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Political Selection of Public Servants and Parliamentary Oversight*

Thomas Braendle[†] and Alois Stutzer[‡]

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Abstract

In this paper, we integrate the identity of legislators in a politico-economic analysis of parliamentary oversight whereby oversight activities depend on individual control costs and incentives. We focus on public servants selected into parliament who face a conflict of interests but also have lower control costs due to their experience and information advantage. If held accountable, oversight becomes a relatively attractive activity for them to win votes. Based on a novel data set for German Laender, we find that the fraction of public servants in parliament is positively related to the number of submitted parliamentary interpellations.

Keywords: Political selection, parliamentary oversight, public servants, interpellations

JEL classification: D72, D73, H11, H83

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1 Introduction

The oversight of the government and the subordinate public service is one of the constitutional core duties of the members of parliament in a democracy. It is a key aspect of the checks and balances in a system adhering to the principle of the separation of powers. Parliamentary oversight is instituted to restrict the abuse of government authority and to maintain incentives to efficiently provide public goods and services. Even though economists and political scientists alike emphasize the importance of (parliamentary) oversight to hold governments accountable, it is more often than not abstracted from the actual parliamentary control process in scientific work.¹

In this paper, we intend to contribute to a better understanding of the parliamentary oversight process in three directions. First, we explicitly study the use of parliamentary control instruments. Second, we consider parliamentary control as the result of political selection and of the institutional structure determining political competition. Third, with regard to political selection, we focus on the role of public servants as legislators in parliamentary control. We understand political selection as the process and the result of any systematic effect of institutions on the composition of political bodies in terms of the individual characteristics of its members. As to parliamentary control, political selection affects the composition of the legislature in terms of its members' individual control costs and individual motivation. The two aspects are difficult to separate though. The cost of control efforts can be lower due to skills, knowledge, an information advantage or a specific motivation to control (e.g., due to public service motivation or civic duty, etc.).

We argue that the selection of public servants into legislatures is of particular interest for understanding how political selection affects parliamentary oversight. First, parliaments across the world differ widely in the fraction of (former) public servants in their compositional structure. In the United States or the United Kingdom, there are relatively few former public servants in the national parliament as they are ineligible to run for a seat. In contrast, in the legislatures of Austria or Germany, for example, the share of public servants has often reached more than forty percent since World War II. Second, public servants might systematically differ in terms of their individual cost and motivation for parliamentary control. On the one hand, the selection of public servants to the legislature can serve as a check. If the information asymmetry between the public service and the legislature is severe (as, e.g., pointed out by Niskanen 1971), electing insiders to parliament who become accountable to the electorate might help to align interests between principals and agents. Public servants in parliament who dispose of an information

¹For our purpose, we use the terms of parliamentary control, oversight, and monitoring interchangeably. For descriptions of oversight see, e.g., Rosenthal (1981) and Patzelt (2005).

advantage with respect to public service issues and who face lower control costs enhance the monitoring competence of the elected assemblies. On the other hand, public servants in parliament compromise the principle of the (personal) separation of powers and thus face a conflict of interests. This is due to their double role as agents in public service and as principals that supervise the public service in parliament.

As a consequence, the question arises whether the specific motivation and individual control costs of public servants in parliament lead to more or less parliamentary oversight for a given level of political competition. We study this question for the institutional context of Germany and its sixteen Laender (as the federal states are called). We do this for mainly two reasons: First, parliamentary control of the government and its subordinate public service is a main task of the members of parliament in the German Laender. Most new law is enacted on the federal level while the Laender have to implement and administer it. Second, members of parliament with a public sector background are a striking feature of politics in Germany. For instance in 1988, no less than 61.6 percent of the seats in parliament in Baden-Württemberg were held by public servants. In our analysis, we take into account further aspects determining parliamentary oversight. In particular, we investigate how the electoral system, new parties and the form of government affect parliamentary control.

With respect to the instruments of parliamentary control, we focus on the most widespread instruments; i.e., major and minor interpellations and oral inquiries. By asking for detailed information and evaluations with regard to the efficient use of public funds, interpellations critically control government behavior. Information about the use of these control instruments is publicly available, subject to media attention, individually attributable and thus relevant for constituents' evaluations of a politician's performance. Consequently, we take the use of these instruments to be positively related to the strictness of parliamentary oversight.

For the empirical analysis, a unique time-series cross-sectional data set has been compiled covering three different quantitative measures of parliamentary control, spanning the period from 1946 to 2009. Additionally, we gathered data on the fraction of public servants elected to parliament and collected information on the form of government, the electoral system, new parties, and the length of legislative periods.

We find a positive correlation between the political selection variable; i.e., the fraction of public servants in parliament, and the number of parliamentary inquiries submitted. This holds in particular for minor interpellations; i.e., the main individual control instrument for efficiency control. Interestingly, this effect for minor interpellations is larger in Laender where a fraction of the legislature is elected through a majoritarian procedure (rather than through a proportional procedure). A majoritarian procedure in a mixed-member electoral system is understood to increase political competition as *individual* candidates can be held accountable by the electorate.

This is in line with a generally positive level effect of a mixed-member electoral system on the number of parliamentary inquiries. Furthermore, coalition governments by major parties are positively correlated with the number of parliamentary inquiries submitted.

This study contributes to the research on the consequences of political selection processes and on the comparative institutional analysis of parliamentary control. With regard to the former aspect, related recent empirical and theoretical work has been conducted by researchers such as Besley (2005), Gagliarducci and Nannicini (2008), Gagliarducci et al. (2010), Caselli and Morelli (2004), Galasso and Nannicini (2009), and Chattopadhyay and Duflo (2004). As to parliamentary oversight, this is related to the (often US-specific) analysis of oversight relationships and bargaining processes between the bureaucracy and the legislator (Banks and Weingast 1992, Calvert et al. 1989, Moe 1989, Niskanen 1971, 1975, Ogul and Rockman 1990, Rosenthal 1981, Weingast and Moran 1983), the (legislative) design of administrative procedures and ex ante control (McCubbins et al. 1987 and Bawn 1995, 1997), and the separation of powers (Persson et al. 1997, Grossman and Helpman 2008). Our analysis also contributes to the limited body of research on the effectiveness of legislators (Shiller 1995, Padro i Miguel and Snyder 2006, Grant and Kelly 2008), and the German political science literature dealing with state legislatures and governmental-parliamentary relationships (Holtmann and Patzelt 2004, Patzelt 2005).

Section 2 presents the main theoretical arguments about the incentives for parliamentary control with a focus on public servants elected to parliament. The arguments are complemented with a brief discussion on further relevant determinants of parliamentary oversight, in particular the electoral system. Section 3 deals with the German institutional background. The empirical analysis is presented in Section 4. A detailed description of the compiled database is followed by an econometric analysis of the partial correlations between the variables for political selection and institutional characteristics and the measures of parliamentary control. Section 5 offers concluding remarks.

2 Theoretical Considerations

The institutional structure shapes the incentives of the members of parliament to execute parliamentary oversight. Differences in motivations and skills influence their ability and individual costs to effectively control the executive bodies. In this section, we first briefly explain the importance of parliamentary oversight for the democratic process. Second, we discuss politicians' incentives, trade-offs and individual costs when deciding about resources to invest in parliamentary control. This framework is, third, extended to the case of parliamentarians with a public service background. We consider their occupational backgrounds as an important determinant of economic interests and control costs. Fourth, we take into account some additional institutional

factors affecting parliamentary oversight. Finally, the theoretical arguments are summarized in a set of hypotheses.

2.1 Relevance of Parliamentary Oversight

A major constitutional principle in a democracy is the separation of powers sustained by a set of checks and balances. This is expected to ensure a responsible executive branch. One primary check that falls within the responsibility of the legislature is the control of the government on behalf of the citizens.² The oversight function implies first and foremost the prevention, the detection and the restriction of discretionary executive abuse. The goal is to increase transparency of government behavior. Second, oversight is meant to ensure that policies announced by the government and authorized by parliament are properly implemented. This involves an efficiency control. Finally, oversight involves the critical examination of government proposals. This is often referred to as political control with respect to the (partisan) direction in which policies are developed. Overall, there is the idea that strict parliamentary oversight ensures a responsive government and thus an efficient provision of services by the subordinate public agencies.³

2.2 Incentives for Parliamentary Oversight

There are several arguments why legislators have at best moderate incentives to strictly control government behavior despite their constitutional mandate. First, strict oversight has a strong public good dimension within the legislature. Monitoring benefits the whole population and rarely favors single districts or narrowly targeted groups so that it would become individually attractive (e.g., Weingast 1984). Second, monitoring is largely ineffective because the public ministerial administration has a clear informational advantage regarding the costs of producing public services (Niskanen 1971). In particular, the lack of organizational structure and staff resources (Rosenthal 1981) as well as the longer time horizon of public ministerial agencies create a situation where the administration dominates parliament rather than being seriously supervised by it. Moreover, parliamentary attention tends to be sporadic and is often motivated by some scandal calling for control only subsequent to the event (Weingast 1984).

However, there are also incentives encouraging parliamentary oversight. This is taken as self-evident in the literature on the congressional dominance model (e.g., Calvert et al. 1989, Banks

²In political science, parliamentary functions are often separated into a legislative function, an oversight function, an elective function and a publicity function (Patzelt 2006).

³To perform the oversight mandate, parliaments have various tools at hand. For a comparative survey on oversight instruments in national parliaments see Yamamoto (2007) and Wiberg (1995).

1989, and Ferejohn and Krehbiel 1987). Politicians spent time on campaigning, legislating, services to district constituents, earning outside income and oversight.⁴ In order to win votes, politicians invest time in those activities that offer the highest political returns. For politicians with the relevant political expertise, oversight is an activity that helps them to distinguish themselves from other politicians in the competition for votes. Oversight expertise is acquired during a political career and in previous or current professions. (Aggressive) monitoring is further stimulated by media coverage since it is pursued to attract public attention and to increase one's reputation. However, the promotional advantages of publicity regarding good government and an efficient provision of public goods are limited. Stricter oversight is also expected if the (local) constituency complains about the public provision of goods and services. Constituents reduce the information costs of monitoring by reporting to their representatives. This is particularly relevant if there are well organized interest groups in the politician's district that have sufficient resources and strong incentives to keep a watchful eye on public service behavior (Banks and Weingast 1992).

