

# Democratic Institutions and Regime Survival: Parliamentary and Presidential Democracies Reconsidered

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## **Abstract**

We review arguments and empirical evidence found in the comparative literature that bear on the differences in the survival rates of parliamentary and presidential democracies. Most of these arguments focus on the fact that presidential democracies are based on the separation of executive and legislative powers, while parliamentary democracies are based on the fusion of these powers. From this basic distinction several implications are derived which would lead to radically different behavior and outcomes under each regime. We argue that this perspective is misguided and that we cannot deduce the functioning of the political system from the way governments are formed. There are other provisions, constitutional or otherwise, that also affect the way parliamentary and presidential democracies operate and that may counteract some of the tendencies that we would expect to observe if we were to derive the regime's performance from its basic constitutional principle.

## Introduction

The idea that the form of government influences the survival of democracies was one of the most debated issues among students of comparative politics in the late 1980s and 1990s. The argument first developed by Juan Linz about the superiority of parliamentary over presidential institutions, guided much of the discussion about the prospects of democracies born in the wake of the so-called third wave of democratization. It is not too much to say that a conventional wisdom emerged among comparative politics scholars to the effect that, if these democracies were to succeed, they should adopt parliamentary institutions.

Indeed, parliamentary democracies seem to outperform presidential democracies in many key aspects, notably in their capacity to survive under a wide set of conditions. Between 1946 and 1999, one in every twenty-three presidential regimes died (that is, became a dictatorship), whereas only one in every fifty-eight parliamentary regimes died. At very low levels of economic development, say at a level such as the one observed in Sub-Saharan Africa, neither parliamentary nor presidential democracies are likely to survive: one in every eight democracies, of either type, dies in these circumstances. At higher levels of development, however, things are different. Not only are parliamentary democracies consistently more likely to survive than presidential democracies, their chances of survival under economic crisis are at least as good as the chances of survival of presidential democracies under economic expansion.<sup>1</sup> Moreover, as Przewoski et al (2000) report, although presidential democracies are more likely to emerge out of military dictatorships than out of civilian dictatorships, and thus are more likely to die for this reason, we still find that, once origin is held constant, democracies that are presidential can expect to live less than democracies that are parliamentary.

This fact has commonly been interpreted as evidence that the instability of presidential democracies stems from the principle of separation between executive and legislative authorities, which distinguishes them from parliamentarism. A number of implications are derived from this basic difference which would explain why survival rates differ across these democratic regimes. Thus, the fusion of powers characteristic of parliamentarism is supposed to generate governments capable of governing because they would be supported by a majority in parliament, composed of highly disciplined parties prone to cooperate with one another, which, together, would produce a decision-making process that is highly centralized. Presidential regimes, in turn, would frequently generate presidents who cannot count with a majority of seats in congress. Congress would be composed by individual legislators who have little incentive to cooperate with one another, with their parties or with the executive. As a consequence, decision-making under presidentialism would be highly decentralized. Presidential regimes, therefore, would be characterized by weak political parties and frequent stalemates between the president and congress in a context of loose decision-making. Since presidential regimes lack a mechanism that can be invoked to resolve conflicts between executives and legislatures, such as the votes of confidence or censure of parliamentary regimes, minority presidents, divided government and deadlock would provide incentives for actors to search for extra-

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<sup>1</sup> These figures are based on the Regime and Development Database, available at <http://pantheon.yale.edu/~jac236/>

constitutional means of resolving their differences, thus making presidential regimes prone to instability and eventual death.<sup>2</sup>

This view, however, is in many ways problematic. Parliamentary and presidential regimes are indeed based on different constitutional principles when it comes to government formation, and this is a central choice in any democratic constitution. However, the operation of the political system cannot be entirely derived from the mode of government formation. There are other provisions, constitutional or otherwise, that also affect the way parliamentary and presidential democracies operate and that may counteract some of the tendencies that we would expect to observe if we were to derive the regime's entire performance from their basic constitutional principles. Moreover, even if these principles were the main factor in shaping incentives under parliamentary and presidential systems, it would not be sufficient to simply stipulate that they are different and that hence outcomes should be also different. One would need to specify the ways in which certain institutional features affect which incentives and with what consequence.

In this paper we review arguments and empirical evidence found in the comparative literature that bear on the differences in the performance of parliamentary and presidential regimes that emerge out of the alleged differences in incentives that these constitutional frameworks generate. We will focus on three areas which, according to the traditional view, give an advantage to parliamentary regimes: legislative majorities, incentives for cooperation, and the centralization of the decision-making process. Although we believe that parliamentarism does outperform presidentialism when it comes to survival, we also have good reasons to doubt that we understand what causes this difference. And this is why we believe it is worth returning today to a theme about which, some believe, we already know everything that there is to be known.

### **The “majoritarian imperative”**

There is, so to speak, a majoritarian imperative in parliamentarism. At least this is what the conventional view about this regime implies. This imperative would follow from the very definition of parliamentary democracies.

Parliamentarism, according to this view, is a regime in which the government, in order to come to and stay in power, must enjoy the confidence of the legislature. Since these are systems in which decisions are made according to majority rule, it follows that no government under parliamentarism will exist that does not enjoy the support of a majority. Minority governments could occasionally emerge, but these would be relatively infrequent and necessarily ephemeral since they would simply reflect the temporary inability of the current majority to crystalize. This inability is temporary for the system

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<sup>2</sup> The original formulation of this view was, of course, Linz (1978), elaborated in Linz (1994). This view has become widespread and can be found in, among others, Stepan and Skach (1993); Mainwaring and Scully (1995); Valenzuela (1994:136); Jones (1995a:34, 38); Ackerman (2000:645); Linz & Stepan (1996:181); Niño (1996:168-169), Hartlyn (1994:221), González & Gillespie (1994:172), and Huang (1997:138-139).

contains automatic correctives for these situations: either a new government supported by a majority will be formed or, if this is not possible, new elections will be held so that such a majority may emerge.

Presidential regimes, in contrast, lack the majority imperative. But majorities also matter under presidentialism. In these systems voters have two agents who, by design, do not necessarily represent the same majority. These agents have fixed terms in office and do not depend on each other to exist. If elections result in a situation in which the presidential party does not control a majority of legislative seats, there is no mechanism to solve the conflicts between the two legitimate majorities. The most likely outcome, it is believed, is stalemate and impasse between the executive and the legislative, which can ultimately result in the collapse of the democratic regime.

There are, however, several theoretical and empirical arguments that suggest that the majoritarian imperative that supposedly distinguishes parliamentarism and presidentialism, is neither an imperative nor sufficient to distinguish them.

In the first place, as conclusively demonstrated by Strom (1990), it is not true that parliamentary governments will necessarily produce majority governments, and most importantly, it is not true that, when they do not, the minority governments that emerge should be seen as a sign of crisis or of malfunction of the political system. This issue will be taken in more detail below when we discuss coalition formation. Here it is sufficient to say that, as Cheibub et al (2001) show, minority governments existed in 22% of the time in parliamentary regimes from 1946 to 1999. Other counts (e.g., Strom 1990, Cheibub 1998), based exclusively on industrialized democracies, find that about one-third of governments formed under parliamentarism have a minority status.

More importantly, Strom's analysis shows that minority governments are not necessarily a sign of political instability. Rather, the emergence of minority governments can be explained in terms of the calculus made by party leaders about the costs and benefits of participating in government, given that they are concerned not only with achieving office, but also with the policies that are to be implemented by the government. This calculus, Strom argues, is affected by the degree of policy influence parties can exert out of the government, as well as the competitiveness and decisiveness of the electoral process. Out-of-government policy influence, in turn, depends essentially on the organization of parliament (existence of standing committees, degree of specialization, scope of action, allocation rules); electoral decisiveness and competitiveness depend on the clarity of the electoral alternatives presented to voters (identifiability), the degree with which the distribution of seats fluctuates from party to party between elections (competitiveness), the direct relation between electoral success and government participation (responsiveness), and proximity between the occurrence of elections and the formation of the government.

Thus, it is simply not true that majority governments are the expected outcome of government formation under parliamentarism. Whether they are, depends on a series of institutional traits that are not part of what defines a democracy as parliamentary.

