Patterns of Legislative Politics

Roll-Call Voting in Latin America and the United States

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Using the United States as a basis of comparison, this book makes extensive use of roll-call data to explore patterns of legislative politics in Argentina, Brazil, Chile, and Uruguay. The patterns are defined by the extent to which parties, factions, delegations, or alliances – what the author collectively terms "legislative agents" – are unified in their voting and hence are collectively identifiable to voters as being responsible for policy decisions. Then, to develop an indicator of the second central pattern, the book examines the propensity of the legislative agents to form policy coalitions with one another. It shows that agents in Chile and to some extent Uruguay are more coalitional than in Argentina and Brazil, but there is evidence that the agents work with one another in these latter countries as well. The U.S. parties have exhibited an important shift, moving from low levels of unity and frequent bipartisanship toward considerably higher levels of unity and more frequent polarization. In explaining the patterns, the book considers the effects of the electoral system, legislators' ideology, cabinet membership, and other variables.

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Preface and Acknowledgments

Legislatures house multiple individuals, most of whom are grouped into factions, parties, and coalitions. The patterns of legislative politics, then, are a product of the interactions among group members and among the groups. This book is an exploration of these interactions in Argentina, Brazil, Chile, and Uruguay, using the United States for a point of reference. The four Latin American countries share important commonalities in terms of geography and politics but are also clearly distinguishable for their political histories and institutions. All four countries suffered democratic breakdowns between 1964 and 1973 and only returned to democracy in the 1980s. Since then all have faced important threats to their democracies, ranging from a rising left in Uruguay, the removal of a president in Brazil, Pinochet's move from life-senator to foreign captive and accused murderer in Chile, and Argentina's economic collapse and the resignation of its elected and successor presidents. Though these and other pressures have led the countries to debate and implement important institutional reforms, they have not led to democratic breakdown.

In the past, students of Latin American politics have been forced to focus on the upheavals, military interludes, and democratic transitions. Since democracy seems to have implanted itself, there is a new value and interest in following the traditions of studies of the United States or European democracies and studying how prosaic issues affect legislative dynamics, representation, and coalition formation. This book follows this course, offering a comparative view of the unity of legislative groups – which is tied to representation – and the policy coalitions that form among them.

Producing a comparative statistical study implies important tradeoffs. On the one hand, the explicit comparisons allow better tests of the hypotheses than single-country studies. On the other, the amount of detail for each case must be limited for the comparison, and the statistical tests (and data collection efforts!) face new challenges. I have tried to balance these two sides by providing both country-focused and comparative descriptions and statistics.

In some places the results are not entirely satisfactory, but the results are suggestive enough to validate the hypotheses and encourage further study.

In order to facilitate the comparisons and hypothesis testing, this study relies on an intensive analysis of legislative roll-call votes. Roll-call data provide a unique opportunity to compare and contrast general patterns of policy making in the legislatures. Studies of particular policies would surely turn up new and perhaps more nuanced explanations of legislators' behavior, but they would do so at the expense of generalizability. Roll-call data, in contrast, allow direct comparisons among countries (and over time), and they have the added advantage of providing a view of the common patterns of legislative politics. These general patterns provide indicators relevant to representation of voters and the degree of accommodation or polarization inherent in the legislature, issues that are important in this continual, albeit troubled, era of democratic politics. These larger issues, and their links to the sustainability or quality of democracy, motivated this study.

This book has been in the making for a long time and has undergone several complete overhauls. The important idea about "agent systems" began its life while I was working on my dissertation, and I must thank Gary Cox for helping me to develop the terminology. I also want to acknowledge his critical but constructive commentary and indefatigable help in completing my dissertation, as well as his unending support since that time. Paul Drake and Matthew Shugart were also very helpful with the dissertation and its aftermath, and their influence is carried forth into this book. From the dissertation, I also salvaged my collection of the Uruguayan roll-call and interview data, as well as the ideas about nomination control. In working to expand that work into a comparative framework I discovered, however, that the dissertation placed too much emphasis on electoral systems and nomination control and ignored the role of legislators' electoral interests and ideology in explaining voting patterns. This book, therefore, builds on, but to an important extent contradicts, my dissertation.

The dissertation research, however, is still the basis from which this book grew, and I must thank Jorge Lanzaro, Gerardo Caetano, and the Instituto of Ciencia Política who hosted me during my year in Uruguay and facilitated my learning about the complex world of Uruguayan politics. Oscar Bottinelli was also instrumental in Uruguay for his help with several data sources. Daniel Buquet, Juan Andrés Moraes, and Daniel Chasquetti have been invaluable sources of information, and with the help of David Altman, they initiated me into the arcane Uruguayan culture.

