

Shirking and Slacking in Parliament*

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Abstract

How and why do the activities of members of parliament (MPs) change in response to electoral constraints? While MPs can usually select from a wide arsenal of parliamentary tactics (i.e. speak, vote, etc.), their activities are circumscribed by countless factors. These limitations may include,

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among others, constituency interests, parliamentary rules, and the “party whip.” In this paper, we draw on unique and newly collected data from the Swiss federal chambers and two cantonal parliaments (Basel-Stadt and Basel-Land) to explore the effects of electoral constraints. Leveraging variation in mandatory term limits, we study the extent to which term-limited MPs engage in shirking—i.e. voting against the party line—and slacking—i.e. reducing their parliamentary activities. Our analysis, which draws on a combination of roll-call votes and speech data, yields mixed results: while there is no evidence of shirking by term-limited MPs in the cantonal parliaments, we find some evidence for both shirking and slacking amongst term-limited legislators in the federal chambers. These findings shed light on the (political) implications of term limits, and the effect of electoral constraints on legislator behavior.

1 Introduction

It is a widely held assumption — both in and outside academia — that electoral considerations are a key if not the prime motivation for the behavior of members of parliament (MPs) (e.g. Mayhew 1974; Fenno 1978). What happens when this constraint is removed? Incumbent politicians who retire, whether willingly or forcibly, may become more independently minded and defy their party (i.e. shirking) as they no longer rely on its resources to secure re-election. Similarly, such “exiteer” politicians may exhibit reduced parliamentary activity in general (i.e. slacking).¹ The existence of legislative term limits in Swiss cantonal legislatures and the federal parliament presents us with a unique opportunity to identify cause and effect: do “lame ducks” (Mooney 2009, 210) shirk or slack because they know they will retire or are these MPs forced to retire because of their shirking (or slacking) behavior?

In this paper, we employ newly collected data that allow for a more rigorous test of the drivers of MP behavior, leveraging the existence of term limits. In Switzerland different types of term limits—party- and state-imposed—exist in various parliamentary chambers—cantonal parliaments as well as the federal parliament. Furthermore, using data from Switzerland to study term limits has important advantages, as it provides behavioral data that are not available in other settings. For instance, Swiss data allows us to use individual data on non-public votes.

We perform a differences-in-differences analysis using data from the two cantonal parliaments of Basel-Stadt and Basel-Land as well as from the federal parliamentary chambers. More specifically, we use information from both roll-call and other votes as well as speeches to assess in greater detail how term-limited MPs engage in shirking toward their party (leadership) and their constituencies. The speeches, together with attendance rates in plenary and other activities (e.g. bill introduction, questions, etc.), also offer information on whether term-limited MPs engage in slacking.

Our analysis provides suggestive evidence that term-limited MPs, and to some extent also other retiring MPs, engage in more shirking, i.e., moving away from the party line, at the federal level, though not in cantonal parliaments. This

¹We offer below (page 7) a more detailed justification of our use of the terms “shirking” and “slacking.”

shirking behavior, at the federal level, results in a move of retiring MPs towards the preferences of their respective cantonal median voters. We also find that term-limited MPs reduce in part their activities, especially the more costly ones. Thus, at the cantonal level we find evidence that these MPs file fewer parliamentary interventions and interpellations, while at the federal level we find a reduction in debate participations.

The remainder of the paper is structured as follows. Section 2 sets out a number of key perspectives on the effect of electoral constraints on MP behavior, and distills a number of hypotheses. Subsequently, Section 3 discusses the data and research design of our study. Section 4 presents the empirical tests. Finally, we conclude in Section 5.

2 The Theoretical and Empirical Debate

It is common knowledge that MPs are not exclusively driven by their political preferences. Their parliamentary activities are also conditioned by the behavior of other actors and institutional constraints. One of the prime constraints that MPs face is that of re-election. At the end of their term in office, many seek re-election, and require approval by their party and the support of voters to do so.² Consequently, the party and the electorate are in some sense the “principals” of legislators in a principal-agent relationship. Consequently, a large part of the literature on the behavior of MPs attempts to disentangle the effect of legislator preferences on their behavior from the effect of their party and their voters (see, for instance Collie 1984; Uslander and Zittel 2006; Kam 2014).

Scholars have employed a series of approaches to assess these effects. Early studies simply regressed voting behavior on party membership and considered the residuals to correspond to the effect of constituency preferences (for a forceful critique of this approach, see Fiorina 1975). Later, scholars turned to estimating an MP’s preferences (or those of his/her party) on the basis of roll call votes. Subsequently, these estimates were used to predict votes, while deviations were taken as evidence of party or constituency pressure (for a solid critique of this

²While there is a debate whether political parties play a similar role in presidential as in parliamentary systems (see, for instance Krehbiel 1993), we consider this to be a matter of degree (see Cox and McCubbins 2007).

approach, see Jackson and Kingdon 1992).³

More convincingly, Levitt (1996) proposes to consider voting by a Senator against his own preferences as a utility loss. Consequently, for each vote a Senator's utility becomes a weighted average of what a Senator's party, voters and leanings wish him to do. Other scholars have attempted to use party switchers to identify the effect of party discipline, obviously with the caveat that switching party affiliation is likely to be endogenous (Nokken 2000).⁴ Another approach is to elicit information on MP and voter preferences in surveys, either on specific topics (see Bartels 1991; Bailer et al. 2007) or more generally on broad themes (see Kam 2001) and assess the respective influence of these various elements. Finally, as the influence of parties and voters is strongly linked to seeking re-election, scholars have also tried to infer the importance of voters and parties in explaining the behavior of MPs by looking at changes in this behavior when MPs retire (see for instance Lott 1987; Zupan 1990; Bender and Lott 1996; Bailer and Ohmura, 2017 (forthcoming); Willumsen and Goetz 2017).

A shortcoming of this approach is, however, that MPs might want to retire because they have diverged from their party's and voters' preferences (which is akin to the problem of using party-switchers to identify the effects of party influences).⁵ Some hope for alleviating this concern can be found in MPs who are *forced* to retire, because they are not allowed to seek re-election. Such forced retirements come about by term limits,⁶ that have become an active research area since, in the 1990s, many US states have started to introduce such limits on the members of their legislatures (Cain and Levin 1999; Mooney 2009; Grofman 2012a).⁷

³Indirectly Jackson and Kingdon 1992 also criticize another approach proposed by Kalt and Zupan 1990, which consists of regressing ideal-point estimates on constituency characteristics and considering the residuals as MP preferences.

⁴See also the related work that considers members of the House of Representatives who move to the Senate, and thus change their constituencies (see for instance Grofman et al. 1995), as cases that allow for identifying the importance of constituency preferences.

⁵Retiring senators in the current United States Senate nicely illustrate this conundrum (see, for instance <http://edition.cnn.com/2017/10/25/politics/jeff-flake-john-mccain-bob-corker-trump-legacy/index.html>).

⁶Being subject to such a term limit and being forced to retire after the end of a term is obviously not a truly exogenous factor either. A fascinating study on state senators where the term limit (i.e., the length of this last term), due to random assignment, is truly exogenous, is presented by Titunik (2016).

⁷Interestingly, as Grofman (2012a) notes, such term limits were in place already for a much longer time for members of the Executive, both at the state and federal level.

With the proliferation of term limits at the state level, numerous scholars have used these changes to assess various aspects of parliaments and how they are affected by such an institutional change (Mooney 2009; Grofman 2012b). Studies have tested the effect of term limits on a broad variety of factors: from voter turnout, electoral competition and campaign finance (see Daniel and Lott 1997; Masket and Lewis 2007; Nadler 2007) to legislative committees and public policy (e.g. Cain and Wright 2009; Herron and Shotts 2006) (for a review of these various studies see Mooney 2009).⁸

Our focus, however, will be on the effect of term limits on the behavior of MPs that are forced to retire. The insights from the empirical studies carried out in various contexts are quite mixed. Bender and Lott (1996), reviewing the literature on the US suggests that slacking is more common than shirking among term-limited MPs. They explain this, in part, by the argument that MPs with divergent preferences from their constituencies might already have been weeded out in previous elections.

This has to be set in the broader context of what we know about retiring MPs. While many studies focus on US legislatures, several have also dealt with the House of Commons in the United Kingdom or with other parliaments. Carey (1998) studies U.S. and Latin American parliaments. His findings point towards the existence of shirking, particularly among MPs who pursue a state-wide office afterwards. For the House of Commons Benedetto and Hix (2007) also find that retiring MPs vote more frequently against their party, while Besley and Larcinese (2011) report in their study a reduced attendance rate for retiring MPs. Wright (2007) finds no effect of term limits on party polarization but confirms that term-limited MPs exert less legislative effort. In a more recent study, Willumsen and Goetz (2017) find less attendance, but not more rebellions or fewer other activities when looking only at the last term. When comparing the pre- to post-announcement periods, attendance still decreases, while rebellions increase and the signing of early-day-motions decreases.

⁸Alt et al. (2011), for instance, adopt a theoretically informed design to assess whether term limits affect the accountability relationship between state governors and their voters or the competence of the former. Relatedly, Schnyder (2011) proposes a two period model in which voters take into account in their reelection of an incumbent to his last term in office the likely “shirking” behavior. Schelker (2017) pushes this argument further and shows that in response to term limits voters induce divided government to maintain a stronger accountability relationship.

Godbout and Høyland (2017, 555), in a study on the Canadian parliament, find that members in their last term are less loyal to their party, but this only holds for the earliest parliaments at the turn of the century (see also Godbout, 2018 (forthcoming)). Bailer and Ohmura (2017 (forthcoming)), studying the members of the German Bundestag find that MPs in their last term reduce their activities.

Although from a theoretical standpoint, the removal of the re-election constraint should allow MPs to change their voting behavior to align more closely with their own preferences (see Zupan 1990), the empirical evidence for this seems weak. Nevertheless, in line with the literature we propose the following hypothesis:

Hypothesis 1 (H1): *Term-limited MPs (and retirees) will refuse to toe the party line (in voting and in speeches) more frequently than MPs facing re-election.*

The behavior of MPs that is the object of hypothesis 1 is what we refer to as “shirking.” In the literature this notion is often also applied in a broader conception, for instance by Bender and Lott (1996, 82), under the heading “non-ideological shirking.” “Shirking, defined as the failure of a legislator to act in the interests of his constituents, does not necessarily require that the legislator abandon his constituents in pursuit of his own personal ideological desire” (for an equally broad conception of “shirking,” see Powell et al. 2007, 39). Under the heading “The Shirking hypothesis,” Reed and Schansberg (1996, 102) note that “[i]t is widely speculated that legislators enjoy considerable slack in representing the interests of their constituents. When this is the case, other factors - such as their own ideologies - can influence their observed voting behavior.” Consequently, our conception of shirking corresponds to this latter behavior or what Bender and Lott (1996, 82) consider as “ideological shirking.” As the previous quote suggests, this behavior is rendered possible by what is normally referred to as “principal-agent slack” (Lott and Reed 1989, abstract).

