

# Legislative Voting and Accountability

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Draft: August 21, 2006

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# **1. To whom are legislators accountable?**

## **1.1. INTRODUCTION**

### **1.1.1 Overview**

Legislatures are, formally, the principle policymaking institutions in modern democracies. The most fundamental policy decisions – budgets, treaties and trade agreements, economic, environmental, and social regulation, elaboration of individual and collective rights – all must be approved by legislatures. What forces drive legislators' decisions? What different political actors place demands on legislators, and how do legislators' actions reflect these demands?

These are questions about what sort of representation citizens can expect from those they send off to deliberate and make policy decisions on their behalf. Citizens want legislatures to be decisive – that is, to resolve the issues before them without chronic deadlock. They also want accountability, which entails responsiveness on the part of legislators to citizens' demands. In modern democratic legislatures, the principle vehicles for delivering decisiveness are strong political parties. But decisiveness through party discipline presents a dilemma in terms of what kind of accountability is possible.

This book distinguishes between collective accountability, and accountability that operates at the level of individual legislators. The two often demand different things of legislators. In modern democratic legislatures, collective accountability operates primarily through parties, and requires legislators bearing a common party label to act in concert. Individual accountability implies a more direct link between a legislator and citizens, and may require the legislator to act independently from party demands. Individual accountability also requires that information about each legislator's actions is available and can be monitored by those outside the legislature. Because the informational conditions for individual accountability often are not met, maximum legislative individualism does not necessarily produce individual accountability.

Scholarship on legislative accountability tends to regard collective accountability favorably and legislative individualism with skepticism. Yet surveys from legislators and the substance of political reforms in recent years both suggest that demand for individual accountability is strong, and technological advances have reduced the logistical obstacles to making available the information necessary for individual accountability. It is worth asking, then, whether individual accountability is feasible, whether it can coexist with collective accountability, in what measure, and under what conditions. One goal of this book is to examine whether legislatures produce a critical ingredient for individual accountability: vote records. A second goal is to use vote records to measure party unity, a key ingredient of collective accountability, and to explain why some parties are more unified and others less so.

The book moves beyond previous research in the theoretical connection it establishes between individual and collective accountability, and in its empirical scope. It illuminates the connection between legislative transparency and accountability by examining why voting is transparent in some legislatures but not others. It offers a simple and general account of the various political actors institutionally empowered to place demands on legislators, and how their relative influence affects legislative party unity. This account, dubbed the competing principals model, generates hypotheses tested against voting data from legislatures in nineteen countries. By documenting what information is available about legislative votes and providing new tools to process the information, the book outlines the mix of collective and individual accountability legislators deliver across an array of countries, as well as the potential for political reforms to alter that mix.

The rest of this chapter establishes vocabulary and concepts on which the rest of the book depends. First, I define some key terms used throughout the book. The next section describes the unique role of political parties in organizing legislative processes, and consequently as intermediaries of accountability between citizens and their representatives. The following section contrasts the ideals of collective and individual accountability and discusses how electoral rules shape the balance between collective and individual representation. The next section presents the competing principals model of demands on legislators, and the last outlines the plan of the chapters that follow.

### **1.1.2. Definitions**

*Accountability* implies a relationship between a legislator and some other actor, or actors. I rely on the term *principal* to refer to any political actor to whom a legislator is accountable. *Accountability* means:

- that legislators are responsive to the preferences and demands of their principal(s),
- that information about legislators' actions is available to the principal(s),
- that principals can punish legislators for lack of responsiveness.

Accountability depends on professional ambition among legislators. Professional ambition may be a purely venal desire for personal advancement, or a purely altruistic desire to serve others by promoting policies that advance some conception of the public interest, or some combination of these. Whatever the motivation, ambition implies the desire to cultivate electoral resources – re-nomination, or else nomination or appointment to an even better office, campaign financing, and good favor among voters. It also implies that legislators value access to resources within the legislature itself, such as leadership positions, assignments to key committees, access to support staff, big offices, perks, and such. Ambitious legislators curry favor with political actors who can provide these key resources. The ability to withdraw favor, and so deny the resources that fuel professional advancement, is the enforcement mechanism behind accountability. Overall, accountability should maximize legislative effort and responsiveness to the principal's preferences, and minimize corruption and other abuses of power at the principal's expense.

*Principals* are political actors who command some measure of loyalty from legislators, and whose interests a legislator might represent and pursue in an official capacity. Given that most legislators in democracies are popularly elected, we might think of voters as the ultimate, universal principal to whom legislators are accountable. Under some conditions, this is the case. But I argue in this book that political parties, and specifically their leadership within legislative assemblies, are in many cases the main principals who command legislator loyalty. In many institutional settings, the level of accountability of legislators to voters pales in comparison to their accountability to party leaders.

Beyond party leaders and voters, many political systems are populated by other actors who, by virtue of their institutional positions, their organizational capacity, or other resources, can command the loyalty of legislators. These include presidents, who are elected independently of the legislature but are often endowed with resources and powers legislators value, or fear; governors in some federal systems, who may wield substantial resources, including control over sub-national political party machines; interest groups, which direct electoral resources (funding, activist volunteers, mobilized voters); moneyed campaign contributors; or even those in a position to bribe or extort politicians.

*Decisiveness* refers to the capacity of legislatures to reach decisions on policy and to make those decisions stick. Criticisms of legislatures frequently focus on failures along these lines (American Political Science Association 1950; Sundquist 1981; Moe & Caldwell 1994; Gerring & Thacker 2005). A solution to the decisiveness problem is the foundation on which the idea of collective legislative accountability rests, so it is worthwhile at this point to explore this issue at greater length.

## **1.2. DECISIVENESS PROBLEMS**

### **1.2.1. Bottlenecks and cycling**

Most national legislatures, and many sub-national ones, are large assemblies, with diverse members numbering in the hundreds. Size and diversity present a specific challenge. The number of policy options available in any political environment is generally vast. Legislatures are supposed to boil down the potentially infinite number of policy options available to a manageable and coherent set of alternatives, among which a meaningful collective decision can be reached.

In his overview of legislative organization, Cox (2005) posits a ‘legislative state of nature’ in which all members have equal rights to make proposals and plenary time is unregulated. The latter assumption is taken to imply unlimited filibuster (i.e. that no proposal can be brought to a vote over the objection of any member), which in turn implies that the decision rule is, effectively, unanimity. Such a state of nature embodies a strong egalitarian norm that privileges the ability of members to block assembly action over their ability to trigger action. It follows that instability of legislative decisions should not be a problem, whereas inaction – or bottlenecks – should be (Colomer 2001; Tsebelis 1999). From this point of departure, Cox (2005) proceeds to note that legislatures everywhere resolve the bottleneck problem with internal organization that



redistributes agenda powers unequally, and that in modern legislatures, political parties consistently control access to the privileged agenda-setting positions.

Whether or not one assumes that the legislative state of nature necessarily implies unlimited filibuster, there is reason to believe that parties are critical to legislative decisiveness. Consider an alternative to Cox's vision of unlimited filibuster and effective unanimity rule. In this scenario, procedural rights are equally distributed, but rather than any legislator being able to block a vote on any proposal, any proposal must be voted on. Now the decisiveness problem becomes the potential for chronic instability of choice rather than the inability to make any choice – that is, cycling rather than bottlenecks.

The rationale here is well known. Formally, at least, most legislative assemblies rely on simple majority rule for most decisions. Theoretical characteristics of majority rule decision over multiple alternatives suggest that failures of decisiveness could be characterized by general instability of legislative decisions (Condorcet 1785; McKelvey 1979; Riker 1980). Yet, even accounts of legislative politics that take the instability problem as a point of departure frequently point to political parties as the key factors that bring order to the potential chaos of majority rule (Laver and Shepsle 1996; Cox and McCubbins 1993).

In either the bottleneck-based or cycling-based account, parties are credited with providing decisiveness by establishing privileged actors who determine which proposals are debated and voted on, and in which order, and in doing so make it possible for legislators to realize gains unrealizable in unorganized, state-of-nature assemblies. The relative balance of procedural authority residing in legislative committees, directory boards, and presiding offices varies across legislatures. In parliamentary systems, these powers are generally vested in cabinet ministries – technically part of the executive branch, but which themselves are filled from among members of the legislature, and are dependent on its confidence for survival.

The key point is that, in almost all democratic systems, parties are the gatekeepers of the formal offices that control action within the legislature. Moreover, Carroll, Cox, and Pachon (2006) demonstrate that, as democracies mature, parties expand their control over the offices that determine legislative activity, and the distribution of these offices among parties grows increasingly regular. In short, as party systems stabilize, so do the key partisan elements of legislative organization.

### **1.2.2. Parties and legislative action**

How does partisan control over the flow of legislative traffic provide decisiveness?

Diverse accounts of legislative politics converge around the idea that parties reduce the potentially infinite number of policy options to a limited set, primarily by establishing platforms or manifestos that advertise party positions to voters, and then by disciplining legislators to constrain their voting in line with these party positions (Aldrich 1995). Comparative studies of roll call voting suggest that legislative agendas are strongly limited in ways consistent with the idea that parties produce procedural order. Cox, Masuyama, and McCubbins (2000) demonstrate that the long-dominant LDP in Japan

used its control over the parliamentary agenda to prevent proposals that might generate internal divisions in the governing party from coming to the floor. Amorim Neto, Cox, and McCubbins (2003) provide evidence that multi-party legislative coalitions in Brazil act similarly, as cartels that limit legislative proposals to protect the policy interests of member parties. In both cases, the point is that parties prevent cycling by limiting the policy alternatives among which legislatures choose and prevent bottlenecks by ensuring that some alternatives enjoy procedural advantages.

Various studies highlight the relative orderliness of voting in legislatures, in contrast to the theoretical prospect of majority rule cycles. The most widely used method for estimating legislator ideal points suggests that the voting coalitions across a wide range of legislatures can be represented in a theoretical policy space of remarkably limited dimensionality (Poole and Rosenthal 2001; Rosenthal and Voeten 2004). That is, across various legislatures in quite different political systems, and in the U.S. Congress throughout most of its history, legislators' voting patterns can be accurately mapped using only a single dimension of a potentially N-dimensional spatial model. Legislators' estimated ideal points, moreover, tend to be extremely stable over time (Poole 1998).

Because parties so consistently dominate legislative organization, it is difficult to test the extent to which they account for the orderliness of voting patterns. In a pair of ingenious studies, however, Jenkins (1999 and 2000) compares voting in the Confederate Congress of 1861-1865 with that in the U.S. Congress during the same era. The legislatures were similar in formal structure, in membership (many legislators served in both chambers), and even in the issues on which they voted, but the Confederate Congress was not organized along party lines. Voting patterns of Confederate legislators were far less stable in important ways. First, voting coalitions were more fluid in the Confederate than the U.S. Congress (Jenkins 1999). Second, the ideological positions of Confederate legislators were less stable over time (Jenkins 2000). Overall, the results suggest that political parties impose order on voting in ways that make legislative decisions predictable and stable.

Political parties may play this role in general, but even casual observers will note that not all parties are equivalent. Comparative legislative scholarship has long made much of the difference between strong and weak political parties in controlling legislative outcomes. Scholarship on the U.S. Congress has been largely occupied for over a decade with the extent to which the levels of party voting we observe are due to like-mindedness among co-partisans (cohesiveness) or pressure from party leaders (discipline) (Krehbiel 1998; Cox and Poole 2004). Notwithstanding the prolonged fascination among U.S. Congress scholars with the cohesiveness-versus-discipline debate, it bears mention that the basic question of how unified parties are in the first place is of prior concern to those concerned with legislative representation. The question, like this book, is primarily concerned with legislative voting. Much of the rest of the legislative world has yet to be mapped at all in terms of party voting unity. If parties are highly unified in their voting, then party labels can carry substantial policy content. That is, citizens can observe just the partisanship of a legislator or a candidate and infer with confidence what sort of policies she or he will support and oppose in office. If, by contrast, parties are not

unified, then this cue about political behavior carries less information. Given that citizens tend to rely on low-cost cues in evaluating politicians and parties, the reliability of party labels is a key component of whether voters can be said to cast informed ballots in legislative elections (Lupia & McCubbins 1998).

### **1.3. COLLECTIVE VERSUS INDIVIDUAL ACCOUNTABILITY**

#### **1.3.1. Competing visions**

The discussion of decisiveness in legislatures implies the outline of a case for collective legislative accountability through party-dominated representation. The key components of the case are as follows. Legislatures are called upon to make decisions on a wide-ranging set of policies. Given the widely recognized difficulties of collective decision-making, no individual legislator can credibly claim credit or responsibility for shaping policy on such a scale. In contrast, political parties can both encompass a broad idea of the public interest and plausibly claim to deliver policies that advance this idea – but legislative parties can only do this if they are unified. Meaningful legislative accountability, therefore, must be collective, through the organization of legislatures by strong parties.

Yet in the demands of many political reformers, the idea of party-dominant legislative representation has less appeal and demands for accountability to citizens at the level of individual legislator predominate. For example, throughout Latin America in recent years, a number of political reform efforts have aimed to disconnect legislators from national party leadership when the demands of leaders conflict with responsiveness to local constituencies. Reform advocates describe popular disenchantment with disciplined parties directed by leaders who are insulated from punishment by voters. In many cases, moreover, both the strong discipline and the insulation of the top dogs are causally connected to a common source: closed-list electoral systems, in which control over candidate nominations is centralized among party leaders and voters are provided no choice among candidates within a given party. The problem is most severe in systems of proportional representation, where multiple seats are awarded in each electoral district.

The accountability dilemma here can be described as follows. As a politician advances within the party leadership, her access to power and perks increases dramatically, but her electoral vulnerability decreases in a corresponding manner because leaders occupy the top positions on party electoral lists. This mitigates the leadership's susceptibility to electoral punishment, even if their party as a whole loses electoral ground. As a result, the leaders who stand to gain the most from violating public trust and pillaging state resources stand to suffer the least electoral indignity if their party, collectively, is punished by voters. Rank-and-file politicians, whose heads are the first to roll in any partisan electoral setback, might object to being relegated to the marginal list positions that buffer their leaders, but would-be rebels face a serious collective action problem in revolting against their party leaders, because troublemakers can simply be removed from the lists, or demoted to perilous, or even hopeless list positions, by the leadership.

The individualist dissent from the strong-party ideal implies a case for accountability at the level of each legislator. The core of the argument rests in the critique of party-dominated representation as imbuing the most powerful legislative leaders with a sense of distance from voters that insulates them from public disapproval. Instead, the argument goes, legislators are most responsive to citizen demands when each is responsible for cultivating her or his own support constituency, which in turn can reward and punish its representative directly at the polls. Whereas advocates of partisan, collective representation are more concerned about the ideological and policy content of party labels, with the decisiveness of legislatures, and with the voters' assessments of overall government performance (Powell & Vanberg 2000), advocates of individual-level accountability are more concerned with maximizing virtue – deterring the betrayal of the demands of particular voters that picked an individual legislator as their representative (Persson, Tabellini, and Trebbi 2003).

### **1.3.2. Excursus on electoral rules: Iraq versus Afghanistan**

Amid all the debates surrounding the regime changes in Afghanistan and Iraq during the middle years of this decade, one of the less voluble, but nonetheless crucial, was the discussion among both policymakers and academics was ongoing over how to craft mechanisms to represent diversity in each country's new legislative assembly.<sup>1</sup> U.S.-led invasions of Afghanistan in 2001 and Iraq in 2003 had produced governments commissioned to craft new constitutions, and to hold elections to fill the political offices so founded. In both cases, there was widespread acknowledgment that plural societies warranted representation of broad diversity within the legislature. A fundamental challenge in both cases was to identify what sort of diversity ought to be privileged in legislative representation. Various dimensions of representation, including geography, ethnicity, religion, and gender, were prominently on the table in each case. Less widely noted was that the Afghan and Iraqi cases, and the associated debates surrounding how best to move toward electoral democracy, embodied the fundamental trade-off between collective and individualistic representation in a context relatively unbound by existing precedent.

#### **1.3.2.1. Iraq**

Iraq elected two legislatures in 2005 – first, in January, a transitional dual-purpose parliament and constituent assembly, the main task of which was to draft a constitution to be ratified in an October plebiscite; then a National Assembly to serve a full four-year term under the new constitution. Notwithstanding some subtle but important modifications to the electoral rules between the two elections, the central characteristic of Iraqi elections is strong collective representation. The electoral law for January, crafted primarily by the United Nations Electoral Assistance Division and handed down as law by the outgoing, U.S.-led Coalition Provisional Authority, stipulated that the entire

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<sup>1</sup> The brief discussion that follows here of Iraq and Afghanistan is not meant to serve as a thorough review of legislative electoral rules, much less as a comprehensive analysis of the politics of these countries. The former is provided in an impressive literature on comparative electoral systems (Duverger 1954; Taagepera & Shugart 1989; Lijphart 1994; Cox 1997; Monroe 2005), and the latter is well beyond my capacity.

country encompassed a single electoral district with 275 seats, the implications of which were far-reaching for the types of legislative representation possible in Iraq (Dawisha and Diamond 2006).<sup>2</sup>

First, the high district magnitude effectively mandated that elections would be based on closed lists. Voters do not have the option of casting preference votes for individual candidates. Second, high magnitude made it possible to award legislative seats to lists that won relatively small vote shares overall, thus allowing for a high degree of proportionality. Third, a nationwide list system like Iraq's does not favor any predetermined concept of representation – e.g. geographical, ethnic, religious; it simply rewards lists that can mobilize the most voters. However, because the composition of the assembly is determined as much by the selection of candidates as by the popular vote, such a system also opens up the possibility of adopting measures that might tip legislative representation toward categories of candidates who might not survive in a more individualistic electoral marketplace. Specifically, in the Iraqi case, gender quotas for candidates mandated that every third candidate must be a woman.

Both of the Iraqi elections in 2005 produced assemblies in which twelve separate lists won representation. The effective number of seat-winning parties was 3.14 in January and 3.45 in December (Laakso and Taagepera 1979), and the elections were marked by a close correspondence between votes cast and seats awarded to each list, with a Gallagher Disproportionality Index of less than 3% both times (Gallagher 1991) and substantial representation of ethnic groups previously marginalized in Iraqi politics (Burns and Ives 2005). The guaranteed placement of women at regular intervals on closed lists translated into assemblies with 29% and 26% of women overall – almost twice the worldwide average (Inter-Parliamentary Union 2006). In sum, by the benchmarks widely used in legislative studies at least, the Iraqi system realized many of the normative goals associated with the representation of diversity at the collective level.

#### ***1.3.2.2. Afghanistan***

The Afghan experience with establishing a national assembly was substantially different. An indirectly elected assembly drafted a new Afghan Constitution that was ratified in early 2004 and stipulated the popular election of both a presidency and a bicameral legislature later that year. The presidential election took place on close to the original schedule, in October 2004, but legislative elections were twice postponed, in part due to the logistical challenges of conducting elections that simultaneously honor the determination of the Afghan government to:

- guarantee an element of regional representation via geographical districts;
- avoid a winner-take-all system of elections in which only the top party or candidate in a district wins representation;
- ensure voter choice over individual legislative candidates; and

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<sup>2</sup> One compelling motivation for this choice had to do simply with logistics of electoral administration: Iraq lacked a reliable census by which legislative seats might be apportioned across districts according to population.

- guarantee the representation of women (Johnson, Maley, Thier, and Wardak 2003).

Although critics sustained objections and uncertainty about the electoral system remained into the early months of 2005, Afghan President Hamid Karzai ultimately settled on the single non-transferable vote (SNTV) for the September election (Reynolds 2006). SNTV, currently used only in Taiwan, Jordan, and Vanuatu, but is most familiar for its long use in Japanese elections, from 1958-1994, is plurality rule in multi-member districts. Each voter casts a ballot for her or his first-choice candidate, and the candidates with the most votes are elected in each district, up to the number of seats available. SNTV is attractive in its simplicity, and for its potential to allow minority groups to secure representation while simultaneously holding out the promise of a bond of direct personal accountability between voters and their representatives.

SNTV, however, is subject to at least two severe drawbacks that undermine its potential to provide viable representation in the Afghan context. First, SNTV presents any collective political actor – a party, for example – with a formidable coordination problem in translating electoral support into legislative representation. The problem is a fundamental conflict of interests between the party and its individual politicians.<sup>3</sup> Parties seek to win as many seats as possible. Individual politicians may prefer to be members of strong parties, but their first priority is to win office. Under SNTV, candidates who seek to minimize the risk of individual defeat have incentives to draw votes away from co-partisans, undermining the collective goal of translating votes to legislative representation efficiently. By privileging electoral individualism, SNTV presents formidable challenges to parties' ability to foster internal cooperation among politicians, and so to provide collective representation (McCubbins and Rosenbluth 1995; Cox and Thies 1998).

An even more immediate challenge to the feasibility of SNTV in Afghanistan was the incompatibility between individualistic legislative representation and the representation of women. The Afghan Constitution requires that at least two lower-house legislators from each of the country's 34 provinces be female (Article.83). SNTV provides no alternative basis than individual vote totals for awarding legislative seats, so unless at least two of the top candidates in each province were women, the Afghan system requires by-passing male candidates with more votes in order to seat female candidates with fewer votes. In a society where gender-based inequalities in personal resources, as well as gender bias among voters, constrains the viability of female candidates, this prospect outcome was inevitable. In the September 2005 election, 19 women were elected on the basis of their vote totals alone, but 49 additional women were awarded seats in the Loya Jirga despite having won fewer votes than 422 other male candidates (Reynolds 2006). In sharp contrast to Iraqi gender quotas, the purely personalized and individualized character of legislative voting in Afghanistan throws into stark relief the mechanism by

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<sup>3</sup> The problem is also increasingly severe as district magnitude increases. Magnitudes in Japanese SNTV elections ranged from three to five. In Afghanistan, the median district magnitude for parliamentary elections was seven, with a third of districts electing 10 or more representatives, and the largest, Kabul, electing 33 (Constitution of Afghanistan, Art.82; Reynolds 2006).

which quotas delivered these women to their seats while male candidates with higher vote totals lost.

The fundamental contrast in the Iraqi and Afghan choices over electoral rules, at this point, is between privileging collective versus individualistic representation. For myriad reasons, the system chosen in Iraq leans toward the former. This facilitated the initial, descriptive representation of various collective identities – most notably by party alliance, ethnicity, religion, and gender. Afghan rules lean toward privileging connections between voters and individual candidates, but try simultaneously to guarantee minority representation and representation according to at least one prominent form of collective identity: gender.

### **1.3.3. Collectivism versus individualism, not proportional representation versus single-member districts**

The Iraqi and Afghan cases suggest that the individualistic-versus-collective representation distinction can be as important than the principle characteristic by which electoral system are more frequently distinguished – whether elections are winner-take-all in single-member district (SMD), or proportional (PR). The characteristics and relative merits of SMD versus PR are central to a longstanding literature on legislative elections, the predominant conclusion from which has been that PR is normatively superior to SMD elections (Sartori 1976; Lijphart 1994; Huber and Powell 1994; Colomer 2001). This conclusion rests on some key assumptions however: that political parties are fundamental units of legislative representation, and that a left-right spectrum meaningfully describes the ideological arena of party competition. In the industrialized, longstanding democracies, where most studies of legislative representation have been conducted, there is solid empirical evidence for these assumptions (Powell & Vanberg 2000). They are open to greater skepticism in other environments, however, particularly where party systems are more volatile or party reputations less stable.

The point here is that the foundation on which the conventional SMD versus PR debate has been conducted is weak in many political environments where the most critical choices about how to organize legislative representation remain open. The complete absence of established party systems in the Iraqi and Afghan cases are extreme examples, but it is worth noting that SMD versus PR was not central to debate in either context; winner-take-all rules gained traction in neither case (Dawisha and Diamond 2006; Reynolds 2006). Rather, the critical distinction in these cases is over whether electoral rules ought to prioritize collective versus individualistic representation. This theme has been central to debates over reforming legislative representation much more widely during recent decades, particularly with respect to mixed-member electoral systems that combine SMD with list PR elections within the same legislative chamber, variants of which were adopted in the 1990s by over twenty countries (Shugart and Wattenberg 2001; Institute for Democracy and Electoral Assistance 1997; Culver and Ferrufino 2000).

To sum up, legislatures offer the promise of representing the diversity of the polity, but electoral rules affect the dimensions along which diversity can be translated

into representation. Although the differences between SMD and PR elections have traditionally been essential to the study of comparative legislatures, this distinction is growing less central relative to that between individualistic and collective representation, which is quite a different matter, both theoretically and empirically (Carey and Shugart 1995). Whereas the literature on comparative legislative representation tends to favor PR over SMD, there is less academic consensus on the relative merits of individualistic versus collective representation (Golden and Chang 2001; Persson and Tabellini 2003).

## **1.4. LEGISLATORS, PRINCIPALS, AND THE STRUCTURE OF ACCOUNTABILITY**

### **1.4.1. Party leaders, and everyone else**

At the beginning of this chapter, I defined accountability in terms of the relationship between a legislator and a principal, or principals, who control resources the legislator values, and so commands loyalty. The discussion of decisiveness that followed illustrates why parties are ubiquitous in legislatures, and control important resources. Thus, legislators always and everywhere confront, in the leadership of their own party, a key principal in a position to impose demands on their behavior. For legislators in many environments, moreover, party leadership is pretty much the only principal that matters. In electoral systems where voters cast ballots only for the party, and where party leaders control access to their own lists, there is no direct link between legislators and voters. The Iraqi case discussed above is an example, but it is far from unique (Lijphart 1999).

In contrast, for a legislator elected by a purely personal vote, the support constituency is clearly a primary principal, but even such a legislator generally confronts two principals – voters and party leaders – because party leaders control resources within the legislature itself even when electoral rules encourage individualism. The extent to which legislative individualism predominates over collective, partisan representation depends on (1) the relative value of the resources controlled by voters versus party leaders, and (2) the propensity of voters and party leaders to want different things, and thus pull ‘their’ legislators in opposite directions.

In short, because of the ubiquity of parties, even the individualistic vision of legislative representation tends to involve (potentially) competing principals: voters who pick an individual legislator, and the party (or bloc, or group, or coalition, etc.) with which the legislator aligns in the assembly. Yet the potential for principals to compete for legislator loyalty, and the effects of this on legislative individualism, go beyond party versus electoral constituency. In many political systems, other actors control at least some resources that affect the legislative process or the ambitions of legislators.

Most prominent here are presidents, who are elected independently from legislators, but who are often constitutionally endowed with legislative authorities such as vetoes, decree and rule-making powers, or the ability to offer or amend legislative proposals under restrictive rules. Presidents also control appointments to public offices, and may have discretion over the release of budgetary funds for public projects. In many democracies, the list of resources controlled by presidents and valued by legislators is



extensive. As a result, the possibility for presidents to exert pressure on legislators to act in ways contrary to party, or constituent, demands is substantial.

To a lesser extent than presidents, but still significantly, governors in some federal systems control resources valued by national legislators. In Argentina, for example, provincial governors often control their parties' nominations, including those for incumbent legislators who aspire to reelection, or to election to some other office. In Brazil, governors control appointments to state-level cabinet posts that are widely sought by national legislators. Like presidents, governors may exert pressure on legislators in ways contrary to the demands of party at the national level.

The list of other principals who potentially compete with party leaders for the loyalty of legislators is not limited, and could include interest groups, political activists, those who fund campaigns, as well as those who use bribery or extortion to induce compliance. My focus in this book is on the most prominent and prevalent principals who exert pressure on legislators in the widest range of contexts: party leaders, voters, and in systems where the chief executive is directly elected, presidents.

#### **1.4.2. Competing principals and individualism**

In an effort to tie together the various themes discussed in this chapter, let us consider the relationship between the various principals to which legislators might be accountable and the ideas of collective versus individualistic representation. Given the prominence of strong parties as a normative ideal in much of the literature on legislatures, and in light of the empirical fact that democratic legislatures are organized along party lines, I rely on party unity as a touchstone, a fundamental metric. From that conceptual point of departure, I regard legislative behavior in terms of its deviation from party unity.<sup>4</sup>

In terms of legislative principals, representation is party-dominant when the party leadership is the only political actor to which legislators are directly accountable. This occurs when central party leaders control nominations for legislative office and list positions (if more than one legislator is elected from a district). That is, voters are not afforded the opportunity to select from among various legislative candidates within a party. Under these conditions, party leaders control not only resources interior to the legislature, but also the key electoral resources on which a legislator's career depends. Voters can reward and punish parties collectively for their positions and performance, and so can be regarded as principals of the parties via elections, but have no direct say over the fate of individual legislative candidates. Under such conditions, accountability is entirely collective, at the party level. Given the undiluted influence of party leaders over legislators, party unity ought to be high under these conditions. The relationships among legislators, parties, and voters are portrayed in Figure 1.1, where the arrows indicate control by a principal with the political resources to reward and punish.

[Figure 1.1]

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<sup>4</sup> In Chapter 6, I also consider broader legislative coalitions – government versus opposition, for example – but parties are the component units of such coalitions, so this is simply a matter of moving to a higher level of aggregation.

Next, consider a political system where voters have the ability to reward and punish individual legislators directly, perhaps because primary elections determine nominations, or because party lists are open and candidates win legislative seats according to their individual preference votes, or because there are not party lists at all and multiple candidates from each party run either in a free-for-all format, or under a transferable vote rule.<sup>5</sup> Under any of these circumstances, the voters are a legislator's direct principal. Because party labels are generally attached to the candidates for whom voters vote, and because in the aggregate, a party's fortunes depend on the success of its candidates, voters are also, indirectly principals to the parties. Meanwhile, party leaders, in all likelihood, remain important principals for legislators, to the extent that they control resources within the assembly itself that legislators value. They may also retain control over electoral resources, such as influence over nominations and financing. Thus, legislators now confront two principals, who may well make competing demands. The relationships are shown in Figure 1.2.

[Figure 1.2]

We could add a directly elected president to either of these scenarios, as in Figure 1.3, below. The formal powers of presidents over the legislative process vary enormously, but most control access to coveted appointed posts, and many are endowed with authority to shape the legislative agenda directly, to veto all or parts of bills, and to offer counterproposals to legislative initiatives (Shugart & Carey 1992; Aleman & Tsebelis 2005). The array of powers of most directly elected presidents provides substantial leverage with which to influence legislative behavior. As with a direct electoral connection to voters, presidential influence adds another, potentially competing, pressure to that exerted by party.

[Figure 1.3]

The list of potential principals placing demands on legislators could expand, and some research on legislatures has explored specific examples. Carey and Reinhardt (2004) examine the influence of state governors on their national-level legislative copartisans in Brazil. Unlike presidents, the governors do not exercise direct authority over the national legislative agenda, but they do direct the flow of many resources that are essential to legislative reelection prospects, and they control access to state-level appointed posts that, in Brazil's decentralized system, are attractive to many national legislators. Hix (2002) demonstrates that members of the European Union Parliament experience varying levels of competing pressures from the leadership of their party blocs within the E.U. Parliament itself, and from the national-level parties from which they are elected in their countries of origin. Figure 1.4 suggests how such additional principals might map onto the accountability relationships described so far.

[Figure 1.4]

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<sup>5</sup> See Carey and Shugart (1995) for more details on the variety of electoral systems, and their relationship to the relevance of the personal vote, as well as for empirical examples.

As the number of principals grows, the potential for competing pressures to pull legislators away from solidarity with their party increases, and we should expect party unity to drop.

Does the lack of party unity indicate the existence of legislative individualism? I interpret it as such, for a couple of reasons. One is that deviance from the party line often indicates an effort by a legislator to act on behalf of a constituency of citizen supporters, independently from any mediating forces. This is the story associated with the idea of the personal vote, and of individual-level accountability in the simplest sense (Cain, Ferejohn, & Fiorina 1981; Carey & Shugart 1995). But what about when a legislator is pulled away from the national party by another institutional political actor – by the president, for example. Then, deviance from party loyalty might not be regarded as simply a matter of individual volition. Yet, as Sophocles's *Antigone* discovered, cross-pressures, by their nature, turn the decisions individuals make into acts of self-definition. In this light, a legislator who lines up with the president (or governor, or whomever) in contradiction to her legislative party leadership is staking out a position, even if reluctantly, for which she can be held individually accountable. Finally, although the number of potential principals making demands is not limited, legislative decisions almost always comes down to binary choices – voting 'aye' or 'nay.' We may sometimes know what side a president was on, or a governor, or an interest group. Less reliably still can we draw any inferences about what the legislator's constituency supporters demanded. We can know, however, what side a legislator's party is on by how her copartisans voted.

In short, party unity is the point of reference because legislatures everywhere are partisan, because legislators everywhere answer to party leaders as principals, and because party unity can be identified by the fundamental act of legislative decision making: voting. Where party unity is lacking, there are various stories we can tell about legislative motivation, but they all involve legislators making decisions to deviate from the game plan of the team – the collective unit – that is the central basis of legislative organization. It is no accident that the term 'party line' has entered our vernacular to connote the antithesis of individualism and independent thinking. I contrast party unity and collective representation, then, to disunity, which I associate with legislative individualism. The type of accountability that is possible in any given legislature depends on what sort of representation is provided.

### **1.5. PLAN OF THE BOOK**

The rest of the book proceeds as follows. The next chapter discusses collective, party-dominated representation as an ideal, as well as in practice in a range of (mostly) Latin American legislatures. I note the high regard for the idea of collective representation in academic opinion, but also the contemporary decline in confidence in political parties among the public. I review various reforms aimed at reducing the influence of central party leaders in Latin America, as well as survey evidence from legislators in fifteen Latin American countries indicating their skepticism about centralized authority in parties and their devotion to the ideal of individualistic representation.

Chapters 3 and 4 explore the conditions under which accountability at the level of individual legislator is possible, focusing on the level of transparency in the fundamental decisive action in all legislatures: voting. Chapter 3 reviews the history of individual accountability through voting records in the United States, then examines the supply of recorded votes throughout Latin America. Chapter 4 shifts the focus to the factors that create, or resist, demand for transparency in legislative voting. Drawing on interviews, primary and secondary documentary sources, I argue that the demand for recorded voting comes most consistently from opposition legislators, dissidents within governing parties and coalitions, and from outside groups with an interest in monitoring legislative action. The basic logic is that legislators' most ubiquitous principals, party leaders, have a structural advantage – proximity – in monitoring legislative voting. If other potential principals are to make effective demands on legislators, they need to be able to monitor as well, and that requires externally visible votes. Legislators who want to appeal to outside principals also have an interest in recording votes. Despite resistance from those who control legislative agendas, pressure for transparency from these sources, combined with technological changes that reduce the costs of recording and publishing, are steadily increasing the supply of recorded votes.

The empirical material in Chapters 2, 3, and 4 is drawn overwhelmingly from Latin America, for a couple of reasons. First, I am interested in the prospects for individual accountability as a normative rival to collective accountability; individualistic representation is greater in presidential systems than in parliamentary systems; and the greatest concentration of presidential regimes is in the Americas. The political systems of the Americas represent 'most likely cases,' in that if we are to observe individualistic representation, and individual-level accountability anywhere, it is likely to be there. The presidential systems of the Americas may, therefore, exhibit a bias toward legislative individualism, but they should also provide a good window on the variety of ways in which this sort of behavior manifests itself – an attractive property for this, mostly qualitative portion of the book. The second reason is purely pragmatic – I am better able to conduct field research in Latin America than in many other parts of the world, because of language and access to sources.

Chapters 5 and 6 turn to the quantitative examination of recorded votes from legislatures in nineteen countries. Here the empirical scope grows broader, in that I draw on recorded vote data from systems beyond the Americas, but also somewhat shallower, in that no recorded votes at all are available for most legislatures, and the records that are available are generally light on context beyond the digital ones and zeros of aye and nay votes. Chapter 5 describes the recorded vote data, as well as the various indices I use to turn the vast matrices of legislators' aye and nay votes into statistics that describe voting unity at the party or coalition level, or the alternative, legislative individualism. That chapter also presents statistics that describe the levels of party unity in the various political systems for which I have collected recorded votes. Chapter 6 develops and estimates a statistical model of party unity based on institutional factors that affect the diversity of principals to which legislators are accountable. The model shows that party unity is highest when party leaders are the dominant principal – that is, in parliamentary

systems where voters do not cast personal preference votes among candidates. Institutional factors that subject legislators to pulls from additional principals diminish voting unity. Electoral rules that provide for a personal vote among copartisans reduce unity. The presence of an independently elected president reduces unity among legislators allied with the government. In presidential systems, parties allied with the president are more likely to lose votes due to disunity than are other parties, suggesting that presidents as principals, more frequently disrupt legislative coalitions composed of their allies than their opponents.

The final chapter reviews the results of the book, and concludes with observations about the distinction between legislative individualism and individual accountability, and the potential for compatibility between the latter and collective accountability.

Figure 1.1: Party-dominant representation

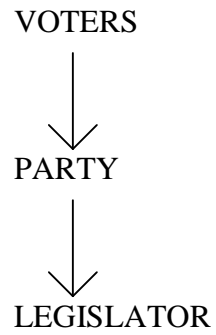


Figure 1.2: Parties and voters as competing principals

Individual-predominant representation

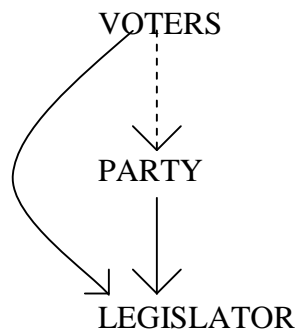
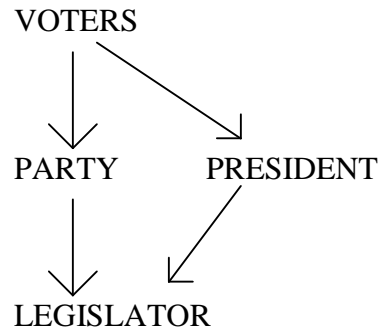


Figure 1.3: Presidents as competing principals with party leaders



*OR*

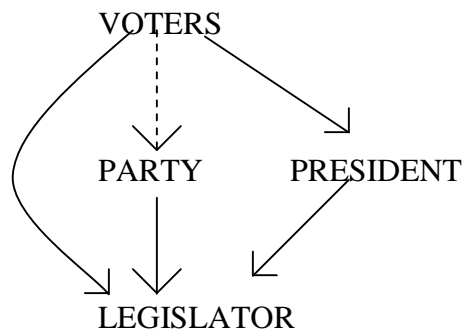
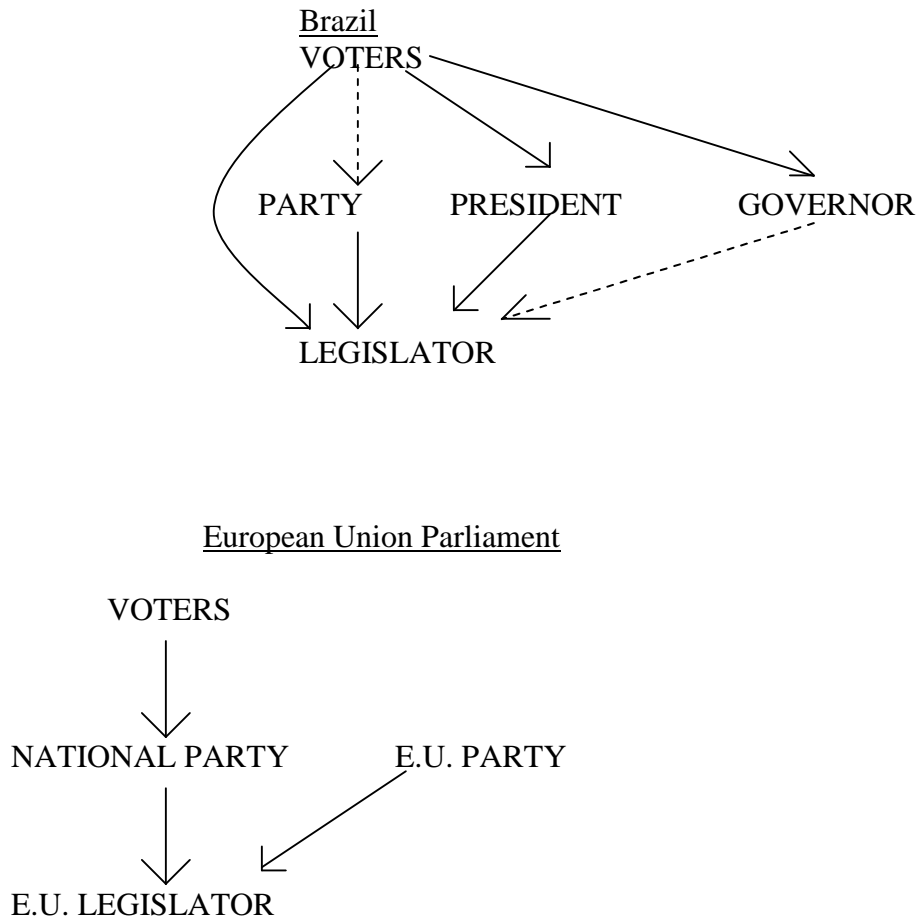


Figure 1.4: Increasingly complex sets of principals.





## **2. Collective accountability and its discontents**

### **2.1. THE STRONG PARTY IDEAL**

The normative desirability of strong party government is often taken as axiomatic among academics. In 1950, the American Political Science Association published a widely read report urging reforms to strengthen the two major U.S. parties in the name of enhancing collective accountability, or what the APSA called “responsible, party government.” In doing so, the APSA was itself hearkening back to a vision of party-led parliamentary government espoused almost a century earlier by British journalist and scholar, Walter Bagehot (1867). As the APSA put it:

An effective party system requires, first, that the parties are able to bring forth programs to which they commit themselves and, second, that the parties possess sufficient internal cohesion to carry out these programs (1950:1).

The report, moreover, explicitly linked the party unity that makes possible collective accountability to the ability of the national party organizations to cultivate control over the sort of electoral resources that would make them stronger principals to congressional candidates:

As for party cohesion in Congress, the parties have done little to build up the kind of unity within the congressional party that is now so widely desired. Traditionally congressional candidates are treated as if they were the orphans of the political system, with no truly adequate party mechanism available for the conduct of their campaigns. Enjoying remarkably little national or local party support, congressional candidates have mostly been left to cope with the political hazards of their occupation on their own account. A basis for party cohesion in Congress will be established as soon as the parties interest themselves sufficiently in their congressional candidate to set up strong and active campaign organization in the constituencies (1950:21-22).

Current observers might argue that, in the closing decades of the 20<sup>th</sup> Century, both the Republican and Democratic parties in the United States heeded the APSA’s advice in developing formidable candidate recruitment and fundraising organizations at the national level. Indeed, voting unity in both parties rose substantially (Jacobson 2000; Lowry and Shipan 2002). These developments, of course, have been greeted with criticism by many, and calls for reform, much as the looser, mid-century congressional party system did. Yet recent criticism is generally aimed at strategies of campaign finance, whereas the broader ideal of unified parties and collective responsibility retains solid academic support (Corrado 2002; Mann 2003; La Raja 2003).

The norm is even more widely held among academic observers of legislatures outside the United States. A recent study of discipline throughout Europe opens with the premise that:

“The maintenance of a cohesive voting bloc inside a legislative body is a crucially important feature of parliamentary life. Without the existence of a readily identifiable bloc of governing politicians, the accountability of the executive to both legislature and voters falls flat. It can be seen, then, as a necessary condition for the existence of responsible party government (Bowler, Farrell, and Katz 1999:3).”

Wrapping up a broad survey of the state of political parties in Latin America in the 1990s, Mainwaring and Scully lament the tendency of presidents to campaign and govern based on personalistic appeals rather than by cultivating stable party support (1995:473-474):

“As electoral democracy becomes accepted as *the* mode of forming governments in most Latin American countries, and as the enormous costs of weak party systems become apparent, perhaps leaders will pay more attention to the challenge of building democratic institutions and will govern through parties and with them. Without a reasonably institutionalized party system, the future of democracy is bleak.”

In short, strong parties have long been held in high academic esteem. In the next section, I describe how legislative parties in a variety of Latin American legislatures where I have conducted research reach and enforce collective decisions. This is a description of the mechanics by which the collective vision of representation through parties might be realized. I then suggest that political reformers often see things differently. It is not that they aspire to feckless parties. Nor indeed would most academics who call for strong parties aspire to Leninist centralism. But whereas academic observers have been inclined, on the whole, to see parties as weaker than they ought to be and needing fortification, the general tide of reform in Latin America has run against the authority of central party leaders, in the name of increasing the accountability of individual legislators.

## **2.2. LEGISLATIVE PARTIES AND DISCIPLINE IN LATIN AMERICA**

### **2.2.1. How parties' positions are determined**

All legislatures with which I am familiar are organized along party lines, meaning that party units are accorded rights over legislative resources, including representation on the organ that controls the legislative agenda, as well as whatever offices and staff are

available. Party groups in Latin American legislatures are variously known as *fracciones*, *bancadas*, or *grupos*.<sup>6</sup>

The norm among legislative party groups in Latin America is to meet at least weekly when the legislature is in session to discuss the upcoming agenda and to establish both whether there is to be a group position on each issue, and what those positions will be. Party groups are subordinate to national party organizations, and generally can be instructed by them as to how to vote on specific issues.<sup>7</sup> National party congresses invariably occur less frequently than legislative party group meetings, but national party executive committees generally have authority to establish the party line. There is frequently some overlap between membership on party executive committees and legislative groups, particularly among legislative group leaders. Many parties also retain disciplinary bodies, composed of national party leaders, which are authorized to impose sanctions on legislators who break discipline on votes where a party line has been established.

Among the partisan groups from which I have interviewed deputies (see the Appendix for a list), in Bolivia, Colombia, Costa Rica, Ecuador, El Salvador, Mexico, Nicaragua, Peru, and Venezuela, there is remarkable consistency on how decisions are made. Unless consultation is sought from, or imposed by, the national party organization, the norm is that decisions are taken in party group meetings by majority rule. This applies to the question of whether to require discipline (or alternatively, leave a matter open to conscience) and, if so, what the party line should be.

