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Prime Ministers and the Electoral Cost of Using the Confidence Vote in Legislative Bargaining: Evidence from France

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Abstract

Do prime ministers pay an electoral penalty for using procedural force to pass laws? Influential theories of parliamentary governance and legislative bargaining assume that the use of the confidence vote procedure – parliamentary governments' most powerful legislative weapon – entails an electoral cost, but evidence on this important claim has been scarce. We provide the first estimates of how prime ministers' public approval responds to their use of the confidence vote. Analyzing time series data from France 1979-2008, we find that prime ministers experience a considerable drop in approval after their use of the confidence vote that is not accounted for by standard economic and political covariates. The effect size is similar to a one percent decline in economic growth. Our findings help explain French prime ministers' selective use of the confidence vote procedure. They also suggest that political costs constrain the bargaining power conferred by the confidence vote.

Key words: *confidence vote, government approval, parliamentary government, legislative bargaining, prime minister, France.*

Word count: 8,838

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1. Introduction

Do prime ministers pay an electoral penalty for pushing through policy proposals against opposition in the legislature by using procedural force? Prime ministers in many parliamentary and semi-presidential democracies can use their institutional prerogative of the confidence vote procedure to tie the fate of a particular legislative proposal to the question of government survival. This procedure fundamentally changes the stakes of parliamentary conflict and is thus considered one of the most potent legislative powers available to chief executives in contemporary democratic regimes (Laver, 2006).¹ Prominent formal theories of legislative bargaining have demonstrated that the power to invoke a confidence vote enables prime ministers to significantly shape policy outcomes in the face of policy conflict with coalition partners or backbenchers in their own party (Huber, 1996*b*; Huber and McCarty, 2001).² However, these theories also assume that prime ministers employing the confidence procedure tend to incur an electoral cost (also see Huber, 1996*a*, ch. 5-6). The mass public is conjectured to view the use of this restrictive legislative institution as opportunistic, unfair or even anti-democratic, as it seemingly enables the prime minister to prevail over other democratically elected agents by using procedural force. Having to rely on the confidence vote in lawmaking may also send a signal to the electorate that the prime minister is weak or not competent to solve the country's problems. On the other hand, it may also be rewarded as an effort to get things done in the face of opposition. Importantly, high electoral cost would imply that a formally powerful institution is constrained by voters' behavior in a way that can limit its effects on parliamentary bargaining and policy. Another stream of research indirectly casts doubt on the existence of any electoral effect

¹ Confidence vote procedures exist (by convention, standing order or constitutional rule), among others, in Australia, Belgium, Canada, Denmark, Finland, France, Germany, Ireland, Italy, Luxembourg, the Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, and the UK (Bergman et al., 2003; Huber, 1996*b*).

² The confidence procedure has been further predicted to cause higher voting cohesion and more legislative effectiveness compared to political systems without it (Diermeier and Feddersen, 1998; Diermeier and Vlaicu, 2011).

of confidence votes. Many studies of mass opinion have underscored the limited political knowledge and awareness of citizens (e.g. Converse, 1964; Zaller, 1992). If most citizens are not paying attention to the legislative drama of confidence votes, then public opinion should neither systematically punish nor reward prime ministers for their confidence votes.

So far the literature has not provided systematic evidence on the sign or magnitude of the electoral cost of the confidence vote, even though it plays a fundamental role in seminal theories of lawmaking. In this paper, we provide the first estimates of how much, if at all, the use of the confidence procedure by prime ministers influences their standing in the electorate.³ By doing so, the paper contributes to our understanding of the crucial link between legislative politics and electoral politics. For the statistical analysis, we have assembled a monthly time series data set including measures of public approval and the use of confidence procedure by prime ministers in France between 1979 and 2008. France provides an excellent case because the confidence vote is clearly regulated in the constitution and its actual use is well documented over a long period of time. The constitution of the French Fifth Republic contains a comparatively strong confidence procedure. If the prime minister invokes Article 49.3 of the constitution in the legislative process, the government's proposal is passed automatically unless a majority of legislators votes to censure and bring down the government.⁴ As we will see later, French prime ministers have used the confidence vote about 70 times during the period of study. This provides required variation needed to tease out the effects on prime ministerial approval. For these reasons, it is no coincidence that the French case has also motivated modern comparative institutional research on the confidence vote (Huber, 1996*a*). More broadly, the constitutional structure of the Fifth

³ A few studies examine the determinants of the use of the confidence procedure (Huber, 1996*a*, ch. 4), dissolution threats (Becher and Christiansen, 2015) or the use of restrictive procedures more broadly (Döring, 2003). Huber (1996*a*, ch. 6) qualitatively probes politicians' beliefs about electoral cost.

⁴ In 2008 a constitutional amendment has limited the number of times the prime minister can invoke the procedure. As discussed later, we focus on the pre-reform era.

Republic has served as a mental model for constitutional engineers in many new democracies (Skach 2005).

We find that French prime ministers, on average, experience a significant drop of public approval in response to their use of the confidence procedure. Most of the decline in approval occurs in the quarter after the procedure is invoked. Our estimates suggest that increasing the use of the confidence vote by one standard deviation in a given month reduces the prime minister's popularity by approximately one percentage point in the subsequent quarter. This is similar to the effect of a one standard deviation decline in economic growth. These results are based on a general dynamic statistical model that includes a lagged dependent variable as well as contemporaneous and lagged measures of the confidence vote and relevant control variables. This model allows us to capture the dynamic electoral effects of the confidence vote. The results are robust to alternative operationalizations of the confidence vote as well as to the inclusion of a large set of control variables, such as macroeconomic conditions, political variables capturing the bargaining environment, the number of key laws passed in a given month, prime minister fixed effects, and scandals involving the prime minister. To address the possible endogeneity of the confidence vote to unobserved variables, we also document that approval does not experience a significant decline in the months prior to the use of the confidence vote.

The findings clearly bolster the idea in the literature on political bargaining that using the confidence vote entails political costs for the prime minister. Consistent with the theoretical model of Huber (1996*b*), the tangible approval penalty implied by our analysis provides an explanation for why French prime ministers use the confidence vote selectively and usually on important legislation. To be clear, our results do not mean that prime ministers' approval never benefits from invoking the confidence procedure. Rather, they mean that on average the approval declines, rather than grows, as a result.

Beyond testing an important claim underlying theoretical models of legislative bargaining, the analysis has broader implications for our understanding of policymaking in parliamentary democracies. The foundational theoretical research on the confidence vote procedure is motivated to an important extent by the question of how influential prime ministers are in the policymaking process relative to other political players, such as cabinet ministers or party backbenchers. That strand of research is part of the voluminous literature on the institutions of democratic delegation in parliamentary systems (for a review, see Strøm et al., 2010). While theory demonstrates that the confidence vote procedure can be a powerful bargaining tool in the hands of the prime minister, our evidence on political costs associated with the use of the confidence procedure suggests that its effectiveness in shaping the distributive consequences of policy choices has practical limits. Facing significant popularity costs when using their constitutional prerogative, prime ministers will not be fully able to convert their formal power into distributive gains in the policymaking process. The repeated use of the confidence vote in France nonetheless reveals that there are situations when prime ministers believe that their political costs are worth paying.