This behavior, as the literature suggests, might not be the only consequence of no longer facing a re-election constraint. Time is a scarce resource, competition over which is rife (e.g. Cox 1987, 2006). This is particularly true for parliamentarians, who need to divide their time between the plenary and committee work in the parliament, but should also spend time serving their constituencies. MPs

that fail to deliver on these fronts face punishment in elections. Again, our expectation is that term limits remove opportunity costs related to such behaviors (see also Bender and Lott 1996; Lott 1987; Rothenberg and Sanders 1999). Hence, we expect term-limited MPs to be less active in parliament than MPs who face re-election:

Hypothesis 2 (H2): *Term-limited MPs (and retirees) will be less active than MPs facing re-election.*

This behavior, which is in some sense also rendered possible by the “principal-agent slack,” we refer to as “slacking.” By extension, this might also be considered “non-ideological shirking” (Bender and Lott 1996, 82). To keep the two notions apart, however, we refer to the two behaviors covered by hypotheses 1 and 2 as “shirking” and “slacking.”

3 Data and Research Design

To investigate the extent of shirking and slacking due to term limits, and thus the removal of the re-election constraint, we use novel data from Switzerland. While most of the studies on the effect of party and constituency pressure focus on parliamentary and/or presidential systems, the Swiss political system, characterized by Shugart and Carey (1992) as having a government that is “assembly-independent” presents slightly different features. More specifically, while the members of government are elected by the Federal assembly (the two chambers meeting in a joint session), the government does not depend on the confidence of a majority in parliament, which might reduce the need for party cohesion (see, for instance Diermeier and Feddersen 1998). In practice, however, parties still attempt to act in a disciplined fashion, resulting in quite high cohesion scores (see Hug 2010).⁹ At the cantonal level, the members of government are not elected by an assembly, but directly by the citizens. This makes the cantons much more akin to presidential systems. Thus, even if the Swiss political system is not part of one of the typical government types, it is still an interesting testing ground

⁹This is also linked to the important role parties (more specifically their cantonal sections) have in the selection of candidates, as documented in detail for the 1971 election by Gruner et al. 1975 (for more general studies on the careers of MPs in Switzerland, resp. the role of the cantonal political parties, see Pilotti 2016; Ladner and Brändle 2001).

to assess how MPs change their behavior when they no longer face a re-election constraint.

To do so we rely on both cantonal- and federal-level data across several key components of legislator behavior. Crucially, we employ the presence of term limits to investigate the effect of electoral constraints on MP activities. This section provides a brief discussion of term limits in the Cantonal legislatures as well as the Federal Parliament. Subsequently, it addresses the data and research design.

3.1 Term Limits in Switzerland

Given the federal character of Switzerland, term limits may apply at different levels. Term limits are absent, however, in the federal constitution or federal laws concerning elections. As in a strict sense elections to the lower house are regulated by federal laws, while those to the upper house are subject to cantonal laws, this implies that MPs of the lower house are not subject to legally enforced term limits. MPs of the upper house, however, are subject to the rules adopted by the canton they represent. In this regard, Lutz and Strohmann (1998, 110) note that the cantons of Obwalden and Jura have adopted term limits for their members of the federal upper house (16, resp. 12 years, see also Tschannen 1996).¹⁰

As several parties, more specifically their cantonal sections, have adopted term limits (most often for MPs both at the federal and cantonal level), some MPs cannot represent themselves after a fixed number of years (typically 12 or 16) or a certain number of terms (typically 3 or 4). Whether cantonal parties have adopted such limits varies across parties and cantons. Most prevalent are such term limits in the Social-Democratic party (SP),¹¹ where many cantonal sections have adopted such rules (though not the cantonal section of Vaud, for instance). Similarly, some cantonal sections of the Green party (notably the one in Geneva) have adopted such term limits, as have some sections of the

¹⁰Hangartner and Kley (2000, 608) suggest, however, that only the Jura has such a term limit, while the canton of Berne had such a limit of three mandates until 1993, i.e. the year when a new constitution was adopted. Lutz and Strohmann (1998, 46) note that in addition Grisons, Jura, and Obwalden limit the terms of their members of the cantonal government to 12, resp. 16 years for the two latter cantons (see also Hangartner and Kley 2000, 620f).

¹¹In the appendix we provide a list of party names and their abbreviations as used in this paper (see table 9).

SVP (notably in the canton of Berne), the CVP (for instance of Lucerne) or the FDP (in the Ticino). Term limits imposed by the cantonal parties can be either strict by not allowing any exceptions (for instance the Greens in Geneva), or are more loosely formulated by indicating what normally is expected (for instance for the CVP in Lucerne). Several cantonal sections, mostly those of the Social-Democrats, explicitly allow for term-limited MPs to be renominated, provided two-thirds of the party delegates support such an extension (see for instance the Social-Democrats of Berne).¹²

Consequently, at the federal level MPs might be subject to constitutionally enforced term limits (if they represent the cantons of Jura or Obwalden) or to rules imposed by their party, forcing them to step down after a specific time. At the cantonal level either these same party rules apply¹³ or the cantonal constitution (resp. the laws on elections) limit the number of terms MPs can sit in parliament. This is the case for the two cantons that impose term limits on their representatives to the federal upper chamber, namely the Jura and Obwalden, while the cantons of Basel-Stadt and Basel-Land,¹⁴ impose only term limits on the members of the cantonal parliaments.

For these cantonal rules, Stadlin (1990, Table I) provides the most comprehensive overview on term limits as of 1990. In Obwalden the constitution of 1968 includes article 49 specifying that members of the cantonal parliament can be in office for a maximum of sixteen years. In Basel-Stadt the members of the cantonal government can be in office for 12 years, and, as noted by Kreis (1984, 113), this term limit was introduced in 1966 due to a popular initiative by younger bourgeois politicians, which was accepted by a slim majority in a popular vote (55.8 % approval). Burckhardt et al. (1984, 267) confirm the limitation to three mandates (see also Rhinow 1984, 120). Buser (2008, 358) notes that the term limit in Basel-Stadt was increased with the new constitution of March 23, 2005 from three to four terms (see also Wullschleger 2008, 137). In Basel-Land members of the cantonal parliament can not be re-elected after their fourth term,

¹²In the appendix we report information on the various rules adopted on term limits by the cantonal political parties and provide links to the sources we used.

¹³Most party statutes specify term limits for the MPs of the cantonal parliaments and then stipulate that these rules also apply to members of the party elected to the federal chambers.

¹⁴In the empirical section we will focus, at least in this version of the paper, on these two cantons, as the data available allows for a stronger research design. In Obwalden recorded votes are rare, while in the Jura votes have been recorded only in two terms.

according to article 54 of the constitution of this canton.¹⁵ The limitation to four mandates in the canton of Jura was introduced with the cantonal constitution of 1977 (article 65).¹⁶ For the two cantons that we will cover in the empirical analysis, namely Basel-Land and Basel-Stadt, Table 1 provides summary data on term-limited legislators.¹⁷

Table 1: Term-limited MPs in Basel-Land and Basel-Stadt (1987-2016)

year	Basel-Land			Basel-Stadt		
	size of parliament	term-limited MPs	share	size of parliament	term-limited MPs	share
1988				130	23	0.18
1991	84	2	0.02			
1992				130	12	0.09
1995	90	2	0.02			
1996				130	15	0.12
1999	90	2	0.02			
2000				130	14	0.11
2003	90	0	0.00			
2004				130	15	0.12
2007	90	3	0.03			
2008				100	5	0.05
2011	90	2	0.02			
2012				100	5	0.05
2015	90	7	0.08			
2016				100	12	0.12

Calculations based on data on candidates in cantonal elections provided by the Swiss statistical office.

3.2 Data

The empirical analysis relies on data on votes and speeches at both the cantonal and federal levels. Data for the National Council (debate transcripts, votes,

¹⁵This provision was, apparently introduced in popular vote in 1989 and has been in force since July 1989 (see <https://www.admin.ch/opc/de/classified-compilation/19840090/index.html>, accessed August 22, 2017).

¹⁶As the data that we will use below for our empirical analysis is only easily available for the last decade or so, we can unfortunately not assess (at least in this paper) what the effect of the introduction of term limits was for members of parliament.

¹⁷For the two other cantons, namely the Jura and Obwalden, the data available do not allow us (at the present time) to carry out detailed empirical analysis. In the first canton, voting data are not available for two subsequent terms, while in the other canton decisions are normally reached by signal voting, with no information on the individual voting behavior of MPs.

etc.) were secured from an as-of-yet unpublished part of the Parliament website that we were given access to. Our records of parliamentary debates in the lower house include 63,416 speeches, totaling over 19 million words, delivered by 381 individuals, spanning 17 years (1999-2015). The data further include over 1.9 million individual votes cast in the National Council, covering the years 2003-2015.¹⁸ We complemented this data with information on final passage votes in the upper house for two legislatures coded based on video recordings (see Hug and Martin 2011; Bütikofer 2014).

For the two cantonal parliaments we obtained similar data from their respective websites.¹⁹ Since September 2009 the parliament of Basel-Land uses an electronic voting system and records all votes, as does the parliament of the canton of Basel-Stadt, though only since June 2012. In addition these websites list all activities of the MPs and also electronic documents containing the text of their speeches.

3.3 A Differences-in-Differences Research Design

The nature of the changes studied in this paper presents us with scope for empirical tests that rely on the logic behind the differences-in-differences (DiD) identification strategy. This design is premised on the ability to control for unobserved time-varying confounders using a time or cohort dimension, and is particularly suitable for an identification problem where we are interested in group-level variables. When the treatment of interest varies at the group level, we can use the DiD set-up to gauge individual-level effects using aggregate data (Angrist and Pischke 2008, Chapter 5). The DiD strategy relies on the logic of comparing the differences pre- and post-treatment in the outcome of a treatment and a control group.

In our application, we have data on term-limited MPs and legislators that are not subject to such constraints. The observed behavioral changes (e.g. in voting or speech-making) associated with the forced retirement due to a term limit allows us to assess more cleanly how the removal of re-election considerations

¹⁸These stem from the electronic voting system that was introduced in 1996 (Hug 2010). Until 2007 only a subset of these votes were publicly available, namely those on final passage, urgent measures and the debt-brake and those requested as roll call votes.

¹⁹Thomas Dähler and Peter Frankenbach from the parliamentary services of Basel-Stadt provided access to additional data and were extremely helpful in providing help in using it.

affects MPs.

