What kind of veto player is the Italian Senate? A comparative analysis of European second chambers

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Published online: 30 Nov 2017.

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What kind of veto player is the Italian Senate? A comparative analysis of European second chambers

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ABSTRACT

The literature finds evidence that the presence of strong institutional veto players correlates with policy gridlocks. In recent years, in several European countries the rationale of parliamentary second chambers as veto players has been called into question. With regard to Italy, in 2016 the parliament approved a broad constitutional reform, later rejected by a referendum. According to the proponents, this reform would have made Italian institutions more functional in a comparative perspective. Did voters actually block some sort of functionality? To answer this question, this article presents a systematic comparison of second chambers in the European Union. The theoretical framework is based on three dimensions of strength, operationalized by means of quantitative indicators and a comprehensive index of strength. The article ends with a discussion of the findings and a proposal for further research outlooks.

KEYWORDS Constitutional reform; Italian parliament; second chambers; legitimacy; bicameralism; representation

Introduction

Several scholars have found a positive relation between strong veto players and policy gridlocks (e.g. Krehbiel 1996; Kreppel 1997; Tsebelis and Money 1997; Tsebelis 2002; Kastner and Rector 2003; Tsebelis and Chang 2004). Moreover, for political scientists, 'too much policy stasis disallows governments to adapt to an ever-changing world' (Tsebelis 2017, 96). In his well-known theory of political institutions, Huntington (1968) argues that an institution that is not able to adapt itself to a modified external environment is a weak institution. However, evidence of positive or negative effects of policy inertia is not straightforward. A distinction between policy stability and system stability is thus necessary. Regarding recent economic crises, Tsebelis (2017, 97), for instance, summarizes Angkinand and Willett's (2008) findings stating that 'while many veto players disallow a government from adequately responding to a crisis, too few veto players may create

instability that undermines consumer/business confidence' (Tsebelis 2017, 97). Hence, negative outcomes resulting from inertia may not depend on the presence of a strong veto player *per se*, but may rather depend on its very nature.

In recent years in several European countries, the nature – if not the very rationale – of parliamentary second chambers as veto players has been called into question (e.g. Avram and Radu 2009; Musella 2010; Russell 2012; MacCarthaigh and Martin 2015; Harguindéguy, Coller, and Cole 2016). In Italy, the parliament approved a constitutional reform on 12 April 2016, where the core provisions were the end of symmetrical bicameralism, the setup of a second chamber representative of sub-national institutions, and the recentralization of prerogatives from regions to the state (e.g. Lupo 2015; Peterlini 2016; Tsebelis 2017; Vercesi and Pansardi 2016). However, the reform was vetoed by a referendum on 4 December 2016.

This study aims both to observe the Italian parliamentarism in comparison and to assess the Italian institutional scenario after the referendum. In particular, I propose a comparative analysis based on three dimensions and systematic measurements. To my knowledge, there are no similar analyses in the literature. Often, research on parliaments, for comparison's sake, focuses only on lower chambers (e.g. Bergman et al. 2003). If any, comparative works on second chambers address few cases and specific facets of these institutions (Swenden 2004). Others account for myriad aspects but without any integrated analytic setting (Baldwin and Shell 2001; Norton 2007). Finally, some scholars have aimed to make praiseworthy generalizations about the strength of second chambers, but they have resulted either in undefined schemes (Coakley and Laver 1997; Neiva 2008) or in partial analyses (Russell 2012).

In the next section, I place the recent Italian constitutional reform in the context of the Italian history of missed reforms and define the present research questions. Subsequently, I present a theoretical framework for the study of bicameral legislatures in parliamentary and semi-presidential democracies. The fourth section addresses the relevant variables and indicators, whereas the fifth focuses on operationalizations and methodological issues. The following empirical analysis compares Italy with other European democracies. The conclusion section discusses the findings and proposes further research outlooks.

The 2016 Italian constitutional reform

The Renzi cabinet's attempt to reform Italian parliamentarism was anything but one of a series. The Italian legislature comprises a directly elected lower house (Chamber of Deputies) and a directly elected second chamber (Senate), with equal powers and functions, being 'the last of the identical [*paritari*] bicameral parliamentary systems' (Pasquino 1992, 18).[1] Since the very first moment, this parity has been highly disputed in public debate. According to Barbera (2004, 37), Italian bicameralism is 'one of the unsolved cruxes of the Constitution', while for

Russell and Sandford (2002, 81), the Italian case proves that redundancy is useless if the two chambers are based on the same representative principle. Gallagher, Laver, and Mair (2011, 61ff.) even argue that the Italian bicameralism could be considered an example of how not to design institutions. It is not surprising that Italian politicians 'are supportive of bicameralism in principle, but want a second chamber with a more distinct composition and functions' (Russell 2001b, 454).

