2012).

Instead, approaches based in sociology and psychology have influenced the literature. Crewe (2010), in applying techniques from anthropology to observations in the chamber, has determined that members are exposed to rules and procedures in the chamber. These ‘ritualisations,’ in conjunction with the increased status of holding a position in an esteemed institution, place significant social pressures on members. These social pressures are then deemed to drive patterns of cohesive behaviour. However, Russell (2014) notes that ritualisation accounts for only part of the observed levels of cohesion in the Lords. In seeking to forward a more complete theory of behaviour, psychological factors are included to explain the high levels of cohesion. Russell (2014) uses surveys to examine how members of the Lords self-identify. Her results show that although members view themselves as independent, they are subjected to strong psychological pressures to conform. Members are reluctant to break the ‘bonds of loyalty’ that result from these pressures, and this accounts for the cohesive behaviour within party groups.

This work has offered a huge amount to the understanding of the norms, values and roles in the House of Lords, and offers useful insights in to how members of the Lords view themselves. Yet sociological and psychological explanations have fallen short in their predictive capabilities. Crewe (2010) and Russell (2014) successfully address the puzzle of why the vast majority of party members behave cohesively. Yet the work fails to explain the lack of perfect cohesion that we observe (Norton 2003). The question remains of how, if sociological and psychological forces are powerful enough to impel most members of a party group to act cohesively, other members are able to resist. In accounting for the process by which members take their seats in the Lords, and the inclusion of policy interest as a behavioural driver, we will now propose a theory of behaviour accounting for both the high degree of voting cohesion *and* the cases of rebellion.

2.2.4 A Preference-based Explanation of Behaviour in the Lords

The appointment of individuals to party ranks in the House of Lords is a two-step process between parties and individuals.⁵ First, party leaders identify suitable candidates to represent the party in the chamber.⁶ It is reasonable to assume that party leaders identify individuals with the requisite skills and experience to sit in the Lords. Equally, party leaders seek individuals who will be supportive of the party’s

⁵This does not apply to Crossbenchers who are appointed through a process involving The House of Lords Appointments Commission.

⁶Nearly all members aligning to parties in the Lords are selected this way. The exceptions to this are hereditary members who choose to align to political parties. However, hereditary members can also be assumed to behave in the same way as appointed members once agreeing to take their seat.

goals. Once an individual is approached by a party, they either accept or reject the offer of a seat. Again, we can comfortably assume that an individual accepting an offer of a seat is supportive of the goals of that party. This process appoints members to the Lords that have a close affinity and ideological standpoint to the party they represent. What is more, this process dictates that members appointed to a party at a given time must hold similar ideologies to one another.⁷ Further to this, appointed members often take a seat in the Lords after successful careers elsewhere (Russell 2014) and there are few opportunities for career progression in the Lords (Norton 2003). We can conclude, therefore, that members are incentivised by influencing public policy when accepting their seat. In the absence of elections, policy-seeking remains the primary driver of behaviour once in position (Strøm 1990; Müller and Strøm 1999). This results in party groups in the Lords consisting of individuals with broadly similar political and ideological outlooks and who are motivated by influencing policy. Given that we might expect ideologically cohesive individuals to display cohesive political behaviour, the appointment process explains the high levels of cohesion we see in the Lords. This leaves the question of why and when this cohesion breaks down.

Members of party groups, in being ideologically cohesive individuals interested in influencing policy, are very similar to ‘party supporters’ in Martin and Vanberg’s (2011) policing theory. One key difference though, is that members of the House of Lords can have direct influence on policy proposals. As a result, we can relax the assumption that policing behaviour is driven by electoral and financial factors. So, if a minister can keep policy within the bounds of what all of their party members in the Lords find acceptable then we should observe perfect cohesion. However, a number of factors make this task difficult for ministers. First, although the appointment process to the Lords sees party members holding similar ideological positions, it does not result in a party’s membership holding perfectly cohesive positions over all policy areas. So, while a member may find a party’s position acceptable in one policy area, they may feel the need to rebel in another. Given that members of the Lords are appointed for life, it is possible that the preferences of a member and their party diverge over time. Indeed, the policy preferences of long-serving members may be positioned some distance from newer members. This issue is magnified when considering that members are appointed under different leaders. As parties change direction from leader to leader, so the ideological cohesion between the party and its members in the Lords breaks down. An example of this is the Labour Party since the reforms to the Lords in 1999. Many members of the Labour Party in the

⁷This process is similar to that identified by VanDusky-Allen and Heller (2014) when showing that parties centralise candidate selection in bicameral systems in order to maintain a consistent party label.

Lords will have been appointed under the centre-left leadership of Tony Blair. These members were likely to hold different policy preferences to the Labour Party under the leadership of Jeremy Corbyn between 2015-20 (Watts and Bale 2019). Indeed, in some extreme cases this has seen Labour members of the House of Lords resign from the party in protest at the direction of the party.⁸ Such factors help account for the below perfect party cohesion we observe in the House of Lords.

However, intra-party dynamics are not the only cause of less than perfect voting cohesion in the Lords. As discussed above, no single party holds a majority in the post-reform House of Lords. Ministers wanting to successfully pass legislation, therefore, must seek support beyond members of their own party. This requires the proposals of ministers to be acceptable to at least some opposition members. This risks a loss of support from some members of the minister's own party and increases the likelihood of government backbenchers rebelling. Considering these difficulties, we might expect voting cohesion to be far lower than the observed levels in the Lords (Norton 2003). However, the legislative process in the House of Lords has evolved to assist ministers in this task. For example, channels of communication between minister and backbenchers are very open (see Russell 2013, Ch. 7), so allowing ministers to gain a clear picture of the policy options available to them. In particular, tensions within a minister's party can be identified and ministers can decide whether to change policy direction or allow their own backbenchers to release their frustrations by rebelling. As the majority of votes in the Lords – the measure by which 'cohesion' is determined – occur towards the end of a bill's passage (*see* Russell 2013, p.135), ministers have ample opportunity to avert large-scale rebellions. The result of this is the high but imperfect levels of cohesion we observe in the chamber. Identifying this opportunity for ministers in the House of Lords raises the prospect that bicameralism in the UK stabilises governing party tensions. This is an issue that future research should consider. However, in completing the preference-based theory of behaviour in the Lords for this thesis, we now turn to the actions of backbench members.

Backbench members of the Lords, as policy-seeking actors (Müller and Strøm 1999), have a finite pool of resources with which to influence policy. These resources include such things as time, money, expertise and staffing. Like party supporters in Martin and Vanberg's (2011) theory of policing, members will support proposals when they lie within what they find acceptable. However, should a proposal lie beyond the bounds of acceptability in an area the member considers to be important, then the member will expend resources seeking to change the policy direction.

⁸Both Lord Warner and Lord Grabiner resigned the Labour Party whip, citing the direction of the party under the leadership of Jeremy Corbyn as the reason (Wintour and Quinn 2015; Slawson 2015).

The open nature of legislating in the Lords offers members a cost-effective way of signalling their policy preferences to ministers. One obvious strategy is to signal dissatisfaction through debate contributions. This is effective as government ministers in the Lords are far more responsive to dissent once away from the floor of the chamber than their colleagues in the Commons (Kalitowski 2008; Russell 2013 Ch. 7). If a debate contribution results in a minister making a policy concession that a member finds acceptable, the member is likely to cease further efforts at changing the bill. However, should the minister opt to ignore calls for policy change, a member must decide whether to expend additional resources by taking things further. One such example is a member seeking to amend a minister's bill. Again, the minister and member enter in to a further cycle of action and reaction until the proposal is either moved within the boundaries of what the member finds acceptable or the member believes expending further resources is futile.

The theory outlined above sees members of the Lords pursuing their own individual policy interests. Yet the behaviour in the chamber, through an appointment process that results in members of parties holding similar ideological standpoints, is observed as cohesive. A government minister and most of her own backbench members are likely, therefore, to hold broadly similar policy positions. This makes it easier for a minister to propose legislation that is located within, or at least close to, the bounds of what their own party members will accept. Likewise, a minister's preferred positions are likely to be further from the ideal points of opposition members in the Lords. As a result, the proximity of a minister's policy preferences to those of members of her own party make any future policy disputes easier to resolve than disputes with opposition members. We can easily test this assertion by examining behaviour we would expect to see if disputes fail to be resolved. As we show in chapter 5, members of the Lords will seek to amend legislation if ministers resist their calls for change in earlier legislative stages. If our assertion that disputes between the government and opposition members are more difficult to resolve is correct, we should see a greater number of opposition amendments proposed in the Lords. This is precisely what we see, with opposition backbenchers tabling over 7-times more amendments than government backbenchers (Russell and Gover 2017, Ch. 4 and 5). We can conclude then that members motivated by moving policy closer to their own preferences is observed as competing behaviour between government and opposition parties in the Lords. In the final part of this section we apply this theory to a rare period of coalition in UK politics. In doing so we develop the theory of policing in the House of Lords that will be tested in the three empirical chapters of this thesis.

2.2.5 A Theory of Policing in the House of Lords

The 2010-15 coalition between the Conservatives and Liberal Democrats offers an opportunity to examine behaviour in the House of Lords during a novel period of multi-party government. This period allows us to test of Martin and Vanberg's (2011) theory of policing, developed in political systems where coalition government is the norm. Additionally, the absence of elections to the Lords allows us to relax the assumption that electoral incentives drive policing. In doing so we can focus on the role that policy interests play in managing coalitions. We begin by offering a framework of the dynamics in the House of Lords during coalition government. We then outline the expected patterns of use of debates, amendments and parliamentary questions in low, medium and highly contested policy areas. We end the section by outlining the three hypotheses to be tested in the three empirical papers of this thesis.

Ministers in the House of Lords are incentivised to engage in policy drift by promises of policy benefits for their party if successful. Members belonging to the minister's partner party are aware of this and seek to prevent drift by policing policy proposals. However, members of the Lords are driven to behave this way by a desire to influence policy, rather than by the pursuit of electoral success. So, a member of the minister's partner party will seek to use legislative mechanisms to shift policy closer to their own preferred position should a proposal be positioned beyond what they find acceptable. The removal of the secondary link between party supporter and legislator found in Martin and Vanberg's (2011) policing theory opens further possibilities. For example, backbenchers in the Lords can attempt to engage in policy drift of their own. This occurs when backbenchers use debates, amendments and questions to shift policy away from agreed coalition positions and closer to their own preferred position. For the purpose of this thesis we refer to these two similar behaviours as 'policing.' The degree to which a member will engage in policing is dependent on cost-benefit analyses. Put simply, members will be willing to expend valuable resources to influence policy when the benefits of doing so outweigh the costs. The expectation is that government backbenchers will make greater use of debates, amendments and parliamentary questions for the purpose of policing as intra-coalition disagreements for the policy area in question increase.

To illustrate this theory, we show the effect that changes in policy disagreement have on the cost-benefit analyses of government backbenchers interested in policing a policy area. For example, when a minister introduces a proposal to a notional policy area in the Lords, there exists a collective coalition position, the preferred policy position of the minister's party and the ideal point of a government backbencher holding the median preference of the minister's partner party in the Lords. In less

contested policy areas, the collective coalition position and the preferred positions of both the minister and backbencher are located close together. Consequently, few benefits can be gained for the minister by engaging in policy drift. Further to this, the backbench member will likely accept the full range of viable policy positions to which the minister could shift the proposal. As it would be an inefficient use of resources for a minister to shift the policy, and for the member to police the proposal, we expect to see little in the way of debates and amendments being used to police less contested policy areas.

However, as intra-coalition policy disagreements grow the assessment of costs and benefits becomes more complex. The expanded policy space between the ideal point of the minister and the collective coalition position means significant benefits can be derived from successfully shifting policy. This greater policy space also makes it more likely that any policy drift will prove unacceptable to the backbencher. This likelihood increases the benefits that a backbencher will reap from successfully policing a policy area. As such, we expect government backbenchers to make greater use of debates and amendments to police more contested areas. As disagreements grow even further, however, further dynamics come in to play. As policy disagreements heighten, ministers can gain greater benefits if able to successfully shift policy closer to their party's ideal preference. Ministers, therefore, are increasingly likely to resist the policing of their coalition partners as policy disagreements increase. In reaction to this resistance from ministers, a backbencher has two options – to accept the minister's drift or continue to police the proposal. As the benefits of arresting policy drift are higher in more contested areas, we expect to see backbenchers contribute to debates and/or propose amendments in even greater numbers as policy disagreements grow.

However, we go further than Martin and Vanberg (2011) by extending the theory of policing in the Lords to the implementation of policy. As recognised in the wider coalition management literature, ministers can engage in policy drift at the point of implementation. Committees have been identified as the main arena in which coalition partners can keep tabs on one another (Kim and Loewenberg 2005; Carroll and Cox 2012) but select committees in the Lords intentionally cut across departments rather than shadow a single ministry (Russell 2013, pp.209-10). This makes identifying their use for the purpose of coalition policing impractical. Instead, we build on research by Martin and Whitaker (2019), who have identified members of the House of Commons as using parliamentary questions to keep tabs on government ministers in the 2010-15 coalition. We propose that government backbenchers will monitor departments located in policy areas they have an interest in influencing. When the implementation of policy shifts from what a government backbencher will accept, the member is expected to target a question at that department. Like in

the legislative process, however, government backbenchers have limited resources with which to draft and table questions. Again, members must develop effective strategies for making the most efficient use of their questions. As with debates and amendments, we expect the increased benefits of successfully policing areas over which the coalition partners disagree to result in greater numbers of parliamentary questions to be targeted at departments as the policy area in which they are located becomes more contested.

Finally, the ability of backbenchers to engage in policy drift of their own drives a further increase of policing in the most contested policy areas. The added policy space in these areas raises the possibility that the collectively agreed positions of the coalition lie beyond what a backbencher is willing to accept. Under these conditions, a backbencher is expected to use their resources in an attempt to move policy closer to their own preferred position (or at least closer to what might be acceptable). The greater likelihood of this behaviour sees the levels of policing rise dramatically in the most highly contested policy areas. To test this proposal, we examine the use of three legislative mechanisms by Conservative and Liberal Democrat backbenchers in the 2010-15 House of Lords.

The first is the extent to which Conservative and Liberal Democrat backbenchers participated in debates on bills during their passage through the Lords. We expect government backbenchers to increasingly attempt to communicate policy preferences to ministers as intra-coalition policy disagreement increases. Therefore, government backbenchers are expected to contribute to debates in greater numbers as the policy area in which the bill is located becomes more contested. To test this proposal the following hypothesis is tested:

Hypothesis 1 (H1): *The greater the difference between the coalition parties over the policy area in which a bill is located, the greater the number of government backbenchers contributing to debates on the bill's passage through the House of Lords*

The second mechanism is the tabling of legislative amendments. We expect government backbenchers belonging to the minister's partner party, when failing to change the direction of a minister's proposal during debate or more informal channels, to table amendments to a bill. The policy pay-offs for ministers, if able to successfully engage in policy drift, increases as policy disagreements between the coalition partners grow. As a result, we expect ministers to be more willing to resist calls from their coalition partners for policy change in more contested areas. This should see the number of amendments increase in line with intra-coalition policy disagreement. Hence the following hypothesis:

Hypothesis 2 (H2): *As differences between the Conservatives and Liberal Democrats over a policy area increase, so does the number of amendments tabled on a bill located in that area from backbench members in the Lords belonging to the partner party of the minister initiating the bill.*

The final legislative mechanism we examine is parliamentary questions. Parliamentary questions allow backbenchers the opportunity to monitor the implementation of policy by government ministers. As ministers are able to engage in policy drift at the point of implementation, we expect to see government backbenchers policing that stage of the legislative process. As a result, we expect to see the number of parliamentary questions directed at a department, from the minister's partner party, to increase as policy disagreement in that area grows. We test the following:

Hypothesis 3 (H3): *The greater the policy difference between the coalition parties in the policy area of a government department, the greater the number of written PQs directed at that department by backbenchers belonging to the minister's partner party.*

2.2.6 Conclusion

This chapter began with a discussion of the contributions this thesis makes to three areas of the existing literature. The first is to a comparative body of work emphasising the more subtle effects of bicameral institutions on political outcomes. We support the notion that the House of Lords, often viewed as ineffectual by comparativists (Sartori 1994; Lijphart 1999), plays an important part in the political outcomes of the UK (Russell and Sciara 2007, 2008; Russell 2010, 2013; Russell and Gover 2017). Furthermore, we outline an individual level preference-based theory of behaviour in the Lords which raises the prospect of the Lords being included in much of the comparative literature from which it is currently omitted. In doing this, we find that the House of Lords has evolved to a chamber in which members represent the professional areas in which they have previously worked.

The second area to which we contribute is the literature on coalition politics. Although our understanding of how, why and when coalitions begin or end is well established, less is known about how parties manage their involvement in coalitions. A body of work has helped recognise how parties use mechanisms from within government. Yet this thesis will examine how parties use processes within parliaments to manage a coalition. We make a novel contribution to this literature by conducting the first analysis of an upper chamber for this purpose. Examining the House of Lords also allows the assumption of electoral incentives for such behaviour

to be relaxed. Instead we show that policy interests drive individual members to undertake the work of keeping tabs on their coalition partners. The final area of research to which this thesis contributes is that focussed on the changing face of UK politics. A decline in majoritarianism saw the first peacetime coalition in the UK for close to 100 years. Despite this we know very little about how individual legislators have adapted their use of the resources available to them to achieve their goals. This thesis conducts the first large scale analysis of how debates, amendments and parliamentary questions are used by members of the House of Lords during a period of coalition. To conduct this analysis, we outline a preference-based theory of behaviour in the House of Lords which is then adapted to examine coalition management in the chamber.

The central theme of preference-based theory is simple. Members of the House of Lords are policy-seeking actors driven to ensure that policy they care about is located as close to their own preferred positions as possible. When a backbencher's party governs alone, the backbencher can be confident that the government's proposals will be close to the range of positions they are willing to accept. If a minister proposes a bill located outside of what a backbencher is willing to accept, the backbencher will use resources (time, money, staffing) in an attempt to 'correct' the policy. We propose that the appointment process to the House of Lords results in these individual-level actions being observed as cohesive party behaviour. The legislative process in the House of Lords has evolved to help ministers navigate policy-making by allowing greater responsiveness to the preferences of government backbenchers. However, involvement in coalition government means that backbenchers are regularly faced with policy proposals from ministers belonging to their partner party. Although collective policy positions have been agreed, government backbenchers recognise that ministers are incentivised to shift policy towards the preferred positions of their own party.

In attempting to lessen this threat, government backbenchers will police policy areas they care about. This involves using debates, amendments and parliamentary questions to keep tabs on the policy proposals and implementation by ministers. Interestingly though, government backbenchers also have the opportunity to try and shift policy closer to their own ideal points. Through a series of cost-benefit analyses we hypothesise that government backbenchers will contribute to debates in greater numbers, table more amendments and direct an increased number of questions at departments when the policy area in question becomes more contested. In the next chapter we will outline the data collected to test these hypotheses, including adaptations made to Martin and Vanberg's (2011) original study required to accurately examine behaviour in the House of Lords.

Chapter 3

Measurement of Key Independent Variables

This chapter details how we operationalise and measure the key independent variables in the analyses of debates, amendments and parliamentary questions to follow. The first independent variable is the degree of policy divergence between the coalition partners over the policy area in which a bill or government department is located. To achieve this, we first position the Conservatives and Liberal Democrats using policy scales based on the logarithm of odds-ratios. This approach both overcomes common problems associated with more traditional methods of positioning parties and recognises an important distinction between policy types. The second section details how we selected the bills and government departments that are examined in this thesis. The final section introduces a dataset of the characteristics of government backbenchers, including a member's sex, length of service and party or group affiliation in the Lords. We also collect data on the previous professional experience of members. These data allow for a number of individual-level variables to be controlled for in our final analyses. In doing so we can assess some of the assumptions of the preference-based theory of Lords behaviour that we introduced in the previous chapter.

3.1 Positioning Parties

The primary independent variable in the three empirical chapters to follow is the extent to which the Conservatives and Liberal Democrats disagree over different policy areas. In determining this policy divergence, we must first position the coalition parties in a range of policy dimensions. Two main approaches are available for this task. The first estimates party positions by surveying experts in a given political system (*see* Bakker et al. 2015), while the second uses data collected from the elec-

tion manifestos of parties. Expert survey data contains fewer and more expansive policy categories. This presents a poor match to the bills and government departments examined in this study. Therefore, we use the wider range of policy areas made available by the Manifesto Research on Political Representation (MARPOR) project (Volgens et al. 2016).

The MARPOR project uses human coders to assign individual sentences in a party's election manifesto to one of a number of pre-determined policy categories. Parties are then assigned a 'PER' score for each of these categories, denoting the percentage of their manifesto devoted to that policy category. We use the data collected from the Conservative and Liberal Democrat manifestos produced for the 2010 General Election. In effect, a party's 'PER' score in a category reflects the relative importance (salience) the party assigned to that category, rather than a policy position. A further transformation is required to estimate policy positions for parties. Ordinarily this is achieved by constructing policy dimensions, with one policy category representing a policy dimension's left position and another the right position (*see* Budge 1999; Laver and Garry 2000; Kim and Fording 2002). However, a number of methodological problems are associated with this approach. To overcome these difficulties, we adopt an approach proposed by Lowe et al. (2011).

Traditionally, transforming party salience scores to policy positions has used a proportional approach. This involves calculating the net right-left sentence count for a policy area in a party's manifesto. This count is then divided by the total number of sentences devoted to that policy area by the party. For example, Budge (1999) uses the following calculation:

$$\theta = \frac{R - L}{N} \quad (3.1)$$

in which position θ is calculated by subtracting the sentence count of the policy area representing the left position, L , from the sentence count of the right position, R , and dividing the difference by the total number of sentences coded in the party's manifesto, (N) .

Three problems are associated with the use of this approach. First, an artificial limit is constructed at both the left and right boundaries of a dimension. So, a party devoting their entire manifesto to the left side of a dimension would receive a score of -1.0, and to the right side, 1.0. In reality, however, elections are fought across a number of different policy areas. This results in scores located towards the extremes of the policy dimensions being unattainable. In fact, the multi-dimensional nature of manifestos leads to proportional approaches delivering policy position scores clustered towards the centre of policy dimensions (Lowe et al. 2011, p.128). The second problem associated with proportional approaches is the assumption of

a fixed effect of a single unit change in the number of sentences coded to the left or right side of a dimension. In the case of Budge's (1999) transformation, shown above, the fixed change in a party's policy position for every one-unit change of left/right sentence count is $1/N$. This runs contrary to how we perceive the effect of change in an everyday sense, where the marginal effect of change decreases as the total quantity grows (Lowe et al. 2011, pp.130-31).

A third issue arises from the use of the total number of sentences coded in a party's manifesto as the denominator in equation 3.1. This means that any change in manifesto length will result in a shift in a party's position, even if a party devoted the same amount of material to a policy issue. To illustrate this, consider Budge's (1999) transformation for calculating a party's policy position in a dimension with a net right-position sentence count of 50 calculated from a manifesto totalling 1000 sentences. The party's position score is $50/1000 = 0.05$. However, if the party retains a net right-position sentence count of 50 and the manifesto length increases to 1100, a party's position shifts to $50/1100 = 0.045$. This represents a shift of 10% in a party's position despite devoting the same number of sentences to a policy dimension. By using a transformation based on log-odds ratios (Lowe et al. 2011) this issue is resolved.

In addition to overcoming these three methodological issues, Lowe et al.'s (2011) approach allows an important distinction to be made between policy types. On one hand we have policy areas within which parties can take opposing positions (Butler and Stokes 1969; Stokes 1985, 1992). These include in areas such as education spending, the regulation of industries or positions on European integration. On the other hand, we find policy issues where the direction of policy is generally accepted. The differences between parties in these policy dimensions come down to the priority afforded to the policy (Stokes 1963; Enelow and Hinich 1982; Whiteley 1984; Groseclose 2001; Schofield 2004). These include policy areas concerning democracy, personal freedoms and social justice. Lowe et al. (2011) define the former as 'position' dimensions and the latter as 'importance' dimensions. We will now show how MARPOR data is transformed to estimate party positions for both of these policy types.

Position Dimensions

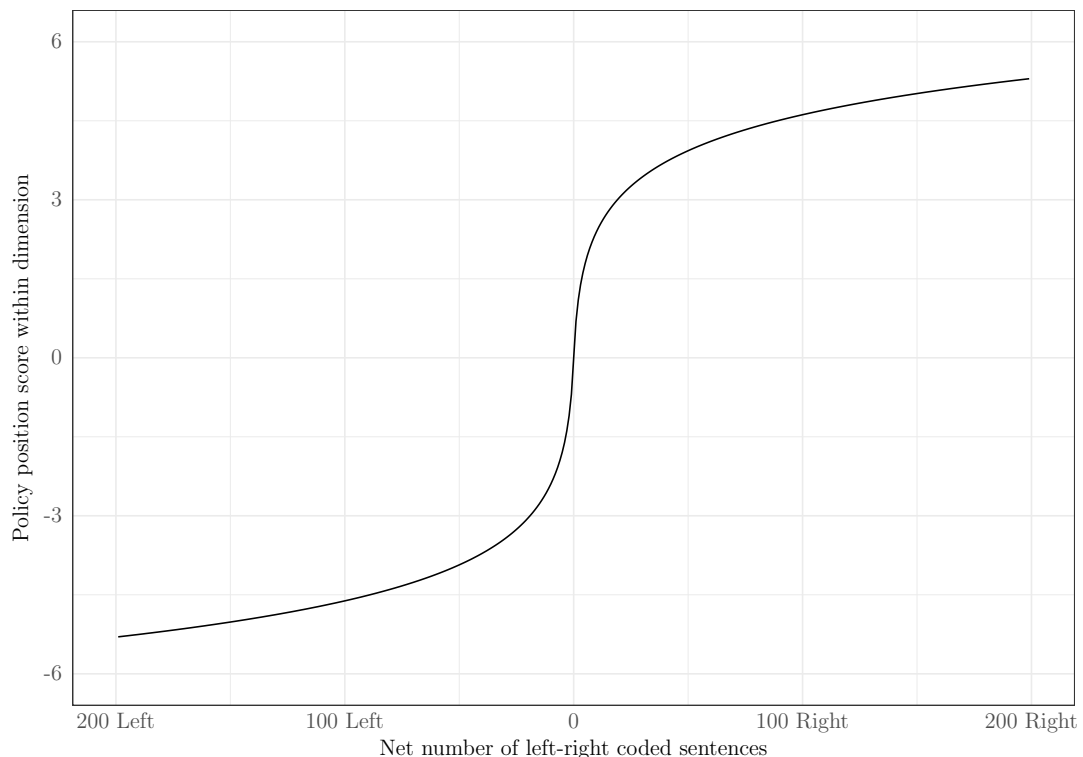
In using Lowe et al.'s (2011) transformation, we construct positional policy dimensions by assigning the relevant MARPOR policy categories to left and right positions. A party's policy position is calculated using equation 3.2:

$$Position = \log(R + .5) - \log(L + .5) \quad (3.2)$$

where R and L represent the numbers of coded sentences in a party's manifesto devoted to the right and left positions. The addition of 0.5 to each of the sentence counts is a standard statistical procedure to reduce bias as scores approach zero, which stabilises estimates calculated from small or zero sentence counts (*see* Agresti 1996).

By directly transforming sentence counts, the problem of artificial limits placed on proportional transformations is removed. Indeed, assuming a party is willing to devote an ever-increasing number of sentences in its manifesto to the left or right position of a dimension then the range of possible policy positions are limitless. Second, using only sentences from a given dimension to estimate a party's position removes policy shifts that occur from changes in manifesto length. Figure 3.1 shows the symmetrical right-left scale of possible positions ranging from a net left-sentence count of 200 to a right-sentence count of 200. The range of positional scores in this dimension ranges from -5.5 to 5.5. The use of the natural log in the transformation requires a party to devote an exponentially greater number of sentences to either side of a policy dimension in order to move their position towards the extremes. This is shown in figure 3.1 by the flattening of the s-curve as either the net left or right sentence count increases. However, only a small increase in sentence count away from zero results in significant position shifts. This diminishing marginal effect of a single unit increase in sentence count overcomes the fixed-effect assumption of Budge's (1999) transformation.

