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# 4 The Netherlands

## The reinvention of consensus democracy

*Simon Otjes, Tom Louwerse and  
Arco Timmermans*

### Introduction

The Netherlands used to be a proto-typical consensus democracy (Lijphart 1968). All major political parties were integrated into an ‘elite cartel’ (Andeweg et al. 2008). On important issues, even if political parties were officially part of the opposition, they were consulted. Legislation passed through parliament with large majorities; in parliament and in consultative bodies, where all societal subgroups are represented, spokespersons from groups that were not represented in cabinet were also heard. The role of the ‘real opposition’ was relegated to small, permanent opposition parties (Daalder 1966). In 2002 the Netherlands was suddenly woken from this consensual dream by the entry of the radical right-wing populist Lijst Pim Fortuyn (LPF) into parliament. This party argued that there was widespread societal dissatisfaction with the consensual political system and it introduced a more polarised style of politics (Otjes 2011). Since 2002, one former Member of Parliament argued, the *Tweede Kamer* (lower house of the bicameral parliament) “has never been calm again.”<sup>1</sup> In 2008, as in many Western countries, the financial and economic crisis hit the Netherlands. Not long thereafter, in 2010, the first minority coalition government in almost a century took office. It needed a way of working together with opposition parties to ensure majorities for reform and austerity packages. This situation has continued until the end of our period of analysis in 2015, when the government in office lacked a majority in the Senate and therefore has also had to strike some kind of deal with opposition parties.

The Netherlands has almost every characteristic of a consensus democracy: from its extreme proportional electoral system via institutionalised, corporatist relations with interest groups, coalition government and bicameralism with a legislative veto for the Senate to its multiparty system. With on average more than five effective political parties, Dutch politics can truly be characterised as pluralistic. Table 4.1 presents all thirteen parties in the *Tweede Kamer* between 1998 and 2015 and Table 4.2 lists the governments formed during this period. In recent years, elections have become very volatile: on average, more than 20 per cent of seats changes hands at every election. The electoral fortunes of

Table 4.1 Political parties in the Dutch parliament (1998–2017)

Name abbreviation	Dutch	English	Party Family	First entry into Parliament	Party Stability (electoral support range)	Experience in Government
PvdA	<i>Partij van de Arbeid</i>	Labour Party	Social-Democrat	1946	23–45	In and out of government
CDA	<i>Christen-Democratisch Appèl</i>	Christian-Democratic Appeal	Christian-Democrat	1977	13–44	In and out of government
VVD	<i>Volkspartij voor Vrijheid en Democratie</i>	Liberal Party	Liberal	1948	22–41	In and out of government
SP	<i>Socialistische Partij</i>	Socialist Party	Left Socialist	1994	5–25	Never
D66	<i>Democraten 66</i>	Democrats 66	Liberal	1967	3–14	In and out of government
GL	<i>GroenLinks</i>	GreenLeft	Green	1989	4–11	Never
PVV	<i>Partij voor de Vrijheid</i>	Freedom Party	Extreme right	2006	9–24	Never
LPF	<i>Lijst Pim Fortuyn</i>	List Pim Fortuyn	Extreme right	2002	0–26	In and out of government
CU	<i>ChristenUnie</i>	ChristianUnion	Christian-Democratic	2002 <sup>1</sup>	3–6	In and out of government
SGP	<i>Staatkundig Gereformeerde Partij</i>	Reformed Political Party	Christian-Democratic	1922	2–3	Never
PvdD	<i>Partij voor de Dieren</i>	Party for the Animals	Green	2006	2	Never
50Plus			Special Interest	2012	2	Never
LN	<i>Leefbaar Nederland</i>	Liveable Netherlands	Populist	2002	0–2	Never

<sup>1</sup> The CU was formed in 2001 as a merger of two small protestant parties, the *Gereformeerde Politiek Verbond* (Reformed Political League GPV) and the *Reformatiorische Politieke Federatie* (Reformed Political Federation, RPF), which had never been in government. These two parties have cooperated intensively since the beginning of the 1998 parliamentary term and therefore are treated as one party in this analysis.

Table 4.2 Government and opposition composition (1998–2014)

	<i>Prime Minister (PM's Party)</i>	<i>Type of Government</i>	<i>Government Parties</i>	<i>Opposition Parties</i>
1998–2002	Kok (PvdA)	Oversized Majority	PvdA, VVD, D66	CDA, GL, SP, CU, SGP
2002–2003	Balkenende (CDA)	Minimum- winning Coalition	CDA, LPF, VVD	PvdA, SP, GL, D66, CU, SGP, LN
2003–2006	Balkenende (CDA)	Minimum- winning Coalition	CDA, VVD, D66	PvdA, SP, LPF, GL, CU, SGP
2006–2007	Balkenende (CDA)	Minority Coalition	CDA, VVD	PvdA, SP, LPF, GL, D66, CU, SGP
2007–2010	Balkenende (CDA)	Minimum- winning Coalition	CDA, PvdA, CU	VVD, SP, PVV, GL, D66, SGP, PvdD
2010	Balkenende (CDA)	Minority Coalition	CDA, CU	PvdA, VVD, SP, PVV, GL, D66, SGP, PvdD
2010–2012	Rutte (VVD)	Minority Coalition with Support Party	VVD, CDA (PVV)	PvdA, SP, D66, GL, CU, SGP, PvdD
2012–2017	Rutte (VVD)	Minimum- winning Coalition <sup>1</sup>	VVD, PvdA	CDA, PVV, SP, D66, CU, GL, SGP, PvdD, 50Plus

<sup>1</sup> The coalition did not have a majority in the Senate and therefore effectively functioned as a Minority Coalition.

