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# How Much Has the Game Changed?

Revisiting Policymaking in Latin America a Decade Later

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## **Abstract\***

In the early 2000s the Inter-American Development Bank launched a visionary and influential research agenda that dramatically improved understanding of the policymaking process (PMP) in Latin America. It did so by detailing the role played by key actors in the PMP and how those actors interacted to produce public policy throughout the region in general, and, via the publication of a volume in English and an updated version in Spanish, in eight countries (Argentina, Brazil, Chile, Colombia, Ecuador, Mexico, Paraguay, Venezuela) in particular. This paper reviews the degree to which these eight country-level analyses still accurately portray the actors and their role in the PMP today. It concludes that in a large majority of the countries the analysis is still broadly valid and accurately describes the political institutions and actors who are pivotal for the policymaking game, although in some areas the original analysis would benefit from revision and update.

**JEL classifications:** D72, D78

**Keywords:** Policy processes, Policy formulation, Policymaking process

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## 1. Introduction

*Policymaking in Latin America: How Politics Shapes Policies* (2008) and *El Juego Político en América Latina: ¿Cómo se Deciden las Políticas Públicas?* (2010) have had a profound impact on our understanding of political institutions and the policymaking process in Latin America. The overall project was quite unique for its time in that it combined outstanding scholarly research by leading economists and political scientists using cutting-edge methods with a conscious and clear-cut goal of providing valuable insights and information for the broader policy community: domestic, foreign, and multilateral. In all, the project in general and these two volumes in particular provided a novel and effective bridge between the world of ideas and the world of action.

Together, the two volumes (the original 2008 English edition and the 2010 Spanish translation and minor update) are among the very most influential books on political institutions, politics, and policymaking in Latin America. The books serve as staples in undergraduate, masters, and doctoral classes across the globe while simultaneously representing some of the most frequently consulted sources by analysts, corporate executives, diplomats, journalists, policymakers, politicians, and others when they want to know who the key political actors in a country are, what their role in the policymaking process is, and how the policymaking process in a country or group of countries functions more generally.

The genius of the volumes and the broader research agenda undergirding them is the impressive ability to take the best from the disciplines of economics and political science and apply it to the concrete and important goal of understanding the design and functioning of the policymaking process and policy outcomes in eight of Latin America's most important polities. The intellectual and practical contributions of the volumes are vast and undeniable. Yet, the original chapters were written more than 20 years ago (circa 2006), in many cases using datasets (especially those involving non-electoral data) that only went through the first years of the current century. When the chapters were translated into Spanish for the 2010 publication some modest updates (circa 2009) were incorporated into the revisions, but almost none of the core data analysis was updated and extended and the additional information provided in the country chapters of this second volume is best thought of as an addendum more than a true revision or update.

In the eight sections that follow I review the country chapters one by one. To guide the discussion I utilize the institutional template provided in Carlos Scartascini's Chapter 2 in *Policymaking in Latin America* (2008), "Who's Who in the PMP: An Overview of Actors, Incentives, and the Roles They Play," in order to examine the extent to which the description of each country's political institutions and its policymaking process contained in the respective chapter still accurately characterizes those institutions and that process today. The seven main components of this template (some of which have multiple sub-components) are: i) The Executive Branch, ii) The Legislative Branch, iii) The Judicial Branch, iv) Federalism and Subnational Authorities, v) Political Parties and Party Systems, vi) Bureaucracies, and vii) Other Institutions. Each section ends with a brief summary conclusion.

## **2. Argentina**

This section provides a review of the chapter on Argentina: "Political Institutions, Policymaking Processes, and Policy Outcomes in Argentina"/"Un País Sin Rumbo: Como Se Hacen las Políticas Públicas en Argentina" by Pablo T. Spiller and Mariano Tommasi. The chapter is based primarily on insights and analysis of Argentine politics in the 1990s and 1980s along with a more limited historical focus on prior democratic (and authoritarian) periods. It effectively ends its discussion at the dawn of a new political era in Argentina, the Kirchner era (2003-2015).

Following the collapse of the government of President Fernando de la Rúa (1999-2001) in late 2001 and a series of presidents during December of that year, former two-term Province of Buenos Aires governor (and 1999 Peronist presidential candidate) Eduardo Duhalde was elected in a joint legislative session to complete the remainder of De la Rúa's four-year presidential term. President Duhalde helped stabilize the country and put it on the track to recovery, but a series of incidents left him politically unable to run in the 2003 presidential election. His Plan B was then to back Néstor Kirchner in the 2003 presidential contest. At the time, Kirchner was the governor of the sparsely populated Patagonian province of Santa Cruz. Kirchner was elected president and two years later definitively cemented his status as the undisputed leader of Peronism in the 2005 midterm elections, a title he retained until his death in 2010 when the mantle of leadership passed to his spouse, President Cristina Fernández de Kirchner, who was first elected president in 2007, then re-elected in 2011. Fernández was unable to seek a third term in 2015 due to a combination of Argentina's constitutional limit of

two consecutive terms in office for presidents and Fernández's lack of the super-majority support in Congress needed to begin the constitutional reform process.

In the 10 years that have passed since the original chapter was written, its principal critique of Argentina's oscillation between hope and despair has continued to ring true. Argentina's sub-optimal economic performance can be linked at least in part to its choice of economic policies that in turn are heavily influenced by the characteristics of the political institutions and policymaking process in the country.

## ***2.1 The Executive Branch***

The description of the Argentine executive branch in the chapter corresponds by and large with reality today. There have been no major transformations in the president's constitutional powers, or until recently their partisan powers, and the rules governing the election of both the president and the legislature in the general election remain the same.

There are though four relevant changes that merit mention. First, during the Kirchner era the role of the Argentine state in the economy expanded via increased intervention, regulation, and nationalization/confiscation. Second, as the national government coffers (share of revenue) grew proportionally, the federal government's ability to pressure provincial governors (and their legislators in the national congress) rose, with an ensuing increase in the president's power vis-à-vis the governors in the country's federal system. While the broad contours of the federal fiscal game detailed in the chapter remain the same, the advantage enjoyed by the federal government in its interactions with the provinces is now somewhat greater. Third, in December of 2015 Mauricio Macri replaced Fernández de Kirchner as president. Macri, however, assumed office with a legislative alliance that did not have a majority of the seats in the Chamber of Deputies and was a distinct minority in the Senate, a minority status that was even more severe if the unit of analysis is shifted from Macri's electoral "Let's Change" alliance to his own Federal Proposal (PRO) political party. It is still (only 11 months into Macri's four-year term at the time of writing) too early to know if Macri's minority coalition government will be successful, but it is without question a novelty for the Argentine political system. Fourth, in 2011 Argentina first utilized mandatory (for parties) and compulsory (for voters) open primaries for the nomination of presidential and national legislative candidates, a process that subsequently was repeated in 2013 and 2015, and will be in force in 2017 as well.

## ***2.2 The Legislative Branch***

The chapter examines legislative organization, political careers, the pivotal role of provincial party bosses, and candidate selection. By and large, the Argentine Congress remains an institution dominated by amateur legislators who are at the same time professional politicians. That is, while members of congress on average only serve one term in office, an overwhelming majority of the one-term members remain active in politics after leaving congress, via the pursuit of elected or appointive positions at the federal, provincial, and/or municipal levels. As a result of the relatively brief sojourn in congress by most legislators, there continues to be a lack of specialization and investment in developing legislative expertise, legislative careers are short, re-election rates are comparatively low, and provincial party bosses play an important role in determining both who represents their province in congress as well as how those legislators behave while in congress.

The country continues to have a bicameral legislature, and the rules governing the election of the legislators as well as the apportionment of the seats in the Argentine Chamber of Deputies and Senate remain unchanged. The one major electoral law reform that was enacted since the chapter's publication was the adoption of mandatory and compulsory open party primaries for presidential and national legislative offices. Tentative evidence suggests that this reform may have weakened the influence of provincial party bosses over the election of national legislators by taking control of the timing and actual running (including vote counting) of primary elections out of the provincial bosses' hands, by expanding the size of the primary electorate, and, in some instances, by nationalizing the primary process.

In sum, the original analysis and conclusions regarding the legislative branch remain accurate. However, the data on legislative committees, political careers, re-election rates, and the influence of party bosses dates back to the late 1990s or early 2000s, and while the general trends still hold, it is not possible to know at the present time if the trend lines have risen, fallen, or held constant during the intervening years. In addition, the adoption of mandatory open primaries has likely had an adverse impact on the power exercised by provincial party bosses over legislators, with the change of potential relevance for understanding the incentives and behavior of the individual members of congress. Lastly, while Argentina is in some respects a graveyard littered with failed political reform proposals, it would appear that the sun is actually setting on the country's continued use of the archaic party-supplied ballots ("*lista sábana*"), with

there existing a reasonably high likelihood that future federal elections (beginning in 2017 or, more likely, in 2019) will be conducted using some type of electronic Australian ballot that (depending on the exact format adopted) could weaken the ties binding together candidates across different elections in a province, with the impact of coattails diminished and the incentives for legislators to pursue a personal vote strengthened.

### ***2.3 The Judicial Branch***

The chapter's discussion of the judicial branch was relatively limited, focused largely on the brief tenure of Argentine Supreme Court justices. At least to date, the chapter's depiction of the Argentine Supreme Court remains relatively accurate. However, since the publication of this chapter, the lower federal courts in Argentina have in some respects become more active both in terms of serving as a check on political power and as serving as allies of those in power.

### ***2.4 Federalism and Subnational Authorities***

As the chapter makes crystal clear, it is impossible to interpret and understand Argentine politics and policymaking without a clear and accurate knowledge of its federal system. As mentioned above, during the Kirchner era (2003-2015) the balance of power leaned more to the side of the federal government than in previous years (with consequent changes in "The Federal Fiscal Game" described by the authors) as a result of the growing concentration of fiscal resources in the hands of the executive, and the more pronounced degree of intervention by the federal government in the market economy. Added to that was the status of the Kirchners as the undisputed leaders of the Peronist Movement (to which all but a handful of the governors belonged) during the latter 10 years of their reign in power. With the arrival of President Mauricio Macri in December of 2015, the pendulum has begun to swing back toward the provinces as a result of Macri's stronger belief in market forces and support for the country's federal constitution, combined with his need to obtain the support of many Peronist deputies and senators, who tend to respond to provincial party bosses (especially in those provinces where the governor is a Peronist) in order to promote his legislative agenda.