Figure 3.1: Policy Position Dimension



Importance Dimensions

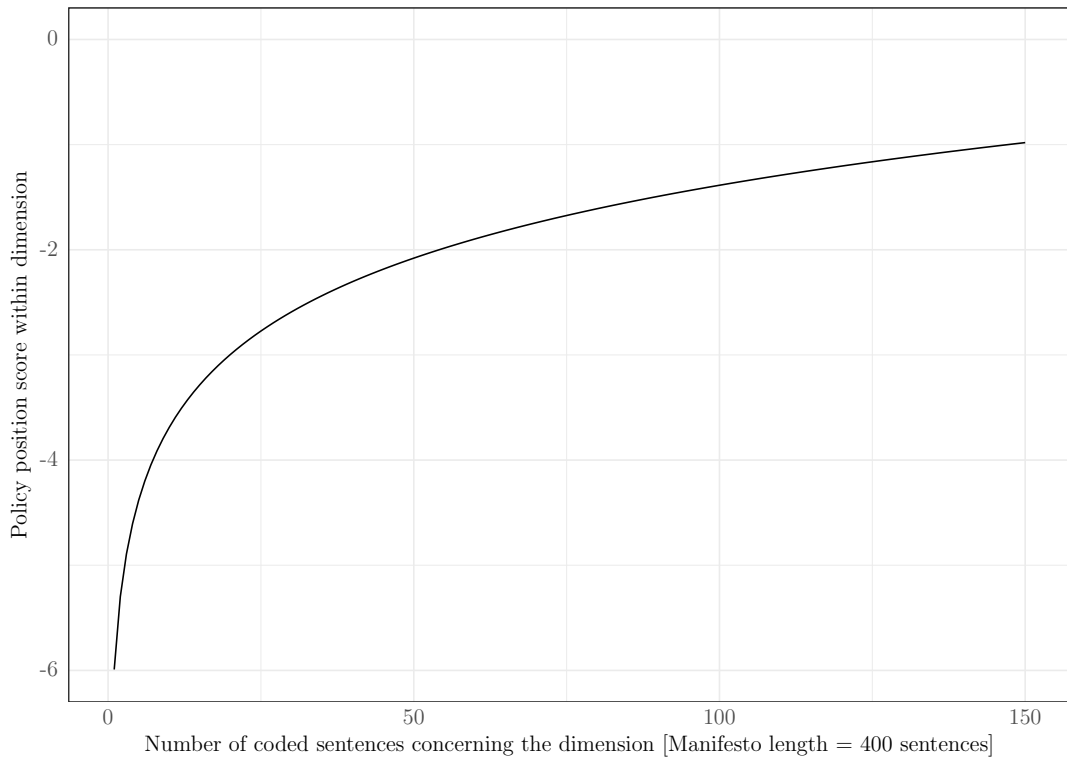
Positioning parties in policy dimensions where the direction of policy is broadly agreed requires a different approach. This approach explicitly embraces ideas from salience theory (Budge 1982; Budge and Farlie 1983a, 1983b), by positioning parties according to the importance they attach to a given policy issue (Budge 1994, p.455). Equation 3.3 shows how positions are calculated in importance dimensions:

$$Importance = \log \frac{S + 1.0}{N} \quad (3.3)$$

where S is the number of sentences devoted to a policy dimension in a party's manifesto as a proportion of the total number of sentences in the manifesto (N). The addition of 1.0 to S has the same effect as the addition of 0.5 to both R and L in equation 3.2. Figure 3.2 shows the range of policy position scores within an importance dimension using a sentence count between 1 and 150 from a party's manifesto containing a total of 400 sentences. Although the construction of importance dimensions uses a proportional approach, Lowe et al.'s (2011) transformation has three main benefits over other such approaches.

First, is the reduced marginal effect of additional coded material. Again, this is illustrated by the flattening of the curve in figure 3.2. The second benefit is the removal of limits on the potential positions a party can attain. For example, a party making no mention of a policy dimension in its manifesto would have an impractical positional score of $\log(0) = -\infty$. Here we can see the stabilising effect of adding 1.0 to a party's sentence count (Agresti 1996) by moving a party's position score to $\log(1/N)$. This affects the lower limit of policy areas that parties choose to omit from their manifestos, with a party's position score moving in a negative direction as manifesto length increases. To illustrate this, consider the position score for a party with no relevant coded material in a manifesto of 200 sentences is $\log(1/200) = -5.3$. A party's score for the same dimension in a 400 sentence manifesto will move to $\log(1/400) = -6.0$. This removes the lower limit for policy importance dimensions. The addition of 1.0 to the sentence count also sees the upper limit removed. Instead, upper range of a party's potential scores lies at $\log(1/N)$ above zero – for example, $\log(401/400) = 0.001$. This upper limit moves closer to zero as the size of a party's manifesto increases but can never reach a score of zero. However, given how implausible a party devoting its entire manifesto to a single policy area is, this is a chiefly technical point.

Figure 3.2: Policy Importance Dimension



A final benefit is the significant reduction in policy shifts resulting from changes in the length of a party's manifesto. As alluded to above, a 10% increase in the length of a party's manifesto, using Budge's (1999) transformation, results in a 10% shift in a party's position. The same increase in manifesto length using Lowe et al.'s (2011) transformation, however, sees a much smaller shift. For example, an increase in the length of a party's manifesto from 400 to 440 coded sentences would see a shift in a party's position of around 2% in a dimension with a sentence count of 5, 2.5% for a count of 10 and 3% at 20 sentences. Indeed, a party would have had to devote over a third of its 400-sentence manifesto to a single policy issue for a 10% increase in manifesto length to result in a 10% shift in a party's position. This makes for much more stable dimension scores for parties over time, an important consideration for the replicability of studies like this in future parliaments.

One further, less technical, advantage of using Lowe et al.'s (2011) approach, is that it offers an opportunity to construct new policy dimensions from existing MARPOR categories. We take advantage of this to construct policy dimensions that are more suited to the legislation and government departments examined in this study. Having outlined how we calculate policy positions for the Conservatives and Liberal Democrats, we will now introduce the legislation and departments that are examined, the policy dimensions to which they are assigned and how policy difference between the partners is determined.

3.2 Selection of Bills and Departments

To investigate whether government backbenchers use debates, amendments and parliamentary questions to police their coalition partners, we examine the passage of 90 bills through the 2010-15 House of Lords and parliamentary questions directed at 17 government departments. In this section we begin by identifying the criteria used to select the bills and departments. We then outline how each bill and department was assigned to a policy dimension and how policy divergence was subsequently calculated for each dimension. We finish by identifying a subset of bills that underwent an expedited passage of the House and Lords and detail how these bills are treated in this study.

3.2.1 Selecting Government Bills

The selection of the bills to be analysed in chapters 4 and 5 was dependent on a number of factors. First, the bills must have been introduced during the Conservative and Liberal Democrat coalition government between 2010-15. Second, as we seek to examine the effect of policy disagreement *within* coalition government on legislative behaviour, we focus on government bills. These are legislative proposals initiated by government departments headed by a government minister. Consequently, we eliminate bills introduced to parliament by backbenchers. These bills, known as Private Members' bills, take several forms. Perhaps the most well-known are ballot bills, where backbenchers 'win' an opportunity to introduce a bill of their choosing to the House of Commons through a lottery-style draw. Other variations include presentation, ten-minute rule and Lords Private Members' bills. Private Members' bills have less time allocated for debate and if opposed by the government have little chance of becoming law. As a result, they are often used to draw attention to certain issues, rather than serious attempts at changing the law. A more detailed outline of Private Members' bill can be found in Besly et al. (2018, pp.177-249).

Thirdly, we remove hybrid and private bills from the study. While, public bills affect the law as it applies to the general public and can only be directly influenced by members of the Lords or Commons during their passage, private bills are open to being influenced by external actors. Private bills affect the law as it relates to specific individuals, groups or organisations and are introduced to parliament by the legal representatives of those seeking to bring a change to the law. Other individuals and groups who might be affected by the proposed legislation are invited to have their say on a bill's passage during the Opposed Bill Committee stage. Only once a private bill passes the Opposed Bill Committee stage does it return to parliament for the remaining stages of its parliamentary passage. Although hybrid

bills can be introduced by the government, they too are open to direct external influence.¹ Given that we are concerned with the effect of intra-coalition dynamics on the policing behaviour of government backbenchers in the Lords, the inclusion of externally influenced bills risks confusing the analysis. For this reason, we removed private and hybrid bills from the study.

The fourth criteria for selecting bills rests on the constitutional constraints that are placed on the power of the House of Lords over ‘money bills.’ These are bills defined by the Speaker of the House of Commons to concern only taxation, public money or loans, and pass in to law one month after entering the Lords regardless of whether the Lords approves them.² During the passage of a money bill through the Lords, members are unable to propose amendments to the legislation. As the analysis of amendments is the focus of one of the empirical chapters of this thesis, we remove money bills from the study. We remove one final bill: the *House of Lords Reform Bill 2012* was withdrawn by the government after a rebellion by Conservative backbenchers in the House of Commons. As the bill did not pass from the Commons to the Lords it offers little to this study.

The government introduced a total of 125 public bills to the 2010-15 Parliament. Money bills accounted for 34 of these and the *House of Lords Reform Bill 2012* was withdrawn, leaving 90 bills. These bills are examined in the analysis of whether debates (chapter 4) and amendments (chapter 5) were used by government backbenchers to police policy areas over which the coalition partners disagree. Table A.1 in appendix A contains a list of the 90 bills, including the parliamentary session in which they were introduced.³ After these bills were selected, they were assigned to a corresponding policy dimension. The construction of these policy dimensions is detailed in section 3.1 of this chapter. Although most bills clearly corresponded to a suitable dimension, others required closer reading prior to being assigned. For this we found the explanatory notes accompanying the bills on the UK Parliament website to be particularly useful. The criteria we used for assigning the bills to policy dimensions, and the types of bill assigned to each dimension can be found in table A.2 in appendix A.

Despite the wide range of dimensions provided in Lowe et al.’s (2011) paper, we found that a small proportion of bills did not adequately fit with the existing policy dimensions. To resolve this problem, we took advantage of the opportunity, proposed by Lowe et al. (2011), to construct three entirely new dimensions for use

¹For a more detailed overview of the types of bill that pass through the UK Parliament and who can influence them, see Besly (2018, pp.219-223).

²The ability of the House of Lords to reject money bills was removed by the Parliament Act 1911.

³A session is roughly one parliamentary year. The 2010-15 Parliament contained four sessions – 2010-12, 2012-13, 2013-14 and 2014-15.

in this thesis. The first of these is a *Deregulation* dimension consisting of a left position of the MARPOR category *Market Regulation* and a right position of *Free Market Economy*. Second, a *Growth* dimension with a left position of *Anti-Growth Economy* and a right position of *Economic Growth: Positive*. The third dimension is *State Ownership*, pairing a left position of *Nationalism* with *Free Market Economy* right position. The policy dimensions to which each of the 90 bills was assigned can be found in table A.1 in the appendix.

Once the Conservatives and Liberal Democrats had their policy positions calculated for each dimension, we were able to determine a policy divergence score for each policy area. This was calculated as the difference between the scores of the Conservatives and Liberal Democrats in a given dimension. The policy dimensions in which the 90 bills are located, and their policy divergence scores are shown in tables 3.1 and 3.2. Full details of the MARPOR categories used to construct each policy dimension, the MARPOR inputs, party positions and policy divergence scores are shown in tables A.3 and A.4 in the appendix. The policy divergence score of the dimension to which a bill is assigned forms the key independent variable in chapters 4 and 5.

3.2.2 Non-controversial Legislation

Through the process of assigning bills to policy dimensions it became clear that a number of bills took a different route through the House of Lords than the norm. The passage of these bills was often expedited, with stages of the legislative process skipped. That members of the Lords were willing to accept this situation suggests that there was little, or no, disagreement between the parties/groups in the Lords over these bills. The majority of these ‘non-controversial’ bills emerged from the Law Commission, which is a statutory body with responsibility for making recommendations for reforms, modernisation and simplifications to existing legislation.⁴ Although the Commission has produced recommendations since 1965, it was only in 2009 that the body was put on a formal footing. Since 2009, therefore, the recommendations of the Commission can be considered as legislative proposals in their own right. These proposals are then accepted by parliament with little objection from political actors. As a result, we classify bills emerging from the Law Commission as ‘non-controversial’ for the purpose of this study.

⁴A full overview of the Commission’s work is available at <http://www.lawcom.gov.uk/our-work/implementation/>

Table 3.1: Positional policy dimensions, policy divergence scores and the MARPOR categories representing the left and right positions of the dimensions

Dimension (policy divergence)	Left Position	Right Position
Constitutionalism (1.95)	203 Constitutionalism: Positive	204 Constitutionalism: Negative
Decentralisation (0.56)	301 Decentralisation	302 Centralisation
Deregulation* (1.30)	403 Market Regulation	401 Free Market Economy
Education Spending (0.54)	506 Education Expansion	507 Education Limitation
European Union (1.78)	108 European Union: Positive	110 European Union: Negative
Growth* (1.61)	416 Anti-Growth Economy: Positive	410 Economic Growth: Positive
Keynesian Policy (0.00)	409 Keynesian Demand Management	414 Economic Orthodoxy
Labour Policy (0.21)	701 Labour Groups: Positive	702 Labour Groups: Negative
Militarism (3.89)	101 Foreign Special Relationships: Positive	102 Foreign Special Relationships: Negative
Nationalism (2.92)	602 National Way of Life: Negative	601 National Way of Life: Positive
State Ownership* (3.04)	413 Nationalisation	401 Free Market Economy
Welfare State (1.31)	504 Welfare State Expansion	505 Welfare State Limitation

Note: Dimensions denoted by an asterisk were constructed for use in this research by the author using the approach of Lowe et al. (2011).

Table 3.2: Importance policy dimensions, policy divergence scores and the MARPOR category from which the dimensions are constructed

Policy Dimension (Policy divergence score)	MARPOR Category
Democracy (1.21)	202 Democracy: Positive
General Economic Goals (0.39)	408 Economic Goals
Efficiency (0.45)	303 Governmental and Administrative Efficiency
Freedom/Human Rights (0.03)	201 Freedom and Human Rights
Law and Order (0.38)	605 Law and Order: Positive
Social Justice (1.12)	503 Equality: Positive
Technology and Infrastructure (0.39)	411 Technology and Infrastructure: Positive

However, bills displaying characteristics of non-controversy were also found elsewhere. The first area is the ‘fast-tracking’ procedure in the House of Lords. This procedure sees bills take a rapid passage through the Lords, often involving the cancellation of one or more legislative stages. The reasons for fast-tracking are varied and range from making hurried changes to the law due to court judgements, bringing law in to line with the UK’s international commitments and having to maintaining the UK’s devolution settlements. However, fast-tracking is only used when all political parties are in agreement over the legislation (House of Lords Select Committee on the Constitution 2009). Consequently, we classify these bills as non-controversial. We have two fast-tracked bills in the legislation we examine. First, the *Mental Health (Approval Functions) Act 2012*, giving retroactive authority to decisions made by medical professions under the *Mental Health Act 1983*. Second, the *Police (Complaints and Conduct) Act 2012*, which brought proposals made by the Hillsborough Independent Panel regarding historical investigations directly in to law.

Table 3.3: Non-controversial bills and the session in which they were introduced to the House of Lords

Bill Name	Session
Charities Act 2011	2010-12
Consumer Insurance (Disclosure and Representations) Act 2012	2010-12
Trusts (Capital and Income) Act 2013	2010-12
European Union (Approvals) Act 2013	2012-13
Mental Health (Approval Functions) Act 2012	2012-13
Partnerships (Prosecution) (Scotland) Act 2013	2012-13
Police (Complaints and Conduct) Act 2012	2012-13
Statute Law (Repeals) Act 2013	2012-13
Cooperative and Community Benefit Societies Act 2014	2013-14
European Union (Approvals) Act 2014	2013-14
Inheritance and Trustees' Powers Act 2014	2013-14
Insurance Act 2015	2014-15

Finally, we categorise two bills dealing with European Union (EU) affairs as non-controversial. Although a total of five EU bills passed the Lords between 2010-15, we deem bills to be non-controversial only if the decision at the heart of the bill was made away from the UK Parliament. We can first illustrate this with an example of a clearly controversial bill. The *European Union Act 2011* passed in to law the need to hold a referendum before any new powers can be transferred to the EU. The content of this bill and its passage was entirely a matter for the UK Parliament and, as a result, is defined as controversial. We also define two further bills – the *European Union (Approval of Treaty Amendment Decision) Act 2012* and the

European Union (Croatian Accession and Irish Protocol) Act 2013 – as controversial. These bills ratify changes to EU Treaties, and although the negotiations for these treaty changes happened at the EU level, the decision to ratify the changes lay solely with the UK Parliament. The two remaining EU bills – the *European Union (Approvals) Act 2013* and *European Union (Approvals) Act 2014* – are defined as non-controversial. These two bills approved decisions made by ministers to vote in favour of draft decisions in the Council of the European Union. As Murkens (2012) notes, ministers only need to seek approval once they have already voted to accept the decision at the EU level. As a result, these bills simply approve decisions made elsewhere and can be classed as non-controversial. To reflect the lack of controversy, we remove the 12 bills shown in table 3.3 from their original policy dimensions and assign them to a *Non-controversial* dimension. This dimension is then assigned a policy divergence score of zero.

3.2.3 Selecting Government Departments

In order to examine whether parliamentary questions were used for policing in the House of Lords (chapter 6), we assigned government departments to their relevant policy dimensions. We began by including any department receiving at least one written parliamentary question from a government backbencher during the 2010-15 House of Lords. A total of 19 departments were targeted by written questions. However, we had to remove two departments. First, the Cabinet Office, which is tasked with supporting the Prime Minister and the Cabinet and, secondly, the department of the Leader of the House of Lords. The job of the Leader of the Lords is to manage government business in the chamber and offer general guidance to the chamber as a whole. The absence of a single policy focus for these two departments makes it impossible to assign them accurately to a single policy dimension. In assigning the remaining 17 departments, we followed the approach outlined by Martin and Whitaker (2019) in their analysis of the use of parliamentary questions as a policing tool in the 2010-15 House of Commons. Martin and Whitaker (2019) use Lowe et al.’s (2011) transformation to assign the 17 government departments to 12 policy dimensions. As government departments tend to cover a greater number of MARPOR policy categories than government bills, Martin and Whitaker (2019) made use of additive policy dimensions to accurately position the departments. Additive dimensions use two or more MARPOR categories for either the left or right position of a dimension. The MARPOR categories used to construct the policy dimensions used in this study, along with the MARPOR category inputs and dimension position scores for the coalition partners, are shown in table A.5 in appendix A.

Table 3.4: The government departments examined in this research, the policy dimension within which they are located and policy divergence scores

Department	Policy dimension	Divergence score
Business, Innovation and Skills	Free market economy	0.93
Communities and Local Government	Multiculturalism	3.56
Culture, Media and Sport	Free market economy	0.93
Education	Education spending	0.54
Energy and Climate Change	Environmental protection	1.64
Environment, Food and Rural Affairs	Environment and agriculture*	0.64
International Development	Internationalism	1.37
Transport	Free market economy	0.93
Work and Pensions	Welfare state	1.31
Health	Welfare state	1.31
Foreign and Commonwealth Office	Foreign office*	0.92
Treasury	State involvement in the economy	0.42
Home Office	Nationalism	2.92
Defence	Militarism	3.89
Justice	Social-Liberal Conservative	0.26
Northern Ireland	Decentralisation	0.56
Wales	Decentralisation	0.56

As was the case with matching bills to their corresponding policy dimensions, Martin and Whitaker (2019) found that two departments did not fit well to the available policy dimensions. As a result, they constructed two entirely new policy

dimensions to provide a better match with the government departments. The first is an *Environment and agriculture* dimension to which the Department for Environment, Food and Rural Affairs was assigned. This dimension is constructed from a right position consisting of the MARPOR categories *Economic growth: Positive* and *Agriculture and farmers: Positive*. While the left position is composed from the categories *Environmental protection* and *Anti-growth economy: Positive*. The second is a *Foreign office* dimension incorporating the Foreign and Commonwealth Office. This dimension pairs a right position containing the categories of *Foreign special relationships: Negative*, *Military: Positive*, *Internationalism: Negative* and *European Union: Negative*, with a left position of *Foreign special relationships: Positive*, *Military: Negative*, *Internationalism: Positive* and *European Union: Positive*. Once the departments were assigned to policy dimensions, we calculated policy positions for the Conservatives and Liberal Democrats in each of the 12 dimensions. A policy divergence score was then calculated from the gap between the dimension scores of the two parties. This policy divergence score is assigned to the government department and forms the independent variable in chapter 6.

In summary, we selected 90 public government bills that are examined in chapters 4 and 5. We selected these bills to ensure that the use of debates and amendments by government backbenchers can be isolated from those of external actors and so we can focus on the dynamics from within the coalition. We assigned each bill to one of a number of policy dimensions and calculated policy positions for the coalition partners using an innovative approach outlined in a paper by Lowe et al. (2011). The gap between the party position scores in a policy dimension represents the policy divergence score that forms the key independent variable in the analyses of debate contributions and legislative amendments. To examine the use of parliamentary questions in chapter 6, we use Martin and Whitaker's (2019) approach of assigning 17 government departments to 12 corresponding policy dimensions. Using a similar method as with the bills, we determine policy divergence scores for each of the departments. This forms the main independent variable in the analysis of parliamentary questions. Having outlined the selection and positioning of bills and government departments, we now turn to a dataset of member characteristics used to help control for individual-level variables in the analyses.

3.3 A Dataset of Member Characteristics

We have previously shown how the Conservative Party and Liberal Democrats are positioned across the range of legislation and government departments examined in this thesis. In this final section of the chapter we will outline the construction of a dataset of individual-level characteristics of government backbenchers. We

use this dataset to create a number of control variables when analysing the use of amendments and parliamentary questions in the Lords. These controls include a member's sex, date of entry to the Lords and attendance record during the 2010-15 House of Lords. We also collected data on the professional expertise of members in the study.

Members of the Lords often take their seat in the chamber after successful careers elsewhere (*see* Russell 2014). Indeed, as members are not expected to attend the Lords on a full-time basis, they often continue these careers away from the chamber (*see* Russell 2013, pp.108-10). Take the case of Lord Sebastian Coe, a former Olympic gold medal winning athlete who sits in the Lords as a Conservative member. After retiring from professional athletics in 1990, Lord Coe enjoyed a period as a Conservative member of the House of Commons between 1992-97. After losing his seat at the 1997 General Election, Lord Coe was appointed to the House of Lords in 2000. In addition to his past career as an athlete and MP, Lord Coe continues to work in a number of business, consultancy, sports administrative and ambassadorial roles.⁵ Accounting for this array of professional interest allows the effects of intra-coalition policy disagreements on legislative behaviour to be studied more closely. Furthermore, the collection of this data allows for the assumptions at the heart of the preference-based theory of behaviour in the Lords to be tested. The assumption is that policy-seeking members will target their resources at policy areas they have an interest in influencing. We expect, therefore, that members will target amendments and parliamentary questions at policy areas in which they have a professional interest. To achieve this, we gathered data on the professional experience of 334 government backbenchers. The remainder of this section outlines how we constructed this dataset.

3.3.1 Construction of the member dataset

We collected data on 334 Conservative and Liberal Democrat backbenchers who held a position in the House of Lords at any point during the 2010-15 Parliament. We collected details of a member's sex, party affiliation, the date a member entered and/or left the Lords and the number of days they attended the chamber during the 2010-15 Parliament. This was collected from the UK Parliament API using the *hansard* package (Odell 2017) in the *R* software environment.⁶ We then used these data to construct a number of dummy variables for the analyses in chapters 5 and

⁵This information was accessed from Lord Coe's parliamentary profile, available online at <https://www.parliament.uk/biographies/lords/lord-coe/783>

⁶The *hansard* package is developed by Evan Odell to fetch data from the UK Parliament API, available at <http://www.data.parliament.uk>. Further details of the package and accompanying documents can be found at <https://cran.r-project.org/web/packages/hansard/index.html>

6. In addition to this, we used attendance data to better model the high number of zeros we observed in the dependent variables.

We hand coded the professional experience of members using an approach outlined in Russell and Benton's (2010a) House of Lords Appointments Committee report on the breadth of experience and expertise in the 2009 chamber. The framework detailed by Russell and Benton (2010a) allowed for each member to be assigned at least one area of professional experience, a job and specialism. Where required we also assigned members a second area, job and specialism. A member's professional area is the broad area within which their profession is located. For example, the medical and healthcare or legal professions. The coding of a backbencher's job seeks to explain exactly what the member did in their profession. This might be a surgeon in the area of medical and healthcare, or a barrister in the legal profession. A member's specialism describes their expertise within a job. For example, a cardiologist in the case of the surgeon, or human rights barrister. In order to increase the consistency of coding, we followed the rules described by Russell and Benton (2010a).

An eight-year rule is imposed on the coding a member's professional area, meaning only positions held by a member for 8 years were coded. When more than one professional area was eligible for coding, the default was to code the most recent position as the primary professional area. The exception to this was when a member had been in the most recent role for less than half the time they had held a previous position. So, a member who had been in their most recent role for 8 years and in a previous position for 16 years would have the earlier role coded as their primary professional area. The more recent role would then be coded as their secondary professional area. The coding of jobs and specialisms then corresponded to the primary and secondary professional areas. So, the primary job is that related to the primary professional area, and the same for secondary jobs/professional areas. We coded members in to 24 professional areas. Within this we use two broad professional areas – *Other private sector* and *Other public sector* – to help group a range of private and public sector jobs into more manageable categories. Where data was missing on members, we used an 'Unclassified' category and when members held more than one job in a professional area, we coded the job in which the member had spent most time. This was not always the most senior position a member had held, although we always coded the most senior position if a member had held that job for more than 5 years. In the case of former politicians, however, we always coded the most senior position held regardless of the time that position was held.

As Russell and Benton (2010a, p.36) note, coding the specialism of a member is more challenging than determining professional areas and jobs. As a result, a degree of subjectivity was involved in determining a member's specialism. Despite

this, the coding of specialisms adds a great deal to this study. Take the example of a member who had previously held a position as a university professor before taking their seat in the Lords. If we coded only their professional area and job, the member would only be classed as having held previous professional experience in relation to their behaviour towards the area of education policy. However, by recognising a member's specialism in, say, the area of finance and banking, we can recognise a professional link to a range of bills and departments located in those policy areas. Another area we find to benefit from the coding of specialisms is the area of representative politics. Specialisms allow a distinction to be made between members who held positions in Westminster politics, devolved or regional assemblies and local politics. Again, this allows for a better match between a member's political experience and their observed behaviour. In coding the members we primarily used the online version of *Who's Who*, between March 2017 and September 2018. Where confusion arose, or information was not available from *Who's Who*, we used other online resources. These included the UK Parliament website, personal websites and Google searches.

3.3.2 Summary of the Experience and Expertise of Government Backbenchers in the 2010-15 House of Lords

Table 3.5 shows a breakdown of the experience and expertise of government backbenchers in the 2010-15 House of Lords, by professional area. Over a third of the government backbenchers (34.4%) held a position in representative politics prior to taking their seat in the Lords. Other professional areas well represented on the government benches are business and commerce (14.2%) and banking and finance (10.0%). However, there are differences in the expertise of the membership of the coalition partners. Conservative members, shown in table 3.6, draw a higher proportion of their membership from business/commerce and banking/finance sectors. Liberal Democrat members though, shown in table 3.7, are more likely to have had careers in education, the legal professions or to have worked as political staff or activists. A detailed breakdown of the jobs and specialisms of the government backbenchers is shown in tables A.6 and A.7 in appendix A.

Unsurprisingly, the experience and expertise of the members in the study closely matches that of the two party's membership in 2009 (Russell and Benton 2010a, p.19). However, there has been some changes in the proportion of members of both coalition parties that previously held a position in representative politics. The proportion of such members in the Conservatives has risen from 30% to 34%, and the Liberal Democrats have seen an increase from 30% to just over 35%. Further

to this, the proportion of Liberal Democrat members who have worked as political staff or activists has risen from 6% to 8.8% since 2009. These increases suggest that both parties appointed a greater number of individuals who had worked in or around politics once entering into coalition.