Several of the previous arguments hint at the role of political competition in shaping the individual politician's cost-benefit calculus. If competitive pressure is stronger, politicians are expected to engage more often in oversight activity.

A further factor motivating oversight goes beyond narrow self-interest and refers to a duty of care and a duty of loyalty (similar to the fiduciary duties of trustees).⁵ This form of intrinsic motivation is of particular relevance if structural opportunities for oversight are weak. Structural opportunities thereby refer to staff resources, professionalization, public auditing, specialized committees, the duty to give information following parliamentary inquiries and the legal authority to compel.

It is self-evident that the different arguments are more or less relevant for individual politicians in shaping their incentives to engage in parliamentary oversight. There are individual differences in the cost benefit calculus. Political selection emphasizes this heterogeneity in the pool of people pursuing a political mandate. Politicians are expected to react in a systematically different way to a given level of political competition depending on their individual characteristics. With regard to parliamentary oversight, the individual control costs are of particular importance. Legislators with better knowledge about the functioning of the public service and better access to information about the provision of public goods and public services have relatively lower costs

⁴For a discussion about outside earnings and absenteeism, see Gagliarducci et al. (2010), for a discussion of outside earnings and electoral competition, see Becker et al. (2009), and for a comprehensive overview about politicians' outside earnings see Diermeier et al. (2005) for the US Congress and Merlo et al. (2008) for the Italian parliament.

⁵A fiduciary model of politicians' behavior is proposed in Besley (2006).

for engaging in parliamentary control. The same holds for legislators who are strongly motivated by a duty of care or loyalty. We follow this line of argument in more detail for public servants.

2.3 Public Servants as Legislators

Public servants in comparison to legislators from the private sector represent a selection of people in parliament who differ in their incentives, costs and maybe even in their intrinsic motivation for engaging in parliamentary control.

Cost advantage in parliamentary oversight

Information asymmetries between the public service and the legislature are an obstacle to parliamentary oversight. Electing public servants with a high degree of expertise in public service issues to parliament is expected to attenuate this situation. A first informational advantage in public service issues consists of specific knowledge about the proper execution of a public servant's (previous) function. A second component refers to knowledge about the general functioning of the public service as a whole. This involves familiarity with the efficiency control executed by the public employer and ultimately by the parliament. It also includes knowledge about the legal status of public servants; i.e., civil service salary law, civil service career law, and public services law as well as legal and administrative procedures in general. Consequently, representatives with a public service background can execute parliamentary control activities at comparatively lower costs. Accordingly, engaging in oversight is relatively attractive for promoting a parliamentarian's reputation and thus for winning votes. For example, a parliamentarian with a public service background is more receptive to his or her constituents' complaints about the behavior of (local) public agencies. An informational advantage, first, ensures that the costs of becoming informed about local public service nuisances are relatively low. Second, the costs of bringing an issue to parliament by means of parliamentary control instruments (e.g., interpellations) are relatively low, as well. If a public servant in parliament does not plan to return to public service, but intends to pursue a political career until retirement, monitoring becomes an attractive activity for advancement. The attractiveness of oversight activities is further increased in a majority voting system, where public servants as legislators are directly accountable to their constituents. A final argument refers to fiduciary duty. It states that a career in public service (partially) reflects public service motivation (Frank and Lewis 2004, Le Grand 2003). If such motivation carries over to behavior in political office, it contributes to a continuous monitoring of government behavior.

Conflict of interest in parliamentary oversight

Public servants face a conflict of interest due to their double role in public service and in parliament. This compromises the personal separation of powers. A large proportion of public

servants in parliament, may be interpreted as embodying a strong and direct representation of public service interests. As a consequence, the public service enjoys more discretion, which prejudices the efficient provision of public services. The private interests of public servants lead to slack that is less forcefully counteracted by legislative control when the latter is pursued by committees that largely consist of public servants.⁶ This conflict of interest counteracts the cost advantage in monitoring discussed above.

In contrast, other conflicts of interest might be weaker. Public servants in parliament enjoy guaranteed reemployment and favorable terms for leave of absence with respect to time and pay. These institutional privileges render them relatively more independent of special interests. Other parliamentarians (e.g., employees of large firms, representatives of trade unions or professional associations and secretaries of parties) may encounter similar or even more favorable conditions while holding a mandate. However, they have no legal rights to reclaim the conditions; they depend on the discretion of their (former) superiors and may be bound to a direct equivalent in terms of interest representation. In contrast to other members of parliament, public servants can thus be considered relatively independent from outside pressure and free to dedicate themselves to parliamentary duties until the end of their political office.

2.4 Additional Determinants of Parliamentary Oversight

Electoral systems and individual accountability

In a pure proportional representation system, where voters choose between party lists, individual parliamentarians do not face strict electoral accountability (e.g., Persson and Tabellini 2005). In contrast, a majority voting system and a mixed-member electoral system, where at least some members of parliament are elected on single seats, provide incentives for individual politicians to distinguish themselves from other parliamentarians or potential competitors and to build up their reputations as dutiful members of parliament. Accordingly, more frequent use of parliamentary control instruments is expected.

Parties' role in parliamentary control

Parties and their parliamentary representation, the factions, often have a constitutional duty to monitor and actively criticize government behavior. Compared to individual legislators, parties have a longer time horizon (Alesina and Spear 1988). This enhances their interest in sustained oversight activity. Accordingly, party leaders provide internal rewards, staff resources and sanctions to induce individual members of parliament to engage in oversight activity (Niskanen

⁶However, it might be argued that a coordinated behavior of public servants in parliament is difficult to implement given the heterogeneity of public servants with respect to party affiliation, branch, function and position within the public service.

1975). Moreover, (large) parties can specialize internally (Snyder and Ting 2002) to organize parliamentary control and to accumulate monitoring specific human capital. Whether or not political factions are formally allowed to initiate parliamentary instruments, they can strategically coordinate the use of these individual tools to put pressure on the executive body.

New parties entering parliament also play a relevant role with respect to parliamentary control (Kalke and Raschke 2004). Since they have to distinguish themselves from the other parties and need to become known, members of parliament belonging to a new party have an incentive to control government more strictly. Since new parties are often elected because of dissatisfaction with the government or with the parties in power, new parties are also expected to use more parliamentary control instruments to actively control government behavior.

Form of government

Parliamentary democracies experience minority governments and governments that are formed by a single party, a coalition or even a coalition of major parties. These different constellations give rise to a large set of strategic considerations when deciding about parliamentary control activity. It is argued that members of the majority party or coalition parties have little incentive to effectively control their own governmental representatives. According to this argument, the larger the majority or the coalition is, the less frequently parliamentary control instruments are used. However, the constituency of the governing majority, for the most part, holds its representatives responsible for the provision of public goods, who thus have an incentive to control the efficient provision of public services and to use the respective instruments.

It might further be argued that parties in opposition have stronger incentives to execute monitoring when they can distinguish themselves from a large fraction of representatives; e.g., in situations with coalitions of major parties. Moreover, within coalitions of major parties, oversight incentives might be strengthened as these coalitions cover a large ideological spectrum. Since such constellations are not considered to be permanent, major parties want to signal their independence by controlling the government, respectively the government representatives of the coalition partner. Summing up, no definite theoretical predictions are possible about how any one form of government is related to the overall level of parliamentary oversight.

Other factors influencing the use of parliamentary control instruments

Some use of parliamentary oversight instruments must be seen as an expression of parliamentary activism (see, e.g., Andeweg and Irwin 1993) not intended to control the government. Factors driving parliamentary activism are not investigated any further but are assumed to contribute to the general level of the use of control instruments. Level effects are also expected from the size of the legislature and from the length of the legislative periods. In larger legislatures more people are involved in parliamentary oversight, and this is expected to increase the overall use

of parliamentary control instruments (overcompensating any free-rider incentive). Similarly, a longer legislative period, respectively a larger number of parliamentary sessions, offer more possibilities for parliamentary oversight. Parliaments entrusted with designing the constitution and establishing the most fundamental institutions might concentrate on legislating. The necessary implementation of new law, for example, might, however, also provoke more parliamentary oversight.

2.5 Hypotheses on Parliamentary Oversight

In order to summarize the main arguments and to prepare for the empirical analysis, the key hypotheses are formulated:

Hypothesis 1: The lower the individual costs of parliamentary control are, the more frequently instruments of oversight (given the level of political competition) will be used. Public servants in parliament are identified as legislators with lower control costs; in particular, due to their public sector-specific information advantage. Accordingly, in legislatures with a larger proportion of public servants, there is more parliamentary oversight.

Hypothesis 2: The more parliamentarians are personally held accountable due to electoral restraints, the more effort they invest in parliamentary oversight. A mixed-member electoral system is identified as one where more legislators face the competition of single-member districts than in pure proportional representation. Accordingly, members of a legislature who are selected under a mixed-member system make more frequent use of instruments of parliamentary oversight.

Hypothesis 3: Politicians with low individual monitoring costs increase their control activities more than politicians with high costs if electoral competition is increased. Accordingly, there is more engagement in parliamentary oversight if the fraction of public servants in parliament is high and a fraction of the legislature is elected through a majoritarian procedure.

Furthermore, in legislatures with at least one new party, a more frequent use of instruments of parliamentary oversight is expected. No specific hypotheses are formulated for constitutional parliaments and for the form of government as parliamentarians face countervailing incentives to engage in oversight.

3 Institutional Background

The theoretical arguments are studied for the specific situation of public servants in German Laender parliaments.⁷ In Germany, due to centralization at the federal and European level, the remaining core competencies of the German Laender are in the areas of education, cultural affairs, administrative law, police law, municipal law, constitutional law of the Land, and media law. Thus most of these concern public service issues. An important competence is also the actual formation of the implementation rules of federal laws (*Ausführungsbestimmungen*). The latter aspect implies that most sovereign duties are executed by the public service of the Laender or local authorities. Both of these are subject to the supervision of Laender parliaments. By means of executive control, almost every (political) issue may be subject to parliamentary attention, respectively to parliamentary oversight. In fact, most of the time and resources of the parliamentary process at the Laender level (and significantly more than at the federal level) are devoted to controlling government behavior rather than to legislating (Patzelt 2006).

