

*An Inter-American Dialogue Book*



*Constructing  
Democratic Governance  
in Latin America*

SECOND EDITION

*Edited by*

Jorge I. Domínguez

Michael Shifter

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*Constructing Democratic  
Governance in Latin America*

*Taking Stock of the 1990s*

Jorge I. Domínguez

The practice of democratic governance improved in most Latin American countries during the second half of the 1990s, in comparison to the circumstances prevailing during the first half of the 1990s (analyzed in the first edition of this book).<sup>1</sup> Constitutional governments survived; many became stronger. All but one military coup attempt failed. Political parties became more reliable and responsible in most countries. Societal changes led to new roles for labor unions and for women in politics and in the workforce. Congressionally approved laws, rather than presidential decrees, were used increasingly to enact the principal economic and other policy reforms. Various Supreme Courts displayed greater independence and assertiveness. In 2000, an opposition candidate was elected president of Mexico for the first time since that country's revolution early in the twentieth century, and Alberto Fujimori was compelled to resign as president of Peru, as his third consecutive reelection was marred by electoral fraud, vote-buying, and rampant abuse of power.

And yet, this improvement was highly uneven among countries. The setbacks to democratic governance in the late 1990s were pronounced in the Andean region. Especially troubling was the decay of constitutional government in Colombia and Venezuela, two of Latin America's longest-lived democracies, as well as the abuse of presidential power in Alberto Fujimori's Peru and the fragility and instability of the democratic regime in Ecuador (where the region's only successful coup against a freely elected president in two decades took place also in 2000). Disastrous economic performance hurt Argentine political stability in 2002. The improved quality of constitu-

tional governance did not reach acceptable standards of democratic performance in many countries as the 1990s ended. For example, in the mid-1990s Guatemala at long last overcame decades of brutal civil war—an important accomplishment—but Guatemala's armed forces remain weakly subordinated to civilian authorities, parties are unstable and poorly organized, and the rule of law has yet to serve broad segments of the indigenous population. Moreover, the conditions that affect the daily lives of most citizens in nearly all Latin American countries improved too little from the first to the second half of the 1990s.

Therefore, a majority of Latin American citizens deemed constitutional government broadly unsatisfactory, as evidenced in many public opinion polls.<sup>2</sup> In more general terms, the inner workings of constitutional government remained defective in many countries where presidents tended still to lord it over Parliaments. The rule of law remained precarious wherever the application of the law was unpredictable, varying in time and by case. The courts also remain slow and are at times unprofessional. Corruption remained the bane of much of the region; in too many cases market reforms lacked transparency. The challenges for the construction of effective democratic governance persisted, therefore, into the twenty-first century.

In this chapter, however, I will argue that the net effect of the patterns of the 1990s was to strengthen the performance and the prospects for effective democratic governance in most Latin American countries. I distinguish between levels and trends. The level of democratic governance, in many although not all respects, remains poor not just in the Andean region but also throughout much of Latin America. The trends toward better democratic governance are more hopeful throughout the region, except in some Andean countries and Nicaragua, Paraguay, and Cuba. In arguing that the trend is positive, I am comparing Latin American countries to their own history, not to some set of idealized categories. Nor am I comparing the performance of Latin American democracies to the hopeful expectations that many citizens and analysts held in the early 1990s for the region's political trajectory for the remainder of the decade; those expectations were understandably inflated but also unreasonable, given the region's context and circumstances.

### The Survival of Constitutional Government: Coup and Impeachment Attempts

In the 1990s, constitutional government was resilient throughout the world even when its performance left much to be desired. The armed forces did not overthrow a single constitutional government in former communist Europe. The frequency of military coups against constitutional governments fell as well in East Asia; the armed forces did not overthrow any East

or Southeast Asian constitutional government even in the midst or aftermath of the subregion-wide financial crash of 1997. In Latin America, only one constitutionally elected civilian president was overthrown by the armed forces (Ecuador's Jamil Mahuad in January 2000). Even in this case, domestic and international pressure quickly forced the military plotters to turn over power to Ecuador's constitutionally elected vice-president and Congress. Despite the region-wide repercussions of the Mexican financial panic of 1994–95 and the Brazilian financial panic of January 1999, or the prolonged economic decline begun in Argentina in the late 1990s, the armed forces overthrew no other Latin American civilian president. In decades past, these economic disasters would have toppled various governments.<sup>3</sup>

The frequency of presidential-led military coups against Congress declined in Latin America. In 1992, Peru's President Alberto Fujimori secured military support to shut down the Congress and purge the courts of his enemies. In May 1993, Guatemala's President Jorge Serrano unsuccessfully attempted a similar coup. No such attempt was tried in Latin America during the second half of the 1990s.

The frequency of unsuccessful coup attempts seems to have declined over the 1990s, although not all such attempts may have become public. In the first half of the 1990s, coups aimed at elected civilian authorities were attempted or extensively plotted in Argentina, El Salvador, Paraguay (1989), and Venezuela. All failed. In the second half of the 1990s, by contrast, only Paraguay witnessed repeated (1996, 1999, 2000), albeit unsuccessful, coup attempts. In Peru, there were two unsuccessful coup attempts associated with the breakdown of President Alberto Fujimori's corrupt regime in late 2000. The former chief of the intelligence service, Vladimiro Montesinos, attempted to launch a coup in September 2000 when President Fujimori dismissed him; the military leadership refused to back Montesinos. In October 2000, two mid-ranking military officers, the brothers Ollanta and Antauro Humala, launched a brief rebellion in a remote area of Peru to press for Fujimori's resignation. In April 2002, a military coup attempt failed in Venezuela.

Coups are not the only threats to the survival of constitutional government. Severe conflicts between president and Congress, as John Carey's chapter shows, also pose serious challenges even if the constitutional procedures for presidential impeachment and removal are followed to the letter. Impeachments have occurred for very different reasons. In the first half of the 1990s, President Fernando Collor de Mello in Brazil and President Carlos Andrés Pérez in Venezuela were removed from office through constitutional processes. The Guatemalan Congress removed President Serrano after his failed coup against the Congress, but Congress also dissolved itself and called for early elections. In the second half of the 1990s, the Congress impeached and removed President Abdalá Bucaram in Ecuador, accusing him

of mental illness, and President Raúl Cubas in Paraguay, charging him with violating the constitution and complicity to murder. The Peruvian Congress insisted on rejecting President Fujimori's resignation in late 2000 in order to impeach and remove him, a moot although symbolic point; the Peruvian Congress also dissolved itself and called for early elections. Although the number of actual presidential impeachments and removals was the same during both halves of the 1990s, the frequency of impeachment activity increased somewhat during the decade. Serious although ultimately unsuccessful attempts to impeach and remove the president were also launched against Ernesto Samper in Colombia and Arnoldo Alemán in Nicaragua in the later 1990s. (There was probable cause for the president's removal from office in all of these cases; the more constitutionally doubtful cases were the removals of Pérez in Venezuela and Bucaram in Ecuador.)

### *The Problem of Civilian Supremacy*

The Americas may not yet sigh with relief, however. The trend toward civilian supremacy over the armed forces is positive but the level of performance in effectively exercising such control remains poor throughout most Latin American countries, as Rut Diamint makes clear in her chapter. Constitutional government will not be secure until civilian supremacy is unquestioned. Constitutional government remains in peril in Ecuador, Paraguay, and Venezuela, where there have been coup attempts (one, successful in Ecuador) and presidential impeachments. In addition, the armed forces still intervene in the day-to-day politics of several Latin American countries. Persistent violence from drug traffickers, guerrillas, and paramilitaries wracks Colombia, as Fernando Cepeda shows in his chapter, necessarily endowing Colombia's security forces with a significant political role (Colombia's forces remain subordinate to civilian authorities, however). Diamint's chapter also shows that military expenditures, not surprisingly, rose in Colombia, Ecuador, and Paraguay from the mid-1980s to the late 1990s.

Peru continued to face the remnants of terrorist groups that, in the early 1990s, had threatened to overwhelm enfeebled national institutions. By the late 1990s, this political violence had become a task that the police could handle but, as Carlos Iván Degregori shows in his chapter, the armed forces retained significant political clout through the end of Alberto Fujimori's presidency in late 2000. Chile is a model of progress on various dimensions of politics, economics, and society as it enters the twenty-first century but, as Felipe Agüero demonstrates in his chapter, very high military prerogatives remain embedded in Chile's constitution many years after the transition from General Pinochet's dictatorship to constitutional government. The Chilean armed forces retain discretionary budget and political entitlements

guaranteed by the constitution; these authoritarian entitlements would be considered "unconstitutional" in any other democratic political system. Repeated acts of coordinated military indiscipline occurred, especially in the first half of the 1990s. Nonetheless, in 1999–2000 the Chilean armed forces voluntarily participated in dialogues with civilians regarding violations of human rights committed in the 1970s and 1980s and provided more information on some of the "disappeared."<sup>4</sup> In Venezuela, failed coup-maker Hugo Chávez was elected president in 1998. Chávez appointed military officers to hitherto civilian posts and increased the military budget deliberately and enthusiastically, as Michael Coppedge and Diamint explain in their chapters, at times despite the reluctance of professional military officers to assume roles outside of strict military arenas.

