

Chapter 6

Parties in Parliament: The Blurring of Opposition

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Abstract The existence and activity of Political Opposition is indispensable in democratic systems of government. This chapter argues that the vital democratic functions of opposition (informing the voters and providing an alternative) are confined to the electoral arena. In the parliamentary arena, however, the distinction between government and opposition is blurred when opposition parties support the government, when governing parties oppose the government, when opposition parties provide structural support to a minority government, and when the government anticipates an opposition majority in another institution of government. As long as this blurring of opposition in the parliamentary arena goes unnoticed by the voters, opposition parties may still fulfill their democratic duties in the electoral arena, albeit in a hypocritical way. However, in recent years, government and opposition are growing so indistinct in the parliamentary arena that increasingly voters may find that they are no longer offered a meaningful choice within the system.

Keywords Parliament • Opposition • Bereichsopposition • Pseudo-opposition • Divided government • Cartel parties • Modes of executive-legislative relations

6.1 Introduction

‘It was said by a close observer of Parliamentary institutions that “When the Government of the day and the Opposition of the day take the same side, one can be almost sure that some great wrong is at hand”’ (Russell 1912: 250).

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The interactions between parties in government and parties in opposition make up an important part of inter-party relations in general. These interactions are rather understudied. As von Beyme complained some years ago, ‘There is no truly comparative work on parliamentary oppositions’ (von Beyme 1987: 45). The literature on this topic consists primarily of country-specific studies, sometimes brought together in edited volumes (Dahl 1966a; Oberreuter 1975; Kolinsky 1987; Helms 2008a). The lack of truly comparative work also translates into a lack of theorizing about the government–opposition dynamics, with Dahl’s contributions (1966a, b) to his own edited volume still providing the point of departure for the relatively few exceptions. This chapter seeks to add to that small body of literature by pointing out that political parties interact with each other in a number of nested games, or in different arenas: elections, parliament, government, and these at different levels of government. Most notably, the interactions between opposition parties and governing parties in the electoral and parliamentary arenas are often very different. Increasingly, it would seem that the distinction between government and opposition gets blurred in the parliamentary arena, while voters are still supposed to attribute accountability in the electoral arena.

6.2 Opposition in Two Arenas

The existence of opposition is widely acknowledged as a crucial ingredient of representative democracy: ‘democracy is an ideology of opposition as much as it is one of government’ (I. Shapiro, quoted in Helms 2008a: 6) and ‘one is inclined to regard the existence of an opposition party as very nearly the most distinctive characteristic of democracy’ (Dahl 1966b: xviii). Yet, it is also a puzzling, almost unnatural, ingredient. To say that political parties seek power comes close to a tautology. There are exceptions to prove the rule, but generally parties want to maximize their hold on power, be it for its own sake, or as a means to affect public policy (Strøm and Müller 1999). Once in power, the rights of parties that are not in government are bound to be regarded as a nuisance, if not worse. If parties in power would think that they could get away with it, they would surely crush or at least constrain opposition. ‘The system of managing the major political conflicts of a society by allowing one or more opposition parties to compete with the governing parties for votes in elections and in parliament is then (...) one of the greatest and most unexpected discoveries that man has ever stumbled onto’ (Dahl 1966b: xvii–xviii).

The importance of opposition for representative democracy follows from definitions of democracy such as the one famously offered by Schumpeter: ‘that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote’ (Schumpeter 1950: 269). It is a minimal definition of the role of the people, but for them to fulfill their task, they need two things: information and an alternative. A government without opposition leaves the voters without a choice and without a monitor to inform them of the government’s failures. In a democracy, the

