

Explaining disruption in the legislature: Evidence from India

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Draft paper. Please do not cite

Abstract

Frequent disruption of legislative business has important implications for the productivity of the legislature. However, despite the literature containing numerous explanations for a legislator's disruptive behavior there has so far not been an empirical examination of the phenomenon. We introduce an empirical test of the contending explanations for disruption by way of a multivariate model. To carry out the test we use time series data on legislative disruption spanning 28 years between 1991 and 2019 from the particular context of the Indian Parliament. The findings suggest that divergence of policy preference in the legislature and institutional variables such as live telecast of parliamentary proceedings are correlated with disruption. However, we find no evidence to suggest that electoral variables influence disruption. These findings bring light to the strategic intent that underlies disruptive behaviour in the legislature.

Keywords: Legislative disruption, legislative productivity, legislative politics, Parliament, India

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Explaining disruption in the legislature: Evidence from India

There is a vibrant conversation in the literature on legislative studies on the subject of obstruction in the legislature. However, most of these studies focus on obstructions in the US legislature (Binder, Lawrence and Smith 2002, Wavro and Schickler 2010, Howard and Roberts 2015). As a result, the types of obstructions that they have investigated are those that feature prominently in the particular legislative context. There is a need to broaden the conversation on legislative obstruction to also reflect the types of obstructions that are frequent in other legislative contexts.

We introduce, in this paper, a study on legislative disruption, a form of obstruction that is frequent in the legislatures of India, Taiwan, Japan and Ukraine (Spary 2010). Definitionally, a disruption occurs when legislators use 'physical' means to stall the proceedings of the legislature. In some legislatures, such as in India, this takes the form of non-violent protests on the floor of the House while in others (such as Ukraine) violent altercations are observed. Disruption is frequent in some legislatures. However, occasional instances of disruption have also been observed in the US Congress (Herszenhorn and Huetteman 2016) as well as the UK House of Commons (Spary 2014). Earlier studies (Gandrud 2016) have viewed disruption as a form of legislative violence, and tie it to the wider political environment within which legislatures operate.

We take a different view of legislative disruption as we focus on the strategic imperatives that underlie disruptive behaviour. Our argument is that legislative disruptions are intentional acts

orchestrated by political actors in order to achieve concrete political objectives. These intentions can be registering a protest (Spary and Garimella 2013) on the floor of the House or blocking of bills (Mittal et al. 2016) that are not agreeable to certain political groups. Taking this strategic view of disruption makes it akin to the other forms of legislative obstruction that have been described in the literature (Binder, Lawrence and Smith 2002).

Earlier studies (Wallack 2011, Mittal et al. 2016) on disruption have advanced a variety of arguments to explain the intent behind disruption. Some view that disruption is profitable when the legislative agenda of the government is high, others view that approaching elections present an incentive for disruption (Mukherjee 2013). However, there has, as yet, not been a systematic examination of these contending claims, nor has there been an effort to test their relative strength in the face of empirical data. In this paper, we introduce a multivariate model to test out the varied arguments on legislative disruption.

The empirical data to carry out the test comes from the particular context of the Indian Parliament. We use temporal data, collated session-wise, on disruption in the Indian Parliament spread over a 28 year time period between 1991 and 2019. The session-wise breakup of disruption data facilitates accounting of factors that have led to variation both across parliamentary terms as well as across different sessions within the same parliamentary term.

The findings of the research brings light to the set of factors that are correlated with disruption in the legislature. We find divergence of policy preference in the legislature and institutional variables such as live telecast of parliamentary proceedings are correlated with disruption.

However, we find no evidence to suggest that electoral variables influence disruption. This correlational analysis, by itself, does not imply a causal relationship. However, we feel, identifying the factors that correlate creates future prospects for a causal assessment of the individual factors affecting disruption.

The rest of the paper is organised as follows. Section two introduces the theoretical arguments in support of the chosen hypothesized factors that influence disruption. Section three describes the data and the empirical method. Section four presents the findings and the subsequent section concludes with a discussion.

