

Voting against the separation of powers between legislature and administration

David Stadelmann · Reiner Eichenberger ·
Marco Portmann

Published online: 25 March 2014
© Springer Science+Business Media New York 2014

Abstract The separation of powers is endogenous to the politico-economic process, and thus to politicians' self-interest. Only little is known about what really drives politicians' behavior when shaping institutional rules with respect to the separation of powers. We econometrically compare votes of parliamentary representatives and their constituents on a popular initiative that directly aimed at weakening the separation of powers in 1922 in Switzerland. We analyze whether the strength of individual ties to the public service affect representatives' behavior, holding constituents' preferences constant. Our results indicate that while politicians tend to represent their constituents' preferences, representatives with ties to the public service have a higher probability of supporting the eligibility of public servants for the legislature. Thus, they favor reducing the separation of powers between legislature and administration.

Keywords Separation of powers · Administration · Public servants · Legislative voting · Constituents' preferences

JEL Classification D72 · D73 · H83

D. Stadelmann (✉)
University of Bayreuth, Universitätsstraße 30, 95440 Bayreuth, Germany
e-mail: david.stadelmann@uni-bayreuth.de

D. Stadelmann · R. Eichenberger
Center for Research in Economics, Management and the Arts (CREMA), Basel, Switzerland

R. Eichenberger · M. Portmann
University of Fribourg, Bd. de Pérolles 90, 1700 Fribourg, Switzerland

The culminating point of administration is to know well how much power, great or small, we ought to use in all circumstances.

(Charles de Montesquieu 1689–1755).

1 Introduction

The separation of powers is a multifaceted concept: There is separation of powers between the legislative, the judicative, and the executive branches, including the administration, between central government and local governments, between domestic and international bodies, between the population and politicians, and so forth. While all the different types of separation of powers are usually inscribed into the constitution and laws, they are endogenous to the struggle between the different actors in the politico-economic process, most importantly between the constituents and their parliamentary representatives.

Although it is plausible that the self-interest of politicians plays a crucial role in determining the extent and scope of the separation of powers, surprisingly little is known about what really drives their behavior with respect to the separation of powers. The problem of empirical analyses in this domain lies in separating self-interest of politicians from their constituents' preferences which they are supposed to represent. In particular, explicit decisions regarding the separation of powers do not occur frequently, and we know of no empirical study that simultaneously analyzes how representatives act and what constituents want with respect to this issue.

We look at a specific aspect of the separation of powers, the separation of the executive from the legislative branch by analyzing incompatibility rules that restrict public servants from joining the parliament. While this topic seems to have been less of a concern in the United States, it is essential in the French tradition of the separation of powers as developed by Charles de Montesquieu or Benjamin Constant.¹ This type of separation of powers was institutionalized, for instance, in various former French constitutions or in Switzerland where it is forbidden for individual members of the executive and its arm, i.e. the federal administration, to serve as members of the national legislative. From a politico-economic perspective, however, it is to be expected that members of the administration are interested in weakening this specific aspect of separation of powers. While in most countries it would be almost impossible to test such a hypothesis, Switzerland exhibits an informative institutional setting which allows for testing it.

We pursue a straightforward empirical approach to disentangle the behavior of parliamentary representatives from the preference of the constituents regarding the separation of powers between the legislature and the administration. As argued already by Schneider et al. (1981) and discussed more recently by Portmann et al. (2012, 2013), among others, constituents in Switzerland reveal their preferences for

¹ A potential reason for this aspect of the separation of powers to differ between countries might be that in small countries (such as Switzerland) and in countries with a large capital (such as France with Paris), it is technically possible for a relevant number of representatives to work at the same time as national public servants, to be a resident of an election district and to act as a national representative in the capital.

policy proposals in referenda. The proposals are implemented immediately if the majority of voters approves them, i.e. they entail real policy consequences.² Importantly, Swiss parliamentary representatives vote on exactly the same legislative proposals as constituents vote on in referenda.

Although, we can observe what constituents want and what their representatives do, explicit proposals to change the separation of powers arise only seldom in stable democracies. A referendum in the year 1922, however, represents a particularly interesting instance. The referendum gave constituents the choice to make public servants at the federal level eligible for the national parliament. Representatives also expressed their opinion on this issue in a parliamentary roll call vote. Thus, constituents and representatives both voted on the very same proposal to soften the separation of powers between the legislature and the administration.³

This unique referendum allows us to gain insights into the behavior of politicians with respect to the preferences of the population in the instance of a reform of the separation of powers. We compiled voting records for individual members of parliament in 1922 who had voted on the amendment of making federal public servants eligible. Moreover, we gathered data on personal characteristics of representatives for the same year, including their party affiliation and a number of district characteristics. Most importantly, we have information on whether members of parliament had a profession in the public service at the local or cantonal (Swiss state) level prior to entering national parliament.⁴ Thus, our setting permits to identify the effect of ties to the public service on political decisions regarding the separation of powers between legislature and administration, while controlling for constituents' preferences on this issue. Controlling for constituents' preferences is essential as representatives are expected to represent them independently of their profession.

Empirical results indicate that legislators with a profession in the public service have a higher probability of voting yes for the eligibility of federal public servants for national parliament, i.e. they tend to favor a reduction in the separation of powers between the legislature and the administration. This holds true when controlling for the preferences of constituents that members of parliament are supposed to represent. While constituents' preferences usually exert a significant influence on the probability of a representative voting yes in parliament, ties to the public service exert an independent and important influence on the representative's propensity to relax the separation of powers. Thus, our results show that individual interests and personal motivations of representatives, while not annihilating the influence of constituents' preferences, matter to a large extent in parliamentary decisions with respect to the separation of powers.

Our results hold true for an array of additional control variables such as age of a representative in 1922, time in office, education and party affiliation, as well as

² Referenda as a measurement for preferences of constituents for other issues are also used by Brunner et al. (2013), Garrett (1999) or Hersch and McDougall (1988) in the United States.

³ The referendum was rejected and even today federal public servants in Switzerland cannot become parliamentary representatives to the National Council.

⁴ Local and cantonal public servants were allowed to serve as representatives to national parliament but federal public servants were not eligible.

different district characteristics. Moreover, our data provide some evidence that representatives from districts with a low number of seats, i.e. close to majority rule, tend to have less leeway in deviating from constituents' preferences than representatives from large districts, i.e. proportional representation.

This article proceeds as follows: Section 2 provides a brief overview of the literature. Section 3 describes the data setting and identification strategy. Section 4 presents the empirical results and refinements, and Section 5 concludes.

2 Literature

There is a vast literature in economics and political science on the separation of powers and numerous aspects of checks-and-balances have been explored. While scholars often explore the horizontal separation of powers, vertical separation of powers as well as other aspects are likely to be a necessary complement to the classical separation of powers. An example for an analysis of different aspects of the separation of powers is Laffont and Martimort (1998) who analyze how government organization may constrain interest groups from trying to capture political decision makers. They show that centralization is costly because it facilitates coordination among interest groups. Laffont and Meleu (2001) provide a model where the separation of powers is used as a potential instrument against corruption of political agents. Congleton (2013) discusses bargaining in the context of the separation of powers and highlights that a central aspect is not whether governance is divided but how constitutional bargaining reassigns authority. He argues that previous work can be separated into two levels of analysis, those concerned with government officials and those dealing with government officials and voters.