Table 3.5: Professional areas: Government backbenchers in the 2010-15 House of Lords

Area	Primary	Secondary	% total
Agriculture and horticulture	3	2	1.1%
Architecture, engineering and construction	2	1	0.7%
Armed forces	2	2	0.9%
Banking and finance	31	14	10.0%
Business and commerce	51	13	14.2%
Civil service	2	0	0.4%
Clergy or religious	1	0	0.2%
Culture, arts and sport	7	1	1.8%
Education and training	6	5	2.4%
Higher education	10	6	3.5%
International affairs and diplomacy	3	0	0.7%
Journalism, media and publishing	5	8	2.9%
Legal professions	15	11	5.8%
Local authority administration	1	0	0.2%
Medical and healthcare	4	2	1.3%
Other private sector	14	6	4.4%
Other public sector	5	2	1.6%
Police	1	0	0.2%
Political staff and activists	18	8	5.8%
Representative politics	133	22	34.4%
Trade unions	0	1	0.2%
Transport	3	0	0.7%
Unclassified	7	7	3.1%
Voluntary sector, NGOs and think tanks	10	6	3.5%
Total	334	117	100%

Note: The % Total column represents the total proportion of government backbench members in the study with primary or secondary experience in that area.

3.3.3 Assigning Professional Experience to Policy Dimensions

The coding of professional experience allows for the construction of two control variables in the analyses of amendments and parliamentary questions. The first of these indicates whether a member held a position in representative politics prior to taking their seat in the Lords. Former politicians will have a better understanding

Table 3.6: Professional areas: Conservative backbenchers
backbenchers in the 2010-15 House of Lords

Area	Primary	Secondary	% total
Agriculture and horticulture	3	2	1.6%
Architecture, engineering and construction	1	1	0.6%
Armed forces	2	1	1.0%
Banking and finance	29	11	13.2%
Business and commerce	42	9	16.8%
Civil service	2	0	0.6%
Clergy or religious	0	0	0.0%
Culture, arts and sport	5	1	2.0%
Education and training	3	2	1.7%
Higher education	5	3	2.6%
International affairs and diplomacy	2	0	0.7%
Journalism, media and publishing	3	4	2.3%
Legal professions	9	5	4.6%
Local authority administration	0	0	0.0%
Medical and healthcare	3	2	1.7%
Other private sector	9	4	4.3%
Other public sector	1	1	0.7%
Police	0	0	0.0%
Political staff and activists	9	4	4.3%
Representative politics	94	9	34.0%
Trade unions	0	1	0.3%
Transport	2	0	0.7%
Unclassified	5	5	3.3%
Voluntary sector, NGOs and think tanks	4	5	3.0%
Total	233	70	100%

Notes: The % *Total* column represents the total proportion of Conservative backbench members in the study with primary or secondary experience in that area.

of the mechanisms available to hold the government to account. Therefore, we expect members with experience in politics to propose more amendments and ask a greater number of questions. The second variable denotes whether a government backbencher has professional experience or expertise in the policy area at which they are directing an amendment or question. We consider a member to have targeted a career-focussed amendment or question if any of their primary or secondary professional area, job or specialism matches the policy area targeted. To determine this, we coded each professional area, job and specialism to its corresponding policy area(s). We illustrate some areas of difficulty in the empirical chapters to follow.

Table 3.7: Professional areas: Liberal Democrat backbenchers in the 2010-15 House of Lords

Area	Primary	Secondary	% total
Agriculture and horticulture	0	0	0.0%
Architecture, engineering and construction	1	0	0.7%
Armed forces	0	1	0.7%
Banking and finance	2	3	3.4%
Business and commerce	9	4	8.8%
Civil service	0	0	0.0%
Clergy or religious	1	0	0.7%
Culture, arts and sport	2	0	1.3%
Education and training	3	3	4.0%
Higher education	5	3	5.4%
International affairs and diplomacy	1	0	0.7%
Journalism, media and publishing	2	4	4.0%
Legal professions	6	6	8.1%
Local authority administration	1	0	0.7%
Medical and healthcare	1	0	0.7%
Other private sector	5	2	4.7%
Other public sector	4	1	3.4%
Police	1	0	0.7%
Political staff and activists	9	4	8.8%
Representative politics	39	13	35.1%
Trade unions	0	0	0.0%
Transport	1	0	0.7%
Unclassified	2	2	2.7%
Voluntary sector, NGOs and think tanks	6	1	4.7%
Total	101	47	100%

Notes: The % *Total* column represents the total proportion of Liberal Democrat backbench members in the study with primary or secondary experience in that area.

Chapter 4

Debate Chapter

4.1 Introduction

In this chapter we show that government backbenchers use bill debates in the House of Lords to police ministerial policy-making. Together with the following chapter, analysing legislative amendments, we evaluate the effectiveness of the House of Lords as an arena for policing coalition government. We build on the work of Martin and Vanberg (2011) by showing that the number of Conservative and Liberal Democrat backbenchers participating in debates increases as policy disagreements between the coalition partners grow. This finding meets the expectation that government backbenchers use bill debates to send policy signals to ministers with the aim of preventing ministerial drift. These findings make a number of important contributions to the existing literature on coalitions, upper chambers and parliamentary speech-making.

The first contribution is showing that a bicameral institution is used by parties for managing their participation in coalition government. This is a previously overlooked function of upper chambers. Second, in the absence of elections to the Lords, policy interests motivate legislators to police the coalition arrangement. The relaxation of the assumption that the pursuit of electoral success is the sole driver of policing behaviour opens up numerous further avenues for research in this field. The final contribution is to a recent body of work examining parliamentary speech-making as a strategic tool. We find evidence that members of the Lords used debate contributions for strategic purposes. This is a previously under explored feature of debate in the Lords, and the UK Parliament more generally. We structure the remainder of the chapter as thus: first we outline the existing literature on the use of legislative speech-making and debates by parties for strategic purposes; second, we focus the theory of policing in the House of Lords on debates in the chamber by illustrating how changes in intra-coalition policy disagreements drive an increase

in debate contributions by government backbenchers; finally, we introduce a unique quantitative dataset collected on nearly 900 debates held during the 2010-15 House of Lords and outline both the research design and findings of the analysis.

4.2 Speech-making and Debates – The Existing Literature

The literature on legislative speech-making has often been focussed in two areas. The first engages with long held debates about the value that deliberative democracy adds to political outcomes (Habermas 1998; Steenbergen et al. 2003; Dryzek 2007). This writing concludes that any value added is dependent on a number of variables, including system type and the degree of political consensus in a system. The second area focusses on the norms and procedures surrounding these debates (Ilie 2003, 2006; Wodak 2009; Rai 2010). In this paper we engage with a third sub-field of the debate literature which focusses on the strategic use of political speech-making. The desire for legislators to create a personal image (Carey and Shugart 1995) has been identified as a key driver of this behaviour. This personal image, which seeks to set a legislator apart from other members of their party, can bring electoral benefits. However, dissenting voices pose a threat to party unity (Bäck et al. 2019b) and so party leaders have sought to maximise their control over who can participate in legislative debates (Proksch and Slapin 2015, pp.27-28).

In seeking to bypass the control that parties can exert over access to debates, legislators wishing to dissent from the party line must seek out less constrained periods of debate. Naturally, researchers have also been attracted to these less constrained debate sessions in the search of the true preferences of legislators. Two such examples are one-minute morning speeches and five-minute special orders in the US House of Representatives. These debates offer representatives the opportunity to hold non-legislative debates on a topic of their choice away from the constraints placed on them by party leaders (Schneider 2008, 2015). Through examining these two periods of debate, Maltzman and Sigelman (1996) show that more ideologically extreme members of the majority party and opposition members take advantage of the absence of constraints to attract media attention and convey their own positions to voters. Morris's (2001) later work supports these findings while also showing that new members are more likely to use 'one minutes' in an attempt to build a higher profile in Congress. Morris (2001) also illustrates the important role played by the media in disseminating the contributions of legislators. This drives greater participation in 'one minutes' by members with constituencies in Eastern time zones as the timing of the debates increase the likelihood that their contributions will

feature in the morning network news cycle. Hall (1996) take this constituency link to speechmaking further by showing that members of Congress are more likely to debate issues their constituents consider to be important.

Despite the focus on individual-level behaviour in the studies above, much of the research has centred on how parties manage debates. Giannetti and Pedrazzani (2016) show how governing parties use their agenda control to manipulate the formal rules of parliamentary debates. This allows party leaders to allocate speaking time to more loyal party members. Opposition party leaders also take advantage of these more restrictive rules to select speakers closer to their own position. Yet the extent to which parties are willing to block dissenting members from making contribution depends on a number of political factors. Parties seek to exert greater control when either the electoral system (Proksch and Slapin 2012, 2015; Alemán et al. 2017) or the political environment (Bäck et al. 2019a) reward more united parties. These pressures magnify as forthcoming elections draw nearer (Bäck et al. 2019a) or when the issue being debated is viewed as particularly important by the wider electorate (Bäck et al. 2019b). In addition to using formal rules to control debates, Harris (2005) has identified informal mechanisms used by parties to keep members ‘on message.’ These include party-orchestrated message campaigns aimed at unifying the party message even in less constrained periods of debate.

However, the focus of this chapter is not on intra-party dynamics but examines the use of debates in easing tensions within coalition government. Martin and Vanberg (2008) have shown how parties use debate to differentiate themselves from their partners as coalitions comes to an end. The remainder of this chapter will show how debates can be used to help political parties keep tabs on their partners during periods of coalition government.

4.3 Debate in the House of Lords

As we outlined in chapter 2 of this thesis, members of the House of Lords are policy-seeking actors (Müller and Strøm 1999). As such, a member will seek to influence policy in an area that they care about when the policy is positioned beyond what they are willing to accept. We theorise that members will use mechanisms within the House of Lords to achieve their policy goals. One readily available mechanism is debates held on the passage of bills. Access to all debates in the Lords is very open and cannot be restricted by party leaders. A member has simply to add their name to a ‘speaker’s list’ in order to contribute. This openness is useful for both members of the Lords seeking to influence policy and for researchers seeking to determine the true preferences of legislators. As Martin (2011a) notes, true preferences are more likely to be displayed when the barriers to participation in parliaments are low. Bill

debates in the Lords, therefore, allow for valid assessments about the behaviour of members in the chamber to be made.

However, despite barriers to debates being low, making a contribution on the passage of a bill is not a costless exercise for members. Time and resources are expended in researching and drafting of contributions, and members are expected to be present in the chamber for most of the rest of any debates to which they contribute.¹ Nonetheless, we can construct a straightforward cost-benefit analysis around when a backbench member is expected to contribute to a bill debate:

1. As policy-seeking actors motivated by influencing policy that matters to them, a member identifies a bill they have an interest in influencing. This might be due to an interest in that particular bill or the wider policy area.
2. A member makes an assessment as to whether a bill is located within the realms of what they find acceptable.
3. If the policy is acceptable then the member will seek to expend resources influencing other legislative proposals. If the policy is not acceptable, the member will seek to send a signal to the government by contributing to the debate on a bill's passage through the House of Lords.
4. On deciding to contribute, a member will expend resources by researching the issue and drafting a contribution to the debate. Time must then be spent in the chamber during the debate.
5. In making a speech, a member sends signals to other actors in the chamber and beyond. This signalling takes three forms; first, signals sent to the government minister in charge of a bill in the chamber. This lets a minister know that they (a) are being monitored by that member and (b) should change the chosen policy direction. The second form of signalling is to other backbenchers in the chamber, alerting them to the need for policy change. The third is signalling policy concerns to members of the House of Commons, whose support must be secured if changes are not to be overturned on a bill's return to the lower chamber.
6. At this point a member can gain valuable information during debates. This includes the level of support that a call for change has across the chamber or signals from a minister suggesting that a change to policy is likely/unlikely. This information can be used to inform subsequent cost-benefit analyses of whether to make further contributions.

¹Advice for members of the Lords from the Government Whips' Office in regard to debates can be found at <http://www.lordswhips.org.uk/speakers-lists>

7. Having contributed to a debate; a member must determine whether the direction of the policy has been adequately corrected or a minister has acknowledged a need for change. If the response to a contribution satisfies the member then no further contributions will be made. However, should the minister ignore the member's policy signal, or if the policy shift is inadequate, then the member must make a further cost-benefit analysis. If time permits, and a member believes the benefits outweigh the costs of doing so, the member will send additional signals to the minister by making a further contribution to the debate on a bill. The process between points 2 and 7 will repeat until a member accepts the policy direction or moves on to the next step.
8. Should there be no time available for a member to make further debate contributions, or a member believes that a minister will disregard further signals, then the member will seek to block or change a bill. We examine this next step in chapter 5.

In summary, members of the Lords are motivated by influencing policy. In policy areas they consider important, a member will seek to keep policy within the bounds of what they are willing to accept. When policy falls outside of what a member will accept, however, we expect them to signal their displeasure and policy preference to the minister and other backbenchers during bill debates. The extent to which a member will pursue their strategy depends on the importance they attach to changing the direction of a policy and the reaction of the minister to policy signals. If the minister changes policy direction to a position acceptable to the backbencher, further debate contributions are not needed. However, should the policy signals of a member be ignored by the minister then the member must make further cost-benefit analyses. If the benefits to the member from successfully correcting the policy direction outweigh the costs of further contributions, the member will continue to speak in debates on a bill's passage. However, should debate time run out or a member believe that further contributions will prove unproductive, we should expect them to seek to block or change the bill through other means.

4.4 Debate as a Policing Tool in the Lords

The principal-agent problem that parties face in coalition requires careful management. As identified earlier in the thesis, debates on the passage of bills in the Lords offer members an opportunity to police the policy-making of their partners. The expectation is that a greater number of government backbenchers will contribute to bill debates as policy disagreements between the Conservatives and Liberal Democrats

grow. We can illustrate this increase in debate contributions by government backbenchers by showing how intra-coalition policy divergence affects the cost-benefit analysis detailed above.

In section 2.2 we outlined how ministers secure greater pay-offs from successful policy drift in more contested policy areas. As a result, ministers are incentivised to engage in ministerial drift as intra-coalition policy divergence increases. However, as policy conflict grows, the collective coalition positions move further from the ideal positions of government backbenchers in the Lords. In turn, policy drift increases the likelihood that policy will move beyond what is acceptable to a minister's partners in the Lords. Aware of this, a minister's partners will have a heightened interest in policy areas over which the coalition partners have significant policy disagreements (step 1 above). Given that any drift in more contested areas will move policy beyond what a minister's partners will accept, we expect greater numbers of government backbenchers to expend resources to signal their preferences/dissatisfaction through debate contributions (steps 2-6). However, as intra-coalition policy disagreement grows, and the policy pay-offs for successful policy drift grow, ministers are expected to strengthen resistance to any calls for change at step 7. This greater resistance from ministers drives an increase in the numbers of government backbenchers seeking to contribute to future debates on the passage of a bill.

Further to this, when making contributions government backbenchers can send signals to ministers, other backbenchers in the chamber and actors beyond the House of Lords (step 6). This increased signalling has two effects; first, signals draw support from likeminded members of the contributor's own party. Second, opposition is aroused in the contributor's coalition partners who are worried about policy being corrected to a position beyond what they are willing to accept. Both of these factors increase the number of government backbenchers contributing to future debates on a bill. A final dynamic in the most contested policy areas sees government backbenchers engaging in policy drift of their own. This involves government backbenchers sending policy signals to ministers in an attempt to shift policy to a more attractive position – despite the policy being located at agreed positions. This occurs as agreed coalition positions may already be close to, or beyond, what backbenchers in one or both coalition parties will accept. An increase in this behaviour will see more government backbenchers contributing to bill debates as policy divergence reaches a peak. To test these assertions, we re-state the hypothesis first introduced in chapter 2:

Hypothesis 1 (H1): *The greater the difference between the coalition parties over the policy area in which a bill is located, the greater the number of government backbenchers contributing to debates on the bill's passage through the House of Lords*

We will now introduce the data and methodology for testing this hypothesis before outlining the analysis of the findings.

4.5 The Data

To test H1, we collected data on the debate sessions of 90 bills that passed through the 2010-15 House of Lords. As detailed in chapter 3, we focus on public government bills to allow a clearer analysis of the policy dynamics within the Conservative-Liberal Democrat coalition. Further to this, money bills are removed in addition to the *House of Lords Reform Bill 2012*, which failed to pass from the House of Commons. A list of these bills is shown in table A1 in Appendix A.

4.5.1 Measurement of Variables

The dependent variable is the number of government backbenchers that contributed to a bill during its passage through the 2010-15 House of Lords. This deviates from the approach of Martin and Vanberg (2011) who operationalise the number of days that a bill remains in the legislative process as their dependent variable. This decision was made after encountering methodological obstacles arising from procedures and composition of the Lords. We outline these difficulties, including an analysis of both the number of days bills took to pass the chamber and the number of hours of debate to which the bills were subjected, in Appendix B.

The dependent variable constitutes a count of single observations of members who contributed to debates. We take the approach of counting single observations, rather than the total number of times a member contributed, mainly due to the data collection process. The scale of collecting contributors from over 2300 hours of debate over 900 session required the task to be automated. This approach returns a purely quantitative measure which makes no qualitative judgement of the value of each contribution. For example, a brief intervention or a backbencher heckling is assigned the same weight as a full speech. Furthermore, counting each contribution from this method would lead to a single speech, that was interrupted several times, being counted as numerous individual speeches. There is no easy solution to this problem. However, we opt for single observations because, although the measure offers a slightly one-dimensional picture of debate contributions, we consider it favourable to over-counting observations.

The names of the government backbenchers that contributed to debates during the passage of each bill were scraped from the online record of *Hansard*. To conduct the scrape and subsequent data cleansing we used a number of *R* software packages.²

²We used the *rvest*, *xml2*, *rvest*, *dplyr*, *XML*, *stringi*, *purrr*, *tidyr* and *dplyr* packages in the

Table 4.1 shows the descriptive statistics for the number of individual government backbenchers contributing to debates on the 90 bills in the study. The minimum number of government backbenchers that contributed to debates on a bill was just 1, while the maximum was 64. The mean number of speakers was 21 and the median 15, and standard deviation 16.

Table 4.1: Summary statistics of the number of contributors to bill debates

	Min.	Median	Max.	Mean	Standard deviation
Number of government backbench contributors during bill debates	1	15.5	64	21.3	16.7

The main independent variable is the policy divergence score assigned to a bill. This represents the policy difference between the Conservatives and Liberal Democrats in the policy area a bill is located. We detail how these scores were calculated in section 3.1 of this thesis. The 90 bills were assigned to one of 20 policy dimensions constructed using an approach forwarded by Lowe et al. (2011). This approach involved transforming data from the 2010 election manifestos for the Conservatives and Liberal Democrats provided by the Manifesto Research on Political Representation (MARPOR) project. The policy divergence score for each dimension is the difference between the policy scores of the coalition partners. This score was then assigned to bills located in each dimension. The full MARPOR inputs, party position scores and policy divergence scores can be found in tables A.3 and A.4 in appendix A.

Sixteen of these dimensions were provided in Lowe et al.'s (2011) paper, while three were constructed to better match the bills being examined. These three dimensions are denoted by an asterisk in table 4.2. We assigned a further 12 bills to a 'non-controversial' dimensions which contains bills that, for varying reasons outlined on pages 34-38, passed the Lords in an expedited way. The number of bills assigned to each dimension is shown in table 4.2. The top row of table 4.3 shows the descriptive statistics for the policy divergence scores for all bills in the study. The minimum policy divergence score is zero while the maximum is 3.89. The mean policy divergence score is 0.84, the median 0.56 and standard deviation 0.77.

R programming environment to scrape and cleanse the data. All of these packages can be access through the CRAN repository available at <https://cran.r-project.org/>

Table 4.2: Number of bills assigned to each of the policy dimensions included in this study

Policy dimension	No. of bills assigned to dimension
Constitutionalism	5
Decentralisation	6
Democracy	2
Deregulation*	13
Education spending	2
Efficiency	2
European Union	3
Freedom/Human Rights	5
(General) Economic goals	5
Growth*	2
Keynesian Policy	2
Labour Policy	2
Law and Order	14
Militarism	1
Nationalism	1
Non-controversial	12
Social Justice	4
State ownership*	1
Technology and infrastructure	2
Welfare State	6

Note: All but the *Non-controversial* dimension were calculated using a transformation forwarded by Lowe et al. (2011). Sixteen of the dimensions were provided by Lowe et al. (2011), while three were developed exclusively for use in this chapter. These three dimensions are denoted with an asterisk.

We control for three further variables in our analysis, each of which is theorised to influence the participation rate of backbenchers in bill debates. The first is the session in which a bill was introduced to parliament. Previous research has shown that parties are anxious to pass legislation more quickly as elections draw nearer (Döring 2004). Parties recognise that should their electoral fortunes take a downturn at the upcoming election they may lose the opportunity to re-introduce bills. Therefore, we expect the Conservative-Liberal Democrat coalition to have introduced less contentious legislation to parliament as the 2015 election drew nearer. To control for this, we include a variable indicating bills that were introduced during the final session of the 2010-15 Parliament.

Table 4.3: Summary statistics of policy divergence of bills broken down by the session in which they were introduced to parliament, the party heading the department in which the bill originated and the chamber to which a bill was first introduced

	Min.	Median	Max.	Mean	St. deviation	N
All bills	0.00	0.56	3.89	0.84	0.77	90
Bills introduced during first three sessions	0.00	0.56	3.89	0.88	0.81	76
Bills introduced during the final session	0.00	0.38	1.30	0.58	0.45	14
Bills introduced first to the House of Lords	0.00	0.38	1.78	0.54	0.58	29
Bills introduced first to the House of Commons	0.00	1.12	3.89	0.98	0.81	61
Bills originating in Conservative led departments	0.00	0.39	3.89	0.78	0.76	76
Bills originating in Lib Dem led departments	0.00	1.30	3.04	1.17	0.79	14

Second, we control for the chamber to which a bill was first introduced. In the UK almost all bills must pass one chamber before they are introduced to the next. Although the majority of legislative proposals begin their parliamentary journey in the House of Commons, around a third are first introduced in the House of Lords (Russell 2013, p.131). Martin and Vanberg (2011) show that legislation undergoes greater scrutiny in the chamber to which it is first introduced. However, in the case of the House of Lords we expect to see the reverse. As outlined in the theoretical framework of this thesis, the House of Lords holds a constitutionally subordinate role in relation to bills beginning their passage in the House of Commons. Governments can, if needed, disregard opposition from the Lords to bills introduced first to the Commons by invoking the Parliament Act. This power is forfeited if the government first introduces a bill in the House of Lords, after which bills must be passed jointly. Therefore, the expectation is that governments will introduce less contentious bills first to the Lords. In doing so they remove the risk of having the upper chamber veto legislation they consider important. To control for this a variable will be included indicating in which of the two chambers a bill was first introduced.

The final control variable indicates whether a Liberal Democrat minister headed the department in which a bill originated. Martin and Vanberg (2011) show that, as a function of bringing fewer seats to the coalition formation process, smaller parties have to make greater policy concessions when entering government. This means that smaller parties choose to agree to collective policy positions that are further from their ideal points than larger parties are required to accept. So, ministers belonging to smaller parties are incentivised to shift policy back towards their own party's

preferred position to mitigate these concessions. Aware of this, members of larger coalition parties will engage in greater policing of proposals from ministers belonging to smaller parties. Consequently, we expect to see greater numbers of government backbenchers contributing to debates on bills initiated by Liberal Democrat-led departments. Table 4.4 shows the party heading government departments during the 2010-15 Parliament. It is possible though that the Liberal Democrats received less contentious policy briefs at the formation of the coalition. If the theory of policing is correct, this would lead to less policing of the proposals of Liberal Democrat ministers and so invalidate the results associated with this variable. Prior to outlining the analysis and findings, therefore, we conducted bivariate analyses of the control variables.

The expectation that the government introduced less contentious bills during the final session of the 2010-15 Parliament is supported by the findings shown in the second and third rows of table 4.3. While the median policy divergence score of bills introduced in the first three sessions was 0.56, this drops to 0.28 for bills introduced during the final session. Likewise, the expectation that less contested bills were introduced first to the Lords is supported by the summary statistics. As shown in the fourth and fifth rows of table 4.3, bills beginning their parliamentary journey in the House of Commons have a median policy divergence score of 1.12, while this falls to 0.38 for bills starting in the Lords. Finally, the Liberal Democrats did not appear to control less contentious policy briefs than their Conservative partners. In fact, as shown in the final two rows of table 4.3, the median policy divergence score of bills introduced by Liberal Democrat-led departments (1.30) is more than three-times higher than bills initiated by Conservative ministers (0.39). Having examined these three variables, we now introduce the findings of the analysis.

4.6 Analysis and Findings

The dependent variable in this analysis is a count variable representing the number of government backbenchers that contributed to debates on the passage of a bill. The starting point for analysing count variables is the Poisson regression model. This model assumes that the conditional mean and conditional variance of the dependent variable is equal. Data containing a dependent variable with a conditional mean greater than the conditional variance is referred to as under-dispersed, while a dependent variable with additional variance is over-dispersed. The dependent variable in these data exhibits over-dispersion and using the Poisson model will likely return biased and inconsistent estimates (Long 1997, p.217). The accepted approach to tackling an over-dispersed dependent variable is to use the negative binomial model (Long 1997; Winkelman 2008; Cameron and Trivedi 2013). This model accounts for

Table 4.4: Party heading government departments and the number of bills introduced to the House of Lords by that department

Department	Party controlling	No. of bills introduced
Business, Innovation and Skills	Liberal Democrats	7
Cabinet Office (Prime Minister)	Conservative	7
Communities and Local Government	Conservative	5
Culture, Media and Sport	Conservative	4
Defence	Conservative	3
Deputy Prime Minister	Liberal Democrat	3
Education	Conservative	3
Energy and Climate Change	Liberal Democrat	3
Environment Food and Rural Affairs	Conservative	1
Foreign and Commonwealth Office	Conservative	3
Health	Conservative	4
Home Office	Conservative	13
Justice	Conservative	10
Leader of the House	Conservative	2
Northern Ireland Office	Conservative	1
Scotland Office	Liberal Democrat	2
Transport	Conservative	2
Treasury	Conservative	11
Wales	Conservative	1
Work and Pensions	Conservative	6

over-dispersion by estimating the amount of extra variation in the data. The results of the negative binomial regression³ are shown in table 4.5.

As we expected, the coefficient associated with the policy divergence score of a bill is positive and statistically significant to the $p < 0.05$ level. This indicates that as the policy divergence score of a bill increases, so does the number of government backbenchers speaking in debates on a bill. The coefficients in a negative binomial regression model cannot be interpreted in a linear way. Instead the marginal effect on the number of government backbenchers contributing to debates must be predicted across the full range of policy divergence scores. Figure 4.1 plots these predictions with the grey ribbons indicating 95% confidence intervals.

The number of government backbenchers predicted to contribute to debates on a bill with a policy divergence score of zero, introduced first to the Commons by a Conservative minister between 2010-14, is 19. An increase in policy divergence score of 1.0 sees this increase to 24, at a score of 2 it is 30 and a divergence score of 3 sees 37 government backbench members predicted to contribute. The predicted number of contributors to debates at the upper limit of the policy divergence score in this chapter (3.89) is 45. This represents a more than doubling in the number of government backbenchers participating in bill debates across the range of the main independent variable.

³The analysis in this chapter was conducted using the *R* programming environment. The negative binomial regression was run using the *glm.nb* function available in the *MASS* package. Table 4.5 was produced using the *stargazer* package in *R* (see Hlavac 2018).

The control for whether a bill was introduced in the final session of the 2010-15 Parliament returns a negative coefficient. However, this coefficient is not statistically significant to accepted levels. This fails to support Döring's (2004) finding that bills will undergo less legislative scrutiny as elections draw nearer. The coefficient accounting for whether a bill was introduced first to the Lords, however, is negative and statistically significant. This indicates that debates held on the passage of bills first introduced to the Lords are predicted to have fewer government backbench participants. Figure 4.2 plots this prediction with error bars indicating 95% confidence intervals. The number of government backbenchers contributing to debates on the passage of a bill drops from around 23 for a bill introduced first to the Commons, to 15 for those introduced first in the Lords. This meets the theoretical expectation that, as a result of being less concerned about the veto power of the upper chamber, governments introduce less contentious bills first to the House of Lords. These less contested bills then undergo less policing during their passage through the chamber.

The variable controlling for the party heading the department from which a bill originated returns a positive coefficient, but the finding is not statistically significant. Rather surprisingly, this finding fails to support Martin and Vanberg's (2011) prediction that legislative proposals emerging from departments headed by the Liberal Democrats will be subjected to less policing. While this needs further examination, one explanation might be that government departments span more than one policy area. We see this in the additive policy dimensions required to accurately position departments in the analysis of parliamentary questions in chapter 6. With limited resources, government backbenchers are likely to focus their resources at influencing policy areas rather than departments. As these policy areas cut across government departments, a null finding associated with a bill being introduced by a Liberal Democrat minister is returned.