In the republican period (1946 onwards), parliamentary bicameral commit-tees attempted to revise the Italian institutional arrangement in 1983–1985, 1993–1994, and 1997–1998. However, none of these attempts was successful (Pasquino 2002, 74–75; Bull 2015). In 2005, the parliament approved the replace-ment of the Senate with a 'federal chamber'; however, the reform was rejected via a popular referendum in 2006 (Bull and Pasquino 2007). In 2013, then-Prime Minister Enrico Letta asked a group of experts (10 'wise men') to propose a broad institutional reform, but the reforming process was blocked by inter-party disa-greements (Bull 2016). When then-Prime Minister Matteo Renzi was sworn in in February 2014, he presented the abolition of the symmetrical bicameralism as one of the distinctive goals of the new cabinet (Marangoni and Verzichelli 2014).

According to the proponents, such reform would have fostered a smoother and faster political decision-making process; the parliament would no longer have been an institutional *unicum*, and simultaneously, the government would have been able to cope with contemporary challenges more effectively. For Renzi, the reform was a sign that 'the most unstable [country] of Europe … [was becoming] the most stable' (*La Stampa*, 12 April 2016). Then-Foreign Minister and later Prime Minister Paolo Gentiloni even claimed that 'for too long, Italy has been too slow to confront its problems and too hasty to change its governments. … There is no question that amendments to our constitution are necessary in order to make our institutions more efficient'. Moreover, constitutional change 'is not just about a few tweaks to the workings of the country's institutions. The stakes are much higher than that and they concern the whole of Europe' (*Financial Times*, 29 November 2016).

These statements led to concerns about whether the referendum's results would actually maintain a parliament that, compared with those of European partners, would be less well equipped to confront contemporary changes. To what extent is the Italian Senate a powerful veto player? How strong are second chambers in the European Union? To what extent does the Italian institutional setting distance itself from those of its European partners? This article seeks to address these issues.

A framework for the study of upper chambers

Bicameralism and upper chambers' functions

The Italian legislature is bicameral. Modern European bicameralism emerged to moderate the democratic element of the elected chamber (lower house)

through an aristocratic chamber (upper house), which comprises hereditary or appointed members (Shell 2001; Barbera 2004). Today, the presence of second chambers seems especially likely in large and decentralized states, where the members usually represent territorial interests (Patterson and Mughan 1999; Russell 2001a; Taagepera 2003). However, the range of interests advocated in contemporary upper houses varies largely, from those of linguistic minorities in Belgium to the interests of the Church in the United Kingdom and those of vocational categories in Ireland (Borthwick 2001, 22–23). Second chambers are veto players in the policy-making process and constitutional watchdogs given that they are allowed to intervene in constitutional revisions (Schmitt 2014, 98).

Comparative legislative studies focus on bicameral parliaments from two main viewpoints: functional and structural (Blondel 1973; Polsby 1975; Mezey 1979; Mattson and Strøm 1995; Mastropaolo and Verzichelli 2006; Pasquino and Pelizzo 2006). On the one hand, it is argued that second chambers fulfill (or should fulfill) a couple of basic functions; on the other hand, the extent to which these functions are fulfilled depends on the structure and formal prerogatives of the upper house (Norton 1998, 205).

Leaving aside typical functions (Russell 2001b), scholars generally agree that second chambers share with their institutional siblings three broad functions. The first is the representative function. Representation can be conceived of as morphological (representation of groups or communities), sociological (reflection of voters' socio-demographic characteristics), and political (reflection of voters' ideological and party orientations). The other two functions concern legislative activity and control of the government (Cotta, Della Porta, and Morlino 2001, 318–326; Battegazzorre 2011).

Ultimately, the assessment of the effective fulfillment of these functions results in the observation of chambers' actual activities. This holds even for the representative function. As Battegazzorre (2011, 447–448) notes, the concept of representation implies in fact the idea of the active promotion of interests. In empirical research, thus, 'the representative function loses distinctiveness, fading into the … control function, and eventually turning out to be absorbed' (see also Andeweg and Thomassen 2005).

Insofar as the parliamentary branch is able to perform its functions against external resistances, one can depict the very same chamber (and thus bicameralism) as strong.

Dimensions of upper chambers' strength

The literature proposes three dimensions for the assessment of the strength of bicameralism. In his well-known study of democracies, Lijphart (2012) suggests focusing on two structural facets. The first is connected to the *formal powers* of the second chamber compared with the lower house: similar or even equal constitutional powers make second chambers stronger. In addition, the

author mentions the *compositional incongruence* between the two parliamentary branches. In this regard, he refers to the overrepresentation in the upper house of small territorial unities or minorities. However, in modern democratic parliaments, party divisions usually overcome these differences in terms of shaping MPs' behavior (Tsebelis 2002). Hence, any analysis of this second dimension cannot avoid the consideration of political divisions.