The data collection and analysis for the rest of the book were completed during my time at Duke and my year of leave spent at the University of Salamanca. Conversations with John Aldrich, Jonathan Hartlyn, and Herbert Kitschelt were particularly helpful in developing the theoretical ideas, and Barry Ames, Octavio Amorim Neto, John Carey, Mark Jones,

Party, Faction, and Coalition Names and Abbreviations

Argentina

Partido Justicialista	Justicialist Party; Peronists (PJ)
Unión Cívica Radical	Radical Civic Union (UCR)

Brazil

Partido Democrático Social	Democratic Social Party (PDS)
Partido Democrático Trabalhista	Democratic Labor Party (PDT)
Partido da Frente Liberal	Party of the Liberal Front (PFL)
Partido Liberal	Liberal Party (PL)
Partido do Movimento Democrático Brasileiro	Party of the Brazilian Democratic Movement (PMDB)
Partido Progressista Brasileiro	Brazilian Progressive Party (PPB)
Partido da Social Democracia Brasileira	Party of Brazilian Social Democracy (PSDB)
Partido dos Trabalhadores	Workers' Party (PT)
Partido Trabalhista Brasileiro	Brazilian Labor Party (PTB)

Chile

Concertación de Partidos por la Democracia	Concertation of Parties for Democracy
Partido Demócrata Cristiano	Christian Democrats (DC)
Partido por la Democracia	Party for Democracy (PPD)
Partido Socialista	Socialist Party (PS)
Partido Radical Social Demócrata	Radical Social Democratic Party (PRSD)
Alianza por Chile*	Alliance for Chile (Right)
Renovación Nacional	National Renovation (RN)
Unión Demócrata Independiente	Independent Democratic Union (UDI)

* Note that the rightist alliance has gone under several different names.

Uruguay

Partido Colorado	Red Party (PC)
Batllismo, Lista 15	Batllism List 15 (B15)
Batllismo Unido	Unified Batllism (BU)
Cruzada 94	Crusade 94 (C94)
Corriente Batllista Independiente	Independent Batllist Faction (CBI)
Foro Batllista	Batllism Forum (FORO)
Unión Colorada y Batllista	Red and Batllism Union (UCB)
Partido Nacional/Blanco	National/White Party (PN)
Adelante con Fe	Ahead with Faith (ACF)
Consejo Nacional Herrerista	Herrerist National Council (CNH)
Movimiento Nacional de Rocha	National Movement of Rocha (MNR)
Herrerismo	Herreraists (HERR)
Renovación y Victoria	Renovation and Victory (RyV)
Frente Amplio	Broad Front (FA)
Nuevo Espacio	New Space (NE)
Partido de Gobierno del Pueblo	Party of the People's Government (PPG)

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Identifiability and Flexibility

Democracy is not to be found *in* the parties but *between* the parties.

(Schattschneider, 1942, p. 60)

An effective party system requires, first, that the parties are able to bring forth programs to which they commit themselves and, second, that the parties possess sufficient internal cohesion to carry out these programs. In such a system, the party program becomes the work program of the party, so recognized by the party leaders in and out of the government, by the party body as a whole, and by the public.

(American Political Science Association, Committee on Political Parties, 1950, p. 18)

Immoderate and ideological politics is conducive to sheer paralysis or to a disorderly sequence of ill-calculated reforms that end in failure.

(Sartori, 1976, p. 140)

Shackled with dominant presidents and frequent interruptions by military governments, the legislatures have been generally overshadowed in discussions of Latin American politics. These institutions, however, are the cornerstones of democracy. When open, they provide arenas for debates, representation of societal interests, oversight of governmental processes, a source from which to recruit political leadership, a place in which to form political coalitions, as well as a legal institution in which the represented interests can debate and reach decisions on policy directions. Theoretically they, along with the executive, also provide citizens a target at which to address their wrath if government direction or performance run askance.

Aside from Cuba, the legislatures throughout Latin America have been open for some time. Most Latin American legislators still face daunting presidents, but many have not recoiled from their responsibilities, acting forcefully

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to reform policies, oversee corrupt practices, and serve their constituents. Clearly others have, instead, bowed to executive demands, sought private gains, or served pork to clients. Either way, however, the region's legislatures are clearly central to politics, policy, and democracy.