almost all parties are tempestuous. Some stability is afforded by the patterns of coalition formation: the centre-left Labour Party (*Partij van de Arbeid*, PvdA), the centre-right Christian-Democrats (*Christen-Democratisch Appèl*, CDA) and the right-wing Liberal Party (*Volkspartij voor Vrijheid en Democratie*, VVD) have formed the core of every government since 1977. Governments form by partial alternation: at least one of these three parties stays in government, often one of these parties rotates out of government and a third rotates into government. Except for the inclusion of two of these three parties, cabinet formation is quite open: other parties often join the coalition from the social-liberal Democrats 66 (*Democraten 66*, D66) via the centrist Christian-democratic ChristianUnion (*ChristenUnie*, CU) to the short-lived right-wing LPF. Until 2010 informal norms about cabinet formation prevented the formation of minority governments (Andeweg 2011): in 2010, a centre-right minority government was formed with support of the radical right-wing populist Freedom Party (*Partij voor de Vrijheid*, PVV). Still, some parties are relegated to being permanent opposition parties: the right-wing conservative Christian Political

Reformed Party (*Staatkundig Gereformeerde Partij*, SGP), the eldest party in the Netherlands, is one example, but so are the left-wing Socialist Party (*Socialistische Partij*, SP) and GreenLeft (*GroenLinks*, GL). The open electoral system has allowed for the entry of new political parties, such as the ‘deep green’ Party for the Animals (*Partij voor de Dieren*, PvdD), the pensioners’ party 50Plus and the populist reform party Liveable Netherlands (*Leefbaar Nederland*, LN).

For the purposes of analysing parliamentary voting, the Dutch political space can be considered to be one-dimensional, ranging from the left (where we find the Socialist Party) to the right (where we find the Freedom Party). Until 2002 a second religious dimension separated the CDA, CU and SGP from the other parties. Since 2002, with the entry of the LPF into parliament, new cultural issues, such as immigration, Islam and civic integration, have become more important (Otjes 2011). Voting on these issues mostly follows the left-right dimension, strengthening the left-right division in parliament.

This study analyses opposition party behaviour between 1998 and 2015. Our analysis focuses on the effect of the global financial crisis in 2008, which became a prolonged European sovereign debt crisis between 2009 and today. We will look at two periods: before the crisis (operationalised as before 28 September 2008, when the Dutch, Belgian and Luxembourgish governments nationalised the bank Fortis) and after the onset of the crisis. As is standard in all the chapters in this volume, the tables will show the data per cabinet. The analysis will focus on the difference in the voting behaviour and the use of parliamentary tools before and after the crisis, and by taking larger periods together, we are able to look at the effect of the crisis more directly.<sup>2</sup> We use three sources of data. First, for parliamentary voting we use a database on parliamentary voting obtained from the website of the *Eerste Kamer*, the Upper House. As bills are only voted upon in the *Eerste Kamer* if they are approved by the *Tweede Kamer*, this data only contains bills that were voted on in both the chambers. We added the three government bills that were rejected in the *Tweede Kamer*, the Lower House, which the *Eerste Kamer* never voted on, from the Dutch Parliamentary Behaviour Dataset (Louwarse et al. 2018). For the use of other parliamentary tools, we also used the Dutch Parliamentary Behaviour Dataset, which includes motions, amendments and written questions and a hand-coded list of oral questions asked during the question hour (Timmermans and Breeman 2010).

### **The opposition’s behaviour in the law-making process**

The research framework of this book formulated three expectations about opposition voting behaviour in parliament. First, permanent opposition parties tend to be less cooperative than opposition parties with experience in government. Therefore, such permanent, non-cooperative opposition parties may be characterised as ‘radical’ opposition. Second, the global financial crisis and

the ensuing Eurozone crisis decreased the willingness of all opposition parties to cooperate. The third expectation is that this ‘crisis’ effect was stronger for parties that were already consigned to be opposition parties. We will analyse those hypotheses here, contrasting the pre-crisis period (1998–2008) and the post-crisis period (2008–2014). Based on previous research, our analysis will take two confounding factors into account: the composition of the government (centre-left or centre-right) and the nature of governing coalition (majority or minority cabinets) (Otjes and Louwerse 2014; Louwerse et al. 2017).

On average the government proposes around 244 bills per year. The financial crisis has not affected this: before 2008 the government proposed on average 245 bills per year, and after the crisis the amount was 243. Table 4.3 displays the extent to which political parties voted in favour of government-initiated bills between 1998 and 2014. The first thing that stands out is that none lies below 80 per cent: on the whole, opposition parties tend to support legislation by large margins. Andeweg (2013) observed that such patterns of support go back to at least 1963 and that the extreme levels of support may be related to the tradition of consensus democracy and the tradition of cooperation on policy between specialists. During the pre-crisis period, opposition parties on average supported 94 per cent of government proposals. Contrary to expectation, the two populist parties score highest: first is the short-lived centrist populist party Liveable Netherlands, which supported all government-initiated legislation

Table 4.3 Percentage of favourable votes to government bills by all parties, per government (1998–2014)

	<i>Kok</i>		<i>Balkenende</i>				<i>Rutte</i>	
	<i>II</i>	<i>I</i>	<i>II</i>	<i>III</i>	<i>IV</i>	<i>V</i>	<i>I</i>	<i>II</i>
PvdA	<b>1.00</b>	0.99	0.96	0.96	<b>1.00</b>	0.99	0.93	<b>1.00</b>
CDA	0.95	<b>1.00</b>	<b>0.99</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>	0.96
VVD	<b>0.99</b>	<b>1.00</b>	<b>0.99</b>	<b>0.98</b>	0.92	0.98	<b>0.99</b>	<b>1.00</b>
SP	0.90	0.91	0.88	0.87	0.90	0.88	0.87	0.86
D66	<b>0.99</b>	0.98	<b>0.99</b>	0.99	0.96	1.00	0.95	0.96
GL	0.94	0.95	0.90	0.89	0.96	0.98	0.93	0.90
PVV	–	–	–	<i>1.00</i>	0.88	0.70	0.93	0.83
LPF	<i>0.98</i>	<b>0.99</b>	0.98	1.00	–	–	–	–
CU	0.96	0.99	0.97	0.96	<b>1.00</b>	<b>0.98</b>	0.95	0.97
SGP	0.94	1.00	0.97	0.98	0.98	0.97	0.98	0.96
PvdD	–	–	–	<i>0.98</i>	0.91	0.94	0.85	0.82
50Plus	–	–	–	–	–	–	<i>0.96</i>	0.81
LN	<i>1.00</i>	1.00	–	–	–	–	–	–

