Institutional Design, Party Systems and Governability - Differentiating the Presidential Regimes of Latin America

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Review Article: Institutional Design, Party Systems and Governability – Differentiating the Presidential Regimes of Latin America

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INSTITUTIONAL TRADITION AND PRESIDENTIAL REGIMES

The general elections in Chile and Brazil in 1989 marked 'the first time that all the Ibero-American nations, excepting Cuba, enjoyed the benefits of elected constitutional governments at the same time'.[1] This occurrence was not as dramatic or visible as the collapse of Communism and the transitions to democracy in Eastern and Central Europe, which began in the same year, but it did mark a historical watershed. After almost two centuries as independent states, the countries of Latin America now comprised a new democratic universe. Similarly to the Eastern European experience, the Latin American watershed presented new opportunities for comparative research into democratic governance. In particular, it created a new context for the study of the relationships between institutional design, party systems and governability – defined in the narrow sense of institutional efficacy, as expressed through government stability, legislative capacity and the avoidance of gridlock. This article sets out to review the recent research on these topics, in order to describe the predominant regime type in Latin America and differentiate its distinct variants, examining their impact on governability.

Most research on democracy in Latin America is not of this kind, but mainly concerns democratic transition and democratic consolidation. It therefore tends to focus on questions of historical causation and institutional tradition, asking why the countries of the continent all went democratic at more or less the same time?[2] Or why they went democratic in the way they did, adopting institutional regimes that bear a marked family resemblance? These are important questions,

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[1] Arturo Valenzuela, 'Latin America: Presidentialism in Crisis', *Journal of Democracy*, 4 (1993), 3–16, p. 3.

[2] The claim that all these countries enjoyed elected and constitutional governments is not quite tantamount to claiming that all these governments were, in fact, democratic. A minimal definition of democracy requires two consecutive 'free and fair' elections, and a plausible claim that the outcome of the election can change the government. Most observers agree that Mexico, for example, cannot claim to be democratic, since it cannot yet satisfy the latter criterion.

but they clearly contain a dual analytical bias. On the one hand, they address historical process rather than present governance. On the other, since they are couched in continental terms, they tend to homogenize these democratic regimes, rather than differentiate or contrast them.[3]

The insistence on institutional tradition in the countries of the continent reflects a belief that 'in their recent transitions to democracy, little institutional innovation has occurred'.[4] Either the authoritarian legacy predominates, with no new constitution being written or agreed (as in Chile), or there is a strong influence of the 'preauthoritarian institutional legacy on the choice of institutions'.[5] In sum, both historical context and institutional tradition seem to influence all the countries of Latin America in similar ways. But such assertions sit uneasily with a growing body of literature that seeks to compare and contrast the institutional make-up of the Latin American democracies by developing an increasingly complex analysis of their legal, institutional and party-systemic differences. The insistence that all these democratic regimes are basically the same, and beset by the same problems, is met by demonstrations of difference, and claims that such differences do matter. This is a familiar encounter between 'wood' and 'trees', or between the institutional character of the regime *type* and the specific institutional and party-systemic profiles of particular *regimes*.

The strength of institutional tradition in Latin America is real, and important in determining this regime type. In practical terms, the tradition dictates that Latin American democracy is presidential and will almost certainly remain so. Since the passage to democracy in the continent tended to take place through

[3] Since inquiries into the historical causation of these closely coincident democratic transitions tend to emphasize its international dimensions, the diversity of national experiences is downplayed. It is even suggested that domestic conflicts were only important in 'a limited number of South American cases' (Laurence Whitehead, 'Three International Dimensions of Democratization', in Laurence Whitehead, ed., *The International Dimensions of Democratization: Europe and the Americas* (Oxford: Oxford University Press, 1996), pp. 3–25, p. 23), where the transitions were 'peculiarly national' (Philippe C. Schmitter, 'The Influence of International Context on the Choice of National Institutions and Policies in Neo-Democracies', in Whitehead, ed., *The International Dimensions of Democratization*, pp. 26–54, at p. 28).

[4] Scott Mainwaring, 'Presidentialism in Latin America', *Latin American Research Review*, 25 (1990), 157–79, p. 171

[5] Barbara Geddes, 'Initiation of New Democratic Institutions in Eastern Europe and Latin America', in Arend Lijphart and Carlos H. Waisman, eds, *Institutional Design in New Democracies: Eastern Europe and Latin America* (Boulder, Colo.: Westview Press, 1996), pp. 15–41, p. 30. In the same language as Mainwaring, Geddes confirms that 'little institutional change has occurred during redemocratization. Rules and procedures of the earlier democratic period, although sometimes long suppressed, are often simply revived' (Geddes, 'Initiation of New Democratic Institutions in Eastern Europe and Latin America', p. 30). Moreover, the same political parties seem to rise 'phoenixlike from the ashes', since they 'still have essentially the same interests they had before, and they represent the same societal groups and benefit from the same features of the institutional environment; thus, they have little to gain from making risky changes in the political rules' (Geddes, 'Initiation of New Democratic Institutions in Eastern Europe and Latin America', p. 31).

'institutionally regulated institutional change',[6] the presidential tradition determines presidential outcomes. In other words, where there is a 'presidential constitution ... the transition to democracy takes place through the free election of a new president, presumably under the old constitution, for either a normal or a reduced mandate'.[7] In this way the 'long arm of the past' severely limits the possible institutional choices, for institutions have to 'make sense' to political actors and citizens, as well as being fit for the political tasks at hand.[8] In Latin America, with the deck so clearly stacked in favour of presidentialism, the political actors of the democratic transitions dedicated themselves to 'political gardening' rather than 'institutional design'.[9]

Thus the strength of the presidential tradition in Latin America determines the regime type, and defines the scope of the present inquiry. By extension, it renders the broader debate on the virtues of presidentialism versus parliamentarianism redundant for present purposes, since it remains true that 'no existing

[6] Claus Offe, 'Designing Institutions in East European Transitions', in Robert E. Goodin, ed., *The Theory of Institutional Design* (Cambridge: Cambridge University Press, 1996), pp. 199–226, at p. 209.

[7] Juan J. Linz, 'Presidential or Parliamentary Democracy: Does it Make a Difference', in Juan J. Linz and Arturo Valenzuela, *The Failure of Presidential Democracy: The Case of Latin America* (Baltimore and London: Johns Hopkins University Press, 1994), pp. 3–87, p. 68. In contrast, the transitions in Eastern and Central Europe took place 'not under institutions but about institutions' (Offe, 'Designing Institutions in East European Transitions', p. 207), since the first election after the dictatorship is for a legislature, whether constituent or not, 'that (is) free to create new institutions without having to delegitimize a democratically elected president' (Linz, 'Presidential or Parliamentary Democracy', p. 68). In this context the quest for an appropriate institutional model or design is critical to the outcome, and the fiction of imitation or transplantation of the model from a golden era of the past or a benign foreign environment may contribute significantly to its chances of success. However, giving priority to legislative elections may create its own problems, if the first winning party establishes a clientelistic machine to perpetuate itself in office, as arguably occurred in Italy, India and Japan. See Adam Przeworski, *Sustainable Democracy* (Cambridge: Cambridge University Press, 1995), p. 54.

[8] It is this 'duality' of institutions that makes institutional design so difficult. If designs look too new, they are susceptible to culturally specific versions of Oakshott's critique of political rationalism, which argues that the contingent products of the past may well make 'more sense' than the bright designs of the present. If the design is not culturally rooted the temptation to tinker will become too much, leading to the kind of 'designer activism' which destroys popular trust. See David Stark, 'Path Dependence and Privatization Strategies in East Central Europe', *East European Politics and Societies*, 6 (1992), 17–54.

[9] Both Geddes (1991) and Shugart (1998) have bolstered this *prima facie* case by game-theoretic investigations of transitional decision-making by self-interested political actors. Shugart seeks to demonstrate that transitions in the decompressive mode (*transición pactada*), especially where led by 'insiders', will generate weak parties and strong executives, as key political actors seek to defend their relationship to particular constituencies. He goes on to argue that this combination of conditions 'almost requires a presidential form of government'. See Barbara Geddes, 'A Game Theoretic Model of Reform in Latin American Democracies', *American Political Science Review*, 85 (1991), 371–92, and Matthew S. Shugart, 'The Inverse Relationship between Party Strength and Executive Strength: A Theory of Politicians' Constitutional Choices', *British Journal of Political Science*, 28 (1998), 1–29.

presidential system has ever changed to a parliamentary system'.[10] But, despite the universal presence of the regime type, as expressed through the significant commonalities of the continent's regimes (described in the following section), it is the variations within the type that are important to governability. In particular, in so far as this governability depends on achieving governing majorities or near majorities in the assembly, it will be seen to vary according to party systems and electoral rules, and to the conditions of coalition-formation, including the degrees of ideological polarization. The Latin American presidential model works better than the theory predicts, but some regimes are much better at avoiding gridlock than others, and for predictable reasons.