### ***2.5 Political Parties and Party Systems***

On one hand, many of the basic building blocks of the Argentine party system did not change over the past ten years, such as the timing of presidential and legislative elections and the

electoral methods utilized to elect the president, senators, deputies, and most provincial executives and legislators. On the other hand, when the chapter was written the Argentine party system was in the midst of a period of deinstitutionalization and denationalization that was accelerated by the crisis of 2001, and has deepened and become more severe during the subsequent years. The value of the historic Peronist and Radical party labels diminishes with each passing year, and politicians increasingly vault from one political group to another, with political careers that are increasingly independent of any formal party organization. Temporary alliances are now the norm, and often do not even remain cohesive between the date of their formation in the fall (austral) and the actual election in the spring (austral). There is also often little consistency in alliances across provinces, where parties are rivals in one province and allies in another. Moreover, there is increasingly little correspondence between the electoral lists voters place in the ballot box in October and the congressional delegations that form in December, let alone the membership of those delegations as the deputies' (four-year) and senators' (six-year) tenure in office progress.

In the midst of the denationalization and deinstitutionalization of the country's two traditionally dominant political groupings, Peronism and the Radical Civic Union (UCR), the past dozen years witnessed the foundation and rise of the country's first new relevant and viable national political party in more than 60 years, President Macri's Republican Proposal (PRO). At present, the PRO's success is inextricably tied to the figure of Macri, but it has achieved a level of national prominence and influence unrivalled by any party other than Peronism or the UCR in the past 70 years, controlling the governorships of the Province of Buenos Aires and the City of Buenos Aires (de facto governor) where almost one-half of the Argentine population resides, as well as possessing deputies and senators who represent more than a dozen provinces.

In sum, the Argentine party system has changed considerably over the past ten years. It is less institutionalized, less nationalized, more fragmented, and at least in regard to Peronism and Radicalism, less programmatic. At the same time, over the past dozen years a new major party has emerged, PRO, which is more programmatic than its rivals and has the potential to supplant the UCR as Argentina's principal counterweight to Peronism, all while potentially "absorbing" some portions of Peronism into its ranks.

## ***2.6 Bureaucracies***

The many ills associated with the Argentine bureaucracy described in the chapter continued during the Kirchner era. Not only did the existing bureaucratic institutions expand in size (the number of public employees in particular), but they also expanded in scope as the government assumed a greater role in the Argentine economy.

## ***2.7 Other Institutions***

The overall democratic context in Argentina has remained relatively unchanged since 2006. During the mid to late 1980s, 1990s, and early 2000s (with the exception of a short blip associated with the economic and social crisis of 2001), Argentina's democracy was rated as "free" by Freedom House, a rating it has retained during the 2006-2016 period. And, overall, no significant changes have taken place in the "Other Institutions" category. The one partial exception to this general conclusion would be a recognition of the notably larger state presence in the market economy, especially in regard to the impact this change has had on the incentives undergirding policy and regulation of the energy sector, public utilities, and transportation where the federal government is currently a major actor (e.g., YPF, AySA, Aerolíneas Argentinas).

## ***2.8 Conclusion***

In sum, Argentina is a good example of a chapter where the broad conclusions reached by the authors are today still valid and go a long way towards accurately describing the institutions and actors who are pivotal for the policymaking game in Argentina. That said, a sufficient number of changes have occurred in some areas such that the accuracy of the original depiction varies depending on the specific institution and policy in question.

## **3. Brazil**

This section provides a review of the chapter on Brazil: "On the Road to Good Governance: Recovering from Economic and Political Shocks in Brazil"/"En el Camino hacia un Buen Gobierno: Recuperación de Impactos Económicos y Políticos en Brasil" by Lee J. Alston, Marcus André Melo, Bernardo Mueller, and Carlos Pereira. The chapter underscores the manner in which Brazil's fragmented multi-party system has required Brazilian presidents to build post-electoral coalitions in order to govern. The chapter highlights how the country's presidents have

been by and large successful in this task, albeit at the cost of compromise on policy and power and the use of state resources to “buy” support, a practice which has been exposed by the far-reaching and consequential “Operation Car Wash” corruption investigation and the ensuing fall out from that investigation. Since the chapter was first written, it would appear that Brazil must have gotten lost somewhere down the road to good governance, with the country’s political system today in the midst of a significant crisis.

### ***3.1 The Executive Branch***

Overall, the chapter’s description of the Brazilian executive branch and of the process by which coalitions are formed, maintained, and managed has held true through the subsequent presidencies of Michel Temer (2016- ) and Dilma Rousseff (2011-16); in addition to President Lula da Silva’s second term (2007-11). As Dilma’s case lays bare however, and this is something that the chapter only partially touched on, a major source of the success of Brazil’s coalition-governments was tied to the ability of two presidents, Fernando Henrique Cardoso (1995-2003) and Lula (2003-2011), to manage their respective coalition governments. Cardoso and Lula internalized management costs and kept conflicts largely out of the public eye and managed their coalitions by reshuffling their cabinets, making policy concessions, and delivering pork. And, by and large, they were successful. In contrast, Dilma employed a more centralized model of cabinet governance that placed limits on inter-party agreements and made her government more vulnerable to crises, especially given the ideologically heterogeneous composition of her governing coalition. Dilma’s second administration in particular has highlighted that while coalition government has generally worked amidst Brazil’s feckless and fragmented political party system, at least in this specific instance it has failed, resulting in her impeachment as well as a more general crisis in governance.

At the time of the writing of the chapter a potentially major amendment to Article 62 of the Constitution was still relatively green and unstudied. This reform (Amendment 32) eliminated the president’s ability to re-issue presidential decrees (prior to the reform decrees could be reissued indefinitely without a congressional vote), but simultaneously forced Congress to take a position in favor or against the decree within 45 days, or see the decree go to the top of the legislative agenda and become the equivalent of a blocker bill. Thus, while the initial view of this reform was that it would reduce presidential power, a revised position is that it may have

strengthened presidential power. This is especially true in the period before 2009 at which time Michel Temer (then the Speaker of the Chamber of Deputies) limited the scope of the type of decrees that could become blocker bills.

In sum, the chapter's general review of presidential power and coalition government in Brazil still holds today. However, the personal, political, and economic failure of Dilma's second presidency has removed some of the luster from the Brazilian coalition-based model of governance. At the same time, there have been changes in the Brazilian political party system and the president's constitutional powers that have potentially altered the powers, role, and incentives of the pivotal actors examined by the authors.

### ***3.2 The Legislative Branch***

Brazil's highly fragmented, personalist, only modestly programmatic, weakly institutionalized, and relatively denationalized political party system is widely seen as a hindrance to effective governance in the country. This dysfunction is most clearly observed in the Brazilian Congress. While Brazil has enjoyed successful governance during a majority of the past three decades, this success is more likely in spite of its hyper-fragmented legislative party system than because of it. And, of course, as Operation Car Wash has revealed, a contributing factor to this past success was a significant amount of political corruption.

Over the past dozen years a few new partisan actors have arrived and a few existing partisan actors have changed, but the overall fragmented nature of the country's party system has remained. It is not entirely clear that the legislative party discipline and practices, which the authors highlight as one of the key factors allowing for presidential success, have remained unmodified since the publication of the original chapter, nor what the impact of changing uses by the executive of federal funds and state block amendments has been on party switching and legislator behavior more generally, nor whether or not the party system has become more programmatic.

### ***3.3 The Judicial Branch***

Overall, the coverage of the judiciary in the chapter continues to provide a good description of this branch. The Supreme Federal Tribunal (STF) remains the most pivotal judicial actor in Brazil. The rules of the game that affect the STF's role in the policymaking process remain

relatively the same as those described in the chapter. The STF has exclusive jurisdiction over constitutional matters related to direct actions of unconstitutionality; declaratory actions of constitutionality of federal and state laws or administrative acts, and actions of unconstitutionality by omission. One exception to this general pattern of continuity is a 2015 reform that increased the age of mandatory retirement from 70 to 75, with the politically relevant short-term impact that five current STF justices who would have been forced to retire can now stay on the bench until they are 75.

The chapter underscores the STF's independence from the executive branch, and as contemporary evidence of that point, the STF has in recent years found itself playing a pivotal role in both the corruption investigation of hundreds of members of congress and dozens of government cabinet ministers, as well as in the impeachment of President Rousseff. While the STF enjoys a relatively positive public image, the Brazilian judiciary more generally is considered by the public and elite to suffer from corruption and efficiency-related problems.

### ***3.4 Federalism and Subnational Authorities***

The chapter's description of the country's federal system, and of the relatively limited power of governors over legislator behavior in congress, remains relatively spot on. Governors continue to play an important role in the political career pathway of politicians and the Brazilian states remain very important actors within the broader policymaking process given the substantial autonomy endowed in them by the 1988 Constitution. But, as the authors mention (and more recent research has echoed), over time the Brazilian states have become less autonomous and more dependent on the federal government.

A question that emerges from a review of politics in Brazil today is the extent to which the trend in the reduction of state autonomy has continued, plateaued, or receded since the chapter was written. In addition, over the past dozen years we also have witnessed a growing popularity of federal-municipal partnerships, which, by and large, bypass the state governments in the area of social policy. This new "municipalization" model has likely circumscribed the ability of governors to use social policy to fuel and support their patronage machines. It has hence potentially resulted in a reduction in gubernatorial power and altered the relative roles of the federal government and of the state governments in the Brazilian policymaking process today, bolstering the former and weakening the latter.

### ***3.5 Political Parties and Party Systems***

The Brazilian political party system continues to generally conform to the characterization in the chapter. The party system remains among the most fragmented in the world, and most, though not all, of the principal parties active during the time the chapter was written remain alive and well today. As mentioned above, however, there are questions on the degree to which the broader party system has become more programmatic and the extent to which there have been changes in the level of discipline, cohesion, and institutionalization of the parties at both the federal and state level.

### ***3.6 Bureaucracies***

The Brazilian bureaucracy today continues to conform to the authors' description of being an important institutional actor but also one over which the president possesses a considerable amount of influence as the result of his/her appointment of top officials (DAS 4 to 6). While appointments to the top-tier positions focus on influencing policy and exercising control over the bureaucracy, appointments to the lower tier positions (DAS 1 to 3) tend to have as their goal the provision of political patronage. It is unclear to what extent a 2005 decree declaring that a higher proportion of appointments had to be based on merit has affected the authors' portrayal of the Brazilian public administration, although the most likely scenario is that it has not altered the broader politically motivated trends detailed in the chapter.