In contrast, institutionalized civilian control over the military proceeded farthest in Argentina and Uruguay. In the late 1990s, Brazilian President Fernando Henrique Cardoso also made progress in this direction. In Central American countries, as Diamint notes, the downsizing of the armed forces as a result of the various transitions to civilian rule and the end of civil wars were not generally accompanied by the emergence of effective civilian control over the military. The level of performance remains low. Moreover, increased crime added greatly to citizen insecurity. Nonetheless, the trend toward significant demilitarization in Central America is a stunning accomplishment for a region that long symbolized military tyrannies and that was wracked by civil war from the 1960s to the early 1990s.<sup>5</sup>

### *Explaining Patterns in Civil-Military Relations*

Two patterns need explanation. Why the trend toward fewer coups? What explains the level of military clout? In the first edition of this book, Domínguez and Giraldo identified two factors to account for the decline in the frequency of coups.<sup>6</sup> On the one hand, the propensity toward, and frequency of, military coup attempts seems to be related to the level of professionalization of the armed forces: the lower the level of professionalization (Ecuador, Paraguay, for example), the more likely coup attempts would be. This pattern differs from what had prevailed in Latin American countries in the late 1960s and early 1970s, when the more professional the military, the greater the likelihood and success of coup attempts.<sup>7</sup> What explains the inversion of this pattern? Their professionalism notwithstanding, the militaries for the most part governed badly, often damaging the military institutions in the process. As a result, most seem to have been vaccinated against attempting coups. The "supply" of coups declined. Only time will tell whether the effect of these vaccines will last forever.

The "demand" for coups also fell. Except for General Augusto Pinochet's

Chile and, thanks to the oil boom, the Ecuadorian military government in the 1970s, no authoritarian regime that yielded power during the democratizing “moment” (1979–90) managed the economy well; they presided over declining living standards. All authoritarian regimes repressed public liberties and persons; some committed acts of appalling cruelty. The demand for coups was also reduced thanks to the evident strength of parties of the Right; many business elites no longer rely on military coups to advance their objectives because they have direct influence under civilian rule. For example, Center–Right and right-wing parties, alone or in coalition, consistently won the much freer elections held in Brazil since the transition from military rule in 1985, and in El Salvador, Guatemala, and Nicaragua since the end of their respective civil wars in 1992 and 1996, respectively.<sup>8</sup> The end of Fujimori’s regime also supports this argument. Despite political uncertainty and a power vacuum, there was no “demand” in Peru for a military coup as the Fujimori regime unraveled in late 2000; thus the attempted coups fizzled.

Yet the worldwide regularity of the decline in the frequency of coups suggests that international factors constitute a third explanation. The end of the Cold War deprived would-be coup-makers of anti-communist “national security” rationales and U.S. support for possible coups. The United States became much more likely to support democratic governments. The European Union also took an interest in the consolidation of constitutional government in Eastern Europe. Argentina, Brazil, and the United States helped to prevent the success of coup attempts in Paraguay. The OAS, with support from the United States and most members, has helped to thwart some military coup attempts since the adoption of new policies (the Santiago Declaration 1080) in 1991. In general, efforts by various governments, groups of governments, and NGOs strengthened the worldwide efficacy of international democratic norms, with salutary effects in Latin America as well.

The level of military influence over politics, the second pattern to be explained, is unrelated to the factors just cited, however. Two elements cited for the trends toward fewer coups (demand reduction and international factors) have converging and uniform effects across countries. They explain the absence of variation: there are virtually no coups against constitutional governments. But as a consequence, they cannot explain the differences and variation in the level of military influence.

Nor do supply-side factors—the relative degree of military professionalism—explain the relative clout of the armed forces in a country’s democratic politics (see Table 15.1). The armed forces of Argentina, Brazil, and Chile are among the most professional in Latin America; their levels of professionalism are fairly similar. In all three countries, the trend has been in the direction of greater civilian control over the military, but there is still

Table 15.1. Military Professionalism and Political Influence in the 1990s

Extent of	Extent of Military Professionalism		
		High	Low
Military	High	Chile	Peru
Political	Medium	Brazil	Colombia
Influence	Low	Argentina	Mexico

wide variation in the extent of military prerogatives.<sup>9</sup> The military prerogatives of the Chilean armed forces are very high, of the Brazilian armed forces medium, and of the Argentine military low. Lower and fairly similar levels of military professionalism prevail in Colombia, Mexico, and Peru, where the armed forces have been dragged into counternarcotics operations and become vulnerable to corruption. Yet military prerogatives have been very high in Peru, medium in Colombia, and much lower in Mexico.<sup>10</sup> Military professionalism and military influence seem unrelated to each other.

Diamint insists correctly that the key to explaining the level of military influence is the relative degree to which military subordination to civilian authority is institutionalized. In some countries, civilian politicians have failed to expend their political capital to institutionalize civilian control in part because they seem satisfied so long as the military does not threaten a coup and in part because they believe they have more pressing governing priorities. The varying effective civilian demand for military subordination explains varying levels of military influence. Where civilian authorities have demanded military subordination and have had the power to enforce it (Argentina, Mexico), they have succeeded.

In sum, the military has not toppled constitutional governments as it once did. The frequency of coup attempts declined despite new economic crises that might have triggered coups in the past. But it remains an arduous task to ensure that constitutional government will endure effectively, not just nominally, and that requires more capable, institutionalized civilian control over the armed forces than all but a few Latin American governments have accomplished. Civilian control requires systematic, recurrent steps from civilian authorities to implant civilian supremacy over the armed forces, and equally systematic, recurrent steps of due obedience from military officers to civilian constitutional officials.<sup>11</sup> Deepening constitutional government necessarily requires time and its effective use for these purposes. Yet most Latin American governments have failed to institute processes to strengthen civilian control even a decade or two after transiting from dictatorship. The level of civilian control, in short, remains weak, but the trends toward fewer coups are positive.

### Responsible and Reliable Parties and Politicians

Parties matter for democratic politics. They are the most effective instruments for articulating and aggregating societal demands, setting priorities among them, and taking steps to respond to some of those demands. Parties are essential to the organization of parliamentary life in both support and opposition to the executive branch. Bargaining between political parties serves to reduce the intensity of acute conflicts and may create non-partisan political spaces to permit "neutral" institutions, such as the courts, to function more effectively.

Nearly a half-century ago, Anthony Downs identified two traits that all democratic political parties in any country require in order to succeed in winning elections. Arguably, political parties should also have these qualities to foster the consolidation of democracy. "A party is reliable," Downs argued, "if its policy statements at the beginning of an election period—including those in its preelection campaign—can be used to make accurate predictions of its behavior." In addition, a "party is responsible if its policies in one period are consistent with its actions (or statements) in the preceding period, i.e., if it does not repudiate its former views in formulating its new program."<sup>12</sup> By these standards, many Latin American politicians and parties were unreliable and irresponsible in the late 1980s and early 1990s. By the later 1990s, in contrast, winning presidential candidates in most Latin American countries were less likely to announce policies that flatly contradicted campaign promises, and consecutive parties of the same administration were generally likely to pursue similar policies.<sup>13</sup> Voters came to rely on a party's and a politician's reputation to obtain important information to vote.

As Susan Stokes has ably shown, in the late 1980s and early 1990s there was a shockingly wide gap between a presidential candidate's campaign promises and his policy choices as president.<sup>14</sup> There are, to be sure, always gaps between campaign promises and subsequent policy implementation. Stokes rightly calls attention to dramatic departures not just from the details of policies but also from the entire general orientation promised for a new government. Parties were not reliable, Downs would have concluded. The economic policies promised by Carlos Andrés Pérez in Venezuela in 1988, Carlos Menem in Argentina in 1989, or Alberto Fujimori in Peru in 1990 during their respective campaigns for the presidency bore little relationship to the market-reliant neoliberal policies that they implemented once in office. The policy reputations of Pérez's party, AD, and Menem's party, the Justicialistas (Peronists), were closely associated with strong state intervention in the economy and import-substitution industrialization, not with trade liberalization, deregulation, privatization, and monetary stability that the respective Pérez and Menem administrations carried out. Similarly,

the winning candidates for the presidency of Ecuador in both the 1988 and 1992 elections promised a strong role for the state in the economy, but followed instead much more market-reliant policies.<sup>15</sup>

The region-wide embrace of more market-conforming policies was also evident in ruling parties that retained the presidency from one term to another but dramatically changed economic policies and shocked their voters. For example, Venezuela's AD government under President Jaime Lusinchi (1984–89) followed the party's traditional statist economic policies. Voters who supported AD's candidate Carlos Andrés Pérez in the 1988 presidential election were surprised that Pérez, one of the pillars of past AD economic policies, returned to the presidency as a born-again freer-market advocate. Mexico's PRI was the decades-long architect of import-substitution industrialization and state intervention in the economy—until 1982. The PRI administration of Miguel de la Madrid (1982–88) turned toward greater reliance on markets. These parties were irresponsible in Downsian terms.

In the late 1990s, this behavior became less common. The change of trend was evident already in the early 1990s according to Stokes' evidence. Seven of fifteen presidential elections held between 1988 and 1991 in fifteen Latin American countries featured a switch from the general programmatic orientation promised during the campaign to another quite different orientation actually implemented once in office. Between 1992 and 1995, however, only three out of fourteen presidential elections featured such a dramatic change.<sup>16</sup> Employing Stokes' criteria for the same fifteen countries for the period (1996–2000) subsequent to her study, none of the fifteen presidential elections was followed by such a drastic change from campaign promises to implementation (see Table 15.2). Party responsibility increased.