opposition's task is to scrutinize and criticize the government's actions and to represent a credible alternative government (Helms 2008b: 9). This emphasis on parliamentary opposition in democratic theory has been criticized on two grounds. For some, it is too narrow a view of opposition. Since Dahl's 1966 volume on *Political Oppositions in Western Democracies*, the relative lack of attention to extraparliamentary opposition in the literature has been lamented (e.g., Blondel 1997; Brack and Weinblum 2011), but while other social groups and institutions such as the media and the judiciary may monitor the government equally well compared to opposition parties, they are less likely to provide an alternative government. For others, the importance of competition, and hence opposition, is overestimated in Schumpeterian definitions of democracy. In consociational or consensus democracy, for example, power is not so much contested, but shared (Lijphart 1977; Andeweg 2000), and the existence of opposition parties is not a vital part. For many, originally including Lijphart himself, however, the absence of competition and opposition is a weakness of consociational democracy, tolerable only because otherwise democracy could not survive in deeply divided societies: 'If one regards the presence of a strong opposition as an essential ingredient of democracy, consociational democracy is by definition less democratic than the British government-versus-opposition pattern (...). Under the unfavorable circumstances of segmental cleavages, consociational democracy, though far from the abstract ideal, is the best kind of democracy that can realistically be expected' (Lijphart 1977: 47–48). Although Lijphart (1999) later adopted a less defensive tone, the emphasis on parliamentary opposition in democratic theory seems justified.

Dahl (1966c) identified 'six important ways' in which parliamentary opposition may vary: concentration, competitiveness, distinctiveness, goals, strategy, and site for the interaction between government and opposition. Blondel (1997) has grouped some of Dahl's variables together to construct a two-dimensional typology of opposition: its cohesiveness and its distance from the government. A cohesive opposition forms a united and distinctive bloc against the government. At the other end of this dimension stands a diffuse opposition, divided into two or more groups that are as distinct from each other as they are from the government. Distance from the government also forms a dimension, ranging from limited disagreements on specific matters to outright rejection of the political regime. Implicit in such a typology is a normative preference for a cohesive opposition that disagrees with the government's policies, but does not reject the political system as such. If the opposition undermines the legitimacy of the entire regime, the stability of the democracy is at risk. If the opposition is not cohesive, it may unite temporarily to bring down the government, but it is unlikely to present a single alternative in the following elections, especially in multipolar party systems. This may eventually lead to a Weimar-like cabinet instability, also endangering democracy's stability (it is precisely to prevent such a scenario that the constructive vote of no confidence was invented). It is not difficult to recognize a Westminster-style 'Her Majesty's Loyal Opposition' as the preferred type of opposition in a democracy.

The reasoning behind the normative importance of opposition, and the preference for a cohesive and responsible opposition, provide a one-sided view of opposition. It sees opposition exclusively in its function for the voters: to provide them with information and an alternative for the incumbent government. The parliamentary arena is thus subordinate to the electoral arena: It is merely a forum from which to influence the next election; it is not an arena to influence public policy. Hence, in the words of a nineteenth century British politician, ‘The duty of an Opposition [is] very simple... to oppose everything, and propose nothing’ (cited in Norton 2008: 238). In this way, the normative perspective on opposition sees opposition parties as office seeking and vote seeking, but not policy seeking. To the extent that opposition parties are also policy seeking, they apparently sit on their hands in parliament and wait until it is their turn to govern. It is an empirical question whether opposition parties content themselves with cultivating their distinctiveness from the government, or actively contribute to policy making. Dahl recognized that patterns of opposition could be different in the electoral and parliamentary arenas, for example in the United States, with strictly competitive relations in the electoral arena, but partly cooperative relations in parliament, at least at the time of his writing (Dahl 1966c: 336–338). The distinction between the electoral and parliamentary arenas also is featured prominently in Strøm’s explanation of the formation of minority governments. He draws attention to the fact that ‘(...) even opposition parties can enjoy some policy influence in most parliamentary democracies. Thus, the role of the opposition is not simply to criticize and present an alternative government, functions that have been emphasized in descriptions of the Westminster model of government. (...) We should therefore think of the policy influence of the various parties in and out of government as a matter of degree’ (Strøm 1990: 42). In some countries, parliament offers opposition parties many opportunities to influence public policy (for example, through the structure of the committee system), while parliamentary influence for the opposition is minimal elsewhere. And in some political systems, through a combination of the party system and electoral system, the election outcome determines the composition of the government to a great extent, while electoral decisiveness is low in other systems. Strøm’s argument is that a combination of high electoral decisiveness and high parliamentary influence for opposition parties makes minority government more likely, but his two-dimensional typology (Strøm 1990: 90) may also serve to illustrate different opposition strategies: where electoral decisiveness is high and opposition influence in parliament is low, we find the Westminster pattern of using parliament only as a platform to fight the next election. But opposition strategies are different in the other combinations. Where electoral decisiveness is low and parliamentary influence is high, for example, opposition parties may largely ignore their ‘democratic duties’ of monitoring and presenting an alternative and invest in the legislative process in parliament instead. From an opposition point of view, the combination of low electoral decisiveness and low opposition influence in parliament offers the most dismal prospects: This cell in the typology is aptly labeled ‘captive opposition.’