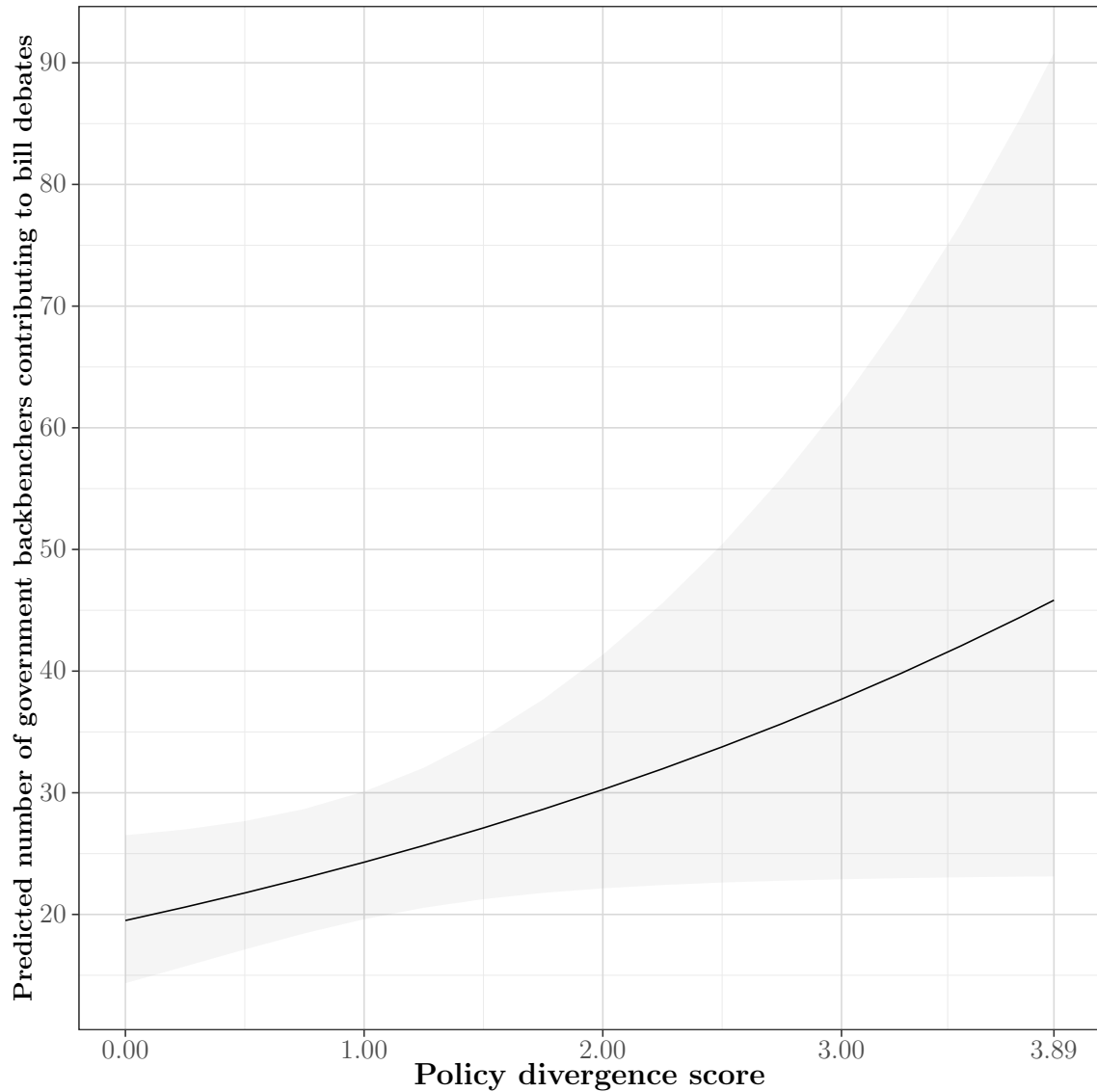
Table 4.5: Negative binomial regression model of the number of government backbench members speaking during debates on bills passing through the House of Lords

	Coefficient (standard error in brackets)
Negative binomial count model	
Policy divergence score	0.22* (0.11)
Bill introduced in the final session	-0.21 (0.23)
Bill introduced first to the House of Lords	-0.42* (0.18)
Bill originating from department headed by Liberal Democrat minister	0.14 (0.23)
Constant	2.97** (0.16)
Observations	90
Dispersion parameter (theta)	1.83**
AIC	724.59

*p<0.05; **p<0.01

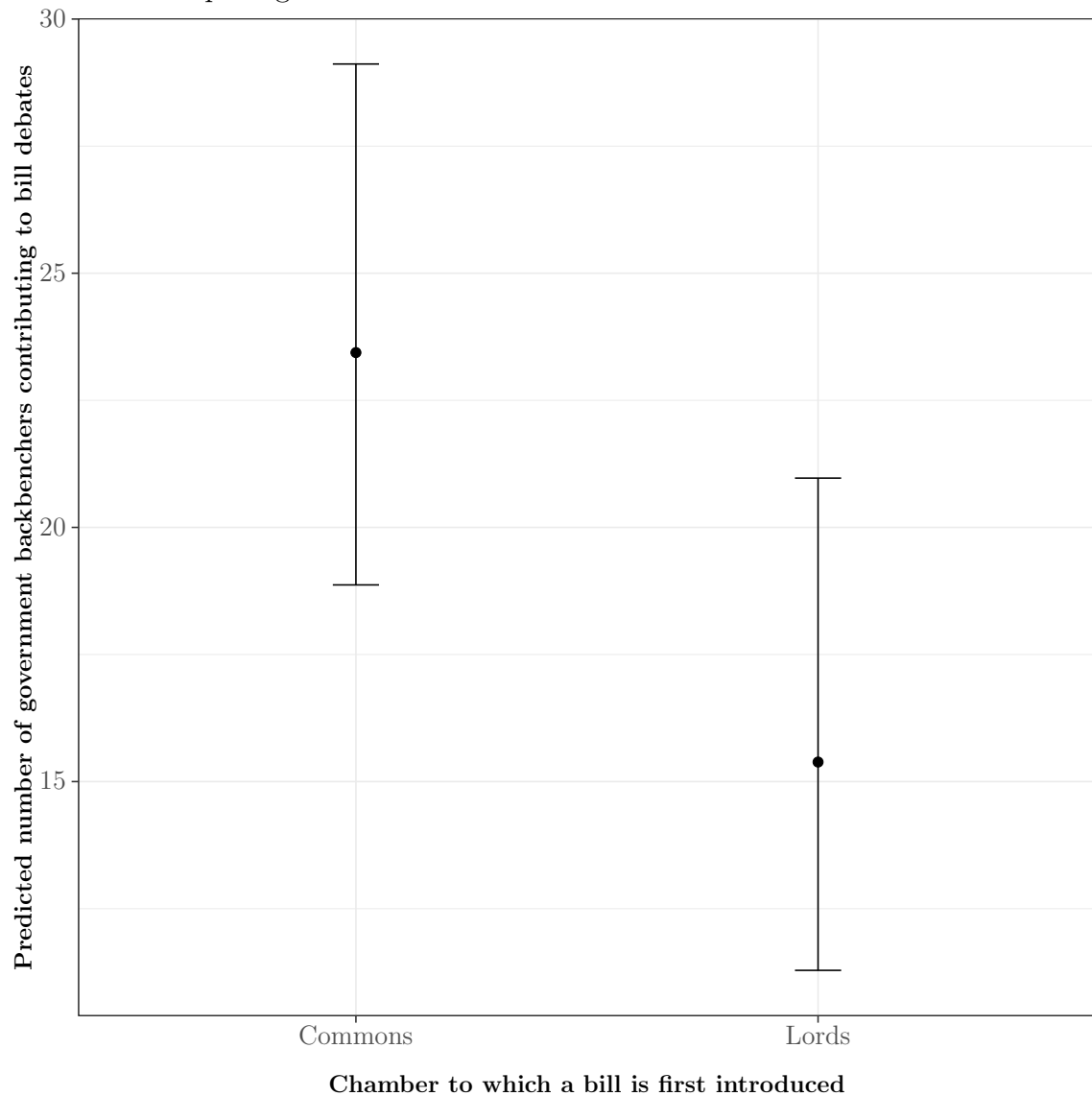
Note: The dependent variable is the number of government backbench members of the Lords contributing to debates on the passage of bills through the chamber. The dispersion parameter measures the over-dispersion of the data in relation to the Poisson distribution. The Akaike information criterion (AIC) estimates the amount of information lost in the selection of the chosen model and helps compare the utility of different models.

Figure 4.1: The effect of policy divergence on the number of government backbench members of the House of Lords contributing to debates on the passage of a bill



Note: The grey ribbons show the 95% confidence intervals. The plot shows the effect of policy divergence on bills introduced between 2010-14, originating from a Conservative led department and introduced first to the House of Commons.

Figure 4.2: The effect of the chamber to which a bill is first introduced on the number of government backbench members of the House of Lords contributing to debates on the passage of a bill



Note: The bars show the 95% confidence intervals. The plot shows the effect of a bill being introduced first to the House of Commons or House of Lords on the number of contributors to a bill. The bill has a mean policy divergence score (0.84) and was introduced between 2010-14 from a Conservative led department.

4.7 Conclusion

As detailed earlier in the theory section, parties face an inherent tension when entering coalition. The need to delegate at least some policy initiation to their partners means parties are faced with the possibility that policy compromises may be broken. This paper sought to examine whether bill debates in the House of Lords were used by Conservative and Liberal Democrat backbenchers to police the coalition bargain. In finding that the number of government backbenchers speaking in bill debates increases as policy disagreements within the coalition grow, we make two important contributions. The first is showing that an unelected upper chamber, in a system unaccustomed to coalition government, is used by legislators to police coalitions. To the author's best knowledge, this is the first evidence of a bicameral institution being used by parties to manage their involvement in coalition government. This offers significant support for the policing theory of Martin and Vanberg (2011). The second is outlining a role for debates in helping legislators achieve their preferences in the House of Lords. In doing so, this paper contributes to an emerging literature on the use of parliamentary debate as a strategic tool.

We began by detailing the use of debates by legislators in the House of Lords. This involved constructing a cost-benefit analysis of debate participation based on the preference-based theory of Lords behaviour introduced in chapter 2. This theory determines that backbenchers in the Lords are policy-seeking actors motivated to use their limited resources to influence policy in areas that matter to them. When a bill is located beyond what a backbencher is willing to accept, they will expend resources to signal their policy preferences or dissatisfaction to ministers through debate contributions. Debates also serve a purpose for backbenchers by allowing information to be gathered on the future direction of policy and the mood of the Lords as a whole. Once having made their contributions, backbenchers must assess the reaction of a minister. A backbencher is unlikely to make any further debate contributions should a minister make a policy concession that brings the policy within the bounds of what the backbencher will accept. However, should policy remain beyond the bounds of acceptability to a backbencher they must make further calculations on how to proceed. The information gathered during earlier debates helps inform these decisions. Should the benefits from changing the direction of policy outweigh the resource costs of further contributions, we would expect a backbencher to send further signals to a minister by contributing further to debates. Should time for further contributions run out, however, or a member believes a minister will not be responsive to further signalling, then a backbencher must either drop their attempt at changing the policy or take a different approach to influencing the direction of policy (for example, see the following chapter on legislative amendments).

The requirement of parties to manage policy-making in coalition affects this cost-benefit analysis. As differences over the policy area in which a bill is located grow, the benefits of successful policy drift for the minister increase. Aware of this, a minister's partners in the Lords are increasingly motivated to police bills as disagreement grows. In addition, the requirement to make greater concessions in more contested policy areas increases the likelihood that policy is shifted beyond what a government backbencher is willing to accept. In turn, this leads to an increasing incidence of government backbenchers seeking to send signals during bill debates. Yet the greater policy pay-offs available to ministers in contested areas make a minister more likely to resist any calls for change. This results in increased participation from government backbenchers who have previously contributed, and backbenchers reacting to an increase in debate activity. Finally, in the most highly contested policy areas, government backbenchers are incentivised to engage in policy drift of their own. This involves members attempting to bring about policy change despite policy being located at agreed positions. Together these dynamics see a more than doubling of the number of government backbenchers contributing to debates on bills in policy areas over which the partners agree versus the most contested policy areas. We take this as evidence that government backbenchers use debates in the House of Lords to police legislation during coalition government.

A number of implications flow from these findings. First, while the influence of upper chambers has often been assessed through analysing policy outcomes, the discovery of a role for bicameral institutions in managing government opens up an interesting avenue for future research. Second, the absence of elections to the Lords raises the prospect that policing behaviour occurs away from elected institutions. If this is the case, policing behaviour may be far more widespread than previously considered. Finally, we make a contribution to a recent body of work accounting for the processes of making laws in the UK Parliament (Russell and Cowley 2016; Russell and Gover 2017). In doing so we add further evidence of more nuanced ways that backbenchers can influence policy that do not involve directly defeating the government in votes.

Suggestions for the future direction of research begin with changes to the research design. As outlined in Appendix B, the research design in this paper was shaped by procedures and the composition in the Lords and the need to automate the data collection process. So, although we are able to draw inferences between intra-coalition policy disagreement and the behaviour of government backbenchers as a collective, we are unable to examine individual-level behaviour. Clearly, given far greater resources, we could have completed the time-consuming task of collecting debate contributions by hand. While this would have solved the data collection problem, we would still have been faced with how to account for the actions of the

Crossbench group. Overcoming this obstacle requires accurate positions to be determined for this group of members. We return to how this might be achieved in the conclusion of this thesis. A second progression is exploring what comes after a backbencher makes their debate contribution. As already stated, we know that a backbencher will likely stop making contributions should a minister be responsive to their calls for change. But if a minister resists calls for change then backbenchers are faced with a dilemma. Should they let the bill pass unchanged or should they attempt to change the policy via other legislative mechanisms? In the following chapter we examine one of these mechanisms – legislative amendments. We conduct an individual-level analysis of how Conservative and Liberal Democrat backbenchers used legislative amendments in the Lords to police the 2010-15 coalition. Together with this paper on debates, the following chapter will allow conclusions to be drawn about the effectiveness of the House of Lords as an arena for the policing of coalitions.

Chapter 5

Amendments Chapter

5.1 Introduction

In chapter 4, we showed that government backbenchers in the Lords used bill debates to police the policy proposals of ministers in the 2010-15 House of Lords. However, although backbenchers can use debates to send signals to ministers, as well as for information gathering purposes, the influence of speech-making on legislative outcomes is limited (Norton 2013). Ministers, despite incurring some costs in doing so, can choose to disregard the policy signals of government backbenchers should they wish. Yet most legislatures have a mechanism by which members can attempt to change legislation. The House of Lords is no exception. In this chapter we build on the findings in the previous chapter on debates by showing that Conservative and Liberal Democrat backbenchers targeted more amendments at bills located in areas where the coalition partners had greatest disagreement. As a result of the findings in these two chapters, we draw the conclusion that the legislative process in the House of Lords offers its members the opportunity to police the coalition bargain.

In finding that Conservative and Liberal Democrat backbenchers used Lords amendments to police their partners we make a number of contributions to the existing literature. The first is providing further evidence that a bicameral institution plays a role in the management of coalition government. This strengthens the calls we made previously for the greater inclusion of upper chambers in the comparative literature on coalition politics. We also strengthen the case that policy interests can act as a driver for policing behaviour. In addition to providing further support for the policing theory of Martin and Vanberg (2011), we also uncover a strong link between the behaviour of government backbenchers and their previous professional experience. This both supports the preference-based theory of behaviour in the Lords developed in chapter 3 and has implications for the model of representation that the post-reform House of Lords best fits. Finally, we contribute to a body of

work examining the use of legislative amendments in the UK Parliament (Griffith 1974; Kalitowski 2008; Thompson 2013; Russell and Gover 2017).

5.2 Legislative Amendments – The Existing Literature

The literature examining how parliaments influence the legislative proposals of governments addresses the power struggle at the heart of most political systems. Governments hold a privileged position in the policy-making process by being able to formulate and initiate legislative proposals. As a result, governments almost always have significant influence over policy outcomes (Rasch 2014, p.463). The ability of legislatures to change or block¹ government proposals has often formed the measure of a legislature's 'influence.'

Early attempts to establish a comparative typology of legislatures according to influence drew a distinction between parliaments that can alter outcomes and others that merely act as an arena for deliberation (Blondel 1970; Polsby 1975). Later, others built on this work by including a measure of the extent to which the electorate support the role of a parliament in their role of influencing legislation (Mezey 1990). Norton (1990) adapted these ideas further by organising parliaments in to three categories. First, *policy-making* parliaments in which non-government members can change and reject government proposals as well as introduce proposals of their own. Second, *policy-influencing* institutions in which backbenchers are able to change or block government proposals without the capacity to propose their own. Finally, chambers that have negligible influence over government proposals during their passage. This work offered a conceptual framework on which subsequent research has built.

Olson (1994) noted the ineffectiveness of parliaments in the law-making process when outlining his '90% rule.' This rule is built on the observation that 90% of the legislative agenda is proposed by the cabinet, and at least 90% of that agenda is passed in to law. This perceived redundancy of parliaments is supported by evidence of the high success rates of government bills in a number of different systems. These include the Nordic countries (Arter 1985), Scotland (Arter 2004), Spain (Maurer 1999), Italy (Capano and Giuliani 2001), France (Keeler 1993), the Baltic states (Pettai and Madise 2006) and Central European systems (Zubek 2011). However, other scholars have recognised the limitations of using the success rates of bills as a proxy for the influence of a legislative institution (Di Palma 1976; Kornberg

¹Researchers concerned with how parliaments change legislative proposals have focussed on legislative amendments, while work concerned with the blocking powers of political actors has formed around the 'veto players' literature, see Tsebelis 2002 for a starting point.

and Campbell 1978). These works note that quantitative measures of success fail to account for two important factors. The first is the recognition of differences in the relative importance of the bills that become law. This has resulted in the emergence of a body of work around issue salience and ownership (*see* Budge 2015 for a historical review of this literature). The second factor is the degree of change to which a bill is subjected during its passage. In response to this, researchers turned to the analysis of legislative amendments.

Political science² has long recognised the importance of amendments in assessing the passage of a bill. Indeed, the amount of change that bills endure during their parliamentary passage forms a central principle in both Blondel's (1970) measure of 'viscosity' and Griffith's (1974) assessment of parliamentary scrutiny in the UK. Perhaps due to the labour-intensive nature of analysing amendments (*see* Russell and Benton 2010b), nothing on the scale of Griffith's (1974) work has been attempted since. Instead, smaller scale studies have sought to take snap shots of the significance of amendments. The Hansard Society (1993, pp.372-93) collected data on amendments directed at two bills during their passage through parliament as part of a wider review of the UK's legislative process. They discovered that although opposition parties attempt to make significant amendments to legislative proposals, government amendments experience far greater levels of success. Similar work has supported these findings in the UK (Shell 1992; Drewry and Brock 1993; Baldwin 1995), Canada (Thomas 2003) and Australia (Uhr 1998; Bach 2008). This led to the conclusion that the influence of parliaments in these systems is limited or difficult to quantify. However, accounting for the process of amending legislation has shown motivations beyond the desire for direct policy change.

Griffith (1974) recognised that governments amend their own legislation in response to non-executive amendments. This supported Herman's (1972) earlier findings that opposition amendments are often used to gain the attention of the government or public, rather than as serious attempts to change policy. More recent work has supported these findings with Shephard and Cairney (2005) showing that amendments are used to ensure topics are discussed and to gather information. Shephard and Cairney (2005) also provided evidence of policy concessions being made by the government in response to amendments in the Scottish Parliament. Likewise, Thompson (2013) found nearly 1000 occurrences of ministers responding to calls for policy change from non-government members in the House of Commons'

²The bulk of research on the effect of amendments on legislative outcomes has been conducted in Britain, Commonwealth nations and European systems. Russell and Benton (2010b) forward systemic differences between the above examples and the USA as the main reason for a lack of research conducted in the US Congress. Members of Congress have the opportunity to influence bills in a more direct way than through amendments, such as sponsoring bills. This has led researchers to focus on individual-level behaviour rather than the collective influence of Congress.

Standing Bill Committees. Kalitowski's (2008) case study on the passage of 5 bills through the UK Parliament illustrates that members of both the governing party and opposition use amendments to signal their dissatisfaction with the direction of government legislation. These amendments are tabled despite the fact that few votes, and even fewer rebellions, ensue. Kalitowski's (2008) analysis of debates on the passage of one of these bills helps explain this behaviour. During a debate on the final reading of a bill in the House of Lords, the minister guiding the bill, Baroness Ashton of Upholland, states that she has met with every member who has tabled an amendment during the bill's passage. Although this degree of responsiveness may be peculiar to the House of Lords, it does offer insight into the sorts of backroom dealings that occur in parliaments and shows a strategic use for amendments beyond the desire to directly alter bills.

However, it is Russell and Gover's (2017) study of amendments in the UK that offers the most comprehensive contemporary analysis. The study examines over 4000 amendments tabled on 12 bills between 2005-12 and exhibits a number of interesting findings. While the authors note the relative lack of success of non-government amendments, a key theme running through the work is that of 'concessionary' amendments. These are amendments tabled by government ministers to make concessions to non-government actors. Russell and Gover (2017) take an innovative approach of developing legislative strands in their examination of amendments. This allows closely linked amendments across various stages of a bill's passage to be grouped together for analysis. The work finds that the government often made concessions to a package of amendments that were closely linked. Interestingly, nearly half of these amendment 'strands' were initiated by non-government actors, such as opposition or independent members, Select Committees, groups outside of parliament and government backbenchers.

Given the recognition that parliamentary mechanisms are used by parties to ease tensions in coalition, it is surprising that the analysis of amendments has not featured more prominently in the coalition politics literature. One exception is Martin and Vanberg's (2011) analysis of coalition behaviour in five West European democracies. Martin and Vanberg (2011) show that bills undergo more amendment as policy disagreement between coalition parties grow. In this chapter, we build on the notion that amendments are used to manage coalitions by testing the theory of policing in the 2010-15 House of Lords. We begin by outlining the amendment procedure in the Lords, including a cost-benefit analysis of when a backbencher is likely to propose an amendment. We then model how policy disagreement between coalition partners drives an increase in amendments being directed at bills by government backbenchers. Finally, to test this theory we introduce a unique dataset containing 7701 amendments tabled by 291 government during the 2010-15 House of Lords.

5.3 Amendments in the House of Lords

In the previous chapter we illustrated how government backbenchers in the Lords tackled a principal-agent problem by contributing to legislative debates on the passage of government bills. We concluded that debates act as a tool for backbenchers to signal their dissatisfaction with the direction of government policy. However, we also recognised the limitations of debate as a policing tool. When the benefits of resisting calls for change outweigh the costs, a minister can simply ignore the debate contributions of backbenchers. Dissatisfied government backbenchers are then faced with a dilemma – should they allow the bill to pass as it is, or attempt to amend the bill?

Like with debates in the Lords, there are few barriers to a backbencher tabling an amendment to a bill. Furthermore, bills can be amended at any point after a bill passes the second reading (Besly et al. 2019, pp.221-2). Unlike in the House of Commons where amendments are selected by the Speaker of the House, all relevant amendments must be considered by the Lords if the backbencher proposing an amendment insists. Even amendments previously considered and rejected can be moved at a later stage in the legislative process. Along with the inability of the government to call an end to legislative debates in the House of Lords, meaning all amendments must be heard before a stage can be completed, amendments offer members a powerful tool to scrutinise the proposals of ministers.

However, the tabling of an amendment by a Lords backbencher uses up considerable time and resources. First, an amendment must take a particular style and format (*see* House of Lords 2017). This requires a member to have either a detailed understanding of the process or to consult with the Public Bill Office when drafting an amendment. An effective amendment also requires a backbencher to have a detailed understanding of a bill. This means devoting time to researching often lengthy and detailed legislation. Accounting for these factors allows a cost-benefit analysis of when a backbencher should table an amendment in the Lords:

1. A backbencher in the Lords identifies a bill they have an interest in influencing. If the bill is located outside of what the backbencher is willing to accept, they will wish to see a change in the direction of the policy.
2. A backbencher sends policy signals to a minister during the debate on the passage of a bill. These signal the backbencher's policy preferences or dissatisfaction at the current direction of policy. A minister can choose to make policy concessions to appease the backbencher or resist the call for change.
3. Should the minister change the direction of a bill, a backbencher must assess whether the policy is now acceptable. If it is, the backbencher will drop the

issue. If a minister ignores a backbencher's policy signals, or the concession is deemed unacceptable, the backbencher must decide whether the issue is important enough to expend further resources by attempting to amend the bill.

4. If the issue is important enough, a member will expend resources by researching, drafting and tabling an amendment to a bill.
5. A minister will then respond in one of three ways. Should a minister assess the costs of resisting the backbencher's amendment as outweighing the benefits received from maintaining their policy direction they will either: (a) offer government support to the backbencher's amendment or (b) make a concessionary amendment of their own to address the policy concerns of the backbencher (*see Russell and Gover 2017*). However, should the benefits of resisting an amendment outweigh the cost of doing so, the minister will disregard the amendment.
6. If ignored, the backbencher must make a further cost-benefit analysis of whether to persevere with their attempts at changing the policy starting at point 4.

To summarise, backbenchers in the Lords will seek to amend the proposals of government ministers when policy signals sent during debates are ignored. In areas that a backbencher deems important they will use resources seeking to amend a bill. Whether amendments succeed in changing policy depends on an assessment by ministers of the costs and benefits of resisting change. Should a minister ignore calls to change policy, a backbencher must reassess the utility of persisting with repeated attempts to amend the bill.

5.4 Amendments as a Policing Tool in the Lords

In this paper, we test the theory that government backbenchers use amendments to police the legislative proposals of their partners in more contested policy areas. This expectation is underpinned by three closely related factors. First is the effect that intra-coalition policy disagreement has on the calculations made by both government backbenchers and ministers in the cost-benefit analysis above. As outlined in the previous chapter, ministers can gain significant policy benefits if able to successfully shift policy towards their own preferred position in more contested policy areas. As policy disagreement grows within a coalition, the likelihood that ministers will ignore debate contributions from their partners calling for change also increases. As, these policy signals were sent to inform a minister that the direction of policy is unacceptable to a backbencher we expect to see more backbenchers seeking to

amend the proposals of their coalition partners at points 3 and 4. However, a minister's increased willingness to resist change does not stop at ignoring policy signals during debates. Minister's will also be more resistant to amendments as policy disagreements inside the coalition grow. As amendments can be re-introduced at later stages of the legislative process, this resistance draws greater numbers of amendments from a minister's partners late in the legislative process. As a result of these dynamics, we expect to see greater numbers of amendments targeted at the legislative proposals of a minister by their coalition partners in the Lords as policy conflict increases.

The second factor is the use of amendments by government backbenchers for purposes other than making direct changes to bills. Backbenchers recognise that it is very difficult to successfully amend a government bill alone (Russell and Gover 2017, p.129). However, ministers are more likely to make concessions to numerous closely linked amendments (Russell and Gover 2017). As a result, a successful amendment strategy involves attracting the support of other backbenchers in the Lords and beyond. First, we expect government backbenchers to use amendments as a signal to likeminded members in the House of Lords. The cumulative cost for ministers of resisting numerous amendments are much higher than resisting a single amendment and will outweigh the benefits of continuing to resist. Second, a backbencher recognises that a government with a healthy majority in the House of Commons can easily overturn any changes once a bill returns to the lower chamber. We expect government backbenchers to use amendments to build 'strands' of amendments across the two chambers to which the government are more likely to make concessions (Russell and Gover 2017). These two factors drive an increase in the number of amendments in the more contested policy areas.

The final factor occurs in the most contested policy areas. In these areas even the agreed collective position may be beyond what a minister's coalition partners will accept. Under these circumstances, a minister's backbench partners may resort to policy drift of their own. This involves using legislative amendments to move policy away from the agreed positions and closer to their own preferences. As a result of these three factors we expect to see the number of amendments targeted as a minister's policy proposals from their partner party's backbenchers to increase with intra-coalition policy disagreements. To test this theory, we restate hypothesis 2:

Hypothesis 2 (H2): *As differences between the Conservatives and Liberal Democrats over a policy area increase, so does the number of amendments tabled on a bill located in that area from backbench members in the Lords belonging to the partner party of the minister initiating the bill.*

We will now outline the data and methodology used to test this hypothesis, before outlining the main findings in this chapter.

