Gradual change and deconcentration of presidential powers in Chile (XIX): ideas, networks, and institutional ambiguity

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ABSTRACT

Literature on presidential studies has paid little attention to understanding what causes power concentration in the hands of the chief executive to vary. We use the case of 19th century Chile to uncover the causal path that led to one of Latin America's most far-reaching yet gradual sets of reforms that weakened presidential power. Combining theoretical approaches that emphasize the role of institutions, ideas, networks, and ambiguity, this article seeks to explain how and why Chile went from having one of the most constitutionally powerful presidents to one of the weakest in Latin America as part of a gradual reformation that lasted three decades.

Keywords: presidential power - institutional change – ideas – networks – Chile – Latin America

INTRODUCTION

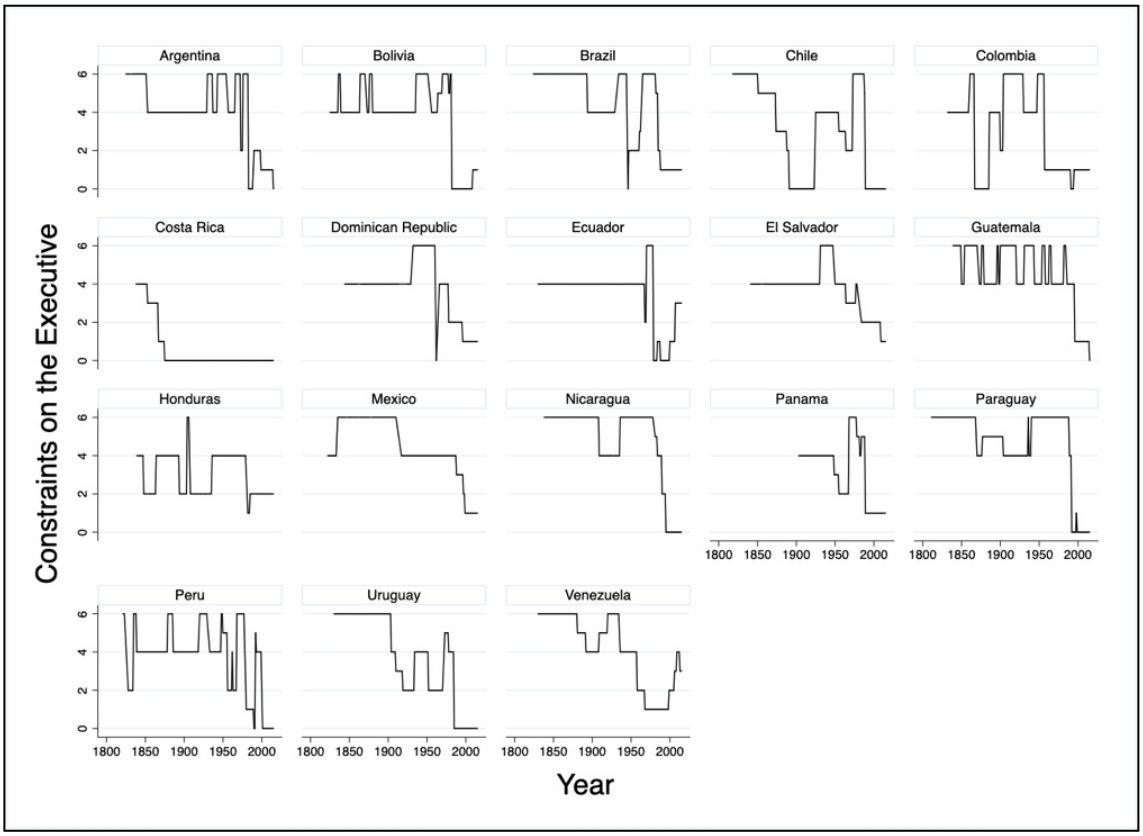
Most Latin American countries in the second half of the 19th century adopted models of "consolidation," "centralization," and authoritarian-like political power.[1] We find several examples of countries in which power considerably concentrated on the executive: Mexico during the "Porfiriato" (1876-1910), Guatemala under Justo Rugino Barrios (1871-1885), Antonio Guzmán Blanco (1870-1888) in Venezuela, and Colombia's Rafael Núñez (1884-1888). Other countries in the region also underwent civil wars, mutinies, and the powerful influence of the military on domestic affairs, such as the cases of Peru, Bolivia and Ecuador in which executive power was concentrated but with high levels of political instability. That is, in most Latin American countries, power concentration was the trend, and in some cases, it followed a pattern of abrupt and unpredictable institutional change (see figure 1). Chile, on the other hand, underwent a gradual process of power deconcentration, one that did not see regime breakdowns, but rather, it exhibited relatively high levels of political competition and participation.[2]

Hence, our chief goal is to explain slow-paced, institutionalized reforms to presidential power. Considering the well-known weaknesses of Latin American political institutions, especially during the 19th century, it would be of great theoretical and empirical value to analyze cases in which (de)concentration of power took place in the absence of major political turmoil. We follow the causal path that began with a

[1] Frank Safford, "Política, Ideología y Sociedad," in *Historia de América Latina.*, vol. 6, América latina independiente, 1820-1870 (Barcelona: Cambridge University Press, Editorial Crítica, 1991), 103.
[2] Arturo Valenzuela and J. Samuel Valenzuela, "Los Orígenes de La Democracia. Reflexiones Teóricas Sobre El Caso de Chile," *Estudios Públicos* 12 (1983): 7–39; J. Samuel Valenzuela, "Caudillismo, Democracia, y La Excepcionalidad Chilena En América Hispana," *Revista de Occidente* 305 (2006): 11–28.

process of increasing state penetration in the 1850s, a critical juncture that set off a reactive sequence of events leading to a series of constitutional reforms that modified how power was concentrated in the hands of the chief executive.

Figure 1. *Executive Constraints on the Executive, Latin America 1800-2015.*



Source: Own elaboration based on data collected from Polity IV.[3] Higher values suggest greater levels of executive power concentration.

In the 1850s, presidential authority began to be openly contested when, for instance, the opposition challenged the executive's budget proposal, rejected the president's own successor, and forced several cabinet reshuffles, among others. Even though these formal rules existed, it was the first time the opposition had resorted to them. Later, in the 1870s and 1880s, power concentration in the hands of the president

[3] Monty G Marshall, Ted Robert Gurr, and Keith Jaggers, "Polity IV Project: Political Regime Characteristics and Transitions, 1800-2015 Dataset" (Centre for Systemic Peace, 2016).

was significantly weakened through the enactment of constitutional reforms that eliminated presidential re-election and the use of extraordinary powers, limited the president's influence on elections, and reduced his legislative powers, among others. These changes remained unaltered for several decades, even after the 1891 Civil War.

We seek to contribute to the sub-field of power concentration in presidential systems. Surprisingly, the specialized literature has mostly ignored why and how power concentration varies. Thus, we attempt to fill this gap by drawing on the literature of institutional change. We posit that this process of institutional change heavily hinges upon ideational elements, social networks among key political actors, and institutional ambiguity. Our argument is grounded on scholarly work that raises the need for the articulation of neo-institutional lines of thought in order to explain the processes of institutional change.[4] We rely mostly on archival information from conference proceedings, reports, and a specialized bibliography of the period.

Our results show that in times of high uncertainty, as during critical junctures, ideas may function as an important factor but only when coupled with social networks that are able to actually mobilize and articulate them. We also show how actors may resort to the activation and reinterpretation of dormant rules in order to decrease presidential authority. Yet, when status quo defenders are weak and are fewer ways to reinterpret existing rules, status quo challengers may embark in constitutional reforms, which in the case of Chile ended with a significantly weaker chief executive. As these

[4] Peter A. Hall and Rosamery Taylor, "Political Science and the Three New Institutionalisms," *Political Studies* 44, no. 5 (December 1, 1996): 936–57; Hugh Heclo, "Ideas, Interest, and Institutions," in *The Dynamics of American Politics. Approaches and Interpretations*, ed. Lawrence Dodd and Calvin Jillson (Boulder: Westview Press, 1994); Bruno Palier and Yves Surel, "Les « trois I » et l'analyse de l'État en action," *Revue française de science politique* 55, no. 1 (2005): 7–32.

changes took place gradually and slowly, institutions that constrain presidential power were in place for a long period.

In the following section, we review the literature on power concentration and institutional change. In section three, we briefly lay out the research methodology and sources of the study, as well as the justification for the selection of 19th century Chile as a theoretically and empirically relevant case study. Section four deals with the qualitative analysis of Chile's institutional reforms that weakened presidential power, which we examine through four approaches: critical junctures, the role of ideas, networks, and agency and institutional ambiguity. In the concluding section, we summarize our findings and offer some final remarks.