COMMONALITIES IN LATIN AMERICAN POLITICAL SYSTEMS

In the broad compass of democratic political systems, the countries of Latin America comprise a distinctive sub-set, defined by a combination of presidentialism and assemblies elected on the basis of proportional representation (PR).[11] Moreover, the sub-set mainly conforms to a model of pure presidentialism, with popularly elected chief executives, the terms of both executive and assembly fixed and not contingent on mutual confidence, the government named and directed by the executive, and with at least some constitutionally granted law-making authority vested in the president.[12] But, as with most categorizations of political systems, there are possible exceptions, including Bolivia, Peru and Chile,[13] and even Ecuador, Uruguay and

[10] Matthew S. Shugart and John M. Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics* (Cambridge: Cambridge University Press, 1992), p. 3. During the past decade a change to a parliamentary form of government has been debated in Argentina, Bolivia and Brazil, but all attempts to reform the presidential system have been comprehensively rejected.

[11] Arend Lijphart, 'Constitutional Choices for New Democracies' in Larry Diamond and M. F. Plattner, eds, *The Global Resurgence of Democracy* (Baltimore and London: Johns Hopkins University Press, 1993), pp. 146–58, at p. 150; and Arend Lijphart, *Electoral Systems and Party and Party Systems: A Study of Twenty-Seven Democracies, 1945–1990* (Oxford: Oxford University Press, 1994). Lijphart divides this compass into four main categories, which are presidential–plurality (United States, Philippines), parliamentary–plurality (the United Kingdom, the old Commonwealth, India and Malaysia), PR–parliamentary (Western Europe), and PR–presidential (Latin America).

[12] Shugart and Carey, *Presidents and Assemblies*, p. 19.

[13] Shugart and Carey allege that 'where the selection of the executive involves the formation of coalitions among parties within the assembly, we cannot call the regime presidential, even if there is an initial round of voting for the executive' (Shugart and Carey, *Presidents and Assemblies*, p. 77). In the Bolivian case, since the president is selected by assembly bargaining, and since popular plurality winners tend to fare poorly in the process, Shugart and Carey see the system as a hybrid they call 'assembly-independent'. Although the Chilean system from 1925 to 1973 followed the same formal rules, in practice the assembly vote simply ratified the popular choice, and so the system remained presidential (and elections for the executive and the assembly were separated by both date and ballot structure in Chile, in ways they are not contemporarily in Bolivia). But Shugart and Carey's main doubt about the present Chilean system is the alleged power of the president to dissolve the Chamber of Deputies once in any one term (although not in the last year of the term), with no negative consequences for the executive. If this was correct, it would represent a big shift in power towards

Guatemala.[14] But this makes no difference to the critics of PR–presidentialism, who see all these countries as beset by the same fundamental problems, leading to political instability and poor economic performance. Consequently, 'the Latin American model remains a particularly unattractive option'.[15]

In some degree these problems are endemic to all presidential systems, since these systems embody two separate agents of the electorate, and lack of policy agreement between executive and assembly can always 'cause stress in the regime'.[16] Such stress tends towards gridlock (to use the language of the United States), or the kind of stalemate that subverts the legislative process.[17] Hence, these systems are not really 'majoritarian', as suggested by Linz and Lijphart,[18] but, much to the contrary, often suffer the 'double minority'[19] of a president elected by a plurality without majority support in the assembly. In these circumstances the assembly can always block executive initiatives, even if it cannot directly control the president, while the president remains incapable of forcing a majority in the assembly through threat of dissolution.[20]

The received wisdom on Latin American political systems tends to see presidents as dominant and assemblies as weak and subservient, with the oft-cited exceptions of Chile, Costa Rica and Uruguay.[21] The danger to the

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a 'super-presidential' system. In fact, this provision of the 1980 Constitution was abolished under the 1989 Constitution. Although several constitutions of the sub-set allow legislative censure of ministers, doubts about Peru's categorization stem from its peculiarly potent form of censure, which makes ministers directly dependent on congress for their survival. The first Belaunde Terry administration (1963–68) was obliged to employ 178 ministers in just five years. But Linz argues that the system remains presidential, since the president remains in office for the fixed term, and can continue to appoint ministers, but cannot threaten the assembly with dissolution. See Linz, 'Presidential or Parliamentary Democracy', p. 61.

[14] Under the 1978 Constitution in Ecuador, ministers can be censured 'for infractions committed in the execution of their official functions', which appears to imply the possibility of legal proceedings. In Uruguay, although the Constitution permits the assembly to censure and remove ministers, this can lead to its own dissolution, unless the censure motion is won by two-thirds of the vote. The assembly's power in this respect tends therefore to be one of principle not practice. In Guatemala the assembly has the power to dismiss ministers against the will of the president, if it can muster a two-thirds majority.

[15] Lijphart, 'Constitutional Choices for New Democracies', p. 151.

[16] Shugart and Carey, *Presidents and Assemblies*, p. 2.

[17] Stalemate was such in Brazil from 1961 to 1964, and in Chile from 1970 to 1973, that 'not a single piece of ordinary legislation is passed'. See Przeworski, *Sustainable Democracy*, p. 46.

[18] See Linz, 'Presidential or Parliamentary Democracy', and Arend Lijphart, 'Democracies: Forms, Performance, and Constitutional Engineering', *European Journal of Political Research*, 25 (1994), 1–17.

[19] Valenzuela, 'Latin America: Presidentialism in Crisis', p. 7.

[20] See Scott Mainwaring, 'Presidentialism, Multipartism, and Democracy: The Difficult Combination', *Comparative Political Studies*, 26 (1993), 198–228, and Valenzuela, 'Latin America: Presidentialism in Crisis'.

[21] Scott Mainwaring, 'Presidentialism in Latin America', *Latin American Research Review*, 25 (1990), 157–79.

present democracies in the continent is seen either in the authoritarian residues which give extensive legislative and emergency powers to the president,[22] or in the tendency for weak parties in the assembly to delegate powers to the presidency in order to overcome stalemate and immobilism.[23] In fact, most legislation in most Latin American countries is initiated by the executive, which also tends to have both total and line-item vetoes; and presidents tend to have both decree and extensive emergency powers, including that of the state-of-siege.[24] But this need not imply that assemblies are weak in consequence, or 'emasculated', still less that they willingly delegate their power to the executive.[25] On the contrary, the available evidence suggests that assemblies are powerful agents, which retain a strong ability to check the executive (in countries as different as Brazil, Ecuador, Uruguay and Venezuela).[26] Thus, the executive often has immense difficulty in putting through an agenda, and often lacks effective means for levering a recalcitrant assembly.

It is plausible that it is this executive incapacity which tempts presidents either to seek new powers through constitutional reforms or to rule largely by decree. In this way executive–assembly stalemate can lead to *decretismo*, and, by extension, to the phenomenon of 'delegative democracy'.[27] *Decretismo* was typical of Colombia during the National Front years and later, with the country being under state-of-siege for 75 per cent of the time from 1958 to 1989. 'Delegative democracy' has been used to characterize regimes as different as that of Menem in Argentina and (early) Fujimori in Peru. Alternatively, executive legislative deadlock can lead to military coups (Brazil 1964, Peru 1968, Chile 1973) or *autogolpes*[28] (Uruguay 1973, Peru 1992, and an attempted *autogolpe* in Guatemala 1993), and the breakdown of democracy.[29]

[22] Shugart and Carey, *Presidents and Assemblies*, pp. 36–8.

[23] Geddes, 'Initiation of New Democratic Institutions in Eastern Europe and Latin America'.

[24] Mainwaring, 'Presidentialism, Multipartism, and Democracy'.

[25] According to Geddes, the new legislatures of Eastern Europe are equally jealous of their powers, and despite the presence of strong presidencies which were established prior to or concurrently with the legislature, in all cases the legislators have tried to curtail the powers of the presidency (Geddes, 'Initiation of New Democratic Institutions in Eastern Europe and Latin America', p. 29). Such observations are relevant to the notorious reluctance of recent democracies to adopt parliamentary forms, since presidentialism better answers the 'legislators' desire to remain free of the party shackles that parliamentarianism would bring down on them' (Shugart, 'The Inverse Relationship between Party Strength and Executive Strength').

[26] Mark P. Jones, *Electoral Laws and the Survival of Presidential Democracies* (Notre Dame, Ind.: University of Notre Dame Press, 1995).