Notes: Governing parties in bold. Numbers in italics represent very limited number of votes when a party that is new to parliament participates in votes during the short periods when a cabinet that has already submitted its resignation continues to govern after elections before a new cabinet is formed.

during its short term in parliament, likely because of its ideological proximity to the LPF, which was in government then, as well as the fact that few (contentious) bills were presented during that short parliamentary term. The Lijst Pim Fortuyn supported 98 per cent of legislation when it was in opposition (between 2003 and 2006). The governing coalition was mainly composed of the centre-right parties it governed with between 2002 and 2003 and their coalition agreement was quite similar to the agreement the LPF had signed in the previous term. D66 also scores very high. It supported on average 98 per cent of legislation during its two periods in opposition before the financial crisis (2002–2003 and 2006–2008). The centre-left cabinet that governed during 2006 and 2008 took a similar position on the left-right dimension as D66 did. The small Christian conservative SGP and the ChristianUnion, which has a slightly more centrist profile, were both always in opposition before 2008. These two parties supported 96 per cent of government legislation before 2008. They were more supportive of the Balkenende governments, which included the Christian-democratic party CDA, than of the Kok II government, which had quite a liberal agenda on moral issues, such as euthanasia. Next, we find the three core government parties: the social-democratic Labour Party supported on average 96 per cent of legislation when it faced centre-right governments from opposition; the Christian-democrats supported 95 per cent of legislation when it faced a Liberal-Labour government; the Liberal Party supported on average 94 per cent of legislation from the first two years of the centre-left Balkenende IV government. Below them, one could find four permanent opposition parties: the GreenLeft and the SP support 93 per cent and 90 per cent of legislation. Interestingly they are more supportive of legislation from governments including social-democrats (95 per cent and 90 per cent) compared with governments that do not include social-democrats (90 and 88 per cent). The ‘deep green’ PvdD and the radical right-wing populist PVV were in parliament for only two years before the crisis and support 90 per cent and 92 per cent legislation.<sup>3</sup>

All in all, we find that before the crisis no party in the Dutch parliament can be characterised as being a ‘radical’ opposition party that systematically rejects legislation. Within opposition parties we find a division between the CU, LN and SGP on the one hand, which are very supportive of legislation, even though they had never governed, and on the other hand opposition parties that have governed (PvdA, CDA, VVD, D66 and LPF), which appear slightly less supportive of legislation. Permanent opposition parties of the left (SP, PvdD, GL) and the right (PVV) tend to reject legislation more often, but even these parties support more than six out of seven government bills.

In 2008, the global financial crisis hit the Netherlands. The point at which this global crisis became domestic can be pinpointed quite precisely: the nationalisation of Fortis, which was one of the largest banks of the Netherlands on September 28, 2008. This happened during the Balkenende IV

centre-left majority coalition cabinet. The following period, however, was quite tempestuous in terms of coalition formation. After the Balkenende IV cabinet fell in 2010, all subsequent governments, the Rutte I and Rutte II governments, lacked a majority in at least one house of parliament. As both houses of parliament must approve legislation for it to be passed, this required some form of cooperation between coalition and opposition to ensure majorities for legislation.

We find that the permanent opposition party SGP is most supportive of government legislation (on average 97 per cent): this is even higher than its support before the crisis. The Rutte I cabinet informally consulted the SGP in order to gain its support, which was necessary to get legislation passed in the Senate. It also signed a number of agreements with the Rutte II cabinet to ensure a majority for legislation in the Senate. These agreements are discussed in the last section of this chapter. The ChristianUnion, no longer a permanent opposition party after its period in government between 2006 and 2010, supported government legislation at the same level that it did before the crisis. Like the SGP, it signed several deals with the Rutte II government and supported the Rutte I government when it could not rely on its support party, the PVV, on some crucial issues. The CDA, which has been in opposition since 2012 for the first time in ten years, showed slightly higher levels of support compared with the period before the crisis. The extent to which D66 supported government legislation has decreased slightly (to 96 per cent). Like the CU and the SGP, D66 was involved in deals with the Rutte II government and supported the Rutte I government when the PVV would not. The Labour Party showed slightly less support for legislation as an opposition party than it had as a coalition party. Particularly notable for the Labour Party was the short period that the CDA and CU formed a minority government after the fall of the Balkenende IV government. The PvdA supported all legislation of this coalition. The extent to which GL, a permanent opposition party, supported the government legislation stayed the same. The GL struck deals with both the Rutte I and Rutte II government. Where it comes to the traditional government parties, the decline in support from the VVD is most notable: while before the crisis the VVD had supported the centre-left coalition in 94 per cent of the cases, after the onset of the crisis, this support dropped by 3 per cent. We find a marked decrease in support of government legislation for the SP, the PVV and the PvdD. The decrease is notable because the PVV was a supporting party of the CDA-VVD minority cabinet between 2010 and 2012. The PVV supported 93 per cent of its bills; in the other periods, it supported only 84 per cent of bills. The PvdD decreases its support to on average 86 per cent. Among the more critical parties we can also note the pensioners' party 50Plus.