Factors affecting disruption

As mentioned earlier, we focus on the strategic intent behind disruptive behaviour. This theoretical approach is similar to Binder, Lawrence and Smith (2002), which delves into the incentives and disincentives for launching filibusters in the US Senate. Building on their work, the study makes two contributions to the literature on legislative obstruction. First, we examine the factors affecting legislative disruption, which is a different form of obstruction as compared to the filibuster. Second, the investigation of disruption opens up an opportunity for looking at obstructions in a new legislative context. These two contributions have the potential to enrich the extant discourse on legislative obstruction.

The theoretical accounts on legislative disruption are organised into three categories: (1) Linked to policy preference (2) Influenced by electoral vagaries (3) Affected by institutional choices. We will now develop the arguments around each of the categories:

Policy preference

Earlier studies on legislative obstruction have identified that variation in policy preference is connected to obstructive behaviour in the legislature. One of the influences on disruptive behaviour is the number of policy issues that are up for discussion on the legislative table. If there are a large number of issues we would expect recurring struggles for which issue would get priority, leading to more occasions for conflict. Political parties have a bearing on the number and types of policy issues that get projected. The more the number of parties represented in the legislature we expect more diverse issues to get reflected leading to more chances of conflict (Sanyal 2015). So the number of legislative parties can have an influence on disruption.

Another contributing factor could be the strength of majority and minority parties. As argued by Binder, Lawrence and Smith (2002), majority party strength can play a 'pivotal' role in influencing disruption. Parties with strong majorities are likely to push their ideological agenda forcefully, which poses a sense of threat to the policy status quo. This is likely to motivate backlash from rival parties, which can take the form of disruption. Conversely, a strong minority party fuels more intense competitive politics within the legislature, thereby facilitating more conflict. Therefore, we would expect that strength of both the majority and minority parties would correlate with higher disruption.

Electoral influence

The political environment at a particular point in time could have an influence on the inclination of political actors to disrupt. For instance, we would expect that an approaching election would provide an incentive for disruption as political actors would attempt to use the floor of the House as a means to reach out to their voters. Disruption is one plausible way by which politicians attempt to attract attention to themselves and the issues they represent (Mukherjee 2013).

Similarly, the approval ratings of political actors could influence the political calculation for a disruption (Phadnis 2019). When the public approval of the majority party is high we would expect the minority party to be cautious with launching disruption. On the other hand, when there are indications that the majority party has lost public support, disruption may become more frequent.

Institutional influence

Legislative institutions are known to influence legislative behaviour but can institutions affect disruption? Two institutional influences have been identified in the literature. The first is the live telecast of parliamentary proceedings, which scholars (Kapur and Mehta 2006, Spary and Garimella 2013) view as having promoted 'grand-standing' in the legislature. We expect that disruption would increase after the introduction of live telecast of legislative proceedings.

Second is that the legislative calendar can have a bearing on behaviour in the legislature, as the calendar influences the legislative agenda that is planned for a session. In line with this

argument, we expect that the last session of a parliamentary term would have a heavy legislative agenda as the majority party would be keen to push through its unfinished legislative business. An expansive agenda prompts the minority party to launch more resistance in order to suspend the majority party's business, which can take the form of obstruction (Binder, Lawrence and Smith 2002). Conversely, we expect the budget session, where the legislative business is usually more limited as compared to other legislative sessions, to experience lower disruption (Phadnis 2019).

Having identified the factors that are likely to affect disruption, we now turn to describing the strategy for operationalising the factors.

Data and Method

As mentioned earlier, the data for analysing the factors that affect disruption was drawn from the particular context of the Indian Parliament, specifically the Lower House (Lok Sabha). We analysed data on disruption in every parliamentary session over a span of 28 years that cut across 7 parliamentary terms (10th Lok Sabha to 16th Lok Sabha).

The dependent variable, defined as *Disruption incidence*, is operationalised as the percentage of parliamentary time that is 'lost' due to disruption in a particular parliamentary session, as reported in publications brought out by the Lok Sabha Secretariat.

