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Vote-earning strategies in flexible list systems: Seats at the price of unity☆

Brian F. Crisp*, Santiago Olivella, Michael Malecki, Mindy Sher

Washington University in St. Louis, Political Science, One Brookings Drive, St. Louis, MO 63130, United States

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ABSTRACT

In theory, flexible list systems are a compromise between closed-list and open-list proportional representation. A party's list of candidates *can* be reordered by voters *if* the number of votes cast for an individual candidate exceeds some quota. Because these barriers to reordering are rarely overcome, these systems are often characterized as basically closed-list systems. Paradoxically, in many cases, candidates are increasingly earning individual-level preference votes. Using data from Slovakia, we show that incumbents cultivate personal reputations because parties reward preference vote earning candidates with better *pre*-election list positions in the future. Ironically, the party's vote-earning strategy comes at a price, as incumbents use voting against the party on the chamber floor to generate the reputations that garner preference votes.

1. Introduction

Variations in electoral systems alter the incentives members of parliament (MPs) face to strike a balance between enhancing their own personal reputations and enhancing the shared reputations of their parties when seeking to further their careers. Where voters can express a preference for individual candidates within parties, existing theory suggests that representatives will enhance their personal reputations in order to carve out individual bases of support. Where voters do not choose from among copartisans, instead simply casting a vote for a preferred party, theory suggests that individual legislators will dutifully enhance the reputations of their parties in order to build its broad policy appeal (Carey and Shugart, 1995). On the continuum of personal vote seeking versus party vote seeking incentives, flexible list systems constitute something of a compromise.

Flexible list systems include at least the option of expressing a preference for an individual candidate or candidates. They are, or have been, used in several countries, including at least Austria, Belgium, the Czech Republic, Denmark, Estonia, Indonesia, Norway, the Netherlands, Slovakia, and Sweden. In these systems, a party's list of candidates *may* be reordered as a result of the preference votes individual candidates receive, but, unlike open list systems, the list is only disturbed if individual candidates have cleared some threshold of preference votes received. This threshold varies across flexible-list proportional representation (FLPR) systems. The infrequency with which list reordering requirements are surpassed has led many scholars to characterize flexible list systems as little more than closed-list systems in disguise (Farrell, 2001; Müller, 2005; Andeweg, 2005; De Winter, 2005).

In Slovakia, the case from which we will draw data, voters receive a paper ballot for every party competing. The names of all the party's candidates appear on its ballot with the order of the names determined by party leaders. Voters must place one ballot in an envelope, thus indicating their

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* Corresponding author. Mailing address: One Brookings Dr., Campus Box 1063, St. Louis, MO. 63130, USA. Tel.: +1 314 935 5810.
E-mail address: crisp@wustl.edu (B.F. Crisp).

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party vote. They can leave that ballot unmarked, or, if they so choose, they can circle as many as four names, indicating individual preference votes.[1] A candidate originally (in 1998 and 2002) had to receive individual preference votes equivalent to 10% of his or her party's votes before moving up the list, but since the 2006 elections that threshold has been lowered to 3%. Candidates clearing the threshold are moved to the top of the party's list in the order of preference votes received. Candidates not clearing the threshold are left on the list immediately below them in the order originally determined by the party. Even with the lowered barrier, as is common in other flexible list systems, relatively few candidates actually move from a list position that would have left them on the outside looking in to a list position that results in a seat in parliament. In the four elections between 1998 and 2010, 20 of 600 members, or only about 3% of MPs, won a seat because of the preference votes they received and almost all of those in the lowered threshold era.

Still, despite their seeming irrelevance for the composition of parliament, across flexible list systems, candidates continue to earn preference votes when voters could simply cast a vote at the level of the party. Nearly 30 years ago, Marsh (1985) noted that exercising the option to express a preference for an individual candidate (or candidates) was on the rise across many European countries where it was allowed, and Karvonen (2010) reports that, if anything, the trend has accelerated. In Slovakia, the expression of an intraparty preference for individual candidates rose quickly after the adoption of the system and remains high. In 1998, the first time the flexible-list system was used, 54% of voters chose to express a preference for individual candidates within a party. Not a single candidate for the 150 member National Assembly moved from an unelected to an elected list position. The number of voters expressing an intraparty preference jumped to nearly 68% of voters in 2002, still moving only one candidate into a winning list position. After the reform lowering the threshold for being moved up one's party list, the percentage of voters expressing a preference for individual candidates increased to about 78% in 2006 and – but slid slightly to 73% in 2010. With the lower threshold, these votes managed to move 7 and 12 candidates, respectively, into winning list positions – still only about 6% of MPs (Beblavý and Veselkova, forthcoming). We seek to understand why it is that candidates, particularly incumbents seeking reelection, bother to spend any time earning preference votes when it seems very unlikely that they will have an impact on the final results of parliamentary elections.

As we will develop in detail below, we reason that parties have incentives to put candidates capable of generating preference votes on their lists. Having preference vote earners may generate higher levels of turnout among the party's supporters and may lure to the party voters who had only a weak level of partisan sentiment for another party. From the perspective of the candidate, given the infrequency with which moving to an elected list position occurs, a primary goal has to be achieving a position in the *pre*-election list order that is near enough to the top to gain a seat. Empirically, we show that parties, presumably in a search for more votes, rationally put members who have shown the ability to garner preference votes in better pre-election list positions in the future.

A candidate's ability to garner individual preference votes is a function of his or her personal reputation. Cultivating a *personal* reputation allows an individual MP to stand out from the crowd – including copartisans. Many attributes and activities can be used to earn a reputation.[2] How hard an MP works in pursuing the policies preferred by voters and how he or she votes when those policies are under consideration can earn an MP support. It has been shown that in order to build a personal, as opposed to partisan, an MP has an incentive to vote against his or her party's line when the MP's supporters disagree with party leaders (Hix, 2004; Carey, 2007). We show empirically that in Slovakia one phenomenon associated with the number of preference votes earned by incumbents seeking reelection is their infidelity to the party on roll call votes.

Taken together then, party leaders' incentives to reward incumbents with the personal reputations capable of earning preference votes has a perverse effect. Flexible list systems force party leaders to make a tradeoff between seat share and party unity. Notable MPs generate votes for the party, but their notability is associated with, perhaps even caused by, defecting from the party's ranks in parliament.