One topic that could be investigated more fully is the role played by political appointments in the bureaucracy in the establishment and maintenance of the country's governmental coalitions. Another is an analysis of variance in the prevalence of political appointees and lower level patronage positions in different ministries. For instance, it has been suggested that the Ministry of Foreign Affairs (Itamaraty) and Ministry of Finance tend to have few political appointees and patronage posts, while other ministries such as the Ministry of Agriculture tend to have a plethora of them. And, it is also possible that different political parties and coalition members have access to disproportional numbers of high-level political appointments and low-level patronage positions.

### ***3.7 Other Institutions***

The broader democratic, economic, and societal context in which Brazil's political institutions function has remained largely unmodified compared to a decade ago when the chapter was written. One major change has however been the growing public discontent with the country's endemic political corruption and the existence of considerable pressure to both punish corrupt officials but also effect institutional reforms to reduce the incentives and ability for public officials in the future to engage in similar corrupt behavior. For the present time it is an enigma if the current crisis will result in a profound change in the status quo, or, if after a few sacrificial lambs have been sent to the altar, it will be business as usual (with some cosmetic changes to mollify the public). The answer is relevant for the Brazilian policymaking process given the role that political corruption has played in making Brazilian government work within the context of the country's fragmented and individualistic political system.

### ***3.8 Conclusion***

The original Brazilian chapter's description of the key political actors in the country's policymaking process is still relatively current and accurate. The chapter's present-day limitations lie in its depiction of the functioning of coalitions in the country and the related topics of party discipline in the congress and executive-legislative relations.

## **4. Chile**

This section provides a review of the chapter on Chile: "Political Institutions, Policymaking Processes, and Policy Outcomes in Chile"/"Juego Político Cooperativo. Instituciones, Procesos Políticos, y Características de las Políticas Públicas en Chile" by Cristóbal Aninat, John Londregan, Patricio Navia, and Joaquín Vial. Among Latin America's political systems, Chile has for the past two dozen years been the region's golden child. Among the eight countries examined in the volume, Chile without doubt had the system that most closely approximated that needed to produce an optimal policymaking process. Of course, as the authors pointed out, the Chilean system was not perfect, but in Latin America it was as close to perfection as one could find, both then and now.

The authors highlighted four salient institutional characteristics that significantly influenced the policymaking process in Chile during the first two decades of the post-Pinochet

era: one, a party system consisting of two closely knit and stable coalitions (one on the center-left and one on the center-right); two, a chief executive in possession of considerable agenda-setting power; three, a policymaking process replete with veto players; four, an independent judiciary and non-corrupt and reasonably efficient bureaucracy.

Reflective of Chile's stable democratic institutions and robust democracy, it is perhaps not all that surprising that the depiction of the key political actors and their role in the policymaking process circa 2006 (and 2009) continues to do an expert job of describing the key political actors and their role in the policymaking process in 2016. An exception to this description of continuity lies in a potentially major electoral reform that will first be in force in the November 2017 congressional elections, to be held concurrently with the 2017 presidential contest. This reform, which will be discussed in more detail below, could potentially sow the seeds of destruction of Chile's model political system, but it could also merely alter how and when coalitions are formed rather than dramatically altering the essence of current Chilean party politics and policymaking. The 2017 campaign will provide some initial signals regarding which of these (or more intermediate) pathways Chile will follow, with the 2018-2022 period serving as the proving ground for what could be a new era for political parties and coalition governments in Chile.

#### ***4.1 The Executive Branch***

The description of the executive branch and presidential powers contained in the chapter remains relatively current today. The passage of time and increase in the number of years of democracy, in particular the sole post-1989 presidency of a non-Concertación/New Majority coalition president (the presidency of Sebastián Piñera between 2010 and 2014), only provide us with more confidence in the robustness of the chapter's findings and conclusions.

In sum, the Chilean president retains the substantial agenda-setting powers that formed one of the four pillars of the Chilean model described by the authors. If anything, a 2005 constitutional reform (Law 20,050) and its implementation increased the already substantial powers of the Chilean president. This reform repealed one of the vestiges of the Pinochet-era constitution that denied the president the power to remove the commander and chief of the Chilean Armed Forces and to remove the general director of the Chilean National Police (Carabineros). With the reform, the president now possesses this authority.

At the same time, the years subsequent to the publication of the chapter experienced the same type of stable coalition government witnessed during the period covered in the chapter. The Chilean political party system remained dominated by two stable programmatic coalitions, one on the left and center left and one on the right and center right. These electoral coalitions also served as the respective governmental coalitions of the presidents elected during this period: Michelle Bachelet (Concertación: 2006-10), Sebastián Piñera (Coalition for Change: 2010-14), Michelle Bachelet (New Majority: 2014- ).

#### ***4.2 The Legislative Branch***

The legislative branch remains an important veto player within the Chilean political system. The description of the legislative branch, ranging from the electoral rules and their impact on the formation of electoral and governmental coalitions to the internal functioning of the Congress, remains quite accurate. As predicted in the chapter, the 2005 constitutional reform that eliminated the institutional senators (another vestige from the Pinochet era) has allowed the Concertación/New Majority coalition to possess a majority of the seats in the Chilean Senate.

While the effective number of legislative parties measured using the coalition as the unit of analysis remained relatively constant during this period, the 2013 election witnessed a significant increase in the effective number of legislative parties using the party as the unit of analysis. This increase was primarily the product of a decision made by the New Majority coalition (née Concertación) to formally incorporate the Chilean Communist Party (PCCh) into the coalition, which allowed the PCCh to bolster its presence in the Chamber of Deputies.

#### ***4.3 The Judicial Branch***

The Chilean judicial branch continues to perform its role as a strong check on the executive branch, albeit one that is not actively involved in the design and passage of legislation. The Chilean Supreme Court remains the final and most important of these judicial/operational enforcement institutions. Supporting roles in checking the executive branch and other institutions continue to be performed by the comptroller general and the constitutional tribunal, the latter of which saw its powers enhanced by the 2005 constitutional reform.

#### ***4.4 Federalism and Subnational Authorities***

Chile continues to be a unitary state where power is concentrated in the national government. The president continues to appoint the leaders of the country's 15 regions (up from 13 following the 2005 constitutional reform). The only elected local authorities are mayors and city council members, who play a relatively modest role in the Chilean policymaking process.

#### ***4.5 Political Parties and Party Systems***

The Chilean party system in 2016 is very similar to the Chilean party system of 2006. This is both true in regard to the two main coalitions as well as their main constituent members. One exception to this general continuity is the above-mentioned move by the PCCh from outside of the Concertación to inside of it (now New Majority). Another exception is the rise of the Progressive Party under the figure of Marco Enríquez-Ominami (a former member of the Socialist Party, which forms part of the Concertación/New Majority coalition). While unsuccessful in the legislative elections due in large part to the now defunct binomial electoral system (see below), Enríquez-Ominami has demonstrated considerable national popularity, winning 20 percent of the vote in the 2009 presidential election and 11 percent of the vote in the 2013 presidential election. But, overall the very stable Chilean political system continues to have the same major actors enjoying relatively similar levels of popular support compared to a decade ago.

While all four of the pillars that have together supported the successful Chilean policymaking process have remained the same in the years following the publication of the chapter, a 2015 reform has the potential to dramatically change one of them: a party system consisting of two stable and closely knit coalitions. The binomial electoral system (two-member electoral districts with seats allocated using the d'Hondt allocation formula, combined with an open list format) employed to elect members of the Chilean Chamber of Deputies and Senate between 1989 and 2013 created powerful incentives for the formation and maintenance of two strong and stable electoral coalitions. As a result, while the Chilean political party system is highly fragmented among more than a half dozen relevant political parties, the negative effects of this fragmentation have been ameliorated by the need to form and maintain coalitions occasioned by the binomial electoral system.

This binomial system has been criticized from a variety of optics. Some critics have objected to its ties to the country's authoritarian past and de facto effect of providing the center-right coalition (by design) with an electoral bonus. Others have centered their barbs on the barriers to entry the system created for parties that do not belong to the two main coalitions. And, finally, others have been critical on the difficulty to implement effective gender quotas under the binomial system and the consequent limited representation of women in the Chilean Congress.

In 2015 the binomial electoral system met its demise. It has been replaced by a more traditional proportional representation system, very similar to those utilized by a majority of the countries in the region.

The Chilean Chamber of Deputies increased in size from 120 to 155 members, who now will be elected from 28 multi-member electoral districts, ranging in size from 3 to 8 seats, with a mean district magnitude of 5.54 and a median of 5. Four out of every five deputies will be elected from districts with 5 or more seats. The d'Hondt formula will continue to be employed, as will the open list format.

The Chilean Senate also increased in size, from 38 to 50 members, who now will be elected from districts corresponding to the country's 15 regions, with districts ranging in size from 2 to 5 seats, and with a mean district magnitude of 3.33 and median of 3. The d'Hondt formula will continue to be employed, as will the open list format.

This electoral reform occurs within a context where the first round of the presidential election will continue to be held concurrently with the legislative elections, and where the president will still be elected using the majority runoff formula. The use of the majority runoff formula in combination with medium to large multi-member PR districts tends to encourage higher levels of legislative fragmentation than is the case when the plurality formula is utilized, especially in instances where the president is not eligible to run for immediate re-election (as is the case in Chile).

The experience of other presidential systems, both in Latin America and elsewhere in the world, suggests that the 2015 electoral reform will either in the short or medium term weaken or splinter the two existing coalitions which have been a mainstay of Chilean politics since the return to democracy in 1989. The reform also significantly lowered the barriers to entry for new parties to succeed in the electoral process. As a result, the cement that has played a pivotal role in binding this crucial pillar of the Chilean policymaking process since 1989 has been weakened

by the 2015 reform. The only question is to what extent and whether the three unchanged pillars are sufficiently strong to keep the Chilean policymaking process operating at the same levels of efficiency and success that we have become accustomed to for more than two-dozen years.

The first signals regarding the future of Chile's two established coalitions will be provided during the 2017 campaign season. The first question revolves around whether or not the two leading coalitions retain their present composition in 2017, or if we will see a splintering of one or both coalitions. Also relevant will be whether or not one or more viable new partisan groups (e.g., Progressive Party, Future Direction, Broad Front), either alone or in alliance with defectors from New Majority or Let's Go Chile (née Alliance/Coalition for Change), will be able to grow and enjoy electoral success in the legislative elections. And, finally, the electoral reform also increases incentives for the splintering of parties within a coalition, with the prospect of former members of one of the traditional coalition parties forming a new party that stays within the coalition, thereby increasing the level of intra-coalition fragmentation.

