Presidential Power and Party Strength: The "Inverse Relationship" Reconsidered

Timothy J. Power and David Doyle
Department of Politics and International Relations
University of Oxford

Abstract: This article revisits theoretical claims that separation of powers systems will display an inverse relationship between presidential power and party strength. Shugart and Carey (1992) posited this as a general equilibrium within presidential democracies; later, Shugart (1998) proposed that the inverse relationship resulted from founding institutional choices shaped in turn by modes of democratic transition. We test both the equilibrium and the genetic versions of the inverse relationship on a large-*N* dataset of presidential systems from 1900-2016. We find strong significant empirical support for an inverse relationship between executive power and party system institutionalization. However, the relationship is more dynamic than would be predicted by theories based on institutional foundings alone. Through analysis of decree reform in Argentina and Brazil, we observe changes in the expected inverse relationship despite the absence of a constitutional assembly and the lack of any change in electoral rules or party authority.

Keywords: presidentialism, parties, executive power, decrees, democratization

What is the relationship between presidential power and political parties? Among the many memorable claims of Matthew Soberg Shugart's and John M. Carey's *Presidents and Assemblies* (1992) is that modern presidential democracies will exhibit an *inverse relationship* between the extent of executive power and the strength of parties. This hypothesis first emerged in the context of the authors' well-known "inefficient secret" argument (chapter 9 of *Presidents and Assemblies*); later, it was refined and proposed as a more formal theory—linked even more explicitly to processes of political democratization—in a separate article by Shugart (1998). For our purposes here, we will consider these two works jointly. In this article, and following the other contributions in this special issue, we revisit Shugart and Carey's arguments 25 years later. We ask two broad questions about the purported inverse relationship between executive strength and party strength. First, if we expand the universe of cases beyond the relatively limited spatial and temporal coverage of *Presidents and Assemblies*, does this relationship still find empirical

support? Second, if the inverse relationship is confirmed, does it in fact result from the reasons proposed by Shugart and Carey?

In the first section of the article, we briefly summarize the logic behind the hypothesized inverse relationship. In the second, we subject the argument to empirical diagnostics in two ways, first in the equilibrium version (i.e., the inverse relationship is a general pattern of presidentialism, as per Shugart and Carey 1992), and second in its dynamic version (i.e., the inverse relationship emerges due to specific characteristics of the mode of transition to democracy, as per Shugart 1998). In doing so we extend the temporal domain to well over a century of experience with the separation of powers (1900-2016). In the third section of the article, we reflect upon alternative theoretical accounts of an inverse relationship between presidential power and party strength. We conclude by pointing to cumulative advances in theory-building, noting that recent work on "presidentialized parties" both extends and clarifies some original insights between party systems and executive type.

The Inverse Relationship in Brief

Shugart and Carey were heavily influenced by a work published several years earlier, Gary Cox's *The Efficient Secret* (1987), which offers an historical account of how nascent British parties came to articulate national policies despite an electoral system that would predict extreme parochialism. For reasons that we will not recount here, Westminster parliamentarism gradually became "electorally efficient," meaning that voters were offered clear alternatives in national policies. In Chapter 9 of *Presidents and Assemblies*, Shugart and Carey summarize Cox, reconsider the reasons that might encourage local representatives to adopt a national outlook, and test the portability of these factors to a presidential context. They conclude that under the

separation of powers, "members of congress need not submerge their district interests beneath a national focus in order to maintain an executive in office" (p. 170). This is the core of the "inefficient secret." As Amorim Neto and Santos (2003: 449) summarize the basic claim, "presidential democracies in which legislators have a parochial focus of representation are electorally inefficient because voters are not offered highly identifiable choices over national policies."

At first glance, the inefficient secret seems to bear little relationship to the "inverse relationship" argument, yet in fact the former is a prequel to the latter. The inefficient secret has clear implications for each pole of the inverse relationship, i.e. the executive strength dimension and the party development dimension. If elected legislators are preoccupied with localized, pork-barrel politics, they should be content to delegate national policy making to the directly elected president, leading over time to an expansion of presidential agenda setting powers. Second, if parties are not required to maintain a government in power, they will tend toward weaker organization and lower discipline (in such cases there is no functional need for party leaders to have strong control over the rank and file).[1] Testing these arguments on 17 cases, Shugart and Carey find that where party organizational strength is weak, the legislative powers of presidents tend to be high, and where parties leaders have strong control over candidates, presidents tend to be institutionally weaker (p. 177). This is the equilibrium version of the argument: the inverse relationship is depicted as a general feature of presidential systems.

This argument was later extended in more elaborate fashion by Shugart (1998). In his hands, the theory now becomes dynamic. The inverse relationship is understood to derive from one potential outcome of constitution-writing after a transition to democracy:

> First, there are those foundings in which the rank-and-file legislators or elected constituent assembly representatives already held elected positions under a pre-existing

> semicompetitive electoral order and had built up personal reputations as servants to particular local interests. These foundings tend to result in weak parties and strong executives. That is, politicians keep parties weak to allow themselves the opportunity to continue to cultivate personal reputations as providers of narrowly targeted goods and services. They establish a fixed-term presidency and grant it the ability to make much of the nation's broader policy decisions by decree (Shugart 1998: 2).

Yet a more discontinuous regime transition will produce a very different result:

> The polar opposite situation is one in which the transition follows a more abrupt break with the authoritarian order. In these cases, legislators or legislative aspirants have not yet had the opportunity to cultivate personal reputations, hence they are reliant on collective party reputations to advance their careers. As such, they delegate policy-setting parties to their own party leaders and give the executive less potential to wield independent authority over policy […] My theory links politicians' preferences over executive strength to their preferences over party strength, which in turn I derive deductively from the nature of the transition (ibid.).