POWER CONCENTRATION AND INSTITUTIONAL CHANGE

Literature of presidential power has largely focused on identifying the constitutional tools conferred on the chief executive and their classification,[5] whereas recent studies have devoted more attention to develop better and more accurate measures of

[5] Matthew Shugart and John Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics* (New York: Cambridge University Press, 1992); Timothy Frye, "Politics of Institutional Choice: Post-Communist Presidencies," *Comparative Political Studies* 30, no. 5 (1997): 523–52; John Carey and Matthew Shugart, *Executive Decree Authority* (Cambridge: Cambridge University Press, 1998); Lee Kendall Metcalf, "Measuring Presidential Power," *Comparative Political Studies* 33, no. 5 (2000): 660–685; Gary Cox and Scott Morgenstern, "Latin America's Reactive Assemblies and Proactive Presidents," *Comparative Politics* 30, no. 2 (2001): 171–89; Alan Siaroff, "Comparative Presidencies: The Inadequacy of the Presidential, Semi-Presidential and Parliamentary Distinction," *European Journal of Political Research* 42, no. 3 (2003): 287–312; J. Mark Payne, "Balancing Executive and Legislative Prerogatives: The Role of Constitutional and Party-Based Factors," in *Democracies in Development: Politics and Reform in Latin America*, ed. J. Mark Payne, Daniel Zovatto, and M. Mateo Díaz, Inter-American Development Bank (Washington, D. C, 2007), 81–116; Argelina Figueiredo, Denise Lopes, and Vieira, Marcelo M., "Political and Institutional Determinants of the Executive's Legislative Success in Latin America," *Brazilian Political Science Review* 3, no. 2 (2009): 155–71; Jose Antonio Cheibub, Zachary Elkins, and Tom Ginsburg, "Latin American Presidentialism in Comparative and Historical Perspective," *Tex. L. Rev.* 89 (2011): 1707–39; Gabriel Negretto, *Making Constitutions: Presidents, Parties, and Institutional Choice in Latin America* (Cambridge: Cambridge University Press, 2013).

presidential powers.[6] Similarly, other works have looked at power concentration, for example, by assessing how constitutionally strong or weak presidents may lead to regime instability or if they reduce government duration. [7]

On the other hand, very few studies have paid attention to the issue of explaining variations in presidential power. The roles played by large-scale emergencies in the life of a country (such as the waging of wars),[8] legislative majorities favoring the president, and the degree of party system fragmentation have been identified as promoters of stronger presidents.[9] Corrales's recently published work—which is the only one that has explicitly sought to explain why presidential power varies in Latin American third wave democracies—shows that existing power asymmetries favoring an incumbent president over the opposition lead to constitutionally powerful chief executives.[10]

Explanations of how and under what circumstances power (de)concentration in the hands of the chief executive occurs have been largely overlooked and are still

[6] Jessica Fortin, "Measuring Presidential Powers: Some Pitfalls of Aggregate Measurement," *International Political Science Review* 34, no. 1 (2013): 91–112; David Doyle and Robert Elgie, "Maximizing the Reliability of Cross-National Measures of Presidential Power," *British Journal of Political Science* 46, no. 04 (October 2016): 731–41.

[7] Shugart and Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*; Scott Mainwaring and Anibal Pérez-Liñán, *Democracies and Dictatorships in Latin America: Emergence, Survival, and Fall* (New York: Cambridge University Press, 2013); Gretchen Helmke, *Institutions on the Edge: The Origins and Consequences of Inter-Branch Crises in Latin America* (Cambridge: Cambridge University Press, 2017); Young H. Kim and Donna Bahry, "Interrupted Presidencies in Third Wave Democracies," *Journal of Politics* 70, no. 3 (2008): 807–22; Christopher A. Martínez, "Presidential Survival in South America: Rethinking the Role of Democracy," *International Political Science Review* 38, no. 1 (2017): 40–55.

[8] Arthur J. Schlesinger, *War and the American Presidency*, W. W. Norton (New York, 2004); Sergio Toro-Maureira and Juan Carlos Arellano-González, "The Architecture of Governments in Conflict Environments: The Origin and Crystallisation of Presidentialism in Latin America," in *Institutional Innovation and the Steering of Conflict in Latin America*, ed. Jorge Gordin and Lucio Renno (United Kingdom: ECPR Press, 2017), 33–56.

[9] Negretto, *Making Constitutions: Presidents, Parties, and Institutional Choice in Latin America*.

[10] Javier Corrales, *Fixing Democracy: Why Constitutional Change Often Fails to Enhance Democracy in Latin America* (USA: Oxford University Press, 2018).

undertheorized. Thus, we seek to fill this gap by drawing on the literature of institutional change. This body of work has chiefly focused on how institutions and actors' ideas and interests fuel or hinder institutional change,[11] but it has also called for the inclusion of political networks to the analysis.[12]

Institutional change: ideas, networks and institutional ambiguity

Ideas, which are understood as "programmatic beliefs," influence actors' behavior by providing them with a conceptual repository that shapes the definition of problems and their policy solutions.[13] Institutional change is usually preceded by a transformation in actors' belief systems or paradigms,[14] as well as by intense debate on the part of political actors (parties, lawmakers, ministers, etc.).[15] The evolution of ideas through time affects the way actors observe and reassess different sets of political strategies and policy outcomes,[16] especially in times of high levels of uncertainty. During crises, the capacity of actors to calculate the "most rational" alternatives is

[11] Hall and Taylor, "Political Science and the Three New Institutionalisms"; Heclo, "Ideas, Interest, and Institutions"; Palier and Surel, "Les « trois I » et l'analyse de l'État en action."
[12] Jessica C Shearer et al., "Why Do Policies Change? Institutions, Interests, Ideas and Networks in Three Cases of Policy Reform," *Health Policy and Planning* 31, no. 9 (November 1, 2016): 1200–1211; Paul A. Sabatier and Christopher Weible, "The Advocacy Coalition Framework: Innovations and Clarifications," in *Theories of the Policy Process*, ed. Paul A. Sabatier (United State of America: Westview Press, 2007), 189–222.
[13] Daniel Béland and Robert Henry Cox, eds., *Ideas and Politics in Social Science Research* (Oxford; New York: Oxford University Press, 2011); Peter Hall, ed., *The Political Power of Economic Ideas* (Princeton: Princeton University Press., 1989); Yves Surel, "The Role of Cognitive and Normative Frames in Policy-Making," *Journal of European Public Policy* 7, no. 4 (January 1, 2000): 495–512; Vivien A. Schmidt, "Discursive Institutionalism: The Explanatory Power of Ideas and Discourse," *Annual Review of Political Science* 11, no. 1 (June 2008): 303–26.
[14] Hall, *The Political Power of Economic Ideas*.
[15] John W. Kingdon, *Agendas, Alternatives, and Public Policies*, 2nd ed., Pearson New International Edition (United States of America: Pearson, 2014); Jal Mehta, "The Varied Rol of Ideas in Politics. From 'Whether' to 'How,'" in *Ideas and Politics in Social Sciencie Research*, ed. Daniel Béland and Robert Henry Cox (Oxford; New York: Oxford University Press, 2011), 23–46.
[16] William Galston, "William Galston, Political Feasibility: Interests and Power," in *The Oxford Handbook of Public Policy*, ed. Michael Moran, Martin Rein, and Robert E. Goodin (New York: Oxford University Press, 2008), 545.

severely compromised, which in turn hampers the adoption of optimal collective action.[17] In order to be "actionable," interests are to be articulated by ideas about and perceptions toward the environment.[18] In uncertain times, ideas become road maps for actors in the justification of change and in the ensuing design of institutions.[19]

Nonetheless, ideas by themselves do not bring institutional change. Networks are useful in examining the path of the creation, diffusion, and reinforcement of ideas among key political players,[20] without which institutional change cannot be fully achieved. Networks are spaces where members strive to convert their interests and normative beliefs into policies through the formation of alliances, the sharing of resources, and the articulation of strategies, ultimately constituting coalitions that push for institutional change.[21] A focus on networks enables us to determine at what level interactions among relevant political players are "dense" enough to have a substantial effect on policy outcomes.[22] More importantly, ideas and networks are closely intertwined since, as Mische puts it, the development of coalitions "must be talked out and built up discursively."[23] In other words, the construction of coalitions, especially those formed by heterogenous partners whose sense of shared solidarity and identities

[17] Neil Bradford, "The Policy Influence of Economic Ideas: Interests, Institutions and Innovation in Canada," *Studies in Political Economy* 59, no. 1 (1999): 20.
[18] Colin Hay, "Constructivist Institutionalism," in *The Oxford Handbook of Political Institution*, ed. Sarah A. Binder, R. A. W. Rhodes, and Bert A. Rockma (New York: Oxford University Press, 2008), 69.
[19] Vivien A. Schmidt, "Reconciling Ideas and Institutions through Discursive Institutionalism," in *Ideas and Politics in Social Sciencie Research*, ed. Daniel Béland and Robert Henry Cox (Oxford; New York, 2011).
[20] Shearer et al., "Why Do Policies Change? Institutions, Interests, Ideas and Networks in Three Cases of Policy Reform."
[21] Sabatier and Weible, "The Advocacy Coalition Framework: Innovations and Clarifications," 194–96.
[22] Galston, "William Galston, Political Feasibility: Interests and Power," 549.
[23] Ann Mische, "Cross-Talk in Movements: Reconceiving the Culture-Network Link," in *Social Movements and Networks: Relational Approaches to Collective Action*, ed. Mario Diani and Doug McAdam (New York: Oxford University Press, 2003), 276.

is weak, may be significantly influenced by the compartmentalization of discourse.[24] That is, agents may "segment" specific ideas over which they are able (or decide) to bond with other alliance members, ideas that are strong enough to keep them rallied behind.[25]

Finally, institutional ambiguity (or institutional activation) is also regarded as an important cause of institutional change. Institutions should not only be thought of as rules that constrain agents' behavior, but also as strategic resources at their disposal.[26] Mahoney and Thelen argue that it is impossible for legislators and decision-makers to foresee every future scenario, which means that how actors might eventually come to interpret and use institutions is outside the control of those who design them in the first place.[27] The latter suggests that institutions contain different degrees of ambiguity which can be subject to actor interpretation, emphasizing the role of agency in institutional change.[28]

Mahoney and Thelen identify four types of gradual institutional change, which are a condition of the combination of two factors: the veto power of defenders of the status quo, and the levels of discretion (or ambiguity) in interpretation afforded by institutions.[29] Firstly, *displacement* takes place when new rules substitute old ones.