In a few cases, a provisional position for a party group can be set by the group's leaders themselves, although in cases where such an initiative prompts dissent the fallback is to deliberate and vote within the party group. Hugo Carvajal, MIR deputy and former President of Bolivia's Chamber of Deputies, for example, states:

The *bancada* decides [its position] depending on the parliamentary rhythm; the parliament has rhythms. The consultation sometimes only gets as far as a *bancada* leader, and he defines a position and then transmits it to the group – we could say he 'socializes' with the members – this decision that he's already made and has adopted in the name of the collegiate body. Sometimes this produces short circuits in the members' reaction.

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<sup>6</sup> Generally, the connection between electoral and legislative parties is straightforward, but it may not be. Party switching in the legislature between elections is common in some countries, particularly where legislators are elected on the basis of personal votes, where volatility in party support is high, or both. Brazil is notorious on both counts (Desposato 2002a; Samuels 2000). Rules of procedure in many legislatures also require some minimum membership level for registration of a party group, so parties that have insufficient numbers may be forced either to coalesce in the legislature or forego whatever resources are allocated to groups.

<sup>7</sup> Venezuela's 1999 constitutional provision (Art.201) prohibiting such constraints is unusual in this respect.

In the case of such short circuits, the remedy is deliberation and a vote within the *bancada*.

### **2.2.2. Discipline**

Across the overwhelming majority of parties in the countries where I conducted interviews, legislators reported that most votes are matters of discipline. Without estimating precise rates of discipline, Salvadorans concurred that open votes are rare events (Aristide Alvaregna interview; Duch interview). Similarly, Carvajal estimated party-line voting 85-90% of the time in Bolivia's MIR (Carvajal interview), Guillermo Landazuri estimated the rate to be 90% within Ecuador's Izquierda Democratica, and Xavier Neira reckoned it higher within that country's Social Christian Party (Landazuri interview; Neira interview). In Costa Rica, open votes appear to be slightly more common, as do breaches of the party line on disciplined votes. Eladio Gonzalez, chief of staff to the Assembly's *mesa directiva*, estimated that across all parties, 80-85% of votes are subject to discipline among all parties (E. Gonzalez interview).

The most noteworthy exception to regular decision making at the level of party group was in Colombia, where legislators from both major parties, the Liberals and Conservatives, in both chambers reported infrequent group meetings and that the majority of votes are left open, without any established party decision or direction on how to vote (Acosta; Devia; Garcia; Gomez Gallo; Navarro; Sardi interviews). As Hernan Andrade (interview) put it:

“Because ... practically all the members of our party, as in all of the parties, were elected thanks to our own efforts, there's no feeling of unity and there's no mechanism in the *bancadas* that allows for prior, coordinated decision-making, except for in exceptional cases... Each of us is his own party. Each of us gets here due to our own effort, with our own financing, with our own friends, without any clear ideology – most of the time *hiding* the party we come from. There's no channel that leads to the *bancada*, there's no partisan attachment.”

In explaining the sources of intrapartisan divisions, interview subjects concurred that cohesiveness tends to be greater in smaller groups, where there is more homogeneity of opinion, but that this is offset by economies of scale that larger groups enjoy in providing benefits that induce loyalty among legislators. Benefits range from physical resources, like offices and staff, to committee assignments, to favorable treatment for private member bills and budgetary funds for individual legislators' chosen projects (de la Cruz; Hernandez; Hurtado interviews).

### **2.2.3. How and when sanctions are imposed**

Legislators from all parties could cite cases of indiscipline, and they offered various accounts for how, and how effectively, parties respond. Consistent with academic accounts, pre-Chavez Venezuela appears to have produced nearly airtight discipline across the party spectrum (Coppedge 1994). Combellas (interview) affirmed that breaches of party discipline in legislative voting were rare in all parties, and that every

instance – in state assemblies as well as at the national level – triggered expulsion by the national party organization. He noted, however, that the “conscience” provision in the 1999 Constitution (Art.201) may provide judicial protection for undisciplined politicians.

Legislators in every country except Colombia acknowledged the existence of procedures to provide for expulsion on grounds of indiscipline, but most emphasized that party leaders prefer to induce loyalty by other means, if possible, particularly ones that are less public and dramatic. Vicente Albornoz, of Ecuador’s Democracia Popular, for example, noted that expulsion is used only if a breach of discipline is pivotal to the outcome of a vote, citing a recent tax increase in which votes by renegade DP deputies had turned the outcome. Non-pivotal defections, on the other hand, tend to be tolerated without formal sanction (Albornoz interview)

In some countries, including Bolivia, El Salvador, and Nicaragua, electoral party lists assign both a primary legislator (*propietario*) and a substitute (*suplente*) to each legislative seat. When the *propietario* is unwilling to support the party line but willing to recuse himself from a vote, parties summon the corresponding *suplente* (Alvarenga; Samper; Sanchez de Lozada interviews). Only in Mexico, where I interviewed only the president of the lower house and his staff, was there any reluctance to discuss mechanisms by which party discipline is enforced (Paoli interview).

The most common theme running through accounts of party discipline, by legislators across parties and systems, was control over career prospects. This is the bottom line resource that parties control, as legislators are acutely aware across the board. Alexis Sibaja, Costa Rica’s minority party leader, sums it up:

“There is party discipline because political careers in Costa Rica are partisan. My future is in Liberación Nacional (PLN), not outside it. I am disciplined every day because I’m always interested in advancing within the PLN ... Desertions on important matters are judged harshly by party militants and supporters. Those who have deserted the party line in the past have effectively been retired from politics because the party is very strict” (Sibaja interview).

Academic accounts, as well as those of other interview subjects (Vargas; Vargas Pagan interviews), suggest that Sibaja overstates the inviolability of party discipline in Costa Rica, but he is unambiguous about the source of what discipline exists. To the extent that legislators are ambitious for political careers, and that parties can control access to these careers, parties can induce legislative discipline. In August 2000, Mónica Baltodano described hardball politics within Nicaragua’s Frente Sandinista (FSLN) over her breach of discipline two months earlier on an electoral reform bill on which the Frente had agreed to a compromise with the governing Liberals:

Party rules say that on issues of national importance, the party organs decide and the *bancada* is subordinate to these decisions ... The Sandinista national assembly decided to go ahead with this reform, and they gave us the chance to express our points of view. Afterward, we [four FLSN legislators] broke discipline. Then,

according to the statutes, we could have been sanctioned with expulsion or other measures. This wasn't convenient to them, politically. So they ruled that whoever did not accept party decisions could not aspire to electoral posts. Everyone knew I wanted to run for mayor of Managua, and this way I couldn't be nominated. It's almost certain that they won't permit me to run for reelection as a deputy either. And they took other measures. I was Vice President of the Assembly's executive committee, and they took that away, and they won't let me chair any committees (Baltodano interview).

Baltodano correctly anticipated continued conflicts with party leaders over her aspirations. In December, facing public rebukes from party leaders for failing to support their chosen nominee for the 2001 presidential election, Baltodano noted that if she were in violation of party protocol, the FSLN was bound by its own statutes to expel her, "But they have not done that; therefore they cannot trample on any of my rights" (Latin America Data Base 2001). The party's executive committee stopped short of expulsion, but issued a statement formally barring Baltodano from nomination for reelection, citing as the reason her vote in the Assembly against the electoral reform law.

The most consistent theme in the interview responses regarding sources of party discipline is that parties have sanctioning mechanisms on the books, but except for in exceptional circumstances, less formal measures serve to induce discipline by appealing to legislators' career ambitions.

## **2.3. TROUBLE IN PARADISE: PARTISAN REPRESENTATION FALLING SHORT**

### **2.3.1. The costs of collective reputations**

Legislative accountability is complicated by a basic tension between party discipline and individual responsiveness. In a nutshell, the problem is that unified collective action by its legislators is necessary for a party to pursue its collective goals, whether the goal is to implement policy or to capture state resources, but the discipline required for effective collective action can undermine individual legislators' responsiveness to their constituents. There is a trade-off between demanding that legislators toe the party line and allowing them flexibility to cultivate support by responding to diverse interests.

Parliamentary systems of government are widely held to resolve the tension between collective and individual accountability by emphasizing the former. So long as legislators value the stream of future benefits associated with sustaining the government, the collective responsibility of cabinets to assemblies places a premium on party and coalition discipline over individualism (Cox 1987; Huber 1996; Diermeier & Feddersen 1998). In Chapter 6, I present cross-national evidence confirming that governing parties in parliamentary systems are more unified in legislative voting than those in presidential systems. For now, I simply note that even observers of European parliamentary systems document that breaches of discipline occur, and are products of demands for direct responsiveness by representatives to their electoral constituencies when these run counter to collective partisan objectives (Lanfranchi & Luchi 1999; Whitely & Seyd 1999). Studies of European public opinion have noted a general decline in trust in political

parties over the past few decades (Pharr, Putnam, & Dalton 2000). Scarrow attributes a rise in provisions for direct election of executives and local officials, as well as in initiatives and referenda, in OECD countries to citizens' decreasing trust in parties (2001)

Similar trends are evident among the presidential democracies of the Americas. Although public opinion survey data do not extend back so far as in Europe, the Latinobarometro annual survey picks up declining trust in political parties regionwide from the mid-1990s to the early years of this decade (Latinobarometro 2003). Barczak documents an increase in provisions for, and the use of, direct democracy throughout Latin America, which she attributes to widespread popular dissatisfaction with political parties and promise to increase the responsiveness of political institutions to popular demands (2001).

In short, there is a widely acknowledged tension between collective and individualized accountability, and some scholars have noted signs of dissatisfaction with the party-dominated representation. For the most part, however, studies of legislatures in presidential systems, and in Latin America in particular, have been critical of individualized representation, demonstrating a normative bent toward strong parties capable of coordinating legislative actions. This position reflects a preoccupation among Latin Americanists about the marginalization of legislatures by powerful executives, but it is also rooted in a preference for collective partisan accountability behind a broad program of government (Linz 1994; Valenzuela 1994). A central idea here, as in the literature on accountability in parliamentary systems, is that strength in these aspects is necessary for parties to be able to offer citizens coherent choices over policy and, in turn, be judged by citizens in elections on the basis of past performance and the credibility and appeal of their promises for the future.

### **2.3.2. Political reform and individual accountability: Mixed-member electoral systems**

Political reformers, as usual, appear little concerned with currents in academic opinion – in this case, with the normative emphasis on strong parties. Throughout Latin America, a number of reform measures in recent years have aimed to disconnect legislators from national party leadership when this conflicts with responsiveness to local constituencies. A prime example is the adoption in Bolivia, Guatemala, Panama, Venezuela, and Mexico in the past two decades of mixed electoral systems, combining single-member districts (SMDs) with proportional representation (PR) in overarching districts.<sup>8</sup> The explicit goal of such reforms is most often to tighten the local constituent-legislator bond, even at the expense of discipline among national parties.<sup>9</sup> As part of an effort to resuscitate support

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<sup>8</sup> Ecuador, meanwhile, combines personal voting in two-seat districts with closed-list proportional representation in an upper tier: 2MD/PR.

<sup>9</sup> Mexico used a straight SMD plurality until the 1970s, approaching the mixed system from the opposite direction, adding PR seats gradually from the late 1970s to the early '90s, to allow for minority party representation while maintaining the advantage that SMD plurality tends to provide for the largest party (Molinar Horcacas and Weldon 2001)..

for a discredited party system in the early 1990s, for example, the President's Commission on State Reform (COPRE) in Venezuela advocated the shift from close-list PR elections to SMD/PR on the grounds that the previous system:

“strengthened the party line, which is defined by the top party leaders and the tribunals of discipline responsible for its application. As a result, the legislators vote as the party dictates without attending to the demands and interests of voters in their regions ...[whereas legislators elected under the proposed SMDs] ought to act in the interests of their electors, ought to attend to their demands, ought to respond to their mail, and will have to explain to their electors why they vote as they do in the deliberative body” (Rachadell 1991:207-28).

The same motivation spurred the shift from pure closed-list PR election to SMD/PR in Bolivia in 1994 where the plummeting stature of political parties, evident in street protests as well as opinion polls, was understood as a demand from voters “that deputies should be known and acknowledged representatives of their constituencies and not anonymous representatives of party leaders. Direct connections between deputies and voters would therefore enhance the legitimacy and representativeness of the parliament, making possible the responsiveness and accountability of deputies to their constituencies” (Mayorga 2001). Precisely the same arguments were made by advocates of a proposal for SMD/PR in Costa Rica in 2000 (Sibaja interview).

Whether these reforms deliver enhanced individualistic representation and accountability remains an open question. In Bolivia, an early review of the local responsiveness of SMD deputies (called *uninominales*) found only modest improvements (Culver & Ferrufino 2000). In Venezuela, electoral reform in the late 1980s proved insufficient to salvage public support for the traditional parties and avert their complete collapse in the 1990s. Yet the COPRE's recommended SMD/PR format survived even President Chavez's constitutional overhaul of 1999; and indeed, the champions of Chavez's reforms echoed the COPRE's calls for strengthened electoral ties to local constituencies (Combellas; Tarek Saab; Fernandez interviews).

Finally, although the empirical focus of this book is primarily Latin America, it is worth noting that the arguments made in that region resonate as well among SMD/PR advocates in Europe and elsewhere. In the past decade-and-a-half, Italy, Japan, New Zealand, Philippines, Russia, and Ukraine have adopted mixed SMD/PR electoral systems.<sup>10</sup> Richard Katz describes the Italian electoral reform of 1994 as motivated by popular demands for alternation in government, and for “direct accountability of individual members of parliament to their electors. There was a desire to free the electorate from the confines of party labels and ideologies, and to allow electors to take into account the character, qualifications, and performance in office of individual candidates when casting their votes” (Katz 1994:103). Further back historically, the ‘mother of mixed systems,’ in Germany, was distinguished by its advocates from the pre-

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<sup>10</sup> Germany has used such a system since 1949.



war, Weimar system of closed list PR by its virtue of strengthening the connection between voters and individual representatives. Susan Scarrow writes that:

“German advocates of mixed-member rules argued that such rules would ‘personalize’ voters’ choices by letting them choose individual representatives from small districts – indeed, Germans still refer to their system as being an example of ‘personalized PR,’ a label that is meant to distinguish it from proportional systems that lack a nominal tier” (Sarrow 2001:63).

### **2.3.3. Venezuela’s Constitution of 1999**

Perhaps the most controversial institutional reform in recent decades in Latin America was the adoption, at the behest of President Hugo Chavez, of a new Constitution for Venezuela in 1999. Chavez’s critics decry him as an autocrat who has systematically removed or enfeebled any meaningful checks on his own power (McCoy 1999; Gunson 2006). His admirers, not the least of which is Chavez himself, tout his reforms as improving the quality of democracy in a system long dominated by an entrenched and unaccountable oligarchy of parties – a “partyarchy.” Without attempting to arbitrate this debate, which promises to endure well beyond Chavez’s presidency, I only wish to note here that the 1999 Constitution includes a number of new measures aimed specifically to foster personal responsibility by legislators to their district constituencies.

There is a four-year residency requirement for eligibility to run for the legislature from any given district or state, designed to ensure that representatives know firsthand the needs and preferences of district voters (Art.188). Legislators are obliged to “render accounts” of their activities each year in public forums (*rendiciones de cuentas*) in their districts, to explain and defend their behavior and their votes (Arts.197, 199). All legislative votes are explicitly deemed matters of individual conscience for representatives, rather than matters of partisan obligation (Art.201). Finally, all elected officials are subject to recall elections, which can be initiated by petition of 10% of the voters in their districts (Art.72, 197).

To the extent that forcing legislators to render accounts to their districts produces additional information for constituents about legislators’ actions, its connection to the idea of accountability established in Chapter 1 is straightforward. More broadly, game theoretical analysis suggests that requiring individual representatives to explain votes increases the efficiency of electoral punishment for legislators otherwise inclined to ignore constituents’ wishes, and in doing so enhances responsiveness at the individual level (Austen-Smith 1994). All these anticipated effects were articulated – albeit, without the game theory – by Venezuelan legislators in interviews. Ricardo Combellas, a constituent assembly delegate and opponent of President Chavez, describes the motivation behind the reforms as follows:

We wanted to eliminate partyarchy – not to eliminate it constitutionally, but in terms of norms, for the representative to respond more directly to the wants and needs of his constituents. His responsibility in parliament is personal – the

Constitution says so – not to respond to a party but to his constituents. We established a rendering of accounts that didn't exist before ... [and] a vote of conscience that wasn't there either ... [In the past], the parties overwhelmed their representatives. They imposed the line, imposed the vote, imposed attitudes. We have tried to relax this and create a more fluid relationship between legislators and their constituents. Besides, a legislator now has to have lived at least the last four years in the region where he is elected. And we have recall elections. All this is to say that there are innovative constitutional reforms, very different from what we had before, but that we don't know how they're going to work. That much will require a cultural change, but what we did with the Constitution was important (Combellas interview).

Referring to the same set of provisions, *chavista* constitutional delegate, and later deputy, Tarek William Saab's enthusiasm is even more unrestrained: "A big space is opened where the parties used to have complete control, and power is completely realigned. I think that we have put organized society above the parties – that the organized people, the organized popular movement will have a chance now because these constitutional measures give them a chance" (Tarek Saab interview). Whatever effect, if any, these provisions have on legislative representation in Venezuela in the long run, Chavez supporters, and at least some skeptics, regard their intent as increasing the personal accountability of politicians, even if this loosens the bonds of party.

#### **2.3.4. The move toward individualism**

The reforms discussed here were developed independently in various legislative environments, but a common thread running through them is the stated intention to strengthen the accountability of individual legislators to voters. At least in their rhetoric, contemporary Latin American political reformers are critical of legislative party discipline on the grounds that it conflicts with the individual accountability they endorse. In the next chapter, I discuss a reform I regard as integral to any shift toward individual legislative accountability: recorded voting. For now, I turn to some survey evidence that the expressed preference for greater legislative individualism is widespread among legislators themselves.

#### **2.4. THE VIEW FROM THE CHAMBER**

During the late 1990s, and again during the first half of this decade, the *Proyecto de Elites Latinoamericanas* project conducted surveys of legislators throughout Latin America on an array of issues including the principals to whom they are responsive and their disposition toward party leaders. Some of the questions were repeated across the two rounds of surveys, and in these cases, attitudes toward party leadership and discipline show remarkable stability over time (Alcantara 1994-2001; Proyecto Elites Parlamentarias Latinoamericanas 2006).<sup>11</sup> In most cases, the *PELA* team was able to get responses from well over half the membership of the lower chamber (or only chamber, in

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<sup>11</sup> I am grateful to the *PELA* directors for providing me with the marginals from a number of relevant survey questions.

unicameral systems) and across the full range of parties. Of course, one must take into consideration that the survey respondents, the legislators themselves, might answer according to what they regard to be norms of acceptable behavior. To put it less delicately, survey responses could be self-serving. Nevertheless, there are good reasons to expect that the surveys contain useful information, especially for the purposes of comparison across countries.

Most importantly, the surveys are anonymous, so from a legislator's perspective there is nothing to be gained from self-promotion. Contrast this with the legislator interviews on which I draw throughout this book. I introduced the interviews as purely for the purposes of academic research, but I did not offer anonymity as the default condition, and almost no interview subject requested it. Subjects frequently described their own actions as based on personal ambition, political dealmaking, and compromise of principles (not to mention how they depict the machinations of their colleagues). If interviewees are willing to portray their behavior in a manner that might be regarded as unseemly despite the lack of anonymity, then it is reasonable to expect a greater level of candor in the surveys.

The first three figures below present the relative influence of three potentially important principals – national party leaders, voters in their district, and the government – on the decisions legislators make. Figure 2.1 presents the results with respect to our universal principals, party leaders. The first thing to note is that the overwhelming majority of legislators acknowledges paying substantial attention (either “a lot,” or “some”) to party leaders. Colombian legislators are unusually dismissive of party leaders, as the interview responses suggested, but even here only a little over 30% say they pay little or no attention to this principal. Peruvian and Venezuelan respondents profess similar independence, although this could be at least in part a product of the specific cohorts of legislators to which the surveys in these countries were administered. The Peruvian survey was administered in 2001, following on the heels of the downfall of President Alberto Fujimori's government on corruption charges, in a context where the principle of party discipline was tarred with the brush of corruption (Carey 2003). The Venezuelan survey was administered in 2000, following directly on the ratification of the new constitution, which repeatedly professes its commitment to legislative independence from partisan control. On the whole, however, legislators acknowledge substantial deference to party leaders.

[Figure 2.1]

The second point is that, in twelve of the thirteen countries for which I have survey data, more legislators say they “some” (in Spanish, “*bastante*,” which translates literally to “enough”) than “a lot” of attention to party leaders.<sup>12</sup> Although legislators take party leaders into consideration, they reserve a higher level of deference for another principal, voters in their district, as indicated by Figure 2.2.

[Figure 2.2]

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<sup>12</sup> “*Bastante*” in this context implies “a substantial amount, but less than ‘a lot.’”

In every country surveyed, more legislators claimed to pay more attention to voters in their district than to any other factor when making political decisions. Other potential sources of influence included in the survey, but not discussed in detail here, included national public opinion, voters from within the legislator's party, the media, and interest groups. According to the surveys, none warranted such deference as voters from the legislators' districts. This is remarkable particularly because most of the legislators surveyed were elected from closed party lists in which the direct link between district voters and their representatives is tenuous at best.<sup>13</sup>

Figure 2.3 shows the amount of attention legislators claim to pay to the government in forming their decisions. Within each country, responses separate according to whether the legislator's party is allied with the president or not, with the former indicating greater levels of deference to this principal and the latter, lower levels.<sup>14</sup> Even among presidents' allies, however, the levels of stated deference do not approach those legislators claim to voters in their districts.

[Figure 2.3]

As a final indication of this tendency, consider the responses, in Figure 2.4, to the survey question, "Do you think the national party leadership should have more power of legislators, less power, or maintain the same?" In every country but Colombia, more respondents said "less" than "more," generally many times more.<sup>15</sup> In ten of fifteen countries, a majority of respondents indicated a preference for less central party control. Across countries the mean level of support for increased party control is 13%, whereas the mean support for decreased control is 56%.

[Figure 2.4]

The bottom line from the surveys is pretty simple. Legislators say they prefer more of their own discretion, and less control from their parties, toward the expressed priority of representing the interests of voters from their districts. All this may be posturing, of course, if legislators for some reason felt obliged to dissemble on the surveys. But even if the relative commitment professed for district voters versus party leaders or presidents is not sincere, it indicates a public commitment to the sort

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<sup>13</sup> Chile and Peru use open lists in multi-member districts, and at the time of the survey Colombia used a multiple list system that similarly encouraged a personal vote. In Bolivia and Mexico, about half the respondents were elected in SMDs in mixed-member systems. The rest were elected from closed lists in multi-member districts.

<sup>14</sup> Presentation of the data broken down by party would be unwieldy. In the statistical analysis of party voting unity in Chapter 5, however, alignment with or against the government will prove to be an important factor in presidential systems.

<sup>15</sup> Note that both Argentina and Uruguay are included in Figure 2.4, whereas they were not in Figures 2.1-2.3 because those questions were not included in the surveys conducted in those countries.

representation generally associated with legislative individualism rather than collectivism.

## **2.5. THE SHIFT TOWARD INDIVIDUAL ACCOUNTABILITY**

In this chapter, I suggest that over the past decade, a number of factors have increased the sensitivity among legislators in Latin America to pressures other than the demands of national party leaders. It is important to acknowledge that even party leaders should not necessarily demand blind responsiveness to the national command on the part of their troops. Total failure by legislators to attend to local, sectoral, and even individual constituent demands can leave national leaders sitting atop organizations with no electoral support. This calculus by national leaders was responsible for the adoption of mixed-member electoral systems in Venezuela and Bolivia (Crisp & Rey 1999). National party leaders pursuing such a strategy may parcel out reforms providing a modicum of individual flexibility while retaining other powers and resources that ensure discipline. Thus, for example, leaders of most Bolivian, Mexican, and Venezuelan parties have maintained centralized control over candidate nominations, seriously limiting the extent to which district pressures induce even SMD legislators to buck party discipline (Mayorga 2001).

Despite these constraints, however, the overall trend is toward the exposure of legislators to increasing pressures from sources besides their parties. In the mixed-member systems, SMDs induce individual legislative entrepreneurship and constituency service. Moreover, other electoral reforms aimed at increasing voter discretion among candidates within parties, such as preference voting within lists and primary elections for candidate nominations, have been advanced in Costa Rica, Mexico, and Venezuela. These reforms are expected to increase the willingness of legislators to break party discipline in legislative voting (Kulisheck & Crisp 2001; Mayorga 2001; Weldon 2001; E. Vargas interview).

Even the Colombian electoral reform of 2003, which aimed to enhance collective accountability by requiring that each party present a unified list of candidates in each district rather than multiple lists, affords parties the option of presenting open or close lists to voters. It is noteworthy that, in the 2006 congressional elections, the first to employ this new system, over 80% of parties competing opted to present open lists, and that over 80% of voters seized the opportunity to cast a preference vote for an individual candidate rather than simply to indicate a choice for a party's list as a whole (Shugart, Moreno, and Fajardo 2006). In short, among reformers of late – and among voters – there is a strong attraction toward individual accountability as a normative priority in legislative elections.

Have institutional reforms enhanced legislative individualism in Latin America? This is a hard question to answer. The *PELA* data provide snapshots of legislative attitudes, but we lack survey data over long time periods. In taking stock of specific reforms, one confronts similar challenges. The 1999 Venezuelan Constitution is still relatively young, and Venezuelan politics during its first few years has been punctuated

with government crises (Gunson 2006). With respect to Latin America's mixed electoral systems, early case studies suggest some impact. Even before Chavez's overhaul of the Venezuelan constitution, SMD/PR elections generated legislators with distinctive perceptions of accountability. A majority of SMD deputies surveyed in 1997 claimed that citizens vote based on the personal characteristics of candidates, whereas over ninety percent of PR list deputies contended voters "think of politics in terms of parties" (Kulishek & Crisp 2001). In Bolivia, similarly, one observer judged the mixed system to have "produced two classes of deputies and two different parliamentary roles. Overall, a trend toward locality-centered politics, constituency-serving 'retail politics' (and perhaps also corporative politics) has been strengthened at the expense of national politics" (Mayorga 2001).

Systematic cross-national comparisons are more difficult, and I do not offer a definitive judgment on the reforms discussed in this chapter and their effect on individualism. In Chapters 5 and 6, I propose various indices of party unity that measure the willingness of individual legislators to buck party unity and evaluate the factors that generate high levels of unity, or conversely, more legislative individualism. The indices are based on legislative votes recorded at the level of the individual legislators. But the entire project of studying individual voting behavior confronts a fundamental and serious problem – namely, that in many legislatures recorded votes are scarce, or unavailable altogether. In the next chapters, therefore, I explore the prior phenomenon of recorded legislative votes themselves, describing where they exist, where they do not, why, and what the practice of recording legislative votes implies for legislative accountability at the individual level.

Figure 2.1:

**How much do you take the opinion of national party leaders into consideration when making political decisions?**

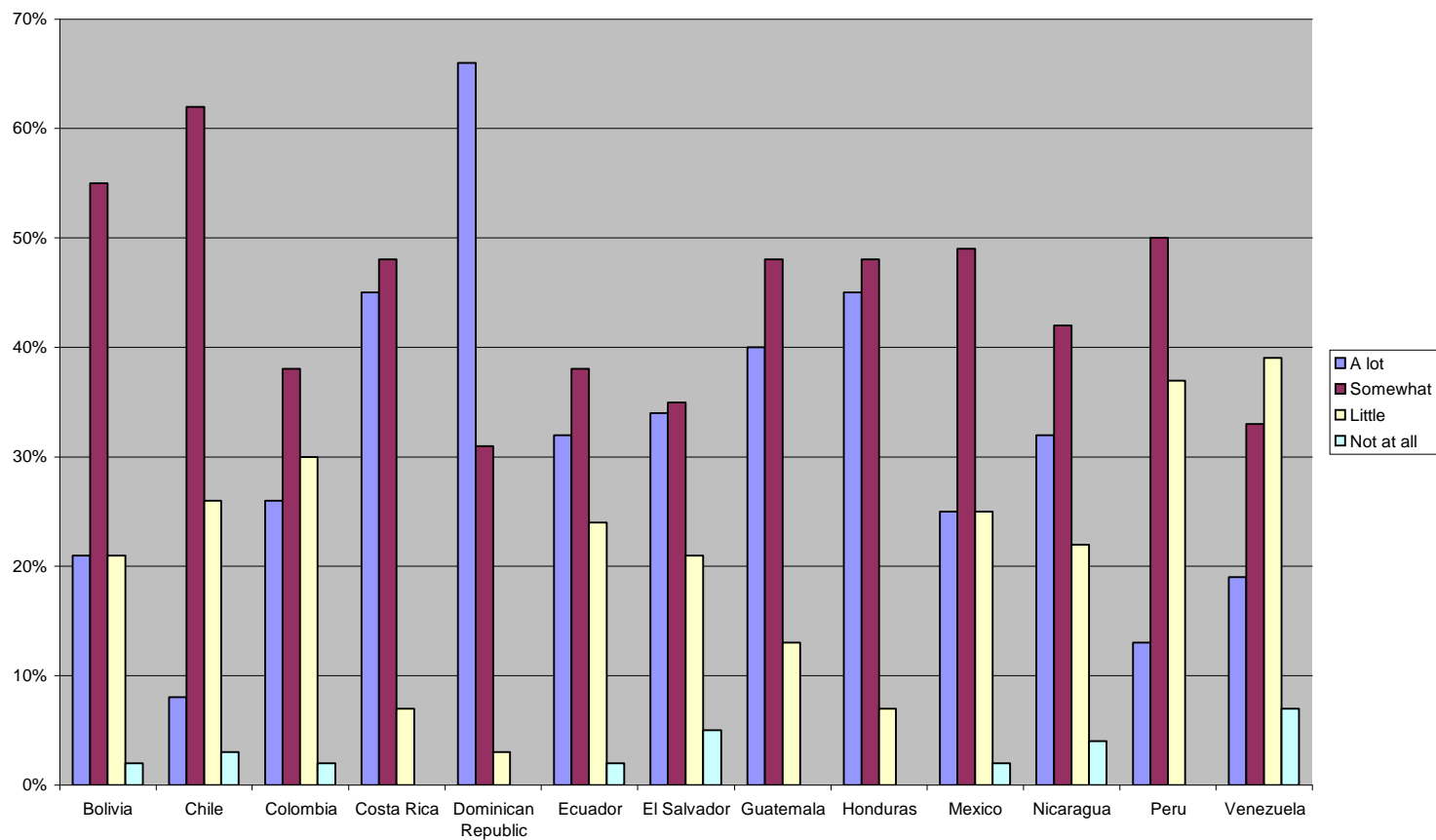


Figure 2.2:





Figure 2.3



Figure 2.4



### 3. The supply of visible votes

*“Let us make public the names of those who voted in favor, so our children will know whom they should curse.”*

Russian legislator, Yuli Rybakov, on a proposal to accept nuclear waste from other countries in exchange for cash (National Public Radio 2001).

#### 3.1. VISIBLE VOTES AND ACCOUNTABILITY

##### 3.1.1. Questions about visible votes

Whatever else voters in the United States know or do not know, they can count on being alerted as to whom they should curse for any decision Congress makes. Interest groups publish widely cited ‘report cards’ based on legislative voting records, challengers comb through their incumbent opponents’ records, and incumbents whose voting records are out of sync with their districts’ interests pay an electoral price (Canes-Wrone, Brady, and Cogan 2002). It is sometimes held that elected representatives generally operate according to a calculus familiar to U.S. legislators. In her cross-national study of corruption, for example, Susan Rose-Ackerman offers as axiomatic that, “If politicians vote against the interests of their constituents, they can expect to suffer at the polls” (1999: 127). But is this true? In many legislatures, who voted for and against a given proposal is almost never revealed, and proposals to record votes at all are contentious.

The conditions that foster, or undermine, political accountability are increasingly central to students of comparative democracies (Adsera, Boix, and Payne 2002; Johnson and Crisp 2003; Stokes 2001). The broad question motivating this chapter, and the next, is whether the information necessary to make individual accountability possible is available from legislatures. Because voting is the common currency of decision-making in legislatures, I address the topic through a number of more specific questions: What information about votes is available? What factors generate change in the revealed information about votes? What conditions are necessary for voting records to be politically salient? What effect does public voting have on the relationship between individual representatives and their parties? To forecast the general responses: First, the amount of information revealed about votes varies tremendously across legislatures. Vote records are potentially salient in all legislatures, although more in single-member district than multi-member district electoral systems. Lawmakers disagree on whether public voting is desirable, with those who control the agenda generally opposed. Pressures from opposition and dissident lawmakers, and pro-transparency actors outside legislatures, as well as technological advances all encourage publication of legislative voting records. Finally, there is a tension between public voting by individual legislators and discipline among political parties.

##### 3.1.2. Looking for visible votes in the Americas

I bring to bear on these issues evidence from Latin American legislatures, as well as

observations about the historical genesis of public voting, and its salience, in the United States. Why these cases? First, most democracies in the Americas are presidential systems, in which the separation of powers allows legislative performance to be evaluated independently from executive performance (Cox 1987; Diermeier and Feddersen 1998; Samuels 2004). If public voting is politically salient anywhere, it should be in the Americas. If it is not, then we should expect the relevance of public voting as a mechanism of accountability in parliamentary democracies to be minimal. The U.S. case is a benchmark because the institution of public voting there is most firmly established and widely recognized to be politically consequential. In Latin America, however, demands for individual-level legislative accountability have increased in recent years, and the availability of reliable electronic voting equipment has dramatically reduced the logistical barriers to public voting (Barczack 2001; Mayorga 2001; Rachadell 1991).<sup>16</sup>

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<sup>16</sup> Declining costs of electronic voting technology encourage recorded voting more broadly, of course, than just in Latin America. The Transitional Administrative Law (interim constitution) ratified in March 2004 by Iraq's Governing Council, for example, included a provision requiring that all votes taken in the Legislative Assembly should be recorded and made public (Art.33(a)). Neither the votes of the Transitional National Assembly nor those of the first National Assembly elected under Iraq's 2005 Constitution have been made available on the assembly's webpage, however.

### **3.1.3. Why focus on legislative votes?**

This book rests on the premise that voting records provide important information about the actions of parties and of individual legislators, and that it is worthwhile to compare this information cross-nationally. Is this a sensible way to proceed? It is important to acknowledge that voting on the floor is far from the only consequential action that takes place in most legislatures, and that there are good reasons for caution in interpreting analyses of recorded votes even as manifestations of party unity.

To begin with, much of the policymaking and bargaining action in any legislature takes place before proposals reach the stage of recorded votes, during negotiations between executive and legislative actors, in legislative committees, party caucuses, or in discussions between party leaders and rank-and-file legislators. Consider, for example, the prospect of drawing inferences about the legislative effectiveness of executives based on the success rate of executive-sponsored bills in legislative votes (Figuereido and Limongi 2000; Siavelis 2000). Ames (2002) sounds a cautionary note by documenting the incidence of executive policy initiatives in Brazil that are delayed, modified, or die outright before ever reaching the point of a recorded vote. Such action is clearly critical to the legislative process, but is effectively invisible to analyses that are limited to recorded votes taken on the legislative floor.

The general point that much important legislative action never shows up in floor votes is indisputable, but it does not imply that the information contained in floor votes is unimportant. Indeed, many crucial policy choices in most democracies – like those on annual budgets, the appointment of government officials, or international agreements – are constitutionally required to be voted on the floor of the legislature.

A related rationale for skepticism about the relevance of floor votes is that, if party leaders have good information about legislators' preferences, voting outcomes themselves may be foregone conclusions. In the extreme case, the information available in floor votes might not be inconsequential, but rather unrepresentative of what goes on within legislatures. Consider, for example, a majority party or coalition, the leadership of which dictates the legislative agenda and has perfect information about how all legislators will vote on any proposal. If those leaders hate to lose, they may allow no votes on any proposals where their side will lose. The votes we observe, then, will tell us something about where legislators stand, and probably about what they fight for and against in other aspects of their legislative duties, but the picture will be incomplete and biased.

It is undeniable that parties, governing coalitions – and particularly their leadership – work constantly to turn the legislative agenda to their advantage. When the task at hand is to infer from floor votes the preferences of legislators or the unity of parties and coalitions, the implications of agenda control should always be kept in mind. Yet the potential distortions in the information contained in floor votes implied by agenda control should be examined rather than assumed. Leadership information about legislators' preferences is never perfect. Legislative rules sometimes allow qualified minorities to demand votes, and so challenge majority agenda control. Some votes, as

noted above, are unavoidable. Control over the agenda is generally less than absolute, and how it is distributed depends on institutional and political factors in ways that can often be theorized, measured, and tested. To foreshadow a bit, in subsequent chapters, I show that floor voting is generally not just a string of *faits accomplis*. Records almost always include votes that are divisive within the assembly, and often within legislative parties and coalitions themselves, and vote outcomes turn on these divisions.

For now, it is sufficient to note that floor voting is a critical procedural element of all democratic legislatures. There are theoretical and empirical reasons to expect that floor voting patterns can provide relevant information about what it is that legislators value, and about how effectively they, and the groups into which they organize themselves, pursue those values. This presents us with a puzzle, however – in many legislatures, most of the information contained in voting records is invisible to all but those present for the votes themselves.

The remainder of this chapter examines how much information about legislative votes is visible to those outside the legislature. First, I present a typology of legislative voting methods according to whether they can be monitored by observers inside the legislature, outside, both, or neither, and develop propositions regarding the politics of public voting based on these conditions. Next, I review the historical trajectory public legislative voting, and its political salience, in the United States, and then turn attention to Latin America, surveying the extent of public voting, and the process by which it was adopted in some recent cases. The empirical basis for much of this chapter, and the next, is a series of interviews conducted by the author with fifty-six legislators, party leaders, and legislative staff, during 2000-2001, in Bolivia, Colombia, Costa Rica, Ecuador, El Salvador, Nicaragua, Peru, and Venezuela.<sup>17</sup>

### 3.2. WHO CAN MONITOR VOTES?

Table 3.1 distinguishes voting procedures by the relative ability of actors inside and outside the chamber to monitor individual legislators' votes, and illustrates the three relevant configurations, along with examples of each type of procedure that are discussed below. Under **secret voting**, legislators cast anonymous ballots such that the position of each is unknown by any monitor. Under **public voting**, the position of each legislator (most commonly, "aye," "nay," "abstain," or "not voting") is generally published in some official journal of the legislature, and often available on a legislative website. Under both secret voting and public voting, the ability of actors internal and external to the legislature to monitor individual votes is symmetrical. **Signal voting** refers to procedures by which individual legislators' positions are visible to those physically present in the chamber, but no individual-level record is available to outside actors, introducing asymmetry in the capacity of internal and external actors to monitor individual votes. Most votes in most Latin American legislatures – and almost all votes in many – are signal votes. The mechanics generally involve handraising ('All in favor ...') or standing up to be counted.

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<sup>17</sup> Information on interview subjects is in Appendix A. Complete transcripts of interviews are available, in English or Spanish, from the author.

[Table 3.1]

An example from Argentina illustrates the difficulties of monitoring legislator behavior when signal voting is used. On April 26, 2000, the Argentine Senate approved sweeping reforms to the country's labor code in a series of signal votes. Subsequently, allegations raised in the press, then by the administrative Secretary of the Senate, held that the government of new President Fernando de la Rúa had bribed some senators for their votes, triggering a scandal that prompted the resignation of Argentina's vice president and gravely wounded de la Rúa's presidency. Yet determining which votes were allegedly bought proved impossible. Of 59 senators present for the vote on final passage of the Labor Code, eleven spoke in favor of it on the floor, four spoke against, and the rest left no trace (Gonzalez Bertomeu 2004:39-40).

Senator Jose Luis Gioja was singled out as having allegedly betrayed his Peronist co-partisans in opposition to de la Rúa and sold his affirmative vote to the government, but there was no way to determine whether Gioja's vote was registered in support of the administration's reform in the first place. The video record of that session showed Gioja, during what became known as the "grooming vote," run his hand through his hair, touch his face, adjust his glasses, then turn to talk to his colleague (*Clarín* 2004a and 2004b). In short, in a case where an explosive charge of vote-selling was at stake, signal voting made it impossible even to evaluate the premise of the charge. Most signal votes are, of course, less quirky in their execution and less consequential in their impact on policy and politics, but they produce official records equally inscrutable in terms of individual accountability.

The rules of procedure in all Latin American legislatures include provisions for public voting. These votes are usually called *nominales*, or named votes, in which the roll is called and each legislator's position is recorded. Requirements for demanding a *nominal* range from request by a handful of legislators to petition by a majority of those present. Apart from these thresholds, traditional *nominal* procedures are inevitably time-consuming, and so procedurally costly. Electronic voting machines, in contrast, generate individual-level voting records automatically, so that when they are used the procedural costs of public voting plummet, regardless of whether or not electronic votes are formally deemed *nominales* (*Congreso del Perú* 1998).

### **3.3. THE U.S. EXPERIENCE**

#### **3.3.1. Voting records as the currency of individual accountability**

I rely on the U.S. Congress as a point of reference for my examination of recorded voting, not because it necessarily represents a normative ideal for legislative organization, much less because it is empirically representative of legislatures more generally, but rather because recorded voting is more ubiquitous, and has been for much longer, than anywhere else. The sustained centrality of voting records to U.S. politics allows for scholarly examination of how visible votes have been perceived by various political actors and how they are connected to legislative accountability. My brief

discussion of the United States highlights four points. First, public voting encourages legislators to be responsive to constituent interests. Second, this has been the case since the early days of the republic. Third, public voting imposes a strain on party discipline by exposing representatives to pressures from outside the legislature. Fourth, technological advances that reduce the procedural costs of recording votes increase their salience as tools for dissident and opposition legislators. These themes will be echoed in subsequent discussion of public voting in Latin America, although somewhat more faintly than in the United States, because in Latin America the conditions for voting records to serve as tools of accountability are, and have long been, less propitious.

The first point is uncontroversial. The centrality of voting records to campaign strategies is apparent to any observer of US legislative politics. Incumbents try to avoid casting votes that potential challengers could trot out as evidence that constituent interests have been betrayed. The connection is also established in academic research, both qualitative and quantitative (Erickson 1971; Fenno 1978). In Mayhew's seminal account of the electoral connection, roll call voting records are an essential component of legislators' position-taking strategies (Mayhew 1974:69-73). In a recent analysis of recorded votes across four decades, from 1956-1996, Canes-Wrone, Brady, and Cogan (2002) demonstrate that U.S. House members whose floor votes prioritize the demands of their parties over their constituents win lower shares of the popular vote and face higher probability of defeat than do members whose votes are more in line with the estimated preferences of voters in their districts. The results suggest that constituents are aware of their representatives' voting behavior and that electoral ambition induces responsiveness to constituent preferences.

### **3.3.2. Punishment at the polls**

Modern campaigns and communications media facilitate dissemination of information on voting, but also raise the question whether legislative politics in the United States has always been characterized by accountability of this sort. The historical record suggests that it has. Consider, for example, the controversy surrounding the Compensation Act of 1816, in which a Republican-controlled Congress voted to switch from per diem compensation to a considerably larger salary for its members. Federalist newspaper editor William Coleman decided to attack the bill in print on the grounds that his readers would blame the majority party, but would never bother to inquire how individual Federalist legislators voted. On the other side of the partisan divide, Thomas Jefferson shared the expectation that individuals' votes would not be monitored, predicting that "almost the entire mass [of Congressmen] will go out, not only those who supported the law or voted for it, or skulked from the vote, but those who voted against it or opposed it actively, if they took the money" (White 1951: 401).

Both Coleman and Jefferson proved mistaken, however, as Republican newspapers were quick to point out that a greater proportion of Federalist than Republican members voted for the pay raise, as well as publishing the names of the guilty parties (Skeen 1986: 258-259; Bianco, Spence and Wilkerson 1996:144-145). Public outrage fell more heavily on supporters of the Act than on opponents: nineteen percent of supporters were reelected against forty-six percent of its opponents (Skeen 1986: 266).



Recent research, moreover, strongly suggests that the members of the 14<sup>th</sup> Congress themselves perceived better than Coleman or Jefferson the salience of their individual positions on the Act to voters in their districts, both before and after the vote. Legislators who had won their previous election by smaller margins were systematically less likely to support the Act, and those who supported it were subsequently much less likely to seek reelection (Bianco, Spence and Wilkerson 1996). The controversy surrounding votes on the Compensation Act included intense newspaper coverage, public meetings in various communities. According to Skeen (1986), the episode undermined the idea of deference by citizens to representatives in the new republic, and established the norm of deference by legislators to public opinion instead.

### **3.3.3. Objections to secret voting**

If the practice of recording and making public individual votes is as old as the U.S. Congress, one critical 19<sup>th</sup> Century episode sheds light on how public voting affects relations between legislators, party leaders, and their constituents. At issue was the procedure for electing officers of the House of Representatives, including the Speaker. Prior to 1839, internal House elections were conducted by secret ballot. During the 1830s, battles over patronage controlled by these offices incited moves by leaders of the Democratic majority to push for public voting in House officer elections.<sup>18</sup>

It is important to highlight that the impetus to record votes in this case came from party leaders, who otherwise could not monitor the votes of their rank-and-file, not from actors outside Congress. Yet right away, the discussion incorporated the assumptions that, if votes were recorded, they would be made public, and that if public, citizens would take note. Fierce debates ensued between advocates of “the right of constituents to know all the public acts of their representative” and “the democratic principle of accountability to the constituent body” on the one hand, and on the other those who defended a legislator’s right to “express the convictions of his heart, separate from party ties and party allegiance,” fearing “that the power of party can condescend to the smallest, most unimportant, and contemptible matters” (Jenkins and Stewart 2003: 494, 495, 497).

