

THE SUCCESS OF PRESIDENTIALISM? BREAKING GRIDLOCK IN PRESIDENTIAL REGIMES

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*SUMMARY: I. Introduction. II. Divided Government Record.
III. Non-Institutional Factors and the Sustainability of Democracy.
IV. Road-Clearing Mechanisms. V. Conclusion. VI. Bibliography.*

I. INTRODUCTION

In 1970, Chile's President Allende was elected with just 36 percent of the vote and was supported by approximately the same percentage in the Congress. In spite of this limited support, he tried to impose radical economic and social changes. The Congress, logically, opposed his efforts. Moreover, when the social tension grew, neither Allende nor the Congress could deal with the problems since each blocked the other's initiatives. Thus, divided government very much was to be blamed for the resultant 17 years of dictatorial rule. More recently, when Fujimori tired of battling what he called an "obstructionist Congress", he simply shut their doors. These types of events led analysts to caustically criticize divided government and presidentialism in general. But despite the pessimistic forecast, Latin American democracies have shown that divided presidential regimes can sustain themselves and even progress toward asks the questions that consolidation. This paper the pessimists have neglected from their analyses. In particular, we discuss how various presidential regimes have generally avoided one particular problem —the possibility or even probability of gridlock— that Linz and others stated as cause for democratic breakdown.

Presidentialism critics generally highlight the likelihood executive-legislative gridlock as (or at least one of the) the key problems with this institutional option. Often focusing on one case, Chile in 1973, they begin

with the questionable assumption that separation of the legislative and executive branches leads to more tension than when the branches are fused. Further more, presidential systems have no mechanisms to deal with the tension and therefore the result is the gridlock. This, they conclude, is almost equivalent to democratic breakdown. While we agree that parliamentarism may have helped Chile to avoid breakdown (and the start of those 17 years of harsh dictatorship) in 1973, we do not agree that a turn to parliamentarism could have been the sole mechanism that could have prevented the coup. A form of parliamentarism, it must be remembered, had been tried and mostly failed in Chile (1891-1924) and Brazil (1889-1930 and 1961-1963).¹ In Brazil it was attacked as “a permanent system of rivalries... antagonisms, ...and permanent crises” (Torres, 1933). Similarly, Campos (1969) blames the combination of multipartism plus the Chilean Parliament’s control of ministers for the democratic breakdown of 1924. He links the tremendous turnover in cabinet posts (530 ministerial changes in the 33 years of parliamentarism) to the period’s “inefficiency and sterility” (p. 263). That is, parliamentarism can breed gridlock too. Further, if Chile had employed a two-round presidential voting system in 1973, for example, Allende probably would not have won the election. These examples imply that the general operation —or maybe even the success— of presidentialism is a function of the party system and the details in the makeup of their institutions.

Our point of view relies on the debate on presidentialism *versus* parliamentarism. Whilst this debate has done little by way of convincing Latin American democracies to move towards parliamentary forms of government, it has prompted more systematic research on the institutional aspects which determine how presidentialism works. Our efforts are squarely set within this scheme as we look at institutional mechanisms and incentives that steer legislators and executives away from gridlock. While we agree that systems that divide the executive and legislature can end thus, we argue that in spite of divided government throughout most of Latin America, gridlock and its supposed partner, democratic breakdown, are exceptional. Our argument is that

¹ Both of these cases are generally termed parliamentary, though the Chilean and later Brazilian cases were either semi-parliamentary or weakly presidential. In neither case could the executive close the legislature nor could the legislature issue a vote of confidence and remove the president. The earlier period in Brazil was a constitutional monarchy.

- a) Executives and legislators actively seek to avoid gridlock to protect their own interests and
- b) That the countries' democratic founders built into their constitutions various tools which (generally) the executives can employ to avoid this type of problem.
Further, we argue that
- c) Gridlock is a policy choice: the *status quo*.

As such, gridlock is not necessarily a problem and is not a synonym for democratic breakdown, as Linz and others appear to assume. It is only a problem for those who favor change and thus there are not necessarily more losers here than under a more decisive system in which change is implemented against the will of the opposition. As a result, we are not convinced that systems in which gridlock occurs will be more prone to democratic demise than those systems in which the opposition cannot preserve the *status quo*.

Others have already engaged this argument (see Horowitz, 1990; Mainwaring, 1990; Shugart and Carey, 1992) and our principal goal is not to take sides. Instead, we take for granted the existence of the presidential systems and highlight some important differences among them. The factors we discuss influence the likelihood of conflict as well as the interest in compromise and solutions by either helping the branches avoid the other's radblocks or by tilting the power balance and incentive structures in ways that reduce the direct conflicts between presidents and legislators. We do not go so far as to suggest the optimal inter-branch balance, but we do discuss specific institutional rules that affect bargaining incentives and the ability of one lawmaking branch to overcome disapproval of its counterpart.

The paper is divided into five sections. In the remainder of this introductory section, we discuss the problematic definition of gridlock and conclude that the proper variable to study is divided government. The second section examines policy performance and the rates of democratic breakdown in Latin America as a function of divided government. Finding that gridlock is not the only cause of the region's troubled past or recent move to consolidation, the third section looks for other explanations for the success or failure of democracy. The discussion focuses on region-wide, non-institutional factors that have helped all of Latin America build their democracies in the 1980s and 1990s. The penultimate sec-

tion then examines those incentives and institutional mechanisms by which gridlock is either dealt with overcome, or circumvented. Here the paper also draws on the United States presidential experience, which has been much neglected in the comparative studies of Latin American presidential systems. The fifth section is dedicated to the conclusions.

Gridlock as a Variable

In order to examine its causes and effects, it is necessary to define and operationalize our primary variable of interest: gridlock. Generically we think of gridlock as a resultant *status quo* policy that is not the interest of either the executive or the legislature. But if we consider this definition spatially, we find that it imprecise and untenable. Figure 1 a shows that in two dimensions the two players must be on opposite sides of the *status quo* to generate a situation in which the executive and the legislature will veto each other's policy proposals. This hypothetical example could represent a case in which the president wanted to cut spending (to P) while the legislature wanted an increase (to L) for a policy that had a guaranteed funding level (say the previous year's budget, SQ) if no changes were enacted. In this case, if the president and the legislature must both agree on changes, no one will occur since each prefers the *status quo* policy (SQ) to any point the other branch would suggest. It is a stretch to label this situation "gridlock," however, since *each* player prefers the *status quo* policy to acceptance of the other's position.

Figure 1b attempts to represent the negative consequences of gridlock. Here if the president and legislature cannot come to agreement, the new policy makes both sides worse off. But the model also suggests that the two sides have tremendous incentives to negotiate and choose a policy between P and x². This, therefore, is not a model of gridlock.

² The actual choice of policy will depend on which player controls the agenda. If the legislature defines the policy options, then the choice will be a point x, which is epsilon less distant from P than SQ. If the legislature is dealt a take-it-or-leave-it option from the president, the legislature will be forced to accept point P.

Figure 1a

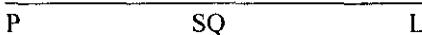


Figure 1b



Figure 1a, then, represents the Chilean situation, with the president pulling the country to the left and the legislature to the right. Neither side could implement their plans and thus the *status quo*, with increasing strikes, riots, and economic distress, was “implemented”. Rather than accept the *status quo* (or any point closer to P) which was far from their ideal point, the rightists overthrew the system.

While this simple model captures (though grossly oversimplifies) the Chile's political situation in 1973, the model is untenable as a definition of gridlock, since the chosen policy, SQ, is the mutually agreed upon choice. The imprecise definition of gridlock that Linz and others use assumes that both players are made worse off by the imposition of the *status quo* than they would have been if one side imposed a policy. Figure 1a clearly shows that this not true. Figure 1b depicts a situation in which both sides would be made worse off with the SQ policy, but this figure cannot represent gridlock either, since here we would expect the players to seek common ground and avoid the *status quo* policy.