This is a "genetic" theory of institutional outcomes: it accounts explicitly for the *origins* of the inverse relationship. The scope condition is democratization or redemocratization. There is a "state of nature" assumption, recognized explicitly by Shugart (p. 7), that rank-and-file legislators can devise new institutional rules autonomously from sitting presidents and their own party leaders.[2] The theory then identifies specific causal mechanisms that will sort different democratic transitions into different institutional outcomes. The two key variables here are the mode of transition and the political status of constitutional drafters. Transitions can be "decompressive" (in which the outgoing authoritarian regime held semicompetitive elections) or "provisionary" (with abrupt change and a founding election that occurs before constitutional drafting). Transitions can be led by "insiders" (ex-authoritarian elites with the possibility of some legal oppositionists) or "outsiders" (when former oppositionists unambiguously drive the process). Combining these variables in a two-by-two table, Shugart expects party strength to be

low in insider-decompressive transitions; medium in outsider-decompressive transitions; and high in provisionary (abrupt) transitions regardless of who leads the process (p. 13).

The genetic theory in Shugart (1998) differs in important ways from the descriptive patterns first identified in *Presidents and Assemblies*. In the book, the inverse relationship between executive strength and party strength is implied to be the modal form of presidentialism, and the main causal variable in play is simply the parochialism of legislators. In the 1998 article, Shugart assumes that the inverse relationship is not simply given by parochialism: the relationship can be avoided or attenuated depending on critical junctures. It is the mode of transition to democracy and the identity of constitutional drafters that set presidential democracies on different institutional paths. Since the genetic theory is more explicit about causality, it is the one we subject to the closest empirical testing below. At the same time, we incorporate the main variable of interest in the equilibrium model—the parochialism of legislators—into our analyses as well, so as to capture its independent effect on executive constraints.

Testing Shugart and Carey

The original Shugart and Carey (1992) and Shugart (1998) arguments were developed empirically in the context of just 17 and 24 countries, respectively, during the Third Wave of democratic transitions. The purpose of this section is twofold; firstly, to verify if the inverse relationship between the strength of parties and the power of the executive at the time of democratic transition might hold in a larger sample of countries, and secondly, to assess the durability of this relationship over time. We offer several disclaimers before we begin. First, ours is by no means a completely systematic test of Shugart and Carey's seminal contentions; we rely

on several proxy variables to capture both executive power and party system characteristics. Second, what we present here are basic models, with no controls other than time (year dummies). What we can add to the debate, however, is a much larger sample of countries over a far longer period. Although our results are far from the final word on this matter, we do think they are indicative of broad relationships between executive power and party systems under presidentialism.

We begin by modeling Shugart's (1998) path-dependent story about democratic transitions as critical junctures. We examine the hypothesized relationship between the incentives of party politicians (mainly legislators, but also party leaders) and the strength of the executive. Shugart (1998, p. 11) argued that when rank-and-file politicians or their party leaders seek primarily to cultivate party reputations, then they opt to endow the executive with weak powers. To capture the strength of the party system and the incentives facing politicians, we use two variables from the Varieties of Democracy database (Coppedge et al. 2017). V-Dem provides data on democracy, democratic practices, political actors and institutions, based on country-level expert surveys, for a global sample of countries between 1900 and 2016. We select country-years in which there was both political democracy and a directly elected president. Although there are some issues with these data—not least of which includes the subjective nature of the measures based on expert opinion that will be subject to differential item functioning and temporal anchoring problems[3]—nonetheless, V-Dem represents the largest repository, both in terms of time and countries, for data on party systems.

The first measure we use is *Programmaticity* of party systems, which is essentially the opposite of parochialism. This is based on expert responses, by country, to the question: "Among the major parties what is the main or most common form of linkage to their constituents?" The

response set ranges from 0, where linkages are characterized as clientelistic and constituents are rewarded with goods, cash and/or jobs, to 4, where linkages are characterized as programmatic and constituents respond to a party's position on national policies, general party programs and visions for society.[4] The higher the value, the greater the prevalence of policy-seeking behavior in the national party system. We also used an interval measure of *Party System Institutionalization*, which ranges from 0 (not institutionalized) to 1 (institutionalized). V-Dem has an off-the-shelf PSI variable (referred to as PSI V-Dem later in this article), but this composite measure includes the party linkages variable (*Programmaticity*) mentioned above; therefore, *Programmaticity* and PSI V-Dem are not fully independent because the former is subsumed in the latter. We therefore construct a modified index of party system institutionalization in the same manner as V-Dem, but simply subtracting the party linkages variable. We aggregate four V-Dem measures of party system characteristics: party organization, the extent of party branches, legislative party cohesion, and finally the distinctiveness of party platforms for each country year, and then standardize this index to range from 0 to 1 to construct our customized *Party System Institutionalization* (PSI) variable. This approach allows us to inspect the stand-alone effect of national policy-seeking behavior separately from overall party system coherence, and taken together, both serve as reasonable proxies for the main dynamic outlined in Shugart and Carey's theory. In our analyses, both *Programmaticity* and our modified *Party System Institutionalization* correspond to the year of the democratic transition.[5]

We measure our dependent variable—executive power—in two ways. Firstly, we use a measure of *Legislative Constraints on the Executive* from the V-Dem database. This variable captures the extent to which the legislature and government agencies are capable of questioning, investigating and exercising oversight over the executive. This is an index formed by aggregating

expert assessments of the ability of legislators to question the executive in practice, the extent of executive oversight, whether the legislature investigates the executive in practice and the state of legislative opposition. This index is clearly a behavioural or *de facto* measure of constraints on the executive: the variable is meant to capture the actual practice of politics rather than formal or institutional powers. Therefore, we also use a second measure of *Executive Power* from Doyle and Elgie (2016), who draw "upon the comparative and local knowledge embedded in the existing measures of presidential power" to construct a weighted measure of institutional power, based on the large number of such indicators in the wider literature, for each country constitution. This variable is strictly an institutional measure of presidential power, in that it only captures the constitutional prerogatives of the executive. Although the Doyle and Elgie measure has fewer observations than V-Dem, our dual approach allows for greater robustness: we now have cognate *de facto* and *de jure* indicators of executive strength. Both dependent variables correspond to the year *after* the transition took place.