The Democratic leaders prevailed in this initial battle, winning the ability to monitor their members’ votes and putting a stop to the subterfuge by majority party dissidents and cross-party coalitions that had characterized many House officer elections early in the century. Yet, the effect of public voting on party discipline, particularly for the highly salient votes to elect House Speakers, was “exactly the opposite in the long term ... [because] the daylight that shone on speakership elections highlighted regional animosities just as much as partisanship. It became more difficult to elect Speakers and organize the House than before the onset of *viva voce* voting.” (Jenkins and Stewart 2003:504-505). The *viva voce* episode illustrates that, in the U.S. context, the move away from unmonitored votes initially strengthened the influence of national party leaders over

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<sup>18</sup> *Viva voce* should not be confused with the current practice of voice votes on routine matters in the U.S. House, which is a subset of what I call ‘signal voting,’ where legislators indicate their votes in some visible or audible way, but no individual-level record of votes is produced. Under the *viva voce* procedure, the House Clerk recorded each member’s vote, which was subsequently published in the official record (Jenkins 2003).

rank-and-file legislators, but universal monitoring ultimately strengthened an even greater force, countervailing that of party – constituents, with their diverse regional demands.

#### **3.3.4. Interest group monitoring**

Subsequent historical accounts demonstrate that organized interest groups systematically monitored voting records in the early 20<sup>th</sup> Century and that legislators feared the influence of these records on voters. In his account of the rise of Prohibition, Peter Odegard quotes correspondence between a state legislator and a local Anti-Saloon League's chapter, which sums up the politician's simple calculus:

“While I am no more of a Christian than I was last year, while I drink as much as I did before, you have demonstrated to me that ... there are more Anti-Saloon votes in my district than there are saloon votes; therefore I will stand with you both with my influence and my vote if you will give me your support” (Odegard 1928: 90).

The League, moreover, was not satisfied with fair-sounding pledges, and relied on methods of monitoring recorded votes that echo those of modern interest groups. “Elaborate indexes of politicians and their records were kept at Washington and in most of the states, and professions of sympathy were matched with deeds. The voters were constantly apprised of the doings of their representatives” (Odegard 1928: 91). The Farm Bureau, the American Legion, the American Medical Association, and the National Rifle Association engaged in similar activities during this same era (Kile 1948; Mayhew 1974: 66-67).

#### **3.3.5. Electronic voting**

An important jump in the salience of recorded votes in the United States came in 1973 with the adoption of electronic voting technology in the House. Sponsors of the Legislative Reorganization Act of 1970 reduced the requirements for members to demand that a vote be recorded on the grounds that this would improve accountability of members to their constituents. Shortly thereafter, to accommodate the increased demand for recorded votes within time constraints, the House installed electronic voting machines. These changes produced a gigantic increase in the number of recorded votes in the House, particularly on amendments to bills, and a concurrent increase in the relative importance of voting records to legislators' relations with their constituents. One additional property of the shift to electronic voting in the United States is worth noting. Minority party members – those most likely to be dissatisfied with overall legislative outcomes – were inclined to push amendments that, when subject to recorded votes, would be politically uncomfortable for the governing majority (Smith 1989: 29-34).

#### **3.3.6. Lessons from the United States**

To sum up, recorded voting has been integrally connected to legislative accountability throughout the history of the U.S. Congress. Since at least the early 19<sup>th</sup> Century, members expected voting records to be available and salient to constituents, and relevant to their own electoral success. Party leaders, too, have a keen interest in monitoring votes but, except under exceptional procedural circumstances (e.g. secret voting in House

officer elections), leaders face minimal obstacles to monitoring votes, so asymmetries in monitoring costs generally favor party leaders over other competitors for legislators' loyalties. Interest groups have long treated voting records as the currency of legislators' performance. Finally, the reduced procedural costs to publicizing votes that accompanied electronic voting in the House increased their importance and amplified their relevance as a tool of the legislative opposition.

### **3.4. THE SUPPLY OF RECORDED VOTES IN LATIN AMERICA**

In contrast to the United States, Latin America legislatures generally record very few votes. Beyond this straightforward observation, I want to highlight three key points in this section. First, the supply of visible votes in the Americas directly reflects the technological and procedural obstacles to recording and publishing votes. Second, declining technological barriers have prompted procedural reforms in some cases that facilitate the recording and publication of votes, which in turn increases their supply. Third, this has not been so in all cases, however; some legislatures in which the technology is available still do not record (or else record but do not publish), meaning votes remain invisible – which is to say, effectively impossible to monitor for actors outside the legislature. The appendix to this chapter recounts an episode from my own field research that illustrate how difficult it can be to gain access to vote records, even for a persistent and reasonably well-connected investigator.

#### **3.4.1. Procedures for recording votes**

Rules of procedure in Latin American legislatures often require recorded votes (usually called *nominales*) under specific circumstances – for example on votes to override presidential vetos in Uruguay, on the vote to select a president in the absence of a popular-vote majority in Bolivia, and on constitutional amendments in various systems – but these circumstances tend to be unusual. In every Latin American legislature, members may also request recorded votes. The procedural barriers to such requests vary from requiring a majority vote in Costa Rica and Bolivia, to a one-third threshold in Peru, to petition by ten legislators in Ecuador or six in Guatemala. Literally calling the roll in order to take votes however, is always a time-consuming and impractical process. Moreover, rules of procedure for *nominales* often require that each legislator, in casting a vote, be allowed floor time to justify her position. In short, logistics alone are sufficient to rule out the traditional *nominal* as a means of legislative voting throughout Latin America under all but exceptional circumstances.

The procedures for taking standard votes (sometimes referred to as *económicos*) vary. In chambers with smaller memberships, such as the Central American assemblies and senates in bicameral legislatures, individuals generally cast votes either by standing or handraising, with a head/hand count conducted from the *mesa directiva*. This procedure is impractical when membership rises much above a hundred, however, and larger chambers such as Mexico's and Venezuela's have conventionally expedited matters by allowing party leaders to cast votes for their entire blocs. Legislators who are present and do not explicitly state their opposition are counted as having voted as the leadership declares.

### 3.4.2. The frequency of recorded votes

Table 3.2 shows the incidence of recorded votes across 24 legislative chambers in the Americas, plus the joint sessions of the Uruguayan Congress. The Panamanian assembly is included twice, under separate voting regimes, both before the advent of electronic voting and after. The cases are grouped according to the procedural barriers to recording – whether an electronic voting system is used, and the threshold for requiring a recorded vote. These two elements are connected, both logically and empirically. Modern electronic voting systems automatically and instantly generate individual-level records of votes, reducing the cost of recording, in terms of legislative staff labor and session time, to near zero. Where the cost of recording votes is negligible, in turn, there is less reason to maintain rules that discourage recording.

Of twelve chambers with electronic voting systems, the rules of four establish electronic voting as the default procedure for floor votes and another five set request thresholds at 10% of members or less. Of twelve chambers without electronic systems, only the U.S. Senate records as standard operating procedure, two more set low barriers, and seven set a majority request threshold to record. The mean number of recorded votes per year is derived from collection of data from parliamentary websites in those cases where complete transcripts of all legislative sessions (or, more rarely, the votes themselves) are systematically posted, and from field research or consultation with legislative staff or academic experts in each country otherwise.

[Table 3.2]

Average number of votes per year is a fairly raw statistic, to be consumed with some caution. The averages are derived from across 33 years for Costa Rica, ten for the United States, seven for Guatemala, four-year legislative periods for Colombia and Ecuador, and a mere nine months in Nicaragua's dawning electronic era. Although most of the figures are based on comprehensive archival searches, some of the vote totals reported are estimates based on incomplete data (see, for example, notes *d*, *h*, and *i* to Table 3.2).

Specialists in the legislative politics of each country might also reasonably argue that legislative floor votes can have distinctive meanings in different settings. Where most legislative work takes place in committees, for example, floor votes may be less frequent and less central to the policymaking process than when more of the action is on the floor. Even acknowledging such qualifications, however, these votes are critical to legislative decision making in every chamber. Floor votes are where statutes, budgets, treaties, veto overrides, and constitutional amendments are ultimately approved or rejected, and the availability of vote records indicates how much hard information citizens have about the most consequential actions of their representatives.

The connection between the procedural obstacles to recording votes and the amount of such information available is not surprising, but it is striking nonetheless. Those chambers where electronic voting is standard operating procedure average 459

recorded votes per year; the U.S. Senate (s.o.p., manual) averages 350; chambers with electronic systems but where recorded votes must be requested by some subset of legislators average 153 votes; and those where voting is manual and recorded votes must be requested average about two.

### 3.4.3. From electronic voting to visible voting

The experiences of individual countries that have adopted electronic voting suggest that once systems are in place, demands grow to alter rules of procedure to facilitate recorded voting, that where these demands are successful the numbers of recorded votes will rise, and pressure to make votes visible increases. Electronic voting systems were adopted in the lower legislative chambers more or less concurrently with the return to democracy in the mid-1980s in Argentina and Brazil and in the 1990s in Chile. They have been in use in Mexico and Peru since 1998, Nicaragua beginning in 2000, and in Panama since late 2004.<sup>19</sup> A system has been in place in Venezuela since 1997, but has not yet been used.<sup>20</sup> The same is true for Costa Rica's first-generation system, installed in the mid-1970s, and for the systems in both chambers of the Colombian Congress, in place since the late 1990s. See Table 3.3.

[Table 3.3]

There are purely pragmatic reasons to adopt electronic voting. It yields a faster, more accurate count than handraising. It is a concrete manifestation of modernization, an ideal widely embraced in the abstract by governments and legislative leaders (Cevasco Piedra 2000). The impact of electronic voting, however, is potentially more substantial than the logistics alone imply. Electronic voting generates records of individual legislators' votes. If the records are available to the public, this effectively transforms all votes into *nominales* – matters of record that individual legislators could be called upon to defend.

There is no guarantee that journalists, interest group leaders, activists, and the like will register how legislators vote, or that constituents will pay attention. Without a record, however, the prospect is moot, and until recently, there was no record most of the time. The adoption of electronic voting means that records are being created in many

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<sup>19</sup> Nicaraguan deputies registered some votes electronically from 1994 to 1999, but the system was served by an IBM 386 microprocessor that occasionally crashed, failing to produce records. There was also no screen to display outcomes, so the votes were not public.

<sup>20</sup> The U.S. House of Representatives installed electronic voting equipment in 1973. Prior to that time, votes were recorded, but the process involved legwork by lots of clerks, as reviewed in United States House of Representatives, *House Practice: A Guide to the Rules, Precedents and Procedures of the House—Voting* (section 2) ([http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=104\\_house\\_practice&docid=hp-57.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=104_house_practice&docid=hp-57.pdf)), 2001. Outside the Americas, I do not have comprehensive information, but there is some evidence of the spread of electronic voting – in the Swiss National Council since 1994, Russian Duma since the mid-1990s, and the Israeli Knesset since the same time, although the Israeli votes, and most of the Swiss, are not published.

places, and the existence of records opens the possibility that the information will enter into political discourse.

What rough data are available suggest a positive relationship between visible votes and legislative individualism. The surveys of legislators in Latin America discussed in Chapter 2 included a question on whether party leaders should always impose discipline on rank-and-file legislators, never impose discipline (that is, the discretion on how to vote should always remain with the individual), or whether discipline should depend on what issue is at hand (Proyecto Elites Parlamentarias Latinoamericanas 2006). I constructed an index of overall preference for individualism in each country by subtracting the percentage preferring ‘Always discipline’ from that preferring ‘Always individual discretion’ (assuming the ‘Depends’ response to be neutral). Figure 3.1 plots this index against the square root of the average number of votes recorded and made public each year (based on the data in Table 3.2) for those lower chambers for which both recorded vote and survey data were available.<sup>21</sup>

[Figure 3.1]

The figure shows an overall positive correlation between recorded votes and legislators’ expressed preferences for individualism.<sup>22</sup> This is consistent with the cross-national pattern by which legislatures with plentiful recorded (and generally, visible) votes are also those in which legislators express more support for individual autonomy from party leaders. The correlation by itself does not demonstrate which way causality runs between visible voting and individualism – that is, whether individualism (whatever the source) encourages the adoption of visible voting procedures, or visible votes (adopted for whatever reason) increase individualism – or whether the phenomena are mutually reinforcing. The next sections describe the link between the adoption of electronic voting and visible voting in two legislatures where the move was contentious, and the next chapter explores the sources of support for, and opposition to, visible voting more generally.

#### **3.4.3.1. Peru**

The prospect that visible voting would increase the premium on individual legislator accountability was explicitly on the minds of Peruvian legislators on both sides of the reform debate in 1998, as they considered the implications of switching from the

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<sup>21</sup> The use of square roots is analogous to using logged values, on the intuition that there are diminishing returns to the number of recorded votes, such that the difference in terms of legislative transparency and the visibility of individual legislators actions between publishing 0 and 100 votes is greater than the jump, say, from 101 to 200. Logged values are inappropriate in this case because some countries make no votes public, which would result from their being dropped from the dataset, as the log of zero is undefined.

<sup>22</sup> Note that Nicaragua, despite recording lots of votes, is located in the southwest corner of the scatter in Figure 3.1 because the vote records have not been made public, so are not visible. I was able to obtain a record of electronic votes only upon direct request to an Assembly staff member I met while interviewing legislators there. I was told the request was unprecedented and, in any case, that route to obtaining vote records would not be feasible for most Nicaraguans.

traditional hand-raising method of voting to the electronic system, which had recently been installed as part of a broader government modernization plan. On September 24, in an effort to embarrass the pro-Fujimori majority on a motion related to a corruption investigation, the opposition demanded that the electronic voting machines be incorporated into standard legislative procedure:

The whole reason for electronic voting is so citizens know how their representatives voted, so [votes] can be publicly justified. It's an instrument of democracy and transparency, which is why Congress spent as much as it did [to have it installed], not so we can use it on some votes and not on others ... What the country is going to notice is that the parliamentary majority is afraid that, through the Internet and other mechanisms, its votes on some matters will be made visible (Congreso del Perú 1998).

The opposition threatened procedural maneuvers designed to grind progress on all matters to a halt if the electronic system were not employed. The majority eventually broke ranks, with one of its members concurring on the matter of transparency and accountability: "One reason for this system is that it leaves a record of votes for current political analysts and for history, so that how each one of us voted is known; and those congresspersons that run for reelection, when they face the voters, they'll have to explain how it is that on each of the issues they voted as they did" (Congreso del Perú 1998). Soon after the old system was breached, the Peruvian Congress began posting records of all electronic votes on its website, at a rate of over 500 per year.

#### **3.4.3.2. *Panama***

A similar dynamic appears to have played out in the Panamanian National Assembly in 2004. Early that year, during the waning months of a legislative term, opposition deputies won initial committee approval for a reform of chamber procedures to facilitate use of electronic voting and to eliminate altogether the practice of voting by legislators banging on their desks (loudest group wins). Supporters of the proposal outside the assembly echoed the pro-transparency arguments of Peruvian opposition legislators that signal voting diluted accountability and allowed legislators to dissemble about their positions on unpopular initiatives. As in Peru, the leadership of the majority coalition initially resisted using the electronic system (Tapia G. 2004). By September of that year, however, after an intervening election, the new Assembly, now controlled by a former opposition party that had campaigned on an anti-corruption pro-transparency platform, had adopted electronic voting and begun to post votes on its official website.

Panama is the only case for which I have systematic data for the rate of recorded votes both before and after adoption of electronic voting, and the difference is dramatic. In the seven years from 1991-1997, without electronic voting, the Assembly recorded 11 votes, at a rate of 1.6 per year. During the last three months of 2004, it recorded 36 votes, an annual rate of 144.

#### **3.4.4. Why more votes are not recorded, and recorded votes are not always visible**

Even taking technological and procedural barriers into account, the Latin American legislatures generally record fewer votes than the U.S. Congress. After all, the U.S. Senate has no electronic voting, and House rules impose a significant request threshold, yet both record hundreds of votes per year. One obvious explanation is a lack of staff resources in Latin American legislatures without electronic systems. Legislatures in the region are chronically and notoriously under-funded, whereas recording votes by hand is labor-intensive and time consuming.

Procedural costs cannot be the whole story, however. Even where electronic systems are in place in Latin American legislatures, their use is not a given. Electronic systems are in place in the Costa Rican and Venezuelan assemblies, but they are never used, just as in Panama until 2004, and the electronic systems in the Argentine and Colombian lower chambers are very rarely employed. In other cases, the systems are used regularly, but voting records are not systematically published. The Nicaraguan Assembly, for example, records all votes, but does not publish the records.<sup>23</sup> The Argentine Chamber's website puts up the aggregate (yes, no, abstain, absent) results for votes taken electronically, but includes the lists of individual deputies' voting decisions only sporadically. The Mexican Senate's website, curiously, publishes its recorded votes the evening of each given session, but then removes the records when the votes from the next session are put online. The Mexican Chamber's website has changed its policies for making recorded voting data available various times over the past three years, but appears to have settled recently on putting up complete records of electronic votes.

Public access to information about electronically recorded votes may be partly attributable to technical capacity. Maintaining comprehensive websites taxes the resources of many assemblies. On the other hand, party leaders and the members of dominant coalitions sometimes prefer not to make voting records public even when they are kept, and not to use electronic voting systems even when they are in place. For now, it is worth noting that, although the point of departure is different, the relationship between electronic systems and recorded voting in Latin America runs in the same direction as that in the United States, albeit starting from a different point. In the United States recorded voting is common even in the absence of electronic voting, and it became more prolific with the adoption of an electronic system in the House of Representatives. In Latin America, recorded voting is negligible in the absence of electronic voting. It is increasingly common – but not a given – where electronic systems reduce procedural costs.

The experiences of individual countries that have adopted electronic voting systems affirm the pattern evident in the cross-national data: electronic voting and minimizing procedural barriers to recorded voting boost the amount of information available to those outside the legislature about legislative decision making.

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<sup>23</sup> The recorded votes collected for this project were obtained by special request from assembly staff. There is no rule against their disseminating this information, but neither is it readily available to journalists, politicians, activists, scholars, or citizens.



### **3.5 CONCLUSION**

Legislative voting can only be an element of accountability if votes are publicly known. They can only be known, in turn, if they are recorded and the records are available. Voting records are so essential to how legislative accountability is conceived in the United States, and have been for so long, that it is easy to forget that there is nothing automatic about their relevance, or even their existence and availability. Beyond the United States, essential components of the legislative voting-accountability relationship are often missing. This chapter outlined the conditions necessary for the relationship to obtain and examined the extent to which those conditions apply in Latin America, as well as reviewing recent changes in these conditions.

In the Latin American context, systematic voting records never exist in the absence of electronic voting. Given this empirical fact, it is important that reliable electronic voting equipment is more easily accessible than ever before. The technical obstacles to keeping and maintaining legislative voting records are rapidly diminishing. This, in turn, makes it increasingly feasible for advocates of visible voting to push their case, and difficult for opponents to resist demands to record and publicize legislative votes. Diminishing technological barriers do not, however, mean recorded and public voting have been, or will be, welcomed into all legislatures as standard operating procedure, as the next chapter makes clear.

### Chapter 3 Appendix: Stalking the elusive recorded vote

During field research in Bogota, Colombia in May 2001, various legislators assured me that the office of the Secretary General of the House of Representatives maintained computerized records of all electronic votes from the previous five years or so, and that these could be made public. The aide to one of these legislators managed to deliver me all the way to the Secretary General himself, who listened uneasily to my request, but assured me that all information is public, and handed me off to his technical assistant who, as I initially understood it, would produce for me computerized files of the votes.

The technical assistant took me to the House chamber itself to show me the voting machines, which are used regularly to take attendance but less frequently to record votes. The machines are modern and recognize the representative's hand, rather than fingerprint. (The assistant noted that the larger hand recognition slots are more trouble than the smaller fingerprint recognition type because when legislators eat lunch at their desks, they tend to get pieces of food stuck in there, which are difficult to get out. He looks forward to the day they can be replaced with a fingerprint recognition system.) The assistant also told me that the electronic system had originally been installed in the House chamber in the 1980s, but was modernized in the late 1990s. He said that the Senate had installed the exact same system shortly after the House, but that they never use it. He did not know why.

Gradually, it became clear to me that the technical assistant had not been instructed that his task was to provide me with computerized files of votes. When I asked him directly, he told me he did not think the office of the Secretary General even had complete records of votes, in part because some of the more Luddite legislators did not like to use the electronic machines, even when *nominales* are taken, and instead write down their votes and pass them forward. The complete record of any *nominal*, therefore, is actually assembled by the chamber's Division of Recording and Dissemination.

Having established exactly what I was seeking, the technical assistant to the Secretary General took me up and delivered me to the Director of the Division of Recording and Dissemination. This Director listened to my request for electronic records of votes, and then sent me, with *his* assistant, to the Deputy Secretary of the House Chamber who, I was assured, was the guy who knows where the computer files containing votes are, and how they are organized.

The Deputy Secretary listened to my request and told me that records of all *nominales* are published in the *Gaceta* (the official published record of legislative proceedings), which I already knew. I explained that I hoped to avoid having to go through every page of every *Gaceta* to find the rare *nominales*, then make photocopies, then transcribe each vote to a spreadsheet. I told him that I had assumed electronic records must exist – perhaps even of more votes than the formal *nominales* – given the existence of an electronic voting system. I noted that even the records published in the *Gaceta* are written up on computers prior to printing, that electronic copies would be far

more convenient than print versions. And I pointed out that various sources – legislators and staff – within the House of Representatives itself had confirmed the public availability of these resources. The Deputy Secretary countered that the electronic voting system does *not* produce a record of the votes; then clarified that the system does produce a record, but that the record is deleted from the system immediately after each vote is taken and the result of it is printed up. Subsequently, he explained, the Division of Recording and Dissemination transcribes from these printouts a new list of who voted how, which is inserted in the *Gaceta*. The Subsecretary explicitly did not offer to make electronic records of the *Gaceta* available. Rather, he reiterated his offer to let me – or anyone, because this information is public, after all – leaf through the hard copies page by page to find the votes, and make photocopies.

After leaving the Deputy Secretary's office, the assistant from the Division of Recording and Dissemination (still with me) told me that the Director of the Legislative Archive, or possibly Director of the *Gaceta*, would likely be more cooperative, and that I should check with them. I took this advice, but with results that should, by now, be predictable. Pursuit of legislative voting records in many other countries, including Bolivia, Ecuador, and El Salvador, yielded similar results.

Table 3.1. Monitoring legislative votes.

		<i>INTERNAL (e.g. party leaders)</i>	
		No	Yes
<i>EXTERNAL (e.g. citizens)</i>	No	<b>Secret voting</b> <ul style="list-style-type: none"> <li>• USHR officer elections, pre-1839</li> <li>• Peru, at request of 1/3 of legislators, or Panama at request of 1/2.</li> <li>• Italian final passage votes, pre-1988</li> </ul>	<b>Signal voting</b> <ul style="list-style-type: none"> <li>• Latin America standard operating procedure in lieu of electronic voting</li> <li>• U.S. House voice votes.</li> </ul>
	Yes	N.A.	<b>Public voting</b> <ul style="list-style-type: none"> <li>• U.S. Congress roll call and teller votes</li> <li>• Latin America <i>nominales</i></li> <li>• Latin America with electronic voting when records are made available</li> </ul>

Table 3.2. Effects of procedure on the availability of public voting records.

Country	Chamber	Members	Request Threshold	Recorded votes/ year
<i>Standard operating procedure, Electric</i>				
Chile	House	120	Art.9	328
Chile	Senate	47	Art.157	45
Nicaragua	Unicameral	90	Rules do not yet reflect adoption of electronic voting (Arts.104-110)	924 <sup>a</sup>
Peru	Unicameral	120	Art.57	540
<i>Standard operating procedure, Manual</i>				
United States	Senate	100	Rule XII	350
<i>By request, Electric</i>				
Mexico	House	500	6 legislators (Art.148)	155
Mexico	Senate	128	6 senators (Art.148)	156 <sup>b</sup>
Panama (2004)	Unicameral	71	Majority of those present (Art.196)	144 <sup>c</sup>
Brazil	House	513	6%, or party leaders representing 6% of members (Art.185)	>68 <sup>d</sup>
Argentina	House	257	10% of deputies present (Art.190)	17 <sup>e</sup>
United States	House	434	20% of quorum (Rule XX)	559
Brazil	Senate	81	Majority of those present (Art.294)	125 <sup>f</sup>
Venezuela	Unicameral	165	Majority of those present (Arts.120,125)	0 <sup>g</sup>
<i>By request, Manual</i>				
Guatemala	Unicameral	140	6 legislators (Art.95)	8.4
Ecuador	Unicameral	100	10% of legislators (Art.70)	4.5
Bolivia	House	130	Majority of those voting (Art.107)	0
Bolivia	Senate	27	Majority of those voting (Art.116)	0
Uruguay	House	99	1/3 of those present (Art.93)	<1.0 <sup>h</sup>
Argentina	Senate	72	Majority of those present (Art.205)	21 <sup>i</sup>
Colombia	House	161	Majority of those present (Art.146)	2.5
Colombia	Senate	102	Majority of those present (Art.146)	2.0
Costa Rica	Unicameral	56	Majority of those present (Art.101)	0.5
El Salvador	Unicameral	84	Majority of those present (Art.37)	0
Panama (1991-2003)	Unicameral	71	Majority of those present (Art.196)	1.9 <sup>j</sup>
Uruguay	Senate	31	Rules allow, but do not specify procedure to request, recorded vote (Art.100)	<1.0 <sup>h</sup>
<i>Constitutional requirement, Manual</i>				
Uruguay	Joint session	130	Recorded vote required on motion to override presidential veto (Art.141)	6.3 <sup>h</sup>

<sup>a</sup> An electronic voting system installed in 2000 was immediately put into regular use for all votes. The vote records, however, are not published.

<sup>b</sup> The Mexican Senate website currently publishes all recorded votes, but leaves only those from the most recent session on the website, continually replacing records of previous votes. As a result, only a handful of votes are available at any given time, and any actor who seeks to monitor Senate voting must be vigilant and assiduous in harvesting votes as soon as they are 'ripe.'

<sup>c</sup> As of September 2004, the National Assembly began to use its electronic voting system and to post electronic votes on its website (<http://www.asamblea.gob.pa/portada.asp>). During the last three months of 2004, 36 votes were recorded, a rate of 144 per year.

<sup>d</sup> Actual number is somewhat higher. Figueiredo and Limongi's (2000) data included 678 votes over a 10-year period, but excludes votes in which less than 10% of deputies voted on the losing side.

<sup>e</sup> Source: Asociacion de Derechos Civiles, Buenos Aires.

<sup>f</sup> Source: Scott Desposato, personal communication.

<sup>g</sup> Art.125 states that a single deputy may solicit a recorded vote, but does not stipulate a requirement for the approval of such a request. Art.120 states that Assembly decisions are to be made by vote of a majority of those present. The transcripts of floor debates available in the *Diarios de Debates* online report only aggregate vote totals, not individual-level voting records, even for votes said to be taken by the *nominal* method. Thus, no records are public.

<sup>h</sup> Extensive search of *Diarios de Sesiones*, 1985-1994, turned up only a handful of recorded votes in either chamber, beyond 63 from joint sessions on votes to override presidential vetoes, per constitutional requirement. Method of archiving makes it difficult to determine whether any other recorded votes exist. Sources: Scott Morgenstern; Daniel Buquet & Daniel Chasquetti.

<sup>i</sup> The Asociacion de Derechos Civiles reports that the Argentine Chamber produced 17 recorded votes in 2003, and *Clarín* (2004) reports that the Chamber recorded votes in a total of 9 sessions. The same article reports that the Argentine Senate recorded votes in a total of 11 sessions. The estimate of 21 votes is based on an assumption that the Senate recorded votes with the same frequency per session, given that records were produced.

<sup>j</sup> Source: Harry Brown Araúz, personal communication.

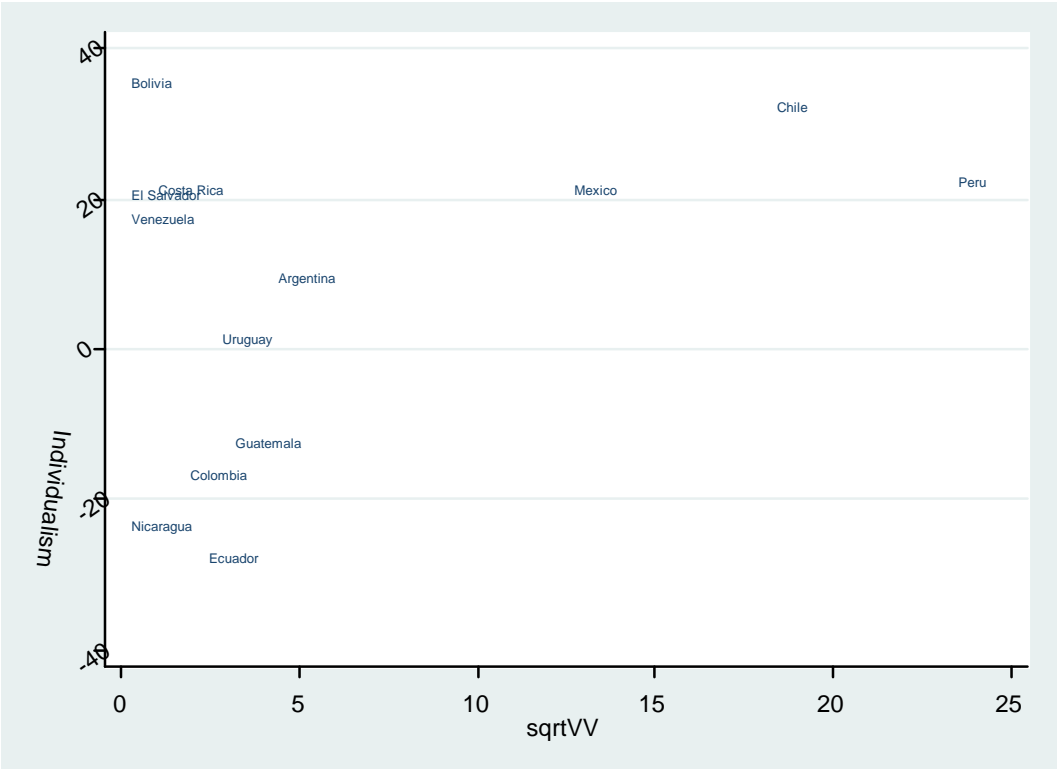
Table 3.3. Electronic voting systems in Latin American legislatures (lower chambers or unicameral systems)

Country	Installed	In use?	Availability of electronic vote records
Argentina	Prior to redemocratization, 1983 <sup>a</sup>	Yes	Retained in congressional archives, not published
Brazil	Prior to constitutional assembly, 1987 <sup>b</sup>	Yes	<i>Camara dos Deputados Plenário</i> ( <a href="http://www.camara.gov.br/Indice.asp?Endereco=Intranet/Plenario/Plenario.htm">http://www.camara.gov.br/Indice.asp?Endereco=Intranet/Plenario/Plenario.htm</a> )
Chile	With construction of new Congress, 1990	Yes	In text of <i>Boletín de Sesiones</i> ( <a href="http://www.camara.cl/">http://www.camara.cl/</a> ), online since 1996
Colombia	1999	No	N.A.
Costa Rica	mid-1970s	No	N.A.
Mexico	1998	Yes	<i>Gaceta Parlamentaria</i> ( <a href="http://gaceta.cddhcu.gob.mx/">http://gaceta.cddhcu.gob.mx/</a> )
Nicaragua	2000	Yes	Retained by Assembly clerk, not published
Panama	¿???	No	<i>Asamblea Nacional Panamá</i> ( <a href="http://www.asamblea.gob.pa/portada.asp">http://www.asamblea.gob.pa/portada.asp</a> ), online since 2004.
Peru	1998	Yes	<i>Congreso de la República</i> ( <a href="http://www.congreso.gob.pe/index.htm">http://www.congreso.gob.pe/index.htm</a> )
Venezuela	1997	No	N.A.

<sup>a</sup>Personal communication with Prof. Mark P. Jones (Michigan State University)

<sup>b</sup>Personal communication with Prof. Octavio Amorim Neto (IUPERJ)

Figure 3.1. Recorded votes (square root) and preferences for legislative individualism.





## 4. Demand for visible votes

### 4.1. IS TRANSPARENCY DESIRABLE?

Democratic legislatures are forums for debate and collective decision over the diverse values their members represent, and their internal workings are generally meant to be subject to monitoring from outside actors. By forcing debate into an open setting, legislatures may limit admissible arguments on behalf of interests or policy positions to those that can be defended in public. Transparency in voting, moreover, opens the possibility that individual representatives can be held accountable for their votes by those they represent.

The argument for transparency in legislative voting rests on twin ideas. One is that political elites and ordinary citizens differ in their claims to anonymity in political action. The second is that information about legislative voting actually gets to voters.

The conventional logic regarding anonymity is that it is necessary for voters, through the secret ballot, in order to free citizens from intimidation in elections, but that anonymity in legislative voting undermines democratic accountability. In effect, legislators ought to be subject to pressure on their votes but citizens should not (United States Supreme Court 1958).<sup>24</sup> The legislature-as-public/elections-as-private distinction is not universally shared. Jean Jacques Rousseau, for example, did not advocate public voting in legislatures but nevertheless makes a case for public voting in elections. Rousseau regarded individual legislative votes as of less interest than the collective result. Whether the latter was consonant with the general will, according to Rousseau, could be determined only through popular election, and in this forum Rousseau prioritized the accountability of citizens to each other, holding that the requirement to state one's vote publicly could encourage citizens to support only proposals that are in the general interest (Rousseau 1763).

Neither is the principle that information regarding legislative votes ought to be available to voters a given. Chapter 3 demonstrated that, empirically, the supply of voting information is spotty at best in many legislatures. Moreover, at around the same time as Rousseau, but drawing on an altogether different conception of representation, Edmund Burke also rejected the idea that legislative representation ought to consist of legislators faithfully reflecting their constituents' preferences or answering to voters for failing to do so. Burkean representation, as famously depicted in his *Speech to the Electors of Bristol* (1774), has no place for legislative transparency and the monitoring of votes by those outside parliament. Burke pointed out to his constituents the narrowness of their own political vision and demanded that they trust their representative's (i.e. his) judgment as to the common good and forego demands for responsiveness to their own wishes.

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<sup>24</sup> For a contrary argument, that even citizen voting at the polls should be public, see Brennan and Pettit (1990).

In short, political theory can supply normative arguments against legislative transparency, but this book subscribes to the belief, mainstream to much modern political theory, that transparency makes accountability possible and that accountability of representatives to citizens is desirable.<sup>25</sup> All the evidence in this chapter suggests that the normative commitment to transparency is widely shared, or at least outwardly acknowledged, among legislative insiders and outsiders like. Advocates of visible voting regularly echo this normative argument, and even those who are reluctant about visible voting do not directly challenge it. The main obstacles to visible voting in modern legislatures are not normative arguments, but other factors. In order to understand the empirical pattern of recorded and signal voting described in Chapter 3, it is necessary to examine the political forces and preferences on the matter at play in legislative politics.

This chapter advances a series of propositions regarding differences across political systems that shape the electoral salience of voting records, and differences among different actors within political systems in their preferences for making votes public. Then I examine these propositions in light of evidence from field research, interviews with legislators, and archival and secondary sources.

## **4.2. INCENTIVES TO MONITOR AND PUBLICIZE VOTES**

I distinguish between two types of factors that affect the impetus toward visible voting. The first operates at the level of political system – specifically, the manner in which legislators are elected – and shapes the incentives legislative candidates have to emphasize voting records in campaigns. The second distinguishes among political actors within a given political system according to their inherent ability to monitor votes even in lieu of recording and publication (i.e. signal votes, which are the procedural default in most legislatures), as well as their relative inclination to answer to principals inside versus outside the legislature.

### **4.2.1. SMD versus MMD elections**

To begin with, citizens cannot be expected to keep track of voting records on their own. Even where votes are published regularly in places easily accessible to citizens, common sense dictates that all but the most peculiar have better things to do than to comb through records of legislative proceedings on a regular basis.<sup>26</sup> Without relying on the initiative

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<sup>25</sup> For example, Snyder and Ting (2005) offer a formal model to explain why public voting in legislatures ought to be appealing both to legislators and to citizens. The outcome depends on symmetrical monitoring of legislators' voting behavior by both their constituents and by other some principal – say, a powerful interest group or a political party leader – whose preferences may be at odds with constituents. Symmetrical monitoring is necessary for legislators to make binding electoral contracts with their constituents – to commit credibly to be faithful representatives and to expect any reward for doing so. A critical assumption of the model is that information about legislators' votes gets to constituents.

<sup>26</sup> Although Burke would eventually prove to be among the most sympathetic members of the British Parliament to American grievances against the crown, many of the colonists did not share

of citizens themselves, then, how might information about the quality of representation delivered via legislative votes get into the hands of voters so that it can contribute to accountability? In the U.S. context, it is clear that politicians are motivated to deliver information about legislative voting records to voters, but this is less obvious for many legislatures elsewhere.

Candidates in single-member district (SMD) elections dominated by two parties have strong incentives to provide voters with bad news about their opponents' record because any candidate is the sole residual claimant of whatever popular vote loss her opponent suffers as a result. In the context of U.S. elections, then, challenging candidates are key vehicles by which information on legislative voting records are delivered to voters in a legislator's district.

In multi-member district (MMD) electoral systems, which predominate in Latin America, the incentives for candidates to deliver news about their opponents' voting records are weaker. In closed list systems, such as Argentina, Costa Rica, Ecuador, El Salvador, or Nicaragua, ballots do not afford voters the opportunity to indicate a preference for individual legislators, so any punishment for bad voting behavior (or reward for good behavior) is spread across all of a party's candidates, and any benefit to the lists of other parties accruing from such punishment may be spread across the other parties running lists. Within each of these lists, any gain in electoral support benefits the candidate highest in the list who would otherwise not be elected. The identity of this marginal candidate, however, is unlikely to be known with certainty before the election.

Systems that allow for personal preference voting over candidates within parties, such as open lists in Brazil, Peru, Chile, or Colombia<sup>27</sup>, provide stronger incentives for the delivery of information about voting records, but still not as strong as under SMD because of the diffusion across multiple candidates of any gains to be had from exposing flaws in a given legislators' record. In the concrete sense, a candidate in a Peruvian district with eight incumbent legislators has multiple voting records to criticize, but cannot expect to monopolize whatever electoral support she dislodges from incumbents by blowing the whistle on their negligent voting behavior. Instead, this support may be spread across the other challengers for the eight seats at stake.

In short, even in personal vote systems, the potential gains to be had from publicizing 'bad' voting by an opponent depends on how widely any votes shaken

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his views about deference to legislators. One particularly un-Burkean reform advanced by reformers in Pennsylvania around the eve of independence, would require any proposed law to be posted in public houses for a year before the colonial legislature could vote on it, to ensure citizens could monitor their representatives in *advance* of acting (Morone 1990: 40). Internet notwithstanding, these Founders appear to have had a keener sense than we do at present of how to use available technology to foster accountability.

<sup>27</sup> Open lists were used in Colombia beginning with the 2006 election, but the previous system of multiple lists was at least equally personalistic (Cox and Shugart 1995).

loose by such publicity will be dispersed among other candidates. How many candidates there are in the district will likely depend, in turn, on the district magnitude, the fragmentation of the party system, and how many candidates each party nominates. By and large, the incentives of campaigns in large-magnitude districts are to under-supply information about individual legislative behavior (Desposato 2004 and 2006). Generally speaking, the smaller the pool of candidates chasing votes in a district, the greater the incentive for candidates to emphasize their opponents' individual voting records in campaigns.

The bottom line here is that the incentives for candidates to make voting records central to campaigns are strongest under the electoral rules and party structure that characterize U.S. legislative elections. Purely electoral incentives for candidates to publicize their opponents' voting records are not altogether absent in other electoral environments – and citizens may well come to monitor legislators' votes for other reasons – but the structure of electoral competition in MMD systems provides less incentive than in SMD systems to make voting records central to political debate. Legislative voting procedures may determine who has the *ability* to monitor legislators' actions, but electoral rules and the nature of party competition shape the incentives for politicians to deliver this information.

#### **4.2.2. Legislative insiders versus outsiders**

Recording and publishing votes provides less marginal benefit to actors who enjoy natural advantages in monitoring signal votes (call these 'insiders') than to those who are relatively disadvantaged ('outsiders'). To the extent that insiders and outsiders compete with each other for influence over legislators, then insiders should oppose making votes visible while outsiders should support visible votes. With respect to legislators themselves, they know that insiders will be able to monitor their behavior, rewarding and punishing accordingly; the question at stake in recording and making votes public is whether outsiders will be able to as well. Thus, those who are seek to appeal to outside audiences and constituencies – and particularly those inclined resist coercion from insiders – should support visible voting, whereas legislators whose foremost principals are insiders should oppose visible voting, or at least be indifferent (Snyder and Ting 2005).

The political actors with the greatest monitoring advantages are legislative party leaders – particularly those from majority parties or coalitions that control legislative agendas. Interest groups with substantial resources, including lobbyists or staff poised to oversee legislative activity, may also be able to monitor signal votes on the assembly floor. Actors motivated to monitor, but with disadvantages in doing so, include NGOs and watchdog organizations with constrained resources, journalists, and academics. The actors most resistant to coercion from legislative leaders are opposition legislators and dissidents within majority parties and coalitions. Interviews and documentary evidence confirm that the politics of recording votes and making records transparent conforms to these expectations.

#### **4.2.3. Friends and enemies of visible voting**

Three propositions follow from the discussion in this section. First, the purely electoral incentive to emphasize an opponent's legislative voting record should be stronger in SMD than in MMD systems, contributing to somewhat greater salience of visible votes in the former than the latter. Second, various sorts of political actors may be inclined to monitor legislative votes: constituents, political party leaders, and interest groups among them. Among these actors, those inside the legislature (e.g. party leaders), or for whom monitoring votes is relatively cost-efficient (e.g. interest groups with policy concerns before the legislature), have little interest in formally recording votes relative to those outside the legislature, for whom monitoring costs are higher (e.g. constituents). Third, among legislators themselves, visible voting should be favored by those inclined to resist pressure from inside actors, and opposed by those in a position to apply it.

### **4.3. HOW THE POLITICAL ACTORS SEE THINGS**

The discussion in Chapter 3 demonstrated that visible legislative votes have long been ubiquitous, and politically important, in the United States. The availability of individual voting records far surpasses that of any Latin American legislature. This, together with the demonstrated centrality of legislative votes to electoral accountability, supports the proposition that visible votes are more salient in the United States, where elections are exclusively SMD, than in Latin America, where MMDs prevail. I turn attention in this section to the varying demand for visible votes among actors in legislative politics within Latin American systems, where field research for this project was conducted. This research confirms the intuition that insiders, for whom the opportunity costs of monitoring are low to begin with, tend to oppose voting transparency whereas outsiders and legislative dissidents support it. Legislative party leaders – the ultimate insiders – are reluctant to use institutional resources to eliminate the very monitoring asymmetries that signal voting implies. Actors outside legislatures, for whom costs of monitoring are otherwise high, favor public voting. Among legislators, members of majority parties or coalitions – and most vehemently their leaders – tend to oppose public voting, whereas opposition legislators and dissidents within majority coalitions support it.

#### 4.3.1. Legislative leaders

In enforcing party discipline, legislative party leaders have an inherent interest in monitoring votes.<sup>28</sup> However, they are best off if they can monitor effectively without formally recording, insofar as the absence of an official record that can be examined by outside actors shields their rank-and-file legislators from competing pressures. Party leaders' interest in recording votes, if it were to exist at all, would stem from their inability to keep track of how their groups vote by other means (Cárdenas interview; Jenkins and Stewart 2003).

Most legislators interviewed suggested that formally recording individual votes is not necessary for leaders to monitor their troops, and all the party leaders interviewed found informal methods of monitoring votes to be sufficient for their needs, consistent with the proposition that the monitoring advantages are a valuable resource for legislative insiders under signal voting. Former Salvadoran Assembly President Juan Duch (ARENA) explained that "we don't count with an electronic system, but it is still easy to know how a party group voted, and therefore one can know with near certainty whether there is a majority, and whether it is a simple or extraordinary majority."

Other party leaders pointed to the ergonomics of how seating and voting in their chambers operate. Carlos Vallejo Lopez, former President of the Ecuadorian Congress, for example, noted that, "Because the party group is almost all in a line – they are physically together, one can observe how the bloc moves. Ten deputies raise their hands, five deputies, whatever." Legislators from that and other chambers – party leaders and backbenchers, governing coalition and opposition – made similar points about party leaders' ability to monitor voting (Lucero, Sibaja, Vargas Pagan interviews).

It may be that such low-tech monitoring is more feasible in smaller than in larger legislatures. Most Latin American legislative chambers have fewer than 150 members. The lower houses of Argentina, Brazil, and Mexico, on the other hand, have 250 to over 500 members, and all three have electronic voting systems installed. Chamber membership is positively correlated (.45) with use of electronic voting, but the correlation between membership and frequency of recorded votes is much smaller (.15), and not significant. Party leaders in all chambers where interviews were conducted emphasized that discipline is expected in voting, so recording individual legislators' votes would be redundant (R. Alvarenga, Duch interviews). Gonzalo Sanchez de Lozada, former President of Bolivia summed it up: "Here it's not like the United States where you say 'I

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<sup>28</sup> Legislative parties in Latin America are referred to variously as *bloques*, *fracciones*, *bancadas*, *grupos*, or *partidos*. For simplicity, I refer to such units generically as party groups.

voted this way or that' ... Here, people presuppose and expect legislators to be loyal to their party."