In 2018, when the next Chilean president assumes office, they are likely to do so with a presidential legislative contingent (based on their electoral coalition) that is smaller than that of their predecessors, especially the Concertación/New Majority predecessors, but also Piñera and his Coalition for Change. Depending on their situation, the next president may need to form a different type of governing coalition than past presidents.

On one hand, it is important to keep in mind that these two stable coalitions are only one of the sources of Chilean policymaking success. And, while the electoral reform weakens the electoral seat allocation incentives to maintain the coalitions, it does not destroy them nor eliminate other incentives, both electoral and governmental, to sustain the coalitions. On the other hand, the incentives which have provided the foundation for the maintenance of the two major coalitions have been weakened, which, has at least increased the probability that one or both coalitions will see some of their members leave and (albeit much less likely at the present time) that the coalitions will cease to exist in their present form. Furthermore, it is unquestionable that the barriers to entry for new political parties and actors have been lowered, and thus it is extremely likely that the 2018-2022 Chilean Chamber of Deputies and Senate will be significantly more fragmented (using the coalition as the unit of analysis) than any prior legislative party system in the current democratic era. This suggests that the next president's

support in congress is likely to be below, or at best, at the nadir for a Chilean chief executive during the current democratic period to date (1989-2016).

#### ***4.6 Bureaucracies***

The Chilean bureaucracy has historically been among the most competent, efficient, and honest in Latin America. That continues to be the case. Similarly, while the country's public administration does suffer from rigidity and a tendency to be overly procedural in organization and focus, it does appear (anecdotally) to have improved on those dimensions over the past ten years.

#### ***4.7 Other Institutions***

The democratic and societal context in Chile has remained relatively unchanged over the past ten years. The Chilean population continues to enjoy robust levels of civil liberties and political rights within a context where the rule of law is exceptionally strong and corruption is extremely limited in scope. Following the 2005 constitutional reform, the national security council (COSENA) is no longer a significant veto player within the Chilean political system.

#### ***4.8 Conclusion***

Of the eight country chapters, the Chilean chapter does the best job describing the current key actors in Chilean politics and the current Chilean policymaking process. Chile provides a model for Latin America in regard to its comparatively successful policymaking process. Three of the four pillars identified by the authors supporting this success remain bedrock in 2016: a powerful chief executive with strong agenda-setting powers, a competent and honest judiciary and bureaucracy, and a broader political system with multiple veto players. The fourth pillar, the country's stable two-coalition dominated party system, is also quite strong today, but the 2015 electoral reform could potentially weaken or destroy it in the future, raising the pivotal questions of both the impact this reform will have on the structure and functioning of these coalitions, and, if the impact is significant, what this means for the broader functioning of the Chilean political system and its policymaking process.

## **5. Colombia**

This section provides a review of the chapter on Colombia: “Political Institutions and Policy Outcomes in Colombia: The Effects of the 1991 Constitution”/”Efectos de la Constitución de 1991 Sobre la Formulación de Políticas Públicas en Colombia” by Mauricio Cárdenas, Roberto Junguito, and Mónica Pachón. The original chapter concentrated its focus on understanding the principal actors in the Colombian policymaking process and the impact that the landmark 1991 Colombian constitutional reform had on the policymaking process in general and in particular on the positive and negative effects of the 1991 reforms on the quality of public policies in the country. The chapter, for instance, highlights how the 1991 reforms increased the role and impact of different social groups in the policymaking process, but also notes that this enhanced participation simultaneously created new budgetary demands that the country’s relatively rigid fiscal institutional framework was ill-suited to address given the high transactions costs involved.

The data employed in the chapter are current as of 2003 to 2006, depending on the section. With some exceptions that will be noted below, the general rules of the game and macro institutional structures have not been substantially modified since the chapter was written. However, while the current Colombian democratic period goes back at least to 1974 (and to an earlier period for some observers), the post-1991 period is relatively brief, and the chapter was based largely on only a dozen years of data.

### ***5.1 The Executive Branch***

With one exception, the broader functioning of the Colombian executive branch continues to correspond to the depiction contained in the chapter. Up until a 2005 constitutional reform, the Colombian president was not allowed to seek reelection, either immediately or after sitting out one or more terms. The 2005 reform allowed then President Álvaro Uribe (2002-06, 2006-10) to seek immediate re-election for one term, a benefit that also was enjoyed by Uribe’s successor, President Juan Manuel Santos (2010-14, 2014- ). This reform was annulled in 2015 and now, as was the case before 2005, the Colombian president is not allowed to seek re-election. The result of the 2005 reform was a significant strengthening of presidential power in Colombia compared to when the chapter was written, but not compared to most of the time period analyzed (nor to the present and future) during which time the president was/is not eligible to seek re-election, immediate or otherwise.

The period during which immediate presidential re-election was permitted was not included in the core analysis of the original chapter which signified that there was no empirical analysis of the impact of the 2005 reform on the presidency and its relationship with the other branches of government, along with the reform's overall impact on the policymaking process, nor of the comparable impact of the 2015 repeal. By and large, the 2005 constitutional reform was seen as a setback for the consolidation of Colombia's democratic system and the 2015 reform a positive step aiding consolidation.

## ***5.2 The Legislative Branch***

The 2003 electoral reform (for the Colombian Senate and Chamber of Deputies elections) reviewed by the authors was very consequential for partisan politics in the country, reducing fragmentation and increasing both democratic accountability and effectiveness. The reform required parties to present a single list, which could be either open or closed, though virtually all relevant parties have opted for open lists during the subsequent three national legislative elections.

Immediately following this electoral reform was the passage of the Legislative Caucus Law (*Ley de Bancadas*) that concentrated power within the hands of the legislative delegation leadership (or viewed from a different perspective, the median legislator). The original chapter had only one post-reform election to analyze, and even then, only the electoral results, not the impact on legislator behavior (nor of the consequences of the *Ley de Bancadas*).

On the electoral level, for the post-reform era there have now been two subsequent (to the writing of the chapter) legislative elections (2010 and 2014), in addition to the election that took place in 2006 (and upon which the chapter relied for the entirety of its post-reform analysis), with a third scheduled for early in 2018. On the legislative level, there are now three full congressional periods available for analysis (compared to zero in the original volume) along with a fourth congressional period that is now past the halfway mark.

In sum, the rules undergirding the election of Colombian legislators and their post-election behavior in congress were significantly changed in the period immediately prior to the publication of the original chapter. This timing allowed the authors to posit some potential effects of the reform and include the results of a single election under these rules, but not to empirically examine legislative behavior under the rules nor their impact in multiple elections.

### ***5.3 The Judicial Branch***

During the intervening ten years there has been relatively little in the way of changes in the Colombian judicial branch. As a result, the chapter's coverage of this key branch of government continues to be relatively accurate.

In recent years there have been several efforts to carry out a structural reform of the Colombian judicial system as a result of a popular view that the courts have become excessively politicized, thereby undermining their role as a neutral and respected arbiter in the legal and policymaking process. For the public, the courts have also become seen as distant from the concerns of the people as well as difficult to access and procedurally quite slow. In spite of these broad critiques, all significant attempts over the past ten years to overhaul the judicial branch have failed, in part due to the very politicization that has created alliances among judges within the judicial branch and between judges and members of the executive and legislative branches that have been able to block substantial reform to date.

Over the past decade there has been a rising amount of criticism of the Colombian Constitutional Court and its role in the political system more generally and in the policymaking process in particular. Central to this concern is the view that the constitutional court remains relatively unchecked in terms of its powers within the Colombian political system. For instance, there are critiques that the constitutional court has over time come to play an excessively active role in determining the levels and destination of public spending, severely limiting budget flexibility and imposing a form of embedded rigidity into the budgetary process. In sum, it would appear, at first glance at least, that the constitutional court has become a more important and influential player in the policymaking process than was the case a decade ago.

### ***5.4 Federalism and Subnational Authorities***

Colombia retains its unitary system of government featuring the direct election of department governors (and departmental deputies) and municipal mayors (and municipal council members). The decentralization of power associated with the 1991 constitutional reform was significant in terms of weakening the president's power (by no longer providing the president with the authority to name local executives) and in making the formation of coalitions more difficult (by reducing the number of positions available for distribution).

Overall though the department and municipal governments remain relatively limited actors in the Colombian policymaking process, due in large part to the country's unitary system of government and the general dependence of these subnational authorities on national transfers to fund their operations. One caveat to this general characterization relates to legislation passed in 2011 and 2012 that put in force a system of hydrocarbon and mining royalty distribution (the framework for which was contained in the 1991 Constitution) among subnational governments located in the petro-regions of the country. With these reforms, there exists a potential for greater political autonomy in these jurisdictions and greater ability for them to play a more active role in the policymaking process, particularly in regard to policies with a social welfare or local level focus.

### ***5.5 Political Parties and Party Systems***

The above-mentioned 2003 and 2005 reforms have dramatically affected the Colombian political party system in terms of nationalization, polarization, fragmentation, discipline, and institutionalization. The original chapter had only one election under these new rules available to study, a number that now stands at three and will rise to four early in 2018.

The principal partisan actors in 2006 (e.g., the Social Party of National Unity, the Colombian Conservative Party, the Colombian Liberal Party) remain active and influential today. The original trends in consolidation and reduced fragmentation associated with the 2003 reform identified in the original chapter have continued in the subsequent elections, although there has been variation in partisan strength, internal shifts in power and splintering, and the emergence of some new partisan actors.

### ***5.6 Bureaucracies***

The original chapter contains a relatively modest discussion of the Colombian bureaucracy, suggesting that its role as an independent actor in the Colombian policymaking process was rather limited. It would appear that this characterization continues to be broadly valid.

### ***5.7 Other Institutions***

More so than any of the other countries in this volume, the Colombian political system is today affected by the continued (albeit reduced compared to the past) presence in the country of paramilitary groups, drug cartels, and guerrillas. While not part of the formal democratic

institutional structure, these groups nevertheless continued to influence the context within which this structure operates. The impact of these groups has, however, been a constant in the country since the 1991 constitutional reform, and, the impact and influence of these groups today is notably lower than when the chapter was written ten years ago, let alone than in the 1980s and 1990s.

### **5.8 Conclusion**

Overall the general framework of Colombia's political institutions and policymaking process described by the original chapter continues to provide an accurate and valid depiction of the key political actors and the policymaking process in the country. The principal exception relates to the areas of presidential re-election and to the legislative branch and political party system as a result of the 2003 and 2005 reforms.