The third dimension is the perceived *legitimacy* of the second chamber within the relevant polity. The need to introduce this concept has been especially stressed by Russell (2013). According to this author, a lack of legitimacy undermines the ability of a veto player to use its institutional powers, while deep legitimation can be exploited to condition the political process and counterbalance the paucity of formal power. However, if 'there are no serious legitimacy concerns about the second chamber, the first two dimensions will in practice determine de facto bicameral strength' (Russell 2013, 386). In this sense, Russell seems to employ Barker's notion of legitimacy as connected to the justification of actions (Barker 1990, 23). This notion particularly holds when Russell (2013, 375) argues that legitimacy can be associated with the inputs, procedures, or outputs of an institution.

One of the major problems in addressing this concept for an empirical analysis is its normative and elusive nature. To escape the pitfalls of normative analysis, Russell (2013, 375) proposes operationalizing perceived legitimacy as 'social support'. However, even this operationalization does not seem useful: it either does not allow precise measurements or requires extensive and time-consuming surveys to capture public opinion's variations over time. It is no coincidence that Russell's cited work puts forward impressionistic empirical applications of only three cases (United Kingdom, Canada, Australia).

In her comparative study of institutional veto players, Heeß (2017) addresses these challenges and proposes to handle the issue by employing certain measurable proxies. According to her argumentation, a legitimate veto player in democracies can be posited as an institution that fulfills given democratic functions, where representation is the most prominent. Since the level of representativeness may be easily operationalized based on different criteria (e.g. Schmitt 2014), legitimacy can be assessed with a range of clear-cut indicators. Another positive consequence of this approach is that it allows one to conceptually distinguish between the mere instrumental support of an institution as an efficient or effective tool to achieve given goals (whatever its legitimation may be) and its (perceived) legitimacy. Legitimacy is *not* a necessary condition for support.

It is worth noting that the three presented dimensions belong to two different analytical levels. Formal powers and compositional incongruence are inherent features of second chambers, which own or do not own given characteristics. Perceived legitimacy, however, is something that is 'bestowed' from the outside, from the relevant polity; a second chamber is deemed – not is – legitimate.
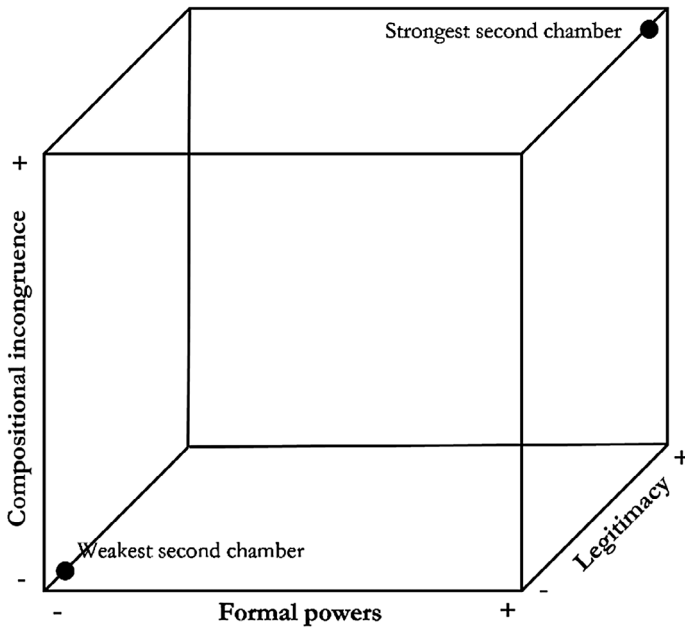
Figure 1. Three-dimensional space of the strength of second chambers.

Nevertheless, I argue that for a full assessment of bicameral legislatures guided by my research questions, the three dimensions must be considered together, as I am interested not in the origin of power resources but rather in the potential impact of these resources (if used) on the role of second chambers in the decision-making process.

Thus, upper houses can be located within a three-dimensional space, based on their strength.[2] Each dimension is a continuum, which goes from the lowest possible position to the highest. In the upper-right corner, the strongest chambers are presented, whereas in the lower-left corner, the weakest are presented. The cubic space encompasses all the possible types of second chambers (Figure 1).

Indicators

Formal powers are powers that originate from both constitutional and other statutory prerogatives. In this analysis, I focus only on the former, since they define the borders within which the latter may be exercised: they are logically antecedent and, ultimately, more important in terms of defining the scope of institutional actions. In particular, I am interested in the dialectical relationships both between the two parliamentary chambers and between the executive and legislature in the policymaking. Accordingly, I examine the formal power of control of the government *sensu stricto* and the formal power to affect the legislative process directly.[3]

Except Cyprus, all European member states are democratic countries ruled by cabinets that are accountable to an elected assembly (Samuels and Shugart 2010, 30–34). In these systems, the most prominent oversight power with which legislatures are endowed is the possibility to withdraw the confidence to the executive. As a rule, only lower chambers are responsible for no-confidence motions (Patterson and Mughan 2001; Bergman et al., 2003, 119). If a second chamber shared such a prerogative, it would be, all else equal, a stronger branch.

