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Legislative Direction of Regulatory Bureaucracies Evidence from a semi-presidential system

Cyril Benoît,* Ana-Maria Szilagyi**

*Corresponding author, Centre d'études européennes et de politique comparée, Sciences Po,
CNRS, cyril.benoit1@sciencespo.fr

**Centre de recherches politiques, Sciences Po

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Abstract

Independent regulatory agency has become the standard institutional choice in Western Europe. Little is known, however, about the involvement of legislators in their design and in their monitoring. In this paper, we analyse ex-ante and ex-post legislative involvement for 48 regulatory agencies enacted in France. We show that legislators debate and design more substantially agencies for which the government bill has already granted them more powers to appoint members to their board, or to be appointed as board members themselves. Once enacted, agencies that allow greater participation by legislators in their decision-making are subject to greater scrutiny, and this even after controlling for routine oversight activities. Regulatory domains matter, though only for ex-post legislative oversight. These results suggest that legislative involvement is selective and driven by strategic considerations. More fundamentally, they imply that legislative involvement could be more important in regulatory agency activities than usually assumed.

Keywords: France, semi-presidential, regulation, oversight, agency

Introduction

The last thirty years have seen a profound transformation of the governing structures of advanced capitalist economies of Western Europe. Various domains of governmental intervention were delegated to regulatory agencies that are formally independent from executive control. Since then, a rich literature has explored political-economic interdependences under the so-called 'regulatory capitalism' (Levi-Faur and Jordana, 2005). However, the location of legislative institutions in this broad context remains unclear and their actual implication, often misdiagnosed. So far, sustained and prolonged legislative

interventions to direct regulatory agencies were indeed mostly observed in presidential systems and notably, in the United States – while the same interventions, due to constitutional and administrative factors, were generally assumed as being less frequent or of more modest importance in Europe’s semi-presidential and parliamentary systems (see further). Is this depiction still accurate now that independent regulatory agencies are in operation in namely all domains of governmental interventions in Western European countries? Should legislative politics be factored, more explicitly than before, in the analysis of these building blocks of contemporary economic governance?

This paper is an early attempt at addressing these research questions. Taking France as our case-study, we investigate legislative involvement in the design and oversight of 48 regulatory agencies. We first establish the substantiality of such involvement, as well as its large variation across agencies. On this basis, we seek to characterize and measure the variables accounting for such variation. Using several proxies of legislative involvement, we find that ex-ante, legislators design agencies more substantially when the government bill has already granted them more powers to appoint members to their board, or to be appointed as board members themselves. Ex-post, we show that they operate greater oversight of agencies for which they have such powers of board appointment, or to be appointed as board members themselves – and this even when routine oversight activities are dropped from the analysis. Importantly, political configurations, as well as other agency-related variables, provide a limited account for the variation observed. The regulatory domains in which agencies operate do matter, but only for ex-post oversight. Overall, these results suggest that legislative involvement is selective and driven by strategic considerations.

Consequently, legislative politics might be more important in regulatory governance than previously thought. Indeed, the findings primarily indicate that legislative involvement might be substantial, and that it becomes more important as the capacity of legislators to

participate more closely in agency decision-making increases. This suggests that independent regulatory agencies are becoming political battlegrounds – as interventions by legislators might be motivated by an attempt to prevent actions taken by the executive or by their predecessors. More broadly, these results speak directly to a burgeoning literature concerned with measuring the political determinants of agency creation, behaviour or termination in Western Europe – and that has revealed more politics at play in these aspects than traditionally assumed (James et al., 2015; Enns-Jedenastik, 2016; Holmgren, 2018; Perez-Duran, 2019).

The second part of this paper discusses the motivations and constraints on legislative involvement in agency design and oversight, particularly in the context of regulatory governance of advanced capitalist democracies of Western Europe. The third section introduces the French case and describes our hypotheses and data. The fourth part characterizes legislative involvement in both agency design and oversight, and tests which variables might drive legislative involvement. The final part discusses implications of the findings and identifies avenues for future research.

Legislative Involvement, Agency Control and the Political System

Legislative direction of regulatory bureaucracies: American and European contrasts

There is a long and rich tradition of studying legislative involvement in the activity of administrative or regulatory agencies. The starting point of most contributions is the observation that the relationship between legislators and bureaucrats rests on a “mismatch of incentives and capabilities”, with legislators tasked with deciding the law without being able to implement it; and bureaucrats tasked with executing the law, without being able to decide it (Fiorina, 1979). This explains why legislators would usually care about the outcomes of (at least some) delegated policy decisions (McCubbins et al., 1987). Legislative involvement to direct the bureaucracy might take various forms. A common way of presenting them is to

distinguish between *ex-ante* and *ex-post* interventions. The former mostly occur at the stage of agency design, when legislators participate in deciding what newly created agencies should do, (re)organize the bureaucracy, intervene on the choice of instruments agencies are required to use and what guidance administrators should follow (Lupia and McCubbins, 1994). *Ex-post* interventions are tools that legislators can use to reduce agency loss once an agency is created. These notably include direct investigations and legislative reviews, appointments and removals of administrators, legislative vetoes on executive appointments, committee reviews and other related oversight activities.

While these sets of legislative *ex-ante* and *ex-post* interventions may exist in virtually any polity, the literature has long assumed that it is in presidential systems that they are more commonly activated by legislators. In their classic comparison of political-bureaucratic relations in Western democracies, Aberbach et al. (1981) famously contended that the US Congress was playing a “substantially more detailed”, “powerful” and “effective” role in the design and oversight of administrative agencies “than its sister legislatures in Europe”. Since then, a rich literature has shown that Congressional involvement was in effect both significant and substantial, a finding echoed in other studies of presidential systems (Haggard et al., 2001). In part, the reasons behind this finding are linked to broad constitutional characteristics: much of the effort made by legislators to control agencies in these settings is in fact directed towards insulating these entities from presidential influence (Lewis 2003). In parliamentary systems, the typical situation where both branches of government are controlled by the same party would nullify such efforts (Moe and Caldwell, 1994). Similarly, the powers conferred on the cabinet would make it “very difficult for any incumbent coalition to credibly pre-commit the governmental apparatus to a course of action that cannot be completely overturned at the next election” (James et al. 2015) – even if substantial variations linked to the electoral or party system and to the political context can be observed. To a large extent, this statement also holds

true for semi-presidential systems, where pre-eminence over the legislative branch is usually granted to the executive to ensure government effectiveness and stability (Duverger, 1980). Administrative traditions constitute an interrelated reason why legislators are expected to be less involved in agency design and oversight than Congressional politicians in a presidential system. Indeed, federal agencies in the US issue most regulations that are published in the Federal Register. Congress plays a crucial role in that respect, as it is the legislature that grants rule-making authority to agencies, thus requiring the establishment of additional controls to mitigate agency loss. For a long time, the situation significantly differed in most Western European countries, where the bureaucracy usually does not enjoy such prerogatives.

