

## CONCLUSION: PRESIDENTIALISM AND THE PARTY SYSTEM

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One of the fundamental arguments of this book has been that presidentialism has significant variations. Although this statement sounds intuitively sensible, little careful work has been done to conceptualize how presidentialism varies. In conjunction with Chapter 1, in this Conclusion we attempt to advance the efforts to develop such a conceptual map, oriented especially toward the Latin American cases. Here we analyze the party system characteristics on which Latin American countries vary and discuss how these features interact with the variations in legislative powers discussed in Chapter 1.

We argue that the nature of the party system, in particular the number of parties, makes a fundamental difference in how presidential systems function. The number of parties affects the likelihood of at least general compatibility between the assembly and the president. With a highly fragmented multiparty system, no party controls close to a majority. This situation can be problematic because the president typically has difficulties building reliable governing coalitions. The logical opposite situation, in which the president's party consistently has a majority, is not necessary or even desirable, but presidentialism usually works better if the president's party is a major party with a sizable legislative contingent. On this dimension there are marked contrasts among Latin American presidential systems. In some countries, presidents' parties consistently have at least 40% of the

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seats in congress, whereas in others they usually hold a small minority of seats.

Presidentialism is also affected by how disciplined the political parties are. Disciplined parties afford a level of predictability and facilitate executive–legislative relations. However, extremely disciplined parties can actually obstruct presidential–assembly relations when the president does not have a majority and may obviate the advantages of presidentialism when he or she does. In terms of party discipline, the contrasts among Latin American democracies are striking, ranging from the disciplined legislative parties found in Venezuela and Mexico to the comparatively undisciplined parties that dominate electoral competition in Brazil and Colombia.

We then explore the ways in which party and electoral legislation shapes the number of parties and their degree of discipline. If the number of parties and the nature of party discipline conditions how presidentialism functions, it is meaningful to examine the institutional factors that shape these outcomes. We show that electoral rules and sequences have a powerful impact on the number of parties, on party discipline, and, therefore, ultimately on how presidentialism is likely to function.

The issues discussed in this chapter intersect with a president's legislative powers to affect how presidentialism functions. A president may have great formal powers, including the right to enact new legislation by decree, yet be stymied in effecting real change by a legislature in which his or her own party either holds a small minority of seats or, although holding a majority or large plurality, is deeply factionalized and undisciplined. The first situation describes Brazil, as Mainwaring's chapter shows, and the second one describes Colombia, as Archer and Shugart's chapter discusses. On the other hand, a president's formal powers may be limited, but if the president's party has a legislative majority and is highly disciplined, he or she may appear to be all-powerful, as Weldon indicates is the case in Mexico. The president's ability to enact policy reforms that he or she may have campaigned in favor of is therefore a product of the formal powers of the presidency interacting with the president's standing vis-à-vis the parties represented in congress.<sup>1</sup> In turn, the number of parties and their degree of internal cohesiveness is connected to the electoral system used for congressional and presidential elections.

1 Of course, nothing guarantees that a president's policies will succeed just because he or she is able to enact certain policies. Policies may be ill advised or designed, or the state may lack the bureaucratic capacity to implement them effectively.

## MAJORITY GOVERNMENT UNDER PRESIDENTIALISM

One of the most important questions in executive–legislative relations in presidential systems is the relative size of the president’s party. Just as is the case with parliamentary systems, the logic of presidential systems hinges on whether a majority party or a coalition of parties provides support for the president. Some analysts have observed that presidentialism is frequently prone to “minority government” situations in which the president’s party lacks a majority of seats in congress (Abranches 1988; Jones forthcoming; Mainwaring 1993). If the president’s party holds a distinct minority – say, under one-third of the seats – presidents may have a difficult time piecing together legislative coalitions.

There is a certain tension in whether majority government is the most desired situation in presidential systems. On the one hand, we can expect that executive–legislative relations will be smoother when a president has a majority than when he or she does not. On the other hand, a primary advantage of presidentialism is that it affords more of an opportunity for providing a check on executive power than Westminster parliamentary systems. Checks and balances are overridden to a considerable degree if the president and a *disciplined* majority of the same party have unified control over the government. Thus, although we argue that highly fragmented party systems tend to be problematic with presidentialism and that some degree of party discipline is desirable, the logical extreme of a disciplined single-party majority vitiates the advantage of independent branches of power separately elected to fixed terms.

Significant party system fragmentation is often a problem for presidentialism because it increases the likelihood of the executive having little legislative support, and therefore, of executive–legislative deadlock. With significant party system fragmentation, the president’s party will not have anything close to a majority of seats in congress, so the president will be forced to rely on a coalition. Unfortunately, interparty coalitions tend to be more fragile in presidential systems for two reasons (Lijphart 1994; Mainwaring 1993).<sup>2</sup>

First and foremost, whereas party coalitions in parliamentary systems generally take place after the election and are binding, in presidential sys-

2 More research needs to be done on governing coalitions in presidential systems. Although there are reasons to believe that such coalitions tend to be more fragile than those in parliamentary systems, specific institutional factors affect the viability of coalitions in both parliamentary and presidential systems.

tems they often take place before the election and are not binding past election day. Executive power is not formed through postelection agreements among parties and is not divided among several parties that are co-responsible for governing, even though members of several parties often participate in cabinets. Governing coalitions in presidential systems can differ markedly from electoral coalitions. It is also common in multiparty parliamentary systems for legislative coalitions and governmental coalitions to differ somewhat, but usually only on peripheral policy matters. If a legislative majority opposes the cabinet on core areas of cabinet policy, a change of government is likely through the confidence vote procedure. Such an option does not exist in a presidential system.

Given the separation of powers, an agreement among parties may pertain only to congressional matters, with no binding implication for relations between the parties and the president. Several parties may support the same presidential candidate during the electoral campaign, but this does not ensure their support once the winner assumes office. Even though members of several parties often participate in cabinets, the parties as collectivities are not responsible for the government. Parties or individual legislators can join the opposition without bringing down the government, so presidents sometimes end their terms with little support in congress.

Second, in some presidential systems, the commitment of individual legislators to support an agreement negotiated by the party leadership is not secure. The extension of a cabinet portfolio does not necessarily imply disciplined party support for the president, as it does in most parliamentary systems. The commitment of individual legislators to vote the party line varies a great deal, for reasons mentioned later in this chapter, ranging from the extremely cohesive congressional parties in Venezuela to the comparatively undisciplined catchall parties in Brazil and Colombia. Weaker discipline reinforces the instability of congressional support for government policy. In contrast, in most parliamentary systems, individual legislators tend to support the government unless their party decides to drop out of the governmental alliance. Members of parliament risk bringing down a government and losing their seats in new elections if they fail to support the government.<sup>3</sup>

These problems in constructing stable interparty coalitions make the combination of fragmented multipartism and presidentialism problematic

3 The key issue here is whether or not parties are disciplined, and nothing guarantees that they are in parliamentary systems. Nevertheless, the need to support the government serves as an incentive to party discipline in parliamentary systems that is absent in presidential systems. See Epstein (1964).

and help explain the paucity of long-established multiparty presidential democracies. At present, Ecuador, which has had a democracy only since 1979 – and a troubled one at that – is older than any other presidential democracy in the world with an effective number of parties in the legislature of at least 3.5.<sup>4</sup> Only one presidential system with a high number of parties, Chile, has ever sustained democracy for at least 25 consecutive years. There were at least 14 other multiparty presidential democracies before the present wave of democratization, but none lasted longer than the Brazilian regime of 1946–64 (Mainwaring 1993).

Where party system fragmentation is less pronounced, the need for interparty coalitions involving a large number of parties diminishes. The president may not enjoy a majority in congress, but his or her party is certain to be a major party that controls a significant share of the seats. Moreover, unless the president has no veto power, legislative coalitions will almost always need to take into account the preferences of the president and his or her party.<sup>5</sup> This situation should mitigate the problem of competing claims to legitimacy because many legislators have a stake in the success of the president. Conflicts between the legislature and the executive arise, but they tend to be less grave than when the overwhelming majority of legislators is pitted against the president. They may even be healthy for a fuller airing of issues than is sometimes possible in parliamentary systems with limited party system fragmentation, where intraparty or intracoalition disputes may mean the fall of the government.

The problems of the fixed term of office are also mitigated by limited party system fragmentation. The fixed term of office is particularly pernicious when the president's party is in a clear minority, making it difficult for the president to get a program accomplished. In a distinct minority situation, the specter of immobilism and ungovernability is often ubiquitous. It is probably no coincidence that the oldest and most established presidential democracies – the United States, Costa Rica, and Venezuela (between 1973 and 1993) – each has had just two major parties. There is no precise cutoff point below which presidentialism does not function well. In general, however, presidentialism is likely to function better if party system fragmentation is moderate (effective number of legislative parties up

4 The effective number of parties is a means of determining how many “serious” parties there are. Its derivation is explained later.

5 The constitutions of Nicaragua (1986) and Venezuela (1961) provide for very weak or nonexistent veto power. As a result, presidents who lacked working majorities sometimes have found themselves and their parties shut out of legislative coalitions. This situation can also occur in Costa Rica on the budget, although not on other types of legislation, as Carey's chapter discusses.

to about 3.5), such that presidents are likely to find a significant bloc of legislators to support their initiatives or sustain their vetoes so that presidents are not marginal to lawmaking.

If a president has legislative decree powers (see Chapter 1), he or she can partially offset a lack of congressional support, thereby averting the problem of immobilism. Indeed, as we suggest later on in this chapter, such strong presidential powers are most likely to be provided in constitutions precisely where parties are weak. A serious problem with presidential systems that permits the president to legislate by decree without prior congressional authorization is that they are more prone than other variants to what O'Donnell (1994) has called “delegative democracy” – a situation of weak institutional development and poor accountability. Moreover, as is argued in the chapters on Brazil and Colombia, even if a president has legislative decree powers, he or she is likely to need congressional support in order to sustain most policy initiatives. Thus, attention to party systems is crucial.

It is not only the number of parties and the share of seats of the president's party that matters. The ideological/policy proximity of parties also affects relations between the executive and the legislature. Following Sartori (1976) and Sani and Sartori (1983), we would expect that greater ideological distances among parties would make for more conflict in executive–legislative relations. If parties with close ideological positions on most key issues control a large share of seats, the need for the president's own party to control a large bloc of seats is reduced, since coalition building becomes easier. Conversely, suppose that the president's party controls a fairly large share of the seats, say 40%, but is isolated on the ideological spectrum and, further, that a majority vote can overturn the president's vetoes. In such a situation, governing is still likely to be difficult despite the substantial bloc of seats held by the president's party. On the other hand, if this same president's veto requires a two-thirds vote to override, then no legislation can be accomplished without the support of the president and his or her party. The result of the first scenario is likely to be a president who is bypassed in the process of making legislation – with resulting conflicts over the process of implementing the laws passed – while in the second scenario, the result might be either compromise or immobilism, depending on the electoral imperatives to make some kind of deal. Having support for a legislative agenda is only one of many factors that determine how successfully presidents govern, but being able to get some legislation accomplished is probably a necessary condition for a successful presidency.