The estimates based on our dynamic statistical model also imply that prime ministers have incentives to strategically time the use of the confidence procedure. The decline in approval in response to the use of procedural force is most noticeable with a one-month delay. There are additional significant declines in approval in the subsequent months, but the effect decays and becomes irrelevant after about half a year. In line with the underlying theories of political bargaining, our analysis deliberately focuses on prime ministerial public approval rather than election outcomes. Previous research has shown that approval is a strong predictor of electoral performance (Lewis-Beck and Stegmaier, 2000). Taken together, these results imply that prime ministers concerned about election outcomes have reason to consider approval effects of the

confidence vote. Moreover, the dynamics of the approval response suggest that prime ministers have the strongest electoral incentives to avoid confidence votes in the last two quarters before an election.

While there is a voluminous literature on the determinants of government approval and popularity, it tends to focus on the impact of economic variables.⁵ This paper has a different theoretical focus and explores the relationship between legislative behavior and approval. Related research concerns the electoral cost of strategic parliamentary dissolutions. For instance, Smith (2003) argues that voters punish prime ministers for unexpected elections because they signal low competence or foreknowledge of declining economic performance (related arguments are made by Strøm and Swindle 2002). He finds evidence from Britain that is consistent with this logic. A study of the 2000 snap election in Canada finds that the electoral penalty for the opportunistic behavior of the prime minister was rather small (Blais et al., 2004).⁶ Research has also found that cabinet reshuffles can boost government popularity (Dewan and Dowding, 2005). Finally, there is also some related evidence that presidential vetoes in the US lead to lower presidential approval (Groseclose and McCarty, 2001).

2. Electoral Cost of the Confidence Vote

Why would the public punish prime ministers for using their constitutional power to declare a policy issue a matter of government survival? Before we turn to the evidence, it is instructive to review arguments for why using the confidence vote procedure may or may not be electorally costly for prime ministers. In the seminal model of the confidence vote developed by Huber

⁵ For a review of the literature with special attention to France, see Lewis-Beck and Stegmaier (2000). For more recent work, see Bellucci and Lewis-Beck (2011); Turgeon, Bélanger and Nadeau (2015).

⁶ Findings concerning the broader electoral benefits of strategic dissolutions are mixed (e.g. Kayser, 2006; Roy and Alcantara, 2012).

(1996*b*) and in a subsequent extension (Huber and McCarty, 2001), electoral cost are modeled as an exogenous parameter that influences the willingness of the prime minister to actually employ the confidence vote. Intuitively, high costs make it less likely that the procedure is used as a bargaining chip. The model by Huber and McCarty (2001) assumes that electoral costs are always negative. While Huber (1996*b*) states that prime ministers may sometimes be rewarded for confidence votes or that the public may simply be indifferent to them, the thrust of his argument clearly is that the electoral sanction for confidence votes tends to be negative:

The use of confidence vote procedures is a very serious political event that generally receives front-page attention – often of the negative variety. The prime minister often wishes to avoid this kind of attention, fearing that the use of confidence votes will signal to voters that the government does not have a majority for its policy or is not respecting the wishes of the voters' directly elected representatives (Huber, 1996*b*, 275).

It would be unrealistic to assume that most voters pay close attention to legislative politics, as decades of research on mass behavior have shown. But as Huber (1996*b*) writes, confidence votes decide the life or death of the incumbent government and thus are usually the stuff of front-page news. For instance, the confidence vote was used in Britain by John Major in 1993 to ratify the European Union's Maastricht Treaty despite dissent in his party, in France repeatedly by Manuel Valls in 2015 to shepherd a contentious economic reform package (known as the Macron law) through the legislative process against reluctance in the left-wing of his party, in Germany by Gerhard Schröder in 2001 to ensure a government majority for German participation in the war in Afghanistan, or in Greece by George Papandreou in 2011 to pass unpopular austerity measures. In short, confidence votes are more likely to capture media and voter attention than most legislative maneuvers.

Given some public attention and synthesizing the relevant literature, one may distinguish at least three sets of motivations that can lead to adverse electoral consequences. First, the confidence vote is viewed as an opportunistic, heavy handed, unfair and perhaps even undemocratic institution by a significant part of the electorate because it allows the government to push through its policy despite lacking a true majority in parliament (Huber, 1996*b*; Huber and McCarty, 2001).⁷ The exemplary study of France by Huber (1996*a*, pp. 4-7, 119) clearly shows that this view was held by several prominent politicians and scholars of the French Fifth Republic. Broadly consistent with this, survey data from 2015 indicate that 63% of French citizens disapproved of the use of the confidence vote by French Prime Minister Valls to pass the Macron law.⁸ Opposition parties also have incentives to frame confidence votes as an opportunistic use of procedural force and the media sometimes portrays them in these terms.⁹ Of course it is not always easy to tell to what extent such procedural arguments reflect a true concern about democratic norms rather than a convenient opportunity to criticize the government of the day. Unbundling these considerations is beyond the scope of this paper.

Second, the need to resort to the confidence vote reveals undesirable substantive qualities of the incumbent prime minister. For instance, political weakness and lack of managerial competence is something that voters, whether they are sociotropic or egotropic, have little reason to reward because it impedes government performance. This motivation is not concerned with normative qualms about the confidence procedure as such. Rather, it is concerned with what it signals about how well the government is representing voters in substantive terms. For instance,

⁷ The positive analyses of Huber (1996*b*) and Huber and McCarty (2001) do not endorse this normative view, though they assume that voters tend to share it.

⁸ Survey conducted by Odoxa on February 19-20, 2015, for iTélé, see <http://www.odoxa.fr/les-deux-tiers-des-francais-desapprouvent-par-principe-le-recours-au-49-3/>. Note that the question wording frames the issue negatively (our translation): “In order to avoid a vote which profiled itself as unfavorable in the National Assembly, Manuel Valls decided to use article 49.3 of the constitution to pass the Macron law. This allows the government to pass a piece of legislation in the Assembly without a vote. Do you approve, or disapprove the use of this article to pass this law?”

⁹ See Blais et al. (2004) on the related issue of calling opportunistic elections.

Huber (1996a, 119) explains that some French politician he interviewed were concerned that the confidence vote is interpreted by voters “as a sign of executive weakness or incapacity”, with one assistant to the prime minister worrying that it “shows that our bill is not sufficiently good to pass on its own merits.” Related signaling arguments are made by scholars who study the strategic dissolution of parliaments by prime ministers or other actors (Smith, 2003; Strøm and Swindle, 2002), though the empirical evidence on this mechanism is mixed (Blais et al., 2004).¹⁰ Following the model of blame game bargaining first developed in the context of the separation of powers system in the US (Groseclose and McCarty, 2001), the use of the confidence vote may also reveal that the policy preferences of the prime minister are relatively extreme compared to those of the average voter, thus leading to a decline in popularity. This can happen if voters have asymmetric information about politicians' policy preferences and some actors in the legislative process have incentives to provoke the use of the confidence vote by the prime minister. The confidence vote can also increase the perception of party disunity, which is often argued to be an electoral liability. On the other hand, it may also be used to cover up disunity (Huber, 1996a, 120).