2. The logic of pre-election list placement

It is almost self-evident to say that party leaders want attractive, high-quality, notable candidates. The term "list pullers" is used in reference to candidates with individual reputations so strong that they bring out voters above and beyond what any shared party reputation can do. In very different electoral contexts, it has been shown that voters abstain when they do not observe attractive individual candidates or when they cannot differentiate between candidates (Adams and Merrill, 2003; Sagrera, 2011). Thus, party leaders have an incentive to make sure that notable candidates appear on the party's list in order to assure that their supporters have every reason to expend the effort of going to the polls. Not surprisingly, former Prime Ministers and cabinet members make good list pullers. But the search for "notable" candidates to fill the best party list positions can range quite far afield. In Slovakia, for example, it makes the news when famous sports figures – including former

[1] They need not use all four of their preference votes. They can only express preferences for candidates from the list they selected with their list vote (no *panachage*). They cannot express more than one preference vote per candidate (no *cumulation*).

[2] For example, being a native of a district, having past political experience there, and maintaining a presence in the district once in office – having an effective "home style" – are means of making sure that prospective supporters can single one out (Shugart et al., 2005; Heithusen et al., 1999). The focus on "districts" is not straightforward in Slovakia given the use of a single, nationwide district. Still, in at least one nationwide district, work has shown that an effective homestyle can lead to the creation of bailiwicks or strongholds for individual candidates (Crisp and Desposato, 2004). We intend to pursue this theme in future research.

NHL hockey players, the coach of the national soccer team, and even a World Cup *referee* – are named to a party's list (Jurinová, 2006a; Terenzani-Stanková, 2010).

The individual quality of candidates and their personal characteristics not only influence partisans' decisions about whether to turnout, but it also influences *for whom* voters cast their votes (Stone et al., 2010). The influence of individual-candidate factors may be particularly prominent among voters who are least politically aware or who hold a less firm sense of partisan identification (Hayes, 2010; Atkinson et al., 2008), but several studies indicate that individual-candidate characteristics influence knowledgable partisans as well. In "Candidates or Parties?" Marsh (2007) shows that many voters in Ireland, where the single-transferable vote (STV) system means that voters must rank candidates – including copartisans – make their vote choice on the basis of candidate, rather than party-level, factors. Importantly, Canache et al. (2000) show that this kind of decision-making is widespread in electoral settings, including Mexico and Venezuela, where voters do not even have the option to distinguish among copartisans. In other words, even in systems that greatly privilege the party's shared characteristics, individual reputations or notoriety matter.

Adams et al. (2011) are even able to show that candidates who are superior to the their competitors in terms of "character-based valence" have an incentive to downplay ideological factors, adopting moderate positions so that their individual attributes will be the deciding factor in voters' minds. In an effort to bring individual characteristics to the forefront of a recent parliamentary race in Slovakia, the watchdog group Fair Play Alliance and other NGOs mounted the "four circles for honest politics" campaign during the run-up to the 2006 parliamentary elections in Slovakia, encouraging voters to use all four of their preference votes (the "four circles" on the ballot paper) to select the individual candidates they trusted most due the candidate's high "ethical standards". The NGOs reported that MPs were taking preference votes more seriously and as a result were working to develop individual "line[s] of communication with the people" (Jurinová, 2006b).

Notability, attractiveness, and quality have been defined quite broadly in the existing literature. "Attractive" has been taken quite literally to mean physically attractive. Research has shown that American, Indian, Mexican, Brazilian, and German voters are swayed in their vote choice by good looks (Lawson et al., 2010; Klein and Rosar, 2005). Somewhat less superficially, "facial competence" too has been shown to give candidates an advantage (Olivola and Todorov, 2010). Of course, qualities other than good looks generate votes. Levels of education, previous posts held, and past performance while in office are often cited as determinants of an individual candidate's level of support. For example, Martin (2010) shows that Irish MPs who show higher levels of constituency orientation and effort in one term receive relatively higher levels of support in the next election. In the nationwide district for Colombia's Senate (like the nationwide district used to elect Slovakia's parliament), Crisp and Desposato (2004) show that incumbents, competing against the opposition and copartisans alike, can shore up strongholds and gain votes in areas not currently dominated by others by visiting constituents frequently between elections. In a related line of reasoning, with pooled, time-serial data from six countries, Shugart et al. (2005) show that parties may choose candidates born in a particular area and with local political experience in an effort to attract the voters in that area – as they say, parties are "Looking for Locals". These individual level, personal vote-earning attributes are particularly prevalent where candidates must compete against many copartisans, as they do in Slovakia.

Fielding notable candidates does not come without a cost, however. Individually attractive candidates who can bring supporters to their parties are less dependent on the party's shared reputation for reelection. Tavits' work makes concrete the price parties pay when nominating candidates who are notable. For Estonia, she shows that candidates with local ties are more likely to get elected, but once they are elected they are more likely to break unity with their copartisans (Tavits, 2010). Their local ties bring the party votes, but they also make the MP less dependent on party leaders for sustaining his or her career. Similar evidence has been presented by Kam (2009) for Westminster parliamentary systems, and Heidar (2006) suggests that a comparable phenomenon has occurred in the Netherlands as a result of reforms to the flexible-list system that give MPs a "a stronger personal mandate." Based on a broader dataset of five European countries, Tavits (2009) shows that legislators who have "individual support bases are more likely to be individualistic and so break party unity in parliament. They are simply less dependent on parties for their careers, political and otherwise". Cantor and Herrnson (1997) find something similar in the United States House of Representatives. They show that Democratic candidates who receive a great deal of help from the party developing their campaign message are more likely to vote with the party in the future, while those less in need of the party show greater voting independence. Likewise, distinguishing between the tiers of the mixed-member electoral system, Sieberer (2010) shows that members of the German Bundestag who are more dependent on their personal reputations for election have a lower probability of voting with their party than members who are relatively more dependent on the party's shared reputation for election. Both Kunicova and Remington (2008) and Thames (2005) found the same thing for members of the Russian Duma.

