

The Role of Governments in Legislative Agenda Setting

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GREECE

Government as the Dominant Player

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Abstract

This work deals with the executive-parliament relations in the legislative function of the Third Greek Republic (1974 to date). In the Greek political system, as in most of the parliamentary systems, the government is the dominant player in the legislative process. The executive ascendancy is based on both agenda-setting institutional arrangements and the partisan elements of the Greek political system. However, this dominance could be attributed mostly to the partisan and secondarily to the institutional characteristics of the legislative process. Most of the government's strength rests on the partisan element that almost all the post-dictatorial elections have produced stable, one party, majority governments. However, this control capacity is not unquestionable. Empirical evidence, not in high but in low salience policy issues, show changes in the legislative bills beyond party discipline and central government control. The major institutional weapon in the hands of Greek governments is the control of the timetable of the parliament. Another important institutional element is that the budget voting follows the ratification process, a "take it or leave it" vote, in which the MPs are not allowed to amend. To a lesser extent, the executive domination could be attributed to the low specialisation of Greek MPs, due to the organization of the legislative function in non-specialised parliamentary committees.

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The Legislative Process in Greece: Government as the Dominant Player?

Introduction

According to the Greek Constitution, government has no monopoly in the introduction of bills in the legislative process (Art. 73, 1). Bills can also be introduced for discussion and voting from the side of Members of Parliament (MPs). Based on a first look at the law production of the post-dictatorial (1974-) Greek parliament, where less than 1% of the adopted legislation comes from MPs' proposals, we can easily typify Greece as a parliamentary –Westminster type of democracy with executive dominance, to use Lijphart's terminology. However, the correct reading of this figure is that Greek governments seem to hold the absolute control of the legislative input. Does this dominance lead to the absolute control of the produced legislative outcome? With a first glance on the same produced legislative output, we can also observe that the parliament adopts the vast majority of bills with minor or major changes. The last leads us to examine in more detail the value added of MPs as independent players in the produced legislation. From the research I have been carrying out and I present in the next sections, when the legislative procedure concerns high salience policy issues, the dominance of the executive over the legislative function is unquestionable. MPs seem to obey their party leadership and do not form cross-party coalitions during the legislative procedure in the parliament. However, the interesting element in the process is the informal change activity in the article-by-article reading of the bill proposed by the government. Here, the outcome is not the trivial one, where governments safeguard control of the parliamentary agenda through party discipline mechanisms. A considerable amount of last moment changes is observed. Few of them, with obvious redistributive effects, are proposed by MPs and in turn, away from

the wide public scrutiny, are adopted by the ministers. We observe both institutional arrangements trying to safeguard Greek executive's will in the produced legislative output, as well as strategic practices from the side of the opposition's MPs to challenge government's monopolistic power on the control of parliamentary agenda. To solve the puzzle of the dynamics of this complex process, it is needed to throw research light on all possible ways of legislative agenda control, partisan advantages, institutions and also strategies actually followed by the players.

In order to serve this both analytic and informative goal, I organize the presentation into four parts. In the first, I present and examine the partisan elements of the Greek political system, in the second the institutional methods with which governments could control the legislative outcome, in the third part I discuss the strategies deployed by both governments and MPs in the legislative game and in the final section I evaluate the relative weight of both partisan and institutional elements to the observed executive dominance on the legislative process.

Partisan advantages

The proportional electoral systems of Greece, after the fall of dictatorship in 1974, allow the first party, when it obtains at least 40% of the voters, to form a government. This has produced so far stable, with more than three years in office, one party governments.

Insert table 1

Table 1 gives an overview of all the results of the elections, the seats in the parliament and the formed governments in the third Greek republic. Reading the history of Greek elections we see that: a) the two bigger parties in Greece (the conservative New Democracy and the socialist P.A.S.O.K) always collect more than

80% of the votes and take turns in office every eight years. The third and fourth in electoral power parties belong to the communist or post-communist left and their power adds to about 12% in maximum. So, the Greek political system is characterised by a powerful one party executive with parliamentary majority (often much above the required 150/300 seats), a powerful major opposition and one or two small left wing parties² with strong ideological identity and collective as opposed to individualistic organisation and functioning. All Greek parties constitute powerful disciplined organisations (Mavrogordatos 1984, Alivizatos 1990, Spourdalakis 1988, 1996, Papadopoulos 1989, Voulgaris 2001), whose leaderships efficiently control their parliamentarian members. According to Tsebelis' theory (Tsebelis 2002), the above corresponds to the existence of potential veto players with high internal coherence able to act as unitary actors in the legislative process. The only case in which a party in office appeared divided, specifically over the foreign policy issue about the name of the Former Yugoslavian Republic of Macedonia, was N.D. in the end of 1992. This dispute between the Prime Minister Mitsotakis and the minister of Foreign Affairs Samaras finally ended up with a new party, called Political Spring, created by Samaras and other N.D. deputies who followed him. However, N.D. maintained its majority in the parliament because the MPs who decided to leave the party also resigned from deputies. For some months N.D. stayed in office acting with the tiny majority of 152/300 with rumours that many of these MPs would also follow Samaras in the formation of his new party. In reality, this government was the first minority government in the post-dictatorial period. This development soon created frictions between N.D. deputies and the government over domestic policy issues such as the privatisation of the Greek Telecom (O.T.E.) and the reform of the social security

² With the exception of right wing DI.ANA. in 1989 and POL.AN. in 1993

system. The observed low coherence of N.D. led Mitsotakis' government to resign and to ask for a new mandate in 1993 elections, which, however, brought PA.SO.K, the major opposition of that time, back in office.

Insert diagram 1

Diagram 1 presents the various types of legislation produced, the total number of laws, domestic laws, ratifications, and laws with disparate provisions on a yearly base, starting from 1974 until 2004. The statistical figures in diagram 1 show a slowdown of law production from 110 laws in 1992 to 65 in 1993 and a rise back to 100 in 1994 under the new PA.S.O.K. government. The same happens in 1989 when PA.SO.K. was facing serious corruption allegations, leading it out of office. The successive governments were, the coalition government of the conservative N.D. and the communist left "Synaspismos" from June to November of 1989 and in turn an all-party government for five months. During this nine-month period (6/1989-3/1990) the Greek Political System experienced for first time a coalition type of government. In terms of coherence, both of them were weak governments. The left-right coalition government was formed in order to safeguard the prosecution of Andreas Papandreou -the ex-prime minister and leader of PASOK who faced serious corruption allegations- and it resigned with the completion of this task. In terms of coherence over the institutional instruments needed to combat the revealed symptoms of corruption during the PA.SO.K's era, the left-right coalition was a strong government. This coherence was mirrored in the legislative production of this government. Most of the laws introduced and voted in the parliament were dealing with anti-corruption measures and transparency enhancement in the public sector. Its successor was an all-party government with divergent policy preferences, without a minimum agreement over a governance agenda. All parties, for different reasons each, formed this

government and right after they wanted the dissolution of the parliament (Voulgaris 2001: 381-3). This weak government managed to stay in office for less than four months producing 15 laws of minor importance.