Parliamentarians in the German Laender have access to different instruments to pursue their oversight mandate in order to hold the government accountable. The major means for obtaining information and controlling government and public-service behavior are the power to pass the budget (*Budgethoheit*), the institution of committees of inquiry and parliamentary inquiry rights. Besides these instruments, there also exists the constructive vote of no confidence, which is a means of last resort for removing office holders of the executive branch.⁸ Some of these instruments are stipulated in the constitution. More commonly, they are part of the rules that govern parliamentary procedures (such sets of rules are called standing orders or rules of

⁷The public service in Germany includes all employees that receive public pay and have a work contract under public law. We are aware that there are differences in the legal status between the different occupational (sub)categories of the public service (i.e., public servants (*Beamte*) or employees in the public service (*Angestellte im öffentlichen Dienst*). However, for the scope of our analysis, there are no important differences regarding the conditions to run for parliament or the conditions of guaranteed reemployment after the termination of a mandate. Professionals from the public service, typically represented in parliaments, come from professions in education (i.e., teachers or university professors), are police officials, magistrates, ministers, political public servants, (senior-) officials in various fields of public administration, mayors and district administrators (*Landräte*) or employees of public enterprises. Privatizations, such as the major privatizations in the 1990s of Deutsche Post and Deutsche Telekom are taken into account. In 2005, the fraction of public servants in the working population amounted to 13.3%.

⁸Further institutions to control government behavior include, for example, the right to demand the attendance of members of the government (*Ministerzitation*), public auditing institutions (*Rechnungshöfe*), specialized offices of ombudspersons (e.g., the commissioner for the armed forces), petition committees, and the judicial review (*Normenkontrollklage*) before the German constitutional court (for an overview, see Schindler 1999).

procedures).

We focus on the parliamentary instruments of inquiry or interpellation. Parliamentary inquiries oblige the executive body to provide the information or explanation requested (Article 20, paragraph 2, of the German constitution). This includes access to documentations, unsolicited assistance and ministerial reports, and written comments. In addition, government declarations have to accommodate parliamentary control matters (Reutter 2008).

The German parliaments generally allow three types of parliamentary inquiry: major and minor interpellations and oral inquiries. Box A.1 in the appendix provides procedural details for their application. Major and minor interpellations focus on the effective use of public funds. Parliamentarians use interpellations to collect information and to demand explanations, justifications and assessments of the conditions that prevail in the various fields of public service activity. Moreover, interpellations often deal with the impact of reforms and demand from the government to thoroughly clarify its stance on the measures taken. Apart from questions that critically examine executive behavior, interpellations also include questions aiming at governments' intended policy actions. Typical areas of concern are the judiciary, the police, education, infrastructure, and the public administration. Oral inquiries are also submitted in order to collect information and to demand explanations. However, they often address current issues and matters related to news events. An example for every instrument is presented in Box A.2 in the appendix.

Summing up, procedural rules that force the government to react and the threat of launching a debate or a transformation into an interpellation of higher order generating media attention affirm the role of interpellations as strong parliamentary oversight devices. Major interpellations address issues of broader scope and contain questions reaching from constitutional concerns to government's intentions regarding possible reforms. Minor interpellations aim at narrower issues. They form the classical tool for efficiency control. For this instrument, the informational advantage of individual public servants in parliament is expected to be particularly relevant. In contrast, oral inquiries are more related to current political news and the content specifications are rather open.

4 Empirical Analysis

4.1 Data

The empirical analysis is based on a newly collected dataset on the use of parliamentary control instruments in all the parliaments of the German Laender and city states as well as on the factors influencing parliamentary oversight. Currently, there are sixteen German states. Up

to the German reunification, there were eleven states, the so-called old German Laender. The empirical analysis covers the time period since the late 1940s (with a maximum of 63 years for Bavaria and a minimum of twelve years for the new German Laender).

Parliamentary instruments of inquiry

Data on the aggregate use of interpellations and inquiries is collected from various sources. For some Laender and some time periods, descriptive studies in political science offer data.⁹ Additional information is from parliamentary handbooks (*Volkshandbücher*) and from the parliamentary online documentation systems of the Laender, which provide detailed information for recent legislative periods. In order to collect information on early legislative periods, we analyzed parliamentary printed matter or protocols as well as government declarations. These materials were provided by the parliamentary information services.

For the three instruments, i.e. major and minor interpellations and the oral inquiries, there is information for 152, 153 and 133 legislative periods respectively.¹⁰ There is no information for some early legislative periods due to data availability. Some Laender introduced oral inquiries only in later periods. We take this into account in the empirical analysis as oral inquiries are likely to have replaced some minor interpellations.

Descriptive statistics for each of the instruments is presented in Table A.1 in the appendix. On average, the number of major interpellations submitted within a legislative period is 66.6. For minor interpellations, the average number is 1,663.6, and for oral inquiries, the respective number is 545.9. Depending on the Land and the length of the legislative period, there is a large variation in the use of the instruments. In Schleswig-Holstein, there were no major interpellations submitted in the short legislative period beginning in 1987 and unexpectedly finishing only some months later in 1988. The highest number of major interpellations (i.e., 237) were submitted in the 16th legislative period in Hamburg (1997-2001). The smallest number for minor answer is seven for the 3rd legislative period in Lower Saxony (1955-1959). The largest number is 12,278 for the 4th legislative period in Saxony (2005-2009). The respective numbers for oral inquiries are 3 (Schleswig-Holstein, 1987-1988) and 2,499 (Berlin, 1990-1995).

Figure 1 traces the number of minor interpellations submitted in all the German Laender parliaments over time. In the case of Hesse, for example, data for 17 subsequent legislative periods is available covering the period from 1946 to 2008. In the first legislative period, 283 minor interpellations are observed; the peak, with 2,446 submissions, was reached in the 9th legislative

⁹In particular, we draw on Kalke and Raschke (2004), Mielke and Reutter (2004), Raschke and Kalke (1994), Reutter (2008), and Schäfer (2005).

¹⁰Regular legislative terms last either four or five years. Due to constructive votes of no confidence and coalition instabilities, some legislative periods turned out to be shorter.

period (1978-82) and in the last and shorter period (2008), 257 were submitted. For the old Laender with longer time series, neither any clear similarity nor any kind of time trend can be observed. For the new German Laender parliaments, the emerging picture is also heterogeneous. The profiles for the other two control instruments are included in Figures A.1 and A.2 in the appendix.

[Figure 1 about here]

In collecting the data on the three parliamentary inquiry instruments, we encountered some challenges. In some cases, contradictory information about the number of submitted inquiries exists. The number of minor interpellations and oral inquiries varies because some researchers and officials count only the number of inquiries that have received replies. In some sources, it is not taken into account that inquiries not replied to in time can be transformed into higher order interpellations and that an unexpected termination of a legislative period may cause unanswered inquiries. As far as we noticed such ambiguities, we clarified the observations in question with the help of the parliamentary information services.

Explanatory factors

In the empirical analysis, we take into account a large set of factors that are theoretically related to parliamentary oversight.¹¹

- o *Fraction of public servants*: This variable captures the percentage of parliamentarians with a previous or concurrent occupation in the public service. Data is from Braendle and Stutzer (2010). On average, 40.48 % of the members of the Laender parliament have a public sector background. The fraction was lowest in Lower Saxony (1947); i.e., 10.6 %, and highest in Baden-Württemberg (1988); i.e., 61.6%.
- o *Mixed-member electoral system*: This variable for the electoral system (based on Massicotte 2003) is coded 1 (0 otherwise) if some candidates are directly elected while others enter via a party list.¹² The reference category is a strictly proportional electoral system. In

¹¹We describe the explanatory variables for the largest sample; i.e., for minor interpellations.

¹²In most Laender with a mixed members system, each voter has two votes, a first vote and a second vote. The first vote is directly attributed to a candidate that represents the electoral district. The candidate that obtains the majority of first votes in the districts is elected to parliament by a direct mandate. This is the majority voting component in the electoral system. With the second vote, the citizens vote for the party which may then, in accordance with its share of party votes, send candidates from closed party lists to parliament. This is the proportional voting component in the electoral system. For a detailed description of the electoral system including the discussion of bonus seats (*Überhangmandate*), compensatory additional list seats (*Ausgleichsmandate*) and further differences between the Laender, see Massicotte (2003).

2010, 14 Laender apply a mixed-member electoral system. Within our sample period, three Laender have switched from a strictly proportional electoral system to one with a majoritarian component. No switches in the other direction have been observed. The relative frequency of a mixed-member electoral system in the data set is 73.9%.

- o *New party*: If at least one new party enters parliament in a legislative period, the variable takes value 1 (0 otherwise). This is the case for roughly one third of the legislative periods in our sample.
- o *Constitutional parliament*: Constitutional parliament is given and coded 1 (0 otherwise) if the parliament is entrusted with designing the constitution.
- o *Coalition government by major parties*: The variable for the form of government (based on Manow and Wettengel 2006) takes value 1 (0 otherwise) if the government is supported by a coalition of the major parties (CDU, Christian Democratic Party and SPD, Social Democratic Party). In 14.4% of the legislative periods, the government was composed of the two major parties.
- o *Legislative period shorter than 1.5 years*: If the legislative period turns out to be shorter than 1.5 years, the variable takes value 1 (0 otherwise).
- o *Legislative period between 1.5 and 3 years*: The variable takes the value 1 (0 otherwise) if the legislative period turns out to last between 1.5 years and 3 years.
- o *Legislative period regular 5 years*: If the regular legislative period lasts 5 years, the variable takes value 1 (0 otherwise).
- o *Oral inquiries exercisable*: If the instrument of oral inquiry is introduced separately and is exercisable, the variable takes value 1 (0 otherwise).

4.2 Results

The results are presented in several steps. We start with an overview of the partial correlations for the identified determinants of the three parliamentary control instruments. Subsequently, we focus on the analysis on minor interpellations. The use of this instrument comes closest to our theoretical considerations. Minor interpellations are mainly used for efficiency control of government and public service behavior and are individually attributable (as opposed to major interpellations). We report the results for a series of specifications (including an instrumental variable specification) based on different assumptions about unobserved factors in our time-series, cross-section data. In a last step, we provide estimation results for the interaction effect between the fraction of public servants and the electoral system.