Table 1: Party System Characteristics and Executive Power At the Moment of Democratic Transition (1900-2016)

	OLS	XTGEE	OLS	XTGEE	OLS	XTGEE	OLS	XTGEE
	Leg Constraints $_{t+1}$	Leg Constraints $_{t+1}$	Leg Constraints $_{t+1}$	Leg Constraints $_{t+1}$	Exec Power $_{t+1}$	Exec Power $_{t+1}$	Exec Power $_{t+1}$	Exec Power $_{t+1}$
	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7	Model 8
Programmaticity $_t$	0.0629**	0.0804***			-0.0607*	-0.0192		
	(0.0243)	(0.0132)			(0.0356)	(0.0170)		
PSI_t			0.421	0.911***			-0.216	0.0445
			(0.286)	(0.129)			(0.332)	(0.122)
Constant	0.638***	0.623***	0.475*	0.0753	0.529***	0.430***	0.644***	0.399***
	(0.0779)	(0.0229)	(0.247)	(0.0833)	(0.0121)	(0.0230)	(0.208)	(0.0793)
N transitions	131	131	131	131	67	67	67	67
Year Dummies?	Y	N	Y	N	Y	N	Y	N
N countries		84		84		54		54
R-squared	0.638		0.618		0.541		0.515	

Note: OLS = Ordinary Least Squares; XTGEE = Generalized Estimating Equations. All OLS models have robust standard errors clustered by country in parentheses and year dummies; XTGEE models estimated with exchangeable correlation and Gaussian family. Legislative constraints and executive power correspond to year 1 after the

democratic transition; the IVs are from the year of the transition. *** p<0.01, ** p<0.05, * p<0.1

Table 1 reports the results from a series of models, where the strength of the executive—operationalized in two different ways—is regressed on V-Dem measures of party system strength, again measured with two alternatives. In line with the original Shugart and Carey argument, we consider only experiences of political democratization. To capture the timing of regime change, we use an annualized variable from V-Dem, which simply reports whether there was a democratic transition, no change, or a democratic breakdown in a given year (the original source is Boix, Miller and Rosato 2013). We incorporate only unambiguous cases of transitions to democracy. Given the impressive temporal coverage of V-Dem, our sample covers democratic transitions from the First and Second waves of democratization as well as the Third. This longer time frame populates our dataset with many country-cases not encountered by Shugart and Carey, plus a number of "repeat visitors" to democracy (by comparing the *N* of transitions to the *N* of countries in Table 1, one can readily observe that some countries experienced multiple transitions between 1900 and 2016.) To account for this, we cluster all standard errors at the country level. In addition to simple OLS models, we also include panel GEE models to account for the highly unevenly spaced nature of the panel. We also include, but do not report, year dummies in the OLS models.[6] With this approach we can increase the observations to as many as 131 democratic transitions (in the first two models of Table 1).

The relationship is clear. Where party linkages are more oriented towards national-level programmatic policy platforms at the time of transition, the following year is much more likely to exhibit greater legislative constraints on the executive. This relationship is robust and statistically significant. Similarly, when we use the more holistic measure of overall party system institutionalization, we observe that the higher the PSI value at the time of transition, then the higher the level of legislative constraints on the executive at time t+1. For example, the

difference between a party system where linkages are clientelistic versus one where the linkages are programmatic is equivalent to approximately 0.26 points on the *Legislative Constraints* index (model 1). Given the standard deviation for this variable within our sample is 0.23, this is a sizable effect indeed.

When we turn to our formal constitutional measure of presidential power from Doyle and Elgie (2016) we can see that where party linkages are more rooted in clientelism at the time of transition, and where party systems are more inchoate, then the formal powers of the executive following this transition tend to be weaker. However, this relationship reaches levels of conventional statistical significance only in OLS model 5 in Table 1, although the general relationship is relatively evident (except in model 8). Clearly, even in a large sample, we can detect the contours of the expected inverse relationship between party strength and executive strength.

We now move inside the black box of this relationship. Shugart (1998: 15-16) proposed that the mechanism for the inverse relationship was rooted in the type of democratic transition that each country experienced. He argued that where previous autocratic or semi-autocratic regimes were highly personalistic and democratic transitions were decompressive (that is, controlled by insiders and only marginally different from the status quo ante), then politicians will prefer weak parties. In contrast, during "provisionary" transitions, which represent a more abrupt break with the past, politicians (i.e. relatively autonomous constitutional drafters) will have a preference for strong parties. This is an elegant argument, yet empirically it is not easy to adapt Shugart's transition types to a large-*N* design. What we do here is construct two simple proxies that distinguish between decompressive and provisionary transitions and examine the

effect of these measures (at the year of transition) on our two party system variables at time *t*+1 (the year after transition).

The first of our independent variables, *Personalism*, attempts to capture unipersonal centralisation of authority under the prior regime; we take the binary indicator of autocratic regime personalism from the Autocratic Regimes dataset developed by Geddes, Wright and Frantz (2014). While this is an unsatisfactory proxy for Shugart's argument about the relative weight of insiders and outsiders in postauthoritarian constitutional drafting, we assume that autocratic personalism will constrain the influence of regime outsiders in shaping the transition. In effect, here we are using personalism as a proxy for transitions that are controlled by insiders; highly personalist regimes will have a greater ability to control and oversee the transition process, thereby shutting out regime outsiders. The second measure of transition characteristics, *Abruptness*, identifies nascent democracies that were markedly different from the status quo ante. To create this indicator, we looked for sharp discontinuities in Polity scores (Marshall and Cole 2014) around the time of regime change.[7] We operationalize *Abruptness* as the absolute change in the Polity score in the year of the democratic transition, yielding an interval indicator.