Still bystanders? Legislators in regulatory governance

The claim that legislatures other than those of separation-of-power systems would do little to actively design and monitor delegated agencies is well established. Yet, there are good reasons to believe that it might be exaggerated.

The first and most obvious reason is that the statements of Aberbach et al. (1981) have been more often assumed than proven in subsequent studies conducted in other advanced capitalist democracies (McCubbins 2014). A burgeoning literature however suggests that the picture could be more complex in practice. In the recent years, several studies have measured, more directly than before, the political determinants of agency creation, behaviour or termination in Western European (mostly parliamentary) democracies. Using survival models for UK agencies, James et al. (2015) found that politics was trumping agency performance. Agencies in Sweden, Holmgren (2018) showed, were “considerably more likely to be terminated when there is a conflict of interest between the enacting and sitting coalitions”. Studies that focused on similar or other European countries have also reported significant levels of political appointments to the heads of agencies, and this at both the national (Enns-

Jedenastik 2016) and European Union (EU) levels (Pérez-Durán 2019). While legislatures are usually not explicitly factored into these analyses, they do, however, clearly indicate that political influence, often deemed weak in European settings, could be greater than expected.

A second and more fundamental reason is related to the political developments that most Western European countries have experienced since that seminal study by Aberbach et al. (1981). Over the last three decades, a number of prerogatives formerly placed in the hands of ministerial directorates or under the direct control of the executive were gradually delegated to “regulators that are not under the direct control of elected politicians” and “organizationally disaggregated from the ordinary bureaucracy” (Gilardi and Maggetti, 2011). In Europe, this model has become the “standard institutional choice” to deal with a number of economic and regulatory matters (Ennsner-Jedenastik, 2016), such as in the telecommunications, healthcare, finance and food sectors. This important shift towards governance through regulation potentially paved the way for renewed forms of legislative involvement in agency design and oversight as, in virtually all Western European democracies, there is now a vast landscape of regulators and agencies (more or less) freed from formal executive control. In turn, the crucial role played by regulatory agencies in policy-making and implementation in Western Europe creates obvious incentives for legislators to take an interest in these entities. In particular, their activities are likely to be important matters of concern for ‘policy advocates’ or for legislators who have invested time and resources to acquire expertise in certain policy issues. Similarly, they might also constitute important targets for ‘office-seekers’ for whom appointment into an agency board might constitute a non-negligible prospect to achieve their career objectives in their party, in the legislature and beyond.¹ If several authors have perceived the transformative potential of these evolutions for the relationships between politicians and regulators (e.g. Christensen and Lægreid, 2007), legislatures were rarely the vantage point through which they were grasped.

Lastly, recent developments in legislative politics also suggest that the broad-brush depiction of legislators as passive actors in regulatory governance is arguably inaccurate. Indeed, and after several years where governments have taken a “more pronounced role in controlling legislation”, recent evidence indicates that legislative control of executives is on the rise (Griglio, 2020). Specifically, they suggest that legislators are now more explicitly involved in a variety of post-legislative interventions, including appraisal of executive appointments, scrutiny of bureaucratic activities or more informal and spontaneous initiatives, such as information-gathering through legislative hearings. This broader trend could well be connected to what has been argued before: as it transforms the very parameters of governance, delegation of a growing number of prerogatives to non-majoritarian institutions opens the way to a transformation of legislative involvement as well.

Legislative involvement, however, is likely to be conditional. While establishing the powerful role played by Congress in designing and monitoring agencies, Americanists also identified a number of drivers influencing the intensity of such involvement and its orientation. These variables, introduced in greater length in the next section, include political configuration, policy domains and agency properties (Author). The first relates to political constraints generated by institutional arrangements, such as those governing legislative-executive relations. The second series of variables and factors essentially concerns policy domains, under the general assumption that legislators tend to be more involved in salient areas (Calvert et al., 1989) as well as in those involving “non-complex” issues (Ringquist, 2003). Agency properties constitute a third series of variables and factors. The literature has amply shown that some features prevent legislative involvement, such as formal provisions set to guarantee agency independence. In a similar vein, it has been established that legislators tend to be more involved when they are able to conduct oversight activities cheaply (McGrath, 2013), with some agency properties clearly decreasing the overall cost of oversight.

Empirical strategy

Measuring legislative involvement

To evaluate the extent of legislative involvement in agency direction in Western Europe, this study examines *ex-ante* and *ex-post* interventions of French legislators in the design and monitoring of 48 independent regulatory agencies. There are three interrelated reasons why France constitutes a good candidate for this study. First, the hybridity of its political system allows for evaluating features and configurations that are close to those of the US presidential system on which much of the literature has for now concentrated, yet in a setting where they can be at play in different ways. Second, and as discussed below, the French Parliament is often portrayed as a weak legislature. Third, and relatedly, the country is a latecomer in the development of independent regulatory agencies. For both of these reasons, we therefore expected a rather modest implication of legislators, consistent with prior intuitions from the literature.

Our primary outcome measure is legislative involvement. As shown in the previous section, legislative involvement might either (or both) occur *ex-ante* or *ex-post*. We thus provide separate measures of *ex-ante* and *ex-post* involvement in this study. It is worth noting nonetheless that the distinction between *ex-ante* and *ex-post* intervention is partly artificial, in the sense that once an agency is enacted, some procedures typically assimilated in the literature to *ex-post* interventions might serve as *ex-ante* controls on subsequent agency decisions, such as legislative interventions on political appointments. Similarly, legislators can intervene *ex-post* to redesign an agency. For the sake of clarity, we consider in the different measures of legislative involvement provided here the range of interventions during the policy process leading to the creation of a new agency as ‘*ex-ante*’, and as ‘*ex-post*’ the range of legislative interventions on agencies that are already operating. Below we describe how we approximated the concept of legislative involvement in each of these two configurations.

Legislators involved at the agency creation stage usually try to ensure that agencies will remain close to their preferences, typically through shaping agency discretion by intervening on formal provisions or by influencing which guidance bureaucrats should follow in making their decisions (Huber and Shipan, 2008). A common way of measuring the extent of these interventions is to take the difference between the number of words referring to an agency in the government bill and the number of words relating to an agency in the law finally enacted – under the general assumption that the longer the statute, the greater the efforts made by legislators to shape agency discretion (Vannoni et al., 2020). However, this only reflects a specific dimension of legislative involvement, namely legislative influence on the design of a newly created agency. This measure is also susceptible to being affected by executive interventions or manipulations of the majority in the legislature. More fundamentally, in many cases legislators may be substantially involved during the policy process, but eventually fail to successfully shape an agency design. This typically happens when tabled amendments are not adopted, but can still have important signalling effects or shape future policy developments (Russell et al., 2017). For the same reasons, plenary debates are worth considering – also as they provide an alternative measure not subjected to the same features of the legislative procedure than legislative amendments. In order to reflect these various interventions, our study combines these three variables – namely a length-based measure of legislation from the bill to the enacted law, a count of the number of tabled amendments during the entire legislative process (including both committee and plenary debates), and a length-based measure of the size of plenary debates (obtained through counting the number of words related to an agency in plenary debates throughout the entire legislative process). The higher the number of words and tabled amendments, the higher legislative involvement.