Table 11.1 shows the mean share of congressional seats of the presidents' party and electoral coalition. We have included all the cases in this book,

Table 11.1. *Presidents' parties' mean share of congressional seats in Latin America (percentages)*

Country and period	Years	No. of elections	Presidents' party		Presidents' coalition	
			Lower chamber	Upper chamber	Lower chamber	Upper chamber
Argentina	1983–93	6	48.3	52.0	49.1	52.0
Bolivia	1980–93	4	33.9	47.2		
Brazil						
Ia	1945–50	3	34.8	44.0	52.2	48.6
Ib	1954–62	4	26.0	26.0	44.8	52.0
IIa	1985–90	4 <sup>a</sup>	26.9	25.6	37.0	31.8
IIb	1994	1	12.1	13.6	35.4	42.0
Chile						
I	1932–73	18	23.3	20.8	41.6	41.2
II	1989–93	2	31.7	28.3 <sup>b</sup>	58.3	46.3 <sup>b</sup>
Colombia	1945–49, 1974–94	11	55.2	56.3	55.2	56.3
Costa Rica	1953–94	11	49.6	—	51.8	—
Dominican Republic	1962, 1966–90	8	55.6	69.1		
Ecuador	1978–94	7	22.0	—		—
El Salvador						
I	1985–91	4	47.5	—		—
II	1994	1	46.4	—		—
Honduras	1981–93	4	54.2	—	54.2	—
Mexico <sup>c</sup>	1982–91	4	65.8	95.8	65.8	95.8
Nicaragua <sup>c</sup>	1984–90	2	65.4	—		
Paraguay	1993	1	47.5	44.4	—	—
Peru						42.2 <sup>d</sup>
	1980	1	54.4	43.3	54.4	43.3
	1984–90, 1995	3	47.1	40.0 <sup>d</sup>	47.1	41.7 <sup>d</sup>
Uruguay	1942–71, 1984–94	11	45.6	43.8		
Venezuela	1958–93	8	41.4	47.4	43.2	47.7

<sup>a</sup>Includes the indirect presidential election of 1985.

<sup>b</sup>For Chile II, appointed senators were included in calculating the president's share of Senate seats. If one takes only elected seats, the percentage increases to 34.2% for the presidents' party and 56.6% for the coalition.

<sup>c</sup>These cases are not included in those tables that analyze a relationship among variables (i.e., Tables 11.2, 11.3, and 11.4) because the elections are not sufficiently democratic.

<sup>d</sup>Does not apply to 1995; Peru moved to a unicameral legislature with the constitution of 1993.

*Sources:* For electoral data, Nohlen (1993); Mainwaring and Scully (1995); individual country studies in this volume. Countries for which we have only one observation (i.e., Paraguay) or that do not meet the criteria for democracy established in Chapter 1 (i.e., Mexico and Nicaragua) are excluded from those tables that explore relationships among variables (Tables 11.2, 11.3, and 11.4).



plus most other Latin American cases with some recent experience of democratic elections. The time period for specific countries in Table 11.1 reflects a basic continuity in electoral rules and sequences. For example, in Brazil, there was a shift from largely concurrent presidential and legislative elections (1945–50) to nonconcurrent ones (1954–62).<sup>6</sup> Conversely, although Uruguay suffered a democratic breakdown in 1973, its democratic elections since 1942 have occurred under roughly similar electoral rules and sequences, so we treat it as one case.

In the great majority of cases, determining the president's party was straightforward. A few presidents (Quadros in Brazil, Ibáñez and Alessandri in Chile; and Caldera [1993] in Venezuela) ran as independents. In such cases, we considered the president's party the largest of those that ran him as their presidential candidate.

In cases where not all the members of a chamber are elected at the same time, where possible we based figures on the composition of the entire chamber, not on the legislative results for that portion of the chamber that was elected in a given year. This includes the Argentine Chamber of Deputies (1985–95), the Argentine Senate (1989–95), the Brazilian Senate (1947–64, 1985–94), the Chilean Senate (1937–73), and the Ecuadoran unicameral legislature (in which, only part of the unicameral legislature is renewed every other election, that is, 1986, 1990, and 1994).

Determining the president's electoral coalition was no easy task because no single source lists this information. We consulted an array of sources and scholars and ultimately included the parties listed in the appendix to this chapter. We include this appendix partly to clarify methodological choices made in Table 11.1 and partly to bring this information together in one source. There are, however, occasional discrepancies among sources regarding what parties formed part of presidents' electoral coalitions.

The coalition figures reflect the legislative share of seats won by parties that formally supported the winning presidential candidate during his or her campaign. We did *not* attempt to account for situations in which (a) some parties defected from the electoral coalition after the elections or (b) other parties, despite not having supported the electoral coalition, subsequently joined the governing coalition. That is, our focus is exclusively on electoral coalitions and not governing coalitions. In cases where presidents are elected by majority runoff, we used the presidents' coalition in the first round. For nonelected presidents (e.g., Café Filho, Goulart, and Franco in Brazil), we did not compute a figure for the electoral coalition but did for

6 However, in 1947 there were nonconcurrent Senate elections.



the share of seats of the president's party, since this latter information is still relevant.

For nonconcurrent presidents, we entered a new figure for every election. For example, for the 1958–70 coalition figure in Chile, we took the share of seats that President Alessandri's (1958–64) coalition won in the 1957 legislative elections as the figure for 1958–61 and took that coalition's share of seats in the 1961 legislative elections as the figure for 1961–64. We then took the share of seats that President Frei's (1964–70) coalition (which consisted of only his own party) won in the 1961 legislative elections for 1964–65, his coalition's share of seats in the 1965 legislative elections for 1965–69, and his coalition's share of seats in the 1969 legislative elections for 1969–70. We took a simple mean of all these figures rather than a weighted mean, which would have given greater weight to longer time periods.

Is the figure for the president's party or coalition more meaningful? It is difficult to answer this question universally, and it is for this reason that we have provided both figures. In some cases – for example, in post-1989 Chile (see Siavelis, this volume) – parties of the electoral coalition have been faithful members of presidents' governing coalitions. Moreover, even allowing for the marked disjuncture between electoral coalitions and governing coalitions in some cases, we are confident that parties that form part of the electoral coalition are usually more likely to provide subsequent support for the president than those that do not.

However, in many cases parties of the electoral coalition have not been consistent legislative allies of the president. In Brazil, for example, parties of the electoral coalition have often defected from or remained less firmly within the governing coalition. In general, a president should be able to expect more concord with legislators elected under the same party name than under other party names, even those of the electoral coalition. For this reason we are inclined to think that the share of seats of the presidents' party is the more important information for most cases.<sup>7</sup>

Table 11.1 shows a wide variation in mean legislative support for presidents. The mean figures for presidents' parties in Bolivia, Brazil (for all four periods), Chile (for both periods), and Ecuador are strikingly lower than

7 The only case where this might be different would be in the event of joint preelection lists, as in Chile since 1989. The structuring of joint lists before an election, where the same parties are in the same coalition throughout the country, suggests a higher level of commitment to the coalition than do coalitions in which parties retain completely separate ballot identity. However, even joint lists imply that parties retain separate organizations and the option of leaving the coalition.

those for all the other countries. With the sole exception of the Bolivian Senate, in none of the houses in these legislatures has the president's party averaged as much as 35% of the seats. The gap between these four cases and the others narrows considerably when electoral coalitions are taken into account, but for reasons already given, a larger electoral coalition does not fully compensate for the weakness of the president's own party base.

At the other end of the range, not surprisingly, is Mexico, where since the 1980s presidents' parties have still averaged 66% of the lower chamber and 96% of the upper chamber seats. In several other countries (Argentina, Colombia, the Dominican Republic, Honduras) presidents have averaged at least 50% in at least one house of the legislature.

Do the Latin American cases confirm our hypothesis about the difficulties of multiparty presidentialism when presidents' parties hold only a distinctive minority of seats? The evidence is inconclusive but tends to support the hypothesis. In the 1980s, the three countries in which presidents consistently held a distinct minority of seats (Bolivia, Brazil, and Ecuador) presented some of the most dramatic problems of democratic governance in Latin America. Bolivia and Brazil experienced extremely high inflation rates, reaching 8,171% in Bolivia (1985) and 2,489% in Brazil (1993). All three countries experienced declining or stagnant per capita income and serious problems of democratic legitimacy and accountability. The causes of these problems were multiple and complex; it would be facile to attribute them exclusively or even principally to institutional arrangements. However, as Mainwaring's chapter on Brazil suggests, the search for answers to daunting political, economic, and social problems was obstructed by the institutional combination of minority presidentialism, a large number of parties, and relatively undisciplined catchall parties.<sup>8</sup> Conversely, virtually all of the cases of more continuous democracy in Latin America have involved less party system fragmentation.<sup>9</sup> These are also the cases with the greatest frequency of majorities.

On the other hand, Chile, which is the other case in which the president's party consistently has held a share of seats below 35%, since 1989 has been successful in most respects, and even the earlier Chilean democracy of 1932–73 recorded many achievements before breaking down. Thus, there are exceptions to the general tendency toward problematic democracies in cases of highly fragmented multiparty presidential systems. Faundez, in his

8 Jones (1995a) agrees that high fragmentation is problematic in presidential systems. González (1991) also suggests that increasing fragmentation contributed to problems of democratic governance in Uruguay before 1973. However, Nicolau (forthcoming) argues that high fragmentation did not contribute to problems of governability in Brazil after 1985.

9 Of course, the number of cases is small, and there is a possibility of spurious correlations.

chapter, suggests that the (mostly reactive) powers of the Chilean presidency helped moderate the pressures of a polarized multiparty system, until polarization got out of hand in the 1970s. Other fragmented party systems have tended to be associated with proactive presidencies (those with decree powers, as discussed in Chapter 1 and later in this chapter), a combination that may exacerbate the difficulties of extreme multipartism. As for post-1989 Chile, Siavelis (this volume) attributes its success to the consensual nature of the transition from authoritarianism and to the related willingness of parties to engage in joint lists as a result of a restrictive electoral system. He cautions, however, that the smoothness of multiparty presidentialism in this case may be temporary, especially given extremely high constitutional powers of the presidency.

## INSTITUTIONAL ARRANGEMENTS AND THE NUMBER OF PARTIES

In this section we discuss the relationship between institutional arrangements and the number of parties. In order to examine this issue, we use the *effective* number of parties,  $N$ , a measure that allows each party to be weighted by its own size. The formula is  $N = \sum (p_i^2)^{-1}$ , where  $p_i$  is the share of votes or seats of the  $i$ th party (Laakso and Taagepera 1979). If there are three evenly sized parties (33.3%, 33.3%, 33.3%),  $N = 3.0$ . If one of the three becomes larger at the expense of one of the other parties (43.3%, 33.3%, 23.3%),  $N$  drops below 3.0 to 2.84. If instead one of the three splits in half (33.3%, 33.3%, 16.7%, 16.7%),  $N$  increases to 3.60.  $N$  can be measured in votes or seats; here, we focus on seats because of our concern with presidential–legislative relations.

As one would expect, as the share of seats of the president's party increases, the effective number of parties decreases. The correlation between the president's share of seats and the effective number of parties is a robust  $-.85$  for lower houses and  $-.86$  for upper.

