When do open lists matter? The consequences of the personal vote for party loyalty

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Abstract

We examine how legislators' preferences and voter support mediate leaders' enforcement of discipline under open list PR, which encourages a personal vote. We develop a model in which, conditional on MP preferences, disloyalty depends on MPs personal vote and leaders' resources for enforcing discipline. We use data from Poland's parliament to test the model's implications and find that legislators who contribute more votes are less loyal, but this depends on their preferences diverging from the party leadership. Our results explain how the relationship between OLPR and party loyalty is conditional and dependent on the party system's context.

1 Introduction

A core concern in the study of democratic representation is the tension between representation through parties and legislators' accountability to their constituents (Carey, 2009). Scholars of comparative politics have long focused on the role of the electoral system in mediating how legislators respond to the competing pressures of party and constituency. Among party list proportional representation systems, the most important distinction is the method of assigning seats to candidates from party lists.[1] Closed party list electoral systems are typically thought to promote party-centric accountability with voters and limit legislators' constituency connections due to the party leaders' control over determining the list rank assigned to candidates for priority in obtaining seats in the legislature. This power of party leaders gives them the capacity to enforce party discipline (Carey, 2007, 2009; Hollyer, Klasnja and Titiunik, 2015). By contrast, "open list" PR systems (OLPR), encourage strong constituent accountability by allowing voters to determine each candidate's rank on her party list and thus whether the candidate will obtain a seat in the assembly. Open lists give voters sole power to influence the elections at the level of individual representatives by restricting party leaders' control priority within the lists.[2]

Because of the importance of individual votes, open lists are believed to motivate legislators to cultivate a "personal vote" (Carey and Shugart, 1995; Gallagher and Marsh, 1987; Ames, 1995b; Marsh, 1985)—a reputation distinct from co-partisans. While many PR systems involve some degree of personal voting, OPLR places the most emphasis on vote shares in that list placement does not affect seats at all. While candidates of the same party pool their votes on the same list, OLPR creates incentives for candidates to compete with co-partisans (Golden and Chang, 2001; Ames, 1995a; Cheibub and Sin, 2015; Traber, Hug and

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[1]That is, assuming that there is a district magnitude sufficient to depersonalize closed lists and enable intra-party competition on open lists.(Carey and Shugart, 1995).

[2]Some party list electoral systems—sometimes called "flexible list" systems—give voters limited control over the list rank by establishing a quota of votes that if surpassed changes a candidate's rank. Depending on their functioning, such systems can be similar to open lists or effectively closed lists.

Sciarini, 2014).[3] To the extent parliamentary behavior influences candidates' reputations, this competition should create incentives for some MPs to vote in accordance with constituent demands, even against their party's collective position. Because voters determine the priority with which candidates on a list are awarded seats in the legislature, scholars have often suggested that the presence of such individualizing incentives in the electoral context translates into difficulty with enforcing party discipline. Yet, especially in parliamentary regimes, the pressure to vote with party leaders is persistently high. Perhaps unsurprisingly, then, evidence for a relationship between open-list PR and lower party unity has been mixed (Bowler and Farrell, 1993; Carey, 2009; Hix, 2004; Depauw and Martin, 2009). Sieberer (2006) finds, for example, that open list systems in Finland and Denmark represent, respectively, the lowest and highest party unity observed in a sample of Western Europe.

In short, although we know that open lists produce constituency pressures, we know less about exactly when we should expect this to manifest as party disloyalty in roll-call voting. Critically, such disloyalty is mediated by the policy preferences of members and the influence of party leaders. A necessary, though not sufficient, condition for observing disloyal behavior is that a legislator's preferences diverge from the policy supported by the leadership (Krehbiel, 1993). This would arise in an OLPR context when MP preferences, considering constituency pressures, are contrary to the preferences of the party leadership. Otherwise, homogeneity of preferences would be sufficient to observe party loyalty. Yet even for these cross-pressured legislators to exhibit disloyalty, a party organization must also lack adequate capacity to *enforce* discipline. Each of these factors—the ideological cohesion of the members, the electoral leverage of individual members, and the resources a party has to reward members—play an important role in producing the observed pattern of legislative voting and the candidate-centered nature of OLPR intervenes in each of these stages, summarized as follows.

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[3]Grzegorz Karpinski, an MP in the Polish Sejm, a chamber elected by OLPR, describes electoral competition Poland as "essentially going on between people on the same list. Instead of cooperation in competing against opponents from different lists, they fight each other, competing for media attention, name recognition and even volunteers." (interview 2010)

First, the personal vote incentives of candidates are reinforced by the incentive of party organizations to win more seats by recruiting independently popular individuals who can attract votes to their party. Recruiting such candidates serves the short term purpose of winning more legislative seats but comes at the cost of losing ideological cohesion, which in turn makes intraparty agreement and organization more difficult in the long term. In particular, parties in newer democracies, with volatile electorates and fluid party systems, are often associated with such short-term orientations (Mainwaring and Scully, 1995; Field and Siavelis, 2008; Tavits, 2005; O'Dwyer, 2004; Roberts and Wibbels, 1999; Birch, 2001; Powell and Tucker, 2014).

Second, an important consequence of OLPR is that there is a clear and direct mechanism to contribute to a party's success and this facilitates the conditions under which resisting party pressure is likely to occur. A candidate's share of votes secured in the district can serve as an objective measure of that candidate's electoral value to a party. This leads to a clearly visible disparity among MPs in terms of the ease with which MPs may be disciplined into voting with their party. Two MPs with preferences equally divergent from the party leadership may be able to vote differently because one has the potential to contribute so many votes to the party that the leader cannot *afford* to discipline the MP. Compared to other electoral systems, OLPR formalizes and simplifies the means of obtaining this 'clout'.[4]

Finally, for typical candidates, the ability to get elected depends mostly on their party obtaining sufficient votes. Thus, the party nomination is crucial to their electoral success. Hence a party nomination can be a valuable commodity for leaders to reward loyal MPs and counteract any incentive to be disloyal (Gallagher, 1998; Morgenstern, 2003).[5] Among parties that are successful in winning seats, governing parties with immediate access to executive power are especially well positioned to reward members for their loyalty (Carey,

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[4]Consider the example of Stanislaw Mojzeszowicz, an MP in the Polish Sejm who "wins an overwhelming majority of votes from [his] district" and thus has "never felt conflicted between party interests and voter interests; [he] always follows his voters." (Mojzeszowicz, interview 2010) That is, the leverage his popularity afforded him *vis a vis* the party leadership left him relatively free of party discipline.