Ex-post interventions can be disaggregated into two broad types of activities. The first is the practice of legislative review and oversight of the bureaucracy through hearings,

committee reviews, personal consultations with bureaucrats and investigations (Aberbach, 1990). These interventions can also help legislators to get a better knowledge of the policy sector in which an agency operates, thus helping to reduce information asymmetries between them and bureaucrats (Banks and Weingast, 1992). It can also be a way to address constituent complaints against the regulatory bureaucracy. The second type of ex-post activity is the participation of legislators in the appointment of members to an agency board, either through expressing an opinion on an individual appointed by the executive, or through directly appointing individuals themselves. In the literature, ex-post involvement is typically measured through the frequency with which these two broad types of activities are performed (Author), an option that we also retained for this study, by counting the number of legislative interventions for each agency in our dataset. We also provide a separate measure in which we remove hearings concerning legislative participation in appointments, as these procedures might be formally requested or not from one agency to another. Another common measure present in the literature, namely legislative involvement in direct participation in appointments (typically through roll-call votes on appointees), cannot be thoroughly applied in France since complete voting records are not public for all agencies. Instead, we provide a word-count of the size of debates for each committee, following the assumption (as for ex-ante involvement) that the longer the debates, the greater legislative involvement.

Independent variables

The main groups of explanatory variables of interest are political constraints, policy domains and agency properties. All are well-established drivers of legislative involvement in agency design and oversight, whose explanatory purchase yet remains to be evaluated in the context of the new bureaucratic landscape of Western Europe, and more importantly from the perspective of this study, in a semi-presidential system.

Particularly on this latter aspect, the French case features a number of important constitutional characteristics. France is regularly portrayed as the textbook model of semi-presidentialism and rationalized parliamentarism (Huber, 1996). It mixes a popularly elected and powerful presidency with a prime minister heading a cabinet subject to legislative confidence (Duverger, 1980). Yet several constitutional provisions are meant to secure government's stability and agenda-setting powers, which often result in a weaker implication of the legislature (see however Kerrouche, 2006 for a discussion). The French Parliament itself is comprised of two chambers, namely a lower house, the National Assembly, and an upper one, the Senate, though only the Assembly can defeat the government headed by the Prime Minister. Overall, the dual executive of the system combines a transactional executive-legislative relationship with a clear hierarchy between governmental branches, to the benefit of the executive (Shugart, 2005). It is in part due to this broad constitutional architecture that the involvement of legislators in the direction of regulatory agencies was typically assumed as being rather limited. Another – though closely related – reason is linked to the reluctance with which successive French governments have delegated prerogatives to independent regulatory agencies, which only started noticeably during the 2000s (see Elgie, 2006). The rise of independent regulatory agencies in France is in fact partly a result of the growth of EU regulations over the last two decades, through which independent agency as a bureaucratic model was largely diffused (see Majone, 1997). Thus, France was often classified as a 'latecomer' in the adoption of these reforms (Bezes, 2008). Part of this reluctance can be attributed to the usual proximity between the regulatory bureaucracy created during the post-war era with the executive branch. Over the years, an important mechanism of politicization of the bureaucracy in France has indeed been the political appointments made to top civil service positions by the executive (see Bach et al., 2020).

In this context, our first expectation is that legislative involvement in France would be strongly affected by political constraints. Secondly, we also expect it to be driven by the features of policy domains (with more redistributive and salient policy areas, as well as those of importance for political competition, attracting much of the legislative attention). Thirdly, we expect it to be severely constrained by agency properties. This latter expectation holds a significant place in our analysis due to the motivations behind the creation of independent regulatory agencies. Indeed, their enactment was typically justified by a ‘credibility commitment’ to insulate the regulation of several domains not only from executive, but more generally from all kinds of political intervention (Gilardi, 2008).

To account for institutional arrangements and the political context, we rely on variables adapted from Lewis’ (2003) seminal study on the politics of agency design. These variables include the number of seats held by the majority in the lower chamber of the French parliament, a binary variable indicating whether or not the government of the day is unified or divided (where unified designates a situation where the same party is controlling the presidency and both chambers of the Parliament), and electoral duration (the number of years that have passed since the party holding the majority in both chambers last held the majority). The political configurations captured by these variables cover a number of situations that might prevent legislative involvement (such as a unified government enjoying a large majority) or favour it (typically a divided government). We expect, in particular, that a divided government will lead legislators in both chambers to be more involved in agency design, typically to prevent or to undo the actions taken by their counterparts in the parent chamber or in the executive. Similarly, agencies created under a divided government are likely to favour legislative oversight as legislators are generally inclined to pay greater attention to agencies created through a more conflictual legislative process, typically generated by divided governments.

We rely on a series of binary variables to account for some regulatory domains of importance in which agencies operate. All agencies were coded according to their primary function or mission. These mutually exclusive categories include social policy (understood to encompass agencies intervening in areas related to the sizeable range of benefits provided by the welfare state), financial regulation and (party) political affairs (such as electoral campaign financing, the regulation of polling institutes, as well as the media industry). All other agencies were coded 0. Our emphasis on these three sectors is justified as they all were expected to be important drivers of legislative involvement, mainly as they concern domains that were or became particularly salient over recent years. As an alternative specification, we also constructed and tested additional categories of Lewis (2003) without, however, finding any substantial differences.

Agency properties were reflected by three main variables, namely agency budget, agency resources and agency location. Agency budget corresponds to the earliest available budget, with agencies without a line in the official budget coded 0. Agency resources capture the size of an agency management board. The expectation here is that legislators will be more involved, particularly in overseeing agencies with a larger budget and resources (see Ennsner-Jedenastik, 2016). Distance from parliament is of central importance for the present study. Most analyses of agency politicization rely on formal indexes of agency independence (Gilardi, 2008) based, in particular, on appointment and dismissal processes of agency managers, which often constitute an important aspect of independent regulatory agencies in Western Europe (e.g. Hanretty and Koop, 2012). In accordance with the purpose of the present study, we adapted here Gilardi's (2008) index of agency independence to capture agency independence from parliament. Very similar to Lewis' (2003) agency location measure, this ordinal variable takes its lowest value (1) when legislators can both participate in selecting agency board members, and can themselves be appointed to some reserved seats. Agencies for which legislators can

neither appoint, dismiss nor be appointed to an agency management board are coded 5. In our measures of ex-post oversight, we also control for the size of plenary debates at the stage of agency creation, under the assumption that agencies that received greater legislative attention during initial parliamentary debates may be given closer scrutiny.