If avoiding highly fragmented party systems is desirable with presidentialism, what are the factors that most influence the number of parties in Latin American democracies? Obviously, cleavage structures and historical and cultural factors play a role. However, there are very strong correlations between certain electoral rules and sequences, on the one hand, and the number of parties, on the other. It is possible that countries with certain cleavage structures or historical-cultural experiences are more likely to choose one rather than another set of electoral rules and sequences – and therefore have a given party system – but regardless of what explains the

adoption of a set of institutions, once in place, institutions usually bind future politicians and therefore produce predictable outcomes.<sup>10</sup>

In Table 11.2 we group countries according to various institutional configurations to show the impact of electoral arrangements on the number of parties. Whereas Table 11.1 used countries as the unit of analysis, here we use the electoral system. According to Shugart and Carey (1992) and Jones (forthcoming), the timing of presidential and congressional elections in relation to one another – the electoral cycle – is a crucial variable in explaining the number of parties in presidential systems. If congressional elections are held concurrently with a presidential election and the president is elected by plurality rule, the party system is likely to be dominated by two large parties. The typical effect of plurality elections in producing two-party competition (Duverger 1954) is carried over to a considerable degree into the congressional elections, even though most Latin American congresses are elected by proportional representation (PR) and would therefore not – according to previous conventional wisdom on electoral systems – be expected to have just two large parties. Shugart and Carey (1992:293–300) develop a model that predicts the number of parties under this combination of a presidency elected by plurality and a congress elected by PR concurrently with the president. The prediction of their model is that the effective number of parties in congressional elections would fall between two and three even for those higher-magnitude electoral systems in which the effective number of parties would ordinarily be considerably greater than three if the system were parliamentary instead of presidential.

The arguments that we have just reviewed about the number of parties in presidential systems pertain to systems in which elections are concurrent and the president is elected by plurality. For other common institutional arrangements, Shugart and Carey (1992) argued that (1) where congressional elections are held nonconcurrently, the effective number of parties would be expected to be 3.0 or more, if a large district magnitude (i.e., the number of seats elected from an electoral district) is used, regardless of how the president is elected, and (2) where the president is elected by majority runoff, the effective number of parties would be 3.0 or more, again if a large district magnitude is used, regardless of the electoral cycle.

In considering electoral systems' propensity to support many or few parties, we use *effective* magnitude. If all legislators are elected in districts of the same size, the effective magnitude is simply equivalent to the magnitude of any one district. If magnitudes are of varying size, but all legis-

10 For a discussion of these themes, see Mainwaring (1991) and Shugart and Carey (1992: chap. 9).

Table 11.2. *Institutional configurations and effective number of congressional parties in Latin American countries*

Country (chamber)	Number of elections	Average effective magnitude	Average effective number of parties (standard deviation)
<i>President elected by plurality, congress concurrent</i>			
Dominican Republic (upper)	8	1 <sup>a</sup>	1.70 (.30)
Brazil, 1945–50 (upper)	3	1 or 2 <sup>b</sup>	2.71 (.47)
Dominican Republic (lower)	8	3.4	2.17 (.49)
Honduras	4	6.3	2.07 (.09)
Venezuela (upper)	8	6.5	2.76 (.80)
Peru, 1980 (lower)	1	7.0	2.47 (—)
Costa Rica	11	7.7	2.42 (.41)
Brazil, 1945–50 (lower)	2	6.5 <sup>c</sup>	3.44 (.94)
Venezuela (lower)	8	25.8	3.31 (.97)
Uruguay (upper)	11	30	2.55 (.41)
Peru, 1980 (upper)	1	60	3.22 (—)
Uruguay (lower)	11	99	2.65 (.38)
Mean of all individual elections	76	—	2.53 (.68)
<i>President elected by majority runoff, concurrent elections</i>			
Brazil, 1994 (upper)	1	1 or 2 <sup>b</sup>	6.08
Chile, 1989–93 (upper) <sup>d</sup>	2	2	4.51
Chile, 1989–93 (lower)	2	2	4.91 (.29)
Ecuador, 1979–94	7	3.0	5.95 (1.28)
El Salvador, 1994–present	1	5.3	3.06 (—)
Peru, 1985–90, 1995 (lower)	3	7.0	3.79 (1.82)
Brazil, 1994 (lower)	1	9.5 <sup>c</sup>	8.13 (—)
Peru, 1985–90 (upper)	2	61.5	4.27 (1.80)
Mean of all individual elections	19	—	5.14 (1.61)
<i>Congress and presidential elections nonconcurrent</i>			
Brazil, 1986–90 (upper)	2	1 or 2 <sup>b</sup>	3.91 (2.31)
Brazil, 1954–62 (upper)	3	1 or 2 <sup>b</sup>	3.94 (.53)
El Salvador, 1985–91	3	4.4	2.51 (.32)
Chile, 1932–73 (upper)	9 <sup>e</sup>	5	5.17 (.90)
Chile, 1932–73 (lower)	11	5.2	5.65 (1.63)
Brazil, 1954–62 (lower)	3	6.8 <sup>c</sup>	4.55 (.05)
Brazil, 1986–90 (lower)	2	9.3 <sup>c</sup>	5.74 (4.12)
Mean of all individual elections	33	—	4.88 (1.64)

Table 11.2. (*cont.*)

Country (chamber)	Number of elections	Average effective magnitude	Average effective number of parties (standard deviation)
<i>Other cases</i>			
Argentina (lower)	6	5.9	2.62 (.29)
Bolivia (upper)	4	3	2.64 (.72)
Bolivia (lower)	4	14.4	4.24 (.37)
Colombia, 1947, 1974–90			
(upper)	6	5.0	2.15 (.18)
Colombia (lower)	10	7.7	2.22 (.37)
Colombia, 1991–94 (upper)	2	100	2.99 (.10)

*Note:* Systems are listed within each category in ascending order by district magnitude, except in “other cases” category.

<sup>a</sup>Where no decimal point is given, all districts are of the indicated magnitude.

<sup>b</sup>All districts have magnitude 1, then 2, in alternate elections.

<sup>c</sup>For Brazil 1950–62 and 1985–present, one could make a strong argument for adjusting the effective magnitude for the lower house because electoral rules allowed for the formation of coalitions of several parties in proportional elections. These coalitions rather than individual parties needed to reach the threshold. This provision reduces the threshold for a party by a factor of approximately three times when three parties run together, thus leading to a greater effective number of parties than one would expect on the basis of the average effective magnitude. The reason we did not make an adjustment for the coalition effect is that the rules regarding coalitions have changed frequently, making it difficult to determine how much one should adjust over a period of time.

<sup>d</sup>Excludes appointed senators.

<sup>e</sup>The total number of elections is 11, but data are incomplete for 1937 and 1957.

lators are elected from districts without complex districting (such as a nationwide pool of seats to compensate parties that are underrepresented in the districts) and without a threshold, then the effective magnitude is the average of all the individual district magnitudes. Where a threshold is applied in the districts, the magnitude is reduced and we use the formula devised by Taagepera and Shugart (1989) to determine effective magnitude in such cases.<sup>11</sup> We present averages of the effective values for each election considered, drawn from data in Jones (1995a) and Nohlen (1993).

11 Their formula is  $M_{\text{eff}} = 50/T$ , where  $M_{\text{eff}}$  is effective magnitude and  $T$  is the threshold, in percent. Argentina, Bolivia, and Brazil are the three countries that required adjust-

In Table 11.2, we group countries into four categories: (1) Congress is elected concurrently with a president elected by plurality;<sup>12</sup> (2) congress is elected concurrently with a president elected by majority runoff;<sup>13</sup> (3) congress and president are elected nonconcurrently, and (4) other cases. The final category includes three countries (Argentina, Bolivia, and Colombia) that do not fit any of the first three categories because of unique institutional configurations.<sup>14</sup>

Because our primary interest has shifted from the dynamics of executive–legislative relations (Table 11.1) to the impact of electoral laws and sequences (electoral cycles) on the number of parties (Table 11.2), the “num-

ments of this sort. In addition, for Venezuela’s complex districting, we compute  $M_{eff}$  as the geometric average of the magnitude of the nationwide compensation district (90) and the district-level average magnitude (around 8). For a justification of these procedures, see Taagepera and Shugart (1989:chap. 12 and app. C5).

- 12 We include Brazil (1945–50), Costa Rica, and Peru (1980) in this category despite minor deviations. In Brazil congressional and presidential elections were concurrent in 1945 and 1950. In 1947, every state elected one senator, bringing the number of senators to three per state. But the number of legislators elected nonconcurrently in 1947 (one-third of the Senate and no deputies) pales in comparison to the number elected concurrently in 1945 (the entire legislature) and 1950 (the entire legislature except for one-third of the Senate). Therefore, the overall dynamic of this period was established by the concurrent elections. In Costa Rica, if no candidate obtains 40% of the votes, a runoff is held. Because the threshold in the first round is lower than a majority, this functions almost like the plurality rule. Similarly, in Peru in 1980, a runoff could have been averted if the leading candidate had won at least one-third of the vote.
- 13 We include Ecuador in this category despite some minor deviations. In Ecuador, the 1979 legislative elections coincided with the second round of the presidential election rather than the first (which was held in 1978, nine and one-half months earlier). Since 1984, presidents have held four-year terms and have always been elected concurrently with Congress. Most deputies (e.g., 65 of the 77 deputies in the 1994–96 legislature) have two-year terms, so every other time presidents and legislators are elected nonconcurrently. Twelve national deputies have four-year terms and are elected concurrently with the president.
- 14 In Argentina, besides the use of an electoral college to elect the president through 1995, some members of Congress are elected concurrently with the president, but others are elected during nonconcurrent elections held during the president’s term. Deputies are elected to four-year terms with half the seats renewed at any one election. In addition, alone among upper houses in Latin America, the Argentine Senate is indirectly elected; moreover, it is not elected at exactly the same time as the president. (The constitutional reforms of 1994 have implemented a change to direct elections, but the change will not fully take effect until 2001.) In Bolivia, legislative elections coincide with the first round of presidential elections, but the Congress elects the president if there is no majority winner. This system is closest to our second category (concurrent elections with runoff), but the “runoff” is not conducted through popular election. In Colombia, Congress is elected about three months before the president. Thus, elections are literally nonconcurrent, but held within the presidential election campaign, and terms of office are concurrent. The 1991 election, called to replace the 1990 Congress when it was dissolved to implement the new constitution, was a one-time exception to this cycle.



ber of elections" refers to legislative elections only.<sup>15</sup> The averages of each group and, with a few exceptions, the results from individual countries support the expectations of the relation between institutional configuration and effective number of parties represented in congress. In the concurrent/plurality group, the mean  $N$  is 2.53; two and a half parties are the norm here. Among these countries, only the Venezuelan lower chamber has an average  $N$  greater than 3.0, and then only in the lower house, with its large effective magnitude. Even that figure is exaggerated by three highly fragmented elections (1963, 1968, 1993), as can be seen from the very high standard deviation. From 1973 through 1988, the Congress was dominated by two large parties, with a high fragmentation of the rest of the Congress. That the electoral cycle and plurality rule for the presidency together significantly dampen the effect of magnitude on the number of parties is suggested by the Uruguayan case with magnitudes in its two chambers of 30 and 99, but with  $N$ s not much higher than 2.5.<sup>16</sup> For those who favor proportional representation, the good news here is that PR need not produce high fragmentation in presidential systems.

In systems with nonconcurrent elections, the average  $N$  is 4.88, confirming expectations that party systems would tend to be more fragmented with this electoral cycle. The standard deviation is very large mainly because of sharp swings in the effective number of parties in Brazil since the return to democracy in 1985. Where the president is elected by majority runoff, even in concurrent elections, the number of parties is likewise high, 5.14 on average.

Table 11.3 shows the incidence of bicameral (or unicameral where there is only one chamber) majority legislative support according to different electoral arrangements. The data show that presidents elected by plurality, with congress elected at the same time, are far more likely to have majorities than are presidents under the other institutional formats. Fifty-four percent of the time (25 out of 46), presidents in such systems have held a majority in both chambers (or in the sole house of a unicameral chamber). Presidential

15 In Table 11.1 (and again in Table 11.3), in nonconcurrent cases (except Colombia), we determined data points for both legislative and presidential elections. For cases of staggered elections, the data indicate the composition of the full house after each partial renovation.