From a different angle, there is evidence that minority governments under presidentialism, although

frequent, are not as widespread as we would expect them to be. Cheibub (2002), from whom table 1 was adapted, shows that about 40% of the years of presidentialism between 1946 and 1996 were experienced under minority governments, a number that is not too far from the estimates for parliamentary regimes. These cases, as he shows, do not occur randomly. As suggested by Mainwaring (1993), Jones (1995) and Shugart (1995), the frequency of minority presidential governments is associated with the number of political parties (although not in the expected way), with the type of electoral system, and with the electoral cycle. However, as Cheibub (2002) demonstrates, the occurrence of minority governments has no impact whatsoever on the survival of presidential democracies.

\*\*\* Table 1 here \*\*\*

As for deadlock, the specter that supposedly haunts presidentialism, Cheibub (2002) shows that it is neither pervasive nor is it associated with regime breakdown. As he argues, deadlock will only occur when the preferences of a majority cannot prevail. These situations depend both on the share of seats controlled by the party of the president in congress and on specific institutional features regarding presidential veto and legislative override of the presidential veto: whether the president has veto power; the type of congressional majority necessary to override the presidential veto; whether the system is unicameral or bicameral; and whether, in bicameral systems, veto override is by a vote in each chamber separately or in a joint session of both chambers. In combination with the share of seats held by the government, these factors allow one to distinguish three situations: presidential dominance, opposition dominance, or legislative deadlock. The latter will only occur when the president is likely to veto a bill approved by a majority in the legislature, but that majority is not sufficient to override the presidential veto.

If arguments about the perils of presidentialism are correct, presidential democracies should face higher risks of dying when conditions for deadlock between the president and congress are present. Yet, as we can see at the bottom of table 1, this is not the case. The difference in the transition probabilities for deadlock and no-deadlock situations, although in favor of the former, is rather small: one in every 26 presidential democracies dies when there is deadlock, one in every 31 when there is no deadlock. This difference does not seem to warrant the level of concern with deadlock that is often expressed in the comparative literature on presidentialism. The belief that the survival prospects of presidential democracies is compromised when presidential parties do not hold a majority of seats in congress or when deadlock situations exist has no empirical basis.

As for deadlock in parliamentary regimes, the argument is that it will never occur. Indeed, parliamentary regimes are designed in such a way that whenever there is a deadlock between the government and the legislature, either the government changes or the legislature changes. Thus, although divided government may also exist under parliamentarism (for example with minority governments), the fact that the government in these systems exists only as long as there is no alternative majority that can replace it distinguishes them from presidential regimes: ultimately divided government in parliamentarism cannot produce deadlock, at least not deadlock in the same sense that we think of under presidentialism.

Yet, the fact that under parliamentarism there is a mechanism that can be invoked in the face of policy conflict between the government and the legislative majority does not mean that this mechanism will always be invoked, or that, once invoked, it will necessarily put an end to the disagreement that led to its use. For this reason, deadlock under parliamentary regimes may take place over time, as when governments succeed governments and no stable majority is formed even after new elections are held.

The discussion so far has been guided by the supposition that the existence of a majority, either in parliamentarism or in presidentialism, would automatically mean the ability of the government to govern. However, the scope of action available to the government can also be reduced as it seeks to obtain majority status. Here what matters is both the number of parties that have to come together in order for a majority to exist, and the cohesion of the party (or parties) that belong to the majority. If we think in spatial terms, we can see that government action is necessarily limited to the area that contains policy proposals preferred by its supporters over the status quo. That area, however, may be small, and it may become smaller as governments attempt to broaden its base of support; that is, as it attempts to secure the support of a majority in the legislature. As Tsebelis (1995) has demonstrated, policy change in democratic regimes is associated with the number of actors who can veto a proposal. The number of veto players, in turn, is a function of both institutional and ideological variables: policy stability increases with the *number* and the *cohesion* of, and the *distance* among, the parties that belong to the government.

There is no doubt that this will affect the policies pursued in a given system. Whether it will affect the survival of the regime, or whether this effect will be larger under presidentialism than under parliamentarism, cannot be specified a priori. But the point is that governments may have to pay the price of policy immobility in order to form a majority. And this price may have a negative effect on the survival of the democratic regime.

### **Incentives for Cooperation**

Parliamentary regimes are supposed to foster cooperation. Political parties have an incentive to cooperate with one another; parties in government will support the executive, and parties out of the government will refrain from escalating conflicts due to the possibility that they may, at any time, become part of the government; individual members of parliament will also align themselves with their parties. The end result are governments who are supported by a majority composed by highly disciplined parties, prone to cooperate with one another. Presidentialism, on the other hand, is characterized by the absence of such incentives and hence is likely to generate governments that, even if supported by a majority, are based on parties that are not disciplined and tend to fiercely compete with each other.

There are, in fact, two distinct issues here. The first has to do with the discipline of political parties. The second has to do with coalition governments; that is, with the propensity that parties will have to enter into, and stay in, governing coalitions. Although related, these issues must be distinguished.

### **Party Discipline**

There are formal and non-formal arguments relating regime type and party discipline, or cohesion in legislative vote.<sup>3</sup> Non-formal arguments originate with Juan Linz and are reproduced by most critics of presidentialism. In this view, what matters is the legislators' desire to come to and remain in office. The postulate is that the threat of government dissolution and early elections is necessary and sufficient to induce party discipline. Here is how the argument works.

Under parliamentarism, undisciplined parties may mean a failure to obtain majority support in parliament, the defeat of government bills and, consequently, the fall of the government. In order to remain in government, political parties would enforce discipline so that their members in parliament can be counted on to support the bills proposed by the government. Individual legislators, in turn, would have an incentive to support the government in order to prevent the occurrence of early elections and risk losing their positions. Since under presidentialism the government and the legislature are independently constituted, office-seeking political parties would have no reason to impose discipline over their members; their survival in office does not depend on the result of any particular vote in the legislature. Individual members of parliament, in their turn, would also have no incentive to accept the discipline of political parties (if they were to try to impose it); voting against the party or the government would not make it any more likely that they would lose their mandates in early elections.

Thus, given office-seeking politicians, the fusion of power that characterizes parliamentary regimes would generate incentives for individual legislators and political parties to cooperate with the government, resulting in a high level of party discipline. The separation of power that characterizes presidentialism, in turn, would imply very low levels of party discipline. Even if a president were to be lucky enough to belong to a party that controls a majority of seats in congress, this fact would not mean that he/she would be able to count on the support of that majority in order to govern. Quite to the contrary, the president should expect, at least under some circumstances, that no support would be forthcoming from that majority.<sup>4</sup>

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<sup>3</sup> Conceptually party discipline and cohesion are distinct (Ozbudun 1970, Tsebellis 1995). Empirically, however, we can only observe a group of legislators voting together, either as an expression of their true preferences or as the result of disciplinary measures. As Bowler et al (1999) note, this distinction only matters when cohesion is moderate. If it is very high, then disciplinary measures are not necessary. If it is very low, it is unlikely that such a heterogeneous group of legislators will agree to any measure that will make them vote together. Only when it is high enough so that a group of like minded representatives will accept a common set of constraining rules, but low enough that they will occasionally find it in their interests to vote against the party's position, do disciplinary mechanisms become relevant. In what follows, unless explicitly noted, we use discipline and cohesion as synonymous.

<sup>4</sup> One of the most noted circumstances appears as the end of the presidential term approaches. As presidential elections near, the argument goes, members of the party of the president will try to distance themselves from her/him in order to avoid paying the costs associated with the policies implemented by the government. This argument, of course, does not take into consideration the fact that there may be circumstances in which members of the party of the president may want to identify



There are several problems with this argument. At the highest level of generality, the assumption on which it is based -- that politicians only care about office -- is not tenable. If it were true that politicians only care about office, we should never observe minority governments since the party in charge of forming a government would always be able to lure some party into the government in order to compose a majority. Minority governments, however, as we have already seen, are not infrequent in either parliamentary or presidential regimes.

At a lower level of generality, the standard argument that connects the threat of government dissolution and party discipline is inconsistent. If at one stage of the argument it assumes that individual legislators may gain electorally by providing specific benefits to their constituency, it denies the existence of these benefits at the next stage. Let us consider this point in detail.