Latin America ended the twentieth century, therefore, with more responsible and reliable political parties. In Argentina, Menem (1989–95, 1995–99) ran for reelection on his record in 1995 and persevered in similar policies during his second term. In Brazil, Cardoso (1994–98, 1998–2002) ran first on his record as finance minister in 1994 and then for reelection on his record as president in 1998. Cardoso followed through on his campaign promises after his first election and on his policies after his reelection, as Bolívar Lamounier notes in his chapter. In Peru, Fujimori (1990–95, 1995–2000) ran for reelection in 1995 on his record, as Degregori shows, and again in 2000 and persisted in similar economic policies during his second term.<sup>17</sup>

Economic policies came to persist between ruling administrations of the same party, or the same coalition of parties, but under a different president, signaling Downsian party responsibility. In Mexico, the economic policies of the PRI administration of President Ernesto Zedillo (1994–2000) continued those of his PRI predecessor, Carlos Salinas de Gortari (1988–94). In El Salvador, the economic policies of three consecutive presidents from the Na-

Table 15.2. Increasing Reliability of Political Parties in the 1990s

Do parties implement campaign promises once in office?			
	Yes	No	Total
1988–91	8	7	15
1992–95	11	3	14
1996–2000	15	0	15

tionalist Republican Alliance (ARENA) party were consistent, namely, those of Alfredo Cristiani (1989–94), Armando Calderón Sol (1994–99), and Francisco Flores (1999–2004). In Colombia, César Gaviria (1990–94) in 1990 announced during his campaign that he would deepen policies begun during his Liberal Party predecessor, Virgilio Barco (1986–90), specifically proposing a wider market opening as well as constitutional reform.<sup>18</sup> In Chile, the economic policies of the three administrations of the Concertación Democrática coalition—Christian Democrats Patricio Aylwin (1990–94) and Eduardo Frei R. (1994–2000) and Socialist Ricardo Lagos (2000–2006)—built upon each other.

Voters still complain that politicians do not live up to everything they promised. Running for office differs from governing. What stopped happening by the mid-1990s was a shocking wholesale betrayal of the entire general orientation of a campaign program. The gaps between promises and performance in contemporary Latin America are no longer wider than in the long-democratic North Atlantic democracies.

Opposition presidential candidates also became more reliable and responsible in Downsian terms when they won the presidency. In Argentina, Fernando de la Rúa (1999–2001) announced economic policies that he went on to implement once elected. In Mexico, Vicente Fox ran for the presidency successfully in 2000 campaigning on, rather than repudiating, his past as a Coca-Cola executive. Arnaldo Alemán was elected president of Nicaragua in 1996 openly on a pro-market platform, which he went on to attempt to implement. In Peru, Alejandro Toledo accepted the market economy as the framework for the policies he hoped to implement, if elected president. He lost to Alberto Fujimori in 2000 in elections broadly perceived as unfair but won the presidency in June 2001 on a similar platform.

Increased responsibility and reliability is not the exclusive property of proponents of a market economy. Hugo Chávez was elected president of Venezuela in 1998 promising to enact his cherished Bolivarian revolution, overhauling the entire political system, and emphasizing a number of statist economic policies. He delivered once elected, as Coppedge makes clear in his chapter. There was comparable transparency in economic-policy re-

sponsibility and reliability on the political Left among such unsuccessful presidential candidates as Cuauhtémoc Cárdenas in Mexico (1988, 1994, 2000 elections), Daniel Ortega in Nicaragua (1990, 1996, 2001 elections), and Luiz Inácio da Silva (Lula) in Brazil (1989, 1994, 1998 elections). Each of these three candidates became perceptibly market-friendlier, however, in time for the most recent presidential election.

#### *Explaining Increased Party Reliability and Responsibility*

In the late 1980s and early 1990s, “unreliable” and “irresponsible” presidents felt, as Javier Corrales has noted, that they had no other choice: betray their campaign promises and the records of their parties in order to enact policies that they deemed essential but for which there was little popular support, or watch the country plunge into an economic abyss. Politicians also thought they had to shock the system to gain the confidence of skeptics. Presidents subsequently had to work hard to transform their initial laborite/populist bases of support into new coalitions to back and sustain economic reforms. Latin America’s economic performance in the 1990s was not stellar; politicians and parties had to build support for the new policies. In the 1990s, these new reformist coalitions explain the return of the same party to the presidency for at least two consecutive terms in Argentina, Brazil, Chile, Colombia, El Salvador, and Mexico.

Certainly, two of the more dramatic campaign “liars,” Menem and Fujimori, faced a catastrophic economic situation upon taking office at their first inaugurations in 1990. Latin America had suffered a region-wide economic depression in the 1980s, triggering these spectacular instances of trust breaking between politicians and citizens. Latin America’s economic situation stabilized, for the most part, in the early to mid-1990s. Despite numerous problems in economic performance in the 1990s, the economies of most countries grew, enabling politicians and parties in office to become more reliable and responsible, as Downs would have predicted. Moreover, the choices among economic policy frameworks became clearer. Market-oriented economic policies polarized party politicians and, to a lesser extent, the electorate. Government and opposition politicians demarcated lines of policy cleavage and explained them to the voters, thereby enhancing reliability and responsibility.

Some might object that Cardoso, Menem, and Fujimori were just dominant individuals; their parties had little to do with the outcomes generated by their administrations. That is true with regard to Fujimori who, as Degregori shows, destroyed existing parties and built none of his own. But in Argentina and Brazil, the comprehensive economic policy changes were enacted through acts of Congress in democratic contexts. In Brazil, unlike in Peru, the



legislative votes were not in the president's pocket. No Latin American president had to work as hard as Cardoso to sustain his congressional majorities. Cardoso required super-majorities to enact constitutional amendments that permitted the implementation of his economic program. In Argentina, the Justicialistas put aside their fatal attraction for the state and voted, beginning in 1991, for the Convertibility Law, one after another privatization, and similar market-promoting policies. In 1999, with Menem no longer a candidate, the Justicialista presidential candidate, Eduardo Duhalde, retained a market-conforming economic platform. Under Radical Civic Union President De la Rúa, faced with a dangerous decline in the economy in 2000–2001 that in decades past might have triggered a military coup, Justicialista members of Congress voted time and again for market-conforming economic policies proposed by the government, despite their new role in the opposition. In 2002, the two main parties in Congress provided essential support for Eduardo Duhalde, who was elected president by Congress in January 2002 (de la Rúa had resigned). Argentina began the twenty-first century with severe troubles, but Downsian party irresponsibility was no longer one of them.

In some countries, constitutional amendments that permit the president's immediate reelection contributed to partisan and candidate responsibility and reliability. Carlos Menem and Alberto Fujimori lied once but could not lie twice. When they ran for reelection, they had to run on their records in office. Fernando Henrique Cardoso ran also for immediate reelection but, in this case, this was his second successful presidential campaign on a similar broad program of government.

The analytic and normative importance of parties for effective democratic governance is poignantly demonstrated in Steven Levitsky's chapter on Argentina. From the late 1920s to the late 1980s, Argentina had been the hemisphere's best example of sustained bad governance. Neither liberty, nor equality, nor prosperity was well served by its dictators or its democrats. Yet in the 1990s, Argentina reconstructed a democratic political system, strengthened protections of civil rights, permitted the growth of powerful independent media, and hosted a newly vibrant civil society, thanks to a large extent to the transformation of its two large and long-lived parties. Argentine parties moved toward the political Center, where the largest number of votes was to be found. Argentine parties rediscovered the utility of democratic institutions to save themselves and, in so doing, to provide for better public goods.

The main Argentine parties adopted three compatible fundamental policy frameworks in issue areas that had long divided the nation. One was a market-oriented economic policy framework even though, for the 1999 elections, the contenders swung slightly to the Left, promising more social programs. Parties continued to differ over specific economic policies but did not seek to re-create the entire economic system upon each accession to presi-

dential power. These decisions had vast consequences for political life, the economy, and the labor union movement (chapters by Levitsky, Corrales, and Murillo). The second was consensus on the significance of civilian supremacy over the armed forces, a process that built upon gains begun during the presidency of Raúl Alfonsín. The third was agreement on the basic outlines of Argentina's foreign policy, including dramatically improved relations with Brazil, Chile, and the United States. Argentina's foreign policy came to emphasize cooperative security with its neighbors and international institutions, commitments to regional integration (especially in the southern common market, MERCOSUR), and collaboration with the United States over many global issues. These three shared policy frameworks made it easier for the political system, not just for individual parties, to become more reliable and responsible. These three frameworks endured despite Argentina's economic crisis in 2002.

In short, many Latin American politicians and political parties became more responsible and reliable in the sense defined by Downs. The trend was positive. They acted in this way to compete effectively in elections but, in so behaving, they improved the quality and scope of democratic politics.

### *The Partisan Democratic Deficit*

The story of political parties in Latin America is, however, less cheerful than the preceding section would imply. Along the seismic Andean mountain chain (Bolivia excepted), political earthquakes brought down the party systems. Parties can be neither responsible nor reliable in most Andean countries because they barely exist. The partisan democratic deficit has long been severe also in Brazil. Candidates for office seek electoral labels that prove ephemeral, are committed to no discernible program, and are incapable of enforcing party cohesion or discipline in the legislature. Internal party life is weak. The level of contribution of parties to democracy remains poor.

Venezuela and Peru ended the twentieth century with much weakened party systems, as Coppedge and Degregori show in their respective chapters and their broader work. Venezuela's historically powerful parties, AD and COPEI, long held more than four-fifths of the seats in Congress. Their influence declined dramatically in the early 1990s, giving rise to an amalgam of supporters for the wildly popular but weakly institutionalized political forces backing President Chávez and amorphous opposition political groupings. At the end of the 1990s, AD held only about a sixth of the seats in the National Assembly and COPEI held a much smaller fraction. During the 1990s, President Fujimori systematically undermined even the embryonic political parties he had established as vehicles to gather electoral support. Peru's APRA

party was one of Latin America's strongest and best institutionalized from the 1920s to the 1980s, but the disastrous administration of APRA President Alan García (1985–90) gravely weakened the party. APRA recovered only after Fujimori's demise when Alan García, again its presidential candidate in the 2001 elections, won a quarter of the votes in the first-round elections and APRA won 28 of 120 parliamentary seats.