16 In recent elections,  $N$  has been increasing in Uruguay. Assuming the configuration of concurrent elections and plurality presidential elections does not completely override the effects of  $M$ , it would be expected that  $N$  would be higher in Uruguay than it generally has been. Even if it were around 4.0, however, it would still be low compared with other countries with such large magnitudes but without concurrently elected presidencies, such as Israel and the Netherlands. See Taagepera and Shugart (1993). As we suggest later, the requirement of straight party voting also contributes to limiting  $N$  in Uruguay.

majorities are much rarer in systems with nonconcurrent elections (3 of 31 observations) or when the congress is elected concurrently with a majority-runoff presidential election (2 of 13 observations).

In Table 11.3, we also consider the likelihood that presidents who have reactive powers will be able to sustain vetoes. Table 11.3 shows the frequency with which presidents' parties have a veto-sustaining share of seats in those cases in which they lack a majority. If a president can sustain vetoes, then he or she will be able to put a stamp on policy, even in the absence of a majority.<sup>17</sup> We used upper and lower houses since a president would need the support of only one chamber to sustain a veto. Presidents elected by plurality with concurrent congressional elections have had either a majority or a veto-sustaining share of seats over 70% of the time.

Presidents under the other institutional configurations are much less likely to have veto-sustaining seat shares for their own parties. We did not compute a separate figure for presidents' coalitions, because we are interested in how likely the president can escape being marginalized when he or she faces the second-worst situation imaginable in terms of partisan support: when only the president's own party remains supportive. (The worst possible situation is, of course, when not even the president's own party supports him or her.) If presidents in institutional configurations other than the concurrent/plurality format are rather unlikely to have veto-sustaining shares, they are nonetheless much more likely to be able to sustain vetoes than they are to have majorities, owing to the extraordinary majority override provisions in three of the cases that have very fragmented party systems: Bolivia, Brazil (1946–64), and Chile (pre-1973).

If presidents do not have enough partisan support to be able to sustain vetoes, they can more easily be marginalized in the legislative process, perhaps tempting them to act unconstitutionally. The data presented in Table 11.3 suggest that electing the congress concurrently with a plurality election for president is the format that best achieves this goal.

In sum, the party systems that have a very large effective number of parties and a concomitantly low likelihood that the president's party will have a majority of seats in the legislature are mainly those with nonconcurrent elections and/or majority-runoff election of the president: Bolivia, Brazil, Chile (pre-'73),<sup>18</sup> Ecuador, and Peru. These are the only cases in

17 For purposes of parsimony, we are assuming here that the president's party is united and that no other party supports him. In most countries, only rarely would these two conditions be met perfectly. But the share of seats of the president's party is still relevant to understanding how easy it is for the president to veto legislation successfully.

18 Post-Pinochet Chile has a low effective number of parties according to Table 11.2, despite using majority-runoff presidential elections. Some caveats are important here, however.

Table 11.3. *Congressional strength of presidents' parties*

Country	Number of elections	Number of times with majority in both houses <sup>a</sup>	% times with majority in both houses <sup>a</sup>	Number of times with veto-sustaining share but no majority <sup>b</sup>	% times with veto-sustaining share but no majority	% times either majority or veto-sustaining share
<i>President elected by plurality, congress concurrent</i>						
Brazil, 1945–50	3	2	66.7	0	0.0	66.7
Costa Rica	11	6	54.5	4	36.4	90.9
Dominican Republic	8	5	62.5	3	37.5	100.0
Honduras	4	4	100.0	0	0.0	100.0
Peru, 1980	1	0	0.0	1	100.0	100.0
Uruguay	11	5	45.5	0	0.0	45.5
Venezuela	8	3	37.5	0	0.0	37.5
Total	46	25	54.3	8	17.4	71.7
<i>President elected by majority runoff, concurrent elections</i>						
Brazil, 1994–	1	0	0.0	0	0.0	0.0
Chile, 1989–93	2	0 <sup>c</sup>	0.0	2 <sup>d</sup>	100.0	100.0
Ecuador, 1984–94 <sup>e</sup>	6	0	0.0	1 <sup>f</sup>	16.7	16.7
El Salvador, 1993	1	0	0.0	1	100.0	100.0
Peru, 1985–90, 1995	3	2	66.7	0	0.0	66.7
Total	13	2	15.4	4	30.8	46.2
<i>Congress and presidential elections nonconcurrent</i>						
Brazil, 1954–64	4	0	0.0	2	50.0	50.0
Brazil, 1985–90	4 <sup>g</sup>	1 <sup>h</sup>	25.0	1 <sup>h</sup>	25.0	50.0
Chile, 1932–73	18	0	0.0	2	11.1	11.1
Ecuador, 1978–79	1	0	0.0	1	100.0	100.0
El Salvador, 1985–91	4	2	50.0	2	50.0	100.0
Total	31	3	9.7	8	25.8	35.5
<i>Other cases</i>						
Argentina	6	0	0.0	6	100.0	100.0
Bolivia	4	0	0.0	3	75.0	75.0
Colombia	11	9	81.8	0	0.0	81.8

<sup>a</sup>Or in the sole chamber of a unicameral congress.

<sup>b</sup>Veto-sustaining seat share is a share of seats in one (or the sole) house that is sufficient to block an override of a veto, in the event that the president's party lacks a majority in both houses (or the sole house). Where veto override majorities differ by issue area, the one required for bills other than expenditures is used.

<sup>c</sup>Part of the Chilean Senate has been appointed. The Concertación would have had a majority without the appointed senators.

<sup>d</sup>Based on the Concertación, a preelection joint list, rather than on the president's own party alone.

<sup>e</sup>Some legislative elections in Ecuador are nonconcurrent.

<sup>f</sup>Based on veto override of two-thirds, which applies when the president returns a bill that he or she objects to only in part; however, the president may also reject a bill in its entirety, in which case the only way for Congress to attempt an override is to request a referendum on the issue.

<sup>g</sup>Includes the indirect presidential election of 1985.

<sup>h</sup>At the beginning of the 1987–90 legislature, the PMDB had a majority in both chambers, and we have consequently included this case as one of a presidential majority. However, defections from the party subsequently deprived the PMDB of this majority.

which the mean effective number of parties in at least one house of the legislature exceeds 4.0.

We now provide a statistical test of our hypotheses about the effects of various institutional configurations on the effective number of parties in presidential systems. The use of multiple regression analysis on a relatively small data set cannot be considered definitive, but if the results of the regressions match our hunches and our less formalized display of the data in Table 11.2, we will have reason to be more confident of our reasoning. We present regressions on the Latin American data and also on an expanded data set that includes the other two countries with extensive experience with presidential democracy, the Philippines and the United States. Table 11.4 displays the results.

We see from regressions 1 and 4 that our hypotheses about the effects of electing the president by plurality and concurrently with the congress are quite strong. This institutional configuration has the expected effect of reducing the number of parties and is significant. The result is essentially the same whether we use the Latin America data set (regression 1) or the expanded one (regression 4), which includes the United States, where half of all congressional elections are concurrent with presidential electors, who are chosen by plurality, and the Philippines. The expectation about majority runoff-presidential elections – that they would increase the number of parties – is also borne out in both specifications. We tried (but do not show) alternative codings on this variable. For example, coding Bolivia's unusual presidential election procedure as having majority runoff, even though the "runoff" is held in Congress rather than as a popular election, made no material difference in the result. However, the coding of those systems in which a runoff can be held, but in which the threshold for avoiding a runoff is lower than the usual 50% plus one member, made some difference. If such systems – all Costa Rican elections, Peru in 1980, and Argentina in 1995 – are coded as majority runoffs, this variable remains significant but is less robust. Thus, the statistical results reinforce our confidence in considering as effectively pluralities those two-round systems in which the first-round threshold for victory is considerably less than a majority.

Footnote 18 (*cont.*)

Our figure reflects preelection coalitions rather than separate party organizations. The coalescence of parties before elections may be traced to two primary factors. First, the district magnitude is low (2.0) for the congressional elections (which were concurrent with the presidential election in 1989 and 1993, but will not be in the future, because the presidential term has been lengthened to six years). Thus, the electoral rules have produced an artificial and possibly temporary reduction in the effective number of parties (coalitions). Second, the transition from dictatorship was quite consensual. As Siavelis's chapter notes, this low fragmentation cannot be expected to last.

Table 11.4. *Regressions of institutional variables and the effective number of parties in presidential systems*

Variable	1	2	3	4	5	6	7
Constant	3.701*** (.388)	3.486*** (.401)	2.136*** (.272)	3.460*** (.310)	2.898*** (.326)	3.278*** (.318)	2.065*** (.167)
CONC/ PLUR	-1.022*** (.346)	-0.936*** (.345)	—	-1.200*** (.293)	-1.213*** (.275)	-1.074*** (.294)	—
MAJRO	1.612*** (.387)	1.681*** (.384)	—	1.724*** (.352)	1.385*** (.342)	1.776*** (.347)	—
LOGMAG	.009 (.160)	.021 (.158)	.183* (.092)	.141 (.108)	.088 (.117)	.127 (.107)	.205** (.063)
LIST	—	—	—	—	1.370*** (.35)	—	—
GOVLIST	—	.780* (.425)	—	—	—	.831** (.394)	—
Corrected R <sup>2</sup>	.22	.24	.06	.28	.37	.31	.15
N	97	97	46	113	113	113	57

*Note:* Regressions are based on different data sets, as follows: 1, 2, all Latin American cases; 3, Latin American cases with concurrent elections and president elected by plurality only; 4, 5, 6, all Latin American cases, plus the Philippines and the United States; 7, Latin American cases with concurrent elections and president elected by plurality, plus the Philippines and the United States.

\*  $p \leq .10$

\*\*  $p \leq .05$

\*\*\*  $p \leq .01$

*Variables:* CONC/PLUR, dummy variable, set to 1 when the president is elected by plurality, concurrent with the congressional election; MAJRO, dummy variable, set to 1 when the president is elected by majority runoff; LOGMAG, Effective magnitude, logged; LIST, dummy variable, set to 1 when the congress is elected by a party-list system; GOVLIST, dummy variable, set to 1 when provincial, state, or departmental governors are directly elected and the congress is elected by a list system.

We have also introduced two other variables in various regressions. One is the presence of a list system. All Latin American presidential systems except Colombia's use a party-list system for electing at least the lower house, although Mexico and (since recent reforms), Bolivia and Venezuela elect about half their deputies from single-member districts.<sup>19</sup> It is plausible that one reason for the much lower number of parties in Colombia, the Philippines, and the United States – even when compared with other systems that use plurality presidential elections and concurrent or near-concurrent elections – is the absence of party lists.

Without party lists – especially closed lists – it is easier for local chapters of a party or even individual candidates to tailor their campaigns to suit local concerns, while still acting within a party that can win the presidency. Thus, parties in non-party-list systems can be more internally diverse. Even with open lists, party leadership has control over the nominations that it would lack in systems that we have defined as not using lists (although, uniquely, this is not so concerning renominations of incumbents in Brazil). Therefore, the opportunity to express dissent within the party is reduced relative to a non-party-list system, even though it is probably greater under open than under closed lists. There is another reason why party lists enhance incentives to establish new parties: A defector, in setting up a rival list, can use his or her name appeal to help elect other members, given that votes are pooled within lists. Thus, the head of a new party list can potentially enhance his or her own power in congress; under non-party-list systems, this opportunity is unavailable.<sup>20</sup> For these reasons, party-list systems provide more incentives to set up new parties than do nonlist systems. Regression 5 tests this idea against the entire data set and finds it very plausible.<sup>21</sup> A list system increases the number of a parties, and the other variables that were significant in regression 4 remain so.

