

# **Constituency Effects and Legislative Dissent Under Closed-List Proportional Representation**

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## **Abstract**

According to conventional wisdom, closed-list proportional representation (CLPR) electoral systems create incentives for legislators to favor the party line over their voters' positions. Legislative parties, however, do not need the loyalty of every member on every vote. Electoral incentives may induce party leaders to tolerate "shirking" by some legislators, even under CLPR. We argue that, in considering whose deviations from the party line should be tolerated, party leaders exploit differences in voters' relative electoral influence resulting from malapportionment. We expect defections in roll call votes in favor of the ideological position of party voters to be more likely among legislators elected from overrepresented districts than among those from underrepresented ones. We empirically test this claim using data on Argentine legislators' voting records and a unique data set of estimates of voters and legislators placements on a common ideological space. Our findings suggest that even under electoral rules known for promoting unified parties, we should expect strategic defections to please voters, which can be advantageous for the party's electoral fortune.

Keywords: Closed-list Proportional Representation, Legislative Behavior, Argentina



## 1. Introduction

How do electoral incentives affect legislators' voting behavior in closed-list proportional representation (CLPR)? Under these rules, voters cannot alter the ranking of candidates in the party list, candidates do not compete against other candidates from the same party, and parties have control over ballot access. These resources give party leaders the opportunity to select a cohesive, like-minded, slate of candidates. As a result, several scholars have inferred that under CLPR, the influence of parties on the behavior of individual legislators should be paramount (Norris 2004; Shugart, Valdini, and Suominen 2005).

However, information asymmetries make screening every potential member of the party's legislative contingent very difficult. Apart from their personal values regarding public policy, legislators usually face a variety of pressures when deciding how to vote. These include their voters' preferred policies and the mandates of their party leadership. If these views are not aligned, then legislators are cross-pressured. The relevance of these conflicting influences tends to be amplified when the dominant dimension of political conflict in legislative voting is the government-versus-opposition schism rather than an ideological left-right cleavage. The logic behind this argument is simple: suppose that government (opposition) parties commit to voting for (against) any government-sponsored bill, regardless of the bill's content. In this case, even like-minded legislators may be torn between voting based on their voters' policy preferences or their party's alignment along the government-opposition divide.<sup>1</sup> The implication is that incentives to defect from the party line should also be present in CLPR systems.

Given the existence of cross-pressured legislators, legislative parties need whips to compel fellow partisans to toe the party line. This is especially true if the party's position on a given issue is not aligned with the preferences of the party's voters. However, in these cases, whips could also seek to maximize their parties' electoral support. The party leadership may achieve this goal by tolerating that some legislators defect from the party line and vote in accordance with their voters' preferences. The marginal benefits associated with the expected electoral gains that result from having legislators vote against the party should help to offset the party's marginal costs of allowing legislative dissent. Therefore, in strategically allowing defections, party leaders need to evaluate who will give their party a greater bang for their electoral buck. In the case of CLPR systems, we hypothesize that whips should favor electorally motivated ideological shirking by legislators from overrepresented districts over those from underrepresented ones. Nonetheless, party leaders should only tolerate this kind of behavior on lopsided votes, as opposed to close and important ones.

The search for constituency influence on roll call votes has mostly focused on the case of the U.S. Congress, where electoral incentives to cultivate the personal vote dominate. In this paper, we examine legislative behavior in the Argentine Chamber of Deputies. The country's legislative politics have features that make our analysis particularly pertinent to study the effect of electoral incentives on legislators' behavior: members elected under CLPR, the presence of a government-versus-opposition divide, and the prevalence of lopsided plenary votes. There are also practical reasons of data availability to empirically test our claims using the Argentine case: the existence of a unique dataset of voters' and legislators' placements on a common ideological space

To evaluate our argument linking electoral incentives and legislative behavior, we rely on a measure of Argentine legislators' revealed stances vis-à-vis the government, coded from their votes in the plenary floor, as well as their position-taking actions. Our findings indicate that malapportionment systematically affects legislators' propensity to vote in line with their voters' ideological preferences rather than in line with their parties. The influence of party voters on legislative behavior, however, is present in lopsided votes but not in closely contested ones. Voters' ideology does not seem to affect legislators' credit claiming activities either. These findings are consistent with our argument that legislators from districts with higher relative electoral weight are given more freedom to cast votes aligned with the preferences of their party voters. They also support the view that party leaders' willingness to allow defections is conditional on the effect of defections on the expected outcome of the plenary vote.

Our argument and findings contribute to the literature on the effects of electoral incentives on legislative behavior. Earlier work has shown that electoral systems promoting intra-party competition tend to depress parties' unity in roll call votes, while CLPR tends to enhance it (Hix 2004; Carey 2007; Depauw and Martin 2009; Crisp et al. 2013). The literature also states that a party's reputation is crucial for electoral success under CLPR and that under this rule, incentives to cultivate a personal vote, particularly in districts of high magnitude, should be minimized (Carey and Shugart 1995). Hazan (2014), echoing the views of many, argues that partisan control over access to the ballot, as well as over the nominating process, are key contributors to party unity in legislatures. These arguments have motivated several studies focused on legislator's incentives to balance the competing interests of party leaders and voters (Fiva and Halse 2016; Murillo

and Pinto 2016; Catalinac 2018; Buisseret and Prato 2020; Burke et al 2020). The existing literature has also examined the relationship between malapportionment and a variety of outcomes such as cabinet inclusion (Bhavnani 2018), intergovernmental transfers (Pitlik, Schneider, and Strotmann 2006; Galiani, Torre, and Torrens 2016), and the formation of territorial coalitions (Gibson and Calvo 2000). The argument that we make in our study, linking malapportionment and legislative dissent, bridges the gap between these different strands in the literature.