Finally, the confidence vote clarifies who is responsible for major legislation (Huber, 1996a, 136). Given the high political stakes and corresponding media attention, citizens are more likely to apportion blame for unpopular policies and rewards for popular ones. To the extent that voters care about policy outcomes, which take time to materialize, this argument is more relevant for election outcomes than more immediate government approval that is the focus of the empirical analysis.

Importantly, electoral costs do not rule out the use of confidence vote. Prime ministers weigh the electoral cost against the policy benefits, and their decision to use it is also driven by

¹⁰ Again, one can also construct an example where using the confidence vote is rewarded by voters as a sign of political shrewdness needed to accomplish important policy goals.

the position-taking behavior of other parties that may benefit from provoking a confidence vote because it sends costly signals about their ideological commitment to their core supporters (Huber, 1996*b*; Huber and McCarty, 2001). Thus, electoral considerations limit the policy conflicts for which employing the confidence vote is a rational legislative strategy.

3. Research Design

We examine the electoral cost of the confidence vote using monthly time series data from France between January 1979 and July 2008.

3.1 Data

3.1.1 Approval

The dependent variable is public approval of the prime minister. More precisely, approval measures the percentage of national survey respondents who, in a given month, say that they are confident that the prime minister is solving the country's problems.¹¹ Our focus on the public approval of the prime minister is consistent with the theory of the confidence vote proposed by Huber (1996*b*). It assumes that the electoral cost is primarily borne by the prime minister rather than the party as such or the government collectively. His theory emphasizes, consistent with the reality of legislative politics in France, that prime ministers may use the confidence vote in response to, or in anticipation of, dissent by legislators from the prime minister's party or other members of the government coalition. Fortunately, consistent survey data on prime ministerial approval is available for a fairly long time period from TNS Sofres/Figaro-Magazine. The approval series has also been used by some previous studies of the impact of economic conditions on government popularity (e.g. Bellucci and Lewis-Beck, 2011).

¹¹ The question wording for the approval item and sources for all variables used in the analysis are in the [Online] Appendix.

3.1.2 Confidence Votes

The key explanatory variable of interest is the use of the confidence vote procedure by the prime minister in the legislative process. As we have already mentioned in the introduction, Article 49.3 of the constitution of the French Fifth Republic explicitly endows the prime minister with a comparatively strong confidence procedure:

The Prime Minister may, after deliberation by the Council of Ministers, make the passing of a Bill an issue of a vote of confidence before the National Assembly. In that event, the Bill shall be considered passed unless a resolution of no-confidence, tabled within the subsequent twenty-four hours, is carried as provided for in the foregoing paragraph.¹²

Thus, under the confidence procedure the government proposal becomes accepted unless a majority in the assembly votes to censure the government, which would lead to its resignation. This provision has been in place for nearly 50 year until a constitutional amendment was passed in July of 2008, which has limited the number of times prime ministers can invoke the confidence procedure. For consistency, the analysis focuses on the period before the reform. The use of the confidence vote is reported by the National Assembly, and we have checked this information with other sources.

To put this procedure into a comparative perspective, note that previous work has documented that the formal rules concerning confidence vote procedures vary considerably across European democracies (Bergman et al., 2003, pp. 158-159; Huber, 1996a, p. 271). There is variation in prerequisites for invoking the procedure, quorum requirements, time constraints, the

¹² Our translation of the French constitution before the 2008 amendments by the Constitutional Council.

voting rule and whether voting is secret or recorded. No two sets of existing rules are exactly the same. An important distinction is whether the prime minister has unilateral power to trigger the procedure (Huber and McCarty, 2001). In France, as in several other countries, only the prime minister has this power. The cabinet needs to be consulted, but it has no veto. This means that the attribution of responsibility is comparatively straightforward. What appears exceptional about the French rule is that the confidence motion is carried unless a majority of legislators votes against it. It means that the policy attached to the vote may be passed without any actual voting taking place on the floor of parliament. This feature may enhance the anti-democratic character of the confidence vote stressed by some observers (see Huber, 1996b, pp. 4-7). It is noteworthy, however, that on many occasions an actual vote does take place.¹³

Figure 1 shows the joint evolution of French prime ministers' public approval and their use of confidence votes between 1979 and 2008. Several patterns stand out. First, nearly all prime ministers (11 out of 13) have made use of the procedure. In total, there have been 70 confidence votes and they have been used across all political parties that controlled the executive. In all of these votes, the prime minister prevailed in that there was no majority supporting a censure motion. To put this in perspective, note that over the same period about 2,830 laws were passed (Baumgartner et al., 2014). This shows that while confidence votes are not everyday political events, they are an integral part of legislative politics in France (also see Huber, 1996a). Second, confidence votes were most frequent during the minority governments of the late 1980s and early

¹³ Since the beginning of the Fifth Republic, 44 out of 85 uses of the 49.3 rule were followed by an actual vote on a resolution of no-confidence in the government.