[5]As Polish MP Izabela Jaruga Nowacka commented "It's an important instrument of control to offer someone a spot on the list and assign them to a district." Jaruga-Nowacka, interview 2009)

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2009).

Building from this intuition, we suggest that while OLPR indeed should weaken party discipline, disloyal behavior will be systematically observed only under conditions where enforcement capacity and resources are sufficiently weak. First, when an MP's personal vote is such a significant contributor to the party's electoral success, the party leadership is inclined to tolerate disloyalty. Second, at the party level, disloyalty may emerge when a party leader does not have enough resources with which to compensate the legislator for voting against her preferences.

In order to clarify the circumstances under which OLPR produces disloyalty among MPs we formalize this dynamic with a simple model that accounts simultaneously for party resources, party organization, ideological cohesion, and the electoral independence of MPs. We examine how loyalty at the level of individual MPs responds in equilibrium to changes in the leader's powers of enforcing discipline and how the discipline each member requires to toe the line depends on her electoral clout and the extent to which her preferences diverge from those of the leadership.

Because the interaction among these factors is complex, we formally specify our assumptions and derive expectations about the conditional effects of preferences and electoral clout on loyalty, while also accounting for varying levels of party resources. By making the predictions precise, we shed light on how and when party leaders can counteract the pressures from voters on the party's rank and file membership. By separating the effects of institutional incentives from those related to party discipline, we seek to explain the wide variation in party unity observed among candidate-centered electoral systems.

We test the implications from our model using recorded voting data from Poland, a parliament elected via an open list system and where all roll call votes cast are recorded. First, we find that party loyalty corresponds to the MP-level variation in the leverage the individual MP derives from a personal vote, which, we argue, determines the leadership's ability to enforce discipline. Further, we find that the effect of MP vote shares on disloyalty

is strongest for MPs that appear to diverge the most from the preferences of their party leaders (based on their patterns of bill co-sponsorship outside of their party). With regard to party resources, we find that governing status, which we interpret as a source of short-term resources for rewarding discipline, generally corresponds to greater MP loyalty.

While party discipline has been stronger in Poland than a deterministic interpretation of OLPR's effect on party discipline might suggest, our findings are consistent with an important mediating role of institutions posited by the personal vote literature. While MPs are concerned with their personal reputations, factors we highlight can explain why party disunity has often not occurred. We conclude that a large range of variation in voting unity depends on the nature of party organizations and their enforcement capacity. In most situations, parties can counteract the personal vote effect of OLPR if they are organizationally capable of enforcing discipline. We interpret our findings to suggest that while open-list PR can indeed create significant counter pressures for party unity, these should manifest themselves as party disunity more commonly in less-institutionalized party systems. We also note that even when MPs are loyal to their party, OLPR still matters in the sense that the personal vote always plays an important role in *how* discipline is achieved.

2   Enforcing Discipline

Modeling counter pressures from the party leadership—who can impose discipline—and from constituents—to whom MPs must appeal to obtain personal votes—underscores the "competing principals" or dual accountability dilemma facing MPs (Carey, 2009). Yet our model differs from formal models of accountability derived from American Politics (e.g. Fox and Shotts (2009)) in important respects. Instead of focusing on incumbents' accountability to voters, we are interested in observing how legislators respond to the opposing pressures from voters and leaders. Secondly, we note that in recently transitioning democracies, the meaning of incumbency differs from the American context (Klašnja and Titiunik, Forthcomming).

Our approach has most in common with the most influential work on this topic by Kam (2009), which focuses on party discipline in Westminster systems. While both Kam's model and our model intend to uncover the circumstances where MPs are most likely to dissent, there are several important differences. First, Kam allows the party leadership to select policy from a continuous space while we treat legislative votes as held between exogenously generated proposals and a similarly exogenous status quo. While in Westminster systems party leaders are positioned to propose policies, we envision a multiparty context where leaders would not always have this power, due to deliberations with coalition partners or parliamentary influence. This means we do not allow party leaders to make policy concessions as envisioned by Kam for Westminster systems. Second, while Kam collapses concerns for reelection into one parameter, we allow constituent pressures to vary. Third, Kam's model separates sanctions from rewards which leaders use to induce MP support. We simplify this with just one parameter representing the enforcement of discipline, which encompasses both sanctions and rewards. Finally, as a model of Westminster parliaments, Kam emphasizes diminishing returns to using advancement as an inducement for party loyalty as MPs progress in their careers to the front benches—because, as further advancement becomes more costly, the leader will more readily resort to discipline. This aspect of internal advancement derives from the particular circumstances of Westminster systems and, as Kam notes, does not translate clearly to multi-party parliaments (Kam 2009, p.28) nor does it fit the case we examine empirically here (Karpinski and Jaruga-Nowacka interviews 2009).

Here, we propose a model designed to account for the context of multiparty parliaments operating under OLPR. To illustrate the dynamics of party discipline under open lists, consider two players: the party Leader and the MP, whose reelection is contingent on pleasing both his voters and party Leader. The extent to which the MP is independent of the leadership depends on his electoral clout, what we refer to above as his independent popularity with the voters. The relative importance of pleasing the voters versus the Leader is represented by π. Informally, the MPs are agents of two principals—the strategic leaders and the

non-strategic voters. We define $N = \{L, MP\}$ as the set of players.

The game starts with a move of L, who applies discipline to one of two policies 0 and x from a one-dimensional policy space. These policies are exogenously given. For instance, in the case of a governing party, one may think of x as a policy that has been proposed by the cabinet and 0 as the status quo. In the next stage, the MP chooses whether to follow discipline, interpreted in the game, as voting with the Leader. If the MP complies, the game ends. In the event of noncompliance, in the following stage, the Leader decides whether to enforce discipline. Following the Leader's decision about enforcing discipline, the game ends. In short, applying discipline is synonymous in our model with choosing one of the two policies that are endogenously given; following discipline–with the MP's choosing the same policy as the Leader; violating discipline–with choosing the opposite policy as the leader; and enforcing discipline–with the Leader choosing the action "discipline" in the last stage of the game.