Our study also contributes to the literature on legislative behavior in Argentina (Jones and Hwang 2005; Jones, Hwang, and Micozzi 2009; Calvo 2014; Alemán et al. 2018; Clerici 2020) as well as the relationship between malapportionment and legislative politics in that country (Gibson and Calvo 2000; Bonvecchi and Lodola 2011; Ardanaz, Leiras, and Tommasi 2014; Galiani, Torre, and Torrens 2016; Gervasoni and Nazareno 2017, Garofalo, Lema, and Streb 2020). While multiple pieces have dealt with topics of behavior in the Argentine Congress (ranging from discipline, ideology and committee performance to representation, impact of federalism and many others); this work is the first systematic attempt to link malapportionment and strategic defections from the party line.

The remainder of this article is organized as follows. In the next section, we discuss our main argument linking electoral incentives and legislative behavior and the contextual factors that affect legislators' voting patterns in Argentina. Next, we lay out our main hypotheses, describe our data, and discuss the details of our estimation. In the fourth section, we report our main empirical findings. A final section concludes.

## **2. Electoral Incentives, Party Loyalty, and Legislators' Voting Behavior**

Legislative production is a team process. As a result, legislators have incentives to free-ride on their colleagues' behavior. Specifically, they can engage in shirking, interpreted as indulging in their own ambitions rather than towing the party line (Kalt and Zupan 1984; Crain, Leavens, and Tollison 1986; Lott and Bronars 1993).

The literature on party unity has persuasively argued that despite individual incentives to act independently, most legislators are subordinate to the party leadership within their assemblies (Carey 2007). Party leaders typically control the appointment of legislators to coveted positions within the chamber, allocate among them valuable resources such as staff and other perks of office, and influence the chances that the bills and amendments that legislators seek to pass are addressed by the plenary. But perhaps the most consequential tool that party leaders can have to influence the behavior of their legislative contingent is the ability to affect individuals' career prospects, whether this involves access to the ballot, renomination, or appointment to other offices. For instance, in line with conventional wisdom on the dominant role of electoral rules, Carey (2007, p.93) argues that in places where "party leaders draw up lists of candidates that are presented in general elections and cannot be altered by voters ... electoral responsiveness to a competing principal is minimized."

Party loyalty, however, can be a double-edged sword. As Lebo, McGlynn, and Koger (2007) note, while loyalty may increase the likelihood of party victories on the floor, it may also expose individual legislators to electoral backlash. Therefore, party leaders should avoid forcing legislators to vote with the party when they expect loyalty to negatively affect the party's performance in the next election. Instead, they should try to

maximize their party's popularity by deploying the minimum amount of discipline that is necessary to achieve a maximum level of legislative success (Lebo, McGlynn, and Koger 2007; Patty 2008). According to this view, party leaders are strategic, encouraging legislators to toe the party line on close and important votes and allowing them to shirk on lopsided ones, where an individual legislator's defection is less likely to alter the outcome. Legislators, in turn, can send a valuable signal of *ideological purity* to their constituents (Kirkland and Slapin 2018) and keep their electoral capital untouched.

This reasoning fits well with existing evidence from countries using plurality rule in single-member electoral districts, notably the United States' Congress. In these cases, legislators can disassociate themselves from inconvenient aspects of their parties' overall reputations, mitigating the negative electoral externalities that stem from sharing a party label. Comparative research has paid considerable attention to differences in electoral rules affecting legislators' incentives to follow their party line. Under electoral rules where voters must show a preference for candidates who compete not only against other parties but also against members of their own party, legislators have high incentives to cater to specific electoral constituencies by building a personal reputation distinct from that of their party leadership. The paradigmatic electoral rules that foster this kind of behavior are the single-non-transferable-vote and open-list proportional representation with high district magnitude (Cox 1997).

In contrast, under CLPR, the incentive to toe the party line is high. Nonetheless, as noted above, legislative parties do not need the commitment of every member on every vote, and it may be in their interest to allow the so called *strategic party disloyalty* (Burke, Kirkland and Slapin 2020). As these authors argue, district-level electoral

competition is a leading determinant of deviations from the party line in the context of the U.S. state legislatures. In the case of CLPR, the party leadership should be more likely to allow some legislators to defect from the party's legislative strategy when two conditions are met. First, as noted above, party leaders should be more tolerant of defections on lopsided votes than on close and important ones. Second, they should choose a level of party discipline that balances the marginal costs and marginal benefits of additional party loyalty. The relative weight of different voters affects evaluations of electoral gains. More specifically, the relative influence held by voters in different electoral districts gives party leaders an opportunity to exploit the electoral implications of disciplined behavior.

Consider the effect of malapportionment. Suppose one electoral district has 10,000 voters, and another has 30,000 voters, but both choose the same number of representatives. In this example, due to malapportionment, a voter in the smaller district has three times more influence over the legislature than a voter in the larger one. As loyalty to the party entails both benefits and costs, party leaders should allow legislators to shirk in favor of their electoral base when they are elected from overrepresented rather than underrepresented electoral districts. By pandering to these overly influential voters, the marginal benefits associated with the electoral gains that accrue from legislative shirking can offset the party's marginal costs of allowing undisciplined behavior. Gibson and Calvo (2000) label *low-maintenance bases of support* to a coalition centered on heavily overrepresented districts that involves lower electoral costs. Following their logic, if our argument is correct then tolerance toward defections should also be systematically influenced by malapportionment as a revenue maximization strategy.

## **2.1. CLPR, Lopsided Votes, and Legislative Shirking: Case Selection**

Unlike research on the U.S. Congress, most comparative studies using roll call votes have focused on analyzing variations in party unity. We extend this literature by examining the impact of electoral incentives on strategic voting behavior in the Argentine Congress. Aside from data availability – which can be particularly challenging in developing countries where roll call votes are not always systematically recorded and information regarding voters' views is not readily available – other reasons make this a potentially illuminating case.