Baseline Estimations

Table 1 presents the first set of results for the full data sample including all three control instruments and observations from the old and the new German Laender. The dependent variable is the number of submitted interpellations or inquiries in log terms. We thus estimate specifications of a semilogarithmic functional form. Accordingly, the coefficient for continuous variables shows the percentage change in the untransformed dependent variable per one-unit change in the explanatory factor. However, this interpretation of the estimated correlation coefficients does not hold for categorical (dummy) variables. As these coefficients are biased, we also report estimated mean coefficients (in square brackets) that are consistent, close to the unbiased results, and follow the interpretation of coefficients for continuous variables (Kennedy 1981).

[Table 1 about here]

As there might be time-invariant factors in some Laender that are not captured by our independent variables but that systematically affect the use of parliamentary control instruments, we take unobserved Laender-specific variation into account, including Laender fixed effects in our baseline estimations. Examples for such factors might be a Laender parliament-specific political culture or simply the size of the legislature that influences the use of the different control instruments.

For all parliamentary control instruments, we find that a higher fraction of public servants is related to more parliamentary oversight *ceteris paribus*. With regard to the size of the effects, a one percentage point increase in the fraction of public servants in parliament is associated, on average, with a 1.0% increase in the number of major interpellations submitted. For minor interpellations, the effect is 8.1% and for oral inquiries, 2.8% respectively. These results are consistent with Hypothesis 1, which emphasizes the lower individual control costs of public servants elected to parliament (given the level of political competition). Moreover, they also fit the qualitative analysis of Schrode (1977), who concludes that parliamentarians with a public sector background are more active and more critical in controlling government behavior during plenary debates than other parliamentarians.

For the further explanatory factors, we find the following partial correlations. The variable capturing a mixed-member electoral system is positively correlated with the execution of parliamentary oversight. This points in the theoretically expected direction – the more parliamentarians to be held personally accountable, the more effort is invested in parliamentary oversight. However, the coefficients have to be interpreted with caution. First, the effect is only statistically significant in the case of oral inquiries. Second, it has to be taken into account that the

coefficient is identified based on changes in the electoral system in only three German Laender. For the variable capturing constitutional parliaments, statistically significant partial correlations are observed. However, the picture that emerges is ambiguous for the different instruments of parliamentary control and we abstain from an ex post interpretation. It indicates that in legislatures that are entrusted with designing the fundamental institutions, particular (idiosyncratic) oversight dynamics are at work.

Legislatures with at least one new party are related to more frequent use of parliamentary oversight instruments. In a legislature with at least one new party, the instrument of major interpellations is, on average, used 15.9% more frequently. The existence of a coalition government by major parties is associated with a more frequent use of all parliamentary instruments. Not surprisingly, the length of the legislative period is statistically significantly related to the use of parliamentary control instruments. If we standardize the dependent variable by the length of the legislative period, qualitatively and quantitatively very similar results are obtained. With regard to the separate introduction of oral inquiries, the partial correlation indicates that there is a substantial substitution effect of oral inquiries for minor interpellations. The number of submitted minor interpellations is more than halved. Together, the explanatory factors account for 58.9% of the variation in the dependent variable major interpellations, 61.8% in the variable minor interpellations and 39.3% in the variable oral inquiries. The F-test indicates that the independent variables are jointly statistically significant.

Robustness Analyses

In Table 2, we report additional estimations for a series of specifications under different assumptions about unobserved factors affecting parliamentary oversight. We concentrate on the use of minor interpellations, the main instrument for efficiency control. The respective results for the other oversight instruments are reported in Tables A.2 and A.3 in the appendix.

[Table 2 about here]

In order to allow comparisons, Panel I repeats the baseline specification with Laender fixed effects, now restricted to the sample of the old German Laender. The specification in Panel II furthermore controls for unmeasured time-specific effects on the use of minor interpellations that might be correlated with some of the independent variables. For instance, there might be strongly disputed (political) issues in some periods that give rise to interpellations across Laender. We take unobserved time-specific variation into account, including decade fixed effects. The estimation result is still consistent with Hypothesis 1: a one percentage point increase in the fraction of public servants is related to a 2.8% increase in the number of minor interpellations submitted in a legislative period. While the size of the effect is smaller than in Panel I, it is

still highly statistically significant. For the other two instruments, we find that the variation that is related to the fraction of public servants in parliament in Panel I can also be statistically accounted for by time effects (see Tables A.2 and A.3).

All estimations, so far, are based on the assumption that all the unexplained parts of the use of the oversight instruments (i.e., the residuals) are independent across time and space. There are, however, reasons why a positive residual for a specific legislative period is positively correlated with the residual of the next period. One argument concerns the electoral advantage of incumbents. As the average length of stay in German parliaments is about two and a half periods (see, e.g., Mielke and Reutter 2004), the personal composition of one legislative period remains partly the same in the following period. Accordingly, it might be argued that the use of parliamentary oversight is partially influenced by the inertia of the personal composition of legislatures and the oversight culture that is carried over. An inspection of the results shows autocorrelation. We take this aspect into account by including a lagged dependent variable in Column III.¹³ Furthermore, we calculate panel corrected standard errors taking into account panel heteroscedasticity. This is recommended by the differential variation of the residuals across Laender parliaments. As theoretically expected, there is inertia in the use of parliamentary oversight instruments. According to Specification III, the elasticity with regard to the lagged dependent variable is 0.548. With regard to the political selection variable, a one percentage point increase in the fraction of public servants in parliament is related to a 3.9% increase in the number of minor interpellations submitted. The respective figures for major interpellations and oral inquiries are 1.5% and 2.9% (see Tables A.2 and A.3 in the appendix). Furthermore, a mixed-member electoral system is related to a more frequent use of minor interpellations.

In Panel IV, a last robustness check is executed following an instrumental variable approach. This allows for the possibility that a third variable drives the fraction of public servants in parliament as well as oversight activities and thus generates a spurious correlation between the two variables. For example, a political scandal may increase voters' demand for parliamentary oversight, and simultaneously voters may also elect more public servants as legislators. To allow a consistent estimation, we instrument the fraction of public servants with the respective institutional determinants that are not themselves explanatory variables for parliamentary oversight. These instruments are taken from Braendle and Stutzer (2010). Column IV reports the results of the second stage of the two-stage least-squares estimation.¹⁴ The effect is less

¹³Since the variable covering constitutional parliaments always coincides with the first observation in a Laender-time series, it is dropped in the third specification.

¹⁴The result of the first stage estimation for the fraction of public servants (standard errors in parentheses) is as follows: -0.056* strict incompatibility (0.035) -0.045* soft incompatibility (0.041) + 0.152* strict incompatibility x fulltime parliament (0.027) + 0.108* pension benefit (0.020) + 0.143* abeyance compensation (0.026) + 0.148*automatic promotion (0.04)

precisely estimated but again statistically significantly related to a more frequent use of minor interpellations.

Altogether, we find a robust positive effect of the fraction on public servants on the use of minor interpellations.

Interaction Effect with the Electoral System

Hypothesis 3, based on our theoretical framework, predicts that public servants in parliament face a stronger incentive to take advantage of their specific skills and information for parliamentary oversight if they are held personally accountable. This hypothesis is tested by adding an interaction term between the fraction of public servants and the presence of a mixed member electoral system to the baseline specification. The results are presented in Table 3. The variable for the fraction of public servants is mean-adjusted. Thus the coefficient for the dummy variable mixed member electoral system captures the level effect for the mean fraction of public servants in parliament.

[Table 3 about here]

We find evidence that the partial correlation between the fraction of public servants and the number of submitted minor interpellations is clearly smaller in Laender with a purely proportional electoral system than in Laender with a mixed-member electoral system. For purely proportional electoral systems, the correlation coefficients are those in the first line. For mixed member electoral systems, the correlation coefficients for the direct effect and the interaction effect have to be considered jointly. This means for Column II (including decade-fixed effects) that a one percentage point increase in the fraction of public servants is related to a small 0.6% increase in the number of submitted minor interpellations in a German Land with a purely proportional electoral system and is related to a 3.3% increase in a Land with a mixed-member electoral system. Qualitatively similar effects are found for major interpellations and for oral inquiries. However, the partial correlations are less precisely estimated (see Tables A.4 and A.5). Overall, the findings lend support to Hypothesis 3.

They are also consistent with recent findings in political economic research. Members of the Italian parliament who are elected through a majoritarian procedure are found to be less often absent from parliamentary sessions than list candidates (Gagliarducci et al. 2008). This indicates that increased electoral accountability provides incentives to devote more time to the political

-0.17*other privileges (0.021). Compared to Braendle and Stutzer (2010), the restrictive effect of the incompatibility regimes on the representation of public servants in parliament is less clearly estimated as we lose a lot of institutional variation in legislative periods for which we do not have data on the use of the parliamentary oversight instruments.

mandate. Our evidence supports this thesis and draws a link to parliamentary oversight as a key aspect of a political mandate.

5 Concluding Remarks

In this paper, we propose a framework to integrate the identity of legislators in a politico-economic analysis of parliamentary oversight. Legislators decide about the effort they invest in oversight activities depending on their individual control costs and the level of electoral competition. More parliamentary oversight is expected if the political process selects legislators with low control costs given the competition in the political market. Identity is thus understood as heterogeneity in control costs, which is driven by processes of political selection. This approach suggests that there is an interaction of institutions that shape legislators' accountability to oversee the executive branch and institutions that affect the selection of citizens into parliaments.

Our focus is on the political selection of public servants into parliament. In many countries, there is a debate about dual employment of federal and state legislators (see, e.g., Kerns and Martel 2008 for the U.S.). In particular, there are two countervailing arguments. On the one hand, public servants in parliament dispose of a high degree of expertise in public service issues and thus have lower individual costs of engaging in monitoring. Facing reelection incentives and individual accountability, public servants in parliament can serve as a check attenuating the information asymmetry between the executive and legislative branches of government. On the other hand, their double role as agents in the public service and as principals that supervise the public service in parliament generates a conflict of interest compromising their incentives for parliamentary oversight despite any cost advantage.