Given our use of relatively crude proxies for Shugart's ideal types of democratic transitions, the results of Table 2 are merely suggestive. Nonetheless, we can see that the expected relationships hold: party systems in new democracies appear to be shaped by authoritarian legacies (i.e. the extent of personalism under the defunct dictatorship) and to a lesser extent, political processes (i.e. sharp political discontinuities at the moment of democratization). Our measure of abrupt democratic transitions—as captured by a notable jump in the Polity score—has a positive effect on programmatic party linkages and the institutionalization of the party systems, but it reaches levels of statistical significance only in

Model 1; the effect on *programmaticity* disappears once we include year dummies. In contrast, when the outgoing autocratic regime was primarily predicated upon personalism, then subsequent party linkages tend to be more clientelistic (as opposed to policy-seeking) in nature and party systems tend to be less institutionalized overall. This pattern holds strongly across all the models in Table 2. Clearly, the path toward democracy has some effect on the structuration of the subsequent party system, but modeling the political processes involved is a tricky endeavor: comparative politics is still far from having adequate quantitative indicators to capture modes of transition.[8]

Table 2: Transition Type and Party System Characteristics in Year One of Democratic Regimes, 1900-2016

	Program-maticity	Program-maticity	PSI	PSI	Program-maticity	Program-maticity	PSI	PSI
	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7	Model 8
Personalism $_{t-1}$					-0.626**	-0.895**	-0.0940***	-0.0830*
					(0.263)	(0.421)	(0.0335)	(0.0429)
Abruptness $_{t-1}$	0.0600***	0.0427	0.00303	0.00354				
	(0.0196)	(0.0356)	(0.00224)	(0.00480)				
Constant	-0.208	-2.298***	0.610***	0.530***	0.356**	1.165***	0.632***	0.649***
	(0.170)	(0.107)	(0.0235)	(0.0144)	(0.164)	(0.421)	(0.0172)	(0.0429)
N Transitions	73	73	73	73	57	57	57	57
Year Dummies?	N	Y	N	Y	N	Y	N	Y
R-squared	0.119	0.694	0.024	0.601	0.077	0.696	0.126	0.579

Notes: OLS models with robust standard errors clustered by country in parentheses; both IVs are taken from the year of transition; both DVs correspond to the year after transition; *** p<0.01, ** p<0.05, * p<0.1.

Finally, we turn to the durability of the "inverse relationship" over time. In Table 3, we report the results from several different time-series cross-sectional models, wherein both party system characteristics and presidential power are measured on an annualized country-level basis. For our main independent variable, we revert to the original V-Dem measure of *Party System Institutionalization* (PSI-VDem) which ranges from 0 (not institutionalized) to 1

(institutionalized), based on the aggregation of five different party system characteristics: party organization, the extent of party branches, legislative party cohesion, the distinctiveness of party platforms *and* party system linkages. As such, this measure effectively merges our two earlier measures of party system strength into one index. We use our measure of legislative constraints on the executive and formal executive constitutional power as our dependent variables. Models 1 and 2 present the results from random-effects panel models, Models 3 and 4 report the results of models with panel-corrected standard errors, corrected for first-order autocorrelation, while Models 5 and 6 report the results from error-correction models.

Table 3: The Relationship Between the Party System and Presidential Power Over Time, 1900-2016

	Leg Constraints	Pres Power	Leg Constraints	Pres Power	Change in Leg Constraints	Change in Pres Power
	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
PSI-VDem	0.381***	-0.0628***	0.288***	-0.0403**		
	(0.0110)	(0.0134)	(0.0147)	(0.0168)		
Change in PSI-VDem					0.236***	-0.0264*
					(0.0128)	(0.0135)
Lag PSI					0.00839***	-0.00182
					(0.00171)	(0.00171)
Lag Leg. Constraints					-0.0144***	
					(0.00161)	
Lag Pres Power						-0.00470***
						(0.00178)
Constant	0.233***	0.371***	0.323***	0.461***	0.00474	0.00326
	(0.0265)	(0.0487)	(0.0161)	(0.0134)	(0.00656)	(0.0168)
Observations	13,072	4,047	13,072	4,047	12,705	3,908
R-squared			0.083	0.283	0.062	0.015
No. of Countries	177	114	177	114		

Note: Models 1 and 2 are random effects time-series cross-sectional models (RE); models 3 and 4 are corrected for first-order autocorrelation with panel-corrected standard errors and pairwise comparison (XTPCSE); models 5 and 6 are error correction models (ECM). All models are estimated with year dummies, bar the xtpcse models; *** p<0.01, ** p<0.05, * p<0.1

With quite a hefty number of observations, it is evident that the inverse relationship is persistent over time. Higher levels of party system institutionalization are associated with higher levels of constraints on the executive and lower levels of formal constitutional executive power. For example, a shift from the tenth to the ninetieth percentile in terms of party system institutionalization amounts to an increase in the legislative constraints index of 0.3, an amount equivalent to the standard deviation of this variable for the entire global sample. Interestingly, the results from the error-correction models suggest that immediate changes in the nature of the party system lead to immediate changes in executive power. This is not a relationship that unfolds gradually over time, but rather one in which each variable changes quite rapidly in response to the other.[9] At first glance, Shugart's (1998) theoretical focus on a restrictive time window around the democratic transition therefore seems justified.

Without a doubt, the inverse relationship has remained persistent, if not strengthened over the course of the twentieth century and into the first part of the twenty-first century. Our general results suggest that both versions of Shugart and Carey's argument—the equilibrium and the genetic—can travel to a much larger sample and over a much longer period, incorporating both First and Second Wave transitions. Our results also suggest that the inverse relationship between party strength and executive power has remained durable over time. In a global sample between 1900 and 2016, executive power is inversely related with the programmatic nature of leading parties and with the overall institutionalization of the party system.

Of course, this raises the question as to *why* this relationship has proven so persistent (if not strengthened). To what extent can this durability be attributed to the path dependence of Shugart's (1998) theory of founding constitutional choices? It is this point we turn to next.