First, the country uses CLPR to elect members to its Chamber of Deputies. Voters cannot alter the ranking of candidates in the party list, candidates do not compete electorally against other candidates from the same party, and nominations are in the hands of party leaders. Second, low reelection rates and limited legislative professionalization conspire against legislators' efforts to build linkages with distinctive electoral constituencies at the expense of their parties' leaderships (Spiller and Tommasi 2007). This context makes Argentina a relevant case, providing us with a tough test to examine our argument (Gerring 2007). Third, several districts electing legislators to Argentina's Chamber of Deputies are highly malapportioned, underrepresenting the country's urban core. (Snyder and Samuels 2004; Gibson, Calvo, and Falletti 2004). Fourth, the fragmented chamber often operates as a plurality—rather than a majority-led congress (Calvo 2014). Because plenary time is scarce and majoritarian quorum rules can threaten the passage of bills, leaders of the plurality party usually negotiate with other parties a substantial part of their legislative agenda before sending proposals for

consideration by the full chamber. These agreements, as Calvo (2014) notes, tend to translate into lopsided votes on the floor of the Argentine Chamber of Deputies.

Data constraints usually make it difficult to determine voters' influence over legislative behavior. Information that allows researchers to link voters' views with those of legislators is not commonly available. Individual-level data on voters' ideology gathered from a public opinion survey fielded in Argentina, and a contemporaneous survey of Argentine members of Congress allow us to overcome this limitation.<sup>2</sup> For all these reasons, we believe that the Argentine Chamber of Deputies provides a particularly good setting to study the effect of electoral incentives on voting behavior in CLPR systems. It must be noted, however, that our argument should apply not only to the Argentine case, but also to other settings that meet our scope conditions – CLPR, malapportionment, and lopsided legislative votes.

## **2.2. Legislative Voting in Argentina**

According to our main argument, variation in legislators' roll call votes – more specifically, in their recovered ideal points – should be systematically related, *ceteris paribus*, to their strategic electoral value as defectors. In addition to the scope conditions previously discussed, we also need to account in our empirical analysis for other contextual factors that affect legislative behavior in Argentina. Specifically, we need to consider the role of actors, other than legislative party leaders, whose influence is likely to be reflected in patterns of legislative voting.

Earlier studies of voting behavior have demonstrated that the main dimension of conflict in the Argentine Congress is captured by the government-opposition divide

(Jones and Hwang 2005; Jones, Hwang, and Micozzi 2009). There is ample evidence showing that this dimension properly accounts for the overwhelming majority of legislative votes, i.e., a one-dimensional spatial model correctly discriminates around 95% of roll call votes. This configuration is also consistent with the findings in the comparative study of sixteen legislatures undertaken by Hix and Noury (2016), who show that government-opposition dynamics are the main drivers of voting behavior in most institutional contexts. Therefore, we focus on legislators' placement along the latent government-versus-opposition dimension. Specifically, we examine whether the specific variables of interest identified in our argument move the predicted ideal points of government (opposition) legislators towards (against) the government's position. Absent any relaxation of induced party discipline, a legislator's alignment with the government or opposition parties should completely explain the legislator's vote choices.

In addition to electoral incentives, the literature on Argentine legislative politics claims that governors are an additional source of influence over the behavior of national legislators (Gervasoni and Nazareno 2017). Governors in Argentina have control over party resources, including access to the ballot, which they could use to influence the composition of the province's congressional delegation to the national Congress (De Luca, Jones and Tula 2002). For example, according to Jones and Hwang (2005, p. 272), given "superior resources and institutional advantages, a provincial boss who is a governor will on average be more powerful and thus have greater ability to affect the political future of deputies belonging to their provincial delegation, than a boss who does not control the governorship." The evidence in Cherny, Figueroa, and Scherlis (2018) suggests that governors' ability to nominate legislative candidates varies significantly by

province and electoral cycle, i.e., midterm versus concurrent with presidential elections. Nonetheless, their study shows that a majority of the viable nominations belonging to the party controlling the provincial government correspond to candidates selected by governors.

Using data from an expert survey Gervasoni and Nazareno (2017) find support for the notion that Argentine governors influence the voting behavior of their party's provincial delegation. However, empirical evidence derived from the actual behavior of deputies offers a different picture. For example, Jones and Hwang (2005) examine roll call data from six legislative terms in the Argentine Chamber of Deputies and find not only a lack of provincial-based effects on the main dimension of conflict but also no signs of gubernatorial effects on legislators' voting behavior.

From our perspective, which is centered on legislators' opportunities to shirk, we expect, that belonging to a provincial party delegation that has a fellow co-partisan in the governor's office should move a legislator's ideal point closer the federal government along the government-opposition dimension.<sup>3</sup> This expectation is grounded on studies on fiscal federalism and subnational politics in Argentina. According to this literature, governors are financially dependent on the largess of the federal government. As such, the power of the purse, which is in the hands of the federal government, can be used to pressure governors to side with the central government (Benton 2009, González 2012). The empirical record suggests that funds discretionally managed by the president are disbursed regularly in exchange for legislative support from provincial delegations (Gibson and Calvo 2000).

Finally, we should also mention another reason that would make Argentine

legislators, irrespective of political orientation and party, more likely to vote with the federal government. Compared to other Latin American countries, public employment in Argentina is high and is often used for electoral purposes (Calvo and Murillo 2004, Gervasoni 2010). In several provinces, there are more public employees than private ones; and in most of these provinces, the salary of public employees is higher than the salary of employees in the private sector. Provincial and local governments, however, depend heavily on the transfer of fiscal resources from the central government to sustain these expenditures. Dependence on federal transfers is also likely to have some effect on legislators' incentives to side with the government in roll call votes.

These contextual factors notwithstanding, we also need to account for another potential determinant of legislators' incentives to defect from the party line. As noted above, in CLPR systems, the party leadership decides candidates' position in the ballot before the elections. Such a placement is not trivial: it affects the electability of individual legislators in a district, the overall traits of the party's congressional delegation, and the party's electoral returns. Party leaders, however, care not only about winning elections but also about the cohesion of their legislative delegation and their ability to pass or block legislation.