Moreover, the relationship can become self-reinforcing. Vivyan and Wagner (2012) show that, under certain conditions, a party's supporters will reward British MPs who break party discipline with higher levels of support in the future. In the American context, Carson et al. (2010) also show that members of the House may be punished by voters if they toe the party line too consistently. They relate the case of Rob Simmons (R) who won his bid for reelection in his Democrat-leaning, Connecticut district in part because of his moderate voting record on the floor, where he often voted against the majority of his copartisans. Two years later he was defeated by his Democratic challenger who portrayed Simmons's "voting record as being too loyally Republican". Simmons lost his individual reputation for being a maverick within his party, and it cost him his seat. Similarly, (Kam, 2009) relates an interview with a Canadian Liberal MP, who argued that his independent behavior while in office won him "a margin of around 10

percent" in his right-of-center riding. As evidence of his personal reputation, the MP pointed out that in the last election 700 ballots had to be annulled because voters had ticked his name but then crossed out the name of his party (legally rendering the ballot spoiled) (pp. 25–26).

The possibility that voters are drawn-in by systematic dissent on the part of MPs suggests that parliamentary discipline need not be a zero-sum game (Kam, 2009). Although potentially damaging for a party's "brand name" and its policy interests, parliamentary indiscipline can also serve the party on different fronts. For instance, the literature on the "clarity of responsibility" of public officials suggests that parties with lower levels of discipline (and therefore less clearly identifiable as unitary actors) are less susceptible to backlashes resulting from poor policy outcomes, such as bad economic performance (Powell and Whitten, 1993) or corruption accusations (Tavits, 2007). Similarly, the added support brought in by maverick MPs could well offset the effects of their legislative dissent – provided this support is enough to increase the party's parliamentary standing in terms of seats. After all, voters cannot cast a preference vote for an individual without giving her party a vote in the process. Furthermore, solely in terms of expected voting outcomes within the parliament, the party should be indifferent between having 2 sitting MPs who always toe the party line and 4 MPs who are expected to vote against the party half the time. As a result, the trade-off between discipline and electoral support that comes from notables with maverick tendencies need not be exclusively damaging to the party.

More specifically, existing work on Slovakia identifies instances when individual candidate characteristics were essential in explaining a party's aggregate level of support. Haughton and Rybář (2008) conclude that the popularity of then Social Affairs Minister Iveta Radičová – the highest preference vote-getter for the SDKÚ-DS in the 2006 election – generated votes for her party that the party would not have obtained otherwise. Billboards with Radičová's picture and the slogan "it's about sensitive and just solutions" had appeared across the country, putting a softer edge on the government's market-oriented program. Her preference vote total even surpassed that of the Prime Minister, Mikuláš Dzurinda, who held the top position on the party's pre-election list of candidates. After taking her seat in parliament for the 2006–2010 term, she broke discipline more frequently than the average member of her party, voting with the party about 78% of the time while the average member voted with the party roughly 87% of the time. Despite (or because of?) her maverick tendencies, she was rewarded for her service with the party's top pre-election list position in 2010 – not only securing her reelection but eventually becoming Prime Minister.[3]

In sum, then, MPs have good reason to show that they can generate preference votes. If they can show that they attract voters, they are more valuable to party leaders. In other words, having a personal reputation is important even if it does not frequently lead to moving from an unelected to an elected list position. In fact, this phenomenon may be rare precisely because party leaders astutely put candidates with the ability to garner votes for the party near the top of the party's *pre-election* list – where the candidates' supporters would expect to see them. Simply putting notables on the list in what would appear to be unelectable positions may serve to alienate voters rather than attract them, as voters know that moving from an unelected spot to an elected one is rare. Unfortunately for party leaders, as in many walks of life, dealing with the individually notable is not without its trials. Whether we refer to them as "mavericks" or "prima donnas," the individually notable tend to go their own way. Thus, as a result of the incentives institutionalized in the flexible-list electoral system, party leaders may be willingly purchasing electoral support at the price of party unity.

We now test this line of reasoning using pre-electoral list placements, individual legislative discipline, and the number of preference votes cast for MPs in Slovakia. Finding that past preference votes enhance a candidate's reelection chances by leading to a better pre-election list position in the future, and that preference votes are earned with notable behavior (perhaps even including infidelity to the party line) would constitute evidence that the flexible list electoral rules induce parties to trade strength in size for strength in discipline.

3. Empirical analysis

The logic behind our theory must be evaluated in two steps. First, we will test whether MPs who obtain a large number of preference votes get better pre-election list positions before the next election. Second, we will evaluate whether MPs who show lower levels of party discipline during one parliamentary period earn more preference votes in their next bid for reelection than candidates who were similar but showed more party discipline.

To perform these tests, we constructed a dataset of the electoral fortunes and parliamentary behavior of all sitting MPs in the National Council of the Slovak Republic (*Národná Rada Slovenkej Republiky*) for the 2002–2006 and 2006–2010 parliaments. Through automated web scraping, we collected a large dataset of electoral results from the Slovak National Statistics Office (*Štatistický úrad Slovenskej republicky*),[4] disaggregated to the precinct level for all candidates running in the 2002, 2006, and 2010 elections. We used this data to count the total number of votes cast for each party and the total number of preference votes expressed for each individual candidate. For reasons suggested in the literature review above and discussed in more detailed below, we were able to use the most disaggregated form of this data to measure the degree of spatial concentration of individual-candidate support.

[3] A more general version of the point is made by Rybář and Deegan-Krause (2008) about SDL's (Party of the Democratic Left's) successor *Smer* (Direction). They point out that the two parties espoused similar policy programs, but that *Smer* quickly came to dominate their shared part of the ideological spectrum due in no small part to the "charisma" of its leadership team – including 2012 Prime Minister Róbert Fico. Thus, their explanation for the party's aggregate level of support is based in part on the attributes of individual candidates.

[4] http://portal.statistics.sk/.

As we will explain in detail below, in order to evaluate MPs' efforts to cultivate personal reputations, we collected voting records (roll calls are mandatory on parliamentary business) from the 2002–2006 and 2006–2010 parliamentary periods (a total of 1,679,420 individual decisions). Roll call vote results allow us to observe "maverick" behavior on the part of individual MPs and, aggregated to the party level, the price parties pay for nominating "notables". An additional measure of MP work is a count of all bills and amendments introduced (a total of 307 pieces of legislation) during the same periods. While not having a direct effect on party unity, sponsoring legislation may give MPs fodder for claiming to have worked harder than their competitors. In short, based on data scraped from the National Council's own website,[5] we can capture each individual MP's efforts to cultivate the individual reputation necessary for garnering preference votes.