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[24] Ibid., 269.
[25] Ibid.
[26] James Mahoney and Kathleen Thelen, "A Theory of Gradual Institutional Change," in *Explaining Institutional Change: Ambiguity, Agency and Power*, ed. James Mahoney and Kathleen Thelen (Cambridge: Cambridge University Press, 2010), 1–37.
[27] Ibid.
[28] Philippe Lagassé, "Parliament and the War Prerogative in the United Kingdom and Canada: Explaining Variations in Institutional Change and Legislative Control," *Parliamentary Affairs* 70, no. 2 (April 1, 2017): 280–300.
[29] Mahoney and Thelen, "A Theory of Gradual Institutional Change," 15–18.

Secondly, *layering* occurs when new rules are created that coexist with old rules. A third type of change is called *drift*, which results from (exogenous) changes in the environment that affect actor behavior. Finally, institutional change through *conversion* happens when formal rules stay the same and actors, nonetheless, purposely take advantage of their inbuilt ambiguity in order to induce change.[30]

Additionally, depending on whether actors want to preserve standing institutions and respect their rules, Mahoney and Thelen identify four types of agents: *insurrectionaries* (who seek to change an institution and are against following its rules), *symbionts* (who favor preserving the institution but not following its rules), *subversives* (who are against preserving an institution but abide by its rules), and *opportunists* (who may or may not seek to preserve an institution and follow its rules).[31] Mahoney and Thelen argue that there is some degree of congruency between the type of institutional change and the type of agent. [32] Due to their motivations and the context, insurrectionaries are more likely to pursue institutional *displacement*; symbionts may favor the status quo, but they may also seek institutional change through *drift*; subversives may want a dramatic change (*displacement*) but settle for *drift*, whereas opportunists may resort to *conversion* to change the status quo.[33]

Challenging Mahoney and Thelen's thesis about gradual change, Levitsky and Murillo argue that institutional change in Latin American has usually been radical and

[30] Ibid., 17–18.
[31] Ibid., 22–26.
[32] Ibid., 27.
[33] Mahoney and Thelen, 27–28.

frequent, which they call "serial replacement."[34] Levitsky and Murillo's explanation places great importance on the activation of existing, yet unused, formal institutions as determinants of institutional change.[35] Moreover, Levitsky and Murillo posit that institutions that are created (or reformed) slowly tend to last longer than those created (or reformed) at a fast pace, which tend to be more common in Latin America.[36] When institutions are created more rapidly, political players do not have the time to adapt or anticipate how this new institutional setting would affect their interests.[37] Institutions are thus not in equilibrium, which would explain why institutions are usually modified thorough "serial replacement".[38]

In summary, this article seeks to fill the gap of why and how power concentration varies. We argue that institutional change is distantly connected to events (critical junctures) that have previously threatened the material interests of actors, which in turn encourages them to reassess their ideas about the institutional context they are in. Ideas, however, need networks to have a real effect on institutional change. Finally, by drawing on Mahoney and Thelen's and Levitsky and Murillo's approaches, we contribute to the subfield of presidential power by showing how different types of institutional change took place through the activation of unused rules and the adoption of constitutional reforms.

[34] Steven Levitsky and María Victoria Murillo, "Building Institutions on Weak Foundations," *Journal of Democracy* 24, no. 2 (2013): 93–107.
[35] Ibid., 103.
[36] Ibid., 99–100.
[37] Ibid.
[38] Ibid., 96–100.

RESEARCH STRATEGY

We qualitatively analyze historical data to follow the causal path that led to the weakening of presidential power in Chile. We closely examine sequences of events and actor beliefs, strategies, and behaviors.[39] We rely on secondary sources such as memoirs, newspapers, voting records, congressional sessions, memberships in non-governmental organizations, historical documents, research articles, and books. Our objective is to examine the interaction between critical junctures, ideas, agents (e.g., press, clubs, parties, and coalitions), their networks, and institutional ambiguity in order to bring about institutional change.

Case selection: Why 19th century Chile?

In contrast to what happened in much of Latin America where institutional change was the result of political crises or regime breakdowns, the Chilean case presents a more stable institutional and political trajectory throughout the 19th century. The 1833 Constitution was installed and remained in force for almost 100 years until 1925. In this period, Chile witnessed orderly presidential succession and elections. In fact, the Chilean political system in the 19th (and 20th) century is referred to in the literature as an example of institutional "stability" and "exceptionalism" when compared to other Latin American countries.[40]

In addition, Chile was characterized by a strong chief executive that significantly concentrated political power. However, presidential power was gradually weakened

[39] Andrew Bennett and Jeffrey Checkel, "Process Tracing: From Philosophical Roots to Best Practices," in *Process Tracing. From Metaphor to Analytic Tool* (Cambridge: Cambridge University Press, 2013), 3–38; David Collier, "Understanding Process Tracing," *PS: Political Science & Politics* 44, no. 4 (2011): 823–30.
[40] Valenzuela and Valenzuela, "Los Orígenes de La Democracia. Reflexiones Teóricas Sobre El Caso de Chile"; Valenzuela, "Caudillismo, Democracia, y La Excepcionalidad Chilena En América Hispana."

through a series of constitutional reforms during the second half of the 19th century (see table 1). Interestingly, these reforms were supported by wide legislative majorities, even from the opposition. In fact, in 1867, the idea to begin a process of constitutional reform was unanimously approved in Congress. Later on, legislators agreed on a reform package that further deconcentrated power away from the executive. Historian Sofía Correa considers this set of reforms, which liberalized the Constitution of 1833, to be "the most successful experience of constitutional change."[41]

Finally, the process of power deconcentration that took place in Chile was rather unusual from a comparative perspective. Figure 1 shows that Chile underwent one of the most far-reaching, yet gradual, constitutional reforms that took power away from the president in 19th century Latin America. Bear in mind that these reforms were undertaken in a context that was not free of external conflicts (e.g., The War of the Pacific that pitted Peru and Bolivia against Chile in 1879-1884), which challenges literature that emphasizes the role of national emergencies and wars on the need for powerful executives.[42] Costa Rica is another country in which changes were introduced in order to curb executive authority, although political power there was not as concentrated as it was in Chile prior to the reforms. Such types of reforms enable us to understand why, and especially *how*, presidential power in particular might decrease by closely examining the role played by ideas, networks, and political actors.

[41] Sofía Correa, "Los Procesos Constituyentes En La Historia de Chile: Lecciones Para El Presente," *Estudios Públicos* 137 (2015): 44.
[42] Schlesinger, *War and the American Presidency*; Toro-Maureira and Arellano-González, "The Architecture of Governments in Conflict Environments: The Origin and Crystallisation of Presidentialism in Latin America," 33–56.

Table 1. List of constitutional reforms curtailing presidential power

Reform	Year
Approval of the idea to reform the Constitution	1867
Elimination of presidential re-election.	1871
Lowering quorum requirement in Congress.	1873
The establishment of disqualifications which no longer allowed intendants, governors, and other public servants directly appointed by the president to run for Congress.	1874
The president's extraordinary powers are suppressed and replaced by "exceptional laws" just as the state of siege is regulated.	1874
The composition, powers, and competencies of the Conservative Commission are modified, with Congress taking on a more predominant role in its functioning.[43]	1874
A new procedural process for constitutional accusations against ministers is established, giving Congress more control over the executive branch.	1874
Modification of the Council of State's composition and powers and of the consultative body of the executive power, marked by the biggest presence of Congress in its conformation.	1874
Electoral law: expansion of suffrage and executive control over elections is reduced.	1874
Lowering requirements for reforming the Constitution and restricting presidential veto power during the process.	1882
The effects of vetoes and presidential observations are modified, reducing presidential power in the legislative process.	1893

Source: Own elaboration based on data collected in Valencia Avaria, *Anales de La República*.

ANALYSIS: THE CHILEAN CASE IN THE 19TH CENTURY

During the decade of the 1820s, Chilean politics was characterized by instability and constant power struggles that were part of efforts to consolidate the country's recently-obtained independence from Spain. By 1830, conservative forces led by the *pelucones* (big wigs) finally prevailed over the liberal faction headed by the *pipiolos*.[44]

[43] The Conservative Commission used to be formed only by members of the Senate, where the president had a significant influence, even more so than in the Chamber of Deputies. After the reform, seven of the Commission's members were deputies and seven were senators. Additionally, the second most important modification was that the Conservative Commission had the power to summon extraordinary sessions when Congress was in recess.

[44] The *pelucones* were formed by wealthy and former military individuals who were close to the Catholic Church and supported a strong central power, whereas the *pipiolos* were mostly well-educated aristocrats who sought to adopt a more liberal democratic order in Chile.

As internal disputes withered, Chile's political system finally began to settle with the approval of the 1833 Constitution, which had been influenced by *pelucones* conservative principles, such as order and strong presidential authority. Between the 1830s and 1850s, Chilean politics was dominated by *pelucones*, who elected three two-term presidents from within their ranks: José J. Prieto (1831-1836 and 1836-1841), Manuel Bulnes (1841-1846 and 1846-1851), and Manuel Montt (1851-1856 and 1856-1861). This period portrays the image of a socially homogeneous and cohesive elite. In the second half of the 19th century, however, Chile underwent a series of transformations, including a growing influence of the government, a more diverse political scenario, a re-evaluation of the political system —especially regarding the all-powerful executive branch— and a profound reform of the constitutional order.