In response to these tradeoffs, party leaders create lists with loyalists, experts, and sometimes popular outsiders (Serra 2011, Galasso and Nannicini 2015). Buisseret et al. (2019) model the optimal party-list choice under closed-list proportional representation, considering how the party leadership allocates candidates of heterogeneous quality across list ranks depending on the party's electoral goals and their competitive environment. If voters have partisan preferences but also prefer voting for more competent candidates,

then parties should assign strong and popular candidates in their ballots' topmost positions (Buisseret et al. 2019). This strategy comes with a nontrivial consequence: strong, popular, and competent candidates may also be less willing to be whipped by party leaders and more likely to want to retain an aura of autonomy. This effect, as well as the others discussed in this section, must be controlled for when testing the implications of our main argument.

### **3. Empirical Analysis**

We have argued that party influence on voting behavior is constrained by electoral incentives. Party leaders should be willing to tolerate defection among some of their members, however, when floor decisions are unlikely to be close, i.e., in lopsided votes. In those instances, some legislators may deviate from their party line, and follow the position of their party's voters.<sup>4</sup> To examine this implication, we need not only a measure indicating the position of legislators along the government-opposition dimension but also a measure linking legislators to the ideological position of their party's voters.

Our analysis focuses on legislators' roll call behavior. The use of recorded votes to measure politicians' spatial preferences can be problematic. First, observed votes (that is, those that reach the plenary floor) may not constitute a random sample of the universe of legislative decisions. Second, if strategic voting exists, then legislators' actions may not accurately reveal their true preferences. These weaknesses, however, constitute the best justification for the use of roll call data in this study. In our case, we do not seek to use roll call votes to recover legislators' ideological preferences, but rather their revealed positions vis-à-vis the government (as measured by their voting decisions on the plenary

floor). Suppose that the party leadership's position with respect to the government completely determines the voting choices of its legislative bloc. In this case, the estimated ideal points of all members of the party would be identical. In contrast, if party leaders allow or implicitly encourage legislators to deviate from the party line because it could be electorally advantageous, then intra-party differences in the estimated ideal points would arise.

Given our use of roll call votes to uncover patterns of legislative behavior, rather than ideological preferences, we need a measure of legislator ideology that is constructed independently of the roll-call votes themselves. Moreover, we also need to account for voters' ideological preferences. The main challenge, however, is to measure the preferences of voters and politicians on a common scale. A solution to this problem is to use surveys of voters and legislators containing a common set of questions. We thus rely on similar items from two surveys conducted in 2007 and 2008, to place voters and legislators on a common ideological space.<sup>5</sup>

Our public opinion data come from a face-to-face national public opinion survey (N=2,801) conducted in March/April of 2007.<sup>6</sup> To measure legislators' ideological preferences, we rely on a unique survey conducted by the Fundación Directorio Legislativo in September/October of 2008. A total of 200 legislators (out of 257 members of the body) participated in the survey, all of whom were drawn from samples mirroring the relative influence of their political parties in the legislatures. In both surveys, respondents were asked to place themselves, as well as the country's main political parties, and prominent politicians on a left-right ideological scale.

A substantive concern regarding voters' ideology vis-à-vis that of legislators,

however, is that respondents may interpret identical questions (e.g., about ideological self-placement) in different ways. To address this problem, known as response incomparability, we rely on “bridge” questions to generate comparable measures of voter and legislator ideology using the Bayesian implementation of the Aldrich-McKelvey scaling method developed by Hare, Armstrong, Bakker, Carroll, and Poole (2015). This procedure allows us to estimate the ideological positions of Argentine legislators and voters on a common scale.

### **3.1. Testable Hypotheses**

As noted before, legislative votes in the Argentine Congress reflect the party position along the government-versus-opposition dimension rather than along a left-right schism. Nonetheless, according to our main argument, some legislators should be allowed to vote based on the policy preferences of their party’s voters rather than along the government-opposition divide. Specifically, if these pressures are not aligned, party leaders should tolerate voting against the party by legislators who belong to overrepresented electoral districts. We can thus derive the following testable hypothesis:

*Hypothesis 1: Defections in roll call votes in favor of the ideological position of party voters should be more likely among legislators elected from overrepresented districts than among those from underrepresented ones.*

Party leaders, however, should be more tolerant of defections on lopsided rather than on close and consequential votes. As noted above, many bills approved in the Argentine Chamber of Deputies receive broad support on the plenary floor. Nonetheless, several legislative initiatives still end up being decided by a razor-thin margin of votes. In

these cases, per our theory, we should not see the influence of malapportionment on a legislator's estimated ideal point. Our second hypothesis derives from this expectation:

*Hypothesis 2: Legislators' responsiveness to the ideological position of their parties' voters is more likely to be manifested in lopsided votes than in close ones.*

In the next section, we discuss the data and estimation strategies that we employ to examine these hypotheses and provide the details of how we operationalize the concepts presented in this section. We also discuss how we simultaneously test these hypotheses.

### **3.2. Data and Estimation**

We employ roll call data to examine legislators' propensity to represent the views of their constituents on the plenary floor. To generate these estimates, we use the method based on Markov chain Monte Carlo (MCMC) simulation within a Bayesian framework proposed by Clinton, Jackman, and Rivers (2004). This approach treats the unknown ideal points, bill parameters, and legislators' utilities as random variables and conditions upon the observed roll call data. The strategy is to impute values to these variables and estimate by regression the ideal points and bill parameters. The MCMC algorithm repeatedly performs these imputations and regressions and generates a large number of samples from the posterior density of the model parameters. Using this estimation procedure, we obtain summary statistics used for inference.