Formally, the Leader's strategy space is $S_L = \{A_L^1 \times A_L^2\}$ and $A_L^1 = \{0, x\}$, $A_L^2 = \{f : A_L^1 \times A_{MP} \to \{0, 1\}\}$, where 1 represents the decision to enforce discipline and 0 represents the decision to refrain from enforcing discipline. The MP's strategy space is $S_{MP} = \{f : A_L^1 \to \{0, x\}\}$. The Leader's and voters' ideal points are represented by b_L and b_V, respectively, on a one-dimensional policy space. In this simple illustration, the voters are not a strategic player, but their policy preferences play a key role in the MP's voting incentives.

The utility of the Leader is shaped by his policy preferences and the cost of enforcing discipline, the last of which depends on the MP's stature or clout, represented by $\pi \epsilon [-1, 1]$. Hence: $U_L(s_L, s_{MP}) = -(b_L - a_{MP}^1)^2 - \pi V(d)$. MPs with π close to 1 are more likely to be guaranteed a seat in the legislature irrespective of how well their party does in the election as a whole. MPs with π close to -1 depend heavily on the popularity of others in their party for retaining their parliamentary seats. The high π MPs are colloquially referred to in Poland as the "steam engines," because they attract many voters to a party and enable the election of weaker (low π) candidates. In the subsequent discussion we refer to MPs

with $\pi > 0$ as "high clout" and to MPs with $\pi < 0$ as "low clout". To be clear, there is a continuum between low and high clout types. Because high clout MPs supply a considerable part of the party's vote share from a given list, they are considerably more independent in the legislature than MPs, who owe their seats to the party.

$V(d)$ represents the effects of imposing discipline that are internalized by the party leadership. In the case of a high clout type, this effect is transformed into a cost by the coefficient π, but in the case of a low clout MP, it is transformed into a net benefit. The ease with which leaders can enforce discipline depends not only on the MP's clout but also on some party level characteristics. The parameter d captures the party's organizational capability, what Mainwaring and Scully refer to as "the routinization of intra-party procedures" (Mainwaring and Scully, 1995). Formally, we make the following assumptions about this parameter:

$$d > 0$$

and

$$V(d) = \begin{cases} d & if \ a_L^2 = 1 \\ 0 & otherwise \end{cases}$$

The utility of the MP, on the other hand, reflects his concern for the voters, avoiding punishment for breaking discipline, weighted by his vote share, and the party resources he receives for supporting the leadership. Hence: $U_{MP}(s_L, s_{MP}) = -(b_V - a_{MP}^1)^2 + v(r) + V(d)\pi$ where $v(r)$, is a function transforming the resources the leadership can offer the MP if he supports the leadership's decisions:

$$r > 0$$

and

$$v(r) = \begin{cases} r & if \ a_L^1 = a_{MP}^1 \\ 0 & otherwise \end{cases}$$

High levels of r characterize members of parties that are currently in government or expect to win the upcoming election and partake in the distribution of spoils of office (including allocating cabinet seats to members). Lower levels of r characterize members of parties that lack access to power. As a result, these members have less to lose from disagreeing with the leadership on policy choice whether this entails breaking party discipline or not. We do not explicitly model the ideal point of the MP. Although conceptually distinct from the voters' ideal point, we treat these two sets of preferences as interchangeable for purposes of capturing the degree of constituency pressure to deviate from party leader positions. We can interpret b_V as any policy parameter that enters the MP's decision making process that is separate from party influence, be it the ideal point of a funding lobby or extra-party network of the MP.

The game above is one of complete information and it is solved for Subgame Perfect Nash equilibrium in the appendix, which contains a formal description of the model, followed by a derivation of strategies in equilibrium.

2.1 Discussion

To make empirical predictions, it is useful to present the results as equilibrium outcomes. Figure 1 does so as a function of the voters' ideal point, b_V relative to the two exogenously given policies 0 and x, captured by the location of $\frac{x}{2}$, and MP vote share, π. To interpret the results in a more approachable way, we refer to the representation of parameter values for high clout MPs in Figure 1 as "Regions" and to the representation of parameter values for low clout MPs as "Areas."

—Figure 1 about here—

Recall our assumption that the leader's ideal point is to the right of the voters'. That is, $b_V < b_L$. This assumption has no ideological interpretation and introduces no loss of generality. Fixing $b_V < b_L$ simply implies that indifferent or undecided MPs will always

support the same policies as the leader and thus their preferences can be interpreted as convergent with those of the leader.

What counts as indifference sufficient to share the leader's preferences is falling within $\frac{r}{2x}$ of $\frac{x}{2}$, the midpoint between 0 and x. In the case of the most indifferent (or undecided) MPs there is no difference between the behavior of high clout and low clout MPs. The model makes exactly the same predictions for parameters falling in Region B as for parameters in Area 3.

Note that indifference between the considered policies, as interpreted here, does not mean that the MP's ideal point is exactly $\frac{x}{2}$, but that it falls within a distance from that point. How wide that distance is depends on the parameter r representing the resources parties have at their disposal to reward loyalty. Members of parties with sizable resources will support leadership more readily than members of parties with fewer resources.

Outside of the indifference region, our results immediately indicate that low clout MPs will not vote with the leadership under the same circumstances as high clout MPs.

If the high clout MP has preferences that are beyond Region B, as for instance in Region A, he will do whatever his constituents prefer: he will support 0 if their ideal point is in Region A (that is, to the left of $\frac{x}{2} - \frac{r}{2x}$) and he will support x if his constituents' ideal point is to the right of $\frac{x}{2} - \frac{r}{2x}$. In equilibrium, the high clout MP is never disciplined.