[27] Guillermo O'Donnell, 'Delegative Democracy?' Working Paper 172, Helen Kellogg Institute, University of Notre Dame, South Bend, Ind. (1992).

[28] *Autogolpe* refers to action by an elected president to curtail or dismantle democratic government, usually with the open collaboration or covert collusion of the military.

[29] Yet this cannot be interpreted to mean that presidential regimes are necessarily more prone to breakdown than parliamentary ones. Whether it is concluded that they are so or not tends to depend on the time-frame and geographical scope of the inquiry. By focusing uniquely on 'Third World' cases, Shugart and Carey are able to conclude that 'just over half (52.2 per cent) of the presidential

VARIATIONS IN LATIN AMERICAN POLITICAL SYSTEMS

But it is argued that it is not presidentialism *per se* but 'the combination of presidentialism and a fractionalized multiparty system' which is 'especially inimical to stable democracy'.[30] According to the same author, not one of the contemporary world's stable democracies is multiparty presidential,[31] and among the few cases of presidential democracies that have endured for twenty-five years or more (Chile, Colombia, Costa Rica, United States, Uruguay, Venezuela), Chile from 1933 to 1973 has been the only case of multiparty presidentialism to do so. Hence, just as polarization in parliamentary regimes is said to be 'the best single explanatory variable for stable versus unstable, functioning versus non-functioning, successful versus immobile, and easy versus difficult democracy',[32] so multipartism is accorded the same explanatory status in presidentialism. Mainwaring is therefore a strong defender of two-party systems, because in such systems the 'presidential' party is likely to have a majority or near-majority in the assembly, whereas it is highly unlikely to do so in conditions of multipartism.[33]

The assembly majority or near-majority is important because of the problems of interparty coalition-building in presidentialism. Since there is not the overriding incentive of actually forming a government, the cost–benefit calculation that influences the loyalties of individual deputies is less favourable than in parliamentary regimes, especially as the next election approaches.[34] In addition, even with an interparty coalition, there are often few incentives for individual delegates to toe the party line. Thus, just as multiparty presidentialism is not a truly majoritarian system, as argued above, so it cannot easily sustain consensus democracy;[35] and the more fragmented the party system, the fewer the chances of achieving a 'presidential' majority in the assembly. Again, there

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regimes ... have broken down, while a higher percentage (59.1) of the parliamentary regimes have.' Presidentialism is overwhelmingly a Third World phenomenon, and in this context it has fared at least as well and arguably better than parliamentarianism.

[30] Mainwaring, 'Presidentialism in Latin America', p. 168.

[31] Mainwaring, 'Presidentialism, Multipartism, and Democracy.'

[32] Giacomo Sani and Giovanni Sartori, 'Polarization, Fragmentation and Competition in Western Democracies', in Hans Daalder and Peter Mair, eds, *Western European Party Systems: Continuity and Change* (Beverly Hills, Calif.: Sage, 1983), pp. 307–40, at p. 337.

[33] Mainwaring, 'Presidentialism, Multipartism, and Democracy', p. 200. Mainwaring also argues that two-party systems tend towards 'centripetal' patterns of competition, and so reduce the likelihood of ideological polarization. They do so, *inter alia*, by raising the barriers to entry into the electoral system, and so excluding parties of the far right or far left. But, it is clear that polarization may occur whatever the party system, and Mainwaring ultimately recognizes that 'the advantages of bipartism diminish where there are sharp political or social cleavages' (p. 225). See section on 'Ideological Polarization and Coalition Formation' below.

[34] Alfred Stepan and Cindy Skach, 'Constitutional Frameworks and Democratic Consolidation: Parliamentarianism versus Presidentialism', *World Politics*, 46 (1993), 1–22, pp. 20–2, and Valenzuela, 'Latin America: Presidentialism in Crisis', p. 10.

[35] Lijphart, 'Constitutional Choices for New Democracies', p. 147.

are exceptions to prove the rule. In Bolivia, since the executive is ultimately elected by congress, the (prospective) president must seek compromise with political competitors and seek from the outset to build viable coalitions.[36] In Chile under Aylwin a multiparty coalition divided up the cabinet and maintained discipline in the assembly, partly as a legacy of the anti-Pinochet coalition, partly out of fear of an authoritarian reversal.[37]

Clearly much will depend on the degree of party discipline, which will partly determine both the viability of coalitions and the executive capacity for maintaining its own party intact, and preventing a haemorrhage of support with impending elections. Even if there is little incentive for individual deputies to maintain such discipline, it may be fostered by electoral laws, such as closed and 'blocked' lists which give the parties greater control over their candidates. Such discipline is considered to be relatively strong in Argentina, Chile and Venezuela, and relatively weak in Ecuador and Brazil. But Linz argues, counterintuitively, that multiparty presidentialism actually works better with weak and undisciplined parties, which allow for 'pork', logrolling, and locally-based clientelistic alliances.[38] In these circumstances it is the disciplined parties that threaten to create deadlock. The pattern of constructing congressional support piecemeal from a cluster of individual deals would seem to characterize executive–assembly relations in countries like Brazil and Ecuador, where parties are catch-all, clientelistic and lacking clear identities. But the evidence is far from unambiguous. Both these countries have exhibited tendencies of deadlock and *decretismo*, and recent analysis of the Brazilian congress reveals much greater party discipline than previously allowed.[39]

Evidently, just as presidentialism is not a homogeneous regime type,[40] so PR–presidentialism is not a homogeneous category. There is considerable variation in the degrees of multipartism, party discipline, and the stability of party systems and government coalitions. At the same time, these variables will strongly affect governability by their direct and often conjoint influence on the key variable of the degree of presidential support in the

[36] Valenzuela, 'Latin America: Presidentialism in Crisis', p. 13.

[37] Valenzuela, 'Latin America: Presidentialism in Crisis', p. 11.

[38] Linz, 'Presidential or Parliamentary Democracy', p. 35. Even if Linz is correct, this may work to improve efficiency rather than representativeness (Shugart and Carey, *Presidents and Assemblies*, pp. 7–8). As Geddes notes, 'certain characteristics that are often thought of as increasing representativeness, such as multiparty systems that reflect a wide spectrum of interests, and open list proportional representation, may paradoxically cause elected officials to be less responsive to the public interest' (Geddes, 'A Game Theoretic Model of Reform in Latin American Democracies', p. 389).

[39] Argelina C. Figueiredo and Fernando Limongi, 'Executive Legislative Relations and Legal Output, 1988–1995', paper presented to conference on Power Structure, Interest Intermediation and Policy-making: Prospects for Reforming the State in Brazil, Institute of Latin American Studies, London, 1997.

[40] Shugart and Carey, *Presidents and Assemblies*.

assembly.[41] Most observers agree that for a PR–presidential system to govern effectively 'what is really needed is a working majority' in the assembly,[42] or, at the very least, 'a reasonably large congressional delegation from the president's party'.[43] Without a straight majority or near majority, the president needs to build either a stable coalition majority, or shifting coalition majorities on single issues and initiatives; and a near majority will certainly facilitate such coalition formation. In this view, if PR–presidential systems break down it is not because of political polarization or 'polarized pluralism',[44] but because of the lack of a working majority. Indeed, Chile is the only case of a presidential democracy surviving for over a generation without such a majority.

In effect, the relatively few long-lived presidential democracies (Colombia, Costa Rica, United States, Venezuela and Uruguay prior to 1973) have, on average, provided their presidents with majorities or near majorities.[45] The mean share of assembly seats controlled by the 'presidential' party in the lower or only chamber of these systems was: Colombia 1974–86: 52.2 per cent; Costa Rica 1974–86: 50.9 per cent; United States 1968–86: 45.8 per cent; Venezuela 1973–88: 49.9 per cent; and Uruguay 1942–73: 49.3 per cent.[46] The exception was Chile 1946–73 with 30.2 per cent; and at the time of the *autogolpe* in Uruguay in 1973 President Juan Maria Bordaberry controlled the smallest ever number of assembly seats of any Uruguayan president.[47] Since the 1980s more presidential systems in Latin America are achieving such majorities,[48] but a sample of thirty-eight non-OECD countries from 1973 to 1989 revealed that presidential systems overall only achieved these majorities in 48 per cent of the cases[49] – which clearly does not augur well for the survival of the remaining 52 per cent.

[41] Jones, *Electoral Laws and the Survival of Presidential Democracies*, chap. 1.

[42] Mainwaring, 'Presidentialism, Multipartism, and Democracy', p. 224, f.18.

[43] Scott Mainwaring and Timothy R. Scully, eds, *Building Democratic Institutions: Party Systems in Latin America* (Stanford, Calif.: Stanford University Press, 1995), p. 33.