The DiD identification strategy relies on the presence of a control ($G_{control}$) and a treatment group ($G_{treatment}$) at the pre-treatment (0) and post-treatment (1) stages (Angrist and Pischke 2008, 228-229). We assume that, absent the treatment, the behavior of both groups develops in tandem (i.e. the parallel trend assumption). Given this assumption, we can isolate the effect of our predictor of interest as $(G_{treatment1} - G_{treatment0}) - (G_{control1} - G_{control0})$. In other words: we observe the difference between the differences in behavior between the treatment and the control group.

In our particular case, we rely on the fact that all MPs have to be re-selected and re-elected at the end of a term to make it to the next term. This is the case *except* if MPs are in their last parliamentary term because of a term limit or because they have decided, before the end of the term, to no longer seek re-election. Consequently, the treatment (i.e. the absence of a re-election constraint, whether voluntary or involuntary) is only present in the last term in office. The DiD design we apply in this paper compares legislators in term t with the same legislators in term $t - 1$. We establish which legislators are in their last term at stage t , and compare the changes in (in)activity (i.e. shirking and slacking) between these two legislatures for MPs in the different classes, such as term-limited MPs and those not seeking re-election, etc.²⁰

4 Empirical Analysis

In what follows, we use our DiD set-up to analyze shirking and slacking at the cantonal and the federal levels. As our discussion of the available data implies, these two levels have each their advantages and disadvantages. While the two cantons with the constitutionally mandated term limits allow for a cleaner identification of the term limit effect, MPs in these parliaments are more likely to consider a further political career at the federal level. At the federal level, on the contrary, with the exception of the few MPs that consider executive offices (and almost always these are not term limited MPs) retiring from parliament implies also the end of the political career in elected office. On the other hand, only very

²⁰We obtained information on retiring MPs from the website of the Federal parliament (www.parlament.ch) and complemented it with information on term limits from cantonal constitutions party statutes.

few MPs at the federal level are subject to constitutionally mandated term limits, while most have to retire due to party rules. This latter aspect renders the clean identification of the term limit effect more difficult.²¹

4.1 Cantonal-Level Tests

We first present analyses focusing on the two cantons that have constitutionally mandated term limits and for which data are available for a sufficiently long period of time. In our analysis, we focus on three elements, namely the MPs' activities and their votes, the latter both under the angle of participation and their voting decisions.²²

To assess whether our first hypothesis holds we draw on easily accessible data on voting for the parliament of Basel-Stadt.²³ In Figure 1 we report an analysis that simply relies on the share of votes for each MP in which s/he votes with a majority of his/her party. The figure suggests that term-limited MPs are on average in their last term in office, compared to the second to last term, slightly less loyal to their party.²⁴ Those MPs that can seek another term, however, display, on average, an even larger decrease in loyalty toward their party. This is a finding that does jibe only partially with our first hypothesis. This minor effect might be due to what Lott (1990) found for the U.S.. Cantonal politicians hardly have to bury their careers when being term-limited: as federal offices are a possibility, shirking and slacking are less of an option.

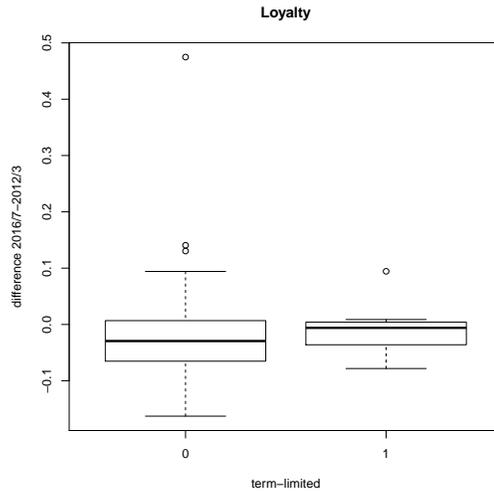
²¹We note that the numbers of term limited MPs in these different categories are too small to consider separate analyses based on these subsets.

²²In future iterations we will also provide analysis of speeches, as we do for our study on the federal parliament.

²³We also have partial data on voting in the parliament of Basel-Land. The latter canton, unfortunately changed the setup of the website during our web-scraping effort to glean data on parliamentary activities, thus hampering our efforts of securing all the information we required. Thus, we can only use voting data from Basel-Stadt to assess hypothesis 1. In future iterations of this paper we will also report on shirking in Basel-Land.

²⁴As the comparisons draw on behavior in an ongoing term, we can not assess the difference of stepping down between term-limited MPs and those retiring voluntarily.

Figure 1: Shirking: loyalty in voting in Basel-Stadt (members of the two most recent legislatures)



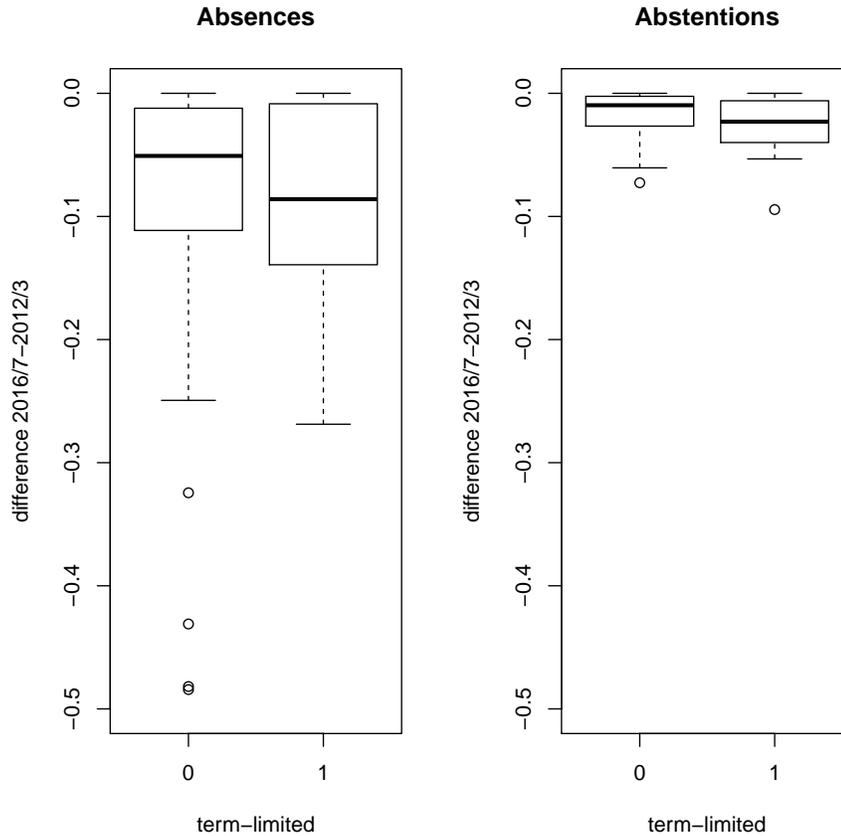
We can use the same information on voting behavior (in part also for Basel-Land) to also assess whether participation in votes is affected by term limits. Figures 2 and 3 depict the differences in terms of absences (only for Basel-Stadt) and abstentions in the voting records, again as differences compared to the previous legislative term.

Contrary to our expectations we do not find an increase in the share of abstentions and absences in votes among legislators who are in their last term. This evidence, which contradicts our second hypothesis, might be due to the fact that voting is hardly a burdensome activity. Consequently, MPs' slacking behavior might be less visible in this low-cost activity. Thus, we turn to activities that are more costly, namely private member proposals.

Figure 4 shows how the number of these activities (Interpellations, Motions, etc.) evolves over time for MPs in these two cantons that are subject to term limits in the two most recent parliamentary periods, compared to all those that do not face this constraint.²⁵ As the figures show, the activities change considerably from one year to the next, but in part the trends for the term-limited MPs

²⁵For the canton of Basel-Stadt we do not take into account for this figure one MP who early in his last term was elected to the cantonal government and thus had to step down from parliament.

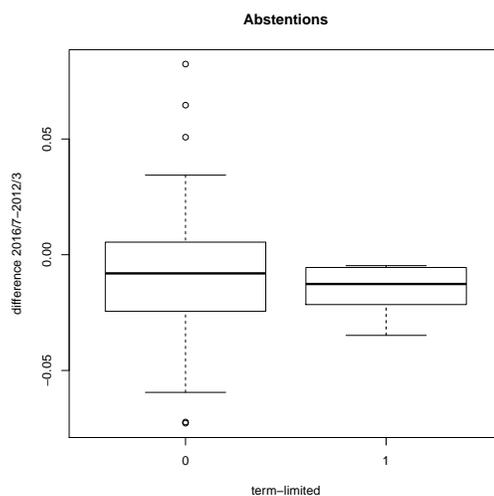
Figure 2: Slacking: absences and abstentions in voting in Basel-Stadt (members of the two most recent legislatures)



evolve in parallel with those for MPs that could continue after the end of the current term. For our DiD strategy, given the newness of the data, we can only compare the first year(s) of the ongoing term with the corresponding time period in the preceding term. In both cantonal parliaments the term-limited MPs were more active in most of their second-to-last term than their colleagues. Interestingly, overall, there appears also a small increase in the level of activities at the beginning of their last term.

When assessing the effect of the removal of the re-election constraint more formally, by estimating the effect with a simple linear regression and focusing on the differences between comparable years, we fail to find results that are in line with H2. More specifically for MPs in both cantons we find that the level of

Figure 3: Slacking: abstentions in voting in Basel-Land (members of the two most recent legislatures)



activities increases more strongly for term-limited MPs compared to those that can run for another mandate. These effects survive controls for the age of the MPs and for younger cohorts.²⁶ That the effect in Basel-Land is even positive and marginally significant might be due to the fact that the number of term-limited MPs is rather small or that in this canton a popular initiative was launched, but voted down in 2017, to abolish the term limits.²⁷

²⁶Given that a full set of controls for cohorts is perfectly collinear with the term limit indicator, we refrain from adding all these variables

²⁷See <https://www.srf.ch/news/schweiz/abstimmungen/abstimmungen/abstimmungen-bl/klares-nein-zur-bruderholz-initiative-im-baselbiet>, accessed November 12, 2017).