Some Criticisms of the Inverse Relationship Theory

In interrogating the inverse relationship, we advance another disclaimer. Shugart and Carey identify a general pattern of presidential strength and party weakness, not a "law." Some cases will naturally prove to be outliers. Rather than simply point to deviant cases and claim that these are theory-infirming (a strategy we find unpersuasive), we prefer to raise some broader questions about the underlying logic behind the inverse relationship. We introduce a brief criticism of one of Shugart's (1998) simplifying assumptions, and then give more attention to the possibility of significant within-case variation in the inverse relationship over time.

Shugart's "state of nature" assumption. For theoretical parsimony, Shugart's (1998) model of institutional foundings assumes that rank and file legislators can arrive at institutional choices without undue influence from the two key actors at the poles of the inverse relationship: presidents and party leaders. We understand the need for this simplifying assumption: a formal theory is impossible without it. However, there are strong reasons to believe that incumbent presidents and incumbent party leaders in new democracies exert powerful influence over founding constitutional choices, and that the resulting institutional outcomes are in fact endogenous to their preferences. To give only one oft-cited example, the majority of Brazil's constitutional delegates in 1987-1988 preferred a semipresidential system ("premier-presidentialism" in Shugart and Carey's terms) and maintained this in the working draft for over a year, only to reverse their decision after sustained political pressure and massive clientelistic transfers coming from incumbent president José Sarney (Martínez-Lara 1996).[10] More recent examples are provided by the constitutional conventions convoked by newly elected outsider presidents in Venezuela (1999), Ecuador (2008), and Bolivia (2009): all of these empowered the executive branch in ways explicitly advocated by incumbents. In each case, leaders of the

respective dominant, pro-presidential parties (all three of which called themselves "movements" at the time) acted as agents of the executive in the drafting process.

In modeling institutional foundings, Shugart prefers to rely on only two variables: the mode of transition to democracy and the insider/outsider status of rank and file legislators. In our view, the theory could be strengthened by the inclusion of a third variable: preferences of post-transition incumbents. The subsequent balance of power between presidents and parties can plausibly be explained by the political standing of the executive at the time of the institutional founding, as well as by his/her direct influence over rank and file drafters.

Within-case variation. Another possible criticism of Shugart's (1998) version of the inverse relationship argument is the same one leveled at all historical institutionalism: the potential for excessive determinism. The causal mechanisms are rooted in the incentives that politicians have at a single critical juncture. The argument neatly captures the starting equilibrium between presidential power and the party system at the time of democratization (or re-democratization), yet fails to contemplate dynamism in this relationship over time. In reality, fluctuations in the inverse relationship are clearly evident. Here we describe two examples of important modifications to presidential power occurring more than a decade after the respective democratizations. These cases refer to bargaining over constitutional decree authority (CDA) in Argentina and Brazil, respectively.

At the time of the most recent democratic transition in Argentina (1983), the political system was dominated by two major parties, the Peronist *Partido Justicialista* and the *Unión Civica Radical* (Jones 2008), with both parties exhibiting high levels of party discipline (Jones 1997).[11] Closed-list PR led to high electoral efficiency. During Argentina's democratic periods prior to 1989, the legislative powers of the president were low, equivalent to those in the United

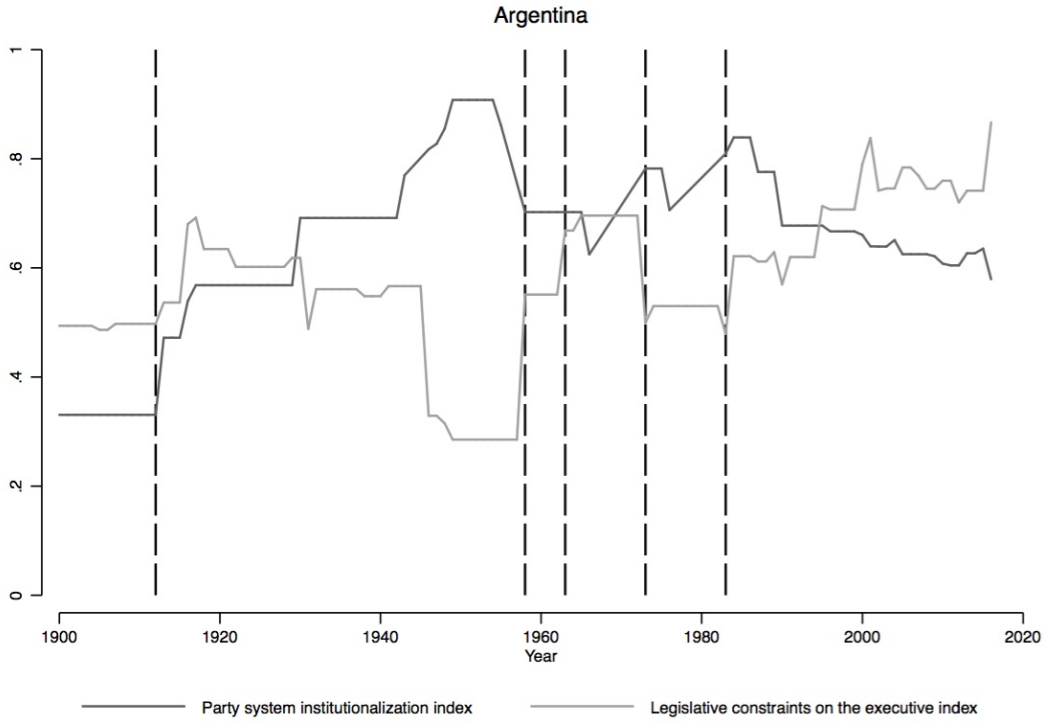
States (Shugart and Carey 1992: 177). Thus Shugart and Carey placed Argentina in the category of "strong parties, weak presidency."