[44] Giovanni Sartori, *Parties and Party Systems: A Framework for Analysis* (Cambridge: Cambridge University Press, 1976).

[45] Jones, *Electoral Laws and the Survival of Presidential Democracies*.

[46] Mainwaring, 'Presidentialism, Multipartism, and Democracy'.

[47] Jones, *Electoral Laws and the Survival of Presidential Democracies*.

[48] Valenzuela, 'Latin America: Presidentialism in Crisis', p. 8. Applying a stricter criterion of a majority in both houses throughout the term, Valenzuela found only six 'majority' democratic presidents out of thirty-three presidents in the Latin America of the 1980s and 1990s, with these six located in just four countries, namely Colombia, Costa Rica, Honduras and Paraguay – which has a one-party dominant system (Valenzuela, p. 8).

[49] Stepan and Skach, 'Constitutional Frameworks and Democratic Consolidation', p. 13.

CLASSIFYING DEMOCRATIC SYSTEMS IN LATIN AMERICA

Mainwaring argues that multipartism sits ill with presidentialism because it reduces the likelihood of a presidential majority in the assembly.[50] If he is correct, there should be an inverse correlation between the degree of multipartism and an effective working majority in the assembly. This relationship is tested using data from Jones[51] on sixteen contemporary democratic systems in Latin America.[52] The first measure is of multipartism, which uses Laakso and Taagepera's 'Effective Number of Parties' measure,[53] which now sets the industry standard for these kinds of calculations. The second measure is the size of 'the president's legislative contingent', in Jones's language, given as a percentage figure. In both cases Jones averages the figure for the years under consideration. Then, dividing the multipartism measure into two categories of fewer and more than 2.5 effective parties (which is the threshold for a two-party or two-and-one-half party system), and the legislative contingent measure into two categories of up to 45 per cent and 45 per cent and above (to include both a majority and a notional near majority), creates a two-by-two table (Table 1) which demonstrates a close association between low levels of multipartism and assembly majorities or near majorities.[54] Moreover, if the first threshold is raised to 3.5 effective parties, and the second threshold lowered to 40 per cent, this leaves just four cases in the upper right-hand quadrant, namely Bolivia, Brazil, Ecuador and Guatemala, with all other cases in the lower left-hand quadrant.

[50] Mainwaring, 'Presidentialism in Latin America', and Mainwaring, 'Presidentialism, Multipartism, and Democracy'.

[51] Jones, *Electoral Laws and the Survival of Presidential Democracies*.

[52] Since I am looking only at the 'new' or contemporary democracies of Latin America I do not include all the 'democratic systems' studied by Jones. From his list of twenty systems (he examines Argentina in a separate case study), I selected sixteen, namely Argentina 1983–97, Bolivia 1985–97, Brazil 1989–94, Chile 1989–97, Colombia 1974–91, Costa Rica 1953–98, Dominican Republic 1978–94, Ecuador 1978–86, El Salvador 1984–97, Guatemala 1985–95, Honduras 1981–97, Nicaragua 1984–96, Paraguay 1993–98, Peru 1980–92, Uruguay 1942–94 (omitting the years of the dictatorship 1973–84, and the elections of 1954, 1958 and 1962 for a collegial executive), and Venezuela 1958–98.

[53] Markku Laakso and Rein Taagepera, ' "Effective" Number of Parties: A Measure with Application to Western Europe', *Comparative Political Studies*, 12 (1979), 3–27.

[54] Taking the more stringent criterion of a straight presidential assembly majority, Nohlen looked at thirty-nine elections during the 1980s in the fourteen Latin American countries which had experienced a minimum of two elections, and found a majority in twenty elections (twelve of them reflecting an absolute majority of the votes, and eight of them 'manufactured'). These twenty 'majority' elections took place in eleven of the fourteen countries, with only Bolivia, Ecuador and Uruguay experiencing no such election. These findings are broadly consistent with the evidence presented in Table 1. See Dieter Nohlen, 'Electoral Systems and Electoral Reform in Latin America', in Lijphart and Waisman, *Institutional Design in New Democracies*, pp. 43–57, and Dieter Nohlen, ed., *Enciclopedia Electoral de América Latina y el Caribe* (San José: Instituto Interamericano de Derechos Humanos, 1993).

TABLE 1 *Low Levels of Multipartism Associated with Assembly Majorities or Near Majorities*

	Effective parties ≤ 2.5	Effective parties > 2.5
Presidential party $\leq 45\%$		Bolivia Brazil Ecuador Guatemala Peru Venezuela
Presidential party $> 45\%$	Chile Colombia Costa Rica Dominican Republic Honduras Nicaragua Paraguay	Argentina El Salvador Uruguay

Sources: Effective number of parties, from Jones, *Electoral Rules and the Survival of Presidential Democracies* (Notre Dame: University of Notre Dame Press, 1995), p. 148, Table 10.2: 'Legislative Multipartism in 19 Latin American Electoral Systems.' Presidential party (or legislative contingent), from Jones, *Electoral Rules*, p. 84, Figure 5.1: 'The Relationship between Legislative Multipartism and the Size of the President's Legislative Contingent in 19 Latin American Systems.'

Mainwaring and Scully[55] take a different approach to categorizing the 'new democracies' of Latin America, by seeking to divide them into institutionalized and non-institutionalized, or 'inchoate', party systems. Their institutionalized systems have four main characteristics, which they use as indicators: perennial parties and stable rules; parties with ideological stability which shape political preferences over time; electoral legitimacy, with elections as the unique route to government; and effective party organization and discipline. They use hard measures as surrogates for their first two indicators, with the measure of electoral volatility developed by Przeworski and Pedersen[56] serving for party continuity, and the difference between presidential and legislative voting serving for party 'rootedness' (the assumption being that where parties play a crucial role in shaping preferences, this difference should be less pronounced). The third and fourth indicators are inevitably more impressionistic, and tend to play a subsidiary role in the analysis. At the same time it must be emphasized that Mainwaring and Scully's democratic universe is different from Jones's, comprising fewer cases, and usually fewer years.[57]

[55] Mainwaring and Scully, *Building Democratic Institutions*, pp. 17–20.

[56] See Adam Przeworski, 'Institutionalization of Voting Patterns, or is Mobilization the Source of Decay?' *American Political Science Review*, 69 (1975), 49–67, and Mogens Pedersen, 'Changing Patterns of Electoral Volatility in European Party Systems, 1948–1977: Explorations in Explanation', in Daalder and Mair, *Western European Party Systems*, pp. 29–66.

[57] For electoral volatility, the cases are Argentina 1983–93, Bolivia 1979–93, Brazil 1982–90, Chile 1973–93, Colombia 1970–90, Costa Rica 1970–90, Ecuador 1978–92, Mexico 1982–91,

Since both Mexico and Paraguay are classified as 'hegemonic party systems in transition', that is as still fundamentally non-democratic, they have a sample of just ten cases.

Both hard measures produce roughly the same rank ordering of the cases, with the exception of Chile which slips down the scale on the measure of party rootedness (and which reflects Chile's – former – exceptional status as a stable presidential system without presidential majorities). Consistently institutionalized are Chile, Colombia, Costa Rica, Uruguay, Venezuela and, to a lesser degree, Argentina. Consistently inchoate are Bolivia, Brazil, Ecuador and Peru – all of which are squarely located in the upper-right hand quadrant of Table 1 (multiparty *sans* presidential majority or near majority), and three of which would still be in this quadrant with more stringent thresholds (very multiparty *sans* anything like a near majority). Mainwaring and Scully argue that it is strong institutions which facilitate smooth democracy, and that such institutions are present in Chile and Uruguay, but missing in Bolivia, Brazil, Ecuador and Peru. The coincidences noted here suggest that this is because the institutionalization of the party system itself increases the likelihood of effective presidential support in the assembly.[58]

With regard to their third indicator, Mainwaring and Scully recognize the personalization of political parties in Brazil and Ecuador, and note the *autogolpe* in Peru in 1992. With regard to their fourth indicator, they assert that party organization is very weak in Bolivia, Brazil and Ecuador, and note the decline of party organization and identification in Peru during the 1980s. The personalism and populism of political parties in these countries, not to mention the high incidence of party switching, especially in Brazil and Ecuador, mean that the presidency cannot even count on its own party for support, leading to the usual symptoms of executive–legislative conflict, policy paralysis and *decretismo*. Finally, Mainwaring and Scully argue that these indisciplined parties should not be confused with the highly factionalized but none the less institutionalized parties of Colombia and Uruguay, where party factions present their own electoral lists according to well-respected conventions.