Though it is common to talk about the role of legislatures, it is the legislators who inhabit the institutions and the interactions among them that define the patterns of legislative politics. The issues involved in this definition are complex, but they can be grouped into two general themes. The first is the shape and structure of the groups that the legislators form and the relation of these collective structures to representative democracy. The second is the propensity of those groups to compromise and work with one another in approving policy decisions.

IDENTIFIABILITY AND DEMOCRACY

Legislatures are the institutional cornerstone of democracy because they embody the principles of representative government. In a representative democracy, voters choose delegates to a law-making body and hold those delegates responsible for their actions. Burke (1774) taught that these responsible delegates could take either of two paths to serve their constituents: acting as a reflection of their constituents' *desires* or taking independent discretionary yet fiduciary action to serve those same constituents' *interests*. Regardless of the path, however, constituents were able to judge their representatives every few years and either reward them with another term or replace them.

In practice, delegates in most representative democracies have formed into groups, generally labeled parties, factions, and coalitions. The theory of representative government, therefore, focuses on the *collective* responsibility and accountability of these groups, rather than on the *individual* accountability of isolated elected officials. A key assumption of the model of "responsible party government" is that voters can identify which groups are responsible for political decisions and target their votes toward those groups. In the simplest Westminster version of the model, two parties compete by promulgating clear and divergent platforms containing their promises and plans for governance. Then, whichever party wins faithfully implements its platform by utilizing its unified majority in parliament.

Under this model the parties are responsible in two senses. First, there is no doubt about which party is responsible for the actions of the government; thus, the governing party can be held fully accountable for its actions. As the voters can identify "who dunnit," I will label this notion of responsibility *identifiability*. Second, because there is so little uncertainty in allocating blame and credit, each governing party faithfully implements its platform. To do otherwise would incur sure electoral retribution for breaking a promise made to voters.

Not all legislatures, however, provide voters equal opportunities for assessing credit or blame. Schattschneider (1942; 1960), whom I quoted to open this chapter, was particularly concerned that parties in the United States did not follow this prescription, which he saw as critical to the development of responsible party government. His Committee on Political Parties railed against the parties' incoherent platforms and insufficient internal unity to carry out their programs. In short, the parties lacked identifiability. Without the ability to really tell which group of politicians controls government policy, voters can hardly hold anyone accountable for poor performance; this inability to mete out electoral pain in turn leaves politicians without an electoral incentive to be faithful to any promises made. Identifiability, thus, is a necessary condition for faithfulness or responsibility.

Though fear of the voters' sword helps ensure a responsible government, not all swords are sharp and not all voters can find (identify) their targets. As discussed in Chapter 3, some balloting systems identify just a candidate or a party, while others direct voters to coalitions or factions. The ability to identify a group on the ballot redounds to the voters' ability to hold accountable those groups that they may have identified as responsible.

On top of the problem of where voters can direct their votes, Powell (1999) argues that without a unified majority party the "clarity of responsibility" suffers (pp. 11–12). Following Olson (1993), there should also be concern about individual politicians who seek only short-term plunder instead of long careers in elected office, since these politicians will have little fear of electoral retribution. Long-term banditry does not worry Olson because he found that kings and presidents (and by implication legislators) could maximize their plunder (which includes power and prestige in addition to gold and silver) by protecting their citizens and ensuring their economic success. In previous epochs this meant that warlords and kings worked to maintain their positions by protecting their subjects from "roving bandits" who had no interest in the welfare (and hence tax base) of the community. In modern democracies, representatives who want to maximize their plunder (for selfish or altruistic ends) must work to maintain their electoral popularity.

However, as I note in Chapter 4, not all elected representatives can become stationary bandits (due to term limits), and others willingly leave their offices (or fail to seek reelection). These representatives, therefore, need not be responsive to voters.

Democracy can help mitigate this problem because the factions, parties, or coalitions to which the bandits belong do generally seek political survival. That is, if voters can attribute responsibility to these electorally motivated groups, then the democratic ideal of voter demands and government response can survive even if individual legislators are beyond the reach of voters. Short-term bandits in the legislature are most dangerous, then, when the groups to which they adhere lack unity and hence collective accountability.