Regarding legislative prerogatives, the literature distinguishes between types and fields of intervention. When not merely consultative (e.g. in Slovenia), the intervention of second chambers in policymaking is threefold: these houses can introduce, amend, or veto legislation (Money and Tsebelis 1992; Tsebelis and Rasch 1995). Vetoes potentially have the greatest impact on the legislative process, since they can block the entire decision-making process. For this reason, in this article I focus only on this type of intervention. Vetoes are either suspensive or absolute. However, although even delay powers can significantly affect the decision-making process,[4] I account exclusively for final vetoes. In fact, only these powers allow upper houses – in the bill approval process – to be on an equal footing with their parliamentary siblings. I consider both amendments that cannot be rejected by the lower house without further modification and the unlimited delay of legislation to be forms of absolute veto.

Second chambers can usually block legislation only within a narrower number of policy fields. One of the most common prerogatives is the power to intervene in constitutional issues. When endowed with this power, second chambers play a crucial role in providing stability to the political system's institutions (Schmitt 2014, 7). Regarding the other fields, second chambers are often excluded from budgetary decisions (Money and Tsebelis 1992). The control of the budget is a prominent source of influence for parliaments (Heller 1997; De Giorgi and Verzichelli 2008). Indeed, many legislative provisions depend on the availability of financial resources; therefore, an upper house with this resource is, all else equal, a stronger chamber. Finally, parliamentary bills can fall within the residual category of ordinary legislation. In this case, second chambers' prerogatives can concern all or only part of ordinary legislation. For example, the German *Bundesrat* and the South African National Council of Provinces enjoy greater powers on regional matters. An exceptional case is the UK's House of Lords, which is endowed with a veto power only on Lords-initiated legislation (Russell 2012, 121–123).

The second dimension that I examine is the *compositional incongruence* between lower and upper chambers. Unless I observe the membership of each chamber in which I am interested in terms of time and space, I cannot directly assess this dimension. To make generalizations, I need to rely on proxy indicators. Focusing on variations in the partisan composition of parliamentary branches, Tsebelis and Rasch (1995, 368) propose, first, the temporal discordance between the renewal of chambers' membership and, second, the existence

of two different selection methods of MPs. Moreover, Heeß (2017) suggests considering the difference between representational principles. Indeed, if the representative references (e.g. the people, territories, and interest groups) of the chambers differ, the outcome of the selection process will also likely vary.

Third, *legitimacy* 'rests upon various factors both in relation to … composition and … competences' (Schmitt 2014, 115). For example, Lijphart (2012) stresses the role of the democratic legitimation granted by the direct election of MPs. However, this is only one factor of the list. Second chambers representing territorial entities – directly or indirectly elected – are usually highly legitimate, especially in federal countries such as the United States and Germany. In addition, legitimation can ensue from the representation of other particular groups within society. This especially holds for ethnic, religious, and linguistic minorities or other marginalized groups (Krook and O'Brien 2010; Heeß 2017). Indeed, second chambers can be legitimate as arenas for the protection of such minorities against the majority of the population represented in the first chamber. Moreover, vocational categories may be represented, e.g. in Slovenia and Ireland. Finally, upper houses can benefit from the legitimation provided by the high profile and expertise of their members, such as in the United Kingdom or in Ireland, with the representatives of universities. This representative principle is probably the most disputed in modern democracies; however, it may counterbalance the lack of other forms of legitimation to some extent (Schmitt 2014, 12).

Operationalizations and indices

I resort to multiple indicators (Pennings, Keman, and Kleinnijenhuis 2006, 69–70) to operationalize seven variables. Following an established approach in the comparative literature (Döring 1995; Poguntke, Scarrow, and Webb 2016, 677), I create countries' rank orderings from weak to strong for each variable.

The first dimension (formal powers) encompasses two variables: confidence power and power to veto bills. It is worth noting that in case of negative parliamentarism (Bergman 1993), the parliamentary investiture for a new cabinet is implicit, and no formal vote is required. For this reason, I operationalize the confidence power as the power to issue a no-confidence motion against the incumbent cabinet. It is worth stressing that some second chambers are allowed to issue no-confidence motions on their own, while others need the joint approval of their lower counterparts. Regarding legislative powers, I distinguish – from the most to the least significant policy field – between constitutional power, budgetary power, and power over ordinary legislation (i.e. on all other issues, even 'organic laws'). I treat constitutional and budgetary powers as dummy variables, while I further distinguish between total or partial power over ordinary legislation. Table 1 shows the possible scores of second chambers according to their formal powers.