The combination of these two primary sources resulted in a dataset comprised of 326[6] observations at the MP-term level, from which we selected the subset of 227 legislators who did not retire (those who stood for reelection) after serving in just one of our included parliamentary periods.[7]

3.1. Do preference votes buy a better list place?

The outcome variable in the first step is the *pre*-election list position assigned to a sitting incumbent who, by definition, obtained a *post*-election list place good enough to obtain a seat in the immediate past. It can therefore only take on positive integer values and, given that we only consider candidates who have won, we expect its distribution to be right-skewed. How to model such a variable is not straightforward. Despite the fact that most lists have 150 available positions (i.e. the number of seats in the assembly), regular linear regression models would not be appropriate in this case as too many linear predictions would be negative. However, the natural alternative – a truncated Normal model – would generate non-sensical fractional list positions. Furthermore, although list positions are similar to counts there is no stretch of time (or space) over which these "counts" occur, making the Poisson's mechanistic interpretation hard to defend. Finally, although the integer and ordinal quality of the list places would seem like the right type of data to model using an ordered categorical model (such as the ordered logit), 150 places are simply too many categories to be computationally tractable.

In general, then, no single model seems to perfectly address all the stochastic nuances of the plausible list-position generating processes. As a result, we adopt two different modeling strategies in hopes of capturing, from different angles, the data generating process. First, we estimate a negative binomial model, treating list positions as (possibly overdispersed, given the possibility that bad – such as the 150th – list positions are observed) counts. Second, we divide list positions into five ordered categories with roughly equal number of observations in each category,[8] and we fit an ordered probit model. Despite their fundamental stochastic differences, both models share their systematic components.

In general, we model our outcome variables using variables of interest – including the number of preference votes obtained in the previous election. More specifically, for an individual member of parliament i,[9] we let

$$\mu_i = \beta_0 + \beta_1 * \textit{Preference Votes}_{i,t-1} + \beta_2 * \textit{Sponsored}_{i,t-1} + \beta_3 * \textit{Discipline}_{i,t-1} + \beta_4 * \textit{List Position}_{i,t-1} + \beta_{Term[i]} + \beta_{Party[i]}$$

where $\beta_0 \equiv 0$ in the ordered probit model, and both $\beta_{Party[i]}$ and $\beta_{Term[i]}$ are (non-random) intercept offsets by party and legislative term, respectively.[10] Our covariate of primary interest in explaining pre-election list position awarded the candidate by the party is the number of individual-level preference votes the candidate earned in the previous election. This captures our reasoning that party leaders want to have the top of their list populated by candidates who have shown that they can get voters to the polls and earn their votes.

We control for other features we think might make an incumbent stand out in the eyes of party leaders if they are also things that might effect the number of preference votes the incumbent candidate will earn. First, we reason that being a "hard worker" would be one way to obtain the admiration of your party's leaders and could also be related to an effort to stand out personally in the eyes of potential voters. Therefore, we include a control for number of private-member bills and amendments sponsored – *Sponsored*. On average, each of the members included in our sample sponsored around 13 bills and amendments in any given parliamentary period, with members of HZDS and Smer – the two most important parties during the time of our study – being in general the most active, even after accounting for party size.

If party leaders understand that infidelity leads to notoriety and that notoriety leads to votes, as reasoned above, they will reward "mavericks" with better pre-election list positions ("better" in this case is a lower number, not a higher one). If they fail to grasp this rationale, we might expect party leaders to reward "disciplined soldiers" with

[5] http://www.nrsr.sk/.

[6] The National Council is comprised of 150 members. The additional 26 observations come from members who took over a seat during the legislative term *and* for whom we had electoral information.

[7] All data and data analysis R code is available for replication purposes at http://solivella.wustl.edu/replication-data-and-code/.

[8] These categories are 'From position 1 to position 5'; 'From position 6 to position 13'; 'From position 14 to position 26'; and finally 'From position 27 to position 150'. Although the last categories would seem to comprise a comparatively high number of possible positions, this categorization results in a roughly even division of observations among ultimately winning candidates, with roughly 56 units in each category. Substantive results have proved robust to divisions into a different number of categories (viz. 3–7) and to the use of different category cutpoints.

[9] We do not endeavor to explain the pre-election list position of MPs who switched parties, running for a different party in time t than in time t-1. Twenty switching MPs were excluded from our analysis for this reason.

[10] The 2002 term and the ANO party are our baseline categories.

pre-election list positions near the top of the party's slate.[11] To test these possibilities we include a measure of *Discipline* – the proportion of votes cast in which the legislator voted with the majority of his or her party. In either case, discipline ought also affect the strength of an incumbent's personal reputation, and we therefore include it as a control in the model testing whether preference votes explain pre-election list place assigned.

We also control for the MP's pre-election list position in the previous election – *ListPosition*. We want to assure that we are not simply capturing the fact that MPs are placed high on the list *prior* to the election at time *t-1*, leading them to get plenty of preferences votes at time *t-1*, and then get an equally high pre-election list position at time *t*. This is a plausible scenario, as there seems to some continuity in terms of list placements over time.[12] The list position awarded a candidate almost certainly reflects leaders' assessment of candidate quality. Anecdotal evidence suggests that leadership ability, a reputation for honesty, policy expertise, etc. figure into leaders' decisions about where to place a candidate. Thus, we measure the impact of earning preference votes on *subsequent* pre-election list place holding *previous* pre-election list place constant, so that our results on the effects of preference votes can be used to make statements of the sort "Assume two candidates are held in equally high esteem by their parties and rewarded with equally good pre-election list positions. If one of them proves to be better at earning individual preference votes, she will be rewarded in the future by her party relative to her counterpart – despite the fact that they were originally thought of as equals".

Finally, we include both legislative term and party fixed effects in order to account for heterogeneity in list placement strategies across terms and across parties. In general, party leaders may strategically move their candidates up or down the list in response to changing voter preferences or simply as a result of different electoral strategies as a function of, for example, whether the party was in government during the previous period. So, we control for any differences in strategic behavior across time and party.

Table 1 in the Appendix presents the results of both estimations. Both models fit the data well,[13] and they are significant improvements with respect to the null model. Moreover, both models tell a very consistent story: the effects are not only equally discernible from zero and in the same direction, but the relative impact of the comparable variables remains the same across models. In general, given that we have standardized all continuous variables, both models suggest that the most important predictor of future list placement is, not surprisingly, *past* list placement. Following list place, the number of preference votes obtained in the previous election, our covariate of greatest theoretical interest, is the next most important determinant of subsequent pre-election list place. In both models, the level of legislative discipline displayed by the MP follows these two factors. Finally, both models agree in ascribing a non-discernible effect to the number of bills and amendments sponsored. In sum, we have reason to be confident that these models are conveying evidence regarding the same underlying data generating process.