But it was the experience of the second postauthoritarian president, Carlos Menem (1989-1999) that led to a revised characterization of the Argentine political system as hyper-presidentialist (see Nino 1996; Llanos 2001). Menem, following the economic crisis of the late 1980s, made wide use of a constitutional prerogative known as *decretos de necesidad y urgencia* (need and urgency decrees). Between July 1989 and August 1994, Menem issued 336 of these decrees (Rubio and Goretti 1998: 43), which effectively enabled the executive to bypass Congress (Mustapic 2002: 29). Prior to Menem, these instruments had not been widely used. For example, between 1953 and 1989, only 35 DNUs were issued, with ten of these belonging to Raúl Alfonsín (1983-1989), the UCR leader and the founding president of the democratic regime. Menem's expansion of presidential prerogatives moved Argentina closer to an uncharted quadrant in Shugart and Carey's schema: disciplined parties, proactive presidency. In the early 1990s, therefore, we observe a change in the expected inverse relationship despite the absence of a constitutional assembly and the lack of any change in electoral rules or party authority.

Moreover, the new balance of power between presidency and parties was soon subsumed into a bargaining game between the legislature and the executive. Menem, facing a constitutional prohibition on consecutive reelection, sought to be allowed a second term in office. Alfonsín, in the face of the UCR's abysmal showing in the 1993 legislative elections, agreed to this providing that any constitutional reform would also limit the power of the president and "restore the balance of power among the three branches of government" (Rubio and Goretti 1998: 58). This resulted in the historic *Pacto de Olivos* of 1994.[12] This accord allowed Menem to run for reelection in 1995, but the price was a curtailment of CDA (the president lost the right to issue

decrees on taxation, for example)[13] and a greater constitutional role for the opposition in Congress (Jones 1997: 292). The changing relationship is depicted visually in Figure 1.

Figure 1: Dynamism in the Inverse Relationship: Argentina, 1900-2016



Source: V-Dem. Note: The dashed vertical lines represent regime transitions as coded by Boix, Miller and Rosato (2013).

Postauthoritarian Brazil, on the other hand, was placed by Shugart and Carey (1992: 177) in the category of "strong president, weak parties." The legislative powers of post-1988 Brazilian presidents were impressive, and the first four postauthoritarian presidents relied heavily on CDA (Pereira, Power, and Rennó 2005), with hundreds of new and reissued decrees per year. Surveys of legislators showed dissatisfaction with the situation, and virtually every year Congress considered constitutional amendments that would reduce or abolish CDA. Successive presidents maneuvered to resist the enactment of these proposals.

However, in 2001, president Fernando Henrique Cardoso (1995-2002), reached a compromise with Congress that reduced presidential decree authority in two important ways. First, presidents would be limited to a single renewal of any expiring decree on which Congress has not yet voted.[14] Second, as in the Argentine *Pacto de Olivos*, the amendment also reduced constitutional ambiguity by specifying a list of issue-areas in which the executive may not resort to CDA. The president now has a maximum of 120 days to form a majority around some version of his decree; failing that, the decree dies, and the substance of it cannot be introduced as legislation during the remainder of the legislative session. In this way, the costs of abusing decree power were raised.

As in the Argentine case, institutional change occurred more than a decade after democratic transition and in the absence of a constitutional assembly. Decree reform was basically driven by unusual conditions arising in Brazil in 2001. Cardoso ceded on CDA reform only when his own PSDB won the presidency of the Chamber of Deputies for the first time in January of that year. Not only was this a "safer" situation for him—he had a good relationship with the incoming Chamber president, Aécio Neves—but Neves had based his own suprapartisan campaign for the Chamber presidency on a proposed reassertion of Congressional prerogatives. This incentive to expand assembly power cannot be explained by electoral laws, which remained unchanged in Brazil, and which continued to leave party leaders with weak authority over legislators. Rather, a much more persuasive explanation of the gradual pushback against the presidency is provided by a new institution internal to Congress—the emergence of contested elections for the presidency of the Chamber, which dates only from the early 1990s. Needing votes from backbenchers, candidates for the speakership promised that they would make Congress less reactive.

Other factors contributed to the institutional reequilibration. Cardoso accepted the reduction of decree power only when he was entering his final 18 months in office, transitioning into lame duck status. Moreover, many legislators in the center-right majority in Congress believed that the left-leaning Lula da Silva would win the presidential elections of 2002 (which he later did), and may have preferred a reduction in presidential agenda-setting powers for that reason. Overall, there is substantial evidence that the reform of CDA in Brazil owed much to unusual political conditions in 2000-2001.

These short narratives suggest that the inverse relationship is not always set in stone at the moment of democratic transition. The power of the executive and the fortunes of the party system have waxed and waned over time, and often inversely to each other, but for reasons different to those initially proposed by Shugart and Carey (parochialism of legislators) and Shugart alone (founding institutional choices). The inverse relationship is at least partially contingent and actor-driven over time. It can become progressively decoupled from founding institutional circumstances, and can be reshaped by presidential agency, economic management, interparty competition, and strategic bargains between the executive and legislative branch.

Conclusions

The concept of an inverse relationship between executive strength and party strength is one of the lasting contributions of *Presidents and Assemblies*. In the original 1992 book, the inverse relationship was presented mainly as a thought experiment with a brief visual illustration based on only 17 cases. Shugart's 1998 article converted this into a causal theory of institutional foundings, but again with only 24 cases drawn from the Third Wave. In this article, we have greatly expanded the spatial and temporal coverage to include all transitions to presidential

democracy occurring between 1900 and 2016. Although we were forced to use proxy variables and tentative operationalizations of the rich concepts involved, the preponderance of the evidence suggests that the inverse relationship is real.