Table 1. Indicators and power scores of formal powers.

Oversight of government	Score	Final veto on legislation	Score
Power to issue a no-confidence motion	2	On all legislation	11
Power to issue a no-confidence motion, but the consent of the lower house is requested	1	On constitutional and budgetary matters as well as some ordinary legislation	10
Not allowed to issue a no-confidence motion	0	On constitutional and budgetary matters	9
		On constitutional matters and ordinary legislation	8
		On constitutional matters and some ordinary legislation	7
		On constitutional matters	6
		On budget and ordinary legislation	5
		On budget and some ordinary legislation	4
		On budgetary matters	3
		On ordinary legislation	2
		On some ordinary legislation	1
		No veto power	0

The compositional incongruence dimension is operationalized through three variables: the timing of selection, method of selection, and the variation in the representative principle. For each of them, I distinguish between complete difference, partial (predominantly or not) difference, and no difference. If the chambers are directly elected, I consider different electoral systems to be two different methods of selection.[5] The possible scores are summarized in Table 2.

Finally, I analyze the third dimension (legitimacy) by relying on two variables. The first variable is related to the source of democratic legitimation *par excellence*, that is, the direct popular election of the MPs. In this regard, I refer to a slightly modified scheme of Russell (2012, 120) to identify the various possible combinations between direct election, indirect election, appointment, and hereditary office. I posit that these scenarios are ordered from the most to the least legitimizing, as far as modern liberal democracies are concerned. However, as said, there are other significant forms of legitimation, particularly in terms of representing specific interests or groups. Thus, the second variable distinguishes among (from the most significant to the least significant) territorial representation, representation of minorities,[6] representation of interest and vocational groups, and representation of personal distinction and deep expertise (Table 3). It is worth noting that, unlike others, the categories applied to the representation of interests are not mutually exclusive. Therefore, a second chamber can represent more than one type of interest.

For each dimension of analysis, I cluster the scores for each relevant variable to obtain an index of strength. The three indices – formal powers, compositional incongruence, and legitimacy – are calculated as normalized additive indices. To put it differently, the indices result from the sum of the scores obtained for each relevant rank ordering, divided by the hypothetically highest total score achievable. In formal terms,

Table 2. Indicators and power scores of compositional incongruence.

Timing of selection	Score	Method of selection	Score	Representative principle	Score
Wholly selected in a different moment	3	Different method between the chambers	3	Wholly based on a different principle	3
Majority selected in a different moment	2	Different method, majority	2	Majority based on a different principle	2
Minority selected in a different moment	1	Different method, minority	1	Minority based on a different principle	1
No difference	0	No difference	0	No difference	0

Table 3. Indicators and power scores of perceived legitimacy.

Direct election	Score	Representation of interests	Score
Wholly directly elected	10	The chamber represents territorial entities	4
Majority directly elected, minority indirectly elected	9	The chamber represents minorities	3
Majority directly elected, plus indirectly elected, appointed* and hereditary	8	The chamber represents interest groups and vocational categories	2
Majority directly elected, minority appointed	7	The chamber represents high-profile figures and expertise	1
Wholly indirectly elected	6		
Majority indirectly elected, minority appointed	5		
Majority appointed, minority indirectly elected	4		
Wholly appointed	3		
Majority appointed, minority hereditary	2		
Majority hereditary, minority appointed	1		
Wholly hereditary	0		

*I consider co-opted MPs as appointed. Those who become MPs by office are considered appointed as well.

$$I = \frac{\sum_i v_i}{n_v}$$

where I is the index, v is the value assigned on the ith rank ordering, and n_v is the highest additive score obtainable. The three indices range from 0 (very weak) to 1 (very strong). The overall strength of a second chamber is finally calculated as the simple mean between the three normalized indices.

Comparing European bicameralisms

Case selection

In this section, I compare second chambers in the European Union. To limit variations of other possible intervening variables, I seek to keep the set of compared countries as homogenous as possible in terms of the (at least potential) decision-making weight within the European Union. However, I also try to provide a group of cases that are representative of the different regions of the European

Table 4. The 10 largest parliamentary and semi-presidential democracies in the EU, 2015 (thousand).

Country	Population
Germany	81,413.15
France	66,808.38
United Kingdom	65,138.23
Italy	60,802.08
Spain	46,418.27
Poland	37,999.49
Romania	19,832.39
Netherlands	16,936.52
Belgium	11,285.72
Czech Republic	10,551.22

Source: World Bank Open Data (data.worldbank.org).

Union. For comparison's sake, I focus on countries with similar parliamentary institutional settings. For this reason, I exclude the only European presidential republic (Cyprus) and select among countries with bicameral legislatures. European membership is observed for the year 2016.