Let a key presidential initiative be one that implies losses for a specific group and gains for the whole society. Say that the measure in question cuts some special privileges of a given constituency. In the standard view, presidents have no means to induce legislators to support this kind of proposal. Since legislators are office seekers they have a clear preference for distributive policies, that is, policies that concentrate benefits on their constituencies and disperse the costs. Hence, legislators will do better if they vote against the presidential initiative and protect their constituency's narrow interests so that they will obtain its vote again in the future. They bear no costs of acting in such a way and they will collect the benefits when elections are due.

The same would not occur under a parliamentary regime. An identical situation would lead to a different result. Since dissolution and early election is a possibility, legislators will prefer to follow the party line and support the government so that they can guarantee their seats. There are costs to bear since one may lose his or her seat. By calling (or threatening to call) an early election, the prime minister invites the electorate to judge the behavior of the legislator.

But why would a legislator who voted against the party to protect the interests of his or her constituency be punished by that same constituency? If the legislator loses the seat in early elections because it helped bring the government down, it must be because the number of voters who benefitted from that action is not large enough to prevail electorally. If this is the case, then the legislator should know that it does not pay electorally to go against the party line and in favor of those voters. In turn, if the number of voters who benefitted from the government defeat is large enough to elect a representative, then the legislator can safely go against the party line to protect them, since the

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with her/him in order to share in the benefits of the policies implemented by the government. Implicitly, this argument assumes that control over the government brings no electoral benefit and that presidents are not able to transfer votes for the politicians who support her/him. This, however, does not seem to be the case. Data on the rates of presidential reelection when term limits are not present show that incumbency is indeed a big advantage. See, for instance, Cheibub & Przeworski (1999). Note, in addition, that, as Baron (1998) demonstrates, the effect of forthcoming elections on the support for the government, if any, should also be expected under parliamentarism.

legislator can expect to survive an early election.<sup>5</sup> Therefore, with purely office-seeking politicians, early elections are not a credible threat to induce party discipline.

Hence, one needs something else to argue that the threat of dissolution leads to party discipline. In the standard argument there is a non-stated presumption that in parliamentary regimes voters base their vote on party labels and not on individual politicians. In other words, a presumption that under parliamentarism the electoral connection will be necessarily different from the one that prevails in the US Congress, as analyzed by Mayhew (1974). But whether voters vote on the basis of party labels or of legislators' personal attributes is not necessarily related to the form of government.

As a matter of fact, electoral laws, and not the form of government, are usually seen as the main factor determining whether voters will vote according to personal or party attributes in a given system. In Carey & Shugart's (1994) attempt to rank electoral systems according to the kind of incentives they provide, the key factor is the control parties exercise over the chances a politician has to get elected or reelected. This control, in turn, depends on the access to the ballot, on the rules for transferring votes within party lists, the choices offered to vote below the party level, and the district magnitude. Parties are said to be strong and capable of enforcing discipline if these factors work in such a way as to allow them to affect the probability that a politician will get elected.

Important as the electoral variables may be in affecting the degree of party discipline in a system, they cannot be the whole story. Electoral laws may provide the incentives for legislators to cultivate the personal vote (by seeking policies that have concentrated benefits and diffuse costs), but the decision making process may deny them the means to do so (by centralizing decision making in such a way as to make the preferences of the individual legislator virtually irrelevant).<sup>6</sup> Indeed, as Mayhew (1974) has shown, the personal vote in the US Congress is closely related to the decentralized decision-making process that characterizes its committee system. In turn, as Cox (1987) has demonstrated in his analysis of 19<sup>th</sup> century England, a centralized decision-making process may neutralize the electoral incentives for the cultivation of the personal vote.

Of course what matters here is whether we have reasons to expect that parliamentary governments will necessarily foster a higher degree of centralization in policy-making. Is the process described by Cox inherent to parliamentarism? Are all presidential regimes like the one described by Mayhew? In other words, can we take the United States and England to be *the* paradigmatic cases of presidential

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<sup>5</sup> Government dissolution, as a matter of fact, should not be always seen as an undesired outcome; as Smith (1996) shows in a model of majority governments, early elections are more likely to be called when the times are good; see also Baron (1998).

<sup>6</sup> Here the case of post-1988 Brazil, arguably the presidential system with the most permissive party legislation in the world, becomes very relevant. As Limongi & Figueiredo (1995) show, in any roll-call vote taken in the lower house of the Brazilian National Congress since 1988, 9 out of 10 representatives voted according to the recommendation of their party leaders. As they argue, party of this unexpected level of legislative vote cohesion must be attributed to the organizational structure of congress.

and parliamentary regimes when it comes to policy-making? We will argue in the next section that they are not and that we have no reasons to expect a systematic variation in the centralization of policy-making across the two regimes.

Finally, some of the implications of the standard view of the relationship between mode of government formation and party discipline are not supported by the facts. The calculus of the individual legislator under parliamentarism cannot be entirely connected with the risk of election for the simple fact that early election is not the necessary consequence, or even the most frequent consequence, of a government dissolution. Cheibub (1998) shows that 56% of all prime ministers in 21 industrialized democracies between 1946 and 1995 changed without elections. In the same data set he finds that 38% of changes in the party of the prime minister, 46% of changes in the partisan composition of the government, and 24% of changes in the major party in the government occurred without elections. Elections are far from being the necessary outcome of government dissolution in parliamentary democracies and hence the costs they represent are not necessarily high and uniformly distributed across these systems. This is a point that is forcefully made by Mershon (1996 and 1999) in her studies of coalition formation in Italy and other countries.

On the other hand, as far as presidentialism is concerned, the standard argument assumes that voters use their two votes independently, that representatives are judged exclusively according to what they do to defend the narrow and immediate interests of their constituency. Voters do not care about the role their representatives play in the success or failure of the executive. If this were true the electoral performance of the presidential party at legislative elections should be entirely dissociated from the performance of the president. Yet, there is considerable evidence to the effect that voters do tend to associate their vote in presidential and legislative elections: this is why concurrent presidential and legislative elections would work to reduce the number of political parties competing in a given political system (Shugart 1995, Shugart and Carey 1992, Jones 1995). Hence, if voters connect their votes in executive legislative elections, legislators will have incentives to support the executive in some key votes. Their seats may depend on the good performance of the president.

Formal arguments linking parliamentary regimes with legislative vote cohesion have been recently developed by Huber (1996), Baron (1998), and Diermeier & Feddersen (1998). Huber (1996) develops a spatial model of the interaction between the prime minister, the cabinet and the prime minister's majority in which he highlights the role of vote of confidence procedures in legislative outcomes. Baron (1998) and Diermeier & Feddersen (1998) use a model of legislative bargaining to show how confidence procedures that characterize parliamentary democracies affect legislative cohesion. These papers represent important advances in the understanding of the functioning of parliamentary democracies, but they do not necessarily provide a compelling argument to the effect that levels of legislative cohesion will be higher in parliamentary over presidential democracies.

To begin with, the models proposed by Huber, on the one hand, and Baron and Diermeier and Feddersen, on the other, differ in at least one very important aspect. Whereas the latter models are explicit in setting up a situation in which there is conflict of interests among political parties so that legislative cohesion is not a function of similarity of preferences, this is not the case in Huber's analysis. In his case, there is an area of the policy space in which the preferences of all the actors

overlap, and what the model shows is that the agenda power of the prime minister will allow her to pick, in that area, the policy that she prefers. Legislators who go against the government do so in order to signal to their constituents that they are in fact defending their interests. They do so, however, knowing that the prime minister will choose a policy that they prefer over the status quo. The contribution of Huber's model, in our view, is not to show that vote of confidence procedures will induce high levels of party discipline in a context of conflicting preferences, but to show, as he himself notes (Huber 1996:279), that prime ministers are strategically well positioned to obtain policies that are to their liking and that, hence, political parties are constrained in their ability to shape policies after the government is formed.<sup>7</sup>

Baron (1998) and Diermeier & Feddersen (1998), in turn, explicitly model a situation in which the preferences of the party or coalition members are in conflict. The mechanism that drives their model is the control over the legislative agenda that being part of the government affords the parties. It is because agenda power guarantees future gains, and it is because the vote of confidence procedure allows the government to link the vote on a policy with the survival of the government and, hence, to control the legislative agenda, that parties and legislators may find it in their interest to vote now against their preferences.