Gridlock, therefore, does not explain Chile's fall from democracy's grace; polarization does. Left and right had very different ideas about how to solve the country's turmoil; the left (including their president, Allende) wanted to push towards socialism and the right (here represented by the legislature in which only one-third supported Allende) wanted to clamp down on unions. Even if both sides had been centrists the *status quo* may have won over any offer of negotiation, but as they moved apart, the *status quo* became increasingly less acceptable. In short, the second best option was so far from the rightists' first preference that a new option, the military (M), came into play (Figure 2).

Figure 2: Chile in the 1970s

P	SQ	L	M
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Since gridlock is such an imprecise concept it is difficult to blame it for bringing down democracies.³ Moreover, as we argued above, imposition of either side's policy (in Chilean case or the generic ones depicted in figures 1a and 1b) would bring about just as much (or more) discontent as would the gridlock-resulting (SQ) policy.

Still, Linz, Mainwargin, and others forcefully argue that development is hampered and democracy is imperiled when the legislature prevents the president from implementing his programs.⁴ Thus, in spite of the term's imprecision, it is important to operationalize and study gridlock. Implicit in Linz's critique (and explicit in the clarifications by Mainwaring and others) is that the diverging interests or desires of the president and legislature result when different parties control the executive and legislature. Therefore instead of using the ambiguous term gridlock, in this paper we will operationalize gridlock as divided government.

II. DIVIDED GOVERNMENT RECORD

Interest in gridlock as well as presidentialism more generally was inspired by the waves of democratic breakdowns in Latin America and Africa. Following periods of harsh dictatorships and some long transitions, most Latin American countries restored and now seem to have consolidated new democratic systems. These relatively stable governments

3 We have also considered an alternative way to diagram gridlock, but without much success in operationalizing the variable. In this alternative, we assume a two-dimensional space in which the president and legislature have distinct policy options to resolve a common problem. If the policy options are sharply contrasted, however, the players may not be able to identify the contract curve (i.e. room for negotiation) that would allow them to improve their situation relative to the *status quo*. For example, if one side favors moving towards socialism and the other towards open markets to resolve poor economic growth, compromise might be difficult. The options do not even necessarily have to be starkly disparate, if political gains are part of the players calculus.

4 As we argue below, parties jockeying for electoral victories might block a deal with the opponent for electoral gain, even though compromise could help their policy interests.

4 The reverse is also possible, but in most of Latin America the presidents initiate most policy.

have not only survived, but many have flourished in spite of (or maybe because of) partisan divides between the congress and the executive.

1. *Democratic Breakdown and Survival*

This fact, that many divided governments survive, is often lost due to the cases of fights between presidents and rival legislative parties that have led to democratic breakdown. Further, the opponents of presidentialism seem to neglect the numerous cases where unified governments have fallen. The following table shows that and legislative divided government (a.k.a. gridlock) are no more likely to lead to democratic breakdown than are unified governments.

This test (which we present below) is, of course, not without its weaknesses. First, a president's party does not necessarily imply unqualified support for their fellow partisan. This is particularly clear in the factionalized parties of Colombia and Uruguay, but also holds for personalistic politics that characterize parties in Brazil, Ecuador, and other countries. Second, choosing among time periods and regions biases the answers, as seen in the exchanges between Linz (1990, 1994) on one side and Shugart and Carey (1992) on the other.⁵

Still, the grave concern about the relation between divided government and democratic breakdown merits the comparison. In the table we categorize all democratic governments⁶ this century in South America for which we could gather data according to their majority or minority status and compare this with the number of successful coups.⁷ Overall, we identified

5 In response to Linz's argument that coups were much more prevalent in presidential countries, Shugart and Carey showed that extending the data back to 1900 yielded many more parliamentary coups.

6 Defined as an elected president or his constitutional successor when that president resigned for reasons other than military pressure (e.g. health). In some cases that we include suffrage was relatively limited. We still include these cases as they can still generate majority or divided government.

7 A successful coup is one in which a democratically elected president was forced to surrender power. There are complications, however, in defining these coups and there is limited data about the legislative support of many presidents. As a result, where we have found no actual legislative seat data, we have relied on historical accounts of executive-legislative relations (sources are cited in the footnote of the table). For the coups, is was often unclear whether a president resigned of his own free will or during a coup. For example, *The Electoral Encyclopedia of Latin America and the Caribbean* does not classify the resignation of Chilean president Figueroa (1925-1927) as a coup. He resigned, however, in response to military pressure. Similarly, the *Encyclopedia* classifies Ecuador's president Velasco Ibarra as a resignation although it notes that the "...War Academy demanded his resignation". We have classified these and similar instances as coups as we are trying to document anti-constitutional ends of democratically elected governments. A complete list of the coups is in the appendix.

70 elections that resulted in periods of majority rule and 83 elections that led to minority rule. Unlike what the critics of presidentialism would lead us to expect, there has been almost no difference in the likelihood of a coup dependent on majority/minority status. The high number of coups certainly points to a problematic history, but the data also imply that we should be careful in putting too much blame on minority governments or gridlock for this pattern.⁸

Table 1
Divide Government and Coups*

	Majority	Coups*	Minority	Coups*
Argentina 1916-95/ ^a	14	3	17	3
Bolivia 1956-93/ ^b	5	2	8	3
Brazil 1945-94/ ^c	3	0	8	1
Colombia 1930-90/ ^d	24	1	3	0
Chile 1920-1995/ ^e	0	0	16	3
Ecuador 1901-96/ ^f	12	4	12	2
Peru 1963-1995/ ^g	2	1	6	3
Uruguay 1920-1994/ ^h	7	1	8	2
Venezuela 1947-93/ ⁱ	3	0	4	0
Totals	70	12	82	17
		17%		21%

* Where possible this takes account of both Lower and Upper Houses. If a president faces a minority in one House (such as Alfonsin) the period is termed a minority government. Summing the majority and minority columns give the total number of legislative elections. Thus presidents who face two different congresses are counted twice. Years used are those where legislative seat data were available. Coups are only counted when successful in removing democratically elected presidents. See appendix for details on which coups were included.

8 One possible response is that divided governments break down due to gridlock and that majority governments break down due to their winner-take-all character. While this would be consistent with Linz's argument, it neglects the fact that many majority and minority governments have survived (about 80 percent), and it begs the question of why politics have been so conflictual in these countries.

^a Includes both a majority and a minority government for Menem who had a majority between 1989 and 1997, when he lost the majority. Further, his presidency started with less than majority after Alfonsin's resignation. Counts coup against Castillo in 1942, who had assumed the presidency after the elected president, Ortiz, became sick. ^b Includes coup after 1980 election of Siles Suazo (minority) who was elected but prevented from taking office until 1982. Also Barrientos (majority), elected in 1966, though ruled somewhat as military government. The 1969 coup of his successors is also included (Barrientos died in a plane crash). Not counted is coup/counter coup period of 1978-1980, nor 1951 when the military prevented the president from taking office. ^c If we were to include 1930-1945 we would have one more majority coup, 1930, when Prestes was overthrown by Vargas. We would still exclude Vargas's auto-coup of 1938 since he was not elected (new constitution in 1934 appointed him president) ^d The National Front period (1958-1974) is counted as four minority governments. The one coup occurred after the heretofore majority party abstained from the 1951 elections, giving the president's party 100% of the Congress. Note also one attempt, in 1944, against a majority government ^e Includes Figueroa (minority government, coup) who served as a puppet of Ibáñez before resigning. Also includes Montero (minority government, coup) took office after Ibáñez was exiled, but then called elections and won. ^f There were coups in 1925 and 1937 against presidents who had won 93 or 80% of the vote respectively. I therefore suspect these were majority governments, but lack the data for verification. ^g Includes Fujimori's majority congress after his auto-coup ^h Includes Terra's self-coups as minority (though he had 49% of his party and the coup was done in conjunction with the principal faction of the other party). ⁱ There were two attempted coups in 1992, against a minority president, Carlos Andrés Pérez. Pérez was later impeached and removed from office on corruption charges.