In Area 3, the low clout MP does not require discipline to vote along with the leadership. Extending away from Area 3 is a shaded triangular region (Area 2) where the leadership has a credible threat of imposing discipline. This credible threat induces the MP to back the leadership's choice, because lack of subordination would result in disciplining sanctions. The region of credible threat to discipline increases as the MP's vote share declines, suggesting that MPs with the lowest clout are most vulnerable to discipline. Area 2's base is widest for the most negative values of π. Note, that an increase in d, the parameter representing party organization and capacity for disciplining action (i.e., the "routinization of intra-party procedures"), is also associated with the wider base of Area 2, where discipline is administered

to keep the low clout MP in line. This implies, all else equal, that better organized parties find it easier to maintain unity when their membership lacks cohesion, interpreted here as preferences in close alignment with the leadership. Of course, this comparative static holds only for the low clout case. Even a very well organized party cannot constrain high clout MPs with divergent preferences. Finally, in the case of constituency preferences corresponding to Area 1, low clout MPs will act in accordance with these voters' preferences. They will be disciplined, but given the extreme preferences of this electorate, they prefer to accept sanctions rather than punishment from voters.

The main empirical implication for MP loyalty is that, for constituency preferences and MP vote share corresponding to Area 2, the shaded triangle in Figure 1, high clout MPs will be less loyal than low clout MPs. Consequently, parties with more high than low clout MPs will be less unified than parties with more low relative to high clout MPs. The conditional effect of vote share on preferences implies that even MPs with extreme constituency preferences can be subjected to pressure from the leadership if their clout is sufficiently low. The second empirical implication is that resource-rich and better-organized parties make the area in which MPs and leaders act in concert larger, whereas parties that are poorly organized have very narrow areas of MP support for leadership. Resources correspond to the value of party membership to a member. For instance, parties controlling the cabinet would be higher in resources than parties that are relegated to the opposition(Carey, 2009). In contrast, party organization represents the extent to which disciplining members is a matter of party routines within the parliament.

Note, that although an increase in resources r increases the area where MPs vote together with the leadership, it affects high and low clout MPs in the same way; that is, there is no conditional effect of vote share associated with resources. This is not so, however, with d, the parameter that operationalizes a party's organizational capabilities. Better organized parties can exert more pressure on MPs with low vote share than on MPs with high vote share by

making them toe the line, where their preferences would urge them to do otherwise.[6]

3   Empirical Implications

A clear implication of the model above is that observed disloyalty will be in large part a function of the conditions for enforcing discipline. First, recall from above that those MPs who are major contributors of votes to the party—the "high clout" types—are the most costly MPs on which to enforce discipline, since their sizable contribution makes the most severe punishment (the loss of nomination to the list) impractical for party leaders. As one Polish MP explains it, "the conventional wisdom is that this person is the 'steam engine' who attracts so many votes that he will not only secure a seat for himself in the legislature, but will also bring along a number of other MPs..." For instance, for one popular MP on PO's list in the Poland's Torun district, "his name recognition...was so effective that not only did the six candidates who were expected to win seats in the Torun district enter the Sejm, but also a seventh person managed to secure a seat."[7]

As the model demonstrates, the leader's ability to enforce discipline on members with such clout is weak compared to others with less following in the party's electorate. Imposing discipline upon major vote-getters is more costly than on others. Vice-speaker of Polish party SLD, Jerzy Wenderlich, recalls a case when "the President asked fifteen MPs to vote in a way that would violate party discipline." Where, normally, "disobedience would result in having one's name removed from the list, among the fifteen, there were about seven who were so-called 'steam engines' and removing them would result in losing considerable votes."[8]

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[6]We lack the data to operationalize the distance between the two policy proposals in the empirical analysis below. Note, however, that the closer policy x is from 0, which can be interpreted as the status quo, the greater the region where the leadership can secure loyalty, as the central region in Figure 1 decreases in x. This empirical implication allows us to predict what would happen if the choice of policy x were not exogenous, but chosen by the leadership. A leader maximizing party unity as demonstrated in the voting record would set the agenda with policies that are close to the status quo.

[7]Ardanowski, interview 2010

[8]Wenderlich, interview 2011. The President whom Wenderlich was referring to was originally an SLD member, but resigned his party membership upon assuming Presidential office. This is worth mentioning, because the policies he was supporting were probably appealing to the 15 SLD members.

By contrast, a low clout PO MP in his first term, Grzegorz Karpinski, recalled an early experience with party discipline as follows: "In a vote to appoint constitutional court justices, the party urged its members to vote against my law school advisor. I asked the caucus whip for an exemption. It was denied even though it would not have changed the final outcome." The empirical implication is that members on whom enforcing discipline is more costly will exhibit less loyalty. This can be captured by a continuous concept—an MP's vote share. Therefore, observed party loyalty should be lower for MP's with the largest vote shares, on average.

However, in the argument above, the *degree* to which enforcement (or lack thereof) plays a decisive role in loyalty depends on the preferences of the constituents to which MPs are responsive. Members who most closely share the preferences of leaders should tend to be loyal even when enforcement capacity is relatively low. However, members who prefer to pursue policies that satisfy constituencies diverging from their party should be disloyal insofar as party discipline cannot be easily enforced. We therefore expect that the effect of enforcement power on MP loyalty should be stronger for MPs whose underlying policy preferences appear to be most different from those of their party leadership. That is, the degree to which MPs will become more disloyal as a result of higher vote shares is conditional on whether their preferences diverge from that of the party leadership.

A further aspect of enforcement capacity pertains to the immediate and expected party resources available to provide rewards to MPs—that is, to create value to party members for maintaining a loyal record. MPs know well that their parties are key to having access to influential positions—such as seats on leading committees.[9] In terms of immediate resources, governing parties are (relative to other parties) best positioned to provide rewards to their loyal MPs and withhold benefits from disloyal MPs (Carey, 2009). Hence, we expect that members of parties in government will be more loyal to their leaders than those in the opposition, on average.

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[9]Sierakowska, interview 2009

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4   Empirical Analysis

For our empirical analysis, we use data from the Polish Sejm, a parliament elected under open list PR that provides us with a substantial amount of available electoral and legislative data suitable to answer the questions raised above. The Polish case has also been associated with relatively weak party organizations and loyalty (Gwiazda, 2009; Millard, 2008), and thus should provide useful variation for our study. [10] We use the cross-sectional variation in party loyalty scores to examine the implications described above. Subsequently, we examine party-level unity scores across votes over time, focusing on the electoral context facing the party as a whole. We use roll call data from 1997-2005 which covers all votes from the 3rd and 4th terms of the Polish Sejm.[11] During these terms, all roll call votes were recorded and all votes are used in the calculation of these measures.