## **6. Ecuador**

This section provides a review of the chapter on Ecuador: "Veto Players, Fickle Institutions, and Low-Quality Policies: The Policymaking Process in Ecuador/"*Jugadores de Veto, Instituciones Volubles y Políticas de Baja Calidad: El Juego Político en Ecuador*" by Andrés Mejía Acosta, María Caridad Araujo, Aníbal Pérez-Liñán and Sebastián Saiegh. Ecuadoran politics during the current democratic era, 1979-2016, can be divided into two distinct eras: pre and post-Correa. All of the analysis was conducted and the original version of the chapter was written before Rafael Correa's election in 2006. The Spanish version contains a brief update on the first years of the Correa presidency, but the overall description of the political actors and policymaking process remained largely unchanged from the original version based on the 1979-2006 period.

The Ecuadoran political system under President Correa has functioned rather differently than was the case during the first two-dozen years of the current Ecuadoran democratic period, with the country experiencing an unprecedented level of political stability and possessing a president who was more effective and powerful than his dozen third wave predecessors. This is the result of both reforms contained in the 2008 Constitution as well as President Correa's possession of the type of congressional majorities that had eluded his predecessors. The 2008 constitutional reform is briefly discussed in the Spanish language chapter, although mostly as an

addendum to the original chapter, with commentary that explored the potential future effects of the reforms (very presciently in many respects).

President Correa is not eligible to run for re-election and will be leaving office in 2017. It remains an open question the extent to which the transformation of the Ecuadoran political system under Correa will be consolidated by his successor, or, if the system will return to its fragmented and feckless past. It is important to keep in mind that Correa's rise to and consolidation of power was predicated on Ecuador's weakly institutionalized political system (both constitutional institutions and political party institutions) and without Correa at the helm it is quite possible that the system will revert to its pre-Correa state.

### ***6.1 The Executive Branch***

The Ecuadoran executive branch, which in the past possessed reasonably strong constitutional powers but very weak partisan powers, has, under Correa, seen its constitutional powers increase (via the adoption of the 2008 Constitution) as well as experienced a dramatic enhancement of its partisan powers, with Correa enjoying a disciplined majority throughout most of his tenure in office. A portion of this increased presidential power (the constitutional power) vis-à-vis the legislative and judicial branches will without question extend beyond Correa's tenure. In contrast, the president's partisan power may or may not continue to be at the same level depending on the ability of Correa's successor to win a congressional majority in 2017 and exercise influence over his/her delegation in the national congress.

The 2008 Constitution increased the president's constitutional powers, powers that were already quite strong. It also allowed the president to seek immediate re-election for one term (recent reforms now provide for unlimited consecutive re-election beginning after the 2017 election), unlike the prior constitution that required a president to sit out one term in office prior to seeking re-election again. In all, the 2008 Constitution significantly increased the power and influence of the president in the Ecuadoran policymaking process, an increased level of power that will be inherited by Correa's successor.

As the chapter makes crystal clear, prior to the Correa era, Ecuadoran presidents were saddled with small legislative contingents, with the president's party often having a legislative delegation that occupied a mere one-fifth to one-third of the seats in congress. This resulted in presidents with extraordinarily weak partisan powers, frequent legislative gridlock, a presidential

need to rely excessively on ephemeral “ghost” coalitions, and overall low quality and unstable public policies. In addition, the ability of the Ecuadoran president to utilize his or her substantial constitutional powers in the pre-2008 era was often hindered and undermined by the meager level of loyal partisan support enjoyed by the president in the national legislature.

One area where Correa’s presidency mirrors that of his predecessors is cabinet instability, with a frequent replacement of ministers and a series of cabinet restructurings that in addition to changing ministers also changed the number of ministries as well as the specific policy areas that each cabinet official was responsible for. This includes the creation of the figure of coordinating minister (eight ministers total) as well as of two influential institutions under the president’s direct control (SENPLADES and SENAP). Correa’s ministers, like the president, by and large possess advanced degrees and a high level of professional capacity. But, unlike the case in the 1990s when similarly well-credentialed ministers tended to come from the world of business and multilateral organizations, Correa’s ministers’ career paths are more commonly via academia.

## ***6.2 The Legislative Branch***

The general rules governing legislative elections have remained broadly constant since the chapter was written, with however some modifications. One of these modifications was a reduction in the average district magnitude for district representatives occasioned by the creation of two new provinces (Santa Elena and Santo Domingo de Tsáchilas) and the division of the three largest electoral districts into smaller electoral districts for the purposes of legislative elections, with Guayas divided into four separate electoral districts, Metropolitan Quito and Pichincha into four, and Manabí into two. At the same time, a national electoral district was once again added (15 deputies out of a total of 137) and six deputy posts were created to represent Ecuadorans living abroad, with two seats for those in the United States in Canada, two for those in Latin America and Africa, and two for those in Europe, Asia, and Oceania.

Under Correa the Ecuadoran National Assembly has been transformed into a more reactive institution, with limited legislative production. At the same time, President Correa has tended to bypass the congress using the expanded decree power granted to the president under the 2008 Constitution, with presidential decrees now playing a preeminent role in the Ecuadoran policymaking process. Correa’s policymaking decrees now number in the thousands.

The 2008 Constitution weakened the legislative branch vis-à-vis the executive branch as discussed in the previous section. It also removed competencies that the legislative branch had previously had via the creation of the Council of Citizen Participation and Social Control (CPCCS), which now is responsible for the designation of a wide range of officials formally designated by the congress such as the attorney general, the public defender, and the members of the national election council (CNE).

The Ecuadoran National Assembly/Congress has historically been characterized by a high level of partisan fragmentation. This is a trait that changed under Correa as the president's party won majorities or near-majorities in the National Assembly. As a result the effective number of legislative parties plummeted under Correa while the share of the seats held by the president's party increased dramatically compared to prior administrations. Under Correa the legislative branch has however also become more ideologically polarized.

It is quite feasible that the current relatively low (for Ecuador) levels of legislative fragmentation and the robust presidential legislative contingents are almost primarily the product of Correa's personal popularity and appeal, and that absent Correa at the top of the ticket and holding the reins of power, these current characteristics of the system will vanish. As a result, it is a distinct possibility that with Correa no longer residing in the Carondelet Palace we will see a relatively quick return to the highly fragmented and denationalized legislative party system that characterized the country in the pre-Correa era.

### ***6.3 The Judicial Branch***

The chapter provides a relatively brief, but effective, discussion of the judicial branch, focusing primarily on the Constitutional Tribunal (TC) and its role in the policymaking process. The principal points regarding the judiciary made were that it was politicized and distant from the ideal of an independent branch that could serve as a check on executive and legislative power and as an honest broker in the policy process.

The most noteworthy change in regard to the judicial branch since the original chapter was written was the creation (via a constitutional referendum supported by Correa) of a National Court of Justice (CNJ) that is now the maximum judicial authority in the country. Overall, however, the general nature of judicial branch has not changed since the chapter was written, either in regard to politicization or independence.

#### ***6.4 Federalism and Subnational Authorities***

Following the constitutional reform of 2008, Ecuador continues to be a unitary country with power concentrated in the hands of the national government. On paper the 2008 reform indirectly provided the provincial and municipal governments with a greater level of autonomy than they had previously enjoyed by clarifying the different powers enjoyed by subnational authorities in the country. However, that power is heavily constrained by local governments' near complete dependence on national government transfers to survive financially. Their autonomy is also constrained by the National System of Competences.

Overall, the chapter quite understandably did not provide a great deal of discussion of the role of provincial and municipal governments in the policymaking process given that it was so modest. It does not appear that this reality has changed with the 2008 Constitution.

#### ***6.5 Political Parties and Party Systems***

The historic Ecuadoran political party system was one of the most fragmented in the hemisphere, generally ranking as one of the two most fragmented party systems along with Brazil. The rise of Correa and his presidency has had a polarizing effect on the Ecuadoran party system, with Correa's PAIS Alliance forming one pole and the opposition tending to concentrate into a group of smaller poles. The result has been a notable drop in the level of party system fragmentation, an increase in partisan polarization, a rise in the level of party system nationalization, and the presence of majority of near-majority legislative blocs loyal to the president; a sharp contrast to the minority presidents and volatile coalitions that plagued the current Ecuadoran democracy during its first twenty-eight years of existence.

#### ***6.6 Bureaucracies***

The overall description of the public administration being composed of employees who possess limited capacity and ambition in some areas and higher levels of training and merit-based performance systems in others (e.g., Defense, Finance, Foreign Affairs) still holds today. However, the president's control over the bureaucracy was enhanced in the 2008 constitutional reform in several ways.

One reform of particular importance (discussed in the Legislative Branch section above) was the creation of the Council of Citizen Participation and Social Control (CPCCS) which

removed the power to confirm many officials charged with controlling and monitoring the activities of the public administration from the congress. In the past, the president's nominees had commonly been confirmed by congress, but when there was a politically sensitive appointment, the nominee would reflect the position of the median member of congress. At least under Correa, the CPCCS has been quite responsive to the president and therefore increased the power and influence of the executive branch over the public administration given the resulting more "friendly" oversight of the bureaucracy. It remains to be seen how this system will operate in a different political context with a CPCCS that is less allied with the president than has been the case under Correa.

### ***6.7 Other Institutions***

The quality of democracy in Ecuador has remained relatively constant over the past twenty years. In addition, labor unions and social movements, especially those with a base in the country's indigenous communities, have retained their ability to influence politics and the policy process with public protests and other mechanisms.

### ***6.8 Conclusion***

The rise to and consolidation of power by President Rafael Correa combined with the 2008 constitutional reform had a dramatic and at least partially transformative impact on Ecuadoran political institutions and the country's policymaking process. What remains unclear is if Ecuadoran political institutions and the country's PMP have been fundamentally altered under Correa, or, if in a post-Correa era we will witness a return to the pre-Correa status quo of fickle political institutions and low quality policy outcomes.

## **7. Mexico**

This section provides a review of the chapter on Mexico: "Policymaking in Mexico Under One-Party Hegemony and Divided Government"/"Formulación de Políticas en México: De La Hegemonía Partidista al Gobierno Dividido" by Fabrice Lehoucq, Gabriel Negretto, Francisco Aparico, Benito Nacif, and Allyson Benton. The original chapter was written at the dawn of a new political era in Mexico. In 2000, the election of the National Action Party's (PAN) Vicente Fox as president ended more seventy-five years of continuous Institutional Revolutionary Party

(PRI) rule. The chapter focused on the non-democratic (pre-1982), transition (1983-94/97), and democratic (1994/97-2000; 2000-06) periods. In the subsequent ten years since the original chapter was written many of the political reforms and structural changes associated with democratic rule deepened and their true impact on the Mexican policymaking process began to be revealed. At the same time, 2012 saw the return of the PRI to power with the election of President Enrique Peña Nieto. The chapter also was written at a time when the partisan and institutional diversity of state and local governments that has flourished over the past dozen years was not especially well understood.