Data

The dataset includes 48 independent regulatory agencies enacted in France. Following Gilardi's (2008) definition, it includes all independent regulatory agencies created in the country – with the exception of two that were created through executive order, and one enacted by the special collectivity of New Caledonia. Roughly 75% of agencies in our dataset were enacted in a relatively short period of time (between 2000 and 2019). The range of domains covered is quite large, as it includes agencies regulating health care, higher education, political competition, environmental issues, financial and insurance sectors, among others. The dataset was primarily compiled using the official website of both chambers of the French Parliament². We collected data on legislative debates in plenary sessions as well as in legislative committees, notably for our outcome measure, by retrieving documents on these websites. As the data on legislative oversight and ex-post control was often incomplete, we also contacted directly members of regulatory agencies to obtain missing or additional information, as well as civil servants in charge of compiling and archiving parliamentary debates in both chambers. Each agency in the dataset has been documented through a careful analysis of its annual reports, and by retrieving information available on legal databases.³

Results

Descriptive evidence on legislative involvement

Figure 1 shows the distribution of four of the study variables, ex-ante legislative inflation, ex-post legislative oversight and size of debates (both ex-ante and ex-post).⁴

[insert Figure 1 here]

Both indicate important variation of legislative involvement from one agency to another. Regarding legislative inflation, the bill creating a regulatory agency in charge of consumers' safety for instance increased by around 11,000 words during the legislative process, while only minor changes (774 words) were made to the bill instituting the Prudential Supervision and Resolution Authority.⁵ Interestingly however, one can note that most bills were modified, at least marginally. A similar statement applies to legislative oversight. Namely all agencies in the dataset were subjected to legislative oversight at least once – whether through a direct investigation, a legislative review or a committee hearing from one of the two chambers of the French parliament. Several agencies attracted a rather sustained attention, such as the Commission in charge of electronic communications and postal services or the Superior Audio-visual Council (CSA), an entity regulating electronic media such as television and radio channels, whose members were heard respectively 44 and 51 times. Contrary to the overall expectations of the literature, legislative involvement in the design and in the monitoring of regulatory agencies in France is thus far from being negligible. Legislative involvement is rarely null, a finding that applies to all agencies in our dataset and that also holds true for the other dependent variables not shown here. While legislative involvement is rather modest for most agencies, it appears to be substantial for at least a third of them – with, again, a similar finding from an outcome measure to the next.

Analysis of legislative involvement

To account for these variations, we implemented our independent variables following a twofold approach. For ex-ante legislative involvement, we first estimated a series of standard ordinary least square (OLS) regression models. The dependent variables considered here include legislative inflation (model 1), tabled amendments (model 2) and size of plenary debates (model 3). For each model we also tested the sensitivity of our results to alternative specifications of our independent variables and for outlying observations.⁶

The dependent variables for ex-post legislative involvement are frequency of oversight (model 4), frequency of oversight minus appointments (model 5) and size of debates during legislative hearings (model 6). Given that our dataset includes observation on ex-post legislative involvement over a period of more than twenty years (2000–2020), we conducted here a panel analysis including time fixed effects (FEs). We applied the same robustness checks as for models 1, 2 and 3.⁷

Table 1 displays our results for models 1 to 3.

[insert Table 1 here]

Several important findings are noted. First, political-institutional arrangements provide a very limited account of legislative involvement in agency design. Only the number of years since the ruling majority failed to hold both chambers of the Parliament (Electoral Length) is negatively associated with legislative inflation: the fewer the years, the higher the legislative inflation. Electoral length is also positively and negatively associated with the number of tabled amendments and the size of plenary debates, respectively – though at a lower significance level ($p < 0.1$). Other variables of interest in that respect (namely a divided or unified government and the size of parliamentary majority) do not significantly correlate with any of our outcome measures. The same can be said of policy domains in which regulatory agencies operate. We

did not find any significant relation between legislative involvement and, in particular, the regulation of social policy matters. The same holds true for agencies in charge of regulating political competition, as well as for the financial sector. So far, the most important findings yielded by these results relate to agency properties. The coefficient for agency location in the government-initiated bill is negative and significant for all three models, suggesting that even after controlling for institutional arrangements, regulatory domains, year of enactment and the number of agencies enacted the same year, there is still a negative relationship: the lower the distance of an agency from the legislature in a government-initiated bill, the greater the legislative inflation, tabled amendments and size of plenary debates. The findings indicate that every one-point decrease in agency location is associated with on average a 20 per cent increase in legislative involvement. The effects reported here are thus not only statistically significant, but also substantial.

The picture is slightly different for ex-post legislative involvement (Table 2).

[insert Table 2 here]

Here again, the political configuration of the day does not seem to explain much of legislative involvement. One can note that legislators oversee more frequently agencies that were created under a government that already had a majority in both chambers or for which few elections passed since they enjoyed such majority – especially when appointments are dropped (model 5). However, this effect is arguably amplified by the fact that over the time period considered, the Right enjoyed longer periods of stable majorities in both chambers than the Left (2011-2014).

As expected, there is a large and positive effect of social policy as a regulatory domain on the frequency of legislative oversight (model 4), and this even when formally requested

hearings (typically related to appointments) are dropped from the analysis (model 5). It can be noted that the coefficient for this variable is also positive for the size of debates during these hearings, though at a lower statistical significance level ($p < 0.1$). The coefficient for financial regulation is also large and positive, though only when appointments are dropped (model 4). Thus, the evidence for a sustained and substantial interest of legislators for this domain is not very strong, also because it appears sensitive to modelling strategies (see Appendix, Table A5). This can in fact be safely interpreted as the result of the increase of legislative hearings that have followed the financial crisis, and because very few appointments in financial regulation agencies require a formal debate to be held in the legislature. Importantly, agency location (this time as reflected in the formal status of an agency) has again both a significant and a substantial effect on the frequency of legislative oversight (models 3 and 4): the lower the distance of an agency from the legislature, the greater the legislative oversight, and this in particular after controlling for other important agency properties (namely agency human resources and budget). Lastly, one can note that the effect of an agency budget is both positive and statistically significant, though very small.

Discussion

The results presented here yield important information for our understanding of legislative involvement in the design and monitoring of independent agencies under regulatory capitalism. Descriptive findings suggest that both *ex-ante* and *ex-post* involvement, while they markedly vary from one agency to another, can be substantial. A related implication is that legislative politics should be factored, more explicitly than it is currently the case, in our analysis of regulatory behaviour – as it could be one of its important drivers in some contexts.