Sources: Nohlen, Dieter (ed.), *Enciclopedia Electoral Latinoamericana y del Caribe*, Costa Rica, Instituto Interamericano de Derechos Humanos, 1993; Crisp, Brian, "Presidential Behavior in a System with Strong Parties: Venezuela 1958-1995"; Gamarra, Eduardo A. y Malloy, James M., "The Patrimonial Dynamics of Party Politics in Bolivia", en Mainwaring and Scully, The Georgetown Latin American Political Database.

If instead of this longer historical record we look at contemporary Latin America, we see tremendous success in spite of divided government. Table 2 categorizes the South American countries and the United States according to whether they currently have divided or unified governments, and also shows how long each of the countries have lived under democratically elected governments. It shows that there have been few recent cases of unified control in the Americas and, with the exception of Peru, all have held several successive presidential elections since the mid-1980s. Only Peru's three-year old regime has avoided at least one period where the president was from a different party than the majority of each House of the legislature.

Table 2
Current Divided Control in South America and the United States

	Years Democratic	Current partisan support of president (April, 1998)
Argentina*	14	Minority
Bolivia**	15	Divided (Coalition Government)
Brazil	12	Divided
Chile	8	Divided (Opposition Senate)
Colombia	39	Unified
Ecuador	12	Divided
Paraguay	5	Divided
Peru	3	Unified
Uruguay	13	Divided
United States	222	Divided
Venezuela	39	Divided

* Alfonsin resigned a few months before the end of his term in 1989

** Siles Suazo resigned one year early, in 1985

Since the 1980s, the only instance of actual regime breakdown in Latin America has been Peru in 1992. In large part we can attribute this breakdown to divided government in that Fujimori closed the Congress having failed to overcome executive-legislative conflict. Divided government has also pushed other serious institutional crises over the last two decades (Brazil under Collor de Mello, Bolivia under Siles Suazo, Guatemala under Serrano, Ecuador under Bucaram, Venezuela under Perez, and the government shutdown in the US under Clinton), but regime breakdown has not occurred, and in fact constitutional solutions were sought to resolve these critical situations. In two of these cases the presidents resigned before the end of their terms,⁹ and if we include Nixon who resigned before an imminent impeachment, three presidents have been impeached and one removed for his “emotional state” (Ecuador). These cases, however, show the *durability* of democratic presidential regimes. In spite of strong

9 Siles Suazo in Bolivia in 1985 and Alfonsin, after the 1989 elections but before the official date on which he should have left office.

social and constitutional challenges, these countries did not succumb to a new wave of military rule, but instead, found ways to maintain themselves within a democratic framework.

2. Polices and Performance

In addition to democratic sustainability, we need to evaluate divided governments according to policy choice and outcomes. There is an important disjunction between policy and outcomes, but a brief consideration of the relation between divided government and economic performance is still instructive. From our cursory review, there is apparently no relation between economic growth or stagnation and divided or unified government. The worst recent economic situation in the US occurred under unified control in the 1970s and we had strong growth under divided control in much of the 1980s and 1990s. Venezuela's divided government saw poor economic growth from 1979-1984, but the previous (1969-1974) and following (1989 to 1998) divided governments have been at least as successful as the last unified government. And similarly, the divided governments that continues to rule in Brazil ended hyperinflation and returned the country to economic growth.

A more direct test is to evaluate the influence of divided government on policy choices. Our view is that gridlock —that is a resulting *status quo*— has been more an exception than a rule as government have instituted significant reforms to their social security systems, central bank policy, and even the constitutions while under divided government.

In Brazil, in spite of the president's very limited partisan support in the legislature, presidents have implemented important policy changes. Sarney faced “little congressional opposition” in his first one and one-half years in office, and a large number of laws and decrees were passed during the rest of his tenure as well (Mainwaring, 1997, p. 92). Collor, who ran against Congress and therefore had very little support, also implemented wide-ranging policy changes. True, these presidents' economic packages were muddied by patronage, but their successor, Cardoso, implemented a true stabilization plan (the Real plan), again in the face of a Congress that did not support him. Further, the Congress recently approved a reform allowing Cardoso to run for a second term of office.

The case of Mexico at the state level is interesting as well. While the PRI lost its national control of government for the first time in 1997, at

the state level divided government has been common in the 1990s. Lujambio (1997) finds that divided rule in these states, however, "has not produced constitutional crises nor permanent paralysis" (p. 14).

In Argentina, Alfonsin (1983-1989) implemented great economic changes while lacking control of at least one house of the congress and during Menem's term we have seen a complete restructuring of the economy, a constitutional reform, and innumerable other changes. The outcomes and outputs of the Menem years show clearly that divided government does not necessarily lead to stalemate or economic ruin. After the 1989 elections but before his term had officially expired, Alfonsin resigned. Menem then came to office facing an opposition-controlled congress. During this short lapse he formulated and put into practice his economic program that ended the hyperinflation and led to several years of impressive economic growth (Chart 1, p. 118). Menem's Justicialista Party supplied the crucial votes on his policies, but more importantly, the Radicals abstained instead of actively opposing the program or preventing the necessary quorum (a common practice in Argentine politics).¹⁰

One of the most interesting cases of executive-legislative disagreement comes from the US. When Reagan, who wanted to increase defense spending at the expense of social programs, clashed with the Democrats who wanted the opposite, the result was a deal (to increase both) instead of continued stalemate (see McCubbins, 1991). We are still paying the consequences of this budget-busting deal, but this example shows that two directly opposed parties will not necessarily lock heads. In 1995 Clinton and the Republicans did close the government over differences in budget priorities. The result of this conflict, however, shows that standoffs are not necessarily regime threatening problems. The military, the regulators, and much of the rest of the bureaucracy continued their functions; only "non-essential services", such as national parks were closed. Moreover, as explained below, this angered constituents and as a result, the two sides have subsequently come to agreements.

Due to the problems associated with these tests, we are not inclined to make strong claims about the effects of presidentialism or even divided government on democratic performance or breakdown. The data do, however, allow us to claim that divided government has not always been associated with the types of problems Linz and others expect. Coups occur

10 We thank Mark Jones for providing these details.

when political leaders lack the will to compromise, not because presidentialism sets up insurmountable obstacles. Further, we argue below that the differing brands of presidentialism found in Latin America all include important incentives and mechanism that help their countries avoid gridlock.

III. NON-INSTITUTIONAL FACTORS AND THE SUSTAINABILITY OF DEMOCRACY

Though our primary purpose is to argue about the role of institutional features in avoiding gridlock, there are also contextual factors that have helped to preserve democracy in the 1980s and 1990s. Therefore before entering into our institutional argument, we briefly review a number of structural changes that are supporting democracy today, be it of a presidential or parliamentarian style.