In Colombia, as Cepeda observes with distress, the Liberal and Conservative parties weakened and fragmented during the second half of the 1990s. Early in the new century, these parties risk a fate similar to what befell their neighbors in Venezuela and Peru. The Colombian Conservative Party found it difficult to win office even in former bastions of political support. The fragmentation of the Liberal Party proceeded far beyond its past experiences. Non-party politicians won important subnational posts, such as the mayoralty of Bogotá, the capital city. And in 2002, non-party candidate Álvaro Uribe (a former liberal legislator and governor) won the presidency.

Brazil and Ecuador have long shared a dubious honor in terms of the partisan democratic deficit. On average, in the 1980s and 1990s approximately one-third of the members of Congress elected for any given term switched political parties by the end of the term. Although at any given moment the legislators of these parties are capable of united behavior, their propensity to partisan defection over time greatly complicates the task of governing, as Lamounier notes.<sup>19</sup> There are many parties in each country; some last just for a few years, and then disintegrate and recombine into new parties.

Some Brazilian political parties are internally cohesive, however. In general, the closer to the ideological Left, the greater the extent of party discipline; among large Brazilian parties, the most cohesive is the left-wing PT. Even among other Brazilian parties, there is a generally consistent policy orientation present even among politicians who shift allegiances among weakly disciplined parties.<sup>20</sup> Party switching occurs mainly within "ideological families" so that there is substantial ideological-bloc legislative cohesion. Thus even a number of Brazilian party switchers in Congress may themselves be reliable and responsible in policy terms, although their non-policy political behavior makes the task of governing more difficult. Indeed, the overall level of party discipline displayed by members of the Brazilian Congress increased somewhat in the 1990s because parties of the Left were better represented in Congress and these parties were the most disciplined and also because in the second half of the 1990s the Center and Right parties in President Fernando Henrique Cardoso's coalition behaved with greater party discipline.

The partisan democratic deficit is also not of recent vintage. Venezuela's AD and COPEI parties, and Peru's APRA party, collapsed in the early to mid-1990s although, as noted, AD retained about a sixth of the seats of the National Assembly elected in late 1999 and APRA staged a comeback in the

2001 national elections. The conditions of indiscipline in political parties in Brazil and Ecuador were present well before the 1990s; they were not caused by the democratic transitions of the late 1970s and 1980s or by the economic reforms their governments attempted during the 1990s.

More generally, parties tended to become stronger in some countries of "late" transition to democracy especially in Central America. Nicaragua ended the 1990s with a stronger set of parties than at the decade's beginning (the Liberals and the Sandinistas);<sup>21</sup> so did El Salvador, around the ruling ARENA party and the civilian reconstitution of the former guerrillas of the Farabundo Martí National Liberation Front (FMLN). As Denise Dresser argues in her chapter, the consolidation of Mexico's three-party system in the 1990s is one of the keys to its transition to democracy. The PRI learned that it had to appeal to voters, not just lord it over them. The National Action Party reached out to a much more heterogeneous electorate. And the Party of the Democratic Revolution learned the importance of uniting the various forces and factions on the political Left. In these ways, Mexican parties strengthened themselves, the party system, and their capacity to represent more effectively the interests and values of Mexican voters. These trends toward stronger parties, and their persistence in countries where parties had long been strong such as Argentina, Chile, Uruguay, Bolivia, Costa Rica, and the Dominican Republic, bode well for democratic politics.

### *Explaining the Partisan Democratic Deficit*

Why, then, did Colombia's ancient and time-tested two-party system disintegrate in the late 1990s? In the first edition of this book, Domínguez and Giraldo offered explanations for the breakdown of AD, COPEI, and APRA in the early 1990s that also help to explain the breakdown of the Colombian party system in the late 1990s. They argued that AD and APRA suffered from retrospective voting, that is, voters assessed their performance in government and pronounced it dismal. Cepeda's chapter provides a trenchant analysis of Colombian politics, pertinent to this analytic point. Colombia had been the best long-term economic performer in Latin America during the second half of the twentieth century. In the second half of the 1990s, its economy plunged. Retrospective economic voting punished the Colombian Liberal Party government of Ernesto Samper (1994–98) and the Conservative Party government of Andrés Pastrana (1998–2002). Just as important, accusations of corruption swirled about the Samper administration, discrediting Liberal Party officials and contributing to Andrés Pastrana's victory heading an opposition coalition built around the Conservative Party. Moreover, levels of violence escalated significantly during the second half of the 1990s, weakening allegiance to governing politicians from the two tradi-

tional parties: it seemed as if they could no longer govern the country effectively.

Domínguez and Giraldo had pointed to a second factor, drawing from Coppedge's earlier work: the persistence of a preexisting party establishment that embodies a duopoly of power and employs the electoral laws to sustain its grip on public office, defying shifts in popular preferences. Colombia had long been the principal example of coalescent behavior between its two leading political parties—no Latin American country had ever featured such a stable duopoly. Alone, this factor had never in the past unraveled Colombian politics. Combined with hard times in terms of economics, corruption, and violence, this factor weakened AD and COPEI in Venezuela in the first half of the 1990s and the Liberals and Conservatives in Colombia in the second half. Partyarchical trends also hurt Costa Rica's party system, where collaboration between the two largest parties over economic policy increased during the second half of the 1990s. In the 2002 elections, the two largest parties won only 63 percent of all legislative seats compared to 88 percent in 1998.

At the start of the twenty-first century, the partisan democratic deficit remains severe, and arguably worse in Colombia. Countries that witnessed the collapse of long-powerful parties (Peru and Venezuela) in the early 1990s were slow to build up new successful parties. On the other hand, despite many problems that persist, in the late 1990s parties became stronger in Brazil, Mexico, Nicaragua, and El Salvador. Parties remained strong in Argentina, Bolivia, Chile, Costa Rica, and the Dominican Republic (party life changed little in Guatemala, Ecuador, and Paraguay). The partisan democratic deficit marked especially the Andean region, where it weakened the capacity of institutions to represent and serve the interests of the governed and elicit their consent.

### Societal Transformations

Democratic politics requires effective constitutional government, with due obedience from the military to civilian authorities, based on free elections in which parties compete for public office. Democratic politics requires as well the free and effective exercise of citizen rights. In order to deepen democratic politics, workers should have rights to help shape the conditions in which they work. This is why democratic politics is impossible without labor unions (although the mere presence of unions is an insufficient guarantee of democratic politics). Citizen rights imply, of course, that women as well as men are equal before the law and can actively seek and hold public office and advance general as well as gender-specific interests. Most Latin American countries are undergoing extraordinary changes with regard to the roles of workers and women.

### *The Political Role of Labor Unions*

Labor unions in Latin American countries, as elsewhere in the world, have played key roles in political democratization. Unions contributed to the widening of the right to suffrage, promoted effective rights to political, economic, and social participation, and demanded policies on behalf of the interests of most citizens. They also benefited from political democratization that permitted unions to carry out their tasks. By the mid-twentieth century, as Victoria Murillo indicates, Latin American labor unions had developed a preference for government regulations and state intervention in industrial relations to advance their social and political interests, and for import-substitution industrialization as a means to defend the economic conditions of their members. Many labor unions were not internally democratic. The spread of harsh dictatorships from the mid-1960s to the late 1970s, and the subsequent collapse of the import substitution model and the opening of economies, battered organized labor power. Governments were hostile to labor; real wages dropped. Unemployment and underemployment rose everywhere in the region while union membership fell in most countries.

To explain the response of labor unions, Murillo calls attention to political alignment as it relates to the extent of interpartisan competition in the labor movement and the extent of interunion competition. Interpartisan competition weakened the incentives for labor union leaders to cooperate with their partisan allies for fear of being outflanked by a partisan adversary within the labor movement. Thus labor unions allied to Venezuela's AD Party often opposed the policies of the AD government of Carlos Andrés Pérez in order not to be outflanked by Causa R or other parties that competed for labor support. Interunion competition, in contrast, weakens unions in their relationship with any given political party or the government because officials from these organizations play off one union against the other. Thus Mexico's PRI found it easier than other Latin American parties to manage the divided labor movement despite government policies that weakened labor union power in the 1990s.

Murillo analyzes new labor union strategies to cope with the new configurations of politics and with more open market economies. The first strategy—the attempt to form new political and social alliances—has not been very successful, although these alliances are discussed often. The Brazilian PT is the only example of the creation late in the twentieth century of an alliance between a party and labor unions, but it was forged as far back as the late 1970s. A second union strategy is the search for organizational autonomy. That has long been a strategy in Brazil and it has become more important in Argentina and Mexico. The third strategy is less common for nation-

wide union federations but increasingly common for certain sectoral labor union federations, namely, industrial participation linked to new commitments to enhance productivity and the competitiveness of firms in open economies.