ELECTORAL LAWS, MULTIPARTISM AND PRESIDENTIAL MAJORITIES

By looking at the impact of electoral laws on the presence of the presidential party in the assembly, and hence on the potential efficacy and longevity of the

(F'note continued)
Paraguay 1983–93, Peru 1978–90, Uruguay 1971–89 and Venezuela 1973–93. For presidential and congressional votes the cases are Argentina 1983–89, Bolivia 1979–93, Brazil 1989 (1990), Chile 1970 (1969), Colombia 1974–90, Costa Rica 1970–90, Ecuador 1984–92, Mexico 1988, Paraguay 1993, Peru 1980–90, Uruguay 1971–89 and Venezuela 1973–93.

[58] Contrary to Linz's view, observed in the previous section, that multiparty presidentialism works better with weak and indisciplined parties (Linz, 'Presidential or Parliamentary Democracy', p. 35).

TABLE 2 *Concurrency of Elections for Executive and Assembly Against Executive Electoral System*

	Plurality	Majority run-off
Non-concurrent	Argentina*	Brazil (before 1994)† Ecuador El Salvador
Concurrent	Colombia Costa Rica Dominican Republic Honduras Nicaragua Paraguay Uruguay Venezuela	Chile (before 1994)‡ Bolivia (majority Congress) Guatemala Peru

*The Argentinian rules are complicated. The president was initially elected by electoral college (equivalent to plurality), but under the 1994 Constitution there is direct election with a run-off if no candidate reaches a 45 per cent threshold, or 40 per cent with a 10 per cent margin over the nearest rival (near to plurality). Elections are effectively non-concurrent, since half the deputies in the lower house are renewed every two years. But since the presidential term has been reduced from six to four years, they are arguably 'less non-concurrent' now than previously.
†Brazil concurrent after 1994.
‡Chile non-concurrent after 1994.

regime, Jones further refines the categorization of democratic governments in Latin America.[59] In his view multipartism is mainly important for its effect on the president's 'legislative contingent', and hence acts as an *intervening variable* between electoral laws and governability. In parliamentary systems, as Lijphart has demonstrated conclusively,[60] it is the choice between plurality and PR systems, the type of PR and the 'effective magnitude' of the constituencies which have most impact on the composition of the assembly. In presidential systems, in contrast, Jones discovers that it is the rules governing the election of the executive which most influence the president's 'legislative contingent', both directly (in concurrent elections only) and indirectly (through their impact on multipartism). In particular, it is executive election by plurality and concurrent elections for executive and assembly which promote presidential majorities or near majorities.[61] Election by majority run-off, or *ballotage* in the French usage, leads to higher levels of multipartism and decreased linkage

[59] Jones, *Electoral Laws and the Survival of Presidential Democracies*, chap. 1 and *passim*.
[60] Lijphart, *Electoral Systems and Party Systems*.
[61] Shugart and Carey had previously shown that plurality presidential elections run concurrently with assembly elections tended to produce two-party systems even under PR. See Shugart and Carey, *Presidents and Assemblies*, pp. 226–58.

between executive and legislative elections in concurrent systems,[62] while non-concurrent elections have the same dual effect, in both instances leading to a reduced presence for the presidential party in the assembly.

Following Jones's analysis the political systems of Latin America can be categorized according to their executive electoral laws, whether plurality or majority run-off, and whether concurrent or non-concurrent with assembly elections. This produces another two-by-two table (Table 2), which reveals a remarkably high degree of fit with the categories of Table 1. First, five out of six countries in the upper right-hand quadrant of Table 1 (multipartism *sans* majority or near majority) are found in the right-hand column of Table 2 (majority run-off), and both Brazil and Ecuador are located in the upper right-hand quadrant of both tables (multipartism *sans* majority or near majority, majority run-off and non-concurrent). Secondly, the only countries where executive electoral rules do not appear to determine assembly composition are Chile and Venezuela.

Although Jones argues that the 'effective magnitude' of constituencies in the continent's PR systems only has a modest (statistically barely perceptible) impact on levels of multipartism overall, this magnitude may have an important impact in particular cases.[63] In the Chilean case the negative impact of majority run-off is at least partially compensated by the very low effective magnitude of its electoral system (2.00, which makes it resemble a plurality system), whereas in the Venezuelan case its much higher effective magnitude (25.33) tends to undermine the majority-creating effects of its plurality–concurrent rules. Similarly, a very high magnitude in Uruguay (99.00) encourages multipartism despite plurality–concurrent rules, while a high magnitude in Brazil (23.00) exacerbates the negative effects implicit in its executive electoral formula.[64] In

[62] Unfortunately, nearly all the countries of Latin America which drafted new electoral laws in the late 1980s and 1990s instituted the majority run-off system, including Chile, Colombia, Brazil, Dominican Republic, Ecuador, El Salvador, Guatemala, Peru and Uruguay (Valenzuela, 'Latin America: Presidentialism in Crisis', p. 7). Nicaragua switched from a plurality formula to majority run-off with a threshold of 45 rather than 50 per cent. The only real exception was Paraguay. Thus, it is just Honduras, Panama, Paraguay, Mexico and Venezuela which now use the plurality formula, although Costa Rica's low first-round threshold of 40 per cent places it close to plurality, as does Argentina's first-round threshold of 45 per cent, or a minimum of 40 per cent with a 10 per cent margin over the nearest rival. See Mark P. Jones, 'Evaluating Argentina's Presidential Democracy: 1983–1995', in Scott Mainwaring and Matthew Soberg Shugart, eds, *Presidentialism and Democracy in Latin America* (Cambridge: Cambridge University Press, 1997), pp. 259–99.

[63] But different PR-formulas (such as d'Hondt versus LR–Hare) continue to have no salient statistical impact whatsoever.

[64] After the partial reform of the 1988 Constitution in 1994, the average district magnitude for the lower chamber in Brazil was 19.0 (see Mainwaring and Shugart, *Presidentialism and Democracy in Latin America*, p. 69). It is the states which constitute the electoral districts, with each state guaranteed at least eight deputies. Since parties can enter into pre-electoral coalitions at district level, and since the threshold applies to the coalition rather than the individual party, a party may be elected with a very small proportion of the total vote. Brazil's electoral system under the Constitution of 1988 and reform of 1994 is Jones's candidate for the worst possible combination of electoral rules in PR–presidentialism. Electoral systems which come close to his ideal for PR–presidentialism include unicameral Costa Rica and Honduras, and bicameral Colombia (before 1991) and Paraguay.

addition, the 'open' party lists operating in both Brazil and Peru tend to encourage party indiscipline. Taking these additional effects into account, it is safe to conclude that the democratic systems of Latin America can be divided between those which run plurality–concurrent executive elections, have low levels of multipartism and habitually generate presidential majorities or near-majorities in their assemblies, and those which do not.

COALITION FORMATION AND PRESIDENTIAL MAJORITIES

In large degree this conclusion does encompass the present state of our knowledge regarding institutional design and governability in the Latin American democracies. But it is only 'safe' so long as the prevalence of coalition formation and coalition government is ignored, as it tends to be in the literature. In fact, even on a restrictive definition,[65] coalition governments have recurred in Bolivia, Brazil, Chile, Ecuador and Peru, and even in the mainly two-party systems of Colombia and Uruguay, while the only cases of uniformly single-party government have been Argentina, Costa Rica and Venezuela (after 1968). But, despite a number of good case studies of the process of coalition formation in Colombia,[66] Brazil[67] and Chile,[68] no systematic and comparative study of the phenomenon has yet been published. Most more casual commentary tends to refer to coalition formation as exceptional and confined to cases of extreme party fractionalization, or difficult and beset by party indiscipline and factionalism.

A recent study distinguishes 123 separate administrations in nine countries over thirty-six years, and finds sixty-nine cases of coalition government.[69] Of the sixty-six majority governments in the sample, forty-four secured their majority through coalition formation.[70] Yet the major comparative study of presidential government in Latin America, which is equally recent, in no way

[65] On this definition, government coalitions require both party participation in the presidential cabinet and party co-operation in the assembly.

[66] Johnathon Hartlyn, *The Politics of Coalition Rule in Colombia* (New York: Cambridge University Press, 1988).

[67] Lúcia Hippólito, *PSD: De Raposas a Reformistas: o PSD e a Experiência Democrática Brasileira* (Rio de Janeiro: Paz e Terra, 1985) and Sérgio Henrique Abranches, 'Presidencialismo de Coalizão: o Dilema Institucional Brasileiro', *Dados*, 31 (1988), 5–34.

[68] Arturo Valenzuela, *The Breakdown of Democratic Regimes: Chile* (Baltimore, Md.: Johns Hopkins University Press, 1978).