The literature highlights a relation between population size and polities' institutional and cultural features (Veenendaal 2015, 27–34). In his comparison of 36 democracies, Lijphart (2012, ch. 13) refers to 10 million inhabitants as a threshold to distinguish between countries. Following the same path, I find 10 bicameral European member states with a 10 million or higher population size[7] (Table 4). These countries score eight points or more on the Polity IV -10/+10-point scale of democracy (Marshall, Gurr, and Jaggers 2017) for the year 2015.

According to the official classification of the Multilingual Thesaurus of the European Union (EuroVoc), there are five Western countries (Belgium, France, Germany, Netherlands, United Kingdom), three Eastern countries (Czech Republic, Poland, Romania), and two Southern countries (Italy, Spain).

Findings

The three indices provide mixed evidence (Figure 2). In particular, there is large cross-country variation for the first two dimensions. In contrast, upper houses have similar values along the legitimacy dimension. Not surprisingly, the House of Lords is the exception, as it is the least legitimated chamber according to modern democratic principles. This finding indicates that second chambers endowed with a lower input democratic legitimation (direct election) tend to compensate for such a deficiency through morphological representation and vice versa.

Regarding formal powers, most upper houses approach the medium value of 0.5. Again, the House of Lords is an exception, in that it has almost no formal powers. On the side of the co-equal chambers are Italy, the Netherlands, and Romania. However, the placement of the Dutch Senate is due to the specific operationalization in the analysis. Unlike the Italian and Romanian cases, the
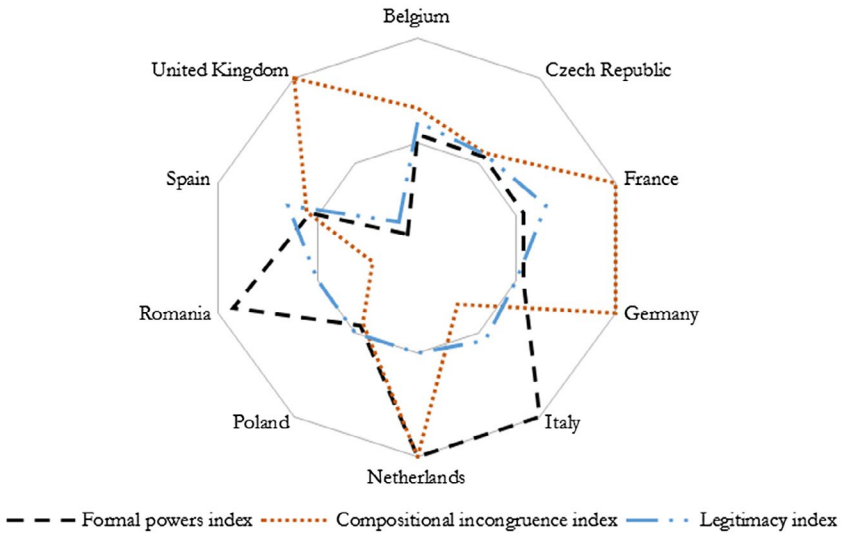
Figure 2. Indices of second chambers' strength in 10 EU countries by dimension.
Sources: Chiaramonte (2015); Inter-Parliamentary Union (www.ipu.org); International Institute for Democracy and Electoral Assistance (www.idea.int); Krook and O'Brien (2010, 257–258); Money and Tsebelis (1992, 36–39); Patterson and Mughan (2001); Russell (2001a, 2012); Schmitt (2014).

Dutch parliamentarism is not in fact symmetrical. The Dutch second chamber is allowed neither to introduce legislation nor to amend bills. Moreover, 'although the [… Senate] has the same powers of governmental oversight …, it concentrates almost exclusively on legislation' (Andeweg and Irwin 2009, 149). Nonetheless, the powers to hold the cabinet formally accountable and to vote binding bills' rejections formally make the Dutch second chamber a veto player endowed with powers that are usually bestowed on lower houses only.

Third, four chambers are particularly likely to have an incongruent membership in comparison with their institutional siblings (scoring 1). These chambers – in France, Germany, the Netherlands, and the United Kingdom – are the only ones that are fully selected with different timing. Moreover, they are fully selected with a different method (directly in France, Germany, and the Netherlands; appointed and through hereditary ways in the United Kingdom). Finally, none of their members enters office based on the principle of the democratic representation of the overall population: in France, MPs represent territorial unities and expatriates' minorities, whereas in Germany and the Netherlands, they represent territories. In the United Kingdom, they represent high-profile figures and expertise within the society (see the Appendix for details).

Overall, Italy is similar to other countries only with respect to the degree of legitimacy, whereas it is a deviant case with respect to formal powers and compositional incongruence. Only Italy and Romania have high scores on the formal powers dimension and simultaneously low levels of incongruence.

Table 5. Pearson correlation coefficient between dimensions and variables in 10 EU countries.