Data for the array of independent variables originated from different sources. The first category on policy preference was represented by three variables. The variable on *Policy demands* was operationalised as the number of parties represented in the legislature during a parliamentary term. We collated the data for the number of legislative parties from the website of the Indian Parliament. Similarly, the other two variables on *Majority party strength* and *Minority party strength* also took recourse to data from parliament's official reports. The majority party strength was measured as the number of seats won by the main ruling party³ at the beginning of the parliamentary term. Minority party strength was measured as the number of seats represented by the largest opposition party at the beginning of the parliamentary term.

The second category on electoral influence has two variables: *Upcoming election* and *Approval of the ruling party*. Upcoming election was operationalised as a dummy variable, which takes a value of 1 if a particular parliamentary session precedes or coincides with the election schedule of a state or national election. The data on election schedules was drawn from press releases and election reports published by the Election Commission of India (ECI). This election schedule data was matched with the parliamentary session schedule that was collated from the Statistical Handbook report published by the Ministry of Parliamentary Affairs.

Approval of the ruling party was operationalised from the performance of the ruling party in state elections that preceded a parliamentary session. The variable is given a value of 1 if the elections in a large state⁴ led to a change in the party in government in favour of the national ruling party, and it takes a value of -1 if the change in government is unfavourable to the

³ Main ruling party is the party that controls the Prime Minister's position

⁴ 'Large' state refers to the 15 largest states in India in terms of population.

national ruling party. We drew information about changes in government in the states from credible media sources.

The third category on institutional influence has four variables. The first variable on *Live telecast* is a dummy variable, which is given a value of 1 for all parliamentary sessions following the introduction of live telecast of parliamentary proceedings on the 24th of July, 2006⁵. Three other variables capture the intensity of legislative load. The variable on *Budget session* is a dummy for whether or not the financial budget was passed in a particular session. *First session* captures the inaugural session of a parliamentary term and *Last session* signifies the concluding parliamentary session.

Having defined the operational measures for the dependent variable and the select independent variables, we will now report the findings of the empirical models.

Findings

We first plot the Disruption Incidence across parliamentary terms in Figure 1. As one can observe, the amount of time lost due to disruptions as compared to the total time scheduled has been increasing with every term from the 12th Lok Sabha till the 15th Lok Sabha, followed by a drop in the 16th Lok Sabha. The figure also show substantive variation in disruption incidence within parliamentary terms as illustrated by the box plots pertaining to each Lok Sabha.

- Figure 1 near here -

⁵ As shared by the Lok Sabha TV's official website: <http://loksabhatv.nic.in/history>

The descriptive statistics can be found in Table 1. As mentioned earlier, Disruption Incidence in a session varies from a minimum of 0% to a maximum value of 94%.

- Table 1 near here -

Table 2 reports the results of two multivariate models (OLS and Beta Regression) that attempt to explain the variation in Disruption Incidence.

- Table 2 near here -

The results suggest that some extant theories on disruption are supported by evidence while others are not. We find credence to the competing policy preferences argument. Disruptions are positively and significantly related to the number of legislative parties represented in parliament. The strength of the majority and minority party are also significant determinants of disruption. We observe that a larger majority party is correlated with higher disruptions, which as we argued earlier, are probably because minority parties feel more threatened about changes in the policy status quo when faced by strong majority governments. Similarly, we observe that higher strength of the largest opposition party is strongly correlated with higher disruptions as opposition parties are able to exercise their numerical strength for stalling the proceedings of the House.

On the other hand, we find that variables associated with the electoral context of a session have no significant impact. There is no evidence to suggest that an impending state election motivates disruptive behaviour or that the results of a recent state election influences disruption.

Among the three categories of variables that we evaluated, the institutional influences seem the most powerful. We observe a significant and positive connection between the introduction of television of proceedings and disruption incidence. In other words, we find that disruption has increased after live telecast of Lok Sabha proceedings was introduced.

Further, the type and timing of a session shows statistical significance. The budget session is inversely associated with disruptions, possibly because budget sessions are associated with lower legislative load. Lastly, the timing of the session in a parliamentary term is salient. We observe that the last session of a parliamentary term correlates with higher disruption as the legislative load is expected to be high and with limited time left, the ruling party is desperate to push through unfinished legislative business. This motivates more disruption from the opposition. However, we found this variable to be significant only in the OLS model and not the Beta regression model. Finally, the first session of the parliamentary term coincides with lower disruption as the opposition is reluctant to oppose the ruling party when the latter's political capital is high after a recent electoral victory.