Insert diagram 2

Diagram 2 gives the picture of legislation produced per Parliamentary period, including total law product, non-government proposals adopted and legislation passed through emergency procedures. Overall, as we observe in diagram 2, the law production during the two parliamentary periods (1989-1990) reached the lowest post-dictatorial level. Therefore, I can attribute this evidence to the fact that these governments showed low coherence. The theoretical argument in veto player's theory, that there is a positive correlation between coherence in veto players and law production, seems to be robust in our case. Greek governments of the post dictatorial period hold most of the time clear majorities in parliament. When this parliamentary majority is combined with high coherence in the governing party, another partisan element, the executive dominance in the legislative process is safeguarded. Let us now turn to the examination of whether the indispensable government's strength, due to these partisan elements is complemented with institutional arrangements. In this way we will be able to obtain a more accurate picture of how much of the executive superiority rests on majorities and how much is institutional and draw the line between them.

Institutional Arrangements

In order to map the specific institutional advantages of the Greek executive in the legislative process, we primarily need to disentangle the institutional structure of law-making in the Greek parliament.

Insert figure 1

Trying to get the complete picture of the process, I plot a road map in figure 1, with the most important steps, which legislation follows after its entrance in the Greek parliament. As we can observe in figure 1, the legislative procedure (Constitution Art. 74,2) starts with a first reading within the committee structure following a three stages procedure: discussion and voting in principle, article-by-article discussion and voting, and discussion and voting on the modified text, which is part of a report on the first reading to the floor. After the 2001 constitutional revision (Constitution Art. 70, 2) the committee could not only read but also vote, producing a draft proposal for the floor. In both cases, it is the modified text at the committee stage and not the original bill (Standing Orders Art. 94,3) that enters the plenary session either for another one-stage discussion and voting needed to be completed in one meeting (Constitution Art. 72, 4, Standing Orders Art. 108,7), or for a new round of three stages organized discussion and voting (Standing Orders Art 107,1). In this way, the floor retains the right to amend before the finalisation of the process. Additionally, an express procedure was introduced after 2001 (Constitution Art. 72, 4) trying to increase the power of MPs who take part in the discussion and vote at the committee level. This procedure allows a proposal, approved with a qualified majority of 4/5 in the committee level, to enter the floor only for voting without a new reading (Standing Orders Art. 108, 6). However, the qualified majority requirement at the committee level makes this possibility an extremely difficult case. The selection of bills which will follow the “one meeting” discussion and vote on the floor, as well as the amount of time that will be spent on the discussion are decided by the Conference of the Presidents of the parliament (Standing Orders Art. 107, 2, 5). This is a body, in which due to its composition, the governmental party always holds the majority.

Having in mind the above simplified presentation of the structure of law-making in the Greek parliament, with guide the proposed by Rasch and Tsebelis list of institutional weapons that the governments often use to control parliamentary agendas, we observe the following methods in the case of Greece.

Confidence Vote and the Right to Dissolve the Parliament

As Tsebelis argues, governments in parliamentary systems despite being equipped with institutional weapons allowing them to dissolve parliaments, they rarely use them (Tsebelis 2002: 100). Greek governments have the right to ask for the parliament's confidence vote at any time (Constitution Art. 84, Standing Orders Art. 141), but they rarely did (three times in 32 years and won all of them). The deputies also have the right to ask for a censure vote, basically every six months (Constitution Art. 84, Standing Orders Art. 142), but they have used this right only five times in 32 years and also lost all of them.

However, in the Greek political system, governments hold the exclusive right to dissolve parliaments even when they have the confidence of the latter, claiming reasons of vital national interest (Constitution Art. 41, 2). In this way, governing parties can surprise the opposition in the electoral game holding the first mover's advantage. Empirical evidence show that the use of this institutional advantage is the rule rather than the exception. Nine out of thirteen governments after the dictatorship turned to Art.41, 3 of the Constitution in order to dissolve the parliament earlier. None of these times was there a vital national interest at stake. Actually, this choice was not made by the governments due to lack of ability to control the legislative outcome in the parliament. It was an expansive interpretation of the term "vital national interest"

made by the prime ministers in order to dissolve the parliament six months or one year earlier and gain advantage over their opponents in the coming elections run.

Time Constraints

The time schedule of the legislative function is set by the president of the parliament (Standing Orders Art. 11, 3, 93, 4). The president always belongs to the governing party since the last holds the majority in the chamber. In this way, Greek governments safeguard the control of parliament's timetable.

Insert table 2

Table 2 contains the figures of the bills, legislative proposals coming from the side of the parliament and the total amount of the produced legislation on a parliamentary period base. The statistical figures of the produced legislation show that the government is the absolute boss of the legislative timetable. The number of governmental bills which remain pending at the end of the parliamentary periods has been extremely reduced since the first two post-dictatorial parliamentary periods (see in table 2, legislation submitted and adopted columns). Most of the pending bills are introduced in the last two months before the parliament's dissolution for the elections, especially when the parliament is dissolved much earlier than its maximum four years length. On the contrary, we observe that legislation proposed by the opposition can be delayed much longer, up to two years. Governmental legislation is delayed more than two months in cases of ratification of international conventions and treaties or bilateral agreements, when governments decide this for strategic reasons.

Following the ordinary procedure, a bill could be voted after the maximum of five meetings at the committee level and five more meetings on the floor. Each meeting lasts five hours maximum. The president of the parliament at the committee

level or the Conference of the Presidents on the floor could always set a time constraint in order to have the process finalised much earlier. (Standing Orders, Art 90; 108, 7, 107, 5, Constitution, Art.72, 4). The majority of the bills are voted within fifteen days from the day their first reading starts.

The declaration of “urgency” is a privilege of the government (Constitution Art. 76, 4). In this way, a governmental bill could be voted within one day. However, this way of legislation is rarely used by the governments (see diagram 2). This could be attributed to the fact that there is no need for such a choice, since governments control the ordinary legislative process and could safeguard that a bill could be voted even within one week after the initiation of its discussion.

Another time constraint is that both MPs and ministers have to submit amendments to a governmental bill the latest three days before the initiation of the discussion and the vote in the parliamentary committees or in the floor (Standing Orders, Art. 87,2). Therefore, the government cannot be surprised.

Sequencing Rules

As mentioned above, according to the Greek Constitution, governmental bills have no priority over legislative proposals submitted by deputies, but in practice the president of the parliament gives priority to governmental bills. During the reading, MPs can submit and ministers can accept minor “technical” changes in order to improve the text anytime before the final vote (Standing Orders, Art. 91,6, 104,5). Holding the majority in the committee or on the floor, the government is always able to filter all hostile proposals. In practice, these changes under the label of “technical” improvements of the text are not minor at all. They have major implications for their recipients. As I will explain later, in low salience issues this activity is a strong

strategic game between deputies and ministers, in which ministers hold the upper hand. Within the above-mentioned institutional environment the government is the last before the final vote that could make “improvements”.

Restrictive Rules

In order to reduce the increased trend of redistributive amendments introduced in irrelevant legislative proposals, the Greek Constitution, after its 2001 revision, allows only amendments related to the bill under discussion (Constitution, Art.74, 5). Besides, amendments made by MPs, which lead to increase of public spending or reduction of public revenue, are not accepted for discussion (Constitution, Art. 73, 3).

Reading through the post-dictatorial law production, we observe that all Greek governments tempt to incorporate disparate provisions in their bills, which should be part of different laws (see the above introduced diagram 1). This trend persists despite the fact that, after its last revision in 2001, the Constitution strictly forbids such a practice. On average, 25% of the legislation produced throughout the post dictatorial parliaments included irrelevant elements in its main body. If we make the calculation deducing the number of ratifying laws from the total laws produced, the average percentage rises to the impressive number of 65% of the primary produced legislation.

