Majority Dominance or Power-Sharing:
Control of the Legislative Agenda in the Argentine Congress

By

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Abstract

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The ability to prevent undesired policy changes is a fundamental source of political power. In a series of recent publications, Cox and McCubbins have identified a key mechanism to block policy shifts in modern legislatures: the design of the legislative agenda. A major conclusion resulting from their research is that in most modern legislatures the majority party or coalition is granted the exclusive right to block bill access to the floor. Further, they explain that the need to solve coordination and cooperation problems within their ranks is what drives majority parties to seize all positions with agenda-setting authority in legislatures as diverse as Japan, Brazil, Germany, Italy, and the U.S. House and Senate. These authors recognize that in some legislatures scheduling rights are also granted to minority and opposition parties, an agenda-setting structure that they call *consensual*. However, they do not explore the characteristics of this type of agenda-setting configuration or the conditions that explain its emergence.

This study aims at filling this gap using Argentina as a case study. It examines two types of evidence: the congressional rules that distribute formal gate-keeping authority over the legislative process, and patterns of legislative behavior consistent with one or another model of agenda control. The analysis focuses first on the landmark procedural reform that in 1963 created the scheduling committee, or *Labor Parlamentaria,* which I argue was critical in establishing a Chamber which both in norm and behavior conforms to the consensus agenda model. By granting small and large legislative blocs equivalent representation in *Labor Parlamentaria,* as well as equal voting power in its procedural decisions, the new scheduling committee amply distributed veto rights over the plenary schedule to majority and opposition parties. Further, measures for centralizing gate-keeping authority in the parties' leadership were passed to facilitate the inter-party negotiations that sustained the effective functioning of a consensual process of agenda formation. The analysis also identifies an explanation for the emergence of consensual agenda control, arguing that this institutional choice was the result of a ruling party who, unsure of its long term majority standing in the electorate, limited its own immediate power in the legislature to promote minority-protecting rules that would benefit it in the future. Over the intervening decades these rules have been locked-in, and they have long outlived the specific political situation that made them relevant.

The analysis later examines behavior consistent with a consensual process of agenda formation, by adopting Cox and McCubbins' roll rate as a measure of agenda control by legislative parties. Contrary to traditional approaches that identify partisan rolls by observing legislators' behavior on the floor, the present study calculates roll rates using a new dataset of legislators' endorsements of alternative bill reports in committee. A great strength of this measure lies in the fact that, in the Argentine context, committee behavior is a better source than are floor votes for estimating the true policy preferences of legislators. Roll rates are computed for the main government and opposition parties in the Argentine Chamber of Deputies using an original dataset of every law passed between 1983 and 2002. The analysis shows that, consistent with the theory, the design of the legislative agenda in the Argentine legislature operates consensually.

Finally, this study explores the effects of presidential decree authority on agenda-setting behavior within the Chamber of Deputies. Using a simple spatial model of legislative decision-making, it shows that, under certain distributions of preferences and status quo points, the *threat of a decree*, and more specifically, the *credibility of such threat*, alters the parties' strategic decision whether or not to block unwanted bills from reaching the assembly floor. The empirical results show that when the credibility of a decree threat is high—for example, on presidentially-initiated bills—the roll rates for the opposition party increase, suggesting that, on occasion, the president can seize the power to determine the congressional agenda from the legislative parties.

In sum, this study shows how a specific set of legislative procedures, introduced under distinctive political circumstances in 1963, have been reproduced over nearly five decades, long outliving those circumstances. The legacy has been a form of legislative politics in Argentina, based on the joint design of the legislative agenda by majority and opposition parties, in which neither sees legislation passed that makes them worse off.

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To my children, Tiago and Caetano,

and

my mom, Franca

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Introduction

The ability to prevent undesired policy changes is a fundamental source of political power. In democratic systems, this power is anchored in a series of rights selectively granted to the actors involved in the policy-making process. Some of these rights assign veto authority at the final or late stages of a policy proposal. Examples include strong law-making authority to a second "discordant" chamber[1], the presidential right not to implement expenses mandated by the budget law[2], and the executive veto. Others distribute veto power at early stages of the life of a bill. Among these, the executive's exclusive initiative on specific policy matters[3], and the gate-keeping authority of legislative committees constitute valuable resources with which legislative actors can protect the status quo against threats of unwanted policy changes.

This study focuses on a key power to block policy shifts in modern legislatures: the capacity to *prevent* bills from being scheduled for floor consideration—or negative agenda control. In a series of recent publications, Cox and McCubbins have explored the ways in which this right is allocated in a number of presidential and parliamentary legislatures (Amorin Neto et al. 2003; Cox et al. 2000; Chandler et al. 2006; Campbell et al. 2002; Cox, Heller and McCubbins 2008). An early conclusion coming out of this research was that negative agenda power tends to be concentrated in the majority party or governing coalition. The authors coined the term *agenda cartel* to refer to this procedural arrangement, a structure in which the majority party controls all relevant agenda-setting posts in the legislature and, thus, *monopolizes* procedural power (Cox and McCubbins 1993).

Later comparative research, however, showed that agenda cartels were not a universal feature of legislative organization. Indeed, while everywhere majority parties tend to have an effective veto over the legislative schedule, the extent to which this power is an exclusive prerogative of the majority party—thus conforming to the concept of a cartel—or, alternatively, it is shared with opposition and minority parties, varies widely (Cox 2005). This finding led Cox and McCubbins to revise their original claim by suggesting that, rather than a unique model of agenda-setting power distribution, scheduling authority—and particularly, the right to block bill access to the plenary—is organized along a wide range of variation. This range is defined by the degree to which blocking power is concentrated or dispersed among the parties in the legislature.

Thus, on one end of the spectrum, one party, the majority party, secures for its leaders all legislative positions with veto authority over the legislative agenda—at the exclusion of minority and opposition parties who are left with no effective tools to stop a bill from being considered on the floor. This is the agenda cartel model, which inspired Cox and McCubbins's original theory, and which best describes the organization of the modern U.S. House. On the other end, *all* the parties with legislative representation enjoy the right to prevent a bill from reaching floor consideration. This is the more recently conceptualized consensus model. Although less well-defined or understood, the authors posit that in consensus forms minority and opposition parties can *also* stop policy changes by blocking the access of bills to the floor (Cox 2005; Cox and McCubbins 2004, 2005; Cox, Heller and McCubbins 2008; Prata 2006).

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[1] Lijphart 1999
[2] See for example of Chile (Baldez and Carey 2001)
[3] For examples see Aleman and Tsebelis 2002

While this new conceptualization enriches the scope of Cox and McCubbins' theory by allowing variation in the organizational features of legislatures, the authors devote most of their intellectual effort to develop the characteristics, appropriate measures, and rationales behind the adoption of majority cartel forms of agenda control. By contrast, the characteristics that define consensual legislatures as well as their specific behavioral dynamics have remained underdeveloped. In particular, the opportunities for strategic behavior that this arrangement opens to opposition parties, as well as the factors that explain its adoption by a legislature have received no attention in comparative legislative studies.

Further, the behavioral measures that are commonly used to obtain evidence of agenda control by majority parties may not be appropriate for testing agenda-power by the opposition, and consequently they may underscore the extent to which opposition parties also share agenda-setting prerogatives in systems believed to operate as agenda cartels. Thus, for example, Cox and McCubbins and other scholars writing within their framework have relied on the concept of *roll rates* to test for the presence or absence of an agenda cartel in a given legislature. The maintained assumption behind this measure is that parties with effective blocking power over the legislative agenda will prevent bills they oppose from ever reaching the floor vote. Thus, an analysis of aggregate votes on the floor should reveal a pattern in which the majority party is rarely found on the losing side of the vote. The contrasting behavior with the opposition party—that is, that this party votes the losing bill far more often than the majority party—is taken as indication of lack of agenda control by the opposition.

However, this measure ignores the possibility that even with effective control of the gates to the floor, and supporting the approved bill, opposition parties may still vote against it to gain position-taking payoffs from opposing an unpopular bill—and to distinguish themselves from the majority party with the electorate. Thus, voting on the losing side of a bill does not necessarily indicate that the approved legislation moved policy away from the party's ideal point—the situation that the concept of a roll is theoretically designed to capture. Nor does it mean that the opposition party is divested of effective blocking power over the legislative agenda. By contrast, this behavior may indicate that opposition parties have an advantage over majority parties to maximize their utility from their collective behavior on the floor. They can at the same time reap the benefits of a policy move that makes them better off, without having to pay the cost of going on public record voting for an unpopular or suboptimal bill—or accruing the benefits of defending more popular alternatives. This divergent strategic position of the majority and the opposition parties in the law-making process calls for the development of a measurement strategy that contemplates the different influences on floor behavior that operate over each. More specifically, we need to find alternative sources to the floor voting behavior to better estimate the policy preferences of opposition parties.

In sum, the extension of Cox and McCubbins' theoretical framework to include the possibility of consensual forms of agenda control demands that we develop new and appropriate measures to test for the occurrence of this alternative type of legislative organization—a development that may increase the frequency of cases we place in this category. Moreover, the presence and durability of consensual arrangements calls for a theory of their emergence, stability and change. This study is a first step in both directions. Using Argentina as a case-study, I build on Cox and McCubbins's recent work by more closely examining the less studied aspect of their framework: consensus agenda models. In particular, I focus on an archetype which in earlier work I called power-sharing. Power-sharing lies at the opposite end of the spectrum from the agenda cartel model, and thus it represents a case of extreme consensus.

There are multiple types of evidence that can be used to evaluate whether the scheduling process in a legislature is organized around majoritarian or power-sharing principles. One option is to examine the *congressional rules* that structure the scheduling procedure. Formal rules are an important piece of evidence to the extent that they define the underlying clout that actors have in procedural decisions. Anchored in their formal powers, legislative parties can then utilize these in varying ways to maximize their utility functions. Thus, whether parties actually use their gate-keeping authority to avoid policy shifts that they oppose, or instead they forgo this opportunity to attain other political goals are issues that concern the structure of their utility function, not the extent of their power to maximize it. Knowledge of the formal authority with which actors are endowed is thus a fundamental step to understanding the range of choices available to the legislative parties, and thus to better interpret observable outcomes.

A second strategy to identify the scheduling process in a legislature is to search for observable *behavior* consistent with one or another type of agenda-setting power allocation. Examining legislative behavior allows us to measure the actual exercise of scheduling power in a legislature. Moreover, true legislative power is often the result of a number of rules and their interaction. For example, the gate-keeping power granted to the legislative parties in the rules of congress may be curtailed by the positive agenda-setting powers granted to the president by the constitution—for example, in the form of decrees. These, in turn, may be stronger or weaker depending on the rules regulating the legislative approval of presidential decrees, which in turn are affected by regulations regarding the possibility of a presidential veto over legislative decisions, which, finally, are subject to specific override procedures. Thus, the net effect of the rules on actual gate-keeping power is a function of their interaction, which cannot be easily deduced from a reading of the rules themselves. Furthermore, small institutional details may have large impact on the balance of power regarding agenda-setting decisions, but they could be easily missed in an approach narrowly focused on examining major institutional structures. Finally, a number of informal and unwritten practices may shape and even supersede the formal authority granted by the rules (Levitsky 1998). Therefore, in addition to examining formal congressional procedures, a complete assessment of agenda-setting power calls for an examination of legislative behavior reflective of alternative distributions of power. In other words, evidence of agenda control may be obtained by developing behavioral implications of alternative models of agenda formation, and comparing them with aggregate behavioral data.

Finally, a last possible strategy to empirically discriminate between alternative scheduling arrangements is to examine policy *outcomes* claimed to be consistent with each design. If as a maintained hypothesis we sustain that legislative parties assign high utility to promoting their policy preferences, then we should observe that parties use their agenda-setting powers to move policy in the direction of their ideal point. Patterns of policy movements, both in static as well as dynamic models of policy-making should provide additional evidence of the type of agenda-setting structure that prevails in a given legislature.

In this study, I explore the agenda-setting structure that prevails in the Argentine Chamber of Deputies. I do so by examining both the congressional rules that regulate agenda power *and* the legislative behavior consistent with agenda control.

Organization of the Study

The study is divided into three chapters, each to be read as a stand-alone piece. In *Chapter 1,* I explore the origins of the institutionalization of a consensual model of agenda formation in the Argentine Chamber of Deputies. In particular, I examine the procedural reforms that in 1963 created

the scheduling committee, or *Labor Parlamentaria*, which I claim was critical in establishing a legislature which both in norm and behavior conforms to the consensus agenda model.

I argue that the procedural reform of 1963 at once produced two shifts in scheduling authority, which I call *centralization* and *power-sharing*. *Centralization* implied the concentration of gate-keeping authority in the parties' leadership while divesting individual legislators and organized factions within the parties of any similar power to block the legislative progress of bills. Thus, contrary to the cartel model of agenda control, gate-keeping authority within parties was not shared among a more or less heterogeneous group of internal party leaders, and was instead concentrated on the parties' central authority. Centralization was achieved by lowering the quorum requirements to produce reports in committee, thus allowing the smallest minority of committee members to report out a bill for floor consideration. As a result of these rules, internal factions within parties could no longer hold up bills that they opposed in committee, thus stripping the latter of any significant gate-keeping power in the legislative process.

Power-sharing meant splitting the gate-keeping authority centralized in the party leadership among majority and minority parties. Thus, contrary to the cartel model of agenda formation the majority party was forced to share the right to decide the floor schedule with a multitude of minority and opposition parties. Power-sharing was accomplished through the creation of a scheduling committee—*Labor Parlamentaria*—that concentrated all gate-keeping authority in the legislature. By granting small and large legislative blocs equivalent representation in *Labor Parlamentaria*, as well as equal voting power in its procedural decisions, the new scheduling committee became critical in establishing a consensual agenda-setting process.

Finally, Chapter 1 outlines an explanation for the emergence of a consensual form of agenda-setting arrangement in the Argentine legislature. It argues that *power-sharing* was the political project of a ruling party—the UCRP—who found itself in an anomalous situation: while winning the presidential election and the largest share of seats in the legislature—facilitated by the outlawing of the majority party—it remained structurally weak in the electorate. Aware of its fragile electoral standing and taking advantage of its strategic position in a polarized political system, the UCRP limited its own short-term power and sponsored minority-enhancing rules that would preserve its political clout in the future. Thus, the adoption of consensual agenda-setting rules were in line with the long term interests—but not so much with the short term interests—of the ruling party and its coalition partners in congress. At the same time, measures of partisan *centralization* were adopted to sustain the consensual mechanisms of agenda control based on inter-partisan negotiation that were introduced with the creation of *Labor Parlamentaria*. These were all the more necessary at a time in which most political parties, but particularly the UCRP, were torn by internal upheaval.

Chapter 2 turns to an examination of a different type of evidence to determine whether the agenda in the Argentine Chamber of Deputies is organized along the Majority Cartel or the Consensus model. Focusing on the most recent democratic regime inaugurated in 1983, Chapter 2 studies patterns of *legislative behavior* that are reflective of one or another type of agenda formation.

I start by adopting a modified version of Cox and McCubbins' preferred measure of agenda control: the roll rate. Roll rates are behavioral measures intended to assess the effective rather than the normative veto power that a party holds over the legislative agenda. A party is said to be rolled when a change to the status quo has moved policy away from the ideal point of the majority of the party members—or party median. A party who faces this situation often is

presumed to lack power to control the legislative process. Conversely, a party who is (almost) never rolled is taken as indicative of holding effective veto over the floor schedule.

Critical to the assessment of a party roll is knowledge of the preferences of the median member of the party. These, however, are not directly observable, posing numerous questions about their estimation. Following Cox and McCubbins, the conventional approach to this issue has been to assume that the legislators' vote on the floor is a close reflection of their true preferences. Thus, measures of roll rates can be calculated by counting the proportion of times that a party median votes *against* a bill that passes—or the number of times that new legislation makes a party worse off. This approach, however, poses some concerns in studies of the Argentine Chamber of Deputies.

Indeed, there are a number of reasons why the use of floor behavior to estimate legislators' preferences may be problematic in the Argentine case. Two of these are of particular salience. First, high levels of party discipline may confound our inferences about the legislators' preferences. When party pressures to change the vote are strong and effective, behavior on the floor does not necessarily reveal the true location of the party median. Under these circumstances, measures of roll rates calculated over floor votes will more likely reflect the effectiveness of the party leadership in punishing defections with the party line, than the extent to which the parties exercise blocking power over the floor schedule. Second, as mentioned above, legislators' behavior on the floor—particularly that of the opposition parties—may be affected by opportunities for position-taking, which further clouds our estimation of their true *policy* preferences. In both cases, the inability to correctly estimate the preferences of the parties' medians questions the validity of roll rates based on floor behavior to measure the agenda-setting power that parties hold over the legislative agenda.

There is a last important reason why a focus on floor behavior may hamper our estimation of agenda control by parties. Indeed, prior to 2006 floor votes in Argentina were not ordinarily recorded. To the contrary, they were recorded only after a special motion by the legislators was approved by the Chamber. Between 1983 and 2001 this occurred only rarely, as during that period only 16% of the laws passed were subject to roll call voting. This has led legislative scholars to suspect bias in the set of issues that faced a roll call vote, questioning the representativeness of any statistic obtained through roll call data (Desposato et al. 2009; Morgenstern 2004; Carey 2007)

In response to these concerns, Chapter 2 proposes an alternative data source for the estimation of the legislators' preferences—and consequently, for the identification of roll rates: the legislators' endorsement of alternative bill reports in committee. Following prior research that has indicated that committee delegations are roughly representative of their parties, Chapter 2 claims that committee behavior provides more accurate information about the legislators' preferences than do floor votes. This is so for a number of reasons. First, behavior in committee occurs away from the public eye, reducing incentives for legislators to engage in position-taking. Second, committee reports are less consequential than are floor votes in determining policy outcomes—indeed, as I show, committees do not perform significant gate-keeping functions in the legislative process. As a result, party leaders are less concerned with imposing discipline in committee than on the floor, making committee behavior a more sincere expression of the legislators' preferences. Finally, the structure of the committee system—particularly its decision-making procedures that are consistent with the chaotic model of Cox and McCubbins' theory of agenda control—make committee endorsements not only more sincere expressions of the

legislators' preferences but also unconstrained manifestations of those preferences over the full ideological dimension of the bill.

As a result of the above, Chapter 2 measures the distribution of agenda setting power in Argentina by calculating roll rates for the main government and opposition party using an original dataset of the legislators' endorsements of alternative bill reports in committee, for every law passed between 1983 and 2002. The results show that neither the largest party in the legislature nor the main opposition party was rolled very often in the entire sample period. This result is consistent with a consensual control of the legislative agenda, in which both majority and minority parties share the power to block bills on the plenary schedule. Interestingly, it is also consistent with the formal procedures established by the rules of congress regarding the functioning of *Labor Parlamentaria*, as I discussed in Chapter 1. They do, however, contradict recent findings about agenda control in Argentina that claim that the Argentine Chamber of Deputies operates as an agenda cartel (Jones and Hwang 2005a; Aleman 2006). These studies rely on the more traditional measures of roll rates based on floor votes to estimate the gate-keeping power of the legislative parties. The divergent results that obtain from different data sources call for further research into the information that each one reveals. It also raises the question of the extent to which the use of committee behavior to study agenda control in other legislatures may increase the number of cases that fall into the consensual category, presently believed to be a minority group.

Finally, in Chapter 3, I build on the conclusions of Chapter 2 and take the analysis further by exploring the effects of presidential intervention in agenda-setting behavior by parties in congress. There are two important reasons for undertaking this task. First, the development of the literature on negative agenda-setting power has to date primarily and almost exclusively had an *intra-institutional* focus, that is, it has looked within a legislature, and indeed, within a chamber, to understand the strategic dynamics of negative agenda control. This focus is a sensible place to start since most legislatures, such as the U.S. congress, are *self-organizing*. However, an increasing body of literature has highlighted the extent to which external actors (mostly the president and a second chamber) may influence agenda-setting behavior within a legislative body (Aleman 2006; Aleman and Tsebelis 2005; Lupia and Sin 2003) In particular, there has been an increasing and natural evolution of the literature on presidential systems—particularly in the US context but more broadly as well—to focus on "separation of powers models" to explain behavior internal to one institution—legislative, executive or judicial. In this development, it has been shown in a number of contexts that looking only within one political institution, without incorporating incentives and constraints that are introduced by separate branches, can often mask important drivers of behavior within the institution under analysis (de Figueiredo, et. al. 2006).

Second, despite the findings of Chapter 2—that neither the government nor the opposition party was rolled very often between 1983 and 2002—it is still the case that roll rates for the opposition, while low, are not zero. Theoretically, in a perfectly consensual agenda-setting arrangement one would expect neither party to ever be rolled. The positive roll rates for the opposition party, therefore, represent the prediction errors of the results I presented in Chapter 2. Interestingly, an examination of the bills on which the opposition party was rolled reveals that an overwhelming number of cases are bills initiated by a president from the opposite party. This suggests that the Argentine president enjoys law-making prerogatives that can upset the agenda-setting powers of the parties within the legislature. By seizing control of the legislative agenda, Argentine presidents override the consensual arrangements that otherwise operate in this legislature.

Given the above, Chapter 3 systematically explores the effects of presidential intervention in agenda-setting behavior in the Argentine Chamber of Deputies. I focus on a primary candidate for presidential influence in the agenda of congress: the capacity to issue decrees with the force of law. Using a simple spatial model of legislative decision-making, I argue that, under certain distributions of preferences and status quo points, the *threat of a decree*, and more specifically, the *credibility of such threat*, alters the parties' strategic decision whether or not to block unwanted bills from reaching the assembly floor. By changing the reversionary outcome of failure to schedule a bill for floor consideration, such threats produce a change in the strategic environment that legislative parties face, and eventually lead to rolls. Moreover, credibility of the decree threat changes with the cost of decreeing, which in turn is a function of the popularity of the president, international determinants to policy-making, the existence of a situation considered in need of urgent action, the closeness of congressional elections, and so on. As costs of decreeing increase and decrease in response to these factors, so does the credibility of the decree threat and, accordingly, the roll rates for the opposition party. More specifically, as the credibility of a decree threat goes up, the roll rates for the opposition party increase as well. Conversely, when the credibility of unilateral action by the president decreases, low rates also tend to be smaller.

Finally, Chapter 3 develops hypotheses to test the implications of the main theoretical finding of the model: that the threat to use decrees to pass the president's most preferred policy affects the strategic use that legislative parties make of their gate-keeping powers, leading to rolls. All of the empirical hypotheses rely on maintained assumptions about costs of decreeing—which are the proxies for variations in credibility of decree threat. Thus, I assume that costs of decreeing are lower in a) bills that belong in the presidential agenda—represented by the bills formally initiated in congress by the president—b) at the beginning of a presidential term when the president's popularity is high, c) in years away from congressional elections, and d) when presidents use decrees more liberally. As a consequence, roll rates for the opposition party should be higher on these bills and in these years than in the rest. The results show strong support for the first hypothesis—that roll rates for the opposition party are higher in presidentially-initiated bills than in non presidentially-initiated bills—and indicative, though not conclusive evidence in support of the others.

Chapter 1

Centralization and Power-Sharing: The Creation of *Labor Parlamentaria* in the Argentine Chamber of Deputies

1. Introduction

The ability to prevent policy changes is an important and common feature of most modern democratic systems. Institutions such as federalism, bicameralism, qualified majorities, legislative committees, and special rules regarding the reform of constitutional norms all provide opportunities for selected groups to veto changes from the status quo (Tsebelis 2002). These institutional structures provide stability to the policy-making process, and arguably, in societies divided by strong societal cleavages they help infuse legitimacy to the political regime (Lijphart 1999).

In a series of recent publications, Cox and McCubbins have identified a key mechanism to block policy shifts in modern legislatures: the design of the legislative agenda (Cox and MCCubbins 1993, 2005). A major conclusion resulting from their research is that across a number of presidential and parliamentary democracies the authority to determine the legislative schedule is concentrated in the majority party or governing coalition (Amorin Neto et al. 2003; Cox et al. 2000; Chandler et al. 2006; Campbell et al. 2002; Cox, Heller and McCubbins 2008). Thus, in most—although not all—legislatures, the majority party is granted the right to monopolize all positions with gate-keeping authority. By contrast, minority and opposition parties lack any institutional resources to stop the advancement of bills that they oppose. Further, the authors explore why majority parties invest in controlling the agenda, arguing that behind this procedural effort is the incentive to present a unified public behavior on the floor which produces the least damage to its own members. For this reason, while control of the agenda is concentrated in the majority party it is also split among the senior leaders within the majority (Cox and McCubbins 1993, 2005). Hence, Cox and McCubbins refer to such an agenda-setting structure as an *agenda cartel*.

While recognizing that some legislatures may not be organized around the agenda cartel model, Cox and McCubbins spend less time exploring the characteristics of alternative models of agenda-setting power allocation. In particular, the authors do not elaborate on the factors that contribute to the institutionalization of consensus models of agenda control. Contrary to the cartel model, consensus agenda structures distribute blocking rights over the plenary schedule to majority and opposition parties. Thus, the only bills that reach the floor for discussion and vote are those that have cleared the veto of both the majority *and* minority parties in the assembly. Legislative policy shifts are thus the result of a broader political consensus than that obtained with a cartelized agenda.

This study builds on Cox and McCubbins's recent work by more closely examining the less studied aspect of their framework: consensus agenda models. In particular, I focus on an archetype which in earlier work I called power-sharing (Ferretti 2005). Power-sharing lies at the opposite end of the spectrum from the agenda cartel model, and thus it represents a case of extreme consensus. I explore this type by studying the procedural reforms that in 1963 created the scheduling committee, or *Labor Parlamentaria*, in the Argentine Chamber of Deputies. As I

show below, this committee was critical in establishing a Chamber which both in norm and behavior conforms to the consensus agenda model.

A close examination of the rules approved in 1963 indicate that through the creation of the *Labor Parlamentaria*, scheduling authority became distributed to a large number of minority parties in addition to the majority party. One way this was accomplished was by granting disproportionate weight to the former in the composition of the scheduling committee, while at the same time adopting a decision-making mechanism that favored compromise over majority rule in decisions regarding the floor schedule. Additionally, the rules worked to concentrate scheduling authority within parties. Indeed, the increasing factionalization of Argentine parties in the 1950s and 1960s posed a challenge to the effective functioning of a power-sharing arrangement. As a result, the new rules eliminated opportunities for organized factions to veto the agenda-setting decisions by the party leadership at the committee level. In other words, measures of partisan centralization were introduced to strengthen the authority of the parties' central leadership to conduct inter-party negotiations. Thus, in contrast to the majority party cartel model, in which scheduling power is *unevenly distributed between* parties but relatively *evenly allocated among* the partners of the majority cartel, after the 1963 reform, the Chamber's scheduling authority was roughly *evenly distributed between* parties but highly *uneven* (or centralized) *within* them.

Given these characteristics of the 1963 reforms, a final question concerns the reasons for their adoption. Using Argentina as a case study, this chapter outlines an explanation for the emergence of consensual forms of agenda control that contrasts with the cases studied by Cox and McCubbins and their colleagues. The argument builds on the dynamics of electoral competition and argues that the reforms were the political project of a ruling party who in 1963 faced two challenges to its political survival: the increasing factionalization of its ranks, and fear of minority status. In short, the rules regulating the agenda were passed during the political turmoil of the 1960s, when dramatic shifts in the electoral arena were met by an informal, unsophisticated and outdated institutional framework. In this context, a series of contingent events created a unique opportunity for small parties to re-design legislative institutions in ways that would lock in their power to shape policy vis-a-vis a rising dominant majority. The institutions created during this time, once in place, remained unchanged, even after the sociopolitical background, the strategic context, and the social and political forces that were responsible for their adoption were long overdue.

The chapter is organized as follows. Section 2, provides an overview of the argument and introduces the actors that were involved in the approval of the 1963 reform of the rules of procedure. Section 3, examines the rules passed by the UCRP and its party allies in congress. In particular, I argue that the institutional changes introduced in 1963 at once increased the agenda-setting power of the parties' central leadership, and spread scheduling authority broadly amongst both majority and minority parties. I analyze both the content and context of the passage of these rules to demonstrate how these two organizational shifts, which I call *centralization* and *power-sharing* respectively, were designed to operate and reinforce each other. Finally, section 4 concludes by offering possible explanations for the durability of a particular agenda-setting structure whose main features regulate the scheduling process in the Argentine legislature to date.

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2. The Political Context of the Reform

2.1 Overview

In December of 1963, the Argentine Chamber of Deputies approved a comprehensive reform of its rules of procedure. The reform was sponsored by the UCRP and its party allies in congress, and can be understood as the party's response to two institutional challenges to its political survival: the increasing factionalization of its ranks, and the fear of minority status. The two most important aspects of the reform were meant to address each of these issues. Thus, on the one hand, the new rules weakened the blocking powers of intra-partisan factions at the committee level, and, on the other, they broke the majority party's monopoly to determine the floor agenda. Together, they produced a double shift in gate-keeping authority: a vertical move away from individual legislators toward the parties' central leadership, and a horizontal redistribution of blocking power away from the majority party and in favor of a multiplicity of minority and opposition parties.

The reform was passed during a critical moment in the development of the Argentine congress, and it can be conceptualized as an institutional response to a functional challenge that all legislatures face in their path to modernization, namely, the necessity to provide a solution to the inevitable bottleneck that arises as a result of increasing law-making demands (Cox 2005). Indeed, in traditional societies characterized by low societal mobilization and a homogeneous political class, both the volume and complexity of the demands on legislative output can be effectively managed by a legislature in which the plenary agenda is unregulated. However, as societies become more complex and the democratization process deepens, new actors with novel and growing requests enter the legislative arena. Yet, with limited time to debate and vote on each bill, important matters risk not receiving prompt attention in an assembly swamped by multiple proposals of lesser scope. Thus, the rising number of bills waiting for legislative attention leads to inevitable bottlenecks that call for a systemic response.

Under these circumstances, the need emerges to adopt rules that regulate bill access to the plenary. These rules create power inequalities within the legislature, by granting a few actors—the agenda-setters—special authority to decide what proposals will receive priority consideration, and what others will be delayed or killed without reaching the plenary vote (Cox 2005). The procedures that regulate the legislative agenda are thus institutional responses to the organizational challenges that emerge in all legislatures as they face more complex social and political systems. However, the specific organizational form that this response takes is driven by contingent factors that affect the actors who, at this critical time, hold decision-making power over the choice of agenda-setting institutions. It is the claim of this chapter that in 1963 the UCRP chose a power-sharing over a majoritarian design to structure the scheduling process in the Argentine legislature because it both expected to find itself in the minority, and it feared that a new labor-based party would radically alter policy if ever in control of the assembly's majority.

In what follows, I develop these arguments in more detail.

2.2 The Critical Juncture

When in December of 1963 the Argentine Chamber of Deputies approved new procedures to regulate the access of bills to the plenary, the need for an organizational arrangement that controlled the flow of bills in the legislature had long been established. Indeed, in his speech in support of the reform, Deputy Gonzalez Bergez, a member of the Committee on Rules who drafted the reform, recalled how the prevailing rules—under which the Chamber

considered each committee report in the order in which it was produced—had led to frequent bottlenecks that prevented the approval of important policy initiatives (DSCD 1963; Vol. 1: 1028/29)

This overflow of legislative proposals was the result of a number of social and political developments that had slowly altered the legislature's landscape since a cornerstone electoral reform passed in 1912 had opened the legislative arena to new social and political groups. Thus, since the end of the 19th century and long into the mid 1940s, new political parties anchored in emergent urban sectors had increasingly threatened the dominant position of the agrarian oligarchy in all instances of government. First, it was the middle classes, university students, and Catholic groups, who united in the Union Civica de la Juventud (later Union Civica Radical—or UCR) led a number of rebellions and civilian protests in demand of institutional reform. While their base of societal support grew rapidly larger, they remained remarkably excluded from a political system in which regional party bosses made ample use of electoral fraud to sustain a declining oligarchy in power (Spalding 1965; Smith 1978; Botana 1975). This situation changed in 1912 when the first of two major electoral reforms infused transparency into the electoral process at the same time that it opened a space—albeit a subordinated one—for the opposition in the institutions of government. As a result, in 1916, the first UCR president assumed office, ending decades of oligarchic rule. Likewise, a number of UCR representatives took hold of congressional seats, bringing new social, cultural and economic demands into the legislative agenda (Collier and Collier 1991).

Much later, the turn would come for the working class to incorporate its agenda in congress. Indeed, the labor sector had been growing steadily throughout the 20th century under the impetus of a prosperous economy controlled by domestic producers with increasing purchasing power (Collier and Collier 1991). However, the working class did not achieve formal representation in the political system until 1945, when a new party advocating workers' rights and specifically mobilizing the workers' vote won the presidency. Labeled after the name of its leader, Juan Domingo Peron, the Peronist party promoted an aggressive agenda of social reform and labor regulations that added to the work of congress (Collier and Collier 1991). Indeed, the number of legislative proposals introduced in the Chamber of Deputies increased from a total of 370 in 1932—after three terms of UCR government ended in a brief military coup—to a total of 1828 in 1964, the first year of congressional activity after the reform of the rules of procedure was adopted. This increased volume of legislation waiting for their time on the floor is an indicator of the weight of the working class's demands in the agenda of congress (Molinelli, Palanza and Sin, 1999).

Thus, by 1963 the legislative workload had grown large and complex, leading to organizational bottlenecks that called for a solution. In response, and even before the reform of the rules was adopted, party leaders in congress had already resorted to informal mechanisms of intra-party consultation designed to provide some organization to the legislative agenda (DSCD 1963; Vol. 1: 899 an 1031). But in 1962, a second major reform of the electoral system introduced a new challenge to this arrangement. At this time, the electoral formula adopted in 1912, which distributed legislative quotas only to the first and second winner of the vote in each district, was replaced by proportional representation.[4] A direct consequence of the new

[4] Crawley argues that the adoption of proportional representation responded to the goal of precluding Peronism from controlling a majority in the Chamber of Deputies (Crawley 1987). As such, this institutional reform shows the extent to which fear of Peronism and conviction that it could easily control a majority in congress were major concerns among the Anti-Peronist elite that also passed the procedural reforms in 1963

regulations was that, for the first time in Argentine modern history, a multitude of small parties obtained legislative representation in the Chamber of Deputies. Thus, a legislature that had been characterized by a relatively consolidated distribution of institutional power among a small number of actors, suddenly broke into a rich mosaic of political expressions (Romero 1963).

Thus, to recap, at the onset of the reform, the legislative arena had become complex. On the one hand, the number of actors involved in law-making had grown significantly, making informal agreements much more difficult to implement. On the other hand, new social groups had obtained political representation, making the legislative elite much more heterogeneous in their demands, oftentimes sponsoring policy changes that were at odds with each other. Under these circumstances, the lack of regulation over the floor agenda became an impediment for law-making, creating numerous coordination and enforcement problems. The need had emerged for the institutionalization of a mechanism of agenda formation. The type of institutional response adopted to face this challenge, however, was far from being determined by the critical juncture. Instead, it was the result of a number of contingent factors that drove the strategic decisions of the actor who, during this critical time, happened to be in a position of power to shape the legislative procedures for years to come.

2.3 Strong in government, weak at the ballot

In December of 1963, the UCRP found itself in a position of power. After winning the presidency and the largest number of seats in the Chamber of Deputies, it became the natural focal point for any legislative coalition capable of passing a policy program through congress (Smulovitz 1991). From this position, the UCRP sponsored what is to date the most comprehensive reform of the rules of procedure in the Argentine Chamber of Deputies. The main trait of the reform was the institutionalization of a system of mutual veto points in the design of the legislative agenda. In other words, all political parties with minimal representation in congress were granted authority to block the placing of an unwanted bill on the plenary schedule, thus allowing each to unilaterally impose the status quo on any matter. This arrangement, which provided for consensual agenda-setting formation, runs contrary to developments in other world legislatures—in which it is typically the majority party who monopolizes veto authority on agenda-setting matters, leaving minority parties exposed to policy changes that they oppose (Amorin Neto et al. 2003; Cox et al. 2000; Chandler et al. 2006; Campbell et al. 2002; Cox, Heller and McCubbins 2008). But more importantly, they ran against the short term interests of the UCRP, who in control of the presidency and the first plurality in congress, could have benefitted from a short-term accumulation of agenda power to pass its policy program in a time that demanded effective decision making. What explains this unusual choice of institutions by the UCRP?

I argue that the peculiar procedural choice of the UCRP is explained by the party's attention to, not so much its immediate government needs, as its long term prospects of controlling the government in light of the increasing threat posed by Peronism. More specifically, as mentioned above, at the time of the reform, the UCRP faced two significant challenges to its political survival: the increasing fractionalization of its ranks, and the fear of becoming a minority party. Both developments were the result of the eruption of the Peronist party in the Argentine political arena, and of the failure of the UCRP to capture the workers' vote.

Early in the 20th century, the UCR—the former label of the UCRP—had established itself as the first mass-based party in Argentine politics (Collier and Collier 1991). Its political power

greatly outweighed that of the oligarchic elite and its traditional parties, who struggled to adjust their appeals and vote-gathering methods in the wake of mass democracy (Botana 1997). Consequently, until the 1940s, the UCR enjoyed a dominant position in the electoral market, and could reasonably expect to win most relevant positions of government in conditions of open and fair elections. The UCR's position was so electorally dominant that, unable to win the vote, the oligarchic elite had to resort to electoral fraud and anti-democratic interventions to re-gain its control of the institutions of government (Spalding 1965; Smith 1978; Rouquié 1975).

However, the dominant position of the UCR would be challenged in the 1940s, when a new party led by Juan Domingo Peron suddenly broke into the electoral arena and gained the support of the popular sector. Even if the UCR had been successful at building an effective electoral machine to mobilize mass support, it had failed to appeal to the emergent working class, becoming a predominantly middle class party and leaving the labor sector politically vacant (Waisman 1982; Collier and Collier 1991). Thus, when in the mid 1940s—and acting as a member of the military government that had taken power in 1943—Peron sponsored a number of labor reforms that had been long due, a strong and long-lasting bond between the military leader and the labor movement was born. The loyalty of the working class to its leader translated into mass electoral support for the Peronist party, which threatened the position that the UCR had enjoyed in the electorate.

The rise of Peronism in Argentine politics was unwelcomed not only by the UCR but also by the traditional elites. However, the fears mobilizing each were slightly different. For the traditional groups, Peronism advocated a radical platform of labor issues and social reform that threatened their interests. While in the first decade of the 20th century the UCR had dislocated the traditional groups from political power, it had not questioned the former's fundamental economic and social status (Collier and Collier 1991; Rock 1975; Snow 1965; Smith 1978). This was not the same perception that the traditional sectors had of Peronism. To the contrary, the Peronist movement was perceived as jeopardizing not only the political power of the traditional elites, but also their economic and social position (Collier and Collier 1991; Rock 1985).