Nonetheless, we cannot be entirely certain that the relationship exists for the reasons originally offered in the 1990s, e.g. the parochialism of legislators (Shugart and Carey 1992) or the specific pathway from authoritarian rule (Shugart 1998). We observed, *contra* the simplifying assumption of Shugart, that legislators and constitutional drafters do not make their founding institutional choices in a vacuum: they are often subject to the pressures of incumbent executives with a clear interest in expanding the power of the presidency.[15] When we control for this exogenous influence over institutional choices made by legislators, we are likely to find that their authoritarian-era career patterns—e.g. participation in semicompetitive elections and cultivation of local bases—are less important to democratic institutional engineering than Shugart's genetic theory postulates.

We further observed that the inverse relationship has some degree of elasticity. The relative powers of executives and party leaders wax and wane according to changing circumstances. While further theorization of this dynamism is necessary, we suspect that one of the main contextual variables here is the political standing of sitting executives. Economic and political crises, not to mention lame duckness, can weaken the influence of some presidential incumbents, allowing for legislators to reclaim some agenda-setting power. Conversely, outsider populists often arrive to the presidency with large electoral mandates that they are determined to use. In Latin America, this has resulted in several new constitutional frameworks with even stronger forms of executive initiative. This also affects the other pole of the inverse relationship: party systems. Crises and outsider politics have also resulted in the restructuring or full-blown

collapse of party systems. On the other hand, some party systems have moved in the opposite direction, with at least three of them—Brazil, El Salvador, and Panama—more institutionalized than they were at the time of *Presidents and Assemblies* (Mainwaring, Bizzarro and Petrova 2018). This shows that institutional foundings, while correctly highlighted by Shugart, do not always translate into "confining conditions" (Kircheimer 1965) that freeze the inverse relationship into place.

We conclude with a comment on newer work published in the present decade. If we leave Shugart's genetic theory aside and want to understand the inverse relationship simply as a general pattern of presidentialism—in other words, if we seek reasons only for the apparent elective affinity between strong parties and weak presidents—the most important recent insights have come from the work on "presidentialized parties" (Samuels and Shugart 2010; Passarelli 2015). Despite its title, Samuels and Shugart's book is a book about comparative political parties. The core argument is that parties begin to resemble the constitutional framework under which they live. Parties under parliamentarism become "parliamentarized": party leaders need the confidence of rank and file politicians, and if they endanger the party brand they will be replaced. Parties under presidentialism are "presidentialized": their survival hinges upon having a viable presidential candidate and/or incumbent executive. Because of this, they are highly dependent on their presidential contenders, and these contenders (or victors) come to exercise massive personal control over the fortunes of the party. Note that this framework has subtle differences from what was proposed in *Presidents and Assemblies*: rather than relying on electoral rules (read: parochialism) to explain party weakness, Samuels and Shugart (2010) examine the independent effect of constitutional frameworks on *internal party organization*. To us, the study of party organization brings us much closer to the essence of the "inverse

relationship" between executive strength and party strength. If we want to understand the persistence of this inverse relationship, we need to understand the intra-party incentives that lead politicians to leave the relationship mostly untouched. The concept of *presidentialized parties*, while perhaps less able to explain institutional foundings as intended by Shugart (1998), contributes mightily to account for the long-term equilibrium first posited by Shugart and Carey (1992).

References

Amorim Neto, Octavio, and Fabiano Santos (2003) The Inefficient Secret Revisited: The Legislative Input and Output of Brazilian Deputies. *Legislative Studies Quarterly* 28(4): 449-479.

Bendor, J., A. Glazer, and T. Hammond (2001) Theories of Delegation. *Annual Review of Political Science* 4: 235-269.

Boix, Carles, Michael Miller, and Sebastian Rosato (2013) A complete data set of political regimes, 1800–2007. *Comparative Political Studies* 46(12): 1523-1554.

Bonvecchi, Alejandro, and Javier Zelaznik (2017) Poder de decreto presidencial y comportamiento legislativo en Argentina. *Revista Uruguaya de Ciencia Política* 26, no. 1: 111-131.

Carey, John M., and Matthew Soberg Shugart (1995) Incentives to cultivate a personal vote: A rank ordering of electoral formulas. *Electoral Studies* 14(4): 417-439.

Coppedge, Michael, et al. (2017) Varieties of Democracy: Codebook v4. *Varieties of Democracy (V-Dem) Project*, available www.v-dem.net.

Cox, Gary W (1987) *The Efficient Secret*. New York: Cambridge University Press.

De Boef, Suzanna, and Luke Keele (2008) Taking time seriously. *American Journal of Political Science* 52(1): 184-200.

Doyle, David, and Robert Elgie (2016) Maximizing the reliability of cross-national measures of presidential power. *British Journal of Political Science* 46(4): 731-741.

Geddes, Barbara, Joseph Wright, and Erica Frantz (2014) Autocratic breakdown and regime transitions: A new data set. *Perspectives on Politics* 12(2): 313-331.

Jones, Mark P (1997) Evaluating Argentina's presidential democracy: 1983-1995. *Presidentialism and democracy in Latin America*: 259-99.

Jones, Mark P. (2008) The recruitment and selection of legislative candidates in Argentina. *In* Peter M. Siavelis and Scott Morgenstern, eds., *Pathways to Power: Political Recruitment and Candidate Selection in Latin America,* pp. 41-75. College Park: Penn State University Press.

Kircheimer, Otto (1965) Confining Conditions and Revolutionary Breakthroughs. *American Political Science Review* 59(4): 964-974.

Kitschelt, Herbert (1992) The Formation of Party Systems in East Central Europe. *Politics and Society* 20: 7-50.

Levitsky, Steven (2003) *Transforming labor-based parties in Latin America: Argentine Peronism in comparative perspective*. Cambridge University Press.

Linz, Juan J. (1990) The Perils of Presidentialism. *Journal of Democracy* 1, no. 1: 51-69.

Llanos, Mariana (2001) Understanding Presidential Power in Argentina: a Study of the Policy of Privatisation in the 1990s. *Journal of Latin American Studies* 33, no. 1: 67-99.