Our empirical findings for the German Laender parliaments support the hypothesis of a monitoring advantage of public servants. We find that a larger fraction of public servants in parliament is statistically associated with an higher number of submitted parliamentary inquiries (our indicator for parliamentary oversight). This holds, in particular, for minor interpellations. Moreover, the effect on minor interpellations is larger in Laender in which a part of the legislators is elected through a majoritarian procedure (rather than through a proportional procedure), increasing individual accountability.

Based on our results, we think that it is worthwhile to study explicitly the use of oversight instruments in order to gain insights into the actual process of parliamentary control. In a next step, the current line of argument should be extended and outcomes of the political process should be analyzed. Of particular interest are consequences of the composition of legislatures for the allocative efficiency of the public sector as well as its productivity. Altogether, the insights should provide a better understanding of when policy outcomes are more the result of

political selection or the result of holding politicians accountable, and of when both mechanisms systematically interact.

References

- Aberbach, Joel D. (1990). *Keeping a Watchful Eye. The Politics of Congressional Oversight*. Washington, D.C.: Brookings Institution.
- Alesina, Alberto and Stephen Spear (1988). An Overlapping Generations Model of Electoral Competition. *Journal of Public Economics* 37(3): 359-379.
- Andeweg, Rudy B. and Galen A. Irwin (1993). *Dutch Government and Politics*. Comparative Government and Politics. Basingstoke: Macmillan.
- Banks, Jeffrey S. (1989). Agency Budgets, Cost Information, and Auditing. *American Political Science Review* 33(3): 670-699.
- Banks, Jeffrey S. and Barry R. Weingast (1992). The Political Control of Bureaucracies under Asymmetric Information. *American Political Science Review* 36(2): 509-524.
- Bawn, Kathleen (1995). Political Control Versus Expertise: Congressional Choices about Administrative Procedures. *American Political Science Review* 89(1): 62-73.
- Bawn, Kathleen (1997). Choosing Strategies to Control the Government. Statutory Constraints, Oversight, and the Committee System. *Journal of Law, Economics, and Organization* 13(1): 101-126.
- Becker, Johannes, Andreas Peichl and Johannes Rincke (2009). Politicians' Outside Earnings and Electoral Competition. *Public Choice* 140(3-4): 379-394.
- Besley, Timothy (2005). Political Selection. *Journal of Economic Perspectives* 19(3): 43-60.
- Besley, Timothy (2006). *Principled Agents? The Political Economy of Good Government*. Oxford: Oxford University Press.
- Braendle, Thomas and Alois Stutzer (2010). Public Servants in Parliament: Theory and Evidence on Its Determinants in Germany. Forthcoming in *Public Choice*.
- Calvert, Randy, Mathew McCubbins and Barry R. Weingast (1989). A Theory of Political Control and Agency Discretion. *American Journal of Political Science* 33(3): 588-611.
- Caselli, Francesco and Massimo Morelli (2004). Bad Politicians. *Journal of Public Economics* 88(3-4): 759-782.
- Chattopadhyay, Raghavendra and Esther Duflo (2004). Women as Policy Makers: Evidence from a Randomized Policy Experiment in India. *Econometrica* 72(5): 1409-1443.

- Diermeier, Daniel, Michael Keane and Antonio Merlo (2005). A Political Economy Model of Congressional Careers. *American Economic Review* 95(1): 347-373.
- Ferejohn, John and Keith Krehbiel (1987). The Budget Process and the Size of the Budget. *American Political Science Review* 31(2): 296-320.
- Frank, Sue A. and Gregory B. Lewis (2004). Government Employees: Working Hard or Hardly Working? *American Review of Public Administration* 34(1): 36-51.
- Gagliarducci, Stefano and Tommaso Nannicini (2008). Do Better Paid Politicians Perform Better? Disentangling Incentives from Selection. IGER Working Paper No. 346, Milan: Bocconi University.
- Gagliarducci, Stefano, Tommaso Nannicini and Paolo Naticchioni (2008). Electoral Rules and Politicians' Behavior: A Micro Test. IZA Discussion Paper No. 3348, Bonn: University of Bonn.
- Gagliarducci, Stefano, Tommaso Nannicini and Paolo Naticchioni (2010). Moonlighting Politicians. Forthcoming in the *Journal of Public Economics*.
- Galasso, Vincenzo and Tommaso Nannicini (2009). Competing on Good Politicians. IZA Discussion Paper No. 4282, Bonn: University of Bonn.
- Grant, J. Tobin and Nathan J. Kelly (2008). Legislative Productivity of the U.S. Congress, 1789-2004. *Political Analysis* 16(3): 303-323.
- Grossman, Gene M. and Elhanan Helpman (2008). Separation of Powers and the Budget Process. *Journal of Public Economics* 92(3-4): 407-425.
- Holtmann, Everhard and Werner J. Patzelt (2004). *Kampf der Gewalten*. Wiesbaden: VS Verlag für Sozialwissenschaften.
- Kalke, Jens and Peter Raschke (2004). Regierungsmehrheit und Opposition in den bundesdeutschen Landtagen - eine quantitative Auswertung von Plenarprotokollen. In: Everhard Holtmann and Werner J. Patzelt (eds.). *Kampf der Gewalten*. Wiesbaden: VS Verlag für Sozialwissenschaften: 85-106.
- Kennedy, Peter E. (1981). Estimation with Correctly Interpreted Dummy Variables in Semilogarithmic Equations. *American Economic Review* 71(4): 801.
- Kerns, Peggy and Luke Martel (2008). Dual Employment: Regulating Public Sector Jobs for Legislators. *Legisbrief* 16(10). Washington: National Conference of State Legislatures.

- Le Grand, Julian (2003). *Motivation, Agency and Public Policy. Of Knights and Knaves, Pawns and Queens*. Oxford: Oxford University Press.
- Manow, Philip and Philipp Wettengel (2006). Ämterpatronage in der leitenden Ministerialbürokratie der Länder. Eine empirische Untersuchung der Stellenveränderungen vor und nach Landtagswahlen. *Die Verwaltung* 39(4): 553-570.
- Massicotte, Louis (2003). To Create or To Copy? Electoral Systems in the German Laender. *German Politics* 12(1): 1-22.
- McCubbins, Mathew, Roger Noll and Barry R. Weingast (1987). Administrative Procedures as Instruments of Political Control. *Journal of Law, Economics, and Organization* 3(2): 243-277.
- Merlo, Antonio, Vincenzo Galasso, Massimiliano Landi and Andrea Mattozzi (2008). The Labor Market of Italian Politicians. SMU Economics & Statistics Working Paper Series No. 15, Singapore: Singapore Management University.
- Mielke, Siegfried and Werner Reutter (2004). *Länderparlamentarismus in Deutschland*. Wiesbaden: VS Verlag für Sozialwissenschaften.
- Moe, Terry M. (1989). The Politics of Bureaucratic Structure. In: John Chubb and Paul Peterson (eds.). *Can the Government Govern?* Washington: Brookings Institution: 267-329.
- Niskanen, William A. Jr. (1971). *Bureaucracy and Representative Government*. Chicago: Aldine-Atherton.
- Niskanen, William A. Jr. (1975). Bureaucrats and Politicians. *Journal of Law and Economics* 18(3): 617-643.
- Ogul, Morris S. and Bert A. Rockman (1990). Overseeing Oversight: New Departures and Old Problems. *Legislative Studies Quarterly* 15(1): 5-24.
- Padro i Miguel, Gerard and James M. Snyder (2006). Legislative Effectiveness and Legislative Careers. *Legislative Studies Quarterly* 31(3): 347-381.
- Patzelt, Werner (2005). *Parlamente und ihre Macht*. Kategorien und Fallbeispiele institutioneller Analyse. Baden-Baden: Nomos.
- Patzelt, Werner (2006). Länderparlamentarismus. In: Herbert Schneider and Hans-Georg Wehling (eds.). *Landespolitik in Deutschland. Grundlagen-Strukturen-Arbeitsfelder*. Wiesbaden: VS Verlag für Sozialwissenschaften: 108-129.

- Persson, Torsten, Roland Gerard and Guido Tabellini (1997). Separation of Powers and Political Accountability. *Quarterly Journal of Economics* 112(4): 1163-1202.
- Persson, Torsten and Guido Tabellini (2005). *The Economic Effects of Constitutions*. London: MIT Press.
- Raschke, Peter and Jens Kalke (1994). Quantitative Analyse parlamentarischer Tätigkeiten der Landtage. *Zeitschrift für Parlamentsfragen* 25(1): 32-45.
- Reutter, Werner (2008). *Föderalismus, Parlamentarismus und Demokratie*. Landesparlamente im Bundesstaat. Opladen and Farmington Hills: Verlag Barbara Budrich.
- Rosenthal, Alan (1981). Legislative Behavior and Legislative Oversight. *Legislative Studies Quarterly* 6(1): 115-131.
- Schäfer, Markus (2005). *Datenhandbuch zur Geschichte des Landtags Rheinland-Pfalz 1947-2003*. Mainz: Hase & Koehler.
- Schindler, Peter (1999). *Datenhandbuch zur Geschichte des Deutschen Bundestages 1949-1999*. Baden-Baden: Nomos.
- Schrode, Klaus (1977). *Beamtenabgeordnete in Landtagen der Bundesrepublik Deutschland*. Heidelberg: Carl Winter Universitätsverlag.
- Shiller, Wendy J. (1995). Senators as Political Entrepreneurs: Using Bill Sponsorship to Shape Legislative Agendas. *American Journal of Political Science* 39(1): 186-203.
- Snyder, James M. and Michael M. Ting (2002). An Informational Rationale for Political Parties. *American Journal of Political Science* 46(1): 90-110.
- Volkshandbücher of the German Laender parliaments Baden-Württemberg, Bavaria, Berlin, Hesse, Rhineland-Palatinate, Saar, Schleswig-Holstein, North Rhine-Westphalia, Saxony, Lower Saxony, Bremen, Hamburg, Brandenburg, Saxony-Anhalt and Mecklenburg-Lower-Pomerania. Rheinbreitbach: Neue Darmstädter Verlagsanstalt.
- Weingast, Barry R. (1984). The Congressional-Bureaucratic System: A Principal Agent Perspective (with Applications to the SEC). *Public Choice* 44(1): 147-191.
- Weingast, Barry R. and Mark Moran (1983). Bureaucratic Discretion or Congressional Control? Regulatory Policymaking by the Federal Trade Commission. *Journal of Political Economy* 91(5): 765-800.