Overall, party leaders interviewed were consistently dismissive of the need to record and publish legislative votes. Press reports from other legislatures confirm this pattern. The President of the Panamanian National Assembly dismissed a proposal by opposition deputies to adopt electronic voting on the grounds of unspecified technical problems with the system and the lack of training in its use among the deputies themselves (Tapia G. 2004). After an intervening election, however, the next Panamanian assembly saw fit to begin recording and publishing votes (Asamblea Nacional de Panama 2005). Similarly, in 2003, party leaders in the Texas House of Representatives initially resisted demands to record and publish votes on the grounds that to do so would be too costly in terms of time, despite the fact that an electronic voting system was already in place, and in terms of the extra paper required to include the voting rolls in the published House Journal (*Dallas Morning News* 2003a). Neither factor proved pivotal in the longer run, however; by 2005 Texas votes were available on the state legislative website (Texas Legislature Online 2005.) In contrast to leaders, legislators further removed from positions of control over the agenda express consistent support for recorded voting. Many of these also suggested that party leaders are actively hostile, rather than indifferent, toward recorded voting.

#### **4.3.2. Opposition and dissident legislators**

Legislators from opposition parties, as well as occasional dissident legislators from within governing parties or coalitions, are dependable supporters of the idea of recorded voting, whether or not recorded voting was the standard procedure in their chamber. Their motivations fall into four categories: to obstruct the legislative process, to prevent the manipulation of voting results, to hold their adversary's feet to the fire on votes that are unpopular, or to publicize dissidence within the majority party or coalition.

##### **4.3.2.1. Obstructionism**

The first motivation, obstruction, is relevant only in chambers that lack electronic voting systems. Where recording a vote literally means that the roll must be called – and in some cases, where legislators are allowed to explain their position, however briefly – the effect can be to grind progress on the legislative agenda to a halt (Cardenas interview).

##### **4.3.2.2. Honest tallies**

The second motivation is simply that recorded votes prevent outright manipulation of voting results by those who control legislative procedures. One Ecuadorian legislator, who asked for anonymity with regard to this one comment, said:

The truth is the following: the President of the Congress often manipulates the votes. So, when you don't have a *nominativa* ... if the Secretary says there are 64 votes out of the 110 delegates who are present in the hall, the article is passed. [My party] usually has two of its assistants in the Congress at the front, on both sides of the plenary hall ... It's a warning for the Secretary, because on

more than one occasion we've demonstrated with the accounting that we have brought with us that they are giving a result that's incorrect. (See also Lucero interview.)

Salvadoran Deputy Aristide Alvarenga (PDC) also complained of manipulation of vote outcomes under the handraising method of voting, but described a conscious decision to tolerate such abuse during the tumultuous 1980s:

[Electronic voting] has already been considered [in El Salvador]. This was many years ago, around 1985. A committee studied the possibility, and at that time USAID offered to pay for it, but at that time issues were so complicated – we were in the war, at times it was necessary to contrive votes, to find a way, in order to move forward, and it was said that [electronic voting] was not appropriate at the time and we should wait a while.

By Alvarenga's estimation, sufficient time has now passed that the Salvadoran Assembly should adopt electronic voting, but to this point it has not. It is worth noting that Alvarenga's PDC was a majority party during the period when he found 'contriving votes' acceptable practice, but is much smaller, and outside government, currently.

Legislators interviewed in every chamber that lacked electronic voting asserted that outcomes were altered when signal votes, which generally involve standing, handraising, or banging on the table (*el pupitrazo*), were used, and generally expected that electronic voting would remedy the problem (interviews with Landazuri and Lucero in Ecuador; Sanchez Bezrain in Bolivia; Navarro in Colombia; Guido in Costa Rica). Nicaraguan Deputy Maria Lourdes Bolanos (FSLN) confirmed the improvement under electronic voting on the basis of recent experience:

I think the change is transcendental. Members of the Salvadoran opposition have told me they want to acquire an electronic system because they regard transparency as very weak in El Salvador, to the point where the Junta Directiva manipulates votes. They always overcount, they're never satisfied. In contrast, we are satisfied with the votes. We believe there is transparency, we believe there's efficiency. That's important. With manual voting, for all the time it would cost us, now we have agility. It's not just about transparency, but agility.

#### ***4.3.2.3. Putting adversaries on record***

Procedural concerns with obstruction and accurate vote counting aside, the most common motivation behind demands for recorded voting among opposition legislators is transparency. The practice forces those who control the legislative agenda to go on the public record with specific votes to which citizens might object,



and therefore which might benefit the opposition (Jones and Hwang 2005). Statements along these lines from opposition legislators were abundant (Bedregal and Sibaja interviews, for example). Former Bolivian Deputy Alfonso Ferrufino's (MBL) describes the reason majority coalition legislators resist electronic voting as "the intention and the will of the representative *not* to be transparent in his job – to say one thing in public and do another inside the Congress."

A staff member for an opposition deputy in Venezuela's National Assembly portrayed the governing party's resistance to electronic recorded voting as less subtle, claiming that state of the art voting equipment installed with support from a foreign aid program was vandalized by members of the majority party to avoid having to take responsibility for their votes (Anonymous 2002). In Panama, an opposition-led proposal to force the chamber leadership to use the existing electronic voting system was justified on the grounds that majority-party legislators ducked responsibility for votes in favor of unpopular tax legislation and motions to grant immunity from prosecution to government officials charged with wrongdoing (Tapia G. 2004).

Members of majority parties or coalitions were inclined to dismiss the importance of electronic voting on the grounds that recorded votes (*nominales*) can be requested in any instances where there is either doubt about the outcome, or where enough legislators want to insist on a public record (Acosta, Carvajal, Lucero interviews). Yet opposition legislators objected that those who control the flow of legislative traffic fail to handle such requests evenhandedly (Devia, Garcia, Holguin interviews). According to Colombian Senator Rafael Ordúz:

**Ordúz:** Sometimes, if a group of senators opposes a project and is in the minority, but it's in our interest that how everyone voted is known, we can demand a recorded vote, if we are recognized to speak.

**Author:** How many do you need to make the demand?

**Ordúz:** One – and it has to be approved by the chamber.

**Author:** By majority?

**Ordúz:** Of course, and this too can be voted by *pupitrazo*!

#### **4.3.2.4. Party mavericks**

Making votes public makes it easier for legislators to stake out positions independent from their parties. Recorded votes can serve as means for maverick legislators to "go public" over the heads of party leaders, and in so doing to establish reputations either among a target audience of supporters or perhaps nationally. The rare decisions to hold *nominales* in systems where anonymous legislative voting is the norm can illustrate this. According to Costa Rican minority leader Sibaja:

One sign that there's going to be a *nominal* isn't that the opposition is divided – that's no problem. The problem is when the governing party is divided. There was a famous case here in the early 1970s, having to do with student protests over an agreement that permitted a transnational company to mine [in a wilderness area]. It

was called the Alcoa Agreement. At that time, the PLN controlled the presidency and had a big parliamentary majority. One government deputy started the fight. That deputy himself later became president, but not as a member of the PLN – don Rodrigo Carazo Odio, who founded the Unity Party, which is governing currently. He led a group of PLN deputies to break the party line. I think that was the last time they used a *nominal* on an important issue, precisely because the government's *fracción* divided at that moment. That was thirty years ago. It's not common. (Sibaja interview)

By Sibaja's account public voting on the Alcoa Agreement provided a mechanism for a deputy with national ambitions, Rodrigo Carazo, to draw a line in the sand between himself and his party's leadership. This suggests that electronic voting, and visible votes more generally, should encourage independence in legislative voting both insofar as they provide party mavericks with a forum for position taking and insofar as they open legislators to demands of accountability for their votes from actors outside the chamber (Bolanos interview).<sup>29</sup>

In the first years of this decade, a similar story was unfolding in Nicaragua, where a group of FSLN deputies objected to a deal cut between their leaders and those of president's Liberal Party on a package of constitutional and electoral system reforms. The FSLN dissidents took advantage of the recently adopted electronic voting system to publicize their rebellion, drawing the ire of loyalists, such as Deputy Maria Lourdes Bolaños: “[The voting records] have been used to make public the divisions within coalitions. Not for transparency, but to the advantage of those four deputies who are against the pact. That's what it has come to” (Bolaños and Urbina interview). Bolaños evidently saw no boost to transparency inherent in making votes visible. One of the dissidents, Deputy Mónica Baltodano, however, was becoming acutely aware of the costs of going public with her breach of voting unity:

We broke discipline. So [the party leadership] ruled that whoever did not accept party decisions could not aspire to electoral posts. Everyone knew I wanted to run for mayor of Managua, and this way I couldn't be nominated. It's almost certain that they won't permit me to run for reelection as a deputy either.

As anticipated, Baltodano was subsequently barred from nomination for reelection as deputy, citing as the reason her vote in the Assembly against the electoral reform law. By 2002, she was out of elected office.

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<sup>29</sup> Testing this proposition empirically – for example, by comparing party unity levels in legislatures with electronic voting against levels on recorded votes in legislatures without electronic voting – is problematic, because votes that get recorded in the latter may be biased toward disunity. In the Alcoa vote described by Alexis Sibaja, for example, both major parties split.

#### 4.3.3. Outside actors

Other sources of demand for recorded voting are outside the state. By and large, the public clamor for voting records is modest in the countries where records are not regularly kept. Legislators in Bolivia and Colombia – even those who strongly favored recorded voting themselves – described a general lack of public attention to individual legislators’ voting behavior (Carvajal, Cárdenas, Holguín interviews). Nevertheless, there are pockets of interest. Organized interest groups -- unions, business organizations, and farmers’ groups – sometimes monitor legislative voting even in systems where no records are kept, and lobby legislators and party leaders to support their demands (Navarro and Sanchez de Lozada interviews).

More general demand for recorded votes come from the media, from academics, and sometimes from watchdog NGOs. During Colombian elections since the late 1990s, *Congreso Visible/Candidatos Visibles*, based at the Universidad de los Andes in Bogota, has solicited background information and policy position statements from all legislative candidates and published all responses on their website, supplementing this material between elections with information on partisanship and committee assignments, policy proposals, the status of legislation, and public statements by legislators. CV/CV also collects the few votes recorded at the individual level in the Colombian Congress, and has been aggressive in lobbying for the adoption of recorded public voting as a matter of standard procedure (Ungar Bleier 2002).

In Argentina, the *Asociación de Derechos Civiles* has pursued a judicial strategy, filing suit in Buenos Aires municipal court demanding full public disclosure of all municipal council votes while simultaneously lobbying at the national level for recorded voting by publicizing controversial legislation on which the public records produced by Congress do not make it possible to determine how individual legislators voted (Gonzalez Bertomeu 2004; *Clarín* 2004a). In Panama, the local branch of Transparency International supported opposition-led efforts within the Legislative Assembly to require that the electronic voting system be used (Tapia G. 2004). In Mexico, as well, persistent pressure from academics at the Instituto Tecnológico Autónomo de México (ITAM) during the late 1990s and early years of this decade appears to have hastened the systematic dissemination of voting records via the Congress’s website.

#### 4.3.4. Presidents

Presidential commitment to recorded voting is a product of the specific political conditions at hand and the goals of a particular president. The rare circumstances that land the issue at the top of a presidential agenda, however, may be sufficient to establish recorded voting as standard practice.

As with party leaders, interview subjects dismissed the need for executives to rely on recorded voting to monitor their legislative allies, on the grounds that informal networks within legislatures themselves were sufficient for these purposes (Guerra,

Holguín interviews). Nevertheless, presidents may demand recorded voting for other reasons – as a gambit to enfranchise third-party monitors to offset the inherent advantages of legislative party leaders, or even out of a genuine desire to increase transparency in the policymaking process.

Many presidents express a generic interest in modernization and efficiency, and a willingness to push such demands on a reluctant legislature. An ironic example is the case of Alberto Fujimori, whose administration is not generally associated with transparency. Yet Fujimori's campaign to modernize the state included an initiative to computerize the Peruvian Congress, which in turn included the installation of electronic voting machines (Cevasco Piedra 2000). Although Fujimori's legislative allies initially refused to use the equipment, the legislative opposition eventually succeeded, through the aggressive use of obstructionist tactics, in forcing the adoption of electronic voting as standard operating procedure (Carey 2003). Thus, Fujimori's modernizing drive appears, unintentionally, to have produced the regular practice of recorded voting in Peru.

Less inadvertently, and also less successfully, Colombian President Alvaro Uribe's first act as president was to introduce a broad package of political reforms, the first element of which was a requirement that all votes taken in the Colombian Congress be recorded and made public (*El Tiempo* 2002). The priority Uribe gave to this procedural detail is remarkable given that he assumed the Colombian presidency in the midst of a civil war.<sup>30</sup> His stated rationale was that lack of confidence in government institutions account for the crisis of the Colombian state, the remedy to which he regarded as transparency to produce greater accountability among elected officials.<sup>31</sup> Facing congressional resistance to his proposal in 2002, Uribe put his reform package directly to voters in a 15-point referendum the next year. The public voting provision received 94% support among votes cast, but only 24.7% of eligible voters participated. In Colombia, referenda require 25% participation to be valid, so Uribe's proposal failed and most votes in Colombia remain invisible to those outside the Congress.

#### **4.4. EFFECTS OF RECORDED VOTING**

Having described who cares about the move to recorded voting, and why, it is incumbent now to examine whether the motivations and concerns of these actors are justified. What impact does recorded voting have on legislative representation? The most obvious effect is an increase in transparency and greater opportunities for actors outside the legislature to exert pressure on elected representatives. The discussion of monitoring, above, also suggests that publicizing votes should weaken party leaders' influence over legislators. This section presents evidence confirming both of these propositions.

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<sup>30</sup> Uribe's inauguration ceremony itself was subject to a mortar attack.

<sup>31</sup> It is worth noting that Colombia's previous president, Andres Pastrana, in the name of transparency, had also tried to pass a package of reforms that included the requirement of public voting. The proposal died in the face of legislative opposition.

#### 4.4.1. Transparency

When asked the open-ended question, “What effects, if any, does recorded voting have on legislative representation?” most legislators mentioned an increase in transparency.<sup>32</sup> The term, however, is sufficiently general (and such talk is sufficiently cheap) that it is worth spelling out more explicitly what it entails. In its crudest sense, the transparency afforded by recorded voting is a check against the ability of legislators to lie outright about the policies they have supported or opposed inside the chamber. None of my interview subjects confessed to having perjured themselves in this manner, but claims that their colleagues had were common.<sup>33</sup> Colombian Senator Rafael Orduz was willing to name names:

I’ll give you an example, having to do with a particular part of a recent tax reform. In public – I’m talking about on television – the President of the Liberal Party, Luis Guillermo Veles, said he was against it. In the vote, inside the Senate, he voted in favor. There was no TV and no recorded vote, but nobody has called him on it in public. So publicly, he continues to position himself as if he had opposed the article I’m talking about.

Orduz’s point was that a recorded vote on the tax measure in question would have offered a deterrent against the obfuscation of which he accuses Senator Veles, or else have provided incontrovertible evidence with which any of Veles’s opponents (presumably including Orduz) could expose his duplicity.

Another Colombian senator offered a similar assessment with respect to why the Colombian Senate never used an electronic voting system that been installed two years before: “They say it has technical problems, but this is just an excuse because they don’t want votes to be public. Too many senators are afraid they will lose votes If they are all made public” (Blum interview). I pursued the same issue later, at a meeting attended by a group of senators and representatives, asking why neither chamber of the Colombian Congress used its electronic voting system:

<b>Anonymous senator:</b>	“There were problems. They didn’t work.”
<b>Author:</b>	“Why not? Technical problems?”
<b>Anonymous senator:</b>	“Well, <i>politico</i> -technical problems.”
<b>All legislators:</b>	[Big laughs all around the table.]

Beyond their jaded perspective, these Colombian examples reflect the belief that the transparency provided by visible votes acts as a deterrent to bad behavior – to lying about votes, or voting against constituent interests – by legislators. Most of those interviewed for this project also mentioned more general positive effects of transparency, suggesting that voting records are a basic mechanism for transmitting information about legislative

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<sup>32</sup> In legislatures that do not regularly record votes, I asked, “What effects, if any, do you expect recorded voting would have on legislative representation?”

<sup>33</sup> I am still not sure how I managed to overselect to such an extreme on honest politicians.

decision-making and that this information is a public good. Without reciting each such statement, Ecuadorian Alexandra Vela (DP) provides the general flavor:

The mechanism for rendering accounts doesn't function if there's no way to verify the votes. Why? Because from this election we have the obligation to present a legislative program. So, we notarize, we go to the notary and we publicly say this is the program. But citizens request accounts from their delegates as to whether this is the program that was presented and you don't know how each one voted. So, the process of rendering accounts demands that there be voting of this kind. Also, for knowledge and for learning, as a pedagogical matter for citizens who don't understand and can't see how the mechanisms of a democracy function. It's important for them to see it.

#### **4.4.2. Direct effects on policy decisions**

Some of the general claims about transparency point to education and information (Ferrufino interview). Others suggest that the threat of sanction from voters deters legislators from shirking against constituents' interests in their voting behavior, which in turn suggests the stronger claim that recorded voting can change actual policy outcomes (Blanco Oropeza interview). Testing such a claim systematically is inherently difficult, of course, because in any given case the outcome realized must be compared against the counterfactual – the outcome that *would have been* realized in the absence/presence of recorded voting.

One example, drawn from the Texas state legislature, suggests such an effect for recorded voting. In April 2003, the state House of Representatives was considering a motion to kill a widely popular proposal to require legislative candidates to disclose the sources of their campaign contributions. The motion was initially put to a non-recorded vote and appeared to be headed toward passage, but “When a recorded vote was requested, the scoreboard changed completely and the motion to kill the bill failed” (Dallas Morning News 2003b).

Multiple, independent interviews conducted in Peru pointed toward another case where recorded voting changed an important policy outcome (Masias, Pease, de Althaus, Ortiz de Zavallos interviews). At issue was a proposed change in the electoral system for the 2001 election. Incumbent legislators had been elected from a single, national district. The proposed reform would divide Peru into multiple electoral districts (*circunscripciones*) defined by departmental boundaries. Despite popular support for the idea, many legislators were skeptical about altering the rules under which they had, by definition, been successful. Congressman Henry Pease (UPP) provided the most compelling account recorded voting's effect on the outcome:

[This reform] obviously was not good for small parties, or for those that knew that, after the way they had governed, they were going to be small parties. There was a lot of tension when this issue was put to debate, with strong public opinion in favor, and a bunch of legislators demanded, based on an article of the rules, that the vote should be secret. I wasn't in

Congress at the moment because I was sick in the medical clinic, so I saw on television the impact, above all, of public opinion. I was in the clinic at least from 6:00 or 7:00pm on, in a room watching the TV, and the nurses were coming in – not to look after me, but to watch the TV and express their indignation at what was happening, because as soon as they saw that it was going to be a secret vote they said ‘It’s going to lose’ and in fact, they didn’t get enough votes to get rid of the national district. This led to a mobilization and to demands of all sorts and criticisms of all sorts and allowed us to force, a month later, another proposal, and vote on it ... and finally, even though it was a much more radical bill, it was accepted because of public pressure.

#### **4.4.3. Do citizens pay attention?**

Pease’s comments suggest a critical issue with respect to the prospects for recorded votes to act as mechanisms for legislative accountability in the manner that they do in the United States. This is whether voting records find their way into the mainstream of political discourse. To put the matter more bluntly, even if votes are visible, does anyone look? The Peruvian fieldwork for this project was conducted in May 2001 – a period of intense politicization in that country, after the fall of the Fujimori regime, and in between the two rounds of the election that produced the presidency of Alejandro Toledo. Congress, which had produced the interim President Valentín Paniagua, and which was conducting investigations into the spectacular corruption charges against members of the Fujimori administration, was in the national spotlight. In this context, the Peruvian media reported intensively on congressional voting records. Newspaper articles reproduced roll calls (Diez Canseco 2001; La Gaceta 2001), and television talk shows focused on motivations (de Althaus interview). In short, recorded voting in Peru appeared to have, in very short order, established itself at the core of political discourse.

One should be cautious, however, about generalizing too quickly from the experience of Peru in 2001, which was extraordinary on a number of counts. The early experience of Nicaragua with recorded voting stands in contrast to Peru. Field research in Nicaragua was conducted in August 2000, and electronic voting had been adopted as standard operating procedure only eight months earlier, in January. Deputy Carlos Hurtado (AC) described the status of the voting records this way:

**Hurtado:** Despite the fact that votes are recorded, they aren’t widely known among the people, except when a particular issue becomes decisive at election time.

**Author:** Is this a process that is beginning?

**Hurtado:** Yes, it’s happening. It requires that the electorate, the political analysts, have the record. It’s not so simple to create this record because it

requires a certain infrastructure, a certain culture, a certain systematization. There's no independent center that keeps a record of the votes. In the United States, there is – there are lots that keep complete records of the details. That's more sophisticated. I think eventually we'll get there, but certainly as of now it's not so easy. At least it's known when a certain deputy takes a certain position.

Individual votes are, indeed, known within the Nicaraguan Assembly because its electronic voting system includes a large screen indicating each deputy's position on each motion, yet they are not widely known beyond the Assembly hall because the records are not published, nor is it easy for would-be observers from outside the Assembly to obtain them. Deputy Jorge Samper (MRS) pointed toward the status of legislative staff – and specifically of civil service protection of government employees – in explaining the obstructed flow of information about what goes on inside the legislature to sources on the outside. According to Samper, in Nicaragua, legislative employees, lacking civil service protection, are reluctant to release voting records out of fear that any discomfort those published records generate among powerful politicians could cost the staff their jobs:

Right now some [legislative staff] still resist publishing things without someone giving them orders to do it. Sometimes they're a bit afraid... It's important that there be career officials who will be the institutional memory who attest to what's done and that it be published – that there be a guarantee, a nonpartisan guarantee, independent of who's in the government or who has the majority in the parliament, in order to provide real, effective, and concrete information, without of any sort of fears.

#### **4.4.4. Visible votes and the quality of representation**

Beyond the accounts of legislators themselves, it is difficult to estimate the effect on transparency of recording and publishing legislative votes. The Corruption Perceptions Index (CPI), calculated by Transparency International for most countries in the world, measures perceptions of corruption generally. The CPI is not legislature-specific, but it is a widely recognized measure of political transparency and allows cross-national comparison. Figure 4.1 plots the square root of the average number of votes recorded and made public per year, by country, against the 2004 CPI. I use the square root of the number of votes per year on the logic that there are diminishing returns to the information conveyed through visible votes. There is a positive correlation (.55, or .37 dropping the United States and retaining just the Latin American cases) between the log of public votes per year and the CPI.

[Figure 4.1 here]



Whether because legislative transparency reduces corruption, or because some combination of factors that produces legislative transparency also contributes to cleaner government in general (or, more likely, some combination of these effects), perceptions of corruption tend to be lower in countries where legislative votes are visible.<sup>34</sup>

The experiences of specific countries demonstrate that individual legislators' voting records can attain political salience in Latin America, and can do so relatively quickly, as in Peru. The broader pattern is confirmed as well by Brazil and Chile, with longer experiences with recording votes. On the other hand, it is not automatic that 'If you record it, they will come.' MMD elections in Latin America moderate incentives to monitor individual voting behavior, and resistance to recorded voting from powerful legislative actors also discourages forces otherwise inclined to publicize voting records.

#### **4.4.5. Partisan versus individualized legislative representation**

Much of the discussion so far has suggested that recorded voting can undermine discipline in legislative parties and coalitions. Discipline implies the ability on the part of party leaders to compel legislators to vote contrary to their immediate preferences, or contrary to preferences induced through their electoral connection with constituents. Recording votes and making them public increases the costs to legislators of voting that is disciplined in this sense. The fact that party leaders, in interviews, supported recorded voting less than other legislators is consistent with this interpretation.

This analysis cannot test the hypothesis that recorded voting weakens discipline, for the obvious reason that no data exist and no levels of party voting unity can be measured when voting records do not exist, but the interviews support this proposition. Deputy Mónica Baltodano, the FSLN dissident sanctioned for voting against the party, described strong public support for independence from absolute party discipline: "There is a great tolerance [of indiscipline] among citizens and Nicaraguan society, which can be demonstrated in polls and studies. But within the political institutions, there's great intolerance, above all within the party." A vignette provided by Peruvian Congressman Carlos Blanco Oropesa (C90-NM), illustrates the expected effect among party leaders of recorded voting on discipline in more colorful terms:

I'll never forget when, in 1998, I was Vice President of the Congress, and we hosted some German legislators, and naturally one of the things we did was to visit the facilities of the Congress. I accompanied them to the chamber, the place where we meet, and right there is the screen for the public votes, and I'll never forget the German legislator – who was a leader of his party – and he said to me, 'Is the vote public?' So I explained, and he

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<sup>34</sup> I found no relationship between public votes and "confidence in Congress," as measured by the *Latinobarometro* during the late 1990s through early 2000s. To the extent that the crafting of legislation resembles sausage-making, per Bismarck's famous observation, visibility may enhance accountability and deter corruption without necessarily increasing public affection for Congress.

said, ‘You guys are crazy. How can you control the members of your party? Everyone has to vote how the party votes.’

Blanco’s German colleague was referring to the practice of signal voting in the Bundesrat, a practice with which Blanco himself was familiar because the Peruvian Congress had relied almost exclusively on signal voting until modernization, including the installation of electronic voting equipment, in the late 1990s ushered in recorded voting. Blanco confirmed that recorded voting increased the willingness of individual legislators to resist leadership directives (Blanco Oropeza interview).

Whether the potential for recorded voting to undermine party discipline is realized depends on whether citizens come to regard voting records as salient in evaluating legislator performance, whether they are willing to reward independence from parties in the pursuit of some other conception of constituent interests, and whether these forces supercede whatever other tools party leaders retain to enforce discipline. Interview subjects contended that voting records encourage responsiveness to citizens in legislators’ immediate electoral constituencies, even at the cost of loyalty to the national party, either because voters are prepared to weigh regional interests against those of the national party (Aristide Alvarenga interview), or sectoral interests (Masias interview).

The priority of individual over partisan accountability to the electorate was a theme repeated in interviews in one country after another, even where recorded voting has made no progress toward adoption. In Venezuela, for example, the same anti-party chorus was echoed by both opponents and supporters of President Hugo Chavez. Former Constituent Assembly Deputy Ricardo Combellas described the philosophy behind the new constitution adopted in 1999 held that, “We wanted to eliminate partyarchy – to eliminate it constitutionally, but in terms of norms, for the representative to respond more directly to the wants and needs of his constituents. Responsibility in parliament is personal – the Constitution says so – not to respond to a party but to one’s constituents;” while William Tarek Saab (MVR), a leading member of President Hugo Chavez’s party in both the Constituent Assembly and the current legislature concurred: “I think that here you have to listen to the voice of the people. One of the requirements for this is the vote of conscience. You only pay attention to your conscience.” To this point, of course, whether votes in the Venezuelan National Assembly are regularly being cast according to the demands of conscience – perhaps even independently from party lines – must remain a matter of faith, due to the failure of the Assembly’s leadership to use the electronic voting system that is in place.

#### **4.5. THE TREND TOWARD VISIBLE VOTES, AND ITS LIMITS**

Recorded voting is a controversial reform, resisted by powerful legislative actors. Its principal advocates are opposition legislators, dissidents within governing coalitions, as well as NGOs and journalists for whom government transparency is a priority, and the odd academic. Its main opponents are the leaders of governing parties. In short, those

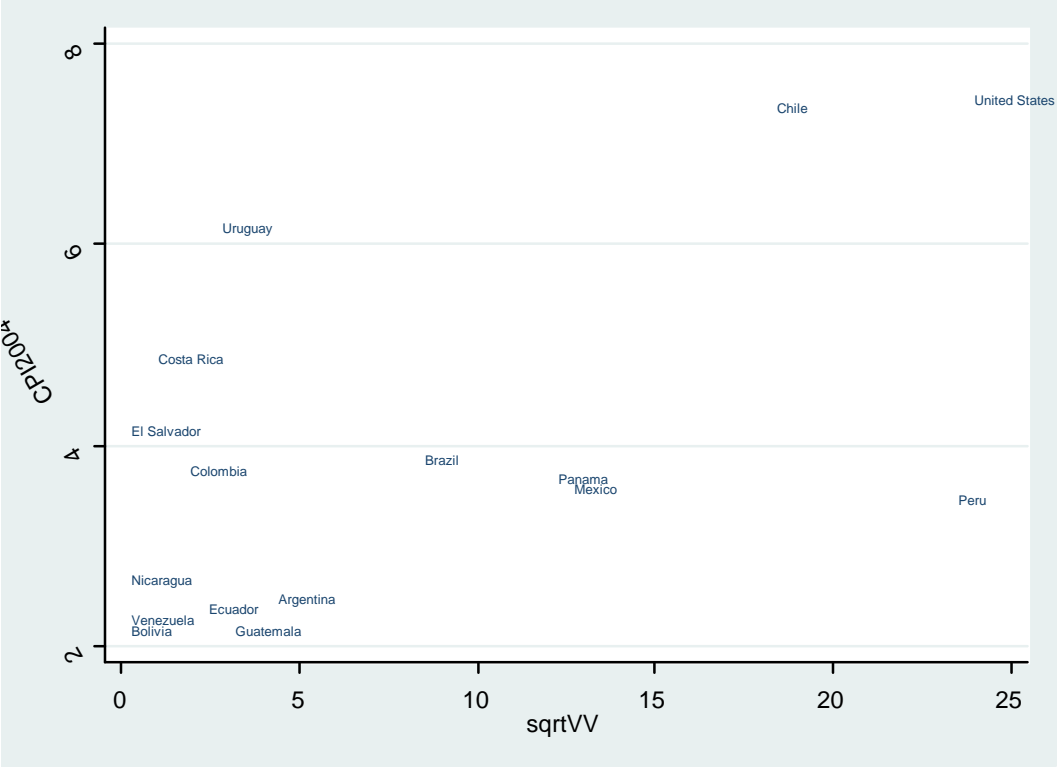
inclined to oppose recorded voting hold most of the cards that determine who sets rules of legislative procedure. On the other hand, the gradual spread of electronic voting in many Latin American legislatures over the past decade or so indicate that the barriers are not insurmountable, and that high-demanders for visible votes sometimes prevail. Procedural rights granted to legislative minorities may provide some leverage for those demanding the regular use of recorded voting, as was the case in Peru. In Panama, and in the state of Texas, pressure from the media preceded the adoption of visible voting in legislatures. The Colombian case suggests that supporters of recorded voting might occasionally find allies with clout in the executive, and in Argentina transparency advocates are looking to the courts.

Perhaps most important to the overall trend is that recorded voting as standard practice appears to be subject to a sort of ratchet effect. Once the practice is adopted, it is difficult to backslide. According to Peruvian Congressman Blanco Oropesa: “Once it’s done, you’re not going to change it. It’s not going to change because even if the general public doesn’t pay much attention, the journalists do. The journalists and the other politicians, too, because they are the ones who get accustomed to using this information.” Political commentator Jaime de Althaus, also from Peru, summed up the matter even more categorically: “[Recorded public voting] has had its own inertia ... It’s an almost inevitable consequence that runs according to its own logic.”

The point is that although opponents of visible voting may be able to keep the issue off the reform agenda quietly for extended periods of time, once the practice is established, a move to eliminate it would be difficult to defend publicly. In this sense, the empirical evidence from this chapter suggests that the case for visible voting, and the conception of legislative accountability that goes with it, resonates widely. In spite of scholarly appeals for responsible party government, or even the arguments of Rousseau and Burke about legislative detachment, citizens want to know how their representatives vote – or at least representatives are reluctant to suggest otherwise.

This is not to say we should necessarily expect legislative voting records to assume in other political contexts the central role they play in U.S. legislative politics. In particular, MMD elections dilute the incentives for individual politicians to use incumbents’ voting records as ammunition in electoral battles. Nevertheless, many actors *are* motivated to promote voting records, technological advances are on their side, and backsliding on this matter is improbable. Recorded voting, therefore, should become more common and voting records should grow increasingly salient to political debate, and increasingly central to the accountability relationships between legislators and voters, even if they never attain the prominence they have in the United States. This chapter and the previous one have highlighted this phenomenon across many Latin American legislatures, but there is no reason to believe that the forces driving it are limited to this region.

Figure 4.1. Recorded votes per year (square root), by country, and 2004 Transparency International Corruption Perceptions Index.



## 5. Counting votes

### 5.1. PARTY VOTING UNITY AND COLLECTIVE ACCOUNTABILITY

When votes are visible, what can we learn from them about legislative accountability? Citizens can learn whether specific representatives have pursued their interests in motions put to a vote on the floor – information that can provide a basis for individual legislative accountability. Even apart from the policy substance of the votes themselves, voting patterns can tell us about prospects for collective accountability, because collective accountability requires that groups of legislators vote in a unified manner to shape outcomes on the floor.

I propose various measures of voting unity and success among groups of legislators. Because parties are the ubiquitous organizers of legislative work, the groups on which I focus primarily are parties, so unless otherwise noted, voting unity and related terms refer to unity among members of the same party. The measures of unity, however, can be equally well applied to any other group, such as coalitions that encompass more than one party, legislators from a particular region, sex, race, religion – any characteristic of interest for analysis.

Why should we care about party unity in legislative voting? First, legislative votes are the means by which major public policy decisions are ratified in all democracies. Voting behavior is of intrinsic interest because the stakes are high. Second, political parties are potentially important information conduits to citizens. Parties can pledge to support comprehensive policy platforms on which individual politicians cannot credibly claim to have much impact. Whether voters can know what they are getting in elections depends partly on legislative voting unity. If the voting behavior of a party's legislators is unrelated to the positions in its national platform, then the party's label has no informational value. Third, unity affects the ability of parties to win votes and shape policy. Unity determines whether governments can act decisively or, by contrast, whether each legislative decision requires separate deliberation and the construction of a distinct support coalition. In this sense, party unity is linked to the ability of parties and governments to deliver the promises in their platforms (Bowler, Farrell, and Katz 1999).

I focus on three main characteristics of how parties vote: how consistently their members take the same position on the motions on which they vote, how much they win, and how frequently their losses might have been avoided but for breaches of voting unity. Voting together matters not just because mobilizing its full voting capacity can help a party win floor votes and so promote its supporters' interests. Voting together (or failing to do so) also sends information to citizens about the party's policy positions and its level of commitment to them. When votes are visible, cross-voting within a party or failure to mobilize its members on a given measure blurs the party's brand name. A party that mobilizes its potential votes in a unified manner, by contrast, clarifies its reputation.

Thus the degree to which copartisans vote together is relevant to accountability both through the delivery of wins and losses, and through its communicative content.

The first part of this chapter develops some indices I use to measure voting unity, discusses their properties, and illustrates them by applying them to votes in hypothetical legislatures as well as to some empirical examples. Then I present recorded vote data collected for this project from legislatures in 19 countries, and apply the measures to describe partisan voting unity across these chambers statistically and graphically.

## **5.2. MEASURES OF VOTING UNITY AND SUCCESS**

### **5.2.1. RICE and UNITY scores**

I rely on a variety of indices built from the voting record. The indices are summaries of information from across multiple votes. Their most basic building blocks are the aye and nay votes, abstentions and non-votes cast by individual legislators. These are used to construct party voting unity scores for individual votes, which in turn are aggregated, as described below, into indices that describe patterns across sets of votes.

The first measure is familiar to legislative scholars, and is based on the measure of unity developed by Stuart Rice (1925) over 80 years ago. RICE scores reflect levels of cross-voting among members of the same party on a given vote, and are calculated as:

$RICE_{ij} = |AYE_{ij} - NAY_{ij}|$  for party  $i$  on vote  $j$ , where aye and nay are calculated as proportions of those voting either aye or nay, and so sum to 1.0.

The RICE score can range from zero (equal numbers vote aye and nay) to one (all members who cast votes vote together).

One limitation of RICE is that it does not account for nonvoting, levels of which are substantial in most legislatures. For example, if a party has 100 members, 60 of whom cast affirmative votes on a measure and 40 of whom abstain or otherwise do not vote, RICE regards this event as perfect unity ( $RICE = 1.0$ ), equivalent to if all 100 members of the party voted aye (or nay). Intuitively, these are two fundamentally different events, the difference between which could obviously affect the vote outcome. This suggests some type of measure that is sensitive to *whether* copartisans vote, as well as to how they vote. For this, I propose UNITY, which captures the extent to which a party exercises its decisive capacity on a given vote.

$UNITY_{ij} = |AYE_{ij} - NAY_{ij}|$  for party  $i$  on vote  $j$ , where the proportions are calculated as shares of *all* members of party  $i$  in the legislature.

Like RICE, UNITY can range from zero to one, but it ‘dips’ more easily than RICE, taking the minimum value either if those legislators that do vote split evenly between aye and nay (like RICE) or if no members cast decisive votes. It takes the maximum value if all members cast decisive (that is, aye or nay) votes in the same direction, and falls between these extremes when either decisive voters within the party

divide against each other, or some members vote while others do not, or both. In effect, UNITY is a cousin to RICE, but it is discounted according to the rate of non-voting in the group.

Table 5.1 shows examples of RICE and UNITY scores, and their relative sensitivity to both cross-voting and non-voting, in a hypothetical 300-member legislature with three parties of 100 members each. The first column shows the overall tally for each vote in the format [aye, nay, non-vote]. The next column shows values for a measure of how closely contested each vote is, which will be discussed below. The next columns show the tally for each party on each of six votes, followed by the parties'  $UNITY_{ij}$  and  $RICE_{ij}$  scores.

[Table 5.1]

On the first vote, all three parties mobilize only half their members, but within each party all members who cast decisive votes vote the same way; thus  $UNITY_{ij}$  scores in each case are relatively low at .50, whereas  $RICE_{ij}$  scores are 'perfect' at 1.00. Voting participation increases across the six votes in every party – that is, the number of non-votes declines. Now consider the pattern of Party A, which experiences increasing cross-voting as more of its members cast decisive votes; thus its  $RICE_{Aj}$  scores plummet faster than its  $UNITY_{Aj}$  scores, converging at zero on the last vote. Party B experiences substantial cross-voting on early votes, but pulls together subsequently such that both  $RICE_{Bj}$  and  $UNITY_{Bj}$  rise and converge as more legislators mobilize on later votes. Party C experiences no cross-voting on any votes, so  $UNITY_{Cj}$  rises to converge with  $RICE_{Cj}$  as mobilization increases.

### 5.2.2. RICE and UNITY indices: Weighting votes by CLOSE-ness

Because I aim to discern general characteristics of party groups, it is convenient to aggregate the vote-specific measures of voting unity into indices that summarize, for each party, the overall tendency toward unity across all the recorded votes in a given legislature. I aggregate at the level of legislatures because this is the largest period for which some of the characteristics of party groups (e.g. share of seats, government/opposition status) are constant.

One problem with simply averaging voting scores to create indices is that many votes in most legislatures are lopsided, either because they are taken on matters of consensus across parties, or on matters unimportant enough to attract any opposition, or because their outcome is obvious ahead of time and the losers may choose not to register their opposition formally through their votes. When votes are consensual in the legislature as a whole, voting unity scores for any subset of legislators will be necessarily be high, at least as measured by  $RICE_{ij}$ . Counting all votes equally, including lopsided ones, therefore, inflates unity indices. This presents a particular problem for cross-national comparisons where there is variance across cases in the average closeness of votes owing to characteristics of legislatures entirely unrelated to party unity. For example, if rules in legislature A require recording votes on every motion, the vast majority of which are perfunctory and consensual, whereas in legislature B only votes on

substantive (and potentially divisive) motions are recorded, then unweighted indices from the two legislatures would show higher unity in A, even in the absence of any real effect on legislative decisionmaking.

The conventional response in studies of recorded votes is to establish some criterion for throwing out votes that are ‘too consensual’ to be considered relevant to party unity. Established criteria in studies of the two-party U.S. Congress often focus on whether the majorities or the leaderships of the two main parties oppose each other on a given vote (Brady, Cooper and Hurley 1977; Cox and McCubbins 1993). In the multiparty environment of most other democracies, however, such criteria are of little use. Which votes meet the selection criterion would vary according to which parties’ majorities or leaderships are considered. Another approach is to include all votes on which some minimum proportion of legislators vote on the losing side (Mainwaring and Liñán 1997; Figueiredo and Limongi 2000). But such thresholds are necessarily arbitrary, and they count all votes, no matter how far above threshold, equally, contradicting the basic intuition behind selection criteria in general – that the sternest test of unity is whether members of a party or coalition vote together when doing so matters to legislative outcomes, and therefore that the more hotly contested a vote is, the more relevant it is to a measure of unity.

This suggests  $RICE_i$  and  $UNITY_i$  indices calculated as follows:

$$WRICE_i = \sum RICE_{ij} * CLOSE_j / \sum CLOSE_j$$

$$WUNITY_i = \sum UNITY_{ij} * CLOSE_j / \sum CLOSE_j$$

where

$$CLOSE_j = 1 - (1/THRESHOLD * |THRESHOLD - \% AYE|)^{35}$$

for legislature as a whole on vote j.

These indices are summary statistics for voting unity in party  $i$ , weighting votes by how closely they were contested, according to the basic intuition that, for a party seeking to influence outcomes, unity is more critical the more likely it is that defection (or defection *and* nonvoting, in the case of  $UNITY_i$ ) of any member(s) will be pivotal.

Returning attention to Table 5.1, the bottom two rows illustrate this weighting system for the hypothetical legislature. The second column of the table shows  $CLOSE_j$  scores for each vote, based on the overall tally and calculated by the formula above. On each successive vote in this example, the legislature as a whole is more closely divided,

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<sup>35</sup>When the threshold for passing a measure is a simple majority of those voting, the formula can be written as:  $CLOSE = 1 - (2 * |50\% - \% AYE|)$ . However, when passage requires an extraordinary majority, the more general formula still applies. This form of the general equation was suggested to me by Jeanne Giraldo.



and these more closely contested votes count more heavily under the weighting scheme than if the index were a simple, unweighted mean of scores.

Because Party A displays increasing cross-voting on the more contentious votes, and because cross-voting drives down  $UNITY_{Aj}$  and  $RICE_{Aj}$  alike, Party A's weighted indices are both well below its corresponding unweighted indices. Next, consider Party B. The first vote is consensual so all parties are, by definition, perfectly unified as measured by RICE scores, although their UNITY scores lag. Beyond this vote, Party B mobilizes more legislators on each vote, but exhibits greater cross-voting on the relatively lopsided votes and pulls together on the more closely contested, and heavily weighted ones. Because votes with higher  $CLOSE_j$  scores count more under the weighting system,  $WUNITY_B$  is higher than  $UNITY_B$  and  $WRICE_B$  pulls even with  $URICE_B$ . Party C exhibits a similar pattern, with no cross-voting and so perfect RICE scores but increasing mobilization on closer votes.

### 5.2.3. Winning, losing, and voting unity

Mobilizing legislators and voting together matter to parties' collective reputations, and may also matter to whether parties win or lose votes, but winning and losing can also be observed directly, along with the relationship between mobilizing votes, cross-voting, and voting success rates. I calculate for each party,  $i$ , on each vote,  $j$ , whether it wins,  $WIN_{ij}$ . To do this, it is necessary to infer each party's preference on a given measure. I rely on the votes themselves, attributing to each party the preference supported by the majority of its voting members. For every party,  $i$ , on every vote,  $j$ :

$$\begin{aligned}
 PREF_{ij} = & \quad \text{Approve if } AYE_{ij} > NAY_{ij}, \\
 & \quad \text{Reject if } NAY_{ij} < AYE_{ij}, \\
 & \quad \text{No Preference } AYE_{ij} = NAY_{ij}
 \end{aligned}$$

Thus if most of a party's decisive votes were 'aye' and the measure is approved, it counts as a win; if most of its votes were 'aye' and the measure is rejected, it counts as a loss, etc.<sup>36</sup>

Whereas  $RICE_i$  and  $UNITY_i$  reflect the extent to which parties project, through legislative voting, collective reputations, my last pair of measures is based on the intuition that unified parties more effectively influence policy than disunified ones.  $RLOSER_{ij}$  and  $ULOSER_{ij}$  reflect whether a party suffers a loss on a given legislative vote due, respectively, to cross-voting or to a failure to mobilize its full voting capacity.  $RLOSER_{ij}$  takes a value of 1 if party  $i$  loses on vote  $j$  even though, *given how all other legislators voted*, party  $i$  could have won had all its voting members voted together.  $ULOSER_{ij}$  takes a value of 1 if party  $i$  loses on vote  $j$  even though, *given how all other legislators voted*, party  $i$  could have won had it mobilized its full voting capacity behind its preferred outcome. Thus:

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<sup>36</sup> In a handful of legislatures, such as Brazil's Chamber of Deputies and the United States Congress on some votes, parties' formal positions on specific measures are reported as part of the assembly's published record. This practice, however, is sufficiently rare as not to be viable for broad cross-national analysis.

$RLOSER_{ij} = 1$  IF:

- $PREF_{ij} = \text{Approve}$ , AND  $Outcome_j = \text{Reject}$ , AND  $TotalAYE_j + NAY_{ij} > Threshold_j$ ,

OR IF

- $PREF_{ij} = \text{Reject}$ , AND  $Outcome_j = \text{Approve}$ , AND  $TotalAYE_j - AYE_{ij} < Threshold_j$

$ULOSSER_{ij} = 1$  IF:

- $PREF_{ij} = \text{Approve}$ , AND  $Outcome_j = \text{Reject}$ , AND  $TotalAYE_j + NAY_{ij} + NONVOTES_{ij} > Threshold_j$ ,

OR IF

- $PREF_{ij} = \text{Reject}$ , AND  $Outcome_j = \text{Approve}$ , AND  $TotalAYE_j - AYE_{ij} - NONVOTES_{ij} < Threshold_j$

where, for every vote,  $j$ :

- $Threshold_j$  = number of votes necessary to approve the measure
- $Outcome_j$  = [Approve, Reject]

$RLOSER_{ij}$  and  $ULOSSER_{ij}$  identify votes on which, *given how all other parties voted*, a party can be thought of as losing despite the fact that it could have prevailed had it been fully unified or mobilized. Table 5.2 illustrates some scenarios in a hypothetical legislature with 100 members and two parties, A and B, with 60 and 40 seats, respectively.