Critical junctures: A growing government, electoral interventionism and the State-Church divide

By the mid-1850s, several events heightened tensions within the elite and made them rethink their relationship with the executive branch and how they would behave in Congress. Three major events triggered these changes: growing government influence in domestic affairs, opposition to the executive's electoral interventionism, and the State-Church divide. The first was mostly caused by actions undertaken by the presidential government, i.e., a process of growing state penetration into several policy domains that had previously been overlooked by policy-makers in La Moneda.[45] This was a period in which the executive branch made its administrative power felt, for example, through the collection of taxes (e.g., mining sector), increasing secularization

[45] La Moneda is the seat of the presidential government of Chile.

(e.g., educational institutions came to be under government authority rather than under the Catholic Church), and the strengthening of territorial control.[46] These new government inroads into society threatened the interests of the mostly conservative elite,[47] which in turn activated a reactive sequence of events, the consequences of which went beyond the mere defense of the status quo by the elite.

In addition, the well-known executive's overbearing electoral influence met with violent response from radical opposition groups. Even though elections actually were held, it had been customary for standing presidents to "designate" their successors.[48] The rebellions of 1851 and 1859 were, in fact, reactions to La Moneda's meddling with elections.[49] The 1851 revolt took place right after Manuel Montt won the presidential election, whereas the 1859 rebellion followed the 1858 legislative elections. In both instances, insurgents accused La Moneda of overtly favoring its candidates and called for the weakening of president power as much as possible. In the aftermath of the ill-fated rebellions, those who supported them continued to call for reforms that reduced presidential power.[50]

Notwithstanding the clashes between the central government and the elite over administrative matters and the revolts against electoral interventionism, a third event

[46] J. Samuel Valenzuela, *Democratización Vía Reforma: La Expansión Del Sufragio En Chile* (Buenos Aires: Ediciones IDES, 1985), 135–38.
[47] The elite widely supported the role of the Catholic Church in public affairs. Thus, when the central government decided to take away the control of educational institutions from the Catholic Church, the conservative elite, especially its most religious groups, adamantly opposed. Similarly, the need for a stronger state required higher taxation, which also meant tapping into the elite pockets, yet another reason to feel threatened by this active and seemingly powerful executive branch.
[48] President José J. Prieto "designated" Manuel Bulnes, who then chose Manuel Montt as his successor.
[49] Joaquín Fernández, *Regionalismo, Liberalismo y Rebelión. Copiapó En El Guerra Civil de 1859* (Santiago: RilL Editores, Escuela de Historia, Universidad Finis Terrae, 2016), 54.
[50] Ibid., 56–57.

came into play: the disintegration of the conservative *pelucones* governing during the Manuel Montt administration (1851-1861) The conservative split was the result of the growing conflict between the state and the Catholic Church.[51] Contradictions and tensions within the conservative elite regarding the Catholic Church were already present in the mid-1840s. As a legacy of the colonial period, the Chilean government retained the powers of patronage, meaning the national clergy was under the tutelage of the central government when it came to appointments and sanctions. These prerogatives made authorities within the Church uncomfortable, who then began pushing for greater autonomy from the central government.[52]

The unity of the governing elite took a serious hit as a result of the eroding of the relationship between the Church and the state. Specifically, the anecdotal "issue of the sacristan" in 1856, during the presidency of Manuel Montt, was particularly damaging for the *pelucones*. The problem refers to the conflict between the state and the Catholic

[51] This conflict was not a trivial one. It has been studied extensively for its impact on the emergence of the most important political cleavage during the 19th century, which ushered in Chile's first party system. Secondly, it spurred a secularization process underpinned on liberal ideas, the same ideas that promoted a weakening of presidential power. Alberto Edwards, *El Gobierno de Don Manuel Montt 1851-1861* (Santiago: Editorial Nascimiento, 1932); Timothy Scully, *Los Partidos de Centro y La Evolución Política Chilena* (Santiago: CIEPLAN - Notre Dame, 1992); J. Samuel Valenzuela, "Orígenes y Transformaciones Del Sistema de Partidos En Chile," *Estudios Públicos* 58 (1995): 5–80; Iván Jaksic and Sol Serrano, "El Gobierno y Las Libertades: La Ruta Del Liberalismo Chileno En El Siglo XIX" 118 (2010): 69–105.

[52] Several events illustrate the growing tension between the central government and the Catholic Church. In 1845, for instance, the Governor of Colchagua accused of serious faults a parish priest in Mallao City. Nevertheless, the Archbishop José A. Eyzaguirre did not hesitate to declare the incompetence of the Governor. This controversy escalated in the press, which sparked a heated debate. Similarly, other incident involved the issuing of an executive decree on March 18 in 1845, which mandated prelates and bishops "not to admit solemn vows of profession to any individual who was not accredited by a record of being 25 years old." This event soured relations between the central government and Archbishop Eyzaguirre, who interpreted it as an interference of the civilian authorities over the Church, causing his resignation. Finally, we have the case of Cármen Blest from Valparaíso and a Protestant Englishman with the surname Liddard, who married on an English ship, which caused outrage in the Church. The priest José A. Riobó even asked the Navy to seize Ms. Blest, who was taken to a private house and brought to trial by the clergy. Riobó even requested she give up her marriage and manifest her repentance, or else face excommunication.

Church caused when the Cathedral of Santiago's Major Sacristan expelled one of the Church's servants. The case reached the Supreme Court which ruled that the servant should be reinstated. However, the Archbishop Rafael Valentín Valdivieso challenged the Supreme Court's decision, alleging undue interference in clerical matters, and refused to hire back the servant. The conflict escalated to President Montt, who chose to abide the ruling of the Supreme Court. The conservative *pelucona* elite was at the crossroads when it divided over a decision to support President Manuel Montt or the Catholic Church. This event had disastrous consequences upon the *pelucona* ruling elite, which finally split into two competing factions: a confessional group that sided with the Catholic Church and later gave birth to the *Partido Conservador* (Conservative Party), and a moderate faction that supported President Montt and in the coming years became the *Partido Nacional* or *Monttvarista* (Nacional Party, also known as Monttvarist Party).[53]

The "issue of the sacristan" had other far-reaching consequences in that Chile's first party system was born out of the state-vs-Church divide. To confront this conflict, which encompassed ideological and moral overtones that pervaded different areas of society, political actors slowly started to re-position themselves within the political system. These changes would enable the establishment of a strategic consensus under a diagnosis and solution that promoted the weakening of presidential power. This position was not only backed by erstwhile *pelucones* siding with the Catholic Church, who wanted to constrain the influence of President Montt and his supporters, but also

[53] Isidoro Errázuriz, *Historia de La Administración de Errázuriz. Precedida de Una Introducción Que Contiene La Reseña Del Movimiento y Lucha de Los Partidos, Desde 1823 Hasta 1871* (Imprenta Dirección General de Prisiones, 1877), 231.

by liberals that had long sought a weaker executive power. In the years to come, we observe how political factions and still-in-formation parties began to converge on the need to tackle power concentration in the hands of the president.

Actors might initially have reacted only in order to counter the effects of the critical juncture that threatened their interests; nevertheless, crises provide powerful flows of information (ideational contestation) and the opportunities for political actors to start challenging and reinterpreting institutions in new ways. In the following pages we analyze how different political ideas evolved in the aftermath of these critical junctures and how, by questioning the existing paradigms and institutional setting, they contributed to and legitimized the reforms of the 1833 Constitution.

Ideas, networks and power deconcentration

We argue that the ideational alternatives that legitimized the concentration of power towards the president decades earlier had become obsolete by the mid-19th century. To illustrate, the 1833 Constitution was justified by actors of the time on the basis of a diagnosis that highlighted "chaos" and "anarchy" existing in the country during the previous years. In consequence, the solution to this problem was to devise a centralized political system, one in which greater powers were given to the executive branch. Thus, in his speech to Congress in which the Constitution of 1833 was promulgated, President José J. Prieto (1831-1841) proposed:

> "The reform is nothing more than a way to put an end to the revolutions and riots, which resulted from the disarray of the political system upon the triumph of independence. It is the means to achieve a national freedom, which we could never obtain in its true state, while the faculties of the Government were not established with precision."[54]

[54] Luis Valencia Avaria, *Anales de La República* (Santiago: Editorial Andrés Bello, 1986), 172.