We measure the degree of party loyalty using for each MP the measure of "absolute" party loyalty proposed by Mainwaring and Perez-Linan (1997), which counts abstentions as votes against the party. This score, which ranges from 0 to 100, simply represents the percentage of votes on which an MP voted for or against with the party's overall position, including cases of abstention as disloyal.[12] The party's position is based on the voting direction of a majority of the party.[13]

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[10]In Poland, the adoption of OLPR itself was intended to demote the importance of parties. While many politicians hoped to capitalize on their personal followings, the communist authoritarian party (the Polish United Workers Party) believed that a party-centered electoral system would empower Lech Walesa's ten million strong dissident trade union "Solidarity," which the Communists government had banned seven years earlier during the Martial Law Regime.

[11]Unlike in many chambers where roll calls are selectively recorded (Hug, 2010), the Sejm since 1997 has been recording as roll calls and making public all the votes cast in the Chamber.

[12]Interviews with sources in the Polish Sejm and analysis of archival materials suggests that abstentions were the most common form of disloyalty against the party, due to harsh formal penalties for explicitly voting against the party (including fines and expulsion from the party caucus). Still, while it was typical for MPs to avoid votes, their presence for voting sessions was officially obligatory, with numerous reminders issued by the caucus whips and possibly sanctions. Thus abstentions were costly enough not to occur without reason, but are frequent enough to function as the main form of party disloyalty.

[13]MPs who are independents (not members of any party) are excluded from the sample as are those members that switch parties during the term from the party list on which they were initially elected. MPs who leave their party would not have the dynamic we model above in which their importance in the next election constrains the party leaders. Moreover, their behavior in terms of voting and bill submission is not comparable to other members, as it is limited only to a portion of the term.

As described above, party leaders' enforcement depends on their ability to impose costs for disloyalty on an individual MP. Due to differences in contributions to the party, reflecting popularity with voters, some members are less dependent on the party than others. Since vote share is a continuous concept tied to contributions, we operationalize this leverage as the vote shares members contribute to the party list. Those with the greatest vote shares, according to the argument above, should be most successful at evading party discipline and thus we would expect to find them to be less loyal on average. The quantity we employ to capture this variation is the vote share—the percentage of votes a given MP received in his or her district.

—Table 1 about here—

In Table 1, we show the results of a tobit regression of loyalty scores on vote share (*Vote Share*), membership in the prime minister's party (*PM Party*), with fixed effects for each term and party-level random intercepts.[14]

First we examine a model that focuses on our measures of resources and clout. Recall that ability to enforce discipline should vary depending on party resources. That is, the benefits that parties rely on to make party membership valuable should be greater in the context of governing parties. The results show that members of the governing party are, on average, more loyal to their parties, which is consistent with this expectation. Second, we find that members responsible for larger vote share are indeed somewhat less loyal on average, consistent with the notion that discipline is less likely to be imposed as MPs attain high clout status.

In a second model we introduce an operationalization of MP preferences. Recall from above that although MPs with high vote shares should be less subject to discipline on average, this should be true primarily for MPs whose voter preferences are not generally aligned with those of leaders. Specifically, only under circumstances where there is some

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[14]We use tobit because our dependent variable is limited by the upper bound of the loyalty measure. Loyalty can be at most 100 percent, even though some MPs may wish to be even more loyal than this censored measure captures.

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disagreement between MPs and party leaders should we expect a strong relationship between vote share and loyalty. In a second model we examine a closer approximation to the prediction made above: those MPs with preferences further from the party leaders will be less loyal when enforcement is weakest. While measures of preferences that are disconnected from voting behavior are not easily obtained for Polish MPs, we take advantage of another data source with political content—the cosponsorship of legislation. We use the bill cosponsorship decisions of members to assess whether an MP appears to have preferences that diverge from that of their leaders, or perhaps wants to signal these differences to voters (Crisp, Kanthak and Leijonhufvud, 2004).

To capture this, we construct a simple measure of the tendency for members to cooperate on legislation sponsored by other parties. We consider MPs to have cooperated on such legislation when co-sponsoring bills for which a majority of co-sponsors come from a different party. The reasoning behind this measure is that frequent sponsorship of legislation with MPs from other parties suggests an effort to pursue policies counter to those of one's own party leadership or at least to cultivate a reputation for doing so. In this second model, we include a term interacting vote share with *Outside-Party Cosponsorship*, which is a log transformation of the frequency of cosponsoring legislation on which most sponsors are from outside your party.

These results suggest that across our sample, MPs with greater outside-party cosponsorship of legislation have a much stronger relationship between their vote share and their observed disloyalty.

—Figure 2 about here—

To better understand these effects substantively, Figure 2 plots the effect of vote share across the range of outside-party cosponsorship using results from the interaction model. The graph shows that there is no statistically significant relationship between vote share and loyalty for an MP with no cosponsorship activity. This type of MP may have the clout to avoid discipline, but likely faces few situations where voting against the party is desirable even in

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the absence of discipline. However, for an MP with apparently divergent preferences (high outside-party cosponsorship activity), the effect is substantively much stronger. We interpret this as consistent with our expectation above that party discipline is dependent on parties' ability to enforce it, conditional on MPs having preferences ideologically divergent from the party leadership.

5   Conclusion

Our research addresses an important question raised by scholars of comparative institutions: how do parties resolve the conflicting incentives generated by personal vote incentives and parties' goal of legislative unity (Ames, 2002; Thames, 2006, 2007; Carey, 2009; Olivella and Tavits, 2013)? The nature of OLPR allows us to analyze legislative behavior when legislators are, in theory, accountable to two principals: party leaders and voters (Carey, 2009). The varying strength of members within their parties allows us to view members in a variety of strategic situations.