Figure 4: Slacking: number of parliamentary activities per year in Basel-Land and Basel-Stadt

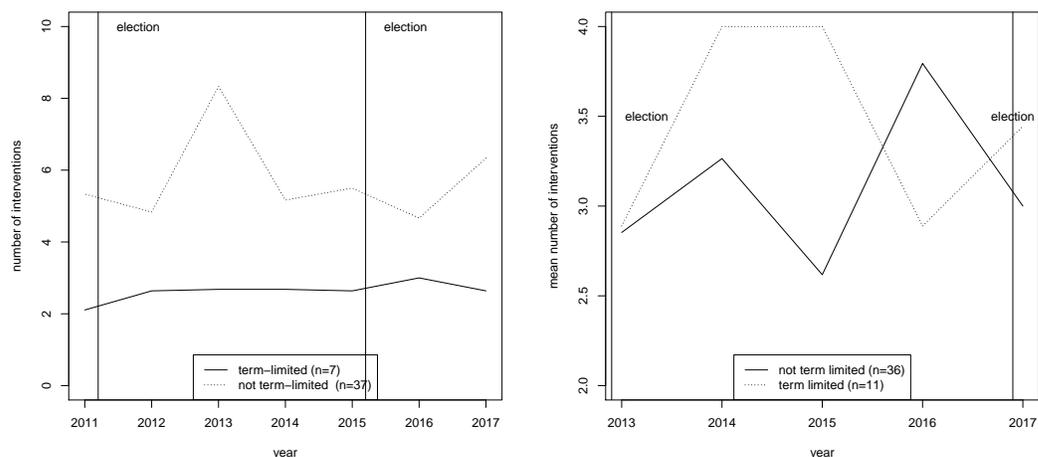


Table 2: Effects of term limits on number of interpellations and postulates in Basel-Land and -Stadt

	<i>Dependent variable: difference in number of postulates etc.</i>			
	Basel-Land (2012/2016)		Basel-Stadt (2013/2017)	
term-limited	2.862*	2.680	0.408	0.462
	(1.522)	(1.610)	(1.015)	(1.070)
MPs with only one reelection		-0.421		0.136
		(1.044)		(1.187)
age in the year of last election (2015, resp. 2105)		-0.044		-0.009
		(0.056)		(0.036)
Constant	2.638***	5.236	0.147	0.579
	(0.512)	(3.146)	(0.464)	(1.989)
Observations	53	53	43	43
R ²	0.065	0.079	0.004	0.006
Adjusted R ²	0.047	0.023	-0.020	-0.070
Residual Std. Error	3.510	3.554	2.707	2.773

Note:

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

4.2 Federal-Level Tests

We now turn to an investigation of the effects of term limits on shirking and slacking in the federal parliament. We again consider measures of partisanship as a way of assessing the presence of shirking, and participation in debates and votes as indicators of slacking.

4.2.1 Shirking in National Council Debates 2004-2011

As we have access to all parliamentary speeches from the lower house for the period 1999-2015,²⁸ we can investigate whether legislators operate more independently from their party when the re-election constraint is removed. To this end, we estimate how close legislators are to their party using a novel machine-learning approach proposed by Peterson and Spirling (2018) (see also Goet 2017). This approach fits a predictive model to a training sample of speeches from a party, and uses the trained model to subsequently predict a held-out sample of speeches. The accuracy of the classifier tells us something about the “partyiness” of members, i.e. how close their language use is to their co-partisans. In simple terms, partisanship is measured as the ease with which we can predict a member’s party affiliation based on what they say in parliamentary debates. Details of this approach are provided in the appendix.

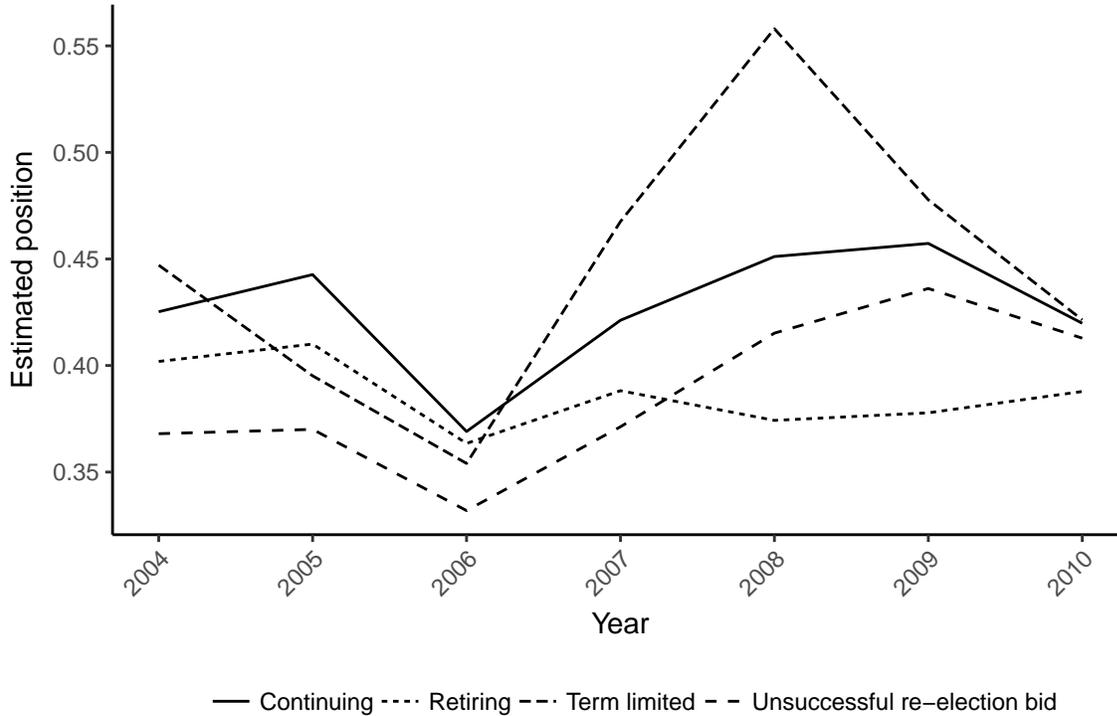
We apply this method to our sample of speeches ($n = 63,416$). Following Peterson and Spirling (2018), we use a stochastic gradient descent (SGD) classifier with balanced party weights.²⁹ Subsequently, we take the accuracy estimates from this model as a measure of the distance between legislators and their parties.³⁰ Figure 5 plots shirkers among the three classes of legislators (retiree/term-limited/continuing) across the 47th and 48th legislatures. Counter to expectations, term-limited MPs are on average *more* likely to use “partisan” language than retirees and continuing legislators. From their second to last term to their last term, however, with the exception of their last year, there appears a decrease in the use of such “partisan” language.

²⁸In this version, we only focus on the National Council, as we do not yet have data for the Council of States.

²⁹The weights we use are defined as $\frac{n_{total}}{p * n_p}$, where n_{total} is the total number of speeches, p is the number of unique parties, and n_p = number of speeches of party p .

³⁰By using ten-fold cross-validation, we obtain estimates for each individual speech. We take the mean across these estimates for legislator for each year as a measure of their “partyiness”.

Figure 5: Shirking in National Council debates, 47th vs. 48th Legislature
Notes: Lines show the mean position as measured by the classifier (approach described in text) across all speeches made by legislators in the three different groups of members: i) retirees (whether because of a failure to secure re-election, or intentional retirement); ii) term-limited legislators; and iii) continuing MPs.



This transpires also when we consider in a simple OLS model below whether term limits are predictive of shirking.³¹ Although we find that term-limited legislators are generally less “partisan” in their language use in the term in which they retire, this effect is even slightly stronger for MPs retiring voluntarily.

4.2.2 Shirking in National Council and Council of States Votes 2004-2011

The Swiss political system allows, due to its heavy use of instruments of direct democracy, a more detailed analysis of the shirking behavior of MPs. More specifically, as MPs vote several dozen times each legislative period on issues on

³¹For all models estimated with data at the federal level we control for party groups. As term limits are party specific, this alleviates some concerns regarding omitted confounders.

Table 3: OLS Estimates of shirking in parliamentary debates, 47th and 48th legislatures

	<i>Dependent variable:</i>		
	Legislator position		
	(47th Leg.)	(48th Leg.)	(Difference 48-47)
Exit reason			
Term-limited 48th Leg.	-0.038 (0.051)	0.053 (0.044)	0.087 (0.070)
Retired 48th Leg.	-0.052 (0.036)	-0.010 (0.032)	0.046 (0.050)
Unsuccessful re-election bid	-0.054 (0.064)	0.019 (0.055)	0.070 (0.087)
Controls			
Age at 1st year of leg. session	0.003 (0.002)	0.0003 (0.002)	-0.003 (0.003)
Years served at 1st year of leg. session	-0.006* (0.003)	0.004 (0.003)	0.010** (0.004)
CsP	0.353** (0.173)	0.309** (0.153)	-0.044 (0.243)
CVP	0.220* (0.118)	0.258** (0.108)	0.042 (0.171)
EVP	0.113 (0.193)	0.331* (0.172)	0.220 (0.271)
FDP	0.192 (0.118)	0.300*** (0.109)	0.108 (0.172)
FGr	0.206 (0.148)	0.349** (0.132)	0.142 (0.209)
Gru	0.236** (0.116)	0.416*** (0.106)	0.187 (0.168)
SP	0.494*** (0.104)	0.425*** (0.097)	-0.068 (0.153)
SVP	0.419*** (0.116)	0.487*** (0.107)	0.069 (0.170)
Observations	87	87	87
R ²	0.921	0.948	0.205
Adjusted R ²	0.907	0.939	0.065
Residual Std. Error (df = 74)	0.140	0.121	0.191

Note:

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

which also their voters in the cantons vote in referendums, behavioral data is available from both MPs and the median voter in each canton. This information was used by Hug and Martin (2012) to position, based on an item-response theory (IRT) model, voters and MPs of the lower house in the same ideological space (for a similar approach, see Masket and Noel 2012).³² Estimating positions for both MPs and their voters in the same space allows calculating distances with respect to the two main principals of MPs, namely their party and their voters (the latter distance is the focus in the study by Hug and Martin 2012). Drawing on additional data collected on votes in the upper house based on video recordings (see Bütikofer 2014) Hug and Martin (2011) propose a similar analysis taking into account MPs of both chambers of parliament. We draw on their data, which only considers only final passage votes, and calculate, in addition to the distance between each MP and his/her cantonal median voter, also the distance to the average MP of his/her party. We do so for the two parliaments covered by Hug and Martin (2011), namely the 47th (2003-2007) and the 48th (2007-2011) and compare these distances as a function of whether an MP retired or was forced to retire due to a term limit.

Tables 4 and 5 report our estimations. The results in the first table show that controlling for party affiliation, chamber, age and cohort, term-limited MPs behave differently. The latter move slightly away from their party in their last term when compared to their second last term in office (Model 3). A similar effect, though slightly smaller but statistically significant, we find for voluntarily retiring MPs. Thus, shirking seems to occur in terms of ideology in the last term, but this effect holds both for voluntary retiring MPs and those forced to do so.

As the data generated by Hug and Martin (2011) also allows to assess the relative positions of MPs with respect to their respective cantonal median voter, we carry out similar analyses based on this information. Table 5 shows interestingly that compared to the results reported in Table 4 these tendencies largely reverse. In their second to last term, term-limited MPs are further apart from their cantonal voters than other MPs, including other retiring MPs (Models 1). In their final term, however, they move closer to their cantonal voters, though

³²Using bridging observations, in our case votes on topics subject to a referendum vote, have been used in many other contexts as well and recently have become the object of some criticism (Lewis and Tausanovitch 2013; Jessee 2016). For the data we use below Hug and Martin (2011) evaluate this approach regarding these critiques and find no evidence for concerns.