The expectation that permanent opposition parties would be less cooperative than in-and-out-of-government parties was not supported by the data. Among the permanent opposition parties, there were those that supported the



government the most of all opposition parties (LN, SGP, CU before 2008), as well as the least (PvdD, PVV, SP). The in-and-out-of-government parties fell in-between these two categories. Clearly, it would be incorrect to treat all permanent opposition parties in the same way: there are more cooperative and more critical parties among their ranks. We find only a small effect of the global financial crisis on the willingness of opposition parties to support government bills, which decreased by about 2 per cent. Such a decline, however, occurs for only six out of ten parties. Most data supports the expectation but a number of cases (CDA, GL and SGP) form important exceptions. In line with the third expectation, we find that this decline is somewhat sharper for permanent opposition parties. They go down from 94 per cent support of legislation before the crisis to 90 per cent after the crisis. However, two of the five permanent opposition parties (GL and SGP) actually defy this expectation. One might speculate as to what sets GL and SGP apart from the PvdD, SP and PVV, as they are all permanent opposition parties, but the development in their behaviour is starkly different. In terms of their left-right position there are only small differences between GL, SP and PvdD and between SGP and PVV. A large difference does exist, however, in terms of the PvdD, SP and PVV all being strongly anti-elitist (Bakker et al. 2012) and the latter two (SP and PVV) are also clearly populist (Otjes and Louwse 2015). Their opposition strategy is increasingly uncooperative. This fits the image of permanent ‘radical’ opposition parties. GL and the SGP are not standard ‘radical’ permanent opposition parties. Rather, their development in the last years implies that they have become more supportive of government. For the SGP, this fits with the principle ‘let the government govern’ without excessive parliamentary interference, which is both (1) part of their biblical ideology that the government has a divine right to govern and (2) its part of the Dutch historical tradition of consensus democracy (Lijphart 1968). In general, the SGP has chosen not to oppose the government but to behave cooperatively, in particular when Christian-democratic parties were part of the government. In the last years, the SGP, which has been excluded from consideration from cabinet participation not only due to its opposition to women’s suffrage,<sup>4</sup> has become more mainstream by dropping, for instance, its ban on women’s membership. GreenLeft, formed as a coalition of left-wing parties, has become more mainstream and aspired explicitly to cooperate with the government (Lucardie and Voerman 2010: 220). Their cooperative behaviour can be seen as part of the normalisation of these two parties that so far have been excluded from government at the national level but are increasingly included in local and provincial governments. Earlier, the ChristianUnion had gone through a similar process of ‘normalisation,’ which had resulted in its government participation between 2007 and 2010. All in all, the division within the permanent opposition appears to be between parties that aspire to become part of the mainstream and those that explicitly seek to differentiate themselves from the elite.

## The opposition actors beyond the voting behaviour

This section looks at the use of legislative tools, such as private member bills and amendments, and scrutiny tools, such as written and oral questions and motions. The expectations tested here are that permanent opposition parties will use *legislative* tools less often than other opposition parties and *scrutiny* tools more often than opposition parties. Moreover, we expect that after the onset of the global financial crisis, the use of legislative tools has declined, and the use of scrutiny tools has increased and finally that this effect is stronger for permanent opposition parties compared with others.

First, we look at the use of legislative tools, namely amendments and legislative proposals written by opposition party MPs (private members' bills). The underlying idea is that working on legislation is a sign of proactive and somehow also cooperative behaviour: opposition parties seek to find majorities for alternative policies. Private members' bills are hardly ever used. On average an opposition MP introduces such a bill once every eight years, but some parties tend to propose many private members' bills. Before the crisis, the PvdD, D66, PVV, GL, PvdA, VVD and SGP introduced more private members' bills than average, around one per MP every five years. The other parties introduced fewer private members' bills than the average. Permanent opposition parties are among both those that introduce most private members' bills (PvdD, GL and PVV) and those that introduce the least (SP, CU and LN). On average, permanent opposition MPs introduce a private member bill every eight and a half years (0.12 bill per MP per year), compared with just below eight for opposition parties that have been in government (0.14 bill per MP per year).

After the crisis, opposition MPs were slightly more likely to introduce legislation: from once every eight years, this has increased to just above once every seven years (0.14 bill per MP per year). This goes against the expectation. For six out of ten opposition parties, there is a (small) decline. There are increases in the willingness to introduce private members' bills for the SP, the GL, SGP and CU. The first three of these parties are permanent opposition parties. MPs from permanent opposition now introduce private members' bills once every seven years (0.14 bill per MP per year), compared with about once every nine years for former government parties (0.11 bill per MP per year). These patterns clearly contradict the expectation that after the onset of the global financial crisis opposition parties would be less inclined to propose legislation and that such a decline would be centred among permanent opposition parties.

Not only is the number of private members' bills small, most are not even put to a vote: of the 136 private members' bills that were introduced in the research period, as of the winter of 2015, 46 per cent were still under discussion in the Tweede Kamer. After the introduction, MPs had not pushed the legislation further. Six per cent were withdrawn by the MP; 6 per cent were rejected by the Tweede Kamer; 7 per cent were under discussion in the Eerste

Kamer; 4 per cent were rejected by the Eerste Kamer; and only 30 per cent were accepted by both houses of parliament.

Next, we look at amendments. Opposition parties introduce more amendments than government parties. Before the crisis an average opposition MP proposed more than six amendments per year. Before the crisis, the SGP and the CU were the champions in proposing amendments on a per-capita basis, followed by GL, D66, SP and LN. MPs belonging to the traditional three parties of government introduced fewer amendments than the average opposition party MP. The PVV and the LPF introduced far fewer amendments: about two amendments per MP per year. Permanent opposition parties introduced on average more than nine amendments per MP before the crisis. After the crisis, on average opposition party MPs were slightly more inclined to introduce amendments. Six opposition parties (all but two of which are permanent opposition parties) increased their use of amendments after the crisis, while PvdA, VVD, D66 (former government parties) and GL introduced more. All in all, this data contradicts three key expectations: permanent oppositions are not less likely to use legislative tools than opposition parties that have been in government. Rather, there are permanent opposition parties, such as GL and the SGP, which use such tools very often. Interestingly, these were the same opposition parties that as we saw above did not decrease their support for legislation. There are also permanent opposition parties (most prominently the PVV), which do not use such tools at all; the PVV also voted against legislation relatively often. The division between the parties that aspire to join the mainstream and spend time actually working on legislation and those that foster an anti-elite profile and neglect the legislative functions of parliament appears to be important here. In contradiction to the expectation, there was no decline in the use of such ‘cooperative’ tools by opposition parties after the global financial crisis. Rather, the use of such tools increased slightly.