Our analysis highlights interactions between public servants and parliamentary decisions regarding the separation of powers. Le Maux (2009) offers a synthesis of the theoretical literature and analyzes the impact of bureaucratic behavior on tax rates by comparing different models of public choice. Warren (2012) studies public sector agencies and shows that the executive's agents, i.e. bureaucrats, may help to shift policy strongly toward the executive. Ting (2012) presents a model in which legislators bargain over the allocation of distributive benefits and may bypass bureaucratic scrutiny. Nicholson-Crotty and Miller (2012) focus on bureaucratic influence over legislative outcomes in the United States and suggest that legislators perceive the bureaucracy's influence to be stronger in states with term limits, united governments, and fragmented executive branches. A more comprehensive survey of the literature on public bureaucracy is provided by Moe (2012). While the literature on interactions between bureaucracy and government, legislature and even lobbies is highly refined, the influence of public servants on parliaments and parliamentary outcomes through active participation of public servants as parliamentary members seems to have received little attention. Some early contributions by Klatt (1976, 1980) and Schrode (1977) and more recently Brändle and Stutzer (2010, 2013) focus on the eligibility of public servants to parliament. In particular, Brändle and Stutzer (2010) highlight potential conflicts of interest when public servants become representatives. They analyze data from the German Länder and show that

compensation for public servants for having to hold their office while in parliament increased the fraction of members of parliament who are public servants. Similarly, legal incompatibility of a position in the public service decreases the fraction of public servants. In Brändle and Stutzer (2013), a framework is proposed to integrate the identity of legislators in a politico-economic analysis of parliamentary oversight with a particular emphasis on public servants.

As politicians are expected to represent voter preferences, the identification of the latter constitutes a central pillar for a direct test of how politicians act when the separation of powers is at stake. There is a large literature trying to measure whether representatives do what the constituents want. A main challenge in the literature is to find a measure for voter preferences. Scholars often rely on parliamentary roll call votes (e.g., rendered interpretable by using ADA or NOMINATE scores), on demographic variables and presidential election results as potential proxies for voter preferences (Ardoin and Garand 2003). Matsusaka (2010) notes that comparisons between politicians' and voters' positions may be misleading and are frequently misinterpreted when politicians and voters are not measured on readily comparable scales. Our contribution overcomes measurement issues by using revealed constituents' preferences for a referendum on the separation of powers for which a directly comparable parliamentary decision exists. Only very few studies have performed a referendum-by-referendum comparison between voters and representatives in the past (Hersch and McDougall 1988 or Garrett 1999). However, the match between referendum decisions and legislators' roll call votes has been revived by Stadelmann et al. (2012, 2013) and Portmann et al. (2012, 2013) who all rely on comparing the voting behavior of representatives to the Swiss parliament with the voting behavior of citizens in referenda on exactly the same issue.⁵ Recently, Brunner et al. (2013) employed a broad set of referenda in California to investigate effects of income on representation and Potrafke (2013) analyzes parliamentary votes and referenda on concert halls in Germany cities. None of these contributions, however, focuses on the separation of powers. Moreover, the approach has not been used to control for citizen's preferences when analyzing the behavior of politicians and public servants when the separation of powers between legislature and administration is at stake.

3 Data, measurement and estimation strategy

3.1 Initiative on the separation of powers

Switzerland's federal constitution, which dates back to 1848, established a bicameral parliament. Switzerland has a long tradition of direct democracy at the federal level, such that proposals accepted by parliament do not necessarily turn directly into law and constitutional amendments. A referendum is mandatory for any amendment to the constitution and citizens may demand a popular referendum

⁵ Carey and Hix (2013) and Eichenberger et al. (2012) draw on the same dataset but focus district magnitude and public debts respectively.

on parliamentary decisions when laws are concerned. Importantly for our case, citizens may also propose constitutional amendments by demanding an initiative (for details see Portmann et al. 2013). Referendum decisions reflect revealed preferences for policies, as they permit constituents to rank referenda against the status quo (see e.g. Schneider et al. 1981; Frey 1994; Brunner et al. 2013). Hug (2009) discusses how institutions of representative democracy interact with referenda.

In our analysis, we focus on an initiative by the Federal Association of Public Servants, Employees, and Laborers (“Föderativverband eidgenössischer Beamter, Angestellter und Arbeiter”) in 1922 which aimed at relaxing the separation of powers between the legislature and the federal administration. The Federal Association of Public Servants, Employees, and Laborers was established in 1903. It cooperated with the Swiss Association of Public Service Employees, which represented its members mainly at the local and cantonal level and was later integrated into the Federal Association of Public Servants, Employees, and Laborers. In 1920 it had approximately 55,000 members.

The aim of the initiative was to replace article 77 in the constitution of May 29, 1874. This article stipulates the separation of powers between the National Council (the first chamber of the parliament) and the executive power (i.e. the administration and its heads) as well as the Council of States (second chamber of parliament). While the article is silent on the separation of powers between the executive power and the Council of States,⁶ it stipulates that members of the Council of States, the Federal Council (the heads of the executive power who are elected by the parliament) and public servants employed at the federal level (federal administration) were not eligible as members of the National Council. Thus, up until 1922, the constitutional separation of powers between the federal legislature and the federal administration with respect to the eligibility of federal public servants had been upheld, i.e. no federal public servants were eligible to the National Council. In fact, this constitutional separation of powers still holds today albeit in a slightly weakened version. Employees of the federal administration can now run for the National Council, but if elected they can only assume their duty as representatives if they quit their profession in the administration (Federal Law on the Parliament, Parlamentsgesetz, Art. 14c).

The proposed change in 1922 to the constitution restated that members of the Council of States and the Federal Council could not be members of the National Council at the same time. It also explicitly stated that high-level public servants who are directly subject to the Federal Council must not be members of the National Council. However, the initiative made other public servants at the federal level as well as public servants of the federal railway eligible to the National Council by not explicitly excluding their eligibility. While it seems modest in its aim at a quick glance, the initiative represents a profound reduction in the separation of powers between the legislative branch and the federal administration and was discussed as such. Actually, the weakening of the separation of powers had been a main argument in the official message (“Botschaft”) of the Federal Council to the

⁶ The election procedures for the Council of States is subject to the sovereignty of the cantons.

parliament (Schweizer Bundesrat 1920) as well as in the respective debate (Amtliches Bulletin der Bundesversammlung 1922) and in public media outlets (e.g., Eichenberger, *Der Gemeinde-und Staatsarbeiter* 1922). It was prominently argued that the separation of powers would become diluted if public employees who directly or indirectly are appointed by the Federal Council could become members of the National Council. The discussion also considered the danger that public servants in parliament might hold up the view of the body by whom they were employed (in particular with the Federal Council as the head of the executive branch) instead of the interest of the general public (e.g. Amtliches Bulletin der Bundesversammlung 1922).

