

The Danish Folketinget: Some Notes

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1) Description of Institutional Arrangements

The electoral system is highly proportional in the sense that the parties' shares of seats in parliament are very close to their shares of the public vote. However, generally they must pass a two percent threshold. The Danish system of proportional representation is a list system with seat allocation taking place at two levels, a multi-member constituency (lower) level and a national (higher) level. For this reason, it is often described as a two-tier allocation system and classified with other electoral systems with the same basic properties - such as Sweden, Norway, and Iceland, Germany and Estonia, post-1995 New Zealand, and South Africa.

There is only one chamber, called the Folketing, which has 179 members. Two seats go to the Faeroe Islands, and two to Greenland while the remaining 175 consist of 1) 135 "direct" seats allocated by proportional representation (modified St.-Laguë) in 3 regions made up of 17 multi-member constituencies and 2) 40 compensatory seats aiming at an even higher degree of proportionality (the aim for the entire allocation of seats is based on Hare's quota with largest remainders). A party gets to be represented in parliament (and thereby also wins its rights to its share of the compensatory seats), if it

wins at least one direct seat, or if it gets at least two percent of the popular vote in Denmark, or if it has received in at least two of the three regions of Denmark as many votes as the average number of valid votes cast per direct seat in that main area.

Individuals may run for parliament but depending on definitions only one MP who did not represent a party has been elected since 1953 (the year of the latest constitution).

An interesting aspect of who gets to fill each party's gained seats is the preferential voting feature of the Danish electoral system. The system specifies that an individual voter can only cast one vote, which must be cast for either the party (a party vote), or for a particular candidate on the party's ballot (a preferential or personal vote). Both kinds of votes count equally for the party in question in relation to seat allocation. Each candidate is credited with all preferential (personal) votes given to him/her plus a share of the votes cast for his/her party as such (the party votes). How this share is calculated depends on the type of list organization used by the party in the multi-member constituency in question. Thus the system is partly personalized.

For detailed info on how the electoral system works, step by step, visit:

<http://www.folketinget.dk/BAGGRUND/00000048/00232623.htm#E31E1>

2) Description of Parliamentary Procedure

Most bills are proposed by the government proposes, although members of the opposition parties may propose bills as well. Another category is represented by parliamentary resolutions. Opposition parties (parties that are not part of the cabinet) use these vehicles to ask the government to submit a bill according to specific detailed instructions. Resolutions are read only twice.

For bills, there are three readings, each of which may end with a division, but formally only the last reading must be completed by a regular (formal) division. Normally a bill is submitted to committee after the first reading, although some bills also go to committee between the second and third readings.

At first reading there are no amendments, the bill is discussed and referred to the committee. The committee decides whether to present a report or pigeonhole the bill. Committees have gatekeeping power, although there are internal challenges to committee gatekeeping. The report, if made, contains recommendations to the chamber, the position of the parties, as well as amendments, if any.

Parties are represented in the committees in roughly the same proportion as in parliament, and committee members act as party representatives. In 1998 there were 24 standing committees, almost all with 17 members plus a number of substitutes. Currently, the rules of parliament state that a minority's wish for a report ought to be followed if it is supported by at least 2/5 of the committee members.

The committee chair is not believed to play an important political role in the legislative process. Committee chairmanships are primarily attractive because the chairs have relatively easy access to the media.

As is typical in legislative settings, parliament decides on proposed amendments after the second reading and (if there are any new ones) at the stage of the third reading. Usually a bill goes directly to the third reading, from the second, but it is possible that between these two readings the bill is referred again to a committee for a "supplementary report." This may or may not be decided with a regular division. At the end of the process parliament votes on the bill as changed by passed amendments.

To become law the bill must be signed by a minister and the Monarch. The Danish monarch does not seem to have a political role in the Danish legislative process. At least a third of the members of parliament may demand a referendum on most bills.

Votes are recorded at the request of 17 members. The Speaker can also decide to record a vote if he has any doubts about the vote. A quorum requires that more than half the members be present and take part in voting; members who abstain are regarded as participating to voting; but their votes are not included in the calculations – and a resolution passes when yeas are greater than nays.

3) Review of Core Arguments in Danish Legislative Research

Skjaeveland (2001) investigates explanations for the very high level of cohesion of Danish legislative parties. Party cohesion is very high, but it is important to note that the presence or absence of MPs on the floor is not registered, and party members that are absent are not recorded as deviations from the party line, and thus in the typical analysis they are considered to be complying with the party lines.

Skjaeveland offers a taxonomy that links the traditional macro factors considered responsible for high party cohesion (a parliamentary system, multipartism and voter punishment of lack of cohesion) to micro factors having to do with the behavior of MPs. Thus, there are two types of explanations of why MPs conform to the party line: First, MPs do not disagree with the party and second, MPs disagree with the party but they nevertheless conform for either moral or egoistic reasons. Skjaeveland considers legislative data on final passages of bills and parliamentary resolutions as well as interviews with MPs. Interviews give the overall impression that MPs vote with their party mainly because they agree with the party (endogenous preference) and they have a

moral commitment to the party; disciplinary sanctions seemed to be less important in determining their compliance. Skjæveland also concludes that the correlation at the level of parties between a focus on the need for representation of the party and deviant behavior is proof that MPs vote with their party because of moral commitment: the more they believe in representing the party, the less deviant.