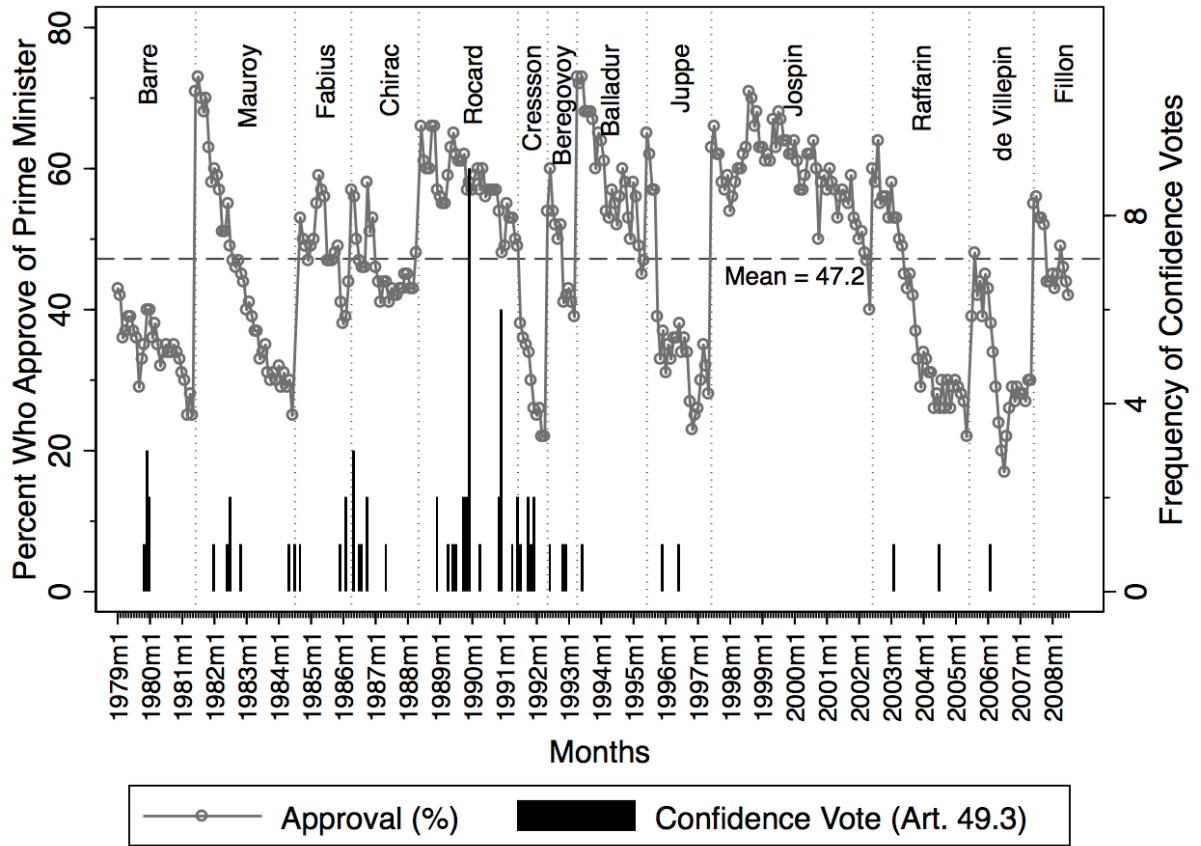


Figure 1: French Prime Ministers' use of the confidence procedure (invoking Art. 49.3 of the Constitution) in the legislative process and their public approval 1979-2008.

1990s. Thus, it will be important to control for minority government in the analysis as this may confound the public response to confidence votes. By far the most confidence votes (9) were scheduled by socialist Prime Minister Michel Rocard (1988m5-1991m5). As we will see later, excluding this period from the analysis does not substantively affect the results. Third, we observe that multiple confidence votes took place in the same month on several occasions. Fourth, the approval of prime ministers exhibits large fluctuations around the mean of approximately 47% percent, but no general trend. New prime ministers usually start with higher approval values compared to the last months of their predecessors. There is no smooth linear

decline in approval as their tenure continues. Rather, there are ups and downs along the time path. Finally, it appears that approval declines after confidence votes. Though evaluating whether this impression is true clearly requires a more rigorous analysis.

In the regression analysis to follow, we employ two alternative measures of the use of confidence votes, which have complementary strengths and weaknesses. Our simplest measure is a dichotomous variable of whether there has been at least one confidence vote in a given month (yes = 1, no = 0). This captures the idea that citizens are unlikely to keep detailed tabs on the precise number of confidence votes, so what matters is simply whether there was at least one front-page grabbing vote. The alternative measure is the count of confidence votes. As the distribution is quite skewed (see Figure 1) and the marginal informational value of another confidence vote is lower when there have been previous ones, we log-transform the raw counts, following research on presidential vetoes and executive approval in the US (Groseclose and McCarty, 2001).¹⁴

3.1.3 Controls

In addition to past approval, the analysis includes four groups of control variables that might confound the consequences of confidence votes for public approval of the prime minister. Following the dominant approach in the study of government approval, we control for macroeconomic conditions. Prime ministers pondering the use of confidence vote may take into account the state of the economy, which itself influences approval. In line with previous studies of France (for a review, see Lewis-Beck and Stegmaier, 2000), we control for quarterly GDP growth, quarterly unemployment (as percentage of labor force) and the monthly inflation rate.

¹⁴ Given there are zero confidence votes in many months, we use the common transformation and calculate the variables as $\log(0.01 + \text{Number of confidence votes})$.

The unemployment series is only available since January 1982, which means we lose the initial three years due to missing data.

Another group of control variables concerns the bargaining environment faced by the prime minister. To begin with, prime ministers leading a minority government are likely to have more incentives to rely on confidence votes to pass policy (Huber, 1996a) and perhaps they may also be less popular given their minority status, irrespective of their recourse to the confidence procedure. The ideological range of coalition partners is often considered a proxy for the potential for policy conflict in coalition governments (Tsebelis, 2002), and may thereby shape both prime ministerial approval and confidence votes. The measure we use is based on party manifesto data. We also control for divided government between the president and government led by the prime minister (i.e., cohabitation), which has been shown to affect legislative productivity (Baumgartner et al., 2014) and is also included in some studies of executive approval. Moreover, we add a dummy variable indicating months where a new prime minister enters office as well as dummies for the party of the prime minister, to capture possible baseline differences across party families. We include a counter for the months the prime minister has been in office to account for a possible declining trend in approval with the tenure in office, reflecting, for instance, increasing disillusionment after honeymoon periods (Bellucci and Lewis-Beck, 2011).

Another concern is that changes in prime ministerial approval in the wake of a confidence vote reflect that confidence votes tend to be used for important legislation (Huber, 1996a) rather than the use of procedural force as such. For instance, related research on the US Congress has found a negative relationship between the passage of major laws and congressional approval (Durr, Gilmour and Wolbrecht, 1997). To account for this possibility, we control for the number of major laws passed in a given month. The best available proxy for this is the measure of key

laws recently developed by Baumgartner et al. (2014). Baumgartner et al. define key laws as “laws that have intrinsic institutional consequences as well as laws that are considered significant by key political actors, namely, the government and its majority and/or the opposition.” (2014, 432). In operational terms, their measure of key laws includes, among others, laws for which a public vote has been requested during the legislative stage, laws that have been referred to the Constitutional Council before promulgation or that have to be passed by referendum because they concern the basic institutional structure of the country.¹⁵ Indicatively, Baumgartner et al. (2014) also include all laws that haven been passed using the confidence procedure, though their overall measure is broader.¹⁶

In line with the large literature on government approval, we will also add dummies for each prime minister to some specifications. They capture potentially unobserved time-invariant attributes of prime ministers that may be related both to confidence votes and approval. For instance, prime minister may vary in their policy motivation, valence, or sensitivity to public approval. Ultimately, we want to examine how public approval response to legislative behavior within the tenure of a given prime minister. A final set of variables measures scandals that involve the prime minister or her party. While prime ministers that get negative attention in the media might also face more internal dissent in their party and thus need to rely more on procedural force, observed change in approval may nonetheless be mainly scandal-driven.¹⁷

¹⁵ Unfortunately, we are unable to control for the use of the package vote (*vote bloqué*) as established by Article 44.3 of the constitution. It garners much less public attention and for this reason data on its use is not available. As it receives much less attention, however, there is little reason to believe that it drives the confidence vote effect. In the robustness section, we present additional evidence addressing concerns about omitted variable bias.

¹⁶ Analogous to the count of confidence votes, given the right-skewed distribution of the counts we use a log-transformation so that Key laws = $\log(0.01 + \text{Number of key laws})$.

¹⁷ As the president, not the prime minister, is the commander-in-chief of the armed forces we do not control for military conflicts in the basic specification. Unsurprisingly, adding an indicator for French participation in major conflicts (Gulf War, Kosovo War, War in Afghanistan) yields the same results for confidence votes.