Underlying both models, as well as Huber's (1996:280) is the view of a presidential system such as the one in the United States, in which agenda setting power lies with the legislature. However, if presidents can control the legislative agenda much in the same way as prime ministers can, then the mechanism that drives party cohesion in parliamentary regimes can also operate under presidentialism. We will argue in the next section that, indeed, if we consider the full range of existing presidential regimes, we find that the United States is exceptional in that it grants little or no legislative and agenda power to the executive and hence is by no means representative of what presidents can do. Here it is sufficient to say that presidential regimes are compatible with executives that hold a high level of agenda and legislative powers (see Mainwaring & Shugart 1997). The specific institutional procedure whereby this is achieved is obviously different from parliamentarism; but the end result may very well be the same.

Finally, as Diermeier & Feddersen (1998) state, confidence procedures may be a sufficient institutional feature to induce legislative vote cohesion, but it is not a necessary one. Other mechanisms may exist, some of which are institutional (e.g., centralized legislative organization and executive agenda and legislative powers) and some of which are not. In this context, Medina's (2001) analysis is particularly relevant since it shows how legislative voting cohesion can emerge from pure congruence of preferences. The implication of his analysis for the discussion here is that it demonstrates how cohesion does not necessarily depend on disciplinary measures (such as the vote of confidence) and can be obtained under any institutional set up.

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<sup>7</sup> This suggests a curious, and unexpected, parallel with the complaints of the limited role of political parties and the legislature in some new, presidential, democratic regimes (O'Donnell 1994). What is seen as positive trait in parliamentary regimes takes a negative tone when observed in presidential regimes.

It seems, thus, that it is not at all clear that the existence of cohesive legislative blocs is endogenous to the regime type. We should not presume that presidential regimes will invariably generate low levels of party discipline in the legislature.

### **Coalition Government**

Recall that the basic argument about coalitions is that presidentialism, contrary to parliamentarism, does not offer incentives for political parties to cooperate with the government. This fact is supposed to give rise to legislative paralysis or some other kind of “ungovernability,” with all the attendant tragedies that are associated with it. Stepan & Skach (1993:17-8) summarize the argument well:

“The essence of pure presidentialism is mutual independence. From this defining (and confining) condition a series of incentives and decision rules for encouraging the emergence of minority governments, discouraging the formation of durable coalitions, maximizing legislative impasses, motivating executives to flout the constitution, and stimulating political society to call periodically for military coups predictably flows. Presidents and legislatures are directly elected and have their own fixed mandates. This mutual independence creates the possibility of a political impasse between the chief executive and the legislative body for which there is no constitutionally available impasse-breaking device.”

Coalition governments, thus, are considered to be rare and unstable in presidential regimes and frequent and stable in parliamentary regimes. To this Mainwaring (1992) added the complicating factor of party system fractionalization. Whereas parliamentary regimes are equipped to deal with such situations -- cooperation, remember, is inherent to the regime -- the problems with presidentialism only get compounded by a multitude of political parties in the legislature.

This argument is problematic in many respects. Most fundamentally, it assumes that the institutional differences that exist between the two regimes are sufficient to create divergent incentives for coalition formation. This, however, is not the case. Cheibub et al (2001) show that the circumstances under which portfolio coalitions are likely to be formed are identical under the two systems.

Here is a summary of their argument. The crucial difference between parliamentarism and presidentialism, they argue, is the “reversion point,” that is, the situation that emerges if no coalition is formed. In parliamentary regimes, the reversion point is an early election; in presidential regimes, since mandates are fixed, it is a situation in which the president keeps all the portfolios. The implication of this fact is that whereas in parliamentary regimes every portfolio government enjoys the support of a legislative majority, under presidentialism it is possible that a legislative majority will hold no portfolio. This difference, however, is not sufficient to generate different *incentives* for the formation of portfolio coalitions. Cheibub et al (2001) show that when the distance in the policy space between the party of the formateur and the party closest to it is large, portfolio coalitions will be formed in both parliamentary and presidential systems. In these cases the formateur uses portfolios to bring the policy closer to its own preferences. Alternatively, when the distance in the policy space

between the party of the formateur and the party closest to it is small, and together these two parties would form a majority, no coalition will be formed, again in both parliamentary and presidential systems. Since policy preferences are close, the formateur can allow policy to be chosen by a party that is close to it. Given that, by definition, mandates are fixed in presidential regimes, what needs to be explained is not so much why coalitions are not formed under presidentialism (something that, as we will see, is not a fact anyway), but why presidents do not always form majority coalitions.

According to Cheibub et al (2001), the reason majority coalitions are not always formed under presidential regimes has to do with the opposition's beliefs about how much it would gain electorally from opposing the president. If the opposition believes that its vote share will increase in the next elections, it may be willing to stay out of the government, in which case a majority of legislators unite against the president and the president remains in office for the duration of the term. This is an outcome that is structurally unavailable under parliamentarism. What is fundamental, though, is not that this outcome may occur but the fact that, if it occurs, it does not invariably imply impasse or deadlock between the executive and the legislature. Legislative paralysis is likely to occur only under very specific institutional configurations, namely, if the legislature cannot initiate legislation, or if the president can veto legislation without being overridden. These are indeed, relatively infrequent scenarios: of 20 democratic constitutions examined by Carey et al (1997), 11 did not contain any provision regarding exclusive introduction of legislation by the executive, while the rest included partial restrictions – usually involving budget laws and/or the armed forces -- to the legislature's ability to initiate legislation. As for veto, in only 4% of the years of presidentialism between 1946 and 1999 could the president veto legislation with no legislative override (Cheibub 2002). Thus, although possible under some specific circumstances, a generalized lack of cooperation between executive and the legislature or chronic legislative paralysis are not the outcomes that would naturally result from the structure of incentives in presidential regimes.

Empirical patterns largely support these considerations. Table 2, based on Cheibub et al (2001), contains the frequency of majority and coalition governments for parliamentary and presidential regimes according to the share of seats held by the largest party in the legislature. Majority governments are those governments in which the sum of the seats held by all parties holding portfolios is larger than 0.50; coalition governments are those in which there are at least two parties that hold portfolios. We can see that, except for the cases in which one party holds more than 50% of the seats in the legislature, the frequency of coalition governments is higher under parliamentarism than under presidentialism. The difference, however, is not as large as we would expect if it were true that presidential regimes do not provide any incentives for coalition formation. When no party holds a majority of seats in the legislature, coalition governments emerge in slightly over half of the time. Furthermore, we find that the frequency of coalition and majority governments actually increases quite significantly when no party holds more than a third of the seats in the legislature. This pattern is identical to parliamentary regimes, suggesting, as discussed above, that the incentives for coalition formation are the same under the two regimes. Thus, contrary to the widespread fear expressed in the existing literature, the fragmentation of the party system does not make coalition formation more difficult in presidential systems.

\*\*\* Table 2 here \*\*\*

Even if we grant that incentives for coalition formation are the same under parliamentary and presidential regimes, one basic difference between them is that the number of possible coalitions under presidentialism is necessarily smaller than under parliamentarism. This may become a serious problem when the president is an “outsider” with very little support in congress since the power of his/her party will be magnified by the fact that that party has to be a member of the government. If this is a frequent occurrence in presidential regimes, then this limitation could become a serious problem. We have reasons to believe, however, that this is not the case.

As Cheibub et al (2001) report, it is simply not the case that presidents tend to belong to small parties or be “outsiders.” The probability that the chief executive will belong to one of the two largest parties is 0.9492 in parliamentary regimes and 0.9279 in presidential regimes. As figure 1 shows, the distribution of seats held by the party of president and the prime minister is similar under the two regimes. There is nothing in this distribution suggesting that presidential regimes are more likely than parliamentary regimes to produce governments headed by “outsiders.”

\*\*\* Figure 1 here \*\*\*

Thus, presidential regimes are not particularly prone to producing governments headed by “outsiders.” They also are not considerably more constrained than parliamentary regimes in the process of coalition formation. In both regimes the government tends to be headed by the largest party and this political factor, rather than any formal rule, seems to be sufficient to constraint the process of government formation in ways that make the two systems look alike.

What are the consequences of coalition governments under the two regimes? If the cycle described by Stepan & Skach (1993) were true, we should observe that presidential regimes are less likely to survive when the party of the president does not hold a majority of seats in congress and no coalition is formed. The same should be true for parliamentary regimes. The empirical patterns, however, are complex. As table 3 indicates, parliamentary regimes do, in fact, have better chances to survive when no party obtains a majority of seats in the legislature and coalitions are formed. Presidential regimes, in turn, experience the opposite situation: although the difference is not large (we are talking about expected lives of 24.5 and 22.6 years, respectively), the formation of coalition governments reduces survival chances when no party has more than 50% of the seats in congress.