Table 4: Shirking in the National Council and the Council of States

	<i>Dependent variable:</i>			
	absolute distance to party			difference
	47th	48th		48th-47th
	(1)	(2)	(3)	(4)
Exit reason				
Term-limited 48th Leg.	-0.034 (0.091)	0.032 (0.091)	0.074 (0.110)	0.100 (0.086)
Retired 48th Leg.	0.057 (0.052)	0.120** (0.053)	0.136** (0.064)	0.086* (0.050)
Controls				
Years served at 1st year of leg. session cohort	-0.005 (0.005)	-0.001 (0.004)	0.002 (0.006)	0.012*** (0.004)
Age at 1st year of leg. session	-0.004 (0.003)	-0.002 (0.002)	-0.003 (0.003)	0.001 (0.003)
BDP		1.870 (7.199)		
CVP	10.535 (9.323)	1.815 (7.232)	-4.310 (11.139)	-24.412*** (8.716)
EVP/EDU	10.883 (9.331)			
FDP	10.536 (9.325)	1.836 (7.232)	-4.278 (11.144)	-24.352*** (8.720)
FL	11.710 (9.277)			
GPS	10.615 (9.311)	1.986 (7.221)	-4.075 (11.123)	-24.321*** (8.703)
SP	10.627 (9.306)	1.953 (7.214)	-4.158 (11.119)	-24.306*** (8.701)
SVP	10.935 (9.309)	2.309 (7.221)	-3.744 (11.123)	-24.209*** (8.704)
upper house	0.141*** (0.050)	0.295*** (0.043)	0.335*** (0.054)	0.266*** (0.042)
Observations	146	214	146	146
R ²	0.727	0.668	0.681	0.282
Adjusted R ²	0.703	0.650	0.658	0.230
Residual Std. Error	0.229 (df = 134)	0.255 (df = 203)	0.282 (df = 136)	0.220 (df = 136)

Note:

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

less than other retiring MPs (Model 2 and 3). As a consequence, overall, term-limited MPs in their final term move considerably closer to their cantonal voters, as do other retiring MPs, though to a lesser and statistically insignificant extent (Model 4).³³

³³Given that MPs from the upper house are supposed to represent their cantonal interests,

The combined results from these two analyses³⁴ suggest that term-limited MPs actually do shirk away from the partisan principal, and by doing so move closer to the preferences of their voters. These results provide suggestive evidence that term-limited MPs shirk at least partly from their party’s line and this to the benefit of their respective cantonal median voter.

4.2.3 Slacking in National Council debates 2004-2011

The speeches by MPs in parliamentary debates in the National Council allow us to get an indication for “slacking” behavior. To this end, Figure 6 shows the mean level of speeches made per year among two classes of “exiteers” (voluntary retirees and term-limited MPs in 2011) and continuing legislators.³⁵ Several patterns become clear from these data. First, congruent with our expectations, continuing legislators are by far most active when it comes to the number of speeches made. Also in line with our hypotheses, slackers are most prominent among the group of retirees, whose activity levels remain consistently below the two other groups across the period. Finally, with the exception of 2008 and 2010, term-limited legislators seem to slack more than continuing MPs.

Further, we analyze speech participation in an OLS model, defining “participation” as the number of speeches made by an individual in the legislative period.

one might expect differing effects in the two chambers (this also transpires in tables 4 and 5, as the coefficients for the upper house are positive in the first table, and negative in the second table). For this purpose we replicate the analyses reported in Tables 4 and 5, while letting the effects of term limits and retiring decision to vary across chambers. While we find differences (see Tables 11 and 12 in the appendix), these differences are slight and rely, especially for the MPs of the upper house, on very little information. A more interesting, though preliminary analysis, for the upper house relies on the full voting record for the end of the 49th legislature (see Table 13 in the appendix: data made available to Sarah Bütikofer by the parliamentary services, for which we are very grateful). This analysis shows that the transparency of votes affects differently term-limited MPs in the upper house (see relatedly Bütler et al. 2015).

³⁴As these two dependent variables are obviously related, we estimated the various models also as a seemingly unrelated equations model. The results are, however, unaffected by this modeling choice.

³⁵These groups are defined as follows:

1. Term-limited MPs who retire in 2011 (are classified as such for the entire duration of the 47th and 48th legislative terms);
2. Retiring MPs (are classified as such for the term in which they retire);
3. MPs who try but fail to secure re-election;
4. Continuing MPs: those that fall in none of the three preceding categories.

Table 5: Shirking to the cantons in the National Council and the Council of States

	<i>Dependent variable:</i>			
	absolute distance to cantonal median voter			difference
	47th	48th		48th-47th
	(1)	(2)	(3)	(4)
Term-limited 48th Leg.	0.238 (0.144)	0.025 (0.130)	-0.069 (0.146)	-0.205* (0.123)
Retired 48th Leg.	-0.163* (0.086)	-0.170** (0.076)	-0.221** (0.088)	-0.004 (0.074)
Controls				
Years served at 1st year of leg. session (cohort)	-0.009 (0.007)	-0.005 (0.005)	-0.008 (0.007)	-0.006 (0.006)
Age at 1st year of leg. session	0.004 (0.005)	-0.002 (0.003)	0.001 (0.005)	-0.004 (0.004)
BDP		9.265 (10.277)		
CVP	17.686 (14.880)	9.612 (10.323)	16.664 (14.806)	11.581 (12.522)
EVP/EDU	17.537 (14.896)			
FDP	17.680 (14.885)	9.910 (10.323)	16.948 (14.813)	11.798 (12.528)
FL	19.130 (14.807)			
GPS	19.217 (14.862)	10.199 (10.307)	17.229 (14.784)	10.514 (12.503)
SP	18.452 (14.852)	10.266 (10.297)	17.304 (14.780)	11.346 (12.500)
SVP	18.637 (14.858)	11.291 (10.308)	18.180 (14.786)	12.083 (12.505)
upper house	-0.604*** (0.080)	-0.661*** (0.062)	-0.743*** (0.071)	-0.299*** (0.060)
Observations	144	214	144	144
R ²	0.902	0.917	0.911	0.653
Adjusted R ²	0.893	0.913	0.904	0.627
Residual Std. Error	0.364 (df = 132)	0.363 (df = 203)	0.372 (df = 134)	0.315 (df = 134)

Note:

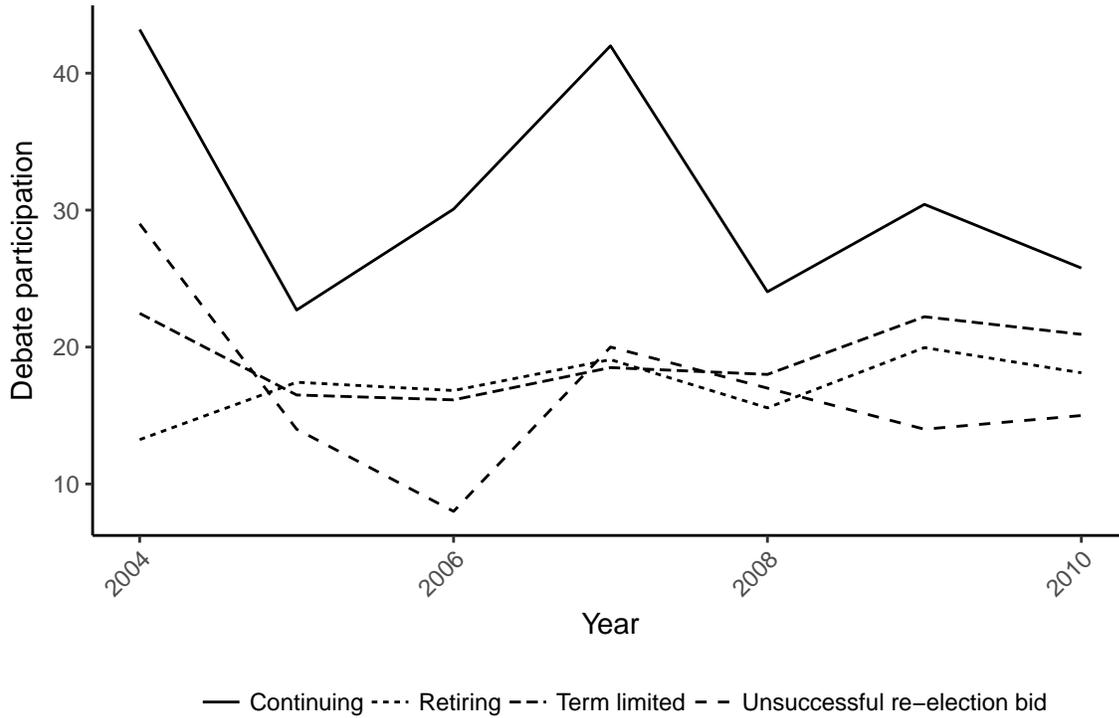
*p<0.1; **p<0.05; ***p<0.01

Here, we compare legislators in the 47th (2004-2007) and 48th (2008-2011) legislatures. We compare legislators in the latter with those in the former legislative period, identify individuals who retire in the latter,³⁶ and can subsequently assess

³⁶Term-limited legislators who left the Nationalrat in 2011 include: Christine Goll (SP), Mario Fehr (SP), Jean-Claude Rennwald, Simon Schenk (SVP), and Doris Stump (SP). We identified all the other voluntarily retiring MPs on the basis of information provided on the website of the parliament (see www.parlament.ch).

Figure 6: Participation in National Council Debates, 1999-2011

Notes: Lines show the average number of speeches made by four different groups of legislators: i) retirees (voluntary); ii) MPs who try but fail to secure re-election); iii) term-limited legislators; and iv) continuing MPs.



their levels of inactivity compared to other MPs between the two periods. Table 6 shows the estimates of this DiD analysis, where the rightmost column takes the difference in participation rates as the dependent variable.