Our aim here is to evaluate how party leaders can obtain MPs' support for party positions, despite personal-vote-seeking deputies elected in open-list PR, and explain why leaders would sometimes fail to do so. We have proposed a model of party discipline designed to explain when this electoral environment is consistent with both disunified *and* unified parties. In particular, we explain why substantial variation will be observed, especially in parliaments where ideological cohesion may not be strong. Our argument focuses on the importance of party leaders' ability to enforce discipline, conditional on the preferences of MPs. From this baseline, we consider how varying several parameters leads to specific empirical predictions, and apply these to voting in the Polish Sejm.

When a legislator's preferences coincide with the policy supported by the leadership, enforcing party discipline will have little bearing on the observed voting behavior. Similarly, if the leadership can enforce discipline, a legislator will be loyal regardless of whether he or

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she agrees with the leader on policy. This capacity to enforce discipline is relevant only when MPs lack convergent preferences. The causes of these divergent preferences may derive from party-level factors or from the nature of a particular MP's constituent demands.

Regarding the legislator-level variation in enforcement, we argue that MPs who win particularly large vote shares will be more costly to discipline. Since they cannot be credibly punished without harming party performance, they should be subject to discipline less often, which will lead to their greater disloyalty on average compared to those MPs who secure fewer votes (who can thus be more easily subject to discipline). Consistent with this, we found that MPs who win more votes in their districts are less loyal to their parties. Moreover, we find that members who appear to have the most divergent underlying preferences from their party—as evidenced by their sponsorship of legislation with members of other parties—are most disloyal when their vote share positions them to best avoid enforcement of discipline. The model also predicts that parties with more resources should be better able to enforce discipline, all else equal. Parties in government will have therefore have less trouble securing the loyalty of their members, all else equal. Our empirical analysis confirms this prediction, consistent with previous literature.

Our formal and empirical analysis helps us not only account for the variation in voting unity patterns in the Polish Sejm but also provides insight into the wide variation in voting unity in the context of personal vote incentives. Although open-list PR provides voters with an opportunity to hold their representatives individually accountable, this opportunity is not in itself sufficient to produce MPs with behavior that diverges from their party leaders. Instead, institutionalized parties can typically counteract the influence of voters.

The widespread disloyalty under open lists could be attributed to the developmental stages of party organization, in which recruitment has not yet limited the range of preferences within parties and in which parties are fragile, permeable and easily created. A party seeking to maximize legislative seat share will attract to its lists independently popular candidates, potentially sacrificing ideological coherency. While a large party can be effective in winning

parliamentary seats, its emphasis on size over coherence weakens its ability to maintain unity in the parliament and makes enforcing discipline more costly. Indeed, we suggest that conflicting incentives of open-list MPs are observed in the context of voting when a party's leadership lacks organizational capability to effectively enforce discipline on members.

At the same time, the personal vote incentives of OLPR are clearly important. The nature of discipline is shaped by the leverage provided to MPs under the electoral system, as well as by the incentives parties have faced to recruit a diverse membership. We believe these results help explain the wide variation in the apparent weakness of parties in candidate-centered environments and suggests caution in assuming that electoral rules necessarily promote weak party unity.
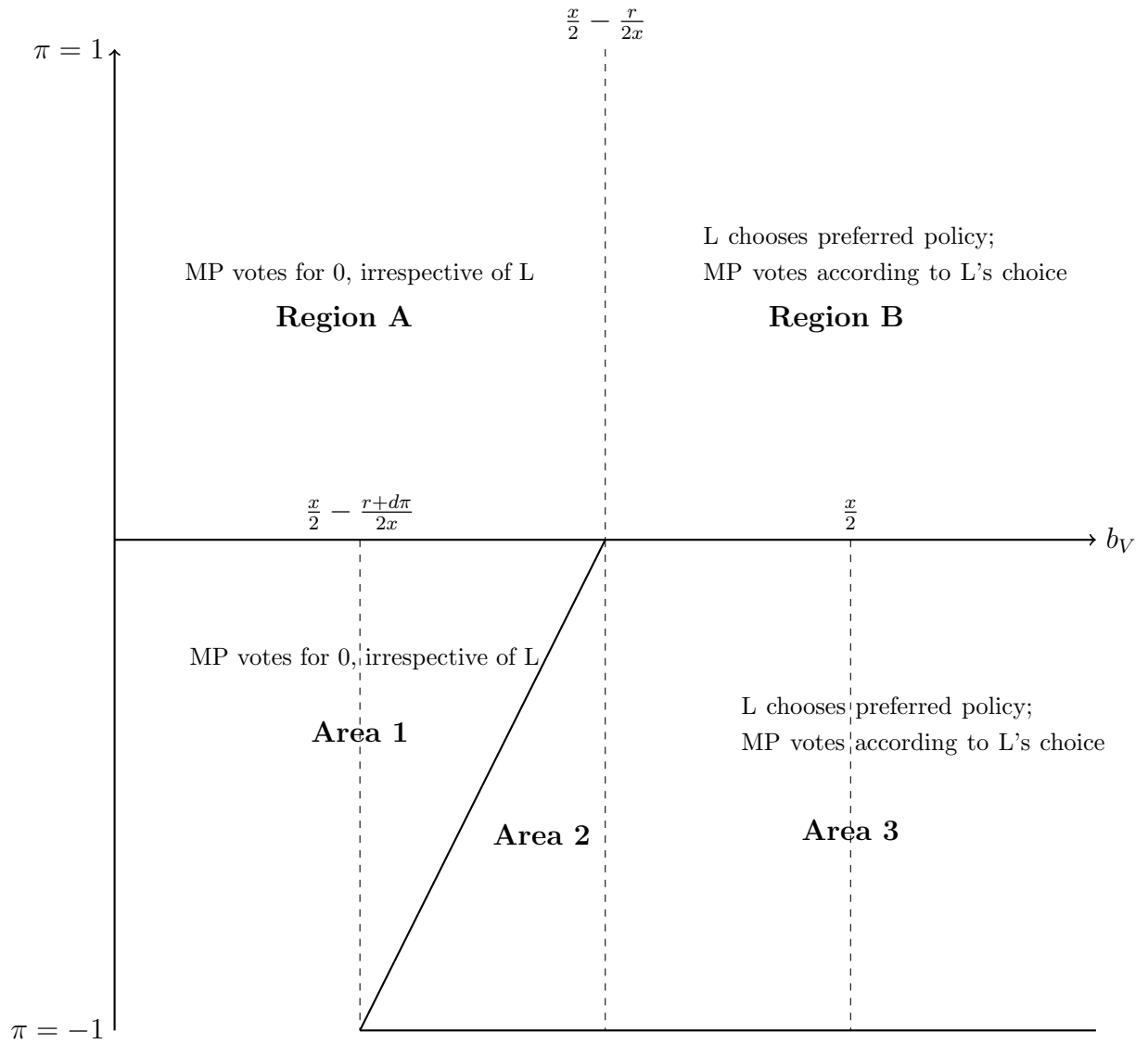
Table 1: Party Loyalty Across MPs