[69] Grace Ivana Dehesa, 'Gobiernos de Coalición en el Sistema Presidencial: América del Sur' (doctoral dissertation, European University Institute, Florence, 1997).

[70] The cases are Argentina, Brazil, Bolivia, Chile, Colombia, Ecuador, Peru, Uruguay and Venezuela over the years 1958–94. Since Dehesa's analytical criteria for distinguishing separate administrations and for characterizing the coalition governments cannot be closely scrutinized here, these proportions should be taken as rough measures of tendency, nothing more. Argentina never has coalition government; Brazil always has coalition government; Chile and Ecuador mainly have coalition government; while Bolivia, Peru, Uruguay and Venezuela have roughly the same number of single-party and coalition governments.

reflects this prevalence when addressing the question of governability.[71] On the one hand, the authors seem simply to miss this prevalence by focusing exclusively on *pre-electoral* coalitions (of which they find strangely few), rather than on all *governing* coalitions. On the other, they purport to find analytical grounds for refusing to take coalitions of any kind into account.[72] But Dehesa's data suggest that such a restrictive approach will fail to capture the real conditions of governability. Of the fifty-nine elected presidents in her sample, eighteen were elected by coalition, while seventeen went on to form post-electoral coalitions;[73] and of the thirty presidents who were initially minority presidents in the assembly, ten formed post-electoral coalitions to overcome their minority status. Interestingly – with reference to Table 1 – it is precisely the 45 per cent threshold of presidential representation in the assembly that appears to provide the incentive for coalition formation. Nine of the ten presidents forming post-electoral coalitions to overcome their minority status initially enjoyed less than 45 per cent support in the assembly, which appears to confirm that this is the critical threshold below which is it difficult or impossible to mobilize *ad hoc* support for policy initiatives.[74]

But if interparty coalitions are highly fragile in presidential systems, as is often asserted,[75] they can be prevalent without being significant. Mainwaring and Shugart reaffirm this fragility for two main reasons. First, they argue that coalitions are basically pre-electoral and so cannot be binding after the election, going so far as to conclude that 'executive power is not formed through post-electoral agreement',[76] which is constitutionally correct, but fails to

[71] See Mainwaring and Shugart, *Presidentialism and Democracy in Latin America*. They construct a table from twenty-two Latin American 'cases' (a case comprising a country and a period, with some countries including more than one period, and with the overall period differing from country to country), which shows the mean share of assembly seats for both the president's party and the president's coalition (Table 11.1, p. 400). They included the cases of the 'country' chapters in their book (Argentina, Brazil, Bolivia, Chile, Colombia, Costa Rica, Mexico, Venezuela), 'plus most other Latin America cases with some recent experience of democratic elections' (p. 402).

[72] For instance, they exclude coalitions from their assessment of the likelihood of the president enjoying a 'veto-sustaining' share of assembly seats for the dubious reason that they are only interested 'in the second-worst situation imaginable in terms of partisan support: when only the president's own party remains supportive' (Mainwaring and Shugart, *Presidentialism and Democracy in Latin America*, p. 411).

[73] Four of the seventeen were initially elected by coalition, and went on to expand it. Seven of the seventeen went on to form post-electoral coalitions even though they initially enjoyed a majority or near majority.

[74] The structure of incentives for pre-electoral coalitions must necessarily be rather different. First, these coalitions are more frequent in multiparty systems (Chile, Brazil) than in two-party systems (Argentina, Venezuela 1972–94), with the big exception of Colombia, and the higher the number of effective parties, the stronger the tendency to coalition formation. It might also be expected that electoral rules will provide incentives or disincentives to coalition formation, but of the eighteen pre-electoral coalitions in Dehesa's sample, seven competed under plurality rules, six under majority with second-round run-off, and five under majority with congressional selection from the two or three most voted candidates. See Dehesa, *Gobiernos de Coalición en el Sistema Presidencial*.

[75] See Arend Lijphart, *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries* (New Haven, Conn.: Yale University Press, 1984); and Mainwaring, 'Presidentialism, Multipartism, and Democracy'.

[76] Mainwaring and Shugart, *Presidentialism and Democracy in Latin America*, p. 397.

recognize the importance of post-electoral coalition-formation. Secondly, they argue that coalitions anyway do not work because parties are so indisciplined that the support of individual deputies can never be secure. The latter stricture applies *a fortiori* to open-list PR systems like that of Brazil, where electoral success depends on the individual candidate's ability to attract votes, so encouraging personalism and pork-barrel politics, and a consequent lack of party loyalty. Since, in this view, coalitions are ineffective, the familiar argument about the imperfections of multiparty presidentialism still apply. Fragmented party systems tend to minimize the assembly representation of the presidential party, so impairing governability.

But party discipline may be affected not only by control of candidate selection and the list system, but by assembly rules and procedures,[77] and, in particular, by party leaders' control over key procedural resources. Mainwaring and Shugart allege, correctly, that there is insufficient information to draw general, comparative conclusions about the impact of these rules on party discipline across the continent.[78] But there is good information on and analysis of Brazil, which Mainwaring, in his own case study, sees as a 'worst case' of indisciplined, catch-all parties, with a robust federalism further fracturing party coherence.[79] In his view, a fragmented party system with highly indisciplined parties leads to coalitional fragility and cabinet instability, and to almost insuperable barriers to effective legislation, especially reform initiatives of any kind. But recent research comprehensively dismantles this construction of the legislative process in Brazil, by demonstrating the high degree of party discipline and legislative predictability achieved by party leaderships in the assembly's College of Leaders.[80] By bending the procedural rules to their own purposes, the party leaders are able to control legislative rhythms and outcomes, so 'party fragmentation and the fact that the president cannot count on a solid majority does not prevent the executive's initiatives being approved'.[81]

[77] Gary W. Cox and Mathew D. McCubbins, *Legislative Leviathan: Party Government in the House* (Berkeley: University of California Press, 1993).

[78] Mainwaring and Shugart, *Presidentialism and Democracy in Latin America*, p. 421, fn.26.

[79] Scott Mainwaring, 'Multipartism, Robust Federalism, and Presidentialism in Brazil', in Mainwaring and Shugart, *Presidentialism and Democracy in Latin America*, pp. 55–109.

[80] Limongi and Figueiredo demonstrate that even the least disciplined party can always expect at least 85 per cent of its members to vote with their leaders, and calculate that 89 per cent of all voting outcomes in the assembly conform to the predictions of party leaders. See Fernando Limongi and Argeline C. Figueiredo, 'Partidos Políticos na Câmara dos Deputados: 1989–1994', *Dados*, 38 (1995), 497–523; and Argelina C. Figueiredo and Fernando Limongi, 'Mudança Constitucional, Desempenho do Legislativo e Consolidação Institucional', *Revista Brasileira de Ciências Sociais*, 29 (October 1995), 175–200.

[81] Figueiredo and Limongi, 'Mudança Constitucional, Desempenho do Legislativo e Consolidação Institucional', p. 198. Further research by Santos reinforces these findings, and shows that the procedural prominence of the assembly's 'special committees' bolsters the control of the legislative process by the leaderships of the principal parties, and so facilitates the executive agenda. See Fabiano G. M. Santos, 'Democracy and Legislative Dynamics in Brazil' (paper presented to conference on Power Structure, Interest Intermediation and Policy-making: Prospects for Reforming the State in Brazil, Institute of Latin American Studies, London, 1997).

TABLE 3 *Presidential Coalitions*

	Coalition	No coalition
Presidential representation $\leq 45\%$		Ecuador (August 84–) Peru (July 90–) Venezuela (February 94–)
Presidential representation $> 45\%$	Bolivia (August 89–)* Brazil (March 90–)* Chile (October 90–)* Colombia (August 90–) Uruguay (March 90–)*	Argentina (October 95–) Venezuela (February 94–)

*Cases where coalition shifts presidential representation in the assembly from $< 45\%$ to $> 45\%$.
Source: Dehesa, *Gobiernos de Coalición en el Sistema Presidencial*, Appendix 1: Presidentes Electos en América del Sur 1958–1995.

This relatively high degree of party discipline underpins the formation of firm and stable coalitions which are bound by ideology.[82] Indeed, it is the fact of coalition that tends to reinforce internal party cohesion and legislative discipline, especially of the smaller parties. Thus, far from being characterized by 'loose and shifting coalitions', as alleged by Mainwaring, the Brazilian assembly is clearly divided into three ideologically distinct coalitions of left, centre and right. Consequently, party discipline in the assembly is not so very different from that of a system of closed lists like Venezuela's, and the rate of success of executive legislation is similar to that found in parliamentary regimes.