We consider voting decisions recorded in the Argentine Chamber of Deputies between February 28, 2008, and November 25, 2009, to match the coverage of the surveys used to place voters and legislators on a common ideological space.<sup>7</sup> A total of

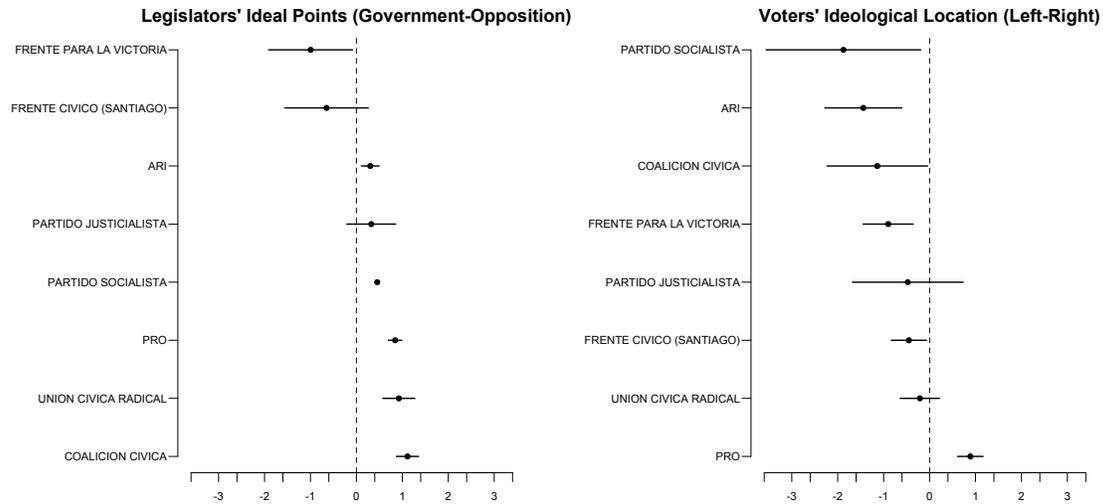
251 recorded plenary votes were cast in this period. In most of these votes, the outcome was decided by a unanimous (87) or super-majority (159) decision. In the remaining five votes, the outcome was decided by a very thin majority.<sup>8</sup> To estimate legislators' ideal points with and without defection opportunities, we consider two disjoint sets of roll call votes. The first one consists of the 159 non-unanimous lopsided votes. The second one includes the five closely contested votes.<sup>9</sup> Lopsided votes and short voting records pose no problems in the Bayesian approach (Clinton, Jackman, and Rivers 2004). For this reason, we use the MCMC scaling approach to analyze our roll call data.<sup>10</sup>

The left panel of Figure 1 displays the ideal point of the average legislator in each of the main parties represented in the Argentine Chamber of Deputies estimated using the sample of 159 lopsided votes. Dots are point estimates, and the spikes depict 95% confidence intervals. The dotted vertical line is centered at zero solely for illustrative purposes. From one extreme to the other, we can identify the government party and its main ally (the Frente para la Victoria, and the Frente Cívico por Santiago); a couple of “swing” parties (Solidaridad e Igualdad SI-ARI, and the Partido Justicialista); and a bloc of opposition parties (conformed by the Socialist Party, PRO, the UCR, and the Coalición Cívica).

This pattern confirms that the recovered ideal points correspond to legislators' positions vis-à-vis the government. The evidence in Figure 1 also shows that for most parties (with the exception perhaps of the Socialist Party), the ideal points of their members are not identical. Instead, as the 95% confidence intervals indicate, intra-party differences in the estimated ideal points calculated using lopsided votes exist. With respect to voters' ideology, the public opinion survey includes information about their

partisanship. We use these data, in conjunction with our common-space scores, to estimate the ideological location of the average voter in each of the seven major parties with legislative representation.

**Figure 1: Legislators' Ideal Points and Voters' Policy Preferences**



The right panel of Figure 1 shows the point estimates of the ideological location of each party's representative voter (marked by dots) and their 95% confidence intervals (indicated by the spikes). The locations are arranged from left to right (with the Socialist party on one end, and the PRO on the opposite one). This alignment clearly differs from the configuration presented in the left panel of Figure 1. The Coalición Cívica is a case in point. The ideological location of its representative voter is closer to the Frente para la Victoria than to the PRO; yet, when it comes to casting votes in the legislature, its representative member tends to vote with the latter rather than the former.<sup>11</sup> More importantly, taken together, these different patterns provide *prima facie* evidence suggesting that Argentine legislators face a dilemma between voting along the government-opposition divide or based on their voters' policy preferences.<sup>12</sup>

Moving onto our main variable of interest, malapportionment, we use the distribution of seats per number of inhabitants to identify those electoral districts where voters are under- or over-represented. For example, based on the 2010 Census data, the province of Tierra del Fuego had 131,661 inhabitants and five seats in the Chamber of Deputies. The population of the province of Salta was almost ten times larger (1,239,111 inhabitants); yet, it only had two additional legislative seats. So, in the latter province, there was one representative per 177,016 inhabitants, whereas, in the former, there was one representative per 26,332 inhabitants. Considering all of Argentina's electoral districts, slightly more than half of the legislators in our sample (132) represented 165,469 or fewer inhabitants, while the remaining (124) represented 171,468 inhabitants or more. We use this threshold to capture party leaders' incentives to exploit malapportionment for electoral purposes. Specifically, the variable *Overrepresented* takes the value of one when the population-to-seats ratio in a legislator's district is 165,469 or less; and zero otherwise.

In addition to these two measures, we consider other variables to control for the contextual factors that characterize the Argentine case, as discussed above. First, to capture legislators' loyalty toward their party leadership, we differentiate legislators who belong to the federal government's legislative party bloc from legislators who belong to various opposition blocs.<sup>13</sup> Given the government-opposition divide that characterizes Argentine legislative politics, we expect these allegiances to capture the degree of party influence on legislators' voting behavior. More specifically, in the absence of any other sources of influence on legislators' roll call voting behavior, this variable should capture all the variation in our estimated ideal points.

Regarding gubernatorial effects, most governors in the period that we study were aligned with the federal government. As such, a significant number of government legislators (72 percent) were part of the incumbent party at both the national and provincial levels. The country, however, also had several opposition governors during this period (e.g., Neuquén’s Jorge Sapag, Santa Fe’s Hermes Binner, Buenos Aires City’s Mauricio Macri, and Tierra del Fuego’s Fabiana Rios). In this case, roughly 38 percent of the opposition legislators were part of the incumbent party at the provincial level. We use this information to create the variable *Governor*. This indicator takes the value of one if a legislator’s party controls the provincial government, and zero otherwise.