As we mentioned above, previous preference votes earned are an important predictor of list placement as decided by the party before the subsequent election. More specifically, the negative binomial model suggests that a 10% increase in the number of preference votes obtained by a candidate would move him/her up about three positions on the pre-election list as assembled by the party prior to the next election (holding all other relevant covariates constant). The ordered probit model provides equally strong evidence in favor of our hypothesized relationship between preference votes and future list placements.[14] Fig. 1 presents each models' predicted values as preference votes span the observed range (in a logarithmic scale).

The left panel shows the cumulative, or "stacked", probabilities of being in any of the four categories of list places (as designated by the labels in each shaded region) for the given values of the *Preference Votes* variable (Long, 1997).[15] Recall that low numbers are good – it is better to be placed at spot #3 than at spot #30. The probability of receiving a better future pre-election list position (being in a *lower* category) consistently increases as the number of preference votes earned goes up – always at the expense of the probabilities of being placed either between the 13th and the 26th positions or anywhere below the 27th position. This effect is most dramatic when we consider the probability of being in the top category of list positions (i.e. of having any of the top five list positions), which goes from

[11] The high levels of discipline in the National Council would seem to suggest that being disciplined is important, even if (as we will show later) a certain level of lack of discipline is needed to build a personal reputation.

[12] The correlation coefficient between list place in the previous election and next election is significant at $\alpha = 0.1$ and is equal to 0.76.

[13] With residual deviances well in the non-rejection regions of the χ_{193} and χ_{191} for the negative binomial and ordered probit models, respectively.

[14] As we noted above, these results are based on a dataset comprised of non-retiring MPs. However, it is possible that, by excluding those legislators who decided to retire precisely because they anticipated receiving a bad list place from their parties' leaders, our results are the artifact of a selection bias. Although addressing this issue empirically is not possible (because we have no systematic information on why MPs retire and more fundamentally the future placement of retiring MPs is unobservable), we can alleviate doubts cast by this potential problem by evaluating some plausible counterfactuals regarding the list placement of retiring MPs. Accordingly, we re-estimated the two models discussed in this section (for non-retiring MPs), assigning three different list placements to all retiring MPs: 1 list place lower than the number of seats obtained by their party in the election prior to their retirement; 1 list place lower than the number of seats obtained by their party in the election they did not run in; and the extremely anonymous 75th list place (the mid-point on most parties' 150 candidate-long list). Our main substantive result – namely, that preference votes improve future list placements – remains statistically discernible in the first two models, and displays the right sign in the third. Thus, we are confident that our results are robust to this particular type of selection bias, especially given that many MPs we coded uniformly retired for reasons other than anticipated list position. The replication R code includes these estimations for those interested in verifying our claims.

[15] The shaded regions on the left panel represent the probabilities of being in each category, which must add to one at any given level of preference votes. Hence, the bigger the region is relative to others, the greater the probability of being in the corresponding list place category.

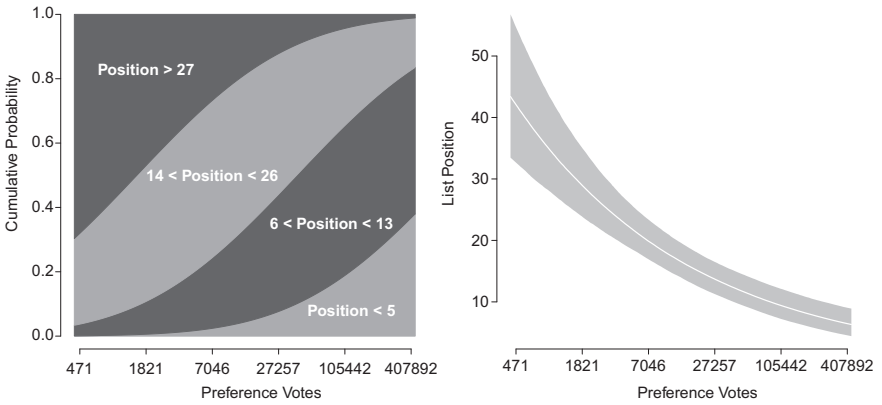

Fig. 1. Predicted cumulative probabilities (left panel) and list positions (right panel) as the number of preference votes spans its observed range. The *x* axis is in the logarithmic scale.

being virtually zero at few preference votes earned in the previous election to being almost 0.4 for the maximum number of preference votes observed. The probability that a top preference vote earner will be in the first 13 list places is approximately 0.8. Conversely, the probability that the lowest preference voter earner would be given one of these prime spots is less than 0.05.

Again, it is important to recall that we have included the list position given to the candidate by the party *in the previous election*. That is, as we noted above, our model allows us to conclude that for two hypothetical candidates with the same previous list placement, differing only in the number of preferences votes obtained in that same previous election, the better vote puller will be rewarded by the party with a significantly better list position in the election to come. This effect of preference votes on future list location comes second only to the effect of previous list location itself, suggesting that although list placement tends to be sticky, preference votes *still* play a significant role in defining who gets the best list places in the future.[16]

Similarly, the right panel of Fig. 1 shows the predicted list position (white solid line) as a function of the number of preference votes earned, along with a 90% confidence band. According to this model, the predicted list position moves quickly to the top 15 places as the number of preference votes increases, with the marginal returns of additional preference votes decreasing slightly. In sum, both models support our hypothesis that preference votes improve candidates' future electoral prospects by buying them better party-assigned, pre-election list positions in subsequent elections.

Finally, we note that the estimated effects of our statistical controls generally comport with our expectations regarding the ways in which they should affect pre-electoral list placements. The number of bills and amendments sponsored, for instance, is estimated to have a negative effect on the list placement – that is, more active legislators (i.e. the "hard workers") are expected to earn better list positions.[17] In turn, legislative discipline is also estimated to have a discernible effect on future list placement – more disciplined legislators are expected to get *worse* list placements in the future! It is possible that party leaders are actually rewarding infidelity because it generates turnout and votes for the party. It is also possible that some unobserved determinant of *candidate quality* leads to both an improved list position *and* to infidelity.[18] Whatever is the case, it is clear that infidelity to the party on the parliamentary floor does not result in an incumbent being *punished* with a bad pre-election list place. Finally, not contrary to expectation, our model suggests that good list placements tend to perpetuate themselves, as it provides evidence of a positive (and sizable) relationship between previous and future list place.