We also observe that this activity follows the electoral circle (diagram 1). The pick of this activity occurs the years before the elections (1980, 1984, 1988, 1995, 1999, 2003), when they do not come as a sudden dissolution of parliament, as it happened in 1993. Most of the articles incorporated in these bills are case specific and have been included by ministers in order to accommodate pressures made by governmental and often non-governmental deputies for “pork and barrel”. This trend, according which the executive produces “catch all” legislation, is not balanced by the

judicial review because the courts follow the principle of *interna corporis*, except for pension related laws and they do not interfere with the substance of the legislation, when they review it in terms of constitutionality.

Vote Order Rules

The governmental bill does not formally hold any privileged position in the order of voting. On the contrary, it is the modified text at the committee stage and not the original bill (Standing Orders Art. 94,3) that enters the plenary session for a new reading and the final vote. However, the government holds the drafting power in the process since the modified text is based on its original text and all changes, amendments or technical improvements have to be accepted by the minister who submitted the original bill.

Gatekeeping Rules

In general, the governmental party through the control of the president of the parliament who sets the parliament's timetable, can keep a bill away from the discussion process. In this way, the government can postpone or even avoid the discussion of a non-governmental legislative proposal for the whole parliamentary period. Another form of gate keeping arrangement is the above-mentioned provision that deputies are allowed to submit last moment improvements only with the governmental approval, which means that only amendments friendly to the bill are allowed from the side of the deputies.

Vote –Counting

It is easier for the government to gain a confidence vote than for the parliament to make the government resign through a vote of censure. The latter needs the absolute majority of the members of the parliament (151/300) (Constitution Art. 84, Standing Orders Art.141), while the confidence vote for the government is a simple majority (greater than 120/300) (Constitution Art. 84, Standing Orders Art. 142). In both cases the voting method is showing of hands, which increases MPs' loyalty to their party leadership.

Attribution of Exclusive Jurisdiction to the Government

The Greek Constitution offers to the governments the capacity to produce legislation through executive decrees, ministerial decisions and emergency autonomous legislative acts (Constitution Articles 43; 44, 1).

Insert diagram 3

Diagram 3 gives, on a yearly base, the picture of the use of executive decrees and ministerial decisions made by Greek governments until 2004. As we can observe, there is a considerable and constantly increasing number of such an activity that derives from legislative delegations incorporated in the primary legislation adopted by the parliament. This kind of delegation has initially taken the form of executive decrees, which in order to be issued must be checked for their constitutionality ex ante by the Greek highest administrative court, the "State Council". In this way the court becomes a veto player in the legislative process. This form of legislation has been extensively used until the first fifteen years of the third republic. However, as we can see in diagram 3, the governments of the last ten years seem to prefer the alternative of ministerial decisions. This choice appears to be correlated with the interventionist

role of the State Council in the legislative process at the end of 1990s. What is observed is the increased role of the State Council as a veto player in the legislation produced through executive decrees (Alivizatos 1995). In policy areas such as environmental regulation, education, public sector hiring procedures and public procurement procedures, the State Council has produced a series of decisions opposing governmental executive decrees. It has annulled them or claimed that specific executive decrees violate constitutional provisions, obliging the government to modify them accordingly. On the contrary, ministerial decisions may also be reviewed for their constitutionality, but the process is *ex post* and not automatic. Someone has to appeal to a court against the produced law. In this way, it is much easier for governments to legislate.

To a lesser extent, governments use autonomous government legislation such as Acts of Legislative Content that have to be ratified by the parliament within forty days after their issuing. If they are not, they cease to exist from this day onwards and not from the day of their issue. Despite the fact that the Greek Constitution gives the right to governments to use this way of legislation only in cases of emergency, the Greek executive, until the end of 1980s and sometimes even nowadays, issues acts of legislative content according to its ordinary legislative needs. However, the statistics of law production show that the use of emergency autonomous legislative acts has been drastically reduced. It could be attributed to the parallel acceleration of the legislative function in the parliaments, so governments do not often need to bypass the ordinary process of law production.

Finally, in order to evaluate the amount of transfer of legislative work from the parliament to the government, we must examine the degree of internationalization of domestic law production. As we observe in diagram 1, the ratified legislation has been

constantly growing, starting from around 45% in the first fifteen years of the Third Greek Republic (1975-1990) and representing through the last fifteen years (1990-2005) on average 65% of the total amount of laws produced by the parliament. All ratifications are voted in the parliament without discussion on a "take it or leave it" base. Hence, we could argue that, through the internationalisation of law production, the national parliament is the loser. There is also a part of domestic legislation, which covers the need of transferring the E.U. legislation to national law. The adaptation of the Greek law to the Community legislation is done through the parliament but also with the use of ministerial decisions and executive decrees. Despite the difficulty of measuring it, if we add this activity to the ratifications concerning Community legislation we could safely argue that, overall, the loser in this game is the parliament. The executive, through the representation of the country in the EU legislative process as well as in other international fora, gains to the Greek deputies in terms of power in the legislative function.

The Jurisdictional Division and Specialization of Labour

We also observe elements of Shepsle's argument³ that the organization and division of labour between the parliamentary committees may give advantage to the executive on the control of the parliament's legislative function.

The Greek Parliament is divided into six committees (Constitution Art. 68,1, Standing Orders Art. 31;32,1):

- The Committee on Educational Issues, which deals with the work of the ministries of education and culture.

³ See Shepsle (1993), Krehbiel (1993)

- The Committee on National Defence and Foreign Affairs, which deals with the relevant ministries and the ministries for the regions of Macedonia and the Aegean Sea.
- The Committee on Economic Affairs, which deals with the ministries of National Economy, Treasury, Public Works and Environment.
- The Committee on Social Affairs, which deals with the ministries of Social Policy, Health, Transport and Communications
- The Committee on Public Administration, Public Order, Justice, and Mass Media, which deals with the relevant ministries.
- The Committee on Production and Trade, which deals with the work of the ministries of Economic Development, Agriculture and Commercial Shipping.

The policy jurisdictions are allocated amongst the committees in a non-specialist manner. They are grouped in a generalist-like and to a certain extent irrational fashion. Public administration is grouped together with public order, justice and mass media affairs. Social policy issues are at the same committee with transport and telecommunications. Trade, industry and agriculture are dealt together and the same happens to environmental issues with public works. In this way, Greek MPs are not and will never become specialists on specific policies through their participation in the committees. This institutional arrangement makes governments and central party organizations key players who monitor and control the legislative agenda better.