VARIABLES	(1) All	(2) All
Vote Share	-3.696**	3.665
	(1.784)	(3.059)
Outside Cosponsorship		0.594***
		(0.100)
Vote Share X Outside Cosponsorship		-3.550***
		(1.179)
PM Party	3.547**	4.052**
	(1.540)	(1.703)
Term 4	0.931	0.891
	(1.143)	(1.255)
Constant	93.831***	92.237***
	(0.922)	(1.042)
Observations	828	828
Number of pid	14	14

Standard errors in parentheses
*** p¡0.01, ** p¡0.05, * p¡0.1

Figure 1: Comparative Statics: Low Clout MPs and High Clout MPs

$\frac{x}{2} - \frac{r}{2x}$

$\pi = 1$

L chooses preferred policy;
MP votes according to L's choice

MP votes for 0, irrespective of L

Region A

Region B

$\frac{x}{2} - \frac{r+d\pi}{2x}$

$\frac{x}{2}$

b_V

MP votes for 0, irrespective of L

L chooses preferred policy;
MP votes according to L's choice
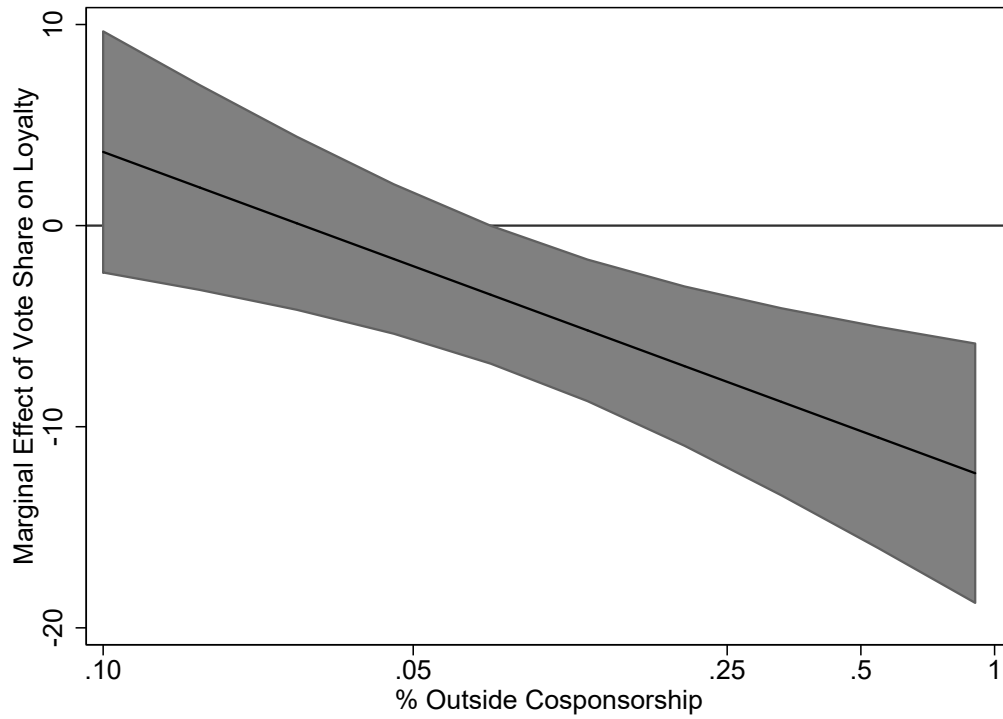
Area 1

Area 2

Area 3

$\pi = -1$

Figure 2: Effect of Vote Share on Party Loyalty, Conditioned on Outside-Party Sponsorship Behavior

5.1 Appendix

Recall that the game presented in section 2, Enforcing Discipline, $\langle N, S, U \rangle$, is defined by $N = \{L, MP\}$ $S_L = \{A_L^1 \times A_L^2\}$, where $A_L^1 = \{0, x\}$, $A_L^2 = \{f : A_L^1 \times A_{MP} \to \{0, 1\} \times \{0, 1\}\}$, and $S_{MP} = \{f : A_L^1 \to \{0, x\}\}$ and $U_L(S_L, S_{MP}) = -(b_L - a_{MP}^1)^2 - \pi V(d)$
$U_{MP}(S_L, S_{MP}) = -(b_V - a_{MP}^1)^2 + v(r) - V(d)\pi$.

We made the following assumptions about the parameters of the model

$$V(d) = \begin{cases} d & if \ a_L^2 = 1 \\ 0 & otherwise \end{cases}$$

$$d > 0$$

$$v(r) = \begin{cases} r & if \ a_L^1 = a_{MP}^1 \\ 0 & otherwise \end{cases}$$

$$r > 0, \ \pi\epsilon\left[-1, 1\right]$$

The first proposition states the Subgame Perfect Nash Equilibria for the "low clout" type of MP $(\pi < 0)$ and the second proposition states the Subgame Perfect Nash Equilibria for the "high clout" type of MP $(\pi > 0)$.

Proposition .1 *If the Leader is dealing with a low clout MP, the following strategy profiles form a Subgame Perfect Nash Equilibrium:*

1. $(x, 1, 0; 0, 0)$ *whenever* $b_V < \frac{x}{2} + \frac{r - \pi d}{2x}$.