When the chapter was written, divided government was a relatively novel concept in Mexico. Now it is the norm, with close to a dozen years of new data points, including four additional legislative periods: LX (2006-09), LXI (2009-12), LXII (2012-15), LXIII (2015-18). Also, when the chapter was written there was uncertainty regarding the future of the PRI, in particular if could survive as a dominant actor absent control of the national executive branch. As Peña Nieto's election, the 2015 midterm, and current public opinion polls on the 2018 presidential election make clear, the PRI is alive and well and is entrenched as the largest and most influential political party in Mexico. Lastly, the subnational and local aspect of Mexico's political system and its interaction with the federal government has become much more relevant for the policymaking process than was the case when the original chapter was written; though the chapter did presciently foreshadow future changes in this direction.

### ***7.1 The Executive Branch***

During the golden era of PRI rule, the Mexican policymaking process was relatively straightforward. The PRI president in coordination with a set of key cabinet ministers (Hacienda, Gobernación) and sectoral leaders (in the corporatist sense) determined the content and execution of major public policies while the legislative branch and the judicial branch (and the state governments) played no notable role in monitoring or checking the executive in particular or in the policymaking process more generally.

This system of governance and policymaking changed with the PRI's loss of its majority in the Chamber of Deputies in 1997, and since this time the number of actors significantly involved in the policymaking process has multiplied in number and impact. This includes a legislative branch and a judicial branch that are much more active and influential than was

previously the case, but also a transformation of the Mexican political party system. The end result is a policymaking process that is no longer dominated by the executive branch in either the same manner or to the same extent as was the case prior to 1997. Even a PRI president no longer exercises the same control over fellow PRI members as was the case in the past, with PRI governors and other leaders enjoying a level of autonomy and influence that was rare if not unheard of in the days when a PRI president was simultaneously the undisputed leader of the country and the undisputed leader of the party.

When the chapter was written, there had been nine years of the “new normal,” with only three of those years under the PRI, resulting in a somewhat PAN-centric vision under which democratization and institutionalization were synonymous with the rise of the PAN as the party of government. That time period has now more than doubled, with thus more than double the data points now available and at the same time more variance existing in terms of presidential partisanship and presidents: 12 years of PAN presidential rule under two different presidents (Vicente Fox and Felipe Calderón) and 7 years of PRI rule under two different presidents (Ernesto Zedillo and Enrique Peña Nieto).

## ***7.2 The Legislative Branch***

With the transition from hegemonic rule to divided government, the Mexican Congress has emerged as an influential actor in the Mexican policymaking process. Similar to the case with the executive branch, the original chapter had only nine years (three legislative periods) to analyze, a number that has now more than doubled with the three complete periods and a fourth (current) incomplete period

Since the chapter was written a fundamental change has occurred which has the potential to significantly alter the incentives that drive legislator behavior. In 2014 Mexico’s longstanding ban on immediate congressional re-election was modified, and senators are now allowed to serve two consecutive six-year terms while deputies are now allowed to serve up to four consecutive three-year terms. One constant is however that the Mexican political parties remain influential gatekeepers in regard to re-election via their control over ballot access. This re-election reform has further occurred within a context where legislators appear to be introducing more bills and in general attempting to establish a more robust personal reputation than was the case in the past

and where governors have come to play a more prominent role in national politics, including via “their” deputies and senators in congress.

The ability of legislators to now seek immediate re-election has increased the incentives for legislators to cultivate a personal vote and to possibly be less responsive to party elites. The caveat is however that the party still plays a fundamental role in a legislator’s career and re-election aspirations via its control over access to the ballot under the party label (either directly or indirectly in the event of a primary held at the district-level).

### ***7.3 The Judicial Branch***

The Mexican judicial branch has come to play a much more prominent role in the policymaking process since the end of the era of PRI hegemony. Furthermore, since the chapter was written, judicial independence and power in Mexico has increased. This is both the consequence of the natural evolution of a branch of government that had previously been marginalized, but within the context of democracy and divided government has been able to flourish, as well as the product of some reforms that have occurred since the chapter was written. The most prominent of these reforms is perhaps the 2011 Human Rights Reform, which requires Mexico to respect international rights treaties and provides the judicial branch with the power to determine whether Mexico is in compliance or not. It also allows for the intervention in domestic political affairs by international actors such as the Inter-American Court of Human Rights.

There is also some evidence that over the past ten years the judges and the staff of the Mexican judicial branch has become better trained, more professional, and more efficient. Similar judicial reforms have taken place at the state level. However, these reforms appear to have been uneven; more prevalent in the states where there is robust two-party or three-party competition and less robust and transformative in the one-party dominant states.

### ***7.4 Federalism and Subnational Authorities***

With the evolution of the Mexican political system from a context of quasi-authoritarian hegemony to democratic pluralism, the governors of Mexico’s 32 states have become increasingly influential actors. What was once a de facto unitary system is increasingly both a de jure and de facto federal system, where state governments play an increasingly important role in the policymaking process. This role occurs both in those policy areas that are the competency of

the state governments under Mexico's federal constitution, but also in national policy areas where governors are able to directly influence the policymaking process via those senators and deputies who are respond to their directives (or at least share their broader goals) as well as where governors represent formidable actors within the country's major political parties (especially the PRI and PAN, but also the PRD [Party of the Democratic Revolution]).

The original chapter was written at a time when federalism was still young and green in Mexico. The chapter highlighted a trend of growing gubernatorial and state influence in the policymaking process, one that has deepened and expanded in scope during the ensuing ten years.

### ***7.5 Political Parties and Party Systems***

The three major parties in Mexico today are the same as those 10 years ago: the PRI, PAN, and PRD, although in the latter case the party has suffered more than its rivals from splintering (e.g., the founding of the National Regeneration Movement, MORENA). At the same time, the Mexican party system has become more fragmented, with the number of smaller parties having increased slightly. But, in broad brush strokes, the description of the parties in 2006 largely applies today: three major parties, with the PRI the country's sole national party and the PAN and especially PRD possessing strong support in some regions and weak support in others. Both the PAN and PRD have appeared to have adopted a strategy of concentrating their resources first and foremost in their electoral bailiwicks, and eschewed an attempt to compete head-to-head with the PRI throughout the country from Baja California Norte to Quintana Roo, and everywhere in between. Within this context however the PAN and PRD have nevertheless brokered effective and successful alliances in state gubernatorial elections to defeat the PRI, with this strategy especially effective in 2016.

The original chapter was also written at a time when the PRI's future was somewhat uncertain. However, as the subsequent 10 years have demonstrated, the party remains a vibrant and effective political institution, with the great advantage of being positioned as the country's only true national party, representing either the strongest or second strongest party across the county (with the Federal District representing a notable exception). Looking ahead towards 2018, while it is still early, the most likely scenarios today would appear to be either another six-year period ("*sexenio*") of PRI control of the Mexican executive branch or a PAN president residing in Los Pinos beginning in September of 2018.

However, while the PRI has returned to power, it is not the same PRI that governed during the hegemonic period. The internal functioning of the party is more democratic and the control exercised by the party leadership over the political careers of its members is much more limited than was the case in the hegemonic past.

### ***7.6 Bureaucracies***

In the original chapter the Mexican bureaucracy played a relatively minor role in the policymaking process and was not a focal point of the chapter's analysis. Moreover, while twelve years of PAN rule did result in more transparency and professionalism in the Mexican public administration, it appears that the underlying conclusion of the chapter regarding the bureaucracy's minor role continues to accurately depict its role in the Mexican policymaking process.

### ***7.7 Other Institutions***

During Mexico's transition from one-party authoritarian rule to multi-party democracy, the Federal Electoral Institute (IFE) played a pivotal role as a neutral and independent arbiter within the Mexican political system. Shortly after the chapter was written however, a 2007 reform weakened the IFE (since 2014, the National Electoral Institute, INE) by increasing the power of congress vis-à-vis the IFE in terms of the selection and removal of IFE council members and in terms of the ability of the Mexican Congress to audit and sanction the IFE. The 2014 reforms in this area would appear to have not reversed this trend. The result is the weakening of an important political actor within the Mexican political system, which, while not directly involved in the meat of the policymaking process, was a relevant check on majority power and a protector of minority party rights, especially during the electoral campaign season.

The chapter also was finished prior to the start of President Calderón's initiation of a de facto war against the drug cartels, and the ensuing violence that had a profound impact on Mexican politics and society, especially in a concentrated set of states and municipalities. While the policies and strategies of President Peña Nieto have occasioned a reduction in deaths and violence, in many regions of the country the political, social, and economic context today is quite different than that of 1997-2006, with threats of violence against politicians and citizens greater

and a media in many regions of the country that now self-censures itself on many issues for reasons of self-preservation.

### **7.8 Conclusion**

While the lion's share of the chapter's descriptions and conclusions still hold water today, Mexico fully moved from the era of one-party hegemony to democratic divided government only in 1997, providing the authors of the chapter with a mere nine years of data with which to analyze the functioning of the policymaking process in the current post-hegemony era. In addition, since the chapter was written there have been significant developments in Mexican politics such as the return of the PRI to the presidency, the growing salience of governors, a removal of the ban on consecutive legislative re-election, and other changes that have without question modified the power and influence of different actors and therefore altered the description of the policymaking process provided circa 2006.

## **8. Paraguay**

This section provides a review of the chapter on Paraguay: "Political Institutions, Policymaking Processes, and Policy Outcomes in Paraguay"/"De la Concentración a la Fragmentación. El Juego Político en Paraguay en los Últimos 40 Años" by José Molinas, Aníbal Pérez-Liñán, Sebastián Saeigh, and Marcela Montero. The Paraguayan political system is without question the least studied political system among the South American presidential democracies. While all eight country chapters in this volume make a profound contribution to understanding their respective country's key political actors and the role of these actors in the policymaking process, the contribution made by this chapter stands out due to the relative dearth of scholarly studies of these institutions and topics in Paraguay. This chapter arguably remains the most influential single piece of scholarship on the design and functioning of Paraguayan political institutions and the country's policymaking process.