The Preparation and Control of the National Budget

The major weakness of the MPs role in the legislative process due to their non-specialisation is revealed through the process of preparation and control of the

national budget⁴. Only after the 2001 constitutional revision, was the parliament equipped with a permanent sub-committee on national budget control within the functioning of the Committee on Economic Affairs (Standing Orders Art.31A; 32,5). However, the committee lacks in resources, such as expert staff, in order to act as an independent actor in the budget preparation and monitoring process. The budgeting starts each year around April, under the instructive supervision of the Minister of Economic Affairs and the Treasury bureaucracy. The MPs are not invited in the process until the finalization of the first draft of the budget. Only when the draft is prepared by the executive, is it sent to the parliamentary committee for comments, in the first week of October (Constitution Art. 79, Standing Orders Art.121). Within the time constraint of three meetings, the MPs may comment on the structure of the budget and propose specific changes. They are allowed to make suggestions to the minister of the economy, which in turn may be incorporated in the text after the minister's approval. In the beginning of December, the final draft enters the parliament again for reading and voting, following the ratification procedure. According to this process the budget is treated as a code and has to be adopted on a "take it or leave it" base as a whole. MPs are not allowed to propose amendments or changes. Obviously, government holds the upper hand in such a legislative process. Since the MPs have no role in the very early stages of the budget formulation, a limited role for changes during the discussion of the first draft and no role at all during the ratification process of the final draft, they prefer to spend their around-five-minutes speech in the plenary session talking about other popular policy issues but the budget.

⁴ For similar arguments for the pre-2001 budgetary process see Kaminis (1998)

The strategic behaviour of the involved actors

Let us see the ways through which actors strategically pursue their objectives within the above-mentioned institutional framework.

Overall, the structural elements of the law-making process in the parliament, the three stages of reading the bills - in principle, article by article and as a whole - and the two levels -the committee and the floor- could give the opportunity to MPs and ministers for strategic-sophisticated behaviour. When MPs want to reveal the negative implications of the proposed legislation, they prefer the discussion at the plenary session in order to gain more publicity. When they want to pass redistributive or unpopular measures, they try to avoid the extended discussion at the plenary session. Strategic behaviour such as the introduction of “killing amendments” is possible but has never happened so far. MPs, who vote against in principle, always vote against for the finalised proposal as well. Strong parties control their MPs, so, governmental MPs cannot oppose in principle a government’s legislative proposal without consequences. This constitutes a major disobedience to the government, which may cost their exclusion from running as party’s candidates at the next elections. On the contrary, during the article-by-article discussion, opposition MPs, even from the communist party, often vote in favour of specific articles despite their in principle objection to the governmental proposal in order to promote specific measures in favour of their electorates.

The other analytic parameter, according which the strategic behaviour of the involved players varies, is the salience⁵ of the issue on which parliament legislates. In high salience policy issues, when the wide electorate is aware and cares a lot about the policy issue, the value-added of individual MPs is limited by their party leaders. In

⁵ This simple idea draws on Tsebelis’ argument for the use of influence of the masses on the decision making which takes part simultaneously in nested electoral and parliamentary arenas (Tsebelis 1990; 164-172)

law salience policy issues, when the issue is not visible by the wide public, the interaction between MPs and ministers may produce legislation away from the party leaders' ideal policy preference. Let us see how this analytic variable performs in the case of the Greek law-making process.

High salience policy issues

In high salience policy issues, strategic rollback behaviour is observed from the side of opposition parties. MPs from both the governmental and the opposition party systematically propose amendments in governmental proposals. These proposals mainly concern social policy issues such as regulations on working conditions, pensions and measures on local economic development. A preliminary empirical research I am carrying out in the parliament has revealed that more than 80% of the amendments officially proposed by the side of MPs do not enter the stage of discussion. They are proposed by the MPs just for publicity, in order to claim it later during the elections time. This number is increased just before national, local or European elections, when MPs are mobilised to serve their constituents in order to gain their support. This led the 2001 constitutional revision to add the above-mentioned specific provision, according to which, only amendments related to the bill under discussion can be submitted (Art.74, 5).

Often the major opposition introduces complete legislative proposals knowing that the government has tight hands to act on these issues. In the 2000-2004 parliamentary session, New Democracy (ND), the major opposition at the time, issued two detailed proposals, one on public procurement procedures and the other on the function of the Greek stock market. Both policy areas were overwhelmed with rumours for corruption, fraud and institutional inefficiencies. The government had

already publicly accepted, at the beginning of its days in office in the year 2000, that the institutional arrangements were sufficient and that it could not intervene and alter the rules of the game in both areas of public procurements and the stock market. After the stock market bubble and the rumours for scandals in public works and procurement auctions, the PA.SO.K government was hesitant in launching institutional changes. Then, N.D. appeared with detailed legislative proposals, acting strategically to reveal the indecisiveness or inability of the government to tackle with these major policy issues and to gain points in the electoral game. This way of strategic behaviour was not only privilege of the major opposition. Smaller parties, to the left of PA.SO.K., tried to gain left wing PA.SO.K.'s voters by launching legislative proposals to reveal the inability of PA.SO.K. to promote a progressive left agenda as government. During 2000-2004, these parties made detailed legislative proposals for the introduction of social policy measures to guaranty a minimum social income and to change the electoral system by increasing its proportionality, knowing that PA.SO.K. was unable to accept both these issues with which it was in principle in favour. In any case, the key players in this process are the party organizations. Individual MPs never introduce and they do not have the resources to produce a detailed legislative proposal.

Governments also act strategically using their capacity to control the parliament's timetable. Much of the major reform legislation and the laws or amendments concerning high salience issues are submitted to the parliament on Fridays or even on Saturdays, during the vacation session and in times when the possibility of the bill to gain high publicity is the lowest. Publicity is a reasonable explanation since the executive acting in this way does not gain any advantage in the legislative function to the deputies. In any case, the executive, through the control of

the president of the parliament and the institutionalised time constraints for the duration of the discussion and the voting of the introduced bill, unquestionably controls the legislative process. The interpretation of this strategic behaviour of Greek governments could be found in the electoral arena. There, governments want to surprise the media and the concerned policy community and keep the wide public less informed. In this way, the issue at stake remains of low profile and the first reaction of trade unions and pressure groups that mobilize their members, is not very efficient in blocking the bill process. In the meantime, governments, acting as first movers, gain points in the promotion of their problem definition and alternative selection to the electorates. Overall, the aim is to reduce the electoral cost to the lowest possible level.

Low salience policy issues

In low salience issues MPs seem to be more active players, with some, however, again limited value-added in the produced legislation. MPs from the side of the governmental party often express their dislike to unpopular governmental proposals during the discussion. In this way, they try to send a signal to their electorates that they play hard supporting their interest. However, they do not vote against the proposal at the voting stage, hiding behind the obligation of party discipline. Thus, MPs follow the strategy “words are good when they don’t cost”.

Governmental MPs are also strategically used by ministers. When ministers want to pass redistributive measures to avoid the critic of losers or other efficiency improvement proponents or when they want to avoid a domino effect for similar measures favouring others, they ask MPs, basically from the governmental party, to propose the relevant amendment and in turn they accept it. They try to keep the issue at stake at the lowest possible visibility to the wide public and to the generalists of the

executive (Prime Minister, Minister of the Economy etc). When these practises become visible, they may lead to governmental crisis with major negative electoral implications for the ruling party.⁶ Often, MPs from opposition parties are invited by governmental MPs to join them in forming redistributive cross-party coalitions⁷. This activity could be assumed as weakness of the executive and could be mainly attributed to the low coherence and control capacity within the governing party, which is a partisan element in Tsebelis's theory.