In sum, societal transformations have been generally adverse to labor unions. Whether the setbacks for the labor movement are also setbacks for democratic politics varies more. For example, the highly authoritarian labor union structure in Mexico had long been an impediment to democracy in the political system and in society, as Dresser notes; the breakdown of that structure is a step toward democratization. The Chilean labor movement, in contrast, had been badly battered by the Pinochet dictatorship. The reconstruction of Chile's democratization requires a greater capacity for labor unions to represent the interests of their workers. Agüero shows that President Ricardo Lagos' government took various steps to strengthen labor rights. The choice of labor union strategy, in turn, will help shape an important aspect of each country's political economy. Will labor unions oppose open economies, or will they operate within the context of the new market-oriented economic policies?<sup>22</sup>

### *Gender and Politics*

The trends in women's roles in politics are clearer and generally positive thanks to converging social, economic, and political trends over time. As Mala Htun argues in her chapter, democracy expanded women's opportunities to participate in politics as elected officeholders, through their actions in social movements and interest group organizations and as voters. By the end of the 1990s, at least fifteen governments had enacted initiatives to counter domestic violence. Nearly all had eliminated some effects of discrimination based on gender, especially with regard to matrimonial property and parental rights. During the last three decades of the twentieth century, women's share of national legislatures, Htun finds, grew from one-twentieth to one-seventh. In countries as varied as El Salvador, Chile, Costa Rica, and Colombia, women made up a quarter of the members of the cabinet as the twentieth century ended. Mireya Moscoso had become president of Panama and women were credible presidential candidates in several other countries. Women mayors governed Mexico City and São Paulo in the late 1990s. Women's groups and women participants in various social movements had also become part of the landscape of civil society of all Latin American countries.

These changes were caused in part by democratic politics—few dictatorships have national legislatures, for example—but broader social changes, Htun argues, also account for these outcomes. The life expectancy of women

in Latin America lengthened by eighteen years during the second half of the twentieth century; women's participation in the labor force widened by a dozen percentage points. Women's fertility was cut in half, to just three children per woman in 1995. Women were better educated, healthier, and more economically independent and, therefore, could perform more effective roles in politics.

It may thus be surprising that laws and policies governing women's reproductive health changed so slowly in the region, and hardly at all with regard to abortion (for the most part, a tribute to the Roman Catholic Church's continuing clout) despite various political battles over it during the closing third of the twentieth century. Countries with very liberal abortion laws, such as Cuba, and countries with absolute bans on abortion, such as Chile, made no legal changes at all despite other changes in their social and political contexts. It is also somewhat surprising that women in such countries as Brazil, Chile, and Mexico, as Htun demonstrates, are consistently somewhat less likely to vote for Left than for Right presidential candidates. In Chile's presidential election in 2000, for example, Joaquín Lavín, the candidate of the right-wing parties, defeated Ricardo Lagos, the candidate of the Center-Left Concertación Democrática coalition, among women voters in both the first and the second rounds; Lagos won thanks to a solid majority among male voters.<sup>23</sup> These gender differences in voting behavior have narrowed over time, and may narrow even farther as women gain in education and labor force participation.

The circumstances of labor unions and women changed considerably in the closing quarter of the twentieth century. Changes in the labor market affected both kinds of persons, and especially women workers. Trends with regard to women as citizens were generally positive, widening effective social, civic, and political rights, even though the level of women's participation in politics remains modest in most countries. Trends with regard to labor unions were more troubling. The capacity of unions to defend collective rights, never strong, weakened by century's end. Only a few labor unions had been able to cope with the fury of social, economic, and political transformations swirling all around them.<sup>24</sup>

### *Assessing Institutional Reforms*

In the 1980s and 1990s, among many Latin American politicians reforming the constitution became almost as popular as playing soccer. Each of the seven countries analyzed in this book reformed the constitution at some point during those years, with mixed results. Institutional reform-mongering was often a symptom of the broad dissatisfaction with governance. Politicians believed that the fundamental rules had to be changed in order

to cope with deep and widespread crises during the last quarter of the twentieth century.<sup>25</sup>

Key amendments enacted to the constitutions of Chile and Mexico during these years, and to Brazil's in the 1990s, sought to strengthen property rights and the constitutional context for market-friendly policies; this was also the thrust of many institutional reforms enacted through law. Constitutional reforms in Argentina, Peru, Colombia, and Venezuela were not principally focused on economic themes. However, Argentina and Peru, and to some extent Colombia, instituted by law far-reaching institutional changes already permitted by their constitutions, to the same effect. Only in Venezuela in the 1990s did constitutional reform represent a setback for market-conforming policies. The pro-property rights changes in all but one of these countries should be seen as part of the broad international movement in the same direction, backed as well by the U.S. government and the international financial institutions. The general shift in macroeconomic policy orientation explains the timing of the adoption and the content of these new rules.

Consider some examples. In Chile, constitutional reforms such as securing the independence of the central bank were part of the bargain to permit the transition to democracy. The Brazilian Constituent Assembly of 1988 produced a gigantic text that sought to prescribe so much of social and economic life that hardly a year would pass in the decade that followed when Congress did not attempt to amend it. Brazil's democratically elected government in the mid- and late 1990s succeeded in enacting market-opening constitutional and other institutional changes. In Mexico, similar changes took place in a democratizing political context. The Mexican constitution of 1917, heir to one of the hemisphere's most intense social revolutions, has been amended at various times. In the late 1980s and early 1990s, however, there was a systematic pattern to the many amendments adopted: to eliminate its statist economic norms. Corrales' chapter explains the politics of the arduous road to the market.

In the 1990s, constitutional amendments in Argentina, Brazil, Peru, and Venezuela were principally motivated by the incumbent president's wish to remove the formal prohibition against immediate reelection. In Peru and in Venezuela, as Degregori and Coppedge note in their chapters, many other changes were enacted to strengthen disproportionately the powers of Presidents Alberto Fujimori and Hugo Chávez, weakening the democratic credentials and practices of both political systems. In no country did constitutional reforms strengthen the capacity of legislative institutions to represent more effectively the consent of the governed, but during this decade only in Peru and Venezuela was there an evident authoritarian design in the motivations and processes for revising the constitution.

John Carey's chapter analyzes the effects and utility of various significant

institutional changes. Some of these were parts of more encompassing constitutional reforms; others were adopted by law, or within party organizations. Carey's empirical analysis finds that the following institutional changes generally fostered or deepened democratic governance when they were implemented in Latin America:

1. The adoption of primary elections to choose presidential candidates, as in Argentina, Chile, the Dominican Republic, Mexico, and Uruguay (presidential primary elections in Venezuela in the past had also provided for a measure of democratic competition within the major parties),<sup>26</sup> fosters both competition and partisan commitment.
2. The spread of technology makes it easier to conduct legislative business in public, to disseminate reports and other information, and to record legislative votes with full transparency, avoiding the veil of anonymity that often in the past obscured legislative behavior from citizen scrutiny.
3. Aggregate budget ceiling procedures maximize legislative discretion over the distribution of funds across government programs while retaining a general incentive for budget restraint, thereby fostering both constitutional government and fiscal prudence.

Carey also finds that several well-publicized institutional changes had virtually no significant effects:

1. The creation of first ministers and of limited requirements for parliamentary confidence in cabinets has had negligible effects, as in Argentina, Peru, or Venezuela.
2. The shift toward unicameralism has had very few consequences, as in Peru or Venezuela.<sup>27</sup>
3. The budget item veto has no measurable effect on deficits.

Finally, Carey identifies some bad ideas that persist in many constitutions:

1. Term limits reduce the learning time horizon as well as the efficacy of presidents and legislators; they impede the exercise of the power of democratic majorities.
2. Prohibiting immediate presidential reelection but permitting it subsequently gives incentives to internal party fratricide between the outgoing president and his former allies, who suddenly become potential challengers for renomination.
3. Majority runoff presidential elections enhance the unpredictability of presidential elections and encourage divided government.<sup>28</sup>

This analysis highlights the complexity of constitutional revision and the need to examine the variation among institutions in democratic contexts, to distinguish between the worth of specific institutional changes and their abuse by prospective authoritarians, and to identify the structural conditions that permit presidents to abuse their powers. Presidential reelection has gotten a bad name among democrats because of examples of abuse and tampering with electoral procedures, such as Alberto Fujimori's in Peru, and the fear of similar abuses in the future by Hugo Chávez. But Fernando Henrique Cardoso won reelection in Brazil in clean and fair elections, deepening democratic governance and continuing a program of macroeconomic policy reform. The democratic worth of immediate reelection, therefore, is highly variable and uncertain.

### *Comprehensive versus Incremental Constitutional Reform-mongering*

From the perspective of democratic government, the comprehensive constitutional revisions carried out in Colombia in the early 1990s and in Venezuela in the late 1990s illustrate the perils with such exercises: they weakened constitutional democracy or governability. The Venezuelan case, ably described in Coppedge's chapter, exemplifies the concentration of political power in the hands of President Hugo Chávez. From his first election in December 1998, President Chávez and his allies worked to disempower constitutional organs that were not yet under their control, such as the Congress and the Supreme Court. They undercut support for the Roman Catholic Church and fought the organized labor movement. Contrary to Venezuela's political tradition since the end of dictatorship in 1958, President Chávez appointed many military officers to his cabinet and entrusted important civilian tasks to the armed forces. The old Venezuelan constitution had created a powerful presidency; the new one retained those powers. The main difference was the collapse of organized party opposition that could counter the president's power. The key effect of the new constitution was evident through a political process: the dissolution of the preexisting constitutional institutions, through the mechanism of approving a new constitution, enabled Chávez and his allies to purge all branches of government of officials whom they disliked. Venezuela remained a democratic political system as the twentieth century ended, but the prospects for its survival had not been so weak since the late 1950s.