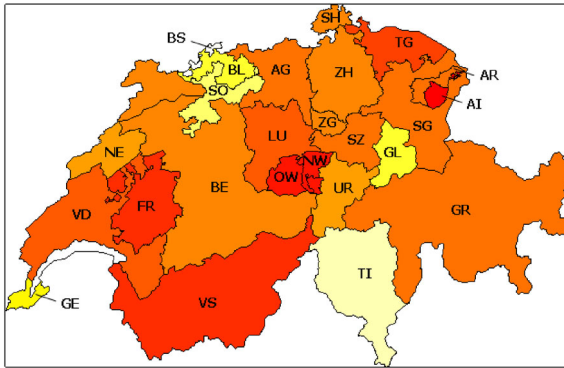
In Switzerland as a whole, the initiative was rejected with 38.4 % of voters supporting it. However, there was important variation between different constituencies. Figure 1 and the accompanying table present the results for all 25 constituencies.⁷ Several constituencies voted with a clear majority that federal public servants should be eligible to the National Council. For example, almost 2/3 of voters in Basel-Stadt and Ticino supported the initiative, while fewer than 20 % of citizens in Fribourg, Obwalden, Nidwalden and Appenzell Innerrhoden accepted the proposed change in eligibility rules. In other constituencies, the acceptance or rejection margin was fairly narrow, introducing an interesting variation that we exploit in our empirical analysis.

3.2 Measuring constituents' preferences and representatives' behavior

A distinctive feature of our data is that we can match the support of the initiative in each constituency with the parliamentary final roll call vote of the politicians representing the respective constituency. In fact, the proposal of the initiative is identical to the text on which members of parliament decided in their roll call votes. Thus, we obtain a direct measure of representation of a constituency's preferences by its respective members of parliament. Either a member of parliament matches the majority decision of his⁸ constituents or he does not. As politicians have to decide in parliament before constituents vote on initiatives, they have to predict what their constituents' preferences are. Thus, they need to act in the same manner as they do for any other policy decision in parliament when trying to represent constituents' preferences (see Garrett 1999 for a similar argument). This fact provides a certain level of external validity of our setting: Politicians cannot simply follow the revealed behavior of their constituents. When making their decision in parliament they can only use standard ways (experience, surveys, contact with constituents, etc.) to obtain information about the preferences of the constituency, as in countries without initiatives (see Brunner et al. 2013 for a more thorough

⁷ In 1922 the Canton of Jura did not exist but the respective area was part of the Canton of Berne.

⁸ There were no women in parliament in 1922, and we thus use the masculine form when denoting a single representative.



Canton	Share of acceptance	Canton	Share of acceptance
Aargau (AG)	0.346	Obwalden (OW)	0.155
Appenzell A. Rh. (AI)	0.338	Schaffhausen (SH)	0.436
Appenzell I. Rh. (AR)	0.108	Schwyz (SZ)	0.377
Basel-Landschaft (BL)	0.536	Solothurn (SO)	0.597
Basel-Stadt (BS)	0.655	St. Gallen (SG)	0.336
Bern/Berne (including Jura) (BE)	0.402	Thurgau (TG)	0.265
Fribourg/Freiburg (FR)	0.169	Ticino (TI)	0.650
Genève (GE)	0.522	Uri (UR)	0.474
Glarus (GL)	0.560	Valais/Wallis (VS)	0.214
Graubünden/Grigioni (GR)	0.338	Vaud (VD)	0.285
Luzern (LU)	0.280	Zug (ZG)	0.440
Neuchâtel (NE)	0.463	Zürich (ZH)	0.407
Nidwalden (NW)	0.146		

Notes: In 1922 the Canton of Jura did not exist but the respective area was part of the Canton of Berne.
Source: Federal Statistical Office

Fig. 1 Voting on the eligibility of federal public servants. *Notes:* In 1922 the Canton of Jura did not exist but the respective area was part of the Canton of Berne. *Source:* Federal Statistical Office

discussion).⁹ Of course, representatives do not simply try to mirror the qualitative preferences of their constituents but weight them against their own preferences. Moreover, representatives are elected by their constituents to represent them. These facts make the actual voting behavior of the citizens the relevant control variable when analyzing the behavior of representatives. Finally, if there is probabilistic voting (Hinich 1977) and the intensity of preferences systematically drives voting behavior such that the share of votes also reflects preference intensity, we may expect a high correlation between the share of yes votes and the intensity of preferences.

We were able to compile voting record information of all 188 members of the Swiss National Council for the decision on the eligibility of federal public servants during the 25th legislature. 41 members of parliament did not vote on the issue or were absent during the parliamentary decision on April 07, 1922. For each representative in our dataset, we gathered biographical information. In particular, we know the prior professions of members of parliament and can thus identify whether they have ties with

⁹ While voters rely on parliament as a whole for advice in complex and attention demanding situations (Stadelmann and Torgler 2013), individual representatives cannot reasonably be assumed to shift the majority's of the whole constituency.

the public service or not. We classify representatives with the professions “local public servant” (e.g. communal secretary), “teacher”, “district judge” and “trade union representative” as having a profession in the public service.¹⁰ Note that all representatives who are classified as public servants do their service at the communal or cantonal level. They are not public servants at the federal level as federal public servants are not eligible for parliament. For two members of parliament, we were unable to obtain historical information on their profession and their life in general. Thus, we end up with a sample of 145 representatives. 45.5 % of all representatives voted in favor of the change in the eligibility of federal public servants, and 40.0 % of all representatives had ties to the public service, according to our main identification based on their professions. Moreover, we know the age of each representative in 1922, the time he had spent in office as a member of parliament as of the date of the vote, whether he achieved a university degree (or equivalent at the time) and whether he is affiliated with a left-wing party.

For the 25th legislature from 1919 to 1922, representatives were elected in 25 constituencies. We compiled a number of variables characterizing these constituencies. In particular, we use firm density per 100 inhabitants to proxy industrial development in each constituency in 1922,¹¹ subsidies for education per capita, which measures the potential dependence on the federal administration, and the share of Catholics to measure conservatism.¹²

Table 5 in the appendix provides descriptive statistics on all variables for members of parliament and their constituencies. Due to the data structure, all variables and in particular constituents’ preferences for the change in eligibility rules are actually observed (i.e. no values are imputed) and available from the sources given in the description of Table 5.

3.3 Estimation strategy

Given the institutional setting and the data, our empirical approach is simple and straightforward. We want to know whether local and cantonal public servants have a higher propensity to vote yes in the referendum on the eligibility of federal public servants for the Swiss Parliament, independent of their constituents’ preferences. We estimate the equation

$$MPY_{es_{ic}} = \alpha + \beta_1(\textit{Profession in public service})_i + \beta_2(\textit{Constituents yes share})_c + \mathbf{X}_{ic}\boldsymbol{\gamma} + \varepsilon_{ic} \quad (1)$$

where $MPY_{es_{ic}}$ indicates whether a member of parliament i representing constituency c voted yes or no in parliament, *Profession in public service* is an identifier for

¹⁰ We also extend the definition of ties to the public service in refinements by analyzing the profession of the representatives’ parents and their general life history. Our results remain stable when excluding “trade union representative” from this definition.