2. $(0, 1, 0; 0, x)$ *whenever* $\frac{x}{2} - \frac{r - \pi d}{2x} \leq b_V \leq \frac{x}{2} + \frac{r - \pi d}{2x}$ *and* $b_L < \frac{x}{2}$

3. $(0, 1, 0; x, x)$ *and* $(x, 0, 0; x, x$ *whenever* $b_V > \frac{x}{2} + \frac{r - \pi d}{2x}$.

4. $(x, 0, 1; 0, x)$ *whenever* $\frac{x}{2} - \frac{r - \pi d}{2x} \leq b_V \leq \frac{x}{2} + \frac{r - \pi d}{2x}$ *and* $b_L \geq \frac{x}{2}$

Proposition .2 *If the Leader is dealing with a high clout MP, the following strategy profiles form a Subgame Perfect Nash Equilibrium:*

1. $(0, 0, 0; 0, 0)$ *whenever* $b_V < \frac{x}{2} + \frac{r}{2x}$ *and* $b_L < \frac{x}{2}$

2. $(x, 0, 0; 0, 0)$ *whenever* $b_V < \frac{x}{2} + \frac{r}{2x}$ *and* $b_L \geq \frac{x}{2}$

3. $(0, 0, 0; 0, x)$ *whenever* $\frac{x}{2} - \frac{r}{2x} \leq b_V \leq \frac{x}{2} + \frac{r}{2x}$ *and* $b_L < \frac{x}{2}$

4. $(x, 0, 0; 0, x)$ *whenever* $\frac{x}{2} - \frac{r}{2x} \leq b_V \leq \frac{x}{2} + \frac{r}{2x}$ *and* $b_L \geq \frac{x}{2}$

5. $(0, 0, 0; x, x)$ *whenever* $b_V > \frac{x}{2} + \frac{r}{2x}$ *and* $b_L < \frac{x}{2}$

6. $(x, 0, 0; x, x)$ *whenever* $b_V > \frac{x}{2} + \frac{r}{2x}$ *and* $b_L \geq \frac{x}{2}$

Proof The Subgame Perfect Equilibria of the game $\langle N, S, U \rangle$ are calculated by backward induction. Note that in the last period of the game, L chooses to enforce discipline only on low clout MPs, because $-(b_L - a_{MP}^1)^2 - \pi V(d) \geq -(b_L - a_{MP}^1)^2$ if and only if $\pi < 0$. Given this, we analyze the cases in which the MPs follow the leadership's choice separately for the low and high clout MPs. In the case of the low clout MP, $BR_{MP}(x) = x$ iff $-(b_V - x)^2 + r \geq -b_V^2 + \pi d$, which is the case if and only if $b_V \geq \frac{x}{2} + \frac{r - \pi d}{2x}$, while $BR_{MP}(0) = 0$ iff $-b_V^2 + r > -(b_V - x)^2 + \pi d$, which is the case if and only if $b_V < \frac{x}{2} - \frac{r - \pi d}{2x}$. Thus, the best responses of the low clout MP fall into three regions:

1. If $b_V < \frac{x}{2} - \frac{r - \pi d}{2x} \Rightarrow BR_{MP}(x) = BR_{MP}(0) = 0$

2. If $\frac{x}{2} - \frac{r - \pi d}{2x} \leq b_V \leq \frac{x}{2} + \frac{r - \pi d}{2x} \Rightarrow BR_{MP}(x) = x \wedge BR_{MP}(0) = 0$

3. $b_V > \frac{x}{2} + \frac{r - \pi d}{2x} \Rightarrow BR_{MP}(x) = x \wedge BR_{MP}(0) = x$

Given these best responses, we proceed to find the optimal choice of the Leader. In region 1, L will choose x over 0 when dealing with a Low Clout MP if and only if $U_L(x, BR_{MP}(x)) \geq U_L(0, BR_{MP}(0))$, which is equivalent to $-b_L^2 - \pi \geq -b_L^2$, simplifying to $\pi \leq 0$, which is always the case, since in the low clout case, $\pi < 0$ In region 2, L will choose x over 0 whenever $U_L(x, x)) \geq U_L(0, 0)$, equivalent to $-(b_L - x)^2 \geq -b_L^2$ which simplifies to $b_L \geq \frac{x}{2}$ In region 3, L will choose x over 0 when dealing with a low clout MP if and only if $U_L(x, x) \geq U_L(0, x)$, which is equivalent to $-(b_L - x)^2 \geq -(b_L - x)^2 - \pi$, simplifying to $\pi \geq 0$, which is always the case, since in the low clout case, $\pi < 0$.

In the case of the high clout MP, $BR_{MP}(x) = x$ iff $-(b_V - x)^2 + r \geq -b_V^2$, which is the case if and only if $b_V \geq \frac{x}{2} - r2x$, while $BR_{MP}(0) = 0$ iff $-b_V^2 + r > -(b_V - x)^2$, which is the case if and only if $b_V < \frac{x}{2} - r2x$. Thus, the best responses of the high clout MP fall into three regions:

1. If $b_V < \frac{x}{2} - \frac{r}{2x} \Rightarrow BR_{MP}(x) = BR_{MP}(0) = 0$

2. If $\frac{x}{2} - \frac{r}{2x} \leq b_V \leq \frac{x}{2} + \frac{r}{2x} \Rightarrow BR_{MP}(x) = x \wedge BRMP(0) = 0$

3. $b_V > \frac{x}{2} + \frac{r}{2x} \Rightarrow BR_{MP}(x) = x \wedge BR_{MP}(0) = x$

Given these best responses, in analogy to the high clout case, we proceed to find the optimal choice of the Leader. In region 1, L will choose x over 0 when dealing with a high clout MP if and only if $U_L(x, BR_{MP}(x)) \geq U_L(0, BR_{MP}(0))$, which is equivalent to $-b_L^2 \ geq - b_L^2$, which means both actions are optimal. In region 2, L will choose x over 0 whenever $U_L(x, x)) \geq U_L(0, 0)$, equivalent to $-(b_L - x)^2 \geq -b_L^2$ which simplifies to $b_L \geq \frac{x}{2}$ In region 3, L will choose x over 0 when dealing with a low clout MP if and only if $U_L(x, x) \geq U_L(0, x)$, which is equivalent to $-(b_L - x)^2 \geq -(b_L - x)^2$, which means both actions are optimal.

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