Discussion and Conclusion

The study introduces the first effort to empirically validate the extant explanations for disruption in the legislature. Our analysis of disruption data from the particular context of the Indian Parliament reveals that policy preference and institutional design have an influence on disruptive behaviour. However, we find no evidence to suggest that disruption has a connection with electoral variables such as the electoral schedule of state elections or the results of state elections. These findings bring light to the strategic intent that underlines disruptive behaviour in the legislature, an aspect that was under-emphasised in earlier studies that were anchored on the spontaneous character of legislative disruption.

While the findings are striking and enrich the understanding of the phenomenon of legislative disruption, we would like to qualify the findings with a couple of caveats. First the relationships that we have identified are primarily correlational and are not in the nature of causality. However, the study is able to provide some support to the extant conjectures on disruption and reject others. For instance, we find that the competition in the House is linked with disruption. Strength of the majority and minority parties is key in determining disruption. The live telecast of proceedings has also coincided with higher disruption, as MPs compete for television coverage in a national arena. A convergence of legislative agenda in the Budget Session is marked with lower disruption: this has interesting implications. Lastly, the temporality of disruption in the parliamentary term provides interesting opportunities to the parliamentarians. The data shows that while the first session of the parliamentary term witnesses fewer disruption, the last session of the term coincides with higher disruption.

The second caveat concerns the limitations of the data that we worked with. Data on disruption incidence has been officially published by the Indian Parliament only after 1991, which posed limitations on the size of the data and the legislative period that we were able to analyse. However, the fact that many of the hypothesized independent variables show significance despite the small size of the data (high standard error) suggests that the influence of these variables is high.

We anticipate that this research would motivate further studies along three different threads. First, it may be interesting to test the same set of explanations using data from another legislative context say Ukraine or South Africa to investigate similarities and differences across legislative contexts. Second, the analysis could be enriched by collating more granular data on disruption events. For instance, information on the recurring themes around which disruption is organised, the types of bills that are attempted to be blocked and the effect of extraneous influences (economic and political factors) could present valuable insights. Third, the research highlights the advantages of making meaningful comparisons between different forms of legislative obstruction, by demonstrating how an earlier study on filibusters can bring light to the factors that affect legislative disruption. We hope that this study motivates more comparative research on the subject of legislative obstruction.

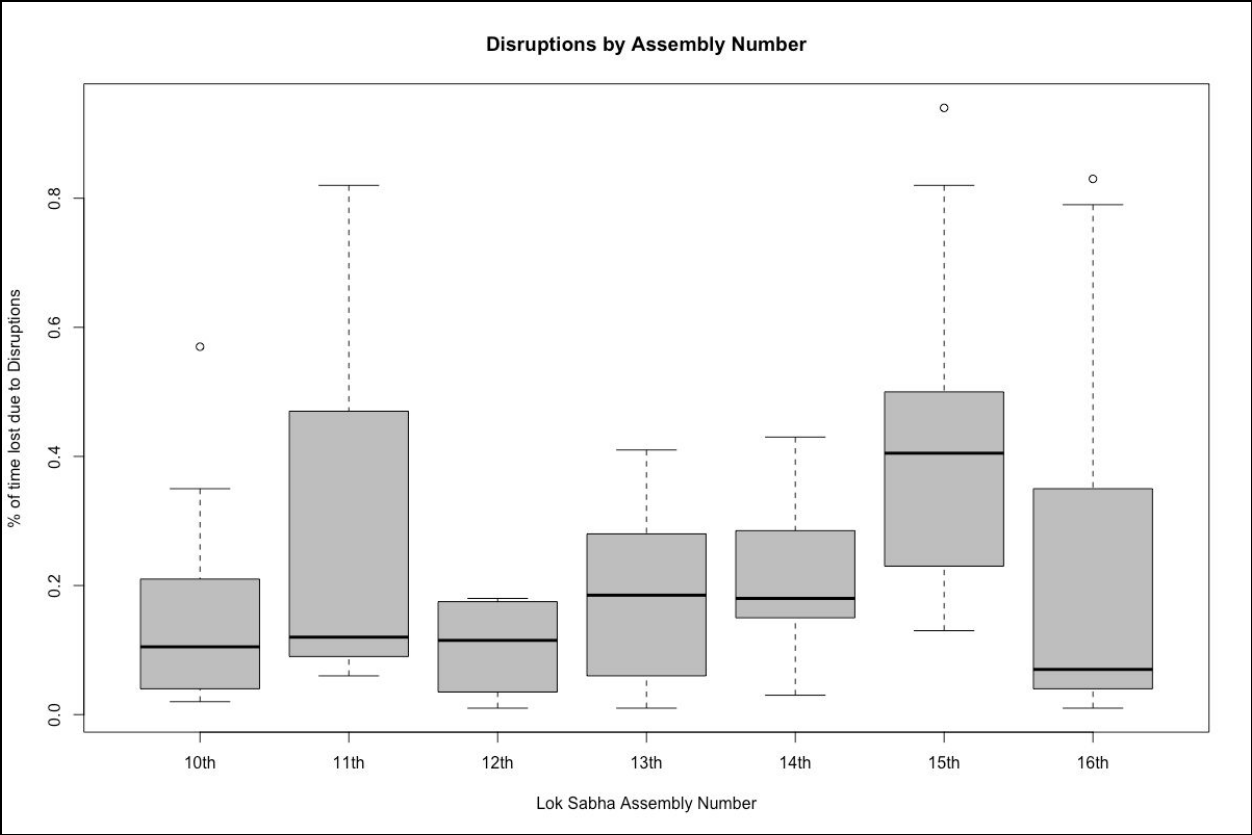
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Figures