The chapter detailed four historic periods in Paraguayan history over the past sixty years. The first two represent the apogee (1954-1981) and the gradual decline (1982-1989) of the authoritarian dictatorship of President Alfredo Stroessner. The third is a short transition period (1989-1992) and the final is what at the time of the writing of the chapter was the current democratic period (1993-2006). The chapter's empirical analysis depended on the first dozen

years of the democratic period, an amount of time that since the chapter's completion has almost doubled in length. This period subsequent to the publication of the initial volume saw the presidential tenure of President Nicanor Duarte Frutos, the 2008 election of the country's first non-Colorado Party (ANR) president (Fernando Lugo) of the modern-era, Lugo's impeachment and replacement by the country's first modern-era Authentic Radical Liberal Party (PLRA) president (Lugo's vice-president, Federico Franco) in 2012, and the return of a Colorado to the presidency with the election of President Horacio Cartes in 2013. The next Paraguayan presidential and legislative elections will take place in 2018.

When the chapter was written, the authors astutely noted that the Paraguayan policymaking process was still in a state of flux after a mere dozen years since the return to democracy. What was once flux has, over time, become a more steady state, with a political system for which the democratic transition is today two-dozen years in the rearview mirror.

### ***8.1 The Executive Branch***

Overall, the chapter's description and analysis of the Paraguayan executive branch still rings true today. While the abbreviated presidency of Fernando Lugo represented a partial departure from the political status quo regarding executive power, policymaking, and influence, the Paraguayan political system returned to the broader political status quo with the election of Horacio Cartes in 2013. Lugo's presidency did, however, reinforce a crucial point made in the chapter, that the institutional powers of the Paraguayan president are relatively modest, with the president's ability to implement his policy agenda and exercise power generally more dependent on his status as the leader of his party and the ability to marshal its support behind him in the Paraguayan Congress than on the formal powers provided to the president in the Paraguayan Constitution.

The chapter's overview of the executive branch under the 1992 Constitution depended on approximately ten years of evidence, with a large portion coming from the "accidental presidency" of Luis González Macchi (1999-2003) who arrived to the presidency after the democratically elected Raúl Cubas Grau (1998-1999) was impeached after his vice president (and intra-party Colorado rival) Luis María Argaña was assassinated in 1999. As a result, the addition of the data points from the Duarte Frutos (2003-2008), Lugo (2008-2012), Franco (2012-2013), and Cartes (2013- ) administrations would more than double the amount of data

available for analysis as well as provide variance due to the presence of non-Colorado presidents during this period, Lugo in particular, but also Franco. The original chapter was written during the first half of the Duarte Frutos administration but most of the data analysis came from the prior presidencies. While the Spanish version of the chapter did extend briefly into the Lugo presidency, the main conclusions regarding the executive branch were drawn principally from the first two presidential periods of the current democratic era.

## ***8.2 The Legislative Branch***

The description of the legislative branch as a factionalized institution where pork and patronage are utilized to gain support for legislation and to build coalitions still holds true today. The electoral rules adopted at the time of the transition to democracy in the early 1990s remain in force in 2016. One important feature of the Paraguayan electoral system, which was still in its infancy at the time the chapter was written, is the use by the major parties of democratic primaries to choose their presidential and legislative candidates, primaries in which proportional representation is employed to allocate the positions on the legislative lists among the competing intra-party lists/factions. It appears likely that these party primary rules simultaneously foment the factionalism noted in legislative behavior and coalition formation but also help to explain the continued robustness of the ANR and PLRA as political parties (e.g., decreasing the incentives for leaders to defect or form rival parties).

Legislative fragmentation rose in the 2000s as the result of the Oviedo/anti-Oviedo schism within the Colorado Party and the rise (brief as it turns out) of Lugo's broad center-left alliance that sought to break the stranglehold of the country's historic two-party duopoly (ANR-PLRA). However, with the de facto reunification of the ANR (aided by Lino Oviedo's death in an accidental helicopter crash in 2013 and the de facto disintegration of his party, UNACE) and the decline of the center-left following Lugo's troubled presidency and impeachment, the ANR-PLRA dominance of the Paraguayan Congress has been restored (with the caveat of course that both parties have significant internal factions). For example, as of October of 2016 the two parties combined for 74 of the 80 national deputies (with the remainder spread across four largely center-left delegations) and 34 (counting UNACE as a PC splinter) of the 45 seats in the Paraguayan Senate (elected via a nation-wide district using proportional representation with no threshold). The remaining 11 senate seats are spread across five small center and center-left

parties. In the Paraguayan Chamber of Deputies, the effective number of legislative parties rose from an average of a little more than 2 in the 1990s to more than 3 in the 2000s before falling back to around 2 and a half in the 2013 election (2.4 to be precise).

### ***8.3 The Judicial Branch***

The coverage of the judicial branch was relatively limited in the chapter. The chapter focused primarily on the changes in the 1992 Constitution that created the conditions for a more independent judicial branch, albeit one that was not all that competent.

### ***8.4 Federalism and Subnational Authorities***

Paraguay is a unitary state with subnational authorities (governors and department assemblies at the department level and mayors and municipal councils at the municipality level) first elected only in 1993. The chapter did not focus much at all on the role of department and municipal elected officials in the policymaking process, in part because of the unitary reality in Paraguay and in part due to the relatively young nature of these subnational governments at the time the original chapter was written.

At present, Paraguayan governors and mayors do not occupy a central role in the policymaking process. However, anecdotally the 17 department executive branches and departmental assemblies do represent an increasingly important farm system for the Paraguayan political parties, with many current national deputies and senators and executive branch officials using these posts as stepping stones in their political careers (i.e., progressive ambition). They also serve as valuable sources of patronage for the major political parties, both in terms of elected offices as well as appointed posts in the departmental executive and legislative branches. A similar pattern is seen to exist at the municipal level, especially in regard to the country's largest cities (Asunción in particular, but also medium-sized cities such as Ciudad del Este, San Lorenzo, and Capiatá). The two-party dominance of the Paraguayan party system today is visible in the department governments, with 16 of 17 governors and 197 of 226 department assembly members (205 if one includes UNACE as part of the ANR) belonging to either the ANR or PLRA. And, a small regional party in the sparsely populated department of Presidente Hayes accounts for the 17<sup>th</sup> governor and seven of the remaining assembly members, with the

country's principal center-left parties possessing a mere 11 department assembly seats across the entire country.

### ***8.5 Political Parties and Party Systems***

Among the Latin American political party systems, the Paraguayan party system is among the most stable. The two dominant parties in the country's transition election (in 1993), the ANR and PLRA, are still the two dominant parties today. Both parties have deep historic roots in the country. There also has intermittently been some space for smaller center-left parties in the country, which have varied in name, number, and relevance during the country's two-dozen year democratic history. In addition, the basic rules governing the election of the president, senators, deputies, governors, and other elected officials have remained essentially unchanged since the chapter was written and still have a comparable impact on party and elite behavior.

Overall the description of the ANR and PLRA contained in the chapter still matches well with the reality of the parties today. Both the ANR and PLRA retain a strong national presence as well as continue to possess a significant level of internal factionalism, with this factionalism being especially strong and semi-institutionalized within the ANR. In contrast, the center-left parties tend to lack a broad national presence and partisan infrastructure compared to the ANR and PLRA. As the Spanish language chapter in particular was written during a period of relative success for the center-left parties, it does not reflect as well the current weakened state of those parties within the Paraguayan political party system.

### ***8.6 Bureaucracies***

The chapter underscores the adverse impact that Paraguay's lack of a professionalized bureaucracy has had on the policymaking process. Despite efforts at modest reforms, little in the way of civil service standards exist and partisan and factional ties are paramount for obtaining positions (at all levels) in the country's large patronage-ridden bureaucracy.

The bureaucracy described in the chapter corresponds well to that which exists today. Nevertheless, upon taking office, President Cartes successfully moved to increase transparency regarding who was on the public payroll and how much they were being paid. Amidst the pressures occasioned by the country's factional politics and the reality of Cartes need of legislative and political support to govern, it is however unclear how deep these reforms have

been and the extent to which they have altered the primordial patronage nature of the country's bureaucracy.

### ***8.7 Other Institutions***

Paraguay continues to be a relatively low-quality democracy where a concentrated economic and political elite has demonstrated its power (e.g., the impeachment of President Lugo) to block most reforms that might have changed the economic, social, or political status quo. If we reflect on the broader societal, cultural, and economic conditions in Paraguay today compared to the mid-2000s when this chapter was written, they remain relatively unchanged.

### ***8.8 Conclusion***

This chapter represented a landmark study of Paraguayan political institutions and policymaking and has for the past eight years served as the go-to reference for scholars and policymakers who need to get up to speed on Paraguayan politics and policymaking. The chapter was written during the early days of Paraguayan democracy when many of these institutions and processes were still in a state of flux and while some of these institutions and processes are virtual carbon copies of those detailed by the authors, others have changed in important respects during the intervening ten years.

## **9. Venezuela**

This section provides a review of the chapter on Venezuela: “Political Institutions, and Policymaking in Venezuela: The Rise and Collapse of Political Cooperation”/”Instituciones Políticas y Formulación de Políticas Públicas en Venezuela: Auge y Colapso de la Cooperación Política” by Francisco Monaldi, Rosa Amelia González, Richard Obuchi, and Michael Penfold. The chapter is based primarily from on insights and analysis of Venezuelan politics obtained through an examination of the period of democratic consolidation, cooperation, and stability (1958 to 1988) and of the period of democratic deconsolidation, conflict, and instability (1989-2006/09). It effectively ends its coverage during the consolidation of the Chavista competitive authoritarian model of governance.

Far more so than in the other seven countries examined in this volume, Venezuelan political history is now just that, history. The Venezuelan political system has been transformed

to such an extent, first under Hugo Chávez (1999-2013) and then under his successor Nicolás Maduro (2013- ), that there are comparatively few lessons from Venezuela's past political history as a stable and consolidated democracy that can help us understand the political institutions and actors today who are most relevant for the policymaking process in Venezuela.

In addition, the intellectual approach articulated in the broader volume is predicated on a country meeting a minimum set of democratic criteria. This does not signify that a country has to reach optimal levels of free and fair elections, political rights, and civil liberties á la Chile, but it does have to surpass at least minimalist requirements. And, today, it is clear that Venezuela cannot be considered to meet even the minimal criteria necessary to be classified as a democracy.