By contrast, for the UCR, Peronism represented mostly a challenge to its electoral strength and its dominant position in a political system suddenly struck by high labor mobilization. Programmatically, however, the UCR was more eclectic. Some elements of the party—certainly its leadership who later formed the UCRP under Ricardo Balbín—were favorable to the old agrarian interests and traditional economic models (Acuna 1984). But other groups advocated more progressive platforms aimed at winning the workers' vote. One of these groups, the *Larraldismo*, operated within the limits of the province of Buenos Aires, where the worker population was the largest, and where the UCR competed head to head with the Peronist party to win the workers' support (Acuna 1984). Another group pursued an alliance with Peronism in 1957 when the latter was banned from competing in general elections.[5] This alliance had resulted in the UCR splitting into two major parties: the UCRP, who rejected the association, and the UCRI, who went on to winning the presidency with the support of the Peronist vote (Rouquié 1975). As a result, between 1957 and 1962, the UCRP saw itself relegated to a minority party forced to play the role of opposition.

The months immediately preceding the reform provided further signs of the minority position of the UCRP. Indeed, in March of 1962, elections to the governorship of 14 provinces

[5] The Peronist party was first banned from competing in elections during the military intervention of 1955. Although the country returned to democracy in 1957—and later in 1963 after another brief military government in 1962—Peronism remained outlawed from political life until 1972.

were held. Although the Peronist party remained banned from political life (as it had been since 1955) a number of Neo-Peronist parties had formed, symbolically raising Peron's name (and who received different levels of support by Peron himself who was living in exile since 1955) (Smulovitz 1991). The results, later annulled by the military regime, proved discouraging for the UCRP and helped instigate the fear that Peronism had become a hegemonic force in the electorate. Indeed, the UCRP lost in all of the districts except for the province of Cordoba. By contrast, 10 out of the14 governorships at stake went to Neo-Peronist candidates. After this dramatic defeat, in the 1963 elections, the leader of the UCRP, Ricardo Balbín, abstained from nominating himself as the presidential candidate for the party. Instead, he sponsored the nomination of Arturo Illia, a second-tier partisan member who belonged to a different internal current within the party. Historical research backs the interpretation that it was Balbín's extremely low expectations of winning that drove him to make this decision, thus forgoing the opportunity to become President ("La Semana Politica", *La Nación*, March 10, 1963; Acuna: 1984; Luna: 1983; Passalaqua, interview 1996).[6]

But it was the 1963 election itself that provided the final picture of the weak standing of the UCRP in the electorate. Indeed, the UCRP's victory was attained under a new proscription of the Peronist party, its leaders, and all other candidates affiliated with previous Peronist (or pro-Peronist) governments. In protest for banning their party, as much as 20% of the electorate casted blank votes, providing a measurable indicator of the strength of the Peronist vote even in the most unfavorable of circumstances (Rouquié 1975; Smulovitz 1991).[7] Against these numbers, the UCRP obtained only 25% of the vote, just a minor difference over the Peronists' support at the ballot. Moreover, the second largest party in the presidential race, the UCRI, received 16% of votes, revealing one more time the extent to which the split of the UCR around the Peronist issue had diminished the electoral strength of the radicals and augured against their

[6] Notably, the candidate for Vice-President in the 1963 elections (Carlos Perette) was also a member of a faction within the UCRP that opposed Balbín in the leadership of the party. Balbín had been the presidential candidate both in 1952 and 1957. The decision not to run in the 1963 elections, but, more significantly, to not place any representative of his internal faction in the presidential ballot was interpreted as revealing Balbín's perception that the UCRP would not win the elections. Note that, while Balbín relinquished a place on the UCRP's ballot, he maintained a tight control of the party leadership, winning over the other factions within the party by over 2/3 of the affiliates' vote (*La Nación*, December 1963 and January 1966).

Balbín's anticipation of an electoral defeat was also aided by another development in the months leading to the elections. Indeed, when the UCRP candidates were selected, the decrees that would extend the scope of the proscription of Peronism had not yet been issued. On the contrary, at the time, the military government was hoping to create a National Front with second-tier Peronist leaders that would incorporate this sector to the democratic system in a subordinate role, thus providing an alternative to proscription as a strategy to handle the "Peronist issue" (Rouquié 1982; Smulovitz 1991; Kvaternik 1987). But the prospects of the creation of the National Front eliminated any hopes that the UCRP would win the election. Thus, writing the day before the UCRP officially adopted the candidacies of Illia and Perette, the main Argentine newspaper was noting the precarious electoral position of the UCRP in face of two uncertain challenges: the creation of the Front, that pushed the UCRP to the second or third place in the polls, and the emergence of a new conservative party that would divert significant number of Anti-Peronist votes away from the UCRP ("La Semana Politica", *La Nación*, March 10, 1963).

[7] Juan Domingo Peron, the leader of the Peronist party, who at the time was exiled from Argentina, had called on his followers to cast a blank vote in the election (voting was and is still mandatory in Argentina for citizens 18 and older). As a result, blank votes amounted to 20 percent of the total vote, a number large enough to leave no doubts that, even with their party outlawed, the Peronists were a powerful electoral force ready to occupy its hegemonic position in the Argentine political system.

long-term majority status. All other parties competing in the presidential election obtained less that 8% of the vote (Acosta 1992). [8]

The minority position of the UCRP was also apparent in the distribution of partisan power in congress. After the 1963 elections, a total of 28 parties were able to place at least one representative in the legislature. In the Senate, the UCRP was able to control its own majority by obtaining 25 out of 46 seats, but in the Chamber of Deputies the party fared more poorly. In this Chamber, the UCRP managed to control a plurality of only 37.5% of the seats. The parties that followed in strength were the UCRI (10%); a spin-off of the UCRI led by the former president Arturo Frondizi (10%); a number of Neo-Peronist parties (9%); the Anti-Peronist UDELPA (7%), and the Federation of Parties of the Center (6%)(Acosta 1992). [9] Moreover, the minority status of the UCRP in the legislature was far from being a contingent result of the newly adopted proportional representation, and was rather the reflection of the structural weakness of the party in the electorate. In this regard, it is worth noting that in the legislative elections of 1960 and 1962 the UCRP had performed even worse that in 1963, obtaining just 21.5% and 19% of the votes respectively (*Primera Plana*, March 16, 1963).

Altogether, the elections contributed to confirming what was already a shared perception: the minority position of the UCRP and the electoral strength—and potential majority status—of Peronism, a picture that uncovered the structural make-up of the political representation in Argentina during the 1960s. However, the electoral results would also bring to the fore another aspect of the political system that would play in favor of the UCRP, as the polarization that followed the consolidation of the Peronist vote had turned the former into the focal point of the Anti-Peronist bloc (Smulovitz 1991). The UCRP would use this strategic position to its advantage to grab a unique opportunity for institution-building. Thus, even if the party had only obtained 37.5% of the seats in the Chamber of Deputies, it would be able to build a working

[8] Given that, at the time, presidential elections in Argentina were indirect—meaning that voters would elect representatives to an electoral college which would then select the president—the UCRP's victory in the electorate did not automatically translate into the party's candidate becoming president, as the party votes did not suffice to obtain a majority in the electoral college. As a result, the UCRP had to seek the support of the Federation of the Parties of the Center, the Confederation of Provincial Parties, the Christian Democratic Party, the Social Democratic Party, and three representatives of the UCRI from the province of La Pampa to place its candidate, Arturo Illia, in government (*La Nación*, August 1st, 1963). This would be the first time in Argentine history that a candidate had to resort to support outside his party to become president.

[9] The underlying minority status of the UCRP, in sharp contrast with the Peronist party, would become more apparent as the UCRP government progressed, as revealed by an examination of the elections to the legislature. Indeed, in 1963, elections to the Chamber of Deputies were held together with the presidential election. In this case, despite the proscription of Peronism, some small Neo-Peronist parties—mostly provincial parties mobilized by second-tier leaders within the Peronist movement—were allowed to run candidates for the legislature. The presidential party, the UCRP, obtained 37 percent of the legislative seats. The Neo-Peronist parties totaled 9 percent (Acosta 1992).

In 1965, new elections were held to partially renew the Chamber of Deputies. By then, the proscription on the Peronist party had been loosened, and most candidates were now allowed to run for legislative posts. The results of the new election confirmed, one more time, the electoral weight of Peronism and the fragile standing of the UCRP. Indeed, after the 1965 election, the UCRP was able to retain much of its former legislative power (its share of the Chamber's seats dropped slightly from 37 to 36 percent). But the Peronist bloc had increased its legislative strength enormously, growing from a total of 9 percent of the seats in the 1963 legislature, to 27 percent of the seats in 1965 (Acosta:1992).

coalition with the traditional parties in the legislature, together securing a legislative majority.[10] This strategic alliance was facilitated by the conservative stand of Ricardo Balbín in economic matters, a position that played favorably with the traditional parties who stood on the right of the ideological spectrum.[11] From this position, the UCRP sponsored a set of procedures to regulate the legislative agenda that both addressed the internal and external political challenges to its survival, as well as provided its allies in congress with conservative reassurances to their socio-economic interests.

It is in this context that a comprehensive reform of the Chamber rules should be interpreted. The reforms were the institutional project of the UCRP acting in a critical juncture in the development of congress, and with its preferences strongly determined by a combination of structural factors—e.g. the consolidation of party affiliations within the working class—and contingent variables—e.g. the proscription of Peronism and the UCRP's pivotal role in the Anti-Peronist bloc. They were aimed at creating minority strongholds of power within the legislature, capable of preserving the status quo against advances of a potential majority. In the short term, these procedures would not benefit the UCRP. Rather, they would empower its competitors, mostly a number of Neo-Peronist parties who, running on different party labels to circumvent the proscription of Peronism, would pick up the Peronist cause in congress. In the long run, however, these agenda-setting institutions reveal the perception that the UCRP had of its feeble position in the electorate, and its fear of minority status.

3. The Reform of 1963

In December of 1963, the Argentine Chamber of Deputies approved a comprehensive reform of the Chamber rules of procedure. The reform introduced two significant changes in the distribution of agenda-setting authority within the legislature: centralization and power-sharing. The spirit of these changes was made apparent by the member of the rules' committee who introduced the reform to the Chamber. According to Martinez Raymonda, the new rules were double-edged: on the one hand, they were intended to preserve the rights of minority parties against the potential abuses of the majority; on the other, they were designed to limit the obstructionist activity of small groups of legislators, which jeopardized the Chamber's legislative efficacy (DSCD 1963; Vol. 1: p.918). While the first goal inspired the institutionalization of an original form of power-sharing procedural arrangement, the second objective led to the adoption of measures of partisan centralization.[12]

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[10] According to Maria Elena Acosta, this legislative coalition managed to generate a decent record of legislative accomplishments until 1965, when new legislative elections gave an astounding victory to the Neo-Peronist parties who became the second largest party in the legislature with 27% of the seats (Acosta 1992).

[11] In this respect, Acuna characterized Balbín's ideological position as "liberal conservativism" (Acuna 1984: 142-143). The author underscores the firm defense of the interests of the agrarian elite that Balbín led in the Chamber of Deputies to back his characterization.

[12] This double shift in gate-keeping authority was consistent with other institutional reforms approved during the same period. Among them was a change in the electoral system for the Lower House. Much like the reform of the Chamber rules did in the legislative arena, in the electoral arena, the electoral reform shifted power away from individual candidates by giving tighter control of nominations to party leaders. At the same time, proportional representation replaced the existing quota formula, thus favoring smaller (opposition) parties at the expense of larger (majority) ones. Other rules—regulations regarding formal requirements to present candidates for national elections, as well as rules governing state financing of political campaigns—followed similar principles.

3.1 Partisan Centralization

One of the main objectives of the change of rules approved in 1963 was to take gate-keeping power away from individual legislators and factions in favor of the parties' central leadership. I will call this first shift in scheduling authority, *centralization*.

Centralization was achieved through a number of measures, the most important of which was aimed at weakening the gate-keeping authority of the Chamber's standing committees. This task was accomplished trough a procedural amendment that loosened the quorum requirements of committee operation. Indeed, before the reform, the presence of at least 50 percent of the committee members was required to both initiate debate on a proposal, as well as to vote on the final text to be submitted to the floor. No regulations specified the procedural consequences of failure to obtain quorum, and thus lack of quorum resulted in committee inaction. In fact, prior to 1963, committees would often hold up proposals under their review for indefinite time, failing to produce any bill recommendations for the Chamber. As a result of this practice, numerous important bills never reached the floor for their consideration and vote (DSCD 1963; VOL. 1: p. 919). Martinez Raymonda, a member of the Committee on Rules that drafted the reform, explicitly recognized this behavior as a deliberate obstructionist tactic that severely affected law-making efficacy (DSCD 1963; VOL. 1: p.919).

In response, the 1963 reform was meant to facilitate committee production by allowing the smallest minority of committee members to issue reports on bills. Thus, the new rules established that committee chairs had to provide in advance a list of the issues to be treated at each committee meeting. To start debate and to vote on each matter, a quorum of 50 percent of the committee members had to be obtained. However—and here lies the innovation—after two failed attempts to consider a specific issue for lack of quorum, the committee was allowed to consider, vote, and report a bill with *any* number of members present at the meeting. The bills thus reported stood as valid committee bills, amenable for floor consideration regardless of how small a minority of committee members participated in its debate.

The more lenient quorum requirements had the effect of stripping the standing committees of all effective gate-keeping power over new legislation. Under the new rules, both majority and minority parties (government and opposition) were divested of the right to obstruct proposals for policy change. In Cox and McCubbins's terms, at the committees' stage of law-making, the new regulations instituted a chaotic model of agenda-setting allocation, a change that counters the organizational trend in modernizing legislatures.[13] What explains this unusual choice of regulations?

It is the claim of this chapter that the change in the regulations of committee quorum was meant to control the obstructionist activities of the internal currents that coexisted within the UCRP and other parties in congress. By divesting partisan factions of all veto rights at the committee level, the reforms were intended to create the conditions that would facilitate peak partisan negotiations in the design of the floor agenda. In this sense, the reform of the rules for committee operation promoted the partisan centralization of gate-keeping authority. This was all more relevant in face of the strong divisions that ran within the largest political parties in 1960s.

Indeed, the years between the *Revolucion Libertadora* in 1955 and the military coup of 1966 are arguably the time of greatest heterogeneity within the Argentine parties (Smulovitz 1991). As mentioned above, not long before the reforms of 1963, the UCR had endured two major internal splits that had severely weakened its electoral and legislative strength. First, in 1956, the party split into the *Union Civica Radical Intransigente* (UCRI) and the *Union Civica*

[13] I will show later that at the system level the agenda was designed to be consensual.

Radical del Pueblo (UCRP). The break was triggered by disagreement over the presidential candidate for the 1957 elections (Snow 1965), but it soon revealed larger differences regarding each party's stance in the proscription of Peronism (Rouquié 1975). While the UCRP advocated a complete exclusion of all Peronist leaders from the electoral arena, the UCRI—led by future president Arturo Frondizi—promoted an electoral alliance with Peronism as a subordinate partner (Smulovitz 1991). Later, in 1963, the UCRI experienced a second division when former president, Arturo Frondizi, left the party in opposition to the UCRI's refusal to enter a new electoral pact with Peronism for the 1963 presidential election. At this time, Frondizi and his followers formed the *Movimiento de Integracion y Desarrollo* (MID) and Oscar Alende became the leader of the UCRI, both parties moving on to occupy minority positions in the political system (Rouquié 1975).[14]

Even the UCRP, which after its split from the UCRI had managed to remain united, and which in 1963 had won the presidency and the largest number of seats in the legislature, was torn by strong internal cross-currents, resulting in splinter factions. Three of these—the MIN from the State of Cordoba (also known as *Línea Córdoba*), the MIR from the State of Buenos Aires, and the *Unionismo*—were particularly strong in the central party leadership, while a fourth one—the *Larraldismo*—remained a dominant force in the lower-class districts of the province of Buenos Aires (although it was losing strength in face of the advances of Peronism among the workers' voters) (Acuna 1984). These groups were divided along programmatic, regional, and personal cleavages. Thus, the MIR (*Movimiento de Intransigencia y Renovación*) had been the dominant force within the UCR since 1948, and both the leader of the UCRP, Ricardo Balbín, and the leader of what later would be the UCRI, Arturo Frondizi, belonged in this group. Born as a reaction to the conservatism of the Unionist leaders that had controlled the party until 1948, in its origins, the MIR advocated a platform of vaguely nationalist and leftist ideals, seeking to present the UCR as a popular alternative to Peronism (Acuna 1984).

By 1963, however, the MIR was hardly a homogenous group itself. Most of the differences among their members revolved around the strategy to follow in face of Peronism, although regional and ideological divisions also played a role (Acuna 1984). Thus, in 1951, a group of leaders within this faction—mostly concentrated in the province of Cordoba—separated from the MIR, which had become dominated by the province of Buenos Aires. This group formed a new internal faction called the MIN (*Movimiento de Intransigencia Nacional*), which after the death of its leader, Amadeo Sabattini, came to be known simply as *Línea Córdoba*. *Línea Córdoba* was born out of this group's disagreement with the electoral strategy endorsed by the leadership of the MIR in the 1951 presidential elections, when Peron ran for a second consecutive term under questionable transparency. In protest for what was perceived to be an abuse of power, the members of *Línea Córdoba* supported the abstention of the party—a long favored strategy of the radicals in their fight against governments accused of violating political rights. The MIR, however, endorsed the participation of the UCRP in the race, a position that ended up winning within the party (Acuna 1984).

Similarly, within the MIR a second faction led by Crisologo Larralde began to gain support in the industrial sectors of the province of Buenos Aires. This internal current, formally

[14] In 1972 the military government led by Alejandro Agustin Lanusse issued a decree with new regulations for political parties—which was inspired by the Ministry of Interior Arturo Mor Roig, former president of the Chamber of Deputies during the 1963-1966 legislature and one of the main leaders of the UCRP. The new regulations allowed the UCRP to run under the traditional name of Union Civica Radical, while the UCRI was forced to adopt a new name. Thus, in 1972 the UCRI led by Oscar Alende adopted the name of Partido Intransigente.

affiliated with the MIR, started to differentiate itself from the MIR's leadership when Ricardo Balbín, head of the UCRP, began adopting a more conservative ideological position, advocating the interests of the large landowners of the province of Buenos Aires, and abandoning the popular postulates that the MIR had stood for (Acuna 1984). Against him, the *Larraldismo* sponsored an industrialist program, based on the promotion of non partisan unions—which at the time were affiliated with the Peronist party. The death of Larralde in 1962 left this group without its political leader and in a weaker position to face the other major currents within the UCRP (Acuna 1984).

The second formal faction within the UCRP, the *Unionismo*, had been the dominant force within the UCR since the death of its founding leader until 1948, when the MIR acquired the leadership of the party. By 1963 however, this current was still, arguably, the largest faction within the UCRP (*La Nación*, December 1963). Endorsing a liberal-conservative platform, since the 1940s, this faction would also be identified with the most Anti-Peronist elements within the party (Acuna 1984). However, by 1963 some of its leaders had started to moderate their ideological positions endorsing programs such as social democracy, economic planning, state corporatism, and cooperatism (Acuna 1984). In reaction, the most conservative and Anti-Peronist elements of *Unionismo* formed the Independent Radical Movement, with influence in the federal district of Buenos Aires. In the 1963 election, this movement supported the electoral abstention of the UCRP (Acuna 1984).

Finally, the last major internal faction with national scope within the UCRP was *Línea Córdoba*, which, as mentioned above, had split form the MIR in opposition to the electoral strategy advocated by the latter in regards to Peronism. Programmatically, this group would be the one that most clearly defended nationalist and popular postulates. Strategically, Línea Córdoba was markedly Anti-Peronist and had supported the military coup that had ousted Peron from power in 1955. These characteristics made *Línea Córdoba* a natural broker in the conflicts between the MIR and the *Unionismo*, oftentimes siding with the latter and with *Larraldismo*, against the hegemonic position of the MIR in the party (Acuna 1984). However, in 1963, *Línea Córdoba* too was torn by internal disputes, when a few leaders within this group advocated a shift of the party to the left (Rouquié 1975). According to the most important political magazine of the day, "its internal divisions forced *Línea Córdoba* to concede in its aspirations to achieve an equal standing [to the MIR] in the national committee of the UCRP, where the majority of the MIR [delegates] from the province of Buenos Aires, systematically shut the doors of the party's headquarters to Cordoba" (*Primera Plana*, January 16, 1964, p.12)

In sum, the party that won the elections in 1963 was torn by a number of internal factions, none of which was homogenous itself. By 1963 these groups had become comparably influential both within the party organization as well as within the government. Thus, while the president elected in 1963, Arturo Illia, was a prominent member of *Línea Córdoba*, the leader of the party, Ricardo Balbín—a strong, charismatic politician who was the mastermind behind all the party's tactical decisions—was the head of the MIR (Acuna 1984). Similarly, Illia's cabinet reflected the diversity of the party, with prominent members of all three major national factions assigned to the head of the various ministries. Interestingly, a mirror distribution of power was pursued and achieved in the Chamber of Deputies, where chairmanships to standing committees were allocated strategically to deputies aligned with political factions opposite to those of the ministers in charge of the same policy jurisdictions (Ferretti 1996).

Thus, for example, the four most important ministries of the Executive were assigned to different factions within the UCRP: the ministry of Internal Affairs was occupied by a member

of *Línea Córdoba*; the *Unionismo* took control of the Ministries of International Relations and Defense; and the Ministry of the Economy—as well as all the Secretaries under its jurisdiction—went to a member of the MIR (*Primera Plana*, October 15, 1963). By contrast, in the Chamber of Deputies, the presidencies of most of the permanent committees with jurisdiction in the Economic Department were assigned to members of the *Unionismo*. These included the Budget Committee, the Committee of Agriculture, a Special Committee on Oil, and the Vice-Presidency in the Committee of Commerce—the Committee of Commerce was the only committee with jurisdiction on economic matters in which the President did not belong to the UCRP. *Línea Córdoba* controlled the presidency in the Finance Committee, while the MIR only obtained a President seat in the Committee on Industry. However, the MIR was able to secure the presidency in the committees of International Relations and Defense, opposing the Unionist leaders in the cabinet. [15] [16]

Arguably, the decision to give all the internal currents a fair share of governmental power preserved the unity of the party—and, thus, of the cornerstone of any Anti-Peronist bloc capable of beating the Peronists at the ballot. However, the resulting potential stalemate was a matter of concern, both for party members and for external observers alike (*Primera Plana*, October 15, 1963). Indeed, although differences among the UCRP's internal factions were not so much about general policy as they were about alternative stands regarding the (re)legalization of the Peronist party (Smulovitz 1991; Acuna 1984), there was fear that disagreement among groups with power to block each other's actions would result in policy deadlock (*Primera Plana*, October 8, 1963).[17] Strategies for institutional preservation could hamper efforts at policy innovation, particularly when these required strategic alliances with other political parties in the legislative arena. The high factionalization of the UCRP could make it difficult to devise a unified partisan strategy capable of sustaining a working coalition in congress that could beat the advances of the Neo-Peronist parties. Similar concerns worried other minority parties, whose heterogeneity also increased around what came to be known as the "Peronist issue" (Kvaternik 1987; Smulovitz 1991). It was clear that the place of Peronism in Argentine politics had become the most sensitive matter among political elites, one that severely polarized positions in the political system and that was ripping parties and internal factions apart (Smulovitz 1991; Ferretti; 1996).

It is in this context that the rules providing for the centralization of gate-keeping authority should be understood. Weakening the gate-keeping rights of standing committees had the goal of limiting the veto power of internal factions within the parties. The move was aimed at providing the parties in congress with the resources to exercise centralized authority to lead negotiations

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[15] The matching of the authorities of the legislative committees with each internal faction within the UCRP was done by the author based on multiple references in the two most important journals of the time: *Primera Plana* and *La Nación*.

[16] A similar balance of power among the different factions of the UCRP was attained in the leadership structure of the party. Thus, during Illia's administration three leadership teams successively controlled the UCRP headquarters. In all of them, the distribution of power among the internal factions was the same: the MIR secured the presidency, *Línea Córdoba* won the 1st Vice-Presidency, and the *Unionismo* occupied the 2nd Vice-Presidency (*La Nación*, Jan 19, 1964, and March 5, 1966)

[17] In this respect, one and half months after the inauguration of the new government, in lieu of what it considered a fundamental delay in the definition of economic policy, *Primera Plana* published "the general sensation is that the government paralysis is not determined by [lack of] investigative work, but rather by the deep disagreement between the government officials with decision making power" (*Primera Plana*, December 3rd, 1963, p.4). And later, the same journal argued that "for the political observers […] the contradictions and deep disagreements among the most important government officials prevent [the government from making] any concrete movement" (*Primera Plana*, December 17, 1963, p.5).

with other parties in a consensual policy-making structure. In this respect, another important rule approved in 1963 completed the move toward centralization. For the fist time, in 1963, the rules of the Chamber of Deputies explicitly recognized political parties as formal legislative structures. Legislative blocs were thus granted new rights and resources. Among these were the right to participate with equal decision-making power in the steering committee that decided the legislative agenda—a committee which was also created during this reform, as I describe in detail in the following section—the right of deputies who represented a legislative bloc to enjoy extended plenary time in floor debates, the right to hire their own staff, and the right to use resources specifically allocated to the activity of the parties' leadership. [18]

To summarize, the first shift in legislative scheduling power approved in 1963 was a vertical move upward that I called centralization. Measures of centralization were meant to redress a situation in which small internal factions within all the relevant political parties blocked policy initiatives favored by the party leadership. This situation had become particularly salient in the 1960s, when the leadership of most political parties, but particularly of the party that led the Anti-Peronist bloc, remained weak in face of the strong internal currents that divided their ranks since the outburst of Peronism. Moreover, centralization was key for a governmental strategy based on the opportunistic alliance of the UCRP with the traditional parties in government to work effectively.

However, *centralization* did not mean *concentration*. The move to take veto power away from factions and committees was not followed by a parallel move to concentrate gate-keeping authority in the majority party or coalition (a situation consistent with the high frequency with which the cartel model has been found by Cox and McCubbins in most modern legislatures). To the contrary, as I will discuss in the following section, at the peak level of partisan leadership, the reform of 1963 stripped the majority party of the right to exclusively determine the legislative agenda, and forced it to share gate-keeping authority with minority and opposition parties. In other words, while centralizing gate-keeping power within each legislative party (vertical dimension of power distribution), at the elite level of partisan leadership, the reform of 1963 divided gate-keeping authority among a multiplicity of parties (horizontal dimension of power distribution). Thus, for the first time in Argentine history, a formal power-sharing arrangement was introduced in the scheduling process.

3.2 Power Sharing

3.2.a Pre-Reform Design of the Legislative Agenda

Before the reforms of the Chamber rules were passed, all procedural decisions were adopted by majority rule on the floor. There was no special scheduling board regulating the access of bills to the plenary, and there were no special blocking rights granted to specific parties or groups of legislators. Rather, gate-keeping was a function of size, meaning that, formally, any occasional majority of legislators could exercise the blocking powers granted by the rules of congress to committees and the floor itself. In other words, all legislators, regardless of their

[18] In this respect, it is worth noting that the MIR controlled the leadership positions of the party delegation in congress. Thus, while the president of the UCRP bloc in the legislature was a member of Línea Córdoba, both the 1st and 2nd Vice-Presidencies went to members of the MIR, as did the Speakership of the House. Against a highly heterogeneous party, this homogenous choice of partisan leadership—in contrast with the balance of factional influence that had been pursued in other arenas of power—revealed the UCRP's concern with creating the institutional foundations for a centralized decision-making process in the party's negotiations with other legislative parties (*Primera Plana*, September 10, 1963)

party affiliation, enjoyed equivalent authority to set the legislative agenda, a situation that is best characterized by the Floor Agenda Model described by Krehbiel (1991).

However, even if not granted any procedural advantage derived from its majority status, before 1963, the majority party exercised a limited control of the legislative agenda (Schinelli 1989). This situation was facilitated by an electoral law that promoted the formation of large legislative majorities in the Chamber. Sanctioned in 1912, and in effect until it was replaced by proportional representation in 1963, the so-called *Ley Saenz Pena* established a system of quotas by which the party who obtained the largest share of votes in each district—regardless of the size of the electoral victory—was entitled to 2/3 of that district's seats in congress, while the second largest party would occupy the remaining third. As a result, between 1916 and 1962 one party had always been able to control close to, or over, 50% of the seats in Congress. Moreover, consistent with the distribution of power on the floor, it was customary for the largest party in the legislature to also obtain a majority of seats in each standing committee.

The legislative majorities created by the electoral law could exercise gate-keeping power in two ways. First, they could block the passage of bills in committee. Indeed, as mentioned above, before the 1963 reform, committees could not produce a report on a bill unless at least 50% of their membership supported this action by providing quorum to deliberate and vote. Given that the majority party controlled a majority of the committee seats, this requirement meant that only the majority party—if any—could aim at exercising gate-keeping authority at this stage. The minority parties had no institutional resources to stop a majority from moving a bill forward by reporting out a bill. In other words, prior to 1963, the minority parties had no control of the agenda in committee, since at this stage the majority could easily override their veto with its own numbers.[19]

Second, the majority party could try to control the agenda on the floor. A number of motions were available to the majority party at this stage. Thus, at the beginning of each plenary session, the President of the Chamber would read the agenda for the day. Immediately after, any member of the legislature could move to alter the order of business by requesting (a) that the consideration of a bill by the floor be postponed for a definite or indefinite period of time; (b) that a bill listed for consideration at the current meeting be sent back to the committee that reported it for further review (*moción de reconsideración*); (c) that a bill scheduled to be treated at a later date be moved forward for consideration at a specified meeting (*moción de preferencia*); (d) that a bill be considered as first issue in the current meeting, before any other legislative matter, regardless of its position on the legislative agenda (*moción sobre tablas*).[20]

The motions thus presented were then put to the assembly's vote. To succeed, the motions that altered the scheduling order by *anticipating* the consideration of a bill—motions (c)

[19] Of course, under these rules, obstructionism could come and be effective in the hands of dissidents within the majority party. In this sense, the rules prior to 1963 worked as an agenda cartel, in which the majority party can push an agenda forward against the minority parties, but only to the extent that the partners within the majority are in agreement about the agenda. As I argued above, between the mid 1950s and the onset of the reform, reaching a policy agreement within some legislative parties, but in particular within the UCRP, became problematic and threatened the capacity of the majority to pass any policy program. The need to curtail the power of the internal factions within a potential majority was one of the reasons behind lowering the quorum requirements for committee operation.

[20] Other regulations allowed individual legislators to move to alter the length and order of debates and plenary meetings. As examples, the moves to (a) put an end to a plenary meeting; (b) request a break during a plenary meeting; (c) close debate on an issue; (d) allow for "free" legislative debate—i.e. not subjected to time limits—in the consideration of a bill (Rules of Congress, art. 100).

and (d) above—required the favorable vote of 2/3 of the legislators in attendance. By contrast, the motions that, if approved, would result in *postponing* or delaying the floor consideration of a bill—cases (a) and (b) above—required the vote of a majority of the legislators present. Thus, while exercising positive agenda power without the support of other parties in the legislature could prove difficult, the majority party could reasonably expect to be able to block or delay the consideration of bills on the floor by resorting to the discipline behavior if its own ranks. This tool was not available to minority parties who, by themselves, could not produce the required majority to stop the assembly consideration of unwanted bills.

The *de facto* control of the legislative agenda that the majority party enjoyed before 1963 would radically change with the adoption of the new rules of procedure.

3.2.b The Creation of Labor Parlamentaria

The 1963 reform of the Chamber rules introduced what is probably the most important innovation in the history of the organization of the Argentine legislature: the creation of a new committee specifically dedicated to drafting the legislative agenda for the floor. The committee of *Labor Parlamentaria* was thus born, modeled after the scheduling committee of the French assembly. Like its French counterpart, *Labor Parlamentaria* was entrusted with the task of establishing the order in which the assembly would discuss the bills submitted to its consideration. For this matter, the committee would take into account the importance of the issues at hand, as well as the interest that the different legislative blocs conveyed on each bill. The new system would thus end decades of legislative work in which the order of business was mechanically determined following the date in which bills were reported out of committee, a system that, with the increase in legislative activity, had resulted in various clogs and inefficiencies when large numbers of minor bills delayed the consideration of important policy changes demanded by powerful societal groups.

The creation of *Labor Parlamentaria* exposed, as no other regulation, the spirit behind the reform. As Deputy Martinez Raymonda stated it in his opening speech to the assembly, the new rules were designed to "serve as shield and protection for the minorities against the abuses [of the majority]" (DSCD 1963; VOL.I: 918). "Commonly, assembly rules have been designed by the majority and imposed over the full legislative body. Today we can say with pride that we have all come to an agreement to restrain ourselves in some degree, as the most proper way to defend our rights" (DSCD 1963; Vol. 1: 918). "A representative government (…) needs to rest on principles of mutual tolerance…" It should not "impose to a valuable minority, legislation for which it might get offended" (DSCD 1963; Vol. 1: 919).

The legislative debates that accompanied the approval of the new rules revolved around two related issues that directly hinged on the concept of power-sharing: the composition of *Labor Parlamentaria*, and the decision-making procedures that would govern its operation. Regarding the first, the rules established that the composition of the new scheduling board would stand in sharp contrast to that of the other committees of the Chamber. Indeed, following the adoption of proportional representation, the reform of 1963 established that the internal composition of all standing committees abide by the same principles embodied in the new electoral law. That is, committee membership would reflect the distribution of forces in the House, with each party enjoying committee representation *proportional* to its share of seats in the legislature. The introduction of proportionality in the composition of standing committees was considered a move forward toward a more "representative" legislative structure. A basic

equality principle was thus preserved by which the floor strength of each party was replicated at pre-floor stages of the legislative process.

There was one important exception to this rule: the composition of *Labor Parlamentaria*. Indeed, in the case of *Labor Parlamentaria*, proportionality was deliberately ignored. Instead, all legislative blocs, regardless of their size, were granted equal representation in the scheduling board. Specifically, *Labor Parlamentaria* was to be composed of the President and the two Vice-presidents of the Chamber, plus one single representative for each legislative bloc. In contrast to the standing committees, the new scheduling board was not designed to represent the distribution of legislative seats in the Chamber. On the contrary, it was meant to introduce a deliberate *inequality* in the power to determine the legislative agenda, by under-representing larger parties and over-representing smaller ones at pre-floor stages of the legislative decision-making process.

The membership choice for the scheduling committee was hardly uncontroversial, and in the debates that surrounded the approval of the reform, the extent to which this new legislative institution served the purpose of enforcing power-sharing in the scheduling process became apparent. Indeed, one of the most debated issues concerning the new rules was the number of legislators that a legislative bloc had to have in order to place a representative in *Labor Parlamentaria*. The original draft of the reform stated that all legislative blocs that gathered a minimum of three deputy members were entitled to representation in the scheduling committee. This bar, low by most standards—particularly when compared with the French scheduling committee after which *Labor Parlamentaria* was designed—was nevertheless challenged on the floor. A group of legislators brought to the assembly's attention that a myriad of small, provincial parties were not strong enough to ever be able to obtain three seats in the legislature. Nonetheless, they were the expression of clearly defined socio-political interests, and, in such role, they deserved to be granted equal power to that given to the larger parties in the design of the legislative agenda. Notably, this issue was raised by Deputy Cheble from the *Confederation of Provincial Parties*, and it was supported in the Chamber by Rules Committee Member Gonzalez Bergez, from the same legislative bloc (DSCD 1963; Vol. 1: 1022-24).[21] Both legislators represented small provincial parties with no prospects of ever controlling a legislative majority, and who bargained for a place in *Labor Parlamentaria* with authority to bloc the passage of bills to the floor

In the end, the final approval of the reform struck a compromise between the different concerns voiced by the legislators. On the one hand, the rules stated that *all* legislative blocs that represented a political party in the electorate were entitled to place a representative in the scheduling committee, regardless of the size of their delegation. These blocs were considered legitimate expressions of ideological currents or socio-political interests in the national electorate. On the other hand, legislative blocs that were formed *after* the election, and that resulted from internal splits among legislators formerly running on the same party label, could only place a representative in *Labor Parlamentaria* if they gathered at least three deputy members. The concern behind this formal distinction was that candidates who ran under the same party label to maximize their chances of being elected, once in congress, would split into different legislative blocs to take advantage of the privileges that the new scheduling rules granted to minorities. In contrast to small legislative blocs that represented true opinion trends in

[21] Cheble was the only elected representative for the Provincial Party of Santiago del Estero, a small province in the center of the country. Gonzalez Berges belonged to the Conservative Union who controlled three seats in the Chamber of Deputies at the time of the reform. Both were members of the same legislative bloc: the Confederation of Provincial Parties.

the electorate, these blocs were seen as opportunistic and manipulative of the popular will. As such, the rules of procedure established a higher bar for the latter to place a representative in *Labor Parlamentaria*.

This rule, however, could also be interpreted as a move against the potential effects of the partisan factionalization discussed above. Indeed, measures of centralization in committee had stripped organized factions of the power to block policy initiatives sponsored by the party leadership. Divested of their power in committee, strong factions could break off their legislative bloc and organize separately, regaining blocking power in *Labor Parlamentaria*. The restriction regarding the members allowed in *Labor Parlamentaria* was arguably devised to prevent this opportunistic behavior that would result in internal veto points within the parties. In this respect, UCRP Deputy Mujica stated: "I understand that a legislative bloc can be formed claiming that it is representative, if when it competed for the vote in general election it had an ideology, a platform, a position, that will guide its legislative work…But I consider that we undermine representativeness if, after having sought the vote of the people with a specific platform and ideology [a party] comes to the legislature to form different blocs, because we would not know which of these blocs actually retains popular representation…I state that a legislative bloc is that which is formed with the representatives of political parties with a similar ideology. Legislative blocs have to be composed of the representatives of the political parties that went to the elections and expressed a common opinion. They cannot constitute blocs those that, afterwards, due to political discrepancies in which the electorate that voted them has not participated, come to support different opinions in the Chamber… "(DSCD 1963; Vol. 1: 1024) In response to this concern, Deputy Gonzalez Bergez stated that, in the new rules, "we contemplate, on the one hand, the need […] to preserve the integrity of the political blocs formed by representatives of a same political party and, on the other, we also anticipate the situation of those parties, mostly with provincial constituencies, which do not have, and probably will never have, any chances of being represented by more than one or two legislators in the assembly…Sometimes, one single deputy has been the authentic representative of a party with deep popular roots and long presence in the political history of the country. Such situation must be considered and respected in the rules. But they do not deserve equal consideration those spin-offs or divisions within political parties, which could be advantaged if we granted the status of a legislative bloc to a deputy that breaks off his party to become an independent actor in the assembly. When the number of dissidents does not reach at least three [deputies], the committee considers that the spin-offs of the already organized parties, must not be elevated to the status of a bloc." (DSCD 1963; Vol. 1: 1022)

In sum, the composition of *Labor Parlamentaria* embodied the power-sharing principle that inspired the reform by giving equal representation in the scheduling committee to all legislative blocs, regardless of their size. The rule expressed the will to avoid the potential control of the majority party over the scheduling process, and to establish an all-inclusive arrangement that widely distributed gate-keeping rights to all legislative parties. A slight distinction was made between those legislative blocs that represented true ideological or socio-political divisions in the electorate, and those that were seen as tactical or opportunistic divisions created to take advantage of the new procedural rules. This distinction reinforces the idea that the reform was guided by the need to ensure both centralization and power-sharing in the scheduling process. Thus, when having to decide *what* minorities would be allowed to place a representative in the new scheduling committee, the legislature had to strike a balance between these two objectives. As a result, it opted for a rule that included all legitimate political expressions in

society that managed to get at least one representative in the assembly, but which, at the same time, limited the procedural power that opportunistic factions could gain out of breaking off their party to obtain their own representative in *Labor Parlamentaria*.