\*\*\* Table 3 here \*\*\*

This, however, is not the whole story. This effect is stronger in presidentialism when the largest party holds between one-third and one-half of the seats.<sup>8</sup> In these cases the expected life of the regime when coalitions are formed is 13.2 years, compared with an expected life of 24.5 years when no coalitions are formed. When the largest party holds less than 33.3% of the seats, that is, when the legislature

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<sup>8</sup> The result is the same if instead of the seats of the largest party we use the seats of the party of the chief executive to condition the probabilities reported in the upper panel of table 4.

is highly fractionalized, coalition formation sharply improves the survival chances of the regime: expected life with coalition is 54.9 years against 23.9 when no coalitions are formed.

It seems, thus, that it is the level of party fractionalization that determines the effect of coalition formation on the survival of presidential democracies. When fractionalization is moderate (for instance, when the effective number of parties is between 3.5 and 4.5, as indicated in the second panel of table 4), coalition governments are highly fragile: their expected life is less than 9 years, compared with 26 years when no coalitions are formed. When fractionalization increases, we find, as one would expect, that coalition governments increase the survival chances of presidential democracies. We saw above that in situations of high party fractionalization coalitions are more likely to emerge in both parliamentary and presidential regimes. Now we see that, under these conditions, not only are they more frequent, but they also significantly improve the chances that democracy will survive.

The reason why coalitions tend to be less frequent and detrimental to the survival of democracy when the party system is moderately fractionalized is puzzling and deserves to be further investigated. The third panel in table 4 presents some of the conditions that transpire under moderate and high party fractionalization and may suggest some clues. When fractionalization is moderate, the party of the president is more often the largest party, on the average holds about one-third of the seats and is confronted with other legislative parties which are, themselves, relatively large. The relative strength of legislative parties may be what makes coalition so detrimental to presidential democracies under these conditions. For the moment, however, what needs to be underscored is the fact that it is *not* high levels of party fractionalization, and the difficulties of forming majority coalitions that allegedly follow from it, that kills presidential democracies.

Thus, it is not true that incentives for coalition formation are different in presidential and parliamentary democracies. It is not true either that presidential regimes with highly fractionalized party systems will make the task of coalition formation even more daunting; quite to the contrary, the frequency of coalition governments increases with the fractionalization of the party system in both presidential and parliamentary regimes.

### **Centralization of the Decision-Making Process**

From the constitutional point of view, all legislators, whether in presidential or parliamentary regimes, have the same rights and duties. Their mandates are the same, regardless of the number of votes received in the electorate, their party affiliation, degree of seniority in the legislature, and so on. Each legislator has the same right to propose legislation, to amend propositions made by others, and to participate in the process of deliberation. In addition, each legislator's vote has the same weight. In principle, therefore, legislatures are egalitarian institutions.

The reality, of course, is quite different. In order to be able to handle its workload, legislatures organize themselves in a variety of ways and adopt internal rules that regulate individual legislative rights and access to resources (Kriebhel 1992:2). Legislative rights and resources are not distributed in a uniform way. The chances individual legislators have to influence the order of business and to have a say in decision-making depends upon the legislative rights granted to them by the internal rules



of their assembly. Hence, legislative organization affects the structure of the decision-making process and the weight of legislators in policy decisions.

Discussions of legislative organization usually make reference to two paradigmatic cases: England and the United States, a centralized and a decentralized legislature, respectively, and, as we know, a parliamentary and a presidential democracy. Most arguments that we find about decision-making in democracies contrast these two systems and assume, often implicitly, that all legislatures, and, for that matter, the decision-making process, are centralized under parliamentarism and decentralized under presidentialism.

The English parliament is indeed characterized by the complete control of the cabinet over the legislative agenda. Government bills are appreciated under a special calendar that gives them priority over bills introduced by individual members of parliament and, as a consequence, parliamentary minorities have no way to “close the gates” to governmental proposals. In addition, individual members of parliament are often restricted in their capacity to amend government bills. For instance, since the beginning of the 18th century the government has the sole prerogative to initiate measures that increase expenditures (Lowenberg & Patterson 1979:249). Nowadays, it is rare for the budget presented by the cabinet to be modified by the parliament. In fact, given the high expectations that it will be approved as submitted, “a provisional resolution places it into effect on the day it is delivered, though months may pass before its final enactment” (Lowenberg & Patterson 1979:250).

Due to the government’s control over the agenda, legislative output is marked by a high rate of success for the executive’s initiatives. Propositions made by the cabinet had a 0.97 chance of being approved for the 1945-1978 period, while bills introduced by back-benchers, irrespective of their party affiliation, had a close to zero chance of being approved (Rose 1986:11). This means that the cabinet introduces almost all laws that are approved in parliament. The government legislative success rests on disciplined party support. Cabinet defeats are rare events. The cabinet entirely monopolizes the law-making process and, for that matter, all the decisions about policy.

The US Congress, on the contrary, is supposed to be a quite decentralized body, organized as it is around its strong committee system. In this view, the committee system allows legislators to have a say in decisions related to policy areas that are of importance for their electoral survival. The story goes like this. Each committee has the monopoly to initiate legislation in its own policy jurisdiction. Committees report bills to the floor and, for reasons that are not entirely clear, the floor accepts the bill as reported by the committee.<sup>9</sup> Political parties do not control the assignment process of legislators to specific committees; rather, the process is described as one of self-selection: legislators pick the committee that has the jurisdiction over the policy area that will bring them the highest electoral payoff. At the same time electoral considerations dictate that politicians prefer distributive,

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<sup>9</sup> On this respect see the debate between Kriebhel (1987) and Shepsle & Weingast (1987).

pork-barrel policies. The committee system in the US Congress provides the organizational means to make these distributive policies possible.<sup>10</sup>

Hence, with England as the prototype of executive-legislative relations in parliamentary regimes, and the US as the prototypical presidential system, it follows that Tsebelis (1995:325) is correct when he says that “In parliamentary systems the executive (government) controls the agenda, and the legislature (parliament) accepts or rejects proposals, while in presidential systems the legislature makes the proposal and the executive (the president) signs or vetoes then.” The prototypical parliamentary regime, thus, is one in which the government has a complete control over the legislative agenda; the rights of the individual members of parliament are “expropriated” and monopolized by the cabinet. Hence, all individual legislators can do is to support the party line. Voters know that this is all they can do, and thus have no incentive to cast their ballot on the basis of the candidate’s personal characteristics. Through the control of the legislative agenda, therefore, parliamentarism would lead to party vote in the electorate and to party discipline in the parliament.<sup>11</sup>

The prototype of a presidential regime, in turn, is one in which the organization of congress preserved the rights of individual representatives so that they are able to have a say on policy decisions. Separation of power leads to independent legislators who act on the basis of their individual electoral needs; and in response to these needs, they build personal ties with their constituencies. One is thus led to expect that legislatures in presidential regimes will have strong committee systems and representatives will be elected on the basis of the personal ties they build with their constituencies.

But, as we have known at least since Shugart & Carey (1992), presidential systems are not all alike. They vary considerably in terms of the degree of legislative powers they grant the president. The US president, as a matter of fact, is one of the few presidents in existing systems that cannot initiate legislation. Moreover, the US president can only veto legislation in totten, which weakens its capacity to oppose distributive bargains produced in congress. Hence, the US presidency is rather unique in that the president only has “reactive legislative powers” (Mainwaring & Shugart 1997). Not only are presidents often endowed with the capacity to initiate legislation; often they also have the exclusive

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<sup>10</sup> This, of course, is the text-book (Shepsle 1989) view of the US Congress, a view that has been challenged by Kriebhel (1992) and Cox & McCubbins (1993), to cite only the most important works. Yet, it is true that even for the informational and the party-as-a-cartel view of Congress, the committee system is a key and distinctive feature of the US Congress.