However, to the extent that elections are at least moderately effective and opposition parties have at least *some* opportunities to influence policy making in parliament, they face a trade-off. Participating in the policy-making process in parliament involves more than saying ‘no’ to every government proposal and thus brings the risk of losing distinctiveness in the eyes of the voter. According to Strøm, ‘Parties in opposition have to do their work away from the centers of public attention, because opportunities are more available and compromises less embarrassing to the government’ (Strøm 1990: 43), but primarily, we might add, to avoid that working together with governing parties in parliamentary policy making is noticed by the electorate. The trade-off that opposition parties have to face between immediate policy seeking in the parliamentary arena and vote seeking in the electoral arena is not only affected by the institutional architecture of the political system. Party characteristics also play a role. Steinack (2011), for example, contrasts the strategies of two Bavarian opposition parties. Among other factors, a simple variable such as the size of the parliamentary group (more representatives allowing for the specialization needed to be influential in committees) helps explain why the SPD could seek to influence policy making in parliament while the Greens used parliament primarily to advertise their distinctiveness from the ruling CSU.

However, in this chapter, I shall not focus on such institutional and party differences affecting the choice of opposition strategy in the two arenas. Instead, I focus on similarities across parties and institutional contexts. It is the thesis of the remainder of this chapter that in many countries, several developments in the parliamentary arena, and even in the governmental arena, are blurring the distinction between governing parties and opposition parties, and eroding the democratic function of the opposition.

6.3 Opposition Parties Supporting the Government

In most parliaments, we find ‘co-government’ devices in which the opposition cooperates with the government in the procedural running of parliament (Helms 2004), but co-government seems to extend into the substance of policy making as well. It is striking how exceptional it seems to be that opposition parties actually oppose government proposals in parliament (von Beyme 1987: 41). We lack a systematic and comparative analysis of the voting behavior of opposition parties, but a pattern of cooperation on legislation has been reported for countries as diverse as Spain (Mujica and Sanchez-Cuenca 2006), Italy (Giuliani 2008) and Austria (Helms 2008b: 15), Germany, the Scandinavian countries, and Latin America (Norton 2008: 241). For the Netherlands, Visscher (1994) studied the fate of some 3,000 bills that were discussed in parliament between 1963 and 1986. The government had introduced all but a few of these proposals, yet, surprisingly, the opposition parties usually supported them when it came to the final vote. When in opposition, the liberal conservatives (VVD) opposed only 8 % of all government

bills, and for Labour (PvdA) the percentage is not much higher; 12 %. Even the most oppositional of all opposition parties, the Communist party, voted against no more than 16 % of all government proposals (Visscher 1994: 375–376). Several explanations can be suggested for this absence of opposition in parliament. The Dutch constitution, for example, has no provision that bills die at the end of a parliamentary term. As a consequence, by the time a bill comes to a vote, one or more parties who had been in government when the bill was introduced may find themselves on the opposition benches. In such cases, it is hardly credible for a party to vote against a bill that it had introduced, simply because it is now in opposition. However, the number of such cases should not be overestimated, and moreover, it merely rephrases the puzzle: Why do previous opposition parties not withdraw the bills that were introduced by parties currently in opposition? Another explanation would see the support from opposition parties as a symptom of Dutch consociationalism: The practice of elite cooperation within oversized coalitions is apparently extended even further into seeking consensus with opposition parties. However, only the first years of the period studied by Visscher—1963–1986—belong to the era of consociational democracy. In fact, it includes years of fierce polarization (1970–1982) when parties of the left sought to transform the Dutch system in a majoritarian direction. Moreover, a more recent analysis of all votes in the Dutch Lower House between June 2002 and February 2003 shows that the governing parties supported 94 % of all legislative proposals, which was hardly more than the 91 % of all bills that were supported by the opposition parties (personal communication from Simon Otjes).