¹¹ As the concept of national accounts was only established long after 1922, firm density may also be regarded as a proxy for GDP.

¹² Note that we also separate the sample into French/Italian and German speaking constituencies, which does not change our main results.

whether a member of parliament is a local or cantonal public servant and *Constituents yes share* gives the preferences of a member of parliament's constituency. X_{ic} stands for other control variables, and ε_{ic} denotes an error term.¹³

The coefficient β_1 is supposed to capture the influence of having ties to the public service on the probability of voting yes regarding the eligibility of federal public servants for parliament. We would expect that ties to the public service generally increase the probability to vote yes, i.e. $\beta_1 > 0$.

As all politicians who serve as public servants at the local or cantonal level were elected to parliament by their constituents, it is reasonable to assume that the variable *Profession in public service* may not only reflect a representative's profession but also his constituents' preferences. Thus, conditioning on observed preferences of a constituency is necessary to identify how politicians with ties to the public service vote in parliament regarding the issue of the separation of powers. We include the variable *Constituents yes share* and its influence is captured by β_2 . Failure to include preferences of a constituency might yield an estimate of β_1 in Eq. (1) that does not only include the impact of ties to the public service but also the impact of a constituency's preferences represented by the politician. Conditioning on preferences of constituencies, which is only possible if preferences are known as in our case, solves this inherent omitted variable bias and the related selection issue. The coefficient β_1 is thus supposed to capture the effect of preexisting ties to the public service independently of specific preferences of constituents for the separation of powers for the parliamentary decision analyzed.

While the literature generally recognizes the need to control for a constituency's preferences when voting decisions in parliament are analyzed, we know of no other study that uses such a direct measure for revealed preferences regarding decisions on the separation of powers between the legislature and the administration. Moreover, according to the previous literature, we may speculate that other controls such as personal characteristics, party affiliation and constituency-specific variables may be associated with legislative voting (Washington 2008). We include an array of such variables that are available in the year 1922 in our specifications.

4 Empirical results

4.1 Baseline results

Table 1 presents our baseline results for the influence of ties with the public service on the support for the legislative proposal regarding the eligibility of federal public servants for parliament. For each of the specifications, we reported robust standard errors clustered by constituencies.¹⁴

¹³ In a number of alternative specifications, we also estimate logistic versions of Eq. (1).

¹⁴ Without clustering standard errors would be lower.

In specification (1), the dependent variable is explained by the identifier for whether a representative has a profession as a local or cantonal public servant and preferences of constituents. We estimate Eq. (1) without additional controls and use the total number (145) of available individual observations. Results indicate that representatives with a profession in the public service tend to support parliamentary eligibility of federal public servants holding constituents' preferences constant. The coefficient for the variable *Profession in public service* is positive and significant at the 5 %-level, and the coefficient for the variable *Constituent yes share* is, as expected, also positive and significant. While representatives react to their constituency's preferences, public servants are approximately 15.1 % points more likely to vote yes than other members of parliament are.¹⁵ Thus, the characteristic of having a profession in public service increases the probability of voting yes compared to politicians who are not public servants independently of the will of constituents, i.e. representatives with ties to the public service tend to vote for a reduction of the separation of powers between the legislature and the administration. The effect found is quantitatively large and important. The fact that a parliamentarian has ties to the administration affects his probability of voting yes to the same extent as if the yes vote share of the constituents increased by about 14.8 % points ($1.0207 \times 0.148 = 0.151$).

In specification (2), we include a number of other characteristics of parliamentary representatives. In particular, we control for age, time in office, and whether a representative has a university degree or not. While it is plausible that these aspects might have various linear as well as non-linear and partly countervailing effects on the voting behavior of representatives, their net effects are not clear. Nevertheless, it is important to control for these aspects to gain confidence that it is in fact the profession of the representative which is driving the results. All additional characteristics do not have any significant effects on the probability of voting yes on changes in eligibility rules. More importantly, we still find that *Profession in public service* exerts a positive and significant effect on supporting the eligibility for federal public servants, and constituents' preferences have a positive effect on voting yes.

We include an identifier for whether a politician is affiliated with a left party in specification (3). Public servants and the citizens who voted for them may be more likely to affiliate with left parties, such that controlling for this variable is of importance. Constituents elect their representatives, who are then expected to represent them. Thus, preferences reflected by the yes share among constituents are likely to be correlated to preferences for left- or right-wing representatives such that a certain part of revealed preferences and the identifier for having a profession in the public service may be captured by the variable *Left-wing politician*. Put differently, controlling for left-wing party affiliation provides a conservative test for our hypothesis that politicians with ties to the public service tend to vote for a reduction in the separation of powers. We find that politicians holding a profession in the public service still accept the change in eligibility

¹⁵ If we did not control for constituents' preferences in the estimation, the effect found would be even larger, by approximately 5 % points.

Table 1 Baseline results—representatives with profession in public service support eligibility of federal public servants independently of constituents' preferences

	OLS				Logit	
	(1)	(2)	(3)	(4)	(5)	(6)
<i>Profession in public service</i>	0.151* (0.083)	0.148**(0.075)	0.155*** (0.058)	0.153*** (0.054)	0.641* (0.349)	1.035*** (0.329)
<i>Constituent yes share</i>	1.021*** (0.355)	0.850** (0.431)	0.394 (0.309)	0.374 (0.351)	4.465** (1.751)	2.294 (2.566)
<i>Age</i>		-0.031 (0.034)		-6.7e-03 (0.027)		4.3e-03 (0.218)
<i>Age squared</i>		1.7e-04 (3.2e-04)		9.9e-06 (2.4e-04)		-4.1e-04 (2.0e-03)
<i>Time in office</i>		0.012 (0.014)		0.017 (0.013)		0.114 (0.101)
<i>Time in office squared</i>		-5.0e-04 (4.1e-04)		-6.4e-04 (4.0e-04)		-4.2e-03 (3.3e-03)
<i>University degree</i>		-0.024 (0.059)		0.027 (0.050)		0.211 (0.365)
<i>Left-wing politician</i>			0.686*** (0.056)	0.652*** (0.070)		11.029*** (0.376)
<i>Intercept</i>	0.519*** (0.057)	1.614* (0.878)	0.276*** (0.057)	0.527 (0.767)	0.094 (0.253)	-0.687 (5.746)
R2	0.090	0.174	0.416	0.434	0.119	0.573
Log-Likelihood					13.462	81.079
Brier score					0.226	0.138
No. obs.	145	145	145	145	145	145
DE of <i>Profession in public service</i>	-	-	-	-	0.159* (0.085)	0.222*** (0.080)
DE of <i>Constituent yes share</i>	-	-	-	-	0.125*** (0.045)	0.045 (0.043)

The dependent variable for all estimations is *MP votes Yes*. Estimated robust clustered standard errors for constituencies are reported throughout the table. DE stands for the discrete effect, i.e., the estimated change in the probability than an *MP votes Yes* for change from zero to one for *Profession in public service* or from the first quartile to the third quartile for *Constituent yes share*. ***, **, and * indicate a mean significance level of below 1 %, between 1 and 5 %, and between 5 and 10 %, respectively

rules with a higher probability. The coefficient for *Profession in public service* is positive, significant and similar in size compared to earlier specifications. Being a left-wing politician also increases the probability of voting yes. As expected, however, when controlling for *Left-wing politician*, the coefficient for observed preferences of constituents decreases in size and becomes insignificant.¹⁶

¹⁶ We expect that the insignificant result for the variable *Constituent yes share* reflects the fact that more left-wing constituents tend to elect more left-wing candidates and at the same time these constituents also support a reduction in the separation of powers in favor of federal public servants.