Our analysis shows that political configurations – here typical of those generated by the institutional setting of a semi-presidential system – provide a limited account of legislative

involvement. Factoring in the sectors in which agencies operate returns more mixed findings, though consistent with prior research. Indeed, what they suggest is that sectors are not of great explanatory purchase for ex-ante legislative involvement, while they are for ex-post legislative oversight – with a redistributive and salient area (social policy) as well as an area that became salient during a brief period of time (financial regulation) significantly attracting legislative attention. Such selective involvement is unsurprising: the practical benefits of intervening in agency design are often uncertain, especially for legislators from the opposition. By contrast, oversight is often more visible and constitutes a favourable ground for signalling and position-taking, especially for legislators who are unable to put forward their policy solutions by other means (Aberbach, 1990). An implication of this finding, especially regarding ex-post oversight, could be that legislative interventions are an important explanation of agency discretion in salient policy areas – as well documented by studies of the US Congress (Calvert et al., 1989).

So far, the most notable finding of this study relates to the large effect of agency location on both ex-ante and ex-post oversight. Not only are legislators substantially more involved in designing agencies for which they were already granted more power by the government-initiated bill to appoint or to be appointed themselves. More closely located agencies also tend to be more frequently overseen by legislators. Importantly, the large and negative effect of agency location reported here cannot be attributed to formal requirements or provisions, first as it is already observable at the design stage, second as it remains so even after dropping required or formally demanded hearings. Two complementary interpretations can be provided in support of this finding. The first obviously relates to the cost of design and oversight: easier access to an agency (typically through appointments or more directly as appointees) creates obvious incentives for legislators to efficiently intervene on its decision-making (see McGrath, 2013). Yet the substantial effect of agency location observed at the stage of agency design suggests that legislators more carefully design agencies that they themselves or crucially, their peers,

will be able to subsequently monitor thriftily. Considered jointly with the limited effect of institutional arrangements and the partial effect of regulatory domains, this indicates that legislative involvement is driven by strategic considerations – and thus that the difference with Congressional politicians is arguably smaller than is often assumed (McCubbins, 2014), particularly in the context of regulatory capitalism.

The findings reported here present obvious limitations. First, their validity is confined to a single semi-presidential system. This study has also ignored the individual-level motivations of legislators, as well as a number of strategic interactions at stake in legislative involvement – which notably include the manipulation of legislative debates by the executive. The question of the implications of legislative involvement for regulatory behaviour was also deliberately left out from our analyses and in particular, the different functions such involvement might imply for regulatory agencies – with some interventions being simply directed towards assessing agency performance, while others seeking more directly to influence the conduct of regulation. In another vein, we have not considered here an important institutional feature of European regulatory agencies, namely their usually close connection with similar entities operating at the EU level. However, and considered jointly with our findings, these limitations arguably pave the way for promising research. As the above discussion suggests, what this analysis primarily suggests is that legislative politics should be factored in the study of regulatory agencies and governance. As this bureaucratic variant is now dominant in advanced capitalist democracies, students of legislative politics could in turn gain important insights from paying greater attention to these entities.

More broadly, these results directly speak to a growing body of literature suggesting that the extent of regulatory agency politicization, often deemed weak in European settings, has yet to be fully explored. In parliamentary democracies, politics was shown to be trumping agency performance (James et al., 2015) and was associated with agency termination

(Holmgren, 2018). In other settings, political control of independent regulatory agencies was also reported to be greater when directly measured, be it through appointments (Enns-Jedenastik, 2016) or by other means (De Kruijf and Van Tiel, 2018). This paper adds to the burgeoning literature by highlighting the strategic involvement played by legislators in both designing and monitoring enacted agencies. The case of France examined here suggests that these interventions are important even in a semi-presidential setting often portrayed as unfavourable for substantive legislative involvement. It thus seems a promising endeavour to investigate further the politicization of regulatory agencies of Western Europe and its consequences for regulatory behaviour.

Notes

¹ See Strøm (2012) for a discussion of legislative roles in connection to policy expertise, office-seeking and career paths.

² <http://www.senat.fr> accessed 1 March 2021.

³ <https://www.legifrance.gouv.fr> accessed 1 March 2021.

⁴ Table A1 in the Online Appendix lists all agencies that are included in the analysis. Table A2 displays descriptive statistics.

⁵ As a comparison, the average size of enacted law in France between 2008 and 2018 was 3,847 with, however, significant variation. “Big Laws” and “Financial Laws” are for instance respectively 30,662 and 36,212 long on average (Rozenberg, 2021).

⁶ See Table A3 and A4 in the Online Appendix.

⁷ We applied log transformation of the dependent variables to reduce their skewness.

References

Aberbach, Joel. 1990. *Keeping a Watchful Eye*. Washington: Brookings Institution.

Aberbach, Joel, Putnam, Robert and Rockman, Bert. 1981. *Bureaucrats and Politicians in Western Democracies*. Cambridge: Harvard University Press.