Defining the problem in terms of curbing chaos (i.e., the risk of revolutions and riots) facilitated the adoption of a regime labeled by some authors as the "authoritarian republic"[55] or the "conservative system."[56] The idea that undergirded the regime was a constant appeal to the protection of domestic peace and order,[57] which allowed for the establishment of a political system built upon the exerting control over dissenting factions, a close relationship with the Catholic Church, control of the Army through the Civic Guards, and strong electoral interventionism.[58] In this highly centralized institutional context, it comes as no surprise that presidents ruled under the state of exception for 15 years between 1833 and 1861.[59] For example, in 1846 Manuel Montt, Minister of the Interior at that time, appealed for the use of a state of siege as a need to protect public order:

> "I am pleased to assure you that, after some disturbances that shook the social body superficially, the inner tranquility remains unchanged in the Republic and the situation of the Republic is generally prosperous and happy. Some malcontents, which are never lacking even in the most advanced towns, took advantage of the excitement produced by the timings of elections to promote revolt and anarchy. Knowing that their designs would not be received by sensible men and thinkers, they sought their proselytes in the poorest classes of society, so easy to seduce, and not forgiving any grievance, however insane, they tried to displease them and inspire hatred against the well-off classes. The printing press, which served perfectly for these purposes, became a workshop of slander and defamation. Added to this were some de facto attempts against the public order, not because their factors conceived a certain hope of disturbing it, but so that the repressive measures of which it would be indispensable to bestow on the unwary involved in their perfidious networks, produced the consequent discontent that later it had to serve as nourishment to their anarchic projects (...). Things had reached such a point that the

[55] Renato Cristi and Pablo Ruiz -Tagle, *La República En Chile. Teoría y Práctica Del Constitucionalismo Republicano* (Santiago: Ediciones LOM, 2006).
[56] Simon Collier, *Chile: La Construcción de Una República 1830-1865, Política e Ideas* (Santiago: Ediciones Universidad Católica, 2005).
[57] Ana María Stuven, *La Seducción de Un Orden. Las Elites y La Construcción de Chile En Las Polémicas Culturales y Políticas Del Siglo XIX* (Santiago: Ediciones Universidad Católica de Chile, 2000).
[58] Collier, *Chile: La Construcción de Una República 1830-1865, Política e Ideas*, 63–68.
[59] Germán Urzúa, *Historia Política Electoral de Chile (1931-1973)* (Santiago: Colección de Documentos de Chile, 1986), 77.

> Government was forced to issue the decree of March 8 last, in which the province of Santiago was declared in a state of siege by the precise term of eighty-five days."[60]

Following the 1859 rebellion, President Manuel Montt basically resorted to the same arguments to justify the extension of a state of siege:

> "After the crisis that the Republic has experienced, which has partly demoralized the masses and weakened the respect for authority, I believe it is essential that the Government continue to be invested with that extraordinary power for some time, as long as remains the imperative need to ensure the tranquility and inner order in a more special and effective way than in ordinary circumstances."[61]

Even though the need to preserve peace and order was a central tenet of the ruling elite's political discourse, competing ideational options that challenged the concentration of power began to arise as early as the 1840s. The conflict between the executive and the elite encouraged political actors to focus on political institutions that had not been subject to scrutiny before. Hence, the legitimacy, appropriateness, and usefulness of political ideas about the concentration of power began to come under question. That is, the confrontation gave space to the rise of "programmatic beliefs" more relevant to the contemporary problems faced by the country, which indirectly (and unwittingly) pointed out the need to reduce presidential power.

The revitalization of a discourse that was critical of the conservative system is largely explained by the impact in Chile of the 1848 French Revolution.[62] It is important

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[60] *Discursos de apertura en las sesiones del Congreso i Memorias Ministeriales correspondientes al primer quinquenio de la Administración Bulnes (1842-1846),* vol. 2, (Santiago: Imprenta del Ferrocarril, 1858), 421-422.

[61] *Discursos de apertura en las sesiones del Congreso i Memorias Ministeriales correspondientes al segundo quinquenio de la Administración Montt (1859), vol. 7*, (Santiago: Imprenta del Ferrocarril, 1859), 6-7.

[62] Cristián Gazmuri, *El "48" Chileno. Igualitarios, Reformistas, Radicales, Masones y Bomberos* (Santiago: Editorial Universitaria, Centro Barros Aranana, 1999); Benjamín Vicuña Mackenna, *Los Jirondinos Chilenos* (Santiago: Biblioteca de Autores Chilenos, 1902); Kurt Weyland, "The Diffusion of Revolution: «1848» in Europe and Latin America," *International Organization* 63, no. 3 (2009): 391–423; Kurt

to highlight this date as a milestone upon which political actors who questioned Chile's institutional order began to initiate a process of articulation—i.e., more active networking—in different public spaces. Clearly, this set of ideas from France produced a new political momentum,[63] as demonstrated by Gazmuri in Chile and Weyland in Europe and Chile.[64]

Publications and discourses in the political and cultural spheres that criticized existing institutional order began to spread. In the mid-19th century, several works grounded on a liberal public philosophy directly asked for reforms to the 1833 Constitution and for the protection of individual rights. In 1850, José Victorino Lastarria and Federico Errázuriz, deputies at that time, had already written a proposal entitled "*Bases de la Reforma*" (bases of the reform), which advocated for an institutional reform more in line with the current political context:

> "The defects of that [1833] Constitution, the errors and transgressions of the representative system of which we have always recognized and confessed, could be tolerated in the days following a revolution when the country yearned for order and needed a strong power to give it stillness and security. Today they are not consistent with the situation in which this same country finds itself and are opposed to its development and progress."[65]

Weyland, *Making Waves. Democratic Contention in Europe and Latin America since the Revolutions 1848* (United States of America: Cambridge University Press, 2014).

[63] Liberal ideas of 1848 Revolution in France, especially, influenced a young political elite in Latin America, which heightened intergenerational differences and led to political polarization between 1840 and 1870. The role of religion was at the center of this debate, but its effects were very different across Latin American countries. For instance, in Mexico, New Granada, Chile and Peru, the clerical issue had a substantial impact on domestic politics, unlike Argentina and Uruguay, where the Catholic Church's privileges had been already abolished. Moreover, the role of caudillismo, especially its military type, is thought to have weakened the impact of liberal ideas on political institutions in Argentina, Peru and Ecuador. Safford, "Política, Ideología y Sociedad," 79–84.

[64] Gazmuri, *El "48" Chileno. Igualitarios, Reformistas, Radicales, Masones y Bomberos*; Weyland, "The Diffusion of Revolution: «1848» in Europe and Latin America"; Weyland, *Making Waves. Democratic Contention in Europe and Latin America since the Revolutions 1848*.

[65] José Victorino Lastarria and Federico Errázuriz, *Bases de La Reforma.* (Santiago: Imprenta el Progreso, 1850), 8.

This text promoted a reform of the printing law, limiting the powers of the executive both in the allocation of extraordinary powers and the declaration of state of siege, among others. Shortly after, Manuel Carrasco Albano, a well-known liberal who supported the 1851 and 1859 rebellions, published a manuscript sponsoring a decline in presidential power, arguing, for example, that extraordinary powers resembled "absolutism."[66] Likewise, José Victorino Lastarria in the same sense wrote several pieces that were must-reads among liberal clubs and part of the elite.[67] By 1869, José Manuel Balmaceda gave a speech at the public conference on the Electoral Reform, organized by the second *Club de la Reforma* (Club of the Reformation) in Santiago on July 30, 1869, that presented the nefarious effects of the current constitutional order:

> "This rally has been carried out in Chile for not having defended the necessary consequences of the Constitution in all its rigorously logical parts that emerged from its fundamental principles. It established the separation of powers but made exceptions which relaxed the vigor of the general principles, thus opening a wide gap to the abuses committed in its name. Hence, there is a need for constitutional reform but also a need to reform the electoral law so that the executive branch in no way predominates over the legislative branch, which can only be wise and dignified when it is independent and free."[68]

That is to say, we are examining an erosion of the ideas that, until this point, gave ideological support to the political order. The notion of an all-powerful chief executive began to be questioned on the basis of a more liberal public philosophy that specifically advocated for the elimination of the president's extraordinary powers, the weakening

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[66] Manuel Carrasco Albano, *Comentarios Sobre La Constitución Política de 1833* (Imprenta de la librería del Mercurio, 1858), 82.
[67] José Victorino Lastarria, *La Constitución Política de La República de Chile Comentada* (Valparaíso: Imprenta el Comercio, 1856); José Victorino Lastarria, *La Reforma Política, Única Salvación de La República: Único Medio de Plantear La Semecracia o El Gobierno de Sí Mismo* (Santiago: Imprenta de "La Libertad," 1868).
[68] José Manuel Balmaceda, "Incompatibilidad Parlamentaria," in *Discursos de José Manuel Balmaceda. Iconografía*, ed. Rafael Sagredo and Eduardo Devés (Santiago: Dirección de Bibliotecas Archivos y Museos, 1992), 39.

of the executive´s influence on legislative tasks, and the elimination of strong electoral interventionism by the president. These ideas were incorporated in the reforms implemented in the 1870s.

The installation of a set of ideas can be observed as one of the slowest processes within the proposed causal mechanism. The origins of these ideas date back to the early 1840s, yet they were only carried out in the set of reforms approved in the 1870s. Notwithstanding, these ideas required networks and spaces for dissemination and articulation in order to make an impact upon the Chilean political system.