But the biggest blow to these two country-specific explanations is the fact that very similar patterns have been reported for the UK—an adversarial rather than a consociational system, in which bills do die. Van Mechelen and Rose (1986) analyzed the parliamentary process of 2,399 bills approved by the House of Commons between 1945 and 1983. ‘From a perspective of four decades, the most important point to emphasize is that legislation in the House of Commons is normally consensual. Even in a period of massive rhetorical confrontation between the Conservative and Labour parties from 1979 to 1983, 61 % of new government legislation went through without a division on principle, and as much as 78 % in the session leading up to the 1983 general election’ (Van Mechelen and Rose 1986: 58). And even when the opposition called for a formal vote on a bill, it did not massively vote against it: ‘Given that the opposition normally has more than 250 MPs, it is specially noteworthy that only three percent of Acts of Parliament are opposed by more than 250 MPs’ (Van Mechelen and Rose 1986: 59). It may well be that the opposition is willing to support governmental proposals because they have been able to influence and amend them prior to the plenary vote. Visscher shows that in the Netherlands, the government will often change its proposal as a result of deliberations during the committee stage; it did not oppose 68 % of all opposition amendments and even adopted 7 % of them (Visscher 1994: 261). In the UK, opposition influence supposedly takes place even further ‘away from the centers of public attention’: ‘In order to avoid conflict in the Commons, government ministers prefer to make most of their bills so agreeable to

all affected that not even the Opposition, with a tactical parliamentary incentive to oppose, can vote against' (Van Mechelen and Rose 1986: 59). But such an explanation merely begs the question: why would governing parties, with a secure parliamentary majority, anticipate or adopt opposition parties' suggestions?

An alternative explanation draws attention to the fact that government versus opposition is but one of several 'modes of executive-legislative relations' (King 1976; Andeweg and Nijzink 1995). Next to this 'opposition mode,' for example, MPs and ministers may also operate in a 'cross-party mode' where they cooperate with MPs and/or ministers from other parties on issues of common interest. In the Dutch parliament, for example, MPs specialize in a particular policy area, often on the basis of their background or previous occupation. According to surveys of Dutch MPs, about 80 % agree that, as their party's specialists, the parliamentary party allows them considerable freedom of maneuver in Parliamentary Committees. They use this freedom to work together in committees in a less partisan atmosphere. An agreement between policy specialists may carry over into the much more partisan plenary sessions because other MPs take their voting cues from their party's specialist.

In the British case, the cross-party mode has also been identified, but its influence is likely to be more indirect. After all, legislation is dealt with in Standing Committees where evidence of a bipartisan spirit is hard to find. But party discipline is more relaxed in the Select Committees and absent in the rapidly growing number of all-party groups (groups of MPs from all parties with a common interest) in the UK Parliament, covering subjects as diverse as AIDS, child and youth crime, compassion in dying, environment, equalities, genocide prevention, obesity, prison health, solvent abuse, tourism, and war crime (Norton 2008: 241).

Obviously, this cross-party mode can only operate for proposals that are not highly charged ideologically. Van Mechelen and Rose report that (...) defense and international affairs show a very high degree of consensus. This reflects recognition of common British interests vis-à-vis other countries. The high degree of consensus in agricultural legislation emphasizes the privileged position of farm pressure groups in all parties (...) The most divisive issues between the parties concern housing and local government, where party interests are particularly engaged (59; also see von Beyme 1987: 41). The mixture of more ideological proposals and more technocratic proposals (or between position issues and valence issues) is thus likely to affect the degree of opposition party support for government proposals. Van Mechelen and Rose study legislation up to 1983 and Visscher's data extend to 1986, but it seems highly unlikely that opposition party support has declined since then. After all, political parties have become less distinctive. The social cleavages that structured the party systems of most Western democracies have eroded, and political parties no longer represent well-organized social groups. And it may not be 'the end of ideology,' but the great ideological battles of the past are over, leaving parties to attract voters more on the basis of administrative competence than programmatic profile. It is telling that of the countries for which recent data on parliamentary cooperation between government

and opposition are available, we see a decline only in Belgium, where mobilization along the linguistic divide overrides the growing similarity between parties in other policy areas (Andeweg et al. 2008: 100).