Analysis of the Brazilian case cannot substitute for a fuller comparative analysis, but it suggests that Mainwaring and Shugart's failure to pay proper attention to coalition formation may distort their account of executive–legislative relationships in Latin America. In this account, executive effectiveness is a function of the combination of the president's legislative powers of decree, veto and so forth, and his so-called partisan powers, which are mainly conferred by party support in the assembly. A lack of partisan support, or no guarantee of an assembly majority, can be compensated by strong legislative powers, as in the case of Brazil, where the president's powers in this regard are only inferior to those of Yeltsin's Russia,[83] while small formal powers may be buttressed by a large and disciplined assembly majority, as was traditionally the case in Mexico. But, as we have seen, executive effectiveness in Brazil is only partly owing to presidential powers, and depends more closely on stable and disciplined coalitions in the assembly; while executive dominance in Mexico owed most to the huge accumulation of informal, metaconstitutional, powers in the presidency, which worked to dissolve any separation of powers.

Mainwaring and Shugart seek to explain why some presidential systems work better than their traditional emphasis on fragmented party systems and party indiscipline can possibly predict by recourse to the idea of presidential powers. But their rigid and dichotomous model misses the informal interplay of the two types of powers in general, and its primary expression in the process of coalition formation in particular. Consequently, they tend to overemphasize the importance of presidential powers for governability, although confessing – at least in the case of Colombia – that eventually 'presidents must return to the legislature for the long-term institutionalization of reforms enacted by decree';[84] and, equally, tend to overemphasize party indiscipline and its deleterious effects on partisan powers. In sum, it is at least as plausible that it is the prevalence of coalition formation (pre- and post-electoral) that mitigates gridlock and enhances governability; and there is some evidence for this in the case-by-case distribution of presidential coalitions in recent years, as shown in Table 3.

[82] Limongi and Figueiredo, 'Partidos Políticos na Câmara dos Deputados'.

[83] Shugart and Carey, *Presidents and Assemblies*, p. 141.

[84] Mainwaring and Shugart, *Presidentialism and Democracy in Latin America*, p. 52. Nor can they adequately explain how governability is to be enhanced by the kind of overweening presidential powers that facilitate 'delegative democracy' and often precipitate regime break-down.

Prima facie, where coalition formation has created a presidential majority, or near majority (bottom left quadrant), governability has been enhanced. For example, the Bolivian government succeeded in implementing a difficult economic stabilization package, while the Cardoso government in Brazil (from January 1995) put through a series of radical reform measures, including a constitutional reform to allow re-election of the president himself. But where the failure to form coalitions has created minority governments (top right quadrant), instability has ensued: the suppression of democracy by *autogolpe* in Peru; the impeachment of the president and severe social unrest in Venezuela (despite the much vaunted discipline of its political parties); mass social protest and the forced resignation of the president in Ecuador. If nothing else, it appears that the presence or absence of majority or near majority presidential coalitions should be included in the comparative analysis of presidential democratic regimes.

IDEOLOGICAL POLARIZATION AND COALITION FORMATION

Sartori's original classification of party systems focused on the number of 'relevant' parties and the degree of ideological polarization, and both Sartori and Powell find that the number of parties is positively correlated with the degree of polarization.[85] Sartori sees a broad ideological span as allowing or accommodating many parties, while a narrow span constricts their number,[86] and this is the direction that Lijphart[87] follows when he suggests that two-party systems are not compatible with societies where there are more than one, or at most two serious political cleavages, or 'issue dimensions'.[88] The Latin American literature has tended to reverse this direction, or invert the relationship, with Mainwaring stating that two-party systems act to reduce polarization by promoting centripetal patterns of competition, and Mainwaring and Scully suggesting, more generally, that the ideological span widens as the number of effective parties increases.[89] But it is clear in Sartori that it is an

[85] See Sartori, *Parties and Party Systems*; and G. Bingham Powell, Jr., *Contemporary Democracies: Participation, Stability and Violence* (Cambridge, Mass.: Harvard University Press, 1982).

[86] The case of 'segmented' party systems is different, especially if they are segmented by national or ethnic identities, and especially if such identities are regionally concentrated. Perhaps surprisingly, such national or ethnic identities are relatively unpoliticized in Latin America (in contrast to Eastern Europe and the countries of the former Soviet Union).

[87] Lijphart, *Democracies*.

[88] The military dictatorship's recent attempt to engineer a two-party system in Chile exemplifies this point. Despite strong majoritarian rules, the traditional partisan divisions remained intact, and the parties created electoral coalitions to maximize both votes and seats, without however reconfiguring the party system (Peter Siavelis and Arturo Valenzuela, 'Electoral Engineering and Democratic Stability: The Legacy of Authoritarian Rule in Chile', in Lijphart and Waisman, eds, *Institutional Design in New Democracies*, pp. 77–99).

[89] Mainwaring, 'Presidentialism, Multipartism, and Democracy'; and Mainwaring and Scully, *Building Democratic Institutions*.

increase in polarization which may *act on* the party system, and, in the case of a two-party system, may lead either to 'polarized pluralism' or to breakdown.

Sartori's theory of party competition was designed for parliamentary democracies, where, as noted above, polarization is defended as the 'best single explanatory variable' for overall system performance. Mainwaring and Scully may be correct to deny that this 'structural property' has similar effects in presidential democracies (while insisting on the importance of multipartism), but it must surely have some impact. On the one hand, it is plausible to suggest that increasing polarization had some part to play in the breakdown of two-party systems in Colombia (1947–53) and Uruguay (1970–73), and of 'moderated pluralist' systems in Brazil (1961–64) and Peru (1962–68). On the other, in a recent study, Zelaznik has argued that a restricted ideological span, or low level of polarization, sustains governability in both two-party and 'moderated pluralist' systems during periods of minority government.[90] In this view, the low polarization and centripetal tendencies of two-party systems can prevent executive–legislative stalemate,[91] while the low polarization and moderated competition of the multiparty systems can create bipolar mechanics.[92] Mainwaring and Scully emphatically agree that 'less polarized systems facilitate governability' in general, and insist that it is the combination of multipartism and high polarization that spawns inchoate party systems and creates 'acute problems of governability' – citing the cases of Brazil, Ecuador and Peru.[93]

But the simple association of ideological polarization and multipartism is necessarily incomplete, if only because it ignores the possibilities of coalition-building. Indeed, if multipartism can be understood as an *intervening variable* between electoral laws and governability (as argued at the opening of the section on 'Electoral Laws, Multipartism and Presidential Majorities'), so coalition formation (or its absence) acts to mitigate or exacerbate the influence of polarization on governability. In commentary on parliamentary regimes it is a commonplace that coalitions are more frequent in more fractionalized but less polarized systems, and less frequent in less fractionalized but more polarized systems,[94] and that, *ceteris paribus*, coalition formation tends to assuage

[90] Javier Zelaznik, 'Political Party Systems in Presidential Democracies: Sartori's Framework Revisited' (MA dissertation, Department of Government, University of Essex, 1996).

[91] Zelaznik takes the cases of Colombia 1974–94, Costa Rica 1953–94, Venezuela 1973–88 and Argentina 1983–93. Of the total of twenty-seven legislatures across the cases over these years, six legislatures represented clear minority government, without experiencing real problems of governability (Zelaznik, 'Political Party Systems in Presidential Democracies').

[92] Looking at the recent experiences of Bolivia, Uruguay and Venezuela, Zelaznik demonstrates that minority presidents can continue to govern without 'regime stress' in conditions of low polarization.

[93] Mainwaring and Scully, *Building Democratic Institutions*, p. 32.

[94] Laurence C. Dodd, *Coalitions in Parliamentary Government* (Princeton, NJ: Princeton University Press, 1976); Arend Lijphart, 'Measures of Cabinet Durability', *Comparative Political Studies*, 17 (1984), 265–79; and Michael Laver and Norman Schofield, *Multiparty Government: The Politics of Coalition in Europe* (Oxford: Oxford University Press, 1990).