In the 1840s, several cultural organizations, such as literary and academic societies, were nurturing a new political culture that was more *contestataria* (rebellious) and closer to liberal values than they were to the conservative political order. [69] The organizations created a circuit upon which to disseminate liberal ideas. Simultaneously, several newspapers were used by the opposing factions to disseminate liberal beliefs.[70] *El Progreso* (1842-1853) newspaper, which was owned by the Vial Formas brothers, regularly published pieces that were critical of the presidencies of Manuel Bulnes (1841-1851) and Manuel Montt (1851-1861). Likewise, *El Siglo* (1844-1846), another noteworthy newspaper, had renowned liberals Juan N. Espejo, José Victorino Lastarria, Pedro Godoy, Jacinto Chacón, and Francisco Paula Matta among its editors. Furthermore, *El Mercurio de Valparaíso*, the most stable and independent

[69] Ana María Stuven, "Una Aproximación a La Cultura Política de La Elite Chilena: Concepto y Valoración Del Orden Social (1830-1860)," *Estudios Públicos*, 1997, 259–311; Stuven, *La Seducción de Un Orden. Las Elites y La Construcción de Chile En Las Polémicas Culturales y Políticas Del Siglo XIX*.
[70] Eduardo Santa Cruz, *La Prensa Chilena En El Siglo XIX : Patricios, Letrados, Burgueses y Plebeyos* (Santiago: Universitaria, 2010).

newspaper in the country, sometimes supported ideas from the political opposition to reform the Constitution.[71]

There were other, less-regularly published but more activist newspapers that were also linked to the liberal political opposition.[72] Among this group we found *El Corsario* (1849), *La República* (1849), *El Independiente* (1849), and *El Timón* (1849), whose editors were well-known public intellectuals, such as José Victorino Lastarria, Eusebio Lillo, and Francisco Bilbao. Later, newspapers such as *El Amigo del Pueblo* (1850) and *La Barra* acted like spokespersons of the *Equality Society,* with a clear editorial and political stance against the prevailing social order.

The *Sociedad Literaria* (Literary Academy), another important cultural actor that spread liberal ideas, made it into the public debate in 1842, a fact that is highlighted by José Victorino Lastarria: "as that year an intellectual movement had begun, under such favorable auspices, unknown until then."[73] The year 1842 also saw the publication of the *Revista de Valparaíso* (Journal of Valparaiso) and the *Museo de las Américas* (Museum of the Americas), which were writings of a literary nature but which called for a cultural and political regeneration around a liberal philosophy.

In addition to the diffusion of liberal ideas through the printed press, books, and brochures, other organizations that sought a weaker executive also emerged. In

[71] The publication of critical views about the government was never really an issue. In fact, even though there were some restrictions of freedom of the press back then, they did not significantly vary during the period of analysis. The government usually bought a certain amount of copies from newspapers, which was seen as a subsidy to newspapers, and as such, it was sometimes used to influence the contents of print publications. In 1846, the Bill of Press was passed, which had the potential for a more direct and powerful form of executive control over newspapers; however, it was not used regularly. For instance, only a total of 12 trials were held against newspapers and presses in the decades of 1840s and 1850s. Patricio Ibarra, "Liberalismo y Prensa: Leyes de Imprenta En El Chile Decimonónico (1812-1872)," *Revista de Estudios Histórico-Jurídicos* 36 (2014): 309.
[72] Gazmuri, *El "48" Chileno. Igualitarios, Reformistas, Radicales, Masones y Bomberos*, 45.
[73] José Victorino Lastarria, *Recuerdos Literarios* (Imprenta de la República de Jácinto Nuñez, 1878), 102.

October 1849, the first *Club de la Reforma* (Club of the Reformation) was formed, bringing the first group of moderate liberal forces and more radical opposition factions together. The main political objectives of the *Club of the Reformation* were to check the growing influence of the group that supported the Manuel Bulnes administration's Minister of Interior Manuel Montt, to promote the presidential candidacy of Ramón Errázuriz, who represented the *pipiolo* liberal opposition,[74] and to reform the executive branch. The group was extremely determined to attain influence in the public arena and took an active role in spreading its liberal ideas using the press and other media.[75] Although the existence of the *Club of the Reformation* was short-lived (less than two years), it was able to articulate and unite different political and intellectual actors of the time.

The *Club of the Reformation* paved the way for several individuals who, years later, participated in the *Sociedad de la Igualdad* (Equality Society) and the 1851 rebellion. After the dissolution of the *Club of the Reformation* in March of 1850, the *Equality Society* was founded. Its members mustered a political opposition which opposed the election of Manuel Montt as president (although he finally won) and the big-wig conservative coalition.[76] The *Equality Society*, which sheltered liberal elite individuals of the opposition, demonstrated the ability to develop and disseminate a set of reformist ideas that rejected the authoritarian-like regime and the social order of the time. This group gradually increased in size and radicalized, incorporating more and

[74] Gazmuri, *El "48" Chileno. Igualitarios, Reformistas, Radicales, Masones y Bomberos*, 45.
[75] Benjamín Vicuña Mackenna, *Historia de La Jornada Del 20 de Abril de 1851: Una Batalla En Las Calles de Santiago* (Santiago: Instituto de Historia, Pontificia Universidad Católica de Chile, 2003), 62.
[76] Gazmuri, *El "48" Chileno. Igualitarios, Reformistas, Radicales, Masones y Bomberos*, 85.

more members of the opposition and growing in presence in different parts of the territory.[77] The efforts of the *Equality Society* culminated in the ill-fated uprising of 1851. Nevertheless, the *Equality Society*'s ideas and its organization lived on, and so did a liberal generation that later helped to transform the political system.[78]

Liberal ideals gained new momentum when a second *Club of the Reformation* was founded in August of 1868, halfway through President José J. Pérez's term. The *Club* was formed mainly of Monttvarist supporters, Radical partisans, and some dissident liberals. Its overarching goal was, once again, to reform the 1833 Constitution.[79] The *Club* had a significant impact at the national level, consisting of 12 branches in different provinces across the country.[80] Its main activities were, among others, the holding of talks on electoral issues and constitutional reforms. Moreover, the *Club* had a special role in the presidential elections of 1871, raising an opposition candidacy and posing a strong criticism of the electoral intervention by the José J. Pérez government.[81]

Figure 2 shows that those who were members of the *Equality Society* and the (second) *Club of the Reformation* had a notable presence in Congress from 1864 to 1874. Having developed a network dense enough, it is not surprising that the share of legislators that were members of both groups grew significantly after 1862, reaching its peak between 1866 and 1872. Interestingly, the parties in Congress during this period voted to change the 1833 Constitution (1867), and from 1871 onwards, they approved the specific reforms that diminished presidential power (see table 1).

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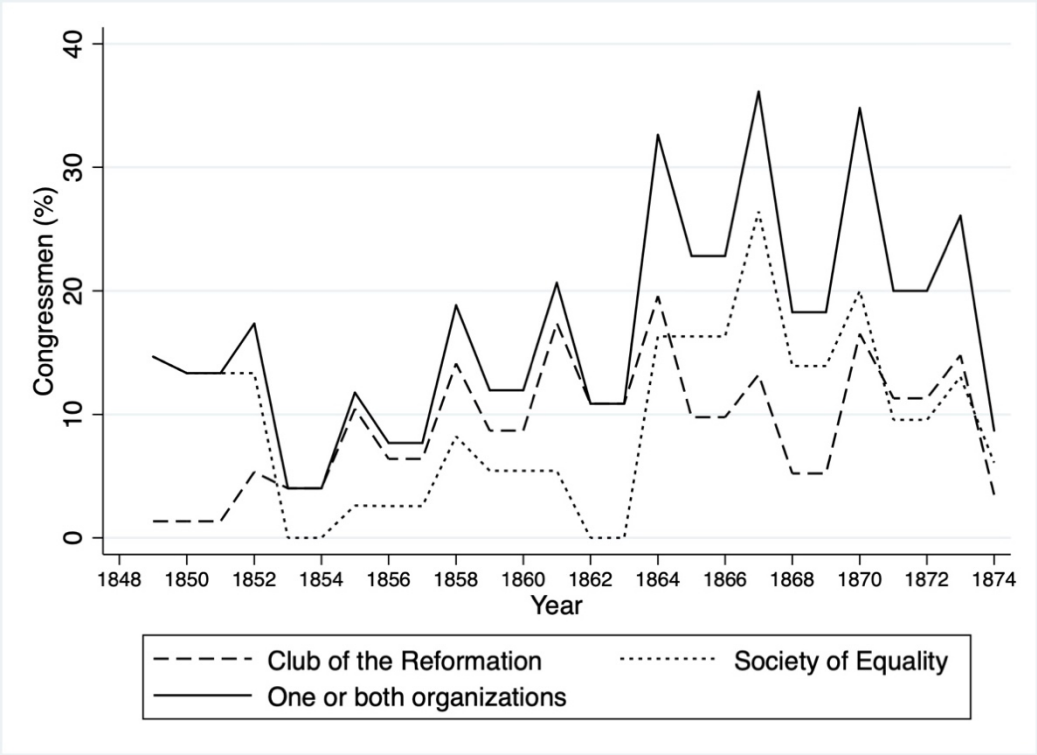
[77] Ibid., 99.
[78] Ibid., 108.
[79] Patricio Estellé, "El Club de La Reforma de 1868-1871. Notas Para El Estudio de Una Combinación Política En El Siglo XIX," *Historia* 9 (1970): 114.
[80] Ibid., 123.
[81] Ibid., 126.

Figure 2. Number of Lawmakers Members of the Society of Equality and Club of the Reformation.



Source: Own elaboration based on (Gazmuri 1999, Valencia Avaria, 1951).

The formation of Chile's party system, which began in the late 1850s, was another factor that helped understand how political players organized and how ideas spread and articulated. There is a consensus in the specialized literature which basically suggests that the Chilean party system emerged from the clerical-anticlerical divide.[82]

The *Partido Convervador* (Conservative Party) and *Partido Nacional* or *Monttvarista* (National Party, also known as Monttvarist Party) arose from the conservative pelucones split triggered by the "issue of the Sacristan" in 1857.[83] The

[82] Scully, *Los Partidos de Centro y La Evolución Política Chilena*; Valenzuela, "Orígenes y Transformaciones Del Sistema de Partidos En Chile."