19 Given the absence of U.S.-style primaries or Philippine-style decentralized nominations procedures, even that half of the deputies elected from single-member districts may still be seen as effectively operating within a list system in which lists have only one name.

20 A partial exception is Colombia, but the expected result on incentives to form new parties is the same as described for other non-party-list systems. In Colombia there are multiple lists within parties, but votes are pooled only within the list and not within the party. Thus, given a lack of party control over nominations (discussed later), dissidents can set up their own lists, and votes cast for them will pool to other candidates on their lists. Thus, they may help elect other like-minded dissidents without helping elect rivals within the party (an option unavailable wherever there are party lists, whether open, closed, or, as in Uruguay, factional). The bottom line is that defectors do not need to register their lists under different party names; thus, there is reduced incentive to set up new parties, just as is the case in other non-party-list systems.

21 Because Colombia is the only system in Latin America that does not use party lists,

Another institutional variable that might be expected to increase the opportunities for local parties to establish themselves and hence increase the number of parties is the direct election of provincial, state, or departmental governors. We interact this variable with LIST because, for the same reason given earlier, the incentives to establish new parties around gubernatorial elections would be less in nonlist systems. Electing governors and other local officials makes either federalism or administrative decentralization more meaningful because it enhances the autonomy of subnational governments vis-à-vis the central government (Riker 1964). However, the way in which this enhanced autonomy plays out in terms of the national party system can be expected to vary with the electoral system used. If there are no party lists, electing local officials contributes to what Ordeshook (1995) terms “decentralized but vertically integrated parties” in which local chapters enjoy autonomy, but the local elections serve in part as a recruiting channel for national parties. However, list systems may inhibit the decentralization of parties and also create an opportunity for governors to establish local parties over whose lists they may wield a substantial amount of control.<sup>22</sup>

Thus, within party-list systems, separate local parties are more likely to grow up around local gubernatorial races. At the extreme, gubernatorial elections in party-list systems may contribute substantially to the fragmentation of a party system. The results of regressions 2 and, especially, 6 provide some support for this notion (without substantially affecting the other variables that were significant in regressions 1 and 4). That is, while the move toward decentralization and local democratization can be applauded, when coupled with the tendency to use party-list systems in Latin America, local elections may not assist the formation of the decentralized but vertically integrated party systems that may be essential to providing the twin desiderata of local autonomy and national integration.

One final observation about these regressions is the surprising insignificance of effective magnitude. Although magnitude has been termed the “decisive” factor in determining the number of parties (Taagepera and Shugart 1989; also Rae 1967; Lijphart 1994), the data sets on which such conclusions have been based have overwhelmingly consisted of parliamen-

running a regression on the Latin America data with LIST would be equivalent to using a dummy variable for Colombia and hence not theoretically interesting.

22 These statements would seem to apply even to the extremely decentralized open-list system of Brazil. Governors there wield greater control over nominations to open seats in their states’ delegations to the National Congress than would be likely if there were no lists at all.



tary systems. In presidential systems, on the other hand, the importance of the presidency serves to reduce the number of parties, at least when the president is not elected by majority runoff and elections are concurrent. Thus, the special features of presidentialism override the impact of magnitude.<sup>23</sup> We did include two regressions (3 and 7) that take into account only the subset of cases that use the concurrent/plurality format, and we find that effective magnitude is indeed significant for this subset, especially when the non-Latin American cases are included (although the variance explained is very small). Thus, we would not characterize magnitude as irrelevant in presidential systems – just less important than the electoral cycle and the means of electing the president, and also less important than the presence or absence of party lists.

## PRESIDENTIALISM AND PARTY DISCIPLINE

When we talk about party discipline, we have in mind a simple phenomenon: legislators of the same party voting together almost all the time. Even in undisciplined parties, legislators of the same party *usually* vote together, but this is because many legislative matters are relatively consensual across and within party lines. Even with comparatively undisciplined parties, it is important to avoid misleading stereotypes: under these circumstances, party labels are nonetheless meaningful indicators of most politicians' proclivities (Kinzo 1990). However, on issues that cleave the legislature as a whole, undisciplined parties are often divided. Defined in this fashion, a disciplined party need not be well organized, well institutionalized, or programmatic, although it is more likely to be so than is an undisciplined party. Having moderately disciplined parties facilitates the building of well-organized parties and an "institutionalized party system" (Mainwaring and Scully 1995), but it is not a sufficient condition.

The degree of party discipline affects the extent to which presidents can rely on party leaders to deliver the vote of their party or, conversely, the extent to which presidents need to secure the support of individual legislators and/or party factions. (The degree of discipline also affects the kind

23 Lijphart (1994:130–34) also finds that presidentialism with the concurrent/plurality format (i.e., Costa Rica and the United States) reduces the number of parties, even in a larger data set that includes parliamentary systems (and in which, therefore, magnitude is significant).

of representation that citizens enjoy, but this issue is less relevant for our purposes here.)

Linz (1994) and Sartori (1994a:189–94) properly argue that parliamentary systems function better with disciplined parties. We hypothesize that some measure of party discipline also facilitates the functioning of presidential systems. We cannot rigorously test this hypothesis here, but we do present our logic and believe that the case studies in this volume support it.

Parties in presidential systems need not be highly disciplined, but frequent indiscipline makes it more difficult to establish stable relationships between the government, the parties, and the legislature. Where discipline is weak, party leaders can negotiate a deal, only to have the party's legislative members back out of it. Presidents are forced to rely on ad hoc bases of support rather than on party leaders who can deliver the votes of their fellow legislators. This is a difficult situation for presidents, and it encourages the widespread use of clientelism and patronage to secure the support of individual legislators, as chapters by Archer and Shugart, Gamarra, and Mainwaring discuss. It can even tempt presidents to try to bypass congress through measures of questionable constitutionality or to flout the constitution, possibly with the military as an ally. Under these conditions, presidents may not be able minimally to accomplish their legislative agendas. Given the fixed nature of presidential terms, this situation can lead to protracted impasse, with deleterious consequences (Linz 1994). In this fashion, weak party discipline can contribute to the possibility of institutional deadlock.

With disciplined parties, the president does not have to negotiate a new ad hoc coalition for each legislative proposal, with the resulting need for the president to distribute patronage in order to win support. Although in Chapter 1 we suggested that an advantage of presidentialism is the possibility of sufficient legislative independence such that support for executive initiatives is not automatic, we nonetheless think it is desirable that there be a fairly large core of issues around which a party's support can be taken for granted. Presidents then can negotiate primarily with party leaders, thereby reducing the number of actors involved in negotiations and hence simplifying the process. They can count on party leaders usually being able to deliver the votes of most representatives of their parties, so there is greater predictability and transparency in the political process. Interparty agreements and coalitions in the legislature and cabinet are more likely to affect an entire set of issues than a single bill, and ad hoc bargaining over specific pieces of legislation would generally be required only on those proposals that would mark the greatest departures from the policy status quo.

Disciplined parties also help voters understand what different party labels and individual politicians stand for. With less disciplined parties, the ideological/policy differences among parties may be more opaque, hindering the process of accountability. It is certainly desirable for the party to be sufficiently cohesive that voters can have an expectation that a president and members of the legislature who share a party name will have a core set of policy concerns on which they are generally in accord.

The argument here should not be taken, however, to imply that *rigidly* disciplined parties are preferable with presidentialism, since there are potential perils of extremely tight discipline in presidential systems. We have already mentioned the subversion of checks and balances when presidents have a disciplined majority backing them. The congress may not function as an effective check on the president, but instead rubber-stamp all executive initiatives, if the president and the party leadership are in agreement. Mexico has such a situation, as Weldon's chapter shows, because even though most members are elected from single-member districts, the lack of reelection gives members no incentive to represent their supposed constituents. Thus, term limits, as well as the centralization of all ruling-party nominations in the hands of the president acting as party leader, reinforce the authoritarian dominance of the presidency over the congress.

If the president encounters a situation of "divided government," wherein a party or stable coalition opposed to the president holds a majority of seats in both houses (or the sole house) of congress, then extreme party discipline makes it difficult for the president to work out deals that cut across party lines. If the leadership of the dominant party seeks to be obstructionist, individual legislators must go along if they are subject to tight discipline. If, instead, individual members are free to break free from a leadership most interested in opposing the president, some may be coaxed to join with the president's party on certain legislative proposals.

Moreover, if the party leadership is at odds with its own president, rigid party discipline may make it difficult for the president to work with congress, even if the president's party is in the majority (Coppedge 1994a; Espinal 1991). Even in Costa Rica, as Carey's chapter shows, the combination of presidential primary elections and term limits means that presidents often have difficulty in dealing with their own parties once the next presidential candidate has been nominated, as this person, if victorious, will determine future appointive careers for the party's current congress members. If, on the other hand, party discipline is less rigid, it is unlikely that a president would ever be left without legislators willing to work with him or her even if the leadership had gone its own way.

Indeed, this possibility of cross-party alliances prevents U.S. presiden-

tialism from being crisis-ridden during periods of divided government. Although divided government has led to numerous scholarly and popular critiques (e.g., Cutler 1980; Robinson 1985; Sundquist 1986), others have argued that the legislative process does not suffer at all under divided government (Fiorina 1992; Mayhew 1991)<sup>24</sup> or that voters even prefer it as a means to force compromise (Fiorina 1988; Ingberman and Villani 1993). Riggs (1988) goes so far as to argue that lack of discipline is preferable in presidentialism. Riggs overstates the degree of indiscipline in U.S. parties (see Cox and McCubbins 1993); however, U.S. parties clearly have loose enough discipline that cross-party legislative coalitions are common. This cross-party dealing facilitates governability in the United States under a divided government,<sup>25</sup> although it may detract from it under a unified government.

## INSTITUTIONAL DETERMINANTS OF PARTY DISCIPLINE

The extent to which members of a given party's congressional delegation vote as a bloc or, on the other hand, vote independently of one another, can be expected to be strongly related to three basic features of the rules under which they become candidates and are elected. These three features – control of candidate selection, control of the order in which members are elected from a party list, and pooling of votes among a party's candidates – all strongly affect the degree of influence leaders have over the rank-and-file members.<sup>26</sup>

- 24 Consider one recent example of divided government in the United States. The 1992 presidential election was virtually dominated by cries of “gridlock” between the president and Congress. Yet Congress and the president under the Bush administration had accomplished several major pieces of legislation, including extensions of the clean air and voting rights acts and delegation of fast-track authority for negotiating free-trade agreements.
- 25 Divided government is most common in systems in which voters are likely to cast congressional votes on the basis of local issues or candidate characteristics rather than simply considering the national policy preferences that tend to dominate their presidential vote. Thus, the same feature of the electoral system that facilitates limited discipline – the electoral independence of legislators from party leaders – is also conducive to divided government because it encourages ticket splitting. See Shugart (1995a) for a fuller development and statistical test of this argument.
- 26 Congressional rules also affect party discipline. If the party leadership in congress controls resources that are important to other members of their delegation, this enhances party discipline (Cox and McCubbins 1993; Figueiredo and Limongi 1995). We do not have enough information on such congressional rules for Latin American countries to treat systematically this issue here. Although we focus here on party systems as the unit of

If party leaders control candidate selection, recalcitrant members cannot have the best of both worlds: deviation from the party line but continued use of the party's name in future elections. If the party leadership controls candidate selection, members who buck party wishes can be denied the right to be candidates with the party in the future.<sup>27</sup> When this is the case, potential candidates must be on good terms with the party leadership to win a place on the slate. The party has a powerful means of influencing politicians' behavior. An elementary feature of party cohesiveness is therefore the ability to determine who the party's candidates are. Party leaders in most of the industrialized democracies, as well as in most Latin American countries, have this power. However, the United States is a prominent example of a country where party leaders do not control who runs.