All in all, in 1964, the rules regulating the composition of the new scheduling committee allowed for a total of 13 political parties to receive representation in *Labor Parlamentaria*. The composition of the scheduling committee broke the correspondence that had existed between the parties' voting and gate-keeping powers. The new rules separated these two by making *gate-keeping* power independent of the parties' numerical strength. Thus, while remaining weak on the floor, small parties became strong at pre-floor stages of the legislative decision-making process. Their strength relied less on their capacity to sanction their most preferred bills, than on their ability to veto the assembly's consideration of undesired policy changes, even in those cases in which the majority party or coalition favored such a change.

The second point of controversy in the creation of *Labor Parlamentaria* revolved around the voting procedures by which this collegiate body would decide the agenda on the floor. Again, the different positions were determined by the perceived structural standing of each party in the political system. Thus, the minority parties, even the UCRP who happened to be the largest party in the legislature but who was aware of the fragile nature of its legislative strength, advocated for more consensual forms of decision making. This arrangement was not received with much enthusiasm by those parties which, despite temporarily being in a minority position, recognized themselves as the eventual holders of majority status in the assembly. These included not only the Neo-Peronist parties, but also some members of the UCRI who in repeated elections had sponsored electoral alliances with Peronism—a strategy that had not only led to internal partisan divisions but also to military intervention to annul the electoral results.

Concretely, when the tasks of *Labor Parlamentaria* were up for debate, UCRI Deputy Gomez Machado demanded a more detailed specification of the procedures by which the new committee would produce the order of business to be submitted to the Chamber's approval. The question was whether *Labor Parlamentaria* would be subject to the same rules of operation that applied to all the other Chamber committees. Indeed, the prevailing rules were specific about the procedures by which committees would make decisions regarding the issues submitted for their review. First, they stated that committees were allowed to produce more than one report on a bill. Second, they established that the reports would be considered by the full Chamber according to the number of endorsements that each report had received in committee. These regulations reinforced the right of the largest legislative party to produce the majority report in committee (at least as long as its members were disciplined).

By contrast, when *Labor Parlamentaria* was created, the issue of the rules by which this committee would produce decisions regarding the floor schedule remained vague. Specifically, the new rules established that it was the responsibility of *Labor Parlamentaria* to design the legislative agenda for each floor meeting. *Labor Parlamentaria* would first produce a proposal of the items to be discussed on the floor, known as the *Plan de Labor*. The *Plan de Labor* would then be submitted to the floor upon its approval by a simple majority of the legislators in attendance. The *Plan de Labor* was thus functionally equivalent to a committee report on a bill, in that it was a proposal that the floor had to approve to become effective. But did this mean that the production of the *Plan de Labor* would be governed by the same procedural rules that applied to all other standing committees in their production of bill reports?

To some legislators this appeared to be the straightforward interpretation of the rules: absent specific decision-making rules regarding this overarching scheduling committee, *Labor*

Parlamentaria would have to abide by the same generic rules designed for all the other committees in the Chamber (Gomez Machado. DSCD 1963; Vol. 1: 1028) Among other things, this implied that (a) *Labor Parlamentaria* would be allowed to report more than one proposal on the order of business to the floor, and (b) that each proposal would be considered on the floor, following the number of votes that each one received in *Labor Parlamentaria*. Thus, the possibility of *Labor Parlamentaria* issuing reports endorsed by a majority—but not the totality—of its members was open.

The issue, however, was *what* constituted a majority within *Labor Parlamentaria*, given that its composition stood in stark contrast to those of all the other standing committees. Concretely, a majority in *Labor Parlamentaria* would not necessarily represent a legislative majority. On the contrary, a majority within the scheduling board implied a majority of legislative blocs. Thus, if *Labor Parlamentaria* ought to produce proposals for a *Plan de Labor* under the same procedures that standing committees produced reports on bills, it was possible for an Anti-Peronist majority to produce a *Plan de Labor* that crowded out the *Plan de Labor* sponsored by the Peronist bloc, even in the potential case in which the latter greatly outweigted the former in legislative strength. In other words, the "majority reports" issued by *Labor Parlamentaria* would not necessarily express the scheduling preference of the *assembly's* majority.

Deputy Gomez Machado (UCRI) was the first one to call the assembly's attention on this matter: "We contend that if we grant the [scheduling] committee the task assigned to the standing committees of the Chamber, that is, if it can produce majority reports, we will undermine [and] twist the essence of the proportionality principle according to which the [Chamber] rules have to operate. A committee composed of one representative from each [legislative bloc] can bring to the floor a majority report that does not reflect what this Chamber represents in numbers…We contend that such committee does not legitimately represent this legislative body, due to its political composition, and because it breaks principles of equality." (DSCD 1963; Vol. 1: 1028)

As a result, Gomez Machado proposed the first amendment to the rule that created the committee of *Labor Parlamentaria*. Specifically, he asked for a change in the functions assigned to the committee, whose role would be reduced to that of an advisory board with no decision-making power: "we sustain that such committee has to serve consultative purposes only; it should not have decision-making responsibilities, not even to produce proposals [on the scheduling of bills] and to bring majority or minority reports to this Chamber…" (DSCD 1963; Vol. 1: 1028) [22]

Gomez Machado's amendment was rejected by the committee that drafted the reform, thus practically killing its consideration by the full Chamber.[23] At this point, Deputy Luco, a

[22] Martinez Raymonda: "But what do you understand for a report?" Gomez Machado: "A proposal suggesting to the Chamber a specific measure, as all other committees do." Martinez Raymonda: "But it does not force the assembly [to accept it]." Gomez Machado: "We do have some experience in the Chamber, and one thing is not to force the legislature in theory […] and another to come and bring a majority report to the floor. Note that the votes have to be reversed completely to break the majority decision brought [to the floor] as a committee report. So, to the extent that this committee is not representative of the Chamber, it should not bring to the floor either a majority or a minority report. It could only bring [a report if signed] by unanimity. The standing committees can do it (issue majority and minority reports) because they are a mirror image of the [numerical] representation in the assembly." (DSCD 1963; Vol. 1: 1032)

[23] An amendment proposed on the floor can only be considered and voted in the plenary if (a) the committee that drafted the proposal under consideration formally accepts the amendment and includes it in its proposal, or (b) the

member of the Neo-Peronist bloc, proposed a second round of amendments. Given that the amendment to reduce *Labor Parlamentaria* to an advisory board had failed, and given that the Chamber had decided to grant the scheduling committee decision-making power, then the rules ought to be explicit about the decision-making mechanism that would govern its operation. As Luco stated it: "…article 58 does not establish the way in which this committee will operate, because, either in an advisory role, or as a standing committee […] in the end it has to adjust to some quorum system for voting and making decisions…This situation is not contemplated [in the proposed rule…which] I believe is ambiguous and will bring problems of interpretation and operation" "I believe that, somewhere within article 58, the procedure by which *Labor Parlamentaria* will issue its reports should be included" (DSCD 1963; Vol. 1: 1031-33).[24]

Accordingly, two alternative decision-making mechanisms were proposed on the floor, both of them intended to restore the right of the legislative majority to determine the floor agenda. Thus, Deputy Platis asked the Committee on Rules to accept an amendment that established *weighted voting* for the members of the scheduling committee. More specifically, Platis requested that each member of *Labor Parlamentaria* be granted voting power *proportional* to the size of his party's delegation. Moreover, Platis went on to formally propose that the *quorum* requirement for the scheduling committee be set at the number of committee members whose legislative blocs represented half plus one of the total deputies in the Chamber. Thus, Platis rejected the idea of equal representation of legislative blocs in *Labor Parlamentaria* and, instead, demanded weighted partisan power, both for purposes of forming quorum to conduct the committee meetings, as well as for voting on the decisions regarding the floor schedule. "It is my intention to [apply] the proportionality principle, which I personally and politically support, in its largest scope and its ultimate details." (DSCD 1963; Vol. 1: 1034)

Alternatively, Gomez Machado (UCRI) asked that the rules explicitly stated that *Labor Parlamentaria* could make decisions only by *unanimity*, thus ruling out the possibility of the committee drafting majority and minority reports.[25] This strategy too was aimed at restoring the capacity of the majority party (or largest legislative bloc) to set the floor agenda. It worked, however, in a slightly different manner. Indeed, the new rules stated that, in case *Labor Parlamentaria* failed to produce a *Plan de Labor* by the beginning of a legislative session, the Speaker of the Chamber—usually a member of the largest delegation in the legislature—would be authorized to set the agenda for the day. Thus, by requesting unanimity in the report, Gomez Machado hoped to give the representative of the legislative majority in *Labor Parlamentaria* the power to block any decision by the scheduling committee, thus relocating all effective power to determine the floor agenda in the hands of the (majority party) Speaker.

In the end, no amendment proposed on the floor was accepted by the Committee on Rules. Martinez Raymonda, the Chair of the committee admitted that "the committee that prepared [the proposal for the new rules] was especially careful not to establish, for this committee, a rigid operational mechanism detailed in its working method as it does for the

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deputy who sponsors the amendment moves for the amendment to be put to a floor vote *and* his motion is approved by a majority of the floor legislators. After failing to obtain acceptance of his proposal from the Committee on Rules, Gomez Machado declined any further action on the issue, probably anticipating the lack of sufficient support to win an amendment motion.

[24] Gomez Machado also stated that "it has come to my attention (…) that in no part of this proposal there exists any regulation of the [scheduling] committee." DSCD 1963; Vol. 1: 1032

[25] "This committee can only operate […] if its reports are produced by unanimity, because not being a legitimate representative of the full Chamber, it cannot issue majority or minority reports." Gomez Machado, DSCD 1963: 1032

standing committees, because we wanted to observe its operation in practice, so that the experience will serve us to determine the position we have to take." (DSCD 1963; Vol. 1: 1033)

After this general statement, Martinez Raymonda continued to explain the reasons why the Committee on Rules rejected all of the changes proposed on the floor. Regarding the need to establish quorum requirements for the operation of *Labor Parlamentaria,* Martinez Raymonda stated that, given that the scheduling committee "does not have a fixed number [of members], because the legislative blocs can change in time either by creation [of new ones] or by disappearance [of the existing ones] …a specific quorum could not be established." (DSCD 1963; Vol. 1: 1032) This justification, presented as a technical constraint, was certainly not sufficient, since nothing prevented the rules from establishing a *fractional* quorum requirement that would be unaffected by changes in the absolute number of committee members.

Martinez Raymonda also rejected the unanimity rule proposed by Gomez Machado. He recognized that "it is possible that there is no agreement [between the legislative blocs] and that their members divide regarding what to consider as first issues in the following floor meeting." However, Martinez Raymonda wanted to explicitly reject the possibility that this outcome would inevitably lead to the agenda being determined by the Speaker of the Chamber. As a result, he opened the possibility of alternatives: "it is possible that the floor gets two proposals [for the order of business] that represent the opinions of the majority and the minority of the [committee] members." (DSCD 1963; Vol. 1: 1032). Interestingly, this operational mechanism was the one that gave an eventual Anti-Peronist coalition the highest chance of imposing a *Plan de Labor* over the objections of a potential Peronist majority. In its defense, UCRP Deputy Bobillo stated that, this decision-making mechanism might not represent the Chamber numerically, "but it represents it politically, which is what ultimately matters." (DSCD 1963; Vol. 1: 1030)

Finally, Martinez Raymonda also rejected Platis's proposal of a weighted vote. He recognized that such procedure had been extensively debated within the Committee on Rules, but stated that it had been ultimately discarded because it would turn *Labor Parlamentaria* into a "little parliament" that mirrored the larger assembly, a situation that would make the very reason for the creation of such committee obsolete (DSCD 1963; Vol. 1: 1035). This statement, again, confirmed the intention to create a distribution of power within *Labor Parlamentaria* that did not match the power distribution on the floor, where the majority party had an advantage over the others to exercise effective blocking power

In sum, the rules approved in 1963 created a scheduling committee, established its composition in ways that drastically departed from the partisan distribution of seats in the Chamber, assigned decision-making power to the committee over the scheduling process, but remained silent and ambiguous regarding the decision-making mechanisms by which the committee would go about its business. This gap did not go unnoticed. To the contrary, it was the object of a heated debate, and it generated a number of formal requests for amendment on the floor. However, none of these was included in the final draft of the reform, and the rules approved in 1963 remained silent about the way in which the most important legislative body in the Chamber, which was the cornerstone of the 1963 reform, would decide on the matters under its jurisdiction.

But the silence of the rules did not hide the deputies' intentions. Indeed, in view of the objections raised on the floor, the members of the Committee on Rules feared that their most preferred ruling option—that of granting equal voting power to all legislative blocs who would then decide by majority rule—would be turned down on the floor. Consequently, they opted for the second best attainable outcome: that of preventing the adoption of any *explicit* decision-

making rule regarding the operation of the scheduling committee. To this objective, they fought the deputies' objections with a myriad of normative counter-arguments, and they sidetracked the debate with ambiguous and evasive responses to the questions raised on the floor. Finally, Deputy Vedia from the Christian Democratic Party moved to close the debate on the issue, even before the second largest party in the assembly had had an opportunity to express its opinion, and after its representative had requested permission to talk. The motion was successfully voted, the proposal was put to a vote, and the rule establishing the creation of *Labor Parlamentaria* was finally approved as originally drafted by the Committee on Rules.

The creation of *Labor Parlamentaria* was thus approved with a significant omission. I argue that this outcome was deliberately effected to protect the legislative gate-keeping power of minority parties. Standing committees, based on proportional representation, did not give minority parties much power to block the passage of undesired bills. But in the scheduling committee, where they were granted equal representation to the other parties in the assembly, minority parties found the opportunity to veto the floor consideration of the bills to which they objected. Their right to preserve the status quo against unwanted policy changes could only be protected if the scheduling committee both retained the right to decide the *Plan de Labor* by majority rule, while, at the same time, resisted having its composition rest on the proportionality principle. In face of the anticipated lack of support that an explicit rule along these lines would earn on the floor, the second best option became to keep the regulation as ambiguous and open-ended as possible. The drafters of the reform hoped that the future interpretation of the rule would move the actual functioning of the committee away from majority control and toward power-sharing. As Martinez Raymonda stated in his final words to the Chamber, "We hope that this [scheduling] committee, without excessive regulation, without strict controls, and without quorum specifications, but operating in good faith, will serve the purpose that has inspired not only the drafters of this proposal, but the Chamber as a whole." (DSCD 1963; Vol. 1: 1035)

To conclude, a reading of the legislative debates that accompanied the creation of *Labor Parlamentaria* revealed *first*, that a power sharing arrangement was explicitly pursued by the reformers, and that other models of agenda setting allocation were considered and deliberately discarded, and *second* that, consistent with the theory, the minority parties were those who supported the reform, while the proscribed majority opposed it.

4. Conclusion

The agenda cartel theory of Cox and McCubbins is perhaps the most important recent contribution to the literature on the procedural structure of legislatures. The authors claim that in a large majority of modern legislatures the majority party or coalition is granted exclusive rights to set the agenda on the floor. The authors go on to explain the calculations that drive majority parties to seize all positions of agenda-setting authority in legislatures as diverse as Japan, Brazil, Germany, Italy, and the U.S. House and Senate (Amorin Neto et al. 2003; Cox et al. 2000; Chandler et al. 2006; Campbell et al. 2002; Cox, Heller and McCubbins 2008). Cox and McCubbins recognize that in some legislatures scheduling rights are also granted to minority and opposition parties, an agenda-setting structure that they call *consensual*. However, the authors do not explore the characteristics of this type of agenda-setting configuration or the conditions that explain its emergence.

This chapter attempts to fill in this gap using Argentina as a case study. In particular, I explore the landmark procedural reform that in 1963 created consensual institutions of agenda

formation. I show that consensus was accomplished by the creation of a scheduling committee, *Labor Parlamentaria,* whose composition and decision-making procedures favored compromise over majority rule in decisions regarding the floor schedule. By granting small and large legislative blocs equivalent representation in *Labor Parlamentaria,* as well as equal voting power in its procedural decisions, the new scheduling committee became critical in establishing a Chamber that both in norm and behavior conforms to the consensus agenda model. Further, I argue that measures of partisan centralization were passed to sustain consensual mechanisms of agenda control based on inter-partisan agreement, at a time when most political parties, but particularly the UCRP, were torn by internal upheaval.

The chapter also outlines a possible explanation for the emergence of consensual forms of agenda control. Particularly, I argue that the rules that created a consensual agenda-setting structure were passed by a party who in 1963 found itself in a position of power not matched by similar strength in the electorate. Aware of its fragile electoral standing and taking advantage of its strategic position in a polarized political system, the UCRP sponsored procedural reforms that protected the right of the minority to decide on agenda-setting matters. Thus, the adoption of consensual agenda-setting rules were in line with the long term interests—but not so much with the short term interests—of the ruling party and its coalition partners in congress.

Given these characteristics of the Argentine agenda-setting structure, two final questions concern the generalizability of the case, and the conditions under which this structure remained unchanged over time. The generalizability of the argument presented here is called into question by the fact that the conditions under which a sitting majority party will limit its own power are, by definition, rare: only parties which view their probability of winning elections as low—meaning that their current seat in the majority is anomalous—will have an incentive to dilute their current position by passing minority enhancing rules. In the specific case of Argentina, this outcome was facilitated by the proscription of the Peronist party. However, electoral shocks occur for a number of reasons even in open democracies. Particularly, when a significant portion of the electorate remains independent of any party affiliation, it is possible that on occasion a party usually in the minority will win the vote and find itself in an unexpected—but not reliable—position of power. In other words, even if at any point in time the probability that the weaker party will find itself in power is low, the likelihood that such an event will occur over a lengthy period of time is much higher (de Figueiredo 2002, 2003, 2004).

The second question raised by this study concerns the durability of the consensual institutions passed during such an anomalous time. In other words, what explains the stability of these procedural norms after the conditions that originated them have changed? Although there are a number of possible explanations for this outcome, in the specific case of Argentina, perhaps the most likely candidate relates to the rule itself. Indeed the reforms passed in 1963 locked in the procedural rights granted to the minority parties by establishing high constraints for a majority to reform them. Thus, the rules stated that in the case of any other proposals for policy change, the floor could circumvent *Labor Parlamentaria* and consider a bill outside the *Plan de Labor*. For this to be successful, however, a 2/3 supermajority of the legislators in attendance had to support this motion on the floor. Note that the supermajority requirement preserves the consensual character of the agenda-setting process, even in the case in which *Labor Parlamentaria* is not involved, and in which decisions regarding the legislative agenda are left to the floor.

However, the rules established an even higher consensual threshold for the consideration of proposals to change the rules themselves. In this case, the rules stated that floor motions to

circumvent *Labor Parlamentaria* were not valid, and thus proposals to alter the Chamber's procedures could only be considered if and when *Labor Parlamentaria* scheduled them for floor consideration. But, again, in *Labor Parlamentaria* minority parties with strong gate-keeping power could always block the passage of proposals that stripped them of the rights obtained in 1963. As a result, the rules passed in 1963, which generously allocated gate-keeping authority to minority parties, provided for a built-in locking mechanism that brought stability to the institution by making it virtually impossible to overturn it. Indeed, since the 1963 rules of procedure were adopted, no major reform to the composition or decision-making mechanism of *Labor Parlamentaria* has been discussed or approved on the floor, even if after the banning of Peronism was lifted there were several instances of a party controlling a majority of seats in the legislature.

Chapter 2

Consensual Agenda-Setting in the Argentine Chamber of Deputies: 1983-2002

1. Introduction

The mechanisms by which modern legislatures organize the legislative process have received increasing attention in the past decade. A major research interest has been the extent to which the power to set the legislative agenda can become a powerful tool to stop unwanted policy changes in modern democratic systems. Cox and McCubbins have called scholarly attention to this matter, arguing that one key feature that distinguishes among legislatures is the degree to which the right to prevent items from being discussed on the floor is distributed among the legislative parties. The authors identify three stylized models of agenda-setting power distribution. In the *majority cartel model*, one party, the majority party, monopolizes the power to keep bills off the plenary agenda. In the *consensus model*, the majority party shares with minority and opposition parties the right to block bill access to the floor. Finally, in the *chaotic model*, neither the majority nor the minority parties can prevent bills from reaching the assembly's vote (Cox 2005; Cox and McCubbins 2004, 2005; Cox, Heller and McCubbins 2008; Prata 2006).

This chapter explores the distribution of agenda-setting power in the Argentine Chamber of Deputies. Elsewhere, I have examined this matter by looking at the *congressional rules* that determine the formal procedures to place a bill on the plenary schedule. Specifically, I examined the composition and decision-making procedures of the Chamber's scheduling committee (*Labor Parlamentaria*) and found that its design conforms to the intention to establish consensual mechanisms of agenda formation.

In this chapter I consider a different type of evidence. Instead of focusing on rules, I examine the behavioral implications of a consensual legislature and compare them with *behavioral data* obtained from an original dataset of every law passed by congress between 1983 and 2002. I adopt Cox and McCubbins's preferred measure of agenda control, the roll rate ratio, to assess the degree of success achieved by the two largest legislative parties—the PJ and the UCR—in stopping unwanted bills from reaching the plenary vote. Contrary to Cox and McCubbins's measurement model, which uses floor voting data, I obtain roll rates from data on legislators' endorsements of bill reports in committee. This approach distinguishes my work from recent accounts of the Argentine legislature, which claim that the set of items to be discussed at each plenary session is unilaterally determined by the majority party (Jones and Hwang 2005a; Aleman 2006). Instead, my analysis shows that, consistent with the intended design of the drafters of *Labor Parlamentaria*, the floor agenda in the Argentine Chamber of Deputies is decided jointly by the majority and the opposition parties.

The chapter is organized as follows. Section 2 presents the theory and measurements that inform this work. Specifically, I develop testable behavioral predictions that differentiate consensual agenda-setting procedures from majoritarian arrangements in the design of the plenary schedule. Section 3 provides a detailed description of legislative procedures in the Argentine Chamber of Deputies with the goal of determining a) what behavior reflects legislators' preferences, and b) what behavior reflects agenda control. This description is critical

to develop an appropriate measurement model to study agenda-setting distribution in the Argentine legislature. Section 4 presents the data and assumptions I use to test my hypothesis. In particular, I argue that the chaotic organization of the agenda at the committee level makes behavior in committee a better indicator of legislators' preferences than floor votes. Consequently, I use legislators' endorsement of committee reports to estimate the preferences of the median party member regarding each bill that eventually became law. Section 5 shows the results of the estimation. Consistent with my hypothesis, roll rates for the main government and opposition parties show that neither witnessed the approval of bills that made them worse off too often. This pattern is consistent the Consensual Agenda Model in which both majority and minority parties hold blocking rights over the items discussed in the plenary. Section 6 concludes with a reflection on the implications of this finding for current research on legislative performance in Argentina and suggestions for further study.

2. The Consensual Model: Hypotheses and Measures

2.1 Models of agenda control

The procedures by which modern legislatures organize the legislative process have received increasing attention in the past decade. One major research interest has been the way in which legislatures allocate rights to set the legislative agenda. Cox and McCubbins have focused on this matter, arguing that the power to determine what bills will be considered and voted on the floor can have profound effects on congressional policy-making (Cox and McCubbins 1993, 2005). The authors make a distinction between positive and negative agenda-setting power. Positive agenda power is the power to place a bill on the plenary schedule, thus forcing a floor vote on the issue. Negative agenda power is the power to block the bill's access to the floor, thus preventing a plenary decision on the matter. The authors argue that control of negative agenda power alone provides substantial leverage in the policy-making process, as it allows the agenda-setter to protect the status quo against unwanted policy changes.

Indeed, negative control of the agenda is such a strong form of legislative power that the authors propose to classify modern legislatures according to the way in which it is allocated among parties and factions. The authors identify three organizational models. In the *Cartel Agenda Model*, one party, the majority party, monopolizes the power to keep bills off of the assembly floor. It does so by securing for its leaders all legislative positions with scheduling authority. In the *Consensus Agenda Model* the majority party shares with minority and opposition parties the right to block bill access to the plenary. Finally, in the *Chaotic Agenda Model*, neither the majority nor the minority parties can prevent bills from reaching the assembly's vote (Cox 2005; Cox and McCubbins 2004, 2005; Cox, Heller and McCubbins 2008; Prata 2006).

Both the Cartel and the Consensus Agenda Models are compatible with the functioning of modern legislatures. Chaotic organizations are characteristic of young legislatures in which the workload is small enough to allow the assembly to get prompt discussion of every item. However, as societies become more complex and the legislative workload increases, the need emerges for legislatures to develop mechanisms to avoid inevitable bottlenecks (Cox 2005). A system of unequal distribution of agenda-setting rights thus develops, as some legislative actors are empowered with special proposal and/or veto rights which grant them authority to assign priority consideration to certain bills. The Cartel and the Consensus Agenda Models are two alternative forms to institutionalize this inequality, and are thus compatible with the increased

workload of modern legislatures. The Cartel Model, however, is a more common form. Originally developed by Cox and McCubbins to depict the extraordinary procedural advantages of the majority party in the U.S. House, it was later found to fit most world legislatures to varying degrees.[26]

This chapter examines negative agenda power in the Argentine Chamber of Deputies. More specifically, it looks at the gate-keeping strength of both the government and the main opposition parties to argue that *in the Argentine Chamber of Deputies the agenda is consensually determined*. That is, just like in a cartel configuration, in the Argentine legislature the majority or government party enjoys tight control of the plenary schedule such that no bill that its leadership refuses to discuss on the floor is ever scheduled for floor consideration. However, in contrast with the Cartel Model, in the Argentine Chamber, the main opposition party is also endowed with a similar veto right. As a result, the Argentine Chamber of Deputies is better characterized by the Consensus Model, indeed being one of the few cases that both in *norm* and *behavior* fit the category of a consensual legislature.

To support my argument, I rely on Cox and McCubbins' preferred indicator of agenda control: the roll rates. Contrary to Cox and McCubbins' measurement model, however, I do not use roll call vote data to identify partisan rolls. Instead, I estimate roll rates based on legislators' endorsements of committee reports on bills. To generate the statistics, I examine an original dataset of every law passed by congress between 1983 and 2002. I discuss the data collection process, and the justification and implications of using committee endorsements instead of roll call votes, in subsequent sections. In the remainder of this section, I provide a brief definition of roll rates as measures of agenda control, and spell out the theoretical expectations for a consensual legislature.

2.2 Roll rates as empirical indicators of agenda control

Roll rates are behavioral measures intended to assess the *effective* rather than the *normative* veto power that a party holds over the legislative agenda.[27] Originally developed by Cox and McCubbins, roll rates have now become a classic and powerful tool to compare agenda-setting power across legislatures.

The intuition behind the roll rate as a measure of power is simple. In short, a party is rolled when a change to the status quo has moved policy away from the ideal point of the majority of the party members. A party who faces this situation often is presumed to lack power to control the legislative process. Critical to the assessment of a party roll is knowledge of the preferences of the median member of the party. These, however, are not directly observable, posing numerous questions about their estimation. One possibility is to assume that the legislators' vote on the floor is a close reflection of their true preferences, with only a handful of representatives switching their vote in response to pressures of the party leadership. If

[26] See for example, Amorin Neto et. al. (2003) for Brazil, Cox et.al. (2000) for Japan, Chandler et. al (2006) for Germany.

[27] Roll rates have been extensively criticized—and defended—as valid measures of agenda power (see particularly Krehbiel in numerous works). They are also not the only measures of agenda control used by the authors when testing different agenda-setting models (others include cut points, direction of policy, distribution of status quo points, dynamic models of presidential agenda, etc). However, the roll rates have remained a powerful indicator of agenda power, particularly in comparative legislatures since, for example, it is the only measure based on observable behavior (legislators' voting). All the other measures above rely on the concept of legislators' ideal points, a constructed and not directly observable piece of data, which is not readily available in most non-US legislatures (and even in those world legislatures in which ideal points have been estimated, the results are of questionable validity)

disciplining pressures on the floor are weak—that is, if they are only marginally responsible for the voting outcome—then floor votes provide reliable information about the preferences of the median member of the party. With this information in hand, we can then assess the effectiveness of the blocking powers of the party leadership by counting the times it was unsuccessful at preventing party median defeats.

Indeed, assume a situation in which all legislative parties can anticipate the outcome of the floor vote if a bill is ever scheduled for consideration by the plenary. This means that parties are capable of anticipating all amendments that will be proposed and approved in the plenary, and can thus foresee the final policy outcome that the legislature will approve if given the chance to. In this stylized scenario of complete information, if the majority of a given party—represented in its leadership—prefers the status quo policy to the anticipated approved bill, then such party would rather not schedule the plenary consideration of the bill in the first place (at least until a more favorable legislature allows to anticipate a better outcome, one that the party would favor over the status quo). If, on the other hand, the foreseeable floor outcome will bring policy closer to the ideal point of a majority of the party members, then the party leadership will be eager to open the gates to the consideration of the bill by the plenary.

The extent to which party leaders are able to manipulate the agenda so that they enable welcomed changes and block undesired ones is a function of the strength of their agenda-setting powers. If the party enjoys effective blocking power over the plenary agenda, then it will successfully oppose placing the bill on the legislative schedule, even if other parties are willing to move the item forward. If, instead, the party does not enjoy effective veto power, then its efforts to stop the consideration of the bill would be futile, and the bill will actually be considered and approved in the plenary against the opposition of the majority of such party. The number of times that a majority of a given party votes against a bill that the plenary approves (that is, in favor of the status quo that loses) reflects the number of times that the leadership of such party has failed at removing undesired bills from the floor agenda.[28] Thus, this number is a quantitative measure of the gate-keeping powers of the party.

From the above we obtain the definition of a roll: ***a party is said to be rolled when a majority of its members votes against a bill which nevertheless is approved in the plenary***. ***The roll rate is thus the proportion of times the party has been rolled during a time period.*** We expect parties with *strong* gate-keeping powers to present *low* roll rates. Conversely, we expect parties with *weak* negative agenda-setting powers to exhibit significantly *higher* roll rates.

2.3 Testable predictions

The table below compares the predictions of Cox and McCubbins's theory for the two agenda-setting configurations consistent with modern legislatures: the Cartel Agenda Model and the Consensus Model. The purpose of this chapter is to test whether one or the other model fits the Argentine legislative procedure better. As way of comparison, the table also shows the roll rate predictions for the Chaotic Model.

[28] As mentioned above, this measure assumes that the legislators vote their true preferences, so that a positive vote for a bill by the party median accurately indicates that the majority of the party members prefer the new policy over the status quo. As I will argue below, when party discipline is high, this assumption becomes more questionable.

Table 2.1 Expected Roll Rates in Three Agenda-Setting Models

	Cartel Agenda Model	Consensus Model	Chaotic Model
Roll rates for the Majority Party or Coalition	Never	Never	+ (increasing with ideological distance from assembly's median)
Roll rates for minority party	+ (increasing with ideological distance from assembly's median)	Never (regardless of distance from floor median)	+ (increasing with ideological distance from assembly's median)

The Cartel Agenda Model and the Consensus Model generate *identical predictions* regarding roll rates for the *majority party*. Indeed, in both the majority party is endowed with effective control of the plenary schedule, and thus it is expected to never be rolled on the floor. In cases in which a majority party does not exist, and a coalition of parties which together control a majority of legislative seats is formed instead, small parties who are members of the majority coalition are also expected to never be rolled. The no roll rate prediction for the majority party or coalition distinguishes the Cartel and the Consensus Agenda Models from the Chaotic Model, in which the majority party gets positive roll rates, increasing as its ideological distance from the assembly's median increases.

The Cartel Agenda Model and the Consensus Model *differ in their predictions* regarding roll rates for the *minority parties*. Thus, in the Cartel Agenda Model, roll rates for the minority are expected to be positive, significantly higher than those for the majority party, and increasing with the party's ideological distance from the floor median. By contrast, in the Consensus Model, roll rates for the minority parties are not expected to differ from those of the majority party. Further, minority parties are expected to never be rolled regardless of their ideological distance from the floor median.

In sum, the Cartel Agenda Model and the Consensus Model generate identical predictions regarding roll rates for the majority party, and opposite predictions regarding roll rates for the minority parties. With these predictions in hand, it is possible to compute partisan rolls for the majority and the minority parties in the Argentine legislature, and use them to test whether the Argentine Chamber of Deputies fits the Cartel or the Consensus Model better. I undertake this task in section 4.

2.4 Some practical considerations for data analysis

The predictions of the Cartel Agenda Model and the Consensus Model are theoretical implications of two extreme ways of allocating gate-keeping power over the agenda in a legislature. For purposes of the empirical analysis, I will soften these predictions slightly. The adjustments will enable me to uncover the general pattern of agenda formation that prevails in the Argentine Chamber despite the case not fitting the premises of the model perfectly.

I make three minor adjustments to the predictions of the Consensus Model. The *first* adjustment concerns the *majority party*. Indeed, both the Cartel Agenda Model and the Consensus Model predict that the majority party will never be rolled on the floor. In the Argentine Chamber, however, a party or coalition has been able to control a majority of seats only about half the time in the period here considered. Indeed, as Table 2.2 below shows, a majority party was formed during the following legislatures: 1983-1985 (UCR); 1986-1987 (UCR); 1994-1995 (PJ); and 1996-1997 (PJ). In addition, during 2000-2001 an alliance between

the UCR and Frepaso (ALIANZA for short) obtained a majority of legislative seats, being the only case of a majority coalition in our sample. For all of the other legislatures, the largest party fell short of controlling a majority, but it managed to obtain at least 45% of the seats.[29] What is more relevant, in all of these cases, the largest legislative party (whether in control of a majority or not) was also the party of the president.[30] Thus, even when the largest party in the legislature did have a majority of seats, in practice it was the focal point of any legislative coalition aimed at winning the legislative vote on an issue by issue basis. As a result, for purposes of the empirical analysis, I will treat the largest party in every legislature as the majority party, ignoring for the moment whether or not it actually controlled a majority of seats (although I will come back to this distinction in the results section). To avoid conceptual cloudiness, however, I will call this the *government party* instead of the majority party. This term is intended to convey the dual character of the party, that is, that a) it is the largest party in the legislature, and that b) it is the party of the president.

Table 2.2 Distribution of Legislative Seats in the Argentine Chamber of Deputies, 1983-2002: Percentage of Chamber Seats

	PJ	UCR	FREPASO	ARI	PJ + UCR	Executive
1983-1985	43.7	50.8	-	-	95.5	UCR
1986-1987	37.8	50.8	-	-	75.2	UCR
1988-1989	38.6	44.9	-	-	83.5	UCR
1990-1991	47.2	35.4	-	-	82.6	PJ
1992-1993	45.1	32.7	-	-	77.8	PJ
1994-1995	49.4	32.7	-	-	82.1	PJ
1996-1997	51	26.5	8.6	-	77.5	PJ
1998-1999	46.3	25.7	14.8	-	72	PJ
2000-2001	38.5	31.9	14.4	-	84.8	ALIANZA (UCR-FREPASO)
2002	47.1	25.3	2.7	6.2	72.4	PJ

Source: Jones et al. 2009.

The *second* adjustment to the theoretical predictions concerns the *minority party/ies.* In previous work, I analyzed the creation of the Committee Board that determines the scheduling of bills on the floor. A reading of the rules that govern the committee, and an examination of the debates that surrounded its creation, revealed that the intention of the legislators was to provide gate-keeping power over the legislative agenda to *every* party in the legislature controlling at least three legislative seats. At the time in which the scheduling committee was created, the Argentine Chamber seats were divided into a much larger number of parties. In this context, the new rules implied that several *minority* parties (all of those with assembly representation of at least three deputies) enjoyed veto power over the legislative agenda. This led me to characterize the scheduling procedures in the Argentine legislature as *power-sharing*, a term intended to denote a case of extreme consensus.

[29] The lack of a majority party in half of the time between 1983 and 2002 is in part due to the fact the Argentine Chamber of Deputies is renewed in thirds every two years, which leaves many of the legislators from previous electoral cycles in office even after their party has been discredited in the electorate.

[30] This situation would have been different if Fernando De La Rúa had not resigned to the presidential office after losing the legislative majority in 2001.

Since then, and during the period analyzed in this chapter, legislative power has consolidated. Thus, between 1983 and 2002, two major parties, the UCR and the PJ, have jointly controlled between 72% to 94.5% of the Chamber seats, with a median of 80%. The remaining seats have been occupied by significantly smaller parties, most of them unable to keep their legislative presence throughout the whole period under analysis. Because data for these parties is scattered and unreliable, in this chapter, I analyze roll rates *primarily* for the PJ and the UCR.[31] Between 1995 and 2002, a third party, the FREPASO, obtained a considerable presence in the legislature, occupying between 9% and 15% of the seats. Between 1995 and 1999, the FREPASO played a significant role as an opposition party to the PJ. During 2000-2001, it established a governmental and legislative coalition with the UCR, winning the presidency for UCR candidate Fernando De La Rua. Finally, after De la Rua's resignation in December of 2001, the FREPASO sharply declined in legislative strength. For all of the legislatures in which FREPASO played a significant role in congress (1996-1997; 1998-1999; 2000-2001, 2002) I also analyze roll rates for this party. Finally, for the year 2002 (half a legislative period) I also provide roll rates for a new left party that gained strength with the demise of the UCR-FREPASO alliance: the ARI. This party would become a more relevant player in subsequent years.

Altogether, the empirical test offers roll rates for four legislative parties, three of which alternated their roles in government and opposition. The empirical analysis leaves out a multitude of minority parties which in this period obtained more than 3 legislative seats, but which, at the height of their legislative strength, had not reached the size of either FREPASO or ARI.[32] Thus, I do not test the hypothesis that *all* minority parties with more than three deputies enjoy equal gate-keeping powers over the agenda, as I stated in my previous work. Instead, I focus only on the largest parties within the opposition *(second adjustment).* Given this, and to avoid conceptual confusion, I will use the term *opposition party* instead of minority party. The term denotes a party which a) is the second or third largest party in the legislature, and b) it is not the party of the president.[33]

With the conceptual adjustments described above, I can now redefine the theoretical predictions for the Consensual Model in the context of the Argentine legislature. In a consensual legislature, both the government and the opposition party get zero roll rates. This distinguishes a consensual congress from a legislature that has been cartelized by the government party in that, in the latter, while the government party is never rolled, the opposition is expected to have positive roll rates increasing with its distance from the floor median. The task of this chapter is thus to compute roll rates for the government and opposition parties to test whether a consensual pattern of agenda formation actually prevails in the Argentine Chamber.

Finally, the *last adjustment* to the model's predictions follows Cox and McCubbins's own work. Indeed, according to the authors, a zero roll rate prediction is a very stringent

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[31] A strong reason to focus on the largest parties in the legislature, rather than on all parties with a representation above three seats, is that smaller parties are not always able to have one representative in committee at the time a bill is discussed. Given the small number of party members, oftentimes representatives of smaller parties are absent from the committee meetings in which a report was signed. Given than in this chapter I use committee endorsements to calculate partisan rolls, for many of the smaller parties I miss information about the preferences of their median. This situation resolves as the number of party members increases.