3.2 Statistical Approach

We specify an autoregressive distributive lag model that imposes relatively few restriction on the dynamic structure through which confidence votes may affect the public approval of prime ministers (De Boef and Keele, 2008). This statistical approach reflects that theories of the confidence vote, while quite sophisticated in other ways, do not provide precise guidance on whether electoral cost occur instantly or with some delay, and whether they persist over several months or quickly decay. Formally, our basic model can be written as follows:

$$Approval_t = \alpha_0 + \alpha_1 Approval_{t-1} + \beta_1 Confidence\ vote_t + \beta_2 Confidence\ vote_{t-1} + \beta_3 \mathbf{x}_t + \beta_4 \mathbf{z}_{t-1} + \varepsilon_t \quad (1)$$

where *Confidence vote* is one of our two measures for the use of the confidence vote, and it enters the model contemporaneously in month t as well as with a one-month ($t - 1$) lag¹⁸; \mathbf{x}_t and \mathbf{z}_{t-1} are vectors of control variables discussed above, and the use of different letters for the different time subscripts indicates that we allow each control variable to have its own lag structure (i.e., affecting approval instantly, with delay, or both), as indicated by the data; ε_t is white noise. There are substantive and statistical reasons to include lagged approval on the right-hand side of the model. Prime ministers are aware of their past approval, which is public information, and it may well shape their decision to use confidence votes as well as current popularity. One can argue that more popular prime ministers are in a stronger position to use the confidence votes, as they should be less worried about the potential of a new election in the unlikely but not impossible case that the government falls (Becher and Christiansen, 2015). On the other hand, it may be that especially prime ministers with low approval ratings have to rely on procedural force to push through their policy agenda against opposition even in their own government. In this case,

¹⁸ Further lags of confidence votes are neither individually nor jointly significant.

ignoring past approval can lead to overestimating the approval cost of the confidence vote. In terms of dynamics, we know that approval is quite persistent on a month-to-month basis, and so the response of approval to the use of confidence vote may also persist for several periods. Furthermore, it turns out that including a single lag of the dependent variable is sufficient to model the serial dependence of the errors in the data.¹⁹ Statistical tests also show that the approval series and the confidence vote series are free of unit roots.²⁰ This means we can apply ordinary least squares (OLS) estimation to obtain consistent estimates of our key parameters of interest. In the robustness section, we discuss results from additional specifications, confirming the results from our basic specification.

If there is no response of prime ministerial approval to confidence votes, we should find that $\beta_1 = \beta_2 = 0$. Otherwise, the relative size and precision of the coefficient on current use of the confidence vote (β_1) and past use (β_2) inform us about the temporal structure of the electoral cost incurred by prime ministers for their use of their strongest procedural power. The coefficient on the lagged dependent variable, α_1 , captures how long approval effects of the confidence vote will persist, with higher values of α_1 (but less than 1) indicating longer-lasting effects. Together, these coefficients will allow us to calculate the dynamic response of prime ministers' public approval to their use of confidence votes.²¹

¹⁹ Given one lag of approval, the Breusch-Godfrey LM test provides no evidence for higher-level autocorrelation. The p-value for the test concerning second-order autocorrelation is $p = 0.96$.

²⁰ The Dickey-Fuller test for unit roots soundly rejects the null of non-stationarity.

²¹ It is well-known that the autoregressive distributive lag (ADL) model is algebraically equivalent to a commonly used error correction model (ECM). However, theory and evidence show that estimation and inference tend to be more reliable in the ADL formulation (Grant and Lebo, 2015).

4. Results

Table 1 reports the basic estimation results. Models 1-3 use the binary measure of the confidence vote, whereas Models 4-6 use the log-transformed count measure. Prime minister fixed effects and controls for scandals are added sequentially to each specification. All models reveal the same pattern of coefficients concerning the effect of the confidence procedure on prime ministerial approval. While the use of the confidence vote appears to be negatively associated with public approval in the same month, this effect is not statistically different from zero at conventional confidence levels. However, the lagged effect of the confidence vote is larger, more than two times in most specifications, and statistically significant at the five percent level. This clearly indicates that prime minister experience a delayed drop in approval after they have made use of their strongest legislative weapon. Remarkably, the relevant coefficient changes little when prime minister fixed effects and scandals are included. Furthermore, the sizable coefficient on the lagged approval variables indicates that the approval impact of a one-time use of the confidence vote persists and accumulates over several months. These results support the view, which is an integral part of theories of legislative bargaining with the confidence vote, that prime minister pay an approval penalty for using procedural force to pass laws.²²

Before we examine the dynamic effect of confidence votes implied by these estimates in more detail, a look at the control variables is useful. The impact of economic variables is largely consistent with previous studies (e.g. Lewis-Beck and Stegmaier, 2000). Economic growth has a positive effect on approval that is at least borderline significant. Once prime minister fixed effects are taken into account, unemployment has a significant negative impact. That is, once level differences across different governments are partialled out, an increase in unemployment is clearly

²² The variance inflation factors for the confidence vote variables are close to 1, indicating that multicollinearity is not an issue.

linked to a decline in approval. The inflation variable has the usual negative sign, though it is not significant. As we have already seen from the descriptive analysis, new prime ministers usually start from a higher approval level compared to the last month of their predecessor. Divided government is associated with higher prime ministerial approval, though this association is not distinguishable from different prime ministers being in office.

To convey the substantive magnitude of the confidence vote effect, Figure 2 plots the estimated response of prime ministerial approval after a one standard deviation increase in the use of the confidence vote procedure over a period of 6 months.²³ Panel (a) shows the response of approval implied by the coefficient estimates of Model 3 in Table 1, which uses the binary measure of confidence votes and includes the full set of controls. Panel (b) is based on Model 6 in Table 1 that employs the log-transformed count measure. Both panels clearly show that prime ministers suffer the highest drop in approval in the first month after the confidence votes. They continue to experience significant approval costs in the subsequent months. The approval effect dies out over time. After half a year, approval no longer responds. In total, approval declines by about 1.1 percentage points in the first quarter after the confidence vote shock. This effect is politically significant. It is very similar to the approval response a one standard deviation (i.e. 1.2 percentage points) decline in GDP growth, which is associated with a decline in approval of about 1 percentage point.²⁴ Interestingly, the effect size is similar to the impact of presidential vetoes of major legislation on presidential approval in the US (Groseclose and McCarty, 2001).

²³ The confidence intervals are based on 10,000 simulations following the simulation method described by King, Tomz and Wittenberg (2000).

²⁴ Note that the results are consistent with the interpretation that the use of confidence votes Granger causes approval. Confidence votes in the previous month help us predict current approval of the prime minister beyond previous approval in the past month as well as controls, but not the other way round.