In low salience issues, ministers, as discussed above, often make "technical" improvements during the article-by-article discussion of their proposal. They appear very flexible in changing the initial body of their proposal. Basically, opposition MPs cast their "opposition vote" in principle and overall and not during the piece-by-piece discussion, when specific articles, modified or introduced after amendments, are accepted by the ministers and voted by the opposition as well. However, there are ministers with a reputation of not accepting changes. Research reveals idiosyncratic information for them during the stage of preparation of the governmental legislative proposal before this passes the door of the parliament. There is an interesting negative correlation between a minister's willingness to accept changes and the fact that he or she has been personally involved in the preparation of the proposal. Ministers who hold expertise over the issue under legislation⁸, stick with their initial proposals or accept minor changes. When the ministers do not hold specific knowledge over the legislation under preparation, most of the value added to the proposal is made by the

⁶ The most representative is the "Pachtas Case" in Simitis' government in January 2000, when Pachtas, the deputy minister of economy asked a cross-party coalition of deputies to submit a disparate amendment to a bill, in order to provide a legal base for the materialization of an investment plan of setting up a tourist resort within a protected forestry in his own election district

⁷ Costas Simitis the Prime Minister of Greece between 1996-2004 reviewing his eight years in office, raises this type of redistributive amendments as one of the major problems in the legislative process, which did not manage to eliminate (Simitis 2005: 479)

⁸ Good examples are Arsenis the PASOK Minister of Education between 1997-2000, Christodoulakis the PA.SO.K. Minister on National Economy between 2000-4, Alogoskoufis the current ND. Minister of National Economy or Kaklamanis the ND Minister of Health between 2004-6

ministry's bureaucracy and hired expertise. Ministers actually think in detail the political impact of their proposal during the discussion in the parliament. They receive comments from other MPs of the governmental party and they measure the political and electoral cost of their proposal, making adjustments accordingly. In this way, in the article-by-article discussion, it is not rare that cross party support occurs over redistributive issues, difficult to be observed by the wide public.

However, most of the influence of MPs occurs via informal lobbying at the ministers' office, during the preparation of the proposal before this enters the parliament. When an MP wants to pass a piece in order to promote the interests of his/her constituency, he or she goes early to the office of the minister. This activity is difficult to be measured. Cross party supported proposals or amendments, which follow the formal way, are very rare and have to do basically with symbolic statements over cultural and humanitarian issues.

Concluding remarks

Overall, in the Greek political system, as predicted by Tsebelis and Rasch theoretical framework, government is the dominant player in the legislative process, based both on agenda setting institutional arrangements and the partisan elements of the Greek political system. However, this dominance could be mostly attributed to the partisan and secondarily to the institutional characteristics of the legislative process. Most of the government's strength rests on the partisan element that almost all the post-dictatorial elections have produced stable, one party majority governments. The major Greek parties are organisations with high internal coherence, in which through discipline, the party leadership controls the executive and legislative function. However, this control capacity is not unquestionable. Empirical evidence, not in high

but in low salience policy issues, show changes in the legislative bills beyond party discipline and central government control. MPs, together with individual ministers serving special interests, act as efficient policy entrepreneurs of redistributive legislation in sectoral policy areas. The major institutional weapon in the hands of Greek governments⁹ is the control of the timetable of the parliament, due to the fact that the latter is set by the president and in some cases by the conference of the presidents of the chamber. However, this institutional weapon belongs to the arsenal of the government due to the partisan element that the president is always member of the governing party, since the last holds the absolute majority in parliament¹⁰. Another important institutional element is that the budget voting follows the ratification procedure, a “take it or leave it” vote, where the MPs are not allowed to amend. To a lesser extent the executive domination could be attributed to the low specialisation of Greek MPs, due to the organization of the legislative function in non-specialised parliamentary committees. Hence, we could safely argue that Greek governments can shape legislative outcomes and actually use most of the institutional weapons in the list proposed by Tsebelis and Rasch, but executive dominance is mainly safeguarded by controlling the majority of seats in parliament and performing high internal coherence and party discipline.

⁹ For an overview of all the above-mentioned institutional arrangements of agenda control observed in the Greek legislative process see table 4 in the appendix.

¹⁰ The composition of the parliament also gives always the majority of the conference of the presidents to the governing party.

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The Official Journal of the Greek Government

FIGURE 1: The Law-making Process in the Parliament

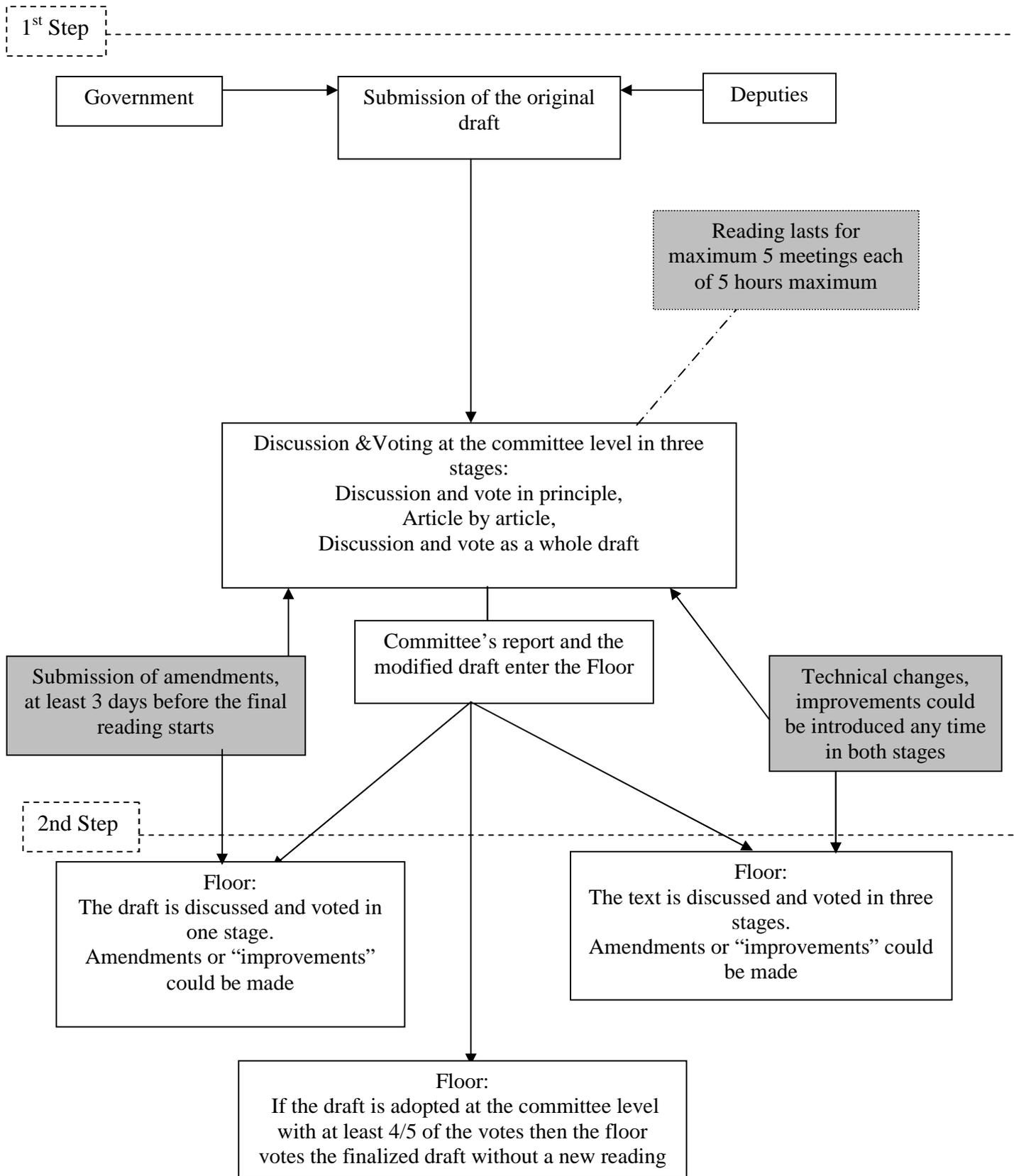


TABLE 1: THE ELECTIONS, SEATS & GOVERNMENTS OF THE THIRD GREEK REPUBLIC (1974-2004)