Next, we look at parliamentary questions (Table 4.4). MPs can ask questions during a weekly question hour (if the Speaker selects them) or they can send a written question to a minister. On average an opposition MP asked 1 oral question and 20 written questions per year in the years before the crisis. The PVV uses scrutiny tools very often: it scored second highest in oral questions and in written questions. It is bested by two parties that were in parliament only for short periods: the Party for the Animals asked more than 100 written questions per MP in the two years they were in parliament before the crisis (but no oral ones); LN was in parliament for such a short period that its few appearances, notably during the question hour, make quite an impact on our count. When we look at oral questions we then find the GL (with nearly 2 oral questions per year); it also scores above average with written questions. The SP is fourth in oral questions and third in written questions. We then find former government parties such as D66, VVD, LPF, PvdA and CDA. MPs of CU and SGP also use such tools less often than most MPs.

Table 4.4 Parliamentary questions of all parties, per government (1998–2014)

	Number of oral questions per MP (per PPG)					Number of written questions per MP (per PPG)							
	Kok		Balkenende		Rutte	Kok		Balkenende		Rutte			
	II	I	I	II	V	I	II	III	IV	V	I	II	
PvdA	<b>0.16</b> (7)	0.35 (11)	0.56 (23)	0.45 (17)	<b>0.23</b> (8)	1.17 (36)	<b>0.60</b> (23)	7.22 (317)	10.37 (398)	13.37 (441)	10.62 (319)	24.75 (758)	<b>32.32</b> (1260)
CDA	0.54 (16)	<b>0.14</b> (6)	<b>0.28</b> (12)	<b>0.30</b> (13)	<b>0.45</b> (19)	<b>1.15</b> (23)	1.39 (18)	3.91 (413)	<b>6.08</b> (260)	<b>12.61</b> (517)	<b>14.11</b> (218)	<b>14.51</b> (296)	43.06 (560)
VVD	<b>0.04</b> (2)	<b>0.05</b> (1)	<b>0.08</b> (2)	<b>0.37</b> (10)	0.85 (19)	<b>0.50</b> (16)	<b>0.37</b> (15)	<b>6.41</b> (239)	<b>6.69</b> (171)	19.56 (430)	7.02 (296)	<b>7.21</b> (229)	<b>11.28</b> (462)
SP	2.28 (12)	1.18 (11)	1.57 (14)	0.62 (10)	0.97 (24)	2.14 (32)	1.55 (23)	51.32 (266)	28.85 (444)	32.69 (817)	42.01 (630)	40.50 (608)	78.16 (1172)
D66	<b>0.31</b> (4)	1.61 (11)	<b>0.86</b> (5)	0.00 (0)	0.17 (8)	2.39 (15)	0.83 (27)	<b>12.44</b> (170)	29.76 (143)	61.55 (185)	13.09 (131)	26.60 (270)	41.66 (500)
GL	1.72 (19)	1.29 (12)	2.05 (16)	1.67 (13)	2.33 (16)	2.35 (22)	2.67 (11)	19.89 (218)	22.13 (168)	32.42 (227)	18.82 (188)	27.53 (264)	89.51 (358)
PVV	–	–	–	<i>1.74</i> (6)	2.11 (19)	0.90 (21)	0.90 (13)	–	<i>21.60</i> (78)	54.86 (494)	11.11 (267)	17.14 (400)	44.58 (669)
LPF	<i>0.62</i> (1)	<b>0.13</b> (2)	0.44 (4)	0.33 (2)	–	–	–	<i>1.24</i> (2)	<b>0.38</b> (7)	9.35 (75)	2.3 (11)	–	–
CU	0.66 (3)	0.33 (1)	0.54 (2)	0	<b>0.17</b> (1)	2.39 (12)	0.83 (4)	13.02 (64)	7.56 (32)	<b>15.03</b> (90)	<b>26.52</b> (133)	35.59 (178)	61.41 (307)
SGP	0.09 (0)	0.00 (0)	0.48 (1)	0.00 (0)	1.00 (2)	0.69 (1)	1.08 (3)	10.41 (31)	29.36 (59)	34.60 (69)	36.01 (72)	37.19 (77)	47.62 (143)
PvdD	–	–	–	<i>0.00</i> (0)	0.50 (1)	1.91 (4)	1.62 (3)	–	<i>31.74</i> (25)	126.93 (254)	77.75 (156)	71.04 (142)	105.05 (210)
50Plus	–	–	–	–	–	<i>0.00</i> (0)	1.39 (3)	–	–	–	–	6.76 (1)	14.38 (29)
LN	2.68 (0)	0.99 (1)	–	–	–	–	–	<i>16.1</i> (2)	7.93 (9)	–	–	–	–

Notes: PPG = parliamentary party group. Governing parties in bold. Numbers in italics represent very limited number of questions when a party that is new to parliament asks questions during the short periods when a cabinet that has already submitted its resignation continues to govern after elections before a new cabinet is formed.