Collective accountability does not ensure that an empowered group will abstain from providing particularistic goods and focus solely on legislation affecting the nation as a whole. Olson's argument, however, is that stationary bandits have a strong incentive to provide public goods, such as beneficial economic policy, in order to survive political competition. Bandits who fail to do so will see their resource base fall, and they will be unable to provide for their clients. Further, the opposition can promote new policies and claim that they will be able to provide more pork as the result of the larger resource base that they will generate. This argument counters several game-theoretic perspectives that suggest that voters always have an incentive to choose representatives that promise pork over policy. My goal here is not to enter into that debate in detail but instead to suggest that whether voters are choosing pork or policy (or more likely a combination of the two), retrospective choices require voters to identify the group of legislators responsible for the current state of affairs. The converse of this statement is perhaps stronger: where voters cannot identify a group responsible for current conditions, policy pronouncements should play a lesser role in voters' decisions. This level of accountability works best when there is an identifiable and coherent majority, and it becomes progressively more problematic as the number of groups increases and the unity of those groups decreases. It also assumes that where legislators act independently of parties or other groups, their impact on policy or their claim on the national budget is necessarily less than where they act in concert with others. This leads us back to the conclusion that for national policy to enter into the voters' calculus when considering their choice for legislative representation, voters must be able to identify coherent groups of legislators.

Voters can identify the collective intention and will of legislative groups when the members of those groups act in concert – repeatedly and predictably. When the groups act as such, the voters, as well as lobbyists, the executive, or other groups can view the group as a legislative *agent*. As defined more carefully in Chapter 2, an agent is the subordinate in a hierarchical relationship with a principal (here the voters). To have agency also implies the ability to take concerted action, and thus I apply the term to those groups of legislators – often factions, parties, or coalitions – who make collective decisions and act as a coherent body. I also apply the term "agent system" to the totality of these groups, in order to avoid a singular focus on parties that the common term, party system, connotes.

Publicly available roll-call votes provide a concrete gauge for the degree to which groups of legislators act in harmony. Patterns of roll-call voting thus indicate whether voters can reasonably attribute successes or failures to a group (such as a party or faction) or whether individual legislators should be the focus of the voters' attention. In most cases, individual voters will not calculate their representatives' unity scores, but daily political dialogue will contain information about the behavior of representatives and the groups

that they form. Roll call data thus give the researcher a tool to capture an impression of legislators' actions that voters absorb from the media, social organizations, and general conversations. These data also provide the press and watchdog groups with specific information that they can feed to voters. Thus, while voters may not directly access and analyze roll-call data before making their voting choices, the data are a good proxy for the information that voters do use in identifying and judging their agents.

This book makes extensive use of roll-call data from Argentina, Brazil, Chile, Uruguay, and the United States and applies it first to the relation between voters and accountable legislative agents in these countries. With respect to these five countries, Chapter 3 addresses the two aspects of the accountability of a party, faction, or coalition: the identifiability of groups as collective actors and the ability of the voters to identify those actors on the ballot. The chapter first details these countries' electoral systems to analyze the latter issue, concluding that voters can target parties and provincial or state delegations in Argentina and Brazil, coalitions and parties in Chile, and parties and factions in Uruguay. Then after a historical review to show the continuing political relevance of these same groups, I analyze the roll-call voting data to explore the regularity with which the groups behave as collective actors. The chapter shows that although the frequency with which these groups achieve high levels of unity varies significantly both among and within the countries, all display enough unity, at least on a limited set of issues, to allow voters to consider them collectively responsible agents.

Roll-call data would be unnecessary in exploring legislative behavior in canonical Westminster systems, as the political parties vote as unitary blocs. Indeed, unity rates of some parties are so great that roll-call votes would not reveal underlying tendencies. In the countries that are the main focus of this book, however, the degree of voting unity – and hence the array of potentially responsible agents – is far more diverse. In the United States, voters are aided in attributing blame by the two-party system, but the average level of unity of those parties is much less than most of the agents representing the voters in our other four countries. Of the other countries considered here, only in Argentina have there been two primary and unified political parties, and that system seems to be breaking down. In Chile there are two long-lasting and relatively unified alliances, but the data show that coalition politics has not subsumed the parties' identities.[1] In Uruguay there are well-organized factions, which as the voting unity attests, act independently of the parties. Finally, Brazil lacks durable coalitions, and most parties are not highly unified. All of the parties, however, do unite on an important subset of issues, and several do exhibit quite high degrees of overall unity. There is also evidence that the party delegations from some states are good candidates

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[1] Generally I use the terms "coalition" and "alliance" interchangeably. Chapter 6, however, gives a specific definition to the term "policy coalitions."

for agency. In sum, while there are many distinct patterns, the roll-call data make clear whether parties or sub- or supraparty actors consistently act as coherent and hence identifiable groups.