[Table 5.2]

A party “loses” a vote whenever the outcome runs contrary to that supported by a majority of its voting members. When the parties vote together, neither loses, as in Votes 1 and 2. When both parties vote along party lines (high  $RICE_{ij}$  scores for both), as in Votes 3 and 4, Party B loses *provided* that  $UNITY_{ij}$  scores are closely correlated – that is, provided that both parties mobilize around the same proportion of their members to vote. Note, however, that on Vote 4, Party B could have prevailed, given how Party A voted, had it mobilized its full complement of legislators to vote nay. Thus, on Vote 4, Party B is a  $ULOSSER$ .

Votes 5 through 8 represent losses by Party A due to disunity of various sorts. Vote 5 shows a straightforward breakdown within Party A, with some members voting against the party majority, swinging the outcome in favor of the united and mobilized Party B. Similarly with Vote 6, where Party A suffers a combination of defections among voting members and nonvoting while confronting a unified and mobilized opposition. In Votes 7 and 8, Party A is both divided and fails to mobilize, while Party B lags on either one or the other count, but prevails. In each of these cases, Party A’s disunity allows B to win (i.e. costs A the vote). On votes 5, 6, and 7, Party A could have won (i.e. passed the measure) if all of its voting members had voted “aye,” and obviously

had it fully mobilized. In these cases, therefore, Party A is both the RLOSER and ULOSER. On Vote 8, Party A could have won had it fully mobilized, but not merely had all its voting members voted “aye,” so it is a ULOSER, but not an RLOSER.

As long as  $UNITY_{ij}$  is strongly correlated across the parties on a given vote, the outcome will reflect the distribution of seats across parties. Outcomes unreflective of the seat distribution become possible when  $UNITY_{ij}$  scores come uncoupled. In the example of Table 5.2, where there is a majority party, for Party A to be defeated, its  $UNITY_{Aj}$  must drop more than that of its opponents. The same does not necessarily apply for  $RICE_{ij}$  scores, as Vote 8 shows.

Given that  $RLOSER_{ij}$  and  $ULOSSER_{ij}$  are calculated with respect to the outcome of each vote, I do not weight them in creating summary indices,  $RLOSER_i$  and  $ULOSSER_i$ , for each party, but simply report proportions – for example, on how many votes, out of all votes analyzed, was a party an RLOSER.

### **5.3. THE SILENCE OF NON-VOTES**

#### **5.3.1. What do non-votes mean?**

The examples from hypothetical legislatures might suggest  $UNITY$  and its cousin,  $ULOSSER$ , as more comprehensive and reliable reflections of the extent to which a party translates its legislative representation into influence over legislative decisions than  $RICE$  and  $RLOSER$  because the former capture the degree to which a party mobilizes its full potential vote behind its preferred positions. Yet there is a serious potential shortcoming with these indices because how one interprets non-voting is more complex, both mechanically and strategically, than how one interprets cross-voting.

Some studies of recorded votes seek to interpret the *motivation* behind non-votes, in order to infer whether they likely represent breaks with party discipline – for example, if legislators were present for some votes in a session, but not others (Haspel, Remington, and Smith 1997; Ames 2002). This approach implicitly attributes analogous meaning to non-voting and to voting, regarding each as an equivalent action for the purposes of measuring party voting unity. Under most conditions, however such an approach can mismeasure the *effects* of nonvoting (Jones and Hwang 2005). Even where non-votes are effectively equivalent to nay votes, interpreting them as such warrants caution.

#### **5.3.2. Relative versus absolute vote thresholds**

Consider first the mechanics of the rules for approving measures that are put to a legislative vote. Although some votes may require extraordinary majority support (60%, 67%, or 75%) for approval, most votes in most legislatures require simple majority support (>50%). But a majority of whom? In most cases, chamber rules stipulate the proportion of members that constitutes a quorum and approval of standard measures requires support from a majority of those voting when a quorum is present. Thus, the precise number for approving a measure is set in relative terms – relative to the number voting.

Under a relative threshold, if I disagree with my party's position, I might either withhold my support from the party by not voting (whether through abstention, or not showing up, or simply not pressing a button on my electronic voting device), or I could *not only* withhold my support *but also* give my vote to the other side. The latter is a more visible breach of unity than the former, and does correspondingly more damage to the party's collective brand name; and if the vote is close, the latter is twice as damaging to my party's prospects of winning than the former. This difference is at the heart of the distinction between the traditional  $RICE_{ij}$  score and the  $UNITY_{ij}$  score developed above.

In some legislatures, however, thresholds are set in absolute terms, as a percentage of the full membership of the assembly. Among the cases analyzed in this paper, both the Russian Duma and the Nicaraguan Assembly require absolute thresholds to pass any measure. Under such rules, non-votes, whatever their intent, are equivalent to nays in their effect on outcomes. For the purposes of calculating voting unity indices, my point of departure is to treat them as such – that is, to count non-votes as nays when their effects on outcomes are equivalent to nay votes.

This approach warrants careful consideration, however, because counting non-votes as nays renders  $RICE_{ij}$  scores, in particular, and the indices built from them, highly sensitive to non-voting. For example, Figure 5.1 compares  $WRICE_i$  indices for parties in the Nicaraguan Assembly, first calculated with non-votes as nays, then discounting non-votes altogether. In the figure, Weighted RICE indices are represented by the height of each bar on the Y-axis. Each party's share of Assembly seats is represented by the width of its column along the X-axis.<sup>37</sup>

[Figures 5.1 & 5.2]

The second panel, with near-perfect  $WRICE_i$  indices across the board, illustrates that cross-voting was nearly absent from this Nicaragua Assembly. Yet ignoring non-votes, as in this panel, overestimates party voting unity as it affects vote outcomes, because any legislator who does not like a measure her party supports can oppose it as effectively by not voting as by overtly crossing the aisle to vote nay. As the  $WRICE_i$  indices in the first panel show, Nicaraguan deputies did not reliably deliver their votes to support their parties' positions.

How, then, ought one treat non-voting under absolute-threshold voting rules? Cautiously, and with explicit consideration of what one is looking for. With respect to outcomes, non-votes are equivalent to nays under absolute thresholds, so if one is interested in effects of votes on outcomes, Non-Votes = Nays is appropriate. With respect to the communicative element of voting – the extent to which legislative votes are expressions of a party's policy positions – the situation is murkier. Non-voting is, effectively, passive opposition to a measure. If passive opposition is markedly less

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<sup>37</sup> The columns do not necessarily reach the 100% mark, as indices are not calculated for independents who remained unaffiliated with any party bloc or for single-member parties.

visible to co-partisans and to citizens than explicit opposition, then not voting when one's party supports a measure represents something less than a full-scale breach of party unity, but ignoring non-votes altogether probably fails to capture the dissent they imply. Moreover, when one's party opposes a measure, ignoring non-votes fails to capture the party unity they entail.

My default approach is to treat non-votes according to their effects on vote outcomes. Because of the ambiguity that absolute-threshold rules generate with regard to the meaning of non-votes, however, I replicated the quantitative analyses reported in this book dropping the two absolute majority cases: Russia and Nicaragua. Doing so does not affect the results reported.

### 5.3.3. Non-voting equilibria

Beyond the different mechanical implications of non-votes under absolute- versus relative-majority threshold voting rules, non-voting also carries potentially important strategic ambiguities under either type of rule. Parties may tolerate non-voting by members who *could have* been mobilized, if necessary. Leaders may strike agreements with rank-and-file members within their own parties to tolerate non-voting as long as preliminary head counts suggest non-votes will not be pivotal (King and Zeckhauser 2003). Alternatively, they might strike agreements with leaders of other parties to 'match' non-votes that offset each other across party lines, so not affecting the overall outcome. For a hypothetical example of the latter, see Vote 2 in Table 5.2, above.

A non-voting equilibrium arrangement might be advantageous both to party leaders, as a means of hiding displays of internal dissent, and to individual legislators, both when they prefer not to support their party's line and when they are merely beholden to other commitments besides attendance and voting on the floor – for example, to committee work, to constituency service, or even to professional or personal obligations outside the legislature. The existence of such agreements is asserted in various Latin American legislatures in interviews conducted during the course of research for this project. To the extent that such agreements represent equilibria within or across parties not to mobilize their full voting potential, and that leaders *could* mobilize their legislators if necessary, then their party is *potentially* more unified than the observed voting record suggests, and the validity of  $UNITY_{ij}$  and  $ULOSSER_{ij}$  as measures of party voting unity are subject to question.

Consider the illustrations of party voting unity in Argentina and New Zealand in Figures 5.2 and 5.3. In each case,  $WRICE_i$  is quite high, whereas  $WUNITY_i$  is substantially lower, with the decline of similar magnitude across parties, indicating little cross-voting, but suggesting the possibility of matched non-voting equilibria. The implications for the win-loss-based indices are striking. For example, Argentina's governing Peronist Party (PJ, or *Partido Justicialista*) was on the winning side in 95% of recorded floor votes, but in all of its losses, it suffered cross-voting that, if reversed, would have flipped the outcome in the Peronists' favor ( $RLOSSER_i = 5\%$ ). The main opposition Radical Party (UCR), by contrast, lost 85% of recorded votes. None of these defeats is attributable to cross-voting ( $RLOSSER_i = 0$ ), but the  $ULOSSER_i$  measure

suggests that 30% could have been reversed had the UCR mobilized its full cohort behind the party's position. Could the opposition have prevailed in this manner? More likely, had the UCR increased mobilization, the Peronists could and would have counter-mobilized, summoning more votes to the floor (raising  $WUNITY_i$  for both, and driving the UCR's  $ULOSSER_i$  index down). The UCR's inflated  $ULOSSER_i$ , that is, might well be a mere reflection of a non-voting equilibrium across parties – an equilibrium also reflected in the even drop-off from  $WRICE_i$  to  $WUNITY_i$  indices. The data from New Zealand's parliament of 1993-1994 suggests a very similar potential relationship between the National and Labour parties, with an even larger spike in the latter's  $ULOSSER_i$  index.

[Figures 5.2 & 5.3]

These figures suggest sensitivity to the prospect of non-voting equilibria in analyzing and interpreting measures of voting unity that incorporate non-votes. But we do not know how widespread non-voting equilibria are, and the possibility of non-voting equilibria does not mean they are inevitable. The patterns from Argentina and New Zealand suggest equilibria across governing and opposition parties whereby the former tolerate non-voting provided that less-than-full mobilization does not cost them victories, and the latter tolerate non-voting, aware that full mobilization would only trigger counter-mobilization by governing parties. But not all legislatures exhibit similar patterns. Consider the pattern in the early months of Alejandro Toledo's administration in Peru, from August – October, 2001, shown in Figure 5.4. The drop-off from  $WRICE_i$  to  $WUNITY_i$  was more pronounced for President Toledo's *Peru Posible* (PP) party than for others, and it cost the government party victories on about 3% of all recorded votes – a higher rate than for any other party.

[Figure 5.4]

Along the same lines, consider the voting record of the Czech Republic's parliament during its 1996-1998 term. In Figure 5.5, the parties of the governing coalition are shaded white and all others various hues of gray. There is the familiar drop-off from  $WRICE_i$  to  $WUNITY_i$  indices, and the rise from  $RLOSSER_i$  to  $ULOSSER_i$ , as the latter capture non-voting as well as cross-voting. But the rise in  $ULOSSER_i$  is spread across all parties, and is more pronounced within the governing coalition than outside it. In short, patterns of these indices across countries suggest that non-voting equilibria are possible but not uniform. Moreover, the combined patterns of  $WRICE_i$ ,  $WUNITY_i$ ,  $RLOSSER_i$ , and  $ULOSSER_i$  across parties can detect signs of such equilibria in some cases and help rule them out in others.

[Figure 5.5]

Furthermore, even where non-voting equilibria exist, it is not obvious that these ought to be regarded as cases of party unity on par with those in which votes are fully mobilized. When rank-and-file legislators have other, more pressing, priorities than getting to the floor to cast votes in line with their copartisans, the observed level of mobilization represents an intrinsic level of support for the party's position. Leaders

might be able to increase mobilization beyond that point in a pinch, but to do so they might also have to twist arms and otherwise expend political resources. By this interpretation, the very existence of non-voting equilibria can reflect a lack of common purpose within parties.

#### **5.3.4. Limitations of WUNITY and ULOSER**

Voting records tell us, among other things, who does not vote, but non-voting is a more ambiguous act than casting an aye or a nay. In part, this is because the mechanics of voting can vary across legislatures. Where the threshold to approve a measure is set in absolute terms, the effect of non-voting is substantively different from where the threshold is relative. Under absolute-threshold rules, I treat non-votes as nay votes, but I also replicate all analyses dropping the absolute-majority cases, and the results reported in this book do not change. In part, non-votes are ambiguous because non-voting may reflect strategic behavior that reflects layers of agreements among party leaders and between leaders and their rank-and-file members. Whether such agreements compromise measures that encompass non-voting depends upon whether one regards a party's potential level of vote mobilization, or its observed level, as a more accurate reflection of its 'real' unity. In either case, comparing measures that encompass non-voting with those that capture only cross-voting can help to identify the existence of non-voting equilibria in the first place.

The last set of issues associated with the voting unity measures employed in this book focus on applying the measures to very small parties. The bottom line is that WRICE and ULOSER are not calculated for single-member parties, and RLOSER is not calculated for parties with fewer than three members. These matters, as well as corrections for bias inherent in RICE and UNITY scores for small parties, are discussed in the appendix to this chapter.

#### **5.4. DATA ON RECORDED VOTES**

As discussed in Chapter 3, the availability of recorded votes in many legislatures, particularly in quantities that facilitate quantitative analysis, is limited. My main criterion for including recorded votes from a given legislature in this study was simply whether I could get data. In this sense, data collection resembled a Drunkard's Search, with the most energy devoted toward legislatures where there was sufficient transparency (enough light) that I might collect some recorded votes. For the United States all recorded votes are publicly available in machine-readable format. Some other assemblies post vote records online as lists of names that, with some work, can be prepared for analysis. In other cases, I traveled to the assemblies themselves and collected hard copies of whatever votes were recorded, or else contracted with local assistants to collect the information. In a few cases, other scholars who had collected vote data in similarly painstaking fashion shared (or traded) data.<sup>38</sup> In some cases (e.g. United States, Uruguay), my sample of votes represents all recorded votes during complete legislatures. In other cases (e.g.

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<sup>38</sup> All the data for this project are to be made available for public use online at <http://www.dartmouth.edu/~jcarey/legvoting.htm>. Every scholar who shared or traded data agreed the information should be an open resource for scholarship.

Chile, Israel, Peru), the costs of data collection prohibited collecting all votes in a given legislature, so my sample includes all votes between specified dates. In still others (e.g. Canada, Czech Republic, Russia) my sample includes those votes that colleagues made available.

What are the implications for how we interpret the data? If voting unity is fundamentally different in legislatures where recorded votes are unavailable, then the measures of unity reported here are unrepresentative of the whole population of legislatures. If the factors correlated with higher and lower levels of unity are different in legislatures where recorded votes are unavailable, then the explanations offered here for levels of voting unity are limited to environments where votes are visible. Time spent time observing legislative behavior both in legislatures where votes are visible and where they are not leads me only to a bit of conjecture on the possibility of differences in the power of presidential patronage to sway votes in visible versus invisible-vote systems. I discuss these in the following chapter. That said, it must be noted that where recorded votes are unavailable, we cannot know for sure what levels of voting unity are and what explains them.

I draw on recorded vote data from lower legislative chambers across nineteen countries. The unit of analysis is the party group during a given legislature. I calculated voting indices for each party in each legislature that it enjoyed representation ( $\%WON_i$  and  $WUNITY_i$ ), or where its group consisted of two or more legislators ( $WRICE_i$  and  $ULOSSER_i$ ), or three or more legislators ( $RLOSSER_i$ ). The dates, the total number of votes, and properties of the corresponding mean CLOSE scores for the cases examined in this paper are shown in Table 5.3.

[Table 5.3]

There is tremendous variance across the legislatures for which I have voting data in how many votes are recorded, and thus available for analysis of party unity. There is also variance in what information is available about each vote (e.g. origin of the initiative, issue area, whether final passage or not). The only information available for every vote in every chamber is date, threshold for approval, and how each member of the assembly voted (e.g. aye, nay, abstain, or no vote). Finally, there is variance in the overall tendency toward consensus or contestation in votes. Mean  $CLOSE_j$  summarizes the extent to which an average vote was contested for each case. Votes were most narrowly won in New Zealand, Argentina, the French Fourth Republic, and Guatemala; less so in Ecuador, Chile, Peru, and especially Philippines. In all legislatures, some votes are consensual, but in most there are deep divisions on many votes as well – enough that we can be confident that the real fights over policy have not all ended before votes come to the floor.

## **5.5. DESCRIBING VOTING UNITY**

### **5.5.1. Cross-national patterns**

I calculated the various voting unity indices described in this chapter for each party within every legislative period from I obtained data. Across all the periods in all the



legislatures, this amounts to over 300 observations on each of the indices.<sup>39</sup> Each index, in turn, summarizes a large amount of information about individual legislators' actions, and these descriptive statistics could be summarized and examined in myriad ways.

Table 5.4 presents the four main indices aggregated at the level of country, along with the standard deviation across parties within each country. The highest average  $WRICE_i$  are found in Australia and New Zealand while the lowest are in Nicaragua, Poland, and Russia. Recall, however, that the extremely low indices for Nicaragua and Russia reflect the decision to treat non-votes as nay votes in these legislatures. When non-votes are discarded in calculating  $WRICE_i$ , the indices shoot up in both cases.

$WUNITY_i$  does not track  $WRICE_i$  perfectly. The two are correlated at .55 across all parties, and although Australia is highest on  $WUNITY_i$  as well, the French Fourth Republic, the United States, and Uruguay are close behind. Meanwhile, along with Nicaragua and Russia (again, owing largely to the coding decision), Canada, Israel, Peru, Philippines, and Poland all exhibit low values. Parties in the United States average the highest rates of losses due both to cross-voting ( $RLOSER$ ) and failure to mobilize fully ( $ULOSER$ ), although relatively high rates on  $RLOSER$  are also present in Nicaragua, Poland, and Uruguay, and on the latter in various countries, although the discussion of non-voting equilibria, above, suggests wariness toward that statistic. A few countries, including Australia again plus Canada, Guatemala, and Philippines, show no – or almost no – vote losses due to breaches in voting unity.

[Table 5.4]

### 5.5.2. Looking at legislatures

The next chapter focuses on explaining levels of voting unity according to these various measures. Before closing, it will be useful merely to demonstrate, with a few more graphs like those presented above, that the indices allow us to visualize legislatures in ways that illustrate key characteristics of their party systems. The statistics presented in Table 5.4, for example, suggest Australia as the prototype of a highly unified legislative party system. Figure 5.6 illustrates this uniformity by juxtaposing its  $WRICE_i$ ,  $WUNITY_i$ ,  $RLOSER_i$ , and  $ULOSER_i$  indices during the 1996-1998 period. As above, government parties are shaded white and opposition various gray hues. The relative simplicity of Australia's coalition structure during this period and the regularity of legislative voting behavior are clear.

[Figure 5.6]

Compare this with the structure of the Israeli Knesset, shown in Figure 5.7 during a period from October 1999 to November 2000 from which I collected a sample of votes. First, the far greater fragmentation of the Israeli party system and governing coalition structure is evident. Israeli parties also show somewhat more variance in voting unity

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<sup>39</sup> There are the fewest observations on  $RLOSER_i$ , because it is not calculated for parties with fewer than three members. There are more observations on the other indices.

across the different indicators, and their overall levels demonstrate less unity and some vote losses, even among parties in the governing coalition, due to disunity.

[Figure 5.7]

A similar complexity and fragmentation is also evident in Brazil's party system during the first administration of President Fernando Henrique Cardoso, 1995-1999, shown in Figure 5.8. Here, the president's party is shown, toward the right of each panel, in black, with other parties in the governing coalition (that is, holding cabinet portfolios) in white, and the various others in gray hues. As scholarship on that country frequently notes, Brazil exhibits relatively low voting unity overall, by any index, and high levels of vote losses due to disunity. But there is also substantial variance across parties. The Worker's Party (PT) and the Communist Party of Brazil (PC do B), both in opposition, for example, show high levels of unity and mobilization, and virtually no losses owing to disunity. The governing parties, by and large, are less unified.

[Figure 5.8]

Finally, consider the United States House of Representatives during the 105th Congress, 1997-1999. The two-party hegemony of the Republicans and Democrats stands in sharp contrast to the fragmented Israeli and Brazilian systems. The relatively low  $WRICE_i$  indices illustrate a substantial amount of cross-voting with which even casual observers of the U.S. Congress are familiar, but the near parity between  $WRICE_i$  and  $WUNITY_i$  also shows that U.S. legislators are diligent about getting to the floor to vote. Most of the disunity in the U.S. Congress comes in the form of cross-voting, rather than non-voting. As a result, while both the loss-based indices are high for the United States,  $RLOSER$  is nearly as high as  $ULOSER$ , especially for the Republicans, the majority party during this Congress.

[Figure 5.9]

The voting unity indices developed in this chapter summarize vast amounts of legislative activity in relatively simple statistics, and so make it possible to compare distinct legislatures, or the same legislature in different periods, or both, according to common metrics. This is useful for describing and visualizing legislative party systems, but the goal of developing these tools is to explain the conditions that generate high and low levels of voting unity, mobilization, and ultimately partisan and government success or failure on the floor. The next chapter focuses on that task.

## Chapter 5 Appendix: Measuring voting unity in small parties

The various measures of voting unity confront three types of limitations associated with small parties. First, the  $RICE_{ij}$  score is not relevant for a party with only one member because cross-voting is, by definition, impossible. Thus,  $RICE_{ij}$  scores are not calculated for parties with only one legislator, nor for votes on which only one member of a party participates.

Second,  $RLOSER_{ij}$  is calculated only for parties where  $N > 2$ .  $RLOSER_{ij}$  is derived from simulated vote outcomes under alternative, “more unified” permutations of a party’s votes, given the party’s inferred preference on the vote. Where  $N \leq 2$ , the party either has no inferred preference (that is, splits [1-1]), or is perfectly unified, in which case no alternative, more unified, permutation is possible.  $ULOSSER_{ij}$  can be calculated for parties with two members or more because, for example, a [1-0-1] tally indicates a partisan preference for aye, on which the party could have mobilized more effectively with [2-0-0].

The third consideration is that both  $RICE_i$  and  $UNITY_i$  are subject to upward bias as a combined function of a group’s size and the underlying proclivity of its members to vote together (Desposato 2005). The bias is more severe the smaller the group and the less inclined its members are to vote alike. The problem is that the probability of observing instances of high party unity (e.g. all voting Aye, or all Nay) is higher the fatter are the tails of the binomial distribution of the proportion of “alike” votes. Observations in these tails reflect higher  $RICE_i$  and  $UNITY_i$  values than the underlying probability of voting alike would suggest, biasing the measures upward. The tails of the distribution are fatter when  $N$  is smaller and the resulting bias is more pronounced when the underlying probability of voting together is smaller. (Think of the likelihood of observing all Heads – that is, ‘perfect unity’ – when tossing a pair of coins, as opposed to when tossing ten coins.) The magnitude of small-group bias declines rapidly as party size and underlying cohesiveness increase.

Desposato’s (2002b) analysis suggests that the potential bias in cohesiveness scores can be corrected by estimating deviance factors for  $RICE$  and  $UNITY$  scores, which are functions of group size and the underlying proclivity of members to vote together, then subtracting that factor from the score. The process I use is as follows. For any party  $i$  on vote  $j$ , one can calculate the proportions of legislators who vote together (T) with most of the group, or who vote in dissent (D):

- $T_{ij}$  = maximum [AYE, NAY], as a percent of those voting,
- $D_{ij}$  = minimum [AYE, NAY], as a percent of those voting.

One can also calculate analogous proportions of legislators mobilized (M), those opposed (O) and those not voting (NV) based on the size of the group, rather than just those who vote:

- $M_{ij}$  = maximum [aye, nay] as a share of all legislators
- $O_{ij}$  = minimum [aye, nay] as a share of all legislators

- $NV_{ij} = 1 - M_{ij} - O_{ij}$

The  $RICE_{ij}$  score is just  $T_{ij} - D_{ij}$ , and the  $UNITY_{ij}$  score is  $M_{ij} - O_{ij}$ .

The corresponding  $RICE_i$  and  $UNITY_i$  indices are summations of  $T_i - D_i$ , and  $M_i - O_i$  across all votes. The indices, then, reflect estimates of the underlying probabilities of voting “against” the group, or withholding one’s vote from the group.

For each party group,  $i$ , I calculate the expected upward bias due to small party size as:

- $RICE_{deviance_i} = D_i / N_i$  and
- $UNITY_{deviance_i} = O_i / N_i$ .

where  $N_i$  is the number of members in the cohort. I then calculate the “empirically corrected” indices for each cohort by subtracting its deviance factor from its “raw” index. The indices are “empirically corrected” because the estimates of underlying probabilities of  $D_i$  and  $O_i$  are based on the observations of behavior across all votes. The deviance factors grow as the probability of cross-voting grows, and shrink as  $N_i$  grows. For expositional simplicity, I do not include the word “corrected” each time I refer to the corrected indices, but all indices presented in this book are corrected for potential bias.

Table 5.1. Examples of RICE and UNITY scores, and Weighted and Unweighted indices, in a hypothetical legislature.

		Party A			Party B			Party C		
Tally	CLOSE <sub>j</sub>	Tally <sub>A</sub>	UNITY <sub>Aj</sub>	RICE <sub>Aj</sub>	Tally <sub>B</sub>	UNITY <sub>Bj</sub>	RICE <sub>Bj</sub>	Tally <sub>C</sub>	UNITY <sub>Cj</sub>	RICE <sub>Cj</sub>
[150,0,150]	0.00	[50,0,50]	.50	1.0	[50,0,50]	.50	1.00	[50,0,50]	.5	1.00
[162,18,120]	.20	[54,6,40]	.48	.80	[48,12,40]	.36	.60	[60,0,40]	.6	1.00
[168,42,90]	.40	[56,14,30]	.42	.60	[42,28,30]	.14	.20	[70,0,30]	.7	1.00
[168,72,60]	.60	[56,24,20]	.32	.40	[32,48,20]	.16	.20	[80,0,20]	.8	1.00
[162,108,30]	.80	[54,36,10]	.18	.20	[18,72,10]	.54	.60	[90,0,10]	.9	1.00
[150,150,0]	1.00	[50,50,0]	0.00	0.00	[0,100,0]	1.00	1.00	[100,0,0]	1.0	1.00
Unweighted Indices			.32	.50		.45	.60		.75	1.00
Weighted Indices			.20	.27		.55	.60		.87	1.00

Table 5.2. Illustrations of RLOSER and ULOSER in a hypothetical 100-member legislature. Tallies are [Aye-Nay-Non-vote]

Vote	TALLY <sub>Aj</sub>	TALLY <sub>Bj</sub>	Losing Party	RICE <sub>Aj</sub>	RICE <sub>Bj</sub>	RLOser	UNITY <sub>Aj</sub>	UNITY <sub>Bj</sub>	ULOser
1	60-0-0	40-0-0	None	1.00	1.00	None	1.00	1.0	None
2	30-0-30	20-0-20	None	1.00	1.00	None	.50	.50	None
3	60-0-0	0-40-0	B	1.00	1.00	None	1.00	1.0	None
4	30-0-30	0-20-20	<b>B</b>	1.00	1.00	None	.50	.50	Party B
5	45-15-0	0-40-0	A	.50	1.00	Party A	.50	1.0	Party A
6	40-10-10	0-40-0	A	.60	1.00	Party A	.50	1.0	Party A
7	20-10-30	0-20-20	A	.33	1.00	Party A	.17	.50	Party A
8	15-5-40	10-30-0	A	.50	.50	None	.17	.50	Party A

**Table 5.3. Recorded vote data**

<b>Country</b>	<b>Dates, Assemblies</b>	<b># Votes</b>	<b><i>Sum CLOSE</i></b>	<b><i>Mean CLOSE</i></b>
Argentina	December 1984 – December 1986	20	12	.62
	December 1987 – September 1989	20	14	.71
	December 1989 – December 1991	65	39	.60
	December 1991 – December 1993	27	14	.53
	December 1993 – December 1995	64	35	.55
	December 1995 – November 1997	21	16	.77
Australia	May 1996 – July 1998	457	308	.67
Brazil	January 1989 – December 1990	57	33	.57
	March 1991 – January 1995	166	104	.63
	March 1995 – December 1998	452	291	.64
Canada	May 1994 – April 1997	735	398	.54
Chile	May 1997 – January 1998	215	59	.27
	October 1998 – May 2000	522	167	.32
Czech Republic	<b>January 1993 – June 1996</b>	5,067	2,149	.42
	July 1996 – December 1998	4,741	2,075	.44
Ecuador	July 1998 – June 2002	22	5	.25
France Fourth Republic	July 1946 – June 1951	365	175	.48
	July 1951 – June 1956	352	246	.70
	June 1956 – June 1958	172	109	.63
Guatemala	December 1994 – November 1995	10	6	.58
	February 1996 – January 1999	42	21	.51
	January 1999 – April 2000	7	5	.75
Israel	October 1999 – November 2000	598	205	.34
Mexico	October 1998 – April 2000	299	113	.38
New Zealand	November 1990 – August 1993	592	384	.65
	December 1993 – November 1994	185	145	.78
Nicaragua	January 2000 – September 2000	693	417	.62
Peru	March 1999 – June 2000	689	430	.33
	August 2000 – December 2000	332	227	.26
	August 2001 – October 2001	103	129	.09
Philippines	July 1995 – April 1997	147	3	.02
Poland	October 1997 – May 1999	3,045	1,226	.40
Russia	January 1996 – May 1997	356	197	.55
United States	January 1991 – December 1992	901	495	.55
	January 1993 – December 1994	1,094	666	.61
	January 1995 – December 1996	1,321	836	.63
	January 1997 – December 1998	1,157	622	.54
Uruguay	October 1985 – November 1989	41	28	.68
	December 1990 – August 1994	22	10	.47

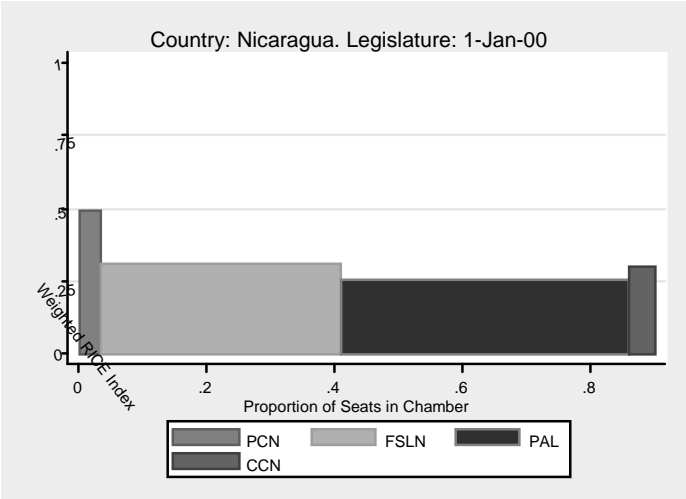
Table 5.4. Voting unity index averages and standard deviations by country

Country	WRICE		WUNITY		RLOSER		ULOSER	
	mean	s.d.	mean	s.d.	mean	s.d.	mean	s.d.
Argentina	.86	.17	.51	.21	.003	.011	.020	.095
Australia	.99	.02	.69	.26	.000	.000	.000	.000
Brazil	.75	.17	.59	.15	.008	.019	.014	.025
Canada	.82	.25	.42	.24	.001	.002	.002	.003
Chile	.82	.15	.48	.12	.003	.006	.022	.020
Czech Republic	.87	.08	.53	.16	.006	.008	.049	.037
Ecuador	.92	.09	.71	.16	.006	.016	.006	.016
France	.85	.14	.68	.18	.011	.015	.021	.020
Guatemala	.83	.21	.65	.22	.000	.000	.001	.005
Israel	.88	.23	.44	.14	.002	.002	.048	.040
Mexico	.84	.16	.63	.21	.011	.010	.025	.015
New Zealand	.96	.02	.59	.21	.018	.022	.108	.239
Nicaragua	.36	.10	.36	.10	.038	.023	.038	.023
<i>Nicaragua NV~ = Nay</i>	.95	.01	.60	.04	.038	.023	.057	.030
Peru	.80	.14	.45	.14	.006	.008	.013	.017
Philippines	.70	.28	.45	.14	.000	.000	.000	.000
Poland	.42	.20	.35	.17	.026	.027	.027	.027
Russia	.55	.14	.55	.14	.010	.009	.132	.045
<i>Russia NV~ = Nay</i>	.94	.05	.66	.16	.010	.009	.018	.012
United States	.70	.06	.68	.06	.119	.038	.133	.045
Uruguay	.79	.25	.67	.25	.037	.034	.037	.034



Figure 5.1. Nicaraguan WRICE indices.

Non-votes = Nay



Non-votes ignored.

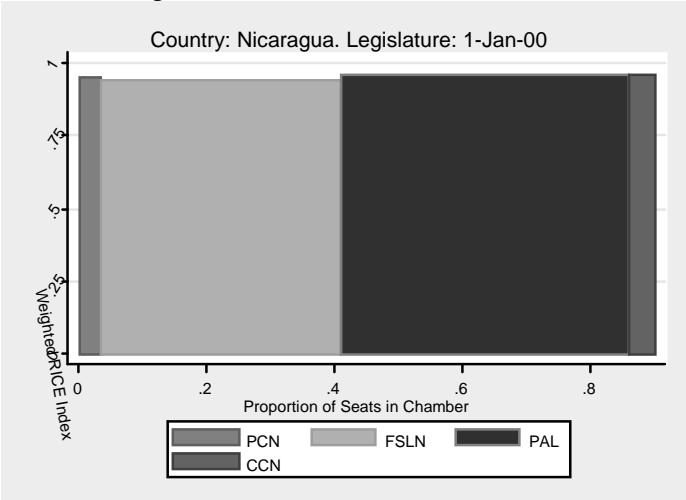


Figure 5.2. WRICE, WUNITY, RLOSER, and ULOSER indices for Argentina, 1995-1997.

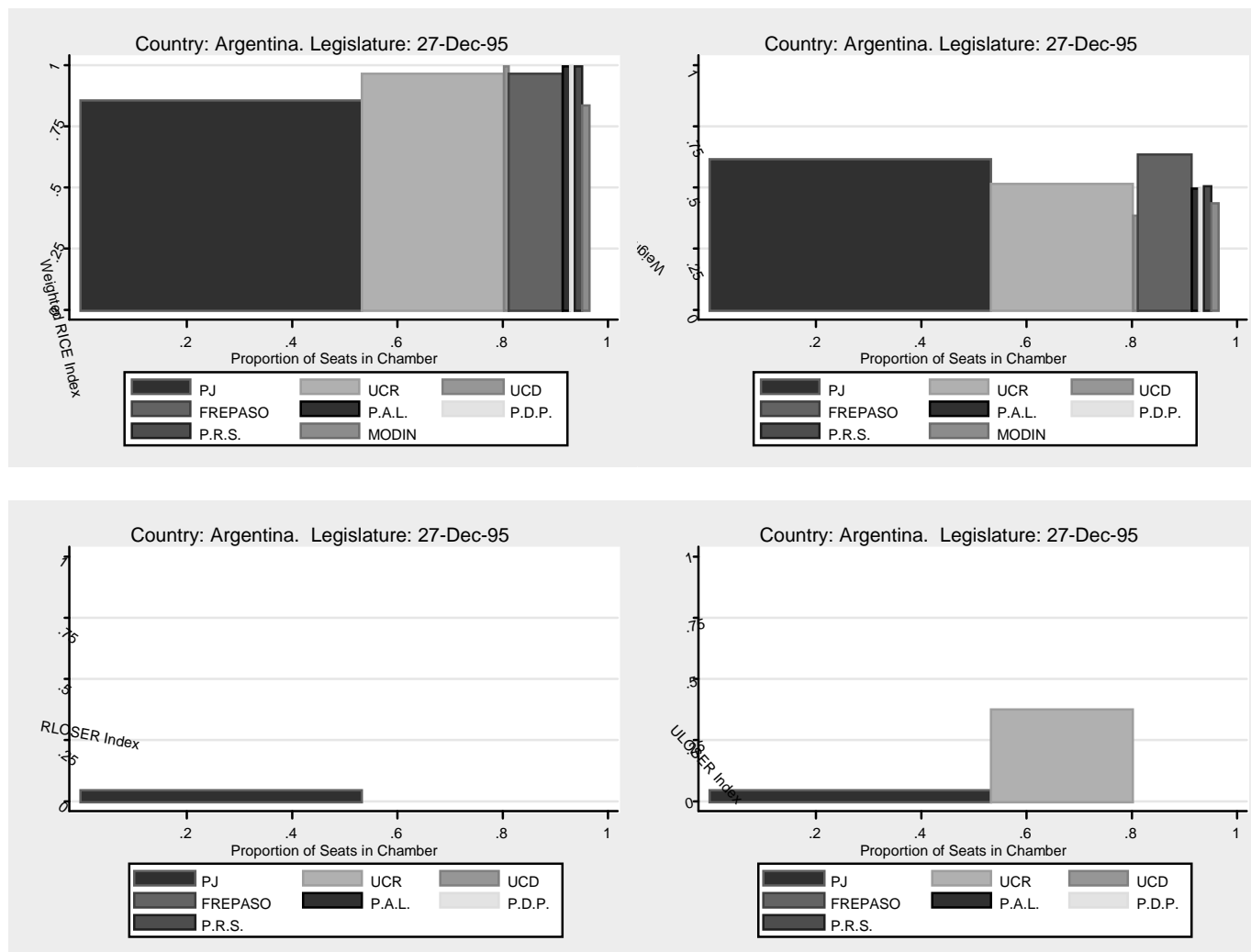


Figure 5.3. WRICE, WUNITY, RLOSER, and ULOSER indices for New Zealand, 1993-1994.

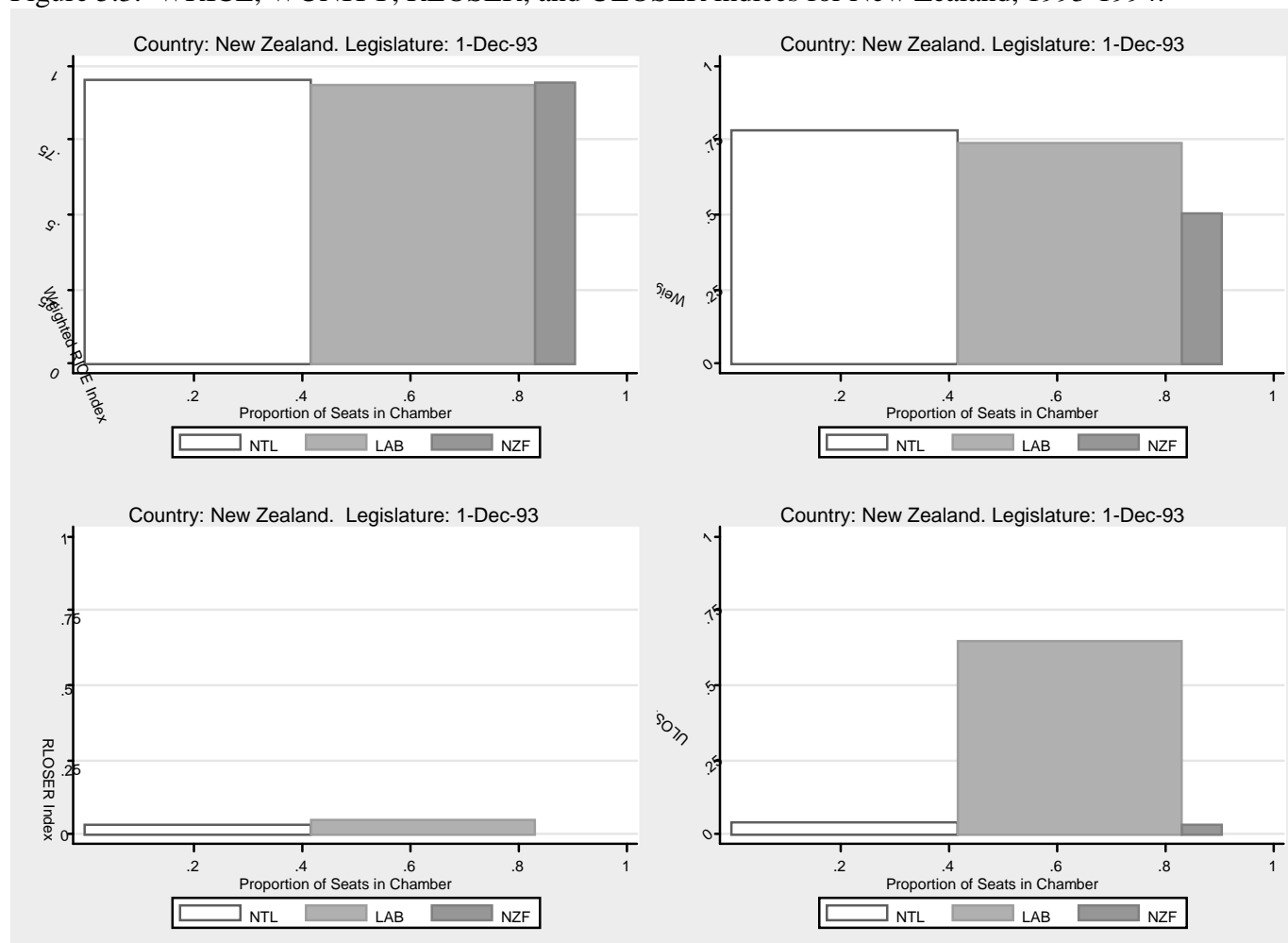


Figure 5.4. WRICE, WUNITY, RLOSER, and ULOSER indices for Peru, 2001.

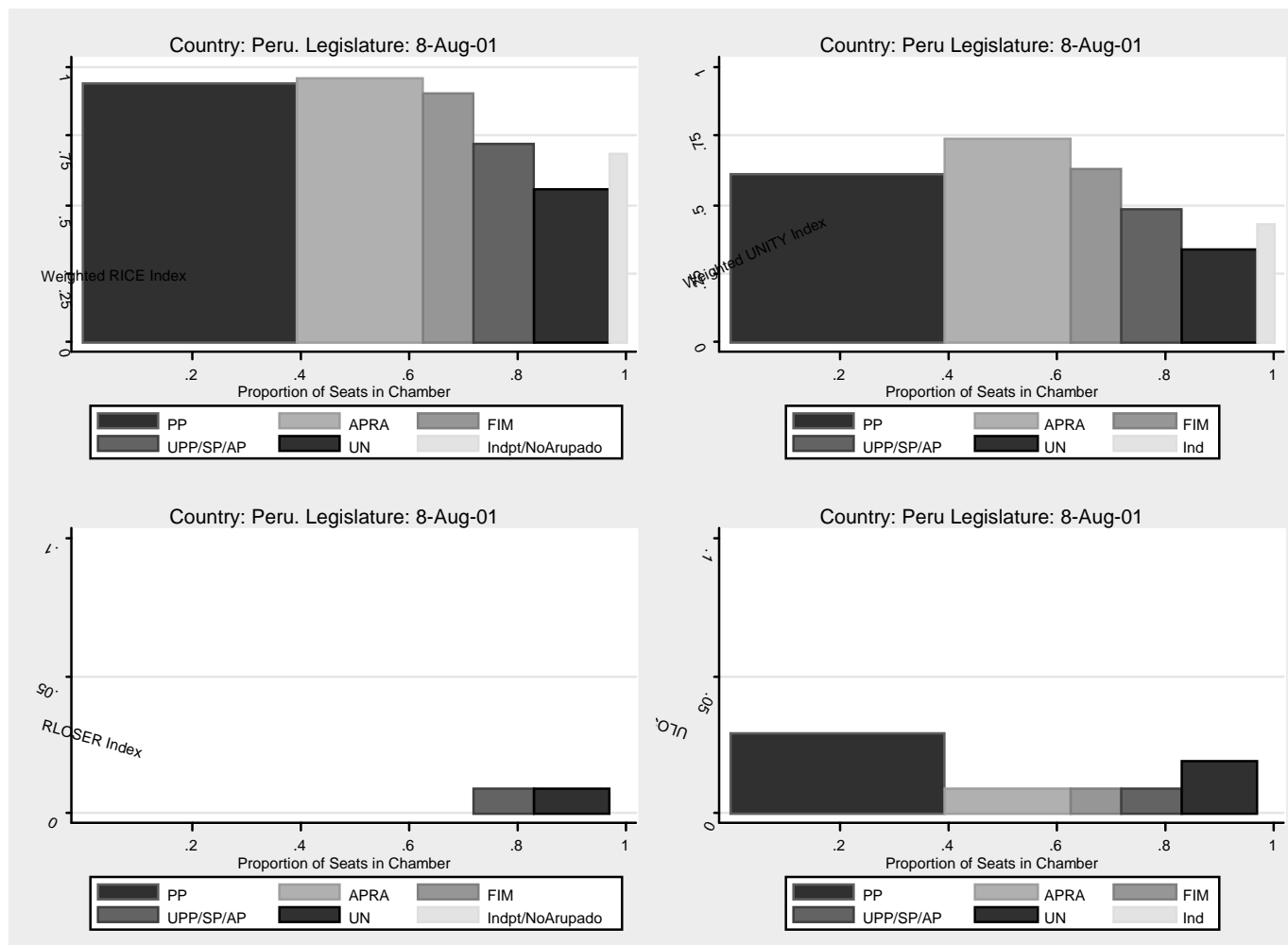


Figure 5.5. WRICE, WUNITY, RLOSER, and ULOSER indices for the Czech Republic, 1996-1998.