<sup>11</sup> High rates of executive success and low participation of individual members in law-making are, indeed, characteristics of most parliamentary regimes. The data assembled by the Inter Parliamentary Union (Herman & Mendel 1976) covering the 1971-1976 period register only 3 out of 14 countries with parliamentary regimes in which government legislative success is below 80%. There is no case in which individual initiatives represent more than 20% of the laws passed. For three countries, Australia, Ireland and Malta, there is no case of a bill introduced by an individual legislator that became a law. For the period 1978-82, Hermen & Mendel (1986) register 3 out of 16 countries with government success below 80% and only 3 with participation of individual members’ initiative above 20%, Austria, Italy and Portugal.

right to initiate legislation in some areas (such as appropriation and budgetary matters), whereas legislators are restricted in their capacity to amend bills in these areas. Hence, contrary to Tsebelis (1995), presidents can do much more than simply sign or veto bills proposed by the legislative.

In addition, some presidents also have decree-power; they are constitutionally able to unilaterally alter the status quo. Even though there is considerable variation in the specifics of presidential decree-power (Carey & Shugart 1998), often presidential decrees enter into effect first (whether immediately or not) and the legislature acts second. The legislature acts a posteriori, rejecting, amending or accepting the new status-quo brought about by the executive decree.<sup>12</sup> Given decree-power, therefore, a president can dictate the legislative agenda by forcing the legislature to make a decision on some matter it could, otherwise, not have appreciated. Thus, no group in the legislature, not even the majority, can “close the gates” for a presidential initiative made by decree.

Note that the power to impose an agenda does not imply that presidents will always prevail against the will of the majority. In fact, as Huber (1996) shows, since a legislative majority can always reject a presidential decree, a model of executive-legislative conflict is unable to explain why the executive would ever make use of decrees. There are, of course, strategic advantages that the agenda setter may explore. But as Kriebhel (1988:270) has argued, these are not properly anti-majoritarian devices.<sup>13</sup>

In addition, the government’s legislative and agenda powers, among which decree-power, need not be interpreted as means for solving “vertical” conflicts, that is, conflicts between the government and the opposition. Rather, as argued by Huber (1996), the government’s legislative powers are also means for solving “horizontal” conflicts, that is, conflicts between the government and its supporters. In this sense, these are ways that the government has to protect the cohesion of its coalition against the opportunistic behavior of its members.<sup>14</sup>

It follows from this that, because of presidents’ legislative powers, separation of powers in presidential regimes is not as complete as it is usually considered to be. Presidential legislative powers are commonly interpreted in the context of the US constitution, that is, as means to create checks and

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<sup>12</sup> Note that often rejection of a presidential decree does not mean a return to the status quo ante. Even if there is a majority in favor of the status quo, once the decree has been in effect, rejecting it may have become an unattractive or unavailable alternative.

<sup>13</sup> It is true that, since it immediately alters the status quo, the decree power will increase the power of the agenda setter. When legislatures have to vote on ordinary propositions, legislators compare the status quo (SQ) with the situation to be created by the proposition. In the case of an executive decree, the legislator compares the situation created by the decree (D) with the new situation created by rejecting a decree that has been in effect for some time (SQD). If the preferences of the majority are  $SQ > D > SQD$ , then *the majority* will approve the decree. If the preferences of the majority are  $SQD > D$  (assuming that SQ is no longer a viable alternative), then *the majority* will reject the decree.

<sup>14</sup> It is interesting to note here that there seems to be no association between minority status and the use of decree-power (Figueiredo & Limongi 1998).

balances. But, as we just have seen, the legislative powers of the executive are not only a mechanism for checking the power of the majority or imposing the will of the president. They are also weapons of the majority. Therefore, the fusion of executive and legislative powers is not absent from presidential systems.

Note that this interpretation is at odds with Shugart & Carey's (1992) view according to which presidential systems that endow presidents with considerable legislative powers -- what they call strong presidents -- have greater probability of experimenting a breakdown. They argue that strong presidents will have smaller incentives to negotiate with congress and, thus, paralysis and crisis are more likely. This is so because strong presidents have the institutional means to impose their will on congress; weak presidents, in turn, know that they have no other alternative than to negotiate. This argument, however, is based on the "vertical conflict" model and disregards the possibility that the president will try to organize a majority in congress. But once the possibility that the president and the majority have overlapping preferences is considered, then legislative agenda powers need not imply paralysis, crisis and eventual breakdown.

The organization of congress and the degree of control the executive has over the legislative agenda does influence the behavior of individual legislators. They act in a constrained environment. If they want to influence policy, they have to do so according to the rules of procedure of the body they belong to, and in the terms set by the president. Thus, for example, the incentives to cultivate the personal vote that stem from the electoral arena may be entirely neutralized in the legislature though a distribution of legislative rights that favors the executive. For this reason, we cannot deduce, as it is commonly done, the behavior of legislators from electoral and party legislation alone.

In this context, the case of Brazil is of central theoretical interest for it provides an example of the far reaching effects of the centralization of the decision making process. The system produced by the 1988 constitution is frequently cited as *the* example of bad institutional design (Ames 2001). All of the institutional choices that should not be made, it seems, were made in 1988: a strong presidential regime (one of the strongest in the world according to Shugart & Carey's 1992:155 rank); proportional representation formula for legislative elections with high district magnitude; very permissive party and electoral legislation (e.g., open-list and low party control over access to the ballot). In such a system, the party system is bound to be fragmented and presidents can be virtually certain that their party will not control a majority of seats in both legislative houses. And even if they did, parties would be highly undisciplined thus making the majority status of the president a mere formality (Sartori, 1994:113; Mainwaring 1991). Hence, to have their agenda approved, presidents would use their strong legislative powers, which would lead to conflict and paralysis. To paraphrase Sartori (1997), the system created in 1988 was nothing but hopeless.

Yet, the performance of the post-1988 Brazilian regime is completely at odds with what we would expect to find on the basis of this institutional analysis. Brazilian presidents of this period have had great success enacting their legislative agenda. Presidents introduced 86% of the bills enacted since 1988 and the rate of approval of the bills introduced by the executive was 78%. Presidents have formed coalitions to govern, and have been able to reliably obtain the support of the parties that belong to the government coalition in approving its legislation: the average discipline of the

presidential coalition, defined as the act of voting in accordance with the public recommendation of the government leader in the floor, was 85.6%. This support is sufficient to make a presidential defeat in a roll call a considerably rare event. Thus, despite the “centrifugal” characteristics of Brazilian presidentialism, as indicated by the party and electoral legislation, presidents have been able to govern relying on the support of a disciplined coalition (Figueiredo & Limongi 2000).

This outcome is a result of both the way the Brazilian congress is organized and the president’s ability to control the legislative agenda. The Brazilian congress is highly centralized. Legislative rights heavily favor party leaders, who are taken to be perfect agents of their caucuses (*bancadas*) when it comes to most procedural decisions (such as the request for roll-call votes, the closing of debates and, most importantly, the designation of a bill as urgent for purposes of appreciation). The urgency request is a kind of “discharge petition:” it removes the bill from the committee and forces its immediate (24 hours) deliberation by the floor. Bills that are appreciated as urgent cannot be freely amended: only amendments signed by 20% of the lower house are accepted, which implies that only those amendments supported by party leaders will be considered. As Figueiredo & Limongi (2000:157) have shown, the approval of the urgency petition, in turn, is highly associated with the success of a bill. Centralization, thus, deprives members of congress of the legislative rights they need to control in order to influence legislation.

The Brazilian presidents, thanks to their constitutional legislative powers, have a direct influence on the definition of the legislative agenda. Using its decree-power, the executive places on the agenda what it deems to be the most relevant and pressing issues. The president can also influence the pace of ordinary legislation by requesting urgency for the appreciation of specific bills (which will give each house 45 days to deliberate on them). The president has also the exclusive right to initiate legislation related to the definition of the budget, taxation and public administration. Therefore, the executive monopolizes the legislative initiative on the most crucial areas of policy-making.

Hence, it is via the participation in the government that individual legislators will obtain access to resources they need for political survival: policy influence and patronage. Leaders bargain with the executive: they exchange political support (votes) for access to policy influence and patronage. The executive, thus, provides party leaders with the means to punish backbenchers who do not follow the party line: their share of patronage may be denied. The executive, in turn, given the resources it controls, is in a very advantageous position. Party leaders become, in fact, the main brokers in the bargaining between the executive and the legislators. Contrary to what is currently assumed about Brazil, presidents do not need to bargain on a case-by-case basis. They are in a position to demand support for their entire legislative agenda. Once the government is formed and benefits are distributed among the members of the coalition, the president, with the help of party leaders, may threaten representatives and actually punish those who do not follow the party line. Hence, to say it once more, the actual pattern of legislative-executive relation in Brazil’s presidential regime is rather different from what one would expect to find if we were to deduce it from its electoral and partisan legislation.