[32] Most notably, the UCeDe, PI, AR, and a multitude of provincial parties. In the period analyzed here, these parties individually controlled between 0.4% and 4.3% of the Chamber seats (Jones et al. 2009)

[33] Note that between 1983 and 2002, the PJ and the UCR always controlled the first and second largest delegations in the Chamber.

standard for any legislature in which mistakes, lack of perfect information, costs of blocking legislation, and other contingent factors affect the party's performance as an effective gate-keeper. Even in parliamentary systems in which the government coalition is known to exercise tight control of the floor agenda, the parties in government are rolled up to 5% of the time. This led Amorin Neto et al. (2003) to adopt the 5% rule when evaluating roll rates for majority and minority parties. According to the authors, roll rates below 5% are still compatible with strong gate-keeping authority. A roll rate above 5%, however, denotes lack of control of the floor agenda. I adopt the same rule to interpret roll rates in the Argentine Chamber of Deputies. As a result, my empirical hypothesis regarding the Argentine legislature gets redefined as follows: *in the Argentine legislature, both the government and the opposition parties have roll rates significantly below 5%.*

3. The Argentine Law-making Process

In this section I provide a detailed description of legislative procedures in the Argentine Chamber of Deputies. This description is critical to develop an appropriate measurement model to study the distribution of agenda-setting power in the Argentine legislature. Specifically, I offer information about legislative rules that will help identify a) what behavior reflects *legislators' preferences* and b) what behavior reflects *agenda control*. This description will allow me to evaluate evidence by other works on agenda-setting in the Argentine Chamber of Deputies, which, contrary to my argument, claim that the Argentine legislature is organized along the Cartel Agenda Model (Jones and Hwang 2005a; Aleman 2006; Calvo 2007). In addition, the detailed account of Argentine procedures provides information critical to the accurate interpretation of behavior in committee as a valid data source to uncover patterns of agenda control. I discuss the specifics of the measurement strategy in the following section.

The "ordinary" legislative path of a bill through the Chamber of Deputies can be described in a series of procedural stages. *First*, a bill is initiated and referred to one or more standing committees for consideration. *Second*, the committees with jurisdiction on the bill schedule a hearing, discuss, and report out one or more bill proposals to the floor. *Third*, a special scheduling committee decides if and when to schedule the bill for consideration by the plenary. *Finally*, the floor discusses and votes on the alternative bill proposals, accepting, rejecting or amending them.

At each of these stages, different legislative actors can exercise blocking power over the bill, thus stopping the bill's progression through congress and killing attempts at policy change. In the Argentine legislature all gate-keeping power is centralized in the hands of the party leaders, who clustered in the floor scheduling board, control access to the floor and block or delay any bill they dislike. Gate-keeping power at the committee level is minimal, marking a stark contrast with the organization of the U.S. House, where gate-keeping authority is widely distributed both vertically (between the floor leaders and the committee chairs) and horizontally (across committees).

3.1 Bill initiation

Any bill considered by the plenary starts with a proposal for policy change. There are four legislative actors who may initiate bill proposals in the Chamber of Deputies: a) the Executive; b) legislators in the Chamber (both as individuals or collectively as members of a standing committee; c) the Senate; and d) citizens.

At the beginning of each legislative session, the President of the Chamber reviews the list of bill proposals received at his desk until 10AM the previous day—which are published in the *Boletin de Asuntos Entrados* and distributed to the deputies before the session starts. He subsequently proceeds to submit each new bill to one or more committees for their consideration. There is no limit to how many committees can review a bill (and the norm has been for multiple committees to gain jurisdiction over a single bill), although it is common practice to name one the head committee, charging it with the task of initiating debate and negotiations across the different committees. Even if not a formal feature of the Argentine legislature, in practice, if the head committee fails to act on a bill, it is very rare that the other committees with jurisdiction on it will schedule a hearing or report out a proposal.[34]

Decisions about which committees will review a bill proposal are made by the President of the Chamber without any need for formal consultation with other party leaders (Art. 167). However, these decisions are easily modified on the floor, where a motion by one legislator suffices to add a new committee to those to which the bill is submitted to. Bill proposals for policy changes that imply new state expenditures are considered a special subset. These bills are required to be submitted not only to the substantive committee with jurisdiction on the bill, but also to the Budget Committee. The intervention of the Budget Committee comes only after the substantive committee has issued a report on the bill. Indeed, the Budget committee cannot act on the bill absent a previous report by the substantive committee (Art.102). Moreover, the Budget committee has only one month after the substantive committee has issued a report to produce its own recommendations. Failure to act before this deadline results in the report by the substantive committee moving forward for its consideration by the floor (Art. 102). Thus, contrary to some recent accounts (Jones and Hwang 2005a), the Budget Committee is not endowed with strong gate-keeping authority over the floor agenda.

3.2 The committee stage

Between 1983 and 2002, the number of permanent committees in the Argentine Chamber of Deputies increased dramatically from 25 in 1983, to 45 in 2002.[35] At the same time, during this period, the Chamber's total membership experienced just a modest increase from 254 to 257 members. Permanent committees in the Argentine Chamber are also large in size, ranging between 15 and 45 members during the period under study, with the actual size of each committee determined by the plenary within the brackets provided in the Rules of Congress.

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[34] The Rules do not give any committee priority status over the others, and thus the possibility exists that any committee to which the bill was submitted may take the lead in its consideration. Also, the Rules contemplate two alternatives to start consideration of an issue by multiple committees: a) committees can debate the issue together in a joint meeting, or b) they may study it separately, subsequently informing the other of any decisions adopted. In either case, the decision to report out one, more or no proposals must be adopted in a joint meeting of all the committees involved. Only those committee members that attended the meeting in which the alternative reports were voted on can sign the reports (Art. 110).

[35] The number of permanent committees in the Argentine Chamber of Deputies is far larger than the number of permanent committees in the lower chambers of other Latin American countries. Thus, in 2002, the lower houses of these countries had the following number of permanent committees: Colombia 7; Bolivia 12, El Salvador 14; Venezuela 15; Uruguay 16, Nicaragua 17; Chile 18, Ecuador 19, Brazil 20; Paraguay 22; Guatemala 23; Mexico 23; and Dominican Republic 23 (Garcia Montero et al. 2002). Mexico has recently experienced a drastic increase in the number of permanent committees reaching a total of 40 in 2007 (Bejar 2007). Sub-committees are not common in Latin American assemblies. Only in Bolivia, Mexico, Venezuela, and Costa Rica are committees divided into subcommittees (Garcia Montero et al. 2002)

When compared to other legislatures in Latin America, Argentina stands out for having the largest ratio of committee seats to deputies (4.96 in 2002), followed by Peru 1999-2000 (3.06) and the Dominican Republic (2.99).[36] This has led country scholars to argue that the Argentine committee system does not favor specialization of their members in specific issue areas—as it has been claimed of its counterpart in the United States (Jones et al. 2002; Krehbiel 1987, 1991). The demands for committee work are more dramatic for smaller parties. Indeed, the Rules of Congress establish that seats in committees be distributed among parties proportional to the size of their delegations in the Chamber (Art. 105). Committee leadership positions (President, Vice-presidents, and Secretaries) are also distributed following rough proportionality principles. In order to achieve proportionality goals, legislators from smaller parties are forced to serve in an above-average number of committees, further affecting their capacity to participate fully in each.

It is in the permanent committees that most substantive legislative work is conducted. Committees are endowed with the task of studying the proposals submitted to their review and producing bill recommendations for the full Chamber. After studying an issue, committees may produce one or more bill recommendations. Each of these is called a report. The report that is endorsed by the largest number of committee members (aggregated across all the committees who are considering the same bill) is called the *majority report* (regardless of number of endorsements). All other reports are called *minority reports.* A bill can receive as many minority reports as number of committee members. This means that the endorsement of one committee member is sufficient to produce a committee report.

At first glance, a reading of the Rules of Congress may suggest that Argentine committees are strong veto players in legislative production. This may be inferred by the fact that the Rules of Congress do not establish deadlines for a committee to report on a bill under its consideration—thus enabling the committee to kill a bill and block change on that issue.[37] Further, the Argentine president is not granted authority to issue urgency motions that would force a plenary discussion on a bill being held back by the committee—as is the case, for example, with the Brazilian president, as well as with the Chilean and Uruguayan presidents on certain matters. Finally, the floor can only discharge a committee that refuses to report out a bill with a super-majority (2/3) of votes. All of these requirements suggest that Argentine committees are strong gate-keepers in the legislative process.[38] That is the conclusion that one may reach if the focus is placed on how difficult it is to override the alleged veto power of committees.

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[36] Garcia Montero et al. 2002. The authors calculate the ratio of deputies to committee seats for 12 Lower Chambers in Latin America as of 2002. To get a sense of how much Argentina deviates from the norm, consider that the average number of committees per legislator among the 12 cases is 2.26, with a median of 2.185. At 4.96 committees per legislator, the Argentine Chamber of Deputies is 2.58 standard deviations above the mean.

[37] Among those legislatures that establish deadlines for the consideration and report of bills, Panama institutes for the shortest expedition time (10 days) although it may be prorogated for another 10 days. In Bolivia, committees have 15 days to produce a report, while in Ecuador and Guatemala they can take up to 30 days (Garcia Montero et al. 2002). While the establishment of deadlines to produce a committee report is originally intended to expedite legislative work and force committee action, in practice, the incapacity to meet the deadline, may result in the committee killing the bill before being considered in the plenary. Under this light, the presence of committee deadlines are in practice a tool that reinforces, instead of weakens, the committee gate-keeping power. By contrast, the lack of a deadline for action, as is the case in Argentina, can be interpreted as a tool to allow a bill to remain in good standing for a much longer period of time, awaiting a better political environment for its consideration and approval.

[38] This is in fact the conventional interpretation of Argentine committees (see Jones and Hwang 2005a, Calvo 2007, Aleman 2006) although no research has been conducted on this topic.

However, the true weakness of the committee's gate-keeping powers becomes apparent when one examines the process through which a committee report is produced. In this process, there are two main steps: *first*, a bill must be scheduled on the committee's agenda for discussion by their members; *second*, the committee members must deliberate and decide whether to sign one or more reports on the bill. In neither of these stages do the rules of congress endow the majority party—or any party for that matter—with power to kill a bill in committee and stop its progression to the floor. The rules *do* recognize authority to the committee president to set the agenda for the committee. However, the written request by three committee members (aggregated across all the committees considering the bill) suffices to force a bill on the committee's agenda (Art. 109). Similarly, to start deliberations and produce a report on a proposal, at least a majority (50%) of committee members must be present. However, if after a *half hour* such requirement is not met, the committee can start proceedings with a quorum of only 1/3 of its members.[39] Moreover, if the session fails to meet the 1/3 quorum requirement, in the following session, any number of committee members can enable debate and produce a report (Art. 108).[40] Finally, it is not possible to reject a bill in committee. Committee members cannot vote against reporting out a bill. At best, they can vote for a majority report that recommends rejecting policy change to the floor. But it is ultimately the floor who decides the outcome, leaving committee majorities with no power to prevent the issue from reaching the floor in the first place. Indeed, the only bills that die in committee are those that no significant number of committee members (less than three) wishes to push through. *A quasi unanimous lack of interest in a bill seems to be the only condition under which the bill can be stopped from progressing beyond the committee level.*

3.3 The scheduling stage

After the standing committees produce their bill recommendations for the Chamber, the reports are sent to the Chamber's Secretariat, where they remain for 7 days awaiting legislators' proposed amendments (to be debated and voted on in the plenary together with the committees' reports). Once the time for amendments has passed, the committee reports are ready to be scheduled for floor consideration. Since 1963, there is no automatic placement of bill recommendations on the plenary schedule. Instead, a special scheduling board—the committee of *Labor Parlamentaria*—chooses which bills will be debated and voted on in the following legislative session. *Labor Parlamentaria* chooses not only the bills that will receive consideration, but also the order in which they will be considered by the deputies. Bills that are placed at the top of the plenary agenda have a higher chance of being voted. Bills that are placed at the bottom often risk having the session end before their turn to be considered has come (for example, motions to extend the debate on bills are often used on important, controversial bills which tend to be placed at the top of the legislative agenda. But the extended plenary time granted to those bills comes at the expense of subsequent bills which often run out of time to be considered).

[39] This requirement drops to 1/4 for the Budget committee, reinforcing the argument presented earlier about the weak gate-keeping powers that the rules grant to this committee in the legislative process.

[40] Moreover, if a majority of committee members strategically fails to show up for committee meetings in an attempt to block the consideration of a given issue, the Chamber may replace them temporarily or permanently with new committee members. This is another indication that blocking legislation is not recognized as a legitimate right of committees by the Chamber rules.

The committee of *Labor Parlamentaria* is thus the main agent that controls access to the floor[41] and the most powerful gate-keeping institution in the Argentine Chamber of Deputies. In contrast to Cox and McCubbins's account of the U.S. House, gate-keeping power in the Argentine legislature is concentrated in the hands of the peak party leaders who exercise general blocking power over the entire policy agenda—rather than being distributed across a number of committee chairs, each of whom controls agenda power in jurisdictionally limited areas.

The rules that determine the composition and decision-making procedures of *Labor Parlamentaria* stand in stark contrast with the rules that regulate standing committees, revealing the rule-makers' intentions to create an agenda-setting structure that generously distributed blocking power over the floor to large and small parties alike. First, rather than follow proportionality principles, each legislative party controlling at least three legislative seats obtains equal representation in *Labor Parlamentaria* (and equal voting power). Indeed, *Labor Parlamentaria* is composed of the Chamber's authorities (the president and the two Vice-presidents of the Chamber, usually from the government and the main opposition party) and one representative per legislative bloc holding at least 3 legislative seats. Votes in *Labor Parlamentaria* are not weighed by the strength of the party delegation, as it is commonly found in other world legislatures where all legislative parties have representation in the scheduling board (for example, German Bunderstag, Italian Chamber of Deputies, French assembly). Second, contrary to the right and practice of multiple reporting in committee, *Labor Parlamentaria* can only issue one *Plan de Labor* (a proposal of an agenda of issues to consider for that session). The proposed *Plan de Labor* for each legislative session is voted first in the plenary after quorum has been formed, and must be approved by a majority of the members present.[42] Thus, designed to function as the opposite to the committee system, the only bills that clear *Labor Parlamentaria* and make it to the plenary are those which most party leaders agree to put on the floor. *A quasi unanimous interest in passing the new policy seems to be the only condition under which the gates are open for a bill to get its time in the plenary*

The following table summarizes the main procedural differences between the standing committees and the committee of *Labor Parlamentaria*

[41] Another, although of lesser power, is the President of the Chamber.

[42] The Rules establish that in case *Labor Parlamentaria* cannot reach an agreement about the *Plan de Labor*, the President of the Chamber can propose the agenda for the day, which again is submitted to the vote of the plenary (Art. 39). This situation has never occurred. It is important to note that the floor can approve or reject the *Plan de Labor*, but it cannot amend it and propose a new one (the Rules are not explicit about the options given to the floor regarding the *Plan de Labor*, but this has been the legislative practice during the whole period under study). Therefore, the *Plan de Labor* produced by *Labor Parlamentaria* is presented as a take-it-or leave-it option to the floor

Table 2.3 Legislative Structure in Standing Committees and *Labor Parlamentaria*

	STANDING COMMITTEES	LABOR PARLAMENTARIA
COMPOSITION	Proportional to assembly seats	One per legislative party (+ President and Vice Presidents of the Chamber)
OUTPUTS	Multiple reports by majority and minority	One report
DECISION-MAKING POWER	One vote per committee member	One vote per committee member
GATE-KEEPING STRUCTURE	CHAOTIC	CONSENSUAL

3.4 The floor stage

The final stage that a bill must pass to be approved by the Chamber is the vote in the plenary. Voting in Argentina proceeds in two stages. First, the bill is voted as a package against the status quo (*votación en general*). Second, if the bill has been approved during the first voting stage, the legislators vote on amendments considering each of the articles of the bill in sequence (*votación en particular*). The Argentine congress is one of few modern world legislatures to follow this particular order of voting[43]

Specifically, once an issue comes up on the agenda for a vote, the Chamber starts by considering the bill as a whole. This vote represents the general intention to approve or reject the consideration of a bill that would change the status quo. At this general level, the consideration of alternative proposals is as follows. First, the majority report on the bill endorsed by the committee is pit against the status quo. If the vote is affirmative, then all other minority reports on the bill, if they exist, are discarded, but their subscribers are granted special proposal rights during the vote on amendments. If, on the other hand, the majority report is rejected, then the minority report with larger number of endorsements is considered against the status quo. If the vote is affirmative, then the vote on amendments follows. If negative, the minority report with the second largest number of endorsements is voted against the status quo, and so on. If during this first stage of the voting procedure a bill is rejected by the plenary (that is, if all of the committee reports, voted one by one, are voted down), then the intention to change the status quo on that matter has been rejected, and the issue cannot be considered again by the Chamber during the same legislative term.

After a bill has been approved as a whole, the floor moves on to the consideration of amendments. The rules mandate that amendments be considered article by article, although *Labor Parlamentaria* can issue special instructions by which consideration of amendments must

[43] Others being Chile and Mexico (Aleman 2006)

proceed by Chapter or Title (higher aggregate subdivisions of the bill). Discussion and voting on amendments is subject to germaneness restrictions (Art. 159). The version of the article in the bill passed during the first voting stage is voted first. If approved, this ends action on that item and the floor moves on to the consideration of the following article of the bill. If rejected, amendments are considered one by one in the order in which they were introduced. Once the last article of the bill has been voted, the bill is considered passed. The rules of procedure do not require a final plenary vote on the bill (after amendments) against the status quo.

In order to be approved, most bills require the vote of a majority of the legislators present during the legislative session, which should be no less than 50% of the Chamber's membership according to quorum requirements (a quorum of 50% of the membership is required to both *initiate debate* on a proposal, as well as to *vote* on the bill. This requirement applies both to the vote on the bill as a whole, and to votes on amendments). The quorum requirement, together with the frequent minority governments and the narrow majorities that have characterized the Argentine legislature, resulted in an additional tool for the opposition to block unwanted bills at the floor voting stage. Indeed, denying quorum to initiate deliberations has been a primary tool used by the UCR in the opposition to delay unwanted bills and extract concessions. Moreover, this tool has also been profitably used by minority factions within the government party. These groups are not endowed with any special blocking rights either in committee or in *Labor Parlamentaria*, which is dominated by the party leaders. But they can exercise their share of gate-keeping power by denying quorum on the floor when a bill is up for consideration.

Besides voting on a bill that has been placed on the legislative schedule, the floor can sometimes also act as an agenda-setter in procedural decisions. The agenda-setting rights of the floor can be divided into two groups. First, the floor may *anticipate* the consideration of a bill by moving it forward on the plenary agenda—or in other words, the floor is granted proposal rights or positive agenda-setting power. For example, the floor may move to place a bill at the top of the current legislative agenda, regardless of whether the item is scheduled to be considered at future meetings or not (*moción sobre tablas*). If a *moción sobre tablas* is approved, the bill must be considered and voted on before any other legislative matter. Similarly, the floor may move to assign *preference* to a bill (*moción de preferencia*) which gives the plenary the right to establish the date during which the bill should be considered on the floor, prior to any other items scheduled for that meeting (Art. 130-132). In both cases, the motions endow the floor with the power to override any blocking action coming from either *Labor Parlamentaria* or the committee system. However, the rules establish that such motions must be backed by 2/3 of the legislators present in order to be effective (Art. 133 and 134). As a result, the motions that grant proposal power to the floor at the expense of the gate-keeping power of other legislative institutions are not a tool that the majority party can use to gain procedural advantages in the legislative process. Rather, in practice, they were effective only to the extent to which at least the two largest parties in the legislature—government and opposition—supported the decision.

The floor is also granted a second type of agenda-setting power, that is, the power to *stop* or *delay* the consideration of a bill that is already on the plenary agenda. Thus, the floor may move to return an item to committee for reconsideration before action on the floor is taken (*moción de reconsideración*), or it may move to delay the consideration of a bill for a specified time (*aplazamiento de asunto pendiente*) (Art. 127). In both cases, the rules recognize the right of the floor to exercise gate-keeping power. In contrast with proposal power, the rules establish that a majority vote is sufficient for these gate-keeping motions to become effective (Art. 129). In the particular distribution of legislative seats during the period under consideration, this meant

that, in practice, the majority or government party could make use of this tool without the need to gather support from other legislative parties. Thus, while the majority party is not granted unilateral authority to undo gate-keeping deals struck during pre-floor stages of the legislative process, it does enjoy the unilateral right to timely close the gates on bills that slip to the floor even if a majority of its members opposes them. This last resort of the majority party comes right before a floor decision is taken on the matter, and reinforces the gate-keeping powers that the majority party enjoys in pre-floor scheduling institutions.

3.5 Summary: legislative procedures and implications for gate-keeping power

To conclude, the foregoing description and analysis of legislative procedures in the Argentine Chamber of Deputies shows that gate-keeping authority differs at various *individual stages of the legislative process*—in particular, at the level of standing committees, *Labor Parlamentaria*, and the floor. Namely, while the allocation of blocking powers on the floor follows majority cartel principles (with the majority party monopolizing all floor power to veto the plenary consideration of items on the agenda[44]) the distribution of blocking power in committees is chaotic (with no party enjoying effective gate-keeping power), and that in *Labor Parlamentaria* is consensual (with all parties sharing veto rights over the agenda). As shown in the tables below, this is in contrast to the characterization of the legislative process in the U.S. House of Representatives, as described by Cox and McCubbins, and others. In their characterization, the allocation of procedural rights at the three levels of legislative process is consistent with the Cartel Agenda Model. That is, on the floor, as well as in the standing committees and in the Rules Committee, the majority party exclusively controls all procedural power to prevent the plenary consideration of unwanted items.

This comparison raises both empirical and theoretical implications for those interested in measuring and evaluating the degree and distribution of gate-keeping power in the Argentine Chamber. On the empirical side, the fact that standing committees are chaotic—and more specifically, that members are unconstrained in their behavior given their limited impact on final legislative outcomes—implies that they provide the best locus in which to study the underlying preferences of individual members—and thereby, in which to form the least biased assessment of the location of party medians. Behavior in committees is thus an outstanding data source for the estimation of *legislators' preferences*.

On the theoretical side, it provides insight as to how to search for sources of *agenda control*. Specifically, it calls attention to the fact that at different stages of the legislative process gate-keeping power can be organized in different ways. And when such disagreement exists, the system level degree of agenda control is given by the stage that has the *most constraining veto structure*. In the particular case of the Argentine Chamber, this stage is *Labor Parlamentaria*, which introduces consensual features to the scheduling process. Thus, even if committees have a chaotic organization, behavior on the floor reveals a consensual control of the plenary agenda by all major legislative parties. Or in other words, while committees provide evidence of legislators' preferences, the binding *source* of agenda control is *Labor Parlamentaria*.

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[44] Although, as mentioned above, the opposition party and minority groups can also enjoy some level of delaying power by denying quorum to initiate debate and vote on the floor. The extent to which this tool can be used to reinforce consensual agenda-setting structures is a function of the size of the government party (whether or not it controls a majority of seats) and its partisan discipline (whether or not there are strong internal factions in the government party). During the period considered in this study government parties have varied in both dimensions, thus affecting the effectiveness of using the quorum strategy as a blocking tool.

Table 2.4 Gate-keeping Powers for Government and Opposition Parties at Different Stages of the Legislative Process

	STANDING COMMITTEES	**LABOR PARLAMENTARIA**	**FLOOR**
Can *majority/government* party block legislation?	NO	YES	YES
Can *minority/opposition* party block legislation?	NO	YES	NO
AGENDA SETTING STRUCTURE	**Chaotic**	**Consensual**	**Majority Cartel**

Table 2.5 Distribution of Gate-keeping Power in the Argentine Chamber of Deputies and the U.S. House (as modeled by Cox and McCubbins 2005)

	CHAOTIC	**MAJORITY CARTEL**	**CONSENSUAL**
FLOOR		**ARG. U.S.**	
STANDING COMMITTEES	**ARG.**	**U.S.**	
SCHEDULING BOARD		**U.S.**	**ARG.**

4. Empirical Strategy: Measurement, Data, and Estimation

4.1 Floor votes vs. committee endorsements

This study computes roll rates for both the government and the main opposition parties in the Argentine Chamber of Deputies between 1983 and 2002. Comparative studies of agenda control in world legislatures have estimated roll rates using extensive datasets of the legislators' recorded votes *on the floor*, or roll call votes. Both procedural and final passage votes have been used to calculate the average proportion of times that a legislative party is rolled in the plenary.

This study departs from that tradition in that instead of focusing on the legislators' behavior on the floor it looks at behavior *in committee* to calculate roll rates for the Argentine Chamber of Deputies. More specifically, roll rates for both the government and the opposition parties are obtained by computing the number of partisan delegates in committee that endorsed the majority and/or any of the minority reports on a bill. I will provide a more precise definition of a partisan roll used in this study, and I will discuss the assumptions built into its development, in subsequent sections. Here I offer a brief discussion of the reasons for, and the implications behind, the choice of committee endorsements as valid evidence from which to compute partisan roll rates in the Argentine legislature.

As mentioned above, comparative studies of agenda control have relied on roll call votes to estimate partisan roll rates. The use of roll call data for the Argentine Chamber of Deputies, however, poses some concerns. First, it is questionable whether votes on the floor reflect legislators' true preferences in a congress with highly disciplined parties as in Argentina. An assessment of party rolls requires knowledge of the preferences of the party median relative to the status quo and the bill that passes. When party pressures to change the vote are strong and effective, behavior on the floor does not necessarily reveal the true location of the party median preferences.[45] Under these circumstances, measures of roll rates calculated over floor votes will more likely reflect the effectiveness of the party leadership in punishing defections with the party line, than the extent to which parties exercise blocking power over the floor agenda.[46] At a minimum, the two processes are confounded in our measures of roll rates based on floor votes.

This argument elaborates on a distinction made by Cox and McCubbins between two sources of legislative power commonly used by party leaders to produce winning coalitions on the floor. The first one is their capacity to induce a *change in the vote* of a party' pivotal members, which in order to result in a pattern of low average roll rates must occur on a bill-by-bill basis. The second one is their ability to *control the set of issues* on which the legislators vote in the first place, while having minimal influence on the vote in the plenary (Cox and McCubbins, 2005, p.19-20). In other words, parties assemble and maintain winning blocs on the floor (and thus achieve a record of low roll rates) by either convincing their members to vote with the party for every bill that comes up for consideration, or by restricting access to the plenary agenda to those bills that are favored by a majority of the party in the first place—and that therefore will naturally produce a winning bloc within the party.[47]

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[45] Indeed, it is possible that extensive leadership pressure may result in a significant number of party members flipping their vote on an issue, resulting in the party median voting on the other side of her true preferences.

[46] Indeed, roll call data has been extensively used in research on Latin American legislatures to estimate comparative levels of party discipline, not of agenda control (Jones 2002; Morgenstern 2001, 2004; Londregan 2000, 2002; Carey 2002a; Desposato 2005; Figueiredo and Limongi, 1995; Ames 2001).

[47] In the latter case, rather than attempting to influence the members' behavior (party discipline), party leaders let members vote their preferences in a carefully restricted legislative agenda (agenda control).

Although actual patterns of legislative voting are usually the result of both mechanisms commonly employed by parties, the extent to which one or the other is involved in producing the floor outcome varies from case to case and may have a significant impact on an appropriate strategy for measuring when party medians are rolled. In cases in which the costs of imposing and maintaining internal discipline[48] are high, legislative parties will rely more extensively on their ability to restrict the issues to be discussed in the plenary as a tool to preserve a threshold of unity within their delegations. On the other hand, when discipline-inducing mechanisms are less costly, parties will be more prone to use them to achieve the desired voting blocs. In either case, measures of partisan roll rates calculated over floor votes do not separate the effects of agenda control from the effects of party discipline on the behavior of the partisan delegation in the plenary.[49]

This lack of discriminatory power may not be concerning in studies of the US congress. It is conventional wisdom to characterize legislative parties in the US as being comparatively weak in their capacity to affect their members' behavior on the floor[50]. If one accepts this view, low roll rates can safely be interpreted as a measure of the strength of the parties' blocking powers, while discipline and other partisan resources used to flip legislators' votes can be ruled out or assumed to play a lesser role in accounting for the observed pattern (Cox and McCubbins 2005). However, as party discipline increases, the interpretation of roll rates based on floor votes becomes less straightforward. This is in fact the case with the two main legislative parties in Argentina during the period under consideration.

Indeed, the PJ and the UCR have been portrayed by specialists as highly disciplined parties whose leaders determine the members' political careers (Jones 2002; Morgenstern 2006; Calvo 2007). This high level of party discipline is obtained even when both parties have been characterized as having widely heterogeneous preferences that divide their ranks geographically, ideologically, and by internal leadership, suggesting the action of extra-parliamentary institutional rules—both electoral and partisan—that make controlling the vote on the floor easier than in the U.S. (De Luca et al. 2002; Jones at al. 2009; Levitsky 2003). With better chances at disciplining members, however, the legislators' behavior on the floor does not necessarily—nor primarily—reveal the extent to which the party leadership holds tight control of the gates to the plenary agenda. On the contrary, legislators' votes will reflect, to a non-trivial extent, the strength of the parties' coercive capabilities, thus contaminating roll rates as measures of agenda control.

In sum, in a legislature where the whipping capacities of parties are not trivial, as is conventionally conveyed about Argentine parties, *voting* on the floor cannot be assumed to be an

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[48] To simplify the exposition, I will use the term discipline to refer to the full array of tools that a party may use to force and change their members' vote. These include not only different forms of punishment that are commonly understood as disciplining measures, but also any inducements and side-payments that the party may dispense to affect the members' vote. Manipulating the vote through any of these mechanisms should be distinguished from manipulating the agenda of items on which the legislators vote.

[49] In a similar vein, Calvo (2007) expresses concerns as to the extent to which floor votes can provide accurate information about legislators' preferences in a legislature with highly disciplined parties. According to the author, "if the representatives are perfectly disciplined on the floor, ideal point estimates obtained from roll call votes will not discriminate among different members of the cartel" (Calvo, 2007, p.264) The preferences of the representatives are crucial for assessing the success of party leaders in blocking unwanted legislation within their parties. But these preferences are not observable in floor behavior. To address this issue, Aleman et al. 2009 propose to use co-sponsorship data as an alternative source for estimating legislators' preferences.

[50] Cox and McCubbins 2005, p.2

accurate indicator of the legislators' *preferences*, and thus it provides unreliable information about the location of the party median with respect to the bill that passes.

Correspondingly, *roll rates* calculated over floor votes are at best imperfect measures of the parties' *power of agenda*, capturing instead the strength of the leadership's *disciplining power* over the party members.[51] Thus, it is necessary to search for an alternative data source for estimating legislative preferences and for calculating roll rates as measures of agenda control.[52]

There is a second reason why roll call votes may not be the best data to use for the estimation of roll rates in the Argentine Chamber of Deputies. Prior to 2006, in the Argentine Chamber of Deputies, legislators' individual votes on the floor were not ordinarily recorded. To the contrary, floor votes were recorded only after a special motion by at least 20% (1983-1996) or 10% (1996-2006) of the legislators attending a legislative session was approved by the Chamber. This occurred only rarely: between 1983 and 2001, the Chamber of Deputies recorded only 415 votes.[53] During that period, 2628 laws were approved. Of these, a total of 223 laws

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[51] For a discussion of how party discipline interacts with blocking power on the floor to produce partisan cohesion see Prata, 2006. Prata argues that there are two ways of producing low roll rates on final passage votes: one is through the use of discipline over party members; the other one is by exercising blocking powers. Prata suggests that looking at final passage votes will not provide information about what mechanism is behind the observed voting pattern. She then proposes to look at amendments votes to separate the effects of party discipline from the effects of agenda-setting on the voting outcome. Both roll rates as well as success rates on amendments are used to measure the level of party discipline used by a given party to obtain voting cohesion (low roll rates) on final passage votes.

[52] In the specific case of roll rates for the opposition party, there is another reason why votes on the floor may provide misleading information about the actual gate-keeping power of the opposition party. Indeed, while majority parties obtain reputational payoffs by voting together the bills that pass, it may be more advantageous for an opposition party to make a statement by voting against a bill sponsored by the majority, even in cases in which this bill is preferred to the status quo. This is so because the mechanism through which opposition parties build their reputation in the electorate may not be the same as the mechanism that works better for the majority party. More so, if the majority party is also the party of the president, as is this case in Argentina during the period examined. In this case, the opposition party may find it in its interest to oppose the president in a unified manner, even in cases in which the bills approved make the party better off. Furthermore, opposition parties will be more willing to engage in this double-sided strategy as the size of the majority increases. Thus, when the majority is large enough to secure a floor vote without the support of the minority parties, these have more room to invest in position-taking votes that enhance their image in the electorate, if doing so actually improves their electoral standing. The opposition parties thus get the policy benefits of a bill that they support ideologically—or that they deem necessary—and the added benefit of not being associated with approving an unpopular bill. Indeed, the data shows that as the size of the government party increases, the roll rates for the opposition also increase. But if this interpretation is correct, then floor votes are indicative of the gate-keeping powers of majority parties, but they are not indicative of the gate-keeping powers of the opposition. A focus on floor votes may thus inflate the impression that the opposition does not control the flow of bills to the floor. Information about legislators' behavior that is more shielded from the public eye may help better identify the true preferences of the opposition. For a related discussion about the agenda-setting strategies of the opposition, see Schickler and Pearson, forthcoming

[53] These numbers represent floor votes on the bill as a whole (*votación en general*). Other works have collected a larger sample of roll calls by adding to this group the much larger set of roll call votes on amendments (Jones and Hwang 2005a; Jones et al. 2009; Aleman 2006). While the use of roll call votes on amendments may serve other analytic purposes (e.g. estimation of legislators' ideal points and related studies of party cohesion), their validity in generating roll rates for purposes of evaluating agenda control is questionable. As mentioned in a previous section, in the Argentine Chamber of Deputies, voting on the floor proceeds in two stages. In the first stage—*votación en general*—the legislators vote to approve or reject the general intention to pass a bill that would change the status quo (Aleman 2006). After the bill has been approved during this stage, the legislators consider each of the articles of the bill separately, voting on the proposed amendments (*votación en particular*). In a world of complete information regarding floor behavior—as stylized in Cox and McCubbins' s cartel agenda model and adopted in this study—legislators are able to anticipate the outcome of the amendment process. Hence, they will only vote for the bill during the first voting stage—thus opening the gates to foreseeable changes in the status quo—if they prefer the

demanded *at least* two separate readings by the Chamber of Deputies, since the version approved during the first reading was later modified in the Senate, forcing the lower chamber to a second consideration of the same bill. Thus, between 1983 and 2001, roll call votes amounted to roughly 16% of the laws passed, and to 14.6% of the total plenary votes on bills that later became law[54]. Moreover, some of the most important laws approved during this period—such as the privatization of the previously owned electric, gas, oil and mining companies, the dramatic reform of the pension system, and the currency stabilization plan—were not subject to roll-call voting. This has led legislative scholars to suspect bias in the set of issues that obtained a roll call vote, questioning the validity of any statistic obtained through roll call data (Desposato et al. 2009; Morgenstern 2004; Carey 2007)[55].

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anticipated final version of the bill to the current policy (or the reversionary outcome). For this reason, roll rates as true measures of agenda control should only be computed on votes on the bill as a whole, which happen during the first stage of voting. Roll rates based on amendment votes may not be capturing true power of agenda, as a party who votes against an amendment may still prefer the bill as a package to the status quo policy. An example of the logic that drives amendment behavior is given in the work of Aleman 2006. Aleman points out that between 1989 and 1997 the PJ—the majority party at the time—was rolled only twice on amendment votes. He also argues that, after a majority of the party voted against the amendments that passed, the president, also from the PJ, vetoed the disputed articles preventing them from becoming law—while enacting the rest of the bill. Thus, communications between the president and the legislative leaders of the PJ may have facilitated the favorable vote of the PJ during the *votación en general*, whose representatives supported the decision to open the gates to changes in the status quo policy knowing that the president would take care of unwanted—but foreseeable—amendments.

For a more systematic investigation of the information retrieved from votes on amendments, see Prata, 2006. Prata argues that roll rates on amendment votes are more telling of the capacity of parties to exert discipline among their members than of their blocking powers. Indeed, a zero roll rate for the government party on amendments (the bulk of what is being captured in Jones and Hwang's and Aleman 's work) is consistent with a party that utilizes strong disciplining methods to achieve voting cohesion (Prata, 2006, p. 61-63)

[54] Between 1983 and 2001 only 11 bills were rejected on the floor. This very low number is reflective of the strength of pre-floor gate-keeping mechanisms that prevent changes in policy. The 11 rejected bills represent the unusual instances in which the standing blocking mechanisms failed, letting a minority group of legislators push a bill onto the floor against the preferences of a majority.

[55] Although it is common among scholars studying Latin American legislatures to raise concerns about potential biases in the set of roll call data, no empirical effort has been made to examine the actual size and direction of the bias, and no underlying model of legislative behavior has been proposed to explain expected biases. As such, it is not possible to determine the extent to which working with roll call data can damage our conclusions about agenda control.

An example of the opposite is provided by Jones and Hwang (2005a), who confidently employ roll call data to examine agenda-setting power in the Argentine Chamber of Deputies. The authors recognize that roll call votes are infrequent. But they do not provide any model of legislative behavior that would support the assumption that a) this small set of infrequent behavior is unbiased, or that b) roll call behavior is biased in a way that would either help the analysis, or at least not damage the estimation.

The only argument that Jones and Hwang provide to support their measurement strategy refers to the alleged advantage that roll call data offers by screening out bills that provide little information about agenda structure—and that only bring noise to the analysis. Indeed, the authors argue that a focus on roll call votes helps separate important from trivial bills, and controversial bills from bills that do not generate major disagreement among parties. The implication is that selecting on important and controversial bills improves the analysis, as roll rates in this subset will more accurately measure the actual blocking power of legislative parties than examining the full set of bills passed by congress. In the latter, all-inclusive set, a large number of irrelevant and uncontroversial bills have the potential to deflate actual roll rates, as the low estimate could be the product of a convergence of preferences between the parties instead of an indicator of agenda power.

This line of reasoning suffers from two flaws. First, even if a majority of the bills that face roll calls are important and controversial, they could still be a small non-representative subset of all the important and controversial bills passed by congress. If there is reason to suspect that the forces that trigger the unusual roll call behavior are correlated with the factors that lead to, say, rolls for the opposition on the floor, then constructing roll

In light of the above, this study departs from the traditional approach in comparative studies in that instead of focusing on the legislators' behavior on the floor it looks at behavior in committee to calculate roll rates for the Argentine Chamber of Deputies. The choice of this alternative measurement strategy results in a number of analytic advantages. First, it expands the data base upon which roll rates are calculated.[56] While information on floor votes is restricted to 16% of all the bills approved in the Chamber, data on committee behavior covers 80.4% of the approved bills. Moreover, for the remaining 19.6% it is unlikely that the observed sample is substantially different from the bills examined in this study. The reason is that the procedures that enable the floor consideration of a bill without a committee report require a 2/3 supermajority support, which in the distribution of legislative seats during the period here considered, suggests that it is very unlikely that either the government or the main opposition parties were rolled in this subset[57].