Huntington (1968) and O'Donnell (1973) argue that democracies breakdown when politicians, working within the limits of their institutions, cannot handle societal, economic, or what may be generally termed "structural tensions". Mainwaring (1990, 1993) and Linz (1994) add that inter-branch tensions are also problematic. Currently, the structural situation seems rather favorable for democratic sustainability and with very few exceptions, the recent experience of presidential democracy in Latin America has been generally successful. In some countries, these modest successes (modest in terms of the still unresolved problems of contemporary Latin American democracies) are occurring even though the constitutional design has not changed from what was in place prior to the regime breakdowns. There is then a strong case for arguing that the previous breakdowns of presidential rule reflected societal cleavages and levels of political polarization that arguably were beyond resolution within a democratic institutional framework of any kind.¹¹ The ideological polarization of the 1960s, the effect of the Cuban Revolution, and the Cold War context invited the possibility for not merely institutional or policy gridlock, but conflict between regime alternatives. Currently, there is

¹¹ The critics of presidentialism posit that parliamentarism could have averted, for instance, the Chilean crisis of 1973. However, parliamentarism did not prevent the Spanish Civil War in 1936, or the breakdown of the Weimar Republic in Germany. Moreover, it was a fight against parliamentarism that ended Brazil's democracy in 1964 and it is at least questionable of whether a Peronist controlled parliament could have avoided Argentina's 1974 military coup.

greater homogeneity regarding the desirability of liberal democratic forms of government around common economic models, which allows for the following conditions conducive to democratic stability. As such, before entering into the institutional debate, we find it necessary to point to those non-institutional conditions which currently favor democracy building (be it within a presidential or parliamentary framework).

Firstly, in global terms, the crisis of the left, and the fall of the Soviet block paved the way for a process of political moderation, the end of polarized political options and a rapprochement between the forces of the left and the center right (although at least for now, clearly in favor of the latter).

Secondly, the military authoritarian experiences left traumatic levels at various levels of society, and within the current political and economic elites of the dangers of future democratic breakdowns. Those sectors which in the past had supported the military coups as a temporary measure to put an end to economic and political crises learnt along the way that the military regimes presented different problems, and in many cases, obstacles to the developmental possibilities of these countries.¹²

Thirdly, the success of presidential democracy, linked to the above, also has to do with the reality of a “changed” political right, which now, and specifically in the context of liberal economics policies, shows a stronger commitment to democratic forms than in the past.¹³ The support of the right, and the economic and political groups that are represented by it, is essential for the survival of democracy, be it presidential or parliamentary (In the case of Spain, for instance, the right needed to feel represented for the democratic process to be successful). In addition, the international economic trends push for credible and reliable democratic institutions.

Fourthly, support for democratic rule by the US and the rest of the international community has changed considerably, both at the level of the US public and in the political discourse. Now, more consistently than in the past, the US embraces democratic progress and human rights policies. This is complemented by a global international pressure, which promotes democracy. No less important is the recognition by such institutions as

12 Chile is perhaps an exception in some senses.

13 Here it is perhaps important to stress that this support of the right is strongly contingent on the current hegemonic economic model. In the event of emerging alternatives to the current economic order it is possible to envisage the withdrawal of the right in its support for democratic rule.

the World Bank and the IDB that economic growth without democracy and socially perceived benefits is unlikely. This is clear from the millions of dollars spent on the reform and improvement of democratic institutions.

The significance of these factors cannot be over-stressed. Regardless of whether or not the executive and legislature are fused, now that ideological differences of the parties is reduced, the world financial markets are less tolerant of dictatorship, and both left and right fear a military take-over, there must be a decreased probability of democratic failure. But in spite of current stability of the presidential systems in Latin America, the critics of presidentialism have built a strong theoretical case against presidentialism.¹⁴ The structure may not always be so propitious and thus institutions must be a part of analyses considering the likelihood of breakdown for a given set of democracies.

IV. ROAD-CLEARING MECHANISMS

While we do not deny that gridlock has been a serious problem at times in some countries, we now follow Carey, Mainwaring and Shugart (Shugart and Carey, 1992; Mainwaring and Shugart, 1997; Carey and Shugart, 1998) in arguing that variance in the institutional characteristics of presidential systems affects the propensity for problems, if not breakdown, of divided presidential governments.¹⁵ Our starting point is the fact that while inter-branch squabbles have contributed to breakdown in some historical cases, there are many examples where conflict has been accepted, overcome or avoided —instead of leading to military alternatives. That is, in some cases divided governments have accepted the *status quo*

14 These theorists have clearly had a more visible impact on the theoretical and academic analysis of the new democracies than on practical decisions of constitutional design. Other than the constitutional plebiscite in Brazil in 1993 where the option of changing to a parliamentary system was put to the popular vote, no other Latin American regime has recently seriously contemplated the possibility of adopting a parliamentary mode. Nonetheless, the forceful critique of presidentialism made by a group of keen academic advocates of parliamentarism has had an impact on the academic institutional analysis of contemporary Latin American presidencies, and in a tangential way may have affected some constitutional choices. Linz, for example, was invited in an advisory capacity to Bolivia to suggest possible institutional reforms before the constitutional reform of 1994. Others have had impact on electoral rules such as Lijphart in South Africa or Shugart in Argentina and Eastern Europe - although the latter is not a critic of presidentialism.

15 These authors all focus on the president's partisan and legislative powers in their explanation. We fully agree with their arguments. We simply add to their argument by focusing on dispute resolution in the face of interbranch conflict. There is also a literature on these relations for parliamentary systems. See, for example, Huber (1996), Pasquino (1995).

(appeasing Madinos), while in others the government branches have either come to terms with one another or one branch has found ways to pass their policy programs in spite of opposition from the other branch. This section addresses the latter two outcomes. Here we detail numerous powers and incentives that have enabled presidents and legislators to either overcome or avoid serious inter-branch conflicts.

We primarily argue that a combination of common interest plus formal and informal powers increases the likelihood that presidents and legislatures will not veto each other's proposals. In short, if interests align the parties will negotiate, create pacts or delegate the necessary authority to resolve common problems. When interests are insufficient, constitutional powers as well as the control of resources and public opinion can help tilt the power balance such that one side can dominate the proceedings and evade a possible conflict. The importance of each factor is a function of the reason for the inter-branch disagreement (which determines interests) and the players' capabilities.

Why do executives and legislatures sometimes fail to reach agreements? There are two short answers: they either disagree on ideological grounds or they see political advantages in stopping the other's initiatives. Where they disagree on substance, the two sides can try to evade each other, or they must try to influence, cajole, buy-off, or compromise with the other side. To some extent they employ the same strategies when political considerations (apart from substantive interest) tell one side to veto the other's initiatives. Under these situations however, offers of pork or negotiated settlements may be much less effective since the legislators may see even greater access to the feeding through if they can position themselves or their party to win the presidency in the near future. Thus, analyses of actual or potential inter-branch conflict must first consider the players' incentives to work with or against their opposing veto player. Then we must add an analysis of the various formal and informal tools that help the two sides *a) deal with each other or b) avoid the opposing branch.*

1. Interest in Cooperation

A very common assumption in political science is that reelection or other career goals drive legislators. Others argue that at least some legislators are also interested in policy, though all recognize that legislators

must be reelected to pursue their other goals. In the post-dictatorship era we described earlier, it seems unquestionable that many legislators are also interested in democratic legitimacy or sustainability (without which they could not maintain their jobs). While it is obvious that interests in policy changes should foster inter-branch cooperation,¹⁶ reelection seeking and democratic sustainability also affect gridlock.

Reelection goals pull on legislators in two directions. In the first place, they incite legislators to highlight differences with the incumbent president, at least if he is of an opposing party. The electoral cycle heightens this affect. As elections draw near each side will likely become more critical of the other, stressing even minor differences in order to sell the voters on a distinctive image.

Reelection seeking may also work in favor of inter-branch cooperation, since “out parties” may see a need to portray themselves as a viable alternative. Surely “out parties” will continue to criticize the president, but constructive criticism and deal-making in which each side can claim some victories may be preferred to an obstructionist image that gridlock might foster, even by policy disinterested single-minded office seekers.