If party leaders control the order in which their members are elected, then they can selectively reward or punish rank-and-file members by moving them up or down on the party list (Carey and Shugart forthcoming). Members in such parties have little incentive to build personal reputations separate from those of their parties because voters do not vote for them as individuals, but rather for the whole party list. If, on the other hand, parties do not control the order of election, members have a powerful incentive to build their own reputations because their own ability to win personal votes can make the difference between victory and defeat. On this dimension, there is a continuum of possibilities, ranging from complete to no party control of the order in which candidates are elected.

If votes are pooled among all the candidates of a party, members' incentive to cultivate the collective reputation of their party is greater than if each candidate wins or loses solely on the basis of the personal votes he or she accrues. If the party does not control the order of election, being personally popular is one way to be elected, as noted earlier, but another way is to enter the congress on the coattails of some other popular member. This is possible with vote pooling because the first criterion in allocating seats is to determine the number of votes won by the party collectively in the district. Very popular individual candidates are thus an asset to less popular candidates, since their votes inflate the support of the party as a whole and

analysis, it is important to note that, within a given system, different parties sometimes differ markedly in discipline. In Brazil, for example, the leftist PT is very disciplined, while the centrist and rightist parties are comparatively undisciplined (Mainwaring and Pérez Liñán forthcoming).

27 Where there are bans on immediate congressional reelection, as in Costa Rica and Mexico, party leaders obviously lack the sanction of denying nomination in the next election. However, when the president comes from the same party, the provision or denial of future appointive positions offers a surrogate for the renomination sanction. See Carey's and Weldon's chapters.

thus help it win more seats. If, on the other hand, votes are not pooled, then a very popular candidate can be a liability. Because his or her votes cannot be shared with copartisans, votes beyond the number that candidate needed to win are “wasted” and cannot help elect other members. The best example of such a system is the single nontransferable vote used in Japan through 1993.

Table 11.5 reviews several Latin American electoral laws on each of these three provisions. For simplicity, we assume that each category is dichotomous, although one can imagine intermediate possibilities (Carey and Shugart forthcoming). We see from the table that closed-list systems are by far the most common in Latin America.<sup>28</sup> Included in this set are Argentina, Mexico, and Venezuela,<sup>29</sup> three countries in which parties are generally disciplined. Costa Rica is also a closed-list system, but there are primaries that are formally quite open; nonetheless, the importance of patronage gives presidential candidates de facto control (see Carey, this volume).

Closed-list systems give party organizations the greatest control over candidates. Of course, in order for control over a party label to be especially meaningful, there first must be a label to control. Electoral laws are only one factor in making a party label meaningful. Parties must earn the integrity of their labels among voters by providing public or private goods, creating a social base, and building a reputation for being worthy of public approbation. In some countries, such as Bolivia and Ecuador, party labels are less meaningful and the party systems are “inchoate” (Mainwaring and Scully 1995) in spite of leaders’ authority over rank-and-file members of their parties. The weakness of public identification with parties makes it less costly for candidates dissatisfied with their ranking on a party list to defect and establish a new party. Where party labels are respected, a defector is more likely to find that he or she cannot bring many voters along, and thus the new party is more likely to fizzle. Such has been the case in Costa

28 This terminology may be somewhat confusing to readers from some Latin American countries. In Spanish, what the English-language literature calls “closed lists” are called *listas cerradas y bloqueadas* (closed and blocked lists). What we call “open lists” are called *listas cerradas y no bloqueadas* or *listas cerradas con voto preferencial* (closed lists with preferential voting), unless voters may vote for candidates from more than one list, in which case the term is *listas abiertas* or the French term *panachage*. Here, when we say “open list” we mean that voters may (or must) vote for one or more candidates, but only within one list.

29 In Mexico since 1993, in Venezuela, and beginning in 1997 in Bolivia, about half the members are/will be elected in single-member districts, while the rest are elected from multicandidate lists. Even in the single-member districts, party organizations in these countries determine nominations; thus, the electoral system for these seats is still one of closed party lists, where the “lists” each contain one name.

Table 11.5. *Electoral and party laws in Latin America: Provisions for party control over rank-and-file candidates (lower chamber)*

Provision for party control over candidates	Closed list	Mixed, closed list PR/single-member district	Closed list with primary	Factional list ( <i>sublemas</i> )	Open list	Open list with "birthright candidate"	Personal list (effective single nontransferable vote)
Control candidate selection?	Yes	Yes	No	Yes	Yes	No	No
Control order of election?	Yes	Yes/NA <sup>a</sup>	Yes	No	No	No	No
Pool votes among party's candidates or lists within districts?	Yes	Yes/NA <sup>a</sup>	Yes	Yes	Yes	Yes	No
Examples in Latin America	Argentina Bolivia (to 1993) Dominican Republic Ecuador El Salvador Guatemala Honduras Nicaragua Panama Paraguay Venezuela (to 1988)	Bolivia, 1997 Mexico Venezuela, 1993	Costa Rica	Uruguay	Chile Peru	Brazil	Colombia

<sup>a</sup>For these systems, "yes" applies to the portion elected from party lists (about half of the total number of deputies). The order of election and vote pooling are not applicable for the seats elected from single-member districts.



Rica and, until the severe economic and political dislocations of the early 1990s, in Venezuela.

In an open-list electoral system, parties determine who their candidates are and pool votes among them, but do not control the order in which the candidates are elected. A citizen casts a vote for one candidate only,<sup>30</sup> but seats are first distributed between parties according to the total number of votes their candidates get and then within parties according to the number of individual votes. Even though the number of representatives is determined by party votes, whether or not a candidate is elected depends on his or her ability to obtain individual votes. This system provides a strong incentive for individualism in campaigns. There are variations among open-list systems, but Chile, Peru since 1985, and Brazil fit the basic type.

In Brazil, the personalism engendered by using open lists is reinforced by rules for candidate selection. Deputies cannot be denied future nomination by their parties, even if they have not submitted to party discipline during their tenure. The feature of the law that provides candidates with this degree of autonomy is known in Brazil as *candidato nato*, literally “birth-right candidate” (Mainwaring 1991). Since a majority of incumbent deputies usually wins reelection, the effects of this provision are far reaching: Most deputies who win at any given election did not need the support of the party to appear on the ballot, although first-time candidates must receive party approbation at a state-level convention.

Uruguay is a *sui generis* case in terms of the three institutional issues we have identified as crucial to party discipline. Each of the major parties has several factional lists (known as *sublemas*), and each *sublema* has countless lists (*listas*) for deputies. Voters select one of these lists instead of a candidate directly. Votes for all such lists within a given party (*lema*) are summed first to determine the number of seats won by the party. The party’s seats are then distributed proportionally to the *sublemas*, and the *sublema*’s seats are proportionally distributed to the *listas*. The parties themselves have little control over the order of the ticket, but party factions have considerable influence because they order the *sublemas*. This system is listed in Table 11.5 between the closed-list and open-list systems because the incentives it generates are intermediate: more personalistic than in a closed-list system (due to intraparty voting) but less so than in open-list systems (because factional lists themselves are closed, and the party can theoretically determine how many factions can operate within the party).

30 It is possible for voters to be given the option of voting for more than one deputy, as in Switzerland and formerly in Italy; however, we know of no such systems in recent Latin American history at the national level.

In Colombia, parties cannot deny the use of the party label to candidates. Candidates actually run within lists, but multiple lists may use the same party name in any given district, and votes are not pooled from one list to another. If all the candidates of one party were to coalesce on one list, the system would be simply a closed-list system. However, given the lack of control over the label, lists are constructed by individual faction leaders and local bosses (see Archer and Shugart, *this volume*). A candidate who is unhappy with where a local faction boss would place the candidate on his list can negotiate with another boss or simply launch his or her own list. Most lists elect only one candidate each, so the system may be characterized as one of “personal lists.” This tendency toward lists that are the electoral vehicles of individual candidates, coupled with the lack of pooling from one list to another, makes the system function essentially like the single nontransferable vote (SNTV) used in Japan (Cox and Shugart 1995).<sup>31</sup> Reforms of Party law since 1991 are moving in the direction of greater leadership control, but the practice of multiple lists continues (see Archer and Shugart, *this volume*).

In systems with limited party control over nominations, the order of the list, or both, candidates owe their election largely to their own efforts. Thus, they are not as beholden to the party as are candidates in closed-list systems. This arrangement promotes individualism in campaigning and fund raising, and successful candidates are less likely to be loyal legislators of a disciplined party when the latter did not secure their victory to begin with. Therefore, such systems contain strong incentives for individualism (as in Brazil) or factionalism (as in Colombia and Uruguay).

In all the variants of electoral systems shown in Table 11.5 except for closed lists, but especially in those in which the party leadership does not control the use of the label, rank-and-file members have the incentive to differentiate themselves from copartisans (Cain, Ferejohn, and Fiorina 1987; Carey and Shugart *forthcoming*). As the chapters by Mainwaring and by Archer and Shugart show, members secure their seats by building a reputation among a set of followers for being able to provide jobs, public works

31 However, the potential for one list to elect more than one member means that it is not a “pure” case of SNTV. That so many candidates present their own lists, yet do so under the label of one of Colombia’s principal parties, is testament to the importance of the party label. If the label were not valuable, candidates who set up their own lists might be inclined to invent new party names for their lists. Thus, Colombia offers a mirror image of the Bolivian and Ecuadoran situations referred to earlier. In the latter two countries, parties control their labels, but the labels themselves are not valuable; thus, defectors must invent new names and are able to win votes under the auspices of a new party label. In Colombia, the situation is reversed: Defectors usually prefer to use a major party’s name, and the party leadership cannot stop them.

projects, or outright graft to their followers (see also Ames 1995a, 1995b; Geddes and Ribeiro Neto 1992; Hagopian forthcoming). Such electoral laws therefore hamper the articulation of public policy alternatives and bias the party system in favor of those with money or, in many rural areas, with traditional power resources such as control over land. In addition, because members can (1) win office independently of party approbation and (2) win their office on the basis of personal services and not on promises of a policy-based nature, parties under these electoral systems tend to be factionalized and often undisciplined and clientelistic.

We have been considering the means by which parties control access to ballots for legislative candidates, but the issue also arises for presidential candidates. In the unusual circumstance that the party system is so inchoate that it is relatively easy for a new party to carve out a niche, the issue is less important. Both Fernando Collor de Mello in Brazil (1989) and Alberto Fujimori in Peru (1990) were able to win the presidency after they started new parties that were personal campaign vehicles.<sup>32</sup> Where party systems are more institutionalized such that presidents generally come from large established parties, it is important to consider how open or closed the presidential nomination process is. Until recently, nearly all Latin American parties nominated their presidential candidates in party conventions in which only dues-paying members – and sometimes only a relative handful of “bosses” – had any voice. Increasingly, however, for presidential nominations, Latin American countries are adopting primary systems that resemble those in the United States. In such a system, party leaders play a much smaller role in determining who party nominees will be. It is even possible for a candidate to be nominated over the manifest wishes of most party “insiders,” as was the case with Jimmy Carter in the United States in 1976, Carlos Andrés Pérez in Venezuela in 1988, and Carlos Saul Menem in Argentina in 1989. Other countries now using some form of presidential primary in which voters who are not dues-paying activists may participate include Colombia and Costa Rica (see Carey, this volume).