Second, legislators' behavior in committee is more likely to be free of disciplining pressures by the party leadership. Even in those cases in which parties can use punishment to keep members in line at a relatively low cost, party leaders will be more enticed to exert those pressures on the floor than in committee. This is so both because behavior on the floor has more immediate policy consequences than behavior in committee, and because party divisions at the floor level damage the party reputation with the electorate more directly than internal disagreements in committee (which often occur away from the public eye). As a result,

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rate measures based on roll call data will result in an inflated estimate of the actual agenda-setting power that the opposition has in the legislative process. Indeed, a certain degree of bias in the direction of inflating the roll rates for the opposition party is suspected from information provided by the authors themselves. According to Jones and Hwang, an overwhelming majority (57%) of rolls were called for by the opposition. If this is so, then it is not surprising that in this subset the opposition is rolled significantly more than the majority party—and significantly more than the same opposition party in the larger set of bills passed by congress.

Second, while working with a large set of irrelevant and uncontroversial bills may somehow deflate roll rates for the opposition party and overestimate the power of agenda that opposition parties have in the legislative process—attributing voting results to the use of blocking powers by the opposition while they are instead the result of a mere convergence of interests among parties—it is not clear that these bills should be removed from the analysis to provide more accurate roll rate measures. Indeed, the ratio of irrelevant to relevant bills, or controversial to non-controversial bills is itself a function of the strength and distribution of agenda-setting power in the legislature. If it is indeed true that the floor agenda is consensually determined, as I argue in this chapter, and if the government and main opposition parties do not converge on preferences, then it is to be expected that the legislative agenda will be filled with irrelevant bills. In a consensual legislature, the only bills that reach the plenary are those which both the government and the opposition agree to put on the floor. As a result, the agenda will not be filled with controversial bills, as these are blocked by one or the other party at pre-floor stages of the legislative process. If the parties still agree on a number of important bills, then the floor agenda will include the consideration of important issues, and the floor will pass important policy changes. If the parties do not agree on any fundamental policy change, then the plenary agenda will be packed with irrelevant proposals that no party objects to. In either case, the size of the subset of unimportant bills does not confound the analysis but it is rather an indication of the type of agenda-setting structure in place. (In a similar line of argument, in examining a number of European parliaments, Doring (1995b) links patterns of agenda control to the size and character of the legislative agenda. The author argues that control of the agenda by one party results in an increased number of important bills passed, and a fewer number trivial bills. By extension, the more consensual a legislature, the larger the number of irrelevant bills, and the lower the number of important bills passed)

[56] Recent scholarship has explored alternative data sources to estimate policy preferences. A favored approach has been the use of co-sponsorship data (Desposato et al 2009, Aleman et al. 2009), although this strategy is not free of validity issues either (Aleman et al. 2009).

[57] It is worth noting that information about this group is not available through roll call vote analysis either, as most of the bills which did not receive a committee report before being voted on the floor, did not face a roll call vote either.

behavioral information at the committee level provides more reliable information about the preferences of the party median, thus resulting in estimates of agenda control that are less contaminated than floor votes by confounding party discipline.

Moreover, committee endorsements are not only more *sincere* expressions of the legislators' preferences than are floor votes (thanks to weaker disciplining pressures at the committee level), but, given some structural characteristics specific to the Argentine committee system, they are also *unconstrained* manifestations of those preferences over the full ideological dimension of the bill (thanks to weaker agenda-restricting forces in committee than on the floor).[58] This is so because, contrary to its counterpart in the US, the Argentine committee system is not endowed with strong gate-keeping authority. In fact, as elaborated in the previous section, the rules that regulate access to the committees' agenda, as well as those that determine decision-making procedures in committee, are extremely permeable, in that a very small number of committee members can easily push bills out of committee and onto the legislative process. Party leaders, both from the government (majority) and the opposition (minority) have limited resources at the committee level to close the gates to unwanted bills.

Further, committees are allowed multiple reporting on a bill, which combined with the permeable decision-making structure mentioned above, creates incentives for all ideological opinions to express their position in a separate report.[59] Because committee behavior occurs in a structure in which agenda-setting pressures are weak—and *before* these pressures become stronger at later stages of the legislative process—legislators' endorsements of bill reports better uncover the full dimension of partisan preferences over a bill than do floor votes.[60] As a result, rather than performing gate-keeping functions, the primary role of Argentine committees is that of providing an arena in which party delegates *signal their preferences* over a number of issues to their co partisans in the plenary.

The implication of this finding for roll rate analysis—and for other theory testing efforts that require estimation of legislators' preferences—is straightforward. Committee endorsements provide unconstrained information about legislators' sincere preferences. Most importantly, they provide accurate information about the location of the party median in favor of or against a bill that eventually reaches the plenary.[61] The restriction of the analysis to those bills that obtained a passing vote on the floor in turn identifies cases of potential rolls[62]. By measuring the proportion of times that a party median endorsed the losing report in the plenary vote, we can obtain a reliable—and cautious—measure of the strength and distribution of blocking power in the legislature.[63] It is the claim of this chapter that, given the specific structural characteristics of the

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[58] There are 2 dimensions here: a) the extent to which committee endorsements are *sincere* expressions of legislators' preferences (thus not affected by party disciplining efforts), and b) the extent which they are *unconstrained* expressions of preferences over the full issue space (thus not affected by agenda limitations). My claim is that committee endorsements are better expressions of both than are floor votes.

[59] For purposes of the analysis, I assume that legislators' pay no costs for writing a report that expresses their ideal points on an issue.

[60] A similar argument has been made about co-sponsorship data by Desposato et al. 2009

[61] This is behavior that has not been altered by disciplining pressures or restricted by agenda control. Or stated differently, this is the closest behavioral observation to the legislators' ideal points.

[62] Thus, this study does not examine all committee behavior on bills, but just their behavior on bills that reached the plenary and passed. A case selection that only includes bills that eventually reached the floor reveals patterns of agenda control.

[63] This measurement strategy actually overestimates the number of times that a party is rolled. Indeed, if a party prefers the status quo to the bill that the legislature will pass if allowed to, then that party will definitely sign a minority report on the issue. However, a party may still sign a minority report even if it prefers the majority bill to

Argentine system—permeable committees, multiple reporting, high party discipline, and few roll call votes—roll rates based on committee endorsements are improved measures of agenda control than the traditional measure that uses roll call data.

4.2 Description of the dataset

This study computes roll rates for both the government and the main opposition parties in the Argentine Chamber of Deputies between 1983 and 2002. As mentioned in the previous section, roll rates are calculated by examining the parties' endorsement of alternative bill reports in committee, rather than looking at the parties' voting patterns on the floor. Given a set of defensible assumptions—which will be discussed in detail in the following section—legislators' endorsements of alternative committee proposals are taken as indicative of the uncontaminated and unconstrained preferences over an issue of their *larger delegation* in the assembly.

In order to identify potential rolls for a party, I collected party endorsement information on all the bills considered (and reported out) by committees which eventually became law. That is, the dataset is composed of all the laws approved by the Argentine congress between 1983 and 2002.[64] For each law, I hand-collected information on the number of members from each party who signed the majority report, and the aggregate number of party members who signed any of the minority reports.[65] In order to record a roll, I proceeded as follows. First, if the bill passed in

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the status quo. In my estimation these cases are scored as rolls, even though they may not be substantively so. Given that with this strategy I already obtain very low roll rates for all parties, correcting for this over estimation could only reinforce my conclusions.

[64] I thank Ana Maria Mustapic and Matteo Goretti for providing an earlier version of this dataset, to which I added information on committee majorities, legislators' individual characteristics, and other variables for every law passed by congress in this period.

[65] The data was collected as follows. *First*, I compiled a list of all the laws passed by the Argentine congress between 1983 and 2002. For each law, I recorded the dates in which they were passed in both the Chamber of Deputies and the Senate. This information is available on the website of the Argentine congress for most laws. *Second*, I looked at the D*iario de Sesiones* corresponding to the dates in which each bill was considered by each of the two Chambers. The *Diario de Sesiones* is a written record of every legislative session, and there is one for the Senate and another one for the Chamber of Deputies. Each law must have had a minimum of two considerations, one in each Chamber, in order to have been approved. However, it may have had up to five (before 1994) or three (after 1994) considerations. Thus a Chamber may have considered a bill more than once. *Third*, once I had identified the legislative session in which a bill (later turned into law) was considered, I looked at the very beginning of its consideration, when the Chamber president announces that such bill is the next item up on the agenda. At this point, and before transcribing the legislative debate, the *Diario de Sesiones* publishes the different committee reports—which are the actual policy proposals submitted for floor consideration—behind the bill. First, it publishes the "majority report", that is, the report which obtained the largest number of endorsements in committee. Then it publishes all of the minority reports in the order of the number of endorsements they each obtained. After each report, the *Diario de Sesiones* publishes the names of the committee legislators who endorse such report. This information is, for the most part, not available on line. There is some scattered information about committee reports on line that starts in 1995 but there are only a few observations until 2001 when the online dataset is more full. *Fourth*, I collected information about the party affiliation (legislative bloc) of each legislator whose signature was in one of the reports. I later recorded the number of signatures for each party that signed with the majority report, and the number of signatures from each party that signed any of the minority reports.

I have collected data on committee endorsements as described above for a) all the bills initiated in the Chamber of Deputies either by the legislators or the president. For these bills I have collected data on committee signatures for the first consideration of the bill by the Chamber (thus I have discarded committee action on third and fifth readings when such readings exist). I have also collected committee signature information for b) all the bills initiated by the Senate which were considered by the Chamber of Deputies in a second reading (I have discarded fourth readings when they occurred). Finally, I also have information about committee endorsements in the Senate,

the plenary received only one committee report—that is, no alternative bill proposal was signed by a fraction of the committee members—then such case was counted as a "no roll" event for all parties. If the bill passed by the plenary had multiple committee reports, then I scored a roll for a given party when the number of party delegates who signed any of the minority reports outweighed the number of party delegates who signed the majority report.[66] Note that party members can be split over an issue at the committee level, with some signing the majority report, and others signing minority reports. What determines whether to record this observation as a "roll" or a "no roll" is the behavior of the median party delegate, since per last section, the (observed) behavior of the *party median in committee* is taken as indicative of the true (unobserved) preferences of the *party median in the plenary*. Thus, if the median member of the party in committee endorsed the majority report, I scored the observation as a "no roll" for the party on that law. If the median party delegate endorsed any of the minority reports, I recorded this as a "roll" for the party on that law.

A number of features of the sample used in this study are worth noting. First, the sample includes information about all the bills which were turned into law between 1983 and 2002. The data does not cover bills which received different levels of consideration by the Chamber but which never became law during this period. This includes: a) bills that received a committee report but that were never considered and voted on the floor; b) bills that obtained a passing vote in the Chamber of Deputies but that were later killed in the Senate; c) bills that were passed by the two Chambers of Congress but which were later vetoed by the president.[67] Thus, all of the rolls computed in this sample are *consequential rolls*, that is, rolls which eventually led to a change in the status quo policy. In a refinement to their theoretical predictions, Cox and McCubbins introduce the difference between consequential and inconsequential rolls. Inconsequential roll are rolls that do not have any policy consequences. It is possible that a party may allow a bill on the floor that will roll a majority of its members, if it is confident that the bill will be killed later in other institutional arenas (i.e. the Senate or the Executive). If parties care about policy outcomes more than what they care about voting unity, then it is rational for its leadership to accept being rolled on the floor to avoid the cost of blocking legislation that is being pushed by the president, the opposition, or a powerful intra-party faction, as long as at some later step in the legislative decision-making process the bill is prevented from becoming law. A small number of inconsequential rolls, then, is compatible with strong agenda-setting power. By contrast, consequential rolls, those that produce policy changes, are not consistent with the party holding strong blocking power over the legislative agenda. All of the rolls computed in this study are consequential rolls which made the party being rolled worse off on

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both for the first and second readings. Although this information is slightly less precise than the data for the Chamber of Deputies, it still provides a minimum threshold with which substantive conclusions can be drawn.

[66] Notably, with only one exception, every time that multiple reports on bills were sent to the floor for consideration, the majority report was approved over the minority reports.

[67] Thus, following Cox and McCubbins, this study measures the parties' relative (negative) control of the agenda by computing the number of times that the parties' blocking power has failed. It does not measure the number of times that blocking unwanted legislations was successful—which is given by the number of proposals that failed to become law at one or another stage of the legislative process after facing the veto of a powerful gate-keeper. Calvo (2007) and Aleman and Calvo (2008) take on this alternative approach to assess negative agenda structure in the Argentine Chamber. According to the authors, evidence of negative agenda-setting power should be observed in the relative bill approval rates for different parties.

the issue dimension of the policy approved.[68] As such, they all represent a loss of control over the plenary schedule.

Second, the analysis also makes the following cuts in the dataset. First, it only includes laws which were initiated in the Chamber of Deputies and it only looks at the Chamber's first consideration of the bill. Thus, the analysis excludes bills that were initiated in the Senate and for which the Chamber of Deputies was called to approve, reject or amend the Senate's decision in a second reading. Similarly, it excludes bills initiated in the Chamber of Deputies which, after being approved first by the Chamber and later by the Senate (with amendments) were considered in the Chamber of Deputies for a second time (or third time before the constitutional reform of 1994). The exclusion of these observations responds to the goal of eliminating any potential bias in our conclusions stemming from inter-branch agenda-setting advantages related to sequence of moving (Calvo 2007; Aleman and Tsebelis 2002).

Finally, as previously mentioned, the dataset fails to produce observations for an important number of bills which were turned into law during this period. Indeed, as much as 19.6% of the bills passed between 1983 and 2002 reached the floor without first obtaining a committee report. For these bills I lack information about committee endorsements—partisan positions—with respect to the approved bill. Moreover, this information is not retrievable through the most traditional method of examining roll call data, as most of these bills did not face roll call voting. However, an examination of the procedures through which these bills skipped the committee stage and reached the floor suggests that this sample is not likely to have produced rolls for either of the two major parties. Indeed, the vote requirements enabling the floor to alter the legislative agenda were as high as 3/4 and as low as 2/3 of the legislators present, which in the particular distribution of congressional seats during the period here considered implied the joint support of a majority of both the government and the main opposition party for the procedure to have succeeded.

4.3 Assumptions for the analysis

I make the following assumptions for the estimation of roll rates and the interpretation of results:

First, I assume legislators' endorsement of committee reports is sincere. This assumption is backed by the discussion about committee structure in the previous section. As mentioned above, absent the disciplining and agenda-setting pressures commonly found on the floor, legislators are free to express their policy ideals in separate reports. I take this logic further and assume that legislators' behavior in committee is moved by the sole objective of signaling their preferences over an issue to the floor. There are no other strategic considerations behind the legislators' actions.

Second, I assume there are no costs to writing and signing a report. Together with the assumption of lack of agenda-setting restrictions at the committee level, this assumption ensures

[68] According to the law that regulates the expiration of policy proposals in congress (Law 13640) a bill remains in good standing for congressional consideration for 24 months after being introduced in the assembly (36 months if it gets partial approval from the other chamber). Many bills which obtained a passing vote in the Chamber of Deputies at the end of our time series had not yet obtained final approval by 2005 (although they were not expired either and could have become law some time after my data collection ended). The consequence is a thinning of observations as we get closer to 2005. The low number of observations challenges the validity of the statistics for these years. As a consequence, I exclude 2003, 2004 and 2005 from the analysis.

that all policy expressions over a bill will be manifested in a committee report, and works as a functional equivalent to the assumption of open rules in Cox and McCubbins' theory.

Third, I assume the partisan delegation in committee is representative of the partisan delegation in the Chamber as a whole (or, party median in committee = party median on the floor). There are no studies on individual legislators' ideal points that would allow me to test in a systematic fashion if the party median in committee equals the party median on the floor. However, studies on the composition and assignment process of members to committees have suggested that committees in the Argentine Chamber of Deputies should not display any particular ideological bias with respect to their parties. Indeed, the party leadership holds tight control of the assignment, transfer, and removal of their delegates to and from committee (Jones et al. 2002; Crisp et al. 2009). As a result, I will assume that the preferences of committee members, as reflected in their endorsement of bill reports, are the true expressions of the preferences of the party as a whole.

Fourth, I assume the bill proposal that receives the largest number of endorsements in committee—the "majority report"—is the bill approved in the plenary, if the issue is ever scheduled for floor consideration. This fact is not necessary so, but it is empirically true. In the period under consideration, I could only retrieve one case in which the floor rejected the majority report and approved the minority report instead.

Fifth, I assume "abstentions" are not opposition. That is, those legislators who do not sign any committee report on a given bill are not scored as being rolled on that bill. Coming up with a decision rule to handle abstentions is a very delicate matter, one which has been resolved in different ways across cases and authors (see Prata 2006; Jones et al. 2005a; Cox, Heller and McCubbins 2008). Knowledge of the case, and sensitivity to the strategic choices available to actors, is key for a correct interpretation of abstentions.

When analyzing floor votes, this interpretation seems more straightforward: a legislator present in a legislative session in which a vote takes places, but who refuses to vote (present but not voting), can be assumed to be opposing the bill. It is even possible to be more stringent: a legislator *absent* from a legislative session in which a critical vote takes place can be assumed to be expressing opposition to the bill. In the latter case, the absence of the legislator may affect quorum requirements, but it will not count against reaching a majority if quorum is obtained. Still, as failing to appear for a plenary meeting is known to be a common opposition tactic in the Argentine legislature, absence from a meeting in which a vote takes place can be counted as opposition (see for example Jones and Hwang 2005a)

By contrast, failure to sign a committee report—the data source utilized in this study—cannot be interpreted the same way as one interprets failure to vote in the plenary. This measurement problem is similar to that encountered in studies of co-sponsorship to estimate legislators' ideal points: that is, while positive action (cosigning a report) provides plenty of information about legislators' preferences, lack of action (failure to cosign a report and/or absence from a committee meeting) is considerably less informative (Desposato et al. 2009; Aleman et al. 2009). Years of observation of legislators' behavior in the Argentine Chamber of Deputies lead me to believe that the absence of legislators' signatures on any committee report should not be interpreted as opposition. Indeed, while absence from the floor can often be a strategic decision to deny quorum or to avoid taking a stance on the issue being discussed, absence from committee often responds to the physical incapacity of legislators to attend all committee meetings. The Argentine legislature has a large number of committees relative to the size of the Chamber. This forces legislators to participate in several committees whose meetings often overlap. Moreover,

committee meetings sometimes take place on dates in which legislators are visiting their constituencies. For all of these reasons, absence from a committee meeting and failure to sign a report is less of a strategic move than a similar behavior on the floor. As a result, in this study, I only focus on observed *signatures*, and I ignore members of committee who failed to act on any report.

It follows from this the following rules for recording a roll: first, if a party delegation in committee does not endorse any report (majority or minority) the party has not been rolled. This instance counts as a "no roll" for the party. Second, if a majority of a party does not endorse any bill report but a minority of the party does, the latter report is taken as the party's stance on that matter. Or in other words, all that matters to score a roll on a bill is the number of majority vs. the number of minority endorsements of alternative committee reports.

5. Results

In this section, I turn to an examination of patterns of partisan rolls in the Argentine Chamber of Deputies. After describing the measure of partisan roll rates I use in the data analysis, I examine the pattern using this measure for all laws passed by congress between 1983 and 2002. This establishes broad regularities in roll rates that shows an overarching pattern of consensual lawmaking, even while exhibiting some finer grained distinctions between government and opposition.

5.1 Measuring rolls and roll rates

As noted earlier, and based on the features and assumptions of the legislative process outlined above, behavior in committee provides a good measure of legislator preferences on a particular bill. Aggregating across legislators in committee, I score a *partisan roll* on a given bill as occurring when *the majority of the party's delegation in committee signed a minority report on that bill.*

This measurement strategy has two concomitant implications which are worth noting. First, if a bill does not receive *any* minority reports (that is, the committee submits a single report on the bill), then no party is rolled on that bill. Consequently, bills with single reports generate a "no roll" observation for both the government and the opposition party.

Second, in cases where there are multiple reports, I measure the partisan roll across all the reports. In other words, a party is rolled only if the aggregate number of party delegates endorsing all of the minority reports outweighs the number of party delegates endorsing the majority report.

Utilizing this measure of a partisan roll, I then calculate the partisan *roll rate* as the proportion of times among all bills that pass the legislature in which a party is rolled. While arrived at differently, this measure is defined identically to that used by Cox and McCubbins, and others in their examination of roll rates in other countries.

Notably, this measure is, if anything, a conservative measure of roll rates, in the sense that it is (almost surely) upwardly biased. The reason is that in committee, legislators can support minority reports which they prefer to all other options proposed, even when they support the majority report over the status quo. In other words, based on my measurement strategy, some legislators who are not rolled—that is, who support the change that eventually passes—are recorded as opposing it. Given that roll rates following this strategy are already very low for government and opposition parties, any adjustment for possible inconsistencies between

committee and floor disagreements—if they were possible—would only strengthen the conclusions of this study.

5.2 Overall roll rate patterns in the Argentine Chamber of Deputies

Table 2.6 shows the estimated roll rates by party and legislative session from 1983 to 2002. In 2002, the data reflects only half a legislative session, as it ran until 2003, a year for which the limited available data does not allow us to compute valid statistics.

Table 2.6 Estimated Party Roll Rates by Legislature, 1983 to 2002

Legislature	*PJ*	*UCR*	*Alianza*	*Frepaso*	*Ari*	*n*
1983 to 1985	**4.6%**	0.0%	0.0%	-	-	153
1986 to 1987	2.2%	0.0%	0.0%	-	-	92
1988 to 1989	0.0%	0.0%	0.0%	-	-	91
1990 to 1991	0.0%	2.8%	0.0%	-	-	108
1992 to 1993	0.0%	0.0%	0.0%	-	-	87
1994 to 1995	0.0%	**6.3%**	0.0%	-	-	127
1996 to 1997	0.0%	2.3%	0.0%	**3.9%**	-	128
1998 to 1999	0.0%	0.0%	0.0%	1.1%	-	93
2000 to 2001	1.9%	0.0%	0.0%	0.0%	0.0%	103
2002	0.0%	**4.5%**	0.0%	0.0%	**4.5%**	22
Total	1.1%	1.5%	0.0%	0.6%	0.1%	1004
Average	0.9%	1.6%	0.0%	0.5%	0.5%	100

Notes: Bold indicates those proportions where the hypothesis that the proportion is significantly below 5% cannot be rejected at a one-tailed 5% significance level. Where the sample proportion is zero, we assume the null hypothesis is rejected since standard errors cannot be calculated when the sample proportion is zero. Total indicates the rate aggregated by all bills; average is calculated by legislature.
The gray shaded cells indicate when a party was in the majority.

Two observations are immediately obvious from Table 2.6: *first*, roll rates for all parties are very low; *second*, there are no considerable differences between the roll rates for the government and the opposition parties. These data are consistent with the predictions of the Consensus Agenda Model, and they are inconsistent with the Cartel Agenda Model.

Thus, as Table 2.6 shows, in aggregate, the roll rates for all parties range from never to 1.6% for the UCR over this entire period. Moreover, when broken down further, the roll rates are consistently very low across parties and legislatures. Indeed, applying the standard used by Cox and McCubbins, that roll rates below 5% represent negative agenda control by a party, there is only one case amongst all the legislatures and all parties in which the roll rate exceeds this threshold—when the UCR was in the opposition from 1994 to 1995. Even if one applies a stricter test—one tail significance test below 5%—we find that in only five of the thirty-six cells we are able to reject the hypothesis that the rate is above 5%; and this occurred for each of the major parties—the PJ and UCR—only three times in twenty observations under examination.

These results provide initial support for the hypothesis that the Argentine Chamber operates consensually.

While the overall pattern of rolls is very consistent with the consensual model, it is also worthwhile to explore these results more carefully. Indeed, one may note that there is a distinct pattern in Table 2.6—that the government party appears to be rolled less often than the opposition parties. Indeed, in every legislature under study, the government party—indicated by the gray shading in the table—had the same or lower roll rates than the main opposition party. Table 2.7 captures this effect for the PJ and the UCR. The table summarizes the roll rates for each party according to whether they were in the government or the opposition. As can be seen in the table, the government party is *never rolled* in the entire sample period, irrespective of which party. On the other hand, the major opposition party is rolled on average around 2% of the time. While this is substantially less than the 5% standard used to gauge a lack of negative agenda power, it is still more often than the majority party.

Table 2.7 Average Roll Rate By Majority Status: PJ and UCR

	PJ	*UCR*	*Average*
Governing Party	0.0%	0.0%	0.0%
Opposition Party	2.2%	2.7%	2.4%

A further exploration of the data shows another interesting pattern, namely the role that majority status plays in the effective control of the legislative agenda. As mentioned above, in the period under consideration, a *majority* party formed in the Chamber of Deputies only about half of the time. For the other half, the largest party in the legislature obtained between 45% and 50% of the Chamber seats, constituting what I call a *quasi-majority*. Tables 2.8 and 2.9 break down the nature of the government party into these two mutually exclusive categories. Table 2.8 provides the nature and identity of the government party in each legislative period, and Table 2.9 shows average roll rates for the government and the main opposition party for each of governing party categories.

Table 2.8 Dominant Government Party and Nature of Control

Legislature	*Dominant Governing Party*	*Majority Status*
1983 to 1985	UCR	Majority
1986 to 1987	UCR	Majority
1988 to 1989	UCR	Quasi-Majority
1990 to 1991	PJ	Quasi-Majority
1992 to 1993	PJ	Quasi-Majority
1994 to 1995	PJ	Majority
1996 to 1997	PJ	Majority
1998 to 1999	PJ	Quasi-Majority
2000 to 2001	UCR	Majority
2002	PJ	Quasi-Majority

Table 2.9 Roll Rates By Nature of Government Party Control

	Governing Party	*Opposition Party*
Majority	0.0%	3.5%
Quasi-majority	0.0%	1.5%
Minority	-	-

Tables 2.8 and 2.9 provide another interesting finding about agenda control in the Argentine Chamber. Indeed, the tables show that losing majority status does not negatively affect the gate-keeping powers of the government party. However, lack of a majority reduces the roll rate for the opposition. That is, between 1983 and 2002, the opposition roll rates—while low—appear to be in part affected by the strength of the majority party. The stronger the majority, the higher the opposition roll rate. In this case, the roll rate jumps from 1.5% under a quasi-majority government party to 3.5% under a pure majority party.

Taken together, the results outlined here indicate a consistent pattern. First, it does appear that the government party in the Argentine Chamber does indeed enjoy tight control of the gates to the legislative agenda. Second, it is *also* the case that opposition (minority) parties have strong blocking powers, with roll rates in Argentina, when calculated in a novel and more accurate way, very low across all opposition parties during the twenty-year period under study. Thus, there is strong evidence to support the claim that the Argentine Chamber operates *consensually*, with negative agenda control distributed relatively evenly to all parties. Finally, although this dominant pattern holds, it is the case that the government party holds slightly stronger gate-keeping powers than the opposition parties. Indeed, the government party's control of the agenda is absolute (zero rolls) across parties, legislative periods, and majority status, much as the theoretical predictions of the Consensus Agenda Model indicate. The opposition party, by contrast, tends to have low but positive roll rates, which vary—albeit with a low margin—inversely with the strength of the majority.

6. Conclusions

In a recent article, Calvo states as a puzzle that in Argentina high levels of party discipline are accompanied by comparatively low bill approval rates for the president. Moreover, the bill approval rates for the main government and opposition parties are also low, and, surprisingly *not* very different from each other (Calvo 2007; Aleman and Calvo 2007). This chapter provides a possible explanation for this outcome, namely, that in the Argentine Chamber of Deputies, both government and opposition parties hold unilateral veto rights over the floor agenda. The low approval rates for majority and opposition parties are thus reflective of this shared power to block unwanted bills from reaching the voting stage.

This finding contradicts recent research that has argued that the Argentine legislature is organized along majority principles (Jones and Hwang 2005; Aleman 2006). The main methodological difference separating these studies from mine is that, while the former measure agenda control by looking at behavioral patterns in the floor vote, I focus on behavior in committee to assess the relative control of the parties over the floor schedule. Given that a correct assessment of agenda power requires knowledge of the legislators' preferences—and particularly, of the location of the party median relative to the bill that passes—a focus on floor voting behavior may yield misleading conclusions about agenda control for a number of reasons.

First, the sample of roll call votes in Argentina during the period under study is not only small but also potentially biased. Without a model of legislative behavior that accounts for the magnitude and direction of the bias, as well as its effects on observable indicators of blocking power in the subset of roll calls, our conclusions about agenda control may be flawed. Second, even if we accept the representativeness of the limited roll call sample, the issue still remains that with high levels of party discipline—such as those that characterized the Argentine congress during the period of this study—the estimation of the legislators' true preferences may be clouded by the leadership's efforts to control the vote on the floor. Finally, and more importantly for the conclusions of this study, a focus on roll call behavior to estimate legislators' preferences may artificially inflate the roll rates for the opposition party. Thus, more so than the issues listed above, this last caveat is relevant for the present study because it selectively affects the opposition—generating an exaggerated estimation of agenda loss by this party—without producing a concomitant effect on the majority. Because this approach may lead to the wrong conclusion that in the Argentine Chamber of Deputies the agenda is determined as in the Cartel

Model—as it has been argued by previous work on the Argentine legislature—I will develop my argument in more detail.

When examining agenda-setting distribution in the U.S. House, Cox and McCubbins argue that the majority party cartelizes the agenda motivated by electoral incentives. Legislators from the majority party, who want to be re-elected to their seats *and* to their legislative offices, understand that these goals are partly achieved through a positive reputation of their party in the electorate. The party's reputation is in turn linked to the party's record of legislative accomplishment. Thus, party members cartelize the agenda, and delegate blocking powers to their leaders, to solve the various cooperation and coordination problems that arise in maintaining a positive collective performance.

Cox and McCubbins do not conceptualize the incentives to organize the legislative agenda in the Consensus Agenda Model. However, it is possible to argue that a similar incentive to cultivate a positive reputation through their legislative performance motivates both the majority and the minority parties. The specific strategies to achieve this goal, however, may vary slightly across government and opposition. Indeed, while majority parties obtain reputational payoffs by voting together the bills that pass, it may be more advantageous for an opposition party to make a statement by voting against a bill sponsored by the majority, even in cases in which such a bill is preferred to the status quo.[69]

This logic is reinforced in cases of unified government, when the president and the majority belong to the same party—as is the case in Argentina during the period examined. In this case, the opposition party may find it in its interest to oppose the president, even when the bills approved make the party better off. Furthermore, opposition parties will be more willing to engage in this two-pronged strategy as the size of the majority increases. Thus, when the majority is large enough to secure a floor vote without the support of the minority parties, the latter can more safely afford to invest in position-taking votes that enhance their image in the electorate, if doing so actually improves their electoral standing. Thus, the opposition parties obtain the policy benefits of a bill that they support ideologically—or that they deem necessary—and the added benefit of not being associated with, for example, approving an unpopular bill. The data presented in this chapter back this interpretation of the strategic use that opposition parties make of their gate-keeping powers, when the opportunity presents to increase the utility of their actions by adding position-taking benefits to their policy utility. In fact, as argued in this chapter, as the size of the government party increases, the roll rates for the opposition also increase, denoting a situation more favorable for engaging in position-taking strategies.

However, if this interpretation is correct, then patterns of floor votes may be satisfactory indicators of the gate-keeping powers of majority parties, but they provide insufficient information about the policy preferences, and thus the effective gate-keeping strength, of the opposition. To the extent that following their policy preferences is not the only force that drives the opposition's behavior on the floor, the potential exists for roll rates based on floor votes to overestimate the instances of agenda loss by the opposition party.

For all of these reasons, in this chapter I have followed a different methodological approach to the study of agenda-setting power distribution in the Argentine Chamber of Deputies. Instead of focusing on roll call voting behavior, I have used legislators' endorsement

[69] For a related discussion about the agenda-setting strategies of the opposition, see Schickler and Pearson forthcoming.

of bill reports in committee to obtain roll rate estimates for the government and the opposition parties. A focus on committee behavior is advantageous for the current analysis for a number of reasons. First, it allows the researcher to work with a wider sample of bills approved by the legislature, thus increasing the reliability of our estimators of agenda control. Second, as behavior in committee commonly occurs away from the public eye, opportunities to engage in position-taking at this stage of the legislative process are reduced. Consequently, the behavior of the opposition parties in committee will more closely reflect their true preferences—and thus the location of the party median—with respect to the status quo and the bill that passes. Finally, as disciplining pressures are arguably weaker in committee than on the floor, the endorsement of alternative bill reports is a better reflection of the party members' policy preferences than are floor votes. This last statement builds on another important contribution of this chapter: the characterization of the agenda-setting procedures in the Argentine committee system as chaotic.

Indeed, common understanding views Argentine committees as core gate-keeping players in the policy making process (Jones and Hwang 2005; Aleman 2006; Calvo 2007). This characterization is grounded more on an extrapolation of knowledge of the role that committees play in the United States congress, than on a systematic study of the functioning of legislative committees in the Argentine legislature. Anecdotal evidence provided in support of this view includes information mostly on the abundant number of bills submitted to committee review that never obtain any level of consideration by the committee. However, as I argue in this chapter, a look at the rules that regulate committee decision-making processes suggests that it should be easy for a minority as small as three committee members to report out a bill. This indicates that the large number of bills that die at the committee stage do so because they do not generate much interest for any minority of legislators. Likewise, it suggests that legislators initiate a wealth of bills in congress purely for symbolic reasons, rather than with the intent to produce actual policy consequences.

The above is consistent with a procedural arrangement in which no legislative party holds effective gate-keeping power at the committee stage. This configuration fits the Agenda Chaotic Model of Cox and McCubbins's theory. While this chapter has not offered a model of the full behavioral implications of this arrangement, I have argued that, everything else equal, these institutional provisions induce legislators to more truthfully and fully reveal their preferences in committee that on the floor. Thus, committee endorsement behavior is a valid data source for the estimation of the parties' median location with respect to the status quo and the bill that passes. As such, it can be reliably used in measures of agenda control, and, in certain cases, it may be a better data source than information on floor voting behavior.

Chapter 3

Seizing the Agenda: Presidential Decree Threats and Agenda-Setting Behavior in the Argentine Chamber of Deputies

1. Introduction

In previous work I have argued that in the Argentine Chamber of Deputies, the list of items to be discussed and voted on at each plenary session is jointly determined by the government (majority) and the main opposition (minority) parties. This procedural arrangement is consistent with the Agenda Consensus Model of Cox and McCubbins's theory of agenda control (Cox, Heller and McCubbins 2008; Prata 2006). The implication of this finding is that only legislation that makes all of the parties better off will pass the legislature, turning congress into a conservative institution that stabilizes the status quo policies.

So far, however, the analysis has been limited to the agenda-setting powers of actors *within* congress. This is intuitively justified, as the purpose of the research is to assess the organization of the agenda *inside* the legislature, not of the broader law-making process. Yet, there are a number of reasons why a full accounting of gate-keeping behavior internal to the legislature may benefit from an examination of actors beyond congress. First, there is a wealth of literature that has highlighted the way in which external actors (mostly the president and a second chamber) may influence agenda-setting behavior within a legislative body (Aleman 2006; Aleman and Tsebelis 2005; Lupia and Sin 2003). Parties in congress are strategic actors who measure the effects of their choices in outcomes that transcend their chamber, and that are affected by the actions of external agents with policy-making prerogatives. To the extent that interaction with other institutions affects the internal organization of congress, this must be factored in to fully explain agenda-setting decisions within a legislature.

Second, as mentioned above, a consensual agenda-setting process implies that only extreme status quo policies will be changed by the legislature. While this arrangement provides institutional protection to current policies—definitely an asset in democratic polities—it lacks flexibility to facilitate necessary change. Recent research has found that in legislatures where such consensual provisions are strong, additional regulations provide the government or majority party with occasional powers to unlock the decision-making process (Campbell et at. 2002; Cox, Heller and McCubbins 2008). In the case of Argentina, studies on the legislative success of presidents have suggested that it is the president who is empowered to play such role (Calvo 2007; Aleman and Tsebelis 2005; Aleman and Calvo 2008; Crisp et al. unpublished). More specifically, Argentine presidents are endowed with two law-making tools not shared by their counterparts in the U.S: namely, they can introduce bill proposals in congress, and they can enact new policy by decree. Together, these prerogatives allow presidents to override the blocking forces in congress, thus playing a proactive role in passing new policy.

Finally, while an analysis of roll rates in the Argentine Chamber revealed that the agenda in this legislature is consensually shaped, an examination of the bills that actually produced rolls—the prediction errors of our model—suggests another interesting dynamic. Indeed, an overwhelming majority of party rolls (73%) were obtained on presidential initiatives. In none of

these cases was the government party rolled. All of the rolls belong to the party holding minority status. Moreover, in all of the cases, the minority party was rolled on bills initiated by a president from the *opposite* party. These data suggest that the president may indeed have powers that can alter gate-keeping behavior *within* the legislature. But more so they indicate that, in the use of these powers, presidents may have acted as agents of the legislative majority. This raises the need to more systematically explore the role that presidents play in the control of the congressional agenda.

This chapter takes on this task. Specifically, I study the way in which the presidential powers of decree affect the legislators' behavior regarding the floor agenda. Using a spatial model of legislative decision-making, in the presence of strong presidents with the power to issue decrees with the force of law, I argue that, under certain distributions of preferences and status quo points, the threat of a decree, and more specifically, the credibility of such threat, alters the parties' strategic decision whether or not to block unwanted bills from reaching the assembly floor. *Credibility of the decree threat* is thus the independent variable of this study, which I argue is affected by the costs the president faces when issuing a decree—in terms of popularity, political support, quality of the policy adopted, and so on. In turn, the parties' choice to open or close the gates to the floor is the dependent variable, resulting in the observed incidence, or lack thereof, of rolls. Note that in equilibrium decree threats may never be exercised.[70] It is the credibility of the threat, given by the costs of decreeing, that forces the change in the legislators' behavior.

The chapter is organized as follows. In the following section, I provide a detailed description of the agenda-setting powers formally granted to the Argentine president. I argue that while Argentine presidents lack authority to speed up and force congressional consideration of a bill through urgency motions—as is common in many other Latin American presidential systems—they are endowed with some of the strongest decree powers of the region. This has led some scholars to characterize the Argentine president as "potentially dominant" in the policy making process (Shugart and Mainwaring 1997; Crisp et al. unpublished).[71]

In section 3, I spell out the mechanism through which decree authority can affect the parties' gate-keeping behavior in a consensual congress. In particular, I study a formal model which allows me to examine how the credibility of a presidential decree threat changes the legislative parties' decision to allow or not a bill on the floor. Further, as the credibility of the decree threat ebbs and flows with type of bill, the proximity of elections, and the president's popularity, so are the gate-keeping powers of legislative parties enhanced and weakened across policies and over time. Accordingly, in section 4, I operationalize the model to develop four hypotheses regarding variation in roll rates across presidential and non-presidential bills, election and non-election years, beginning and end of presidential terms, and weight of decrees in the presidential agenda.