The comprehensive revision to Colombia's constitution, approved in 1991, and associated enabling laws illustrates different problems. As Cepeda argues in his chapter, governability was weakened by constitutional reforms that intensified the preexisting pattern of personalist politics. The parties have no control over the use of the party label. The national party cannot

prevent a party "list" with just one person, who runs based on a personal electoral machine, from appearing on the ballot competing with the party's main multicandidate list. In the new Senate, all members are elected from the same single national district, intensifying incentives for cultivating a personalist vote in competition with all other candidates from allegedly the same party. The insertion of second-round electoral procedures made it easier to fragment the nominally larger Liberal Party and facilitated Conservative Andrés Pastrana's victory in the second round in 1998 as head of a broad coalition (having lost the first round). Not all of the ills of party fragmentation were invented by the 1991 reform, to be sure. Colombia's National Front experiment (1958–74) mandated coalition government between Liberals and Conservatives. The political habits of perpetually coalescent parties severely weakened party cohesion and discipline. As Cepeda comments, since 1945 Colombia was governed by just one of the two big political parties only once and then very briefly, during Virgilio Barco's presidency (1986–90). The 1991 constitution contributed to the worsening of the preexisting level of party fragmentation. The constitutional reform could be made to work in Colombia's political context only through more frequent recourse to clientelist practices, one of the evils that the reform of 1991 had sought to curtail.

The counterproductive effects of the 1991 Colombian constitutional reform are evident in other ways. The constitution mandated fiscal transfers to subnational governments equal to nearly half of the ordinary revenues in the national budget, without providing equally for institutional support for the effective use of those resources at the subnational level. Colombia found it more difficult to manage its budgets also because the new constitution created new institutions with considerable autonomy such as the office of the general prosecutor, various regulatory commissions, and the constitutional court. Decentralization with weak means for accountability to constituents and toward national institutions impairs governability.

A principal explanation for outcomes that weakened Colombia's governability was the composition of the 1991 constituent assembly. Its members included representatives from the former guerrilla movement, the M-19, in addition to members of the already deeply fractured Conservative and Liberal parties. The assembly protected the rights of factional politicians and the prospects for coalitions among factions as well as the rights of minority political forces. The assembly was also under intense mass media and public pressure to devolve effective authority to subnational governments or to autonomous decentralized entities at the national level. These multiple "pushes" to weaken central power succeeded, alas, on the eve of an intensification of political violence derived from guerrilla, drug-trafficker, and paramilitary activity. Colombia's capacity to govern itself weakened at the very moment when the prospects for its future became most dire.

In contrast, an example of effective reform was the Argentine constitutional revision of 1994. The 1993 Olivos Pact between the leadership of the country's two largest parties—specifically President Carlos Menem and former President Raúl Alfonsín—limited the scope of the reform. The subsequent constitutional convention met under party discipline and focused on this agreed upon agenda. As Levitsky notes in his chapter, many of these reforms improved the quality of Argentine democracy, such as the direct election of the president (abolishing the electoral college), senators (previously elected by provincial legislatures), and the mayor of the federal capital (previously appointed by the president). Other democratizing reforms included the creation of an ombudsman and a general auditor, both of whom would be selected by opposition parties, and the establishment of an independent Magistrates' Council to oversee the selection and disciplining of federal judges.

On balance, Latin America's experiences with systematic constitutional reform-mongering were not good. The adverse trends were especially distressing because the region did not begin with a good level of effective democratic governance. From the late 1980s to the late 1990s, the most far-reaching constitutional assemblies in Brazil, Colombia, Peru, and Venezuela produced new constitutions that either weakened liberal democracy (Peru, Venezuela) or governability (Brazil, Colombia). The construction of constitutional democracy was more likely through incremental reforms (Argentina, Mexico, or Brazil in the second half of the 1990s). The latter were fashioned by wizened members of Congress, conscious of ongoing political habits and limitations, and knowledgeable about practical issues of government. They were likely to behave under party or presidential discipline, and they were better focused on a key set of problems.

### *Legislatures and Courts*

In the 1990s, the cross-national variation in the performance of Latin America's national legislatures and Supreme Courts increased. At the start of the decade, these were weak institutions everywhere, often badly staffed, poorly funded, and inept at making effective decisions. Subsequently, the power of legislatures and Supreme Courts weakened markedly only in Peru and Venezuela, threatening the prospects for democratic governance, while it strengthened to varying degrees in the five other countries included in this book. Presidential initiative and the collapse of political parties explain Peru's and Venezuela's distinct experiences.

In general, party competition makes it more difficult for the presidency to impose its will on the other constitutional organs. Competition between parties and party discipline within parties helps create "political space" re-

quired for Parliaments to exercise their constitutional autonomy. Imperfect party discipline, on the other hand, lets individual parliamentarians retain a margin of autonomy from party leaders (although at the risk that they would use this independence for personal gain rather than in the public interest), but it thwarts the ability of congressional party leaders to mobilize party leverage against the executive.

Competition between parties is also the key explanation for Supreme Court independence. Supreme Courts are political institutions. They are likely to defer to the presidency when only one party is likely to win elections for the foreseeable future; the long-term subordination of the Mexican Supreme Court to the presidency is a noteworthy example. Supreme Courts follow public opinion polls and election returns; they begin to tip against long-dominant presidents and parties only when they anticipate the replacement of these politicians in office. In situations of high party competition, the Supreme Court can expect to find political support for its rulings in large and well-organized segments of society when it rules against the presidency. Competitive parties have an incentive to preserve the independence of the Supreme Court as a neutral arbiter.

El Salvador provides a good example of these Supreme Court patterns. All justices of the Supreme Court of El Salvador belonged to the same party as the president's until 1994. Its constitutional replacement in 1994 took place after the 1992 peace accords in circumstances of high partisan competition. The new Supreme Court drew justices from various parties, with greater professional experience than in the past. The new Court began to behave with greater independence from both the president and Parliament.<sup>29</sup>

Presidents Hugo Chávez and Alberto Fujimori weakened national legislatures, Supreme Courts, and political parties in Venezuela and Peru. Their methods differed; the results were comparable, as Coppedge and Degregori show. In both countries, old-line political parties crumbled; no new ones were born, other than personalist vehicles for Chávez and Fujimori. Chávez deployed his popularity through plebiscitary means to rid himself of a Congress where his opponents had held a majority and to intimidate the Supreme Court and gut its powers. He packed the new National Assembly and the new Supreme Court with his supporters. Fujimori led a coup against Congress and the Supreme Court in 1992. He, too, built political support through plebiscites, sponsoring constitutional reforms to his liking, in effect preventing the legislature from holding the executive accountable thereafter. When in 1996 the Constitutional Court dared to act independently (attempting to deny Fujimori the opportunity to run for president for the third consecutive time), the fujimorista majority in Congress sacked the offending justices. Fujimori's key political agent, Vladimiro Montesinos, co-opted and literally bought members of Congress elected on opposition lists to augment

the fujimorista base in Congress. In many instances, Montesinos filmed these transactions; the videotapes were eventually made public in late 2000 and in 2001. Such scandalous behavior was possible because, as already noted, Peru had no effective political parties in the 1990s. Chávez and Fujimori concentrated power in their own hands; party competition declined markedly. The autonomy of legislature and court from the executive consequently declined in both Venezuela and Peru. (The successor government to Fujimori's, led by interim President Valentín Paniagua, removed corrupt justices from office and greatly strengthened the judiciary's independence.)

The next most timid Parliaments and Supreme Courts were those in Argentina and Mexico. Levels of party discipline have been very high, thereby limiting the extent of parliamentarian autonomy from party leaders. The Argentine example, however, shows how party-led constitutional organs can construct greater independence from the presidency, and it may point to Mexico's future. The Argentine Congress played a modest role during the first two years of Carlos Menem's presidency, when the executive ruled through issuing presidential Necessity and Urgency Decrees (NUDs). After 1990, however, as Levitsky's chapter argues, the vast majority of Menem's economic reform proposals were channeled through Congress, including laws on monetary and exchange rate policy, social security reform, and the privatization of the gas and petroleum sectors. Congress forced the executive to withdraw and rethink its various proposals for labor law reform. The number of NUDs per year fell from sixty-eight to thirty-six from 1989–93 to 1994–98. Congress became more influential as Argentine politics became more competitive during the 1990s, culminating with the Justicialista Party defeat in 1999, while the new presidential coalition failed to win control of both chambers of Congress.<sup>30</sup>

The pattern is similar with regard to the Supreme Court. President Menem entertained the same thought as President Fujimori: to get the Supreme Court to interpret the constitution to permit a third consecutive presidential term. In Peru, Fujimori compelled the Court to cave in because organized partisan opposition was so weak; in Argentina, as Levitsky reminds us, the Supreme Court, taking note of Menem's weakness in public opinion polls, refused to comply with Menem's wishes and was broadly supported by political parties (including a wing of the Justicialistas). And, in 1999, no doubt anticipating a new presidency after the elections late that year, the Supreme Court declared unconstitutional a presidential decree extending the sales tax and, for the first time, limited presidential discretion in issuing decrees that have the force of law (NUDs). The Court's growing independence was tied to a more competitive electoral process.

Mexico's Congress and Supreme Court, as Dresser demonstrates, have been learning to become more independent. In 1997, for the first time ever,

no political party had a majority in the Chamber of Deputies, creating a much more complex political dynamic and making it possible for Congress to exercise independent influence at last. Budgets for the following fiscal years were modified in committees, and substantive changes were enacted. Executive initiation of bills in Congress dropped to an all-time low. In 2001, no political party had a majority in either chamber of the Mexican Congress, permitting thereby an array of political combinations and hence greater parliamentary autonomy. In the early months of Vicente Fox's presidency, Congress modified every presidential bill in some significant way and forced the president to negotiate extensively. Similarly, the Mexican Supreme Court, appointed during the long PRI rule, no longer felt the same deference toward presidents of other political parties.