3.2. Does lack of discipline buy preference votes?

We have found an explanation for the seemingly paradoxical pursuit of preference votes. Preference votes may not often move a candidate from an unelected list position to an elected one in *this* election, but they do lead to a more favorable pre-election list position in the *next* – thus having something of a second-order effect on one's election prospects. Given that reordering remains rare, the importance of pre-election list place is obvious. Now, knowing why preference votes are valuable, how is it that an MP can

[16] Note that the temporal order of events prevents the possibility of reverse causation: since we are using the preference votes obtained in an election held at time *t* to predict the pre-election list position obtained in the election held at time t + 1 (which usually occurs after 4 years), arguments of endogeneity or simultaneity are moot.

[17] Although this particular control fails to reach usual levels of significance, the effect would be discernible at the 80% confidence level.

[18] We reason that candidate quality should be captured in the *previous* list position received from party leaders, for which we control here. Furthermore, if an MP has qualities – gravitas, altruism, honesty, fame, expertise, or something else – that make him or her a fundamentally better choice, those traits would be relatively fundamental characteristics, likely exogenous to term-by-term events. Given that we are controlling for previous list position when explaining current list position, if there is a third truly causal variable, it must have an effect independent of whatever explains party leaders' choice of previous list position and it must covary with being undisciplined.

set about earning them? As we discussed, there are a number of ways to obtain notoriety, and the existing literature has suggested that distinguishing one's self from copartisans – including defecting from the party line on roll call votes – is a necessary first step. As described above, we obtained our indicator of discipline by retrieving the voting record of every MP in the 2002–2006 and 2006–2010 parliamentary terms from the official website of the National Council and then calculating the proportion of votes cast *in accordance with* their party's line, which we identified as the modal vote choice for all party members present and voting.[19]

To empirically evaluate the second step in our argument, we use a log-normal distribution to model the number of preference votes received in a given election as a function of legislative discipline during the term preceding the election. Letting y_i be the number of preference votes obtained by an incumbent candidate *i*, the model we fit is defined by

$$\log(y_i) \sim N(\alpha_{pt[i]} + X_i\beta, \sigma)$$
$$\alpha_{pt} \sim N(X_{pt}\gamma, \sigma_{pt})$$

where β and γ are vectors of MP-candidate and party-term level parameters to be estimated; α_{pt} is a vector of random intercepts by party-parliamentary term; $\boldsymbol{X}_{\mathrm{pt}}$ is a matrix with a constant term and party-term measure of legislative discipline (viz. the size-adjusted Rice score developed by Desposato, 2005); and $\boldsymbol{X}_i$ is a vector of MP-candidate covariates – including, most importantly, the individual candidate's level of discipline during the parliamentary term prior to the election; a proxy for individual hard work (viz. the number of bills and amendments sponsored) during that same term, and the party-given pre-election list position for the current election. These covariates were included in the first model, and a similar logic for their inclusion applies here.

One addition is a control for the spatial concentration/correlation of preference votes obtained (measured using Geary's *C* of the preference vote returns measured at the level of the more than 2900 precincts in Slovakia). Candidates in systems in which voters are allowed to express individual preferences can (and often do) carve out niches of support within a district – a practice that we know characterizes other systems with a single, nation-wide district (Crisp and Ingall, 2002). Because roll call vote decisions with an eye toward parochial concerns should, in general, be higher for those whose support is concentrated in some such stronghold, we control for the degree of spatial concentration of preference votes. Although the average Slovak MP does not appear to be supported by voters in a few, contiguous municipalities,[20] a few MPs (e.g. Iván Farkas, from the SMK, whose Geary's *C* measure in the 2006 election was 0.82) have certainly built a strongly concentrated following (especially prevalent in the Hungarian south).

Finally, we also control for whether an MP switched parties at the end of term prior to the next election. We reasoned that ultimately switching might be associated with both levels of observed discipline in the term that came before the switch as well as with the number of preference votes obtained (in the new party) after the switch. Voters may prefer a given party and the mavericks within it, but they may not be willing to tolerate independence to the point of leaving the preferred party altogether. Although switching is not as pervasive in Slovakia as it is in other systems (only 20 legislators changed their party from one election to the next in our three elections), the relative importance of switching as a possible confounder warrants the inclusion of an indicator for changing parties.[21]

The results of estimating the aforementioned parameters using maximum likelihood are presented in Table 2 in the Appendix. The proposed model accounts for about 55% of the variance in logged preference votes, and it performs significantly better than a 'null' model (i.e. a model which includes the random intercepts only), explaining about 46% more variance in the outcome variable.

As hypothesized, the model predicts that more disciplined incumbents do worse than their maverick counterparts in terms of preference votes obtained. Our model suggests that two MPs differing only in their level of discipline by 0.15 points (i.e. a difference of about one standard deviation) would also differ in the amount of preference votes they are expected to obtain by about 29%, with the less disciplined of the two getting the most preference votes – holding all other covariates, including important electoral characteristics, such as pre-election list ranks and geographic concentration of support, constant.

As we suggested above, it may be the infidelity itself that leads to the receiving of preference votes. Perhaps an MP defected from a party that was backing unpopular austerity measures most of its members felt were a necessary but "bitter pill." Or, perhaps the MP gains most of his preference votes in a concentrated, geographic region associated with a particular industry and its union. Defecting from her party in defense of the union's rights may not only generate preference votes for her, perhaps luring away weak partisans from other parties in the region. Her stand in defense of the union may also encourage voters who would not have done so otherwise to go to the polls to express their appreciation, thereby enhancing the total vote of her party. Similar to our discussion of the impact of "maverick" behavior on list position received, perhaps it is the case that some third variable, a characteristic that would fall under the general label of *candidate quality*, is responsible for the desire to be a maverick *and*

[19] In situations in which no party line is clear (i.e. odd cases in which there are multiple modes in the vote choices made by party members), members' votes were not counted as votes against the party line.