Table 1: Estimates of the Effect of Confidence Votes on Prime Ministerial Approval

	(1)	(2)	(3)	(4)	(5)	(6)
Approval (t-1)	0.87** (0.03)	0.63** (0.04)	0.63** (0.04)	0.87** (0.03)	0.63** (0.04)	0.63** (0.04)
Confidence vote, binary (t)	-1.03 (0.73)	-0.48 (0.66)	-0.48 (0.66)			
Confidence vote, binary (t-1)	-1.51** (0.72)	-1.30** (0.66)	-1.37** (0.66)			
Confidence vote, counts				-0.21 (0.15)	-0.11 (0.13)	-0.11 (0.13)
Confidence vote, counts (t-1)				-0.30** (0.15)	-0.27** (0.13)	-0.28** (0.13)
GDP growth (t-1)	0.55** (0.21)	0.41* (0.21)	0.39* (0.21)	0.55** (0.21)	0.41* (0.21)	0.39* (0.21)
Unemployment rate (t-1)	-0.05 (0.34)	-2.58** (0.60)	-2.45** (0.61)	-0.05 (0.34)	-2.58** (0.60)	-2.45** (0.61)
Inflation Rate (t)	-0.14 (0.14)	-0.41 (0.33)	-0.37 (0.33)	-0.14 (0.14)	-0.41 (0.33)	-0.37 (0.33)
Government change (t)	19.91** (1.56)	16.13** (1.50)	16.18** (1.50)	19.93** (1.56)	16.15** (1.50)	16.19** (1.50)
Divided government (t)	4.00** (1.20)	-2.00 (12.19)	-1.87 (12.16)	3.99** (1.20)	-2.31 (12.15)	-2.19 (12.13)
Minority government (t)	-11.48** (2.73)	-5.12 (4.42)	-5.58 (4.43)	-11.48** (2.73)	-5.01 (4.41)	-5.47 (4.43)
Minority government (t-1)	10.73** (2.73)	7.06** (2.51)	7.42** (2.54)	10.75** (2.73)	7.07** (2.51)	7.44** (2.54)
Government ideological range (t)	0.89 (1.46)	4.38 (6.18)	4.36 (6.17)	0.90 (1.46)	4.53 (6.17)	4.52 (6.16)
Government ideological range (t-1)	-2.13 (1.31)	-0.69 (1.21)	-0.83 (1.21)	-2.14 (1.31)	-0.69 (1.21)	-0.83 (1.21)
Key laws (t-1)	0.01 (0.08)	0.04 (0.07)	0.06 (0.07)	0.01 (0.08)	0.04 (0.07)	0.06 (0.07)
Prime Minister dummies		✓	✓		✓	✓
Prime Minister scandals			✓			✓
Observations	309	309	309	309	309	309
R ²	0.92	0.94	0.94	0.92	0.94	0.94

Dependent variable: percent who approve of prime minister. Standard errors in parentheses. Each model includes controls for party of prime minister and number of months prime minister has been in office . Intercept included but not shown.

* $p < 0.1$, ** $p < 0.05$

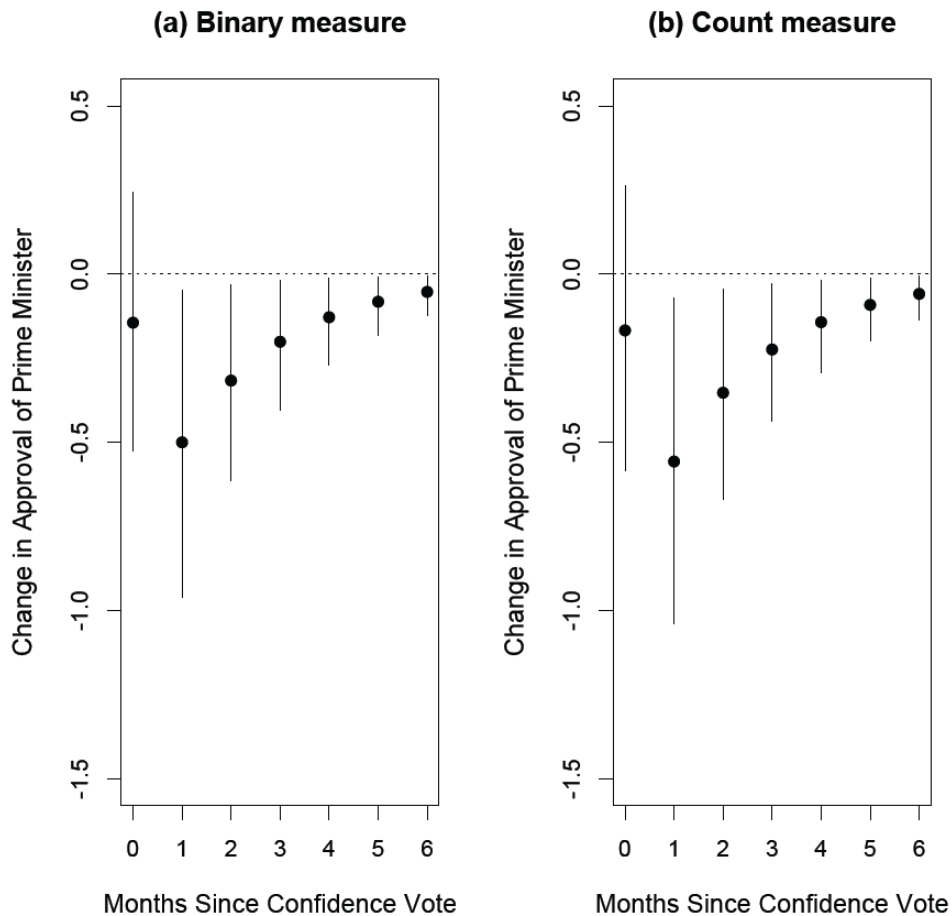


Figure 2: Estimated response in public approval of the prime minister to a one standard deviation increase in the use of confidence votes in month 0 with 95% confidence intervals. Panel (a) is based on Model 3 in Table 1 that relies on a binary measure of the confidence vote. Panel (b) is based on Model 6 in Table 1 that uses a log-transformed count measure.

4.1 Further Robustness

One concern is that the apparent response of prime ministerial approval to confidence votes is driven by an unobserved confounder rather than the electoral cost of confidence votes. In other words, one may ask whether our control variables and dynamic statistical structure are sufficient to rule out an endogeneity problem. It may be that there is an unobserved variable that drives the approval of prime ministers and their use of confidence votes. As prime ministers' public approval declines, for whatever reason not captured by our basic specification, they may also

have to resort to more procedural force to get things done in the legislative arena. While we have already controlled for a long list of potential confounders, some features of the political process, such as intra-party conflict outside the parliament or particular details of legislative proposals, are inherently difficult to measure.