National legislatures and courts matter more in the three other countries under analysis. In the Chilean Congress, the close division of highly disciplined political parties made it prudent for the executive to negotiate to enact major changes. This pattern began soon after the transition to constitutional government. For example, the key 1990 fiscal reform resulted from explicit negotiations to generate an over-sized majority, involving the government parties and the largest opposition party, to ensure that the reform would last even if the presidency were to change partisan coloration in the future.<sup>31</sup>

The Chilean Senate, however, as Agüero reminds us in his chapter, embodies some of the most striking anti-democratic legacies from the Pinochet dictatorship, namely, unelected senators. The people directly elect thirty-eight senators but another nine are appointed by the president (two), the Supreme Court (three), and the National Security Council (four); the Chilean armed forces obtain senatorial representation through this last vehicle. (In addition, every past president of Chile who has served six years becomes a senator for life.)

The Supreme Court of Chile acted with greater independence by the late 1990s, especially through its rulings on human rights issues, thanks to a reform of the Supreme Court and the fact that, in 2000, only four out of twenty-one Court members were legacies from the Pinochet dictatorship. The Court's reform, Agüero points out, stemmed from agreements between government and opposition parties to ensure the Court's role as an impartial arbiter with broad support. In the late 1990s, the Court ruled that cases of "disappearances" for which there was yet no accountability should be considered kidnappings still under investigation; consequently, the amnesty law could not apply to cases that had not been resolved yet. And on August 8, 2000, the Supreme Court ruled that former dictator and senator-for-life Augusto Pinochet be stripped of his congressional immunity and prosecuted in court for crimes committed during his dictatorship.<sup>32</sup>



The Supreme Courts of Brazil and Colombia, and the Colombian Constitutional Court, as Lamounier and Cepeda note in their respective chapters, are no longer shy. They have ruled unconstitutional some major economic reform proposals in each country. The Brazilian Supreme Federal Court and the other federal courts have generally become respected for their independence relative to the executive and legislative branches of government. The Supreme Court, for example, declared unconstitutional the proposed significant reform of the social security system. The Brazilian state court system retains many organizational flaws, however, and it is much more vulnerable to corruption. The Colombian Supreme and Constitutional Courts have ruled extensively as well on issues pertaining to extradition of drug traffickers, personal safety, and various attempts to curb violence in the country. The greater extent of political competition in both countries, including but not limited to competition between parties, widened the space for such behavior by the courts. Indeed, as Lamounier suggests, some worry about the “judicialization of politics,” that is, the overload of tasks imposed on the courts as citizens and organizations ask them to solve ordinary political problems, risking new forms of politicization of the judiciary. The burdens on these courts have also risen as a result of market-oriented reforms that require courts to uphold laws on contracts and other market-conforming rules.

The Brazilian and Colombian Congresses have the greatest political autonomy and the lowest party discipline of those considered in this book, two traits that reinforce each other.<sup>33</sup> The executive cannot rely on the votes of members of Congress from its own party or an allegedly supportive coalition of parties because members can exercise their individual autonomy. To secure support for its programs, the executive, in effect, “buys” votes from members of Congress from its own and opposition parties through extensive clientelist practices: favors are traded in exchange for votes. In Brazil, these practices occur member by member. These practices enable the president to govern, as Lamounier observes, with considerable legislative support. In Colombia, the clientelist exchange occurs sometimes through the factions into which Colombian parties are formally organized. Members of Congress employ their relative independence to obtain material benefits for their constituents or themselves, not to monitor the president’s behavior or focus on public policy issues. Clientelist practices are a perverse form of congressional autonomy, fostering corruption and weakening the prospects for democratic rule. The pork-barrel-seeking behavior of politically autonomous, clientelist-motivated individual legislators is more pernicious in Parliaments without disciplined parties precisely because such behavior is less restrained.

In Latin America, the likelihood of effective democratic governance—the representation of public interests and purposes—is greater under Parlia-

ments with high levels of party discipline and competition and appreciably lower individual member political autonomy, such as Argentina, Chile, and at long last Mexico, among those studied in this book. High Supreme Court political autonomy seems to increase the prospects for democratic liberty in Latin America but, at the start of the twenty-first century, often at the cost of delaying and increasing the costs of economic policy reforms. The dilemma is that the operation of these fundamental constitutional organs seems to require the sacrifice of some worthwhile value for the sake of maximizing the accomplishment of another significant value. In actual practice in Latin America, individual member parliamentary autonomy is at odds with parliamentary support for effective democratic governance, and Supreme Court institutional autonomy may safeguard liberty at the expense of needed economic reforms.

### Democracies without Democrats?

There are some notable puzzles in the attitudes of the public in some Latin American countries. For example, consider the evidence presented in the chapter by Marta Lagos concerning two countries—Chile and Uruguay—with a long experience of constitutional government that was interrupted by respective military coups in the early 1970s. In the late 1990s, the Chilean public’s preference for democracy as a form of government was only about 55 percent, in contrast to democratic preference levels above 80 percent in Uruguay. This difference is difficult to explain because the annual average growth rate of gross domestic product was twice as high in Chile than in Uruguay during those years. Why did Chileans think less well of democracy even when it seemed to be performing better in their country than in Uruguay?

Another puzzle is the attitudes of Venezuelans. In 2000, Venezuelans expressed the highest levels of optimism for the economic future of their country and for their own economic future, clearly a tribute to President Chávez’s ability to charm Venezuelans during the first two years of his presidency. And yet in 1999–2000, the trends in gross domestic product per capita in Venezuela were the second worst in Latin America; there was little basis to expect that the economic future would be rosy.<sup>34</sup>

There are, however, some general patterns. A majority of Latin Americans supported democracy as the preferred form of government by high and stable margins throughout the late 1990s, as Marta Lagos’ chapter makes clear, but levels of democratic support dropped at the start of the twenty-first century.<sup>35</sup> In the late 1990s, Latin Americans preferred democratic to authoritarian rule by a margin of nearly 4 to 1. On the other hand, comparably consistent majorities of Latin Americans were dissatisfied with the way democracy

worked in their respective countries. By huge margins, as Lagos shows, they were deeply worried about crime, drug abuse, and corruption. They had shockingly low confidence in the key institutions of democratic governance. In the second half of the 1990s, confidence in the national Congress for the region as a whole did not rise above 10 percent in any of the four Latino-barómetro surveys carried out during those years; confidence in political parties never exceeded 7 percent. Yet, as Lagos points out, confidence in Parliaments in Europe typically hovered around 50 percent during the same time. Fortunately for democratic governance in Latin America, in the second half of the 1990s confidence in the armed forces never reached 20 percent, decreasing the temptation for potential coup-makers.

The public opinion evidence does not suggest that Latin Americans are authoritarian. On the contrary, it indicates that they prefer democratic governance but also have high expectations about performance (expectations in Chile may be too high, however). Latin Americans look for better results from the governments of the moment, and they are understandably critical because these fall short. Their attitudes respond mainly to the low level of democratic governance in the region. For the most part, these publics are unresponsive to trends, that is, to subtle changes in the level of effective democratic governance because the problems facing democracies remain so great that the little improvements are often difficult to perceive.

The circumstances of democratic rule are not good in many Latin American countries. Latin America still suffers from weak civilian control over the military, from serious instances of malperformance by political parties, and from weakened party systems in Colombia, Peru, and Venezuela. Some constitutional revisions reduced the prospects for governability in Colombia and for democratic practices in Venezuela. Societal transformations weakened organized labor and its capacity to represent the interests of workers at the workplace and in politics. Some national Parliaments retained clientelist practices that impair the likelihood for democratic governance, as in Brazil, Ecuador, and Colombia. The level of effective democratic governance, in general, remains poor.

And yet, from the early to the late 1990s, the trends toward more effective democratic governance in Latin America, warts notwithstanding, improved in more countries than not. The improvement is clearer if the effectiveness of democratic governance in the late 1990s is compared to the grave politico-economic crises of the 1980s. In the late 1990s, constitutional government typically prevailed over military coup attempts; even the frequency of those attempts declined. Many political parties became more reliable and responsible than they were when the decade began. Some countries reformed their institutions and basic laws to deepen democratic governance and effectiveness. More Parliaments and Supreme Courts behaved with greater independence

according to constitutional prescriptions. Significant societal transformations took place; in some respects, such as the changing role of women in politics, these changes empowered citizens to exercise their rights. As the twentieth century ended, Mexican voters confirmed the country's transition to constitutional government, electing the first president from an opposition party since the Mexican Revolution. And Peruvian citizens celebrated the return of constitutional democracy.

As the twenty-first century began, effective democratic governance, despite fits and starts, had improved during the preceding decade in Brazil, Chile, and Mexico, among the countries studied specifically in this book. Governance had improved markedly in Argentina in the 1990s but the economic implosion in 2002 put it at grave risk. It deteriorated in Colombia and Venezuela. The quality of Peru's democratic life worsened during the second half of the 1990s, but the end of Fujimori's decade-long rule in 2000 gave basis for democratic hope. But the record of more effective democratic governance is evident as well in other countries. Democratic governance improved in all Central American countries except Nicaragua. (The improvement in Guatemala stemmed principally from the 1996 peace accord, putting an end to decades of internal war, but Guatemala's democratic institutions remain weak otherwise.) Democratic governance improved as well in Panama, where citizens were free enough to defeat an incumbent president's attempt to modify the constitution to permit his reelection, the Dominican Republic, Uruguay, and Bolivia; in all four countries, opposition parties were able to win the presidency, and in all four, Congress played a significant role in shaping public policy. The record worsened markedly in Ecuador; it remained approximately the same and quite poor in Nicaragua<sup>36</sup> and Paraguay. Cuba experienced little change in the authoritarian structures of its political system.

On balance, most Latin Americans lived in more open societies and were freer to exercise their political rights, including the right to protest against the government. Their governments worked more effectively. In nearly all countries, these tasks could and still should be performed better. And Latin Americans remained skeptical that the positive changes were real enough or would endure. Democratic pessimism still colored the perspectives of many citizens of the Americas. It is the challenge of the new century to make democratic governance in Latin America more credibly and truly effective.