We also consider another reason why Argentine legislators, regardless of their political orientation, may vote with the federal government: dependence on federal transfers. To capture public employment in a legislator’s home constituency, the variable *Public Employment* measures the total number of public employees as a proportion of the number of heads of households in the municipality where this legislator resides.<sup>14</sup>

Finally, we control for legislators’ positions on their party’s list. Argentine electoral districts exhibit large differences in their magnitudes. As such, a third place in the province of Buenos Aires’ ballot (out of 35 places), is not the same as in the province of Chaco’s (where 3 or 4 candidates are elected according to the electoral year). To account for these differences, we create the variable *Relative Position*. It is calculated as  $\left[1 - \left(\frac{Position}{1+Max_{Position}}\right)\right]$ , where *Position* is a legislator’s place in the party ballot, and  $Max_{Position}$  is the maximum value of *Position* in each district. According to this metric, the third-placed candidate in Chaco receives a value of  $\left[1 - \left(\frac{3}{1+4}\right)\right] = 0.4$ , which is equivalent to a candidate ranked 16<sup>th</sup> in Buenos Aires.<sup>15</sup>

### 3.2. Main Results

We proceed now to test our hypotheses. Our sample consists of 256 rather than 257 deputies because the Argentine Chamber of Deputies' president seldom casts any votes (and thus, we cannot estimate an ideal point). To capture the effect of electoral incentives on legislators' behavior, we estimate a series of models by ordinary least squares (OLS).<sup>16</sup> In our baseline specification, the dependent variable is a legislator's ideal point estimated using the lopsided votes. Next, we estimate the same model but using the ideal points generated using close votes as the dependent variable.<sup>17</sup>

Table 1 shows the results of our OLS models. Negative coefficients indicate a pro-government effect of the covariates, while positive coefficients indicate a pro-opposition effect. The first model presents a "null" specification using the ideal points estimated from roll-call records on lopsided votes as the dependent variable and, as the main covariates, the contextual variables that, according to the existing literature, should explain legislative behavior in Argentina (i.e., our controls).

The estimated coefficient associated with the variable *Government* confirms that, for the most part, the government-opposition divide defines legislators' voting behavior. The estimated coefficient of the variable *Governor* reveals that having a provincial governor from the same party also influences legislators' voting behavior. Moving from 0 (being in the opposition at the provincial level) to 1 (being aligned with the provincial governor) shifts the position of a legislator closer to the federal government. The results also show that public employment in a legislator's home constituency impacts legislators' ideal points. The effect is statistically significant, but substantively quite small. A one

standard deviation increase in public employment corresponds to only a -0.06 decrease in the average legislator's ideal point. The coefficient associated with the variable *Relative Position* is statistically indistinguishable from zero. Its interpretation, however, is not straightforward, as the dependent variable is measured in the government-opposition dimension. A similar specification but including an interaction between *Relative Position* and *Government* (not shown) suggests that the effect of party list placement on legislators' ideal points is null in the case of both government and opposition legislators.<sup>18</sup>

**Table 1. Determinants of Legislators' Voting Behavior**

	(1)	(2)	(3)	(4)	(5)
	Lopsided	Lopsided	Close	Cosponsor	Cosponsor
Government	-1.426*** (0.061)	-1.369*** (0.063)	-1.431*** (0.068)	-0.637*** (0.050)	-0.636*** (0.051)
Governor	-0.196*** (0.064)	-0.233*** (0.066)	-0.034 (0.059)	-0.106** (0.052)	-0.128** (0.051)
Public Employment	-0.718** (0.324)	-0.721* (0.371)	0.146 (0.347)	-0.258 (0.239)	-0.350 (0.293)
Median Voter		0.043 (0.039)	0.065 (0.047)		-0.221*** (0.041)
Overrepresented		0.112 (0.078)	-0.013 (0.074)		0.194*** (0.070)
Overrepresented * Median Voter		0.161** (0.063)	0.037 (0.074)		0.189*** (0.060)
Relative Position	0.074 (0.129)	0.095 (0.128)	0.185 (0.134)	0.058 (0.104)	0.152 (0.100)
Constant	0.772*** (0.134)	0.785*** (0.139)	0.678*** (0.133)	0.091 (0.099)	-0.133 (0.098)
Observations	256	256	256	256	256
R-squared	0.767	0.778	0.767	0.517	0.582
rmse	0.434	0.426	0.419	0.345	0.323

Robust standard errors in parentheses \*\*\* p<0.01, \*\* p<0.05, \* p<0.1

We explicitly test hypothesis 1 in the second model of Table 1, where we also use the ideal points estimated from lopsided votes as the dependent variable. Here, we examine how legislators' electoral incentives affect their voting behavior. If the contextual factors considered in Model 1 are completely determinative of legislators' vote choices, then the coefficient associated with our key indicator of legislators' responsiveness – the interaction between voters' ideology and malapportionment – should be statistically indistinguishable from zero.

The results from Model 2 are consistent with hypothesis 1. The effect of voters' policy preferences on a legislator's ideal point is statistically indistinguishable from zero in underrepresented provinces; but, it is positive and statistically significant in overrepresented ones. Recall, from the right panel of Figure 1, that negative (positive) values of voters' ideological position correspond to those located to the left (right) of the political spectrum. Therefore, a rightward (leftward) movement in the ideological position of voters belonging to the legislator's party is associated with a corresponding shift in the legislator's ideal point towards the opposition (government) camp. The marginal effect of voters' ideology on a legislator's recovered position is positive and statistically significant (coefficient 0.205, z-score 3.91) in overrepresented districts and statistically indistinguishable from zero (coefficient 0.043, z-score 1.34) in underrepresented ones. These results provide evidence in support of our argument that legislators from overrepresented districts are more likely to accommodate the views of their party's voters in their voting decisions than legislators from underrepresented districts.<sup>19</sup> Moreover, these findings not only conform to our theoretical expectations, but they are also consistent with the existing evidence. The responses to a set of questions

included in a contemporaneous survey conducted by the Universidad de Salamanca's Parliamentary Elites of Latin America (PELA) project indicate that legislators from malapportioned districts are the ones who are responsive to their constituents the most.<sup>20</sup>

A critical test of our main argument involves a comparison between lopsided and close votes. We undertake this task in Model 3, which is similar to Model 2 but with ideal points constructed using close votes as our dependent variable. The statistical results are consistent with our expectations; we cannot reject Hypothesis 2. In the case of votes decided by a thin margin, the only coefficient that is statistically indistinguishable from zero at the 95% confidence level is the one associated with the variable *Government*. Compared to the “null” specification (Model 1) and the strategic defection one (Model 2), the results of Model 3 indicate that the party's alignment along the government-opposition dimension fully explains the variation in its members' vote choices.