PARTIES	VOTES %		SEATS IN PARLIAMENT (Total 300)	
	November 1974			
New Democracy (N.D.) (Conservatives)	54.4		220 (government)	
Union of the Center	20.4		60	
Panellenic Socialist Movement (PA.SO.K.)	13.6		12	
United Left	9.5		8	
November 1977				
N.D.	41.9		171 (government)	
PA.SO.K.	25.3		93	
Union of the Center	12		16	
Communist Party	9.4		11	
National Front (Extreme Right)	6.8		5	
Alliance of Progressive and Left Forces	2.7		2	
New Liberal Party	1.1		2	
October 1981				
PA.SO.K.	48.1		172 (government)	
N.D.	35.9		115	
Communist Party	10.9		13	
June 1985				
PA.SO.K.	45.8		161 (government)	
N.D.	40.9		126	
Communist Party	9.9		12	
Greek Left	1.8		1	
June 1989				
ND and SYN Government			November 1989	
All Party Government				
N.D.	44.3	145	46.2	148
PA.SO.K.	39.1	125	40.7	128
Coalition of Left and Progress (SYN)	13.1	28	11	21
Democratic Revival (DI.ANA.)	1	1	-	-
Ecologists	-	-	0.6	1
Independents	0.5	1	0.5	1
Others	2.0	-	1.0	1
April 1990				
N.D.	46.9		151 (government)	
PA.SO.K.	39.3		124	
Coalition of Left and Progress (SYN)	10.6		21	
Democratic Revival (DI.ANA.)	1.7		1	
Ecologists	0.8		1	
Independents	0.7		2	

**TABLE 1: THE ELECTIONS , SEATS & GOVERNMENTS OF THE THIRD
GREEK REPUBLIC (1974-2004) (CONTINUED)**

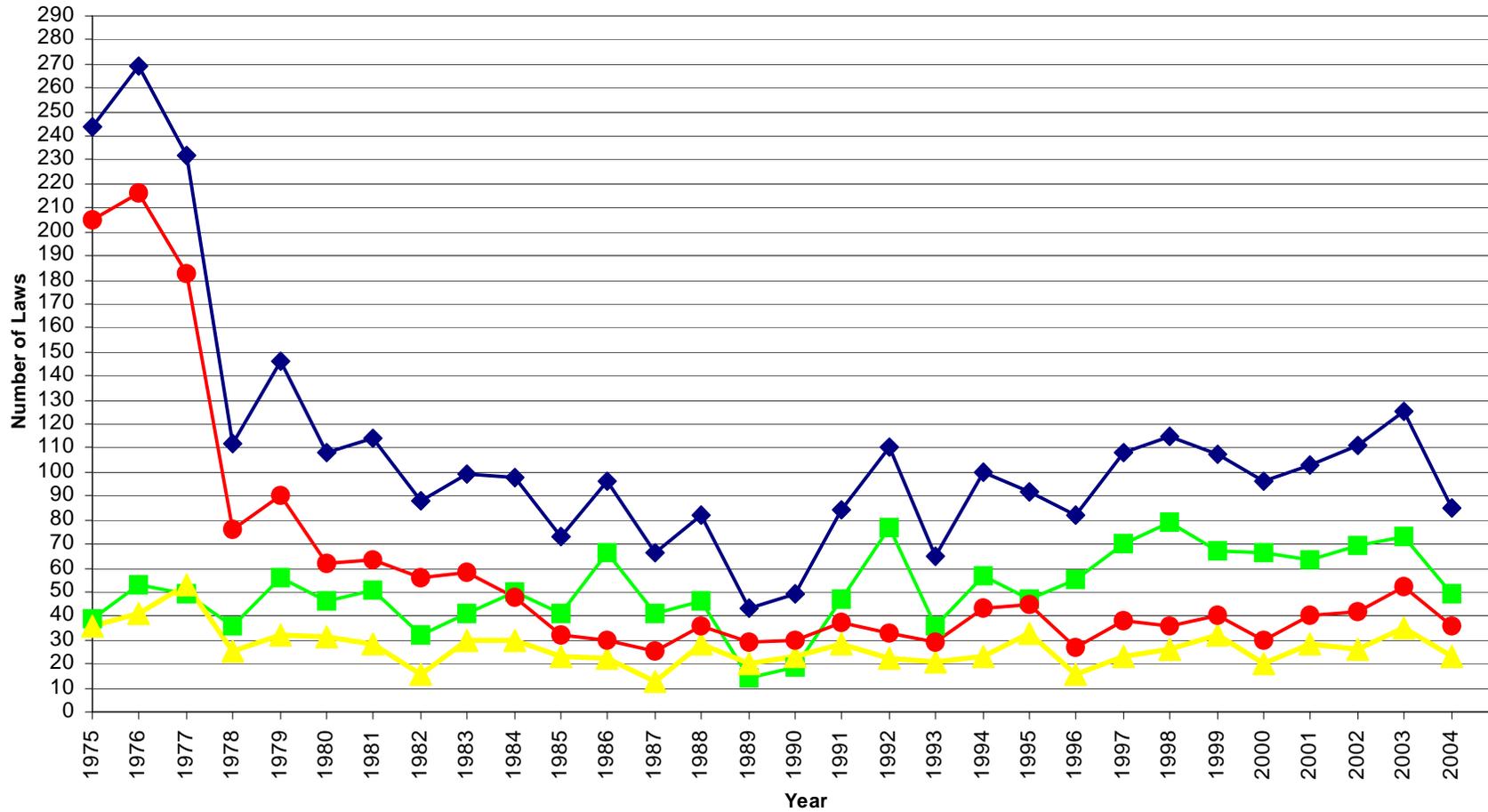
PARTIES	VOTES %	SEATS IN PARLIAMENT (Total 300)
October 1993		
PA.SO.K.	46.9	171 (government)
N.D.	39.3	110
Political Spring (POL.AN)	4.9	10
Communist Party	4.5	9
SYN	2.9	-
September 1996		
PA.SO.K.	41.5	162 (government)
N.D.	38.1	108
Communist Party	5.6	11
SYN	5.1	10
Democratic Social Movement (DI.K.KI.)	4.5	9
POL.AN.	2.9	-
April 2000		
PA.SO.K.	43.8	158 (government)
N.D.	42.7	125
Communist Party	5.5	11
SYN	3.2	6
Democratic Social Movement (DI.K.KI.)	2.7	-
March 2004		
N.D	45.5	165 (government)
PA.SO.K..	40.5	117
Communist Party	5.9	12
SYN	3.3	6