Figure 1: Term-Wise Disruptions: 10th to 16th Lok Sabha



Tables

Table 1: Descriptive Statistics (n = 86)

<i>Explanation</i>	<i>Variable</i>	<i>M</i>	<i>SD</i>	<i>Mini- mum</i>	<i>Maxi- mum</i>
	Disruption Incidence	0.30	0.22	0	0.94
<i>Divergence Policy Preferences</i>	<i>in</i> Competing policy priorities	12.77	2.52	8.00	16.00
	Majority Party Strength	206.9	49.4	140	282
	Minority Party Strength	109.9	34.2	44	161
<i>Electoral Context</i>	Upcoming Elections	0.37	0.37	0.00	1.00
	Approval for ruling party	0.03	0.18	0.00	1.00
<i>Institutional Influences</i>	Live Telecast	0.45	0.50	0.00	1.00
	Budget Session	0.37	0.49	0.00	1.00
	Last Session	0.07	0.26	0.00	1.00
	First Session	0.08	0.28	0.00	1.00

Table 2: Analysis of Time Lost due to Disruptions, 10th to 16th Lok Sabha

<i>Explanation</i>	<i>Variables</i>	(1) <i>OLS</i>	(2) <i>Beta</i>
<i>Divergence in Policy Preferences</i>	Competing policy priorities	0.041 . (0.021)	0.233 * (0.095)
	Majority Party Strength	0.004 . (0.002)	0.022 * (0.009)
	Minority Party Strength	0.005 * (0.002)	0.030 ** (0.010)
<i>Electoral Context</i>	Upcoming Elections	0.048 (0.049)	0.182 (0.226)
	Approval for ruling party	-0.025 (0.126)	-0.049 (0.559)
<i>Institutional Influences</i>	Live Telecast	0.136 * (0.055)	0.684 ** (0.247)
	Budget Session	-0.103 * (0.049)	-0.459 * (0.230)
	Last Session	0.153 . (0.090)	0.448 (0.389)
	First Session	-0.159 . (0.087)	-1.001 * (0.483)
<i>Observations</i>		86	79

Column (1) reports the results using OLS regression for the percentage of time lost due to disruptions per session. Column (2) reports the results using Beta regression for the percentage of time lost due to disruptions per session.

Note: Parameter estimates calculated using `lm()` `betareg()` in R version 3.5.3

Significance codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1

Multiple R squared: 0.2431 (OLS); Pseudo R squared: 0.2717 (Beta)