6.4 Governing Parties Opposing the Government

While opposition parties support government proposals, we also see governing parties oppose them. It is exceptional for a party with ministers in government to declare itself to be formally in opposition (See Church and Vatter 2009 for an example), but informally opposition by governing parties seems to occur more frequently. Obviously such opposition is rare in single-party government, although King's 'intra-party mode' of executive–legislative relations points to the possibility of a backbench revolt against the governing party's ministers. It is difficult to distinguish this mode from individual MPs, or a party faction, refusing to toe the party line: opposition by the parliamentary party as such against its own prime minister would signal the end of the government. The situation is different in coalition governments. Here, the relations between ministers of one governing party and MPs of another governing party are described by King (1976) as an 'inter-party mode' of executive–legislative relations, and by Andeweg and Nijzink (1995) as the 'intra-coalition mode.' That such relations can involve active opposition has been noted first for countries with an all-party government or a grand coalition. For Switzerland, Kerr argues that the inclusion of all parties in government has not prevented some governing parties from opposing proposals in parliament, in particular when issues are highly salient and touching upon ideological differences (Kerr 1978).

In Austria, such opposition takes the form of *Bereichsopposition*, where a governing party opposes the policies of ministers belonging to the other governing party: 'The administration of every department is under constant attack from the party press, the parliamentary group, and organizational spokesmen of the coalition partner' (Engelmann 1966: 271–272; Müller 1993). Some of this *Bereichsopposition* takes place out of sight within the corridors of power of the coalition, but it is also practiced in parliament, where the coalition parties employ it as a strategy to mark their own position for the benefit of their voters. '(...) If a party has to agree to a compromise particularly distasteful to its clientele, it will be allowed to make enough parliamentary and extraparliamentary noises to convince its clientele of the intensity of its reluctance' (Kirchheimer 1957: 139). This may take the form of asking critical parliamentary questions of the coalition partner's ministers, of teaming up with parties outside the coalition to launch a parliamentary inquiry into a scandal in a policy area dominated by the coalition partner, and it may even include introducing private member bills presenting alternative policies. Often, the coalition agreement does not rule out the introduction of such a bill, but it does not allow coalition parties to join the opposition in parliamentary votes. So many of these proposals never come to a vote, symptomatic of the fact

that *Bereichsopposition* is not intended to jeopardize the coalition (Andeweg et al. 2008: 100–103).

Holzhaecker discovered such intra-coalition opposition in the Netherlands with regard to scrutiny of EU decision making. According to one of the MPs interviewed, ‘(...) the tendency is to be more critical towards the ministers of the other coalition partners than towards our own ministers. This is done to preserve the party interest ... the heaviest tensions and contradictions exist between the biggest coalition partners, especially between the PvdA and the VVD. This struggle is partly fought in parliament and partly fought in the government’ (quoted in Holzhaecker 2002: 473). Similar practices can be observed in other countries, with junior ministers of one party appointed to act as ‘a spy of one party implanted in a ministry administered by the other party’ (Engelmann 1966: 270; also see Thies 2001), or, more visibly, with the chair of parliamentary committees being held by an MP from a governing party that has not appointed the minister in the department that is scrutinized by the committee (Carroll and Cox 2012).

Kirchheimer saw *Bereichsopposition* as filling the gap created by the ‘waning of oppositions’ that he famously predicted: ‘It presents a limited survival and revival of the opposition concept at a time when opposition ideologies (...) are becoming downgraded to the role of relatively meaningless etiquettes and advertisement slogans within the framework of interest representation’ (Kirchheimer 1957: 156). Lijphart saw it as evidence that opposition does exist in consociational democracies (Lijphart 1977: 48). However, for many voters, the paradox of support by opposition parties and opposition by governing parties is likely to contribute to a blurring of the distinction between government and opposition.