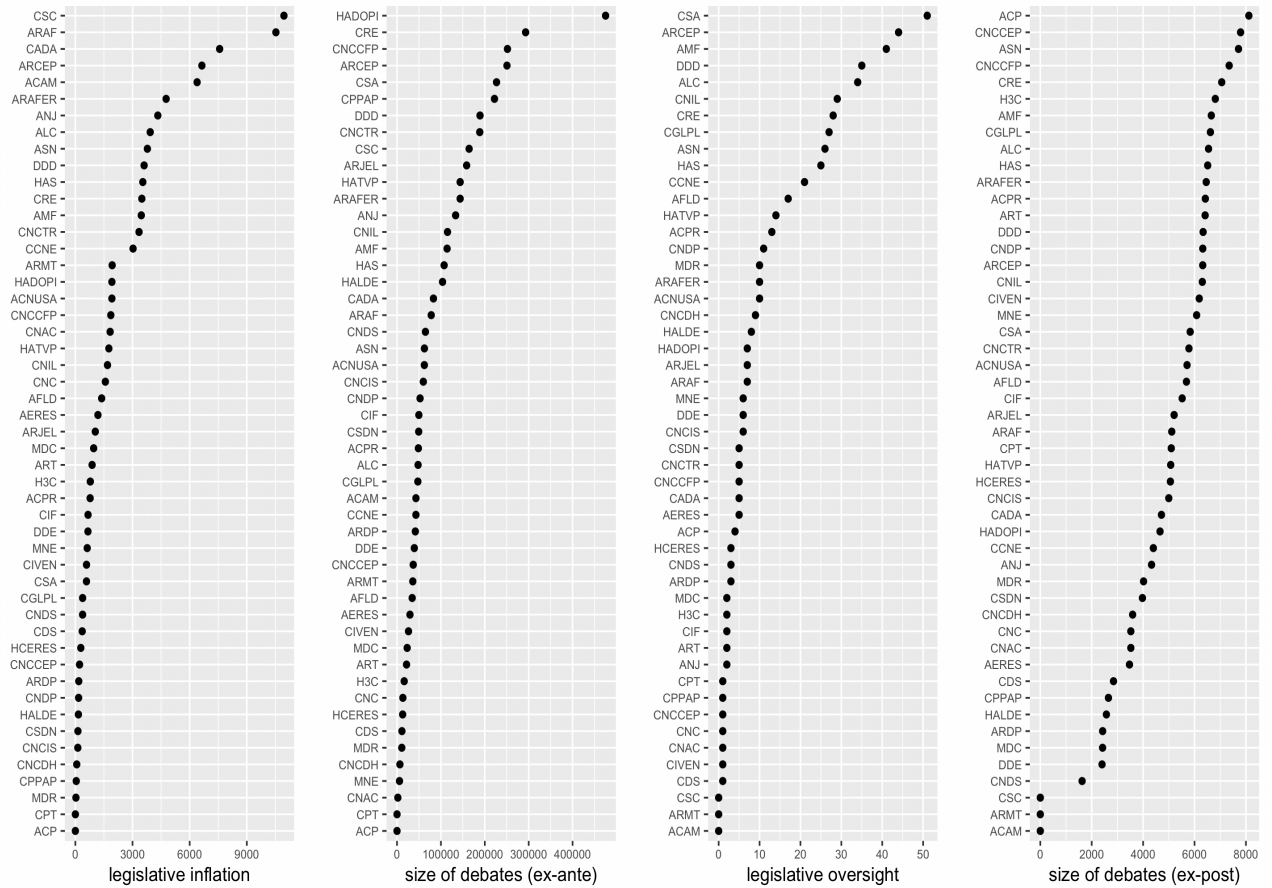
- Bach, Tobias, Hammerschmid, Gerhard and Löffler, Lorenz. 2020. "More Delegation, More Political Control? Politicization of senior-level appointments in 18 European countries". *Public Policy and Administration*, 35(1): 3-23.
- Banks, Jeffrey and Weingast, Barry. 1992. "The Political Control of Bureaucracy under Asymmetric Information"? *American Journal of Political Science* 36(2): 509-524.
- Bezes, Philippe. 2008. "The Reform of the State: The French Bureaucracy in the Age of New Public Management". In Cole A, Le Galès, P and Levy J. eds. *Developments in French Politics 4*, Basingstoke: Palgrave.
- Calvert, Randall, McCubbins, Matthew and Weingast, Barry. 1989. "A Theory of Political Control and Agency Discretion". *American Journal of Political Science*, 33(3): 588-611.
- Christensen, Tom and Lægreid, Per. (2007) "Regulatory Agencies – The challenge of Balancing Agency Autonomy and Political Control". *Governance* 20(3): 499-520.
- De Kruijf, Johan and van Thiel, Sandra. 2018. "Political Control of Arm's Length Agencies: One standard does not fit all". *International Public Management Journal* 21(3): 461-476.
- Duverger, Maurice. 1980. "A New Political System Model: Semi-presidential Government". *European Journal of Political Research* 8(2): 165–187.
- Elgie, Robert. 2006. "Why do Governments Delegate Authority to Quasi-Autonomous Agencies? The Case of Independent Administrative Authorities in France. *Governance* 19(2): 207-227.
- Enns-Jedenastik, Laurenz (2016) "The Politicization of Regulatory Agencies: Between Partisan Influence and Formal Independence". *Journal of Public Administration Research and Theory* 26(3): 507-518.
- Fiorina, Morris. 1979. "Congressional control of the Bureaucracy: A Mismatch of Incentives and Capabilities". In Livingston, W., Dodd, L. and Schott, R. (eds.) *The Presidency and the Congress: a shifting Balance of Powers?* Austin: Lyndon B. Johnson School of Public Affairs.
- Gilardi, Fabrizio. 2008. *Delegation in the Regulatory State: Independent Regulatory Agencies in Western Europe*. Cheltenham: Edward Elgar.
- Gilardi, Fabrizio and Maggetti, Martino. 2011. "The Independence of Regulatory Authorities". In Levi-Faur, D. (ed.) *Handbook on the Politics of Regulation*. Cheltenham: Edward Elgar.
- Griglio, Elena. 2020. *Parliamentary Oversight of the Executives: Tools and Procedures in Europe*. Oxford: Hart Publishing.

- Haggard, Stephan, McCubbins, Mathew and Calvert, Randall. eds. 2001. *Presidents, Parliaments, and Policy*. New York: Cambridge University Press.
- Hanretty Chris and Koop, Christel. 2013. "Shall the Law Set Them Free? The Formal and Actual Independence of Regulatory Agencies". *Regulation & Governance* 7(2): 195-214.
- Holmgren, Mikael. 2018. "Partisan Politics and Institutional Choice in Public Bureaucracies: Evidence from Sweden". *Journal of Public Administration Research and Theory* 28(3): 355-370.
- Huber, John. 1996. *Rationalizing Parliaments*. New York: Cambridge University Press.
- Huber John and Shipan, Charles. 2008. *Politics, Delegation, and Bureaucracy*. Oxford: Oxford University Press.
- James, Oliver, Petrovsky, Nicolai, Moseley, Alice and Boyne, George. 2015. "The Politics of Agency Death: Ministers and the Survival of Government Agencies in a Parliamentary System". *British Journal of Political Science*, 46(4): 763-784.
- Kerrouche, Eric. 2006. "The French *Assemblée Nationale*: The Case of a Weak Legislature?". *The Journal of Legislative Studies* 12(3-4): 336-365.
- Levi-Faur, David and Jordana, Jacint. 2005. "The Rise of Regulatory Capitalism: The Global Diffusion of a New Order". *The Annals of the American Academy of Political and Social Science* 598: 200-217.
- Lewis, David. 2003. *Presidents and the Politics of Agency Design*. Stanford: Stanford University Press.
- Lupia, Arthur and McCubbins, Mathew. 1994. "Designing Bureaucratic Accountability". *Law and Contemporary Problems* 57(1): 91-126.
- Majone, Giandomenico. 1997. "The Agency Model: The Growth of Regulation and Regulatory Institutions in the European Union". *European Institute of Public Administration*, 3: 9-14.
- McCubbins, Mathew, Noll, Rogher and Weingast, Barry (1987) "Administrative Procedures as Instruments of Political Control". *Journal of Law, Economics and Organization* 3(2): 243-277.
- McCubbins, Matthew. 2014. "Common Agency? Legislatures and Bureaucracies", in Martin, S., Saalfeld, T. and Strøm, K. (Eds.) *The Oxford Handbook of Legislative Studies*, Oxford: Oxford University Press.
- McGrath, Robert. 2013. "Congressional Oversight Hearings and Policy Control", *Legislative Studies Quarterly*, 38(3): 349-376.