In section 5, I provide indicative evidence in support of my argument. The results show that when it comes to the minority party, roll rates are higher in the subset of bills initiated by the president than in the rest of the bills passed by congress. Similarly, opposition roll rates decrease during election years and at end of a presidential term, and they are higher in non-election years and in the first year in office of a new president. Finally, consistent with the conclusions of the spatial model, roll rates for the opposition are higher for those presidents who used decrees more liberally to enact new policy. These results, however, are only valid when one looks at aggregate

[70] Thus, while powerful in affecting legislative outcomes and roll rates, decree threats are not directly observable.
[71] But others have challenged this characterization (Mustapic 2005, Aleman and Calvo 2008).

patterns across whole administrations, and it breaks down when the data is sorted by congress or year, suggesting that the association between actual (observed) decree activity and (unobserved) decree threat is more complex than what is captured in my model. By contrast, in none of these cases is the majority party rolled, showing no variation across any of the operational independent variables of the model.

Finally, section 6 concludes by highlighting the insights and contributions of the chapter, as well as fruitful avenues for future research.

2. The Argentine Presidency and its Agenda-Setting Powers

Scholarly literature has long recognized the importance of the executive as an independent and separate actor in setting the agenda in congress (Aleman 2006; Aleman and Tsebelis 2005; Lupia and Sin 2005; Cox, Heller and McCubbins 2008; Mustapic 2005). Presidents can interfere with the congress's capacity to independently determine its own agenda through the use of two institutional tools. First, governments may force the assembly to consider and decide on a bill by a particular deadline. This presidential prerogative is more common in budget bills, but some governments have been granted the right to force legislative action on other subject matters through the so called *urgency motions.* Second, presidents may interfere with the congress's capacity to determine its own agenda by issuing executive decrees with the force of law. Unlike urgency motions, executive decrees allow the president to circumvent congress altogether, thus preventing rather than forcing legislative action on a matter. For this reason, at first glance, this strategy may seem to result in virtually the opposite outcome regarding agenda-setting processes and roll rates. However, as I will argue below, executive decrees allow the president not only to take policy-making away from the legislative arena, but also to upset scheduling agreements crafted by the legislative parties on the policy changes that follow the statutory process. In the remainder of this section I will describe the agenda-setting powers granted to the Argentine president. In the following section I will provide a model of the mechanism through which executive decree authority influences agenda-setting behavior within congress.

2.1 Urgency motions

The most common form in which executives seize agenda-setting power in congress is the authority to submit bills to the assembly which must be considered and voted within a specified time limit. In most instances this provision only applies to budget laws. For example, article 64 of the Chilean constitution establishes that the budget law should be considered and approved within 60 days of its date of submittal by the president. Should the assembly fail to meet this deadline, the president's proposal shall immediately enter into force. Similarly, the Italian Chamber Rules mandate that the budget bill be discussed during a special 45-day session, after which a final passage vote on the bill must be held (Cox, Heller and McCubbins 2008) In both cases, special rules open the floor gates for a particular issue bill, effectively overriding any blocking or delaying powers that legislative parties may have, and forcing parties to face unwanted floor votes that may lead to rolls.

Budget laws are not the only bills upon which executives hold special agenda-setting powers. In some cases, presidents are invested with the power to force the assembly's timely consideration of a bill in a large number of policy areas, as long as the executive classifies the policy change as "urgent". For example, the Brazilian Constitution entitles the president to

request urgent consideration of its legislative proposals. The Chamber and the Senate have 45 days to schedule the consideration of a bill identified as urgent by the president. Deliberation may take as long as necessary, but the Chambers are not allowed to move down the legislative agenda before a vote on the urgent bill has taken place. Should the Chambers fail to schedule an urgent bill for consideration within the 45 day deadline, the executive's bill is immediately put to a vote (Amorin Neto et al. 2003). Similarly, the Chilean Constitution empowers the president to declare urgency on any bill at any stage of its consideration. The president can choose between three categories of urgency: simple urgency (*simple urgencia*), superior urgency (*suma urgencia*) and immediate discussion (*discusion inmediata*). The Congress must act on an urgent proposal within thirty, ten or three days respectively, during which all other pending proposals are put on hold (Siavelis 2000). In all of these cases, the constitution entitles the president to force the assembly consideration of a bill by simply declaring it of urgent concern, overruling the gate-keeping efforts of legislative parties, and exposing them to inevitable rolls.

Budget bills and urgency motions have thus similar effects on the design of the congressional agenda: they allow the president to unilaterally place a bill on the floor schedule, thus overriding the blocking powers of governing and opposition parties alike. Even when leaders can anticipate their party will be rolled should an assembly vote be allowed to happen, they lack the formal tools to prevent these bills from reaching the floor. As a result, one should expect higher roll rates (for the opposition, and also for the governing party if its preferences are not aligned with the executive's) on those bills subject to the executive's special agenda-setting powers, than on the larger set of bills approved by congress. Indeed, in analyzing agenda control in the Italian Chamber of Deputies, Cox, Heller and McCubbins (2008) find that while between 1988 and 2000 the opposition party was rolled on average 6.4% of the time on ordinary bills, the opposition roll rate for budget bills climbs to 64.1%.

In contrast with the cases above, the Argentine constitution does not grant the president any special powers to speed up the consideration of her bills by congress. To the contrary, any bill submitted by the president to the assembly is subject to the same approval procedures as the bills initiated by the legislators. Thus, there are no special procedures for the consideration and approval of the budget: the congress may take as long as necessary to consider the budget bill, there are no hard limitations as to the amendments that congress can make to the president's proposal (as in Chile)[72], and there are no specifications as to what happens if the congress fails to approve a budget bill on time (specifically, the president's proposal does not become law automatically if the budget bill is not approved—again, as is the case in Chile)[73] Moreover, the budget bill is not necessarily a presidential initiative. Indeed, Argentina provides one of the few instances in modern legislatures in which the budget submitted by the president was rejected in all of its articles, and an alternative bill drafted by the legislators of the opposition was passed instead. This occurred in 1966 during the Aturo Illia administration, when no majority party or coalition formed in congress (Ferretti 1996).

More generally, Argentine presidents do not have "urgency" powers for this or any other matter. That is, they cannot issue urgency motions that would alter the congressional schedule,

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[72] Between 1984 and 2992, the congress did not face any restrictions regarding amendments to budget bills. Since 1992 the newly approved Law of Financial Administration specified that congress could increase expenditures in the budget bill only to the extent that it could provide for their respective sources of funding. Between 1999 and 2002, another law forced congress to approve budgets that provided for an increasing reduction in the fiscal debt (Rodriguez and Bomvecchi, Jan-Mar 2006)

[73] If a new budget is not approved at the end of the fiscal year, the Executive can extend the use of the old budget law, but no new transfers and allocations can be mandated (Rodriguez and Bomvecchi, Jan-Mar 2006)

and cannot force or speed up a floor vote on an issue deemed important by the president. In other words, should the president choose to enact new policy following the statutory route, there is nothing she can formally do to interfere with the legislative process in favor of a timely approval. Thus, by selecting this venue, the president is subject to the legislature's decisions regarding the congressional timetable.

2.2 Presidential decrees

Not surprisingly, the lack of power to interfere in the internal business of congress is contrasted by the extraordinary powers that Argentine presidents have to circumvent congress altogether and enact new policy by decree. The Argentine executive is endowed with some of the strongest decree powers in the world, when measured by how difficult it is to reverse the president's decision, and what happens if congress fails to either approve or reject the executive decree (Jones and Mainwaring 1997; Crisp et al. unpublished)[74] The strength of this policy-making tool derives from two institutional sources.

First, during the time period considered in this work, presidential decrees had the immediate force of law. Moreover, a decree remained in effect for as long the legislature did not pass a new law explicitly rejecting it.[75] However, any law rejecting or modifying a decree was subject to the same scheduling procedures as any other bill under congressional consideration. This meant, among other things, that the bill had to clear the multiple veto players at Labor Parlamentaria, the committee in charge of scheduling the floor agenda. The support of only one of the main party leaders in Labor Parlamentaria was enough for the president to prevent the scheduling of the rejection bill, and thus to allow his decree to survive congressional contestation.[76]

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[74] That Argentine presidents enjoy some of the strongest powers of decree within the Latin American presidential systems is not surprising. To a certain extent, this is the result of a highly consensual legislature. Presidents faced with a legislature that presents multiple veto points will adjust by developing appropriate actions to deal with it, as much as interest groups may change their lobbying practices to win over multiple pivots, or parties may adjust their coalition strategies.

[75] In Argentina, the initial use of decrees to enact new policy was a paraconstitutional practice: it was neither authorized by the existing constitution, nor based on congressional delegation (Negretto 2004). Decrees with the force of law were first introduced by president Alfonsin in 1985 to launch a stabilization program to curb high rates of inflation. But it was not until 1990 that the Supreme Court recognized presidential decrees as valid policy making instruments. On the occasion, the Supreme Court also established that "if congress wanted to reject a decree it had to pass a new law abrogating it: mere inaction would implicitly ratify the decree as valid law". Presidential decrees were finally given constitutional status during the reform of 1994. The new constitution empowered the president to issue decrees with the immediate force of law, but it mandated that the president submit his decree to congressional consideration within 10 days of its issuance, and that congress voted on it within another 10 days. The Constitution, however, did not specify what would happen if congress failed to act on a presidential decree within the deadline for its consideration. It was left unresolved whether lack of congressional action would imply the expiration or the survival of the decree. Instead, a bicameral committee was charged with the task of proposing a law regulating the details of the approval procedures. In the period here considered such law was never passed. As a result, the 1990s Supreme Court's ruling remains the legal instrument that regulates the validity of decrees. According to this ruling, then, congress can reject a presidential decree only by passing a new law against it (Negretto 2004)

[76] In this sense, it is interesting to note that the same institutions that may hinder the passing of the presidential agenda through congress are the ones that obstruct attempts to reverse the president's policy decisions by decree. The argument of this article is that the formation of the policy agenda in congress is primarily consensual, in the sense that multiple legislative actors (or at least the main governing and opposition parties) hold strong veto powers over what the floor gets to vote on. This highly conservative institution protects the status quo against policy changes, which makes succeeding in obtaining the most preferred outcome for any legislative actor, including the president, very difficult. However, if one actor—the president—is empowered with the right to unilaterally change

This situation stands in stark contrast with the approval procedures of another country that grants strong decree powers to the president: Brazil. In Brazil, presidential decrees are provisional measures valid only for 60 days (30 before the reforms of 2001) during which the congress is called to approve, reject, or modify them. However, no regulation mandates that a vote on the decree must take place (as is the case in the Italian legislature), and the possibility is open for congressional inaction. While in Argentina congressional inaction results in an implicit validation of the decree, in Brazil the absence of a legislative vote leads to the expiration of the decree.[77] According to Negretto, this major difference in approval procedures turns the decree powers of the Argentine president into one of the strongest of the Western world, and gives the Argentine president a much larger bargaining advantage vis-a-vis the legislature—which is reflected in legislative outcomes closer the president's ideal preferences (Negretto2004).

Second, pairing their powers of decree, Argentine presidents also enjoy strong veto powers, which make their decree powers even stronger. Indeed, if a law rejecting or modifying a decree were ever passed by congress, the president can veto it entirely or in parts.[78] To override a president's veto and make the rejection or modified bill stand, the congress must obtain the support of a 2/3 majority in each Chamber of congress, a high coalition requirement for any assembly. This provision results in a significant advantage for the president, who needs to obtain the implicit support of just over 1/3 of the votes in *either* legislative chamber to make his decree survive congressional opposition.

Again, the contrast with the Brazilian case provides a measure of the impact of this provision on the legislative process. As is the case in Argentina, Brazilian presidents can also veto a congressional law in part or in full. However, the president cannot veto a bill that completely rejects a presidential decree. Rejected decrees are veto proof. If, on the other hand, the congress passes a conversion bill that introduces amendments to the presidential decree, the president is authorized to use a partial veto to oppose the amendments (line-item veto) However, since 1988, the congress can override a presidential veto with just an absolute majority of votes in a joint session of congress. This means that in order to sustain its veto over a bill that modifies a presidential decree, the president needs to obtain the support of as much as an absolute majority in both chambers of congress. As a result of these higher support requirements, Negretto states that "Argentine presidents have had a stronger capacity than their Brazilian counterparts to make their policy preferences prevail by means of constitutional decrees" (Negretto 2004).

In sum, the Argentine president has no formal influence in the internal proceedings of congress, and thus is subject to potential blocks and delays imposed by the legislature. In a Chamber whose agenda is governed by consensual rules, this limitation is quite restrictive, as the number of hurdles that the president's proposal must sort to become law is larger than in a

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the status quo, then the consensual institutions will work to protect this new state of affairs, making it difficult for any other actor to reverse policy to its original state.

[77] The high frequency of expired decrees led to the practice of reissuing the decree. After the reform of the president is allowed to re-issue a decree once, after which absent congressional approval, it expires with no option to be reissued.

[78] The presidential authority to veto a congressional bill in full was recognized in the 1853 Constitution, which, after a number of amendments, was still in force in Argentina in the period here considered. The presidential use of line-item vetoes to reject parts of a bill while enacting the rest was not a constitutional right until the reform of 1994 finally included it in the constitutional text. However, since the 1960s, the Supreme Court had already validated its use, subject to the same override requirements of a package veto (Negretto 2004, Gelli 1994, Mustapic and Ferretti 1995)

legislature where the agenda is cartelized by the majority party. Yet, the Argentine president has another tool to fight legislative blocks and lead policy-making: the use of executive decrees. Contrary to urgency motions, decrees take policy-making away from congress, thus preventing rather than forcing legislative action. Given that in the period here examined the only effective venue to override a decree was for congress to approve new legislation, the consensual character of the legislative agenda—which distributed blocking power to government and opposition parties alike—only worked to reinforce the strength of the decree.

3. Presidential Decrees and the Control of the Agenda in Congress

How do decrees affect the parties' joint control of the agenda within congress? In what ways might the existence of a decree threat induce the passage of laws against the objections of either party? In order to explore these questions, in this section I develop a simple separation of powers model to investigate how presidential decree authority may alter the degree to which legislation in a consensual legislature may pass despite either party preferring the status quo.[79] The primary aspect of the model is that it gives a president the ability to either threaten or implement a decree on a subset of bills. The model highlights that the mechanism through which strong decree authority generates loss of agenda control is based on the *credible threat* of a decree. Such threats produce a change in the strategic environment that legislative parties face, and eventually leads to rolls of the parties on the assembly floor under certain configurations of preferences and policies. In short, decree authority alters strategic decisions about gate-keeping behavior by changing the reversionary outcome of failure to schedule a bill for floor consideration. Thus, instead of pitting the status quo policy against the median legislator's ideal policy, parties are forced to choose between the latter (or an acceptable statute by the president) and the presidential decree.

I begin the analysis by modeling a consensual agenda setting legislature as a baseline—as I have previously demonstrated is the general case in Argentina. Then based on this model, I add in the effect of a presidential decree authority. The model generates predictions about how often and on what legislation either a minority or majority party will have legislation passed despite their preference for the status quo—what we refer to as a *roll*; and when the president will decree.[80]

3.1 Consensual agenda model

As a baseline, consider the following spatial model which I call the *consensual agenda setting game*. This model captures the basic features of a legislature where agenda setting is consensual. There are three players: a minority party median *m*, a majority party median *M*, and a floor median *f*. Each player has single peaked preferences characterized by the utility function $u_i = -|x - x_i|$, where *x* is a policy that is implemented in the choice space, which is the real line

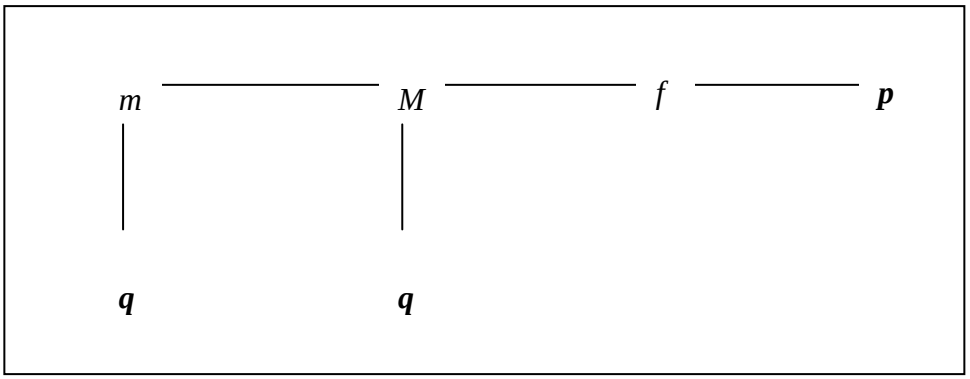
[79] I thank Rui de Figueiredo Jr. for extensive assistance in developing this model.

[80] It is worth clarifying how the definition of a roll used here fits in with a broader set of concepts of a roll. Specifically, I use the term here in the strict way it is used in the literature on agenda control, namely, a party is rolled when a law is passed on the floor that the median of that party likes less than the status quo. This allows for—indeed incorporates the fact—that a party may still prefer to be rolled by this definition for strategic reasons. A broader, perhaps more common language understanding of a partisan roll—namely that the outcome on the floor is *against* the wishes of a party and its median, is not used here.

$\Re$, x_i is a player's ideal point and $x_i \in \{m, M, f\}$.[81] Without loss of generality I assume $m < f < M$. The sequence of play, illustrated in Figure 3.1, is as follows:

1. *m* chooses whether or not to impose the status quo *q*, and end the game with policy outcome *q*.
2. If *m* does not impose *q*, *M* chooses whether or not to impose *q*, and end the game with policy outcome *q*.
3. If *M* does not impose *q*, *f* chooses a policy *p* which is the final outcome.

Figure 3.1. Consensual Agenda Model



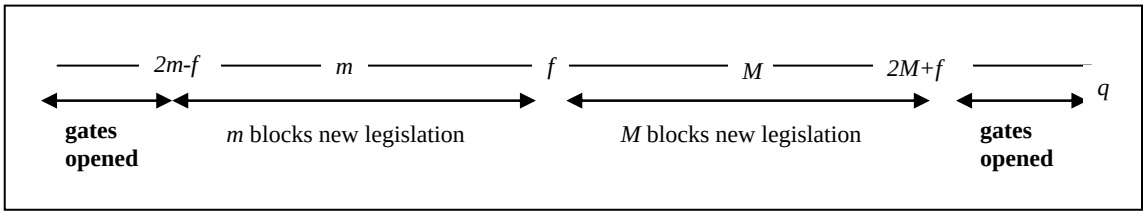
Note: bold indicates a policy outcome

Finally, the game is one of complete information, so each player knows the game form being played, the preferences of the other players, and the history of play up to any node of the game.

The essence of this model is one of consensual negative agenda control—either party can unilaterally impose the status quo as the final outcome. When and why would they choose to do so? Consider first the floor's action if given the opportunity to legislate. In this case, the floor is unconstrained in the policy it chooses; once the game reaches its choice, the floor can enact any policy it wants. Given the opportunity, the floor will choose to implement the policy it prefers most, namely *f*. Given this inevitable outcome once the gates are open, both parties face a similar calculus: they effectively have a choice between *q* and *f*. Thus, if a party prefers *f* they will not impose *q*. If they prefer *q*, they will close the gates and not give later actors an opportunity to pass legislation. Thus, a party never faces a vote on the floor where it would prefer the status quo to the new legislation—and no party is ever rolled. Specifically, as illustrated in Figure 3.2, each party will block any policy that is passed that makes it worse off than the status quo. This means that new legislation will be enacted only when the status quo is less than *2m-f* or greater than *2M+f*. *M* will impose status quos within *(f,2M+f)* and *m* will impose status quos within (*2m-f,f*). These results are summarized in Proposition 1.

[81] For the purposes of notation, we use the player's identity (i.e. *m, M, f*) and their ideal point interchangeably.

Figure 3.2. Equilibrium Gate-keeping in the Consensual Model as a Function of *q*



Proposition 1. In the *consensual agenda setting game*, each party will block consideration of new legislation if *q* is closer to its ideal point than *f*, and the outcome will be *q*. Otherwise, the floor will pass *f* which will be the new policy outcome. Moreover, both parties will never be rolled.

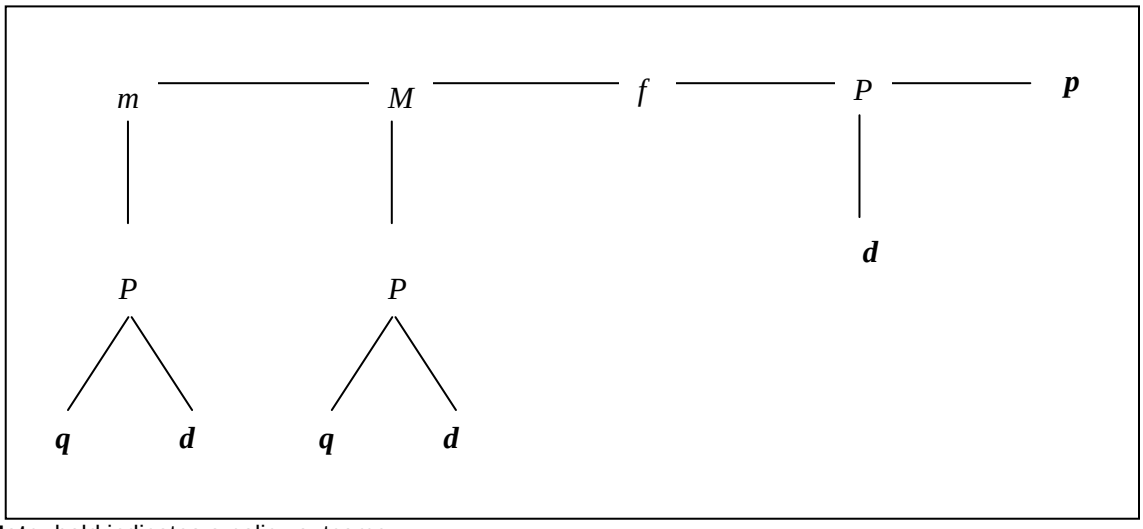
3.2 Consensual decree model

What effect do presidential decrees have on the behavior of a consensual legislature? In order to study this question I analyze the previous model in a separation of powers context. I call the modified model the *consensual decree model*. I now consider a case in which there is a president who has the authority to impose a final policy—to decree—but only at a cost. This modification introduces a strategic consideration for all the actors in the legislature who are assumed to be concerned about final policy outcomes, as in the previous model. In particular, they have to consider what effect, if any, the threat or realization of a presidential decree may have on final policy.

In order to capture these features, I now assume in addition to *m, M*¸ and *f*, there is a fourth player *P*, or president. The president has quasi-linear preferences over policy outcomes and costs that she must expend in the event she decrees. In particular, I assume that *P* has preferences over policy and decree costs given by the utility function $u_P = -|x - x_P| - \delta c$, where x_P is the president's ideal point *P*, δ is an indicator variable that is one if the president has decreed and zero otherwise, and c is the cost of decree. I also assume (with loss of generality) that the president's ideal point is greater than the majority party median *M*, i.e. $m < f < M < P$. I make this assumption to capture the central features of Argentine politics in the most recent democratic period, namely a configuration of preferences in which there is always unified government (the president is from the majority party) and in which presidents are generally farther from the floor median than the median member of the majority party.

As shown in Figure 3.3, the play of the game is the same as in the *consensual agenda model*, except at the end of each terminal node in the previous game, *P* may either decree a policy of its choosing *d*—incurring costs *c*—or do nothing.

Figure 3.3. Consensual Decree Model



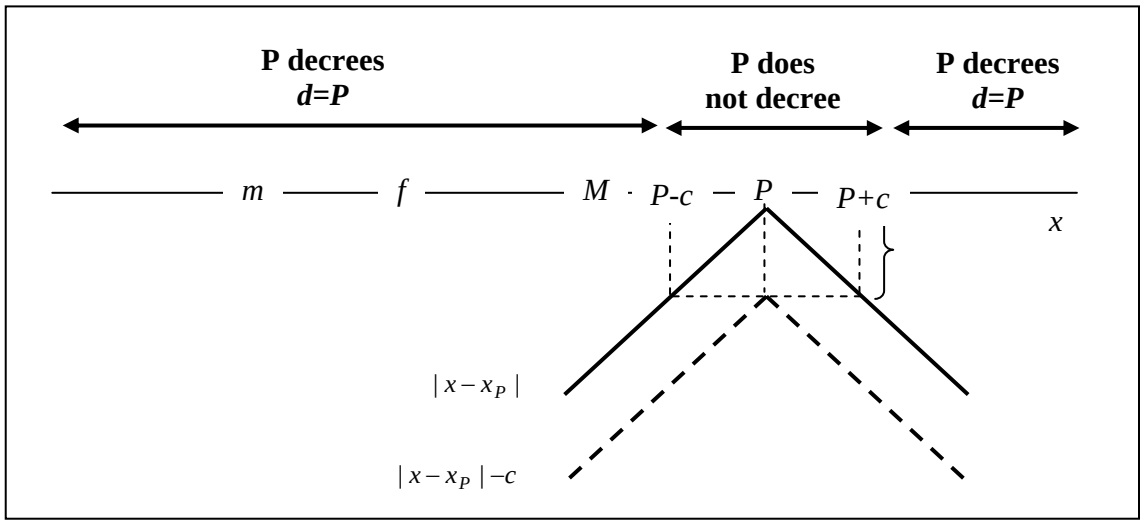
Note: bold indicates a policy outcome

In this game there are a series of possible outcomes depending on the location of the status quo and the relative distances between player's ideal points. Before providing the next proposition, it is useful to sketch the strategic equilibrium logic to provide intuition behind how decrees may change the consensual agenda model.

Consider first the final stage of any path through the game—the president's decision to decree or not.[82] Once the game reaches any node with the president, her consideration is straightforward. Recall that the president can decree any policy outcome she wishes at a cost *c*. If the president chooses to decree, she will choose her ideal point *d=P*. This implies that any policy—whether the status quo *q* or the floor's legislation *p*—will be overturned by decree if it is sufficiently far from the president's ideal point. As illustrated in Figure 3.4, sufficiently far means that it is greater than *c* distance from *P*. Put differently, the president has to choose between the utility delivered by the policy without a decree—indicated by the solid payoff function in Figure 3.4—and the utility from a decree indicated by the heavy dashed payoff function. The lighter dashed lines indicate the region over which the president gets higher utility by not decreeing versus decreeing *P* and paying *c.* Thus the president is indifferent between decreeing *P* and accepting either *P-c* or *P+c*; and strictly prefers all points within the interval defined by the indifference points and a decree of *P*.

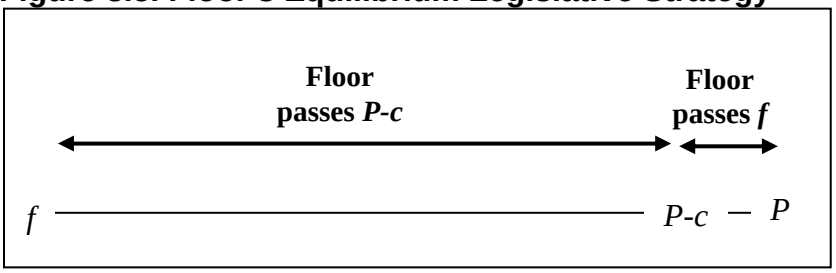
[82] To simplify the analysis, I assume that presidential decrees cannot be overturned by the legislature. Indeed, when presidents are endowed with both strong decree authority and strong veto, as in Argentina, the conditions for the legislature to overturn the presidential decree and make the status quo prevail are very stringent, making it very unlikely that congress can achieve this outcome (Shugart and Mainwaring 1997; Crisp et al. unpublished; Ferreira Rubio and Goretti (1996) have shown that, in fact, this has been the case in Argentina, where very few decrees were challenged by the congress, and where, in those few instances in which the congress passed countervailing legislation, the president later vetoed the aspects of the bills that reversed her decree. Thus, for modeling purposes, I will assume that after the president issues a decree, the game has reached an end.

Figure 3.4. President's Equilibrium Decree



Next consider the decision of *f* if the gates have been opened, so that it may pass legislation. In the *consensual agenda model*, the floor's strategy is straightforward: given the opportunity, it will simply pass its ideal policy *f*. When decrees are available the calculus is not so straightforward as the floor has to consider what will happen *after* the legislation passes the Congress. There are two possibilities. As shown in Figure 3.5, the floor's equilibrium strategy will depend on the location of its ideal point *f* relative to the non-decree interval of the president. If the floor's ideal point is *inside* the non-decree interval, i.e. $f \in (P-c, P+c)$, the floor will simply choose *f*. If the floor's ideal point is *outside* the non-decree interval, i.e. $f \notin (P-c, P+c)$, then the floor's best strategy is to pass *P-c*. This is the point closest to *f* that is within (on the boundary of) the president's non-decree interval. This is the best outcome for the floor—if they pass something greater than that, they will be worse off even if it is not overturned; if they pass something less than that, the president will decree an even worse outcome for the floor—namely *P*.

Figure 3.5. Floor's Equilibrium Legislative Strategy



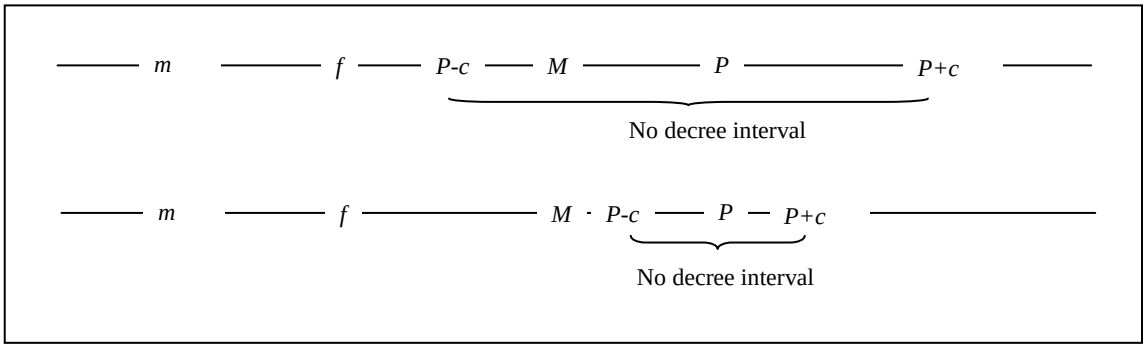
Given the strategies of the president and the floor median, how will the two parties use their gate-keeping power? The answer entails a more complicated strategic analysis than for the other players. The reason is that the parties' effective options depend on a number of factors, as shown in the earlier analysis—where the status quo, the floor, and the president are located relative to the costs of decree. Given this complication, and to simplify the exposition, I use the function $\theta(a,b)$ to indicate the distance between two points *a* and *b*.

To analyze the full equilibrium, the first thing to notice is that when the costs of a decree are very large (say infinite), the model reverts to the *consensual agenda setting game* as the threat of a presidential decree is not credible; the decree is so costly, it will never be used. In this case, as in the consensual agenda game, the outcome will either be *q* or *f*, and there will be no rolls of either party. In fact, any case in which $P\text{-}c<m$ will exhibit these characteristics in equilibrium.

When $P\text{-}c>m$, then the outcome is contingent on the configuration of preferences and the status quo. In these cases, either $f>P\text{-}c$ or vice versa, and either the status quo *q* is decree-proof or not. This enumeration of all the possible cases provides us with the framework to then analyze four dependent variables: the final law implemented, when laws will be passed by the legislature, whether laws passed by the legislature will be preferred by each party to the status quo and whether or not there will be a decree. The precise predictions will be a function of the ordering of preferences, the equilibrium strategies stated above, and the location of the status quo.

Consider first the case where $P\text{-}c>f$. In this case, the possible configuration of preferences is illustrated in Figure 3.6. In this case, the minority's negative agenda control power is not effective as they will always be faced with choices of either *P-c* or worse, so they will never have an incentive to close the gates. Thus the outcomes depend solely on the majority party's incentives. The crucial point to notice in determining equilibrium outcomes is that the status quo may be inside or outside the non-decree interval.

Figure 3.6. Configuration when *P-c>f*



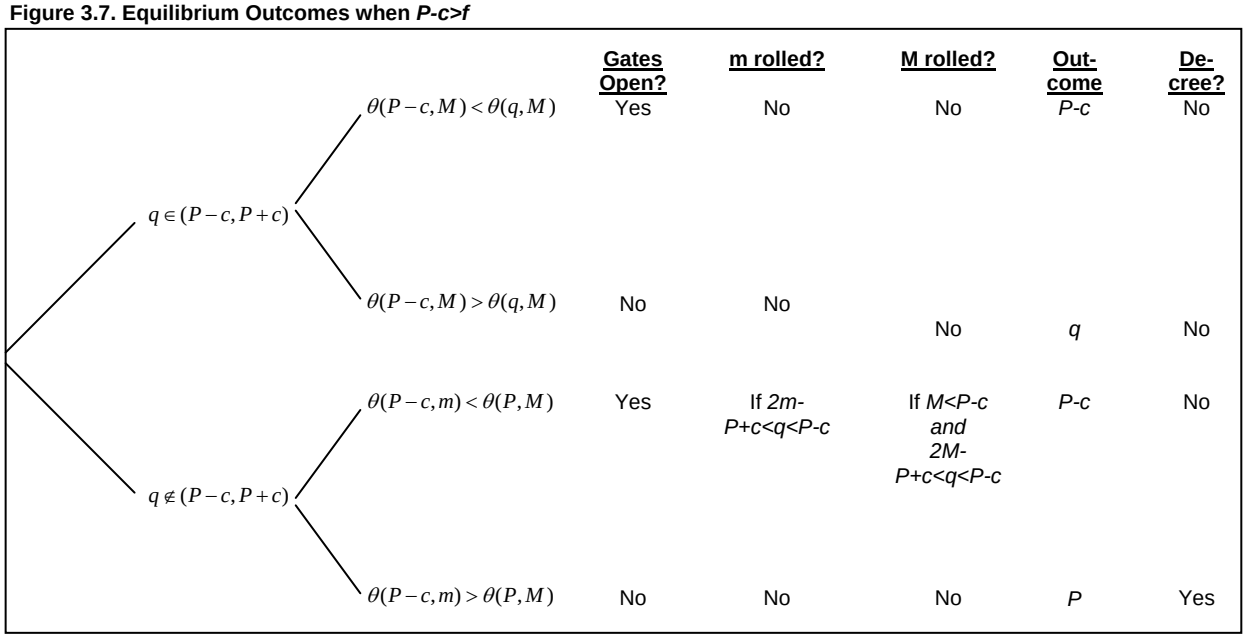
In Figure 3.7, I evaluate the equilibrium outcomes for each of the cases. When the status quo is decree-proof, the parties are deciding to open the gates based on whether they prefer *q* to *P-c*. If they choose to keep the gates closed, then by definition they are not rolled—the outcome will be *q* and there will be no legislation or decree. On the other hand, the majority will open the gates if they prefer *P-c* to *q*. In this case, the gates will be opened and neither party will be rolled. To see this, notice that *M* must prefer *P-c* to *q*, or they would have left the gates closed; on the other hand because $P\text{-}c<q$ in this case, it is also the case that *m* will prefer the legislation to the status quo. One interesting point here is that even though the decree is never exercised in equilibrium, the *threat* of the decree still has a significant impact on the game relative to the *consensual agenda model*—namely, it forces the outcome in a subset of cases away from the floor median to *P-c*, and it keeps the gates closed in others—imposes the status quo—even if both parties would prefer the floor median to the status quo.

In Figure 3.7, when the status quo is not decree-proof, it means that the parties must choose between *P-c* and *P*—they know that if they keep the gates closed, the President will have

an incentive to decree her ideal point. In this case, if the majority prefers *P-c* to *P* they will choose to open the gates. If the gates are open, it is possible that the minority will have a policy pass the legislature in equilibrium that they do not prefer to the status quo; in these cases, when the status quo is between *2m-P+c* and *P-c*, the minority will be made worse off by legislation that is passed in the legislature. The minority acquiesces in this outcome as the alternative—from a policy perspective—is to have the President decree her ideal point which is an even worse outcome. So the threat of the decree induces the minority to forego their gate-keeping power in the interest of keeping policies relatively moderate. Additionally, the majority may allow legislation to pass that would be worse for the majority than the status quo. This occurs in cases in which their ideal point falls outside the decree-proof interval (as in the second example in Figure 3.6) *and* the status quo is in an interval between *2M-P+c* and *P-c*. Notably, the cases where the majority is rolled is a *subset* of the cases in which the minority is rolled; every time the majority gets rolled the minority is also rolled, but not vice versa.

Finally, when the status quo is not decree-proof and the majority prefers *P* to *P-c*, they will block passage of new legislation. In this case, the outcome will be *P* by decree. Again, no new legislation is passed so no party is rolled in the legislature. Moreover, this is one of the cases in which a decree occurs—the majority uses its blocking power in Congress to force the president to implement a policy which makes the majority better off than if the gates were opened or if the status quo was maintained.[83]

Figure 3.7. Equilibrium Outcomes when *P-c>f*



The analysis for the case when the floor is in the interior of the non-decree range, in other words when, *P-c<f*, is similar but not the same. One difference is that there is *no* case in which the policy that is implemented by the floor when given the opportunity will be greater than *M*, as illustrated in Figure 3.8. A related difference is that now, for certain values of *q*, the minority

[83] This last point follows from the fact that *q* is farther from *M* than *P-c* and *P-c* is farther from *M* than *P*, so by transitivity the claim must be true when *q<P-c*. Since *P-c* must be closer than *P+c* to *M* since *M<P*, the result holds generically.

party may block passage of new legislation. To see this, consider cases when the status quo is within the interval in Figure 3.8 between *P-c* and *f*, i.e. $q \in (P-c, f)$. In these cases, the majority would like to open the gates and have *f* implemented, but the minority will keep them closed. Since *q* is inside the decree-proof interval, the outcome will be *q*. This requires a more complicated version of Figure 3.7 for the case when *m<P-c<f*.