Though the US budget of 1995 did end in gridlock, this exception reinforces the logic. The Congressional Republicans and the Clinton White House were at odds over budget cutting measures. Both called for balanced budgets, but Clinton felt that the Republicans cuts were too drastic and the Republicans who had offered campaign promises of balanced budgets were unwilling to negotiate. When no agreement was reached, non-essential government services had to close down. The public was outraged and after a few weeks, the Republicans largely gave in to Clinton’s demands. The Republicans were clearly interested in both policy and reelection. Gridlock hurt them in both ways; not only did they fail to win large concessions from Clinton, with the fall in public opinion towards the “obstructionists”, the Republicans legislators jeopardized their reelection goals (though they did still win in 1996). As a result the Republicans have apparently learned that accords are a much better political strategy than gridlock.

Though often combative, Brazil under Collor represents another example of how interests may incite cooperation. Collor came to power as an

16 If one side is interested in retaining the *status quo* then there are no incentives for cooperation. However, this would not be an example of gridlock which we define as two opposed plans, neither of which can be implemented. If one side favors the *status quo*, then, that side wins the dispute.

anti-party president with minimal congressional support. He proceeded to pass numerous decree laws, raising the ire of Congress. He furthered the aggravation by re-issuing the decrees every 30 days, the constitutional limit of their effectiveness. In reaction the Congress organized a vote to prevent the re-issuance of decrees, and narrowly missed approving the bill. Collor continued to issue a few decrees afterwards, but not nearly as frequently. Most policy changes were henceforth negotiated with the Congress (and often greased with heavy doses of patronage). While his falling popularity may also help explain this shift of tactics, the shift also seems to signify that Collor sought more cooperation with the legislative branch for fear of losing his ability to implement policy goals.¹⁷

The other incentive that works towards inter-branch cooperation is an interest in democratic legitimacy and stability. Democracy requires at least minimal consensus and cooperation to ensure the survival of institutions and the rules of the game. Largely as the result of long periods of horrible dictatorial rule (or experience with democracy as in the US), political actors have come to appreciate the need for acceding to at least this level of cooperation. One way in which this recognition has manifested itself is in pacts and delegation of power from the legislature to the executive.

A. Pacts

Pact formation and coalition politics reflect and support interests of parties in presidential systems to cooperate with one another. Pacts come in two primary flavors: foundational pacts (often quite formal) which survive over time, and coalition politics or short-term legislative pacts designed precisely to overcome specific gridlock situations.

Perhaps the best two examples of the former are the National Front formed in Colombia and Venezuela's *Pacto de Punto Fijo*, both of 1958. In Colombia party conflict had manifested itself in tremendous violence, of which both sides finally grew so weary that they agreed to share power for sixteen years (1958-1974).¹⁸ Interestingly, the two parties created the potential for even greater gridlock, requiring approval of two-thirds of

17 See Mainwaring (1997) and Power (1998) for more discussion of this issue.

18 Though the pact ended the violence, it has been criticized on many grounds. Archer (1997) for example, explains that the pact led to a decreased capacity of the state to deal with serious problems.

the legislature for any policy changes. The pact, however, helped generate cooperation instead of conflict. In Venezuela the 1958 pact has been frequently invoked to improve inter-branch relations in that country (and it has been attempted on inter-country relations). For many years after the pact was signed the opposition participated in the cabinet and all legislatures, even those where a majority were not of the president's party have delegated emergency powers to the president (Crisp, 1998).

In other cases, parties have formed coalitions very similar to those found in parliamentary systems. In Uruguay, for example, the parties have often negotiated in the name of "governability". Currently, for example, the Colorados and the Blancos, who combine to hold two-thirds of the legislative seats, are in a coalition against the leftist *Frente Amplio*. The Colorados, who hold the presidency, gain since they have a reliable partner in passing their policies and the Blancos gain ministerial posts and policy influence. In Chile, pre-electoral coalitions are formed to ensure electoral success, and these last for the duration of presidential mandates. In Bolivia, since 1985, and after the fiasco under Siles Suazo where the country was immersed in political and economic crisis, the lesson has been that the executive needs to negotiate durable, post-electoral majority coalitions to ensure stable government (perhaps the most similar case to parliamentary coalition politics). Three successive stable coalition governments indicate that the parties in Bolivia see their interests best served by cooperative practices, and gridlock is avoided.

Finally, short-term or *ad-hoc* legislative pacts are also frequent. Brazil, especially under Cardoso, provides a clear example. The relationship between the Brazilian Congress and their executive is highly complex due to the unstable and undisciplined parties, but legislative pacts have ensured governability and effective political decision making —even constitutional reform.¹⁹ It might be argued that this is not too dissimilar to US legislative politics.

The dynamics of pact-making and coalition formation are intimately linked to the structure of electoral and party systems. How these interact and operate will create different kinds of incentive structures for parties to seek coalition-building or cooperative accords that will mitigate executive-legislative conflict (Shugart and Carey, 1992).

19 Achieving a constitutional reform which allows presidential re-election was no minor accomplishment for the current president.

B. *Delegate Budgetary Power (Contingency Funds)*

Presidents and legislatures also try to avoid gridlock and bottlenecks by providing presidents with contingency funds. While we have information on only three countries, Mexico, Brazil, and the US, it is likely that most, if not all presidents have such accounts.

To explain contingency funds we will use two polar cases from the democratic spectrum: the US and pre1997 Mexico. In the latter, the budget gave the president a large contingency fund that was largely hidden from public view. Much of these funds went for salary adjustments and debt relief and some were truly used for emergencies, such as drought.²⁰ The remainder of these funds, however, apparently went to serve presidential political ends.²¹ Though this last use had little to do with the need to speed up the legislative process, the other two uses did serve this purpose. It is important to note that the president and legislature included these funds in the budget in spite of the Mexican president's loyal support in the legislature that assures passage of his policies.

In the US, the president also controls a disaster emergency fund. This allows him to direct money due to natural or human disasters. The US president also has a more interesting, if not controversial, type of contingency funds. In early 1995 Mexico desperately needed a financial bailout and Clinton pledged to help. The legislature, however, was ill-inclined to support loans fearing that Mexico would default. Legislators were also wary of voter responses to what they called "a Wall Street bailout, not a Main Street bailout".²² When Clinton realized he could not pass the credits through the legislature, he accessed 20 billion from a currency stabilization fund, in addition to arranging \$17.8 billion in credits from the IMF and another \$10 billion in credits from the Bank for International Settlements (CQ Almanac 1995, 10-17). This obviously upset some members of Congress who tried to repeal the loans. Others, however, quietly applauded the president's action since they secretly approved of the plan and were able to avoid the vote.

20 Personal interview with ex-official from Mexico's Budgeting office. The source asked to remain anonymous.

21 See, *El presupuesto secreto del presidente*.

22 Rep. Duncan Hunter, cited in Congressional Quarterly Almanac, 1995, 10-16. Hunter was referring to the argument about how the credits would largely serve the US financial institutions to which Mexico was heavily indebted.

The contingency funds in both countries, as well as the US president's stabilization funds, are ultimately subject to legislative control. If the legislatures did not approve of their use, they could, at least in the case of the US, pass laws to rescind the payments.²³ They could also refuse to include these funds in future budgets. They continue to allow these funds, we believe, since they recognize the (at least occasional) need for swift presidential action.

C. Delegated Decree Power

Incentives also lead legislators to delegate lawmaking power to their presidents, effectively avoiding difficult passage in their own branch. Delegation is common in all presidential systems. In the US the legislators delegated negotiating power to the president for NAFTA (only retaining for themselves a final up or down vote), they routinely allow the bureaucracy significant latitude in administrative decisions (executive orders), and the president is allowed significant wiggle room in most foreign affairs. The "administrative decisions" are not without substantive impact. In 1998, for example, President Clinton issued executive orders affecting federal regulations concerning food warning labels, health care, juvenile crime, and medicare coverage. More dramatically, Lincoln used an executive order to set the slaves free and FDR used the same tool to set up the New Deal (*Los Angeles Times*, 7/4/98).