Further examination of the five close votes in our sample provides additional support for our main argument. Three of these votes correspond to an extremely salient and politically divisive bill involving a tax program for agricultural exports. Its passage in the Chamber of Deputies was a key event in a bitter confrontation between agricultural producers and President Cristina Fernández de Kirchner. The conflict originated when the Ministry of Finance issued a decree raising taxes on agricultural exports and linking the tax rates to changes in international prices. The export tax rate hike generated an immediate response by rural producers, who implemented a series of lockouts, protests, and road blockades. To crush the revolt, President Kirchner, whose party controlled both chambers of Congress, introduced a bill seeking legislative ratification for the tax hike. Despite the comfortable majorities enjoyed by the ruling party in both houses of

Congress, the bill barely passed the Chamber of Deputies and was defeated in the Senate.

The other two votes correspond to bills that were discussed after the tumultuous legislative treatment of the agricultural tax bill. The first one took place on October 16, 2008, and involved article 10 of the 2009 budget proposed by President Kirchner. The article was highly controversial as it delegated significant budgetary authority to the executive branch (so-called “superpowers”). The second vote was held on March 18, 2009, and the issue at stake was the timing of the forthcoming mid-term elections. Fearing a defeat, President Kirchner sought to get legislative approval to hold the elections earlier than initially scheduled. The opposition interpreted the move as an attempt to hold a snap election, intended to tilt the electoral balance in the government’s favor. Thus, this vote was also highly contentious and decided solely on the basis of the government-versus-opposition division.

### **3.3. Investigating the Mechanism: Party-led Defection?**

The results in Table 1 lend support to our main argument. Leaders tolerate strategic deviations from the party line when such defections have the potential to enhance their parties’ electoral fortunes. Ideological shirking, however, could also be the result of legislators’ unilateral actions. For example, some legislators may want to enhance their reputation before pursuing an executive office at the provincial level or seeking a Senate seat. Others may want to strengthen their support among voters to improve their chances of a hostile takeover of the party’s leadership or to build a reputation with constituents before creating a new party. Finally, some legislators may simply shirk because they plan to retire.

As noted above, recorded votes do not constitute a random sample of the universe of legislative decisions. As a result, ideal points recovered using roll call votes may not accurately reveal legislators' individual preferences. To determine if legislators' personal motivations, rather than partisan influence, drive their legislative behavior, we need to consider so-called position-taking actions instead of recorded votes.

As Alemán et al. (2009) note, cosponsorship data can be used to obtain a sincere measure of Argentine legislators' pre-floor preferences. Following both Alemán et al. (2009), as well as Calvo (2014), we use contemporaneous cosponsorship data to measure legislators' policy preferences. The location of each legislator, as recovered by this estimate, represents a relatively inexpensive signal to voters, with few costs to the party and potentially large individual reputational benefits. From the perspective of the party leadership, if these positions do not affect the success of their party's legislative agenda, they should not be subject to party discipline.

If our theory is correct, a comparison between legislative behavior in plenary votes and cosponsorship activity should allow us to distinguish between party-led defection and differences motivated by legislators' preferences. Existing studies suggest that partisanship (Micozzi 2014), as well as belonging to the government or the opposition parties (Alemán and Calvo 2012), are strong predictors of joint bill drafting in Argentina. As a result, legislators' position-taking efforts should resemble voting behavior in lopsided votes rather than in closely disputed ones. However, our theory is "agnostic" with respect to the effect of malapportionment on legislators' behavior in the case of cosponsorship.

Models 4 and 5 in Table 1 correspond to Models 1 and 2 but are estimated using

as the dependent variable legislators' policy positions recovered from cosponsorship data rather than lopsided votes. As before, negative coefficients indicate a pro-government effect of the covariate, while positive coefficients indicate a pro-opposition effect. The "null" specification (Model 4) reveals that the government-opposition divide affects legislators' position-taking behavior, which is consistent with prior studies of cosponsorship.

Regarding legislators' electoral incentives, Model 5 shows that the marginal effect of voters' ideology on a legislator's recovered position is indistinguishable from zero in overrepresented districts and negative and statistically significant in underrepresented provinces. In other words, the results reveal that in their position-taking behavior (as measured by cosponsoring bills), legislators do not appear to follow their voters' ideological views. Bill initiation is fundamentally a credit-claiming, targeted activity, with legislators able to establish a distinct personal reputation without many external constraints. In contrast, voting on the plenary floor directly affects each party's legislative strategy. As we have shown, only a selected group of legislators can cater to their electoral base through their voting behavior.

#### **4. Conclusions**

In this paper, we examine the tension between the collective goals of parties and legislators' incentives to represent their constituents' views in closed-list proportional representation systems. We argue that parties need both electoral and legislative votes; therefore, in evaluating the costs of defections in legislative votes, party leaders must consider their potential effects on the electoral arena. This strategy should lead them to

tolerate some members voting against the party line. This decision, however, is not random.

The empirical evidence, based on the behavior of Argentine legislators, indicates that malapportionment systematically affects legislators' propensity to cater to their electoral base on lopsided plenary votes. The influence of this factor on legislators' behavior, however, is null when outcomes are decided by a razor-thin margin of votes. We interpret these findings as supporting the view that party leaders encourage legislators to please their electoral base, even at the cost of party loyalty, when it is advantageous for their party's electoral fortune. In this sense, our view is closer to the prescriptions of cartel theory, where explicit dissent on the floor is more a calculated strategy from the top rather than a demonstration of rebellion by a common legislator.