Using legislative data, Skjæveland computes party cohesion based on the differentiation of policy areas and finds that cohesion is lower when it comes to EU issues, local issues and ethical matters. He tries to explain low cohesion in these instances in various ways. For instance, for local issues, he suggests, the incentives of the MP might be different because she seeks re-election and thus she will vote with the constituency when the party and constituency positions differ.

Skjæveland (2003) offers a model that explains government formation in Denmark between 1953 and 1998. His “Dual Power Base Model” is basically a combination of the median government model in the one-dimensional policy space plus the assumption that a party needs a certain “Office Capacity” (basically, a certain number of legislative seats) to be able to form a government.¹ Thus, policy positioning and office capacity are the independent variables that together determine who gets into government and what kind of government is formed.

According to the model, the median party will hold a powerful position. If this median party has enough office capacity (about 30 MPs, minimum level), it will form the government on its own and may invite other parties to join if it pleases to do so; if the

¹ Laver and Shepsle have a similar concept – they take in consideration the size of the parties when discussing the role of the median party in government formation.

median party doesn't have enough office capacity, it will choose the closest unit (party or coalition of parties) that does; and if the closest left side unit is at equal distance as the closest right one with office capacity, the median party will choose the new side if the old side has been in office for some time.

In search for evidence that supports this model, Skjaeveland uses historical evidence, legislative data and interviews with Danish MPs. The data that provide the quantitative test for the model are provided by comparing the predictions of the model to the actual governments formed. Parties are ranked using MSD (multidimensional scaling), and their office capacity is measured by the number of MPs in the parliamentary group of each party; the median party and the units closest to it with sufficient office capacity are identified, and the model's predictions are compared to the governments formed. The model yielded the correct predictions (the predictions fitted the real governments formed), in most instances. Out of 22 governments, the model predicted correctly: the side of the government formation (Social Democratic or Liberal/Conservative) in 20 instances, the existence of office capacity in 21 instances, the identification of the unit in government furthest away from the median party (the extreme unit) in 18 cases, and the PM's party in 19 cases. Skjaeveland also did interviews with 18 MPs (10% of the MPs), and these interviews revealed that the assumptions behind the Dual Model are realistic perceptions in the eyes of the MPs: office capacity matters, the government does tend to switch sides from time to time (the median party thus might

choose the other side unit to form a government after a while, given distance to the closest left and right units is equal), policy closeness matters, etc.²

Christiansen (2003) studies the role of legislative accommodation in the Danish parliament, where legislative accommodations are viewed as rather informal negotiations between cabinet and non-cabinet parties for long-term commitments regarding legislative decision-making. Since minority governments are a frequent feature of Danish politics, cabinet parties need support from non-cabinet ones to achieve legislative majorities, thus legislative accommodations are needed. Through qualitative research, Christiansen supports the claim that before 1973, the four major parties (Social Democrats, Social Liberals, Conservatives and Liberals) dominated such agreements; with the 1973 elections, these parties lost a lot of parliamentary seats to smaller parties, and by the 1990's these smaller, so-called "challenger" parties entered coalitions with the big old

² Skjaeveland (2004) extends the Dual Power Base Model to Norway and Sweden. In Norway, the median voter theorem applied to government formation explains only 16 out of 23 government formations between 1945 and 2002, but adding the Office Capacity will explain another 5 government formations; and in Sweden, out of the 13 governments elapsed since the abolition of the second chamber in 1970, 10 saw the median party in government, 1 saw one of the two median parties in government, and the remaining two explain why the party median did not get in government because it did not have Office Capacity (it held under 30 seats). Note that the assumption of office capacity is still 30 seats for the author, although the Norwegian legislature has 165 members and the Swedish chamber has 349.

parties through legislative accommodation agreements. Christiansen labels this type of legislative accommodation “flexible minority parliamentarism.”

4) Procedural Cartel Theory in Denmark

So, again, as was the case in Germany, Italy, Brazil, the US Senate, Texas and California, the Danish Folketinget looks like a poor case to apply the Procedural Cartel Theory (Cox and McCubbins 2002, 2005). While discussion eludes us for now, our results can be seen in the accompanying file.

References

Parliament's website: <http://www.ft.dk>

Information on how the electoral system works:

<http://www.folketinget.dk/BAGGRUND/00000048/00232623.htm#E31E1>

Christiansen, Flemming Juul. 2003. *The Inclusion of Challenger Parties into Legislative Accomodations in Danish Parliamentary Politics*, Paper presented at the ECPR conference in Marburg, Germany, 18-21 September 2003.

Skjaeveland, Asbjorn. 2001. "Party Cohesion in the Danish Parliament," *The Journal of Legislative Studies*, Vol. 7, No. 2, pp. 35-56.

----- . 2003. *Government Formation in Denmark 1953-1998*, Politica, Aarhus Denmark.

----- . 2004. *Modeling Government Formation in Denmark and Beyond*. Working Paper.