5.5 The Data

To test H2, we collected data on 7701 amendments tabled on 90 bills by government backbenchers during the 2010-15 House of Lords. The 90 bills are those examined in chapter 4 and their selection is detailed in section 3.2. To run the analysis, we constructed a dyadic dataset using an approach forwarded by Proksch and Slapin (2011). The dataset contains combinations of the 291 government backbenchers with each of the 90 bills. This gives 26,190 observations, each indicating the number of amendments a backbencher tabled on a particular bill. The dyadic dataset also includes the policy divergence score for each bill, the session the bill was introduced, the chamber to which the bill was first introduced and several member-level variables.

5.5.1 Measurement of Variables

The dependent variable in this analysis is the number of amendments directed at a government bill by a government backbencher during the bill’s passage through the House of Lords. Parliamentary staff in the House of Lords collate all amendments in to lists prior to the committee, report and third reading stages of a bill’s passage. These *Marshalled Lists* contain the names of up to four members who supported each amendment.³ These lists are published in the documents attached to a bill on the UK Parliament website. Using a number of *R* packages⁴ we collected the names of the backbenchers supporting each amendment tabled on a bill.

We then converted the names to a count variable indicating the number of amendments a backbencher directed at each bill. Using the dataset of backbenchers introduced in section 3.3, we assigned each member to their party or group. We then constructed a dataset containing only the Conservative and Liberal Democrat backbenchers. At this point the names of any government backbencher who did not table an amendment during the 2010-15 Parliament was added and assigned a count of zero for each bill. Finally, we removed any member of the governing parties who held a government post during the 2010-15 House of Lords. We remove these

³This can increase to five if the minister in charge adds their name to an amendment. As members who held a government post between 2010-15 are removed from the dataset, we count a maximum of four backbenchers per amendment.

⁴The *R* packages used to conduct the various web scrapes and data cleaning are *rvest*, *xml2*, *rvest*, *dplyr*, *XML*, *stringi*, *purrr*, *tidyr* and *dplyr*. These are available through the CRAN repository available at <https://cran.r-project.org/>

members as government ministers are unable to table amendments during their time in government.

In addition to excluding members who held government posts, we also remove government backbenchers who died at any point during the 2010-15 Parliament. The method we use to account for the high occurrence of zeros in the dependent variable uses the attendance record of members. As we cannot rule out ill-health as influencing the attendance of a member that died shortly after, we remove these backbenchers. Lord Jenkin of Roding is also omitted after being the first member of the Lords to retire his position on the 6th January 2015. As well as removing members we also faced a decision of how to deal with members who entered the Lords after the start of the 2010-15 Parliament. These members totalled 95 and their removal would have resulted in a large amount of information being lost from the study. Consequently, we include these members while controlling for their partial term. In addition to increasing the number of observations, the inclusion of these government backbenchers will provide an insight in to how newer members used amendments during the 2010-15 Parliament.

This left 291 government backbenchers in the study who between them tabled 7701 amendments. The distribution of the dependent variable is highly right-skewed. While the maximum number of amendments tabled by a government backbencher on a single bill was 308 – Lord Tope on the Localism Act 2011 – nearly 98% of the observations are zero counts. The mean count, therefore, is 0.24, the median is zero and standard deviation 4.72. We discuss how this high rate of zero counts drives the choice of model we employ to analyse the data below. The main independent variable is the extent to which the Conservatives and Liberal Democrats disagreed over the policy area in which a bill is located. To calculate policy divergence, we assigned the bills to a number of policy dimensions constructed from Manifesto Research on Political Representation (MARPOR) project policy categories using an approach forwarded by Lowe et al. (2011). Full details of the policy dimensions and Lowe et al.’s approach can be found in section 3.1.

We categorised the 90 bills in to 20 policy dimensions. Sixteen of these were provided in Lowe et al.’s (2011) paper and we constructed a further 3 dimensions using the same approach to create a better match to the legislation being examined. Parties were positioned in these dimensions using Lowe et al.’s (2011) transformation of MARPOR data taken from the 2010 General Election manifestos of the Conservatives and Liberal Democrats. The policy divergence score of a bill is the difference between the two positional scores of the coalition partners in the policy area the bill is located. A fourth dimension was developed to account for a number of non-controversial bills identified during the classification process. The bills in this dimension were removed from their original policy dimensions and assigned a policy

divergence score to reflect the lack of conflict over these bills. For the inputs and calculations of party positions, in addition to further details of how non-controversial bills were identified, see section 3.2. The summary statistics for the independent variable are shown in table 5.1. The policy divergence score of bills ranges from zero to 3.89, the mean score is 0.84, the median is 0.56 and standard deviation 0.77.

Unlike in the previous chapter, the research design of this study allows a focus at the level of individual backbenchers. As such, we can examine how government backbenchers seek to police the policy-making of their partner ministers. To achieve this, we followed a similar approach to Martin and Whitaker (2019). This involved applying policy divergence only to cases where the combination is a government backbencher and a minister belonging to the backbencher’s partner party. For example, a combination of a Liberal Democrat backbencher with a bill introduced by a department led by a Conservative minister would have policy divergence applied. We refer to this in the analysis as ‘hostile divergence.’ Where the combination is a minister and government backbencher from the same party, we set the policy divergence score to zero. This allows for a closer examination of how amendments are used by government backbenchers to police their coalition partners as policy disagreement differs.

Table 5.1: Summary statistics of policy divergence of bills broken down by the session in which they were introduced to parliament, the party heading the department from which the bill originated and the chamber to which they were first introduced

	Min.	Median	Max.	Mean	St. deviation	N
All bills	0.00	0.56	3.89	0.84	0.77	90
Bills introduced during first three sessions	0.00	0.56	3.89	0.88	0.81	76
Bills introduced during the final session	0.00	0.38	1.30	0.58	0.45	14
Bills introduced first to the House of Lords	0.00	0.38	1.78	0.54	0.58	29
Bills introduced first to the House of Commons	0.00	1.12	3.89	0.98	0.81	61

We also control for a number of variables expected to influence the patterns of amendments directed at government bills. The first is the session in which a bill was first introduced to parliament. Previous work has shown that governing parties become more anxious to pass legislation more expeditiously as elections grow nearer (Döring 2004). Indeed, the results of the bivariate analysis of bill divergence, shown in table 5.1, indicate that the coalition government did introduce less contentious bills in the final session of the 2010-15 Parliament. We expect then to see fewer

amendments targeted at bills introduced in the final session of the Parliament. The second variable indicates the chamber to which a bill was first introduced. Martin and Vanberg (2011) find that legislation undergoes greater scrutiny in the chamber to which it is first introduced. However, as discussed in the previous chapter, we expect the reverse in the case of the House of Lords. As the government surrenders constitutional primacy over proposals first introduced in the House of Lords, we expect less contested bills to be first introduced in the Lords. We show in table 5.1 that bills located in less contested policy areas were more likely to be introduced first to the Lords. As a result, we expect fewer government backbench amendments to be directed at bills introduced in the Lords than those arriving in the chamber from the Commons.

The choice of research design also allows for the control of a number of member-level variables. First, we control for the sex of a government backbencher. Taylor-Robinson (2014, pp.252-54) provides a review of research suggesting that female legislators behave differently to their male counterparts. In particular, evidence has suggested that women participate less frequently in legislative debates (Kathlene 1994; Taylor-Robinson and Ross 2011). Insofar as this is true, and as debate is an important aspect of the amendment process in the Lords, we expect to observe fewer amendments supported by female members. Second, we control for whether a government backbencher served for only part of the 2010-15 Parliament. We expect members who entered after the start of the Parliament to support fewer amendments than those sitting in the chamber prior to the 2010 General Election. This is in part because of the reduced time for tabling amendments, but also due to a lack of experience of the rules and procedure in the chamber.

The collection of data on the previous careers of members, detailed in section 3.3, allows for the professional experience of government backbenchers to be controlled for in the analysis. We construct two variables from the career data of backbenchers. The first is a variable indicating whether a member held a position in representative politics prior to taking their seat in the House of Lords. We define ‘representative politics’ as holding a seat in the UK Parliament, a devolved or regional institution or an elected position in local politics. The expectation is that members with previous experience of working in politics will have a greater understanding of both the tools available for holding the government to account and the importance of doing so. As a result, we expect previous politicians to target an increased number of amendments at bills.

The second variable indicates whether a member has professional experience in the policy area a bill is located. We code a member as having experience in a policy area if any of their professional areas, jobs or specialisms match the policy area in which the bill resides. This was largely a straightforward – if time consuming – task.

For example, a member with experience of working in the legal profession, targeting an amendment in the *Law and Order* policy dimension, is classed as targeting an area in which they hold professional expertise. However, other examples were more challenging, and the coding of jobs and specialisms proved useful in these cases. One example is a member with professional experience in higher education. While this member is classed as having professional experience when seeking to amend a bill located in the area of *Education spending*, the coding of a specialism allows a more detailed link to be established. So, if the backbencher lectured in the area of economics and finance policy, we are able to establish professional expertise in the *Keynesian Policy* dimension. If the theoretical assumption that members of the Lords are policy-seeking actors who hold an interest in influencing specific policy areas is correct, we expect to observe members directing greater numbers of amendments at policy areas in which they have previous professional experience.

5.6 Analysis and Findings

The dependent variable in this analysis is a count variable of the number of amendments tabled by a government backbencher on a given bill. The starting point for count data is the Poisson regression model. However, the Poisson model assumes that the conditional mean of the dependent variable is equal to its conditional variance. These data, however, violate this assumption as the dependent variable displays over dispersion. This means the variable contains excess variance. As such, the use of the Poisson model is likely to return biased and inconsistent results (Long 1997, p.217). In these circumstances, the accepted approach is to utilise a negative binomial model which accounts for the excess variance (Long 1997; Winkelmann 2008; Cameron and Trivedi 2013).

In addition to exhibiting over-dispersion, however, these data present a further problem. Nearly 98% of the observations in the dyadic dataset are zero counts and a standard negative binomial regression model does not present a good fit. As a result, we employ a zero-inflated model which allows the high number of observed zeros in the dependent variable to be modelled (Long 1997, p.243). A zero-inflated model contains two parts; first, a negative binomial count model. Second, a logit model for predicting the excess zeros. For the logit model we input a continuous variable indicating the number of days a member attended the House of Lords during the 2010-15 Parliament. We collected this attendance data from the UK Parliament API using the *hansard* package in the R environment.⁵ As previously discussed,

⁵The *hansard* package was developed by Evan Odell to fetch data from the UK Parliament API, available at <http://www.data.parliament.uk>. Further details of the package and accompanying documents can be found at <https://cran.r-project.org/web/packages/hansard/index.html>

members are not required to attend the chamber on a full-time basis so can choose the days on which they attend. This variable, therefore, offers a good proxy for a government backbencher's level of engagement with proceedings in the Lords. We expect a member with a lower overall attendance to be less engaged and so table fewer amendments. So, a lower attendance record increases the likelihood that a backbencher records a zero count for the number of amendments tabled on a bill. The outputs from the zero-inflated negative binomial regression are shown in table 5.2.⁶

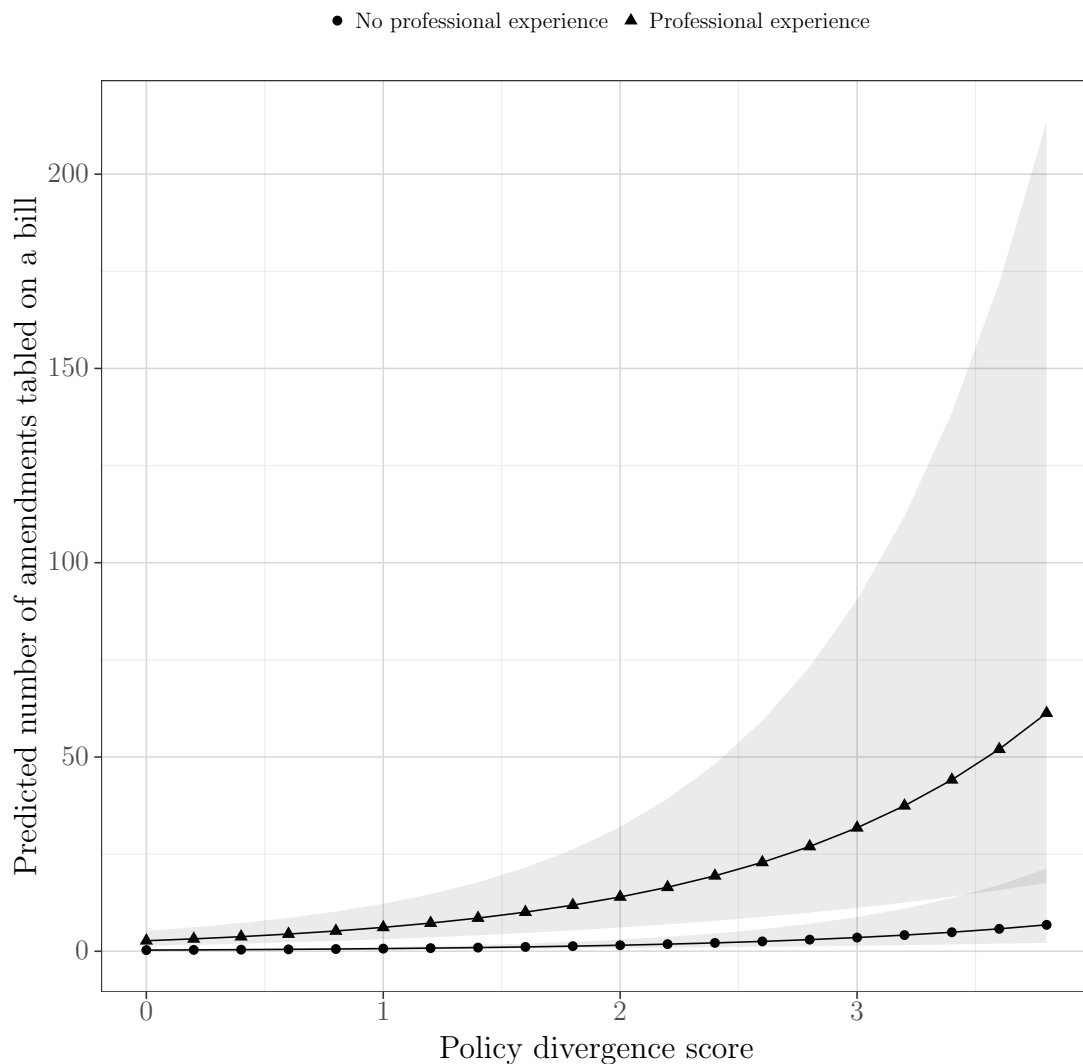
As the theory of policing in the Lords predicts, government backbenchers target increasing numbers of amendments at the proposals of their partners as the policy area in which a bill is located becomes more contested. This is shown by the positive coefficient associated with the *Policy divergence score* variable in table 5.2. This finding is statistically significant to the $p < 0.01$ level. Further to this, the variable denoting that a member has professional experience in the area of a bill returns a positive and statistically significant coefficient. Backbenchers are predicted to table 9-times more amendments on a bill located in a policy area in which they have professional experience than compared to areas in which they hold no experience. To reflect this difference in amendment patterns according to whether a member held professional experience in the policy area targeted, we interpret the effect of policy divergence on the two groups separately.

Figure 5.1 shows that government backbenchers are not expected to target amendments at a bill with a policy divergence score of zero located in a policy area in which they do not hold previous professional experience. This prediction rises to 3 amendments for a backbencher looking to amend a bill with policy divergence of zero in an area they have previously worked. As policy divergence increases to a score of 1.0 the predicted number of amendments rises to 1 for a backbencher without experience and 6 for a backbencher with experience in the policy area in which the bill is located. When a bill has a policy divergence score of 2.0 the predicted number of amendments from a backbencher with no professional experience is 2 and with experience, 14. These predicted numbers are 4 and 32 respectively when the policy divergence score increases to 3.0. At the upper range of policy divergence score in this study (3.89), a backbencher with no professional experience in the area of a bill is predicted to table around 7 amendments, while a backbencher with professional experience in the targeted area is expected to table around 66 amendments. This represents a substantial increase in the predicted number of amendments tabled by government backbenchers, both in terms of the effect of policy divergence and

⁶The zero-inflation count model was conducted using the *zeroinfl* function in the *pscl* package in *R*. The package was developed and maintained by Simon Jackman and the documentation for the package is available at <https://www.rdocumentation.org/packages/pscl>. Table 5.2 was produced using the *stargazer* package in *R* (see Hlavac 2018).

according to whether they hold professional experience in the policy area being targeted. We interpret this in two ways. First, as evidence of government backbenchers using amendments to police their coalition partner. As a result, hypothesis 2 can be accepted. Secondly, the substantial increase in the number of amendments tabled when a backbencher has experience in the same policy area as the bill is located, offers significant support to the theoretical assumption that members of the House of Lords are policy-seeking actors motivated by influencing specific policy areas.

Figure 5.1: The effect of policy divergence on the number of amendments directed by government backbencher at a bill during its legislative passage through the 2010-15 House of Lords



Note: The grey ribbons show the 95% confidence intervals. The plot shows the effect of policy divergence on the number of amendments tabled by a female member who served a full term and had no previous experience of representative politics, targeting a bill introduced in one of the first three session of the 2010-15 Parliament that arrived in the House of Lords from the House of Commons.

Table 5.2: Zero-inflated negative binomial regression model of amendments

Count model (Negative binomial with log link)	
	Coefficient (Std. Errors)
Policy divergence score	0.821*** (0.158)
Introduced during final session of Parliament	-0.535** (0.221)
Introduced first to the Lords	-0.918*** (0.173)
Male	-0.389** (0.187)
Full term	-0.149 (0.186)
Former politician	0.045 (0.159)
Professional experience in policy area targeted	2.198*** (0.298)
Constant	-1.054*** (0.255)
Zero-inflation model	
	Coefficient (Std. Errors)
No. of days attended	-0.013*** (0.002)
Constant	3.829*** (0.432)
Observations	26,190
Log Likelihood	-4,344.253

*p<0.1; **p<0.05; ***p<0.01

Note: The dependent variable is the number of amendments tabled by a government back-bencher in the House of Lords on a government bill during its passage through the 2010-15 Parliament. The log likelihood is used to estimate the regression parameters. Although the value of the log likelihood cannot be interpreted against models using other data it can help in determining model fit within the same data.

The coefficients associated with a bill being introduced in the final session of the 2010-15 Parliament, beginning its parliamentary passage in the Lords and the sex of a government backbencher are all statistically significant to at least the $p < 0.05$ level. As we expected, bills introduced during the final session of the 2010-15 Parliament are predicted to have around 40% fewer amendments directed at them during their passage than those introduced in earlier sessions. Furthermore, the theory that the government introduced less contentious bills first to the Lords, and those bills were then subjected to less policing, is supported by these findings. Bills introduced first to the Lords are predicted to have 60% fewer amendments directed at them by government backbenchers than those arriving to the Lords from the House of Commons. The coefficient associated with a government backbencher being male is negative. This indicates that male government backbenchers tabled fewer amendments on the government bills in our analysis. Indeed, we find that male backbenchers in the study are predicted to table around 35% fewer amendments than their female colleagues. Clearly, this requires further analysis, but these findings run counter to findings showing that female legislators are less likely to engage in legislative activities (Kathleen 1994; Taylor-Robinson and Ross 2011).

Surprisingly, we find no associated effect of a member serving only part of the 2010-15 House of Lords. We can interpret this in two ways; first, new members hit the ground running and their amendment rates are as high as those of established members. Second, a proportion of established members do not table high rates of amendments. Further examination of this area of legislative behaviour in the Lords is required to provide a clearer explanation of this finding. Also, and counter to the expectation, the analysis returns no finding associated with a member having held previous political office. Finally, the logit part of the zero-inflated model, used to account for the high number of observed zeros in the dependent variable, returned a negative and statistically significant coefficient. This indicates, as expected, that members were more likely to register a zero count as the number of days they attended the 2010-15 House of Lords decreased.

5.7 Conclusion

In chapter 4 we showed that government backbenchers in the House of Lords during the 2010-15 coalition, faced with the risk of ministerial drift, used bill debates to police areas of greatest intra-coalition disagreement. However, the direct influence of speech-making on policy outcomes is limited (Norton 2013). Regardless of the passion with which a speech is delivered, or the strength of the argument, ministers can, if they choose, ignore these contributions. At this point a backbencher can abort their attempts to change policy or seek to influence a bill through the

amendment process. In this chapter, we show that government backbenchers used legislative amendments to police legislative proposals emerging from departments headed by their coalition partners. In line with the theory of policing in the Lords outlined above, we see government backbenchers targeting increasing numbers of amendments at the proposals of their partners as policy disagreement grows.

A number of implications flow from the findings of this and the previous chapter. The first is that the legislative process of the House of Lords offers its members a way to help manage their party's participation in coalition. This finding, in an unelected chamber of a majoritarian system unaccustomed to coalition, offers significant support for the theory of policing developed by Martin and Vanberg (2011). However, the findings also pose several questions of the existing literature. Evidence of policing in the House of Lords mean it is likely that other upper chambers are used for the same purpose. Assuming this is correct, therefore, policing is likely to be stronger and more thorough than is currently thought. Likewise, finding policing in the absence of direct electoral incentives suggests that such behaviour may occur in other unelected institutional settings or where electoral incentives are weak (for example, safe seats). Again, this would see greater policing than previously thought.

However, the implications of these findings stretch beyond coalition politics. In conducting the first large-scale analysis of legislative amendments during coalition we contribute to a body of work that has examined periods of single-party majority government (Griffith 1974; Kalitowski 2008; Thompson 2013; Russell and Gover 2017). In particular, we find further evidence of amendments being used for purposes other than seeking to immediately change a bill. Through sending policy signals to sympathetic members of the Lords, backbenchers seek to realise change by making it more 'costly' for ministers to continue with their current policy direction. However, we also know that the Lords hold a position of constitutional weakness in the UK system. Governments with a majority in the lower chamber can easily overturn any changes made in the Lords on a bill's return. If the legislative process in the Lords is to be considered an effective tool for policing coalitions, backbenchers in the Lords must gain support from sympathetic members of the Commons. Although this work is beyond the scope of the last two chapters, a deeper analysis of cross-chamber dynamics may go some way to explaining the growing assertiveness and influence of the post-reform Lords (Russell 2010; Norton 2015; Russell and Gover 2017). Indeed, it is possible that this policy signalling goes both ways, with MPs in the Commons sending signals to backbenchers in the Lords to direct them to areas of policy concern. The greater access to debates and the amendment process in the Lords, as well as the reduced powers that governments have over procedure in the upper house, allows cross-chamber factions to exert influence in a less constrained environment. Research designed to gain a better understanding of these dynamics

is essential for the development of a future theoretical framework of behaviour in the House of Lords

We also found an interesting link between the previous careers of government backbenchers and their targeting of amendments. Members were predicted to target 9-times more amendments at bills located in policy areas in which they had professional experience. We interpret this as support for the preference-based theory of behaviour in the Lords we introduced in section 2.2.4. In the conclusion of this thesis we discuss how a full theory of behaviour, offering predictive value to the study of the House of Lords, could be developed. Interestingly though, the discovery of a strong link between past careers and behaviour raises a further question about which model of representation the post-reform House of Lords now best fits. It has been suggested that the removal of most hereditary members has seen the chamber move from an elite model of representation to a partisan model, where the two chambers in a system are designed to have different majorities (Russell 2013). However, the clear link between the use of amendments and professional experience suggests that the Lords more closely matches a functional (or vocational) model of representation where members represent professional groups. We investigate this further through the analysis of parliamentary questions in the following chapter before returning to the topic in the conclusion.

Two final implications emerge from controlling for member-level factors in this study. The first of these is the finding that male government backbenchers tabled fewer amendments than their female colleagues. This runs counter to findings from elsewhere (Kathleen 1994; Taylor-Robinson and Ross 2011) and should be of interest to gender scholars examining legislative behaviour. We also show that there was no discernible difference between the amendment behaviour of newer and more established backbenchers in the study. This might suggest one of two things. First, newer members hit the ground running in the House of Lords, insofar as tabling amendments is concerned. A second suggestion is that the participation rates of more established members in legislative proceedings is low. This requires further attention but may be able to contribute to the debate surrounding participation rates of members and ways of reducing the number of members sitting in the Lords (*see* Public Administration and Constitutional Affairs Committee 2018). Having provided evidence that the legislative process in the House of Lords is used by parties to police their coalition partners, we now ask whether parties extend this behaviour to the implementation of policy. In the following chapter we examine this by examining the use of parliamentary questions as an intra-coalition monitoring tool in the 2010-15 House of Lords.

Chapter 6

Parliamentary Questions

6.1 Introduction

The preceding two chapters of this thesis have focussed on the behaviour of government backbenchers prior to a bill becoming law. We showed that government backbenchers policed the coalition bargain by strategically targeting their debate contributions and legislative amendments at policy areas where disagreement within coalition was greatest. This behaviour was aimed at reducing the principal-agent problem at the heart of coalition government. However, this problem is not just confined to the *policy-making* process. Ministers have a further opportunity to engage in policy drift at the point policy is implemented. Coalition theory predicts that government backbenchers should utilise mechanisms at their disposal to police the implementation of policy by their coalition partners (Gerlich 1973; Müller et al. 2001; Martin and Whitaker 2019). To test this assertion, we examine the use of parliamentary questions by government backbenchers in the House of Lords during a rare period of coalition government in the UK. We show that government backbenchers strategically target written parliamentary questions at departments headed by their coalition parties as disagreements over policy grow.

These findings make important contributions to three areas of the legislative studies literature. The first is the recognition that a bicameral institution, traditionally seen as ineffectual (Sartori 1994; Lijphart 1999), plays a role in allowing parties to manage their involvement in coalition government. As mentioned throughout the previous two chapters, the case for the greater inclusion of bicameral institutions in the comparative coalition literature is now a strong one. The second is to the understanding of how effective parliamentary questions are as tool for scrutinising ministerial activities during coalition government. The final contribution is to an emerging literature on the strategic use of parliamentary questions by legislators. Indeed, as far as we are aware, this work will constitute the first large-scale anal-

ysis of the use of parliamentary questions in the House of Lords. The rest of this chapter is structured as follows. First, we outline the existing academic literature on parliamentary questions. This is followed by the adaptation of the theory of policing in the House of Lords to the use of parliamentary question. We then test this theory by analysing a unique dataset containing 8238 written questions directed at 17 government departments during the 2010-15 House of Lords. We finish the chapter by outlining the findings of the analysis.

6.2 Parliamentary Questions – The Existing Literature

Parliamentary questions (from this point on referred to as PQs) are a feature of most legislatures (Norton 1993) with their main function being to allow legislators to question the government about their work and policies (Franklin and Norton 1993). PQs can take two forms – oral or written – with time often given over to oral questions on the floor of the chamber. The most notable oral question session is perhaps Prime Minister’s Questions in the UK’s House of Commons. However, limited parliamentary time for oral questioning sessions means that written questions tend to be far more numerous (Besly et al. 2019, p.292). What is common with all PQs though is that individual legislators, often free from the constraints of their party bosses, can direct questions to government departments and receive an honest and comprehensive reply (Martin 2011b). Surprisingly though, given the long history of PQs in parliaments,¹ research on PQs has been scarce until quite recently. Subsequent research has focused on drawing distinctions between types of parliamentary questions and the motivating factors behind their use. We begin with the work drawing distinctions between oral and written PQs.

Rozenberg and Martin (2011) note important distinctions between a number of aspects of oral and written PQs. First, oral questions tend to address the broader policy concerns of legislators, while written questions are used to gather specific and detailed information from the government. Second, oral questions tend to draw greater media coverage and public interest than written questions which have a lower profile. A third difference concerns the way legislators use PQs. The higher profile of oral questions makes them ideally suited to sending policy signals to the electorate. We can see this during sessions of Prime Ministers Questions where questions seek to convey the policy positions of a member or party, illuminate the failings of the government or tackle issues in an MPs constituency. Conversely,

¹The earliest recorded PQs were asked in the House of Lords in 1721 (Rozenberg and Martin 2011).

the detailed substance of written questions, and the more comprehensive replies they elicit, make them an effective tool for scrutinising the actions and direction of government departments.