TABLE 2: Bills, Proposals and Laws per Parliamentary Period

Parliamentary Periods	Legislation Submitted (Number of Bills)	Legislation Adopted (Number of laws)	Legislation per year on average (Number of laws)	Legislation passed by the emergency procedures (Number of laws)	Non-Government Legislation Proposals Submitted (Number of bills)	Non-Government Legislation Proposals Discussed (Number of bills)	Non-Government Legislation Proposals Adopted
1st (11/1974-11/1977)	Not available	753	251	1	128	28	1
2nd (11/1977-10/1981)	639	491	125	3	94	28	0
3rd (10/1981-6/1985)	418	342	95	13	31	11	0
4th (6/1985-6/1989)	359	314	79	24	41	21	0
5th (6/1989-11/1989)	13	9	-	1	8	2	0
6th (11/1989-4/1990)	22	15	-	3	13	1	0
7th (4/1990-10/1993)	310	286	86	29	63	23	1
8th (10/1993-9/1996)	291	266	91	1	49	20	3
9th (9/1996-4/2000)	392	388	113	1	46	24	3
10th (4/2000-3/2004)	426	406	106	1	41	31	3
11th (18/03/2004 up to 30/09/2005)	181	166	110	3	12	6	-

Source: Direction of Legislative Work of the Greek Parliament, Published Datasets

DIAGRAM 1: Legislation per Year



◆ Laws ■ Ratifications ▲ Laws with disparate provisions ● "Domestic" Laws

DIAGRAM 2: Legislation per Parliamentary Period

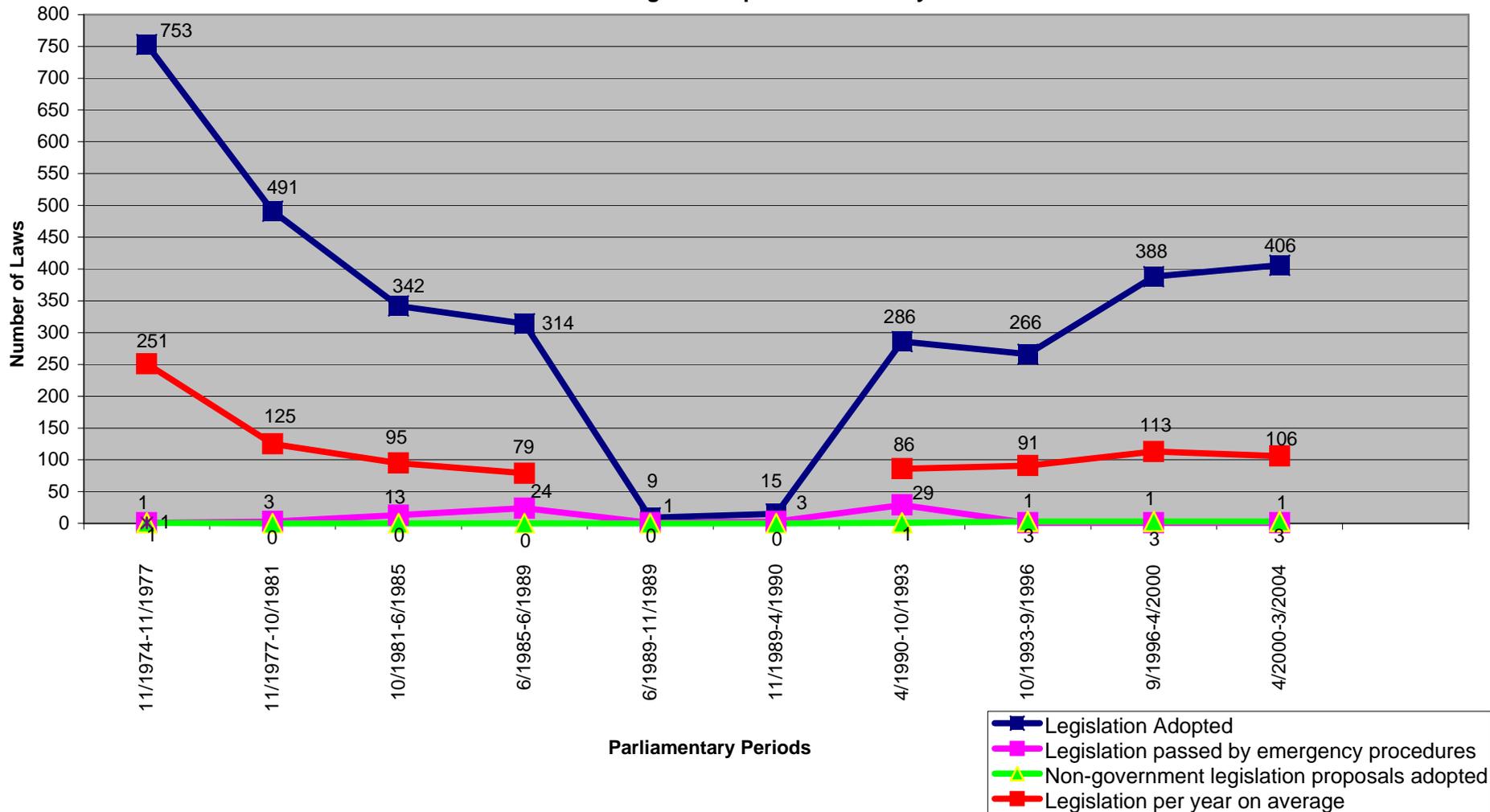
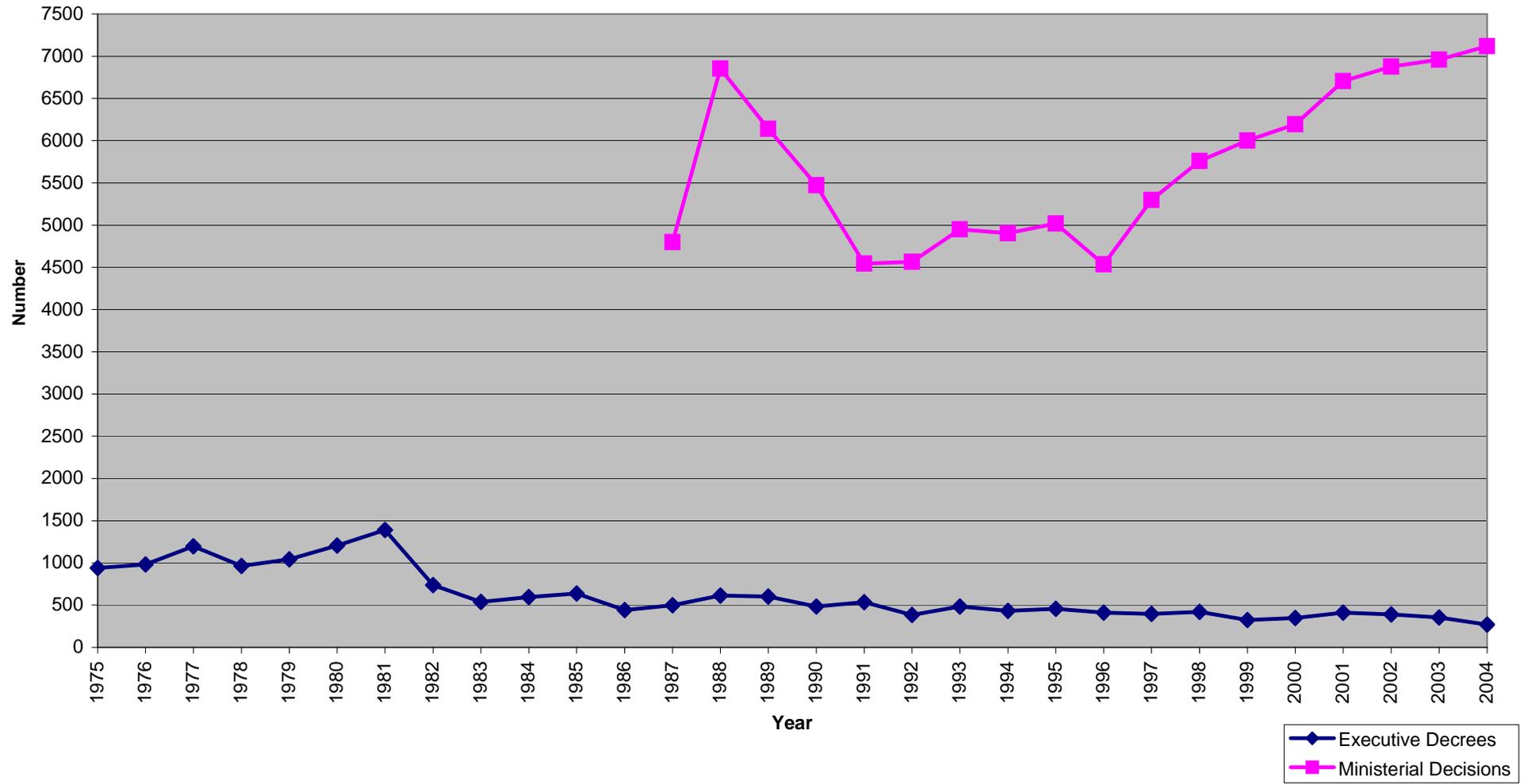