It should be clear by now that separation of powers does not necessarily imply decentralized decision-making. Institutional analyses that stress the negative effects of separation of powers, and that point

to specific, often restrictive, electoral laws as a corrective to these effects, entirely miss the point. Presidentialism does not necessarily imply, or require, decentralized decision-making and conflict between the executive and the legislative. Once one assumes the possibility that coalition governments may also exist in presidential regimes, the degree of overlapping between the executive and legislative majorities has to be adjusted.

Presidential control over the agenda becomes a weapon to be used *by* the majority and not *against* the majority. We can see, thus, that presidents are not necessarily as distinct from prime minister as it is normally assumed. As we showed above, outcomes that are usually associated exclusively with parliamentarism, such as executive success and dominance over the legislative output obtained through disciplined parties, can be found even in “hopeless” presidential regimes such as Brazil’s.

Now, if presidential regimes are not all alike, neither are parliamentary systems. That the government will control the legislative agenda does not follow from the definition of parliamentarism. Neither is it necessary that the legislative rights of private members be curtailed in parliamentary regimes. Committees may have considerable powers in parliamentary assemblies and may erect barriers to the executive agenda.<sup>15</sup> The weakness of individual members of parliament that characterizes England is not inherent to parliamentary governments, as the cases of Italy after 1945 and France in the 3<sup>rd</sup> and 4<sup>th</sup> Republics amply illustrate. In both cases, the government had no control over the definition of the legislative agenda, committees had considerable amount of power and the rights of individual legislators were not “expropriated.”

In France, until 1911, it was the Chamber presidents who defined the legislative agenda. As Andrews (1978) reports, after this date, a Conference of Presidents assumed control over the definition of the agenda. The government was represented in the Conference, but it was only in 1955 that internal rules were revised so that voting in the Conference of Presidents was weighted by the proportion of seats held by each party. The proposed agendas had to be approved by the Chamber and this “often became an occasion for a vote of non confidence through a device called “interpellation” (Andrews 1978:471). Hence, the government did not have firm control over the definition of the legislative agenda. On several occasions, “interpellation” led to judgment on the government agenda that caused the fall of the government.

Besides, committees could act as ‘veto players’, since a report from the committee was necessary for consideration of a bill by the floor. The government could expedite the committee report but it could not avoid the report. Therefore, committees could respond to government pressure with an unsatisfactory report. According to Andrews (1978), the 3<sup>rd</sup> and 4<sup>th</sup> Republics placed few restrictions over the ability of private members to propose initiatives that would increase expenditures and reduce revenues. In his words, given the absence of serious restrictions, the government’s financial projects were often “butchered in parliament” (p.485)

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<sup>15</sup> Recall that one of the variables used by Strom (1990) to explain the formation of minority governments in parliamentary regimes was the committee structure of parliaments. Obviously there must exist some variation in this structure.

In Italy one finds the same pattern: the parliament's independence to set the legislative agenda, strong committees and legislative rights that favor individual members' capacity to influence decisions. In the Italian parliament, the presidents of each house, and not the government, define legislative agenda. Bills introduced by the government have no special calendar or precedence over private members' bills. Article 72 of the Italian constitution grants standing committees the authority to pass law. This capacity has been widely used. According to Di Palma (1976), the presidents of both houses decide unilaterally whether a bill will or will not have to be considered by the floor. Di Palma labels these alternatives as the 'centralized' and the 'decentralized' procedures. Bills scheduled for the latter alternative, had a much greater chance of becoming a law. Hence, all a president have to do in order to "kill" a governmental proposition is to schedule it for the 'centralized' procedure.

Besides being endowed with the power to pass legislation, Italian committees cannot be discharged when a bill follows the 'decentralized' procedure. Although possible, discharges under the 'centralized' procedure are rarely enforced. The committee chairmen are autonomous to define their agenda and even to convene their committee. Therefore, not only are committees important decision-making bodies, they also can act as veto players. As for individual members of parliament, until the 1988 reform roll-calls were secret and could be easily requested at any stage of the law-making process (Cotta 1990:77). Hence the government fell prey to the action of the *franco attiratori*. In other words, members of the majority could not be sanctioned, either by the government or their parties.

These are, obviously, not examples of parliamentary regimes in their best performance. So much so that both systems are often cited as examples of pathological development of parliamentarism and both have been considerably reformed. But this just emphasizes the point that we are making: the instability of these systems was a consequence not so much of the form of government, but of the way decision-making was organized. Although policy performance is important for the survival of a democratic regime, we cannot deduce it from the basic constitutional principle that defines this regime. Policy-making under parliamentarism is not necessarily centralized, and the government, as a consequence, is not always very successful in having its policy proposals approved. Similarly, policy-making under presidentialism is not necessarily decentralized, and the government invariably immobilized in terms of the policies it can implement.

## **Conclusion**

The difference between parliamentary and presidential democracies does not seem to attract today the same attention it did ten or fifteen years ago. Then, as several new democracies where in the process of choosing their constitutional frameworks, there was a clear sense of urgency attached to discussions about which system was more likely to survive. Today scholarly imagination has been captured by more immediate concerns (federalism and corruption seem to be where it has rested, at least momentarily), while an implicit consensus has emerged to the effect that we know everything that needs to be known about "broad" constitutional choices.

We disagree with this position. We hope to have showed in this paper that the difference in the survival of parliamentary and presidential regimes cannot be explained by the structure of incentives that supposedly follows from the regime's basic principles. Parliamentary systems do not operate under a "majoritarian imperative;" deadlock is not as frequent under presidentialism and is not absent from parliamentarism; coalition governments are not foreign to presidential systems and are not costless under parliamentary systems; decision-making is not always centralized under parliamentarism, as it is not always decentralized under presidentialism. The reality of both parliamentary and presidential regimes is more complex than what it would be if we were to derive these systems' entire behavior from their first principles.

So what explains the difference? We suspect that the main difference between the two regimes is due to the way the decision-making process is organized. Lack of coordination on policy-making and the probability of deadlock increase with the decentralization of the decision-making process. More often than not, we find parliamentary regimes that have a centralized decision-making process, one in which the executive has the monopoly over the policy agenda. This, however, as the Italian and French cases demonstrate, is not a necessary feature of parliamentarism. And, as the case of Brazil demonstrate, executive legislative powers, in the presence of political parties, allows for a fusion of powers not predicted by the usual conception of presidential regimes. Presidents with active legislative powers do not have to impose their will over the congress; they can bargain from a very advantageous position with legislative majorities that can encompass more than one political party. Agenda powers that centralize the decision-making process may be the basis for the "efficient secret" of presidential regimes. Thus, if parliamentary regimes have a better record of survival than presidential regimes, it is not because they are parliamentary.



**Table 1: Minority Presidents, Deadlock Situations and Transition Probabilities in Presidential Regimes by Type of Legislature, Effective Number of Political Parties, Electoral System and Timing of Elections**

	% Minority Presidents (N)	Deadlock Situations (N)	Transition Probabilities
<b>All</b>	40.22 (726)	33.52 (710)	0.0395
<b>Type of Legislature:</b>			
Unicameral	36.46 (277)	29.67 (273)	0.0464
Bicameral	42.54 (449)	35.96 (437)	0.0353
<b>Electoral System:</b>			
Majority-Plurality	39.04 (146)	36.99 (146)	0.0482
Pure Proportional	39.42 (553)	32.96 (540)	0.0378
Pure Prop. + Mixed	40.52 (580)	32.62 (564)	0.0372
<b>Effective Number of Parties (ENP):</b>			
ENP=2	35.33 (150)	27.33 (150)	0.0458
2<ENP=3	33.45 (281)	31.49 (280)	0.0209
3<ENP=4	59.69 (129)	49.22 (128)	0.0714
4<ENP=5	28.17 (71)	28.17 (71)	0.0417
ENP>5	50.60 (83)	32.10 (81)	0.0111
<b>Timing of Legislative and Presidential Elections:</b>			
Non-Concurrent	45.16 (124)	40.32 (124)	0.0318
Alternate	66.92 (133)	47.11 (121)	0.0548
Non-Conc. + Alternate	56.42 (257)	43.67 (245)	0.0429
Concurrent	31.34 (469)	28.17 (465)	0.0374
<b>Political Conditions</b>			
Minority Presidents			0.0462
Majority Presidents			0.0293
Minority Governments			0.0392
Majority Governments			0.0377
Deadlock Situations			0.0378
No Deadlock Situations			0.0318

“Minority Presidents” are the cases in which the party of the president does not control more than 50% of the seats in the legislature in a unicameral system; or when it does not control more than 50% of the seats in at least one of the chambers in a bicameral system. “Deadlock Situations” are defined as a function of the number of seats held by the government, by whether presidents can veto legislation, by the requirements for legislative override of the presidential veto, by the legislative structure, and by whether, in bicameral systems, veto override is by a vote in each house or by a joint session of both houses. “Transition Probabilities” indicate the probability that a presidential regime will become a dictatorship (the number of transitions away from presidentialism/the number of cases of presidentialism). “Minority” and “Majority” Governments are defined by the share of legislative seats held by all the parties that hold cabinet positions. Source: Cheibub (2002).