A final distinction concerns the degree of control party leaders exert over the two types of PQ. Although PQs, in general, are subject to fewer constraints than other parliamentary activities (Martin 2011a, pp.259-60), questions in oral form have greater constraints placed on them than the written form. The first constraint materialises from the time limits placed on oral question sessions. This can lead to fierce competition to ask questions, so limiting opportunities to ask oral questions. The second constraint is more subtle and arises from the arena in which members are required ask oral PQs. A member must stand before colleagues, press and television cameras when asking an oral question. This public platform is likely to dissuade members from asking awkward or controversial questions (Martin 2011a). These considerations are more powerful when a question is being directed at a minister belonging to the same party as the questioner or when the member asking the question is new or ambitious. Written questions, however, have almost no barriers in terms of who can ask them. Additionally, the more private nature of written questions allows for controversial topics to be tackled. Consequently, behaviour considered disloyal in the public glare of the chamber is often accepted in the more private sphere of written questions. Considering these differences is important when drawing inferences about the true preferences of legislators from their use of both oral and written PQs. What is clear from this work, however, is that PQs can provide legislators with a wide array of uses. It is unsurprising then that a body of research has grown around their use by legislators in the pursuit of certain preferences.

Research has identified the pursuit of three goals as the main motivation for legislators to ask PQs. The first is the use of PQs as an information exchange between legislators and the government. PQs offer legislators an efficient tool for overcoming the informational disadvantages they experience in relation to a government (Bailer 2011). In particular, members of opposition parties benefit from the ability to gather detailed information on the actions of the government (Wiberg 1994; Russo and Wiberg 2010). Indeed, the Swiss case suggests that information gathering, particularly by less experienced and more ambitious members of parliament, is the main function of PQs (Bailer 2011). In addition to gathering information, PQs are used by legislators to signal preferences and concerns to government ministers (Raunio 1996). A second area of the PQ literature has focussed on who legislators are seeking to represent when asking questions and, just as importantly, why.

It has long been understood that certain electoral systems create an incentive for legislators to cultivate a 'personal vote' (Carey and Shugart 1995). The building of a personal vote involves a representative constructing a personal reputation distinct

from that of the party they represent. This is then used to appeal to a subset of voters in the wider electorate. PQs offer legislators the opportunity to build a distinct reputation through directly addressing the concerns of their constituents. Evidence of this behaviour has been identified in both Norway (Rasch 2009) and Ireland (Martin 2011b). Further research points to other factors as the driving force for asking PQs. Two studies conducted in the UK suggest that PQs offer groups that are under-represented in parliament the opportunity to have their concerns aired. Bird (2005) shows that female MPs are more likely to ask gendered questions, while Saalfeld (2011) finds that MPs with visible-minority status ask more questions about diversity and equality. Saalfeld (2011) also displays a constituency link to the asking of PQs, with MPs from constituencies containing higher proportions of ethnic minority constituents being more likely to address minority concerns in their questions. Interestingly, the absence of rewards from cultivating a personal vote in the UK's party-centred system suggests that this is not the catalyst for this observed behaviour. Indeed, Martin (2011) suggests that researchers should look beyond electoral factors when considering the incentives for legislators to ask PQs.

Notwithstanding the growth of the two areas of literature outlined above, the most established research on PQs is that examining their use in holding governments to account. This has led to a number of national level studies examining the role of PQs to scrutinise governments. Research examining this function of PQs has been conducted in Canada (Franks 1985), Denmark (Damgaard 1994; Jensen 1994), Finland (Wiberg 1994), Israel (Akirav 2011), New Zealand (Salmond 2004), Norway (Rasch 1994), Sweden (Mattson 1994), Turkey (Hazama et al. 2007) and the United Kingdom (Chester and Bowring 1962; Franklin and Norton 1993; Cole 1999). Yet nearly all of these studies point to the weakness of PQs as a mechanism for oversight (Martin 2011a). McGowan (2008) attributes variation in the effectiveness of PQs as a tool of scrutiny to cross-national differences in questioning procedures. What is clear, however, is that opposition parties are the most likely to use PQs as a tool of scrutiny (Wiberg 1994; Russo and Wiberg 2010). This monitoring function of PQs has been shown to extend to the level of the European Union. Opposition parties within member states have been shown to use PQs at the EU-level to overcome their lack of influence over EU affairs (Proksch and Slapin 2011). Likewise, opposition parties use EU questions to signal violations of EU law by member state governments (Jensen et al. 2013).

Despite this established work identifying PQs as a monitoring tool for opposition parties, PQs have remained largely absent from the literature on coalition politics. One exception is the recent research conducted by Martin and Whitaker (2019) on the use of PQs by Conservative and Liberal Democrat MPs to ease tensions in their period of coalition. The work found that government backbenchers targeted greater

numbers of PQs at departments located in policy areas over which the coalition parties had the greatest disagreement. The motivation for such behaviour lies in wanting to ensure that government ministers do not break previously agreed positions when implementing policy. This chapter will build on Martin and Whitaker's (2019) findings by assessing the use of PQs as a policing mechanism in the 2010-15 House of Lords. In the process, this chapter will offer the first large-scale analysis of questioning behaviour in the House of Lords and so help address the absence of research on PQs in upper houses. The following section introduces the process of asking written questions in the House of Lords before extending the theory of policing to the use of PQs in the chamber.

6.3 Parliamentary Questions in the House of Lords

The process of asking a written question is a straightforward one. Consider the following process outlined by Martin and Whitaker (2019): (1) A member, or their staff, draft and submit a question; (2) if the question is in the correct format and addresses a relevant topic, the question is forwarded to the relevant government department; (3) officials in a department write a detailed reply to the question; (4) the answer is returned to the questioner and the response is published in the official records. Members in the House of Lords are permitted to ask up to 6 written questions per sitting day,² capped at 12 per week. Government departments are then expected to provide a reply within 10 sitting days (Besly et al. 2019, p.313). As outlined in the Ministerial Code, the answers to questions must be 'accurate, truthful and full' (Cabinet Office 2019, p.2). PQs, therefore, offer members a relatively low-cost way of sending policy signals to ministers, gathering information from the government or registering dissatisfaction. Furthermore, unlike with debates and amendments which focus on government behaviour during the making of laws, backbenchers can use PQs to monitor how the government is implementing policy. However, members of the Lords must expend resources in order to ask PQs. As a result, we can build a cost-benefit analysis around when a member of the House of Lords is expected to target a written PQ at a government department:

1. A member of the House of Lords identifies a policy area or issue that they seek to influence. They may want to bring about a different policy outcome, gather information or signal dissatisfaction with the current direction of policy.
2. A member makes an assessment as to whether the resource cost of asking a

²A sitting day is simply a day on which the House of Lords meets.

PQ is worth it. When the benefits outweigh the costs, the member should target a PQ at a government department.

3. Once receiving an answer, a member must decide if the PQ was successful. For example, did the minister correct the policy direction or whether the information gathered from the government was sufficient.
4. If the PQ was unsuccessful (for instance, it failed to correct a policy direction or gather enough information), a member must make a further cost-benefit analysis. Again, should the benefits from asking a further question outweighs the resource costs of doing so, then a member will ask a further question.
5. This cycle continues until the member has achieved their initial goal or they believe no further benefits can be gained from asking a further question.

To summarise, PQs offer members an inexpensive way of monitoring the implementation of policy by government ministers. Written PQs also allow backbenchers to gather detailed information from the government and send policy signals to ministers heading departments. While a backbencher in the Lords has the opportunity to ask a large number of PQs, there are costs attached. To make most efficient use of PQs, a member must develop a questioning strategy. Above, we build a simple cost-benefit analysis of PQ use in the Lords. Put simply, when the potential benefits from asking a PQ exceed the costs, a member will continue to question a department. As with debate contributions and legislative amendments in the previous two chapters, the effect of policy disagreement in coalition is expected to affect the targeting of questions. We will now outline our expectations of how PQs are used by government backbenchers to police the policy implementation of their partner ministers.

6.4 PQs as a Policing Tool in the Lords

The principal-agent problem associated with coalition government discussed throughout this thesis is not limited to just the making of laws. Ministers, as agents of their own party, have the opportunity to shift policy away from agreed coalition positions and closer to their preferred positions at the point of implementation. The existing ‘policing’ literature has almost entirely focussed on the use of committees for allowing members to keep tabs on their coalition partners (*see* Hallerberg 2000; Hallerberg 2004; Kim and Loewenberg 2005). However, the access that Lords backbenchers have to Select Committees – the main means of monitoring departmental activities in the upper chamber – is both limited and controlled by leaders through party Whips (Russell 2013, pp.209-10). PQs offer government backbenchers a way of

monitoring government ministers with very few barriers to entry. An added advantage of the absence of constraints on PQs is that government backbenchers are likely to exhibit their true preferences when asking written questions (Martin 2011a).

As discussed in the theoretical framework of this thesis, as well as the chapters on debates and amendments, the pay-offs that ministers can enjoy from successful policy drift increase as intra-coalition policy divergence grows. Government backbenchers belonging to a minister's partner party recognise that ministers have an opportunity to renege on previously agreed coalition positions at the point policy is implemented. As with debates and amendments, a government backbencher must find strategies to make most efficient use of their PQs in order to limit the risks ministerial drift presents. Backbenchers have little to gain from policing less contested policy areas in which most feasible positions are acceptable. However, the risk that policy is moved beyond what a backbencher will accept increases as the distance between the preferred positions of the coalition partners widens. These competing motivations of backbencher and their partner ministers will both drive an increase in the number of PQs directed at a department and intensify the willingness of a minister to resist calls for policy change. In turn, this increases the likelihood that a backbencher will target subsequent questions at a department. These dynamics mean we expect to see government backbenchers target greater numbers of PQs at departments headed by their coalition partners when they are located in more contested areas. Also, in the most contested areas, backbenchers are increasingly likely to engage in policy drift of their own by targeting questions with the goal of moving policy away from the previously agreed coalition positions. To assess this expectation, we will test the following hypothesis:

Hypothesis 3 (H3): *The greater the policy difference between the coalition parties in the policy area a government department is located, the greater the number of written PQs directed at that department by backbenchers belonging to the minister's partner party.*

We will now move on to the data used to test this hypothesis, the methodology and findings the analysis returned.

6.5 The Data

To test H3, we gathered data on 33,380 written PQs asked in the 2010-15 House of Lords.³ We examined only written PQs for both practical and theoretical reasons.

³These data were collected from www.theyworkforyou.com who provide information on written PQs asked in the Lords stretching back to the year 2000. The raw data is available in XML format at <https://www.theyworkforyou.com/pwdata/scrapedxml/lordswrans/>. We used the *rvest*, *xml2*,

Written PQs were more freely available than oral PQs, which would have required a far more complex process of scraping questions directly from the online version of *Hansard* to collect. This lay beyond the resources at the disposal of this research project. However, as we outlined in the literature on PQs above, written PQs are generally used for monitoring purposes rather than the policy signalling function of oral questions. As such, written PQs provide a better fit to the aims of this study. In addition, fewer constraints are placed by parties on asking written questions and backbenchers expend fewer resources asking written PQs when compared to oral questions. These two factors increase the likelihood that backbenchers will exhibit their true preferences through written PQs (Martin 2011a) and more valid inferences can be drawn from the findings of this chapter.

Once cleaned, the PQ data contained the name of the backbencher asking the question, the date the PQ was asked and the text of the question and answer. Below we outline how we determined the department being targeted by the PQ and the party of the questioner. We also introduce a number of control variables; including the proportional spend of the department being targeted and a number of member-level variables first introduced in the previous chapter.

6.5.1 Measurement of Variables

The dependent variable is the number of PQs directed at a department by a government backbencher. As touched on above, the data collection process of written PQs was not entirely straightforward. While the questioners name, date asked, and text of both the question and answer were all provided in these initial data, we had to derive two further pieces of information. The first was the party or group to which the questioner belongs. We used the database of Lords' members, details of which can be found in chapter 3, to match members to their party. The second was the department to which the PQ was directed. Although this information was not provided in the text of the questions, the PQs did contain the name of the minister answering the question. This name took one of two forms; first, was the full title and position of the member – for example, *The Parliamentary Under-Secretary of State, Department of Health (Earl Howe)*. The department was easily determined for these cases. However, due to the way that questions are recorded in the official record, answers often included only the name of the minister. As ministers often held more than one government position over the course of the period examined, this presented a further problem.

In order to determine the department from just the ministers name, we used a dataset of government ministers for the 2010-15 Parliament. We used the date

rvest, *dplyr*, *XML*, *stringi*, *purrr*, *tidyr* and *dplyr* in the *R* software environment to convert the questions to a usable format.

a PQ was answered to determine in which department a minister was working at the time they provided an answer. However, some ministers held more than one position concurrently. For example, Baroness Warsi held the positions of Senior Minister of State in the Department for Communities and Local Government and in the Foreign and Commonwealth Office jointly between September 2012 and August 2014. To ensure the questions were assigned to the right department, we hand coded the relatively small number (around 500) of PQs that fell into this category.⁴

In table 6.1 we show the PQs asked in the 2010-15 House of Lords broken down by party. In line with what the PQ literature tells us about their role as a monitoring tool for opposition parties (Martin 2011a), over 70% of PQs in the 2010-15 House of Lords were asked by parties/groups not in government.⁵ We also show that smaller parties ask proportionally more PQs than larger parties/groups. It must be noted, however, that the high number of questions per member for the ‘Other’ group of non-affiliated members is distorted by the questioning behaviour of two members. The Independent Labour member, Lord Stoddart of Swindon, asked 798 (40%) of the ‘Other’ group’s questions, while the non-affiliated member, Lord Laird, asked 2169 (46%) of that group’s PQs. In terms of the coalition partners, Liberal Democrat members asked questions in greater numbers than their Conservative partners. Indeed, per member, the Liberal Democrats asked over three-times more PQs than Conservatives in the chamber. Having determined the use of PQs by all parties/groups in the Lords, we will now discuss the selection of members to be included in this study.

We use the same selection criteria for government backbenchers as in the previous chapter. This involved the removal of any backbencher that held a government post during the period examined, members that died between 2010-15 and Lord Jenkin of Roding, who resigned his position in the chamber on the 6th January 2015. To increase the number of observations and allow the analysis of how new members to the Lords used PQs, we include the 95 members who entered the chamber after the start of the Parliament and controlled for their partial term. This leaves 291 government backbenchers in the study. Using a similar approach as in the previous chapter, we constructed a dyadic dataset using the approach outlined by Proksch and Slapin (2011). This dataset combines each of the 291 government backbenchers with 17 government departments. Each combination represents an observation of the number of PQs targeted at a department from that backbencher during the

⁴We found the process of determining the department at which a PQ was targeted much easier for the final 3 months of the 2010-15 Parliament, when the department was included in the official record of PQs in the online version of *Hansard*.

⁵Non-government parties/groups include the Labour Party, Crossbench Group, Democratic Unionist Party, Green Party, Independent Labour, Independent Social Democrat, Independent Ulster Unionist, Plaid Cymru, UK Independence Party, Ulster Unionist Party and non-affiliated members.

Table 6.1: Number of written parliamentary questions asked in the 2010-15 House of Lords broken down by political party

Party	Total PQs	% of total PQs	PQs per member*
Conservative	4000	12.0%	15
Liberal Democrats	5280	15.8%	49
Labour	9242	27.7%	39
Crossbench	7791	23.3%	34
Non-affiliated	4691	14.1%	98
Bishops & Others	2376	7.0%	40

Note: ‘Others’ include the Democratic Unionist Party, Green Party, Independent Labour, Independent Social Democrat, Independent Ulster Unionist, Plaid Cymru, UK Independence Party and Ulster Unionist Party. * The House of Lords does not have a fixed membership. As a result, the number of members for a given party/group is calculated as the total number of members who aligned to that party/group at any point during the 2010-15 Parliament.

2010-15 House of Lords. The number of PQs directed at a department by a government backbencher ranges from zero to 426, with a mean of 1.7, median of zero and standard deviation 11.1. As the difference between the mean and median number of questions suggests, the distribution of the dependent variable is right-skewed. In fact, nearly 48% of the observations are zero counts. This high frequency of zero counts helps direct the choice of model we use to analyse these data.

The main independent variable in the analysis is the degree of policy disagreement between the coalition partners over the policy area in which a department is located. PQs were directed at 19 government departments by the government backbenchers in the study. We removed questions directed at the Cabinet Office and the Leader of the House of Lords as these two departments are incompatible with a single coherent policy area. We located the remaining 17 departments within 12 policy dimensions following the approach of Martin and Whitaker (2019) in their analysis of PQs in the House of Commons. The advantage of using Martin and Whitaker’s (2019) approach is that they construct these policy dimensions using the same methodology used to locate bills in the previous two chapters (Lowe et al. 2011). As outlined earlier, policy dimensions are constructed from Manifesto Research on Political Representation (MARPOR) project policy categories. Ten of the 12 dimensions were provided in Lowe et al.’s (2011) paper, while two further dimensions were constructed by Martin and Whitaker (2019) to provide for a better match with government departments in the UK. First is a *Foreign Office* dimension to accommodate the Foreign and Commonwealth Office and the second an *Environment and agriculture* dimension that encompasses the Department for Environment, Food and Rural Affairs. The MARPOR categories used to construct these two dimensions are outlined in section 3.2.3. Further to this, full details of the inputs,

calculations and policy position scores for the two parties are shown in table A.5 in appendix A.

Having located the government departments within relevant policy dimensions, we calculated policy positions for the Conservatives and Liberal Democrats. This involved using an approach based on log-odds ratios (Lowe et al. 2011) – see section 3.1 – to transform MARPOR scores collected from the 2010 election manifestos of the coalition partners. A policy divergence score was then calculated for each policy dimension, from the difference between the position scores of the two parties, and assigned to the department(s) located in a dimension. Table 6.2 shows the 17 government departments included in this chapter, the policy dimension to which they are assigned, their policy divergence score and the mean number of PQs targeted at the department by the government backbenchers. Furthermore, as we are concerned with examining the patterns of questioning from a government backbencher towards departments headed by their coalition partners, we do not apply policy divergence to all backbencher-department combinations. Instead we use the approach of Martin and Whitaker (2019) by only applying the policy divergence score to combinations where the government backbencher and minister heading the department are from different parties. We refer to this notion as ‘hostile divergence’ in the analysis of the findings. For combinations where the member and minister heading the department are from the same party, we assign a policy divergence score of zero.

We also control for one further departmental-level variable and four individual-level variables. First is the percentage of public expenditure allocated to each of the government departments. We collected data for this variable from HM Treasury (HM Treasury 2011, p.27). We expect departments receiving a higher proportion of public expenditure to attract a greater number of PQs. Second, we control for the sex of the backbenchers in the analysis. Taylor-Robinson (2014, pp.252-54) has provided a review of literature indicating that male and female legislators display different political behaviour. Some evidence has suggested that women participate less frequently in certain legislative behaviour (Kathlene 1994; Taylor-Robinson and Ross 2011) and so we expect to see female members asking fewer PQs than their male colleagues. As detailed above, we include a third variable to indicate whether a member entered the House of Lords after the start of the 2010-15 Parliament. We expect these newer members to be less familiar with procedures in the chamber and so ask fewer PQs than their more experienced colleagues.

The final two control variables concern the professional experience of the members in the study. As discussed in the previous chapter, members often enter the House of Lords after a successful professional career (Russell 2014), with some continuing with these careers after accepting a seat in the Lords. As a result, we can control for a backbencher’s professional experience and expertise when analysing

Table 6.2: The party heading each department, the dimensions in which each is located and their policy divergence score and the mean number of PQs directed at each department by government backbenchers

Government department	Party holding department	Policy divergence score (Policy dimension)	Mean no. of PQs per backbencher*
Business, Innovation and Skills	Liberal Democrat	0.93 (Free market economy)	1.48
Communities and Local Government	Conservative	0.56 (Decentralisation)	1.30
Culture, Media and Sport	Conservative	0.93 (Free market economy)	0.87
Education	Conservative	0.54 (Education spending)	1.84
Energy and Climate Change	Liberal Democrat	1.64 (Environmental protection)	0.69
Environment, Food and Rural Affairs	Conservative	0.64 (Environment and agriculture)**	2.17
International Development	Conservative	1.37 (Internationalism)	1.44
Transport	Conservative	0.93 (Free market economy)	2.79
Work and Pensions	Conservative	1.31 (Welfare state)	1.42
Health	Conservative	0.93 (Free market economy)	2.77
Foreign and Commonwealth Office	Conservative	0.92 (Foreign Office)**	4.20
Treasury	Conservative	0.42 (State involvement in economy)	1.43
Home Office	Conservative	2.92 (Nationalism)	3.48
Defence	Conservative	3.89 (Militarism)	0.85
Justice	Conservative	0.26 (Social-Liberal Conservative)	1.4
Northern Ireland	Conservative	0.56 (Decentralisation)	0.16
Wales	Conservative	0.56 (Decentralisation)	0.02

* The House of Lords does not have a fixed membership. As a result, the number of members for a given party/group is calculated as the total number of members who aligned to that party/group at any point during the 2010-15 Parliament. ** Denotes policy dimensions constructed by Martin and Whitaker (2019) to ensure a better fit to government departments in the UK.

their questioning patterns. As detailed in chapter 3, we hand coded the careers of each of the 291 backbenchers in the study using an approach forwarded by Russell and Benton (2010a). We constructed two control variables from these career data. The first indicates whether a backbencher held a previous position in representative politics, defined as having held an elected position in the UK Parliament, a devolved or regional institution or in local politics. The expectation is that previous exposure to politics provides a backbencher with a more detailed understanding of the tools available to monitor the government. As such, we expect previous politicians to ask more PQs than non-politicians. The second variable determines whether a backbencher holds professional experience or expertise in the policy area being targeted. If the theory of Lords behaviour, outlined in section 2.2 and supported by findings

in the previous chapter, is correct, we expect to observe members directing greater numbers of PQs at policy areas in which they have professional experience.

6.6 Analysis and Findings

The dependent variable in the analysis is a count variable of the number of PQs directed at a government department by a government backbencher. The starting point for such a variable is the Poisson regression model. However, for reasons stated in the previous two chapters, the negative binomial model provides a better fit to these data. As with the dependent variable in the chapter on legislative amendments though, a high proportion of the observations (48%) are zero counts and so we utilise a zero-inflated model. The model consists of two parts; first, a negative binomial count model and, second, a logit model for predicting the zeros. For the logit part of the model we used a continuous variable indicating the number of days a member attended the House of Lords during the 2010-15 Parliament collected from the UK Parliament API using the *hansard* package in *R*.⁶ We use attendance as a proxy for the level of a backbencher's engagement with proceedings in the Lords. We expect less engaged members to ask fewer questions, so a lower attendance is expected to increase the likelihood that a government backbencher records a zero count for the number of PQs directed at a department. The results of the zero-inflated negative binomial regression are shown in table 6.3.⁷

As expected, we find that backbenchers directed greater numbers of written PQs at departments headed by their partners as policy disagreements over the area in which a department is located grew. This is shown by the positive and statistically significant coefficient associated with the *Policy divergence score* variable in table 6.3. Additionally, we find a similar association between a member's PQ patterns and their professional experience as we found with patterns of amendments. Professional experience in the policy area being targeted by questions is associated with a four-fold increase in the number of PQs asked by a member when compared to areas in which they do not have experience. As the coefficients returned with a negative binomial regression cannot be interpreted in a linear manner, we predict the marginal effect on the number of PQs asked by a backbencher across the range of the independent variable in figure 6.1. As a result of the significant difference between the number of questions targeted at departments by members with

⁶The *hansard* package was developed by Evan Odell to fetch data from the UK Parliament API, available at <http://www.data.parliament.uk>. Further details of the package and accompanying documents can be found at <https://cran.r-project.org/web/packages/hansard/index.html>

⁷The zero-inflation count model was conducted using the *zeroinfl* function in the *pscl* package in *R*. The package was developed and maintained by Simon Jackman and the documentation for the package is available at <https://www.rdocumentation.org/packages/pscl>. Table 6.3 was produced using the *stargazer* package in *R* (see Hlavac 2018).

professional experience in a given policy area and those without, we predict their questioning separately in figure 6.1.

Table 6.3: Zero-inflated negative binomial regression model of PQs

	Coefficient (Std. Errors)
Policy divergence score	0.321*** (0.065)
Professional experience in policy area targeted	1.334*** (0.248)
Department spend	0.013** (0.006)
Part-term member	-0.657*** (0.131)
Female	-0.505*** (0.126)
Former politician	0.440*** (0.107)
Constant	0.454*** (0.095)
Zero-inflation model	
	Coefficient (Std. Errors)
No. of days attended	-0.011*** (0.001)
Constant	2.585*** (0.257)
Observations	4,947
Log Likelihood	-4,988.924
<i>Note:</i> *p<0.1; **p<0.05; ***p<0.01	

Note: The dependent variable is the number of PQs directed at a government department by a government backbencher in the 2010-15 House of Lords. The log likelihood is used to estimate the regression parameters. Although the value of the log likelihood cannot be interpreted against models using other data it can help in determining model fit within the same data.

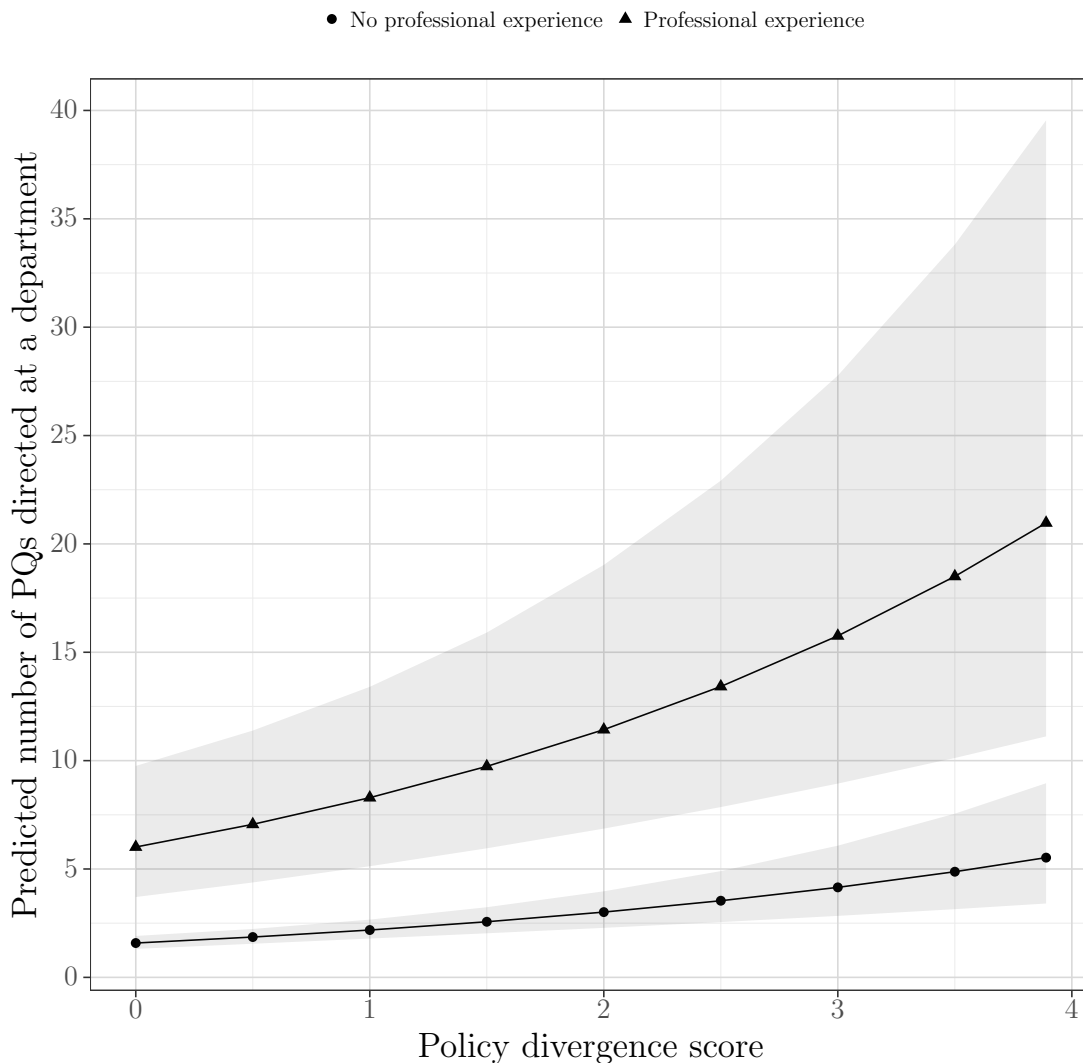
We show that when a department is located in a policy dimension with a policy divergence score of zero, a backbencher with no professional experience in that policy area is predicted to target a single PQ at the department. For backbenchers with experience in the policy area a department is located, then number of PQs rises to 6. When the policy divergence score of a department is increased to 1.0 non-experienced backbenchers are predicted to ask 2 PQs and backbenchers with experience, 8. These numbers increase to 3 PQs for non-experienced members and 11 PQs for those with experience when policy divergence is 2.0, and 4 and 16 respectively at policy divergence of 3.0. At the upper range of policy divergence in this study (3.89), a member without experience in the policy area is predicted to direct 5 PQs at a department and an experienced member, 21. We interpret these increases in the number of PQs government backbenchers target at departments in line with growing policy divergence as evidence that government backbenchers used PQs as an *ex post* policing mechanism during their involvement in coalition. As such we can accept hypothesis 3. Additionally, the sharp increase in the number of PQs backbenchers target at policy areas in which they have professional experience offers strong support to the theory that members in the Lords are motivated by influencing policy in specific areas.