Table 6: OLS estimates of slacking in National Council debates, 47th vs. 48th legislature

	<i>Dependent variable:</i>		
	Debate participation		
	(47th Leg.)	(48th Leg.)	(Difference 48-47)
Exit reason			
Term-limited 48th Leg.	-15.960 (32.692)	19.701 (21.696)	37.678 (32.798)
Retired 48th Leg.	-23.426 (20.130)	-41.858*** (13.361)	-20.058 (20.198)
Unsuccessful re-election bid	-15.130 (46.117)	13.498 (30.413)	28.071 (45.975)
Controls			
Age at 1st year of 47th leg. session	1.878 (1.284)		
Years served at 1st year of 47th leg. session	3.348* (2.006)		
Age at 1st year of 48th leg. session		1.902** (0.856)	0.087 (1.294)
Years served at 1st year of 48th leg. session		-0.671 (1.235)	-3.750** (1.867)
CsP	-19.233 (98.590)	-23.644 (67.003)	10.316 (101.288)
CVP	-12.720 (61.527)	9.689 (43.182)	37.917 (65.278)
EVP	136.264 (108.751)	78.364 (73.619)	-41.898 (111.289)
FDP	-31.767 (63.246)	1.017 (44.364)	48.364 (67.065)
FGr	97.632 (83.595)	124.658** (56.815)	45.189 (85.887)
Gru	7.107 (67.766)	13.734 (47.204)	21.353 (71.358)
SP	-24.114 (57.163)	19.479 (40.741)	59.487 (61.588)
SVP	-21.723 (63.689)	-0.200 (45.058)	37.058 (68.114)
Observations	91	91	91
R ²	0.590	0.781	0.120
Adjusted R ²	0.522	0.745	-0.027
Residual Std. Error (df = 78)	80.915	53.350	80.649

Note:

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

The results from the federal-level tests of debate participation do not provide clear evidence in favor of our slacking hypothesis. Although being term-limited does make legislators less likely to participate compared to other classes of MPs, this effect is stronger and statistically significant for MPs retiring voluntarily (rightmost column, Table 6).

4.2.4 Slacking in National Council votes 2004-2011

In Figure 7 we use voting records to assess the slacking behavior of MPs. We consider two indicators of “slacking”: i) abstentions; and ii) non-participation (i.e. not voting). Both indicators are defined as a proportion of the total number of votes cast in a year. Counter to our expectations, MPs subject to a term-limit in the National Council do not appear to be less active than voluntary retirees and continuing legislators. All three groups show relatively similar patterns of abstention (left panel in Figure 7) and non-participation (right panel) in the 47th and 48th legislatures. Our results for non-participation in votes (Figure 7, right panel) are *slightly* more in line with our expectations, as retiring legislators are particularly subject to being absent. However, continuing legislators are still *less* active than term-limited MPs, which runs counter to our slacking hypothesis.

These results are also borne out by a more systematic analysis. In Table 7 we report the results from an OLS regression, where we test the effect of retirement on abstention rates. When we consider those legislators who are present in the 47th legislature and retire in the 48th (right-most column), we do not find a statistically significant decline in abstention in the groups of term-limited legislators. We do however find such an effect for voluntary retirees. Similarly, our results for non-participation (Table 8) provide only limited evidence in favor of our hypotheses. While term-limited MPs reduce their participation in votes slightly less in votes than continuing legislators, voluntarily retiring MPs actually increase their participation more than these latter legislators between the 47th and 48th legislatures.

Table 7: OLS estimates of slacking in National Council votes 47th & 48th Legislatures (abstention)

	<i>Dependent variable:</i>		
	Proportion of abstentions		
	(47th Leg.)	(48th Leg.)	(Difference 48-47)
Exit reason			
Term-limited 48th Leg.	-0.004 (0.004)	-0.0004 (0.004)	0.004 (0.004)
Retired 48th Leg.	0.003 (0.003)	-0.005 (0.003)	-0.008*** (0.003)
Unsuccessful re-election bid	-0.006 (0.006)	-0.002 (0.006)	0.004 (0.005)
Controls			
Age at 1st year of 47th leg. session	0.0001 (0.0002)	0.0004* (0.0002)	0.0003** (0.0002)
Years served at 1st year of leg. session	-0.0002 (0.0003)	-0.001* (0.0003)	-0.0004* (0.0002)
CsP	0.014 (0.015)	-0.004 (0.016)	-0.018 (0.013)
CVP	0.016* (0.009)	0.019* (0.010)	0.002 (0.008)
EVP	0.028* (0.017)	0.016 (0.018)	-0.012 (0.014)
FDP	0.017* (0.009)	0.010 (0.010)	-0.007 (0.008)
FGr	0.039*** (0.013)	0.018 (0.013)	-0.022** (0.011)
Gru	0.031*** (0.010)	0.014 (0.011)	-0.017* (0.009)
LPS	0.016 (0.016)	0.011 (0.017)	-0.005 (0.014)
PdA	0.037** (0.015)	0.016 (0.016)	-0.021 (0.013)
SP	0.023*** (0.008)	0.007 (0.009)	-0.017** (0.008)
SVP	0.019** (0.009)	-0.002 (0.010)	-0.022** (0.008)
Observations	98	98	98
R ²	0.803	0.767	0.509
Adjusted R ²	0.768	0.725	0.421
Residual Std. Error (df = 83)	0.013	0.013	0.011

Note:

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

Table 8: OLS estimates of slacking in National Council votes 47th & 48th Legislatures (non-participation)

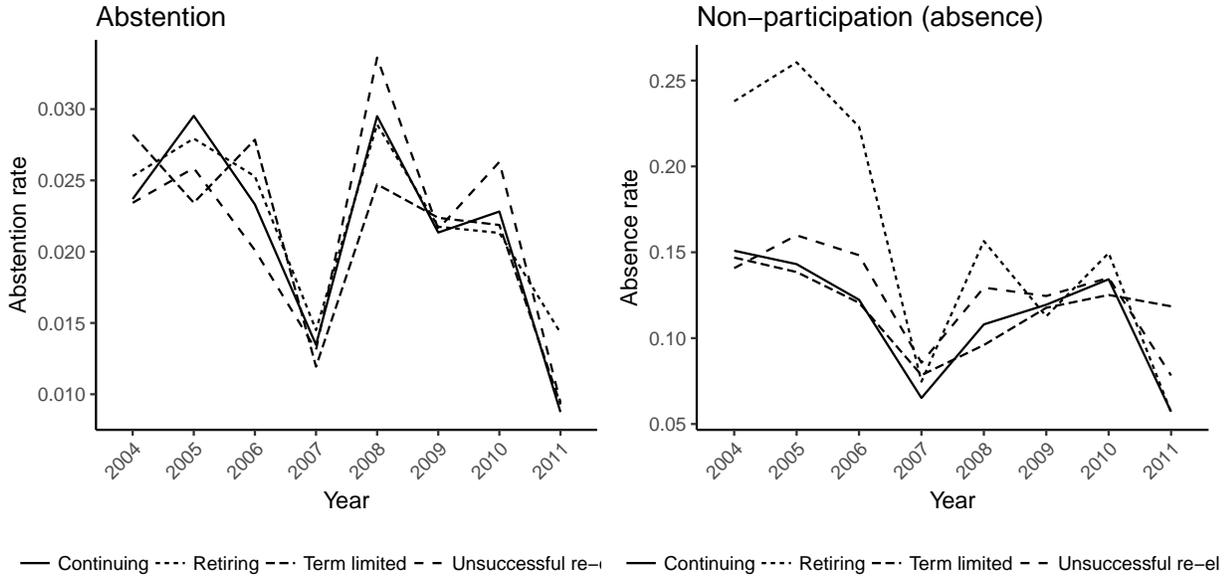
	<i>Dependent variable:</i>		
	Proportion of non-participations		
	(47th Leg.)	(48th Leg.)	(Difference 48-47)
Exit reason			
Term-limited 48th Leg.	0.020 (0.024)	0.029 (0.022)	0.015 (0.017)
Retired 48th Leg.	−0.033* (0.017)	−0.024 (0.016)	0.005 (0.012)
Unsuccessful re-election bid	0.001 (0.035)	−0.004 (0.031)	−0.001 (0.025)
Controls			
Age at 1st year of leg. session	−0.001 (0.001)	−0.002* (0.001)	−0.001 (0.001)
Years served at 1st year of leg. session	0.010*** (0.002)	0.006*** (0.001)	−0.004*** (0.001)
CsP	0.162* (0.092)	0.051 (0.084)	−0.085 (0.067)
CVP	0.154*** (0.052)	0.181*** (0.049)	0.047 (0.040)
EVP	0.158 (0.100)	0.155* (0.092)	0.019 (0.073)
FDP	0.173*** (0.054)	0.226*** (0.051)	0.074* (0.041)
FGr	0.078 (0.076)	0.128* (0.070)	0.075 (0.056)
Gru	0.061 (0.060)	0.087 (0.056)	0.046 (0.045)
LPS	0.175* (0.095)	0.362*** (0.087)	0.212*** (0.070)
PdA	0.198** (0.091)	0.175** (0.084)	0.002 (0.067)
SP	0.084* (0.049)	0.123** (0.048)	0.064* (0.038)
SVP	0.120** (0.055)	0.151*** (0.052)	0.056 (0.042)
Observations	111	111	111
R ²	0.806	0.792	0.382
Adjusted R ²	0.775	0.760	0.285
Residual Std. Error (df = 96)	0.078	0.070	0.056

Note:

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

Figure 7: Abstention and non-participation in National Council votes, 47th and 48th legislatures

Notes: Lines show the average number of votes participated among the four different groups of legislators: i) retirees (voluntary); ii) MPs who try but fail to secure re-election); iii) term-limited legislators; and iv) continuing MPs.



5 Conclusion

Assessing the influence of constituencies and parties on MPs' behavior is a difficult task. Many different approaches have been proposed and used, to varying degrees of success, and with varied (and sometimes contradictory) outcomes. As constituencies and parties are likely to influence MPs because the latter wish, with the help of the former, to win re-election, MPs' behavior should change when re-election is not or can not be sought.

While several studies have assessed whether retiring MPs start slacking and/or shirking in their last term, such studies face a chicken and egg problem. MPs might also want to retire because they slack and/or shirk. Consequently, term limits that impose mandatory retirement help alleviating these concerns. In this paper we took advantage of such term limits that exist in Switzerland due to cantonal constitutions both in the federal upper house and cantonal parliaments, and in all parliaments due to rules imposed by political parties.

Analyzing votes, speeches and other activities in the two federal chambers

and two cantonal parliaments we find mixed evidence for our two hypotheses. Regarding shirking we find no evidence for term-limited MPs in the cantonal parliaments to become less loyal to their party. This might be due in part to the fact that cantonal offices in several instances are stepping stones for careers at the federal level. At the federal level, the results are more nuanced. Using both speeches and votes in the federal chambers we find that term-limited and retiring MPs, compared to MPs representing themselves for re-election, are moving slightly away from their party. While these effects are suggestive, they are not statistically significant. We also find suggestive evidence that this shirking behavior of federal MPs goes hand in hand with a move toward the preferences of their respective cantonal median voters.

Regarding slacking behavior we fail to find evidence for our hypothesis at the cantonal level. At the federal level we do find some evidence for such slacking behavior. MPs that do not seek re-election are reducing their debate participation in their last term, but this effect is only significant for voluntary retiring MPs. On the other hand, only term-limited MPs appear to increase their non-participation rate in their last term, compared to MPs seeking re-election, while the other retiring MPs are increasing slightly more their participation in votes.