The incentives for *Bereichsopposition* are bigger the more a party’s distinct identity is obscured by the nature of the coalition. Helms regards what he calls ‘sectoral opposition’ as a consequence of grand coalitions or surplus majority coalitions (2008b: 10), but in addition to unusually large coalitions, we may also think of coalitions that are not ‘minimal connected winning’ or otherwise ideologically compact as threats to a governing party’s identity. Peter Mair has repeatedly drawn attention to the rise of coalition ‘promiscuity’ (first in Mair 1995: 49), the increasing occurrence of unusual or at least innovative combinations of parties: ‘rainbow coalitions’ in Belgium and Finland, ‘purple coalitions’ in the Netherlands, etc. To the extent that such a trend exists, it is likely to contribute to the blurring of opposition.

6.5 Pseudo-Opposition

A special case of such an unusual combination is when one or more political parties form a minority government that is assured of a parliamentary majority by the permanent support of one or more parties outside the government. It has long been recognized that the category of ‘minority government’ actually contains two very different types: There are ‘true’ minority governments that are not guaranteed

support by a parliamentary majority and must persuade one or more opposition parties to support a specific proposal. The government may well find that support among different opposition parties for different measures. It is a form of support that I discussed in the section on ‘opposition parties supporting the government.’ But there are also ‘pseudo’ minority governments, in which the government strikes a deal with one or more opposition parties which receive concessions in return for permanent support: It may be a minority government, but *de facto* it is a majority coalition. And the parties that do not join the government but agree to lend it consistent support are pseudo-opposition parties; their ambiguous status itself blurs the distinction between government and opposition. Some pseudo-opposition parties are still close to real opposition parties. For example, in Austria, in 1970, the SPÖ formed a minority government under Chancellor Kreisky with the support of the opposition party FPÖ. The FPÖ did so only because of Kreisky’s promise of electoral reform. Shortly after the reform had been approved, early elections were called in 1971 (Müller 2011). The support agreement was short lived and only implicit. On the other extreme, some pseudo-opposition parties are almost indistinguishable from real governing parties. For example, in New Zealand, in 2005, Labour formed a minority government with structural support from two parties: United Future and New Zealand First (Bale and Bergman 2006). The agreement consisted of joint policy positions on a range of issues and consultation procedures on other issues. In addition, the leaders of the two pseudo-opposition parties were appointed to ministerial positions outside the cabinet. Most support agreements between minority governments and pseudo-opposition parties fall in-between, with joint policy positions on a wide range of issues (but rarely on all), complemented by consultation procedures on other issues. For example, in the Netherlands, from 2010 to 2012, conservative liberals and Christian Democrats formed a minority coalition with structural support from the populist Freedom Party. In a separate written agreement, the governing parties and the Freedom Party spelled out the concessions to the Freedom Party—primarily with regard to immigration—in return for the Freedom Party’s support of the government’s austerity measures. Weekly consultations between the Freedom Party’s leader and the prime minister were intended to prevent conflicts on other issues from destabilizing the government, but on several other issues, for example on foreign policy, the Freedom Party continued to act as a true opposition party and the government had to find *ad hoc* allies as a true minority government.

Because of such variation, there is no agreement on the frequency with which pseudo-opposition occurs. Herman and Pope estimated that 58 % of all minority governments in 12 European countries between 1945 and 1971 were supported by a majority coalition in parliament (Herman and Pope 1973: 194). Strøm, however, looked at 125 minority governments in 15 countries between 1945 and 1987, and found that only 11 % were supported by a majority coalition in parliament. If the majority criterion was dropped, the percentage of minority governments having support agreements with one or more parties outside the government is slightly higher (Strøm 1990: 62). There are no recent figures about the occurrence of pseudo-opposition, but it seems likely that the numbers have gone up rather than