All in all, permanent opposition parties are more likely to use scrutiny tools compared with opposition parties that have been in government. The SGP, however, forms a clear exception to this rule. The following expectation is that the use of such tools increased markedly during the economic crisis. On average MPs ask more oral questions; the number of written questions even doubles. Seven out of ten parties increase the number of written questions: it decreases for VVD, the SP and the PVV. Only two parties decrease their number of oral questions: the PvdD and the PVV. The former still scores more than double the average number of questions per opposition MP. For the latter this period includes its stint as a support party for a minority government; were we to exclude this period, the number of written questions would go down by only two per MP per year. All in all, the expectation that MPs ask more questions after the global financial crisis is supported by the data. Permanent opposition parties do not ask more questions after the onset of the economic crisis: for oral questions the number of questions asked by MPs from parties that have never governed stays almost identical, while there is a marked increase for opposition parties with a government track record. There is an increase in the use of written questions for both groups, but in relative and absolute terms the increase is greater for opposition parties that have governed. We note, however, that permanent opposition parties were more active overall: they display the highest use of scrutiny tools, before and after the crisis.

Finally, we turn our attention to motions (Table 4.5). Motions (called resolutions in some other legislatures) are non-binding expressions of the opinion of parliament. They are used quite often by Dutch MPs, for instance, to censure ministers, to express opinions about issues and to shape government policy. When proposing new legislation, ministers often refer to adopted motions to justify why they introduce new regulations (Visscher 1994: 118). Before the crisis an average opposition MP proposed 24 motions. In the short period the PvdD was in parliament before the economic crisis, it proposed on average almost 90 motions per MP per year. They are followed in numbers by LN, D66 and the SGP, then GL and CU, SP and SGP. At the low end of the scale we find the core government parties when in opposition as well as the LPF. After the onset of the crisis the number of motions has nearly doubled. The use of motions, however, has increased for only five parties: the ChristianUnion now proposes the most motions per MP per year, followed closely by the GL. Both have more than doubled their use of motions. The CDA has quintupled the average number of motions per MP per year. The PvdA and the SP have also increased number of motions. We find decreases for the PvdD, SGP, D66, the PVV and the VVD. Were one to exclude the period the PVV was a support party, the average number of motions per its MP per year would increase very slightly. Permanent opposition parties increase their use of motions (an average increase of only three motions). At the same time opposition parties who have governed, more than double the number of motions per MP per year.

Table 4.5 Motions of all parties, per government (1998–2014)

	<i>Number of motions per MP (per PPG)</i>							
	<i>Kok</i>	<i>Balkenende</i>					<i>Rutte</i>	
	<i>II</i>	<i>I</i>	<i>II</i>	<i>III</i>	<i>IV</i>	<i>V</i>	<i>I</i>	<i>II</i>
PvdA	<b>7.37</b> <b>(324)</b>	13.36 (410)	12.54 (527)	11.08 (425)	<b>11.83</b> <b>(390)</b>	<b>8.24</b> <b>(247)</b>	16.04 (491)	<b>18.41</b> <b>(718)</b>
CDA	10.74 (319)	<b>5.61</b> <b>(243)</b>	<b>6.79</b> <b>(299)</b>	<b>7.23</b> <b>(309)</b>	<b>8.82</b> <b>(362)</b>	<b>8.18</b> <b>(172)</b>	<b>10.44</b> <b>(213)</b>	51.37 (668)
VVD	<b>6.04</b> <b>(226)</b>	<b>8.25</b> <b>(211)</b>	<b>10.56</b> <b>(296)</b>	<b>10.48</b> <b>(268)</b>	18.90 (416)	6.02 (187)	<b>4.83</b> <b>(153)</b>	<b>8.14</b> <b>(334)</b>
SP	32.78 (170)	32.68 (294)	33.85 (305)	21.33 (328)	21.07 (527)	19.53 (293)	27.75 (416)	63.42 (951)
D66	<b>21.23</b> <b>(290)</b>	45.49 (300)	<b>42.54</b> <b>(255)</b>	47.28 (227)	73.64 (221)	7.86 (79)	32.78 (332)	64.93 (779)
GL	27.60 (302)	43.31 (398)	51.12 (409)	44.69 (340)	53.66 (376)	22.59 (226)	41.62 (399)	156.30 (625)
PVV	–	–	–	18.96 (68)	36.41 (328)	4.77 (114)	7.49 (175)	38.83 (582)
LPF	6.19 (23)	<b>14.32</b> <b>(682)</b>	28.53 (38)	16.53 (36)	–	–	–	–
CU	33.92 (168)	41.40 (149)	46.55 (140)	32.87 (138)	<b>40.98</b> <b>(246)</b>	<b>26.19</b> <b>(131)</b>	56.83 (284)	114.56 (573)
SGP	48.71 (144)	79.73 (159)	64.85 (130)	76.97 (154)	55.06 (110)	29.46 (59)	50.13 (104)	67.56 (203)
PvdD	–	–	–	97.20 (78)	72.87 (146)	44.19 (88)	53.82 (108)	123.14 (246)
50Plus	–	–	–	–	–	–	0.00 (0)	52.41 (105)
LN	64.41 (6)	93.23 (111)	–	–	–	–	–	–

Notes: Governing parties in bold. Numbers in italics represent very limited number of motions when a party that is new to parliament introduces motions during the short periods when a cabinet that has already submitted its resignation continues to govern after elections before a new cabinet is formed.

This section tested four ideas. First, permanent opposition parties were less likely to use constructive tools compared with opposition parties that have governed. This is not the case, on average; for the entire period, permanent opposition parties proposed one private member bill every eight years, while opposition parties that have governed introduce one every nine years; the first group proposes eight amendments per year, while the second group proposes five amendments per year. The second notion was that permanent opposition parties used scrutiny tools more. This is indeed the case: they propose twice as many motions and propose 70 per cent more oral questions and 50 per cent

more written questions. The third expectation is that the political culture would be more adversarial after the crisis than before. While we can see an increase in the number motions and oral and written questions, we also find an increase in the number of amendments and private members' bills: that is, a proactive behaviour and possibly also a sign of a willingness to cooperate. The final expectation held that such increase would be more marked for permanent opposition parties. This is not the case: rather it is opposition parties that have been in government that increase the number of motions and oral and written questions, while the numbers remain more stable for permanent opposition parties.