Wiberg, Matti (1995). Parliamentary Questioning: Control by Communication. In: Herbert Döring (ed.). *Parliaments and Majority Rule in Western Europe*. Frankfurt and New York: Campus Verlag.

Yamamoto, Hironori (2007). *Tools for Parliamentary Oversight*. A Comparative Study of 88 National Parliaments. Geneva: Inter-Parliamentary Union.

Figures and Tables

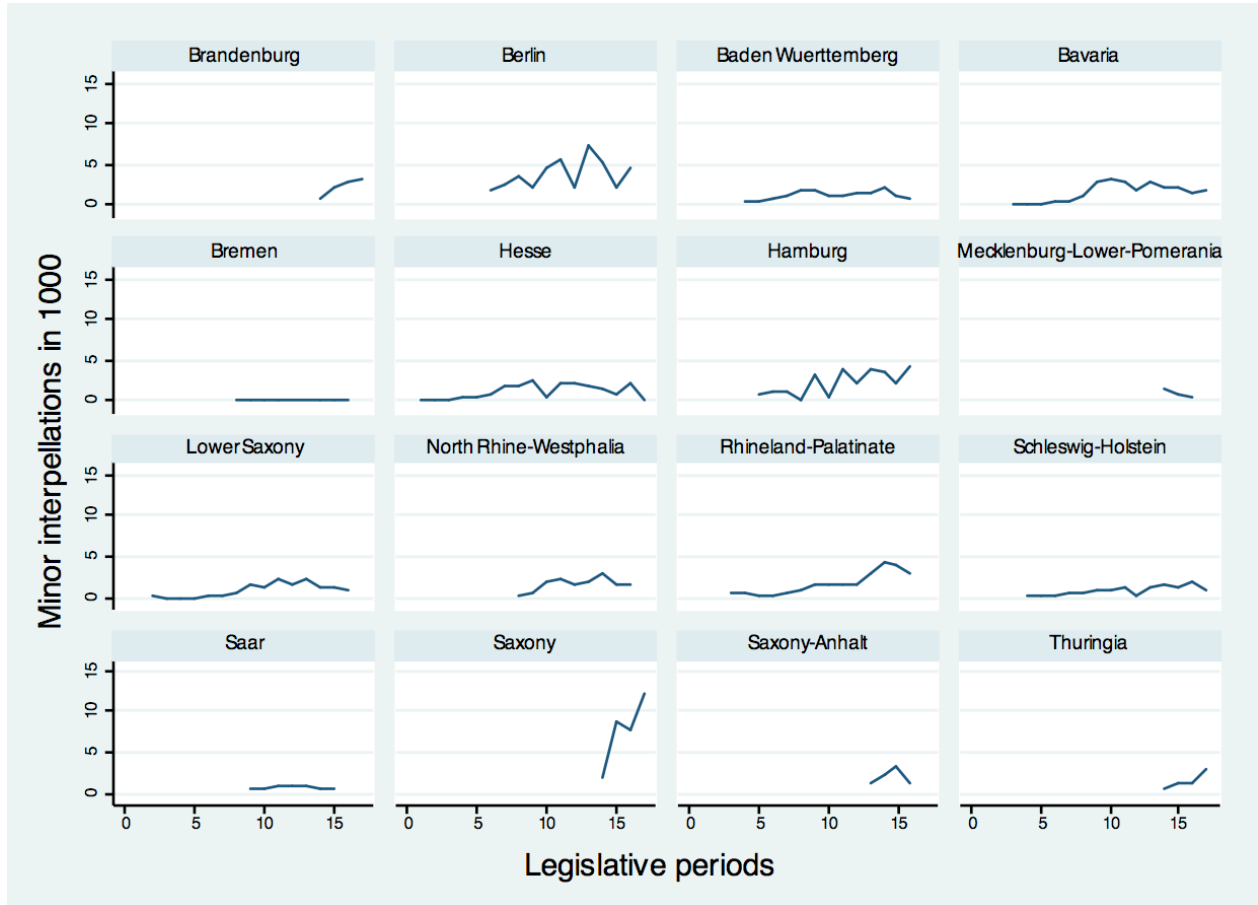


Figure 1: Use of Minor Interpellations in German Laender Parliaments

Note: The legislative periods are numbered backwards in order to obtain comparable time-series. The 17th legislative period always stands for the latest legislative period.

Sources: See Table A.1.

Table 1: Determinants of Parliamentary Control in the German Laender
 Baseline estimations for all Laender
 Dependent variables: Log of the number of the different parliamentary control instruments

	Major interpellations	Minor interpellations	Oral inquiries
Fraction of public servants	.010** (0.005)	.081*** (0.007)	.028*** (0.008)
Mixed-member electoral system	.228 (0.215) [.228]	.404 (0.344) [.412]	1.267*** (0.386) [2.297]
Constitutional parliament	.429** (0.199) [.503]	-.746** (0.319) [-.549]	.720* (0.383) [.909]
New party	.151* (0.082) [.159]	.079 (0.130) [.073]	.077 (0.143) [.069]
Coalition government by major parties	.446*** (0.127) [.550]	.367* (0.203) [.414]	.583** (0.226) [.747]
Legislative period shorter than 1.5 years	-2.534*** (0.210) [-.922]	-1.914*** (0.336) [-.861]	-1.773*** (0.442) [-.846]
Legislative period between 1.5 and 3 years	-.650*** (0.199) [-.488]	-.338 (0.318) [-.322]	-.502 (0.409) [-.443]
Legislative period regular 5 years	.206* (0.119) [.220]	.632*** (0.189) [.847]	.645*** (0.204) [.866]
Oral inquiries exercisable	.013 (0.250) [.018]	-.719* (0.401) [-.551]	
Laender fixed effects	Yes	Yes	Yes
<i>Prob. > F</i>	0.000	0.000	0.000
<i>R</i> ²	0.589	0.618	0.393
<i>N</i>	152	153	133

Notes: See next page.

Continuation of Table 1.

Notes: Partial correlations from OLS regressions. Standard errors in parentheses. Significance levels: * $.05 < p < .1$, ** $.01 < p < .05$, *** $p < .01$.

In all estimations for the log number of major interpellations, we used a $\text{Ln}(\text{major interpellation} + 1)$ transformation in order to make use of the one legislative period, in which no major interpellation was submitted).

The values in square brackets accommodate the fact that we use a semilogarithmic functional form with dummy variables. The coefficients of the percentage change for all dummy variables are computed using the post estimation Stata command “logdummy”.

Sources: See Table A.1.

Table 2: Determinants of Minor Interpellations in the Old German Laender
 Refined estimations
 Dependent variable: Log of the number of minor interpellations

	I	II	III	IV
Lagged Ln(number of minor interpellations)			.548*** (0.070)	
Fraction of public servants	.084*** (0.008)	.028*** (0.009)	.039*** (0.008)	.112*** (0.012)
Mixed-member electoral system	.397 (0.369) [.389]	.205 (0.281) [.180]	.486* (0.281) [.563]	.139 (0.396) [.063]
Constitutional parliament	-.575 (0.527) [-.510]	-.004 (0.610) [-.173]		-.611 (0.554) [-.534]
New party	.029 (0.136) [.020]	.081 (0.102) [.079]	.093 (0.101) [.092]	.014 (0.143) [.035]
Coalition government by major parties	.308 (0.247) [.320]	.294 (0.189) [.318]	.180 (0.161) [.182]	.409 (0.261) [.455]
Oral inquiries exercisable	-.691 (0.461) [-.550]	-1.241*** (0.346) [-.728]	-.447 (0.290) [-.387]	-1.054** (0.497) [-.692]
Control for length of legislative periods	Yes	Yes	Yes	Yes
Laender fixed effects	Yes	Yes	Yes	Yes
Decade fixed effects		Yes		
<i>Prob. > F</i>	0.000	0.000	0.000	0.000
<i>R</i> ²	0.632	0.815	0.849	0.735
<i>N</i>	134	134	122	134

Notes: Specifications I-II: Partial correlations from OLS regressions. Specification III: Panel-corrected standard errors taking into account panel heteroskedasticity. Specification IV: Instrumental variable estimation. Significance levels: * .05 < *p* < .1, ** .01 < *p* < .05, *** *p* < .01. Due to one gap, Specification III includes only 122 observations instead of 123.

For further explanations see the notes in Table 1.

Sources: See Table A.1.

Table 3: Interaction Effect of the Electoral System and the Fraction of Public Servants on Minor Interpellations in the Old German Laender
 Dependent variables: Log of the number of minor interpellations

	I	II
Mean-adjusted fraction of public servants	.057*** (0.013)	.006 (0.011)
Mixed-member electoral system	.427 (0.359) [.437]	.205 (0.271) [.183]
Mean-adjusted fraction of public servants x mixed-member electoral system	.040*** (0.015)	.033*** (0.011)
Constitutional parliament	-.674 (0.515) [-.554]	.162 (0.591) [-.013]
New party	.042 (0.133) [.034]	.087 (0.098) [.086]
Coalition government by major parties	.366 (0.241) [.401]	.362* (0.184) [.412]
Oral inquiries exercisable	-.683 (0.448) [-.543]	-1.201*** (0.334) [-.715]
Control for length of legislative periods	Yes	Yes
Laender fixed effects	Yes	Yes
Decade fixed effects		Yes
<i>Prob. > F</i>	0.000	0.000
<i>R</i> ²	0.654	0.830
<i>N</i>	134	134

Notes: Partial correlations from OLS regressions. Standard errors in parentheses. Significance levels: * $.05 < p < .1$, ** $.01 < p < .05$, *** $p < .01$.

For further explanations see the notes in Table 1.

Sources: See Table A.1.