We believe that our findings advance the understanding of voters' representation under closed-list proportional representation. More generally, they shed new light into how electoral incentives and institutional constraints interact to affect legislative behavior. We hope that our findings stimulate further studies on this important issue.

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## Notes

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<sup>1</sup> The argument also holds if an opposition party's voting strategy consists of supporting rather than opposing the government on every bill.

<sup>2</sup> We describe the data and the statistical methods that we use to generate comparable estimates of ideology below.

<sup>3</sup> Prior work on Argentina seeking to find gubernatorial effects on roll call votes has analyzed the level of unity among the provincial legislative delegation (Jones and Hwang 2005; Kikuchi 2018).

<sup>4</sup> This argument is in line with Cox and McCubbins' (2005) expectations about how cartels' leadership administrate their majorities having collective benefits in mind.

<sup>5</sup> This is the approach used by Shor and Rogowski (2018), who use common items from Project Vote Smart's National Political Awareness Test (NPAT) and the National Annenberg Election Study (NAES) to generate comparable measures of voter and candidate ideology. Tausanovitch and Warshaw (2013) and Battista, Coleman, and Peress (2013) use a similar strategy to examine policy representation in the Congress, state legislatures and cities in the United States.

<sup>6</sup> We thank Ernesto Calvo and M. Victoria Murillo for sharing the public opinion data with us.

<sup>7</sup> We obtained these data from the Década Votada website: <http://decadavotada.com.ar/>.

<sup>8</sup> These patterns are consistent with the findings in Calvo (2014).

<sup>9</sup> In the 159 non-unanimous lopsided votes, the outcome was decided by an average of 48 votes in excess of a minimum-winning majority.

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<sup>10</sup> This approach also allows us to successfully deal with the problem of missing values in roll call data. Therefore, we consider abstentions and absences from the floor as missing values in our estimation of legislators' ideal points. Estimation was conducted using the R package 'pscl' (Jackman 2015). We discarded the first 10,000 iterations as a burn-in period, and we summarized the results of 2500 iterations. The chains show strong evidence of convergence according to the Gelman–Rubin diagnostic and the unimodality of posterior distributions. Many other approaches to estimate ideal points, exist, most notably NOMINATE (see Chapter 4 in Poole (2005) for a good discussion). These alternative approaches tend to produce very similar results.

<sup>11</sup> Unfortunately, the public opinion survey does not offer sufficient information to estimate province-specific ideologies for all 24 Argentine electoral districts. In some provinces, very few respondents from smaller parties (such as the Socialists, or Solidaridad e Igualdad) were included. This outcome was not only due to the sampling strategy, it was also the result of the limited geographical coverage of some of these parties. For the “national” parties (Frente para la Victoria, PRO, UCR), we could calculate region-specific ideologies. These regions include: AMBA, Cuyo, NEA, NOA, and Pampeana. In the case of these parties, the evidence indicates that no significant variation in voters' ideological location across the different regions exists.

<sup>12</sup> Note that Figure 1 does not show the ideological location of voters and legislators on a common ideological space. Instead, it compares legislators' alignments in the government-opposition dimension with voters' ideological positions.

<sup>13</sup> During the period under study here, the government includes the Frente para la Victoria, as well as its closed allies such as the Consenso Federal, the Partido de la

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Concertacion, and the Frente Civico de Santiago del Estero. The opposition bloc during this period was comprised of UCR, Coalicion Civica, PRO, Partido Socialista.

<sup>14</sup> We gathered the data from the website of the Direccion de Asuntos Municipales, Ministerio del Interior, Republica Argentina.

<sup>15</sup> We thank an anonymous referee for raising this important point.

<sup>16</sup> We cluster the standard errors at the party level to account for within-group correlations of the errors.

<sup>17</sup> Our results do not depend on our decision to use ordinary least squares. Following Armstrong et al. (2014), we employed a Multiple Indicators and Multiple Causes (MIMIC) model to estimate our latent variable (legislator recovered position) as a function of legislators' observed characteristics. This approach allows us to examine the impact of exogenous variables on the latent positions while considering the uncertainty associated with each legislator's ideal point (Clinton 2006, Zucco and Lauderdale 2011, Bagashka 2013, Lewis and Linzer 2005). The results are substantively similar to the ones presented in Table 1.

<sup>18</sup> Besides their relative position, some legislators may be more valuable to their parties. To address this issue, we examined each legislator's standing within the chamber. Specifically, we classified them according to whether they served in a relevant position (President, Vice-President, Secretary) in the Chamber's standing committees. This measure, that takes the value of 1 if the legislator occupied such position (and 0, otherwise), is an indicator of a legislator's importance/visibility. We included this variable as an additional covariate in all of our specifications. In every one of them, the coefficient associated with this variable was statistically indistinguishable from zero.

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More importantly, the point estimates of our main variables of interest were almost identical.

<sup>19</sup> A potential source of concern is the correlation between malapportionment and electoral concentration. To examine this issue, we calculated the Herfindahl–Hirschman Index (HH Index) for each of the districts represented in the Argentine Chamber of Deputies using the results of the 2007 legislative elections. The evidence indicates that malapportionment and electoral concentration are only weakly correlated in our sample. In addition, electoral concentration has no discernible effect on legislators’ voting behavior. More importantly, our main results remain unchanged when we include electoral concentration as an additional control variable.

<sup>20</sup> The first question (p.23) explicitly asks legislators “If there’s a conflict between the interests of your province and your party’s positions, how do you usually vote?” Legislators from underrepresented districts are more likely to always cast a vote in accordance with their party’s position (46.67%) as compared to legislators from overrepresented ones (32.81%). The second question (p. 55) asks legislators to state whom do they represent. Compared to legislators from underrepresented provinces, those from overrepresented ones are disproportionately more likely to answer “Voters in my province” rather “Every Argentine voter.” (64.62% percent compared to 37.78%). The third question (p.5601) asks legislators how much weight they give to local voters when they make their decisions. The percentage of legislators who answered “A Lot” amounts to 31.11% in underrepresented provinces, compared to 50.77% in overrepresented ones.