### Experimenting with minority government

In this section, we examine opposition activity not expressed in motions, amendments, votes or parliamentary questions. In minority government situations, opposition parties have bargaining power over the government. Opposition parties mostly support government policies and bills, and they even may help prevent that government ministers must resign when facing motions of no confidence (Otjes and Louwerse 2014). But in Dutch parliamentary practice, deals struck between minority governments and opposition parties are quite exceptional. We look at the eight agreements the Liberal-Labour minority coalition negotiated to secure majorities in the Senate for austerity measures and welfare state reforms. These are listed in Table 4.6.

The Rutte II cabinet was formed in the fall of 2012 without a majority in the Eerste Kamer, which holds a full veto over all legislation. It had an ambitious

*Table 4.6* Policy agreements between coalition and opposition (2012–2015)

<i>Agreements</i>	<i>D66</i>	<i>CU</i>	<i>SGP</i>	<i>GL</i>	<i>CDA</i>	<i>50Plus</i>	<i>PvdD</i>	<i>PVV</i>	<i>SP</i>
Housing Agreement	1	1	1	0	0	0	0	0	0
2014 Budget	1	1	1	0.96	0.96	0.88	0.76	0.84	0.92
Pension Agreement	1 <sup>1</sup>	1 <sup>1</sup>	1 <sup>1</sup>	0	0	0	0	0	0
Welfare Bill	1	1	1	0	1 <sup>2</sup>	0	0	0	0
Care Bill	1	1	1	0	1 <sup>2</sup>	1 <sup>2</sup>	0	0	0
Student Grant Agreement	1	0	0	1	0	1 <sup>2</sup>	0	0	0
2015 Budget	1	1	1	0.95	0.95	0.77	0.82	0.82	0.91
2016 Tax Plan	1 <sup>1</sup>	0	0	0	1 <sup>2</sup>	0	0	0	0

Notes: Share of budget bills supported for 2014 and 2015 budgets.

1 Only supported the bill in the Eerste Kamer, not in the Tweede Kamer.

2 Voted in favour without participating in backroom talks.



austerity agenda and initially thought, based on assurances by the chair of the Eerste Kamer, that the Senate would not be a major obstacle in realising these goals. But already in the first months of the cabinet, the opposition parties, CU, D66 and SGP, proposed a number of alterations to the government plans on the housing market. The coalition and the opposition parties entered in negotiations and presented an agreement on housing policy. This was the first of a series of agreements between the coalition parties and opposition parties. After this agreement, the government invited the GL and D66 to talk about reforms of student and child grant systems. These talks failed. Despite not being assured of a majority, in the Senate the government then decided to introduce a number of pieces of legislation without consulting the opposition: this led to tense negotiations about the 2014 budget and a pension bill. After these were introduced, it became clear that they would not obtain a legislative majority in the Senate. The government responded by inviting all opposition parties to the negotiating table. In both cases, only the SGP, CU and D66 stayed and the cabinet developed a working relationship with these parties, consulting them on issues and inviting them on negotiations on major reforms in social security and long-term health care. This gave SGP, CU and D66 the nickname the 'Constructive Three' (C3). The three parties helped the government obtain a majority for these bills, while the CDA (and for the care bill the pensioners' party 50Plus) also voted in favour but without participating in talks (as we saw, the usual pattern of opposition party behaviour in legislative decision making is to vote in favour without being consulted). Talks about the student grant system with D66 and GL were reopened, resulting in an agreement. D66 and GreenLeft also participated in talks on the reform of the provincial government structure, but these failed. The cabinet reached a deal with D66, CU and SGP about the 2015 budget. The cabinet then had only one major issue left: tax reform. They talked with opposition parties in the first half of 2015 but no deal was struck. They introduced a tax plan without ensuring support of opposition parties. Of the opposition parties, only the CDA voted in favour (they had indicated that they would support the tax plan but were opposed to talks); the government then courted D66 in the Eerste Kamer to ensure a majority for their tax plans, which eventually succeeded.

These deals negotiated between the coalition and opposition parties clearly contradict the idea that during the economic crisis opposition parties would become more antagonistic. On the contrary, the combination of an economic crisis with a government in a minority situation led to strong cooperation between the government and opposition parties. Although the agreements between the coalition and the opposition were new, they did fit into a larger consensual political tradition of Dutch politics. In these cases, opposition influence of legislation was not limited to formal amendments but involved a more fundamental give and take resulting from their increased bargaining power.

The cooperative behaviour of D66, CU and SGP and to a lesser extent GL contradicts the idea that the crisis exacerbated antagonism in parliament. Two



of these parties are permanent opposition parties, their cooperation does not support the idea that permanent opposition parties are less cooperative than opposition parties that have been in government. These four parties showed above average support of legislation (except for GL before 2008). They also showed other signs of cooperative behaviour proposing more amendments than average and more private members' bills than average (except for the CU before 2008). The two permanent opposition parties GL and SGP are (again) specifically notable. As discussed above, their cooperative behaviour can be seen as part of the mainstreaming of these two parties, which at the national level so far have been excluded from government. There are also substantive grounds for cooperation: D66, CU and SGP have relatively centrist economic ideologies and actually could be placed in-between the PvdA and the VVD on the economic left-right dimension. As discussed above, the SGP's biblical ideology (which the CU shares) includes the notion that the government has a divine right to govern without excessive parliamentary interference. Therefore these parties have historically tended to be more cooperative.