**Table 2: Majority and Coalition Governments in Parliamentary  
and Presidential Regimes by the Share of Seats Held by the  
Largest Party in the Legislature**

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<b>Majority Government:</b>			
	BOTH	PARLIAMENTARISM	PRESIDENTIALISM
ALL	0.7474	0.7871	0.6128
OVER 50%	0.9598	1.0000	0.8736
UNDER 50%	0.5531	0.5908	0.2892
33.3%-50%	0.5293	0.5688	0.2778
UNDER 33.3%	0.6316	0.6857	0.3239
<b>Coalition Government:</b>			
	BOTH	PARLIAMENTARISM	PRESIDENTIALISM
ALL	0.4326	0.4314	0.3034
OVER 50%	0.1250	0.0920	0.1348
UNDER 50%	0.7141	0.7443	0.5122
33.3%-50%	0.6581	0.6949	0.4306
UNDER 33.3%	0.8982	0.9571	0.7606

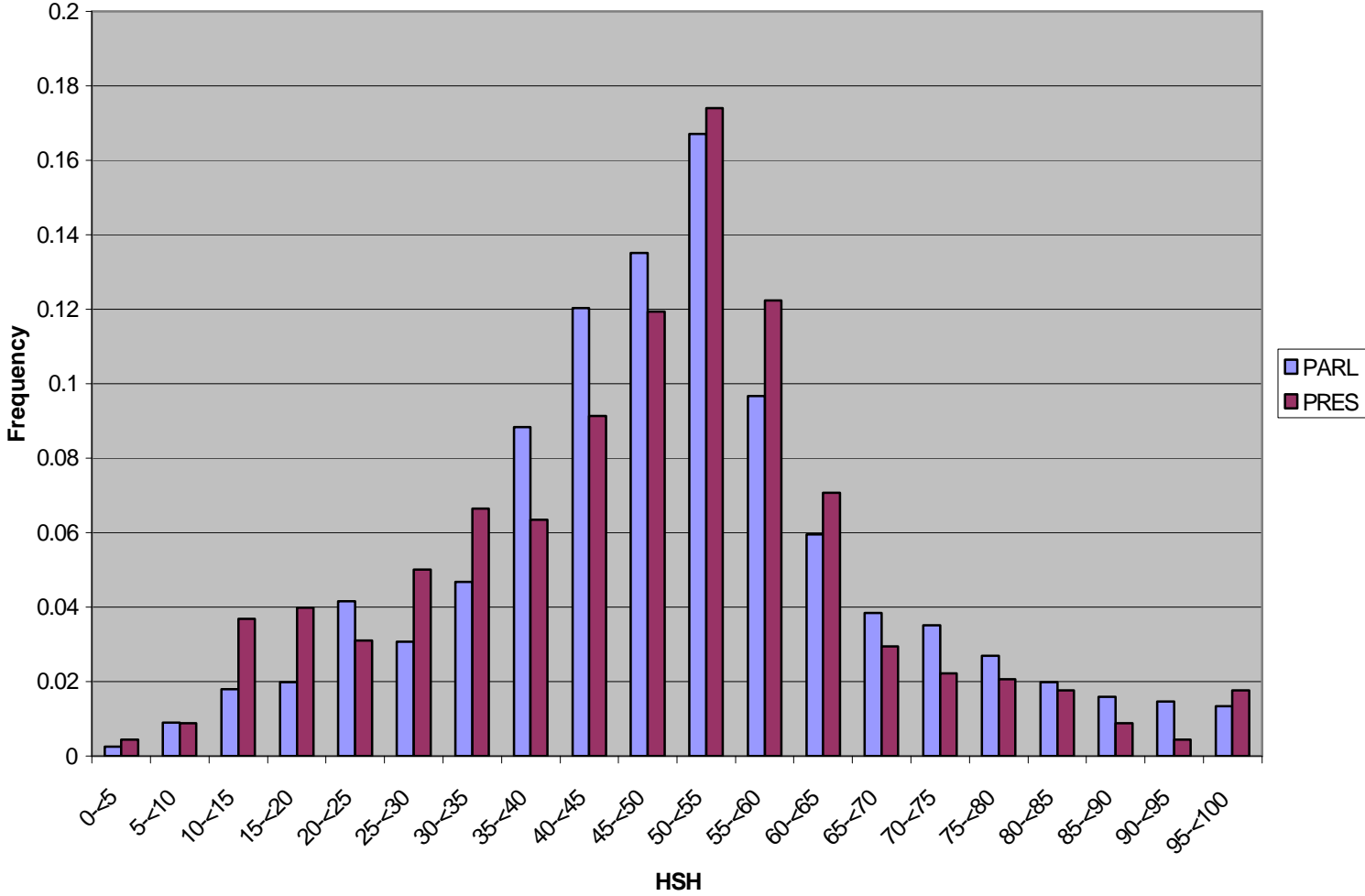
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**Table 3: Transition Probabilities by the Share of Seats Held by the Largest Party and the Effective Number of Political Parties**

	All	Parliamentary	Presidential
<b>Seats Held by the Largest Party:</b>			
Over 50%	0.0251	0.0139	0.0475
No Coalition	0.0266	0.0137	0.0516
Coalition	0.0143	0.0159	0.0000
Under 50%	0.0254	0.0191	0.0429
No Coalition	0.0301	0.0253	0.0408
Coalition	0.0172	0.0114	0.0443
33.3%-50%	0.0222	0.0131	0.0555
No Coalition	0.0307	0.0265	0.0407
Coalition	0.0178	0.0071	0.0753
Under 33.3 %	0.0170	0.0197	0.0224
No Coalition	0.0256	0.0000	0.0417
Coalition	0.0161	0.0206	0.0182
<b>Effective Number of Parties:</b>			
Less than 2.5	0.0267	0.0167	0.0480
No Coalition	0.0308	0.0192	0.0532
Coalition	0.0000	0.0000	0.0000
2.5-less than 3.5	0.0170	0.0121	0.0325
No Coalition	0.0230	0.0165	0.0291
Coalition	0.0117	0.0087	0.0392
3.5-less than 4.5	0.0292	0.0094	0.0886
No Coalition	0.0127	0.0000	0.0385
Coalition	0.0342	0.0121	0.1132
More than or equal to 4.5	0.0163	0.0140	0.0390
No Coalition	0.0278	0.0000	0.0555
Coalition	0.0148	0.0148	0.0339
<b>Conditions Under Moderate and High Party fragmentation (Effective Parties):</b>			
		3.5 - 4.5	More than 4.5
Majority Government		0.5760	0.5719
Coalition Government		0.7690	0.8824
Party of Head of Government is the Largest Party		0.6569	0.5085
Share of Seats of Party of the Head of Government		0.3361	0.2319
Share of Seats of Largest Party		0.3809	0.2845
Share of Seats of Second Largest Party		0.2512	0.2049
Share of Seats of Third Largest Party		0.1600	0.1523
Sum of Seat Share of First, Second and Third Parties	0.7921	0.6417	
Sum of Seat Share of Second and Third Parties		0.4112	0.3573

Source: Cheibub et al (2001).

**Figure 1: Parliamentary and Presidential Governments by Share of Seast of Party of Chief Executive**



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