### ***9.1 The Executive Branch***

As signaled in the original chapter, the Constitution of 1999 significantly increased the power of the executive branch vis-à-vis other actors. This concentration has been amplified over the subsequent 17 years via institutional and non-institutional routes, arriving at the present situation where the actual constitutional checks on the Venezuelan executive branch are meager.

### ***9.2 The Legislative Branch***

In 2015 the Venezuelan opposition captured a near two-thirds majority of the seats in semi-competitive elections where the opposition was successful in spite of an electoral system rigged against it, ranging from the gerrymandered apportionment of legislative seats, a biased referee (the National Electoral Council, or CNE), and the government's ability to tap all of the resources of the Venezuelan state to support its campaign. The opposition victory nevertheless turned out to be a rather hollow one.

The opposition now has control of the legislative branch and the true image of Venezuelan democracy (which had been somewhat obscured by the veneer of Chavista control of the Venezuelan National Assembly) has been made clear. Even within the constitutional context where the legislative branch is on a weaker footing with the executive branch, the moderate political power possessed on paper by the Venezuelan National Assembly has been nearly completely emasculated by the refusal of Chavismo to respect the Venezuelan Constitution; which itself is a creation of Chavismo. The result is a legislative branch that primarily serves as a soapbox for the opposition (a non-trivial matter in a country where the

government indirectly or directly controls or exercises influence over almost all other major public and private institutions), rather than an actor that is able to fully utilize the powers ascribed to it under the Venezuelan Constitution.

### ***9.3 The Judicial Branch***

The chapter's discussion of the judicial branch was relatively modest. It suffices to say that at present the Venezuelan judicial branch serves as an appendage of the executive branch and of Chavismo in general. As the chapter clearly notes, in Venezuela the concept of judicial independence is today quite foreign.

### ***9.4 Federalism and Subnational Authorities***

The original chapter highlighted the curvilinear nature of federalism in Venezuela. While formally federal for more than a century, federalism in practice did not begin to take off in the country until 1989 when the first direct elections of state governors and municipal mayors were held. The 1990s represented a golden era for federalism in Venezuela, but as foreshadowed in the chapter, and even more strongly felt today, the country's federal institutions have been severely weakened by formal (the clawing back of power and the creation of parallel institutions) and informal maneuvering by the federal government that has relegated governors and mayors (even more so) to the status of relative figureheads, with almost all policy decisions today effectively made by national government appointed actors, especially when the state or municipality is governed by a chief executive (i.e., governor or mayor) belonging to the opposition.

Federalism is likely to be a crucial topic of any future constitutional reform process given the ability of robust federalism to limit the degree to which the presidential election becomes a winner-take-all game by providing the losing side with the ability to govern with some autonomy at the state (in particular) and municipal levels. In a country as polarized as Venezuela, federalism could play an important role in promoting consensual government in the future.

### ***9.5 Political Parties and Party Systems***

The Venezuelan political party system, which served as the linchpin of the Venezuelan democratic system in the first period of democratic consolidation, cooperation and stability, is dead. This two party duopoly, formed by Democratic Action (AD) and COPEI, no longer exists,

with AD now a second tier actor within the broader Democratic Unity Roundtable (MUD) opposition coalition and COPEI a third-tier player. Other parties, in particular Justice First (PJ), and their principal leaders have supplanted AD and COPEI as the leading voice of the opposition. At the same time, the Chavista Movement's United Socialist Party of Venezuela (PSUV) now occupies a political space that was unoccupied by a significant political party during the period of democratic consolidation (1958-88).

The Venezuelan political party system has changed dramatically since the end of the first democratic period in the late 1980s, but is even substantially transformed compared to ten years ago. Most importantly, the country's largest single political movement, Chavismo, was created as personalist vehicle of a man who passed away in 2013. Key to understanding Venezuela's current and future policymaking process is how Chavismo will continue to function as a movement without Chávez, and, especially, if it finds itself no longer in control of the national executive branch and all of the resources for patronage and enrichment that control provides in what according to Transparency International is one of Latin America's most corrupt countries. In addition, at present there exist significant fissures within Chavismo (e.g., pro-Maduro vs. anti-Maduro; ultra-Chavistas vs. pragmatists; military vs. civilian origin), with these divisions potentially of profound relevance for current and future governance and public policy in Venezuela.

Of equal importance is developing a better understanding of the opposition MUD coalition. This involves understanding more about the newer parties that play a prominent role in the coalition such as the PJ, but also the mechanisms by which the MUD coalition functions in terms of decision making and political coordination. Moreover, to date the glue which has held the MUD together is its opposition to Chavismo. It is therefore unclear how the MUD would function as a governing coalition were it to take control of the executive branch.

## ***9.6 Bureaucracies***

In the years since the chapter was written the country's already hyper-partisan, ineffective, and corrupt bureaucracy has become even more partisan, ineffective, and corrupt. A major issue that will confront any future president, especially a non-Chavista one, is how to deal with a bureaucracy that has become far more a vehicle for patronage than public service. Also meriting further discussion is the rapid growth over the past ten years of state-run companies that are

economically unviable, yet have for all intents and purposes become part of the bureaucracy, with their employees now public sector workers. And, there is additionally the issue of the rising partisanship and increasing degree of executive branch dependence that has undermined the legitimacy of the electoral process in Venezuela as the CNE has become even more subservient to the executive branch since the original chapter was written.

Even in the best (from an economic diversification perspective) of times around four-fifths of Venezuela's export earnings came from the hydrocarbons industry, and today that share is closer to 95 percent. One of the ignominious distinctions of the Chávez administration was its transformation of a relatively efficient, independent, and professional national oil company (PDVSA) into an inefficient, dependent, and unprofessional institution which is incapable today of allowing Venezuela to fully exploit its petroleum reserves, reserves which are key to the country's development and prosperity.

### ***9.7 Other Institutions***

In no other country included in the volume have we witnessed a decline in democratic conditions similar to that seen in Venezuela over the past twenty years. As late as 1998 Venezuela received a 2.5 "free" rating from Freedom House, but since that time the country's democratic system has experienced significant erosion, with its most recent score a "partly free" rating of 5.0, placing the country on the brink of falling into the dubious category of "not free." In light of recent events it is a near certainty that the country is already in "not free" territory, but given the annual nature of Freedom House's ratings, we will have to wait until early 2017 to know for sure.

As mentioned previously, the role of political institutions and actors in the policymaking process is quite different in a democracy than in a dictatorship, and the general model utilized in the larger volume in which this chapter is situated takes as a given a minimum level of democracy, something that is absent in Venezuela. Furthermore, unlike in the other seven countries, where the armed forces are for all intents and purposes entirely subordinated to the democratically elected constitutional government and their commander and chief, in Venezuela the military and specific military actors have begun to play an increasingly influential and independent role in the political process, underscoring the need for a better understanding of the incentives and goals of the military in Venezuela today.

## **9.8 Conclusion**

The original chapter described a Venezuela that in many important respects increasingly no longer exists. As foreshadowed by the chapter, the country has transitioned from being one of shining examples of democracy (albeit not without flaws, especially in the area of social policy) in Latin America to a shining example of a competitive authoritarian regime on the cusp of slipping into pure, unadulterated authoritarian rule. This democratic deterioration in turn has weakened the general applicability of the approach utilized in the other chapters to Venezuela.

An optimist would view the present conditions in Venezuela as the nadir of democracy in the country with hope for a modern day-Punto Fijo agreement between the opposition and pragmatic Chavistas before the end of the decade. A pessimist would view the present conditions in Venezuela as part of a continued slide deeper and deeper into authoritarianism, a form of government where political institutions and the policymaking process function in a manner quite distinct from that found in democracies. At the present time, there are some reasons to be cautiously optimistic about Venezuela's democratic future, but not so many that the fears of the pessimists can be dismissed out of hand.

## **10. Conclusion**

The eight preceding country specific reviews underscore how the current relevance and applicability of the original diagnostics and analysis in these volumes to understanding political institutions and policy outcomes vary considerably in Argentina, Brazil, Chile, Colombia, Ecuador, Mexico, Paraguay and Venezuela. Given the fundamental importance of these volumes to the global community, however, a very good case can be made for the need for a revised version of the chapter in the case of all eight countries, revisions which could form the foundation of an updated version of the path breaking *Policymaking in Latin America* to be published on the ten-year anniversary of the original volume in 2018.

The need for a revision to the original chapter is the greatest for Ecuador and especially for Venezuela, where the political system and policymaking process ten years ago is quite distinct from that today. In other cases, the general analysis and description from circa 2006 still does a solid job by and large of describing the key actors and functioning of the policymaking process today, but at the same time there exist several changes that are of sufficient substance and import that the original conclusions reached in the chapter may very well need to be

modified, and, even when no modification turns out to be necessary, a revision would allow us to continue to have confidence in the veracity of the chapter's conclusions instead of doubt. Countries in this category are Argentina, Brazil, Colombia, Mexico, and Paraguay. Finally, the Chilean chapter is the contribution that at present would appear to be least in need of a revision, given that the institutions and policymaking process detailed by its authors closely resemble those today. However, in light of a landmark 2015 electoral reform that could potentially weaken one of the four pillars (two stable electoral/governing coalitions) of the successful Chilean model, a revised chapter that analyzes this change and its initial impact is very much needed.

Overall, it is difficult to overstate the importance and impact of *Policymaking in Latin America: How Politics Shapes Policies* (2008) and *El Juego Político en América Latina: ¿Como se Deciden las Políticas Públicas?* (2010). From the time of their publication to the present they have served as invaluable resources for a large and diverse group of users. However, to maintain their impact and value for these users, they should be revised and updated to both take advantage of additional data which have become available with the passage of time as well as to modify their analysis and conclusions in light of institutional, partisan, and other changes which have taken place in the eight countries over the past ten years.

In addition to the revised version of the original volume covering Argentina, Brazil, Chile, Colombia, Ecuador, Mexico, Paraguay and Venezuela, it would also be potentially beneficial to explore the possibility of extending the analysis to a set of countries beyond these eight via either the commissioning of new volumes or the addition of new country volumes as part of the core revision. One group of countries could include the nine presidential democracies not among the original eight studied, six located in Central America/the Caribbean (Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, and Panama) and three located in South America (Bolivia, Peru, and Uruguay). A second group of countries could include the region's more populous parliamentary democracies which with some partial exceptions (notably Suriname, but also in some respects Guyana) feature political institutions that are heavily based on a Westminster model of government: Bahamas, Barbados, Belize, Guyana, Jamaica, Suriname, and Trinidad and Tobago.

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