DIAGRAM 3: Exclusive Government Jurisdiction



Appendix

TABLE 3: Laws, Ratifications, Laws with disparate provisions

Year	Total Number of Laws	Ratifications	Laws with disparate provisions	Percentage of laws with disparate provisions %	Year	Total Number of Laws	Ratifications	Laws with disparate provisions	Percentage of laws with disparate provisions %
1975	244	39	36	14,75	1990	49	19	23	46,94
1976	269	53	41	15,24	1991	84	47	28	33,33
1977	232	49	53	22,84	1992	110	77	22	20,00
1978	112	36	25	22,32	1993	65	36	21	32,31
1979	146	56	32	21,92	1994	100	57	23	23,00
1980	108	46	31	28,70	1995	92	47	33	35,87
1981	114	51	28	24,56	1996	82	55	16	19,51
1982	88	32	16	18,18	1997	108	70	23	21,30
1983	99	41	30	30,30	1998	115	79	26	22,61
1984	98	50	30	30,61	1999	106	67	32	30,19
1985	73	41	23	31,51	2000	96	66	20	20,83
1986	96	66	22	22,92	2001	102	63	28	27,45
1987	66	41	13	19,70	2002	110	69	26	23,64
1988	82	46	28	34,15	2003	124	73	35	28,23
1989	43	14	20	46,51	2004	85	49	23	27,06
					Total	3340	1535	815	24,40

Source: Direction of Legislative Work of the Greek Parliament, Karkatsoulis, P. (2005)

TABLE 4: Agenda Setting Institutional Instruments in the Greek Legislative Function

Institutional Weapons with which Governments Control the Legislative Agenda	Mechanisms and Rules in the Greek Political System
Time Constraints:	<p>MPs and ministers could submit amendments the latest three days before the discussion and vote on the floor (Standing Orders, Art. 87,2)</p> <p>Ordinary Procedure (Standing Orders, Art 90; 108, 7, Constitution, Art.72, 4): a bill could be voted on average within fifteen days (overall in five to ten meetings)</p> <p>Urgency Procedure (Constitution Art 76, 4): a governmental bill could be voted in one meeting.</p>
Closed or Restrictive Rule	<p>Only amendments related to the bill under discussion can be submitted (Constitution Art.74, 5).</p> <p>Amendments that lead to the increase of public spending or the reduction of public revenue are not accepted for discussion (Constitution Art. 73, 3, Art. 75).</p> <p>The budget is treated as a code and has to be adopted on a take it or leave it base as a whole. MPs are not allowed to propose amendments or changes.</p>
Expansive Rules	-
Sequencing Rules	<p>Governmental bills have no official priority over parliamentary ones (Constitution, Art. 73, 1) but in practice the president of the parliament gives priority to governmental bills.</p> <p>Ministers and MPs could submit “technical” changes any time before the final vote (Standing Orders, Art. 91,6, 104,5)</p> <p>In practice MPs could submit “technical” changes any time before the final vote only with the approval of the ministers</p>
Voting Order Rules	<p>The approved text at the committee stage and not the original bill enters the plenary session (Standing Orders Art. 94,3) for another one or three stages discussion and voting procedure (Standing Orders Art 107,1; 108, 7). However, the government holds the drafting power in the process since the modified text is based on its original text and all changes, amendments or technical improvements, have to be accepted by the minister who submitted the original bill.</p>
Vote-Counting	<p>It is easier for government to gain a confidence vote than for the parliament to make the government resign through a vote of censure Constitution, Art. 84, Standing Orders Art. 141, 142</p>
Gatekeeping Rules	<p>The President of the Parliament has the exclusive right to set parliament’s timetable (Standing Orders Art. 11; 93,4) and through him governments can keep a bill proposal away from the discussion process.</p> <p>In practice only friendly to the governmental bill last moment “technical” changes are allowed, since they have to be accepted by the ministers</p>
Exclusive Government Jurisdiction	<p>Government has no formal monopoly in the introduction of bills in the legislative process (Constitution, Art. 73, 1)</p> <p>The Greek Constitution offers the capacity to governments to produce legislation through executive decrees, ministerial decisions and emergency autonomous legislative acts (Constitution Articles 43; 44, 1).</p> <p>We observe an increasing transfer of legislative matters from the side of parliament to the executive.</p>
Confidence vote	<p>Governments have to ask for this parliament within 15 days from their initial forming and whenever they decide it (Constitution Art 84,1)</p>
Censure vote	<p>Deputies can ask for it only once every 6 months (Constitution Art 84, 2)</p>

TABLE 5: Exclusive Government Jurisdiction

Year	Laws	Executive Decrees	Ministerial Decisions	Year	Laws	Executive Decrees	Ministerial Decisions
1975	244	939	N/A	1990	49	481	5473
1976	269	980	-//-	1991	84	535	4545
1977	232	1195	-//-	1992	110	384	4565
1978	112	964	-//-	1993	65	482	4949
1979	146	1041	-//-	1994	100	432	4904
1980	108	1203	-//-	1995	92	456	5020
1981	114	1388	-//-	1996	82	409	4536
1982	88	736	-//-	1997	108	394	5297
1983	99	538	-//-	1998	115	419	5761
1984	98	595	-//-	1999	107	323	6000
1985	73	636	-//-	2000	96	346	6194
1986	96	441	-//-	2001	103	409	6706
1987	66	499	4797	2002	111	390	6879
1988	82	611	6854	2003	125	353	6959
1989	43	600	6140	2004	85	268	7121
				Total	3302	18447	102700

Source: Nomos Intrasoft Database, Karkatsoulis, P. (2005)