Overall our preliminary results suggest some evidence that term-limited MPs and voluntarily retiring MPs at two levels in Switzerland adjust their behavior due to the removal of the re-election constraint. While the Swiss case presents several advantages, like different term limits, parliaments at several levels, availability of unique data, there are also some limitations to our study. First, at the federal level only a very small number of MPs (3 at the most) are subject to constitutionally imposed term limits, while all other MPs may be subject to party rules. While this mixture has advantages—for instance the number of terms specified in term limits varies—it also restricts our analyses. Similarly, in the two cantonal parliaments that we analyze the same term limits apply to all MPs, allowing us only to partially distinguish the effect due to seniority from the one due to term limits. As the cantonal MPs might also have ambitions at the federal level, the removal of the cantonal re-election constraint might also be of lesser consequence.

In future work we will attempt to address some of these issues, amongst other by also considering cantonal parliaments with MPs who are only subject to term limits imposed by their parties. By covering a long time-span it should be also

possible to more clearly separate the effect of seniority from the one due to term limits.

Appendix

In table 9 we list all party names and their abbreviations as used in this paper. In Table 10 we report a replication of the models reported in table 2, eliminating, however, one member of the parliament in Basel-Stadt who at the beginning of the term was elected to the cantonal government and had to step down from parliament. Tables 11 and 12 report the results of models replicating the analyses reported in tables 4 and 5 while allowing for different effects of term limits and retirement for MPs in the two chambers. In Table 13 we report the results on the effects of term limits and retirement in the upper house, taking into account all votes, even those that were not published.³⁷ As we consider each individual vote of a Senator as an observation, we estimate hierarchical logit models with random effects for votes and the MPs.

Table 9: Party names and abbreviations

name	abbreviaion
Bourgeois democratic party	BDP
Radical-liberal party	FDP
Green Party	GPS
Green list	GL
Free list	FL
Christian-social party	CPS
Alternative List	AL
Evangelical party/Federal democratic Union	EVP/EDU
Social-democrats	SP
Swiss Peiple’s party	SVP

³⁷This data was made available to Sarah Bütikofer by the Parliamentary service.

Table 10: Basel-Stadt: Effects of term limits on number of interpellations and postulates

	<i>Dependent variable:</i>		
	diff 2016-2012	diff 2017-2013	diff 2016/7-2012/3
	(1)	(2)	(3)
term-limited	-3.242** (1.290)	-0.184 (0.842)	-3.427* (1.737)
Constant	1.333** (0.624)	-0.361 (0.408)	0.972 (0.840)
Observations	47	47	47
R ²	0.123	0.001	0.080
Adjusted R ²	0.104	-0.021	0.059
Residual Std. Error	3.744	2.445	5.041

Note:

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

Table 11: Shirking in the National Council and the Council of States

	absolute distance to party			difference 48th-47th
	47th (1)	48th (2)	(3)	
Exit reason				
Term-limited 48th Leg. × upper house	-0.052 (0.136)	0.067 (0.141)	0.050 (0.162)	0.029 (0.126)
Retired 48th Leg. × upper house	-0.051 (0.097)	0.190* (0.097)	0.157 (0.113)	0.148* (0.088)
Term-limited 48th Leg. × lower house	-0.045 (0.126)	0.015 (0.121)	0.101 (0.156)	0.177 (0.121)
Retired 48th Leg. × lower house	0.097 (0.060)	0.097 (0.061)	0.124* (0.074)	0.053 (0.058)
BDP		1.440 (7.239)		
CVP	11.381 (9.347)	1.392 (7.270)	-4.650 (11.307)	-25.398*** (8.789)
EVP/EDU	11.744 (9.356)			
FDP	11.389 (9.349)	1.410 (7.271)	-4.616 (11.312)	-25.331*** (8.793)
FL	12.570 (9.302)			
GPS	11.478 (9.336)	1.557 (7.260)	-4.417 (11.291)	-25.312*** (8.777)
SP	11.481 (9.330)	1.530 (7.253)	-4.503 (11.287)	-25.304*** (8.774)
SVP	11.797 (9.333)	1.879 (7.261)	-4.087 (11.292)	-25.202*** (8.778)
upper house	0.185*** (0.064)	0.274*** (0.050)	0.331*** (0.065)	0.254*** (0.050)
cohort	-0.006 (0.005)	-0.001 (0.004)	0.002 (0.006)	0.013*** (0.004)
Age -0.004	-0.002 (0.003)	-0.003 (0.002)	0.001 (0.004)	
Observations	146	214	146	146
R ²	0.731	0.670	0.681	0.292
Adjusted R ²	0.703	0.648	0.653	0.229
Residual Std. Error	0.229 (df = 132)	0.255 (df = 201)	0.284 (df = 134)	0.220 (df = 134)

Note:

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

Table 12: Shirking to the cantons in the National Council and the Council of States

	<i>Dependent variable:</i>			
	absolute distance to cantonal median voter			difference
	47th	48th		48th-47th
	(1)	(2)	(3)	(4)
Exit reason				
Term-limited 48th Leg. × upper house	0.329 (0.218)	-0.021 (0.201)	-0.034 (0.214)	-0.120 (0.181)
Retired 48th Leg. × upper house	-0.143 (0.155)	-0.321** (0.138)	-0.286* (0.149)	0.070 (0.126)
Term-limited 48th Leg. × lower house	0.158 (0.201)	0.040 (0.172)	-0.113 (0.206)	-0.274 (0.174)
Retired 48th Leg. × lower house	-0.160 (0.100)	-0.116 (0.086)	-0.188* (0.103)	-0.029 (0.087)
BDP		10.203 (10.308)		
CVP	17.810 (15.026)	10.535 (10.353)	17.835 (15.042)	10.316 (12.709)
EVP/EDU	17.659 (15.044)			
FDP	17.794 (15.032)	10.838 (10.354)	18.117 (15.051)	10.524 (12.716)
FL	19.249 (14.954)			
GPS	19.336 (15.010)	11.131 (10.338)	18.406 (15.022)	9.242 (12.692)
SP	18.586 (14.999)	11.190 (10.328)	18.481 (15.016)	10.092 (12.687)
SVP	18.758 (15.006)	12.229 (10.339)	19.359 (15.024)	10.811 (12.694)
upper house	-0.624*** (0.101)	-0.618*** (0.071)	-0.726*** (0.085)	-0.332*** (0.072)
cohort	-0.009 (0.007)	-0.005 (0.005)	-0.009 (0.007)	-0.005 (0.006)
age	0.003 (0.005)	-0.002 (0.003)	0.001 (0.005)	-0.005 (0.004)
Observations	144	214	144	144
R ²	0.902	0.918	0.911	0.655
Adjusted R ²	0.892	0.913	0.903	0.623
Residual Std. Error	0.366 (df = 130)	0.364 (df = 201)	0.374 (df = 132)	0.316 (df = 132)

Note:

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

Table 13: Shirking and slacking in the Council of States (2013-2015)

	<i>Dependent variable:</i>			
	Not Attended	Excused	Abstention	loyalty
published vote	-0.226*** (0.082)	-0.448*** (0.127)	0.033 (0.123)	2.079*** (0.108)
term-limited	0.935 (0.784)	-14.576 (7,251.992)	-1.706** (0.822)	0.202 (0.433)
term-limited × published vote	0.666*** (0.202)	-2.380 (35,156.430)	2.610*** (0.719)	-1.059*** (0.272)
retired	0.066 (0.368)	2.488 (2.130)	0.112 (0.253)	-0.138 (0.196)
retired × published vote	0.128 (0.106)	0.696*** (0.193)	-0.381** (0.181)	0.461*** (0.152)
BDP	-16.143*** (5.250)	-24.951 (9,383.667)	-9.842*** (2.647)	13.126 (20.790)
CVP	-2.905*** (0.246)	-8.355*** (1.438)	-4.859*** (0.182)	2.184*** (0.139)
GPS	-2.920*** (0.541)	-39.663 (1,582,651.000)	-4.399*** (0.364)	3.609*** (0.322)
GL	-3.704*** (0.657)	-11.243*** (3.948)	-3.971*** (0.429)	2.495*** (0.355)
FDP	-3.318*** (0.260)	-9.688*** (1.787)	-4.387*** (0.183)	1.856*** (0.144)
SP	-3.368*** (0.239)	-9.054*** (1.530)	-4.122*** (0.168)	2.948*** (0.140)
SVP	-2.832*** (0.318)	-9.460*** (2.194)	-4.340*** (0.219)	1.971*** (0.176)
random effects: votes	yes	yes	yes	yes
random effects: MPs	yes	yes	yes	yes
Observations	42,011	42,011	42,011	36,632
Log Likelihood	-9,414.833	-2,369.085	-4,335.259	-8,987.764
Akaike Inf. Crit.	18,857.670	4,766.171	8,698.518	18,003.530
Bayesian Inf. Crit.	18,978.710	4,887.210	8,819.557	18,122.650

Note:

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

Term limits in cantonal parties

Below we present a (possibly incomplete) list of cantonal parties that have adopted term limits for their members

- SP

- AG https://www.sp-aargau.ch/fileadmin/Dokumente/Dokumente/01_Statuten-SPKantonAargau_120529.pdf 12 years limit, 2/3 can renominate.
- GE <http://www.ps-ge.ch/wp-content/uploads/2013/02/Status-du-PSG-Etat-au-4-ma.pdf> (accédé le 30.7.2017) .
- JU <http://www.psju.ch/statuts/> art 49 trois périodes consécutifs., 2/3 overturn.
- NE file:///C:/Users/simon/Downloads/statuts_du_psn_10_novembre_2012_0.pdf 16 ans max. (sans exception).
- VS file:///C:/Users/simon/Downloads/statuts_psvr_version_definitive_9_04_2016_.pdf 3 mandats, exceptionnellement 4ème.
- BE http://spbe.ch/fileadmin/user_upload/sp-be/sp-kanton-bern-fr/pdf/20130418_Statuts_Rev_congres.pdf (accédé le 30.7.2017).
- BS https://www.sp-bs.ch/sites/sp-bs.ch/files/documents/statuten_revision_2015.pdf 4 terms (accepted 2015).
- AG https://www.sp-ps.ch/sites/default/files/documents/links_ag_124-2012.pdf art 31, 12 years, 2/3 overturn. (10. Januar 2012 Einführung).
- TI 2016 <http://www.ps-ticino.ch/wp-content/uploads/2015/02/20160123statutops.pdf>: Art. 19: three consecutive terms (max. 16. years).
- ZH <https://spkantonzh.ch/aktuell/artikel/bewegung-ins-parlament/2010> <https://spkantonzh.ch/app/uploads/2016/12/Reglement-Nominationsverfahren.pdf> 3 terms, 2/3 override. <https://spkantonzh.ch/app/uploads/2016/12/Reglement-Nominationsverfahren-SR-NR-Wahlen.pdf>.
- none: GR 2016, VD.