- Moe, Terry and Caldwell, Michael. 1994. "The Institutional Foundations of Democratic Government: A comparison of Presidential and Parliamentary Systems". *Journal of Institutional Theoretical Economics* 150(1): 171-195.
- Pérez-Durán, I. 2019. "Political and Stakeholder's ties in European Union agencies". *Journal of European Public Policy* 26(1): 1-22.
- Ringquist, Evan, Worsham, Jeff and Eisner, Marc. 2003. "Salience, Complexity and the Legislative Direction of Regulatory Bureaucracies". *Journal of Public Administration Research and Theory*, 13(2): 141-164.
- Rozenberg, Olivier (2021) "When rationalisation of bureaucracy de-rationalize law and legislature: 'Monster Bills' in France". In Bar-Siman-Tov, I. (ed.) *Comparative Multidisciplinary Perspective on Omnibus Legislation*. New York: Springer.
- Russel, Meg, Gover, Daniel, Wollter Kristina and Benton, Meghan. 2017. "Actors, Motivations and Outcomes in the Legislative Process: Policy Influence at Westminster". *Government and Opposition*, 52:1, 1-27.
- Shugart, Matthew. 2005. "Semi-Presidential Systems: Dual Executive and Mixed Authority Patterns". *French Politics*, 3(3): 323-351.
- Strøm, Kaare. 2012. "Roles as Strategies: Toward a Logic of Legislative Behavior". In Blomgren, M. and Rozenberg, O. (eds.) *Parliamentary Roles in Modern Legislatures*, London: Routledge.
- Vannoni, Matia, Ash, Elliott and Morelli, Massimo. 2020. "Measuring Discretion and Delegation in Legislative Texts: Methods and Application to US States". *Political Analysis*, Advance online publication.

Tables and Figures

Figure 1 – Legislative involvement: comparing legislative inflation, mean size of debates and cumulative legislative oversight



Note: “Size of debates” denotes the mean size of debates per agency. “Legislative oversight” includes the cumulated number of both committee and plenary hearings until 2020.

Table 1 – Regression results (ex-ante legislative involvement)

	Legislative Inflation (1)	Tabled Amendments (2)	Size of Plenary Debates (3)
Divided Government	-0.338 (0.266)	-0.189 (0.312)	0.041 (0.222)
Seats	0.008 (0.014)	-0.003 (0.016)	-0.020* (0.012)
Electoral length	-0.190*** (0.068)	0.419* (0.229)	-0.108* (0.057)
Sector (Social)	0.032 (0.290)	0.329 (0.325)	0.239 (0.241)
Sector (Political)	-0.213 (0.362)	-0.050 (0.422)	0.323 (0.301)
Sector (Financial)	0.161 (0.294)	-0.370 (0.330)	0.079 (0.245)
Agency location	-0.195** (0.091)	-0.213** (0.104)	-0.202** (0.075)
Number of agencies	0.106 (0.080)	-0.028 (0.098)	0.016 (0.067)
Year of enactment	0.016** (0.008)	0.006 (0.009)	0.007 (0.006)
Constant	-28.364* (15.796)	-9.709 (17.930)	-7.824 (13.154)
Observations	48	48	48
R-squared	0.395	0.328	0.336
Adj. R-squared	0.251	0.146	0.179

* $p < 0.1$ ** $p < 0.05$ *** $p < 0.01$

Table 2 – Regression result (ex-post legislative involvement)

	Legislative Hearings (4)	Legislative Hearings (minus appointments) (5)	Hearing Duration (6)
Divided Government	0.385 (0.522)	0.587 (0.532)	-0.267 (0.752)
Seats	0.021 (0.047)	0.053 (0.048)	0.003 (0.100)
Electoral Length	-0.091** (0.038)	-0.186*** (0.053)	0.002 (0.043)
Size of Plenary Debates	0.00000 (0.00000)	0.00000 (0.00000)	-0.00000 (0.00000)
Sector (Social)	0.694*** (0.145)	0.508*** (0.152)	0.252* (0.143)
Sector (Political)	0.036 (0.132)	-0.009 (0.135)	0.099 (0.166)
Sector (Financial)	0.224 (0.163)	0.394** (0.176)	0.015 (0.180)
Agency Location	-0.287*** (0.046)	-0.264*** (0.047)	-0.020 (0.058)
Agency Resources	0.007 (0.005)	-0.020 (0.013)	-0.001 (0.005)
Agency Budget	0.004** (0.002)	0.004*** (0.001)	0.001 (0.001)
Time Fixed-effects	yes	yes	yes
Observations	545	541	240
R-squared	0.180	0.173	0.028
Adj. R-squared	0.130	0.123	-0.112

* $p < 0.1$ ** $p < 0.05$ *** $p < 0.01$

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Appendix

Table A1. – List of agencies

1.	Agence française de lutte contre le dopage (AFLD)
2.	Autorité de contrôle des nuisances aéroportuaires (ACNUSA)
3.	Autorité de régulation des communications électroniques, des postes et de la distribution de la presse (ARCEP)
4.	Autorité de la concurrence (ALC)**
5.	Autorité de régulation de la distribution de la presse (ARDP)
6.	Autorité de régulation des transports (ART)
7.	Autorité de régulation des activités ferroviaires (ARAF)
8.	Autorité de régulation des activités ferroviaires et routières (ARAFER)
9.	Autorité de régulation des jeux en ligne (ARJEL)
10.	Autorité nationale des jeux (ANJ)
11.	Autorité des marchés financiers (AMF)**
12.	Autorité de sûreté nucléaire (ASN)
13.	Comité d'indemnisation des victimes des essais nucléaires (CIVEN)
14.	Commission d'accès aux documents administratifs (CADA)
15.	Commission du secret de la défense nationale (CSDN)
16.	Contrôleur général des lieux de privation de liberté (CGLPL)
17.	Commission nationale des comptes de campagne et des financements politiques (CNCCFP)***
18.	Commission nationale de contrôle des techniques de renseignement (CNCTR)
19.	Commission nationale de contrôle des interceptions de sécurité (CNCIS)
20.	Commission nationale du débat public (CNDP)
21.	Commission nationale de l'informatique et des libertés (CNIL)
22.	Commission de régulation de l'énergie (CRE)
23.	Conseil supérieur de l'audiovisuel (CSA)***
24.	Défenseur des droits (DDD)*
25.	Commission nationale de déontologie de la sécurité (CNDS)
26.	Médiateur de la République (MDR)***
27.	Défenseur des enfants (DDE)*
28.	Haute Autorité de santé (HAS)*
29.	Haut Conseil de l'évaluation de la recherche et de l'enseignement supérieur (HCERES)
30.	Agence d'évaluation de la recherche et de l'enseignement supérieur (AERES)
31.	Haut Conseil du commissariat aux comptes (H3C)
32.	Haute Autorité pour la diffusion des œuvres et la protection des droits sur internet (HADOPI)
33.	Autorité de régulation des mesures techniques (ARMT)
34.	Haute Autorité pour la transparence de la vie publique (HATVP)***
35.	Médiateur national de l'énergie (MNE)
36.	Autorité de contrôle prudentiel et de résolution (ACP-ACPR) **
37.	Autorité de contrôle des assurances et des mutuelles (ACAM)
38.	Comité consultatif national d'éthique (CCNE)
39.	Commission nationale consultative des droits de l'homme (CNCDH)*
40.	Commission de la sécurité des consommateurs (CSC)
41.	Commission des infractions fiscales (CIF)**
42.	Commission des sondages (CDS)
43.	Commission nationale d'aménagement cinématographique (CNACI)
44.	Commission nationale d'aménagement commercial (CNAC)
45.	Commission nationale de contrôle de la campagne électorale relative à l'élection du Président (CNCEEP)***
46.	Commission paritaire des publications et des agences de presse (CPPAP)
47.	Médiateur du cinéma (MDC)
48.	Haute Autorité de lutte contre les discriminations et pour l'égalité (HALDE)*