Appendix

Box A.1: Control Instruments in German Laender Parliaments

Major interpellation

Major interpellations (often called *grosse Anfrage* or *Interpellation*) are addressed to the government, are submitted in the form of a detailed written request to the president of the parliament, and have to be signed by a parliamentary group, a faction or by a minimum of five to fifteen legislators.¹⁵ The government is requested to provide a written reply within six weeks. After a reply is received, the interpellation is placed on the plenary agenda, and if the submitting group insists, a debate must take place. Prior to a debate, one of the questioners is allowed to present additional arguments backing the submitted interpellation. After the debate, parliamentarians can induce a motion for a resolution to express their opinion on the subject of the interpellation or the government's reply to it.

Minor interpellation

Minor interpellations (often called *kleine* or *schriftliche Anfrage*) are submitted by individual legislators in the form of a detailed written request containing up to ten specific questions. The government is expected to reply to the minor interpellation, in writing, within two weeks. The answer is published as parliamentary printed matter. If a minor interpellation is not answered in time, rules of procedure stipulate a transformation into a major interpellation.

Oral inquiry

The procedure for oral inquiries is similar to the one mentioned for minor interpellations. They are also submitted by individual legislators in the form of a written request containing up to five specific questions. They must be sent some days before the next plenary debate takes place (previous notice). Their authors read them out and the government has to give an oral answer. Moreover, follow-up questions are allowed, and the author is asked to express his or her (dis)satisfaction with the answer provided. If oral questions are not answered, the government has to deliver a written reply; otherwise, it is put forward to a minor interpellation.

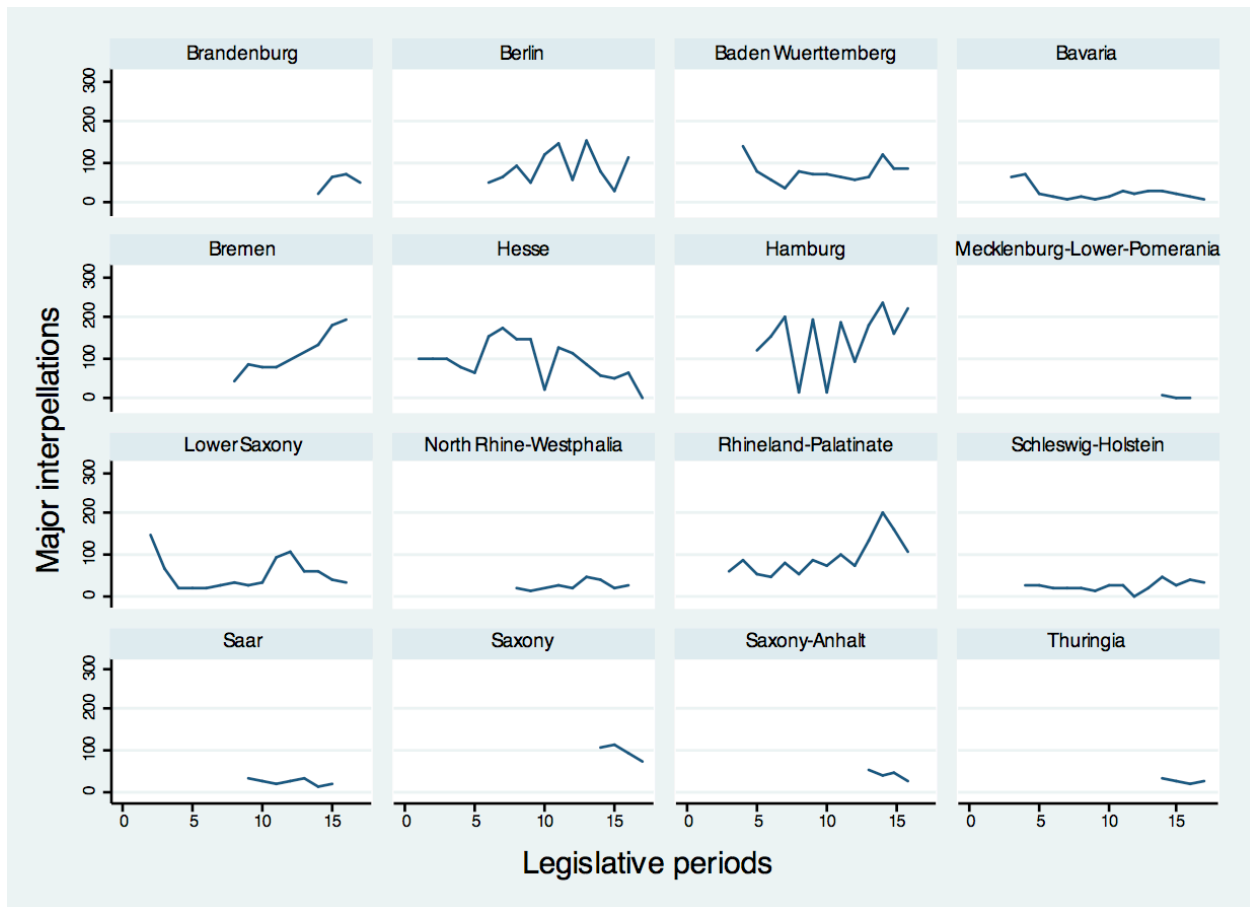


Figure A.1: Use of Major Interpellations in German Laender Parliaments

Note: The legislative periods are numbered backwards in order to obtain comparable time-series. The 17th legislative period always stands for the latest legislative period.

Sources: See Table A.1.

Box A.2: Examples for the Different Parliamentary Control Instruments

Major interpellation

The example of a major interpellation is taken from the 14th legislative period of the parliament of Baden-Württemberg. It was executed on February 26, 2007 (parliamentary printed matter 14/964) and submitted by the Social Democratic Party (SPD). The parliamentarians who explicitly signed were Vogt, Gall and Stickelberger.

The major interpellation was eight pages long. The reply was 30-pages long and contained detailed information and clarifications. The first part of the interpellation is reproduced in a rough translation.

Topic: Consequences of the administrative reform in Baden-Württemberg

School administration

- 1. How does the ministerial administration evaluate the outcome of the reform of the educational system so far?*
- 2. What consequences does the restructuring of the public school oversight authorities have on the quality of oversight?*
- 3. What concrete measures does the education ministry implement to guarantee the new quality standards in schools following the reform?*
- 4. What is the impact of the reform on the public education budget? Has the public spending constraint already been reached?*
- 5. How large has the reduction in employment in public education administration been so far? How will this develop in the upcoming years, and what impact will the policy of ensuring the quality of oversight have on public education?*
- 6. How does the public education administration achieve the reduction in the number of public education employees and guarantee personnel transfer for the staff that have to leave, and what measures are employed to prevent cases of hardship?*
- 7. What are the criteria for evaluating the educational system reform; who conducts this evaluation; and how is it conducted? What costs are incurred in the process?*
- 8. Which criteria are used to measure the reforms success?*

In the same major interpellation, similar inquiries were made concerning the forestry commission and administration reforms regarding land consolidation, road construction and economic control services.

Minor interpellation

The example of a minor interpellation is taken from the 4th legislative period of the parliament of Mecklenburg-Lower-Pomerania. It was executed on November 26, 2003 (parliamentary printed matter 4/919). The interpellation was submitted by Harry Glawe, a member of parliament with a public service background.

Topic: Status of employee ill-health in the ministerial administration of Mecklenburg-Lower-Pomerania

- 1. The government ministries of Mecklenburg-Lower-Pomerania conduct a very different policy regarding the reporting of employee ill-health statistics. Are there particular reasons?*
 - 2. Do flexible vacation days influence the time structure of employee ill-health absences? Are the absences recorded, and if so, how detailed are the records?*
 - 3. How many members of staff are ill for more than six weeks (give as a percentage also)? Please give detailed information for each ministry. How has the number of absences of more than six weeks owing to ill-health developed over the past five years?*
 - 4. What is the annual average number of ill staff? What is the ratio of annually ill staff to annual working hours?*
 - 5. What criteria does the government apply in appraising the average level of staff ill in relation to the annual working hours?*
 - 6. What criteria does the government apply in appraising a comparison between the different ill-health statistics of the individual ministries?*
 - 7. How do these figures compare with parallel government institutions in other German regions?*
-

Oral inquiry

The example of an oral inquiry is taken from the 4th legislative period of the parliament of Mecklenburg-Lower-Pomerania. It was executed on June 29, 2006 (parliamentary printed matter 4/2342). The interpellation was submitted by Dr. Ulrich Born and directed towards the economics ministry.

Topic: The competitiveness of Mecklenburg-Lower-Pomerania

In a recent study of the Bertelsmann Foundation (2005) on the competitiveness of the German Laender, the state of Mecklenburg-Lower-Pomerania ranks penultimate with regard to its economic attractiveness as well as with regard to its political attractiveness (the political effort undertaken to improve economic conditions).

- 1. How does the government assess these results?*
- 2. What concrete strategies are envisaged for improving the position of Mecklenburg-Lower-Pomerania in the near future?*

Note: The examples are not translated literally but with regard to content.

Sources: Parliamentary online documentation services.

Table A.1: Descriptive Statistics for the Dependent and Independent Variables

	Number of LPs	Mean	Std. dev.	Min.	Max.
<i>Dependent variables</i>					
Major interpellations	152	66.583	53.56	0	237
Minor interpellations	153	1663.634	1723.853	7	12278
Oral inquiries	133	545.871	546.931	3	2499
<i>Independent variables</i>					
Fraction of public servants	153	40.481	10.363	10.60	61.60
Personal proportional representation	153	.739	.492	0	1
Constitutional parliament	153	.059	.236	0	1
New party	153	.333	.473	0	1
Coalition government by major parties	153	.144	.352	0	1
LP shorter than 1.5 years	153	.037	.178	0	1
LP lasting between 1.5 and 3 years	153	.039	.195	0	1
LP lasting regular 4 years	153	.686	.465	0	1
LP lasting regular 5 years	153	.242	.429	0	1
Oral inquiries exercised	153	.346	.477	0	1

Note: LP stands for legislative period.

Sources: For the dependent variables, see Kalke and Raschke (2004), Mielke and Reutter (2004), Raschke and Kalke (1994), Reutter (2008), Schäfer (2005), and various parliamentary handbooks and parliamentary documentation systems.