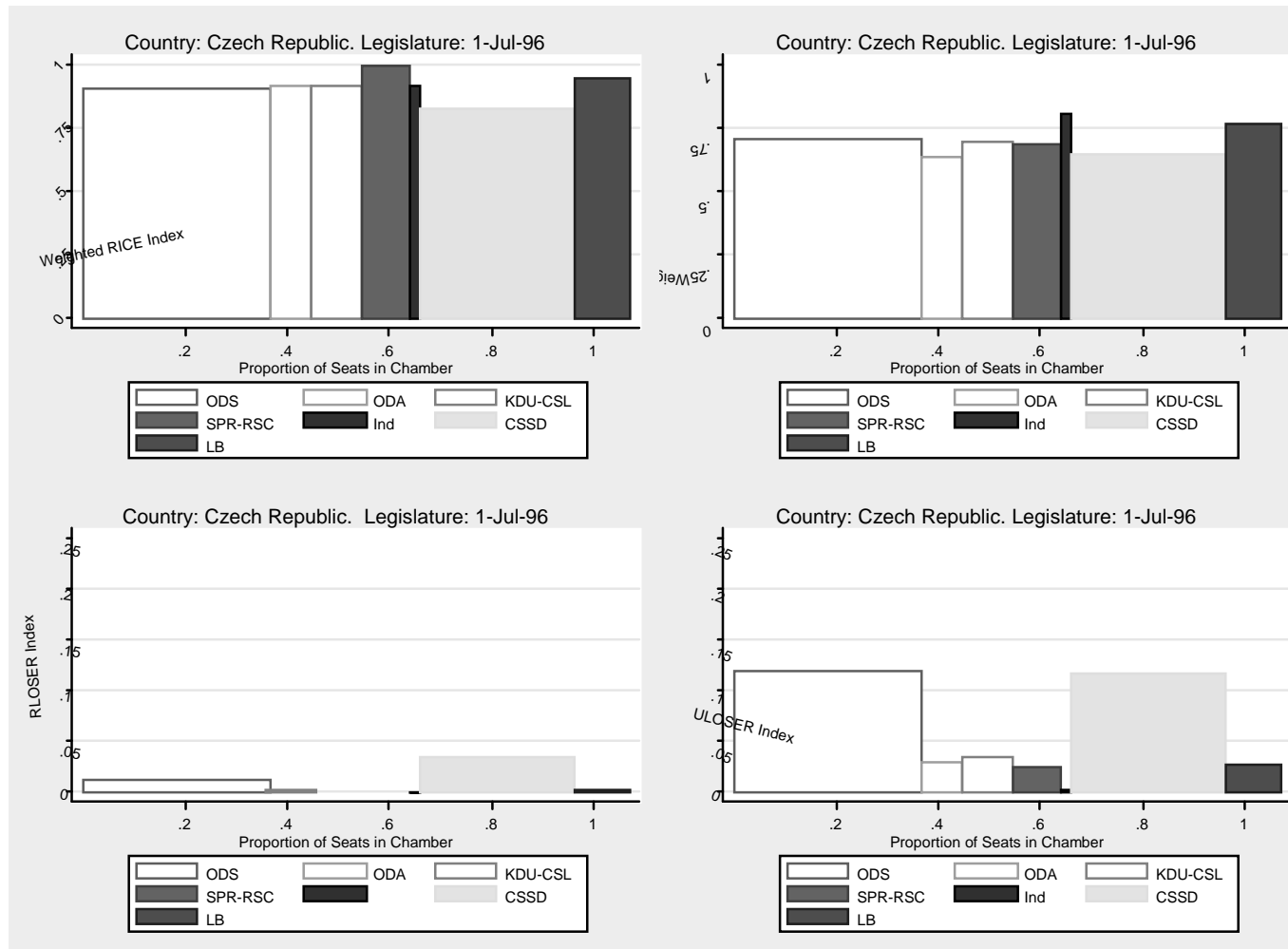


Figure 5.6. WRICE, WUNITY, RLOSER, and ULOSER indices for Australia, 1996-1998.

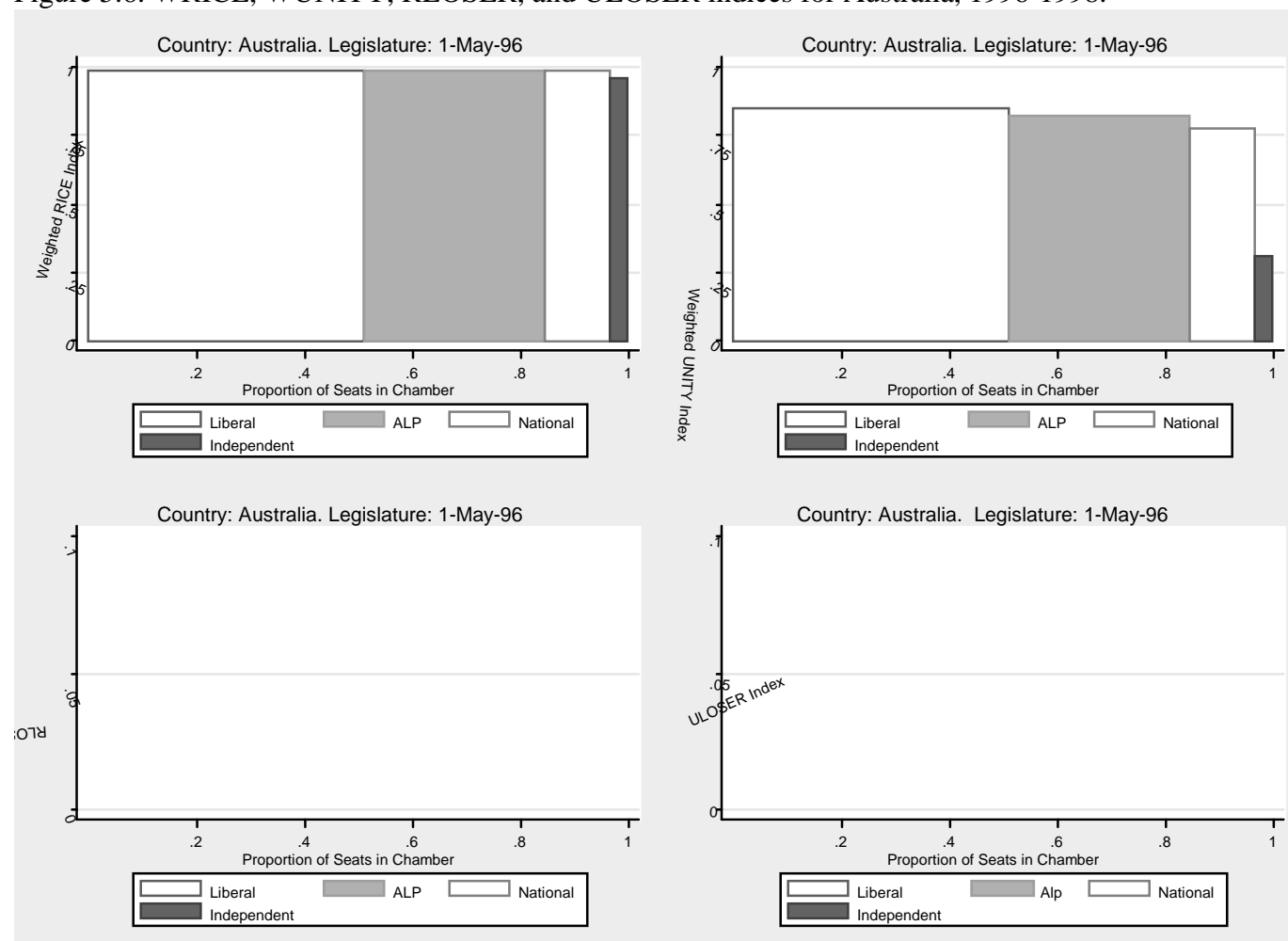


Figure 5.7. WRICE, WUNITY, RLOSER, and ULOSER indices for Israel, 1999-2000

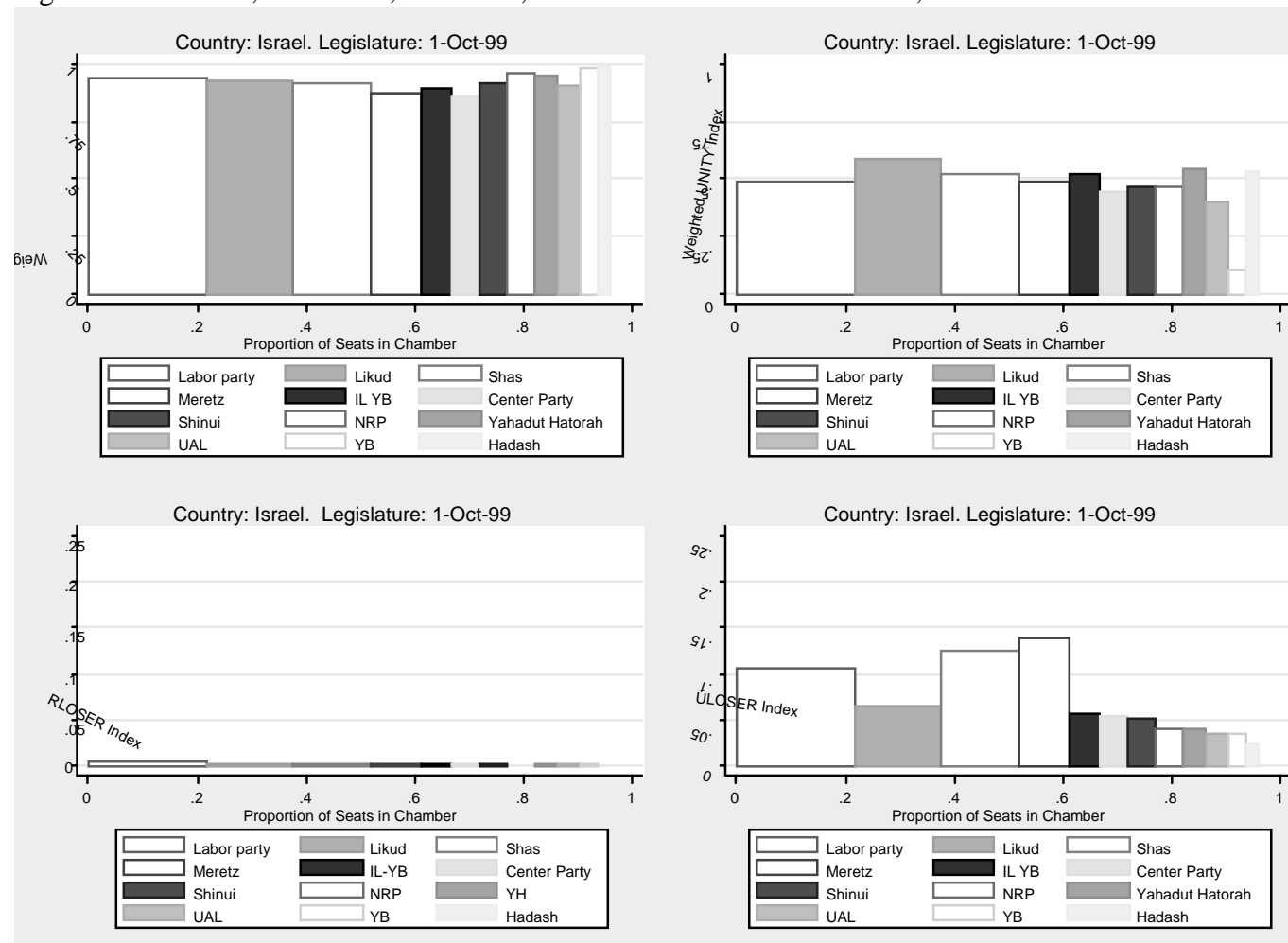


Figure 5.8. WRICE, WUNITY, RLOSER, and ULOSER indices for Brazil, 1995-1998.

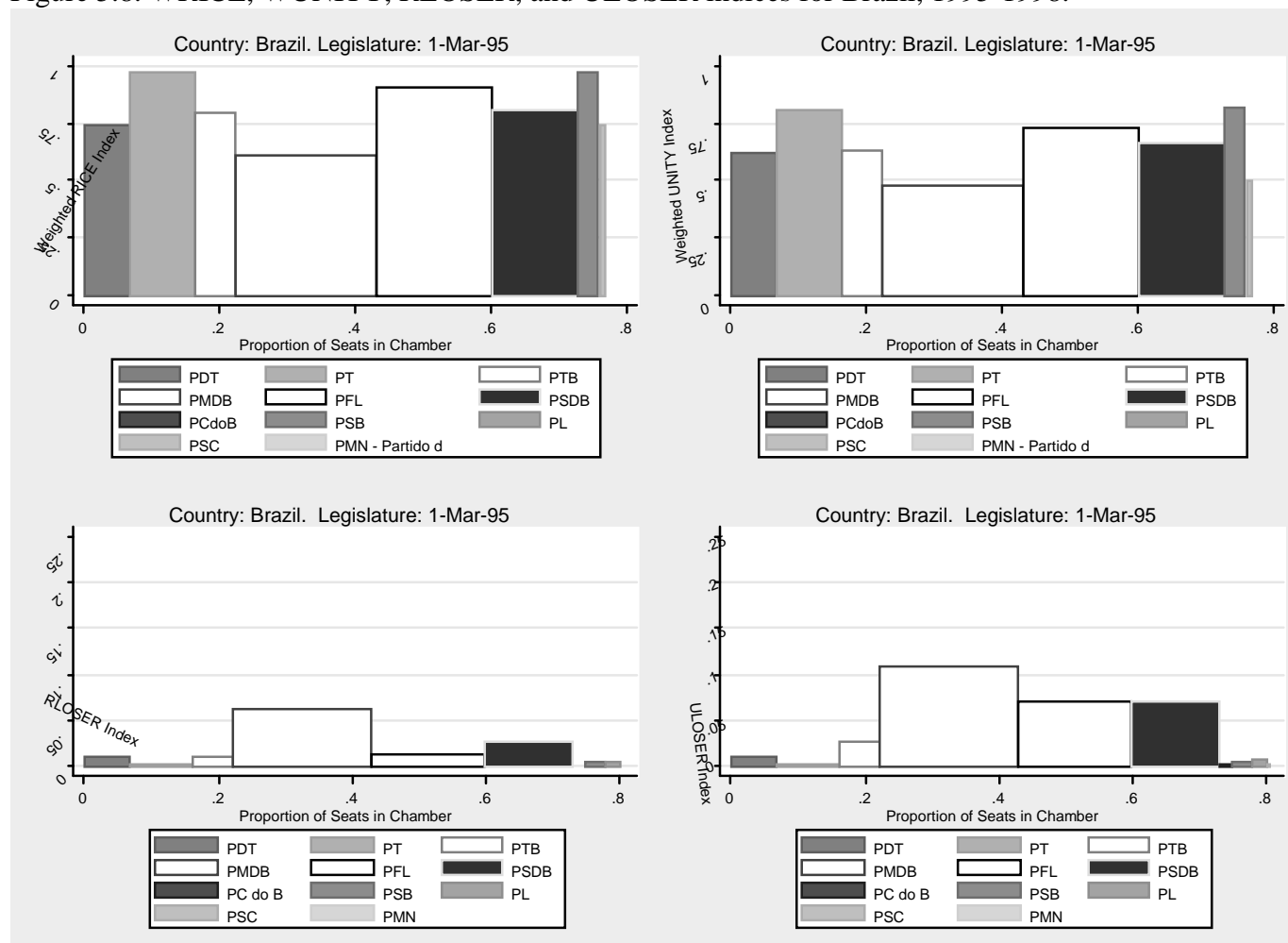
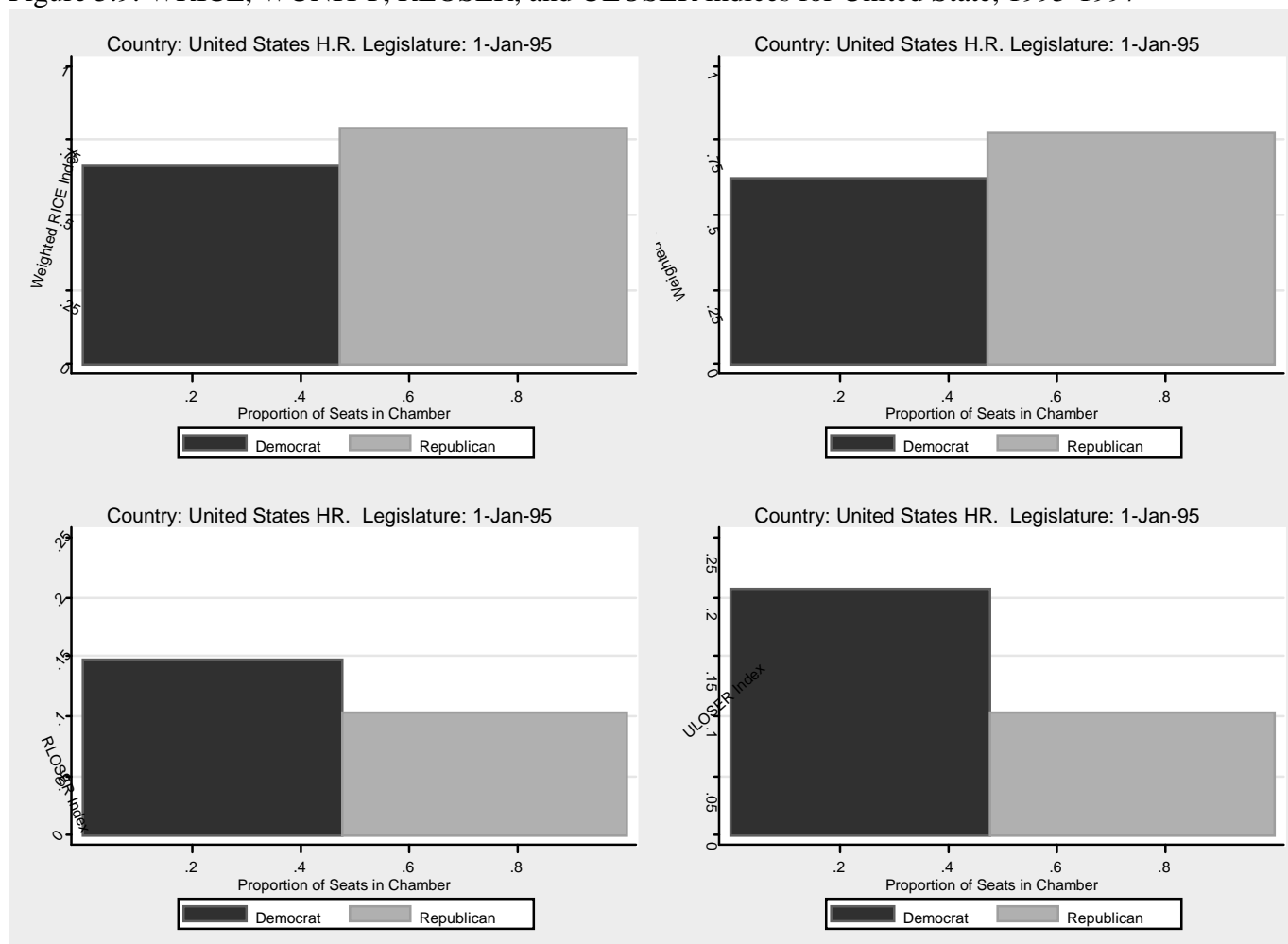




Figure 5.9. WRICE, WUNITY, RLOSER, and ULOSER indices for United State, 1995-1997



## 6. Explaining Voting Unity

### 6.1. LEGISLATIVE PARTIES AND INSTITUTIONAL CONTEXT

The institutional environment in which parties operate is widely held to affect their voting unity. Parties in parliamentary systems are generally characterized as highly unified, and those in presidential systems as more fractious and less disciplined, with resulting difficulty for presidents in the legislative arena (Diermeier and Feddersen 1998; Hix, Noury, and Roland 2006; Persson and Tabellini 2003; Shugart 1998). Federalism, by encouraging the organization of parties at the sub-national level, is said to foster divisions within parties at the national level (Mainwaring 1999; Weyland 1996). Electoral systems that provide for competition among legislative candidates within the same party for personal votes are portrayed as encouraging disunity relative to closed lists election rules (Ames 1995; Golden and Chang 2001; Hix 2004). The leadership of parties that are older and more well-established may be more autonomous and less vulnerable to pressure from presidents (Stokes 2001).

These assertions are not uniformly accepted. Based on a broad cross-national study, Cheibub, Przeworski, and Saiegh (2004) argue that presidents are on par with parliamentary executives in forming legislative coalitions to pass legislation. Based on a case study of Brazil, a presidential, federal system with intra-party electoral competition – all the characteristics listed above as undermining party unity – Figueiredo and Limongi (2000) argue that various provisions centralizing control over the legislative agenda provide leverage to control wayward parliamentarians and govern as efficiently as governments that confront none of these institutional obstacles ostensibly do.

It is difficult to know whether institutions matter to party unity, which institutions, and how much, without cross-national studies with sufficient breadth to allow for variance in the institutional factors of interest. Morgenstern (2003) makes an ambitious contribution along these lines, but his empirical analysis includes five countries, all presidential, which limits his ability to test for the effects of constitutional structure, and its interaction with party-level factors, on voting unity. Sieberer's (2006) study is similarly constrained by including only European parliaments. Drawing on the data and measures of unity described in Chapter 5, this chapter tests for how the institutional environment affects legislative party unity.

The next section reviews three distinct potential mechanisms that might produce party unity in legislative voting – cohesiveness, discipline, and agenda control – and argues that the logic of competing principals operates through the first and second of these. The following section uses cross-national voting data to shed some light on the relationship between cohesiveness and discipline across the parties included in this analysis. Then I draw on the logic of competing principals to spell out a number of explicit hypotheses regarding factors that should affect legislative voting unity. These fall into two broad categories: those that vary across legislative chambers but are constant for all parties within a chamber, and those that can vary across parties within the same chamber. I refer to these as system-level and party-level variables, respectively. I

then present the models used to test the hypotheses against the cross-national data and the results. The final section extends the analysis of voting unity from individual parties to governing and opposition coalitions, and summarizes the overall results of the analysis.

## **6.2. COMPETING PRINCIPALS AND EXISTING ACCOUNTS OF PARTY UNITY**

There are three potential sources of legislative party unity: cohesiveness, discipline, and agenda control. Cohesiveness implies that elections produce legislative parties whose members have similar preferences, and therefore vote in harmony.

Discipline refers to the combination of carrots and sticks, generally administered by party leaders, used to reward voting loyalty and deter or punish breaches in solidarity. Strong discipline should raise party voting unity, other things equal.

Agenda control implies that those who control the flow of legislative traffic steer it so as to determine whether proposals that would divide a given party or coalition come to a vote. Where control of a legislative chamber's agenda is monopolized by the leaders of a given party or coalition – an agenda cartel – we should expect them to minimize agenda access for measures that would divide the party, and so we might expect that levels of voting unity should vary according to which parties do and do not control the agenda (Cox and McCubbins 2005).

The competing principals theory advanced in this book derives hypotheses based on electoral sources of party cohesiveness and the institutional resources that drive discipline within parties. For example, electoral rules that centralize control over nominations allow party leaders to screen potential candidates for ideological compatibility with national party priorities, and so to foster cohesiveness among those ultimately elected. The same centralization over nominations – or of list positions in close-list systems – also provide leaders with formidable sanctions should legislators breach party voting unity against the leadership wishes. Mavericks can be denied re-nomination or moved down lists to marginal or un-winnable positions.

It is easy to posit how other institutional factors might also affect party cohesiveness or discipline. For example, parties in federal systems are more apt to have autonomous sub-national organizations than in unitary systems. If the same party's reputation and priorities vary according to diverse interests across sub-national electorates, then national legislative party groups should be less cohesive in federal than unitary systems. As another example, presidentialism creates a potential rival to legislative party leaders, endowed with considerable resources to command responsiveness among legislators to an alternative set of demands, possibly undermining the effect of legislative party discipline.

The competing principals explanation, therefore, bears directly on both cohesiveness-based and discipline-based stories for why party unity may be high or low. A competing principals theory of party unity, by itself, is less directly relevant to the

agenda cartel account of party unity, for a number of reasons. Agenda cartel theory focuses on the direction of policy changes under specific governing coalitions, whereas the competing principals model does not make claims about legislative outcomes in a theoretical policy space (Cox & McCubbins 2005). The implications of agenda control theory regarding voting unity focus on the specific subset of legislative votes – on key procedural matters, or those that ratify final passage of new policies, for example. Unfortunately, the data available across the range of legislatures included in this analysis often do not make it possible to identify and separate out such votes. In part this is due to the quality of the data, but in part it has to do with the diversity of legislative procedures cross-nationally. The mechanics of final passage itself are context-specific. The voting process whereby various alternative proposals are sifted until a surviving contender is pitted against the status quo is characteristic of the specific amendment procedure used in the U.S. Congress, but not in many other legislatures (Rasch 2000). More broadly still, the set of rules governing who can bring motions to the assembly floor for a vote varies across countries and legislative chambers, with control vested in chamber directorates in some cases, monopolized by executives drawn from the chamber in others, and shared with independently elected executives in others.

In short, the data and theory presented here provide substantial leverage in testing for party unity driven by the cohesiveness and discipline across the full spectrum of legislative votes, but more limited leverage in testing for unity driven by the specific mechanism and conditions posited by agenda cartel theory. The results here shed light on cohesiveness of preferences among copartisans, and the relative monopoly on discipline imposed by legislative party leaders.

### **6.3. COHESIVENESS AND DISCIPLINE: WEIGHTED AND UNWEIGHTED INDICES**

The terms ‘cohesiveness’ and ‘discipline’ are both frequently used to in reference to the voting unity within legislative parties, but it is important to keep in mind the conceptual distinction between the terms. The former refers to the degree to which the members of a group share similar preferences; the latter to the degree to which group leaders are able to elicit unified voting on the part of the group, regardless of member preferences. Unless there is reason to believe a particular pattern of voting behavior is caused by either cohesiveness or discipline, I use the more generic term, ‘unity,’ to describe the proclivity of copartisan legislators to vote together.

The difficulty of distinguishing party cohesiveness from discipline is familiar to students of American politics, and debate over the relative contribution of each to party unity in U.S. congressional voting constitutes a substantial literature in its own right (Krehbiel 2000; Snyder & Groseclose 2000; Cox & Poole 2004). As the previous chapter described, I rely on a weighted index of  $RICE_{ij}$  scores ( $WRICE_i$ ) as one of my summary indicators of party unity, but comparing the unweighted mean of a party’s  $RICE_{ij}$  scores ( $URICE_i$ ) with  $WRICE_i$  can provide leverage on whether it is cohesiveness among copartisans or discipline that accounts for the levels of unity we observe.

Consider first the ‘discipline-free’ scenario. On votes that are consensual across an entire legislature,  $RICE_{ij}$  scores will necessarily be high for all parties. As votes diverge from consensus, low party unity scores become possible. Disunity within parties is still not inevitable, because lack of consensus at the level of the legislature could be the product of conflict between or among highly unified parties, but the presence of dissenting votes at the assembly level allows for the prospect of internal party disunity whereas consensus at the assembly level does not. The more hotly votes are contested in the legislature overall, the more ‘room’ there is, arithmetically, for disunity within parties. Thus, in the discipline-free scenario,  $RICE_{ij}$  scores decline as  $CLOSE_j$  rises, and  $WRICE_i$  is lower than  $URICE_i$ .

Now consider the scenario with party discipline – that is, where party leaders are able to compel their legislators to vote together.  $RICE_{ij}$  scores must still be high on consensual votes, by definition. Where votes are moderately contested, there is the potential for disunity within parties. But as votes approach toss-ups (i.e. as  $CLOSE_j$  approaches 1.0), such that pre-vote head counts suggest a handful of switched votes one way or the other could turn the outcome, party leaders should be increasingly inclined to impose discipline (King and Zeckhauser 2003). Thus, the more that discipline, as opposed to cohesiveness, accounts for levels of unity, the more we should observe elevated  $RICE_{ij}$  scores as  $CLOSE_j$  approaches 1.0 – that is, on the votes that enter most heavily in my weighting scheme. It follows that the more discipline, as opposed to cohesiveness, drives voting unity, the higher the ratio of  $WRICE_i$  to  $URICE_i$ .<sup>40</sup>

The discipline-free scenario is illustrated by Party A, and the disciplined scenario by Party B for  $RICE$  scores and indices across six votes in a hypothetical 300-member legislature, in Table 6.1. In Party A,  $RICE_{Aj}$  declines as successive votes are contested more closely at the level of the legislature as a whole; thus, the weighted index is substantially lower than the unweighted. Party B experiences divisions on some moderately contested votes, but pulls together on the closest votes, with the effect that its weighted index is higher than its unweighted. Party C experiences only one instance of dissent, on a close vote, such that its weighted index, like A’s, is lower than its unweighted.

[Table 6.1]

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<sup>40</sup> Groseclose and Snyder (2000) use a variation on this insight to gain leverage on the cohesiveness-vs.-discipline debate on roll call voting in the US Congress. They suggest that, whatever levels of dissent are evident in lopsided votes should nevertheless contain information about legislators’ unconstrained policy preferences (and so, about cohesiveness), on the grounds that party leaders should have no interest in imposing discipline on votes that are not expected to be close.

A relevant statistic, then, is the ratio between  $WRICE_i$  and  $URICE_i$ .<sup>41</sup> A lower the ratio indicates a tendency for intra-party splits, when they do occur, to happen on closely contested votes. Higher ratios indicate parties that may experience splits on lopsided votes, but pull together on closer ones. Across the cases examined here, it turns out that weighted indices tend to be slightly lower than unweighted, but there is substantial variance. The mean  $WRICE:URICE$  ratio is .95 (standard deviation = .12). So in the typical party, unity does not deteriorate ‘when it matters most’ as chronically as for Party A, above, but neither does the average party rally when the chips are down as reliably as Party B.

If we assume that party leaders value unity more, and are less tolerant of cross-voting, on close votes than lopsided ones, then the ratio is an indicator of the leader’s ability to impose discipline. The ratio, therefore, provides a rough proxy for the relative contribution of discipline to a party’s overall voting unity.

It is worth noting that ratios do not necessarily correspond to overall levels of party unity. The following combinations are all possible:

- ***low unity, low ratio***, indicating a party that is neither cohesive nor disciplined;
- ***low unity, high ratio***, indicating a pervasive lack of cohesiveness, but the party pulls together more on close votes than on lopsided ones, suggesting some measure of discipline;
- ***high unity, low ratio***, indicating a party that is generally cohesive, but what breaches occur come on close votes, suggesting a lack of discipline; or
- ***high unity, high ratio***, indicating a party that is consistently unified.

Comparing a party’s ratio with its level of voting unity can inform us about the relative contributions of cohesiveness and discipline to overall unity. In making this comparison, it is preferable to use  $URICE_i$  rather than  $WRICE_i$ , the formula for which emphasizes close votes, and so already encompasses more of the information reflected in the ratio itself. Consider Figure 6.1.<sup>42</sup>

[Figure 6.1]

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<sup>41</sup> Note that the information in the analogous relationship between  $WUNITY_i$  and  $UUNITY_i$  is, again, more ambiguous.  $UNITY_{ij}$  can be low if many members abstain or do not vote, even on consensual votes (that is, low  $CLOSE_j$ ). As a result, the relationship between weighted and unweighted  $RICE_i$  indices provides better purchase than that between weighted and unweighted  $UNITY_i$  indices on cohesiveness versus discipline.

<sup>42</sup> The Philippines cases are dropped because the case is an extreme outlier in its near-absence of even moderately contested floor votes, leaving ratios are hyper-sensitive to a handful of close votes (see Table 5.3).

There are cases of discipline without unity (i.e. low unity, high ratio) in the southeast section, but the unity-without-discipline northwest corner of the graph is sparsely populated. The ratio and  $URICE_i$  are correlated at .34, and the general pattern is that parties with higher ratios are more unified.<sup>43</sup> The relationship is far from ironclad, and there are cases of all the combinations of cohesiveness and unity outlined above, but the overall pattern is consistent with the idea that some measure of discipline on close votes, in addition to innate cohesiveness, accounts for party unity in legislative voting.

## **6.4. HYPOTHESES: LEGISLATIVE PARTIES AND COMPETING PRINCIPALS**

### **6.4.1. First principals**

Building on the logic of competing principals outlined in Chapter 1, I begin with the premise that party leaders are important actors to whose demands legislators might respond. National legislatures in all democratic systems are organized by parties, and almost all legislators are members of party groups within their assemblies. To varying degrees, the leaders of these groups control resources – appointment to key committees, control over the legislative agenda, office space, staff, and perks – valued by rank-and-file members. Legislative party leaders may also share command of national party organizations, which often control resources critical to legislators' political career prospects, such as nominations for reelection to the legislature or for other offices, appointed posts, and access to campaign finance. Thus, virtually all legislators are subject to influence by at least one principal: their legislative party leadership.

Whether they are subject to pressure from other, competing principals depends on the institutional context in which they operate. The hypotheses that follow posit the impact of various factors that affect the relative commitment of legislators to the national party's collective reputation and those that could pull legislators in other directions.

### **6.4.2. System-level hypotheses**

The first group of hypotheses focus on factors that are fixed across all parties in any given assembly. These have to do with how well established the political system is as well as its specific characteristics, such as how legislators are elected and the constitutional structure in which they operate.

First, consider the age of the regime. Scholarship on comparative party systems posits that parties in new democracies are weaker than those in better established systems

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<sup>43</sup> Plotting  $WRICE_i$  against the weighted:unweighted ratio yields a tighter scatter, with no low-ratio parties extremely low on  $WRICE_i$  and a stronger positive correlation (.63), although the southeast quadrant (high discipline, low unity) remains well populated. This stronger relationship is to be expected, given that both  $WRICE_i$  the ratio are drawing on the same proclivity of copartisans to vote together on close votes. Nevertheless, the pattern confirms that among highly unified parties, the proclivity to vote with one's copartisans is more pronounced on close votes, precisely when party leaders should be watching.

(Mainwaring & Scully 1995; Coppedge 1998; Carroll, Cox, and Pachon 2006). It follows that legislators' expectations about which parties will thrive are less solid and that their commitment to any particular party's collective reputation should be lower in new, rather than established, political systems. There should be diminishing returns to the effect of time on expectations, such that the difference between a regime that is one year old and one that is eleven years old should be greater than that between one that is eleven versus twenty-one, and so on. This suggests:

***H1: Party unity should increase with the age (logged) of the political regime.***

Now consider the extent to which legislators' electoral connection to voters might pull them in directions contrary to the demands of legislative party leaders. Where party leaders exercise strong influence over a legislator's election, the demands to which the legislator must respond in order to pursue reelection and the demands from those who control the distribution of resources within the assembly are consistent. The principal to whom the legislator must respond on both counts is the party leadership. Where voters exercise relatively more control over legislators' electoral prospects and party leaders less, legislators may face demands from their electoral principals that compete with those of party leaders.

The rules by which legislators are elected affect their relative responsiveness to party leaders and to alternative interests in the electorate (Shugart, Valdini, and Suominen 2005; Hix 2004). Where party leaders draw up lists of candidates that are presented in general elections and cannot be altered by voters, or can be altered only under extraordinary circumstances, electoral responsiveness to a competing principal is minimized. By contrast, where candidates compete against copartisans for voter support and that competition determines which candidates from a party win seats, then legislators have reason to cultivate reputations distinct from their copartisans.<sup>44</sup>

***H2: Party unity should be lower where legislative candidates compete against members of their own parties for personal votes than where nominations are controlled by party leaders and electoral lists are closed.***

Next, consider the effects of unitary versus federal systems of government. Under the former, the strongest level of party organization is generally national, the level at

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<sup>44</sup> The degree to which electoral rules encourage personal vote-seeking among candidates can be parsed more precisely than the dichotomy on which I rely here. Even in Carey and Shugart's (1995) full rank ordering of electoral systems, however, the key distinction – which determines whether increases in district magnitude will push toward more or less personalism – is whether or not voters are afforded the opportunity to cast votes among competing copartisans that determine which candidates within the party win seats. Given the amount of empirical variation on electoral rules represented in my data, the best option is to rely on this yes/no dichotomy on intra-party competition to characterize institutional forces operating on the connection between legislators and their principals.



which the leaders who control the party group in the national legislature operate. Under federal systems, by contrast, the primary level of party organization, where politicians build careers and win or lose re-nomination for office, is often a sub-national political unit (e.g. state, province, etc.). Heterogeneity across these units may be reflected within parties at the national level, subjecting legislators to competing pulls from principals at the national versus sub-national levels and undermining voting unity in the national legislature.

**H3:        *Party unity should be lower in federal systems than in unitary ones.***

Perhaps the most prominent proposition regarding the effects of formal institutions on party unity is that the authority of the executive in parliamentary systems to offer legislative proposals as matters of confidence accounts for more unified parties in parliamentary than in presidential systems. The intuition is that the confidence provision raises the stakes for all parties because rejecting such a measure triggers the collapse of the government, and possibly early elections. If a party splits, and loses as a result, on a vote subject to a confidence provision, the costs are greater than just foregoing the new policy for the status quo, or vice versa (Bagehot 1867; Cox 1987; Diermeier and Feddersen 1998; Huber 1996). This implies the following hypothesis.

**H4:        *Party unity should be higher in systems with confidence vote provisions than those without.***

The confidence vote story is compelling, but not without proviso. In the first place, even where confidence vote provisions exist, they are not formally summoned on most votes, so technically there is room for party voting disunity that does not threaten government survival. Moreover, the confidence vote is not restricted to pure parliamentary systems. The best-known case combining a confidence vote provision for the cabinet with a more-than-ceremonial elected presidency is the French Fifth Republic (1958–present), but such hybrid arrangements are common among newer regimes (Frye 1997). In short, the distinction between regimes with and without confidence vote provisions does not map perfectly onto the distinction between those with and without elected presidents and, to the extent that presidents affect voting unity, the effect may confound that of the confidence vote in hybrid systems. I return to this theme below in the discussion of party-level factors.

Table 6.2 presents descriptive statistics for the system-level explanatory variables for the assemblies included in the quantitative analysis in this chapter. In cases of assemblies where data were available for more than one period, the range of values of the Regime Age (logged) variable is based on the first year in each period. Also included is whether the country has an elected presidency, a constitutional characteristic the effect of which depends on the circumstances of specific parties, as discussed below.

[Table 6.2]

#### 6.4.3. Party-level hypotheses

The next group of hypotheses focuses on factors that vary across parties within the same assembly. New political regimes frequently give birth to new parties and party systems, so the age of parties is strongly correlated with the age of the regimes in which they operate ( $p=.66$ ), but the two remain distinct. New parties are occasionally born and take root in established regimes, such as the U.S. Republicans in the 1850s or Israel's Shas in the 1980s. By the same token, established parties frequently survive through authoritarian interludes and thrive after the reestablishment of a democratic regime, such as Argentina's Radicals (UCR) and Peronists (PJ) in the 1980s, or the Christian Democrats in Chile and in the Czech Republic in the 1990s. By the same logic articulated above regarding regime age, legislators' expectations about the future value of a party's label ought to strengthen the better established that label is and the more durable it has proven over time (Roberts & Wibbels 1999; Stokes 2001).

#### *H5: Party unity should increase with the age (logged) of the party.*

Returning to the theme of constitutional structure, the competing principals argument advanced here holds that directly elected presidents can undermine party discipline, but the mechanics are distinct from the logic of the confidence vote behind H4. Presidential elections allow the possibility that politicians whose political careers and fortunes are built outside the legislative party system occupy the chief executive office, and they may use their influence and authority toward ends at odds with legislative voting discipline, even within their own parties (Linz 1994). Competing principals in this context suggests simply that when more than one actor controls resources the legislators value, these principals may pull in different directions, sowing divisions within legislative parties. In another context, for example, Hix (2002 and 2004) demonstrates that legislators in the European Union Parliament are responsive to both national parties, which control their nominations and elections, and E.U. Parliament parties, which control access to resources within that assembly, and that institutional rules endowing the former principals with greater resources undermine voting unity within EU Parliament party groups. I suggest that presidents can cause an analogous phenomenon within parties in national legislatures.

The next two hypotheses distinguish the expected impact of participating in government on party unity in systems with and without powerful presidents. The central assumption is that the resources of the executive branch reinforce the influence of legislative party leaders in the absence of a president, but can undermine this influence if vested in an independent president. Consider first the no-president scenario. In parliamentary systems, the party leadership is the principal most influential over any given legislator, and in the case of government parties, the legislative party leaders and the executive are one in the same. Where legislative and executive leadership is fused, parties in government have more resources to impose discipline than do those in opposition (Laver and Shepsle 1996). This suggests:

***H6: Party unity should be higher in governing parties than opposition parties under parliamentarism.***

***6.4.3.1. The puzzling effects of presidents on legislative party unity***

Under presidentialism, the situation is more complex, and so warrants careful consideration. During interviews in various presidential countries, I asked “On what are voting coalitions based – common ideology, party, electoral interests, control of the legislative agenda, support for the executive, etc?” Party was the most commonly-cited foundation for legislative voting, consistent with the basic premise of competing principals theory that legislators are beholden to legislative party leaders. Next most frequent, however, were responses that pointed toward the executive. Oscar Hernandez (interview) suggested that legislative party strength in Costa Rica hinges on a party’s relationship to the presidency:

“When a party wins, that party group generally forms a stronger connection to the executive. The strongest relationship is legislative group-to-executive – President of the Republic, ministers and all the apparatus of public administration. The losing party group does not maintain much of a strong connection with its party organization. Parties in this country are not strong ideological structures, such as would elicit discipline from each deputy. Parties at the national level have been converted into electoral platforms more than the classical concept of an ideological bloc.”

The interviews illustrated the mechanisms by which presidential resources – budgetary, regulatory, and often the ability to influence the legislative agenda directly – are employed to pressure copartisans and to build legislative majorities. For example, Nicaraguan Deputy Luis Urbina, of then-President Arnaldo Aleman’s Liberal Party:

“The executive normally works better when it has an assembly majority. The majority party tries to support projects from the executive, of which it is part ... So when the executive wants to submit a law, it calls on the majority party, explains the benefits of approving the law, and generally we vote in line with the directives we are given. This doesn’t mean we are obliged to, but normally that’s what happens” (Urbina interview).”

Urbina’s account relies on an inherent compatibility between the executive’s interests and that of his legislative copartisans, or at least on some inherent loyalty to the executive. More frequently, legislators pointed to concrete resources by which executives elicit support. Critics of Urbina’s Liberal Party in Nicaragua, for example, invariably pointed to patronage as the source of support for the executive (Baltodano interview; Hurtado interview). As Jorge Samper of the Sandinista Renewal Movement (MRS) put it:

“The Liberal group has been very obedient, through presidential discipline more than party discipline. They take almost no decisions autonomous from the president, and when they have, they have had to backtrack when it produces a presidential veto.

One or another deputy has voted against the president's wishes, and then along comes some bit of patronage that makes him change his vote, and we vote again the way the president orders. [INTERVIEWER: WHAT ARE EXAMPLES OF PATRONAGE?] Public jobs, for deputies and relatives. The deputy might be made ambassador to some country, and maybe they send his family or relatives ... The rest of the deputies, that are not from the Sandinista or Liberal groups, many of them have formed alliances with the government ... [but] these aren't real political alliances, but rather alliances based on patronage."

Samper's account of presidential influence is consistent with Nicaragua's reputation, and that of the Aleman administration in particular, for corruption. Accounts of presidential influence elsewhere do not always hinge on exchanges that reek so much of impropriety, but they share a focus on the resources executives control that appeal to legislators' ambitions. Ricardo Combellas (interview) cites President Chavez's control over party nominations to all electoral posts as the main source of his influence within the MVR party in Venezuela. Carlos Vargas Pagan (interview) cites the Costa Rican president's ability to expedite, or hold up, disbursement of funds budgeted for projects in deputies' districts as a source of influence. Ernesto Calvo (2006) demonstrates that presidents' current levels of public approval can affect their ability to sway legislators toward their proposals.

There is a consensus in the interview responses that presidents control institutional resources that can be employed to influence legislative votes. The interviews raise some questions, however, about exactly how presidential influence should manifest itself in party unity. First, the accounts of presidential influence offered in the interviews rely on executive-legislative exchanges that – even if not overtly corrupt – might attract criticism if exposed to public scrutiny. This suggests that presidential influence might be mitigated by visible voting. The obstacle to testing this proposition empirically is that where votes are not recorded, party voting unity cannot be measured, so it remains conjecture. Second is the matter of whether presidential influence ought to raise or diminish party voting unity. Both the Hernandez and Urbina interviews suggest party unity is boosted when a party holds the presidency relative to some baseline level. This may be true for in the cases of the parties and presidents Hernandez and Urbina had in mind, but whether this is the effect of alliance with presidents more generally is not obvious, and ought to depend on whether the legislative party leadership consistently agrees with the president's wishes, and if not, on the relative influence of each of these actors over the legislative rank-and-file.<sup>45</sup>

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<sup>45</sup> For example, Weldon (1997) demonstrates that the source of unity in the archetypal case of airtight party discipline under presidentialism – Mexico's PRI during its long hegemony – was the elaborate institutional structure that afforded presidents not only their constitutional authorities, but also control over all the partisan and procedural resources that, in other political systems, normally fall in the domain of legislative party leaders. The secret of PRI unity throughout much of the 20<sup>th</sup> Century was that legislators had only one meaningful principal.

More specifically, when the two principals of governing-party legislators (party leaders and the president) concur on a given measure before the assembly, the effect should be similar to that under parliamentarism, providing a boost to unity owing to the additional resources with which the president can pressure legislators. On the other hand, when the president and legislative party leadership disagree and pull in opposite directions, party unity should suffer in governing parties. Whether the net effect of competing principals is to generate lower voting unity among governing parties than opposition parties depends on how frequently the principals pull in opposite directions and on their relative influence over legislators. To the extent the principals compete *at all*, however, voting unity in government parties should suffer under presidential systems relative to parliamentary systems.