The appeal of presidential primaries is obvious: If the president is the “people’s” leader, then the people should participate in the earlier stages of choosing the president and not merely select from among the candidates chosen in the proverbial smoke-filled rooms. Even for party leaders, requir-

32 Their ability to be elected rested to no small degree on the majority-runoff system used to elect presidents in these two countries, which allows a relatively small share of the vote to be sufficient to qualify for the runoff. For example, Collor won 30.5% in the first round (and his runoff opponent won only 17%, but won the runoff by a close margin: 53 to 47%) and Fujimori won only 29.1% to Mario Vargas Llosa’s 32.6% before defeating Vargas Llosa, 62.5 to 37.5% in the runoff.

ing presidential “pre-candidates” to earn a following in the electorate and to be in the public limelight long before the final campaign can help ensure that a popular nominee is chosen. On the other hand, if a party’s own primary electorate is significantly different from the general electorate, the primary may produce an unelectable nominee.<sup>33</sup> Whatever the merits or problems with presidential primaries, it seems fair to say that they work best only with parties that are not rigidly disciplined. A situation of a president elected in a primary and a congressional party beholden to a small circle of leaders who do not support the president may exacerbate presidential–congressional tensions.

So, what kind of electoral system is preferable for presidentialism? If closed lists mean that members are overly responsive to party leaders and not to constituents, what about open lists? As we have suggested, the intraparty competition required in open-list (or SNTV) systems encourages members to be responsive to narrow groups within their broader electoral constituencies and to provide patronage as a means of winning votes. The result is often, as in Brazil and Colombia, comparatively low discipline.

Although we are not in a position to recommend an “ideal” electoral system for presidential systems – there probably is no such thing – we can sketch the outlines of what such a system should provide for. First of all, in order to give members of congress the incentive to be responsive to their broader constituents instead of to either party bosses or patron–client networks, intermediate systems between those using open and closed lists appear desirable. Such intermediate systems, in which neither party leaders’ list rankings nor candidates’ own vote-drawing ability is the *sole* criterion for determining the order of election, can be found in many European countries (Katz 1986). Systems drawn from the German example, in which about half the members are elected from closed PR lists and the rest in single-member districts, also have some promise. Systems of this sort are now in place in Bolivia, Mexico, and Venezuela and are frequently discussed in Brazil and elsewhere. In these systems the members elected from single-member districts would be expected to cater to local opinion (without having to compete with other candidates of their own party, as is done in open-list systems), but the PR component ensures that no one party dominates. If electoral reforms of these sorts continue to be enacted in Latin America, there is room for optimism that congresses may begin to provide more meaningful representation of their broader constituencies, rather than

33 The Colombian primary law helps guard against this possibility by permitting any voter to participate in a party’s primary, whether or not the voter has any allegiance to the party at other levels. That is, Colombia uses an “open” primary. See Shugart (1992a).

of party bosses or narrow patron–client groups. If so, then congress would be in a better position to play an independent policy role, and thus its check on the president would be more meaningful. Interbranch disputes would then be more likely to be resolved through policy compromise, as is usually the case in the United States, than through the distribution of patronage.

## RELATION BETWEEN CONSTITUTIONAL AND PARTISAN POWERS

We can now link our discussion of presidents' partisan powers – the main topic of this chapter – with our discussion of their constitutional powers over legislation, which we discussed in Chapter 1. We argue that there is a symbiotic relationship between presidents' constitutional and partisan powers; certain degrees of strength on one type of power have an “elective affinity” with certain levels of strength on the other. Before proceeding, however, we need an index of partisan powers. Such an index must give us a sense of not only how likely the president's party is to have a majority, but also how disciplined this party is.

The index takes the average percentage of seats held by the president's party in each case (Table 11.1) and weights it down for each “no” found in Table 11.5, which considered factors that would tend to reduce incentives for party discipline. The weighting factor on indiscipline is one that assumes that a party with poor discipline is about two-thirds as reliable as one that is fully disciplined.<sup>34</sup> Thus, if a country's electoral law scores a “no” three times in Table 11.5, the share of seats for that system is multiplied by two-thirds to arrive at its index of partisan powers. We then classify cases according to the following categories:

1. Very high: an adjusted score of at least 50 for both chambers (or for the only chamber in a unicameral system)
2. Medium high: an adjusted score of at least 40 for both chambers (or for

34 Although one could use other weightings, two-thirds is more appropriate than one-half, for example. Even very undisciplined parties have some core of issues on which their members agree. For instance, in work in progress, Mainwaring has found that even the Brazilian PMDB has a party discipline index of around 69% (after eliminating noncontroversial proposals from the set of congressional votes considered). The formula is to multiply the average value for each house from Table 11.1 by the factor  $1 - 0.111N$ , where  $N$  is the number of times the word *no* appears in Table 11.5 for the given case. The use of 0.111 allows the weighting factor to be 0.667 when there are three *no* scores.

- the only chamber in a unicameral system), but under 50 for at least one chamber.
- 3 Low: an adjusted score of at least 30 for both chambers (or for the only chamber in a unicameral system), but under 40 for at least one chamber.
  - 4 Very low: an adjusted score of under 30 for at least one chamber.

How would we expect partisan powers to be related to constitutional legislative powers? In some systems the party system exists first and a new constitution is adopted to manage the affairs of the country; we would expect that the framers of the constitution would adapt the configuration of presidential powers to the preexisting party format (and their expectations of the future). Elsewhere, the constitution is a preexisting reality to which politicians adjust in forming, combining, or splitting parties. Whichever came first – parties or the constitution – or whether both evolved simultaneously, we expect that certain combinations are more in “equilibrium” than others.

Recall from Chapter 1 that we divided constitutional powers over legislation into two basic categories, proactive and reactive. Proactive powers mean principally the ability to promulgate new laws by decree. Reactive powers include principally the veto, but also “gatekeeping” powers by which the president can defend the status quo against attempts by the congressional majority to change it. We identified four classifications of presidential powers over legislation (see Table 1.6): potentially dominant (both proactive and reactive powers, at least in some crucial policy areas), proactive, reactive, and potentially marginal (neither type of power, at least in some crucial policy areas). The following are a set of hypotheses about where cases will fall in a four-by-four matrix that combines our four levels of each type of power. We have no expectations regarding reactive presidencies, but we have hypotheses for each of the other three categories.

*H.1. Potentially dominant presidencies will tend to occur with lower levels of partisan powers and only in constitutions with “presidentialist” origins.*

The logic of this hypothesis – to take the second part of it first – is that constituent assemblies or congresses would not choose to give the presidency constitutional legislative powers that were so great that presidents might dominate the assembly/congress. Thus, potentially dominant presidencies would stem from constitution-drafting processes that were themselves dominated by the executive, as in a constitution that was drafted by a presidential commission without the participation of elected representatives and then ratified by a plebiscite. Such a dominant presidency is unlikely where the president expects to have disciplined majorities because a president needs very strong constitutional powers only where he or she lacks (or ex-

pects to lack) significant partisan powers, hence our expectation that none of these cases will appear in situations of medium to high partisan powers.

*H.2. Proactive presidencies will tend to occur with lower levels of partisan powers and in constitutions drafted and ratified primarily by elected representatives.*

The logic of this hypothesis is that endowing a presidency with decree powers – but allowing a congressional majority to overturn decrees – is a means of coping with bargaining problems that are likely to result from a fractious congress. That is, where sustaining policy-based majorities is likely to be difficult because of low party discipline and perhaps also a high number of parties, the executive will be granted proactive powers. The difference between this category and the potentially dominant category is that these congresses retain the means to rescind decrees or trump them with new legislation in the event that the president oversteps the bounds established by congress. In the category of potentially dominant presidencies, the congress lacks this ability, or it is difficult to carry out. This difference reflects the different origins hypothesized for the constitutions in these categories.

*H.3. Potentially marginal presidencies will tend to occur at higher levels of partisan powers.*

This hypothesis is based on two complementary logics. First, where a disciplined majority party exists when the constitution is drafted, the party can expect to dominate the legislative process from its control over the congress. It does not need a proactive presidency in order to accomplish a policy agenda, and endowing the president with reactive powers would risk marginalizing the party in the event of an opposition presidency in the future. Second, if a constitution along with a potentially marginal presidency were in place before a disciplined party had been formed, the very weakness of the presidency would be a powerful incentive for politicians to form a unified party that could endow a president of their choosing with partisan powers to compensate for the lack of constitutional legislative powers.

We confront these hypotheses with data in Table 11.6. Hypotheses 1 and 2 lead us to expect the two right-hand cells to be empty for both potentially dominant presidencies and for proactive presidencies. With the exception of one case, this expectation is borne out; six of seven presidencies in these categories have either medium low or very low partisan powers. Obviously the number of cases is too low for any firm generalizations to be made, but the results are suggestive that the logic of Hypotheses 1 and 2 is valid. Jumping to the bottom row, we find that, as expected, potentially marginal presidencies are found only in situations of medium high or very high partisan powers, as predicted in Hypothesis 3.

Among the potentially dominant presidencies, the Chilean and Ecu-



Table 11.6. *Relationship between presidents' constitutional and partisan powers in Latin America*

Constitutional powers over legislation	Presidents' partisan powers			
	Very low	Medium low	Medium high	Very high
Potentially dominant	Chile, 1989 Ecuador	Colombia, 1968	Argentina	
Proactive	Brazil, 1988	Colombia, 1991 Peru		
Reactive	Brazil, 1946 Chile, 1925	Bolivia	El Salvador Uruguay	Dominican Republic
Potentially marginal			Costa Rica Paraguay, 1991 Venezuela	Honduras Mexico Nicaragua

*Note:* Explanation of categories is found in text.

adoran constitutions are those that most clearly were the products of drafting processes in which elected representatives played no role.<sup>35</sup> Both constitutions were drafted at the service of military governments and were ratified by plebiscites conducted before the return to democratic rule. These two cases should fit Hypothesis 1 if any would.

The Argentine constitution of 1853 was not created in a presidentialist process; however, as Lutz (1994) notes, amending or replacing a constitution are only two ways of adapting the constitutional framework to contemporary needs. Especially where the existing constitution is difficult to amend – as is the case in Argentina – judicial reinterpretation is another way to adapt a constitution. The 1853 constitution made no provision for decree-laws, but as Jones's chapter discusses, President Menem succeeded in “packing” the Supreme Court with compliant judges through his party's control over the legislature, which confirms justices and sets the size of the Court. Thus, this *de facto* modification of the constitution may be termed presidentialist, as it did not come about through the normal constitutional amendment

35 Outside Latin America, there is at least one other constitution that conforms to the logic of Hypothesis 1: that of Russia. See Parrish (n.d.).

process. The new constitution of 1994 codifies the decree powers, while leaving the president with strong veto power; the drafting of this constitution occurred through the formal amendment process, but in the context of a president who had indicated his willingness to resort to unconstitutional means to change the constitution if the major opposition party did not “play ball” with him. Thus, Argentina is consistent with the second part of Hypothesis 1 – concerning the impact of the president in deciding what the constitutional allocation of powers would be – but not with the first. It is puzzling that President Menem should have felt a need for such dominant powers given that he enjoyed relatively high partisan powers,<sup>36</sup> although it could be noted that despite the “medium high” ranking, no election has produced a majority in both houses simultaneously for the president’s party.