down. Bale and Bergman (2006) suggest that ‘European politics provides plenty of contemporary examples’ (424) and argue that in Sweden and New Zealand at least, ‘this can be something more than a historical coincidence’ (425), or even a ‘trend’ (437). Indeed, countries accustomed to ‘true’ minority government such as Norway and Denmark have recently become acquainted with the phenomenon of ‘pseudo-opposition,’ and countries usually governed by majority governments, such as New Zealand and the Netherlands, have recently witnessed the formation of minority governments supported by pseudo-opposition parties. There are two reasons why pseudo-opposition is likely to become more widespread. First, the costs of governing have steadily increased. The election results in 17 European countries show that in the 1940s and 1950s nearly half of all incumbent governments were rewarded in the elections; in the 1960s and 1970s, this dropped to just over a third; and in the 1980s and 1990s, only one in five governments escaped electoral punishment (Narud and Valen 2008). Given the growing electoral risks of government participation, parties may become less eager to join the government, and they may come to see pseudo-opposition as a way of ‘having your cake and eating it too’: of gaining influence over government policy without being held accountable by the voters. Second, many countries have seen a rise of right-wing populist parties in recent years. Often, they are regarded as pariah parties and excluded from government participation. But as these parties grow in size while the political center erodes, it becomes more and more difficult—and less and less attractive—to form a government without them. Giving such parties pseudo-opposition status, as happened in Norway, Denmark, the Netherlands, and New Zealand, allows the established parties to claim that they are not governing with the populists, and allows the populist parties to prove that they are *koalitionsfähig* (fit for coalition participation) in order to be seen as *regierungsfähig* (fit for government participation) in future (Bale and Bergman 2006: 447).

6.6 Divided Government

A fourth manifestation of the blurring of opposition is divided government. That term originated in the US literature on executive–legislative relations to describe a situation in which the president is facing a majority of the other party in at least one of the chambers of Congress (e.g., Mayhew 1991). That definition can also be applied to semi-presidential systems, where the term ‘divided government’ is even more appropriate than in the United States, given the fact that both the presidential majority and the parliamentary majority actually take part in government in the form of ‘cohabitation.’ Laver and Shepsle (1991) have extended the concept to include minority governments in parliamentary systems, but in such systems we can also find a more institutional manifestation: where the government commands a majority in one chamber of a bicameral legislature, but not in the other (Elgie 2001). Divided government would not lead to a blurring of the distinction between government and opposition if it would result in gridlock. However, the curious

thing is that such an impasse rarely occurs when different executive or legislative institutions are controlled by different parties or coalitions of parties. Most studies find little or no difference in legislative output between a government that controls a majority in all relevant institutions and divided government. Manow and Burkhart (2007) suggest that the solution to this puzzle lies in the law of anticipated reactions: The government anticipates the opposition's veto potential under divided government and either refrains from introducing controversial proposals or waters them down to make them acceptable to the opposition. Thus, the distinction between government and opposition disappears: the two form an 'informal grand coalition' (Sturm 2001: 181) to avoid paralysis.

The German case is particularly interesting because divided government there means that the government faces an opposition majority in the Bundesrat. Divided government caused by bicameralism is not exceptional, but the fact that the Bundesrat consists of the governments of the Länder is: it points to federalism as a cause of divided government in systems where subnational government and national government are intertwined, as they are in Germany. Friedrich (1966) has once argued that federalism and opposition mutually reinforce each other, but there is more evidence for von Beyme's 'old truism, that in federal systems oppositions are more prone to co-operation than to conflict' (von Beyme 1987: 38). Belgium provides another example, where federalization has caused the political parties to split. As a result, the same party leaders square off against each other in elections at different levels, most importantly in the federal and regional elections. After the elections, coalition governments must be formed at all levels. As long as it was possible to form 'congruent' coalitions at the different levels, the distinction between government and opposition transcended the levels of government. However, since the electoral cycles have been decoupled in 2003, such congruence has proved more difficult to achieve and the same party leaders that cooperate in government at one level, may oppose each other at the other level (Swenden 2002; Deschouwer 2009). This may be a schizophrenic experience for them, but for voters it cannot but blur the distinction between government and opposition.

Whether the institutional context is semi-presidentialism, bicameralism, or federalism, divided government is likely to occur more often because of partisan dealignment. When elections for different institutions do not coincide, electoral volatility may result in different outcomes and thus in divided government. When elections do coincide, split-ticket voting, even if it is not strategically intended, may also lead to different outcomes and divided government.