[20] The average *C* measure – which ranges from −1 to 1, 1 being the most spatially concentrated alternative – is about 0.3.

[21] Only MPs who ran under a different party label in 2006 than in 2002 are coded as having switched parties. Two major parties – HZDS and SDKÚ – saw mergers with smaller parties, becoming the L'S-HZDS and SDKÚ-DS respectively, and the SMK added its name in Hungarian to become the SMK-MKP. None of the MPs taking part in these mergers or name changes are coded as having switched parties.

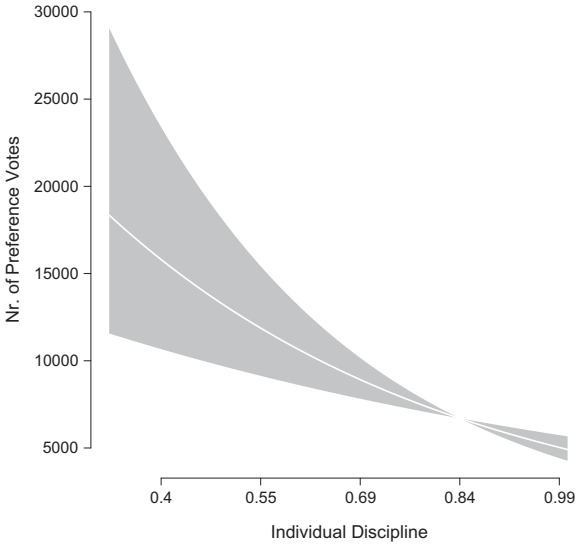

Fig. 2. Predicted number of preference votes as legislative discipline spans its observed range, along with 90% confidence intervals.

the ability to garner preference votes.[22] Then, our findings show that *if* voters punish incumbents for infidelity, that punishment pales in comparison to the preference vote bonus enjoyed as the result of whatever quality drove the MP to be a maverick.

Fig. 2 depicts the relationship between breaking party discipline and preference votes earned graphically for an average member of parliament in an average (with respect to preference votes obtained) party, showing the number of preference votes such an MP is predicted to obtain given different levels of observed legislative discipline. The decline in predicted preference votes is evident: they go from about 18,000 at the lowest observed level of discipline (viz. voting against one's party almost 1/3 of the time) to just over 5000 for a legislator who never votes against her party line. If we assume that these additional voters would have stayed at home or voted for another party, this difference is quite sizable as it could mean an additional seat for the party.[23] What is more, given our controls, this effect would only accumulate as more MPs from the same party enjoyed the ability to break discipline at a given rate.

Given existing data, it is impossible to know for sure what voters who cast a preference vote for a given candidate would have done had that candidate not been placed on the party's list. Perhaps they would have voted for the party anyway. The example of Iveta Radičová cited earlier lends support to the assumption that at least some portion of those voters would not have turned out to vote or would have cast their vote for another party with more appealing individual candidates. Recall that voters do not have to express candidate-level preferences when casting their ballot. So, if the party was the only decision cue, a preference vote would not have been necessary in the first place. Also, it is important to remember that by definition it is impossible for a voter to express a preference for an individual candidate while at the same time giving his or her support to a different party – as would be possible across the two tiers of a mixed-member system, for example.

Once again, the fact that our statistical controls behave in the manner we expected lends credence to our model specification. In this case, our model suggests that hard workers are rewarded by voters with a greater number of preference votes and that MPs with top list positions can be expected to earn many more preference votes than their lower-placed counterparts. Similarly, MPs with more spatially concentrated patterns of support are also expected to have a greater personal following (as expressed by the amount of preference votes obtained). Finally, party switchers appear to be punished by voters, as our models estimates a lower average number of preference votes for those who changed banners.

4. Conclusion: trading unity for size

We started with a paradox and ended with a trade-off. To explain why preference votes are valuable despite their limited impact on who (i.e. which individual candidates) actually ends up in parliament, we reasoned that candidates capable of bringing votes in through individual notability are valuable to the party. They should be rewarded accordingly with the enhanced prospect of reelection that results from a position closer to the top of the party's pre-election list of candidates – even if this notability is in part associated with voting *against* the party line on the chamber floor. With extensive electoral and parliamentary data from Slovakia, we found support for our line of reasoning.

Thus, the electoral incentives of individual candidates sets up a tradeoff for party leaders. It makes sense for individual candidates to pursue preference votes in any given election because they improve one's prospects in the next election – putting the candidate closer to the top of the party's pre-election list. It also makes sense for individual MPs to vote against the party line because the individual reputations that such infidelity generates lead to more of the preference votes for which the future candidate will be rewarded. Or, at the very least, whatever quality it is that generates preference votes must also be associated with a desire and/or ability to go one's own way. Unfortunately, from the perspective of the party, this logic implies that there is a certain incompatability between unity and size. Parties want the votes notable candidates can pull, but they pay for that notability with lower levels of party discipline.

The pattern we detected regarding individual MP's likelihood of defecting shows up at the aggregated, party level as well. The correlation between average preference

[22] However, as we noted above, it seems reasonable to assume that candidate quality would be captured in the list position received from party leaders, for which we control here. If list position offered by the party leadership is a sign of candidate quality, then our findings regarding the impact of lack of discipline show the impact of being a "maverick" on the ability to earn preference votes *over and above* party leaders' sense of candidate quality.

[23] For instance, the difference in party votes between KDH and HZDS in 2006 was a mere 11,097 votes; this difference, however, earned HZDS an additional seat in the 2006–2010 legislature.

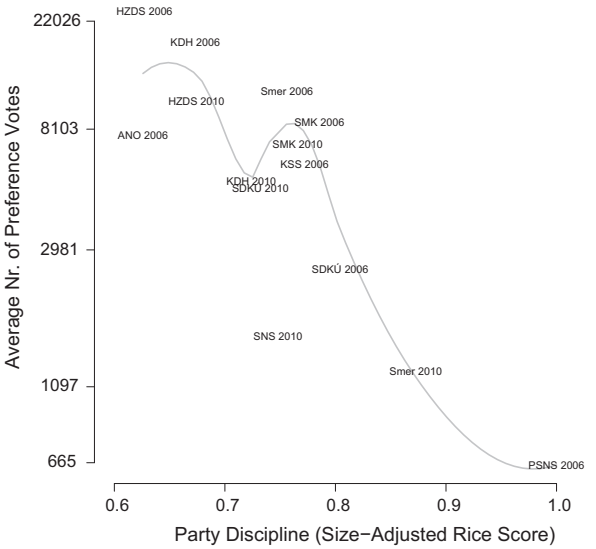

Fig. 3. Estimated random intercepts by party-term as function of size-corrected Rice discipline score. A non-parametric regression line is added as a visual aid.

votes received per candidate and average legislative unity is −0.42.[24] Fig. 3 shows the expected average number of candidate preference votes by party-election (i.e. the estimated random intercepts α_{pt} in the Log Normal model of incumbent candidate's preference votes discussed above) as they vary with respect to the party's level of unity (measured by the size-adjusted Rice score devised by Desposato, 2005). As the generally downward sloping trend indicates, parties whose candidates are predicted to obtain a large number of preference votes are the parties who have the lowest level of party unity during the term preceding the election.