Figure 3.8. Configuration when *P-c<f*

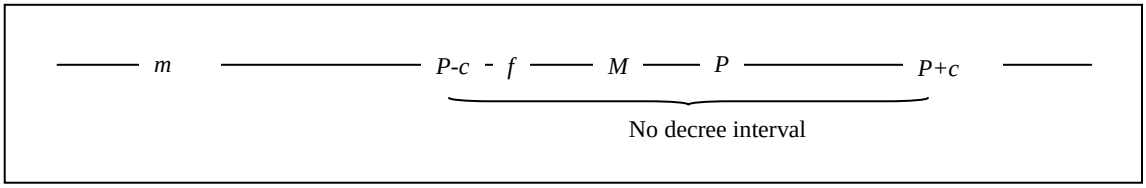
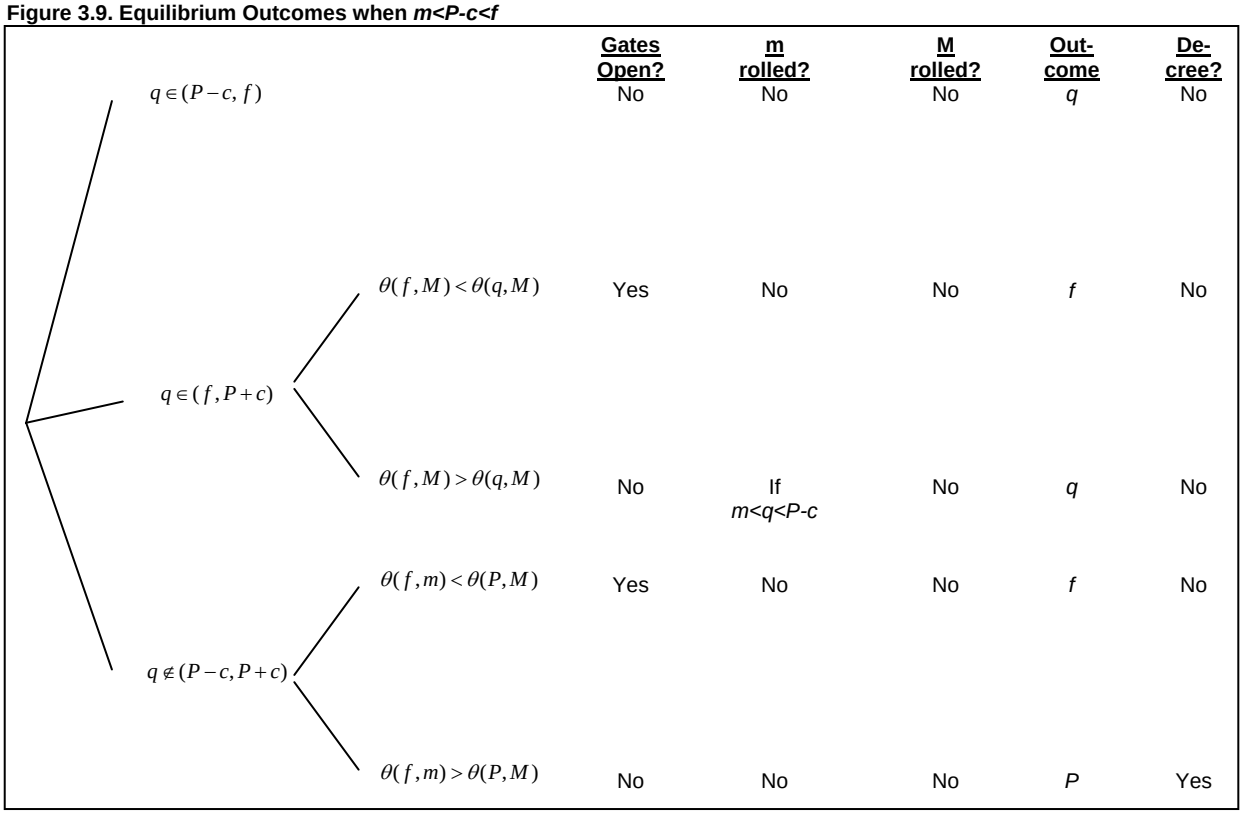


Figure 3.9 provides an enumeration of possibilities for the case when *P-c<f*, or the costs of decree are "moderate". Here there are three cases for the location of *q*. When $q \in (P-c, f)$, a decree is not credible; in this case the minority would prefer to block the passage of a new bill—which would move statute farther away from *m*. So here, the gates will remain closed, there will be no decrees and no rolls will occur.

Figure 3.9. Equilibrium Outcomes when *m<P-c<f*



The other cases are similar to the analysis from Figure 3.7 with one exception: when the decree threat is credible—in other words, when the status quo is outside the decree range—and when the majority prefers *f* to *P*. In this case, the majority party will *always* be better off than the status quo by passing new legislation since *M* is always inside the non-decree interval. That said,

the minority party *may* be rolled in this situation—if the status quo is closer to the minority than *P-c*, the minority will have a law passed by Congress which makes it worse off than the status quo.

At this point, I have enumerated all of the possible cases—depending on the extent of the decree threat. Broadly speaking, the model provides a number of insights. First, there are three broad cases which are relevant for analysis—cases where the decree is not credible; cases where the decree is moderately credible and cases where decrees are very credible—where credibility is a function of the costs of decree. Second, the model shows that even in a consensual legislature, parties *can be rolled*. In other words, it makes a prediction that rolls are higher in cases where decree threats are possible than in cases where they are not. Third, the model shows that the minority roll rates will be weakly higher than majority party rolls, when decree threats are credible. In every case when the majority is rolled the minority is as well, but not *vice versa*. Finally, the model makes predictions about when decrees can occur—in particular they occur in cases where the majority party uses blocking capacity in the legislature to force the president to implement the president's ideal point—even in cases where the president may be worse off than by avoiding a decree. These conclusions are summarized in Proposition 2.

Proposition 2. In the *consensual decree game*, the following hold in equilibrium:

(i) over a subset of the parameter space, parties may allow legislation to be passed in congress that they strictly prefer less than the status quo;

(ii) if the majority party is rolled, then the minority party is rolled;

(iii) depending on configuration of preferences and the status quo, the final policy outcome could be *f, P-c, q* or *P*.

(iv) over a subset of the parameter space, the president will decree her ideal point.

4. From Theory to Hypotheses: Operationalizing the Model

The forgoing analysis suggests a number of ways that one may empirically observe the effects of presidential decrees in a consensual legislature. As mentioned above, the threat of a presidential decree sets in motion the mechanism through which legislative parties lose control of the congressional agenda. In particular, the model makes predictions that when the net benefits of executing a decree increase, legislative behavior may change even if legislative agenda powers do not. In particular, when the costs of decreeing are sufficiently low, the president's threat of decree becomes credible, forcing congressional actors to take account of the post-legislative (decree) phase of lawmaking in determining their course of action.

In order to study the implications of the model empirically, one needs to operationalize some of the variables in the model, namely the proxies for the costs and benefits of decreeing. As I discuss below, I argue that there are four potential observable implications of the model: how roll rates vary across presidentially and non-presidentially-initiated bills; how they vary across election and non-elections years; how they vary between start and end of a presidential term, and, finally, how roll rates vary with the weight of decrees on the presidential agenda.

Fundamentally, all of the hypotheses relate to the likelihood of one or the other party acquiescing in the passage of legislation despite the fact that they prefer the status quo to the new law. In addition, the hypotheses rely on the fact that the threat of a decree, or more specifically, the credibility of such threat, is not a constant across presidents, time, and policy areas. To the contrary, credibility of threats varies as a function of changes in the costs of issuing a decree

relative to pursuing policy by statue. Understanding the sources of variation in decree costs is thus a first step to explaining changes in agenda-setting power in congress.

Presidential costs to issuing a decree vary as a function of the president's popularity, the presence or absence of a situation considered in need of urgent action (such as a financial crisis, hyperinflation, uncontrolled political unrest, or threats to the security of the state's boundaries or the democratic form of government), the support that a decree may obtain in congress, and the closeness of new elections. In addition, costs vary across policy matter according to whether the policy in question, in order to be effective, requires ex-ante or ex-post legitimization. Indeed, a number of scholars have pointed to the difficulty of implementing changes by decree in policy areas such as privatizations (Llanos 1998) and labor regulations (Etchemendy and Palermo 1998). In these cases, the success of the policies themselves depends on the willingness of economic and social actors to invest resources in the new system, which in turn is a function of the stability and predictability of the new institutions. These values are more strongly enhanced when the new regulations have been discussed and agreed upon with a broad range of societal and political interests. Putting together a large support coalition before enacting the new policy is thus critical to the latter's success, and it is better achieved through congressional involvement in the design of the new regulations, than by unilateral imposition through decrees. On the other hand, policy areas such as tax reforms, monetary stabilization plans, and consolidation of the internal and external debt are more responsive to changes by decree, as they usually produce fast effects even without the initial societal or political support. In these cases, support is achieved ex-post, after the initial success of the new policies has proven their effectiveness (Ferreira Rubio and Goretti 1996; Torre 1991).

Whatever the source affecting the costs of decrees, I assume that these are well-known to all the actors involved in the policy-making process, and, therefore, so is the credibility of a presidential threat to issue a decree should congress fail to schedule the presidential bills for a floor vote. Based on this assumption, and on the discussion above, I evaluate the effects of decree threats on agenda setting behavior within congress in four ways.

First, the threat of a decree will be much higher on issues in which the president is heavily invested—for example, in those that belong in the president's agenda. Presumably, in those cases, the president will be willing to exercise decree authority more liberally (and thus more credibly) than in the rest of the bills passed by congress—to which the president is not politically and/or ideologically committed. [84] Recall that in Argentina the president has formal power to initiate policy proposals in congress. Thus, the president's agenda is easily identified as the set of bills initiated by the president. If one combines this expectation with the empirical reality that during the period analyzed in this study there were no cases of divided government—the distribution of preferences modeled in the spatial representation of the Argentine legislature during the recent democratic period—then the first hypothesis can be stated as follows: *roll rates on the subset of laws initiated by the president are higher than roll rates on the subset of laws that were initiated by the legislators. This is particularly so of the minority party who, based on the spatial model developed in the previous section, will have higher roll rates than the majority party in cases in which the president has an incentive to utilize the decree if necessary.*

Second, the costs of issuing a decree for the president are presumably lower when presidents are shielded from potential punishment in the electorate. Accordingly, I expect roll rates for the legislative parties to decrease during election years. There are two types of elections

[84] Notably, it is important to note that being able to use the decree more liberally is not necessary the same as actual use of the decree by the President.

that matter for the president: presidential elections, and congressional elections. Presidential elections were held every six years between 1983 and 1995, and every four years after that. Legislative elections to the Chamber of Deputies were held every two years, with each election renewing only half of the members of the legislature. While the fate of the president is directly linked to presidential elections, presidents are also sensitive to the outcome of legislative elections during years in which the presidency is not at stake.

Indeed, between 1983 and 2002 there are no instances of divided government, as the president always counted on her party controlling the largest share of the seats in the Chamber of Deputies.[85] Despite unified government, however, the president's majority was far from being a comfortable one. Indeed, during the period examined in this study, the president's party controlled a majority of seats only about half of the time. In all of the other legislative periods, while being the largest party in the legislature, the president's party fell short of a majority, forcing the president to depend on the support of other parties to form quorum to deliberate and vote on the floor. Even in those cases in which the government party was able to secure a majority, this was too narrow to give the president enough margin to engage in actions that might have estranged her co-partisans.

Given the above, I assume that the electoral costs of decreeing increase during election years. This is so because the use of the decree has the potential to undermine the congress that the president aims to keep in place. Thus, during election years the president may be cautious about using the decree, even on presidentially-initiated bills. This, in turn, lowers the credibility of the decree threat, which results in lower roll rates. My second hypothesis, therefore, states that, *even within presidentially-initiated bills, roll rates during election years are lower than roll rates during non-election years. This, again, affects the minority party to a greater extent than the majority party, given the distribution of preferences that prevailed during the period under examination, and that were modeled in the previous section.*

The *third* hypothesis relies on the assumption that the costs of decreeing are lower when the president enjoys high popularity rates in the electorate. Swings in popularity have been shown to have positive effects on the president's success in passing her policy agenda through congress (Calvo 2007; Aleman and Calvo 2008; Aleman and Calvo forthcoming). In a similar vein, it is possible to assume that when presidents enjoy high rates of public approval, the costs of issuing a decree are lower.[86] This is so because the positive image of the president translates into higher tolerance for unilateral action to enact new policy, or because whatever the popularity costs of ruling by decree, the president can afford to pay them at a time when her public image is amply positive.

Although I do not have data on changes in the president's popularity across my time series, it is reasonable to assume that at the beginning of a presidential term, immediately after presidential elections have placed a new president in office, the popularity of the president is high.[87] The president has won the vote of a majority of the electorate in highly publicized and

[85] Although during this period the president's party was not always in control of the largest delegation in the Senate. Indeed, the opposition occupied the largest share of Senate seats throughout all of Alfonsin's presidency (1983-1989), and during the two years of De la Rúa's administration (1999-2001)

[86] Although an implication of Calvo's work is that this is precisely the time when presidents least need to resort to decrees to pass their agenda, as legislators are responsive to the changes in the public mood toward the president, and would thus be more willing to pass the president's initiatives (Calvo 2007).

[87] Although Aleman and Calvo measure the effects of the president's popularity separate from the effects of the president's first term in office (their "electoral cycle" variable) the authors find that during the first year of a president's term her popularity rates are always high relative to their average.

highly mobilized elections, which have presumably endowed the president with a windfall of political clout to engage in unilateral policy-making.[88]

By contrast, the end-of-term effects on the president's popularity are not straightforward. At the end of their terms, some presidents may have lost most of their political and electoral power, with plunging popularity rates. This is certainly the case with president Alfonsin in 1989, president Menem in 1999, and particularly with president De la Rua in 2001. However, this is not the case with president Menem in 1995, when he was elected for a second term by a landslide victory. Regarding the end of a presidential term, therefore, I assume that the president's popularity is high when the subsequent elections reinstated her, or an alternative candidate backed by the parting president, in office. My third hypothesis can thus be stated as follows: *Within presidentially initiated bills, roll rates are higher at the beginning of the presidential term. At the end of a presidential term roll rates are lower to the extent that the new presidential elections entailed a change in the partisan control of the executive. Again, this should affect the minority party more significantly than the majority party.*

My *final* hypothesis tries to capture a number of unspecified variables that lower the costs of decreeing—and that, therefore, increase the credibility of a decree threat. Some of the factors that affect costs of decrees are bill specific. Indeed, it has been argued that the cost of issuing new policy by decree is lower for certain tax and financial bills, than for bills that regulate the labor market or introduce structural changes in the economy. By contrast, other factors act at the aggregate level. Extraordinary situations such as a financial crisis, social unrest, high inflationary rates, or natural disasters may result in the electorate giving the president a mandate to act quickly in response to the urgent situation with little congressional accountability. The last hypothesis is aimed at capturing precisely these aggregate factors influencing the costs and benefits of decreeing.

While I cannot account for a number of extraordinary circumstances that are likely to affect decree costs, it is possible to assume that, given a distribution of preferences and status quo points,[89] the actual decree activity of the president is an observable indicator of this cost. Thus, the higher the number (or rate) of presidential decrees, the lower are assumed to be the costs to the president of using this policy-making tool instead of statutes, and thus the higher is assumed to be the credibility of a decree threat. This suggests that when the president has an incentive to decree (on presidentially-initiated bills) roll rates will be higher when decrees are

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[88] In evaluating the factors that explain a president's legislative performance, Aleman and Calvo 2008 also note the honeymoon effect that follows the transfer of the executive office to a new president (p.11). My hypothesis follows a similar intuition, that is, that at the beginning of a presidential term, the institutional powers of the president are enhanced by a boost in popularity. Aleman and Calvo argue that this popularity surge helps the president get more of her legislative initiatives passed by congress. For the authors, the reason for this higher approval rate is that legislators are responsive to changes in the public mood about the president, and are thus more willing to pass her initiatives through congress when the president's popularity is high. By contrast, I contend that this outcome is, in part, facilitated by a higher credibility of the decree threat, which improves the bargaining position of the president relative to the legislature—which may not be at all responsive to presidential popularity but finds itself in a different bargaining position when the president is more willing to issue a decree. The difference between both interpretations is that, under an increasing credible decree threat, a higher rate of success in passing the president's agenda, should be accompanied by higher roll rates for the opposition. By contrast, under Aleman and Calvo's hypothesis, the alignment of interests between the executive and the legislators that popular presidents bring into the legislative process should translate into greater legislative success of the president, without a concomitant increase in the roll rates for the legislative parties.

[89] As we show above, the distribution of preferences and status quos will determine the incidence of decrees, but all else equal, as the costs of decrees go down, the incidence will go up.

used more liberally. As a result, my final hypothesis states that, *on presidentially-initiated bills, as the weight of decrees in the presidential agenda increases, roll rates also increase. This, again, affects the minority party to a greater extent.*

It is important to note that this expectation contradicts the conventional understanding of the role that decrees play in the policy making process. Indeed, as mentioned above, the common conception of the main effect of decrees on policy-making is that they allow the president to remove controversial issues from the legislative agenda. The use of decrees by the president may be uncorrelated with expected blocks. This, however, does not seem to be the common view in the literature, which argues that presidents are more likely to use decrees when the legislature blocks her initiatives from passing (Crisp et al. unpublished; Calvo 2007). However, if this interpretation is correct, decree activity may create significant inference problems in our estimation of agenda control by the parties. The direction of the bias, in turn, depends on assumptions about the incentives that presidents face in selectively removing potential majority, or potential minority rolls.

Indeed, if presidents selectively remove from congress bills presumed to trigger *minority* rolls, then the estimation of roll rates for the minority or opposition party will depress the actual instances of agenda loss by this party. Thus, if in the absence of the president the legislature is chaotic, the introduction of the president will bias our estimation toward a minority-controlled agenda. If, on the other hand, the institutional rules provide for a cartelized agenda-setting process, the actions of the president will depress roll rate estimates for the opposition party, conducing to the characterization of the legislature as consensual. Finally, if the underlying agenda-setting procedures are themselves consensual, decree activity will have no effect in its estimation.

By contrast, if the president selectively removes from the legislature those bills that will generate rolls for the *majority*—for example, a president who wants to protect the majority from actions that may damage its reputation in the electorate—then decree activity will lower the measures of agenda loss by the majority party in the policy-making process. Again, if the underlying rules are chaotic, presidential action will depress the roll rates for the majority party, leading to characterize the legislature as an agenda cartel. On the other hand, if the underlying legislature is either cartelized or consensual, introducing the president will not have major effects in the assessment of the agenda-setting structure in congress.

The issue then becomes how to obtain valid evidence of how institutional rules actually distribute agenda-setting power in congress in the presence of presidential decree activity that may confound our inferences. One possibility is to consider the incentives that presidents may have to target minority or majority rolls when they remove bills from congressional consideration. In conditions of unified government, like the ones that have characterized law-making in Argentina, it is unlikely that presidents may want to use the decrees to protect the minority—that is, the opposition party—from rolls. Thus, the first hypothetical scenario described above can be ruled out. However, it is possible that presidents may want to protect their party allies in congress from damaging rolls. This leaves us with the second set of possible hypotheses about the confounding effects of the president over measures of agenda control. As a result, decree activity—as far as it removes policy-making from congress—could lead to the incorrect characterization of legislative agenda-setting institutions as cartelized or consensual

when they are in fact chaotic. But they cannot confound the estimation when we are ruling between the Cartel and the Consensus agenda models.[90]

That said, *threat* of presidential decree, rather than actual decree activity, may produce an increase, rather than a decrease, in roll rates. In conditions of unified government, the upward shift in roll rates should affect the opposition party more often that the government party, introducing majoritarian behavior in a consensual legislature.

I now turn to the evaluation of some *indicative* evidence in support of these four hypotheses. Before moving forward, it should be noted that the evidence provided in the following section is only suggestive of the factors that drive variations in roll rates in the Argentine Chamber. As such, it only evaluates the plausibility of the formal model developed in the previous section—ruling out some alternative explanations for the incidence of rolls, but without constituting a comprehensive empirical test. Stricter tests that control for a number of confounders should be conducted to obtain more conclusive support for the arguments here developed.

5. Evaluating the Hypotheses: Roll Rates on Presidentially-Initiated Bills

Drawing on the data and measurement strategy described in the previous chapter, in this section I explore how roll rates vary with presidential decree threats. Table 3.1 provides roll rates for the two main government and opposition parties in the Argentine Chamber between 1983 and 2002—the UCR and the PJ—on bills initiated by the Executive and non-presidentially initiated bills. The shaded cells indicate when the party was in the opposition. If the cell pairs for a particular legislature are in bold, it indicates that there is a statistically significant difference at the 5% level between the rates at which a party was rolled between the two sets of bills. For example, the PJ's roll rate of 6.1% on presidentially-initiated bills in the 1983-1985 congress—when the UCR was the governing party—is statistically significantly higher than its roll rate of 1.6% on non-presidentially-initiated bills in the same period. The table also provides data on the number of presidentially-initiated bills relative to those that were initiated by other means.

[90] Which is indeed the purpose of my research study, as other works on the Argentine Chamber of Deputies have claimed that, in this legislature, the agenda is cartelized, while I contend that it is consensual.

Table 3.1 Estimated Roll Rates on Presidentially-Initiated versus Non-Presidentially-Initiated Bills, 1983-2002

	PJ		*UCR*		*N*	
Legislature	*President*	*Not President*	*President*	*Not President*	*President*	*Not President*
1983 to 1985	**6.1%**	**1.8%**	0.0%	0.0%	98	55
1986 to 1987	2.2%	2.2%	0.0%	0.0%	46	46
1988 to 1989	0.0%	0.0%	0.0%	0.0%	36	55
1990 to 1991	0.0%	0.0%	**10.3%**	**0.0%**	29	79
1992 to 1993	0.0%	0.0%	0.0%	0.0%	34	53
1994 to 1995	0.0%	0.0%	**13.6%**	**4.8%**	22	105
1996 to 1997	0.0%	0.0%	**7.1%**	**1.8%**	14	114
1998 to 1999	0.0%	0.0%	0.0%	0.0%	9	84
2000 to 2001	**12.5%**	**1.1%**	0.0%	0.0%	8	95
2002	0.0%	0.0%	**11.1%**	**0.0%**	9	13
Total					305	699
Average	2.1%	0.5%	4.2%	0.7%	31	70

Notes: Averages are by legislature. Bold indicates where pairs of roll rates (President versus Not President) are significantly differnet at the 5% significance level.

An examination of Table 3.1 reveals a number of patterns in the data. Focusing first exclusively on bills that were *not* initiated by the president, the consensual character of the Argentine legislature becomes apparent. Indeed, in this subset, the average roll rates for both parties are less than one percent. This breaks down into no rolls for either party when they hold government status—whether controlling a majority of seats or not—and a1.1% roll rate for the UCR, and 1.3% roll rate for the PJ, when they are in the opposition. These numbers are lower than when both presidential and non-presidential bills were taken together, indicating that, when left to its own devices, the Argentine Chamber is strongly consensual.

Taking this as a baseline, one can now explore the impact of adding the president's threat of decree as shown in Table 3.2. The first pattern to note in the data is that roll rates for the majority party in presidentially-initiated bills do not differ from the roll rates in bills initiated by other means. Moreover, the majority party is never rolled, whether the bill was initiated by the legislators or it was introduced in congress by the president. This is true for both the UCR and the PJ when they were the government party. This finding suggests that whatever the influence of presidential action on the strategic decisions about the agenda in congress, this has not affected the government party. Presidents have not used their authority to push their party allies in congress to accept outcomes they prefer less than the status quo. The majority party has been able to protect its gate-keeping privileges in the face of strong presidents with capacity to influence strategic choices regarding the agenda.[91]

[91] This marks a difference with the case of Brazil, in which decree activity on the part of the president resulted in loss of agenda control for the majority party or coalition (Amorin Neto et al. 2003)

By contrast, roll rates for the opposition party have increased significantly in presidentially initiated bills when compared to the baseline model. Indeed, when only presidential bills are considered, the opposition party gets rolled over 5% of the time in 6 out of 10 legislatures, with an average of 6.3% across parties and legislatures. This total breaks down into a 5.2% roll rate for the PJ in the opposition, and 7.0% roll rate for the UCR in the opposition. Comparing these numbers against the baseline roll rates for the opposition party indicates that the probability of the opposition being rolled on a bill sponsored by the president is six times higher than on all of the other bills. This number provides a measure of the impact of the president on the opposition's strategy regarding the agenda in congress.

Table 3.2 Average Roll Rates for the Two Main Opposition and Government Parties in Presidentially-Initiated Bills

	Governing Party	*Opposition Party*
PJ	0.0%	5.2%
UCR	0.0%	7.0%
Average	0.0%	6.3%

These results offer insight into the first comparative-statics hypothesis discussed in the previous section. There, I argued that the decree threat was more credible in issues in which the president was politically and/or ideologically invested, which I operationalized as the set of presidentially-initiated bills. The data show that, indeed, in this subset, the opposition party is rolled more often than in the rest of the bills passed by the legislature. This means that, when a bill is important to the president, and she is willing to pay the costs of issuing a decree to pass new policy, the opposition is more likely to choose agenda-setting strategies that enable the adoption of legislative outcomes that make the party worse off.[92] Thus, legislation will pass even if the opposition—who holds veto authority over the legislative agenda—prefers the status quo over the new law. By contrast, the data also show that there is no effect of presidentially-initiated bills on the government party roll rates, which remained at zero. This result is consistent with the predictions of the spatial model and its particular distribution of preferences and status quo points—which I claim have characterized the Argentine policy-making process during the period considered in this study. But, in and of itself, it is also suggestive of a president who *selectively* influences the agenda within congress, pushing the opposition to accept unwanted legislation, but restraining herself from forcing the majority party to enable legislative outcomes it prefers less than the status quo. A lack of such restraint may jeopardize the authority of the majority party leaders, leading to internal disagreements and potential splits within the party. In conditions of unified government such as in Argentina during this period, presidents have cautiously used their powers so as not to upset their base of support in congress.

Given the results above, one can now evaluate the reminder of the hypotheses developed in the previous section. While the first hypothesis focused on differences in the credibility of a decree threat across *type of bill*, the following three hypotheses evaluate aggregate changes in decree threat *across time*. Given that the majority party was never rolled on either the

[92] Note that this choice, in turn, may deter the president from actually using the decree.

presidential bills or the non-presidential bills, the examination of the remaining three hypotheses will focus exclusively on the variation of roll rates for the opposition party. Similarly, having already established the effects of presidential involvement across type of bill, I will now concentrate only on patterns of roll rates on the bills initiated by the president. Thus, the task is to examine whether, in the subset of presidentially-initiated bills—where the president has a higher incentive to use the decree—the closeness of congressional elections, the timing of the president within her term in office, and her actual decree activity have any impact on the variation of roll rates for the opposition party.

The second hypothesis of this study stated that credibility of decree threat decreases during election years and increases during non-election years. Accordingly, the expectation of the model is that roll rates for the opposition party will be higher during non-election years than during elections years. As mentioned above, congressional elections to the Chamber of Deputies are held every two years. Accordingly, I classify all of the odd years in the data set as election years (with the exception of 1983 when the first democratic elections were held after the military government) and all others as non-election years. Based on this classification, Table 3.3 provides a summary of rolls on presidentially-initiated bills for the majority and the opposition party depending on whether an election was held that year.[93]

Table 3.3 Roll Rates for Governing and Opposition Parties: Election vs Non-Election Years

	Election	*No Election*
Governing Party	0.0%	0.0%
Opposition Party	3.4%	6.4%
Average	1.7%	3.2%

Note: Weighted by number of presidentially-initiated bills.

The results show a negative effect of elections on the roll rates for the opposition party. Indeed, the average roll rate for the opposition party increases during years in which the president does not have to be concerned about possible electoral punishment to her use of decrees as a policy-making tool. By contrast, during election years, the roll rates for the opposition party fall—significantly so in the statistical sense—indicating a more cautionary approach of the president toward the use of the decree, and the corresponding stronger gate-keeping position of the opposition party.

Similar indicative support for the third hypothesis can be obtained from Table 3.4. Table 3.4 lists roll rates for the opposition party during the first and last year in power for the four presidents that held the executive office between 1983 and 2002. There is only one case of

[93] Unlike in the previous analysis, where the number of laws for each legislature are roughly equivalent, ,when looking at annual data for presidentially-initiated bills, this is no longer the case. In other words, while there are many presidentially-initiated bills in some years, in others there are not. This raises a statistical problem when calculating averages across legislatures, since in some cases the estimate of roll rates in a given year can be very imprecise based on the small number of laws. In order to address this issue, here we weight the calculations of roll rates in this analysis by the number of laws passed in that year so that less precisely estimated roll rates will carry less weight and more precisely estimated ones will carry more weight.

presidential re-election in the period under study, that of PJ candidate Carlos Menem in 1995. In all of the other cases, a presidential election entailed a change in the partisan control of the executive. Thus, in line with the discussion above, with the exception of 1995, the last year of a presidential term is presumed to be one in which the popularity rates of the president are low.

Table 3.4 Roll Rates for the Opposition Party: First and Last Year of a Presidential Term

	First Year	*Last Year*
Alfonsin (UCR)	10.2%	0.0%
1st Menem (PJ)	6.3%	11.1%
2nd Menem (PJ)	25.0%	0.0%
De la Rua (UCR-Alianza)	20.0%	0.0%
Duhalde (PJ)	11.1%	-
Average	14.5%	2.8%

Although the number of observations is too small to draw strong conclusions from the data, the pattern is suggestive of a president enjoying greater leeway to pass policy by decree at the beginning of her presidential term, when she is presumed to enjoy high popularity rates. In this case, when the costs of decree fall, and the threat becomes more significant, the minority party does not always block passage of legislation which may make their members worse off. Thus, the average roll rate for the opposition during a president's first term in office is 14.5%, a rate above the 5% cutoff point used as standard for evaluating agenda control (Amorin Neto et al. 2003) but, more importantly, a number significantly higher than the average roll rate for an opposition party on presidentially-initiated bills during this period (6.3%). Moreover, when broken down by presidential term, in four out of five administrations, the opposition obtained above-average roll rates during the president's first year in office. The only exception to the rule occurred during the first year of Carlos Menem's first administration, were the UCR's roll rate was lower than the average for that party in the opposition.

By contrast, the data also suggest that when presidents lose most of their popularity—at the end of their terms right before the opposition wins the executive—the opposition party is more able to exercise gate-keeping authority to protect status quo policies that the president may want to change. Thus, in these cases, the costs of issuing new policy by decree increase, the credibility of a decree threat decreases, and the roll rates for the opposition decrease. Indeed, with only the exception of Menem's first presidency, during the last year of a president's administration, the opposition party was never rolled, not even on presidentially-initiated bills in which the decree is more likely. The data also shows that in the only case in which a presidential election did not involve a change in partisan control of the executive—and in this case not even a change in the president himself—roll rates for the opposition party were high when compared to both the party's average in presidential bills during this period, and the 5% cutoff point of agenda control.

These results provide additional preliminary evidence that costs of decree—and the concomitant credibility of a decree threat—drive variations in the roll rates for the opposition party.

Finally, I turn to the fourth hypothesis that states that as the rate of decrees goes up, so will opposition roll rates. Recall that this hypothesis depended on two pieces of theory—on the one hand, the derivations from the consensus decree model, and on the other, that the rate of decrees would be negatively correlated with the costs of decree. In order to examine these (joint) hypotheses, Table 3.5 presents the rates at which presidents passed their programs by decree or statute[94], and the average roll rates by presidency for each of the four administrations in our examination period.[95]

Table 3.5 Decree Rate vs. Opposition Roll Rate by Presidency

	Decree Rate	*Average Opposition Party Roll Rate*
Alfonsin	10.0%	2.8%
Menem	77.1%	6.2%
De la Rua	95.3%	12.5%
Duhalde	83.9%	11.1%

While only suggestive, the results in Table 3.5 provide some support for the final hypothesis outlined in Section 4. Indeed, the ranking of each presidency in terms of decree rate is identical to the ranking of each in terms of the opposition roll rates on presidentially initiated bills. Namely, Alfonsín decrees very rarely, and also rarely is successful in passing legislation that the opposition prefers less than the status quo. Next, Menem decrees significantly more frequently and opposition roll rates also increase. Under De La Rúa, the dominant mode of passing the president's program is decree, and opposition roll rates peak as well. Finally, during Duhalde's government the decree rate moderates—less than De La Rúa but greater than Menem—as does the opposition roll rate.

While this evidence is indicative, a number of caveats are worth noting. First, one thing that stands out about Table 3.5 is that there are clear trends in the data—the use of decree systematically (and dramatically) increases throughout the whole period, as are opposition rolls on presidentially-initiated bills.[96] This raises the possibility of two trending variables that are correlated and therefore spuriously causally related. Second, and further contributing to the problem of inference, is that at this level of aggregation, the amount of data is severely limited, with only four distinct observations during the period. Finally, it is worth noting that when the data is examined at higher time resolutions—by congress or by year—the association between decree rates and opposition roll rates is less strong.

[94] Decree rates are calculated as: number of decrees/number of decree + laws passed and initiated by the president.
[95] I thank Ernesto Calvo for sharing his data on decree rates in Argentina.
[96] Surprisingly, studies that model the use of decrees have not been able to account for this upward trend.

Collectively, these results and these considerations provide a relatively weak confirmation of the fourth hypothesis. While there is some evidence that decree rates are connected to opposition roll rates, the evidence is suggestive at best, and inconclusive at worst. In other words, failure of the maintained hypothesis that decree activity and decree threats are positively correlated makes this operationalization of the consensus decree model tenuous in this case.

6. Conclusion

Elsewhere, I have shown that in the Argentine Chamber of Deputies the list of items to be voted on at each plenary session is determined jointly between the government and the main opposition parties. This procedural arrangement is consistent with the Agenda Consensus Model of Cox and McCubbins' theory of agenda control. However, while in the Argentine legislature roll rates for all the legislative parties are low by comparative standards, variation in the rates at which parties oppose a bill that passes *does* exist across bills, majority or opposition status, and time. Accordingly, this chapter departs from my previous work in that it explores the forces that drive fluctuations in roll rates in a legislature governed by consensual structural procedures.

To this goal, I focus on a particular candidate responsible for changes in roll rate patterns, namely, the powers and behavior of the Argentine president. Following numerous accounts that underscore the centrality of the Argentine president in shaping the congressional agenda, I study the way in which the ability to issue executive decrees affects the gate-keeping strategies of the legislative parties in ways that produce rolls—even when the latter possess the formal authority to avoid such outcome. In particular, I use a formal model of legislative behavior to uncover one key mechanism that drives variations in rolls, that is, changes in the *credibility of the decree threat*. While several case-studies of specific policy areas have emphasized the extent to which the threat of a decree has been used to improve the bargaining position of the president vis-a-vis congress, no systematic examination has been conducted regarding the precise manner and conditions under which this threat has impacted *observable indicators* of agenda control.

In light of the above, this chapter makes a fundamental contribution to our understanding of negative agenda power and the complexities involved in correctly measuring it. In particular, it calls attention to the need to account for the interaction between the agenda-setting powers of the president and those of the parties in congress to properly interpret behavior reflective of agenda control. Indeed, most studies of executive decree authority have focused exclusively on actual instances of decree. For example, empirical accounts of the effects of decrees on legislative behavior have shown a negative correlation between the use of this policy-making tool and the rate of presidential initiatives approved by the legislature (Calvo 2007). In other words, when congress blocks presidential initiatives—by closing the gates to the floor—the president reacts by enacting her preferred policy by decree. Thus, some authors have pointed to the replacement character of decrees in the policy-making process, suggesting by this that the primary function of decrees is to provide a substitute for statutes in bringing about policy change (Calvo 2007; Crisp. et al. unpublished).

However, if replacing statutes were the only impact that presidential decree authority had on the behavior of the legislature, one would expect decrees to push congressional roll rates downwards. This is so because decrees remove from congressional consideration those bills for which legislative opposition is expected. As a result, rolls on these bills never take place, and an examination of observable manifestations of agenda control in congress—the roll rates—produces low estimates of instances of agenda loss by the parties. Yet, the formal model

developed in this chapter suggests a second concurrent process unleashed by decree authority, one that actually pushes roll rates in the opposite direction. In contrast with the process most commonly described, this alternative dynamic of executive-legislative relations is set in motion by the threat of a decree, not by its actual passing. Decree threats cause an upward shift in the rate of rolls, by pressing legislative parties to enable policy changes they would rather not approve, just as a preemptive strategy to avoid the decree. Decree threats are thus not always observable in equilibrium, but their strength is still observable in the pattern of rolls. As a result, a correct assessment of agenda power based on the observable behavior of legislators should take into account these countervailing forces causing upwards and downwards shifts in the parties' roll rates.

While this chapter provides an important starting point for the study of the interaction between executive and congressional agenda control in policy making, there are a number of unexplored avenues which arise from the analysis, and that are deserving of further research. First, the chapter offered a number of hypotheses intended to test the main implications of the formal model. It further presented some initial indicative, albeit not conclusive, evidence in support of these claims. All of the hypotheses relied on the operationalization of changes in the credibility of the decree threat. Additional or alternative operationalizations should be developed to test the robustness of the model. Likewise, new evidence should be obtained, and a number of confounding factors should be controlled for before reaching any conclusions about changes in agenda power in the face of a decree threat. For example, it is possible that the most important factors affecting the credibility of decree threats are specific to particular bills or policy areas during certain macroeconomic cycles—a case not contemplated in any of my hypotheses. While no large scale data analysis has been done to evaluate such a claim, case studies of tax bills, privatizations, and labor regulation reforms have highlighted this possibility. The implication for the study here is that a content analysis of specific bills, particularly those that are part of the president's program, may provide important additional insight into the nature of decree authority and its effect on roll rates.

Second, the implications of the model developed in this chapter complements the insights of perhaps the most comprehensive account of Argentine legislative performance to this date (Aleman and Calvo 2008, forthcoming). According to the empirical tests conducted by the authors, the level of the president's support in congress does not affect her capacity to pass her policy agenda through the legislature. To the contrary, presidents with narrower support coalitions have legislative success rates that do not differ much from those obtained by presidents with larger majorities. The authors explain this outcome by arguing that presidents with weaker congressional support can still pass most of their legislative initiatives by engaging in larger compromises with parties in the opposition. As a result "presidents will be less likely to pass more substantive policy changes that bring the status quo closer to his or her ideal policy, but this difference should not be directly reflected in overall legislative success". (p.10) A contribution of this chapter is that presidential support may, however, be observed in patterns of opposition party roll rates. Indeed, as presidents make heightened use of their agenda-setting powers to pass their initiatives through congress—to compensate for their lack of partisan support—parties will more often acquiesce in the use of their gate-keeping powers in situations in which they are better off blocking the president's bill.[97] Thus, fluctuations in roll rates may

[97] Thus this chapter brings light into the *mechanism* generating the pattern that Calvo demonstrates, that is, that minority presidents are as successful as majority ones in passing their agenda through congress. The idea suggested in this chapter is that this outcome occurs not because changes in the public mood—like a sudden surge in

provide some information about the policy compromises that passing a government agenda entail, a variable often absent in quantitative studies of legislative performance, and often mentioned as a possible factor affecting the validity of the conclusions.

Finally, the chapter states that executive decrees impact the legislative agenda not by directly upsetting agenda-setting agreements in congress—such as is the case with urgency motions—but by altering the strategic behavior of parties with agenda-setting power. The chapter thus calls attention to a distinction between the power to block legislation—a formal authority granted by a mix of constitutional rules and laws of procedure—and the use that actors make of such power under varying contextual conditions—that is, under changing credibility of decrees. This distinction is important to the extent that contextual factors tend to change across time more easily and rapidly than institutional variables, and thus are more capable of explaining short term variations in roll rates within a given legislature (Aleman and Calvo forthcoming). But it is also relevant for that it calls attention to the need to account for contextual forces when analyzing the performance of alternative legislative institutions. When our observable indicators of the way in which alternative procedures distribute legislative power are based on legislators' behavior, and when such behavior is presumed to be affected in great part by contextual characteristics (such as many of the factors that drive changes in the credibility of decree threats) such factors need to be controlled for to obtain a correct assessment of the effects of the institutional variables of interest. In any case, the relative magnitude of institutional and contextual variables in the determination of legislators' behavior remains a fruitful topic for further research.