In specification (4) we include all variables regarding personal characteristics and party affiliations. The results are similar to specification (3). In particular, having ties to the public service increases the probability of voting yes for the eligibility of federal public servants.

In specifications (5) and (6) we run logit versions of specifications (1) and (4). As our dependent variable is a dummy variable, logit regressions are superior to OLS, but the interpretation of the coefficients is more difficult. We calculate discrete effects for changes in the variables *Profession in public service* and *Constituent yes share* to facilitate interpretation. Independent of the estimation technique, we generally find similar results. The variable *Profession in public service* always has a positive and significant effect on the probability of voting yes in parliament and *Constituent yes share* has a positive effect in specification (5), which becomes insignificant if party affiliation is controlled for in specification (6). The discrete effects of the two variables are indicated at the bottom of the table. Having a profession in the public service increases the probability of voting yes in specification (5) by approximately 15.9 % points and in specification (6) by 20.9 % points, which are two large and relevant effects in comparison to the discrete effect of the variable *Constituent yes share*.

Thus, all our specification up to this point suggest that members of parliament who have a profession in the public service at the local or cantonal level tend to support the eligibility of federal public servants to parliament. This effect holds true even when controlling for the preferences of constituents that members of parliament are supposed to represent as well as when controlling for individual characteristics and party affiliation. Representatives with ties to the public service seem to favor a reduction of the separation of powers, which strengthens public servants in the legislature. These results fosters the view that public servants face conflicts of interests in parliament (see Brändle and Stutzer 2010, 2013) that are often neglected in public debates.

4.2 Robustness and refinements

Table 2 summarizes our investigation of whether our results are robust to additional constituency characteristics such as firm density or conservatism and individual characteristics of politicians.

We included *Firm density* defined as the number of firms per 100 inhabitants as a measure for industrialization in 1922 among our two other variables *Profession in public service* and *Constituent yes share* in specification (1). The coefficient for *Firm density* itself is negative and marginally significant with a p value of 0.126. Thus, politicians from constituencies with a higher firm density marginally tend to oppose eligibility of federal public servants. Although, we would have preferred to command on a more reliable measure to mirror economic development, the choice is not critical, as we are mainly interested in whether the inclusion of this variable leaves the coefficient for *Profession in public service* unaffected. Importantly, the positive effect of our main variable of interest *Profession in public service* remains robust, suggesting that representatives with a profession in the public service voted yes more often.

In specification (2) we analyze whether federal subsidies have an impact on the behavior of politicians who are also public servants. It may be the case that constituencies that receive more support from the Confederation tend to be rather in favor of eligibility rules for the same bureaucrats who distribute that support and because they suppose that the federal administration plays an important role. We use federal subsidies for education per capita as an additional control that has a positive but insignificant impact.¹⁷ The control for *Firm density* now becomes significant. Again, the variable *Profession in Public service* remains positive, significant and of similar magnitude compared to earlier specifications.

In specification (3) we include the share of Catholics as a proxy for conservatism. This additional control has a negative effect but is insignificant and does not affect any of the other results.

In specification (4) we include additional personal characteristics of politicians (has university degree, age, and time in office) as well as the control for party affiliation. We find similar results as before: Having ties with the public service increases the probability of voting yes for the eligibility of federal public servants. All other variables turn insignificant due to the control for party affiliation.¹⁸

We run logit regressions of specifications (3) and (4) in columns (5) and (6). Again, our main results are robust, i.e. having a profession in the public service significantly increases the probability of supporting the eligibility of federal public servants. Constituents' preferences have a positive and significant effect, while firm density has a negative and significant effect in specification (5) but both variables turn insignificant when controlling for party affiliation in specification (6).

Table 3 provides refinements and summarizes the tests for two differential hypotheses. We start by using other measures to account for the proximity to public servants' interests. We draw on the historical encyclopedia of Switzerland ("Historisches Lexikon der Schweiz") and analyze the information available for each individual representative. This allows us to identify the professions of parents of representatives in 1922. We construct an identifier of whether at least one parent has a profession as a public servant or not and denote it as *Parents were public servants*.

Specifications (1) and (2) include this proxy of family relations with the public service. While the identifier of whether a representative's parents were public servants turns out to be insignificant, our main identifier of having a profession in the public service remains positive and significant. In specification (2) we rerun the same regressions but with additional control variables for each representative as well as control variables for constituencies. The results remain essentially the same for our main variable of interest. Having a profession in the public service increases the support for the eligibility of federal public servants.

¹⁷ Federal subsidies for education were fairly low in the 1920 s. Consequently, we also checked whether total subsidies, which included also military support payments, had an influence. The results for total subsidies is also insignificant.

¹⁸ Again, the insignificant results for all constituency specific controls when including the variable for left-wing politicians is probably due to the fact that constituency characteristics and preferences also determine who gets elected as a representative in the first place.

Table 2 Robustness tests with cantonal control variables

	OLS				Logit	
	(1)	(2)	(3)	(4)	(5)	(6)
<i>Profession in public service</i>	0.149* (0.084)	0.142* (0.083)	0.145* (0.083)	0.151*** (0.054)	0.633* (0.358)	1.039*** (0.312)
<i>Constituent yes share</i>	1.100*** (0.349)	0.847* (0.435)	0.740** (0.371)	0.296 (0.310)	3.346* (1.744)	2.007 (2.255)
<i>Firm density</i>	-0.058 (0.038)	-0.113** (0.057)	-0.123** (0.056)	-0.078 (0.052)	-0.559** (0.266)	-0.575 (0.477)
<i>Subsidies for education</i>		0.067 (0.048)	0.071 (0.049)	0.034 (0.046)	0.317 (0.224)	0.222 (0.385)
<i>Share of catholics</i>			-0.116 (0.176)	-0.025 (0.203)	-0.498 (0.837)	-0.097 (1.518)
<i>Intercept</i>	0.654*** (0.111)	0.591*** (0.109)	0.636*** (0.114)	0.512 (0.826)	0.624 (0.535)	-1.342 (5.988)
Control variables for individual representatives	NO	NO	NO	YES	NO	YES
R2	0.098	0.107	0.111	0.442	0.147	0.583
Log-Likelihood					16.870	82.979
Brier score					0.220	0.136
No. obs.	145	145	145	145	145	145
DE of <i>Profession in public service</i>	-	-	-	-	0.157* (0.087)	0.228*** (0.074)
DE of <i>Constituent yes share</i>	-	-	-	-	0.096* (0.049)	0.041 (0.045)