TABLE 4 *Number of Parties Against Degree of Polarization*

	Effective parties ≤ 2.5	Effective parties > 2.5
Moderately high to high polarization	Mexico	Bolivia Brazil Chile Ecuador Peru Uruguay Venezuela
Low to moderately low polarization	Colombia Costa Rica Paraguay	Argentina

Source: Mainwaring and Scully, *Building Democratic Institutions*, p. 31, Figure 1.1: Classifying party systems by the number of parties and the degree of ideological polarization, 1993.

executive–legislative conflicts. But since coalitions themselves tend not be taken seriously in presidential contexts, their mediation of ideological polarization has never merited serious study. It is simply assumed that where party system fragmentation and high polarization combine 'presidents typically have considerable difficulty assembling coalitions that enable them to implement their programs'.[95]

The obstacles to knowing more of these relationships in Latin America are considerable, not least because 'there are no precise means for measuring the degree of ideological polarization of the party systems'.[96] Survey evidence is sporadic or non-existent,[97] and, unlike in Western Europe and the United States there has been no comparative analysis of party manifestos,[98] or even systematic analysis of major policy positions. So Mainwaring and Scully resort to 'expert opinion' by systematizing (their own) 'impressionistic observations about polarization',[99] in order to demonstrate, first, that the number of effective parties is correlated with the degree of ideological polarization, and, secondly, as already noted, that 'less polarized systems facilitate governability'.[100] They

[95] Mainwaring and Scully, *Building Democratic Institutions*, p. 33.

[96] Mainwaring and Scully, *Building Democratic Institutions*, p. 29.

[97] 'With the exception of Uruguay (at the mass and elite levels), Chile (at the mass level), and Brazil (at the elite level only), we lack the survey data that would enable us to reproduce Sani and Sartori's measures of polarization' (see Mainwaring and Scully, *Building Democratic Institutions*, p. 29).

[98] Ian Budge, David Robertson and Derek Hearl, eds, *Ideology, Strategy and Party Change: Spatial Analyses of Post-War Election Programmes in 19 Democracies* (Cambridge: Cambridge University Press, 1987); and Michael Laver and Ian Budge, eds, *Party Policy and Government Coalitions* (London: Macmillan, 1992).

[99] Mainwaring and Scully, *Building Democratic Institutions*, p. 29.

[100] Mainwaring and Scully, *Building Democratic Institutions*, p. 32.

TABLE 5 *Coalition Against Degree of Polarization*

	Coalition	No coalition
Moderately high to high polarization	Bolivia Brazil Chile Uruguay	Ecuador Mexico Peru Venezuela
Low to moderately low polarization	Colombia	Argentina Costa Rica Paraguay

present a 'snapshot' of their impressions for the year 1993 in a four-by-four table, which is here reduced to the two-by-two Table 4 for consistency and ease of comparison with Table 1 (p. 661).

As expected, there is a clear association between a high or fairly high degree of polarization and multipartism, at least at this point in time. But what of the impact of polarization on coalition formation, and hence governability? To investigate this relationship Dehesa uses the proportion of assembly seats held by extremist parties as a surrogate measure of polarization,[101] and finds that the less polarized the system, the higher the incidence of *majority* coalition government, over time. Moreover, some two-thirds of the total of sixty-nine coalition governments in her original sample are seen to be 'ideologically compatible' – by this admittedly rather crude measure. But if we divide the cases of high and low polarization in Table 4 into those that had and those that did not have majority or near majority coalition government at the time, the picture is less clear-cut, as shown in Table 5. All that can be concluded here is that more comparative research is needed into the conditions of coalition building in presidential democracies. It may be possible to establish some general rules or probabilities, before acknowledging the inevitable force of *sui generis* factors like the quality of political leadership.

Take the 'difficult' case of Chile from 1933 to 1973, which recurs time and again in the literature as the only case of enduring multiparty presidentialism. In Sartori's terms, the Chile of this period was a multipolar system, with a wide ideological span and centrifugal competition. In principle, these conditions should have made coalition formation difficult to impossible.[102] In fact, despite its structure, the system followed a logic of 'moderated pluralism', with a consistent pattern of coalitions built between the 'centre' and either one of the

[101] Dehesa, 'Gobiernos de Coalición en el Sistema Presidencial'. In doing so she adopts Sartori's notion of 'antisystem parties' and adapts Bingham Powell's measure of the 'Average Total Extremist Vote' (see Sartori, *Parties and Party Systems*; and Powell, *Contemporary Democracies*, p. 95, Table 5.4).

[102] Linz and Valenzuela, *The Failure of Presidential Democracy*.

poles, which only broke down when the polar parties became 'anti-system'.[103] By analogy with Chile's centre party, Zelaznik argues that in multiparty presidential systems the president is able to play a 'mediator' role, and move along the ideological spectrum in order to build coalitions and achieve a 'working majority'.[104] If this is true, then successful coalition-building, and hence governability, will depend on a combination of the degree of polarization and the quality of political leadership.

CONCLUSION: INSTITUTIONAL DESIGN, PARTY SYSTEMS AND GOVERNABILITY

It is clear that the Latin American democracies do have significant institutional features in common, if only because they are all presidential–PR systems. But their categorization as *presidential* systems immediately invokes the dichotomy between presidential and parliamentary systems, which begins to prove more of a hindrance than a help to comparative institutional analysis – in at least two respects. First, by seeking to differentiate the two main types of democratic government it tends to homogenize them (though there is no logical requirement to do so), and so disguises the very real institutional differences between regimes of the same type. It might almost be claimed that the differences within the types are as great as those between them. Secondly, by introducing implicit assumptions that what is institutionally and behaviourally important in one type cannot be equally so in the other, it tends to restrict the scope of comparative analysis, and to exclude potentially important topics. Thus, the comparative analysis of presidential–PR systems appears to have shied away from coalition-formation, possibly because it is thought of as typical of, and integral to parliamentary–PR systems; and, partly as a result of this, the impact of ideological polarization on these systems is still poorly understood.

None the less, there is little doubt that comparative analysis of these presidential–PR systems is now able to distinguish between them in comprehensive fashion. In particular, it is now possible to classify these regimes according, severally, to the executive electoral formula, the institutionalization of the party system, the degree of multipartism and party discipline, and by the presence or absence of presidential majorities or near majorities in the assembly. They also vary according to the degree and direction (centripetal or centrifugal) of polarization within the party system, and in their capacity for coalition formation. But proper measures of polarization are lacking, and, even were they available, it would be difficult to gauge the influence of polarization without a fuller account of the conditions of coalition formation. In other words, although much is now known of the formal institutional design of these systems, an understanding of key elements of their comparative performance like coalition

[103] Timothy R. Scully, *Rethinking the Center: Party Politics in Nineteenth and Twentieth Century Chile* (Stanford: Stanford University Press, 1992), p. 24.

[104] Zelaznik, 'Political Party Systems in Presidential Democracies'.

TABLE 6 *Nine Countries Distributed According to Five Variables Affecting Governability*

Presidential presence	Effective parties	Executive elections	Polarization	Coalition 1993
≥ 45%	≤ 2.5	Plural-C	Low	Yes
Argentina Chile Colombia Uruguay	Chile Colombia	Uruguay* Venezuela	Argentina Colombia	Bolivia Brazil Chile Colombia Uruguay
< 45%	> 2.5	Mixed	High	No
Bolivia Brazil Ecuador Peru Venezuela	Argentina Bolivia Brazil Ecuador Peru Uruguay Venezuela	Argentina Bolivia Brazil Colombia Chile Peru	Bolivia Brazil Chile Ecuador Peru Uruguay Venezuela	Argentina Ecuador Peru Venezuela
		Majority-NC		
		Ecuador		

*Uruguay majority run-off and concurrent from next election.

formation must await further investigation of their *informal* institutions, and especially the committee structure, procedural rules and norms, and operational constraints of their assemblies.

The present state of comparative analysis does demonstrate, beyond reasonable doubt, that the institutional variation across these regimes has significant implications for governability, understood as government stability, legislative capacity and the avoidance of gridlock. Furthermore, the five key variables in this respect all have to do, more or less directly, with electoral rules and the party system. Thus, these regimes will be more or less governable according to variations in executive electoral rules, the effective number of parties, the presidential party presence in the assembly, the degree of polarization and the conditions of coalition formation. This can be illustrated in a synoptic and simplified fashion, by dichotomizing these variables and distributing the nine South American countries which recur in all of the studies reviewed here – namely Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Peru, Uruguay and Venezuela – as shown in Table 6.

On the basis of these distributions it can be suggested that the initial key to governability is a presidential party presence in the assembly which exceeds the critical threshold of 45 per cent. This is determined in large degree by the effective number of parties in the system, which itself is closely conditioned by

the profile of executive electoral rules. But it also appears that a high degree of polarization may promote multipartism (although the direction of causality cannot be clear), and therefore damage governability both by reducing the presidential presence in the assembly and by making it more difficult to overcome minority representation through coalition-building. Finally, favourable conditions for coalition formation can clearly compensate for the difficulties of multipartism and polarization. If this still highly hypothetical line of argument is correct, then it is possible to distinguish South America's most governable countries (Argentina, Chile, Colombia, Uruguay) from its least governable countries (Ecuador, Peru and contemporary Venezuela), with the current governability of Bolivia and Brazil remaining closely contingent on (very different) processes of coalition formation.