[83] The former was an openly confessional party and defender of the prerogatives of the Church. The latter was created around the figures of President Manuel Montt and his Minister of Interior, Antonio Varas.

power struggle between these two conservative parties encouraged the religious Conservative Party to form an unlikely political alliance with the liberal opposition, giving way to what was known as the Liberal-Conservative Fusion. These two forces, which in the past had been in conflict with each other, decided to strategically craft an electoral coalition with the purpose of preventing President Montt from "designating" the new president.[84] In this specific case, Minister Antonio Varas, Manuel Montt's friend and loyal supporter, was the incumbent's choice. Historian Alberto Edwards, portraying the "doctrinal inconsistencies" of this merger, points out: "Montt's candidacy had separated them; the hatred of Montt was now going to unite them."[85] Facing an adamant conservative-liberal opposition, President Montt finally gave up his idea to appoint Antonio Varas, choosing instead a more conciliatory candidate who was less likely to be rejected by the opposition. The consensus candidate nominated by Manuel Montt was the conservative former *pelucón* who was not affiliated to any political party, José J. Pérez, who became the new president (1861-1871).

This context illustrates the relation between interests, ideas, and actors, and how they helped develop the conditions for institutional change. On the one hand, what originally kept the new Liberal-Conservative alliance united was not a clear ideology, but rather their desire to curtail President Montt's power. Nevertheless, the alliance gradually converged into a more politically coherent program that hinged upon the goal of keeping the president at bay. This clearly illustrates Mische's claim about the

[84] As was previously noted, standing presidents use to "designate" their successors, although elections were actually held.
[85] Edwards, *El Gobierno de Don Manuel Montt 1851-1861*, 196.

relationship between ideas and networks formed by heterogeneous members through the compartmentalization of discourse.[86] Liberals and Conservatives had profound philosophical differences about the world and the individual; however, their belief in a more constrained chief executive by the legislature was sufficient to stay together. The Liberal-Conservative Fusion lasted from 1857 until 1873, yet they joined forces in 1891 against President José M. Balmaceda, who sought to reform the Constitution to increase presidential power.

On the other hand, we have the National Party (or Monttvarist Party), which in its origin was characterized by its loyalty to Manuel Montt, secularism, and their support for a powerful executive. However, after the end of the Manuel Montt presidency, President José J. Pérez chose to form a government with the parties of the Liberal-Conservative Fusion, pushing Monttvarists to the sidelines. Since Montt's National Party did not hold any cabinet position in the new administration, they gradually embraced the idea to reform the political system. This might be interpreted as sheer political calculation. Since now they were part of the legislative opposition, it made more sense to support reforms that curbed executive powers.

Interestingly, the National Party ended up forming a political coalition with the emergent Radical Party during the 1860s.[87] The National Party's former political adversaries now became its best allies.[88] Even though their alliance was built on

[86] Mische, "Cross-Talk in Movements: Reconceiving the Culture-Network Link," 269.
[87] Even though the Radical Party did not formally come to life until 1880, it existed since 1860s as an informal association of groups that harbored important intellectuals who sought to reform the political system and decentralized power. In fact, a significant share of Radicals were members of the Equality Society in the early 1850s. Gazmuri, *El "48" Chileno. Igualitarios, Reformistas, Radicales, Masones y Bomberos*, 121.
[88] Radicals were a very critical, and at times, violent, opposition to President Manuel Montt.

strategic electoral interests, they also hinged upon ideational options about the concentration of power, which provided them with programmatic coherence.

Finally, while it is true that the clerical-anticlerical struggle defined the poles of the party system at the time,[89] the reforms to the political system were also an element around which parties organized.[90] In this new political scenario, factions and parties came—for different reasons and motivations—to assimilate a set of ideational alternatives that advocated for a more limited presidential authority. It is worth mentioning that even political actors and newspapers that had been wary of reformist ideas in the past came to sponsor them by the 1860s and 1870s. One of the most important consequences of the combination of critical junctures, ideas, and clubs is how the newly-created parties embraced these reformist ideas which can first be observed when they openly began to challenge the president in ways they had not previously done and later through constitutional reforms.

Agency and institutional ambiguity

According to the point raised by Mahoney and Thelen, institutions provide strategic resources which, to some degree, are subject to actors' interpretations.[91] The underlying idea is that political agency plays a role in gradual institutional change. In this particular case, we can observe that parties and factions confronted with an uncertain context reinterpret the rules to better position themselves in the political landscape.

[89] Scully, *Los Partidos de Centro y La Evolución Política Chilena*, 64.
[90] Valenzuela, "Orígenes y Transformaciones Del Sistema de Partidos En Chile," 19.
[91] Mahoney and Thelen, "A Theory of Gradual Institutional Change."

The Liberal-Conservative alliance decided to counterbalance the president's power by threatening to reject the Public Budget Law proposal in Congress in July 1857. This was not a trivial reaction, for it was the first time in Chile's history that the legislative opposition attempted to block the president's proposal concerning this matter. Similarly, Liberals and Conservatives in the Senate sponsored an amnesty bill that would pardon those sentenced for having been involved in the insurrections and revolts of 1851 and 1859, to which the president was adamantly opposed. These events marked the beginning of a phase in which the political opposition was willing to articulate and openly challenge President Montt's leadership.[92]

Furthermore, the Liberal-Conservative opposition then zeroed in on Montt's ministers by requesting a cabinet reshuffle. They even conditioned the approval of the Public Budget Bill upon the removal of certain ministers. The goal was to have a cabinet more representative of the new political composition in Congress. There was no prior record of such a bold legislative move, leaving President Montt on the verge of resignation.[93] Eventually, President Montt agreed to form a new cabinet that was closer to the interests of legislative parties. Another outcome of this newly legislative activism was the inability of the president to pick his successor in La Moneda (President Montt's choice was Antonio Varas), as had been routine for decades. These are the first signs of a *de facto* withering presidential power in Chile's political system.

Legislators resorted to interpellations of ministers, censorship votes, and oversight activities in order to keep presidential power at bay. The use of

[92] Edwards, *El Gobierno de Don Manuel Montt 1851-1861*, 210.
[93] Ibid., 215.

interpellations grew significantly from only two in 1861 to 14 in 1863 and 16 in 1870.[94] In fact, a "parliamentary conscience" began to prevail in the 1860s. [95] The reinterpretation of existing institutional rules is illustrated by a statement made by Deputy Domingo Arteaga Alemparte in 1868, as he pointed out a new and rather radical view about the role of Congress vis-à-vis the executive branch when it came to running the government:

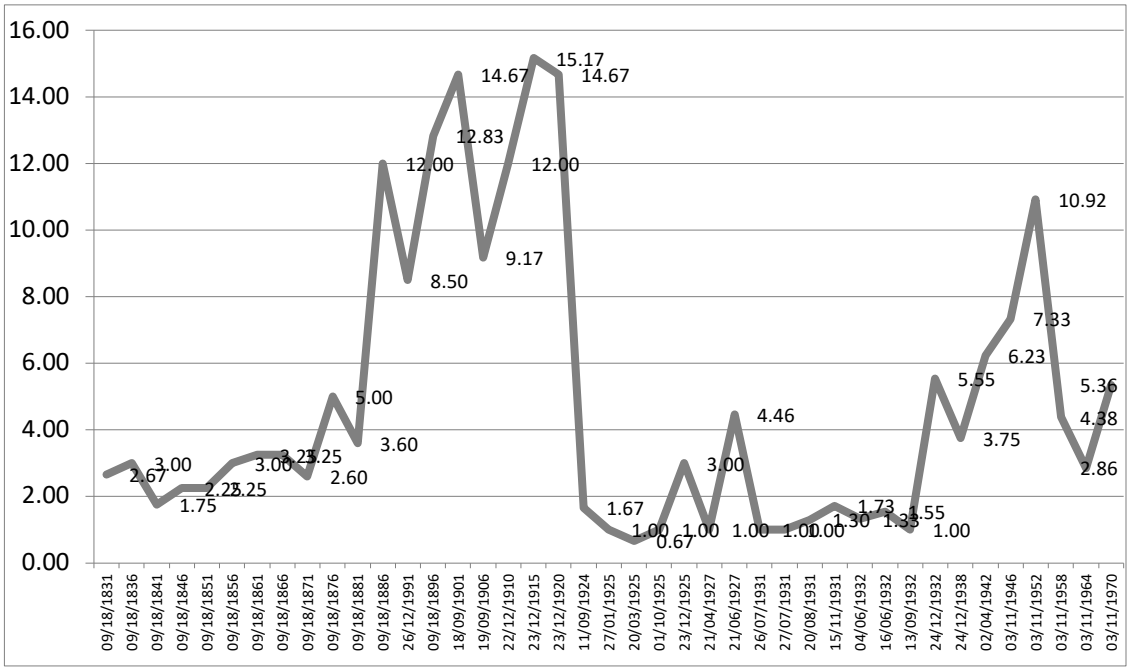
> "...The Constitution has not needed to literally establish the obligation for the cabinet to give explanations about changes that occur in its personnel. That obligation derives naturally and necessarily from the political regime under which we live. For it to exist, it is enough that our fundamental Charter has established in Chile the representative popular government, that is, the parliamentary government, the government of opinion. And in a democratic and parliamentary government, would the Cabinet be exempt from a duty that the cabinets of simple constitutional monarchies hurry to comply with as soon as they enter power ...?"[96]

In addition to the vote on censure against ministers for interventionism in elections,[97] investigations into congressional commissions were launched in order to counteract executive power. The presidential dominance that lasted for decades was coming to an end. Congress's major target became the cabinet as legislators sought to make the president more compliant with their demands. Figure 3 shows the dramatic increase in cabinet rotation. Specifically, between 1881 and 1891, we can observe the highest number of cabinet changes in Chile prior to 1973. The president and his ministers were thus forced to accommodate the increasing control of Congress over Chilean politics. In consequence, this period illustrates how congressional behavior

[94] Julio Heise, *Historia de Chile, El Periodo Parlamentario 1861-1925*, vol. I (Santiago: Andrés Bello, 1974), 30.
[95] Ibid., I:30.
[96] Quoted by Heise, I:30.
[97] Ibid., I:32.

mutated from being fully obedient to the chief executive (1830s-1850s) to explicitly challenging presidential dominance in the second half of the 19th century.[98]

Figure 3. Average number of ministers per ministry (1831-1973).