The coefficients associated with the remaining control variables are all statistically significant to at least the $p < 0.05$ level. The positive coefficient associated with the proportion of total government expenditure a department received, indicates that the number of PQs targeted at a department rose with spending. We estimate this increase to be around a 1% increase in the number of PQs for every one-point increase in the proportion of spending a department received. The negative coefficient associated with a backbencher entering the House of Lords after the start of the 2010 session indicates that these backbenchers asked fewer PQs. Indeed, we predict that part-term backbenchers ask only around half as many PQs as backbenchers serving the full-term. While this meets the expectation that newer members, by being less familiar with questioning procedures, ask fewer questions, it runs counter to what we found with the use of amendments by newer members in the previous chapter. The variable indicating that a backbencher is female also returns a negative coefficient. We interpret this to show that female members are predicted to ask 40% fewer questions than their male counterparts. This offers support for research showing female legislators participate less than men in some forms of legislative activities (Kathlene 1994; Taylor-Robinson and Ross 2011) but, again, runs counter to what we found with the use of amendments.

The final coefficient, that associated with a backbencher being a former politician, is positive. This indicates that a member with previous experience in representative politics is predicted to ask 55% more PQs than a member without previous

experience in politics. This meets the expectation that backbenchers previously exposed to representative politics have a greater understanding of how to monitor the executive and so ask more PQs. The logit part of the zero-inflated model, used for predicting zeros, returned a negative and statistically significant coefficient for the variable associated with a backbencher's attendance. This finding, again in line with expectation, indicates that the likelihood of a backbencher recording a zero count for the number of PQs directed at a department increases as their attendance falls.

Figure 6.1: The effect of policy divergence on the number of PQs directed at a government department by a government backbencher in the 2010-15 House of Lords



Note: The grey ribbons show the 95% confidence intervals. The plot shows the effect of policy divergence on the number of PQs directed at a government department, receiving the mean proportion of public spending, from a male member of the Lords who served a full term and had not held a position in representative politics prior to taking their position in the chamber.

6.7 Conclusion

The principal-agent problem facing parties in coalition is not only confined to the making of laws. Tensions also exist at the point ministers implement policy on behalf of the coalition. Members of coalition parties understand that ministers have the opportunity to shift policy closer to their own preferred positions when implementing laws. As discussed in the theoretical framework of this thesis, parties can use junior ministers to keep watch over ‘hostile’ departments from within government (Thies 2001; Strøm et al. 2010), yet the literature has almost entirely focused on the role of committees in allowing backbenchers to keep *ex post* tabs on their partners (Martin and Vanberg 2011). However, as is the case in the House of Lords, a number of obstacles stand in the way of large numbers of backbenchers being able to participate in committee procedures. More recently parliamentary questions (PQs) have been identified as offering greater numbers of legislators the opportunity to police government departments (Martin and Whitaker 2019). In this chapter, we found evidence that government backbenchers in the Lords increasingly targeted PQs at departments headed by their coalition partners as policy disagreements grew. This supports previous findings that PQs can be used as a coalition monitoring tool in the UK Parliament (Martin and Whitaker 2019).

With these findings we make a third contribution to the literature on coalition management by showing that an upper chamber can be used to monitor coalitions at the point of policy implementation. This strengthens both the argument that the House of Lords offers its members an effective arena for policing coalitions and the calls for greater inclusion of upper houses in the coalition management literature. Further evidence of policing in the Lords provides added support for Martin and Vanberg’s (2011) theory of policing. Yet the implications of these results raise a number of other questions. As discussed in the previous chapter, evidence that policing occurs in the Lords makes it likely that other upper chambers are used for similar purposes. Should this be true, policing is likely to be far more widespread than previously thought. Furthermore, considering the presence of parliamentary questions in most parliaments (Norton 1993), their wider use for monitoring coalitions has huge implications for the volume of policing we might expect to see. Alongside further evidence that policy-interests can act as a catalyst for policing, thus widening the institutional settings and political contexts in which we might expect policing, we suspect that legislators keep far greater tabs on coalitions than the literature currently acknowledges. We discuss the implications of this for the wider coalition literature in the conclusion of this thesis.

This analysis of PQs in the House of Lords also has interesting implications for the literature focusing on the UK Parliament. We provide further support to work

showing how backbenchers can subtly influence policy away from more high-profile amendments, government defeats or committee reports (Russell and Gover 2017; Russell and Cowley 2016). As stated above, the lack of constraints placed on PQs in general make it more likely that legislators will exhibit their true preferences (Martin 2011a). This has interesting implications for how we might analyse PQs to determine the ‘true’ positions of legislators in the party-dominated context of the UK Parliament. This may be particularly important for determining policy preferences for hard to position groups, such as the Crossbench group in the Lords or different party factions across the UK Parliament.

As in the previous chapter on amendments, we find a strong relationship between questioning patterns and a backbencher’s professional experience. This provides further support for the preference-based theory of Lords behaviour introduced earlier in the thesis. We return to this in the conclusion by proposing how this theory might be built on through future research. Finally, we found interesting differences between the use of amendments and questions by the backbenchers in this study. Both female backbenchers and newer members in the Lords made far less use of PQs than their male or more established colleagues. This runs counter to how these members used legislative amendments. Also, previous politicians made much greater use of PQs than backbenchers who had not previously been exposed to representative politics. This might suggest a barrier to the use of PQs in the Lords. These differences demand further analysis across a wider timeframe and during different government types before clearer conclusions can be reached.

Chapter 7

Conclusion

In this thesis, we set out with the primary goal of determining whether the House of Lords could be used by parties to manage their involvement in coalition government. In finding evidence of policing in the debate contributions, legislative amendments and parliamentary questions of Conservative and Liberal Democrat backbenchers, we can confidently state that the Lords offers an arena in which members can seek to manage tensions associated with coalition. As stated throughout this dissertation, the discovery of policing in a chamber often viewed as weak (Sartori 1994; Lijphart 1999) in a system almost entirely unaccustomed to coalition government in the post-war era, provides strong support for Martin and Vanberg's (2011) theory of policing.

In chapter 4 we showed that Conservative and Liberal Democrat backbenchers contributed in greater numbers to bills located in more contested policy areas. Although the research design prevented inferences being made between intra-coalition policy disagreements and individual-level behaviour, the findings met with the expectations outlined in the theory of policing in the Lords. We interpreted this behaviour as backbenchers seeking to signal their preferences and concerns to ministers as policy conflict within the coalition increased. This signalling sought to decrease the risk of policy being shifted beyond what a government backbencher would be willing to accept. Backbenchers can also use debates to gather valuable information from other members in the chamber. This helps inform the future decisions of backbenchers on whether to continue policing a policy issue. However, we also recognise that debate contributions can only have limited impact on policy outcomes (Norton 2013). In policy areas where the partners disagree most, ministers are likely to pursue the greater policy benefits on offer by increasingly ignoring the concerns of government backbenchers. At this point we expect government backbenchers to turn to legislative amendments to pursue their own policy goals.

In chapter 5, we test this assertion by examining the amendment patterns of the

backbenchers. In adapting the research design, we were able to isolate the effect of policy divergence on a member's use of amendments by controlling for a number of individual-level variables. We displayed a substantive increase in the number of amendments proposed by backbenchers as the bill being targeted became more contested. We conclude from the evidence of chapters 4 and 5 that the legislative process in the House of Lords provides a means by which government backbenchers can police the coalition bargain. Further to this, we recognise a strong association between a member's professional experience and the policy areas at which they target amendments. This provided support for our preference-based theory of behaviour in the Lords outlined earlier in the thesis.

We changed the focus of analysis in chapter 6 away from the making of laws to the implementation of legislation. To achieve this, we conducted an analysis of the use of parliamentary questions as a policing mechanism. Again, we focussed the research at the level of individual government backbenchers and showed that government backbenchers targeted greater numbers of questions at departments headed by their partners as policy disagreement grew. We take this as evidence that government backbenchers used parliamentary questions to police their partners. This chapter provided further evidence of a link between the careers of members and the areas they chose to target with their questions. As stated above, the findings in these three papers strongly support the policing theory of Martin and Vanberg (2011). Yet they also raise questions of the 'keeping tabs' literature more generally.

Having found that policing occurs in the House of Lords, the likelihood that this behaviour extends to other bicameral institutions is significantly increased. Given the high proportion of systems containing two parliaments, the use of upper chambers to keep tabs on coalitions would mean that policing is likely more prolific than previously thought. Furthermore, two observations from the research conducted in this thesis suggests that policing may be more widespread still. The first is evidence of policing in the absence of direct electoral incentives. Instead we show that policy interests drive members to keep tabs on their coalition partners. This raises the prospect that policing occurs in other unelected institutional settings or in previously overlooked political contexts. Second is the use of parliamentary questions by legislators to keep tabs on the policy implementation of their partners. As questions are far more accessible than the intra-executive mechanisms and committees identified as the primary mechanisms for policing in the current literature, we would expect an increase in the volume of policing should the use of parliamentary questions be more widespread. Future research should focus on these two areas in order to determine the degree of policing occurring in parliaments.

Assuming that policing is more widespread than previously considered has interesting implications for other areas of the coalition literature. For example, coalitions

will be more stable and survive for longer than would otherwise be the case. Also, as coalition politics is a strategic and repeated game played amongst parties (Strøm 2000), we would expect bicameralism, or the greater use of less constrained parliamentary mechanisms to manage coalitions, to have an effect on the types of coalition likely to form. Similarly, a more central role for policy interests in driving policing may influence both the coalitions that different parties are willing to join and the allocation of portfolios within coalitions. Further research in these areas will increase our understanding of the influence of parliaments on coalition politics.

We also make important contributions to both the comparative literature on bicameralism and to our understanding of behaviour in the House of Lords. In illustrating a role for upper chambers in managing coalitions, we build on work identifying the more subtle influence of bicameralism (see Heller and Branduse 2014 for a review of this literature). As such, we raise questions of how bicameralism is assessed in the comparative literature. We propose a shift away from measures grounded in constitutional and compositional power struggles (Lijphart 1999; Tsebelis 2002) towards more nuanced measures. Within this framework, the findings of this thesis support recent research showing how backbenchers in the UK can influence policy from a perceived position of weakness (Russell and Gover 2017; Russell and Cowley 2016).

The results of the three analyses also support the preference-based theory of behaviour in the Lords that we outlined in chapter 2. In developing this theory, we first widened the explanation of the observed behaviour of members to the appointment process. This notes that ideologically coherent parties containing policy-interested members are the natural consequence of how members are first identified by parties and which members are likely to accept seats in the Lords. This ideological coherence within parties in the Lords then displays itself through high party voting cohesion. However, the lack of a majority for a single party in the Lords means that compromises are an essential part of effective policy-making in the chamber. Naturally, some members of a party will find these compromises unacceptable and choose to vote against their party. Added to the likelihood that members appointed for life may disagree with their party as leaders come and go, the theory we propose accounts for the less than perfect cohesion that we observe. This theory adds the dynamism that previous theories of Lords behaviour lack and so offers the prospect of a predictive behavioural theory in the chamber. Evidence that government backbenchers focused their debate contributions, amendments and questions at areas in which they had previously worked supports this theory. Future research should concentrate on developing a more general theory of behaviour in the chamber. This would include adapting the theory in this thesis to include opposition members and then testing it across different government types and majority sizes. The completion

of such a theory would help ensure that the House of Lords played a larger part in the comparative study of upper chambers.

In addition to providing support for the preference-based theory, the finding of a strong link between a backbencher's professional experience and their legislative behaviour has interesting implications for the model of representation the Lords now best fits. Prior to the 1999 reforms, the chamber closely corresponded to the elite model of representation, with the landed gentry represented through the mainly hereditary membership. The removal of all but 96 of these members and their replacement with appointed life members has changed this. Russell (2013) has interpreted the lack of a majority in the Lords as evidence that the partisan model, where the two chambers in a bicameral system are intentionally designed to contain different majorities, best explains bicameralism in the UK. Yet we argue that the link between the careers of members and their targeting of amendments and questions points to a closer resemblance to a functional model of representation than previously considered. The functional model is where members of a legislature represent professional groups, such as business people, medics or lawyers. Clearly, this link is made through examining a sub-group of members during a period of non-normal government and we propose widening the examination to other members and periods (perhaps as part of the development of a general theory discussed in the previous paragraph) before drawing more solid conclusions.

Questions are also raised about the effectiveness of the Lords as a policing institution, as well as more generally. Although we can be confident that we found evidence of policing, we did not attempt to draw conclusions about the effect of this policing on the final policy outcomes. As previously discussed, governments can override decisions made in the Lords when legislation returns to the Commons. To assess whether the House of Lords is an effective policing institution, future work would have to find ways of measuring the influence of policing on the final version of bills. This sort of research would allow analysis of how members in the Lords influence outcomes more generally. For example, do members of the Lords achieve their goals via direct conflict with the government? Or is the main function of the Lords allowing members of parties to let off steam? Further investigation in this area would offer valuable insight into the workings of the upper chamber. One suggestion might be to examine the Commons and Lords as a single entity rather than distinct chambers – as Hug (2010) has done when examining voting patterns. This would allow us to see whether party factions work across the two chambers to exert policy pressure in the less constrained environment of the Lords before then helping to enforce changes once bills return to the Commons. This would place greater emphasis on the communication and information gathering functions of debates, amendments and questions that we touched on in this thesis.

A limitation of this, and any current, research on the House of Lords is the inability to fully control for the behaviour of the Crossbench group. This group does not produce election manifestos and has been largely overlooked by expert surveys. This makes estimating policy positions for the group difficult. However, as chapter 6 shows, Crossbenchers ask a large proportion of parliamentary questions and we know this stretches to other parliamentary mechanisms (Russell and Gover 2017). We propose using cutting-edge text analysis software (Proksch and Slapin 2008) to estimate positions for the Crossbenchers from their debate contributions and questions. This could be extended back to the start of the newly reformed House of Lords in 1999. These data would provide a valuable resource for future researchers examining behaviour in the Lords and might finally answer the questions of whether the Crossbenchers are, as some claim, ‘Tories in disguise’ (Russell 2013, p.121).

The final contribution is to a greater understanding of how parties adapt to periods of coalition government in the UK. Despite the result of the December 2019 General Election, longer term trends still point to large single-party majorities becoming less likely at Westminster (Flinders 2005; Curtice 2010; Denver et al. 2012; Clarke et al. 2004; Dunleavy 2005). Further to this, party ties inside parliament have loosened in recent years (Cowley and Stuart 2012; Stuart 2018). However, we know very little about how individual members might be adapting their use of parliamentary mechanisms to achieve their goals in this changing political landscape. We show that the House of Lords offered parties a flexible arena in which they could manage the tensions of an uncommon type of government. This opens up the possibility that the UK’s upper chamber becomes more influential as it allows parties to quickly and efficiently adapt to periods of rapid political change.

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Appendix A

Chapter 3 Tables

Table A.1: All government bills examined in this study, the session in which they were introduced to parliament and the policy dimension to which they were assigned

Bill Name	Session	Policy Dimension
Academies Act 2010	2010-12	Education spending
Armed Forces Act 2011	2010-12	Law and Order
Budget Responsibility and National Audit Act 2011	2010-12	Keynesian Policy
Charities Act 2011	2010-12	Non-controversial
Civil Aviation Act 2012	2010-12	Deregulation
Consumer Insurance (Disclosure and Representations) Act 2012	2010-12	Non-controversial
Education Act 2011	2010-12	Education spending
Energy Act 2011	2010-12	Deregulation
European Union Act 2011	2010-12	EU
Financial Services Act 2012	2010-12	Deregulation
Fixed-term Parliaments Act 2011	2010-12	Constitutionalism
Health and Social Care Act 2012	2010-12	Welfare State
Identity Documents Act 2010	2010-12	Freedom/Human Rights
Legal Aid, Sentencing and Punishment of Offenders Act 2012	2010-12	Law and Order
Local Government Finance Act 2012	2010-12	Decentralisation
Local Government HL Act 2010	2010-12	Decentralisation
Localism Act 2011	2010-12	Decentralisation
London Olympic Games and Paralympic Games (Amendment) Act 2011	2010-12	Deregulation
National Insurance Contributions Act 2011	2010-12	(General) Economic goals
Parliamentary Voting System and Constituencies Act 2011	2010-12	Constitutionalism
Pensions Act 2011	2010-12	Welfare State

Continuation of Table A.1		
Bill Name	Session	Policy Area
Police (Detention and Bail) Act 2011	2010-12	Law and Order
Police Reform and Social Responsibility Act 2011	2010-12	Law and Order
Postal Services Act 2011	2010-12	State ownership
Protection of Freedoms Act 2012	2010-12	Freedom/Human Rights
Public Bodies Act 2011	2010-12	Efficiency
Scotland Act 2012	2010-12	Decentralisation
Sunday Trading (London Olympic Games and Paralympic Games) Act 2012	2010-12	(General) Economic goals
Superannuation Act 2010	2010-12	Labour Policy
Terrorism Prevention and Investigation Measures Act 2011	2010-12	Law and Order
Terrorist Asset-Freezing (Temporary Provisions) Act 2010	2010-12	Law and Order
Trusts (Capital and Income) Act 2013	2010-12	Non-controversial
Welfare Reform Act 2012	2010-12	Welfare State
Children and Families Act 2014	2012-13	Social Justice
Crime and Courts Act 2013	2012-13	Law and Order
Defamation Act 2013	2012-13	Freedom/Human Rights
Electoral Registration and Administration Act 2013	2012-13	Constitutionalism
Energy Act 2013	2012-13	Deregulation
Enterprise and Regulatory Reform Act 2013	2012-13	Growth
European Union (Approval of Treaty Amendment Decision) Act 2012	2012-13	EU
European Union (Approvals) Act 2013	2012-13	Non-controversial
European Union (Croatian Accession and Irish Protocol) Act 2013	2012-13	EU
Financial Services (Banking Reform) Act 2013	2012-13	Deregulation
Groceries Code Adjudicator Act 2013	2012-13	Deregulation
Growth and Infrastructure Act 2013	2012-13	Growth
Jobseekers (Back to Work Schemes) Act 2013	2012-13	Welfare State
Justice and Security Act 2013	2012-13	Freedom/Human Rights
Marriage (Same Sex Couples) Act 2013	2012-13	Social Justice
Mental Health (Approval Functions) Act 2012	2012-13	Non-controversial
Partnerships (Prosecution) (Scotland) Act 2013	2012-13	Non-controversial
Police (Complaints and Conduct) Act 2012	2012-13	Non-controversial
Public Service Pensions Act 2013	2012-13	Labour Policy
Statute Law (Repeals) Act 2013	2012-13	Non-controversial
Succession to the Crown Act 2013	2012-13	Constitutionalism
Welfare Benefits Up-rating Act 2013	2012-13	Keynesian Policy
Anti-social Behaviour, Crime and Policing Act 2014	2013-14	Law and Order
Care Act 2014	2013-14	Welfare State
Consumer Rights Act 2015	2013-14	Deregulation
Cooperative and Community Benefit Societies Act 2014	2013-14	Non-controversial

Continuation of Table A.1		
Bill Name	Session	Policy Area
Criminal Justice and Courts Act 2015	2013-14	Law and Order
Defence Reform Act 2014	2013-14	Militarism
Deregulation Act 2015	2013-14	Deregulation
European Union (Approvals) Act 2014	2013-14	Non-controversial
Gambling (Licensing and Advertising) Act 2014	2013-14	Deregulation
Immigration Act 2014	2013-14	Nationalism
Inheritance and Trustees' Powers Act 2014	2013-14	Non-controversial
Intellectual Property Act 2014	2013-14	Deregulation
Local Audit and Accountability Act 2014	2013-14	Decentralisation
Mesothelioma Act 2014	2013-14	Social Justice
National Insurance Contributions Act 2014	2013-14	(General) Economic goals
Northern Ireland (Miscellaneous Provisions) Act 2014	2013-14	Constitutionalism
Offender Rehabilitation Act 2014	2013-14	Law and Order
Pensions Act 2014	2013-14	Welfare State
Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014	2013-14	Democracy
Wales Act 2014	2013-14	Decentralisation
Water Act 2014	2013-14	Technology and infrastructure
Armed Forces (Service Complaints and Financial Assistance) Act 2015	2014-15	Deregulation
Counter-Terrorism and Security Act 2015	2014-15	Law and Order
Data Retention and Investigatory Powers Act 2014	2014-15	Freedom/Human Rights
House of Commons Commission Act 2015	2014-15	Efficiency
Infrastructure Act 2015	2014-15	Technology and infrastructure
Insurance Act 2015	2014-15	Non-controversial
Lords Spiritual (Women) Act 2015	2014-15	Social Justice
Modern Slavery Act 2015	2014-15	Law and Order
National Insurance Contributions Act 2015	2014-15	(General) Economic goals
Pension Schemes Act 2015	2014-15	Deregulation
Recall of MPs Act 2015	2014-15	Democracy
Serious Crime Act 2015	2014-15	Law and Order
Small Business, Enterprise and Employment Act 2015	2014-15	(General) Economic goals
Social Action, Responsibility and Heroism Act 2015	2014-15	Law and Order

Table A.2: Notes on the types of bill assigned to each policy dimension

Policy Dimension	Type of bill assigned to policy dimension
Constitutionalism	Bills related to changes to parliamentary term length, electoral changes, and modifications to the rules around succession to the crown.
Decentralisation	Legislative proposals concerning the administration and powers of local government and devolved areas of the UK.
Democracy	Legislation seeking to increase the transparency of political funding and lobbying behaviour.
Deregulation	Bills seeking to regulate charities, the aviation industry, financial services and energy services
Education Spending	Bills concerned with spending on education and the creation of new types of school
Efficiency	Bills concerning the administration of parliament and the management of public bodies.
European Union	Bills dealing with changes in the process by which EU legislation is transposed in to domestic law, the approval of EU decisions and the ratification of changes to EU treaties
Freedom/Human Rights	Legislation reversing the roll out of of identity documents and requiring the destruction of information held by government, ensuring the protection of freedoms, defamation rules and national security.
(General) Economic Goals	Bills making changes to national insurance contributions, retail trading hours, inheritance and trustee powers and how small businesses are operated.
Growth	Bills allowing for transport projects, energy provision, housing development, infrastructure projects and other enterprise proposals.
Keynesian Policy	Bills requiring government to adhere to rules on budget responsibility and placing limits on welfare spending.
Labour Policy	Bills making changes to civil service pension provision and public sector employment rights.

Continuation of Table A.2	
Policy Dimension	Type of bill assigned to policy dimension
Law and Order	Bills dealing with the armed services, police service reform, legal aid, court sentencing, detention and bail, terrorism and crime.
Militarism	Bills giving the authority for the armed forces to continue to exist and requiring the government to report to parliament on the implementation of covenants.
Nationalism	Bills making provisions to prevent people without legal status from renting houses, obtaining driving licences and opening bank accounts.
Social Justice	Bills concerning children and families, same sex marriage and negligence on the part of employers.
State Ownership	Legislation concerned with the privatisation of state-owned industry.
Technology and Infrastructure	Bills dealing with public utilities and the regulation of public infrastructure.
Welfare State	Bills concerning health and social care, pensions, unemployment benefits and welfare reform.

Table A.3: MARPOR policy category inputs, party dimension positions and policy divergence scores – Position Dimensions

	Left Position	Right Position	Dimension Score
Constitutionalism	PER203	PER204	
Liberal Democrats	0.37	0.00	-1.95
Conservative Party	0.00	0.00	0.00
		Divergence Score	1.95
Decentralisation	PER301	PER302	
Liberal Democrats	4.05	0.00	-4.20
Conservative Party	5.22	0.00	-4.76
		Divergence Score	0.56
Deregulation	PER403	PER401	
Liberal Democrats	3.07	0.25	-2.31
Conservative Party	1.80	0.63	-1.01
		Divergence Score	1.30
Education Spending	PER506	PER507	
Liberal Democrats	6.38	0.00	-4.65
Conservative Party	2.70	0.00	-4.11
		Divergence Score	0.54
European Union	PER108	PER110	
Liberal Democrats	2.21	0.49	-1.42
Conservative Party	0.99	1.44	0.36
		Divergence Score	1.78
Growth	PER416	PER410	
Liberal Democrats	0.00	0.00	0.00
Conservative Party	0.00	0.18	1.61
		Divergence Score	1.61
Keynesian Policy	PER409	PER414	
Liberal Democrats	0.00	5.28	4.47
Conservative Party	0.00	3.87	4.47
		Divergence Score	0.00
Labour Policy	PER701	PER702	
Liberal Democrats	1.84	0.00	-3.43
Conservative Party	1.08	0.00	-3.22
		Divergence Score	0.21
Militarism	PER101	PER102	
Liberal Democrats	1.60	1.60	0.00

Continuation of Table A.3			
	Left Position	Right Position	Dimension Score
Conservative Party	0.00	2.16	3.89
		Divergence Score	3.89
Nationalism	PER602	PER601	
Liberal Democrats	0.00	0.12	1.08
Conservative Party	0.00	0.63	2.71
		Divergence Score	2.92
State Ownership	PER413	PER401	
Liberal Democrats	0.37	0.25	-0.33
Conservative Party	0.00	0.63	2.71
		Divergence Score	3.04
Welfare State	PER504	PER505	
Liberal Democrats	3.68	0.12	-3.03
Conservative Party	5.22	0.90	-1.72
		Divergence Score	1.31

Table A.4: MARPOR policy category inputs, party dimension positions and policy divergence scores – Importance Dimensions

	MARPOR Category	Dimension Score
Democracy	PER202	
Liberal Democrats	0.98	-4.51
Conservative Party	3.60	-3.30
	Divergence Score	1.21
General Economic Goals	PER408	
Liberal Democrats	1.47	-4.14
Conservative Party	2.25	-3.76
	Divergence Score	0.38
Efficiency	PER303	
Liberal Democrats	5.52	-2.87
Conservative Party	8.72	-2.43
	Divergence Score	0.45
Freedom/Human Rights	PER201	
Liberal Democrats	1.72	-3.99
Conservative Party	1.80	-3.97
	Divergence Score	0.03
Law and Order	PER605	
Liberal Democrats	3.80	-3.24
Conservative Party	5.67	-2.85
	Divergence Score	0.38
Social Justice	PER503	
Liberal Democrats	3.19	-3.41
Conservative Party	0.99	-4.53
	Divergence Score	1.12
Technology and Infrastructure	PER411	
Liberal Democrats	7.48	-2.58
Conservative Party	5.04	-2.97
	Divergence Score	0.39

Table A.5: MARPOR policy category inputs, party dimension positions and policy divergence scores – Government Departments

	Left Position	Right Position	Dimension Score
Free market economy	PER401 PER402	PER403 PER412 PER413 PER415	
Liberal Democrats	2.95	3.44	0.15
Conservative Party	3.96	1.80	-0.78
		Divergence Score	0.93
Multiculturalism	PER607	PER608	
Liberal Democrats	0.00	0.37	1.95
Conservative Party	0.18	0.00	-1.61
		Divergence Score	3.56
Education spending	PER506	PER507	
Liberal Democrats	6.38	0.00	-4.65
Conservative Party	2.70	0.00	-4.11
		Divergence Score	0.54
Environmental protection	PER501 PER416	PER410	
Liberal Democrats	7.36	0.00	-4.80
Conservative Party	5.22	0.18	-3.15
		Divergence Score	1.65
Environment and agriculture	PER501 PER416	PER410 PER703	
Liberal Democrats	7.36	1.72	-1.43
Conservative Party	5.22	2.34	-0.79
		Divergence Score	0.64
Internationalism	PER107	PER109	
Liberal Democrats	5.03	0.00	-4.42
Conservative Party	4.68	0.18	-3.04
		Divergence Score	1.37
Welfare state	PER504	PER505	
Liberal Democrats	3.68	0.12	-3.03
Conservative Party	5.22	0.90	-1.72
		Divergence Score	1.31
Foreign office	PER101 PER105 PER107	PER102 PER104 PER109	