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presidential popularity—trigger *responsive behavior* by the legislators, who now endorse the president's initiatives, but because this popularity swell *has enhanced the presidential power to issue decrees,* forcing the leadership of the parties in congress to acquiesce in their use of blocking powers. While under the first interpretation parties voting the president agenda would do so without increasing the number of rolls, under the view advanced in this chapter, passing the president's bills would push the roll rates upwards.

Bibliography

Acosta, Maria Elena. 1992. *Gobierno y Oposicion Durante La Presidencia de Illia*. Instituto Torcuato Di Tella. Unpublished Manuscript.

Alcántara Sáez, Manuel, ed. 2008. *Politicians and Politics in Latin America*. Boulder: Lynne Rienner Publishers.

Alcántara Sáez, Manuel, Mercedes García Montero, and Francisco Sánchez López. 2005. *Fuciones, Precedimientos y Escenarios: Un Análisis del Poder Legislativo en América Latina*. Salamanca: University of Salamanca Press.

Aldrich, John H. and David W. Rohde. 2002. "The Consequences of Party Organization in the House: The Role of the Majority and Minority Parties in Conditional Party Government." Jon Bond and Richard Fleisher, eds. *Polarized Politics: Congress and the President in a Partisan Er*a. Washington, D.C.: CQ Press.

Alemán, Eduardo. 2006. "Policy Gatekeepers in Latin American Legislatures." *Latin American Politics and Society* 48, 3: 125-55.

Alemán, Eduardo and Ernesto Calvo. 2008. "Analyzing Legislative Success in Latin America: The Case of Democratic Argentina." Guillermo A. O'Donnell, Joseph S. Tulchin, and Augusto Varas, eds. *New Voices in the Study of Democracy in Latin America*. Washington, D.C.: Woodrow Wilson International Center for Scholars.

Alemán, Eduardo and Ernesto Calvo. Forthcoming. "Unified Government, Bill Approval, and the Legislative Weight of the President" *Comparative Political Studies.*

Alemán, Eduardo, Ernesto Calvo, Mark P. Jones, and Noah Kaplan. 2009. "Comparing Cosponsorship and Roll-Call Ideal Points." *Legislative Studies Quarterly* 34: 87-116.

Alemán, Eduardo and Sebastián M. Saiegh. 2007. "Legislative Preferences, Political Parties, and Coalition Unity in Chile." *Comparative Politics* 39: 253-72.

Alemán, Eduardo and George Tsebelis. 2002. "Agenda Control in Latin American Presidential Democracies." Paper prepared for the annual meeting of the American Political Science Association. Boston.

Alemán, Eduardo and George Tsebelis. 2005. "The Origins of Presidential Conditional Agenda-Setting Power in Latin America." *Latin American Research Review* 40, 2.

Ames, Barry. 1995. "Electoral Rules, Constituency Pressures, and Pork Barrel: Bases of Voting in the Brazilian Congress." *Journal of Politics* 57:3.

Ames, Barry. 2001. *The Deadlock of Democracy in Brazil*. Ann Arbor: University of Michigan Press.

Amorin Neto, Octavio, Gary W. Cox, and Matthew D. McCubbins. 2003. "Agenda Power in Brazil's Cámara dos Deputados, 1989-1999." *World Politics* 55, 4 (July): 550-78.

Baldez, Lisa and John M. Carey. 1999. "Presidential Agenda Control and Spending Policy: Lessons from General Pinochet's Constitution." *American Journal of Political Science* 43, 1: 29-55.

Baldez, Lisa and John Carey. 2001. "Budget Procedures and Fiscal Restraint in Post-transition Chile." Stephan Haggard and Mathew McCubbins, eds. *Presidents, Parliaments and Policy*. Cambridge: Cambridge University Press.

Baron, David P. and John A. Ferejohn. 1989. "Bargaining in Legislatures." *American Political Science Review* 83, 4: 1181-1206.

Béjar, Luisa. 2007. “La Representación Parlamentaria en América Latina. Las Comisiones Permanentes y los Partidos en el Congreso.” *América Latina Hoy* 47: 103-22.
Benton, Allyson. 2002. “Presidentes Fuertes, Provincias Poderosas: La Economía Política de la Construcción de Partidos en el Sistema Federal Argentino.” *Politica y Gobierno* 10: 103-37.
Binder, Sarah A. 1996. “The Partisan Basis of Procedural Choice: Allocating Parliamentary Rights in the House, 1789-1990.” *American Political Science Review* 90 (March): 8-20.
Binder, Sarah A. 1997. *Minority Rights, Majority Rule: Partisanship and the Development of Congress*. New York: Cambridge University Press.
Binder, Sarah A. 1999. “The Dynamics of Legislative Gridlock, 1947-1996.” *American Political Science Review* 93 (September): 519-33.
Binder, Sarah A. 2003. *Stalemate: Causes and Consequences of Legislative Gridlock.* Washington, D.C.: Brookings Institution Press.
Bonvecchi, Alejandro. 2002. “Estrategias de Supervivencia y Tácticas de Disuasión. Los Procesos Políticos de la Política Económica Después de las Reformas Estructurales.” Marcos Novaro, ed. *El Derrumbe Político en el Ocaso de la Convertibilidad*. Buenos Aires: Grupo Editorial Norma.
Botana, Natalio R. 1975. “La Reforma Politica de 1912.” Marcos Gimenez-Zapiola, ed. *El Regimen Oligarquico: Materiales para el Estudio de la Realidad Argentina (Hasta 1930), Vol 1*. Buenos Aires: Amorrortu Editores.
Botana, Natalio R. 1997. *El Orden Conservador: La Politica Argentina entre 1880-1916.* Buenos Aires: Editorial Sudamericana.
Calvo, Ernesto. 2007. “The Responsive Legislature: Public Opinion and Law Making in a Highly Disciplined Legislature.” *British Journal of Political Science* 37, 2: 263-80.
Calvo, Ernesto and Marcelo Escolar. 2005. *La Nueva Politica de Partidos en Argentina*. Buenos Aires: Prometeo Libros.
Cameron, Charles M. 2000. *Veto Bargaining: Presidents and the Politics of Negative Power*. Cambridge: Cambridge University Press.
Campbell, Andrea, Gary W. Cox, and Matthew D. McCubbins. 2002. “Agenda Power in the U.S. Senate. 1877-1986.” David W. Brady and Matthew D. McCubbins, eds. *Party, Process and Political Change in Congress: New Perspectives on the History of Congress*. Palo Alto: Stanford University Press.
Carey, John M. 2002a. “Getting Their Way, or Getting in the Way? Presidents and Party Unity in Legislative Voting.” Paper prepared for the annual meeting of the American Political Science Association. Boston.
Carey, John M. 2002b. “Parties, Coalition, and the Chilean Congress in the 1990s.” Scott Morgenstern and Benito Nacif, eds. *Legislative Politics in Latin America*. 222-53. Cambridge: Cambridge University Press.
Carey, John M. 2007. “Competing Principals, Political Institutions, and Party Unity in Legislative Voting.” *American Journal of Political Science* 51, 1: 92-107.
Carey, John and Matthew Soberg Shugart, eds. 1998. *Executive Decree Authority*. New York: Cambridge University Press.
Carruba, Clifford J., Matthew Gabel, and Simon Hug. 2008. “Legislative Voting Behavior, Seen and Unseen: A Theory of Roll-Call Vote Selection.” *Legislative Studies Quarterly* 33: 543-72.

Carruba, Clifford J., Matthew Gabel, Lacey Murrah, Ryan Clough, Elizabeth Montgomery, and Rebecca Schambach. 2006. "Off the Record: Unrecorded Legislative Votes, Selection Bias and Roll-Call Vote Analysis." *British Journal of Political Science* 36: 691-704.

Chandler, William M., Gary W. Cox, and Mathew D. McCubbins. 2006. "Agenda Control in the German Bundestag, 1980-2002." *German Politics* 15: 27-48.

Cheibub, José Antonio, Argelina Figueiredo, and Fernando Limongi. 2002. "Presidential Agenda Power and Decision-Making in Presidential Regimes: Governors and Political Parties in the Brazilian Congress." Paper prepared for the American Political Science Association. *American Political Science Association.*

Cheibub, José Antonio, Adam Przeworski, and Sebastián M. Saiegh. 2004. "Government Coalitions and Legislative Success Under Presidentialism and Parliamentarism." *British Journal of Political Science* 34: 565-87.

Clinton, Joshua, Simon Jackman, and Douglas Rivers. 2004. "The Statistical Analysis of Roll-Call Data: A Unified Approach." *American Political Science Review* 98: 355-70.

Collier, Ruth Berins, and David Collier. 1991. *Shaping the Political Arena: Critical Junctures, the Labor Movement, and Regime Dynamics in Latin America*. Princeton: Princeton University Press.

Corrales, Javier. 2002. *Presidents Without Parties: The Politics of Economic Reform in Argentina and Venezuela in the 1990s*. University Park: Pennsylvania State University Press.

Cox, Gary W. 1993. "The Development of Collective Responsibility in the U.K." *Parliamentary History* 13: 32-47.

Cox, Gary W. 2005. "The Organization of Democratic Legislatures." Barry R. Weingast and Donald Wittman, eds. *The Oxford Handbook of Political Economy*. 141-61. Oxford: Oxford University Press.

Cox, Gary W., William B. Heller, and Mathew D. McCubbins. 2008. "Agenda Power in the Italian Chamber of Deputies, 1988-2000." *Legislative Studies Quarterly* 33: 171-198.

Cox, Gary W. and Samuel Kernell. 1991. *The Politics of Divided Government*. Boulder: Westview Press.

Cox, Gary W. and Eric Magar. 1999. "How Much is Majority Status in the U.S. Congress Worth?" *American Political Science Review* 93: 299-310.

Cox, Gary W., Mikitaka Masuyama, and Matthew D. McCubbins. 2000. "Agenda Power in the Japanese House of Representatives." *Japanese Journal of Political Science* 1, 1 (May): 1-22.

Cox, Gary W. and Matthew D. McCubbins. 1993. *Legislative Leviathan: Party Government in the House*. Berkeley: University of California Press.

Cox, Gary W. and Matthew D. McCubbins. 1994. "Bonding, Structure, and the Stability of Political Parties: Party Government in the House." *Legislative Studies Quarterly* 19: 215-31.

Cox, Gary W. and Matthew D. McCubbins. 2001. "The Institutional Determinants of Economics Policy Outcomes." Matthew D. McCubbins and Stephan Haggard, eds. *Presidents, Parliaments and Policy*. New York: Cambridge University Press.

Cox, Gary W. and Matthew D. McCubbins. 2002. "Agenda Power in the U.S. House of Representatives, 1877-1986." David W. Brady and Matthew D. McCubbins, eds. *Party, Process and Political Change in Congress: New Perspectives on the History of Congress*. 107-45. Stanford: Stanford University Press.

Cox, Gary W. and Matthew D. McCubbins. 2004. "Theories of Legislative Organization." *American Political Science Association – Comparative Politics Newsletter* (Winter).

Cox, Gary W. and Matthew D. McCubbins. 2005. *Setting the Agenda: Responsible Party Government in the U.S. House of Representatives*. New York: Cambridge University Press.

Cox, Gary W. and Matthew D. McCubbins. 2006. "Legislative Leviathan: Party Government in the House." Cambridge University Press.

Cox, Gary W. and Scott Morgenstern. 2002. "Epilogue: Latin America's Reactive Assemblies and Proactive Presidents." Scott Morgenstern and Benito Nacif, eds. *Legislative Politics in Latin America*. New York: Cambridge University Press.

Crawley, Eduardo. 1987. *A House Divided: Argentina 1880-1980*. London: C. Hurst.

Crisp, Brian F., Maria C. Escobar-Lemmon, Bradford S. Jones, Mark P. Jones, and Michelle M. Taylor-Robinson. 2004. "Vote-Seeking Incentives and Legislative Representation in Six Presidential Democracies." *The Journal of Politics* 66, 3: 823-46.

Crisp, Brian F., Kristin Kanthak, and Jenny Leijonhufvud. 2004. "The Reputations Legislators Build: With Whom Should Representatives Collaborate?" *American Political Science Review* 98: 703-16.

Crisp, Brian F., Kristin Kanthak, Jong Hee Park, and Oleh Protsyk. 2009. *Potentially Dominant Presidents: The Combination of Decree Authority and a Strong Veto in Theory and Practice.*

Danesi, Silvina L. 2004. "A Dieciocho Años de Democracia, la Gestión en la Honorable Cámara de Diputados de la Nación." *Maestría en Administración y Políticas Públicas: Tesis de Maestría*. University of San Andrés.

Davidson, Roger H., Walter J. Oleszek, and Thomas Kephart. 1998. "One Bill, Many Committees: Multiple Referrals in the U.S. House of Representatives." *Legislative Studies Quarterly* 13, 1: 3-28.

de Figueiredo, Rui J. P., Jr. 2002. "Electoral Competition, Political Uncertainty and Policy Insulation" *American Political Science Review* 96: 321-333.

de Figueiredo, Rui J. P., Jr. 2003. "Endogenous Budget Institutions and Political Insulation: Why States Adopt the Item Veto" *Journal of Public Economics* 87: 2677-2701.

de Figueiredo, Rui J. P., Jr., Tonja Jacobi, and Barry R. Weingast. 2006. "The New Separation-of-Powers Approach to American Politics." Barry R. Weingast and Donald A. Wittman, eds. *The Oxford Handbook of Political Economy*. Oxford: Oxford University Press.

de Figueiredo, Rui J. P., Jr. and Richard G. Vanden Bergh. 2004. "The Political Economy of State-Level Administrative Procedure Acts." *Journal of Law and Economics* 47: 569-588.

De Luca, Miguel, Mark P. Jones, and María Inés Tula. 2002. "Back Rooms or Ballot Boxes? Candidate Nomination in Argentina." *Comparative Political Studies* 35, 4: 413-36.

De Luca, Miguel, et al. 2002. "Political Recruitment of Presidents and Governors in the Argentine Party-Centered System." *Comparative Political Studies*.

Denzau, Arthur T. and Robert J. Mackay. 1983. "Gatekeeping and Monopoly Power of Committees: An Analysis of Sincere and Sophisticated Behavior." *American Political Science Review* 27: 740-61.

Desposato, Scott. 2005. "Correcting for Small Group Inflation of Roll-Call Cohesion Scores." *British Journal of Political Science* 35:731-44

Desposato, Scott W., Matt Kearney, and Brian F. Crisp. 2009. "Using Cosponsorship to Estimate Ideal Points." Working paper.

Diermeier, Daniel and Timothy Feddersen. 1998. "Cohesion in Legislatures and the Vote of Confidence Procedure." *American Political Science Review* 92 (September): 611-22.

Diermeier, Daniel and Roger Myerson. 1999. "Bicameralism and its Consequences for the Internal Organization of Legislatures." *American Economic Review* 89: 1182-96.

Dion, Douglas. 1997. *Turning the Legislative Thumbscrew: Minority Rights and Procedural Change in Legislative Politics*. Ann Arbor: University of Michigan Press.
Dion, Douglas and John Huber. 1996. "Procedural Choice and the House Committee on Rules." *The Journal of Politics* 58: 25-53.
Döring, Herbert, ed. 1995a. *Parliaments and Majority Rule in Western Europe*. New York: St. Martin's Press.
Döring, Herbert, ed. 1995b. "Time as a Scarce Resource: Government Control of the Agenda." *Parliaments and Majority Rule in Western Europe*. 223-46. New York: St. Martin's Press.
Döring, Herbert, ed. 2001. "Parliamentary Agenda Control and Legislative Outcomes in Western Europe." *Legislative Studies Quarterly* 26, 1: 145-65.
Eaton, Kent. 2001. "The Logic of Congressional Delegation: Explaining Argentine Economic Reform." *Latin American Research Review*.
Eaton, Kent. 2002. *Politicians and Economic Reform in New Democracies: Argentina and the Philippines in the 1990s*. University Park: Pennsylvania State University Press.
Eaton, Kent. 2005. "Menem and the Governors: Intergovernmental Relations in the 1990s." Steven Levitsky and María Victoria Murillo, eds. *Argentine Democracy, the Politics of Institutional Weakness*. University Park: Pennsylvania State University Press.
Etchemendy, Sebastián and Vicente Palermo. 1998. "Conflicto y Concertación. Gobierno, Congreso y Organizaciones de Interés en la Reforma Laboral del Primer Gobierno de Menem (1989-1995)". *Desarrollo Económico.* Buenos Aires 37, 148:559-590.
Ferreira Rubio, Delia and Mateo Goretti. 1996. "Cuando el Presidente Gobierna Aolo. Menem y los Decretos de Necesidad y Urgencia Hasta la Reforma Constitucional." *Desarrollo Económico.* Buenos Aires 36, 141:443-474
Ferretti, Natalia. 1996. "Capacidades Limitaciones de la Presidencia: Gobierno de Partido durante la Administracion de Arturo Illia (1963-1966)." Working paper.
Ferretti, Natalia. 2005. "Majority Dominance or Power-Sharing: Scheduling Rules and Competitive Dynamics in the Argentine Legislature". Paper prepared for the annual meeting of the Midwest Political Science Association. Chicago. April 7-10.
Figueiredo, Argelina Cheibub and Fernando Limongi. 2000. "Presidential Power, Legislative Organization, and Party Behavior in Brazil." *Comparative Politics* 32, 2: 151-70.
Figueroa Schibber, Constanza. 2005. "Las Insistencias en la Relación Ejecutivo-Legislativo en la Argentina: Espacios de Negociación a Través de la Innovación Institucional." Working paper. UTDT-PENT.
Garcia Montero, Mercedes and Francisco Sanchez Lopez. 2002. "Las Comisiones Legislativas en América Latina: Una Clasificación Institucional y Empírica" Working Paper # 212. Barcelona. Institut de Ciéncies Polítiques i Socials.
Gelli, María Angélica. 1992. "Implicancias Jurídicas y Políticasde la Promulgación Parcial de las Leyes." *La Ley.* 1992-E: 533-548.
Gibson, Edward L. 1996. *Class and Conservative Parties: Argentina in Comparative Perspective.* Baltimore: Johns Hopkins University Press.
Gilligan, Thomas W. and Keith Krehbiel. 1989. "Asymmetric Information and Legislative Rules with a Heterogeneous Committee." *American Journal of Political Science* 33: 459-90.
Gilligan, Thomas W. and Keith Krehbiel. 1990. "Organization of Informative Committees by a Rational Legislature." *American Journal of Political Science* 34, 2: 531-64.
Gordin, Jorge P. 2004. "Testing Riker's Party-Based Theory of Federalism: The Argentine Case." *Publius: The Journal of Federalism* 34: 21-34.

Groseclose, Timothy and Keith Krehbiel. 2002. “Gatekeeping.” Paper prepared for the Conference on Political Parties and Legislative Organization in Parliamentary and Presidential Regimes. Yale University.

Groseclose, Timothy and Nolan McCarty. 2000. “The Politics of Blame: Bargaining Before and Audience.” *American Journal of Political Science* 45, 1: 100-119.

Haggard, Stephan and Matthew W. McCubbins, eds. 2001. *Presidents, Parliaments and Policy*. Cambridge: Cambridge University Press.

Haspel, Moshe, Thomas F. Remington, and Steven Smith. 1998. “Electoral Institutions and Party Cohesion in the Russian Duma.” *Journal of Politics* 60: 417-39.

Heller, William B. 1997. “Bicamericalism and Budget Deficits: The Effect of Parliamentary Structure on Government Spending.” *Legislative Studies Quarterly* 22 (November): 485-516.

Heller, William B. 2001. “Making Policy Stick: Why the Government Gets What it Wants in Multiparty Parliaments.” *American Journal of Political Science* 45, 4: 780-98.

Hix, Simon, Abdul Noury, and Gerard Roland. 2006. “Dimensions of Politics in the European Parliament.” *American Journal of Political Science* 50: 494-511.

Hix, Simon, Abdul Noury, and Gerard Roland. 2006. “Power of the Parties: Cohesion and Competition in the European Parliament, 1979-2001.” *British Journal of Political Science* 35: 209-34.

Jones, Mark P. 1997. “Evaluating Argentina’s Presidential Democracy: 1983-1995.” Scott Mainwaring and Matthew Soberg Shugart, eds. *Presidentialism and Democracy in Latin America*. 259-99. New York: Cambridge University Press.

Jones, Mark P. 2002. “Explaining the High Level of Party Discipline in the Argentine Congress.” Scott Morgenstern and Nacif, Benito, eds. *Legislative Politics in Latin America*. 147-84. Cambridge: Cambridge University Press.

Jones, Mark P. 2008. “The Recruitment and Selection of Legislative Candidates in Argentina.” Scott Morgenstern and Peter M. Siavelis, eds. *Pathways to Power: Political Recruitment and Candidate Selection in Latin America*. University Park: Pennsylvania State University Press.

Jones, Mark P. and Wonjae Hwang. 2005a. “Party Government in Presidential Democracies: Extending Cartel Theory Beyond the U.S. Congress.” *American Journal of Political Science* 49, 2: 267-83.

Jones, Mark P. and Wonjae Hwang. 2005b. “Provincial Party Bosses: Keystone of the Argentine Congress.” Steven Levitsky and María Victoria Murillo, eds. *Argentine Democracy: The Politics of Institutional Weakness*. University Park: The Pennsylvania State University Press.

Jones, Mark P., Hwang Wonjae, and Juan Pablo Micozzi. 2009. “Government and Opposition in the Argentine Congress, 1989-2007: Understanding Inter-Party Dynamics through Roll-Call Vote Analysis.” *Journal of Politics in Latin America*.

Jones, Mark P., Sebastian M. Saiegh, Pablo T. Spiller, and Mariano Tommasi. 2002. “Amateur Legislators – Professional Politicians: The Consequences of Party-Centered Electoral Rules in a Federal System.” *American Journal of Political Science* 46, 3:656-669. Midwest Political Science Association.

Krehbiel, Keith. 1987. “Why are Congressional Committees Powerful?” *American Political Science Review* 81, 3: 925-35.

Krehbiel, Keith. 1991. *Information and Legislative Organization*. Ann Arbor: University of Michigan Press.

Krehbiel, Keith. 1993. “Where’s the Party?” *British Journal of Political Science* 23: 235-66.

Krehbiel, Keith. 1998. *Pivotal Politics: A Theory of U.S. Lawmaking*. Chicago: University of Chicago Press.
Krehbiel, Keith. 1999. "The Party Effect from A to Z and Beyond." *Journal of Politics* 61: 832-40.
Krehbiel, Keith. 2000. "Party Discipline and Measures of Partisanship." *American Journal of Political Science* 44, 2: 212-27.
Krehbiel, Keith. 2003. "The Coefficient of Party Influence." *Political Analysis* 11: 96-104.
Krehbiel, Keith. 2004. "Partisan Roll Rates in a Nonpartisan Legislature." Research paper, No. 1870R.
Krehbiel, Keith and Adam Meirowitz. 2002. "Minority Rights and Majority Power: Theoretical Consequences of the Motion to Recommit." *Legislative Studies Quarterly* 27: 191-218.
Kvaternik, Eugenio. 1987. *Crisis sin Salvataje: La Crisis Politico-Militar de 1962-1963*. Buenos Aires: Ediciones del IDES.
Laver, Michael and Kenneth Shepsle, eds. 1994. *Cabinet Ministers and Parliamentary Government*. Cambridge: Cambridge University Press.
Laver, Michael and Kenneth Shepsle. 1996. *Making and Breaking Governments: Cabinets and Legislatures in Parliamentary Democracies*. New York: Cambridge University Press.
Leiras, Marcelo. 2007. *Todos los Caballos del Rey: La Integración de los Partidos Politicos y el Gobierno Democrático de la Argentina, 1995-2003*. Buenos Aires: Prometeo Libros.
Levitsky, Steven. 1998. "Institutionalization and Peronism: The Concept, the Case and the Case for Unpacking the Concept." *Party Politics* 4: 77-92.
Levitsky, Steven. 2003. *Transforming Labor-based Parties in Latin America: Argentine Peronism in Comparative Perspective*. Cambridge: Cambridge University Press.
Lijphart, Arend. 1999. *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*. New Haven: Yale University Press.
Llanos, Mariana. 1998. "El Presidente, el Congreso y la Política de Privatizaciones en la Argentina, 1989-1997." *Desarrollo Económico.* Buenos Aires 38, 151: 743-77.
Llanos, Mariana. 2002. *Privatization and Democracy in Latin America: An Analysis of President-Congress Relations*. New York: Palgrave.
Llanos, Mariana and Ana Margheritis. 2006. "Why do Presidents Fail? Political Leadership and the Argentine Crisis, 1999-2001." *Studies in Comparative International Development* 40, 4: 77-103.
Llanos, Mariana and Detlef Nolte. 2003. "Bicameralism in the Americas: Around the Extremes of Symmetry and Incongruence." *The Journal of Legislative Studies* 9, 3. England: Frank Cass Publishers.
Londregan, John B. 2000. "Estimating Legislators' Preferred Points." *Political Analysis* 8: 35-56.
Londregan, John B. 2000. *Legislative Institutions and Ideology in Chile*. New York: Cambridge University Press.
Londregan, John. 2002. "Appointment, Reelection, and Autonomy in the Senate of Chile." Scott Morgenstern and Benito Nacif, eds. *Legislatures in Latin American Politics*. Cambridge: Cambridge University Press.
Londregan, John and James Snyder. 1994. "Comparing Committee and Floor Preferences." *Legislative Studies Quarterly* 19: 233-66.
Luna, Felix. 1972. *Argentina: De Peron a Lanusse (1943-1973)*. Buenos Aires: Editorial Planeta.

Luna, Felix. 1983. *Golpes Militares y Salidas Electorales*. Buenos Aires: Editorial Sudamericana.

Luna, Miguel and José Pérez Nieves. "Análisis Coordinado del Reglamento de la Cámara de Senadores de la Nación." Dirección de Información Parlamentaria de la Honorable Cámara de Diputados de la Nación. *Revista de Derecho Parlamentario* 8.

Lupia, Arthur and Gisela Sin. 2003. "The Constitutional Theory of Congressional Power: How the Senate and President Affect the Balance of Power in the House." Working paper. Available at *www.personal.Umich.edu/~lupia.*

Maltzman, Forrest. 1997. *Competing Principals: Committees, Parties, and the Organization of Congress*. Ann Arbor: University of Michigan Press.

Maltzman, Forrest and Lee Sigelman. 1996. "The Politics of Talk: Unconstrained Floor Time in the U.S. House of Representatives." *Journal of Politics* 58, 3: 819-30.

McCarty, Nolan, Keith T. Pool and Howard Rosenthal. 2001. "The Hunt for Party Discipline in Congress." *The American Political Science Review* 95, 3.

Moe, Terry. 1987. "An Assessment of the Positive Theory of Congressional Dominance." *Legislative Studies Quarterly* 12: 475-520.

Moe, Terry. 1990. "The Politics of Structural Choice: Towards a Theory of Public Bureaucracy." Oliver E. Williamson, ed. *Organization Theory: From Chester Barnard to the Present and Beyond*. Berkeley: University of California Press.

Moe, Terry. 1991. "Politics and the Theory of Organization." *Journal of Law, Economics and Organization* 7: 106-129.

Moe, Terry and William Howell. 1999. "Unilateral Action and Presidential Power: A Theory." *Presidential Studies Quarterly* 29: 850-72.

Molinelli, Guillermo, Valeria Palanza, and Gisela Sin. 1999. *Congreso, Presidencia y Justicia en Argentina*. Buenos Aires: Temas.

Morgenstern, Scott. 2001. "Organized Factions and Disorganized Parties. Electoral Incentives in Uruguay." *Party Politics* 7, 2: 235-56.

Morgenstern, Scott. 2002. "Explaining Legislative Politics in Latin America." Scott Morgenstern and Benito Nacif, eds. *Legislative Politics in Latin America*. 413-45. Cambridge: Cambridge University Press. 413-45.

Morgenstern, Scott. 2002. "Towards a Model of Latin American Legislatures." Scott Morgenstern and Benito Nacif, eds. *Legislative Politics in Latin America*. Cambridge: Cambridge University Press.

Morgenstern, Scott. 2004. *Patterns of Legislative Politics: Roll-Call Voting in Latin America and the United State*s. New York: Cambridge University Press.

Mustapic, Ana María. 2000. "Oficialistas y Diputados': Las Relaciones Ejecutivo-Legislativo en la Argentina." *Desarrollo Económico.* Buenos Aires 39, 156:571-595 .

Mustapic, Ana María. 2002. "Oscillating Relations: President and Congress in Argentina." Scott Morgenstern and Benito Nacif, eds. *Legislative Politics in Latin America*. New York: Cambridge University Press.

Mustapic, Ana María. 2005. "Inestabilidad Sin Colapso. La Renuncia de los Presidentes: el Caso de Fernando de la Rúa." *Desarrollo Económico.* Buenos Aires 45, 178:263-280.

Mustapic, Ana Maria and Natalia Ferretti. 1995. "El Veto Presidencial Bajo Alfonsin y Menem: 1983-1993." Instituto Torcuato Di Tella. Working Paper #18

Mustapic, Ana María and Matteo Goretti. 1992. “Gobierno y Oposición en el Congreso: La Práctica de la Cohabitación Durante la Presidencia de Alfonsín.” *Desarrollo Económico.* Buenos Aires 32, 126.

Negretto, Gabriel L. 2002. “¿Gobierna Solo el Presidente? Poderes de Decreto y Diseño Institucional en Brasil y Argentina.” *Desarrollo Económico.* Buenos Aires 42, 167: 377-404.

Negretto, Gabriel L. 2004. “Government Capacities and Policy Making by Decree in Latin America.” *Comparative Political Studies* 37: 531-62.

Nokken, Timothy P. 2000. “Dynamics of Congressional Loyalty: Party Defection and Roll-Call Behavior, 1947-1997.” *Legislative Studies Quarterly* 25: 417-44.

Oliveros, Virginia and Gerardo Scherlis. 2006. “Reformas Políticas: Internas Abiertas Obligatorias y Unificación Electoral en las Elecciones de 2005.” Isidoro Cheresky, ed. *La Politica Después de los Partidos*. Buenos Aires: Prometeo Libros.

Pearson, Kathryn, and Eric Schickler. Forthcoming. “Discharge Petitions, Agenda Control, and the Congressional Committee System, 1929-1976”. *Journal of Politics.*

Pereira, Carlos and Bernardo Muller. 2000. “Uma Teoria da Preponderancia do Poder Executivo: o Sistema de Comissoes No Legislativo Brasileiro.” *Revista Brasileira de Ciencias Sociais* 15, 43: 45-67.

Poole, Keith T. and Howard Rosenthal. 1991. “Patterns of Congressional Voting.” *American Journal of Political Science* 35: 228-78.

Prata, Adriana. 2006. *Government Domination, Consensus or Chaos? A Study of Party Discipline and Agenda Control in National Legislatures*. A dissertation submitted in partial satisfaction of the requirements for the degree of Doctor of Philosophy in Political Science. San Diego: University of California.

Rasch, Bjørn Erik. 2000. “Parliamentary Floor Voting Procedures and Agenda Setting in Europe.” *Legislative Studies Quarterly* 25, 1: 3-23.

Remmer, Karen and Erik Wibbels. 2000. “The Subnational Politics of Economic Adjustment: Provincial Politics and Fiscal Performance in Argentina.” *Comparative Political Studies* 33: 419-51.

Rock, David. 1975. *Politics in Argentina 1890-1930: The Rise and Fall of Radicalism*. London: Cambridge University Press.

Rock, David. 1985. *Argentina 1516-1982: From the Spanish Colonization to the Falklands War*. Berkeley: University of California Press.

Rodriguez, Jesús and Alejandro Bonvecchi. 2006. “El Papel del Poder Legislativo en el Proceso Presupuestario Argentino (1984-2004). *Desarrollo Económico.* Buenos Aires 45, 180:487-521

Romero, Jose Luis. 1963. *A History of Argentine Political Thought*. Stanford: Stanford University Press.

Rouquie, Alain. 1975. *Radicales y Desarollistas*. Buenos Aires: Schapire Editor.

Rouquie, Alain. 1982. *Poder Militar y Sociedad Politica en la Argentina*. Buenos Aires: Emece Editores.

Rubio, Delia and Matteo Goretti. 1996. “Cuando el Presidente Gobierna Solo.” *Desarrollo Económico.* Buenos Aires 36, 141:443-474

Saiegh, Sebastián M. 2002. “Government Defeat: Voting Coalitions, Constituency Influence, and Legislative Success.” A dissertation submitted in partial satisfaction of the requirements for the degree of Doctor of Philosophy in Political Science. New York: New York University.

Sala, Brian R. 2002. “Party Loyalty and Committee Leadership in the House, 1921-40.” David W. Brady and Matthew D. McCubbins, eds. *Party, Process and Political Change in Congress: New Perspectives on the History of Congress*. 166-92. Stanford: Stanford University Press.

Sanchez, Pedro. 1983. *La Presidencia de Illia*. Buenos Aires: Centro Editor de America Latina.

Schickler, Eric. 2000. “Institutional Change in the House of Representatives, 1867-1998: A Test of Partisan and Ideological Power Balance Models.” *American Political Science Review* 94: 269-88.

Schickler, Eric. 2001. *Disjointed Pluralism: Institutional Innovation and the Development of the U.S. Congress*. Princeton: Princeton University Press.

Schickler, Eric and Kathryn Pearson. Forthcoming. “Agenda Control, Majority Party Power, and the House Committee on Rules, 1939-1952”. *Legislative Studies Quarterly.*

Schickler, Eric and Andrew Rich. 1997. “Controlling the Floor: Politics as Procedural Coalitions in the House.” *American Journal of Political Science* 41: 1340-75.

Schickler, Eric and Greg Wawro. 2004. “Cloture Reform Reconsidered.” Paper presented at the History of Congress conference, April 9-10, Stanford, CA.

Schinelli, Guillermo. 1989. “La Comisión de Labor Parlamentaria de la Cámara de Diputados de la Nación.” Dirección de Información Parlamentaria de la Honorable Cámara de Diputados de la Nación. *Revista de Derecho Parlamentario* 2.

Shepsle, Kenneth A. and Barry R. Weingast. 1987. “The Institutional Foundations of Committee Power.” *American Political Science Review* 81, 1: 85-104.

Shepsle, Kenneth A. and Barry R. Weingast. 1994. “Positive Theories of Congressional Institutions.” *Legislative Studies Quarterly* 19 (May): 149-79.

Shugart, Matthew Soberg. 1998. “The Inverse Relationship Between Party Strength and Executive Strength: A Theory of Politicians’ Constitutional Choices.” *British Journal of Political Science* 28: 1-29.

Shugart, Matthew Soberg and John M. Carey. 1992. *Presidents and Assemblies: Constitutional Design and Electoral Dynamics.* New York: Cambridge University Press.

Shugart, Matthew Soberg and Stephan Haggard. 2001. “Institutions and Public Policy in Presidential Systems.” Stephan Haggard and Mathew D. McCubbins, eds. *Presidents, Parliaments, and Policy*. New York: Cambridge University Press.

Shugart, Matthew Soberg and Scott Mainwaring. 1997. “Presidentialism and Democracy in Latin America: Rethinking the Terms of the Debate.” *Presidentialism and Democracy in Latin America*. New York: Cambridge University Press.

Siavelis, Peter. 1997. “Continuity and Change in the Chilean Party System: On the Transformational Effects of Electoral Reform. *Comparative Political Studies* 30, 6: 651-74.

Siavelis, Peter. 2000. “Exaggerated Presidentialism and Moderate Presidents: Executive-Legislative Relations in Chile.” Scott Morgenstern and Benito Nacif, eds. *Legislative Politics in Latin America*. Cambridge: Cambridge University Press.

Siavelis, Peter. 2000. *The President and Congress in Post-Authoritarian Chile: Institutional Constraints to Democratic Consolidation*. University Park: Pennsylvania State University Press.

Smith, Peter H. 1978. “The Breakdown of Democracy in Argentina, 1916-1930.” Juan J. Linz and Alfred Stepan, eds. *The Breakdown of Democratic Regimes: Latin America*. Balimore: Johns Hopkins University Press.

Smulovitz, Catalina. 1986. “El Sistema de Partidos en la Argentina: Modelo para Armar.” *Desarollo Economico* 26: 143-147.

Smulovitz, Catalina. 1991. “En Busca de la Fórmula Perdida: Argentina, 1955-1966.” *Desarrollo Económico.* Buenos Aires 31, 121:113-124

Snow, Peter G. 1965. *Argentine Radicalism: The History and Doctrine of the Radical Civic Union*. Iowa City: University of Iowa Press.

Snow, Peter G. 1979. *Political Forces in Argentina, Revised Edition.* Boston: Allin and Bacon.

Snyder, James M. and Timothy Groseclose. 2000. “Estimating Party Influence in Congressional Roll-Call Voting.” *American Journal of Political Science* 44, 2: 193-211.

Spalding, Hobart A. 1965. *Aspects of Change in Argentina*. A dissertation submitted in partial satisfaction of the requirements for the degree of Doctor of Philosophy in History. Berkeley: University of California.

Spiller, Pablo T. and Mariano Tommasi. 2007. *The Institutional Foundations of Public Policy in Argentina: A Transactions Cost Approach*. New York: Cambridge University Press.

Strom, Kaare. 1990. *Minority Government and Majority Rule*. New York: Cambridge University Press.

Strom, Kaare. 1995. “Parliamentary Government and Legislative Organization.” Herbert Döring, ed. *Parliaments and Majority Rule in Western Europe*. 51-82. New York: St. Martin Press.

Strom, Kaare. 1997. “Parliamentary Committees in European Democracies.” Lawrence Longley and Attila Ágh, eds. *The Changing Roles of Parliamentary Committees.* Appleton Working Papers on Comparative Legislative Studies II. Research Committee of Legislative Specialist, International Political Science Association. Lawrence University.

Torre, Juan Carlos. 1991. “América Latina: El Gobierno de la Democracia en Tiempos Difíciles.” *Revista de Estudios Políticos (Nueva Epoca).* Num. 74.

Tsebelis, George. 1995. “Veto Players and Law Production in Parliamentary Democracies.” Herbert Döring, ed. *Parliaments and Majority Rule in Western Europe*. New York: St. Martin’s Press.

Tsebelis, George. 2002. *Veto Players: How Political Institutions Work*. Princeton: Russell Sage Foundation/Princeton University Press.

Tsebelis, George and Jeanette Money. 1997. *Bicameralism*. New York: Cambridge University Press.

Waisman, Carlos H. 1982. *Modernization and the Working Class: The Politics of Legitimacy*. Austin: University of Texas Press.

Waisman, Carlos H. 1987. *Reversal of Development in Argentina: Post-war Counterrevolutionary Policies and their Structural Consequences*. Princeton: Princeton University Press.

Weingast, Barry R. and William J. Marshall. 1988. “The Industrial Organization of Congress: or, Why Legislatures, Like Firms, Are Not Organized as Markets.” *Journal of Political Economy* 96: 132-63.