For the independent variables, see Braendle and Stutzer (2010) for the fraction of public servants, Massicotte (2003) for the coding of the variable electoral system, and Manow and Wettengel (2006) for the coding of the form of government. For all other variables, the coding is based on information from the *Bundes-* or *Landeswahlleiter*.

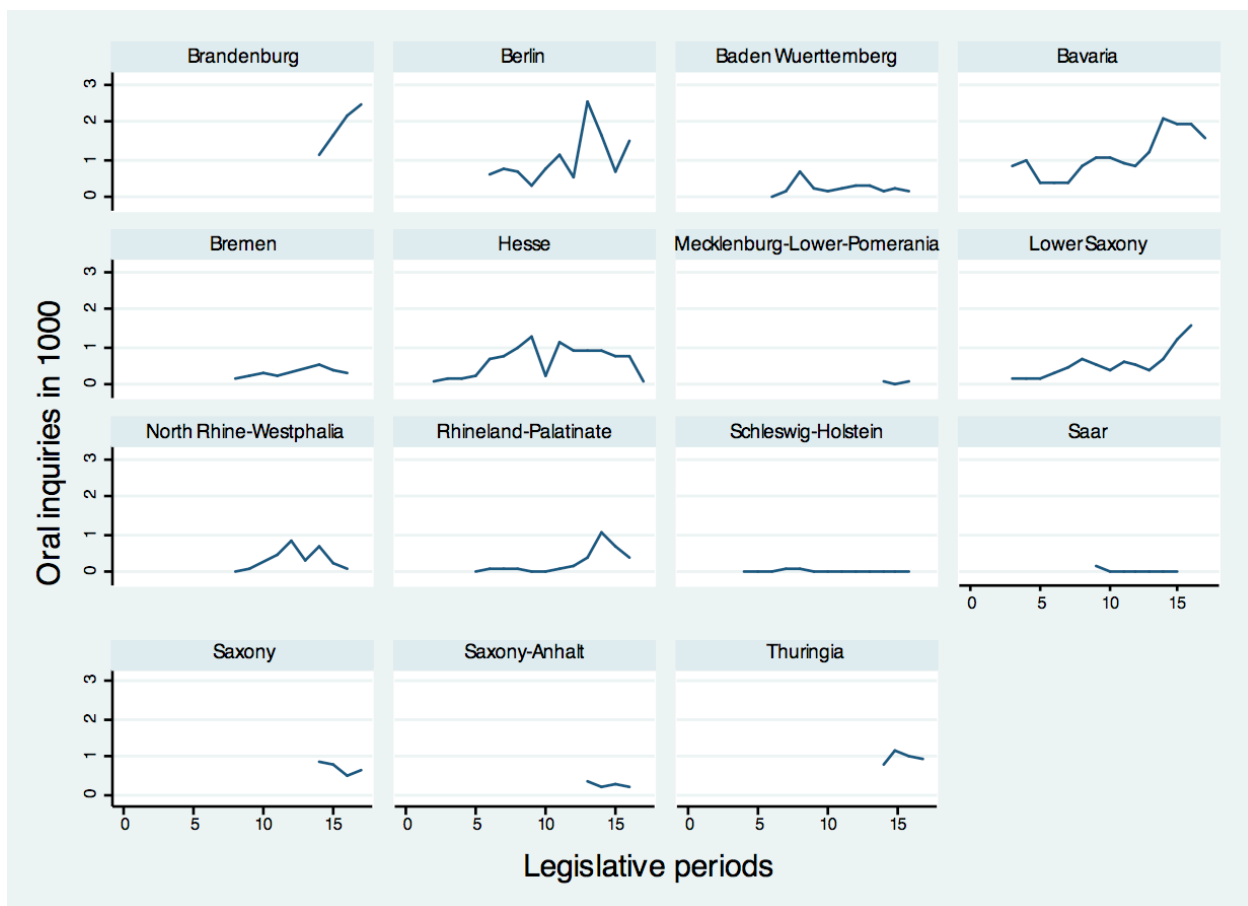


Figure A.2: Use of Oral Inquiries in German Laender Parliaments

Note: The legislative periods are numbered backwards in order to obtain comparable time-series. The 17th legislative period always stands for the latest legislative period.

Sources: See Table A.1.

Table A.2: Determinants of Major Interpellations in the Old German Laender
 Refined estimations
 Dependent variable: Log of the number of major interpellations

	I	II	III	IV
Lagged Ln(number of major interpellations)			.308*** (0.061)	
Fraction of public servants	.010** (0.005)	-.001 (0.008)	.015*** (0.004)	.007 (0.007)
Mixed-member electoral system	.296 (0.228) [.309]	.389* (0.230) [.437]	.111 (0.202) [.095]	.320 (0.233) [.340]
Constitutional parliament	.597* (0.326) [.723]	.640 (0.499) [.674]		.601* (0.326) [.729]
New party	.167* (0.084) [.177]	.149* (0.831) [.156]	.247*** (0.072) [.276]	.168** (0.084) [.178]
Coalition government by major parties	.455*** (0.152) [.558]	.513*** (0.155) [.650]	.350*** (0.115) [.410]	.446*** (0.154) [.543]
Oral inquiries exercisable	.129 (0.284) [.092]	.291 (0.283) [.286]	-.291 (0.200) [-.267]	.163 (0.292) [.128]
Control for length of legislative periods	Yes	Yes	Yes	Yes
Laender fixed effects	Yes	Yes	Yes	Yes
Decade fixed effects		Yes		
<i>Prob. > F</i>	0.000	0.000	0.000	0.000
<i>R</i> ²	0.613	0.659	0.866	0.812
<i>N</i>	133	133	119	133

Notes: Specifications I-II: Partial correlations from OLS regressions. Specification III: Panel-corrected standard errors taking into account panel heteroskedasticity. Specification IV: Instrumental variable estimation. Significance levels: * $.05 < p < .1$, ** $.01 < p < .05$, *** $p < .01$.

Due to three gaps in the sample, Specification III includes only 119 instead of 122 observations. For further explanations see the notes in Table 1.

Sources: See Table A.1.

Table A.3: Determinants of Oral Inquiries in the Old German Laender
Refined estimations
Dependent variable: Log of the number of oral inquiries

	I	II	III	IV
Lagged Ln(number of oral inquiries)			.271*** (0.091)	
Fraction of public servants	.031*** (0.008)	.007 (0.014)	.029*** (0.007)	.032*** (0.012)
Mixed-member electoral system	1.39*** (0.458) [2.616]	1.35*** (0.445) [2.505]	.762* (0.413) [.966]	1.37*** (0.466) [2.534]
Constitutional parliament	1.224 (0.932) [1.203]	.614 (0.947) [.180]		1.23 (0.932) [1.211]
New party	.068 (0.157) [.058]	.114 (0.153) [.107]	.151 (0.119) [.155]	.067 (0.157) [.056]
Coalition government by major parties	.668** (0.293) [.869]	.761** (0.304) [1.045]	.518*** (0.154) [.659]	.676** (0.296) [.882]
Control for length of legislative periods	Yes	Yes	Yes	Yes
Laender fixed effects	Yes	Yes	Yes	Yes
Decade fixed effects		Yes		
<i>Prob. > F</i>	0.000	0.000	0.000	0.000
<i>R</i> ²	0.407	0.487	0.902	0.823
<i>N</i>	114	114	102	114

Notes: Specifications I-II: Partial correlations from OLS regressions. Specification III: Panel-corrected standard errors taking into account panel heteroskedasticity. Specification IV: Instrumental variable estimation. Significance levels: * $.05 < p < .1$, ** $.01 < p < .05$, *** $p < .01$. Due to two gaps in the sample, Specification III includes only 102 instead of 104 observations. For further explanations see the notes in Table 1.

Sources: See Table A.1.

Table A.4: Interaction Effect of the Electoral System and the Fraction of Public Servants on Major Interpellations in the Old German Laender
 Dependent variable: Log of the number of major interpellations

	I	II
Mean-adjusted fraction of public servants	.006 (0.008)	-.006 (0.010)
Mixed-member electoral system	.300 (0.229) [.315]	.389* (0.230) [.437]
Mean-adjusted fraction of public servants x mixed-member electoral system	.006 (0.009)	.008 (0.009)
Constitutional parliament	.582* (0.327) [.697]	.682 (0.502) [.744]
New party	.169** (0.085) [.179]	.150* (0.083) [.158]
Coalition government by major parties	.464*** (0.153) [.571]	.530*** (0.156) [.678]
Oral inquiries exercisable	.130 (0.285) [.093]	.302 (0.284) [.299]
Control for length of legislative periods	Yes	Yes
Laender fixed effects	Yes	Yes
Decade fixed effects		Yes
<i>Prob. > F</i>	0.000	0.000
<i>R</i> ²	0.614	0.662
<i>N</i>	133	133

Notes: Partial correlations from OLS regressions. Standard errors in parentheses. Significance levels: * $.05 < p < .1$, ** $.01 < p < .05$, *** $p < .01$.

For further explanations see the notes in Table 1.

Sources: See Table A.1.

Table A.5: Interaction Effect of the Electoral System and the Fraction of Public Servants on Oral Inquiries in the Old German Laender
 Dependent variable: Log of the number of oral inquiries

	I	II
Mean-adjusted fraction of public servants	.010 (0.016)	-.011 (0.188)
Mixed-member electoral system	1.328*** (0.456) [2.399]	1.306*** (0.443) [2.347]
Mean-adjusted fraction of public servants x mixed-member electoral system	.029 (0.019)	.026 (0.018)
Constitutional parliament	.739 (0.978) [.297]	.186 (0.988) [-.261]
New party	.074 (0.156) [.064]	.115 (0.152) [.109]
Coalition government by major parties	.704** (0.293) [.938]	.805** (0.304) [1.135]
Control for length of legislative periods	Yes	Yes
Laender fixed effects	Yes	Yes
Decade fixed effects		Yes
<i>Prob. > F</i>	0.000	0.000
<i>R</i> ²	0.422	0.498
<i>N</i>	114	114

Notes: Partial correlations from OLS regressions. Standard errors in parentheses. Significance levels: * $.05 < p < .1$, ** $.01 < p < .05$, *** $p < .01$.

For further explanations see the notes in Table 1.

Sources: See Table A.1.