Source: Own elaboration based on data collected in Valencia Avaria, *Anales de La República*.

In spite of this seemingly conflictive relationship between Congress and the presidency, a consensus between both branches finally prevailed. Liberals and Conservatives backed several bills that sought to reform the Constitution while they were in the legislative opposition (1857-1861) and again when they were part of the ruling coalition (1861-1873).[99] Interestingly, the idea of reforming the Constitution to constrain executive power began to gain even wider support. The *Partido Nacional* legislators, who originally favored a stronger executive while being part of the Montt

[98] Julio Heise, a renowned constitutionalist historian, even argued that Chile's political system might have worked as a de facto parliamentary system from 1861 due to the prominent role and influence of Congress. Heise, *Historia de Chile, El Periodo Parlamentario 1861-1925*.
[99] Jaksic and Serrano, "El Gobierno y Las Libertades: La Ruta Del Liberalismo Chileno En El Siglo XIX," 80.

administration, began to sponsor the idea of limits on presidential power when it became the opposition in 1861. In August 1867, the Liberals and the Conservatives, who formed the ruling coalition headed by President José J. Pérez, and the opposition, led by the *Partido Nacional,* agreed to reform the Constitution specifically to curb presidential power. Major constitutional reforms were finally approved between 1871 and 1874 (see table 1).

Records of congressional debates that opened the discussion on forthcoming constitutional changes show that the prevailing consensus was rooted on a shared need to reform the system but without totally dismantling the existing institutional design.[100] Likewise, the reforms were justified by some senators as a way to establish a more balanced distribution of power between the executive and legislative branches, which would reconfigure political competition between them. This was very well expressed by the Liberal Senator Álvaro Covarrubias in the ordinary session discussion of the initiative to reform the Constitution, on August 14, 1867:

> "The main design of the authors of the project has been to establish balance between the different powers of the State. Balance: that necessary counterweight and that which cannot exist at present due to the immobility to which the Chamber of Deputies is sacrificed since a small number that forms the majority of the Senate can ruin any deliberation of a body that is made up of a much larger number. This constitutes a real anomaly."[101]

In a few decades, power concentration had been altered, first via the legislative opposition constantly challenging the president, and later through constitutional reforms. Nevertheless, there is a final event in this tale. In 1891, a civil war broke out which pitted the

[100] "Sesiones de La Cámara de Senadores 1870" (Biblioteca del Congreso Nacional, 1870), 63, https://www.bcn.cl.
[101] "Sesiones de La Cámara de Senadores de 1867" (Biblioteca Nacional del Congreso, 1867), 68, https://www.bcn.cl.

supporters of President José M. Balmaceda against opposition forces. A weak president, Balmaceda had formed a non-partisan cabinet (January 1890) and maintained frail legislative support, though he sought to reform the Constitution to increase presidential power.[102] The opposition-controlled Congress responded by rejecting the president's reform proposal, launching a series of interpellations against Balmaceda's ministers and censuring some of them (see figure 3). Nevertheless, the president rejected the interpellations and even refused to abide by the motions of censure. In June 1890, lawmakers agreed to stall the executive's budget bill until the president appointed a cabinet that was worthy of the Congress's trust. In November 1890, the power struggle continued as President Balmaceda declined to summon an extraordinary session as requested by the Conservative Commission of Congress.[103] President Balmaceda ordered to shut down Congress in February 1891, marking the beginning of the civil war that ended six months later with the defeat of the president's forces. Interestingly, one of the war's major consequences was the consolidation of the trend of power deconcentration in the hands of the chief executive.

Interpellations, threats of budgetary rejection, prevention of presidential appointment of his successor, and opposition-led cabinet rotation, among other actions described above, depict how actors came to reinterpret and to re-activate rules without formally changing them.[104] That is, since approximately the late 1850s, we witness institutional change through *conversion*. This type of institutional change has taken

[102] This is rather surprising, not only because it was at odds with the prevalent ideas and ongoing process of weakening presidential authority, but also because Balmaceda himself had been an advocate of a more constrained chief executive. In fact, Balmaceda was member of the second Club of the Reformation that actively fostered the idea of power deconcentration.
[103] Thanks to the constitutional reform of 1874, the Conservative Commission had the authority to ask the President of the Republic to call for an extraordinary legislative meeting when Congress is in recess.
[104] Levitsky and Murillo, "Building Institutions on Weak Foundations."

place in a context of high discretion of interpretation of the rules and weak veto players. In other words, the rules activated by the opposition existed but had not been previously used, and the chief executive was no longer the strong key veto player that he once was. This politico-institutional setting, as suggested by Mahoney and Thelen, favors the emergence of *opportunist* actors such as the peculiar legislative alliance between religious conservatives and liberals which sought to limit the influence of President Montt.

Nevertheless, by the mid-1860s, there were even fewer veto players opposing reforms that limited the executive power. The Conservative-Liberal alliance had reached the presidency, and even the opposition shared their idea about constraining presidential authority. Plus, new ways to reinterpret old rules were harder to find; thus, agents adopted a more far-reaching path to institutional change. From then on, the politico-institutional context was characterized by weak defenders of the status quo and low levels of discretion to interpret the rules. In fact, we observe how Chile's political elite set in motion institutional change via *displacement*: the removal of old rules and the adoption of new ones.[105] Specifically, this has occurred since 1867, when the idea to modify the 1833 Constitution was approved, which was then followed by a series of constitutional reforms that weakened executive power (see table 1). During this period, political actors behaved as *insurrectionaries*, not violently but in the sense that they neither supported nor wanted to follow the rules that concentrated power in the hands of the president.[106]

[105] Mahoney and Thelen, "A Theory of Gradual Institutional Change," 16.
[106] Ibid., 23–24.

The process of institutional change that began in the 1850s was carried out slowly and gradually, which lends support to Mahoney and Thelen's approach and challenges Levitsky and Murillo's serial replacement.[107] However, as Levitsky and Murillo argue, since it was a slow-paced process of deconcentration of power, which at first involved reinterpretation and reactivation of dormant rules and later the approval of constitutional amendments, these reforms lasted several decades. Not even the 1891 Civil War reverted this process, which, in fact, reinforced the trend to limit presidential authority.

CONCLUSION

In summary, we have analyzed the process of gradual constitutional reforms that ultimately led to the weakening of presidential power in Chile. This case illustrates how gradual institutional change works through the combination of critical junctures, ideas, networks, agency, and institutional ambiguity. Specifically, we explained how events with unforeseeable consequences (e.g., growing state penetration and the "issue of the sacristan" that brought together liberals and conservatives), the fostering and development of liberal ideas, and the formation of networks sparked a process of institutional change that dramatically deconcentrated power in the second half of the 19th century.

Interestingly, these short-term changes unintentionally prompted actors come to question both how power was concentrated and the ideas that underpinned the "old" political order. These ideas aligned the elite around the shared goal of weakening

[107] Levitsky and Murillo, "Building Institutions on Weak Foundations."

presidential power, despite this group being formed by actors with dissimilar interests, and is an example of how ideas render interests "actionable."[108] Specifically, liberal ideas worked as a roadmap for actors in times of high levels of uncertainty during the 1850s when the country experienced two rebellions and political parties were emerging.

Even though these ideas were initially embraced by a small liberal elite, they were fostered by members of several networks (the first and second Club of the Reformation, Equality Society, and parties, among others) that later served in Congress when the initiative to reform the 1833 Constitution was voted on. In addition, the ideas also spread via mainstream and alternative newspapers over a prolonged period of time, which enabled them to reach most political players.

As can be seen, Chile is an interesting case in order to understand how agency and institutional ambiguity may lead to gradual institutional change. We brought together the explanations set forth by Mahoney and Thelen and Levitsky and Murillo to illustrate how *opportunist* and *insurrectionary* actors act as change agents by activating and reinterpreting existing (or old) institutional resources (*conversion*) and then by reforming the constitution (*displacement*).

Certainly, the case of the weakening of presidential authority in 19th century Chile, although useful for theory building as it deviates from most cases of (abrupt) institutional change in developing countries, does not enable us to offer more generalizable findings. It is also worth considering that power concentration and deconcentration may behave differently. That is, the deconcentration of power, by its

[108] Hay, "Constructivist Institutionalism," 69.

own nature, appears to require longer periods of time in order to take place, as our analysis shows. Power concentration, alternatively, might well occur more rapidly, for instance when the country faces a national emergency (e.g., war), after severe political crises, or when an executive supported by a large legislative majority decides to reform the constitution.