Mainwaring, Scott, Fernando Bizzarro, and Ana Petrova (2018) Party System Institutionalization, Decay, and Collapse. In Scott Mainwaring, ed., *Party Systems in Latin America: Institutionalization, Decay, and Collapse*, pp. 17-33. New York: Cambridge University Press.

Marshall, Monty G. and Benjamin R. Cole (2014) Global Report 2014: Conflict, Governance and State Fragility. Available at http://www.systemicpeace.org/vlibrary/GlobalReport2014.pdf.

Martínez-Lara, Javier (1996) *Building Democracy in Brazil: The Politics of Constitutional Change, 1985-1995*. New York: St. Martins Press.

Munck, Gerardo L. and Leff, Carol Skalnik (1997) Modes of Transition and Democratization: South America and Eastern Europe in Comparative Perspective. *Comparative Politics* 29: 343-362.

Mustapic, Ana María (2002) Oscillating relations: president and Congress in Argentina. In Scott Morgenstern and Benito Nacif, eds. *Legislative Politics in Latin America,* pp. 23-47. New York: Cambridge University Press.

Negretto, Gabriel L. (2004) Policy Making by Decree in Latin America: The Cases of Brazil and Argentina. *Comparative Political Studies* 37(5): 531-562.

Passarelli, Gianluca, ed. (2015) *The Presidentialization of Political Parties: Organizations, Institutions and Leaders*. Palgrave MacMillan.

Pemstein, Daniel, Kyle L. Marquardt, Eitan Tzelgov, Yi-ting Wang, Joshua Krusell and Farhad Miri (2017) The V-Dem Measurement Model: Latent Variable Analysis for Cross-National and Cross-Temporal Expert-Coded Data. University of Gothenburg, Varieties of Democracy Institute: Working Paper No. 21, 2nd edition.

Pereira, Carlos, Timothy J. Power, and Lucio Rennó (2005) Under What Conditions Do Presidents Resort to Decree Power? Theory and Evidence from the Brazilian Case. *Journal of Politics* 67, no. 1: 178-200.

Rubio, Delia Ferreira, and Matteo Goretti (1998) When the President Governs Alone: The *Decretazo* in Argentina, 1989-1993. In John M. Carey and Matthew Soberg Shugart (eds.), *Executive Decree Authority*, pp. 13-61. New York: Cambridge University Press.

Samuels, David and Matthew Soberg Shugart (2010) *Presidents, Parties, and Prime Ministers: How the Separation of Powers Affects Party Organization and Behavior*. New York: Cambridge University Press.

Shugart, Matthew Soberg, and John M. Carey (1992) *Presidents and assemblies: Constitutional design and electoral dynamics*. Cambridge University Press.

Shugart, Matthew Soberg (1998) The inverse relationship between party strength and executive strength: a theory of politicians constitutional choices. *British Journal of Political Science* 28(1): 1-29.

Slater, Dan, and Joseph Wong (2013) The Strength to Concede: Ruling Parties and Democratization in Developmental Asia. *American Political Science Review* 11(3): 717-733.

Endnotes

[1] These are ceteris paribus assumptions, as Shugart and Carey clearly recognize. The strong-executive, weak-party outcomes also depend on other institutional variables such as federalism (which also affects the national orientation of legislators) and electoral rules (which shape the degree to which legislators will cultivate a personal vote base). The latter concept is explored at length in Carey and Shugart (1995).

[2] Other theoretical treatments of institutional foundings rely on similar assumptions. For example, see Kitschelt's early (1992) treatment of postcommunist party systems, which imagines cleavage formation in an "institution free" environment (pp. 9-10).

[3] For an explanation of how V-Dem corrects for these problems using Bayesian implementations of item response theory models, see Pemstein et al. (2017).

[4] V-Dem standardizes this variable using a measurement model with a range of -3.0 to 3.2.

[5] We also re-ran the models with both IVs from the year after the transition (i.e., $t+1$); the results do not change.

[6] Given that measures of party systems and executive power can often be stable or slow-moving within country cases, we did not include country dummies. When we re-ran the models without year dummies, models 1 and 3 remained the same. Model 5 was no longer statistically significant.

[7] We use Boix, Miller and Rosato (2013) to obtain clear demarcations of regime changes, and then we employ the Polity scale to estimate the magnitude of the foundational "jump" whenever countries transition into the category of democratic systems.

[8] For a thoughtful critique of the modes of transition literature of the 1980s and 1990s, see Munck and Leff (1997); the debates have been recently revisited by Slater and Wong (2013).

[9] Here the lagged dependent variable is used to calculate the total, or long-run, effect of the independent variable on the dependent variable, by dividing the coefficient on the lagged IV by the coefficient on the lagged DV (see De Boef and Keele 2008). The low *r*-square value is most likely a product of using first-differences as the dependent variable.

[10] An even more extreme case was Russia's hurried constitutional convention in mid-1993, conducted during a dire economic and political crisis and under the forceful tutelage of Boris Yeltsin.

[11] Although the PJ has traditionally has lacked institutionalized rules of decision-making (see Levitsky 2001).

[12] The agreement was a public relations disaster for the UCR; the optics rebranded the party as a feeble opposition to Menem. This paved the way for the emergence of a new center-left alternative, FREPASO (see Jones 1997).

[13] The UCR and PJ could not agree on whether future DNUs would require explicit or "tacit" approval by Congress, i.e., whether ratification was implied by legislative inaction. The details were left to a future law, which was not actually enacted until 2006 (Bonvecchi and Zelaznik 2017).

[14] Between 1989 and 2000, some 90% of the more than 5000 *medidas provisórias* were actually reissues of expiring decrees. This practice, tolerated by the Supreme Court, essentially allowed presidents to make policy without Congressional approval (Negretto 2004: 543).

[15] According to Bendor, Glazer and Hammond (2001: 267), this is a common problem in delegation theory: "models often presume that principals are delegating on a blank slate—that they delegate without an ongoing agency or an ongoing program in the background. Yet this background (…) probably matters."