All of this suggests the following effect of alliance with the president on party voting unity:

***H7: Party unity in governing parties should be lower under presidentialism than under parliamentarism.***

The logic of H6 and H7 is summarized in Table 6.3.

[Table 6.3]

## 6.5. PICTURING PARTY UNITY ACROSS SYSTEMS

The indices developed in Chapter 5 can illustrate cross-national patterns of voting unity. In the literature on comparative legislatures, the most prevalent explanations for levels of unity refer to electoral rules (Wallack, Gaviria, Panizza, and Stein 2003; Shugart, Valdini, and Suominen 2005) and to the confidence vote procedure (Huber 1996; Diermeier & Feddersen 1998; Gerring, Thacker, and Moreno 2005).<sup>46</sup> Figure 6.2 presents  $WRICE_i$  indices for the parties in each country for which I have data according to whether the constitution includes a confidence vote provision and whether assembly elections provide for competition among candidates from the same party. In the bottom left panel are systems with the confidence vote and without intra-party competition. By and large, voting unity as measured by  $WRICE_i$  is high, with the average over .90. Parties in France's Fourth Republic are widely regarded to have been chronically factionalized, but even its mean  $WRICE_i$  is .85. Canada and Israel each has a derelict outlier, but in each case these are two-member parties in which a 1-1 split vote would drive the  $RICE_{ij}$  score to zero. Overwhelmingly, the legislators in these parliamentary systems voted together with their copartisans.

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<sup>46</sup> Federalism is frequently mentioned as a source of party disunity at the national level, but in the most careful analysis of the issue to date, Desposato (2004) finds evidence for only a remarkably small drag on voting unity in Brazil, where low party unity had often been attributed to a federalism effect (Weyland 1996; Mainwaring 1999). Jones and Hwang (2005) similarly are unable to detect an effect of provincial forces on voting in the Argentine Congress, although they confront substantial challenges in identifying what effect alliance with governors ought to have on allied deputies.

[Figure 6.2]

The bottom right panel shows the one case of a confidence vote system with intra-party competition, Poland.<sup>47</sup>  $WRICE_i$  is extraordinarily low. Poland's open-list proportional representation may contribute to individualism among members of the Sejm. The Polish presidency may also contribute to disunity among some parties. It is worth noting that, of eight parties in the Sejm, President Kwasniewski's Social Democrats (SLD) had the lowest  $WRICE_i$  index, consistent with a competing principals account of presidentialism. We should be cautious about drawing inferences based on this case, however. The Polish vote data are from a 20-month period following the adoption of a new constitution, and the inauguration of a new government facing an opposition president. The rules of the game, and the party system itself, were relatively young, and voting in subsequent periods may show increased unity. Nevertheless, the Polish data at hand are consistent with the propositions that intra-party competition, and alliance with the president, can generate drags on party unity.

The top left panel of Figure 6.2 shows the non-confidence vote (i.e. pure presidential) systems without intra-party competition. Nicaragua and Russia are very low of course, but  $WRICE_i$  indices there must be eyed warily in light of their absolute majority threshold voting rules. Elsewhere, levels of  $WRICE_i$  are higher – a bit lower than under confidence votes systems without intra-party competition, but generally in the .8 to .9 neighborhood. Finally, the top right panel shows systems without confidence votes and with intra-party competition, and the indices suggest more modest levels of voting unity overall, averaging in the .7 to .8 neighborhood, and with considerable spreads.

Figure 6.3 presents the same set of boxplots for the  $RLOSER_i$  index, and here the pattern is similar, although Poland is less extreme. Among the pure parliamentary cases without intra-party competition, parties almost never lose votes they could, but for party cross-voting, have won. In Poland, the median party lost about 2% of all votes due to such divisions. (It should be noted, that this party, the Peasant Party (PSL), was on the winning side of 92% of all votes, so its losses due to disunity accounted for a quarter of all its losses.) At any rate, caution is again in order in drawing inferences about this particular combination of institutional variables from the Polish data alone. The top left panel shows pure separation of powers systems with no intra-party competition, again showing a larger spread of values and slightly greater disunity overall than in the analogous pure parliamentary cases. Finally, the top right shows the pure separation of powers systems with intra-party competition and, as expected, exhibits the greatest incidence of lost votes due to disunity. The United States is the outlier, with a median

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<sup>47</sup> Attentive readers might note that both the Peruvian (Article 134) and Russian (Article 111) constitutions provide for removal of the cabinet by vote of a parliamentary majority. However, both constitutions also allow the president to dissolve the legislature in this instance, raising the costs to legislators enormously of wielding the no-confidence vote over presidential resistance. Given these provisions, I do not code Peru or Russia as no-confidence vote systems.

value of around 9% of all votes lost due to disunity, but values in the 2%-5% range are not unusual in Peru and Uruguay, and indices run still higher in Brazil.

[Figure 6.3]

Analogous boxplot graphs for  $WUNITY_i$  and  $ULOSSER_i$  (not shown) are much less striking, showing larger spreads across the board, but no clear patterns according to the system-level variables. The mobilization-based indices appear to be much more susceptible to distortion via non-voting equilibria, as discussed in Chapter 5, which limits their usefulness for cross-national comparisons, although it remains worthwhile to test for these, and for party-level effects within legislatures, by more precise means. Similarly, boxplots distinguishing federal from non-federal systems show no evidence of a difference.

On the whole, the patterns of  $WRICE_i$  and  $RLOSSER_i$  suggest that party unity is higher in systems with confidence vote procedures and lower in the presence of intra-party electoral competition. The substantial variance within legislatures, however, suggests that system-level factors alone explain only part of party voting unity. The statistical analysis below combines system-level with party-level variables in an effort to shed light on the relative impact of each.

## 6.6. MODELS

### 6.6.1. Challenges presented by the data

The structure of the data presents some challenges in testing the hypotheses developed above. Each observation represents the characteristics of a party in a given assembly. Party size (that is, share of seats in a chamber) does not affect the weight of each observation because I am interested in estimating factors that determine the informational value of party labels – that is, how unified the party is in voting – for small and large parties alike.<sup>48</sup> That said, observations are weighted in the statistical analysis according to the quality of their voting indices. As illustrated in Chapter 5, the number of votes varies widely across legislatures. There is good reason to expect estimates of party unity improve with more data, although with diminishing returns, such that the improvement from 100 votes to 200 is more important than that from 1,100 to 1,200. On this logic, I estimate regression models that weight observations according to the log of the sum of CLOSE scores (see Table 5.3) upon which each party's voting index is based. The more contested votes that make up the index, the more heavily the observation is weighted.

A second issue is heteroskedasticity in the indices of voting unity, as suggested by the different spreads across panels in the boxplots of  $WRICE$  and  $RLOSSER$ . Effectively, system-level factors are more powerful in some cases (narrow spreads) than in others

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<sup>48</sup> Party size enters the analyses as a control variable, both because it may affect unity and because size clearly affects the likelihood of being pivotal, which matters to models estimating vote outcomes.

(wider spreads). I address this problem by relying on White-corrected standard errors, which are still reliable even when the regression errors are heteroskedastic.

A third is covariance in the system-level variables. For example, the data include only one hybrid constitution, combining a popularly-elected and powerful president with a confidence vote provision for the cabinet: Poland. Otherwise, presidentialism and the existence of a confidence vote procedure are perfect complements of each other, making it difficult to distinguish their effects. Ideally, vote data from more hybrid systems will become available, so these factors can vary independently to a greater degree. In the meantime, however, there is a key difference between the logic of the posited effects of the confidence vote and presidentialism that affords some leverage in testing their effects. The confidence vote argument applies system-wide in that the confidence provision (or the potential to invoke it) raises the stakes of votes for all parties. The competing principals story associated with presidentialism, by contrast, distinguishes between parties allied and those not allied with the president, based on their susceptibility to pressure from a principal besides their legislative party leadership. In the regression analyses, I include Confidence Vote as a system-level variable, then include Presidentialism only as an interaction with whether a party is included in the governing coalition or not.

A final challenge is the nested structure of the data, with parties as the units of observation, nested in groups within countries (or, more precisely, legislative chambers) at which the system-level variables operate. As long as the system-level variables account for the variance across countries, this does not present a grave problem for estimation, and an examination of the squared residuals from the models below suggest it is not. Nevertheless, in the interest of caution, I also run fixed-effect models, including a dummy variable for every country, save one, which becomes the point of reference. The fixed-effect specification controls for all system-level characteristics of each party system. This allows the remaining variables in the model to isolate completely the marginal effects of party-level variables. In the event, the estimated party-level effects are broadly consistent in the fixed-effects models and those that combine system-level with party-level variables, providing an additional check on the robustness of the estimates.

### **6.6.2. Regression models and variables**

The basic statistical model is weighted least squares regression with robust standard errors, as follows:

$$\begin{aligned} \text{Voting Unity Index} = & a(\text{Constant}) \\ & + b1(\text{Regime Age}(\log)) \\ & + b2(\text{Intra-Party Competition}) \\ & + b3(\text{Federal}) \\ & + b4(\text{Confidence Vote}) \\ & + b4(\text{Government Party}) \\ & + b5(\text{Government Party} * \text{Presidential}) \\ & + b6(\text{Seat Share}) \end{aligned}$$



where:

**Voting Unity Index** is one of the various indices of legislative voting unity or success:  $WRICE_i$ ,  $WUNITY_i$ ,  $\%WON_i$ ,  $RLOSER_i$ , or  $ULOSER_i$

**Regime Age (log)** is the log of the number of years since the founding of the current democratic regime.

**Intra-Party Competition** is coded 1 if the electoral system requires that candidates for the assembly compete against their own co-partisans for preference votes; 0 otherwise.

**Federal** is coded 1 if the country has a federal constitution, and sub-national units are meaningful arenas of political competition and the distribution of political resources; 0 otherwise.

**Confidence Vote** is coded 1 if the constitution provides for legislative votes to be subject to confidence provisions on the survival of the cabinet; 0 otherwise.

**Government Party** is coded 1 if the party holds at least one cabinet portfolio in the current cabinet; 0 otherwise.

**Government Party \* Presidential** interacts Government Party with a dummy coded 1 if the country has a popularly-elected presidency endowed with substantial constitutional powers; 0 otherwise.

**Seat Share** is the percent of seats in the assembly held by that party.

The fixed-effects model similar except that only party-level explanatory variables are included because all system-level effects are captured by the series of country dummy variables. In the fixed-effects models, I use Party Age (log) rather than Regime Age (log) as follows:

$$\begin{aligned} \text{Voting Unity Index} = & a(\text{Constant}) \\ & + b1(\text{Party Age}(\log)) \\ & + b2(\text{Government Party}) \\ & + b3(\text{Government Party} * \text{Presidential}) \\ & + b4(\text{Seat Share}) \\ & + b5...b_k(\text{Country variables}) \end{aligned}$$

where:

**Party Age (log)** is the log of the number of years since the party was founded.

**Country variables** are a series of dummy variables identifying observations from each country included in the analysis. (The coefficients for these are not shown, for simplicity of exposition.)

The logic of the independent variables and expectations about their effects are mostly straightforward from the hypotheses section, but a few comments are in order. Government Party estimates the marginal effect on the dependent variable of being in government in parliamentary systems, and Government Party\*President picks up the difference in that effect between systems with directly elected presidents versus pure parliamentary systems.

Seat Share is included as a control variable, but its logic depends on the dependent variable. When the dependent variable  $\%WON_i$ , expectations regarding Seat Share are clear-cut – a greater share of seats should lead to more wins. When the dependent variable is  $WRICE_i$  or  $WUNITY_i$ , expectations are less firm. Parties that comprise larger shares of their chambers may encompass more diverse viewpoints, and thus be subject to disunity. On the other hand, increasing seat shares generally provide increasing access to the legislative resources that party leaders employ to elicit compliance and to mobilize their rank and file (Hurtado interview). Finally, when the dependent variable is an index of vote losses due to disunity ( $RLOSER_i$  or  $ULOSER_i$ ), the effect of Seat Share should be positive, notwithstanding the fact that bigger parties win more, because a split within a larger party should be more likely to reverse a vote outcome than the same split in a smaller one.<sup>49</sup>

## 6.7. RESULTS

Table 6.4 presents the results of regressions on the four voting unity indices, and on parties' overall 'batting averages' ( $\%WON_i$ ), run in the standard (top panel) then fixed-effect specification with country dummies supplanting the system-level independent variables (bottom). Unlike measures of party unity, there is no reason to expect  $\%WON_i$  to vary across systems – all non-consensual votes pit some winners against some losers. Nevertheless, it is important to generate a clear picture of what characteristics of parties contribute to winning and losing votes, regardless of voting unity. In the absence of any reason to expect system-level effects, I model  $\%WON_i$  only in the fixed-effects specification, which isolates the marginal effect of party-level factors within each country. The number of observations varies across models because not all the indices are calculated for the smallest party groups, as discussed in Chapter 5, and because I was unable to determine Party Age for many smaller parties.

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<sup>49</sup> I also ran the models on vote loss due to disunity controlling for WIN%, on the grounds that only parties that win votes stand to lose some through breakdowns in unity. That is, if a party's winning percentage is zero or close to it, we might reasonably expect that it is merely in perpetual and futile opposition, rather than that it *might* have won, say, three percent of those lost votes but for internal splits. This turns out not to be the case, however; the coefficient on WIN% was never close to significant.

### **6.7.1. Cross-voting: Intra-party competition and presidents disrupt unity**

Model 1 supports H1, demonstrating that  $WRICE_i$  indices tend to be higher among parties in longer-established regimes, other things equal. The effect of regime age, however, is modest, amounting to only an expected rise of one-tenth a standard deviation in  $WRICE_i$  for each unit increase in the log of regime age – for example a shift from a five year-old regime to a fourteen year-old regime (roughly from a log value of 1.6 to 2.6).

The effect of intra-party competition is much more pronounced, and negative, consistent with H2. Parties in systems where electoral laws provide for competition against co-partisans can be expected to have indices .11 – more than half a standard deviation on  $WRICE_i$  – lower than analogous parties in systems with closed lists, or single-member districts and no primaries.

Model 1 offers no support for Hypotheses 3 or 4, showing no measurable effect of either federalism or the confidence vote provision on  $WRICE_i$ , but strongly supports Hypotheses 6 and 7.<sup>50</sup> The residual category here is all parties not holding cabinet portfolios. The coefficient on Government Party suggests that membership in the governing coalition under parliamentarism boosts  $WRICE_i$  by .13 whereas this effect is entirely offset among government parties under presidentialism, which are actually less unified than opposition parties in general (although the difference is not statistically significant). The important result here is that government parties in parliamentary systems are significantly more unified than non-government parties, and government parties in presidential systems are less unified than those in parliamentary systems, and not measurably different from parties outside government in general. There is a unity bonus to being in government under parliamentarism, but none under presidentialism.

The corresponding estimates in the fixed effects Model 1a echo these results, although in some cases less clearly. H5 is supported on the same magnitude as H1 – that is, older parties are moderately but consistently more unified than are parties of more recent vintage, even when all characteristics of each political system are effectively controlled by the country fixed effects. The estimated effects of being in government in parliamentary and presidential systems are minimal and well short of statistical significance, but the coefficients take the same signs as in the standard model and suggest a net drag on  $WRICE_i$  for parties in presidential governing coalitions relative to those in parliamentary coalitions.

### **6.7.2. Mobilization: Age helps and presidents hurt**

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<sup>50</sup> Hypothesis 5 is tested only in the fixed-effects models because Regime Age and Party Age are strongly correlated such that their inclusion in the same regression would subject estimates to problems of multicollinearity.

Models 2 and 2a tell a generally similar story for  $WUNITY_i$  as for  $WRICE_i$ , although with a couple of key departures. Parties in older regimes mobilize more effectively, although the substantive effect is modest. Government parties in parliamentary systems mobilize at higher levels than opposition parties, but this effect is again wiped out among government parties in presidential systems. And once again, there is no measurable effect of federalism. In contrast to the results for  $WRICE_i$ , neither is there a measureable effect of intra-party competition on  $WUNITY_i$ . Moreover, the existence of a confidence vote provision appears to have a negative effect on mobilization – the opposite of what H4 suggests. Because this negative effect of the confidence vote is limited to measures of voting unity based on mobilization ( $WUNITY_i$  here, and  $ULOSSER_i$  in Model 5), and because of the potential idiosyncracies in these indices associated with non-voting equilibria, however, I am cautious about drawing inferences from this result. At the very least, it is worth noting that none of the results in Table 6.4 support H4's supposition that the existence of a confidence vote procedure boosts party voting unity system-wide.

### **6.7.3. Batting averages: Governing parties win, but presidents get in the way**

Model 3a, estimating %WON, sheds more light on the differences between governing parties in parliamentary and presidential systems.<sup>51</sup> Beginning with the Seat Share control variable, the coefficient is positive and significant. For every additional percentage of chamber seats a party holds, its expected %WON rises by half a percent. The coefficient on Government Party shows that, in parliamentary systems government parties win at a much greater rate than do opposition parties – 29% more, over and above the effects of Seat Share. The coefficient on Government Party\*President shows that this advantage is wiped out almost altogether for governing parties under presidentialism. Under presidentialism, in fact, once country-specific characteristics and seat share are controlled, the difference in %WON between governing and non-governing parties is not significant (not shown).

### **6.7.4. Disunity losses: Intra-party competition and presidents (again)**

Why are government parties in presidential systems not more effective at winning votes? Model 4 indicates that a substantial share of losses is attributable to breakdowns in unity. First, note that the Seat Share variable is strong and significant contributor to  $RLOSSER$  rates, confirming that splits in large parties are more consequential to vote outcomes than analogous splits in small parties. The coefficient on Regime Age (log) in Model 4 indicates that party losses due to cross-voting actually increase slightly in longer established regimes. Similarly, the coefficient on Party Age (log) in Model 4a is strongly positive. This is contrary to what one would expect if time strengthens party systems, and surprising in light of the evidence from Models 1 and 2 that regime age increases overall voting unity. It turns out, however, that this effect is driven by the relatively high rate of cross-voting losses in the United States, the longest-standing regime included in the analysis. If the United States is dropped, the coefficients on Regime Age (log) and Party Age (log) are not distinguishable from zero. Neither federalism nor the existence

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<sup>51</sup> The Party Age (log) variable is dropped from Model 3a because including it costs over 100 observations, on parties for which I could not determine age. Including Party Age (log), however, does not change the magnitude or the significance of any of the other estimates.

of a confidence vote provision has any measurable effect, so here again there is no support for Hypotheses 3 or 4.

The more consequential system-level effect in Model 4 is that RLOSER jumps by 1.6 percent, or half a standard deviation, with intra-party competition, consistent with Hypothesis 2. When copartisans compete for electoral support, their inclination to distinguish themselves from each other evidently outweighs party loyalty in some instances that are pivotal to vote outcomes.

There is also further support in Models 4 and 4a for Hypotheses 6 and 7. Governing parties in parliamentary systems lose votes due to breakdowns in unity less frequently than do opposition parties, other things equal. The estimated effect is less than one percent, and significant at the .10 level in the general model, but not distinguishable from zero in the fixed effects model. Given that the mean RLOSER rate across all parties is 1.4%, even half a percent or so would be substantial. Whatever advantage in minimizing cross-voting losses governing parties might enjoy under parliamentarism, however, does not extend to presidential systems, where governing parties not only lose due to disunity one-and-a-half percent more (significant at .00 in both specifications) than do governing parties in parliamentary systems, they also can expect to lose one percent more votes in this manner overall than do opposition parties in presidential systems (significant at .01, not shown). An additional one percent more losses may appear to be only a moderate disadvantage, but consider that governing parties, even under presidentialism, win 82% of all votes (as against 84% for governing parties in parliamentary systems), so membership in government can be expected to boost a party's overall rate of floor losses by around 5% through its effect on RLOSER alone, accounting for half the overall difference in batting averages between governing parties in presidential versus parliamentary systems.

Finally, as with WUNITY<sub>i</sub>, Models 5 and 5a on ULOSER<sub>i</sub> generate less precise estimates than do those on RLOSER<sub>i</sub>. The Seat Share variable confirms that larger parties are more susceptible to mobilization-based losses than smaller ones. This is as expected, and is consistent with the idea that non-voting equilibria generate a flood of 'false positive' ULOSER<sub>ij</sub> results due to non-voting equilibria. The fixed-effects model suggests that government parties under parliamentarism protect themselves against mobilization-based vote losses, and the coefficient on the interactive term for governing parties under presidential systems is in the expected direction, although short of significance.

### **6.7.5. Illustrative cases**

Returning to the 'snapshots' of party systems in specific assemblies illustrates the overall results. Figure 6.4 shows unity indices based on votes from the Canadian House of Commons in 1994-1997. In this federal system with no intra-party competition, a confidence vote provision, and no elected president, WRICE<sub>i</sub> is uniformly near perfect. WUNITY<sub>i</sub> is lower but strongly correlated across parties, suggesting non-voting equilibria, and RLOSER<sub>i</sub> and ULOSER<sub>i</sub> levels are near zero.

[Figure 6.4]

Brazil during the second administration of Fernando Henrique Cardoso, 1999-2003, shown in Figure 6.5.<sup>52</sup> The president's Social Democratic Party (PSDB), is shown in black, second from the left, while other parties in the government coalition are in white, with the opposition in various gray hues. Voting unity is lower by all indices among the governing parties, which also experience markedly higher loss rates due to cross-voting and under-mobilization.

[Figure 6.5]

Those familiar with Brazilian politics will note that among the more highly unified opposition parties is the Worker's Party (PT) led by Luiz Ignacio (Lula) da Silva, which has long been noted for its strong discipline even within Brazil's famously fractious and fluid party system. Lula won the presidential election following Cardoso's second term, bringing to the PT to power in coalition with a left-leaning bloc of parties. Given their prior reputations, one might expect these parties to be more unified than their predecessors in government, and Figure 6.6 shows this to be correct for votes during Lula's first two years, 2003-2005. Note, however, that the PT's  $WRICE_i$  during the previous two periods was .98, but it fell to .91 even during Lula's honeymoon, and divisions within the PT between legislators loyal to Lula's and those who objected to the president's centrist governing strategy most may drive PT unity levels down further still as later in Lula's presidency.

[Figure 6.6]

#### **6.7.6. Summing up the results on party unity**

Table 6.5 summarizes the empirical evidence regarding the seven hypotheses on voting unity presented above. Taking H1 and H5 together, there is support for the idea that time enhances party unity insofar as longer-established regimes and parties have lower overall rates of cross-voting ( $WRICE_i$ ) and higher rates of mobilization ( $WUNITY_i$ ). Neither effect extends to the indices based on vote losses due to disunity. Indeed,  $RLOSER_i$  is higher in older regimes and parties, although there is no measurable effect when the venerable U.S. parties are dropped from the analysis. H2 is strongly supported in analyses of both  $WRICE_i$  and  $RLOSER_i$ , but there is no measurable effect using  $WUNITY_i$  or  $ULOSSER_i$ . Where electoral rules provide for intra-party competition, thus strengthening the influence of personal vote constituencies relative to party leaders, there is substantially more cross-voting, leading to increased vote loss rates, although mobilization levels are indistinguishable across electoral regimes.

[Table 6.5]

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<sup>52</sup> Indices from Cardoso's first administration were shown in Figure 5.8, and the picture is strikingly similar.

With respect to H3 and H4, I find no support for the widely-held propositions that federalism undermines unity, or that the confidence provision boosts voting unity within systems where cabinets depend on parliamentary confidence. The only measureable effect of the confidence vote is to decrease unity according to  $WUNITY_i$  and  $ULOSSER_i$ . Those results should be taken with a grain of salt, however, given the doubts about the reliability of the mobilization-based indices discussed in Chapter 5. It is important to note, moreover, that the data here make it difficult to estimate separately the potential effects of the confidence vote from the effects of independently elected presidents at the system level. As more legislative voting data become available from hybrid systems, it should be possible to disentangle these stories.

H6 and H7, regarding the relative impact of being in government in systems with and without elected presidents, are well supported. In parliamentary systems, governing parties are more unified than opposition parties overall by the  $WRICE_i$ , win more than their share of votes (%WON), and suffer losses due to cross-voting and failure to mobilize less frequently than to non-government parties. Governing parties in presidential systems, by contrast, are less unified overall than their counterparts under parliamentarism, win at lower rates, and when they lose they do so more frequently due to cross-voting. Presidentialist governing parties, in fact, appear to be at no legislative advantage even relative to their own opposition. Controlling for seat share, they are marginally less unified, win at no higher rate, and suffer disunity losses more often.

## **6.8. EXTENDING THE ANALYSIS**

### **6.8.1. Governing and opposition coalitions**

Most party systems do not regularly produce single-party legislative majorities. Multi-party coalitions are generally necessary to form and sustain a government under regimes that include the confidence vote provision. And scholarship on presidential democracies increasingly recognizes the key role played by multiparty coalitions in organizing executives and building legislative majorities (Amorim Neto 2002 and 2006; Carey 2002; Siavelis 2000). The central role of coalitions in legislative politics suggests that it is worthwhile to take advantage of the flexibility of the voting unity indices developed here to apply them to governing and opposition coalitions as wholes, in order to run another analysis complementary to that on parties themselves.

For the purpose of calculating government and opposition voting unity indices, I coded all legislators in an assembly from parties that held cabinet portfolios for more than half of the period from which votes were collected as being inside the government coalition. All others lumped into a single opposition coalition. This means that the opposition ‘coalition’ is frequently not a coalition in any formal sense, but rather a residual category that may well include legislators with widely disparate preferences and ideological tendencies. There may be organized and internally coherent opposition blocs in many legislatures – for example, parties that had formed a pre-electoral coalitions before the previous election – but I did not have information on such blocs across all the assemblies and time periods, so relied on the crude method of lumping all non-

government legislators together. This means the baseline level of unity to be expected within opposition coalitions is modest – a fact that will be important below.

### 6.8.2. Adapting the statistical model

Having calculated the familiar voting unity indices for government and opposition coalitions in each assembly, I rely on the familiar statistical model of weighted least squares regression with robust standard errors. For coalitions, however, I focus exclusively on the fixed-effects specification, because for the most part, the system-level hypotheses are party-specific, focusing on intra-party electoral competition or the regional organization of parties, for example, and not directly relevant to coalitions.<sup>53</sup> Because the coalition-level effects can be more precisely estimated when all country-level factors are controlled via the fixed-effects specification, I present the results of the following model:

$$\begin{aligned}\text{Voting Unity Index} = & \quad a(\text{Constant}) \\ & + b1(\text{Government Coalition}) \\ & + b2(\text{Government Coalition} * \text{Presidential}) \\ & + b3(\text{Multiparty Coalition}) \\ & + b4(\text{Seat Share}) \\ & + b5.../(\text{Country variables})\end{aligned}$$

where:

**Government Coalition** indicates legislators from parties that held cabinet portfolios for more than half of the period from which votes were collected.

**Government Coalition \* Presidential** distinguishes the effect of being in government in regimes with elected presidents from pure parliamentary regimes.

**Multiparty Coalition** is a dummy variable indicating whether a coalition consisted of legislators from more than one party.

**Seat Share** is the percentage of assembly seats held by the parties in the coalition.

**Country variables** are a series of dummy variables identifying observations from each country included in the analysis. (The coefficients for these are not shown, for simplicity of exposition.)

### 6.8.3. Results: Presidents undermine coalition unity, too

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<sup>53</sup> The exception here is the logic by which confidence vote procedures are posited to foster legislative discipline, an argument that applies equally to coalitions as to parties (Huber 1996). That said, however, none of the system-level variables apart from Intra-Party Competition has a measurable impact on coalition unity. Intra-Party Competition decreases down coalition unity, as it does within parties, although the effect is dampened at the coalition level. This result is likely just an artifact of Intra-Party Competition sowing disunity within the parties of which the broader coalitions are formed.



Table 6.6 presents the results of regressions on the four voting unity indices, and on parties' overall 'batting averages' (%WON<sub>i</sub>). Both top and bottom panels show the fixed-effects specification including country dummies (coefficients not shown). The top panel includes all observations while the bottom includes only those for systems with elected presidents. Thus the estimates for Government Coalition in the top panel identify the effect of being in the governing coalition in pure parliamentary systems and the coefficient on Government Coalition \* President identifies the marginal effect of governing status between parliamentary and presidential systems. In the lower panel, all regimes are presidential, so the coefficient on Government Coalition indicates the difference between being in government and in opposition in this set of regimes.

[Table 6.6]

Model 6 shows that governing coalitions in pure parliamentary systems have WRICE<sub>i</sub> indices almost a full standard deviation higher (.17 vs. .20) than do opposition coalitions. The the estimated difference between government coalitions in parliamentary versus presidential regimes is negative, as expected, but falls short of statistical significance. The coefficient on Government Party in Model 6a, however, confirms that within presidential regimes, the difference in WRICE<sub>i</sub> between governing and opposition coalitions is not statistically significant. Recall that the opposition coalitions here are defined as all legislators from all parties not in government. To find some boost in voting unity among the select parties allied with the president through participation in government would appear to be a minimal expectation – *unless* the presidency itself is as much a disruption to coalition unity as an asset. The results in Table 6.6 strongly suggest this is the case.

Every model in the top panel of Table 6.6 indicates that governing coalitions in parliamentary systems are more unified, highly mobilized, win more votes, and lose less frequently due to disunity than opposition coalitions.<sup>54</sup> The coefficients on Governing Coalition \* Presidential in each model indicate that this unity boost is diminished in presidential regimes (more cross-voting, less mobilization, more losses, and more disunity losses), although the marginal effect is difference between governing coalitions by regime type generally falls short of statistical significance. Note also that in the full set of cases, including parliamentary systems, multiparty coalitions are not significantly less unified (by WRICE<sub>i</sub>) or mobilized (by WUNITY<sub>i</sub>) than when a single party comprises the government or opposition bloc. By contrast, when the analysis is limited to regimes that include elected presidents (bottom panel), there is never any statistical difference in unity or effectiveness between government and opposition coalitions. Among presidential systems, moreover, multiparty coalitions are less unified, other things equal, according to every index than are single-party blocs.

The bottom line from Table 6.6 is that presidents are not assets to coalition voting unity. As with individual legislative party groups, so with the broader government and

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<sup>54</sup> The estimate on RLOSER<sub>i</sub> is significant at just .11, but all others are well above conventional significance levels.

opposition coalitions. In pure parliamentary systems, those in government are more unified and highly mobilized in their voting, win more (even controlling for seat share), and lose less due to disunity. But the government unity boost does not apply in systems with popularly elected presidents.

## **6.9. CONCLUSION: COMPETING PRINCIPALS DISRUPT VOTING UNITY**

The evidence in this chapter supports the competing principals approach to legislative representation, the basic idea of which is that almost all legislators are subordinate to party leaders within their assembly, and the extent to which party groups are unified or cohesive depends on whether other principals, with competing demands, also control resources to pressure legislators. To the extent that such competing principals elicit responsiveness from legislators, they drive wedges into party groups, which we observe in vote patterns and vote outcomes. This chapter looked for sources of competition among principals in the constitutional and electoral rules that govern legislative politics, and in how these institutions interact with the status of parties inside and outside government.

### **6.9.1. Electoral rules matter**

The evidence here supports some arguments, but fails to support others, about the effects of institutions on legislative party unity that have either been derived theoretically, or advanced on the basis of evidence from a smaller number of cases, or both. These results are based on a broader cross-national dataset than any previous study, which affords for greater leverage in estimating system-level effects and for disentangling these from party-level effects. For example, a number of scholars have attributed disunity within parties to intra-party preference voting (Cain, Ferejohn, and Fiorina 1987; Mainwaring and Perez Linan 1997; Garman, Haggard, and Willis 2001), whereas others rightly cautioned that, in the absence of evidence from legislative voting itself, inferring levels of party cohesiveness from voting rules alone was premature (Figueiredo and Limongi 2000). The results here should dispel uncertainty on this count.

### **6.9.2. No evidence of a federalism effect**

Federalism has been identified as weakening national-level parties in case studies of India and Brazil (Chhibber and Kollman 1998; Mainwaring 1999), although the most sophisticated studies to date of legislative voting patterns estimate the effect on party voting unity to be relatively small, or undetectable altogether (Desposato 2004, Jones and Hwang 2005). The results here, with considerably extended empirical reach, find no evidence that federalism, per se, affects levels of legislative voting unity. It may be that the blunt measure of constitutional federalism employed here is insufficiently sensitive to capture varying levels to which power within national parties is decentralized, or to which there is regional heterogeneity within parties, or both.

### **6.9.3. Governments differ in parliamentary and presidential systems**

The most important new results are found in the differences between parliamentary and presidential systems on governing party unity. The differences reported here do not rely on the presence or absence of the confidence vote provision, which is at the center of

many discussions of party discipline. Rather, they are based on an account of how being in government differs according to whether there is an independently elected chief executive. Under parliamentarism, membership in government is a legislative asset, as one would expect given the additional resources available to government leaders to sway their legislative allies. By contrast, there is no evidence that membership in government is an asset in presidential systems, and it appears to be a liability in terms of inducing losses on votes owing to breakdowns of legislative party unity. Take two parties, or two government coalitions, of the same size, hand one the presidency, and you can expect it to lose legislative votes more often because of splits within its ranks.

Studies of the presidency in specific countries frequently conclude that the office is unusually strong, even dominant over the legislature. Like students in Lake Wobegon, who are all above average, or cups of coffee at Starbuck's, where the smallest size is 'tall,' presidents appear in the literature to be an unusually potent breed. The results here suggest reassessing this verdict, at least with regard to legislative influence. Parties allied with presidents do not do any better on the floor of the legislature than others. Presidents may dominate their local political theatres in lots of ways, but not by directing the actions of unified battalions of legislators.

Presidents are disruptive to party unity because they present a potentially competing source of directives against those of party leaders within the legislature. Legislative party leaders in parties outside government need not contend with such a formidable competitor in coordinating the actions of their troops. The incentives for presidents to stake out positions 'above' politics and to carry themselves as supra-partisan actors, even when they have won election on the basis of party support, buttress this effect. And the resources – political and material – that presidents command in most systems provide them ample currency with which to curry legislative favor. By this account, it is not presidential weakness, *per se*, that is the source of party disunity, but presidential power. Power can only be understood as a source of party disunity, however, if one is attentive to the institutional environment in which legislative parties operate. The aim of competing principals theory is to focus attention on the elements of that environment that shape the strength of party leaders and the various actors with whom they compete for legislators' loyalties.

Table 6.1. Cohesiveness, discipline, and weighted and unweighted RICE indices in a hypothetical legislature.

		Party A		Party B		Party C	
Tally	$CLOSE_i$	Tally	$RICE_{ij}$	Tally	$RICE_{ij}$	Tally	$RICE_{ij}$
[300,0]	$0 = 1 - 2* .5 - 1 $	[100,0]	1.00	[100,0]	1.00	[100,0]	1.00
[270,30]	$.2 = 1 - 2* .5 - .9 $	[95,5]	.9	[75,25]	.50	[100,0]	1.00
[240,60]	$.4 = 1 - 2* .5 - .8 $	[90,10]	.8	[50,50]	0.00	[100,0]	1.00
[210,90]	$.6 = 1 - 2* .5 - .7 $	[85,15]	.7	[25,75]	.50	[100,0]	1.00
[180,120]	$.8 = 1 - 2* .5 - .6 $	[80,20]	.6	[0,100]	1.00	[100,0]	1.00
[150,150]	$1.0 = 1 - 2* .5 - .5 $	[75,25]	.50	[0,100]	1.00	[75-25]	.50
$WRICE_i$		.63		.73		.83	
$URICE_i$		.75		.67		.92	
W:U ratio		.84		1.09		.90	

Table 6.2. System-level variables for lower legislative chambers, by country.

<b>Country</b>	<b>Regime Age (log)</b>	<b>Intra-party competition</b>	<b>Federal</b>	<b>Confidence Vote</b>	<b>President</b>
Argentina	.69 – 2.56	No	Yes	No	Yes
Australia	4.56	No	Yes	Yes	No
Brazil	1.61 – 3.00	Yes	Yes	No	Yes
Canada	4.86	No	Yes	Yes	No
Chile	1.95 – 2.20	No	No	No	Yes
Czech Republic	.69 – 1.61	No	No	Yes	No
Ecuador	2.94	No	No	No	Yes
France IV Rep.	0 – 2.40	No	No	Yes	No
Guatemala	2.30 – 2.71	No	No	No	Yes
Israel	3.91	No	No	Yes	No
Mexico	4.28	No	Yes	No	Yes
New Zealand	5.02 – 5.04	No	No	Yes	No
Nicaragua	2.77	No	No	No	Yes
Peru	1.79 – 2.08	Yes	No	No	Yes
Philippines	3.71	Yes	No	No	Yes
Poland	2.20	Yes	No	Yes	Yes
Russia	1.39	No	Yes	No	Yes
United States	5.31 – 5.34	Yes	Yes	No	Yes
Uruguay	.69 – 1.95	Yes	No	No	Yes

Table 6.3. Legislators' principals under presidentialism, parliamentarism, government, and opposition

	Opposition parties	Government parties
<b>Parliamentarism</b>	Legislative party leadership	Legislative party leadership fused with executive authority and resources. <i>H6: Reinforces party unity</i>
<b>Presidentialism</b>	Legislative party leadership	1. Legislative party leadership. 2. Additional influence from president, may reinforce <i>or</i> contradict legislative party leaders' directives. <i>H7: Undermines party unity relative to governing parties under parliamentarism</i>

Table 6.4. System-level and party-level effects on legislative voting unity within parties.

	<i>Dependent Variables</i>									
<i>Independent</i>	<b>WRICE<sub>i</sub></b>		<b>WUNITY</b>		<b>%WON<sub>i</sub></b>		<b>RLOSER<sub>i</sub></b>		<b>ULOSER<sub>i</sub></b>	
<i>Variables</i>	<i>Model 1</i>		<i>Model2</i>		<i>Model4</i>		<i>Model5</i>			
Regime Age (log)	.02 (.01)	.05	.03 (.01)	.00		.003 (.001)	.00	-.004 (.003)	.19	
Intra-Party Competition	-.11 (.03)	.00	-.01 (.02)	.82		.016 (.003)	.00	-.009 (.007)	.23	
Federal	.02 (.03)	.41	.01 (.02)	.69		.004 (.003)	.17	.007 (.007)	.37	
Confidence Vote	-.02 (.03)	.48	-.12 (.03)	.00		.003 (.004)	.35	.023 (.010)	.02	
Government Party	.13 (.05)	.01	.09 (.05)	.05		-.008 (.005)	.10	-.021 (.015)	.15	
Government Party *	-.17 (.06)	.00	-.14 (.06)	.01		.017 (.006)	.00	.015 (.018)	.41	
Presidential Seat Share	.04 (.09)	.67	.14 (.08)	.10		.073 (.010)	.00	.243 (.026)	.00	
Constant	.77 (.03)	.00	.49 (.03)	.00		-.016 (.003)	.00	.007 (.009)	.41	
N	268		382			218		382		
Adj. R <sup>2</sup>	.11		.06			.50		.24		

	<i>Fixed-effects models (country dummies not shown)</i>									
	<i>Model 1a</i>		<i>Model 2a</i>		<i>Model 3a</i>		<i>Model 4a</i>		<i>Model 5a</i>	
Party Age (log)	.02 (.01)	.02	.02 (.01)	.03			.036 (.010)	.00	.008 (.006)	.14
Government Party	.01 (.03)	.85	-.02 (.04)	.68	.29 (.05)	.00	-.004 (.005)	.34	-.044 (.023)	.06
Government Party *	-.04 (.04)	.39	-.00 (.05)	.96	-.23 (.06)	.00	.016 (.005)	.00	.033 (.028)	.24
Presidential Seat Share	.03 (.07)	.70	.13 (.09)	.15	.53 (.10)	.00	.039 (.008)	.00	.242 (.049)	.00
Constant	.25 (.08)	.00	.41 (.21)	.05	.58 (.09)	.00	-.020 (.022)	.37	-.042 (.051)	.42
N	188		207		382		173		209	
Adj. R <sup>2</sup>	.60		.32		.45		.75		.23	

- WLS regressions with observations weighted by log of the effective number of legislative votes on which each party unity index is based.
- Standard errors in parentheses.
- Significance levels in column to right of estimate.

Table 6.5. Summary of hypothesis tests

<b>Hypothesized effect</b>	<b>WRICE<sub>i</sub></b>	<b>WUNITY<sub>i</sub></b>	<b>%WON<sub>i</sub></b>	<b>RLOSER<sub>i</sub></b>	<b>ULOSER<sub>i</sub></b>
H1: Parties more unified in longer-established regimes	Support	Support	N/A	Reverse <sup>b</sup>	No effect
H2: Intra-party electoral competition reduces unity	Support	No effect	N/A	Support	No effect
H3: Federalism reduces unity	No effect	No effect	N/A	No effect	No effect
H4: Confidence vote increases unity	No effect	Reverse	N/A	No effect	Reverse
H5: Older parties more unified than newer ones.	Support	Support	N/A	Reverse <sup>b</sup>	No effect
H4: Parliamentarism strengthens governing parties	Support <sup>a</sup>	No Effect	Support	Support	Support <sup>c</sup>
H5: Governing parties weaker under presidentialism than parliamentarism	Support <sup>a</sup>	Support <sup>a</sup>	Support	Support	No effect

<sup>a</sup> Not statistically significant in fixed effects model.

<sup>b</sup> No effect when United States dropped from analysis.

<sup>c</sup> Significant at .15 in standard model and .06 in fixed effects model



Table 6.6. Coalition-level effects on legislative voting unity within governing and opposition coalitions. Fixed-effects models with country dummies not shown.

<i>Independent Variables</i>	<i>Dependent Variables</i>									
	<b>WRICE<sub>i</sub></b>		<b>WUNITY</b>		<b>%WON<sub>i</sub></b>		<b>RLOSER<sub>i</sub></b>		<b>ULOSER<sub>i</sub></b>	
	<i>Model 6</i>		<i>Model 7</i>				<i>Model 9</i>		<i>Model 10</i>	
Government Coalition	.17 (.05)	.00	.16 (.05)	.00	.31 (.07)	.00	-.04 (.03)	.11	-.144 (.059)	.02
Government Coalition *	-.07 (.06)	.29	-.08 (.06)	.18	-.32 (.08)	.00	.02 (.03)	.47	.090 (.070)	.21
Presidential Multiparty Coalition	-.04 (.06)	.49	-.06 (.06)	.26	-.27 (.08)	.00	.04 (.03)	.20	.152 (.067)	.03
Seat Share	-.23 (.11)	.03	-.12 (.10)	.22	.83 (.14)	.00	.07 (.05)	.18	-.036 (.121)	.77
Constant	.46 (.12)	.00	.56 (.11)	.00	.65 (.16)	.00	.01 (.06)	.88	.043 (.137)	.76
N	76		76		76		76		76	
Adj. R <sup>2</sup>	.62		.48		.57		.26		.29	

<i>Systems with directly elected presidents only</i>										
	<i>Model 6a</i>		<i>Model 7a</i>		<i>Model 8a</i>		<i>Model 9a</i>		<i>Model 10a</i>	
Government Coalition	.06 (.04)	.20	.03 (.04)	.43	-.03 (.06)	.68	.006 (.025)	.80	-.003 (.050)	.95
Multiparty Coalition	-.13 (.08)	.09	-.17 (.07)	.01	-.32 (.11)	.00	.094 (.040)	.02	.264 (.079)	.00
Seat Share	.08 (.14)	.59	.24 (.12)	.06	1.08 (.20)	.00	-.049 (.075)	.52	-.248 (.149)	.10
Constant	.55 (.16)	.00	.75 (.14)	.00	.51 (.22)	.03	.066 (.084)	.44	.087 (.167)	.61
N	54		54		54		54		54	
Adj. R <sup>2</sup>	.59		.47		.44		.15		.40	

Figure 6.1. Scatterplots of  $URICE_i$  against the ratio of  $WRICE_i:URICE_i$ .

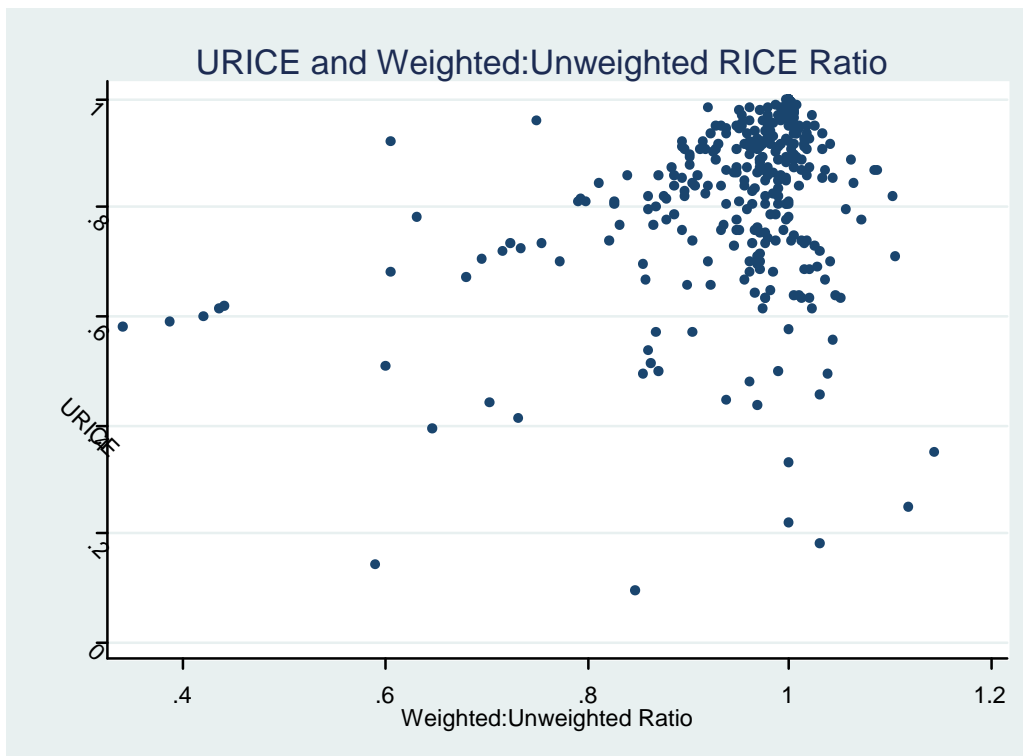


Figure 6.2: Boxplot of  $WRICE_i$  indices by confidence vote and intra-party competition.