The Colombian case from 1968 to 1991 is our one nonpresidentialist constitution clearly in the potentially dominant category. Although President Lleras was the initiator of the reforms in 1968, they were approved through the sitting Congress according to established procedures. Therefore, the reforms cannot be termed *presidentialist*, as we used that term earlier. Thus, this case is somewhat anomalous. However, it is unique among the potentially dominant presidencies in having a majority (albeit factionalized) party as well as an “opposition” party that was at the time still very closely aligned with the majority party in a power-sharing agreement (the National Front). Hence, it was not as if the Congress was endowing a potentially “outsider” president with these enormous powers. Moreover, at the same time that the Congress increased the formal powers of the presidency, it reduced the majority needed to amend the constitution from two-thirds to an absolute majority. Hence, in the event of a future outsider president, the congressional majority was well positioned to clip the president’s wings. The Colombian constitution is the only one of the potentially dominant cases in which the constitution is so easily amended. This is consistent with the spirit of the hypothesis concerning the relationship between presidential powers and who has control over the constitution itself.

There are two other cases of constitutions in this set that were drafted in what resemble presidentialist situations, Colombia (1991) and Peru (1993). In the Colombian case, the president initiated the process using emergency powers (see Archer and Shugart, this volume), but the president’s own party fell short of a majority in the Constituent Assembly that actually drafted the constitution. The result of this process, in which all the parties

36 Perhaps part of the explanation lies in conjunctural factors – Menem’s pursuit of neoliberal reforms that cut against the grain of his party, but we shall not delve into such matters here.

were poorly disciplined, was a proactive rather than a potentially dominant presidency, which is consistent with Hypothesis 2. In Peru in 1992–93, President Fujimori had shut down the previous Congress; while the new constitution was drafted in an elected assembly, the whole process was conducted under conditions that do not meet our criteria for being considered democratic. The assembly-based drafting process and the extremely low institutionalization of the president's political movement (which held a majority of seats) support Hypothesis 2, but the heavy shadow cast by the president's *autogolpe* means that a potentially dominant presidency would have been a plausible outcome. The result comes close to such an outcome, since the presidency was endowed with some new reactive powers (in the form of gatekeeping power – see Table 1.6), but the veto remains so weak that we do not classify it as potentially dominant. The other proactive presidency is Brazil II, where the constitution-drafting process supports Hypothesis 2, given the internal fragmentation of Brazilian parties.

The potentially marginal presidencies fall exactly as predicted by Hypothesis 3. In Venezuela, Costa Rica, and Honduras, a disciplined party controlled a majority or nearly so at the time of constitution drafting and presumably expected to remain a significant and disciplined party well into the future. In Mexico, as Weldon's chapter shows, presidents were in fact rather feckless until the presidency and the leadership of an "official" party were combined in the same person. Thus, the Mexican case supports not only the logic of Hypothesis 3, but also one of the major points of this book: What presidents lack in constitutional legislative powers they can make up for in partisan powers, even to the point of being "dominant."

This exercise in correlating constitutional powers with partisan powers has allowed us to confirm two basic generalizations that are suggestive for further research, albeit not definitive. First, potentially dominant presidencies are generally found in constitutions drafted with very strong presidential participation and, along with proactive presidencies, are associated with low partisan powers. Second, potentially marginal presidencies and high partisan powers go together.

## FINAL REMARKS

The overall theme of this chapter has been that presidentialism is most fruitfully studied in relation to two key features of a party system. The first feature is the number of parties or the degree of party system fragmentation. With a highly fragmented party system or a very large number of parties,

presidents are likely to be in a distinct minority situation in congress (and quite possibly in society as well). This situation can make it difficult for presidents to realize their agendas, can lead to impasse, and can encourage presidents to use patronage to win support and/or to circumvent congress and parties.

We have also emphasized that party discipline or the lack thereof affects how presidentialism functions. With weak party discipline, presidents' negotiations with individual legislators and/or regional party leaders become crucial; with tightly disciplined parties, presidents can negotiate primarily with national party leaders. As we have emphasized, under presidentialism there are problems both with relatively undisciplined parties and with extremely disciplined parties. We also showed that both the number of parties and the degree of party discipline are shaped by key features of electoral and party legislation. Finally, we argued that the interaction between presidents' partisan powers, discussed in this chapter, and their constitutional legislative powers, discussed in Chapter 1, fundamentally shapes their ability to get things done.

The importance of the interaction between presidentialism and the party system is not surprising in light of some comparative literature on related subjects. In writings on parliamentary systems, it has been apparent for some time now that there are very substantial differences between situations of majoritarian rule and situations of coalition or minority government (Lijphart 1984; Strom 1990). Moreover, a robust debate has emerged in the U.S. context on the impact of divided presidential government (Mayhew 1991; Fiorina 1992). Until quite recently, however, little attention has been paid to this question for presidential systems in Latin America. Moreover, in contrast to the wide recognition of the importance of party discipline in parliamentary systems, little has been done on party discipline in presidentialism.

In closing, let us emphasize two general conclusions of the book as a whole. First, we have argued that presidentialism has important variations. Much of the literature has treated presidentialism as a relatively homogeneous regime type. Yet a very strong claim can be made – and the previous chapters support this contention – that differences within the presidential regime type are quite important.

Presidential systems vary so greatly in the powers accorded to the president, the types of party and electoral systems with which they are associated, and the socioeconomic and historical context in which they were created that these differences are likely to be as important as the oft-assumed dichotomy between presidential and parliamentary systems. The way both

presidential and parliamentary governments function, and ultimately the advantages and shortcomings of both, depend on the entire institutional context.

In Chapter 1 and this Conclusion, we have attempted to conceptualize the major institutional dimensions along which presidential systems vary, focusing on four key factors: (1) the degree to which they conform to or vary from “pure” presidentialism; (2) the legislative powers of the president; (3) the degree of party system fragmentation, which affects the prospects for general compatibility or conflict between the president and the assembly; and (4) the discipline or lack thereof of political parties. We dealt with the first two issues in Chapter 1 and the other two in this chapter.

Although we have focused on these institutional differences, we are aware that there are other very important factors in determining how presidentialism functions. The quality of leadership, the nature of social cleavages and political conflicts, the level of economic development, and the political culture strongly affect how democracy works. Nevertheless, institutional arrangements help or hinder democratic governments in their efforts to govern effectively.

The second major theme has been that these variations among presidential systems have consequences for how well they are apt to function. We believe that presidential systems tend to function better with limited executive powers over legislation, mainly because a weaker executive means that the congress has more opportunity for debating and logrolling on controversial matters. Having weaker executive powers also means that cases in which presidents lack reliable majorities are less likely to be crisis-ridden, since the president has fewer tools with which to try to do an end run around the congress. Finally, we have stressed that presidentialism usually functions better when presidents have at least a reasonably large bloc of reliable legislative seats. These desiderata would suggest the following institutional rules for presidential systems: Legislative elections should be concurrent with a presidential election that is based on a plurality or else on a runoff with a lower threshold than majority for first-round victory;<sup>37</sup> and an electoral system should offer some compromise on the usual dichotomy of open versus closed lists.

These conclusions should not be taken as firm, but rather as tentative. Much more research needs to be done on how institutions work in different

37 For instance, the rule in Costa Rica, where a candidate must obtain 40% in the first round to avoid a runoff, or a provision like the new one in Argentina that requires a minimum spread of votes, as discussed in Jones's chapter. See also Shugart and Taagepera (1994) for an analysis of runoff formats.

combinations and in different social, economic, and cultural contexts. It is in the spirit of furthering the analysis of institutional arrangements that we have compiled this study of presidential democracy in Latin America.

## APPENDIX: PRESIDENTS' ELECTORAL COALITIONS

We list information only where a coalition in which at least two parties won legislative seats rather than a single party formally supported the winning presidential candidate. And we list only parties that won seats; in some cases, minor parties that did not win seats in the national congress also supported the winning presidential candidate.

John Carey, Brian Crisp, Mark Jones, Charles Kenney, and Michelle Taylor provided helpful information for this Appendix.

### ARGENTINA

1989–95: Partido Justicialista, Partido Blanco de los Jubilados, Partido Intransigente, and the Partido Demócrata Cristiano.

1995–99: Partido Justicialista, Union del Centro Democrático, Partido Renovador de Salta, Movimiento Popular Jujeno, and Partido Bloquista.

### BOLIVIA

We did not compute a figure for the president's coalition for 1982–85 because there were no popular elections in 1982. Siles Suazo was elected by Congress in 1982, but the congressional elections were held in 1980.

### BRAZIL

1945–47 and 1947–50: Partido Social Democrático and Partido Trabalhista Brasileiro.

1950–54: Partido Trabalhista Brasileiro and Partido Social Progressista.

1955–58 and 1958–60: Partido Social Democrático and Partido Trabalhista Brasileiro.

1961: União Democrática Nacional, Partido Democrata Cristiano, Partido Libertador, and Partido Trabalhista Nacional.

1985 and 1986–89: Partido do Movimento Democrático Brasileiro and Partido da Frente Liberal.

1994: Partido Social Democrático Brasileiro, Partido da Frente Liberal, and Partido Trabalhista Brasileiro.

## CHILE

For 1957–58 and 1958–61, we are missing data for the Senate. The mean for the Senate is therefore based on 16 elections.

Senate figures for 1937–45 are estimates. For these years, Nohlen (1993) gives information only on election results, not on Senate composition. For 1937–38 and 1938–41, we added the 1937 results (20 seats) to the 1932 results (45 seats). For 1941–42 and 1942–45, we added the 1941 results (20 seats) to the 1937 results.

1932–37 and 1937–38: Partido Liberal, Partido Liberal Unido, Partido Liberal Doctrinario, Partido Liberal Democrático, Partido Democrata, Partido Democrático, Partido Radical Socialista, Partido Social Republicano, and Partido Conservador.

1938–41 and 1941–42: Partido Radical, Partido Comunista Chileno, Partido Socialista, Partido Democrata, and Partido Radical Socialista.

1942–45 and 1945–46: Partido Radical, Partido Socialista, Partido Comunista Chileno, and Falange Nacional.

1946–49 and 1949–52: Partido Radical, Partido Comunista Chileno, and Partido Liberal.

1952–53, 1953–57, and 1957–58: Acción Renovadora, Partido Agrario, Partido del Trabajo, Partido Nacional, Partido Nacional Cristiano, Movimiento Republicano, Partido Agrario Laborista, Partido Demócrata, Partido Socialista Popular, and Movimiento Nacional Ibañista.

1958–61 and 1961–64: Partido Conservador, Partido Liberal, Movimiento Nacional del Pueblo, and Falange Nacional.

1970–73 and 1973: Partido Socialista, Partido Comunista Chileno, Partido Radical, Movimiento de Acción Popular Unitario, and Acción Popular Independiente.

1989–93: Democracia Cristiana, Partido por la Democracia, Partido Socialista, Partido Radical, Partido Humanista.

1993–present: Democracia Cristiana, Partido por la Democracia, Partido Socialista, Partido Radical. Senate figures for 1989–present include appointed senators.

***COSTA RICA***

1958–62: Partido Union Nacional and Partido de Unificación.

***PERU***

Peru switched to a unicameral Congress in 1992–93. (The Constitutional Congress of 1992 was unicameral, and the new constitution went into effect in 1993.)

1985–90: Alianza Popular Revolucionaria Americana, Democracia Cristiana, and Sociedad y Democracia.

***VENEZUELA***

1978–83: Comité de Organización Político Electoral and Unión Republicana Democrática.

1983–88: Acción Democrática and Unión Republicana Democrática.

1993–present: Movimiento al Socialismo, Convergencia, Unión Republicana Democrática, Comité de Organización Político Electoral Independiente, and Movimiento de Integración Nacional.