6.7 Trend and Consequences

In this chapter, I have argued that the vital democratic functions of opposition (informing the voters and providing an alternative) are confined to the electoral arena. In the parliamentary arena, however, the distinction between government and opposition is blurred when opposition parties support the government, when

governing parties oppose the government, when opposition parties provide structural support to a minority government, and when the government anticipates an opposition majority in another institution of government. As long as the blurring of opposition in the parliamentary arena goes unnoticed by the voters, the opposition may still fulfill its democratic duties in the electoral arena albeit in a rather hypocritical way. But the four forms of blurring are likely to grow in importance in future. As parties become less distinctive sociologically and ideologically, opposition parties will find themselves more often in agreement with government proposals; as party systems fragment, governing coalitions are likely to become more heterogeneous and governing parties will find it necessary more often to signal their distinctiveness through intra-coalition opposition; as the electoral costs of full government participation rise, it becomes more attractive for parties to support a minority government in return for policy concessions while formally staying in opposition; and as the growth of pariah parties continues, it becomes more difficult to exclude them from government, and allowing them to join not the government but the coalition is becoming a more likely compromise; and as partisan dealignment is not reversed, electoral volatility and/or ticket splitting are more likely to lead to divided government.

So far, the evidence in support of the theoretical distinction between opposition behavior in the two arenas is largely anecdotal. Neither studies that assume a neat division of labour between opposition parties and governing parties in both arenas nor this chapter's argument that the distinction is blurred in one of the two arenas, can point to systematic and comparative data on the actual parliamentary behavior of the two categories of parties. Only the analysis of such behavioral patterns will allow us to determine to what extent governing parties engage in intra-coalition opposition, how often minority governments have support arrangements with pseudo-opposition parties, etc. And only such behavioral patterns can reveal which institutional settings produce more blurring of opposition than others.

A second line of inquiry would be to gauge the extent to which, and the conditions under which, voters are aware of the incongruence between parties' behavior in the two arenas. If it is true, as this chapter suggests, that government and opposition will grow less distinct, it will become ever more difficult for political parties to keep their behavior in the parliamentary arena separated from their behavior in the electoral arena. If voters can no longer distinguish between government and opposition, they are likely to find that they are no longer offered a meaningful choice within the system, and they may well vote against the system. It is a scenario that has been put forward by several authors. Back in 1968, Arend Lijphart foresaw a transformation of hitherto consociational democracies into 'depoliticized democracies' (in his Dutch publications he used the label 'cartel democracies') (Lijphart 1968). He predicted that in those countries, the social cleavages would erode, resulting in a more homogeneous political culture, while the political elites would continue to cooperate rather than compete. He advocated that prudent elites should introduce some form of opposition clearly fearing the development of anti-system sentiments. Katz and Mair's cartel party thesis extends this line of argument to non-consociational countries (Katz and Mair 1995).

Political parties, they argue, are becoming more alike, less rooted in civil society, and more reliant on the resources of the state. In a dialectic development, they expect the emergence of a new form of political party that challenges the cartel of established parties. '(E)xperience suggests that one particular rallying cry, which seems common to many new parties and which seems particularly effective in mobilizing support (...) is their demand to "break the mould" of established politics' (Katz and Mair 1995: 24). And pointing to the emergence of right-wing populist parties in particular, they observe that 'Many of these parties appear to be gaining great mileage from their assumed capacity to break up what they often refer to as the "cozy" arrangements that exist between the established political alternatives' (Katz and Mair 1995: 24). Such a development bodes ill for democracy if the populist right constitutes an anti-system 'opposition of principle.' That seems unlikely, however, as the current populist parties seem keener to reform democracy than to abolish democracy. It is not unthinkable that the populist parties will infuse democracy with some form of real opposition, but, paradoxically, the rise of the populist right may also contribute further to the blurring of opposition as established parties seek to keep these challengers out of the center of power by resorting to ever more complex coalition combinations, sometimes even accepting the populist parties as structural support parties.

In the quote at the start of this chapter, George Russell, a British Liberal MP in the nineteenth century, refers to an occasional blurring of opposition causing a specific 'wrong': the bombardment of Alexandria in 1882. If the blurring of opposition becomes structural, however, more may be at stake than buildings in a far away city.

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