## Chapter 15. Constructing Democratic Governance in Latin America

1. This chapter is the successor to “Conclusion: Parties, Institutions, and Market Reforms in Constructing Democracies,” in *Constructing Democratic Governance: Latin America and the Caribbean in the 1990s*, ed. Jorge I. Domínguez and Abraham F. Lowenthal (Baltimore: Johns Hopkins University Press, 1996). I co-authored that article with Jeanne Kinney Giraldo. All of the good ideas in that article were hers. I am also grateful to her for saving me from my worst errors in this chapter.

2. This is not a freestanding chapter. Instead, it calls attention to, and to some degree summarizes, themes that emerge in the chapters of this book. There are occasional textual references to other chapters, but my debt to the authors in this book is much greater than these citations suggest. The views expressed here are mine alone, however. The Inter-American Dialogue and the authors are free to claim that all the errors in this chapter are mine and all the insights are theirs.

3. For an assessment of some of the most worrisome events in the 1980s and early 1990s, see Deborah Norden, “The Rise of the Lieutenant Colonels: Rebellion in Argentina and Venezuela,” *Latin American Perspectives* 23, no. 3 (Summer 1996): 74–86. For a summary of earlier examples, see Robert Dix, “Military Coups and Military Rule in Latin America,” *Armed Forces and Society* 20, no. 3 (Spring 1994): 439–56.

4. See also Brigadier Juan Carlos Salgado, “La participación del ejército de Chile en la mesa de diálogo sobre los derechos humanos,” and Elizabeth Lira, “Mesa en diálogo de derechos humanos en Chile,” both in *Nuevo gobierno: Desafíos de la reconciliación. Chile 1999–2000* (Santiago, Chile: FLACSO, 2000).

5. A. Douglas Kincaid, “Demilitarization and Security in El Salvador and Guatemala: Convergences of Success and Crisis,” *Journal of Interamerican Studies and World Affairs* 42, no. 4 (Winter 2000): 39–58. See also Cynthia J. Arnson, ed., *Comparative Peace Processes in Latin America* (Stanford: Stanford University Press, 1999).

6. Domínguez and Giraldo, “Conclusion,” 33–35.

7. For a discussion of the earlier pattern, see Alfred Stepan, “The New Professionalism of Internal Warfare and Military Role Expansion,” in *Armies and Politics in Latin America*, ed. Abraham Lowenthal and J. Samuel Fitch (New York: Holmes & Meier, 1986), 134–47.

8. For a discussion of right-wing parties, see Kevin Middlebrook, ed., *Conservative Parties, the Right, and Democracy in Latin America* (Baltimore: Johns Hopkins University Press, 2000).

9. Wendy Hunter has analyzed this process well in her “Civil-Military Relations in Ar-

gentina, Chile, and Peru," *Political Science Quarterly* 112, no. 3 (Fall 1997): 453–75. See also Wendy Hunter, *Eroding Military Influence in Brazil: Politicians Against Soldiers* (Chapel Hill: University of North Carolina Press, 1997).

10. For information on one of the least well-studied military organizations, see Mónica Serrano, "The Armed Branch of the State: Civil-Military Relations in Mexico," *Journal of Latin American Studies* 27, no. 2 (May 1995): 423–48.

11. For a comprehensive study, see J. Samuel Fitch, *The Armed Forces and Democracy in Latin America* (Baltimore: Johns Hopkins University Press, 1998), especially chapters 5 and 6.

12. Anthony Downs, *An Economic Theory of Democracy* (New York: Harper & Row, 1957), 104–5.

13. For general background, see Scott Mainwaring and Timothy R. Scully, eds., *Building Democratic Institutions: Party Systems in Latin America* (Stanford: Stanford University Press, 1995).

14. Susan Stokes, *Mandates, Markets, and Democracy: Neoliberalism by Surprise in Latin America* (Cambridge: Cambridge University Press, 2001).

15. For an analysis of aspects of these problems, see Kenneth Roberts and Erik Wibbels, "Party Systems and Electoral Volatility in Latin America: A Test of Economic, Institutional, and Structural Explanations," *American Political Science Review* 93, no. 3 (September 1999): 575–90.

16. Stokes, *Mandates, Markets, and Democracy*, Table I.2.

17. As with sausage making, the outcome is much nicer looking than the process. See Edward Gibson, "The Populist Road to Market Reform: Policy and Electoral Coalitions in Mexico and Argentina," *World Politics* 49, no. 3 (April 1997): 339–70; and Kenneth Roberts, "Neoliberalism and the Transformation of Populism in Latin America: The Peruvian Case," *World Politics* 48 (October 1995): 82–116.

18. Fernando Cepeda, *La dirección política de la reforma económica* (Bogotá: Fonade y Tercer Mundo, 1994).

19. See Scott Mainwaring, *Rethinking Party Systems in the Third Wave of Democratization: The Case of Brazil* (Stanford: Stanford University Press, 1999), 142–47.

20. See, for example, Timothy J. Power, *The Political Right in Postauthoritarian Brazil: Elites, Institutions, and Democratization* (University Park: Pennsylvania State University Press, 2000).

21. On the development of the Liberal and Sandinista parties, see David R. Dye, *Patchwork Democracy: Nicaraguan Politics Ten Years After the Fall* (Cambridge, Mass.: Hemisphere Initiatives, 2000), 12–18, 34.

22. For comparative perspectives, see Ruth Berins Collier and James Mahoney, "Adding Collective Actors to Collective Outcomes: Labor and Recent Democratization in South America and Southern Europe," *Comparative Politics* 29, no. 3 (April 1997): 285–303.

23. Indira Palacios and Teresa Valdés, "Las mujeres en las últimas elecciones presidenciales," in *Nuevo gobierno: Desafíos de la Reconciliación. Chile 1999–2000* (Santiago, Chile: FLACSO, 2000).

24. For discussions of social movements in other Latin American settings, see Henry Veltmeyer, "New Social Movements in Latin America: The Dynamics of Class and Identity," *Journal of Peasant Studies* 25, no. 1 (October 1997): 139–69; Jean-Pierre Bastian, "The Metamorphosis of Latin American Protestant Groups," *Latin American Research Review* 28, no. 2 (1993): 33–61; and Deborah Yashar, "Contesting Citizenship: Indigenous Movements and Democracy in Latin America," *Comparative Politics* 31, no. 1 (October 1998): 23–42.

25. For a general analysis of executive-legislative relations, see Matthew Soberg Shugart and John M. Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics* (Cambridge: Cambridge University Press, 1992). For comparative studies, see Arend Lijphart and Carlos H. Waisman, *Institutional Design in New Democracies: Eastern Europe and Latin America* (Boulder, Colo.: Westview, 1996). For a closer focus on similar issues in Latin America, see Scott Mainwaring and Matthew Soberg Shugart, eds., *Presidentialism and Democracy in Latin America* (Cambridge: Cambridge University Press, 1997).

26. See John D. Martz, "Political Parties and Candidate Selection in Venezuela and Colombia," *Political Science Quarterly* 114, no. 4 (Winter 2000): 639–59.

27. There is one difference between the upper and lower house of Parliament. As in nearly all countries, the extent of malapportionment is much more marked in the upper chamber. See Richard Snyder and David Samuels, "Devaluing the Vote in Latin America," *Journal of Democracy* 12, no. 1 (January 2001): 147–59. The political behavior of the two chambers and the relations between the chambers and the executive are, however, nearly identical.

28. Divided government, of course, has other institutional and political foundations. See Mark P. Jones, "Presidential Election Laws and Multipartyism in Latin America," *Political Research Quarterly* 47, no. 1 (March 1994): 41–57; and Matthew Soberg Shugart, "The Electoral Cycle and Institutional Sources of Divided Presidential Government," *American Political Science Review* 89, no. 2 (June 1995): 327–43.

29. Margaret Popkin, "Building the Rule of Law in Post-War El Salvador," in *El Salvador: Implementation of the Peace Accords*, ed. Margarita Studemeister (Washington, D.C.: United States Institute of Peace, 2001), 16.

30. For a convergent analysis, see Javier Corrales, "Presidents, Ruling Parties, and Party Rules: A Theory on the Politics of Economic Reform in Latin America," *Comparative Politics* 32, no. 2 (January 2000): 127–49.

31. Delia Boylan, "Taxation and Transitions: The Politics of the 1990 Chilean Tax Reform," *Latin American Research Review* 31, no. 1 (1996): 7–31.

32. For the text of the Supreme Court decision, see Francisco Rojas Aravena and Carolina Stefoni Espinoza, eds., *El "caso Pinochet." Visiones hemisféricas de su detención en Londres* (Santiago, Chile: FLACSO, 2001), 273–320.

33. For a nuanced debate on the extent of partisan legislative cohesion and discipline in Brazil, see Argelina Cheibub Figueiredo and Fernando Limongi, "Presidential Power, Legislative Organization, and Party Behavior in Brazil," *Comparative Politics* 32, no. 2 (January 2000): 151–70; and Scott Mainwaring and Anibal Pérez Linan, "Party Discipline in the Brazilian Constitutional Congress," *Legislative Studies Quarterly* 22, no. 4 (November 1997): 453–83.

34. Data on growth rates from Comisión Económica para América Latina y el Caribe, *Balance preliminar de las economías de América Latina y el Caribe, 2000* (Santiago, Chile: Naciones Unidas, 2000), 85–86.

35. See report of Latinobarómetro results for 2001 in "An Alarm Call for Latin America's Democrats," *The Economist* (July 28, 2001): 37–38.

36. Dye, *Patchwork Democracy: Nicaraguan Politics*.