The dependent variable for all estimations is *MP votes Yes*. Estimated robust clustered standard errors for constituencies are reported throughout the table. DE stands for the discrete effect, i.e., the estimated change in the probability than an *MP votes Yes* for change from zero to one for *Profession in public service* or from the first quartile to the third quartile for *Constituent yes share*. “Control variables for individual representatives” include all individual specific control variables of Table 5. ***, **, and * indicate a mean significance level of below 1 %, between 1 and 5 %, and between 5 and 10 %, respectively

Using the historical encyclopedia once more, we construct a life history-based assessment of closeness to the public service. For example, a politician may have been engaged in a trade union but was an attorney in his main profession. We would then classify such a politician as “close to public service”. We note that compared to directly looking at professions, this is necessarily a subjective approach as life histories of politicians are often complex and, thus, impossible to classify objectively. Nevertheless, we believe that our identifier based on the life histories offers an interesting additional proxy. Columns (3) and (4) use this alternative measure, which has a positive and strongly significant impact on the probability of voting yes for the eligibility of federal public servants. We also note that the coefficients’ sizes increase compared to earlier specification.

Table 3 Robustness—measures for proximity to public servants’ interests and interactions with electoral system

	Measures for proximity to public servants’ interests			Interaction with electoral system			Interaction with “sweet spot”	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<i>Profession in public service</i>	0.158* (0.086)	0.155*** (0.054)			0.030 (0.150)	0.011 (0.132)	0.158* (0.086)	0.160** (0.078)
<i>Parents were public servants</i>	-0.086 (0.091)	-0.066 (0.076)						
<i>Life history based assessment of closeness to public service</i>			0.216*** (0.069)	0.204*** (0.044)				
<i>Constituent yes share</i>	0.998*** (0.344)	0.300 (0.309)	1.041*** (0.330)	0.243 (0.287)	1.017*** (0.305)	0.855** (0.350)	1.072*** (0.348)	0.657* (0.374)
<i>Profession in public service × seats</i>					8.3e-03* (5.0e-03)	8.4e-03* (4.4e-03)		
<i>Seats</i>					5.3e-03* (3.0e-03)	5.3e-03 (4.1e-03)		
<i>Profession in public service × sweet spot</i>							-0.164 (0.197)	-0.230 (0.171)
<i>Sweet spot</i>							-0.170 (0.156)	-0.034 (0.124)
<i>Intercept</i>	0.529*** (0.057)	0.474 (0.845)	0.479*** (0.054)	0.536 (0.787)	0.438*** (0.081)	1.470* (0.887)	0.534*** (0.055)	1.555* (0.913)
Control variables for individual representatives	No	Yes	No	Yes	No	Yes	No	Yes
Control variables for constituencies	No	Yes	No	Yes	No	Yes	No	Yes
R2	0.094	0.444	0.115	0.460	0.130	0.213	0.101	0.194

Table 3 continued

	Measures for proximity to public servants' interests				Interaction with electoral system		Interaction with "sweet spot"	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
No. obs.	145	145	145	145	145	145	145	145

The dependent variable for all estimations is *MP votes Yes*. Estimated robust clustered standard errors for constituencies are reported throughout the table. "Control variables for individual representatives" include all individual specific control variables of Table 5 and "Control variables for constituencies" include all constituency specific control variables of Table 5. When estimating the interactions in specifications (5) to (8) the variable *Left wing politician* is not included in the controls. ***, **, and * indicate a mean significance level of below 1 %, between 1 and 5 %, and between 5 and 10 %, respectively

In specifications (5) and (6) we interacted our original identifier for local public servants with the number of seats in a constituency. We would expect that as the number of seat increases, the possibility of deviating from constituents' preferences increases too, i.e. politicians from larger district have more leeway and are less accountable to what constituents want. The pressure to represent the majority and to be accountable is greater in small constituencies with only one or a low number of representatives than in large districts (see Portmann et al. 2012). We observe a positive and significant interaction term between *Profession in public service* and *Seats*. The baseline effect (for hypothetical zero seats) is positive but insignificant.¹⁹ If the number of seats increases, the probability that representatives with ties to the public service vote yes increases. Thus, *Profession in public service* exerts a larger impact in constituencies with more seats where individual members of parliament can be expected to have a greater leeway to diverge from constituents' preferences.

The results of Portmann et al. (2012) regarding the influence of district magnitude on the quality of representation and the possibility of diverging from constituents' preferences were extended by Carey and Hix (2013) and reanalyzed by Portmann et al. (2013). Carey and Hix (2011, 2013) suggest that the leeway of representatives does not increase linearly in district magnitude but that there is an electoral "sweet spot" in small but not single-member districts within proportional electoral systems where congruence between members of parliament with their constituents' may be expected to be highest. We employ an identifier of districts with between two and four members of parliament and interact this identifier with the variable *Profession in public service*. *Profession in public service* itself remains positive and significant in specifications (7) and (8). The quantitative effect of the point estimate of the interaction term is negative and would approximately offset the baseline effect. However, as the interaction effect is not significant we might only speculate that public servants from districts close to the electoral "sweet spot" tend to behave similarly to members of parliament without ties to the public service.

We provide additional refinements with subsamples in Table 4 to analyze whether legislators with ties to the public service respond similarly depending on their characteristics and constituency specific variables.

In specifications (1) and (2) we exclude representatives who were classified as professional politicians due to their background. We investigate the effect of our main variable for ties to the public service as well as the life history based assessment of closeness to the public service and hold constant all relevant control variables. Results show that even if only focusing on non-professionals, the effect of ties to the public service remains significant and positive. Next, we exclude left-wing politicians from the sample in columns (3) and (4). This allows us to analyze whether ties to the public service also exert an influence on non-left politicians, which they do to a large and significant extent.²⁰ In specifications (5) to (10) we

¹⁹ Note that we do not include *Left wing politician* as a control in these estimates (similar to specifications 7 and 8) as the number of seats influences the probability of observing fewer politicians from the center.

²⁰ Unfortunately, it is not possible to analyze a separate sample of left-wing representatives for its sample size is too small to gain statistically significant results and most of these representatives have ties to the public services.