In Latin America delegation generally comes in the name of "decree laws". Carey and Shugart (1998) describe two basic forms of decrees: constitutional and delegated. The former type we will discuss below when we discuss formal gridlock-breaking powers. Delegated decree powers, fit squarely in the camp of gridlock evasion due to interest in legitimacy and democratic stability.

Generally without specifying among the types of decree powers, O'Donnell (1994) and others criticize decree powers for their centralization of power.²⁴ Where decrees powers are delegated by the legislature,

23 In fact, there were several attempts to recall the loans to Mexico.

24 Menem's use of decrees have been among the most strongly questioned. In addition to passing economic emergency laws, he has used decree powers to circumvent the legislature on many basic issues as well. (In one infamous case he passed an emergency decree to allow more soccer coverage on television) Moreover, there is little oversight for these actions as the courts decided that decrees had the same standing as laws and thus required a new law, subject to a presidential veto, to overturn them.

however, there are more virtues than vices. Delegation of power implies that the principal (in this case the legislature) does retain the right to oversee the agent's (here the president's) actions. In addition, they reflect the legislature's recognition of a problem that requires a quick, executive decision.²⁵

Many constitutions explicitly allow the president some lawmaking powers, at least for a limited time and with legislative oversight. There are multiple examples of legislators who, within their constitutional authority and apparently in recognition of the necessity to avoid gridlock or bottlenecks, endow the president with such powers. A first example comes from Uruguay where legislatures routinely allow (through an article in the budget bill) presidents to alter inflation indices throughout the year. With inflation ranging about 50 percent a year, this power effectively allows the president to control the budget. Other countries have allowed even wider decree powers. Following the return to democracy, Argentina faced tremendous challenges, both political and economic. The legislature was ill-suited to take the quick and decisive action that the voters (and the legislators) saw as necessary.²⁶ Some also argue that if the legislature were to become involved in the economic debates, the element of surprise so important to stabilization programs would be lost.²⁷ As a result, the Congress passed an enabling act allowing President Alfonsin to decree his stabilization plans.

Bolivia, Peru, Nicaragua, and Venezuela provide further examples. The Bolivian constitution gives the president the authority to declare a "state of siege" that augments his powers, but this declaration requires congressional consent, expires after 90 days unless there is a war, and cannot be renewed within the year without congressional approval (article 111). Similarly the new Peruvian constitution allows the legislature to modify or repeal these decrees without subjecting the changes to a presidential veto (Schmidt, 1998), and the Nicaraguan constitution allows the president the power to declare a "state of emergency" but only for a "determined time period." The Nicaraguan constitution also stipulates that a law will regulate these periods (article 185). Apparently, the Venezuelan

25 Delegation is also motivated by policy and reelection goals. In some cases policy interested legislators would prefer to make their own decisions and some reelection seekers should refrain from giving the president extra powers. In other cases, however, presidential decrees may help the legislators avoid blame for unpopular decisions.

26 See de Riz and Feldman (1991) who discuss the consensus on policy decisions at the time.

27 For a contrasting view of the value of stabilization, see Przeworski, 1995.

legislature has also realized the need for executive policy-making and thereby granted the necessary tools to the president. For example, the legislature gave Perez the power to enact wide-ranging reforms in response to the huge new oil revenues in the early 1970s (Geddes, 1991). Similarly, Betancourt was given powers to confront economic problems in the early 1960s and Lusinchi was given such powers to deal with the economic crisis of the mid 1980s (Crisp, 1998).

Our purpose in describing these cases is not to enter into the debate that O'Donnell started about whether decree powers alter the degree of democracy. Instead, we argue that delegative decree powers reflect legislators' recognition of the need to resolve political crisis and in so doing, reflect their interests in avoiding gridlock (or at least bottlenecks) and maintaining democratic stability.

2. Constitutional Mechanisms

In addition to the incentives that help resolve gridlock situations, presidents and legislators have numerous formal and informal tools to help them clear the legislative path. Linz' original argument was based on a stylized view of presidential systems in which presidents and legislatures were equally powerful. Shugart and Carey then showed that presidential systems are quite varied; some afford much more power to one or the other branch. These imbalances imply a winner instead of stalemate in inter-branch disputes.

In some cases the Congress has the upper hand. For example, if the Colombian legislators were truly fed-up with their relation with the president, they could change the constitution relatively easily without, it should be emphasized, presidential intervention.²⁸ In Venezuela the Congress does not have to worry about gridlock, since the legislature can override a veto with a simple majority vote. In other words, the Venezuelan legislature could govern without the president (and thereby the threat of gridlock) if it so desired. Similarly, the Mexican Congress can write the budget without subjecting it to the president's veto.²⁹

28 The Colombian Constitutions requires a 50 percent vote by two successive legislatures to change the document. It should also be noted that most other constitutions do not require executive input into constitutional change, but most require super-majorities and possibly approval by states for reform.

29 See Nava, Weldon and Yanez, 1997. Of course, until this year (1997) when the PRI lost control of the legislature this has never been much of an issue. It should also be noted that it is just the spending bill which does not go through the president's office. The revenue bill must be approved by the legislature and the president.

In other cases, however, it is the president who is able to find either formal institutional or less formal ways to overcome congressional obstacles. This sub-section will consider some of these presidential tools or what some might consider weapons. The formal weapons include urgency provisions, budgetary powers, and to an extent, constitutional (if not delegated) decree powers and executive orders. Informally presidents pressure legislators through their management of resources (including attractive posts for ex-legislators) and generating public pressures.

A. Urgency Provisions

While executives are (supposedly) decisive, legislatures are deliberative bodies. As a result, in addition to formal gridlock where one branch of government explicitly rejects the proposals of the other, presidential initiatives are often caught in bottlenecks. Sometimes these bottlenecks are truly the result of time consuming legislative deliberations coupled with a limited capacity to deal the numerous demands made by the executive, the public, political parties, and interest groups. Other times the bottlenecks are strategic; legislators may find it in their interest to tie up bills in committee instead of making explicit pronouncements. In response to this problem, many constitutions include “urgency provisions” that force, or at least pressure, the legislatures to deal with presidential requests.

Urgency provisions come in two basic types (Table 3). In some countries the urgency provision is simply an agenda-setting tool. For example, in Brazil, the legislature must deal with bills the president deems urgent within 45 days or they take precedence over every other legislative matter. In Colombia it is even more stringent as there is no waiting period, all urgent bills immediately take precedence over other legislation. Though these measures do not force the legislature to approve executive requests (ending gridlock), they effectively eliminate the bottleneck.

The stronger type of urgency provision also fails to necessarily end a stalemate, but it puts additional pressure on the legislature. In Chile and Uruguay if the executive declares a bill urgent, the legislature must make a pronouncement within a specified (short) time period; if it fails to do so, the bill becomes law.³⁰ This is also true in Ecuador, but unlike the former

³⁰ The Chilean constitution is a bit vague here. Though article 71 requires congressional action within 30 days, there is no explanation of what happens if the Congress fails to act. Article 49 states that if the president asks for urgent treatment of a matter, then the senate must act within 30 days or

two countries the Ecuadorian legislature can pass a bill which is *not* subject to a veto to rescind such legislation.

Table 3
Urgency Provisions: Mexico and South America

None	Agenda setting only	Bill becomes Law without Congressional Action
Argentina	Brazil	Chile
Bolivia	Colombia	Ecuador*
Mexico	Peru	Paraguay**
Venezuela		Uruguay

* The legislature can overturn these laws without subjecting their decision to a presidential veto

** The legislature can overturn these laws with a vote of 2/3.

Source: Elaborated from Constitutions available at the The Georgetown Latin American Political Database.