Note: *social sector; **financial sector; ***political sector

Table A2. – Means for the independent variables (standard deviations in parentheses)

	Ex-ante	Ex-post
Divided Government	0.160 (0.370)	0.084 (0.277)
Seats	61.320 (6.985)	63.189 (4.802)
Electoral Length	2.700 (1.344)	2.847 (1.593)
Sector (Social)	0.100 (0.303)	0.131 (0.338)
Sector (Political)	0.060 (0.240)	0.169 (0.375)
Sector (Financial)	0.100 (0.303)	0.078 (0.269)
Agency location	4.080 (0.944)	3.905 (0.967)
Number of agencies	2.260 (1.175)	-
Agency budget	-	69.976 (69.010)
Agency resources	-	13.393 (13.074)
Size of Plenary Debates	92,521.4 (94,101)	97,464.4 (98,547.7)
Number of observations	48	545
Number of individual agencies	48	48

Note: ‘Ex-ante’: models 1-3, cross-sectional data; ‘Ex-post’: models 4-6, panel data.

Robustness checks

We ran additional models accounting for influential observations in models 1-3 (Table A.3). This does not change substantially the results reported in Table 1. Only the effect of Agency location in Model 2 (Table Amendments) remains negative though lost its statistical significance ($p = 0.12$ in Table A3).

Table A3. – Outlying cases (models 1-3)

	Legislative Inflation (1)	Tabled Amendments (2)	Size of Plenary Debates (3)
Divided Government	-0.229 (0.247)	-0.003 (0.254)	0.054 (0.228)
Seats	0.025* (0.014)	-0.008 (0.014)	-0.011 (0.012)
Electoral Length	-0.208*** (0.062)	0.036 (0.112)	-0.043 (0.098)
Sector (Social)	0.023 (0.264)	0.460* (0.265)	0.260 (0.237)
Sector (Political)	-0.213 (0.362)	-0.050 (0.422)	0.323 (0.301)
Sector (Financial)	0.181 (0.268)	0.171 (0.310)	0.069 (0.240)
Agency location	-0.240** (0.086)	-0.138 (0.088)	-0.193** (0.077)
Number of agencies	0.105 (0.073)	0.043 (0.079)	-0.013 (0.070)
Year of enactment	0.011 (0.007)	0.009 (0.007)	0.004 (0.007)
Constant	-18.354 (14.866)	-15.832 (14.885)	-2.036 (13.183)
Observations	46	44	46
R-squared	0.450	0.277	0.323
Adj. R-squared	0.312	0.086	0.154

* $p < 0.1$ ** $p < 0.05$ *** $p < 0.01$

Adding polynomial terms (Table A4) returns broadly similar results to those reported in Table 1. One can note that in Model 1, the statistical significance of Agency location has slightly decreased, though it remains at an acceptable level of significance ($p = 0.051$ in Table A4).

Table A4. – Alternative IV specifications (models 1-3)

	Legislative Inflation (1)	Tabled Amendments (2)	Size of Plenary Debates (3)
Divided Government	-0.512* (0.292)	-0.189 (0.312)	-0.029 (0.233)
Seats	0.004 (0.014)	-0.003 (0.016)	-0.020* (0.012)
Electoral Length	-0.195*** (0.067)	0.419* (0.229)	0.049 (0.171)
Sector (Social)	0.005 (0.287)	0.460* (0.329)	0.260 (0.264)
Sector (Political)	-0.285 (0.361)	-0.050 (0.422)	0.232 (0.315)
Sector (Financial)	0.147 (0.291)	-0.370 (0.330)	0.048 (0.247)
Agency location	-0.181* (0.090)	-0.213** (0.104)	-0.183** (0.078)
Number of agencies	0.088 (0.080)	-0.028 (0.098)	-0.012 (0.073)
Year of enactment	2.637 (1.924)	0.006 (0.009)	0.006 (0.007)
Year-squared	-0.001 (0.0005)		
Electoral length-squared		-0.051** (0.021)	-0.015 (0.016)
Constant	-2,641.354 (14.866)	-9.709 (17.930)	-5.390 (13.399)
Observations	48	48	48
R-squared	0.423	0.328	0.353
Adj. R-squared	0.268	0.146	0.178

* $p < 0.1$ ** $p < 0.05$ *** $p < 0.01$

We repeat this operation for Models 4-6 (Table A5). The coefficients for Social and Agency location are robust to these alternative specifications. The statistical significance of Financial in Model 5 remains positive, though at a lower level of statistical significance ($p = 0.13$). The statistical significance of its coefficient increases in Model 4 ($p = 0.06$).

Table A5. – Alternative IV specifications (models 4-6)

	Legislative Hearings (4)	Legislative Hearings (minus appointments) (5)	Hearing duration (6)
Divided Government	0.412 (0.521)	0.543 (0.536)	-0.296 (0.749)
Seats	0.024 (0.047)	0.049 (0.048)	0.003 (0.099)
Electoral Length	-0.147** (0.052)	-0.095** (0.039)	0.007 (0.043)
Size of Plenary Debates	0.00000 (0.00000)	0.00000 (0.00000)	-0.00000 (0.00000)
Sector (Social)	0.642*** (0.148)	0.592*** (0.149)	0.258* (0.142)
Sector (Political)	0.012 (0.131)	0.024 (0.137)	0.025 (0.172)
Sector (Financial)	0.312* (0.172)	0.248 (0.168)	0.048 (0.180)
Agency location	-0.295*** (0.046)	-0.252*** (0.047)	-0.012 (0.058)
Agency resources	-0.012 (0.013)	0.011 (0.005)	-0.001 (0.005)
Agency budget	0.003*** (0.001)	0.004** (0.002)	-0.002 (0.002)
Agency resources-squared	0.0004 (0.0002)		
Agency budget-squared		-0.000 (-0.00001)	0.00001 (0.0001)
Time fixed-effects	yes	yes	yes
Observations	545	541	240
R-squared	0.183	0.163	0.039
Adj. R-squared	0.134	0.112	-0.104

* $p < 0.1$ ** $p < 0.05$ *** $p < 0.01$