Continuation of Table A.5			
	Left Position	Right Position	Dimension Score
	PER108	PER110	
Liberal Democrats	9.09	2.21	-1.39
Conservative Party	6.12	3.78	-0.48
		Divergence Score	0.92
State involvement in economy	PER403	PER401	
	PER404	PER402	
	PER406	PER407	
	PER412	PER414	
	PER413	PER505	
	PER504		
	PER506		
	PER701		
Liberal Democrats	16.20	8.35	-0.66
Conservative Party	11.07	8.73	-0.24
		Divergence Score	0.42
Nationalism	PER602	PER601	
Liberal Democrats	0.00	0.12	1.08
Conservative Party	0.00	2.43	4.01
		Divergence Score	2.92
Militarism	PER105	PER104	
Liberal Democrats	1.60	1.60	0.00
Conservative Party	0.00	2.16	3.89
		Divergence Score	3.89
Social-Liberal Conservative	PER103	PER104	
	PER105	PER201	
	PER106	PER203	
	PER107	PER305	
	PER202	PER601	
		PER603	
		PER605	
		PER606	
Liberal Democrats	8.22	20.74	0.92
Conservative Party	8.73	28.61	1.18
		Divergence Score	0.26
Decentralisation	PER301	PER302	
Liberal Democrats	4.05	0.00	-4.20
Conservative Party	5.22	0.00	-4.76
		Divergence Score	0.56

Table A.6: Jobs: Government backbenchers in the 2010-15 House of Lords

Job	Primary	Secondary	Total
Agriculture & horticulture			
Environment and Agriculture: Consultant	0	1	1
Farmer	1	3	4
Horticulture: Director/Chair	2	0	2
Architecture, engineering & construction			
Engineer	1	1	2
Construction: Director/Chair	1	0	1
Armed forces			
Various Armed Forces	2	2	4
Banking & finance			
Accountant	2	1	3
Banking and Finance: Director/Chair	25	9	34
Banking and Finance: Various	0	1	1
Insurance Broker/Underwriter	2	0	2
Investment Banker	1	2	3
Stockbroker	1	0	1
Business & commerce			
Industry: Director/Chair	1	0	1
Manufacturing: Director/Chair	3	1	4
Other Private Sector: Director/Chair	3	3	6
Retail: Director/Chair	8	1	9
Trade Association: Director/Chair	2	2	4
Various Private Sector: Director/Chair	34	7	41
Civil service			
Various Civil Service	2	0	2
Clergy or religious			
Clergy	1	0	1
Culture, arts & sport			
Actor	1	1	2
Art Dealer	0	1	1
Athlete	3	0	3
Composer	1	0	1
Music Producer	1	0	1
Writer	1	1	2
Education & training			

Continuation of Table A.6			
Job	Primary	Secondary	Total
Education Accreditation Body: Director/Chair	1	0	1
Inspector of Schools	1	1	2
Teacher: Headteacher	1	1	2
Teacher: Secondary	3	1	4
Teacher: Various or Unknown	0	2	2
Higher education			
Academic	8	6	14
Bursar	1	0	1
University Vice-chancellor or Dean	1	0	1
International affairs & diplomacy			
Diplomat	2	0	2
European Commissioner	1	0	1
Journalism, media & publishing			
Journalist	0	3	3
Newspaper/Magazine: Editor	1	1	2
Print Media: Director/Chair	1	1	2
Publisher	0	2	2
TV/Radio: Director/Chair	1	0	1
TV/Radio: Presenter	0	1	1
TV/Radio: Producer	2	0	2
Legal professions			
Barrister	6	10	16
Judge	2	0	2
Solicitor	7	3	10
Local authority administration			
Social/Community Worker	1	0	1
Medical & healthcare			
Nurse	0	1	1
Dental Surgeon	0	1	1
Health Trust: Member or Chair	1	1	2
Psychiatrist	1	0	1
Surgeon	2	0	2
Other private sector			
Advertising	1	0	1
Advertising: Director/Chair	1	2	3
Computing: Consultant	1	1	2
Management Consultant	1	2	3

Continuation of Table A.6			
Job	Primary	Secondary	Total
Market Researcher	1	0	1
Private sector: Estate management	1	0	1
Property Developer	3	1	4
Public Relations: Director/Chair	5	1	6
Other public sector			
National Coal Board: Chair	1	0	1
Public Body: Director/Chair	4	1	5
Public Sector: Other Consultant	0	1	1
Police			
Police: Chief Superintendent	1	0	1
Political staff & activists			
Number 10 Policy Unit	2	1	3
Political Party: General Secretary/ Secretary	2	0	2
Political Party: Regional Secretary	2	0	2
Political Party: Various	6	5	11
Political: Assistant/Adviser	6	2	8
Representative politics			
Assembly Member	8	0	8
Assembly Member: First Minister	1	0	1
Council Leader	12	7	19
Councillor	2	11	13
MEP	8	1	9
MP: Chancellor of the Exchequer	3	0	3
MP: Chief Whip	5	0	5
MP: Minister	18	0	18
MP: None of the above	13	9	22
MP: Party Leader	4	1	5
MP: Secretary of State	24	0	24
MP: Shadow Cabinet or Spokesperson	6	1	7
MP: Speaker/Deputy Speaker	2	0	2
MSP	4	0	4
MSP: First Minister	1	0	1
Peer: Chief Whip	1	0	1
Peer: Front Bench	1	0	1
Peer: Government Minister	1	0	1
Peer: Government Whip	1	0	1
Peer: Minister	10	0	10

Continuation of Table A.6			
Job	Primary	Secondary	Total
Peer: None of the above	1	0	1
Peer: Opposition Spokesperson	1	1	2
Peer: Secretary of State	1	0	1
Peer: Shadow cabinet or spokesperson	1	0	1
Peer: Speaker/Deputy Speaker	1	0	1
Peer: Whip	2	0	2
Senior Member: Hong Kong Council	0	1	1
Trade Unions			
Trade Unions: Dep/Gen/National Secretary	0	1	1
Transport			
Other Transport: Director/Chair	2	0	2
Railways: Director	1	0	1
Unclassified			
Unclassified	7	7	14
Voluntary sector, NGOs & think tanks			
Charity/NGO: Director/Chair	8	4	12
Charity/NGO: Various	1	1	2
Think Tank: Director	1	0	1
Think Tank: Researcher	0	1	1
Total	334	135	469

Table A.7: Specialisms: Government backbenchers in the
2010-15 House of Lords

Specialism	Primary	Secondary	Total
Agriculture & horticulture			
farming and agriculture	1	4	5
horticulture	2	0	2
Architecture, Construction & Engineering			
engineering; general	0	1	1
engineering; civil	1	0	1
engineering; computers	0	1	1
construction and building	2	0	2
Trade, Industry & Manufacturing			
trade and industry; general	1	0	1
industry; textiles	0	1	1
manufacturing; cars	1	0	1
manufacturing; food and drink	1	2	3
manufacturing; other	3	1	4
trade associations and regulators	1	0	1
retail	8	1	9
general business/management	29	8	37
Energy and Environment			
energy; oil, gas and coal	2	0	2
Banking and Finance			
finance; general	2	0	2
finance; broking	2	0	2
finance; investments	18	14	32
finance; banking	2	1	3
accountancy	3	1	4
insurance	4	1	5
Professional Services/Consultancy			
computing and IT	1	0	1
public relations	7	1	8
advertising	2	2	4
communications	1	0	1
property	4	1	5
market research	1	0	1
Culture, Arts & Sport			
film/theatre production	1	0	1

Continuation of Table A.7			
Specialism	Primary	Secondary	Total
performing arts	2	0	0
heritage and conservation	1	0	1
creative writing	0	2	2
sport	3	0	3
art and photography	0	1	1
music industry	1	0	1
Law			
law; commercial	2	0	2
human rights	1	0	1
law; general or unspecified	13	11	24
court services	1	0	1
Media			
journalism; print	1	4	5
publishing	2	2	4
broadcasting; TV	1	1	2
TV/radio production	2	0	2
social media lobbyist	1	0	1
Medicine & Health			
medicine; general	0	2	2
nursing	0	1	1
surgery	2	0	2
mental health and psychiatry	1	0	1
dentistry	1	0	1
hospital and health trust management	1	0	1
Education			
education; general	2	4	6
education; finance	1	0	1
education; higher	1	0	1
education; vocational and further	1	0	1
education; secondary school	3	1	4
Transport			
transport; air	1	0	1
transport; ferries	1	0	1
transport; railways	1	0	1
transport; cars/roads	0	1	1
Local & Public Services			
policing	1	0	1

Continuation of Table A.7			
Specialism	Primary	Secondary	Total
local government management	1	1	2
urban regeneration and competitiveness	0	1	1
social services	2	0	2
care and carers	1	0	1
elderly and ageing	1	0	1
citizens advice	0	1	1
Defence			
Army	2	1	3
Navy	0	1	1
defence; general	1	0	1
Political & International Affairs			
politics; Westminster	99	12	111
politics; local	14	19	33
politics; London	4	0	4
Welsh affairs	4	0	4
Scottish affairs	5	0	5
Northern Irish affairs	1	0	1
EU affairs	9	1	10
Hong Kong affairs	0	1	1
politics; general	6	2	8
diplomatic relations	2	0	2
Policy/Public/Civil Service			
economics and finance policy	3	2	5
general policy development	9	5	14
Science			
microbiology	1	0	1
archaeology	1	0	1
Social Sciences			
political studies	4	2	6
history; political	0	1	1
Third Sector			
charity management	8	4	12
Religion			
religion	1	0	1
Unclassified			
Unclassified	7	7	14

Continuation of Table A.7			
Specialism	Primary	Secondary	Total
Total	334	131	465

Appendix B

Analysis of the Passage of Bills

B.1 Passage of Legislation: An Analysis of Days and Hours

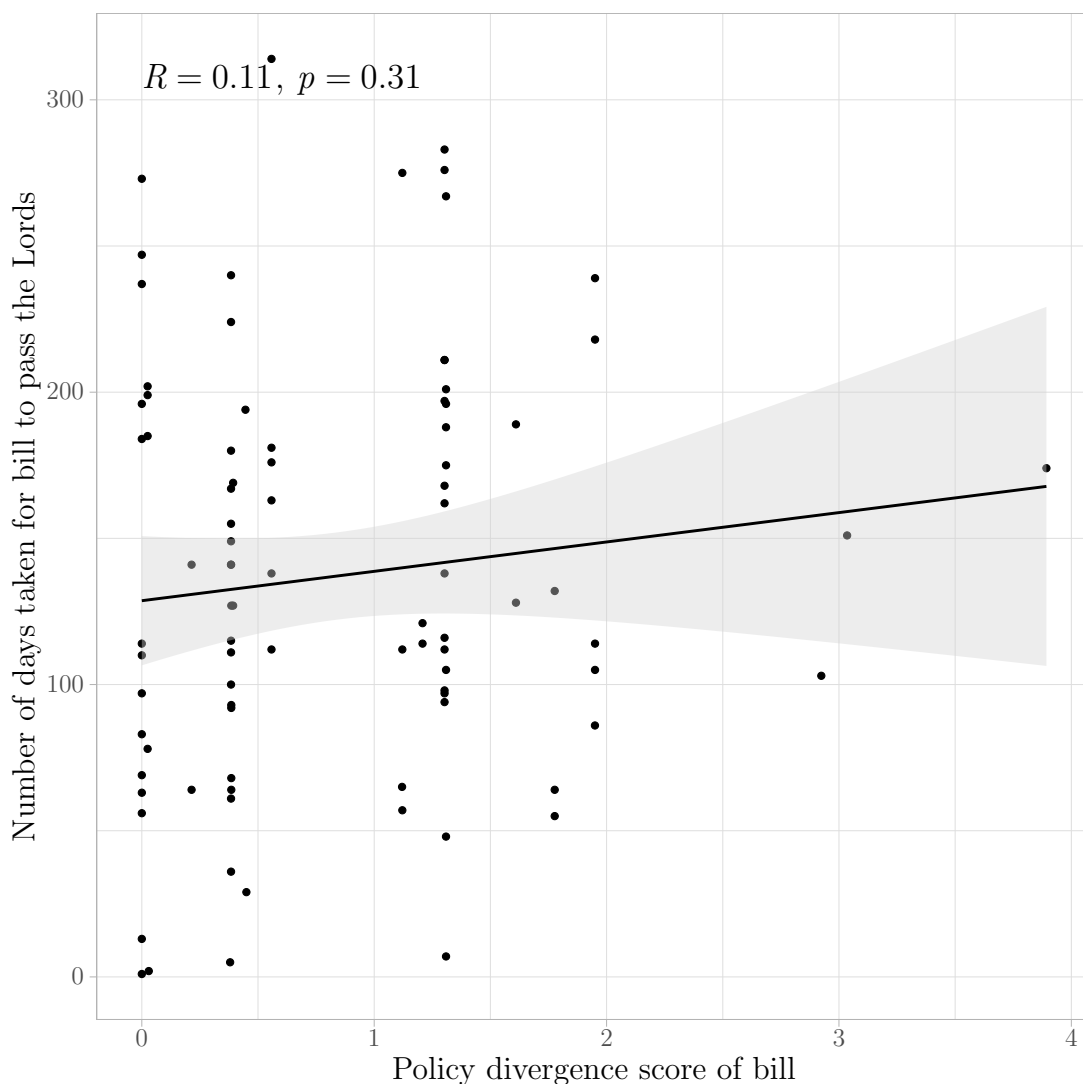
As we outlined in the Theoretical Framework chapter, the goal of this thesis is to build on the theory of policing (Martin and Vanberg 2011) by testing the theory in the context of the House of Lords. When searching for a research design, therefore, Martin and Vanberg's (2011) study was the logical starting point. However, we encountered difficulties that required this original approach to be modified to meet the peculiarities of the House of Lords. To illustrate the difficulties we encountered, this section will first show the results of an analysis conducted with the number of days a bill spent in the legislative process of the Lords as the dependent variable. We conclude that procedural factors account for the inconclusive results this analysis returns. In seeking to overcome this problem, we run the same analysis but with the dependent variable operationalised as the total hours of debate to which each bill was subjected during its Lords passage. While this solves the procedural problem encountered in the analysis of days, a further problem of adequately controlling for the actions of all members in the House of Lords arises. We finish by proposing the research design used in chapter 4.

B.1.1 Analysis of the Days of Passage

We begin with an analysis conducted by replicating the approach of Martin and Vanberg (2011) to examine the policing of legislation in the 2010-15 House of Lords. This involved a simple analysis in which the number of days a bill took to pass the House of Lords is operationalised as the dependent variable and policy divergence as the independent variable. Policy divergence is assigned to each bill using the approach detailed in section 3.2. Figure B.1 shows a scatter plot of the relationship

between a bill's policy divergence score and the days taken for a bill to pass the legislative process of the House of Lords. The results show a weak positive correlation and the finding is not statistically significant to accepted levels.

Figure B.1: Scatter plot showing the relationship between the policy divergence score of a bill and the number of days taken to pass the legislative process of the House of Lords



Note: The solid line shows the Pearson correlation and the grey shaded area the 95% confidence intervals. The R value is the numerical value of the correlation coefficient and p represents the calculated probability that the finding is wrong.

Faced with these findings, we conducted a closer examination of the passage of bills on a stage by stage basis. Bills are required to go through five stages during their passage through the House of Lords. The first reading sees a bill formally introduced to the Lords and involves only the reading of the bill's title on the floor of the chamber. The second reading is the first opportunity for members in the Lords to debate a proposal. Any member who wants to speak can contribute to the debate

on a bill. A bill then passes to the committee stage. This stage sees a line by line examination of the bill, during which members can propose amendments to the bill. Unlike in many other legislatures, the committee stage of the Lords is mostly held in the main chamber, so allowing for much greater involvement of members. The report stage of the Lords sees further detailed scrutiny of a bill, during which members can once again propose amendments. The third reading offers an opportunity to ‘tidy up’ any outstanding issues with a bill. Amendments at this stage are often used to clarify any areas of confusion. For a more detailed account of these different stages, see Besly et al. (2018, pp.219-29).

Figure B.2 shows histograms for the number of days the 90 bills took to pass the second reading, committee stage and report stage of the 2010-15 House of Lords. What is immediately noticeable is the clustering of bills around a certain number of days. This is particularly noticeable in the second reading and report stage. Closer analysis reveals that this clustering occurs around 7, 14, 21 and 28 days – in other words, a pattern based on a weekly cycle. Indeed, 58 (64%) of the 90 bills took ± 2 days of 1, 2, 3 or 4 weeks to pass the second reading stage, and 59 (66%) passed the report stage within the same time frame. Even the committee stage, which is less cyclical, saw around one-third of bills pass within this week-based cycle.

We find a simple explanation for this weekly cycle in the guidance notes for parliamentary timetabling in the Lords (Cabinet Office 2017). This guidance dictates that there must be a minimum of 14 days between second reading and committee stage, and a further 14 between the committee and report stages. A minimum of 3 days must then pass between the report stage and third reading. These guidelines clearly lead to a legislative cycle. This means that the number of days a bill took to pass the Lords is a poor proxy for the degree of policing that occurred during its passage. Indeed, a closer examination of the route that bills took through the Lords shows this clearly. Table B.1 displays six bills that took between 97 and 105 days to pass the 2010-15 House of Lords. We can see that the number of sessions held on the passage of the six bills varies considerably. While the *European Unions (Approvals) Act 2014* underwent 4 sessions of debate, the *Parliamentary Voting System and Constituencies Act 2011* saw 26 sessions. The other four bills saw 6, 6, 8 and 13 debate sessions respectively. This variance in the number of debate sessions makes it clear that the different passage that bills take through the Lords is obscured by simply counting their days of passage. In response to this, we collected data on the number of hours each of the bills was debated. We then used this as the dependent variable.

Figure B.2: Histograms showing the frequency of days taken for the 90 government bills to pass the second reading, committee stage and report stage of the 2010-15 House of Lords

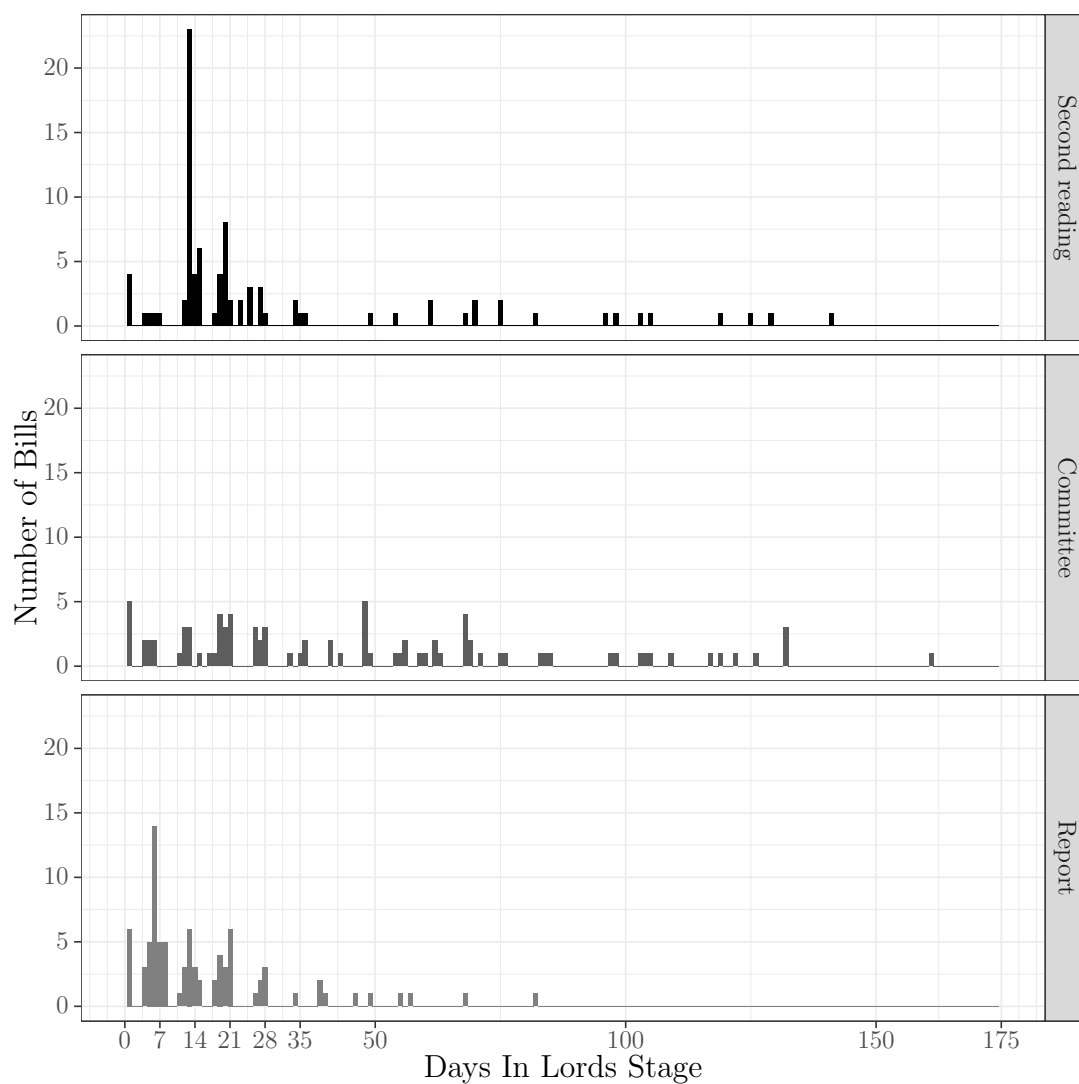


Table B.1: Comparison of the number of days taken for six bills to pass the legislative process of the House of Lords and the number of debate sessions conducted on their passage

Bill name	Days in Lords	Debate sessions
European Union (Approvals) Act 2014	97	4
Pension Schemes Act 2015	97	6
Terrorism Prevention and Investigation Measures Act 2011	100	6
Immigration Act 2014	103	13
Parliamentary Voting System and Constituencies Act 2011	105	26
Pensions Act 2011	105	8

B.1.2 The End of Days: An Analysis of the Length of Debates

In order to measure the number of hours of debate held on the passage of each bill, we collected the start and end times for 873 debates from the online record of *Hansard*. We automated this collection process by using a number of *R* software packages.¹ We show the descriptive statistics for the debate time variable in table B.2. The shortest length of time a bill was debated during its Lords passage was just 5 minutes, while the longest was debated for nearly 112 hours. The median debate time is 16.2 hours, the mean 25.5 hours and standard deviation 25.1 hours. Figure B.3 displays the results of a bivariate analysis of the relationship between the policy divergence score of a bill and the number of hours of debate to which a bill was subjected during

¹The *R* packages used to conduct the web scrapes and data cleansing are, in no particular order, *rvest*, *xml2*, *rvest*, *dplyr*, *XML*, *stringi*, *purrr*, *tidyr* and *dplyr*. These are available through the CRAN repository available at <https://cran.r-project.org/>

its passage through the House of Lords. We find a stronger positive correlation and the finding is statistically significant to the $p < 0.05$ level. This provides evidence for a correlation between rises in intra-coalition disagreements over the policy area of a bill and increases in the length of debate held on that bill. However, due to the composition of the House of Lords the validity of these findings is questionable.

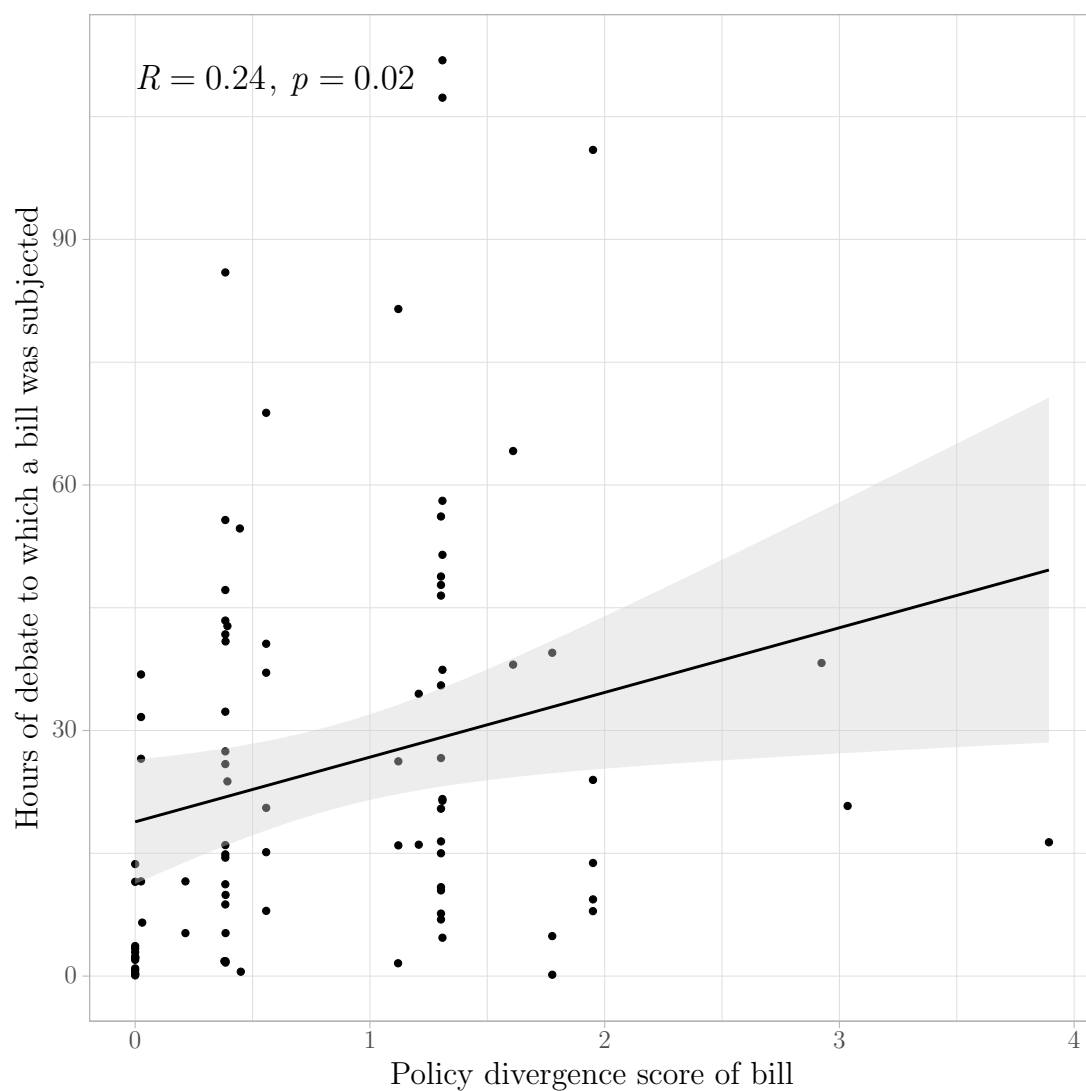
The problem we are confronted with is how to control for the legislative behaviour of the opposition in the House of Lords. While we can calculate positions for opposition parties in the chamber from their manifestos, this is not possible for the Crossbench group. The group does not produce an election manifesto and they are omitted from expert survey estimates. This means we are unable to control for the behaviour of this group and any causal links we attempt to make between intra-coalition policy divergence and debate time lack validity.

Table B.2: Descriptive statistics of the number of hours of debate the bills were subjected to during their passage through the House of Lords

	Minimum	Median	Max.	Mean	Std deviation
Number of hours a bill was debated during its passage	0.08	16.2	111.9	25.5	25.1

To overcome these difficulties, we develop a research design that isolates the behaviour of government backbenchers. For the debate chapter we operationalise the dependent variable as the number of government backbenchers that contribute at least once to debates on a bill's passage. While in the analysis of amendments and parliamentary questions, in chapters 5 and 6, the number of amendments and questions directed at a bill or department by each individual member forms the dependent variable. We also introduce a number of parliamentary- and individual-level control variables. The approach of isolating the behaviour of government backbenchers significantly reduces the effect of opposition behaviour. This means we can draw more complete conclusions about the usefulness of the House of Lords as an arena in which members can police their coalition partners.

Figure B.3: Scatter plot showing the relationship between the policy divergence score of a bill and the number of hours of debate held during its passage through the 2010-15 House of Lords



Note: The solid line shows the Pearson correlation and the grey shaded area the 95% confidence intervals. The R value is the numerical value of the correlation coefficient and p represents the calculated probability that the finding is wrong.