B. *Constitutional Decree Powers*

In addition to the delegated decree powers discussed above, many presidents are also endowed with constitutional decree powers which help them avoid a potentially obstructionist legislature (Carey and Shugart, 1998). Like delegate decree powers, constitutional decree powers come in many varieties; some constitutions grant presidents wide lawmaking powers while others limit the time that a decree will be in effect or the thematic areas in which the president can legislate. For example, the Brazilian constitution allows decree powers for only 30 days and the Peruvian constitution prohibits the president from emitting emergency decrees that pertain to taxes. In addition, as noted, some constitutions include mechanisms by which the legislature can repeal executive decrees. Though many complain of their abuse, presidents in most of Latin Ameri-

its assent is assumed. Since article 49 does not discuss the Lower House, and article 71 does not express a reversion point, there is at least room to argue about the fate of urgent bills.

ca (and arguably the US as well) have used some type of decree powers to avoid legislative bottlenecks or gridlock.

Perhaps the best example of a constitutional decree power comes from Argentina. Until the constitutional reform of 1994, decrees were not mentioned in their constitution. Since they were not forbidden, Alfonsin and in particular Menem, however, made great use of decree powers, both with and without explicit consent of the legislature. When the legislature challenged what they considered Menem's abuse this power the courts sided with the president. They ruled that if the legislature wanted to repeal a decree they would have to pass a law and subject it to a possible presidential veto. Brazilian legislatures have had similar problems in limiting presidential decrees. Though the constitution puts time limits on their effectiveness, several presidents have taken advantage of a loophole. The constitution does not discuss the reissuance of decrees and therefore presidents have instructed their staff to routinely issue decrees as they expire (Powers, 1998).

C. Budget Powers

The budget is largely an omnibus policy statement affecting policies crucial to all parties and branches of government. As a result, it is a highly contentious issue and therefore a likely area to generate gridlock. In fact, budget fights have led to a civil war in Chile and, as noted, in the US, the non-essential government services were shutdown for several weeks in 1995. These major fights, however, are an exception due to constitutional rules and the omnibus nature of budget bills.

Unlike the US, most Latin American constitutions allow the presidents more budgetary weight than the legislature (Table 4). They do so in two ways. First, only the Argentine and Mexican constitutions do not severely circumscribe the legislatures' ability to modify the executive budget. Under most other Latin American constitutions the Congress can only reduce executive proposals, and Peru and Chile explicitly prohibit any legislative initiative that increases expenses.³¹ Colombia and Ecuador offer examples of slightly less stringent provisions. In the first the legislature can only increase the budget with the consent of the executive, and in the

³¹ See papers by Baldez and Carey (unpub), and Jones (unpub), Weldon (1998) for more detail on budgeting in Latin America.

other, the Congress can only increase expenses if it also identifies a funding source.

Second, about one-half of the Latin American constitutions put important limits on legislative debate (Bolivia, Chile, Ecuador, Mexico, Paraguay, Peru and Uruguay). If the legislatures in these countries do not pass the budget on time, then the president's budget becomes law in four of these seven countries (and the law is vague for Ecuador and Mexico).

As with the case of the urgency law, the budget provisions do not necessarily end gridlock. Even under these provisions, as happened in the US, in 1995, the legislature could approve a budget that the president finds unsatisfactory and we would be left with an interbranch showdown.³² These provisions, however, do limit legislative maneuvers and prevent them from proposing budget-busting provisions that the president cannot accept. It is much less likely that the legislature would approve a budget that is too low for presidential approval (McCubbins, 1991). It is possible that a budget-conscious legislature (or one angry with the president) could drastically cut the president's favorite program. The nature of the budget bill, however, allows the president to battle back. By offering the legislature increases in their preferred programs, he should be able to win support for his programs as well.³³ McCubbins (1991) provides an interesting example. In the early 1980s Reagan wanted to increase defense spending at the expense of social programs. The Democratic Congress wanted the reverse. The result was not gridlock, but a (budget-busting) compromise to increase both programs and pay for it with debt. This is a critical case since it pits the two branches directly against one another. As a result, it suggests that budget compromises are more likely than budget gridlock.

32 We discuss this case in the section about incentives.

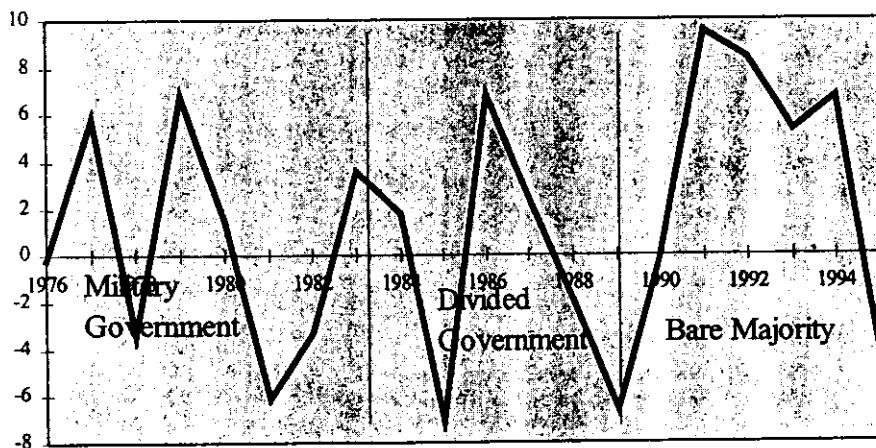
33 This is true to some degree for any legislation, but omnibus bills facilitate the deal-making. In omnibus bills both sides can guarantee that the other cooperates in the deal. As game theory teaches, if the bills are voted on sequentially, there should be more concerns about defection. It should also be noted that some legislatures have to be very wary of deals they cut with presidents due to the latter's partial veto powers. If they make a deal to increase resources for a program that the president cannot eliminate there is little problem. But if they try to create a new program to which the president is opposed, they are at risk.

Table 4
Congressional Budgetary Provisions

No Restrictions	Time Limits before Presidential Bill becomes Law	Restrictions on Amendments
Argentina	Bolivia	Bolivia
Mexico	Chile	Brazil
United States	Paraguay	Chile
	Peru	Colombia
		Ecuador
		Paraguay
		Peru
		Uruguay
		Venezuela

Source: Elaborated from Constitutions available at The Georgetown Latin American Political Database.

Argentina Economic Growth
(Constant Prices)



D. *Veto Powers*

Next in our (incomplete) list of mechanisms that can alter the power balance between the branches is the veto. In the US we assume that the branches are co-equal since the legislature can completely veto the president's initiatives and the president can set up very high barrier to impede the legislature's policy desires. Urgency provisions and decree powers help the president overcome the legislature's total veto. Altering veto override provisions can further help the president, or they work in the other way, lowering the barrier for legislatures to impose their will. The size of this barrier differs greatly across Latin America, implying important differences in the ability of one branch to impede the other.

Shugart and Carey have already detailed the differing veto powers across Latin America and thus it is unnecessary to do so here. It is worthwhile to point out, however, that we should not expect the Venezuelan legislature that can overturn a veto with a 50 porcent vote to complain of gridlock.

3. *Less Formal Road Clearing*

The final devices that can help presidents to push their policy initiatives past obstructionist legislatures are informal. The president is not officially granted television time or even unimpeded rights to name bureaucrats and direct public works projects. *De facto*, though, they are tools that can help sway the public and legislators.

A. *Control of Public Resources*

At least for some countries, even more important to avoiding gridlock than specific decree, urgency, budget, or veto powers is the president's (formal or informal) control over patronage resources. If the president can control candidate nominations, dole out bureaucratic jobs, or distribute public resources to the districts of key members of congress, he will often be able to buy the support he needs.

Amorin Neto and Santos (1997) discuss this issue for Brazil during their democratic period of 1946-1964. Their primary finding is that "patronage was the basic currency for political transactions" (pp. 7-8). Like Ames, 1987, who argues about the importance of particularistic resources in Brazilian congressional elections, Amorin Neto and Santo argue that

politicians are more interested in reelection than ideology or national policy. As a result, control of patronage resources determines voting patterns in the legislature.