To further assess this endogeneity concern, we extend equation 1 by including two additional variables that capture changes in approval prior to confidence votes. The first variable measures whether the confidence procedure is invoked in the subsequent month (i.e., $t + 1$ in our notation). Following the previous analysis, it is measured either as an indicator variable indicating the presence of at least one confidence vote or as the (logged) number of total confidence votes. The second variable is a linear trend that indicates, for each prime minister, the number of months remaining to the next month with a confidence vote. These variables allow us to assess the possibility that there is a noticeable change in public approval that predates confidence votes and explains the subsequent drop in approval. This would confirm the endogeneity concern. However, the results of Table 2 suggest that this is not the case. In all of the models, the month predating the use of the confidence procedure does not exhibit a substantively or statistically significant effect. The pre-confidence vote trend variable sheds a negative coefficient, though it is not significant at any conventional level. While this additional analysis is not suited to conclusively prove the identification assumptions required for a causal interpretation of the results, the absence of pre-treatment trends bolsters the interpretation that the popularity effect of the confidence vote is unlikely to be the consequence of omitted confounders.²⁵

Furthermore, Table A1 in the Online Appendix shows that the substantive conclusions remain the same when we drop the outlier government of Michel Rocard (1988m5-1991m5). It

²⁵ Note that further lags of confidence votes do not add explanatory power to the statistical model. They are neither individually nor jointly significant. Adding up to 11 additional lags to our basic specification (results available upon request), we also find no evidence that there is a non-monotonic effect of confidence votes.

experienced by far the largest number of confidence votes (recall Figure 1). Dropping these observations leads to very similar coefficient estimates for the lagged confidence vote variables. If anything, they are marginally larger than the ones obtained from the full sample.²⁶

Table 2: Assessing Endogeneity Concerns

	(1)	(2)	(3)	(4)
Approval (t-1)	0.63** (0.04)	0.63** (0.04)	0.63** (0.04)	0.63** (0.04)
Confidence vote, binary (t)	-0.49 (0.67)	-0.35 (0.68)		
Confidence vote, binary (t-1)	-1.35** (0.67)	-1.58** (0.70)		
Confidence vote, binary (t+1)	0.28 (0.68)	0.39 (0.69)		
Confidence vote, counts			-0.11 (0.13)	-0.08 (0.14)
Confidence vote, counts (t-1)			-0.28** (0.13)	-0.32** (0.14)
Confidence vote, counts (t+1)			0.05 (0.14)	0.07 (0.14)
Trend pref-conf.vote		-0.08 (0.08)		-0.08 (0.08)
Prime Minister dummies	✓	✓	✓	✓
Prime Minister scandals	✓	✓	✓	✓
Observations	308	308	308	308
R^2	0.94	0.94	0.94	0.94

Dependent variable: percent who approve of prime minister. Standard errors in parentheses. Each model includes all the controls included in Table 1.

* $p < 0.1$, ** $p < 0.05$

²⁶ One may ask whether the approval effect of the confidence vote varies by context. Additional results in Table A2 in the Appendix indicate that there is no statistical difference between economic and non-economic issues. While the relevant theoretical models provide no clear guidance on the issue, one may speculate that the effect varies between minority and majority governments or between divided and unified governments. We find no evidence that the majority status conditions the effect of the confidence vote. The results for divided government are more ambiguous. In some specifications, the approval costs are significantly higher under divided government. This is consistent with the idea that clarity of responsibility for the confidence vote is highest under divided government.

4.2 Discussion

We have seen that French prime ministers tend to experience a significant drop in approval for their use of procedural force that is not accounted for by standard economic and political determinants of approval used in the literature. This suggests that some people in the electorate must be paying some attention to the issue, though this study is not designed to investigate where people get their information from or whether the framing of the issue in the media matters. While these are questions for future research, one can observe that the media in France do prominently cover issues surrounding the confidence vote. A search on Lexis-Nexis suggests that each use of the confidence vote procedure is covered in hundreds of news articles, including numerous on the front pages of leading newspapers. This is not surprising, as these events concern the life or death of governments, not merely contested legislation (Huber 1996b). Many articles draw on the lexical field of force and war to describe the use of the confidence vote. Recurring terms include “act of force”, “forceps”, “weapon”, and even “atomic bomb”.²⁷ To return to an example mentioned previously, in 2015 prime minister Valls repeatedly used the confidence vote procedure to advance the economic reform package known as the Macron law. The day after a critical vote in February 2015, several newspapers covered the vote on their title page and some suggested that the use of the confidence procedure signaled that the government lacked a true majority for the reform.²⁸

In line with our estimation results, journalists also cite expected adverse effects for popularity in cases when the prime minister decides not to invoke the procedure. For example, de Villepin, who suffered a large drop of popularity after having used the procedure in 2005,

²⁷ For example, see *Le Monde*, “Passage en force”, February 13, 2003; *Les Echos*, “Décentralisation : la réforme au forceps”, July 26, 2004; *Le Figaro*, “Le 49-3, l’arme fatale pour le gouvernement”, February 19, 2016.

²⁸ For instance, see *Le Figaro*, “Le majorité se fracasse sur la loi Macron”, February 18, 2015.

consistently rejected the possibility to use it again in 2006 for a privatization law that proved difficult to pass to avoid being further penalized.²⁹

Another question concerns the external validity of the results. The design of the study has privileged the internal validity of the analysis for an important and paradigmatic case. Recall from a previous section that the structure of the confidence procedure varies significantly across countries (Bergman et al., 2003, pp. 158-159; Huber, 1996a, p. 271). Thus, the magnitude of the link the confidence procedure and prime ministerial approval may well vary by context. That said, theory and anecdotal evidence suggest that considerations about political costs of the confidence vote are not restricted to France.

Germany appears to be an unlikely case. Previous research has shown that the confidence vote procedure under the post-war constitutional arrangement is less powerful than the procedure of the French Fifth Republic (Döring and Hönnige, 2006). One reason is that a defeat does not automatically force the chancellor to resign. This reflects constitutional feature of the constructive vote of no confidence. Confidence votes have been relatively infrequent in this context (Bergman et al., 2003). Nonetheless, casual observation suggests that media coverage surrounding confidence votes also mirrors the issue of anticipated electoral cost and procedural fairness. For instance, in 2001 German chancellor Gerhard Schröder invoked the confidence vote to get a mandate for the military mission in Afghanistan with a majority of this red-green coalition government. That use of procedural force was front-page news, and various national newspapers characterized the use of the procedure as "blackmail" and an indication of bad crisis management. Some observers argued that it was anti-democratic.³⁰ Similar to the example above

²⁹ *Le Figaro*, "Les sept chantiers de Dominique de Villepin", August 23, 2006.

³⁰ For instance, see *Die Welt*, "Kanzler in der Krise", November 14, 2001; *Die Tageszeitung*, "Schröders Manipulationen", November 15, 2001.

from France, the non-use of the confidence vote procedure by the chancellor in other situations of conflict has been explained with anticipated political cost.³¹

5. Conclusion

Our empirical analysis shows that French prime ministers typically pay a tangible electoral penalty for using procedural force in lawmaking. While the constitution of the Fifth Republic has endowed prime ministers with a comparatively powerful confidence vote procedure, employing it to advance laws against opposition in their party or broader governing coalition comes at the political cost of declining public approval for the prime minister. This finding is consistent with an important but previously untested conjecture underlying formal theories of the confidence vote (Huber, 1996*b*; Huber and McCarty, 2001). Following these models, the electoral penalty uncovered by our empirical analysis also helps explain why prime ministers in France apply the confidence vote selectively and usually to major legislation.³² Theory has identified conditions under which prime ministers can rely on the confidence procedure to influence policy in their favor. Our empirical results suggest that political costs are a relevant practical constraint on the ability of prime ministers to get what they want in the policymaking process.