	Formal powers	Compositional incongruence	Legitimacy			
Formal powers	–	−0.4062	0.4759			
Compositional incongruence	−0.4062	–	−0.2779			
Legitimacy	0.4759	−0.2779	–			

	Oversight	Final veto	Timing	Method	Representative principle	Election	Interests
Oversight	–	0.7557**					
Final veto	0.7557**	–					
Timing			–	0.4771	0.4400		
Method			0.4771	–	0.2498		
Representative principle			0.4400	0.2498	–		
Election						–	−0.4209
Interests						−0.4209	–

**p < 0.05.

However, Italy is a unique case since it associates co-equal formal powers with some kind of differentiation in the timing of selection of some members of the upper house.

A further aspect to investigate is whether Italy is dissimilar with regard to the balance between institutional features. In other words, I should look for empirical regularities in the internal design of bicameralism in Europe. For this purpose, I calculate the degree of correlation of placements both on different dimensions and between variables related to the same dimension (Table 5).

Our N (10) is too small to draw statistical significant conclusions. However, intriguing insights emerge. First, formal powers show a moderate negative correlation with compositional incongruence. A similar correlation associates formal powers and legitimacy – but in the opposite direction. This result could mean that institutional designers have tended to compensate high formal powers with homogenous memberships between chambers. Concurrently, they have tried to 'justify' these high powers by legitimating second chambers. In this sense, Italy does not appear to be a deviant case.

Second, I find a strong positive correlation between the power to issue a no-confidence motion and the power of final veto on legislation. Moreover, I observe a medium positive correlation between different timings of selection and both different methods of selection and variations in the representative principles. Third, direct election is quite negatively correlated with the representation of interests other than the representation of the overall population. Once more, Italy follows the main path.

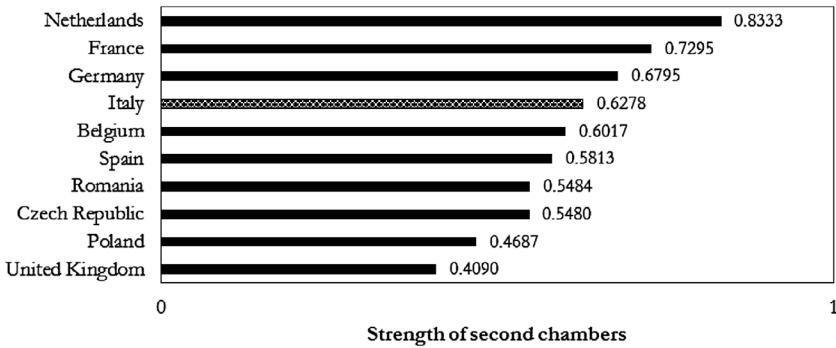Figure 3 provides an overview of the strength of second chambers based on the mean of all three indices.

Figure 3. Strength of second chambers in 10 EU countries.

Notwithstanding the exceptional powers of the Italian Senate, Italy ranks only fourth. The Italian second chamber comes out as one of the strongest in the sample, but it is surpassed by the Dutch and French Senates as well as the German *Bundesrat*. Together with the aforementioned findings, this evidence confirms the exceptionality of the Italian case. Some countries have chosen to establish a very strong second chamber to counterbalance the democratic majoritarian principle embedded in the lower house. However, this path has been followed by granting to the first chamber a formal pre-eminence in formal powers, whereas second chambers have been particularly endowed with other legitimizing representative functions. In this way, these countries rely on authoritative veto players, which are nevertheless not ultimately able to block the political process (if not under very specific conditions). Italy, in turn, has correlated these features in the other way round: the Italian Senate draws its high power from formal prerogatives. As in other large democracies, redundancy is linked to strength, however not functional differentiation. The Italian second chamber fulfills the control function mainly by replicating the lower chamber. However, compared with the other main example of symmetrical bicameralism (Romania), Italy presents even stronger powers with regard to the compositional incongruence and legitimation. This situation also holds for the Netherlands; however, as I have shown, other constitutional provisions and political practice downgrade the Dutch Senate to a fully fledged second chamber.

Discussion and research outlooks

I have provided an empirical comparison of parliamentary second chambers in the European Union, with the aim of understanding the extent to which and in which sense the Italian Senate is an outlier. Overall, the analysis has shown that the institutional rationale of the Italian second chamber diverges from the rationale both of weaker and stronger second chambers in comparable European countries. Among the five countries with the strongest upper

houses, Italy is the only one with a chamber whose strength derives primarily from formal powers and not from some sort of compositional incongruence of the represented entities or differentiated sources of legitimation. Even when powerful, other second chambers seem more inherently suitable to fulfil what Norton (2007, 7) calls 'reflection'. They are equipped with resources to persuade or even constrain first chambers, but they do so from a different position and cannot ultimately block the political process similarly to the Italian Senate.