As we noted above, the existing literature dismisses the option of expressing a preference vote in a flexible-list proportional representation (FLPR) systems because the reordering of lists as a function of those votes is a relatively infrequent event. As a result, many scholars have suggested that, while flexible list systems are formally a distinct sub-group in the proportional representation (PR) family, they are a sub-group that is characterized by incentives basically identical to the much more numerous closed-list proportional representation (CLPR) systems. This characterization simply does not jibe with the observed pattern that candidates continue to earn preference votes – at an increasing rate in many places according to other literature (Marsh, 1985; Karvonen, 2010). To accept this characterization would be tantamount to concluding that candidates (and voters) are severely misinformed or irrational, wasting their time earning votes that do not matter.

Some previous scholarship has simply looked in the wrong place for the observable implications of FLPR rules. We have shown that, indeed, FLPR systems are very different from CLPR systems – even if preference votes rarely move a candidate from an unelected to an elected list position. The incentives embodied in an FLPR system lead party leaders to put value on individually notable candidates. Knowing that voters will be drawn to the polls and to their party in particular by the opportunity to directly express a preference for a notable candidate – an opportunity that does not exist in CLPR systems – party leaders place individually distinguishable candidates at the tops of their slates. Although party elites in CLPR systems have similar incentives to include notable candidates on their lists, only FLPR provides parties with reliable information – in the form of preference votes – about the actual support that individual candidates/MPs bring to the table. Given that individual notability is key, MPs who stand out are those who vote against their party's position. In other words, our findings suggest that we should expect FLPR systems to be characterized by higher levels of personal vote seeking than their CLPR relatives.

These results are consistent with the logic according to which MPs in single member districts, where personal vote-seeking incentives are high, are on occasion allowed to, and often times even expected to, break with their parties whenever the dissent is aimed at strengthening their – and, by extension, their party's – standing in their districts (Kam, 2009). Parties balance the costs entailed in presenting a less unified front against the benefit of the added support that is won by the offender's actions. The party can even choose to reward dissidence if the balance is right. We have shown that giving party members the freedom to act as agents of "their" constituents rather than of the party in order to enhance the party's future electoral prospects is not a strategy used only by party leaders in SMD systems (Taylor, 1992). We find, based on similar reasoning, that parties in flexible list systems too can purchase additional electoral support with a lack of unity – even when the individual candidate's constituents are not neatly organized into electoral districts where no other copartisan is competing.

Appendix A

Table 1
Estimates of negative binomial and ordered probit models. The former models raw list positions, whereas the latter models positions in one of four categories: between 1 and 5; between 6 and 13; between 14 and 26; between 27 and 150.

	Negative binomial	Ordered probit
Intercept	1.81* (0.36)	
log(preference votes)	−0.37* (0.06)	−0.53* (0.14)
Discipline	0.10* (0.05)	0.24* (0.11)
Previous list position	0.38* (0.05)	1.12* (0.16)
Nr. of bills sponsored	−0.04 (0.05)	−0.11 (0.09)
2006 Legislature	0.04 (0.10)	0.04 (0.19)
Party effects		
HZDS	0.80* (0.38)	2.45* (1.00)
KDH	0.81* (0.38)	2.45* (1.01)
KSS	0.94* (0.44)	2.60* (1.11)
SDK'U	1.01* (0.38)	2.75* (1.00)
SMK	0.77* (0.39)	2.46* (1.02)
SNS	0.46 (0.42)	2.17* (1.06)
Smer	1.17* (0.38)	3.06* (1.00)

(*continued on next page*)

[24] MPs who switched parties were not used to calculate this figure.

Table 1 (*continued*)

	Negative binomial	Ordered probit
Dispersion θ	4.11* (0.52)	
Threshold τ_1: (1, 5]|(5, 13]		1.14 (0.97)
Threshold τ_1: (5, 13]|(13, 26]		2.42* (0.98)
Threshold τ_1: (13, 26]|(26, 150]		3.73* (0.99)
N	207	207
AIC	1487.10	387.06
Null deviance	614.60	571.93
Model deviance	213.44	357.06

Standard errors in parentheses. All continuous variables are mean centered and standardized.
* Indicates significance using $\alpha = 0.1$.

Table 2
Estimates of Log Normal model. The modeled outcome variable is the logarithm of preference votes obtained by each incumbent candidate.

	Log Normal
Previous discipline	−0.29* (0.10)
Previous nr. of bills sponsored	0.19* (0.08)
Switched	−1.13* (0.28)
Current list position	−1.09* (0.09)
Current spatial concentration	0.39* (0.14)
Party-term random intercepts (α_{pt})	
ANO 2006	9.48* (0.46)
HZDS 2006	10.49* (0.22)
HZDS 2010	9.34* (0.35)
KDH 2006	9.76* (0.25)
KDH 2010	8.63* (0.35)
KSS 2006	7.89* (0.39)
PSNS 2006	6.92* (1.04)
SDK'U 2006	7.99* (0.22)
SDK'U 2010	8.64* (0.21)
Smer 2006	9.27* (0.23)
Smer 2010	7.41* (0.15)
SMK 2006	8.99* (0.28)
SMK 2010	9.02* (0.25)
SNS 2010	7.43 (0.30)
Party-term level predictor	
Rice score (γ_1)	1.15 (2.06)
Random intercepts s.d. (α_{pt})	9.06*
N	227
AIC	780.04
Data level R^2	0.55

Standard errors in parentheses. All continuous variables are mean centered and standardized.
* Indicates significance using $\alpha = 0.1$.

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