

Fixed Term Parliaments

Experience and practice in other jurisdictions

Prof. Petra Schleiter

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1. What is a fixed or flexible parliamentary term?

- ▶ The nature of parliamentary term is set out in the constitution:
 - ▶ **Fixed:** no early elections, election timing cannot be affected by politicians
 - ▶ US congressional elections
 - ▶ Norway
 - ▶ **Flexible:** early elections allowed, timing influenced by politicians
 - ▶ The extent to which political choice influences timing is a *matter of degree*.
 - ▶ **Semi-fixed:** early elections allowed, but cannot be called at the discretion of a single political actor

2. Who can call an early election?

- ▶ **Multiple actors may be involved**
 - ▶ prime minister, government, legislature, president
- ▶ **Different roles at different stages**
 - ▶ initiating, advancing or deciding dissolution
- ▶ **Ability to act may be constrained**
 - ▶ it may be conditional (for instance, dissolution may only be allowed when government formation fails)
 - ▶ it may be time limited (for instance, not in the last 6 months of the president's term)
 - ▶ it may be subject to the consent or consultation of other actors, such as party leaders

Who has power to call elections in other countries?

Country	Actor			
	PM	Government	Legislature	President
Australia	High		Low	
Austria			High	High
Belgium (1831)		High		
Belgium (1995)		Medium	Medium	
Canada	High			
Croatia (2000)		Low	Medium	Low
Denmark	High			
Estonia		Low	Medium	Medium
Finland (1919)				High
Finland (1991)	Medium			Medium
France (1946)		Low	Low	
France (1958)				High
Germany	Low		Low	Medium
Greece (1975)		Low	Low	High
Greece (1986)		Medium	Medium	Low
Iceland				High
Ireland	High		Low	Medium
New Zealand	High			
Norway				
UK (1945)	High			
UK (2011)			Medium	

3. When can elections be called under semi-fixed terms?

- ▶ Remember, **semi-fixed**: early elections allowed, but not at the discretion of a single political actor
- ▶ Constitutions constrain discretion by:
 - ▶ involving *multiple actors* in dissolution
 - ▶ president and government
 - ▶ 2/3 majority requirements
 - ▶ making dissolution *conditional on specific situations*
 - ▶ collapse of government
 - ▶ failed government formation
 - ▶ failure to pass budget
 - ▶ *temporal constraints* on dissolution
 - ▶ prohibition of multiple elections in short succession
 - ▶ prohibition of election calling to coincide with presidential term

4. How long do parliaments serve?

▶ Parliamentary term length varies:

	Constitutional length Maximum length as set out in the constitution	Actual length Reflects ease with which early elections can be called
Fixed	4 years (always)	4 years (always)
Semi-fixed	4 years (on average)	3.8 years (on average)
Flexible	4 to 5 years (on average)	3.3 years (on average)

5. What happens if semi-fixed or fixed terms are introduced?

- ▶ Reduced vote advantage to incumbents
 - ▶ Being able to call an election when you expect to win can generate a vote share bonus of as much as 5%. Semi-/fixed terms limit or abolish this advantage.
- ▶ Reduced frequency of elections
 - ▶ Because election calling is harder, fewer early elections are scheduled
 - ▶ But note: government duration not necessarily extended
- ▶ Fewer bargaining chips for the government
 - ▶ A prime minister/government with less power to dissolve parliament, cannot use dissolution as easily as a bargaining chip when negotiating policy and legislation.
- ▶ More incentives to engage in cyclical economic policy making
 - ▶ The prime minister/government have less power to dissolve the parliament, so politicians will have more incentives to engage in electorally-motivated, cyclical economic policy making.

6. UK Fixed-Term Parliaments Act (2011)

- ▶ The Act constrains the prime minister's discretion to dissolve parliament, but does not fix the parliamentary term
 - ▶ Creates a **semi-fixed** term
- ▶ Early elections can be triggered in two ways:
 1. if parliament votes for an early election by two-thirds majority of *all* MPs (434)
 2. if parliament passes a no-confidence vote in the government with a simple majority and then fails to express confidence in a government within 14 days.
- ▶ The Act creates the opportunity for opposition parties to check the PM
- ▶ Opposition parties may or may not use this opportunity
 - ▶ The early election of 2017 was called under the provisions of the Act: a two-thirds majority of all MPs voted on April 19, 2017 to dissolve parliament.