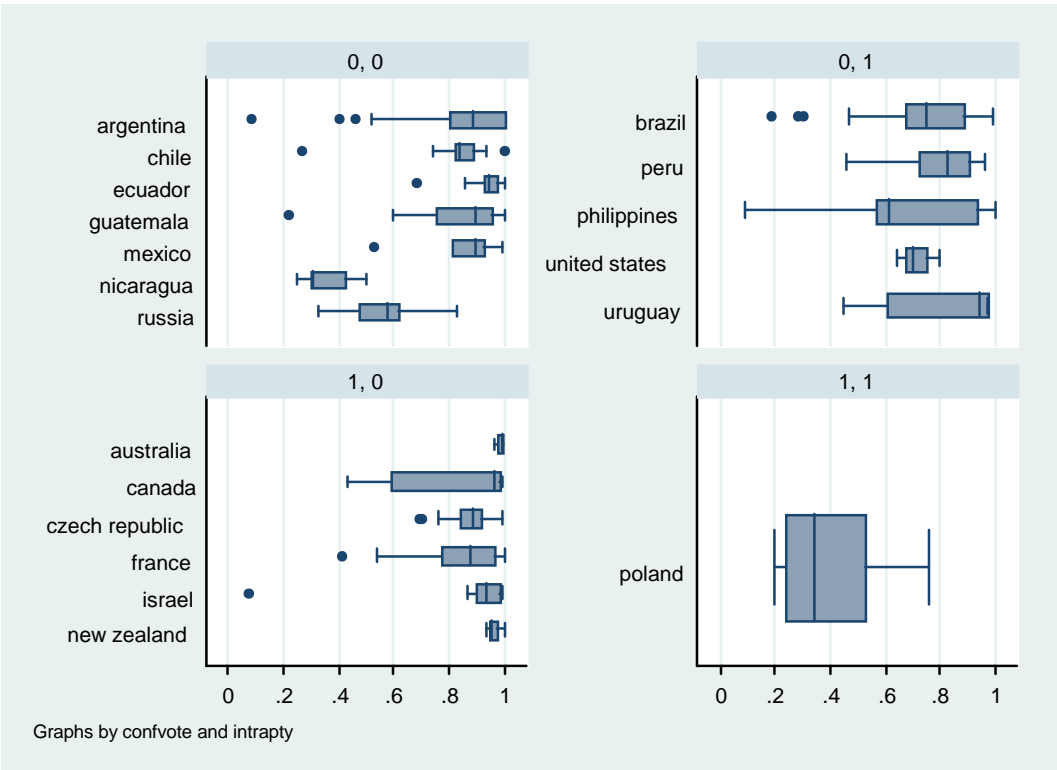


Figure 6.3: Boxplot of  $RLOSER_i$  indices by confidence vote and intra-party competition.

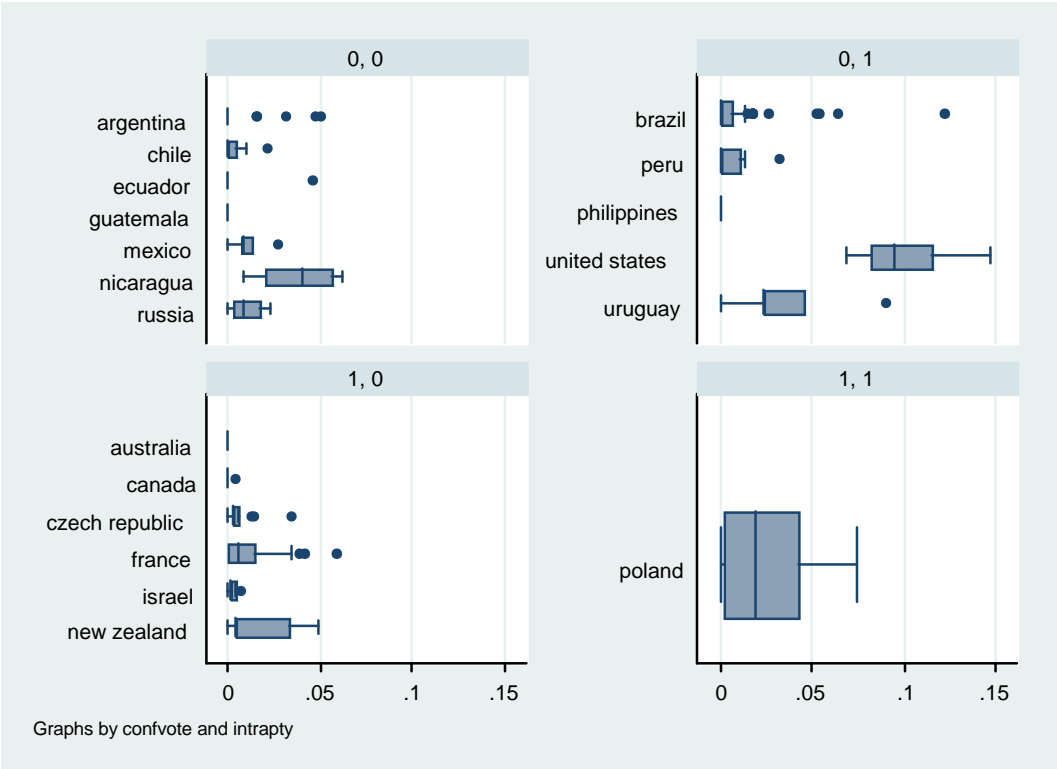


Figure 6.4.  $WRICE_i$ ,  $WUNITY_i$ ,  $RLOSER_i$ , and  $ULOSER_i$  indices for Canada, 1994-1997.

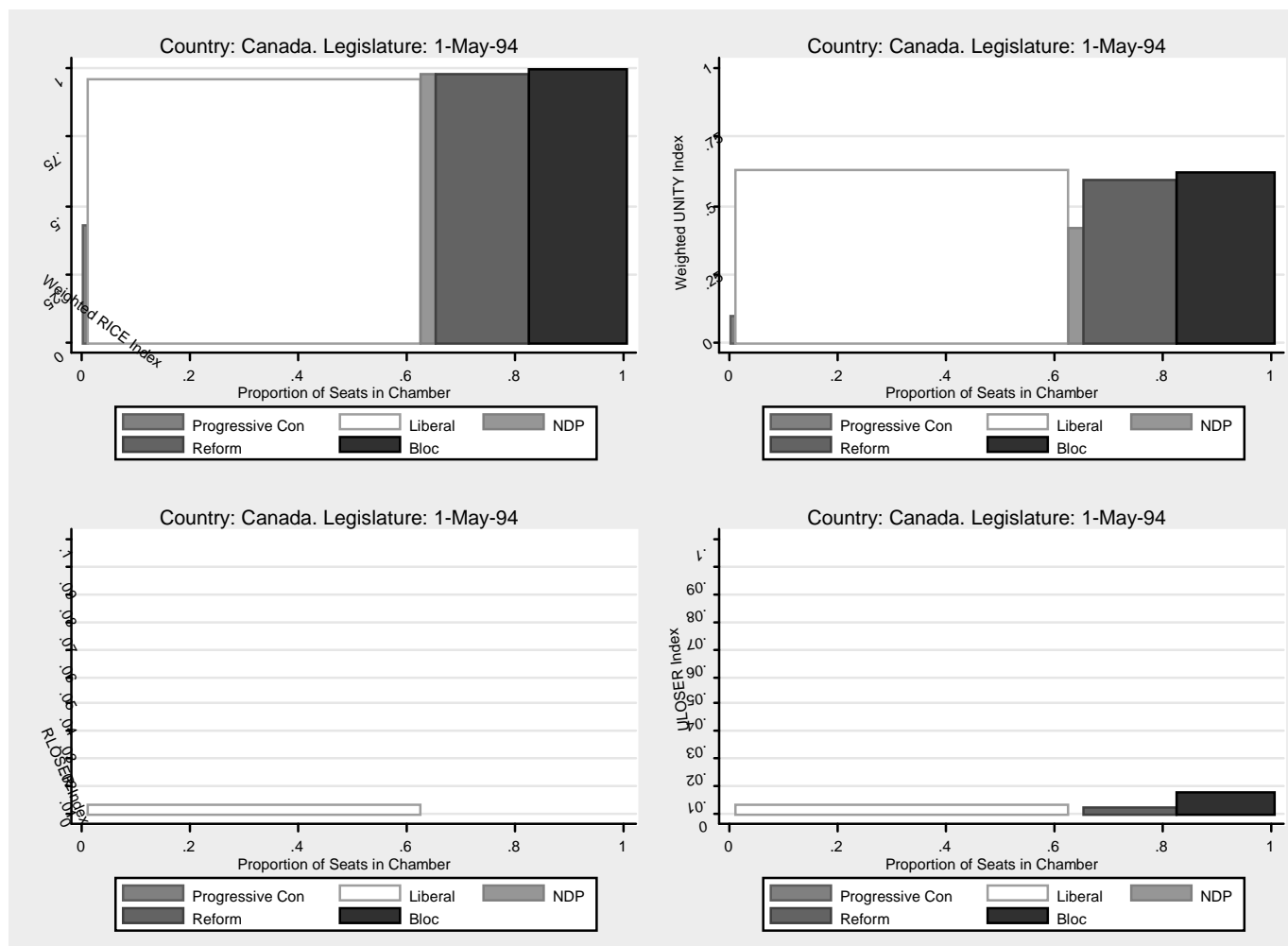


Figure 6.5.  $WRICE_i$ ,  $WUNITY_i$ ,  $RLOSER_i$ , and  $ULOSER_i$  indices for Brazil, 1999-2003.

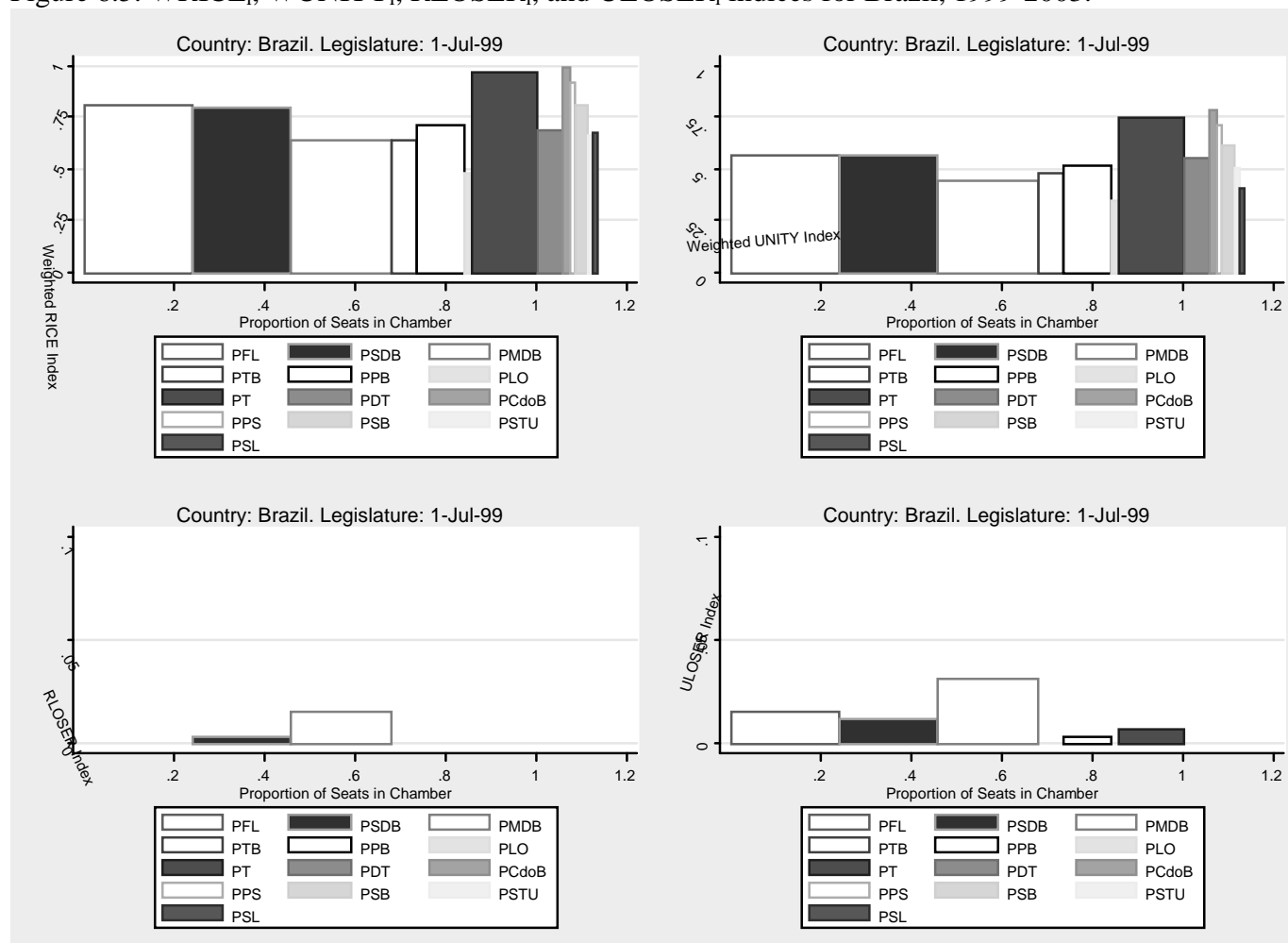
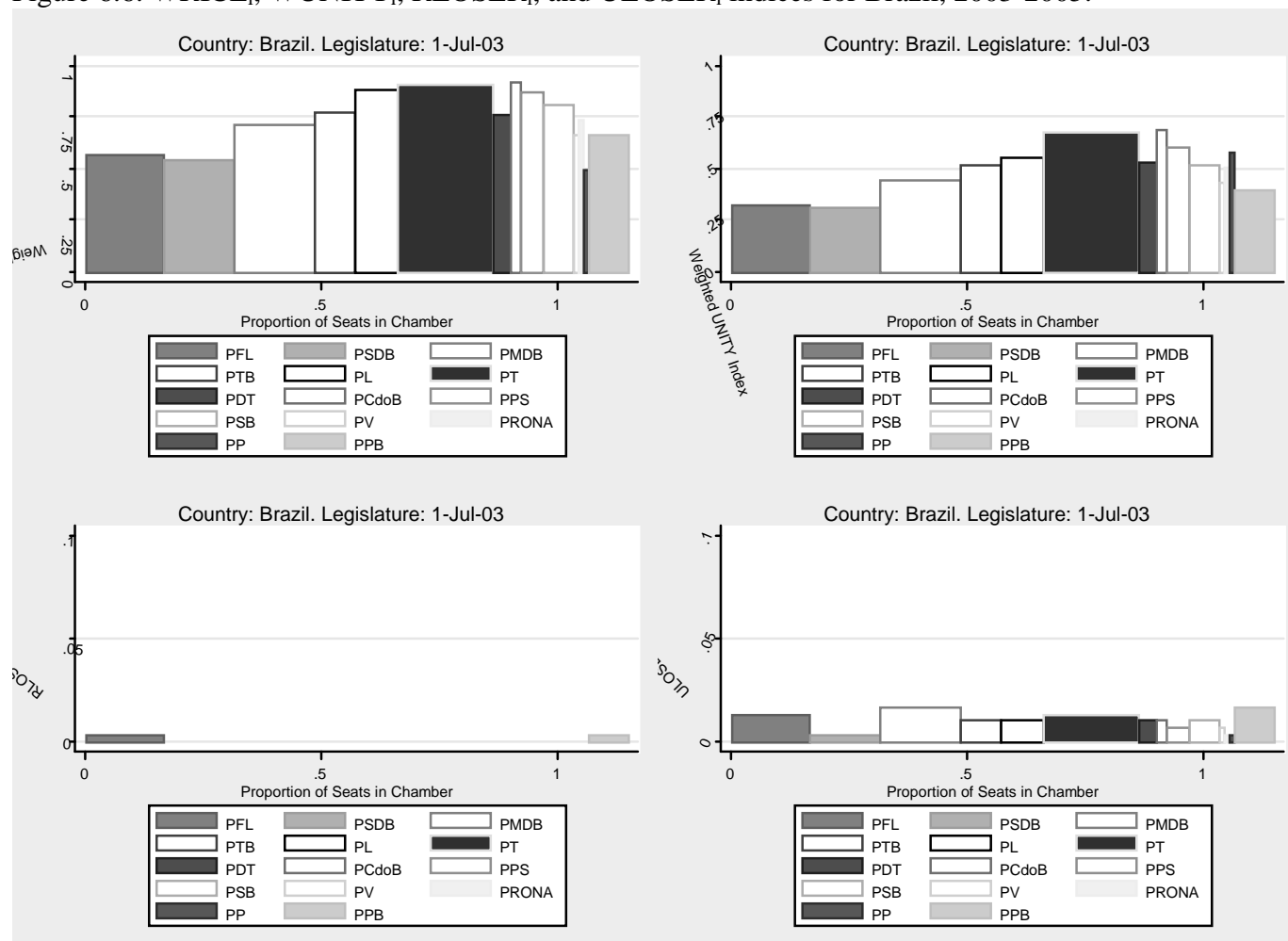


Figure 6.6.  $WRICE_i$ ,  $WUNITY_i$ ,  $RLOSER_i$ , and  $ULOSER_i$  indices for Brazil, 2003-2005.



## **7. The individual-collective balance**

### **7.1. TRANSPARENCY, PARTY UNITY, VOTES, AND ACCOUNTABILITY**

This book asks who are the political actors in a position to place demands on lawmakers and, given the mix of pressures, what kind of legislative accountability can we expect? I remain focused throughout on legislators' votes. Whatever other important representative and policymaking activities transpire in assemblies, votes remain the core blocks from which legislative decisions are built. I concentrate on whether votes can be easily monitored by those outside the legislature – their visibility – and, in those legislatures where votes are recorded and available for analysis, on patterns of voting among parties.

These two elements of legislative voting, transparency and party unity, are key components of two distinct types of legislative accountability: individual and collective. When the votes of individual legislators are not visible, it is difficult for those outside the legislature to know whether a representative has acted in accordance with their preferences. Some measure of voting unity within groups is necessary for collective accountability as well, because if its members do not vote together regularly, a group cannot be regarded as shaping legislative outcomes.

Transparency and voting unity are matters of degree, not absolutes, and much of the book is an effort to document and then to explain how much of each we see across various legislatures. The first task is primarily one of mapping – of visiting legislatures, personally and virtually, in order to discover what information about votes is available. Where voting records can be had, we can expand and improve the map by turning the quantity of ayes, nays, and non-votes into statistical descriptors of voting unity. The explanatory work in the book relies on a combination of “soaking and poking” (Fenno 1978) to determine which political actors favor transparency and which do not, and developing a model of the forces that play on legislators that affect their proclivities for party voting unity. I refer to the actors that apply these pressures as legislators' principals, and I argue that party unity is a product of the extent to which these principals pull in different directions.

The explanations of transparency and party unity are related because principals that apply competing pressures force a measure of individualism upon legislators. Deciding how to vote when one's legislative party pulls one way and the president another, for example, is an act of self-definition. If the vote is visible to citizens, then the same act that diminishes party unity, and so might erode collective accountability, can also provide a building block for individual accountability.

The next section summarizes the central claims advanced in this book, and briefly review the basis of each. The last section discusses the normative implications of this research, focusing on how we might assess the appropriate balance between claims for individualistic versus collective accountability in legislative representation.



## **7.2. REVIEWING THE MAJOR POINTS**

### **7.2.1. The ideal of legislative accountability is afflicted by a fundamental tension between individualism and collectivism.**

Individual accountability implies that legislators answer to the specific demands of citizens in their behavior, including voting. Collective accountability implies teams of legislators – mainly parties and coalitions, in most legislatures – act collectively to promote a policy agenda and are evaluated by citizens as a group according to their effectiveness in advancing it. Where constituents – even supporters of the same party or coalition – put diverse demands legislators, the demands of individual accountability can contradict the collective action on which collective accountability is based.

### **7.2.2. Academic work on legislative accountability displays a normative proclivity for the collective variety, but there are signs of a push toward individual accountability in legislatures themselves.**

There is a venerable tradition of scholarship on legislative accountability that extols strong party government, mainly on the grounds that strong parties facilitate clear options for voters over policy platforms. Nevertheless, political reforms in many Latin American countries have aimed at boosting individual accountability, even at the expense of strong parties. Politicians' survey responses demonstrate a pronounced bent toward individualism. Survey responses may be cheap talk, perhaps reflecting only what the politicians think citizens want to hear. But even if so, this would indicate that politicians believe citizens want more individualistic and less party-centered representation from their legislators. Either way, there appears to be a disjuncture between what much of the academic literature on legislative representation prescribes and what politicians and reformers aim to deliver.

### **7.2.3. Visible votes are an essential component of individual accountability. They are in scarce supply in many legislatures, but time and technology push toward more visible voting.**

The mechanics of voting in legislative assemblies can produce a fundamental asymmetry in the ability of legislative insiders (most prominently, legislative party leaders) and outsiders (everyone else, including citizens, organized interest groups, the media, and academics) to monitor legislators' behavior. The historical and institutional contexts differed considerably, but the adoption and expansion of recorded voting in the United States and in some countries in Latin America have pushed accountability in similar directions. On the whole, visible voting has been favored by opposition legislators and has been used to force unpopular measures advanced by majority parties and coalitions onto the public record. Interviews support the idea that recording and publishing legislative votes facilitates external monitoring, fosters fair play in legislative procedure, discourages legislators from obfuscating their records, allows voters to reward or punish legislators for votes in elections, and may affect legislative decisions in anticipation of such effects.

The supply of recorded votes is limited in most Latin American legislatures, largely because of reluctance about visible voting on the part of party leaders who strive to maintain a tight grip on the rules of legislative procedure. Nevertheless, the increasing

availability of secure and efficient electronic voting systems has driven the procedural costs of recording votes and making them visible down dramatically. Moreover, once some set of conditions – a presidential initiative, for example, or a successful minority-led reform – allows for the establishment visible voting as standard operating procedure, the practice appears difficult to revoke, perhaps owing to the widespread belief among politicians that citizens want more transparency in legislative institutions, even at the cost of strong party control.

**7.2.4. Electoral rules matter to what sort of accountability legislators deliver. The familiar SMD-versus-PR distinction is not what drives the individualism-versus-collectivism trade-off, but it does affect incentives for candidates to deliver information that facilitates individual accountability.**

The distinction between single-member districts versus proportional representation is central to so much scholarship on electoral systems that academic attention frequently gravitates there unreflectively. Yet one finds highly individualist, and highly collectivist, legislative representation on both sides of the SMD-versus-PR divide. Electoral rules can encourage, or discourage, individualism, but they do so by shaping the range of principals to whom legislators respond. The more a centralized national party leadership monopolizes access to the electoral resources legislators value, the more dominant the party is as its legislators' common principal, and representation is more collective. When electoral resources are more decentralized, legislators of the same party must diversify their appeals, responding to a more heterogeneous group of principals, placing a greater premium on individualistic representation. The trade-off here has little to do with single-member districts versus proportional representation and much to do with the number and nature of principals to whom legislators respond.

Although either SMD or PR electoral systems can foster individualistic (or collective) representation, the number of candidates competing for votes in a given district affects the electoral advantage to be had by publicizing the record of one's electoral opponents. Specifically, the fewer other candidates competing, the greater the expected gain to any given candidate from critically exposing an incumbent legislator's record. The number of candidates tends to rise with district magnitude. Therefore, this particular transmission belt for information about incumbent legislators' voting records – negative campaigning by other candidates – should be more effective in elections with low district magnitudes than where magnitudes are higher.

**7.2.5. Recording votes, in addition to making individual-level visibility possible, also makes it possible to measure voting unity across parties, coalitions, or any group of interest within an assembly.**

The indices developed here can be used to generate statistics that describe the voting unity of any group. Because parties are the universal unit of collective representation in modern democratic legislatures, and because party unity is widely regarded as a key condition for collective accountability, party voting unity is of natural interest. I generate statistics to describe parties' levels of mobilization, of cross-voting, their overall success in winning recorded votes, and their incidence of losses attributable to under-mobilization and cross-voting. These statistics allow for cross-national and cross-temporal

comparisons of party unity, for example, either statistically or graphically.

#### **7.2.6. Other things equal, the more the institutional context establishes alternative principles with control over resources legislators value, the lower is party unity.**

The institutional context affects the relative value to legislators of collective party labels versus individualism in voting. In longer-established democratic regimes, and within older political parties, parties mobilize their legislators at higher levels and levels of cross-voting are lower, suggesting the communicative value of party labels increase with time.

For some institutional factors, I find no evidence of effects on voting unity. The voting indices do not support hypotheses that federalism undermines party unity, nor that the availability of a confidence vote mechanism boosts it. There is support, however, for other hypotheses regarding the effects of competing principals on unity. When candidates must compete with their own copartisans for individual support among voters, their responsiveness to personalized constituencies diminishes party voting unity. Presidents represent another potential principal to compete with party leaders for legislators' loyalties. In particular, although governing parties in parliamentary systems are highly unified and successful at winning votes, governing parties in presidential systems are not particularly advantaged in terms of voting unity. They are no more unified or successful on the floor, other things equal, than opposition parties. The same distinction applies to governing coalitions in parliamentary versus presidential systems. Whereas the resources associated with membership in government may be an asset to voting unity under parliamentarism, the potential for presidents to compete with legislative party and coalition leaders appears to render them a liability to voting unity.

### **7.3. THE OPTIMAL MIX?**

#### **7.3.1. The cases for, and against, various institutional arrangements**

The crux of the competing principals account of party unity advanced here is that when more than one actor (principal) influences who gets elected under a party label and controls resources legislators care about, divergence in the demands of these principals will reduce legislative party unity. The case for collective accountability regards party voting unity as a necessary corollary. I have suggested that institutional arrangements that increase legislators' responsiveness to principals other than national party leaders can push in the direction of individual accountability. The tension between individual and collective accountability raises the inevitable question of whether there is some optimal mix of the two, and whether the design of political institutions can affect whether legislative representation hits that target.

Academic research on accountability up to now does not provide a conclusive answer. Some of the most creative recent theoretical work on accountability focuses on governments or representatives as monolithic selectors of policy (Manin, Przeworski, and Stokes 1999; Fearon 1999; Ferejohn 1999), or else on the accountability of presidents alone (Stokes 2001). Among research that discusses legislators and parties explicitly, the enduring argument for strong party government holds unity as an unqualified collective good, both in providing coherent options to voters in elections and in delivering decisive

government (American Political Science Association 1950).

The theme remains central in contemporary scholarship. Powell and Whitten (1993) include party cohesion as one of the four factors that determine whether voters can assign responsibility to their elected representatives for policy outcomes, and so hold them accountable. Johnson and Crisp (2003) demonstrate that the ideological predisposition of legislative majorities can account for economic policies where president-centered explanations cannot, but that the connection between legislative party platforms and the policies implemented is stronger when electoral rules discourage individualism. The implication is that collective representation strengthens the connection between what voters ask for and what they get. Gerring, Thacker, and Moreno (2005) make a more sweeping claim, that political institutions centralize government authority in strong national parties produce superior policy outcomes on dimensions ranging from bureaucratic efficiency to investment security to public health and education. The clear prescription is that representation works best when legislators answer directly and unequivocally to their parties as principals.

The related theme that institutions that encourage party disunity produce political pathologies is also prominent. Golden and Chang (2001) attribute corruption scandals in campaign finance to the degree of intra-party competition among Christian Democratic legislators in Italy. Hallerberg and Mairer (2004) contend that personal vote seeking generates common pool resource problems whereby legislators undervalue fiscal discipline.

Yet there are competing claims in the scholarship on accountability, both with respect to centralization of authority and to the idea that legislative individualism as an unmitigated liability. On centralization, the Madisonian theme that the division of legislative from executive authority enhances accountability of representatives retains some support. Persson, Roland, and Tabellini (1997) argue that competition between the branches, institutionalized under presidentialism, increases the amount of information politicians supply to citizens about other politicians' misdeeds, such that the cumulative effect of increased individual accountability is improved government accountability in the aggregate.

Hellwig and Samuels (2007) show that electoral support for presidents' parties more closely tracks economic growth rates than does that of prime ministers' parties in pure parliamentary systems. It may be that the separation of powers allows for a more specialized brand of accountability whereby voters can evaluate presidents and legislators according to their responsiveness to separate sets of demands (Samuels and Shugart (2003), or that presidentialism's fixed terms prevent mid-term replacements of the chief executive so common under parliamentarism, which in turn weaken accountability by sheltering those responsible for policy failures from voters' wrath (Cheibub and Przeworski 1999).

Finally, intra-party competition in legislative elections has its own defenders. Kunicová and Rose-Ackerman (2005) argue that open-list competition discourages

collusion among would-be rent-seekers, and their data from across 94 countries suggests such elections reduce corruption. Farrell and McAllister (2004) argue that voters regard the fairness of elections to be higher, and are more satisfied with democracy overall, where elections allow for personal preference votes among individual legislative candidates than in closed-list systems.

Current scholarship on democratic institutions provides evidence to support both the normative goal of collective accountability and the idea that individual accountability is a democratic asset. Yet the two types of accountability make contradictory demands on legislators, and we know relatively little about how the trade-off between these ideals operates. Discussions of individualism versus collectivism in legislative representation tend to proceed as though the trade-off were a straightforward matter of swapping a unit of one sort of accountability for a unit of the other, but accountability is notoriously difficult to measure. And even if we could measure both individual and collective accountability among legislators, there is no reason to assume the substitution of one for the other is always zero sum.

### **7.3.2. Individualism versus individual accountability**

The subtle but critical distinction here is between legislative individualism and individual accountability. Consider, for example, the model of legislative individualism proposed by Carey and Shugart (1995), and refined and applied in various studies since (Wallack, Gaviria, Panizza, and Stein 2003; Hallerberg and Mairer 2004). The model posits that, in elections with intra-party competition, incentives for individualism rise monotonically, and those for collectivism drop correspondingly, as the number of copartisans against which a given candidate must competes rises. There is empirical evidence to support this proposition about individualism (Crisp and Ingall 2002; Carey and Reinhardt 2004; Shugart, Valdini, and Suominen 2005). Yet it does not follow that maximizing individualism, *per se*, also maximizes individual accountability. Accountability rests on the coordination of behavior, information, and sanctioning mechanisms among representatives and their constituents. Intra-party competition in large multi-member districts might maximize individualism, but larger districts also decrease the quality of information delivered to voters about specific candidates, and increase coordination problems among voters in sanctioning incumbents (Desposato 2004; Cox 1997). Recall, for example, the elections in Afghanistan under the single non-transferable vote (SNTV) rule, described in Chapter 1.

It follows that the conditions to enhance individual accountability are not necessarily those that maximize individualism and minimize collective representation. Specifically, individual accountability thrives when citizens are provided sufficient information about the actions of individual legislators, and they are able to use that information to reward or punish at the polls. When the number of candidates grows, the supply and quality of information about legislators' records declines, and the cognitive challenge voters face in processing candidate-specific information rises (Desposato 2004; Reynolds 2006). With respect to constitutional regime type, it may also be that the same features of institutional design that multiply legislative principals improve the quality of information citizens have regarding the behavior of elected officials (Persson, Roland,

Tabellini 1997; Samuels and Shugart 2003).

The distinction between legislative individualism and individual accountability suggests that the tension between individual and collective accountability might be better represented as a maximization problem than as an even swap. I defer to future research the formidable task of measuring the contours of this trade-off empirically, but as an instructive example, consider the case of Chilean democracy since the reestablishment of civilian government in 1990.

### 7.3.3. Chile's blend of individualism and party unity

In 1989, on the eve of Chile's transition from military authoritarianism back to civilian democracy, the outgoing government imposed a unique system for legislative elections. It called for all elected legislators to be chosen in open-list competition, but with every district electing two representatives (that is magnitude = 2).<sup>55</sup> Votes for both candidates from each electoral alliance, or list, are first pooled in order to determine the distribution of seats across lists in the district, then candidates from winning lists are awarded seats in order of their personal preference votes. Thus, the collective performance of the list affects candidates' prospects, but candidates from the same list also compete with each other for preference votes.<sup>56</sup>

Chile's open-list elections in low-magnitude districts have contributed to the formation and maintenance of stable multi-party coalitions among both governing and opposition parties (Siavelis 2000; Londregan 2001). The coalitions have proven relatively unified in the legislature, to a greater degree than the ideological proximity of their component parties alone would predict, and have developed collective reputations that convey substantial information to voters (Carey 1998). At the same time, Chile's combination of presidentialism and personal vote-seeking in elections moderate the tendency toward collectivism in legislative representation. Figure 7.1 shows  $WRICE_i$  and  $RLOSER_i$  indices for parties in the Chilean Chamber of Deputies, based on recorded votes for a nine-month period at the end of the second post-transition congress.<sup>57</sup> The president's Christian Democratic (DC) party is shown at the left of each panel in black with the other parties in the governing coalition in white, and opposition parties in varying gray hues toward the right of each panel.

[Figure 7.1]

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<sup>55</sup> The outgoing regime's motives for choosing this system were not benign. They sought to cushion the anticipated defeat of their civilian politician allies in the ensuing elections. The unusual conditions by which Chile's electoral rule was imposed over the objections of its incipient governing majority mitigate the problem of endogeneity of institutions that is intractable in much of comparative politics (Przeworski 2007). As a result, Chile presents an unusually favorable environment for testing the effects of institutions on political behavior.

<sup>56</sup> Note that I refer here to electoral alliances as running lists, rather than parties. This is because Chilean electoral law allows parties to coalesce to run lists, and indeed almost all seats in Chilean elections under this system have been won by candidates from coalition lists. As a result, Chilean elections have been characterized by intra-coalition competition, but not by intra-party competition.

<sup>57</sup> A figure based on votes from the third congress is virtually identical. The mobilization-based indices,  $WUNITY_i$  and  $ULOSER_i$ , are suspect in the Chilean case, because the uniform drop-off across parties from  $WRICE_i$  to  $WUNITY_i$  suggests non-voting equilibria.

The parties in Chile's governing coalition experienced more cross-voting (mean  $WRICE_i = .86$ ) than do governing parties in pure parliamentary systems (mean  $WRICE_i = .93$ ), but less than governing parties in other presidential systems ( $WRICE_i = .76$ ). Chile's opposition parties were, on average, just slightly more unified ( $WRICE_i = .87$ ) than their government counterparts. Opposition parties experienced no floor losses due to cross-voting in this period and governing parties were RLOSERS on 0.6% of votes – the same rate as governing parties in parliamentary regimes, and below the three-percent average among governing parties elsewhere under presidentialism. These figures suggest sufficient party unity that collective representation is viable in Chile, even while individual legislators seek personal votes and voters retain the ability to retain or reject specific representatives. In the election following on the period on which Figure 7.1 is based, 85 of 120 Chamber incumbents were nominated for reelection, and of these, 72 (85% of those on the ballot; 60% of all incumbents) won a successive term.

Chilean political institutions are not beyond criticism, and the electoral system, in particular, is subject to regular proposals for reform (Altman 2005; Huneeus 2006).<sup>58</sup> Yet Chilean democracy since 1990 has delivered a respectable combination of collective and individual legislative accountability (Cox 2006). Elections have produced governing coalitions that are easily identifiable by voters and that, once in office, have generally advanced the policies and platforms on which they campaigned. Governments have met with regular, although not uniform, success on the floor of Congress. Chilean presidents throughout this period have occasionally been publicly at odds with the leaders of their allied parties, and coalition, but the more common scenario has been mutual cooperation. As a result, government-sponsored legislative proposals have mostly been successful, although sometimes only after prolonged periods of legislative deliberation (Siavelis 2000; Londregan 2001). The conventional economic indicators by which governments are judged have been consistently strong in Chile during this period, and voters have rewarded the governing coalition with reelection to the presidency three times, and returned majorities from that coalition to the legislature in four consecutive elections. These same voters can select individual legislators from among fields of candidates small enough that campaigns are not mere cacophonies of individualistic appeals. They have taken the opportunity to exercise that discretion, rewarding some, but not all, incumbents with reelection.

#### **7.3.4. What's next**

The search for the optimal balance between collective and individual accountability among legislators may turn out to be dissatisfying in the same way as Goldilocks' method for identifying good porridge. Critics tend to think they know too much collectivism

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<sup>58</sup> The most persistent criticisms stem from the lack of proportionality and the high barriers to entry inherent in the two-member district system. Increasing district magnitude could remedy this, as opportunities for minority-party representation increase rapidly with increments in magnitude in this range. In order to improve proportionality while maintaining the conditions for effective individual accountability and avoiding rampant individualism, reformers might retain candidate preference voting, but embrace only modest increases in magnitude. At magnitudes above 5 or 6, the informational demands on Chilean voters imposed by open list competition would threaten individual accountability, and the incentives for individualism could undermine party unity sufficiently to threaten collective accountability.

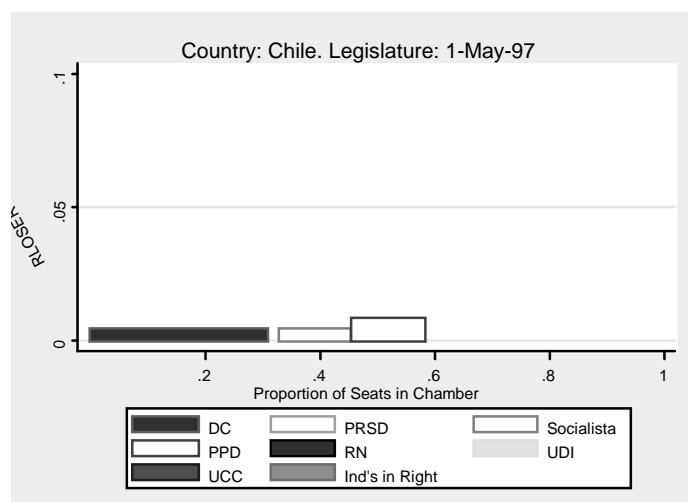
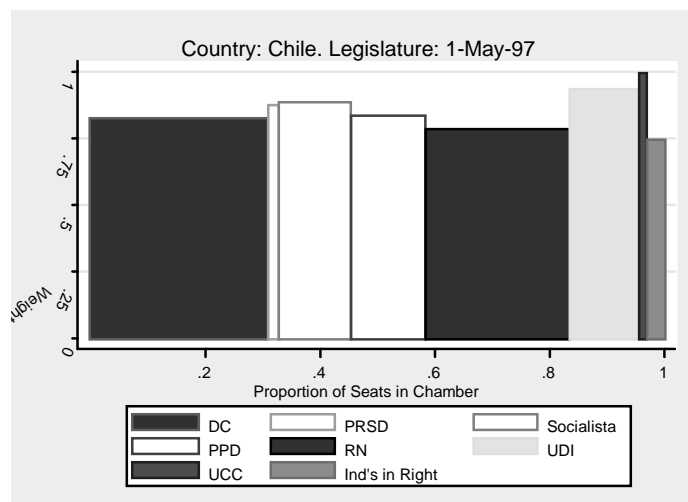
when they see it, and widespread complaints about ‘partyarchy’ and boss rule suggest they see it a lot. Other critics see too little collectivism and too much, complaining about particularism and rudderless parties. There is no mix of individual and collective accountability widely recognized to be ‘just right.’

This book might represent a step toward identifying that balance, but its primary goals are descriptive and explanatory, not normative. It describes two types of accountability and explains how legislative votes can be the media through which each is delivered. It documents the levels of transparency and party unity of legislative voting across a wide array of legislatures. It offers explanations for why voting transparency has increased in some instances, and for how and why it can be expected to increase in others. It explains levels of voting unity according to how the institutional environment in which legislative parties operate shape the diversity of demands placed on lawmakers.

The empirical contribution here is largely one of mapping a bit more of the legislative world in terms of transparency and party unity. Legislative studies is highly developed in the United States, largely because the long record of voting transparency in the U.S. Congress has fueled a vibrant field of study on recorded votes. Transparency is in its relative infancy in many other legislatures, but has made big strides recently, and we should expect further advances. This will facilitate mapping the world of legislative voting more completely and precisely, as well as the development of analytical tools that may provide better leverage in evaluating accountability, and the conditions that enhance and subvert it in its distinct forms.



Figure 7.1. WRICE<sub>i</sub> and RLOSER<sub>i</sub> in the Chilean Chamber of Deputies, 1997-1998.



## APPENDIX: Interview subjects

Name	Office	Party
<b>Bolivia</b>		
<i>Interviews conducted in La Paz, May 14-16, 2001</i>		
Bedregal, Guillermo	Deputy	MNR
Brockmann, Ericka	Senator: Party leader	MIR
Cárdenas, Víctor Hugo	Ex-Deputy, Ex-Vice President of the Republic	MRTA
Carvajal Donoso, Hugo	Cabinet minister; Ex-President of Chamber of Deputies	MIR
Ferrufino, Alfonso	Ex-Deputy	MBL
Sánchez de Lozada, Gonzalo	Party leader, Ex-President of the Republic	MNR
Sánchez Bezraín, Carlos	Deputy	MNR
<b>Colombia</b>		
<i>Interviews conducted in Bogota, May 1-4, 2001</i>		
Acosta, Amilkar	Senator	PL
Andrade, Hernán	Representative	PC
Devia, Javier	Representative	PC
García Valencia, Jesús Ignacio	Representative	PL
Gómez Gallo, Luis Humberto	Senator	PC
Guerra, Antonio	Senator	PL
Gutiérrez, Nancy Patricia	Representative	PL
Holguín Sardi, Carlos	Senator	PC
Navarro, Antonio	Senator	MVA
Ordúz, Rafael	Senator	ASI/MCA
Rivera Salazar, Rodrigo	Senator	PL
<b>Costa Rica</b>		
<i>Interviews conducted in San Jose, May 22-26, 2000</i>		
Castillo, Fernando	Auditor General of the Republic	
De La Cruz, Vladimir	Deputy; Party leader	PFDN
Gonzalez, Eladio	Assembly staff	
Guevara, Otto	Deputy	ML
Guido, Célimo	Deputy; Party leader	PFDN
Hernández, Oscar	Assembly staff	
Morales, Humberto	Assembly staff	
Sibaja, Alex	Deputy; Party leader	PLN
Vargas, Eliséo	Deputy; Party leader	PUSC

Vargas Pagán, Carlos	Deputy; Ex-President of the Assembly	PUSC
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### **Ecuador**

*Interviews conducted in Quito, May 18-22, 2001*

Albornoz, Vicente	Deputy	PS
González, Carlos	Deputy	ID
Landazuri, Guillermo	Deputy	ID
Lucero, Wilfredo	Deputy; Party Leader	ID
Neira, Xavier	Deputy; Party leader	PSC
Pons, Juan José	Deputy	DP
Vajello Arcos, Andrés	ex-Deputy; Ex-President of Congress	ID
Vajello López, Carlos	Deputy; Ex-President of Congress	
Vela, Alexandra	Deputy	DP

### **El Salvador**

*Interviews conducted in San Salvador, August 16-18, 2000*

Alvarenga, Aristides	Deputy	PDC
Alvarenga, Rolando	Deputy; Party leader	ARENA
Duch, Juan	Deputy; Ex-President of Assembly	ARENA
Pineda, Armando	Assembly staff	
Zamora, Rubén	Ex-Deputy; Party leader	CD

### **Nicaragua**

*Interviews conducted in Managua, August 21-22, 2000*

Baltodano, Mónica	Deputy	FSLN
Bolaños, María Lourdes	Deputy	FSLN
Hurtado, Carlos	Deputy; Party leader	AC
Samper, Jorge	Deputy	MRS
Urbina Noguera, Luis	Deputy	PLC

### **Peru**

*Interviews conducted in Lima, May 7-9, 2001*

Blanco Oropesa, Carlos	Deputy; Ex-President of Congress	C90-NM
Cevasco Piedra, José	Assembly staff	
De Althaus, Jaime	Political talk show host ( <i>La Hora N</i> )	
Masías, Manuel	Deputy	Independent
Ortiz de Zevallos, Gabriel	Pollster ( <i>Instituto de Apoyo</i> )	
Pease, Henry	Deputy; Party leader	UPP

### **Venezuela**

*Interviews conducted March 2-10, 2000*

Combellas, Ricardo	Deputy (Constituent Assembly)	Independent
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Fernández, Julio César	Deputy (Interim Assembly)	Independent
Murillo, Alexis	Assembly staff	
Tarek Saab, William	Deputy	MVR

#### Party Acronyms

AC: Accion Conservador; ARENA: Alianza para la Renovacion Nacional; C90-NM: Cambio 90 – Nueva Mayoria; CD: Convergencia Democratica; DP: Democracia y Progreso; FSLN: Frente Sandinista para la Liberacion Nacional; ID: Izquierda Democratica; MBL: Movimiento Bolivia Libre; MIR: Movimiento Izquierdista Revolucionario; ML: Movimiento Libertario; MNR: Movimiento Nacional Revolucionario; MRS: Movimiento Renovacion Sandinismo; MRTA: Movimiento Revolucionario Tupac Amaru; MVA: Movimiento Via Alterna; MVR: Movimiento Quinta Republica; PC: Partido Conservador; PDC: Partido Democrata Cristiana; PFDN: Partido Frente Democratico Nacional; PL: Partido Liberal; PLC: Partido Liberal Constitucionalista; PLN: Partido Liberacion Nacional; PS: Partido Socialista; PSC: Partido Social Cristiano; PUSC: Partido Union Social Cristiano; UPP: Union por el Peru

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