A previous case study has demonstrated that some politicians perceive that there are electoral costs of the confidence vote (Huber, 1996*a*). Complementing this qualitative approach, our time series analysis provides the first quantitative estimates of the link between confidence votes and prime ministerial approval. Our statistical specification also sheds light on the dynamic nature of the relationship, an issue on which existing theoretical accounts are silent. We find that

³¹ For instance, Angela Merkel rejected suggestions to use the procedure on international “bailouts”; see Frankfurter Allgemeine Zeitung, “Die Misstrauensfrage”, July 17, 2015

³² In France the procedure was used, among others, for budget laws (multiple years), the privatization of major companies, the reorganization of health insurance, laws regulating working conditions and working time, military spending, status of subnational governments or the reforms of the electoral system.

the decline in approval in response to the confidence procedure is most noticeable with a one-month delay and that there are additional significant declines in approval in the subsequent months before the effect diminishes. Everything else equal, the response dynamics suggests that prime ministers have electoral incentives to use confidence votes early rather than late in a parliamentary term.

The findings can also make sense of why in 2008 the French executive proposed a constitutional reform, which was adopted, to limit the number of confidence votes that it can invoke. The partial reform does not limit the use for major finance-related government bills, exactly the area where other political concerns may override the procedure's approval cost.³³

As always with observational data, one concern is that the apparent response of prime ministerial approval to confidence votes is driven by an omitted variable. Our research design suggests that this endogeneity problem is unlikely to be behind our findings. Among others, recall that we account for prime ministers' past approval, key features of the bargaining environment they face, invariant prime minister characteristics, major laws passed in a given month, economic conditions and political scandals. In a further robustness check, we have also found no evidence that prime ministerial approval declines prior to the use of confidence votes. We thus interpret the substantively large negative association between lagged confidence votes and approval as evidence for politically relevant electoral cost of the confidence vote.

It is important to keep in mind that our results are based on the analysis of a single country. Naturally, our estimation results should only be extrapolated to other setting with care. In the previous section, we briefly discussed anecdotal evidence highlighting that considerations of electoral costs also feature prominently in the media coverage of confidence votes beyond the French case. It suggests that similar mechanisms may be at play in other cases. Investigating this

³³ Accordingly, confidence votes are limited to finance bills, social security bills and one other government or private members' bill per session.

possibility more systematically is a worthwhile avenue for further research. A complementary approach may turn to individual-level data to examine the motivations of citizens to punish prime ministers for the use of their procedural power. For instance, does the approval effect reflect concerns about democratic procedure or learning about the competence or policy preferences of the prime minister? Does media framing of the issue matter?

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[Online] Appendix

Data Sources

Approval. The variable measures the percentage of survey respondents who say they are fairly confident or very confident that the prime minister is solving the country's current problems. The original wording is as follows: « *Faites-vous tout à fait confiance, plutôt confiance, plutôt pas confiance ou pas du tout confiance à [NAME OF PRIME MINISTER] pour résoudre les problèmes qui se posent en France actuellement?* » The data are from the survey company TNS Sofres (<http://www.tns-sofres.com>), which has consistently polled this question in collaboration with Figaro Magazine during the period of study.

Confidence vote. Data on the use of the confidence procedure based on Article 49.3 of the Constitution were compiled from two main sources, the French National Assembly, <http://www.assemblee-nationale.fr/connaissance/engagements-49-3.asp>, and the Agendas France project, <http://www.agendas-france.fr>. The advantage of the data from the Assembly is that it provides the precise date when Art. 49.3 was invoked. We have cross-checked our list with the Senate's legislative data base and media reports.

Macroeconomic conditions. All macroeconomic variables are from the electronic library (eLibrary) of the International Monetary Fund (IMF), available at <http://www.elibrary.imf.org>. Growth: percentage growth of real gross domestic product (series 132NGDP_R_PT.Q). Inflation: percentage change in monthly consumer price index, all items (series 132PCPI_PC_CP_A_PT.M). Unemployment: unemployment as percentage of total labor force (series 132LUR_PT.Q).

Bargaining environment. Unless otherwise noted, the variables in this group are from Thiébault (2000) and were updated by the authors until 2008. Divided government is a dummy variable indicating whether the president and the prime minister come from different parties. It corresponds to divided executive in Baumgartner et al. (2014).

Key laws. The variable is from Baumgartner et al. (2014). We have disaggregated their annual series by month.

Scandals. Scandals involving the prime minister and/or her government were coded based on keyword queries online and media reports. Scandals directly involving the prime minister: 1993m3 (housing loan previously made to then Prime Minister Beregovoy), 2006m5 (Affaire Clearstream, discussion involving Prime Minister de Villepin). Scandals concerning the party of the prime minister includes a broader set of cases (13) including those involving the president except under cohabitation. The full list is available upon request.

Further Results

As discussed in the robustness section of the main text, Table A1 below shows that the empirical results are robust to dropping the outlier government of Michel Rocard (1988m5-1991m5), which experienced by far the largest number of confidence votes. Another question is whether the approval effect of the confidence procedure varies by policy area. About 2/3 confidence votes concern economic issues (mostly budgetary), and 1/3 concern non-economic issues. To investigate whether there is heterogeneity in the effect by policy area, the analysis reported in Table A2 interacts the binary confidence vote measure with an indicator for the policy area (0 =

economic, 1 = non-economic). The results show that the results do not vary by policy area. The coefficient on the interaction term is close to zero and never statistically significant.

Table A1: Excluding Outliers

	(1)	(2)	(3)	(4)
Approval (t-1)	0.63** (0.04)	0.63** (0.04)	0.63** (0.04)	0.63** (0.04)
Confidence vote, binary (t)	-0.32 (0.79)	-0.18 (0.81)		
Confidence vote, binary (t-1)	-1.81** (0.80)	-2.00** (0.83)		
Confidence vote, binary (t+1)		0.05 (0.83)		
Confidence vote, counts			-0.07 (0.16)	-0.04 (0.17)
Confidence vote, counts (t-1)			-0.38** (0.17)	-0.42** (0.17)
Confidence vote, counts (t+1)				0.02 (0.17)
Trend pre-conf.vote		-0.06 (0.08)		-0.06 (0.08)
Prime Minister dummies	✓	✓	✓	✓
Prime Minister scandals	✓	✓	✓	✓
Observations	274	273	274	273
R^2	0.94	0.94	0.94	0.94

Dependent variable: percent who approve of prime minister. Standard errors in parentheses. Each model includes all the controls included in Table 1. The Rocard government (1988m5-1991m5), which experienced the largest number of confidence votes (9), is excluded from the analysis.

* $p < 0.1$, ** $p < 0.05$

Table A2: Policy Areas

	(1)	(2)	(3)
Approval (t-1)	0.63** (0.03)	0.63** (0.04)	0.63** (0.04)
CV, binary (t-1)	-1.72** (0.84)	-1.32* (0.76)	-1.40* (0.76)
CV Binary (t-1)	0.50 (1.38)	-0.00 (1.29)	0.05 (1.29)
*Non-economic policy (t-1)			
Prime Minister dummies		✓	✓
Prime Minister scandals			✓
Observations	309	309	309
R^2	0.92	0.94	0.94

Dependent variable: percent who approve of prime minister. Standard errors in parentheses.

Each model includes all the controls included in Table 1.

* $p < 0.1$, ** $p < 0.05$