In some cases actors other than or in addition to the president, such as governors (Samuels, 1997), local bosses or *caciques*, or labor leaders control these types of resources and therefore they are important to executive-legislative relations. We know of no country, however, where the president is unable to grease the legislative wheels where necessary. The degree to which this is an effective tool is an unanswered empirical question, but our belief is that it plays a tremendous role in determining the success of many presidential initiatives.

Access to state resources provides, in fact, a powerful incentive for opposition parties to seek cooperation with the president. The post-electoral coalition politics of Bolivia, whilst certainly linked to the electoral system for the presidency, nonetheless has much to do with retaining access to state patronage. In fact this may explain why the post-electoral coalitions in Bolivia, which since 1985 have lasted for almost the entire presidential term, have been so enduring.³⁴

B. Public Pressure

A final informal tool for breaking gridlock is fomenting public pressure or what Kenell (1986) calls in his analysis of US presidential politics “going public”. Presidents have a privileged place in the media to which even leaders of Congress can seldom accede. Kernell explains that US presidents have been quite successful using or manipulating public opinion to support their causes. This analysis could surely be applied to the Latin American presidents who constantly resort to mass media tactics to muster public support for their initiatives.

Presidents (or legislatures) can also go public via plebiscitary instruments. Two cases of constitutional reform through plebiscites stand out. In 1991, the Colombian president called for and received plebiscitary approval of a constitutional convention and reform, though the constitution clearly gives the Congress sole rights to constitutional revisions. The se-

34 It is in this sense that the Bolivian presidential system is not all that hybrid. To the extent that it has a parliamentary mode this is momentary and only for the election in Congress of the president. Beyond this moment, successful coalition politics which avoids gridlock is the result of informal incentives, such as access to state patronage.

cond example comes from Brazil in the 1960s. Goulart had taken office under a new constitution that limited his powers significantly. In an effort to restore some of his office's prerogatives, he mobilized parts of the army and public opinion. He even threatened to close the Congress if they failed to approve his reforms, which they finally did. It must be noted here that although Goulart did successfully use public opinion to force through his policy initiative, the cost were very high, as the mobilized public was one contributing factor to the downfall of democracy in 1964.³⁵

In addition to these extraodinary plebiscites, Uruguay, for example, incorporated the referendum in the Constitution of 1967 as part of the normal recourse to political decisions. On several occasions, they have resorted to referenda to decide politically delicate or difficult decisions. The most notable case was perhaps the referendum on how to deal with the human rights violations under military rule. More recently (1996), voters approved an important constitutional reform.

V. CONCLUSION

The recent Latin American and much longer term US experience suggests that presidentialism in all its varieties may be capable of providing solutions to the problem of gridlock. This paper suggests that there is no single institutional design that works best for presidentialism. Rather it is the case that for each country setting, taking into consideration a variety of institutional and non-institutional factor, different mechanisms help prevent gridlock in the relationship between congress and executive. This is not intended as a defense of presidentialism, but rather as an attempt to offer some explanation regarding the relative success of recent presidential experiences.

Given a particular international context, currently conducive to democratic advancement, it would appear that the political actors of presidential systems actively avoid gridlocking situations. Gridlock can be avoid-

35 The 1993 plebiscite was accorded in 1988 as a popular decision mechanism to decide the nature of the Brazilian political system, but it was above all an extraordinary foundational mechanism to legitimize the transition process. The 1988 Constitution does provide for the mechanisms of referendum, plebiscite and popular initiative as more routine mechanisms of public decision-making, however, these have not yet been regulated by normal legislation, nor have they been used. Moreover, the constitution is unclear as to the distinction between the three mechanisms.

ed either through cooperative means (i.e. compromise or delegation of power), or through institutions which allow gridlock to be circumvented altogether. Regarding the former, cooperation is the result of both institutional arrangements and non-institutional incentive structures that push actors in contexts of divided government to work together. And regarding the latter, there are institutional means by which executives in presidential systems can override or evade the Congress. This is arguably a "democratic" trade-off, but in balancing the two sides of the trade-off, we must consider the survival of democracy. Moreover, given that it is very unlikely that the Latin American countries will move towards parliamentary forms of government, the point is to strengthen the viability and durability of presidentialism with a view to democratic consolidation.

The paper does not aim to justify the problems of "delegative democracy", but rather to understand more fully those institutional and non-institutional mechanism by which presidential democracy can be made to work. Moreover, the object has not been to identify specific institutional mechanisms which ensure presidential stability, but to highlight how different combinations of institutional mechanisms in different country settings can yield governable presidential democracy. In short, the trade-off between a strong, representative legislature and a strong, efficient president is not stark. A suggested future research agenda is a systematic and formalized examination of these institutional combinations.

The challenge for presidential democracies in the long term lies firstly, in the internalization of minimum levels of cooperation among political actors such that they become the *only* alternative in dealing with gridlock or critical moments which naturally will beset any democratic process; and secondly, in the effective implementation of those institutions which limited the perils of gridlock and facilitate the government and policy-making process. What we may be witnessing currently in Latin America is precisely the routinization of both processes that are necessary for the survival of presidential democracy.

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Appendix Coups

Year of election/coup	President	Percent of President's Party in	
		Lower House	Upper House
Argentina			
1930/	Irigoyen	62	
1942	Castillo	30.4	
1954	Peron	91.0	100
1962	Frondizi	28	56.8
1966	Ilia	35.4	
1973	I. Peron	50.6	56.5
Bolivia/c			
1964	Paz Estenssoro	85.9	
1966	Barrientos/a	80.4	66.7
1978	Pereda/l	Annulled	Annulled
1979	Guevara Arce/l	Annulled	Annulled
1980	Siles Suazo/2	36.2	37.0
Brazil			
	Goulart	26.6	26.7
Chile			
1920/24	Alessandri/b	<50	
1925/27	Figueroa/3	>50	
1973/73	Allende	35.3	
Colombia			
1953	Gomez	100	
Ecuador			
1924/25	Córdova	>50	
1934/37	Velasco/Páez/5	>50	

1940/44	Arroyo	>50	
1960/61	Velasco	<50	
1961/63	Arosmeña/4	51.5	
1968/70	Velasco/6	11.3	
Peru			
1945/48	Bustamonte/7	>50	
1962/62	none/8	<50	
1963/68	Belaunde	35.2	44.4
1990/92	Fujimori	17.8	22.6
Uruguay			
1930/33	Terra/10	49	
1938/42	Baldomir	64.6	50
1972/1973	Bordaberry	41.4	45.2

/a While a majority, Gamarra and Malloy (1995) call it "fractious", p. 405.

/c We have excluded 1951 which led to the 1952 revolution since source differ on congressional makeup. Klein reports that the president won 39,000 of 54,000 votes, but Nohlen reports just 41%.

/1 Appointed after annulled election.

/2 Not allowed to take office until 1982.

/3 Resigned due to military pressure.

/b Loveman calls Alessandri's majority a "shaky coalition majority" but Campos (1969) says that Alessandri won an "ample majority in both Houses".

/4 Coalition.

/5 Velasco was elected with majority support, but called a constituent assembly and resigned. After a first interim president stepped down, Paez took over, declared himself dictator, and then was overthrown by the military.

/6 Elected in 1968, proclaimed self as dictator in 1970 following election 2 weeks earlier. No data are available for the 1970 election; the data shown are from 1968. Presumably Velasco did not win a majority in 1970 (Velasco was defeated by military coup 1972).

/7 Elected with explicit support of the APRA who won a parliamentary majority. Their turn to opposition precipitated the coup.

/8 In the 1962 election no candidate received sufficient votes to win the election outright. While the Congress was debating the outcome, the military installed itself as governor.

/10 Auto-golpe.