Table 4 Refinements—analysing subsamples of politicians, further tests, and differential hypotheses

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	Only non-professionals	No left wing politicians	Age ≤ Median Age	Studied	Time in office ≤ Median time in office	Majority catholic						
<i>Profession in public service</i>	0.163** (0.064)	0.198*** (0.072)	0.157** (0.067)	0.224*** (0.064)	0.145** (0.068)	0.183* (0.107)						
<i>Life history based assessment of closeness to public service</i>	0.179*** (0.069)	0.263*** (0.060)	0.142** (0.061)	0.309*** (0.071)	0.220*** (0.056)	0.253*** (0.105)						
<i>Constituent yes share</i>	0.580** (0.254)	0.570** (0.252)	0.404 (0.436)	0.323 (0.405)	0.245 (0.370)	0.491 (0.430)	0.400 (0.573)	0.400 (0.609)	0.154 (0.445)	0.100 (0.416)	0.400 (0.573)	0.205 (0.609)
<i>Intercept</i>	0.124 (0.911)	0.256 (0.929)	0.406 (1.257)	0.517 (1.181)	-0.584 (1.940)	-0.495 (2.050)	0.325 (1.366)	0.433 (1.292)	1.407* (0.756)	1.273 (0.788)	0.247 (1.887)	-0.028 (1.061)
Control variables for individual representatives	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Control variables for constituencies	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
R2	0.551	0.556	0.118	0.154	0.577	0.575	0.401	0.443	0.501	0.525	0.364	0.384
No. obs.	87	87	110	110	76	76	84	84	79	79	40	40

The dependent variable for all estimations is *MP votes Yes*. Estimated robust clustered standard errors for constituencies are reported throughout the table. “Control variables for individual representatives” include all individual specific control variables of Table 5 and “Control variables for constituencies” include all constituency specific control variables of Table 5. (3) and (4) do not include *Left-wing politician* in the controls and (7) and (8) do not include “Studied” in the controls. ***, **, and * indicate a mean significance level of below 1 %, between 1 and 5 %, and between 5 and 10 %, respectively

form subsamples using different individual characteristics of representatives: (5) and (6) focus on politicians younger than 52 years (median age in sample), (7) and (8) focus on politicians who have attained a university degree (or equivalent), and (9) and (10) focus on politicians with fewer or equal than three years in parliament (median time in office). The effect of ties to the public service remains statistically significant and positive in all three subsamples.²¹ Finally, we analyze the cultural dimension of religion and investigate a sample of constituencies where Catholics form a majority in specifications (11) and (12). Again, the results are similar to earlier specifications. Thus, according to all our estimates, representatives with ties to the public service tend to support eligibility of federal public servants with a higher probability than representatives without such ties.

5 Conclusions

We exploit a referendum on the separation of powers in Switzerland. In 1922, voters and their representatives in parliament had to decide on the question of whether federal public servants should be eligible for national parliament. By focusing on referendum results for different constituencies, we identify constituents' preferences with respect to the separation of powers. As representatives voted on the same issue in parliament, we know their decisions, which can consequently be compared to the preferences of their constituents. At the same time, we also observe whether representatives had professional ties to the public service by either analyzing their profession or using a life history based measure. Local and cantonal public servants were always eligible and several representatives held a profession as public servants such as district judges, teachers, communal secretaries, etc. Thus, we can explain representatives' behavior in parliament regarding the separation of powers between the legislature and the administration by focusing on their preexisting profession as local or cantonal public servants and holding constituents' preferences constant, all at the same time.

Our results show that representatives with professional ties to the public service have a higher probability of voting yes for the eligibility of public servants. Thus, they tend to favor a reduction in the separation of powers between the administration and the legislature. Importantly, this result holds true when taking account of constituents' preferences. Moreover, refinements suggests that if the leeway of politicians to deviate from their voters increases, ties with the public service play an even greater role in explaining the support for the eligibility of federal public servants. As the effect of public servants is independent of constituents' preferences, it is likely to reflect personal motivations/ideology of public servants with respect to the separation of powers. A cautious qualitative analysis of the minutes of the parliamentary session²²

²¹ Forming inverse subsamples, i.e. with older politicians, politicians who have not studied and politicians who have been to parliament for strictly more than 3 years, does not change the positive effect of ties to the public service but in some cases with few observations significance at a 10 %-level is not achieved.

²² Amtliches Bulletin der Bundesversammlung 1922, Wählbarkeit der Bundesbeamten in den Nationalrat. Begutachtung des Volksbegehrens.

indicates that proponents for the eligibility of public servants to parliament were also partly motivated by the view that public servants dutifully fulfill high quality work and should thus be eligible.

These findings from a case in 1922 entail potentially important political ramifications for today and for other countries. In many parliaments around the world, public servants are eligible and they tend to form a large fraction of parliamentary representatives. While conflicts of interest of representatives with business relations are often discussed publically, conflicts of interest of public servants in parliament are usually neglected in the public debate. Apart from the perception that good parliamentary representation requires groups from the whole population to be in parliament, a large share of public servants serving as members of parliament represents a potential violation of the separation of powers between the legislature and the executive, which depends itself heavily on the administration. Moreover, our results indicate that public servants deviate from the constituents' preferences that they are supposed to represent. In particular, they deviate from constituents' preferences when legislative decisions directly affect them. This is likely to be the case not only for issues regarding the separation of powers but potentially for other issues involving the administration. Thus, constraining the eligibility of certain groups of public servants for parliament who are particularly closely linked to the executive and who actively contribute to shaping law proposals might prove a valuable policy reform.

Acknowledgments We are grateful to Peter Bernholz, Charles B. Blankart, Geoffrey Brennan, Roger Congleton, Lars Feld, Bruno S. Frey, Christoph Schaltegger and all the participants of the conference of the European Center for the Study of Public Choice 2013 in Freiburg (Germany) for illuminating and inspiring discussions. Ann Bauer, Catharina Peters and Lena Kraus offered valuable research assistance.

Appendix

See Table 5.

Table 5 Data description and sources

Variable	Description and sources	Mean	SD
<i>MP votes Yes</i>	Indicator variable: If member of parliament voted "yes" in roll call value is 1. Amtliches Bulletin der Bundesversammlung 1922	0.455	0.500
<i>Profession in public service</i>	Indicator variable: If member of parliament has a profession in local or cantonal public service. Historisches Lexikon der Schweiz	0.400	0.492
<i>Parents were public servants</i>	Indicator variable: If parents of member of parliament were public servants. Historisches Lexikon der Schweiz	0.179	0.385
<i>Life history based assessment of closeness to public service</i>	Indicator variable: If member of parliament has ties to public service according to life history (subjective classification). Historisches Lexikon der Schweiz	0.476	0.501
<i>Constituent yes share</i>	Yes share in referendum. Année politique suisse	-0.122	0.116

Table 5 continued

Variable	Description and sources	Mean	SD
<i>Age</i>	Member of parliament's age in years. Historisches Lexikon der Schweiz	51.810	10.810
<i>Time in office</i>	Member of parliament's days in service. Swiss Parliamentary Services. Historisches Lexikon der Schweiz	7.234	7.256
<i>University degree</i>	Indicator variable: If member of parliament has a master (Lizenziat) or doctoral degree value is 1. At the time there was no bachelor degree at Swiss universities but the master and doctoral degrees were the standard exams. Historisches Lexikon der Schweiz	0.579	0.495
<i>Left-wing politician</i>	Indicator variable: If member of parliament belongs to a left party. Historisches Lexikon der Schweiz	0.248	0.434
<i>Firm density</i>	Number of firms per 100 inhabitants. Statistisches Jahrbuch der Schweiz, 31. Jahrgang, 1922	2.152	0.783
<i>Subsidies for education</i>	Federal subsidies for education per capita. Statistisches Jahrbuch der Schweiz, 31. Jahrgang, 1922	2.287	1.131
<i>Share of catholics</i>	Share of catholics. Statistisches Jahrbuch der Schweiz, 31. Jahrgang, 1922	0.399	0.275
<i>Seats</i>	Number of seats of electoral district in 1922. Federal Statistical Office	14.920	10.202