Except for the strategic choice of parties, there are also cultural factors at play. As we saw, before and after the global financial crisis, opposition parties supported a large share of legislation: even the most outspoken opposition party still supported six out of seven government bills. The exceptionally high rates of support tie in with a Dutch tradition of consensus democracy where legislating is an almost depoliticised process (Andeweg and Irwin 2009; Eppink 2003). As Lijphart (1968: 121) described it, politics in the Netherlands has been business-like with an emphasis on getting things done. In this case backroom meetings between political leaders of government and opposition parties played a crucial role: secrecy and summit diplomacy, where leaders of opposition and government parties meet to discuss major issues and cobble out agreements, are historically part of Dutch consensus democracy. Moreover, political cooperation between parliamentary specialists laid the basis for many of these agreements: in the committees of the Dutch working parliament, specialists of coalition and opposition parties have met to work on common interest, with the division between coalition and opposition becoming less relevant (Andeweg 2013). While some authors have argued that these consensus rules have waxed and waned over time (Daalder 1974; Pennings and Keman 2008; Van Praag 1993; Lijphart 1989), these informal institutions certainly were visible here.

Still, these norms are no longer as all-pervasive as they used to be. While the CU, D66 and SGP clearly subscribe to these rules, other opposition parties abstained completely from cooperation: the PvdD, PVV and SP have not signed a deal with the government, nor did they vote in favour of any of these more controversial reforms. These also are the parties that voted more often against legislation, in particular after the outbreak of the crisis in 2008. These parties also make frequent use of scrutiny tools such as parliamentary questions (although this has decreased quite a bit for the PVV after its period as a support

party). These parties come closest to the model of an uncompromising, uncooperative and scrutiny-oriented opposition party. For this reason, in this analysis of Dutch opposition behaviour between 1998 and 2015 we may distinguish between a 'responsible opposition' that enables the continuity of government by negotiating deals, and a 'responsive opposition' that primarily aims to voice the constituent's views (Mair 2011). While this expressive politics in scrutiny activity is well visible, even these more responsive opposition parties still allow the government to reach a majority in most legislative voting. In this sense, in the Netherlands, they maintain an important level of responsibility.

## **Conclusions**

This chapter examined the nature of opposition in the Netherlands. We can summarise the results with three general conclusions. First, consensus trumps all other patterns. The strength of consensus can be seen in voting patterns on legislation: in general opposition parties support 93 per cent of government bills. Even the least supportive opposition party still supported 80 per cent of legislation. These voting patterns were part of a tradition of consensus: this also includes a pragmatic political style, cooperation between specialists and a willingness to strike deals behind closed doors. When what was in effect a minority government needed the support of opposition parties for far-reaching austerity and reform packages after the global financial crisis, these institutions were activated: it allowed coalition and opposition parties to strike deals on specific reforms. The tradition of consensus thus trumped the possibility of more antagonistic politics after the onset of the economic crisis. The rules of consensus democracies allowed for cooperation between coalition and opposition, in particular when it was more necessary due to the minority status of the government.

Second, permanent opposition breeds diversity. One of the guiding expectations of this study was that permanent opposition parties would be more antagonistic, more inclined to use scrutiny tools and less inclined to cooperate with the government. We found that within the group of permanent opposition parties, there are two streams: on the one hand, there are the Socialist Party, the Freedom Party and the Party for the Animals. These represent the 'radical' opposition parties in the Netherlands, which reject legislation more than other parties, tend to ask parliamentary questions, use cooperative tools less than other parties and are unwilling to strike policy deals with the government. On the other hand, there are the Political Reformed Party and the GreenLeft. These parties tend to vote in favour of legislation, propose alternatives in the form of amendments and private members' bills and are willing to strike deals with the government. D66 and the ChristianUnion, which have been in government, share a very similar political style.

Third, after the crisis previously passive opposition parties appear to have awakened. The PvdA, CDA and VVD had been in government often before

their tenures in opposition we observed here. Those parties tended to be more passive opposition parties. They did not vote against legislation often, but they also proposed a limited number of amendments, parliamentary questions and motions. After the financial crisis, these parties became more active: the VVD in particular voted against legislation more often; the CDA in particular became more active in proposing amendments; the PvdA and the CDA asked more parliamentary questions and used more motions. One can question whether it was the crisis that caused them to become more active. Rather the activities of these parties may have increased over time (Bakema 1988), independently of the circumstances.

All in all, the Dutch consensus democracy found a way to deal with minority government, building further on the already existing rules of the game that characterised this consensus democracy. A number of opposition parties, including two parties that had never governed before, increased the extent to which they voted in favour of legislation during the crisis; overall opposition parties were also more likely to try to find majorities for alternative policies (in the form of amendments and bills); during the Rutte II, in office since the fall of 2012, eight separate policy agreements were made between coalition and opposition parties that had not governed before. This article thus has shown that the economic crisis not only exacerbates confrontation in parliament, but also may lead parties to collaborate if opposition parties can obtain gains from a strengthened bargaining position.

## Notes

- 1 The quote is from Mariëtte Hamer, at the time one of the longest sitting Dutch MPs. Cited in: Besselink, N. and K. Zandbergen (2014) "Sinds Fortuyn is het hectisch", *Trouw*, July 5, 2014.
- 2 This means that we have had to split the data for the fourth cabinet Balkenende in a before and after crisis period. We do not present this data separately in the tables.
- 3 The difference between the Kok II cabinet (before the entry of the LPF) and the first three-and-a-half Balkenende cabinets is small. Of the parties that were in opposition during both these periods, the support levels of the SP and the CU hardly change, while the GL was less supportive (94% to 92%) and the SGP was more supportive (94 to 98%) during Balkenende cabinets. These changes can better be explained by the changing ideological composition of the cabinets than a reaction to the oppositional style of the populist parties LPF and the LN, which show no sign of being 'radical' opposition in their voting.
- 4 The SGP's position on women's suffrage was for instance the reason that in 2003 the CDA and VVD opted to form a coalition with D66 instead of relying on the CU and SGP.

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