The data also allow tests for the sources of voting unity. The explanation I develop in Chapters 4 and 5 revolves around two broad themes: leaders' ability to *discipline* the rank-and-file and the common beliefs and interests among groups of legislators that drive *cohesion*. I argue that because electoral systems determine whether elected legislators owe debts to leaders for nominating them as candidates, they are central to explaining a leader's disciplinary power. But, because the electoral system has a blanket affect on all parties, factions, and coalitions in a given country, that variable cannot explain the important differences among groups within a single country. More importantly, leadership powers are only one of the many factors that can influence legislators' voting patterns. These patterns are also driven by the legislators' ideology, their electoral goals, and other interests. This classification of variables leads me to refer generally to the voting *unity* of a party, faction, or coalition, while I reserve the terms "discipline" and "cohesion" for explanations of the specific sources of that unity.

FLEXIBILITY AND DEMOCRACY

Democracy implies majority rule, but sustainable democracy requires compromise. Identifiability and responsibility, therefore, are insufficient to ensure the continuance of democratic governance. Where mass actors have stood their ground too firmly, rulers have turned to nonpeaceful dispute resolution. Where democratically chosen rulers have failed to calm these situations, the military has often stepped in, ending democracy. Democracy also fails where leaders of social movements, the armed forces, labor and business groups, and political parties fail to work with one another. The converse is also true: pacts and negotiations fortify democracies.

In order to gain viability and win adherence, such pacts – whether formal or informal – require ratification by politicians. If the politicians are left out, then the compromisers will continually worry about new laws that will abrogate their deals. Further, since legislatures are supposed to represent society and provide a forum for debating and resolving conflicts, legislative compromise holds a privileged place among all the negotiating spaces that must take place to ensure democratic continuity. In short, pacts must be sealed by legislators.

Therefore, in addition to an investigation of identifiable legislative agents, this book considers the patterns of compromises among these agents in a region where questions of democratic survival or consolidation are most pertinent. As noted previously, with the exception of Cuba, freely elected presidents and legislatures currently rule all of Latin America. But, this is a quite recent picture. Only about ten years ago we would have included

Mexico, Paraguay, Chile, and Peru alongside Cuba, and going back about twenty years we would have had only a small handful of democratic states (Colombia, Venezuela, and Costa Rica). The region as a whole, in short, is still struggling to consolidate democratic governance.

The legislators in this region on whom compromise and democratic sustainability depend do not have a great track record. Their poor public standing is unsurprising given that they have been marred by charges of corruption, failure to represent their constituents, clientelism, and obsession with the porkbarrel. Further, their predecessors have been blamed for gridlocking the political system – albeit at a time when they have also been charged with such weakness that they helped foster domineering presidencies.[2]

Often with references to the breakdown of Chilean democracy in 1973, the propensity of legislatures toward obstreperousness has generated great concern. Many authors – including Sartori (1976), Valenzuela (1978; 1994), Pasquino (1990), Shugart and Carey (1992), Coppedge (1994), Mainwaring and Scully (1995), Pridham (1995), and Przeworski (1995) – discuss specific aspects of parties, party systems, or other legislative groups that help ensure against democratic breakdown. Among others, these authors cite the importance of the number of parties in a system, the level of party institutionalization, the degree of polarization among the parties, and internal party fragmentation as important factors in determining the sustainability of a democratic system. Though it is seldom an explicit argument, these discussions frequently revolve around the importance of identifiability or accountability. The concern with polarization and interbranch stalemate, however, is more pronounced. Perhaps most prominently Sartori argued that "Polarized multipartism . . . [is] characterized by centrifugal drives, irresponsible opposition, and unfair competition." As a result, it is "hardly a viable system" (1976, p. 140). Linz (1990; 1994) and Mainwaring (1993) add that multipartism is especially problematic when combined with presidentialism.

Many examples illustrate the danger of rigid politics and the benefits of compromise. Smith's studies (1969; 1974) of Argentina in the first half of the twentieth century show not only that increased levels of polarization were evident in rising levels of party-line voting (i.e., identifiability) in Argentina, but that these changes also presaged the fall of democracy. Similarly, the failure of Chilean President Balmaceda and his supporters in the Congress to reach a compromise with the congressional majority over the budget and executive powers generally led to civil war in that country at the end of the nineteenth century. More recently, Chile's 1973 democratic downfall was precipitated by the lack of compromise between the president

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[2] Linz (1990; 1994) argues that multiparty legislatures are a danger because they can generate executive–legislative stalemate but paradoxically adds that presidentialism creates winner-take-all (i.e., very strong) presidents.