In this article, the focus has nevertheless been on the formal rules and traits of European second chambers. To have a more detailed picture, it is necessary to consider other intertwined factors. In particular, the impact of the party system is worth mentioning. Zucchini (2013) has noted that political stalemates and a lack of policy change have been typical features of the Italian Republic. According to his analysis, these features have especially arisen from both the ideological heterogeneity of government coalitions and – when it has been the case – the lack of alternation. As long as the two chambers have been congruent, the Senate has not exacerbated the effects of these two variables. However, electoral reforms in the 1990s and 2000s have paved the way to more incongruent houses (i.e. with dissimilar distributions of policy preferences). In this regard, a test of some empirical hypotheses has shown that this situation 'slows down … the decision-making process and negatively affects … the scope of [policy] change' (Zucchini 2013, 111). Low intra-party unity (Giannetti and Benoit 2009, 5) may also play a role. In fact, the effect of the same incongruence can stem from the inability of parliamentary parties to coordinate their own MPs between (and within) the two chambers (Zucchini 2008).

Further studies can thus go forward along these lines and systematically extend the analysis of formal institutional resources to party behaviors within parliament. In addition, a venue for research may be to broaden the focus to the investigation of national executives and first chambers' own power resources *vis-à-vis* second chambers in relation to the variables considered in this article. Finally, future research can enlarge the range of variables included in this article concerning second chambers, for example by considering bills' introduction, amendments, suspensive vetoes, and further powers of oversight on cabinets.

Notes

1. Hine (1993, 189–190) speaks of 'perfectly co-equal bicameralism'.
2. A second chamber could be strong, according to my dimensions; nonetheless, it may be unable to be effective in decision making because of contingent factors or adverse structural conditions that impede the chamber from acting as a cohesive institution (e.g. a fragmented party system). This does not imply that the strength of second chambers cannot be compared, all else equal. Moreover, although the possession of given power resources can be insufficient for effectiveness, it is likely that it is what – in the QCA (Qualitative Comparative Analysis) language – is called the INUS condition. In other words, an 'insufficient but necessary part

of a condition which is itself unnecessary but sufficient for the result' (Schneider and Wagemann 2012, 79).

3. A detailed analysis of legislative powers that are not considered in this article may be found in Martin and Vanberg (2011, 44–51), where the authors build an index of the 'policing strength' of parliamentary committees. Specific references to the Italian case are found in Pansardi and Vercesi (2017).

4. See Russell (2012, 125) for a review.

5. Electoral systems are classified as proportional, majoritarian, and mixed according to the International Institute for Democracy and Electoral Assistance (IDEA) (Electoral System Design Database, http://www.idea.int/themes/electoral-system-design) and the Inter-Parliamentary Union (IPU) (Parline Database on National Parliaments, http://www.ipu.org/parline-e/parlinesearch.asp) (both accessed 4 January 2017).

6. In operational terms, I consider the existence of quotas for ethnic, religious, and/or linguistic minorities to be a sign of representation of minorities. Moreover, I consider quotas for other specific groups within society, which fall into categories of neither interest and vocational groups nor experts. Gender quotas are also excluded. I do not consider party/political minorities. Information on quotas is drawn from Krook and O'Brien (2010).

7. In 2015, Greece was the only member state with more than 10 million inhabitants and a unicameral parliament.

Acknowledgements

Disclosure statement

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Appendix. Countries' scores of strength

Table A1. Countries' scores on strength dimensions by variable.

Country	Name of chamber	Formal powers		Incongruence			Legitimacy	
		Var1	Var2	Var3	Var4	Var5	Var6	Var7
Belgium	*Sénat-Senaat-Senat* (Senate)	0	7	0	3	3	5	7
Czech Republic	*Senat* (Senate)	0	7	2	3	0	10	1
France	*Sénat* (Senate)	0	7	3	3	3	6	7
Germany	*Bundesrat* (Federal Council)	0	7	3	3	3	6	4
Italy	*Senato* (Senate)	2	11	1	1	1	7	4
Netherlands	*Eerste Kamer der Staten-Generaal* (Senate)	2	11	3	3	3	6	4
Poland	*Senat* (Senate)	0	6	0	3	1	10	0
Romania	*Senatul* (Senate)	1	11	0	1	1	10	0
Spain	*Senado* (Senate)	0	7	1	1	3	9	4
United Kingdom	House of Lords	0	1	3	3	3	2	1

Note: In Spain, 208 senators out of 266 are directly elected. The elections of the Senate have been considered as simultaneous with those for the first chamber, since they have always coincided so far. However, according to the constitution (Art. 115), the prime minister can advise the king to call the elections only for one chamber. The same applies to Italy. The 'natural' term of both the Italian chambers is five years; although the constitution (Art. 88) allows the head of state to dissolve either both or one chamber, in the praxis the Chamber and the Senate have been always dissolved simultaneously.