Unweighted descriptive statistics. Data sources indicated next to variable descriptions

References

- Amtliches Bulletin der Bundesversammlung. (1922). *Wählbarkeit der Bundesbeamten in den Nationalrat. Begutachtung des Volksbegehrens, Sitzungsprotokoll vom 30. März 1922*, Ref. No 20 029 323, pp. 201–212.
- Ardoin, P. J., & Garand, J. C. (2003). Measuring constituency ideology in US house districts: A top-down simulation approach. *Journal of Politics*, 65(4), 1165–1189.
- Brändle, T., & Stutzer, A. (2010). Public servants in parliament: Theory and evidence on its determinants in Germany. *Public Choice*, 145(1), 223–252.
- Brändle, T., & Stutzer, A. (2013). Political selection of public servants and parliamentary oversight. *Economics of Governance*, 14(1), 45–76.
- Brunner, E. J., Ross, S. L., & Washington, E. L. (2013). Does less income mean less representation? *American Economic Journal: Economic Policy*, 5(2), 53–76.
- Carey, J. M., & Hix, S. (2011). The electoral sweet spot: Low-magnitude proportional electoral systems. *American Journal of Political Science*, 55(2), 383–397.
- Carey, J. M., & Hix, S. (2013). District magnitude and representation of the majority's preferences: A comment and reinterpretation. *Public Choice*, 154(1–2), 139–148.
- Congleton, R. D. (2013). On the inevitability of divided government and improbability of a complete separation of powers. *Constitutional Political Economy*, 24(3), 177–198.
- Eichenberger, E. (1922). Zur Abstimmung vom 11. Juni 1922. *Der Gemeinde- und Staatsarbeiter*, 1922/6/2.
- Eichenberger, R., Stadelmann, D., & Portmann, M. (2012). A comparative analysis of the voting behavior of constituents and their representatives for public debts. *Constitutional Political Economy*, 23(3), 244–260.

- Frey, B. S. (1994). Direct democracy: Politico-economic lessons from Swiss experience. *American Economic Review*, 84(2), 338–342.
- Garrett, T. A. (1999). A test of shirking under legislative and citizen vote: The case of state lottery adoption. *Journal of Law and Economics*, 42(1), 189–208.
- Hersch, P. L., & McDougall, G. S. (1988). Voting for ‘Sin’ in Kansas. *Public Choice*, 57(2), 127–139.
- Hinich, M. J. (1977). Equilibrium in spatial voting: The median voter result is an artifact. *Journal of Economic Theory*, 16(2), 208–219.
- Hug, S. (2009). Some thoughts about referendums, representative democracy, and separation of powers. *Constitutional Political Economy*, 20(3–4), 251–266.
- Klatt, H. (1976). Die finanzielle Stellung der in die Parlamente der Bundesrepublik gewählten Angehörigen des öffentlichen Dienstes. *Zeitschrift für Parlamentsfragen*, 7(1), 43–53.
- Klatt, H. (1980). Die Verbeamtung der Parlamente, Ursachen und Folgen des Übergewichts des öffentlichen Dienstes in Bundestag und Landtagen. *Aus Politik und Zeitgeschichte. Beilage zur Wochenzeitschrift Das Parlament*, 44(80), 25–46.
- Laffont, J.-J., & Martimort, D. (1998). Transaction costs, institutional design and the separation of powers. *European Economic Review*, 42(3–5), 673–684.
- Laffont, J.-J., & Meleu, M. (2001). Separation of powers and development. *Journal of Development Economics*, 64(1), 129–145.
- Le Maux, B. (2009). Governmental behavior in representative democracy: A synthesis of the theoretical literature. *Public Choice*, 141(3), 447–465.
- Matsusaka, J. G. (2010). Popular control of public policy: A quantitative approach. *Quarterly Journal of Political Science*, 5(2), 133–167.
- Moe, T. M. (2012). Delegation, control, and the study of public bureaucracy. *The Forum*, 10(2), 1148–1182.
- Nicholson-Crotty, J., & Miller, S. M. (2012). Bureaucratic effectiveness and influence in the legislature. *Journal of Public Administration Research and Theory*, 22(2), 347–371.
- Portmann, M., Stadelmann, D., & Eichenberger, R. (2012). District magnitude and representation of the majority’s preferences: Evidence from popular and parliamentary votes. *Public Choice*, 151(3–4), 585–610.
- Portmann, M., Stadelmann, D., & Eichenberger, R. (2013). District magnitude and representation of the majority’s preferences—A reply and new perspectives. *Public Choice*, 154(1–2), 149–151.
- Potrafke, N. (2013). Evidence on the political principal-agent problem from voting on public finance for concert halls. *Constitutional Political Economy*, 24(3), 215–238.
- Schneider, F., Pommerehne, W. W., & Frey, B. S. (1981). Politico-economic interdependence in a direct democracy: The case of Switzerland. In Douglas. A. Hibbs & Heino. Fassbender (Eds.), *Contemporary political economy* (pp. 231–248). Amsterdam: North Holland.
- Schrode, K. (1977). *Beamtenabgeordnete in Landtagen der Bundesrepublik Deutschland: Eine Untersuchung über das parlamentarische Verhalten von Abgeordneten in den Landtagen von Baden-Württemberg, Hessen und Rheinland-Pfalz, die in der öffentlichen Verwaltung tätig sind*. Heidelberg: Carl Winter Universitätsverlag.
- Schweizer Bundesrat (1920). Betreffend Revision von Art. 77 der Bundesverfassung (Wählbarkeit der Beamten und Angestellten des Bundes in den Nationalrat). *Bundesblatt*, 72(26), 577–609.
- Stadelmann, D., Portmann, M., & Eichenberger, R. (2012). Evaluating the median voter model’s explanatory power. *Economics Letters*, 114(3), 312–314.
- Stadelmann, D., Portmann, M., & Eichenberger, R. (2013). Quantifying parliamentary representation of constituents’ preferences with quasi-experimental data. *Journal of Comparative Economics*, 41(1), 170–180.
- Stadelmann, D., & Torgler, B. (2013). Bounded rationality and voting decisions over 160 Years: Voter behavior and increasing complexity in decision-making. *PLoS ONE*, 8(12), e84078.
- Ting, M. M. (2012). Legislatures, bureaucracies, and distributive spending. *American Political Science Review*, 106(02), 367–385.
- Warren, P. L. (2012). Independent auditors, bias, and political agency. *Journal of Public Economics*, 96(1–2), 78–88.
- Washington, E. L. (2008). Female socialization: How daughters affect their legislator fathers’ voting on women’s issues. *American Economic Review*, 98(1), 311–332.