- CVP

- FR https://pdc-fr.ch/wp-content/uploads/2014/12/Statuts_PDC_FR_2014_11-2.pdf 4 terms.
- SG http://www.cvp-sg.ch/wp-content/uploads/2015/03/CVP-SG-Statuten-2014_def.pdf 4 mandates, 2/3 can overrule, Jakob Büchler will be subject to this rule.
- LU <https://www.cvp-luzern.ch/sites/default/files/2017-03/Statuten%20-%20Schlussfassung%202013.pdf> 4 terms 2013 Parteisekretär suggests in personal email communication that this rule has existed for at least 20 years.
- VS http://www.pdcvr.ch/wp-content/uploads/2016/05/Statuts_du_PDC_VR_-_21.04.2008_.pdf 3 terms, may be overridden by 2/3 majority in secret vote.
- none: BE 2016, TG 2014, GR 2016, AR 2009, ZG 2014/2001, UR 2010, SH 1985/2014, SO 2006.
- unclear: AI, TI

- SVP

- AG <https://www.bluewin.ch/de/news/regional/region-east/2017/5/15/svp-aargau-baut-huerde-gegen-sesselkleber-im-bundes.html> max.16 years, introduced in 2017.
- BE <http://svp-bern.ch/wp-content/uploads/sites/9/866e4ab44c8db54f1af7199db155.pdf> 2013 art.. 39 maximal dreimal wiedergewählt (max 16 years). Adrian Amstutz term-limited in 2019 <https://www.nzz.ch/schweiz/svp-kanton-bern-statuten-verhindern-weitere-amtszeit-von-amstutz-ld.133018>.
- none: GR 2016, TG 2010, LU 2013, ZH 2012, VD 2016, SG 2016, SZ 2008.
- unclear: VS

- GPS

- GE <https://www.verts-ge.ch/les-verts/les-statuts.html> Art. 33 - 3 mandats probablement depuis 1998.
 - none: AG 2017, VD 2013
 - unclear: ZH
- FDP
 - TI <http://www.plrt.ch/documents/view/536cd69b-eea0-4587-bdc6-6b090a320dd1> 4 terms art 64, according to party introduced in 2011.
 - LU http://www.fdp-lu.ch/imagesimages/stories/Mandanten/LU/FDPLuzern/Statuten/Statuten_FDP_Kt_LU_DV_04.2016.pdf 2016: art 19: usually restricted to 4 leg. periods.
 - none: BE 2012, BL 2013, NW 2013, OW 2008 SG 2010, SH 2014: Art.12: max. 3 terms but ONLY for party organs, SO 2013, UR 2017 VD 2012, ZH 2010, ZG 2012.
 - unclear: TG
 - BDP
 - none: FR 2010 SO 2009.
 - unclear: GR

5.1 Measuring MPs’ “Partyness” with Machine Learning

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5.1.1 Key Assumptions

The machine learning approach of measuring the position of MPs relies on a simple assumption of how language is generated. When parties use distinct terms to discuss a particular political issue, that use of language reveals partisanship. Such dynamics are perhaps most evident in the US Congress, where Republicans will refer to “death taxes” and “illegal aliens”, while Democrats will speak of the same issues using phrases such as “estate taxes” and “undocumented workers” (cf. Gentzkow et al. 2016).

When using machine learning, we introduce information on the party label of legislators, and train a model to “recognise” the features associated with different labels. The trained model “knows” how members of party A typically speak it has “learned” the features of that party’s language and estimates the probability of an individual belonging to that party A for each speech that we “ask” it to predict. As a basic intuition, a polarised parliament consists of groups that choose to use very distinct language, and an unpolarised legislature includes MPs who are linguistically proximate to members of their own party. Style, sub-topic, and other semantic differences are used strategically by legislators to make a point. The level to which these differences in language use accord with a particular “party label” as predicted by a trained model reveals the degree of partisanship of the member.

The machine learning approach is particularly well-suited to high-dimensional data because we avoid the problem of issue space altogether. Disagreement is instead reduced to one dimension: language use. Admittedly, this broadens the concept of “ideology” as it is usually defined in the literature (see also Peterson and Spirling 2018; Gentzkow et al. 2016). But, it can be seen as an efficient and appropriate approach if we accept the assumption that all or at least a majority of an MP’s linguistic choices are informed by political considerations.

³⁸The information contained in this part of the appendix is an abridged version of Goet (2017).

5.1.2 Implementation

To measure legislator preferences and parliament-level polarisation, we apply the stochastic gradient descent machine learning algorithm with a log loss function and l2 regularisation (Bottou 2004). SGD has a cost function is defined as follows over m training samples:

$$J_{train}(\theta) = \frac{1}{m} \sum_{i=1}^m \text{cost}(\theta, (x^{(i)}, y^{(i)})) \quad (1)$$

The algorithm operates by randomly shuffling over the dataset (i.e. reordering the training samples randomly), and subsequently updating the cost function for each training sample m until convergence:

$$\text{Repeat}\{ \quad (2)$$

$$\text{for } i = 1, \dots, m\{ \quad (3)$$

$$\theta_j = \theta_j - \alpha(h_{\theta}(x^{(i)} - y^{(i)}) * x_k^{(i)}) \quad (4)$$

$$\text{for } j = 0, \dots, n \quad (5)$$

$$\} \quad (6)$$

$$\} \quad (7)$$

For every training sample $x^{(i)}, y^{(i)}$, the parameters are modified to improve the fit for the next training sample, and so on, until it has looped through the entire training set and reached convergence.³⁹

By cross-validating ten-fold, we obtain individual level partisan scores for each legislator using probability estimates for each label. In other words: for each speech, the probability that it belongs to a “class” represents a legislator’s “partyness” for that speech. The mean probability of belonging to their party across all the individual’s speeches for a time period t represents that legislator’s partyness for that period t .

To account for differences in the length of speeches, important and common words, we apply the TF-IDF transformation to the WFMs. This transformation

³⁹Note that for SGD, as opposed to *Batch* Gradient Descent, we do not actually reach the global minimum; rather, the algorithm “wanders” continuously around a region close to the global minimum.

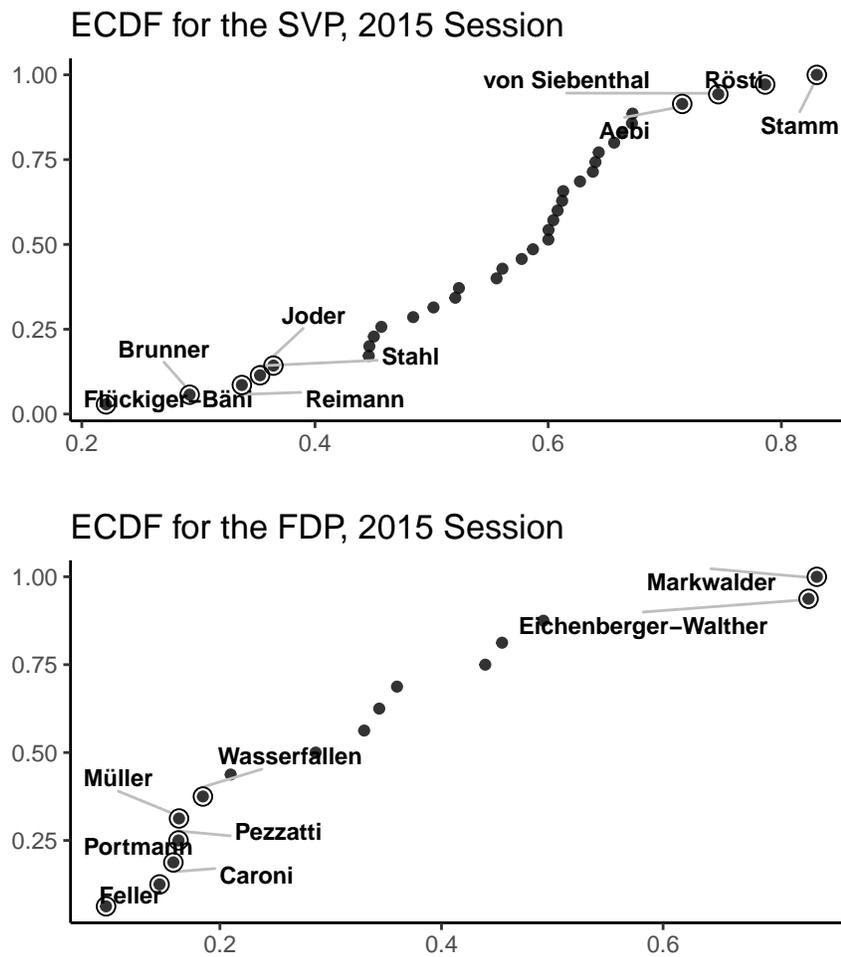
up-weights words proportional to the number of times they appear in the document, and is offset by the frequency of the term across the corpus (Manning et al. 2008). We conduct a “rough” grid search to tune the α hyper-parameter, varying the α between $1e-4$ and $1e-24$, and selecting different levels for this parameter based on model performance evaluated by the classifier’s accuracy.

5.1.3 Example: “Partyness of SVP and FDP Legislators in the 2015 Session”

By means of this implementation, we obtain sessional scores of “partyness” for each MP (i.e. their mean score across the classification score for each speech they made in that session). We can subsequently consider the distribution of these accuracy measures within parties. Specifically, the empirical cumulative distribution function (ECDF) shows how MPs are located within the parties to which they belong. Below, we consider the ECDFs of the SVP and FDP-Liberale in the session of 2015 in the lower house. Individuals at either extremes of the distribution (i.e. low partyness or high partyness) are labeled).

To verify our partyness scores we compare the positions of the (labeled) individuals at the extremes of the distribution (see figure 8) with their position on a left-right scale, calculated based on roll-call votes (see e.g. Hermann and Nowak 2016). Our partyness scores, it seems, are more accurate for the FDP than for the more extreme SVP. Christa Markwalder is known to be relatively moderate/left within the FDP, and so is Corina Eichenberger-Walther. Hence, it is very likely that both use a very similar language. Similarly, Bruno Pezatti, Walter Müller, Hans-Peter Protmann and Christian Wasserfallen are all located relatively right on a left-right scale. Our results are more mixed for the members of the conservative SVP: while our score indicates that Andreas Aebi, Erich von Siebenthal, Albert Rösti and Luzi Stamm all have a similar position within the party, this is not the case on a left-right scale. While the former two are at the moderate side of the party distribution, Luzi Stamm is at the extreme right and Albert Rösti in the center of the party. Also Toni Brunner and Lukas Reimann have relatively right positions in voting but use a similar language as Rudolf Joder and Jürg Stahl, who are at the moderate/left side of the SVP.

Figure 8: ECDFs of Classifier Accuracies of MPs in the SVP and the FDP, 2015 session



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